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PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

SENATE—Thursday, November 5, 2015

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Spirit of God, who brought light from darkness and order from chaos, we praise Your Holy Name. Lead our lawmakers, using their daily experiences of joy and sorrow, pleasure and pain, victory and defeat for Your glory. Bless their labor, providing for their needs and preparing tables of peace and confidence for them. As they rejoice because of Your faithfulness, protect them with the shield of Your love.

Lord, fill all of our hearts with Your joy and give us Your peace. Thank You for continuing to be our ever-present help in turbulent times.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HELLER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

OBAMACARE

Mr. MCCONNELL. Mr. President, I remember a recent time when Presi-

dent Obama tried to spin Americans on ObamaCare. The best he could muster then was a condescending, sort of cringe-inducing message that likely turned off more people than it converted. He even said that Americans who already had health insurance “may not know that they’ve got a better deal now [under ObamaCare] than they did, but they do.”

As I said, it was condescending and cringe-inducing. It was so out of touch with the priorities of America’s middle class.

Well, it looks as though the President is going to try again today with a series of regional TV interviews. He will do so with headlines such as these as a backdrop: CBS, “Affordable Care Act not so affordable”; AP, “More than half of health law’s insurance co-ops are closing.” Here is a headline about the President’s home State: “Some Obamacare marketplace prices see double-digit jump in Illinois.” And here is one about mine: “Health co-op closes, 51,000 need new insurance.” This is on top of the massive premium increases so many Kentuckians have faced.

This isn’t just a Kentucky story or an Illinois story. In every corner of the country, we see story after story about sharply rising premiums. The largest insurers in Tennessee have rates going up 36 percent. A large insurer in Oklahoma is raising premiums by 35 percent. In Hawaii, families are looking at increases of 26 and 34 percent. It is easy to glaze over the numbers, but this is real money coming out of the pockets of real families. This is money that could help send a child to college or put Thanksgiving dinner on the table, but instead it will go to insurance bills made unnecessarily expensive in part because of ObamaCare’s costly rules and regulations.

Perhaps the President will settle today for trying to convince Americans that ObamaCare’s Web site is at least working better than in years past, but that just means it will be a little easier for middle-class families to pay more for unaffordable health insurance and higher out-of-pocket costs. That is hardly the makings of better headlines

or better outcomes for the American people.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

OBAMACARE

Mr. REID. Mr. President, ObamaCare is working, as the New York Times indicated in a strong column this week showing how dramatically the rates of uninsurance have dropped since this bill passed. The initial posting of premiums doesn’t tell the whole story. The law requires the Department of Health and Human Services to post only the proposed increases that exceed 10 percent. Many of those proposed rates have gone through a review process at the State level, and after that review, States will reduce many of those rates. Remember, we are talking only about the States that had an increase of more than 10 percent. Almost all the States had increases that were far less than that.

The health reform law caps 85 percent of exchange enrollees’ premiums as a share of their income, and because of the health law, insurance companies must spend at least 80 cents of every dollar on health services. Prior to this law passing, these health insurance companies spent huge amounts of their money on salaries and other things that didn’t relate to the health of their enrollees, and now 80 percent of every dollar must be spent on the enrollees. This has resulted in rebates totaling \$9 billion paid to consumers since 2011. Eighty cents of every dollar is spent on health services rather than administrative costs and profits.

Addressing insurance premium increases in the individual market was a key reason we enacted the health reform bill in the first place. Before the health reform law, patients were subject to premium increases, cancellations, denials for preexisting conditions, and arbitrary limits on how much care insurance would cover.

● This “bullet” symbol identifies statements or insertions which are not spoken by a member of the Senate on the floor.

Thanks to this health reform law, proposed premium increases are seeing the light of day and are subject to scrutiny, which wasn't the way it was before.

Under the health reform law, insurance companies cannot deny coverage or charge more because of a preexisting condition or for simply being a woman. Insurance companies cannot arbitrarily cut off benefits when you really need them.

TRIBUTE TO WADE HENDERSON

Mr. REID. Mr. President, the true test of leadership is whether one leaves behind the conviction that others will carry on. Yesterday Wade Henderson, one of the fathers of the civil rights movement, announced that he will retire from the position as president and CEO of the Leadership Conference on Civil Rights and the Leadership Conference Education Fund to make room for future leaders.

Wade Henderson has inspired a new generation to hold our country to its most sacred values: liberty and justice for all. Wade has been a true leader. For the past 20 years he has been a tireless advocate for justice and equality. His conviction, skill, and expertise can be found in every major civil rights victory over the past two decades.

Wade has led the Leadership Conference on Civil and Human Rights through the successful passage of the Help America Vote Act of 2002; the Voting Rights Act reauthorization of 2006; the ADA Amendments Act in 2008; Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act in 2009; Lilly Ledbetter Fair Pay Act of 2009; Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010; and the Fair Sentencing Act of 2010.

From the passage of the hate crimes laws in the early 1990s to efforts to end racial profiling and pass comprehensive immigration reform, Wade Henderson has carried the weight and responsibility of the modern civil rights movement on his shoulders.

As Wade transforms and transitions into the next stage of his life, I have no doubt he will continue to be a champion of people of color, women, children, organized labor, persons with disabilities, seniors, the LGBT community, and faith communities.

Today I congratulate Wade Henderson for his years of service to our Nation and the world. I wish him continued success in all of his future endeavors.

Will the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2016—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 2685, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 118, H.R. 2685, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 11 a.m. will be equally divided in the usual form.

The Senator from Maine.

Ms. COLLINS. Mr. President, I come before the Senate to express my strong support for proceeding to the fiscal year 2016 Defense appropriations bill. This bill provides vital funding for the men and women of our armed services at a time of serious and growing threats to our own national security and at a time of troubling instability and violent conflicts in many countries around the world.

Proceeding would allow the Senate an opportunity to debate defense funding in an open and transparent manner and to meet our constitutional obligations. I am truly perplexed to hear some of my dear friends and colleagues on the other side of the aisle suggest that there is a Republican plan to enact only the Defense appropriations bill and then proceed to a continuing resolution for all of the other vital appropriations bills. It would be an understatement to say that continuing resolutions are certainly not the preferred option of the Appropriations Committee, and I say that as a proud member of that committee. Continuing resolutions create uncertainty, they lock in last year's priorities, and they continue to fund programs that should be eliminated. They are not effective ways to govern.

I want to be clear. Supporting an individual appropriations bill in no way suggests that the Senate is somehow giving up on passing the other 11 subcommittee appropriations bills, whether they are brought to the floor individually or as an omnibus package.

Members of the Appropriations Committee now have working numbers as a result of the budget agreement. We are working together diligently in a bipartisan, bicameral manner to craft a bipartisan omnibus that can be supported by both Chambers.

Democrats and Republicans came together to pass a budget agreement just a few short days ago, and our ongoing negotiations prove our sincerity and determination to move ahead with individual bills and in crafting an omnibus. We have already made great progress this year. As our chairman, THAD COCHRAN, has noted previously,

this is the first time in 6 years that the Appropriations Committee has approved all 12 of its bills. Many of those bills, due to the leadership on the Democratic side of my dear friend BARBARA MIKULSKI, and others, have been bipartisan when they were reported by our committee. I would note that we completed our work despite terribly strict budget constraints months ago.

Now, we are in a new stage. We have a bipartisan, 2-year budget agreement that has provided some much needed relief to some of the budget caps, while keeping us on a fiscally responsible path.

This is the third time the Senate has attempted to take up this vital appropriations bill. The last time, my Democratic friends objected because there was no bipartisan, bicameral budget agreement. In the absence of such an agreement, they said they could not proceed with a bill. Now, I didn't agree with that rationale, but I understood it. I do not understand the situation we find ourselves in today. We have a budget agreement—a bipartisan, bicameral budget agreement. I do not understand why we cannot move forward with the Defense appropriations bill and, I hope, other bills individually and then ultimately an omnibus bill for those that we simply run out of time to consider this year. Next year, due to this budget agreement, I hope we can bring each and every one of the individual appropriations bills before the Senate for debate and amendment the way we used to do, and that is our goal.

December 11 is quickly approaching, and that is the date when the current continuing resolution expires. We must act before then to ensure that the Federal Government remains open. We must act to ensure that vital Federal programs are funded and not operating under yet another continuing resolution, which is such poor policy. That is what we are trying to prevent.

Let's get the Defense appropriations bill approved. Then, I hope we can bring up at least one or two or perhaps three other appropriations bills. In the meantime, we are already working on the omnibus bill.

As chairman of the Transportation, Housing and Urban Development, and Related Agencies Subcommittee, I have already met with my ranking member, Senator JACK REED of Rhode Island, and with our counterparts on the House side to begin the negotiations on our bill. We are operating under a very tight timeframe that will require Members to work around the clock and a good-faith effort from all sides. That is what I am asking for today: for Members on the other side of the aisle to take the majority leader, the Republican leader, at his word, to pass this bill—this vitally needed bill—and then to go on to a second individual appropriations bill, all the while we are working in a bipartisan way to craft an omnibus bill.

I appreciate the opportunity to speak on the importance of advancing the fiscal year 2016 appropriations bills. Let me reiterate that it is simply wrong for any of my Democratic colleagues to assume that proceeding to the Defense appropriations bill somehow suggests that there is no interest by our leader in passing an omnibus that will include the other vital bills funding essential education, biomedical research, transportation, housing, agriculture, energy, environmental, and other important programs.

I urge my colleagues to support proceeding to this vital bill. To fail to do so once again, for the third time, despite the existence of the budget framework that we have agreed to, and to fail to do so just days before we honor our Nation's veterans would be a grave disservice to those who serve in our military today.

Thank you, Mr. President.

Seeing no one seeking the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DAINES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ROUNDS). Without objection, it is so ordered.

Mr. DAINES. Mr. President, for months, we have called for Senate Democrats to stand and support our troops and pass the Defense appropriations legislation. In fact, this is the first time—the first time since 2009—that all 12 appropriations bills were reported out of committee, and most with strong bipartisan support.

I serve on the Appropriations Committee. In fact, I serve on the Defense Appropriations Subcommittee. But today we are once again considering opening debate on the Department of Defense Appropriations Act of 2016, a bill that passed out of the Appropriations Committee on June 11 with a very strong bipartisan vote of 27 to 3.

As we approach Veterans Day next week, today could mark the third time that Democrats have blocked this critical legislation to fund our troops. This comes at a time when our troops are actively engaged in multiple theaters abroad and they need the critical support of our Nation's growing mission overseas. But rather than passing this vital funding bill, my Democratic colleagues would rather play politics and perpetuate the obstruction that plagues their party. The minority leader's constituents in Nevada deserve more. They deserve better. Montanans deserve more. The American people deserve more.

So here we are debating, for the third time, simply to proceed on Defense appropriations legislation and to open it up for debate. Let's be clear. The way

the process works is we have to have first a vote to bring the bill to the floor to begin deliberation. This, the greatest deliberative body in the world, can't even deliberate on the Defense appropriations bill because our friends across the aisle are blocking it. It is time to open it up for debate, open it up for amendments. This is the process of the Senate. The American people and the troops deserve more.

It appears that the Democratic leader and his Democratic colleagues would rather huddle in back rooms somewhere and concoct yet another deal behind closed doors versus in full daylight in transparency on the Senate floor because they would rather negotiate in private than engage in an open and honest debate in front of the American people.

Unfortunately, today the Senate Democrats will put partisan politics ahead of funding the troops. The senior Senator from New York, the likely next Democratic leader, has already foretold that Democrats would rather throw together another massive spending package than to allow open consideration of each part of the Nation's budget. No wonder we are \$19 trillion dollars in debt. Senator SCHUMER said:

We could pass a defense bill and then they could say, "Well, we'll do a [continuing resolution] on the rest of it," violating the 50-50 deal. We need to negotiate an omnibus all at once and all together.

I reject that. Montanans know firsthand the importance of supporting our men and women in uniform. The passage of this legislation is critical to carrying out our missions in an increasingly dangerous world, and it is important regarding missions we support in Montana. This Defense appropriations bill protects the Montana Air National Guard C-130 mission by moving forward with the Avionics Modernization Program, or AMP Increments 1 and 2, which are improvements from the original costly AMP program. This will ensure the C-130s at the Montana National Guard will be certified to continue flying by 2020 and provide a pathway for a full-scale avionics upgrade that addresses outdated components. It also funds key engine modifications for those C-130s.

The Senate Democrats would prefer to once again obstruct regular order in the same fashion they did during the past few years, which became the hallmark—it became the trademark of a failed Democrat-led Senate majority. So as the Senate heads home for the weekend, I challenge my Democratic colleagues to look at their veterans, to look their active duty troops and military families in the eye and ask themselves: Did I serve these selfless men and women or the Washington establishment? I think we know which one they will choose.

I encourage my Senate Democratic colleagues to change course. We have a

chance to change course on this upcoming vote. Vote yes on moving this critical defense legislation forward.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DAINES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DAINES. Mr. President, I ask unanimous consent that all time in a quorum call before the 11 a.m. vote today be charged equally against each side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DAINES. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, at 11 o'clock the Senate is going to vote on the Defense appropriations bill. This is a bill I have worked on with Senator COCHRAN of Mississippi. He not only chairs the Appropriations Committee but the Subcommittee on Defense, which I serve as ranking member on as well.

The effort in this bill is extraordinary because it comprises virtually 60 percent of the domestic discretionary spending of our government. It, of course, deals with the Department of Defense and intelligence agencies. I just want to say we have worked on this on a bipartisan basis from the start. It has been a real pleasure to work with Senator COCHRAN. I commend him for his leadership and his gentility and thank him for all of the good work he has put into this bill.

It is going to be a procedural vote that we anticipate is not going to allow this bill to go forward. It is not a reflection on the substance of the bill at all. Though we may disagree with one or two provisions in the bill—and even as one of the authors I can say that—the fact is that what we are trying to do now is position ourselves to complete the work of last week's budget agreement.

I think there is an understanding, at least at this moment, of how we will move forward, but I say to my colleagues that we can stand behind the substance of this bill. Procedurally, we may be delaying it today, but ultimately it will pass and I look forward to supporting it at that time.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I would like to address my remarks to my colleagues on the other side of the aisle, my Democratic colleagues. Yesterday I spent almost a whole day working with Democratic colleagues on a variety of proposals to try to get bipartisan results in the Senate. We have had more bipartisan results this year than most people think, whether it is the progress we have made on No Child Left Behind or on the trade bill or on the doc fix or on changing the way we pay doctors or on the USA Freedom Act, or on the Defense authorization bill. It is a long list.

I was working to get bipartisan results yesterday because that is what I am supposed to do as a United States Senator. I am not sent here to posture or to make a political point. I am sent here—given this privilege—in order to create an environment where we can solve problems for the benefit of the taxpayers, for the benefit of the American people. So that is how I spent my time yesterday. I do not think any other Republican spent more time than I did working with colleagues on the Democratic side to do that, which is why I am addressing my remarks to my Democratic friends.

What they have proposed to do is block our moving to the appropriations bill for the defense of this country for the third time—for the third time. There is no justification whatsoever to do that. What I am saying to my friends is don't go there, because if you continue to block appropriations bills, you are going to set in motion an irreversible trend toward partisanship in this Senate and I am going to lead it. I am going to lead it.

Instead of spending my time working with Democrats to get bipartisan results, we are going to go in another direction. Now, why would I say that? Because I am not here to be partisan. Let me give you the example of the appropriations bill that Senator FEINSTEIN from California and I have worked on. We worked on that bill in a bipartisan way. I think even she would say she wrote about as much of it as I did. There's a page full of things she thought are important for our country that are part of the bill. There are probably more than 75 Senators who wrote us letters—about half of them Democratic Senators—who wrote us

letters saying: These are important provisions in the Energy and Water Appropriations bill. Those provisions are in our bill. They are ready to be considered.

Twice, the Democrats have kept us from considering the Defense Appropriations bill. Today, they are going to do it again. What they are saying to us is that we are going to come up with any reason—any excuse—not to have a normal appropriations process. The last time Democrats argued: We did not have enough money. The way you deal with not enough money, if that is your opinion, is you bring a bill to the floor, you vote on it, you pass it if you can, you send it to the President, if the President disagrees with you, he vetoes it. It comes back and we negotiate and we have a compromise.

That is the way it works. You don't just jam something through because you have the power to stop something or the power to jam it through. That is the way you pass ObamaCare. That is the way you make sure the country has no respect for what we are trying to do. But that is what the Democrats did with appropriations this year and they got a result. I am not unhappy with the result, and I voted for the budget agreement. But what it does is it creates additional spending for defense and nondefense discretionary funding for the Energy and Water appropriations bill. I am pleased to see that because that money goes for ports, locks, and dams. That money goes to the Office of Science so we can have revolutions in manufacturing that create jobs. Money that can help with our biomedical research that we need to do. There are important things we need to do, and this bill will help us do them. But why would we not begin to debate that? Why would we not let the other Senators debate it? All we are proposing is to begin to do some of what in December we should have done in June and July.

The majority leader knows he can't put every one of the 12 appropriations bill on the floor. There is not enough time left this year. Why is there not enough time? Because Democrats blocked it in June. They kept us from going to the bills even though this is the first time in 6 years that all 12 appropriations bills have passed the Appropriations Committee.

Why is that important? That is what we do here. Our job is to review the purse, to decide what to spend—more for this lock, less for that project—and keep the budget in balance when we can. That is our job. They blocked it twice and they are getting ready to block it again with a vote today.

I'm saying, don't go there because you are going to set in motion an irreversible course in this Senate, and I'm going to lead it. I am going to use whatever skills and powers I have to do that.

All of these Democratic provisions don't have to be in the Energy and Water appropriations bill. They don't have to be in any of the bills because we have the majority and you don't. So if they're going to play that kind of game, we can play it too. I am not one who usually does, but I am able to play. I am able to play or I wouldn't have gotten here.

So I want to say to my friends on the other side: Don't go there. Vote to put the bill on the floor. Vote to give us a chance to have amendments.

Why would the other 70 Senators not want to have a chance to have a say about the appropriations bill? Thirty of us are on the Appropriations Committee. We did our work. We approved the bill—in our case by a vote of 26 to 4. It is a bipartisan bill. Why would we not put bills like that on the floor and let the other 70 Senators have their say? What are they here for if they don't want to have a say about appropriations? They might as well be home watching television. They should be here deciding the issues that face our country.

I hope my friends on both sides of the aisle can tell I am not happy this morning with the direction things are taking. I don't like the fact that I spent all day working with Democratic colleagues to get bipartisan results and they come along with a tactic—for the third time—that says: If we don't get everything we want, we are not going to have an appropriations process.

Well, we will see how that goes. And it will go not in a way that is good for the country, not in a way that is good for the Senate, but it will allow the people who have a majority in the Senate a chance to assert themselves and write the bills. At least we can do that.

There is really no reason we need to have 75 Senators' ideas about priorities in the Energy and Water appropriations bill if the majority doesn't want to. There is no reason to have the ranking members' opinions in any of these appropriations bills if the majority doesn't want to.

The way we have worked in our committee is—and I have worked with the Senator from California for several years, and she is a terrific person and a wonderful Senator—we work together. Now why should we stop that process when the bills come to the floor?

So through the Chair I respectfully ask my colleagues to think again. Don't do this. Don't send us a signal that we are never going to have another normal appropriations process in the United States Senate. The American people don't want that. We don't want that, and I can assure you my friends on the other side don't want that.

So my hope is that one way or another the majority leader and the Democratic leader have a conversation.

And that the Senate comes to its rational senses and begins a normal appropriations process, with as much time as we have between now and the end of our time here in December. Which would be a signal to all of us that we are going to work in a bipartisan way on a normal appropriations process for the good of the country. And that we are not just going to try to think up any excuse we can not to move an appropriations bill to the floor.

Two years ago the majority leader simply wouldn't bring the bills to the floor. This time the minority leader has blocked the bills from coming to the floor. Let's get back to work. For heaven's sake, that is what we are here for. I am ready to go to work. I much prefer the way I worked yesterday, working with my colleagues. But I am prepared to work in another way if that is what we need to do to get some balance in the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I compliment the distinguished Senator from Tennessee for his remarks. I extend my appreciation for his strong leadership in developing and bringing to the floor of the Senate the Defense appropriations bill for fiscal year 2016.

Specifically, I urge the Senate to do as he suggests. Let's get this bill before the Senate, offer amendments if Senators have suggestions for changes in the bill, and move ahead to completing action on this bill on time so we can predict with some certainty what our obligations are going to be and we can more thoughtfully with a sense of confidence know that we are doing the right thing to protect the security interests of our country, our citizens, and our interests around the world.

We have before us an effort to move to the consideration of the Department of Defense appropriations bill for fiscal year 2016. The bill provides \$514.1 billion in base budget funding and \$58.6 billion in overseas contingency operations funding for the Department of Defense.

The Senate Appropriations Committee has worked on a bipartisan basis to write and approve 12 individual appropriations bills this year for the first time since 2009. Senators should have the opportunity to debate, amend, and approve the Defense appropriations bill. The legislation is a bipartisan national security measure that provides the resources that are necessary to protect our Nation, support our servicemembers and their families, and meet current and future threats to our national security.

We have no greater priority than protecting our national security interests here at home and abroad. I urge Senators to cooperate and support our efforts and to vote to proceed to the con-

sideration of this bill. I am hopeful that the leadership can get together and work out a time that is convenient and appropriate for carrying out this responsibility.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to H.R. 2685, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, James M. Inhofe, John Hoeven, John Thune, Lamar Alexander, Richard Burr, Jerry Moran, John Cornyn, James E. Risch, Mike Crapo, Steve Daines, Jeff Flake, Cory Gardner, John Boozman, Thad Cochran, Pat Roberts, David Perdue.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 2685, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mrs. FISCHER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 44, as follows:

[Rollcall Vote No. 298 Leg.]

YEAS—51

Alexander
Ayotte
Barrasso
Blunt
Boozman
Burr
Capito

Cassidy
Coats
Cochran
Collins
Corker
Cornyn
Cotton

Crapo
Cruz
Daines
Donnelly
Enzi
Ernst
Fischer

Flake
Gardner
Grassley
Hatch
Heller
Hoeven
Inhofe
Isakson
Johnson
Kirk

Lankford
Lee
McCain
Moran
Murkowski
Paul
Perdue
Portman
Risch
Roberts

Rounds
Sasse
Scott
Sessions
Shelby
Sullivan
Thune
Tillis
Toomey
Wicker

NAYS—44

Baldwin
Bennet
Blumenthal
Booker
Brown
Cantwell
Cardin
Carper
Casey
Coons
Durbin
Feinstein
Franken
Gillibrand
Heinrich

Heitkamp
Hirono
Kaine
King
Klobuchar
Leahy
Manchin
Markey
McCaskill
McConnell
Menendez
Merkley
Mikulski
Murphy
Murray

Nelson
Peters
Reed
Reid
Schatz
Schumer
Shaheen
Stabenow
Tester
Udall
Warner
Warren
Whitehouse
Wyden

NOT VOTING—5

Boxer
Graham

Rubio
Sanders

Vitter

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 44.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. McCONNELL. Madam President, I enter a motion to reconsider the cloture vote on the motion to proceed to the Defense appropriations bill.

The PRESIDING OFFICER. The motion is entered.

Mr. McCONNELL. I withdraw the motion to proceed.

The PRESIDING OFFICER. The motion is withdrawn.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—MOTION TO PROCEED

Mr. McCONNELL. Madam President, I move to proceed to H.R. 2029.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 98, H.R. 2029, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mr. McCONNELL. Madam President, for the information of all Senators, there will be a rollcall vote on the motion to proceed to the Military Construction and Veterans Affairs appropriations bill shortly after lunch. The chairman of that committee, Senator KIRK, is working with the ranking member to move that bill across the floor next week. They will have a Senate substitute to the bill pending, and Senators will then further amend. If Senators cooperate in moving things along and scheduling votes on amendments to the bill, we can vote on passage on Tuesday night so that Senators

can commemorate Veterans Day back home with their constituents.

Obviously, this is going to require some cooperation from all Members. However, I encourage those Senators with amendments to the MILCON-VA bill to work with Senator KIRK and Senator TESTER to get them in the queue for floor consideration.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

STOP SANCTUARY POLICIES AND PROTECT AMERICANS ACT

Mr. CORNYN. Madam President, 2 weeks ago, the Senate was unable to proceed to consider a very important piece of legislation called the Stop Sanctuary Policies and Protect Americans Act. The goal of this legislation is to protect our communities from criminals who violate our laws and who pose a danger to those communities—often minority communities themselves. The aim of this legislation is to restore law and order across the country by holding those accountable who are defying Federal law and refusing to cooperate with the Federal Government when it comes to communicating the status of people who are illegally present in the country who have committed other more serious crimes and refusing to honor Federal detainees.

As we discussed the need for this bill, several of my colleagues highlighted the importance of this issue, but unfortunately, we lost that vote because only 54 Senators voted to proceed to the bill and obviously we needed 60 votes.

I am concerned that this debate does not focus on the people harmed the most because of the status quo, and that is why I have come here to the floor to talk about the larger problem of violent crime committed by those who are here illegally and are not being punished according to our laws. I also want to highlight the importance of the victims and families across the country who are suffering because we have not taken the appropriate action to stop these criminals.

There is one person in particular whom I wish to talk about today. My plan is to come to the floor and tell these stories one at a time over the next few weeks.

This is Javier Vega, Jr., who grew up in La Feria, a small town of about 7,000 people in South Texas. Javier was known by the name Harvey to his friends, interestingly enough, and he spent his entire life thinking of ways to help others before himself.

From a young age, he knew he wanted to serve in the military, and so he volunteered for the Marine Corps and embarked on a military career after graduating from La Feria High School. Harvey thrived in the Marine Corps. So after leaving the Marines and working day and night to put himself through college, he decided the next step in his

public service was to join the U.S. Border Patrol.

Harvey's mother said that he approached his work at the Border Patrol just like everything else he pursued in life—with diligence, dedication to hard work, and trying just simply to be the best he could be. He was proud to help protect his fellow neighbors and serve our country, and he worked tirelessly to do so.

But, tragically, Harvey's service to his country was cut short. Last summer he was out at one of his favorite fishing spots with his family. He loved fishing. It was a family tradition, and Harvey wanted to pass along his love for this pastime to his sons. Shortly after he and his family members cast their lines into the water on that Sunday afternoon, he was ambushed by two men who tried to rob him, and, heartbreakingly, the encounter turned violent.

Harvey's lifelong commitment to protecting those around him—something he seemed born to do—kicked in instantly. As Harvey and his father, and eventually his mother, tried to fend off the attackers, tragically Javier "Harvey" Vega, Jr., was killed. His father, Javier senior, was shot in the hip and still suffers from the wounds inflicted that afternoon.

This was supposed to be another normal weekend fishing with the family. But instead, this normal weekend—or what was supposed to be a normal weekend of fishing for Javier and his family—turned deadly.

Who were the killers? They were two illegal immigrant criminals who had repeatedly violated our laws, and by that I don't mean they just entered the country without the appropriate visa. Both had been deported multiple times but managed to repeatedly find their way back into the country, even after committing a long list of crimes.

In fact, according to some witnesses, these two men had been terrorizing the community for months, committing armed robberies and carjackings, and, clearly, they were capable of attacking and killing a hard-working father on a fishing trip with his family.

This is a difficult topic for some because some people would like to mischaracterize what we are trying to do with this legislation as somehow being anti-immigrant. But indeed, legal immigrants and people who live in the communities along South Texas—many of them have had family members come here from Mexico and elsewhere over the years—recognize how much people who illegally enter the country and commit multiple crimes can terrorize communities and victimize the very people whom those who block this legislation say they want to protect.

I don't raise this issue or this story lightly, but the country should know that for the family of Javier Vega, Jr.,

this is their reality. Illegal immigrant criminals who were deported multiple times attacked them and killed their son—their father, their brother, and their friend. Their lives will never be the same.

A number of our colleagues voted to block our ability to even consider this important legislation that seeks to merely enforce existing Federal law and to defund those jurisdictions that defy Federal law, and this is the consequence of doing nothing—people like Javier Vega, Jr., being victimized by criminals who violate our laws over and over and over, and when we catch them and they are deported, they simply come back into the country and victimize more people and more communities and kill people like Javier Vega, Jr.

The lives of the Vega family will never be the same, and I know they don't want other families in Texas or elsewhere around the country to have to suffer like they have suffered.

It doesn't seem like a lot to ask—that our Federal laws be enforced to protect our communities from criminals. That is all the legislation attempted to do. Yet there was a concerted effort across the aisle to filibuster the bill and prevent us from even considering this legislation, along with any suggestions our colleagues might have for improving it.

The goal of the bill, the Stop Sanctuary Policies and Protect Americans Act, is not to keep legal immigrants from entering the United States or to disparage law-abiding immigrants. Even the victim's mother, Marie, someone with justifiable, personal anger, noted that this tragedy does not mean that her family is against immigration—far from it. This legislation is narrowly targeted to address the root cause of the tragedies like the one I have been talking about, by targeting criminal illegal immigrants who repeatedly ignored the rule of law and who live with virtual impunity in our country and victimize people like the Vega family.

We can't, in good faith, address immigration reform until the American people see us doing more to enforce our existing laws. I have been here for a while, and I have heard the arguments across the aisle that our colleagues would say: Well, the only thing we need to do to fix problems like what the Vega family experienced and otherwise is to pass comprehensive immigration reform. But the American people simply don't have enough confidence in us if we are unwilling to take the necessary steps to see that the laws on the books are already enforced—the very laws that would protect people like Javier Vega, Jr., and his family.

We have a lot of work to do to regain the public's confidence, because we can do other things that I believe we need to do to fix our broken immigration

system. It is imperative, it is our responsibility, and it is something we referred to in our oath—that we will uphold and defend the laws and the Constitution of the United States. It is our responsibility to make sure that local governments comply with Federal laws and do not prevent the Department of Homeland Security from doing its job in enforcing them.

America's law enforcement community, including heroes like Harvey, put their lives on the line every day to protect our citizens. They work tirelessly to try to protect our safety.

I hope our colleagues will come to their senses and stand up for those who provide for our public safety and not contribute to a situation where other families, such as the Vega family, will lose a loved one to the sort of career criminals whom I was referring to earlier who killed Javier Vega, Jr.

I have recently joined with Congressman FILEMON VELA to send a letter to the Commissioner of U.S. Customs and Border Protection requesting that they reclassify the death of Javier Vega, Jr., as a line-of-duty fatality. Everybody in law enforcement knows that you are never truly off duty, and Javier's brave actions that fateful day back in 2014 should be classified as a death occurring in the line of duty, just like every other law enforcement officer.

I look forward to hearing back from the Commissioner on this soon. I am thankful to Paul Perez, president of the National Border Patrol Council in Kingsville, and to the Rio Grande Valley Union of the National Border Patrol Council for helping the Vega family highlight this issue.

We have a duty to help our brave men and women in law enforcement do their job by passing this legislation and to regain some of the lost confidence the American people used to have in our ability to actually do our job and to keep illegal immigrant criminals and repeat offenders off our streets.

This issue is not going away. There are countless other stories in Texas and across the country, such as the story of Kate Steinle, out in San Francisco, who tragically was murdered by the same sort of repeat illegal immigrant criminal who killed Harvey Vega.

There are a lot more stories to tell—a lot more stories that I hope we will tell in the coming days. It is our duty as Members of Congress to put a stop to this, and I pledge to keep fighting on behalf of the Vega family for legislation that will do just that.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

(The remarks of Mr. KAINE pertaining to the introduction of S. 2256 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. KAINE. Madam President, I yield the floor.

Mr. COATS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. We are not in a quorum call.

Mr. COATS. Madam President, do I have a limitation on speaking time?

The PRESIDING OFFICER. There is no limitation.

Mr. COATS. I thank the Chair.

WASTE OF THE WEEK

Madam President, this is my weekly "Waste of the Week" speech. It is time for another one.

Let me just say up front this involves Department of Defense spending. Now, I am a strong advocate. I am an Army veteran. I have served on the Senate Armed Services Committee for nearly two terms. I am a strong advocate of a strong national defense, but it doesn't mean we give a blank check to the Department of Defense. It means we have to scrutinize their expenditures and their engagement in spending taxpayers' dollars just as carefully as we scrutinize every other agency. Everybody is involved in terms of finding the best and most effective way of using taxpayer dollars, hopefully without going into debt to do so and hopefully directed to those issues of priority and necessity that we have to fund. The Department of Defense of course is one of those. Although, as I said, it doesn't mean they get a blank check.

I am deeply disappointed that my Democratic friends across the aisle have denied us the opportunity to take up the Department of Defense appropriations bill, where we would have the opportunity to offer amendments to strike money or to save money that could be used for essential, necessary efforts in spending by the Department of Defense.

Clearly every agency has to do some triage if we are ever going to get control of our out-of-control budget and our out-of-control plunge into deficit spending year after year, with the debt ever growing. I just heard today that we are now at \$18.5 trillion in debt, and that is going to come back to haunt us in future generations.

So the triage involves defining what is essential. Is this an essential expenditure that only the Federal Government can make? Defense spending falls into that category; that is, something that we can't leave to the States. Secondly, there is a lot we would like to do that may be necessary but is not urgent, a priority, or essential—when we have the money to do it. The third category is, Why in the world are you doing that in the first place? How can we define those items that are not necessary and take those funds and use them? Either give them back to the taxpayer or put them toward something that is essential rather than continuing to raise the funding, keeping

all of the "why we are we doing this in the first place?" stuff funded year after year. We are not being given the opportunity to do that.

It is beyond this Senator's comprehension that, having established the caps with the agreement that passed last week—which I couldn't vote for because it kept adding more to our debt and didn't fully address the real problem of entitlement spending. But nevertheless, the decision was made, and we had to pass it. Now it is simply a process of allocating the money within the limits of how much can be spent. That is what we are supposed to be able to do, of course, in committee.

We are also supposed to have the opportunity as Members of the Senate to bring forward amendments, to bring forward policy issues, to debate on the floor, and hopefully to improve the bill, making it better, more cost effective, and efficient.

OK. Here we go—waste of the week. I think this is the 20th-something time I have been on this floor during this year. Every week the Senate is in session, I come and do the waste of the week. This week it addresses, as I said, the Department of Defense. I want to highlight what a recent inspector general Department of Defense report found: over \$40 million of overspending by the Department of Defense to build one gas station in Afghanistan.

The special inspector general for Afghanistan reconstruction found that the Department of Defense Task Force for Stability and Business Operations actually spent \$43 million on a single natural gas fueling station in Afghanistan. The station was originally projected to cost \$3 million—and we will talk about how ever got to \$3 million, let alone how in the world this could have gotten to a total of \$43 million.

According to the IG report, DOD spent this money "to fund the construction and to supervise the initial operation of the station. Specifically, it spent approximately \$12.3 million in direct costs"—I guess that was building the station—"and \$30 million in overhead costs."

We are digging in to find out what those overhead costs were, but somebody came away with a pretty good profit margin just by submitting bills for \$30 million in overhead costs which apparently were approved and spent and given to the contractors.

To make matters worse, the inspector general's office found that the reasons the gas station needed to be built in the first place were not legitimate. They said there is zero evidence that the Department of Defense conducted the prior research necessary to identify potential obstacles before initiating this \$43 million project. Wouldn't you think somebody would have said: Wait a minute. What is this for? Where is it going to be? How much is it going to cost? Is it worth it? What is the projected spending? Is it going to be worth

doing this? Does it make any sense? The IG office said there was zero evidence in the DOD's research that there could be a potential obstacle in going forward with this. One of those obstacles is Afghanistan doesn't have the pipeline infrastructure to get the gas to the gas station. Another key obstacle is that on average it would cost more to convert a vehicle in Afghanistan to use compressed natural gas than the average Afghan earns in a single year. What all this means is that the Department of Defense built a gas station that doesn't consistently have gas or customers, all for \$43 million.

Most outrageously, the original \$3 million allocated to this project was over and above the international norm for building this kind of compressed natural gas station. The International Energy Agency analyzed global construction costs for similar fueling stations and found that construction costs ranged from \$200,000 to \$500,000 per station. It did acknowledge that in non-industrialized countries such as Afghanistan, costs would be on the high-end. OK. The high-end is \$500,000. It still raises the question, If nobody is going to use it or we can't get gas to the station to put into the vehicles, why are we doing this in the first place? It also raises the question, Why did it cost \$3 million in projected construction costs when the average high-end is \$500,000 per station in places like Afghanistan? What do you get for \$3 million? What they say you get for \$3 million ended up costing \$12 million, and then the final bill is \$43 million. What do you get?

As you can see on this photograph, you get one of these out in the desert in Afghanistan. It is a little bit blurry. There is the structure. You have some pumps here. They actually did want to prove that some cars use this, so there are a couple of vehicles pictured out there in the desert. There is a telephone pole, I guess, out there. You can see we are not talking about the middle of a city.

So that is what you get. That is what you get, folks, for \$43 million of expenditures. This is almost beyond the pale. It is almost something that you come down here and say: This can't be true. You can't make this stuff up. This is an example, though, I am afraid, of a lot of other overspending which we are going to dive into. But this one example alone illustrates that someone is making some very bad decisions and that taxpayers' dollars were not, at the least, properly stewarded by someone.

American taxpayers deserve an answer to this fraud, to this waste. Why did we pay \$43 million to build this gas station when there was no research justifying building it in the first place? They want an explanation of why this particular project was \$40 million over budget, and even the budgeted price

was significantly higher—8 to 10 times higher—than the projected average cost of building something like this in a third-world country. Taxpayers need an explanation of how and why this could have ever happened, and there needs to be a full investigation. We need and will demand answers.

What has been illustrated is a perfect example of why not only my constituents but the American public feels that Washington can no longer be trusted and that no one in Washington gets it. Well, I get it. I get it, and we ought to all get it. We ought to be just as outraged as our constituents in terms of our performance here. This is totally unacceptable.

As has been said, this Senator is one of the biggest supporters of a strong national defense as anyone standing on this Senate floor, but we are weakening our defense and not allocating our money to the essentials that we need to support our soldiers in the essential tasks they have and the equipment they need. We are doing this kind of stuff, and it has to stop.

Our waste of the week is now totaling over \$117 billion of identified waste, and who knows what the total would be if we could comb through every agency. Our former colleague Tom Coburn used to say there is a good \$1 trillion if added all up. I don't know if it reaches that or not, but we are well on the way. We are at \$117 trillion, and these are the things I have identified and addressed coming to the floor this year.

Hopefully my colleagues will pay attention. We can't get the big things done. The President won't sign anything or engage in anything relative to the real gorilla in the room that is going to take us down economically, which are the runaway entitlements. Despite all the efforts, many of them bipartisan, the President has said: No, no, no, no, no, not on my watch.

The spending is continuing to go up, but the least we can do until we get somebody more responsible as our leader in the White House and until we have the will and courage to take on what we all know needs to be done to get our fiscal house back in order—in the meantime, we can at least stop this egregious spending and waste of taxpayer dollars through fraud and abuse.

I am going to continue to do this. Next week we have lined up in our office what we will do, coming down virtually every day to do this and not run out of examples of how taxpayers' dollars are being wasted.

As you can tell, I am getting worked up about all this. Somebody needs to get worked up about this because it is not happening and we are spending money, and the public has given up and thrown up their hands and said we are dysfunctional, and they are right.

With that, Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. UDALL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. UDALL and Mr. HEINRICH pertaining to the introduction of S. 2254 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. HEINRICH. Madam President, I yield to my colleague from Michigan.

The PRESIDING OFFICER. The Senator from Michigan.

TRIBUTE TO AMY JISHI

Mr. PETERS. Madam President, I rise to recognize the heroic efforts of Amy Jishi, a Michigander who serves as a transportation security inspector at Detroit Metropolitan International Airport. I just spoke to her a few moments ago on the phone and thanked her for her brave actions.

Recently, while leaving work at the airport Amy observed an accident at a traffic light. She noticed that one of the cars was leaking gasoline and a fire had started underneath it. Without hesitation, Amy selflessly placed herself in harm's way to offer assistance and to warn others about the fire, and she worked to free the driver from the vehicle, despite a stuck door, and was able to free him shortly before the car burst into flames. Afterwards, Amy told a reporter, "When I saw the accident, the only thought that went through my mind was to help them."

Amy is a lifelong resident of Dearborn Heights and has worked with the Transportation Security Administration in Detroit for 8 years. She and her TSA colleagues across the Nation work to keep the American people and the traveling public safe each and every day.

As a member of the Senate Homeland Security committee, it is a privilege to hear the stories of the men and women at the Department of Homeland Security who work around the clock and around the world to keep our country safe. These individuals are dedicated to public service and are willing to put Americans' safety and well-being above their own, and they deserve the recognition, as well as the resources and policies that will continue to position them for success in the mission they take so seriously and personally.

I would like to recognize Amy's selfless action, quick thinking, and dedication to her fellow Americans. Because of her actions, a young driver was able to walk away from what would have been a terrible tragedy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. I thank the Presiding Officer.

SAVE BENEFITS ACT

Ms. WARREN. Madam President, exactly 3 weeks ago the Social Security Administration made a very quiet announcement. Next year, for just the third time since 1975, seniors who receive Social Security won't be getting an annual cost-of-living increase.

Two-thirds of seniors depend on Social Security for the majority of their income. For 15 million Americans, Social Security is all that stands between them and poverty. But not one of these Americans—not one—will see an extra dime next year. Millions of other Americans whose benefits are pegged to Social Security—millions who receive veterans' benefits, disability benefits, and other monthly payments—won't see an extra dime either.

These are tough times—but not for everyone. According to most recent data from the Economic Policy Institute, CEOs at the top 350 American companies received on average a 3.9-percent pay increase last year. That is a lot of money because the average CEO pay at one of the top 350 American companies was a cool \$16.3 million in 2014. On average, they got more than half a million dollars each in pay raises. So CEOs get huge pay raises while seniors, veterans, and others who have worked hard—70 million of them—will get nothing. Why? It is not an accident; it is the result of deliberate policies set right here in Congress.

Social Security is supposed to be indexed to inflation so that when prices go up, benefits will go up, too. But Congress's formula looks at the spending habits of only about a quarter of the country, and the formula isn't geared to what older Americans actually spend. Projections for costs of core goods and services, projections that remove the components of prices that are the most uncertain and erratic, show that inflation is up about 2 percent, but seniors, who usually get a boost on January 1, won't see an extra dime next year, mostly because of falling gasoline prices, which just don't mean as much to millions of seniors who don't commute to work. Meanwhile, seniors who are trying to cover things such as rent and exploding prescription drug prices are left out in the cold. It is all Federal policy.

What about those huge CEO bonuses? They are also the consequence, in part, of congressional policy. A report released just last week from the Center for Effective Government and the Institute for Policy Studies details how taxpayers subsidized CEOs' huge pay packages through billions of dollars in giveaways, including subsidies such as special tax-deferred compensation accounts and a crazy loophole that allows corporations to write off obscene bonuses as a business expense.

Companies can make their own decisions on how much to compensate their executives, but because of the laws

Congress has passed, American taxpayers are forced to subsidize these multimillion-dollar pay packages.

It is time for Congress to make different choices. If we do nothing, on January 1 more than 70 million seniors, veterans, and other Americans won't get an extra dime. While Congress sits on its hands and pretends there is nothing we can do for seniors or vets, while Congress claims there just isn't any money to fix the problem, American taxpayers will keep right on subsidizing billions of dollars' worth of bonuses for highly paid CEOs. It is a choice. Congress can spend taxpayer money subsidizing billions of dollars for bonuses for corporate executives or Congress can use that very same money to help 70 million people who live on Social Security, veterans' benefits, and disability payments. Congress makes the choice.

That is why I am here today, along with a number of my colleagues, to introduce the Senior and Veterans Emergency Benefits Act. The SAVE Benefits Act will give seniors on Social Security, veterans, those with disabilities, and others a one-time payment equivalent to an average increase of 3.9 percent—the same tax-subsidized pay increase top CEOs received last year.

We can increase pay for seniors and vets without adding a single penny to the deficit simply by closing one of the many tax loopholes that subsidize these giant pay packages for executives. In fact, according to the Chief Actuary of the Social Security Administration, closing this loophole will create enough revenue to help seniors and vets and there will still be enough money left over to help extend the life of the Social Security trust fund. This should be a bipartisan act. Nobody wants to see seniors struggle to pay their grocery and utility bills. Everybody should want to extend the life of Social Security.

Both Democrats and Republicans have expressed contempt for this tax loophole. Back in 1993, Congress passed section 162(m)—a Tax Code provision designed to rein in excessive corporate compensation—but the provision includes so many loopholes, most corporations just get around them. In fact, in 2006 Republican Senator CHUCK GRASSLEY said that "sophisticated folks are working with Swiss-watch-like devices to game this Swiss-cheese-like rule." In 2009 Republican Senator JOHN MCCAIN and Democratic Senator CARL LEVIN introduced a bill to shut down access to this loophole for corporate stock options. Just last year, the Republican chairman of the House Ways and Means Committee included reform of this loophole as part of his flagship tax reform bill. So let's just do it. Let's close the loophole, and let's use the money to give seniors and vets the support they need.

Think about what this change would mean. That 3.9 percent is worth about

\$581 a year, a little less than \$50 a month. I know that is a rounding error for those top corporate executives who are pulling in an average of over \$16 million each. But Social Security payments average only about \$1,250 a month, and millions of seniors who rely on those checks are barely scraping by. A \$581 increase could cover almost 3 months of groceries for seniors or a year's worth of out-of-pocket costs on critical prescription drugs for Medicare beneficiaries. That \$50 a month is worth a heck of a lot to the 70 million Americans who would have just a little more in their pockets as a result of this bill. In fact, according to an analysis from the Economic Policy Institute, that little boost could lift more than a million people out of poverty.

We all know someone who lives on Social Security—every single one of us. We know family members, a friend, a neighbor, people who worked hard all their lives and who now rely on Social Security checks to get by. Giving seniors a little help with their Social Security and stitching up these corporate tax write-offs isn't just about economics; it is about our values. For too long we have listened to a handful of powerful folks who have had one message: Cut taxes for those at the top, cut rules and regulations that keep businesses honest, and let everybody else fight over the scraps. We have tried that approach, and now we have a retirement crisis. Guaranteed pensions are gone, and 401(k)s and IRAs have been decimated by the stock market. Fewer and fewer people can afford to save for the future. We tried it, and it was a complete failure.

These same powerful folks will tell you there is nothing we can do to help 70 million seniors, veterans, Americans with disabilities, and others who will not see an extra dime this year. They will say we can't afford it. They will say we can't do anything to expand Social Security. They will say we need to gut Social Security in order to save it. They will say all of this, exactly at the same moment that we continue to shovel billions of dollars in taxpayer subsidies out the door for corporations to boost pay to their highest paid executives.

That is the problem. The money is there, only right now it goes to a handful of CEOs because that is where the law written by Congress sends it. But Congress can make a different choice—a choice that reflects our deepest values, a choice to give a boost to 70 million Americans who have earned one, a choice to lift over 1 million people out of poverty, and a choice to extend the life of Social Security. It is all about choices—millionaire and billionaire CEOs or retirees, vets, and disabled Americans.

I ask my colleagues to support the SAVE Benefits Act. January 1 will be here soon, and we need to make a choice now.

Madam President, I yield to my colleague from Connecticut.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Connecticut.

Mr. MURPHY. Madam President, I thank the Senator from Massachusetts.

We spend a lot of time here on the floor of the Senate talking about how our States are different. That happens in the House of Representatives where I served as well. But there is one thing that certainly unites all of our States and, frankly, one thing that unites all of the front desks of our Senate offices, and that is this: We have all been flooded with phone calls from the thousands upon thousands of constituents in each one of our districts who are furious that they are going to get no increase in Social Security at the beginning of next year. Despite the fact that prices for virtually everything that fixed income seniors are paying for are going up, they are getting absolutely nothing to try to compensate them for those cost of living increases.

We are hearing from people like Kevin in Bridgeport, who said:

Dear Senator Murphy, I am a lifelong resident of Bridgeport. . . . I am 63 years old . . . living on SSDI due to a rare disease of the spinal cord. . . . Since my only source of income is SSDI, I am concerned about the recent announcement that there is going to be no COLA increase for 2016. If there is anything you can do to reverse this decision, millions of Americans like myself would be greatly helped and greatly appreciative.

Or there is Fred from Wolcott, who said:

I understand the lower gas prices have kept the CPI lower with the result [being] no [Social Security] increase in 2016. Many of us do not drive or drive a limited amount and the lower gas prices do not place additional funds in our pocket.

Meanwhile, the cost of beef, chicken, eggs and milk etc., the things we live on have risen, and have reduced our purchasing power. Many on Social Security have no other form of income.

Adeline of New Fairfield, CT, says:

My husband and I were very disappointed that we did not receive our cost of living raise in our check. . . . Please let that be the last time. With all the medical deductibles and food and clothes and taxes going up, it gets discouraging. . . . We are up in age and not in the best of health and because of that we are unable to get a job. [Social Security is what we depend on.]

These stories can be multiplied millions of times over, and all over our districts. What are we going to do about it? Are we going to sit here, as we do with issue after issue, and offer no response to the millions of our constituents who are telling us that they are going to have trouble making ends meet? Or are we going to make a choice? Are we going to make a choice to end an unjustifiable loophole that allows corporations to hand over millions of dollars to their CEOs virtually tax-free or are we going to invest in the millions of seniors and disabled across this country who are going to

have a hard time living and making ends meet if we don't make the change involved in the piece of legislation that we are announcing today? The SAVE Benefits Act is going to save the lives of seniors who without a cost of living increase are going to have trouble affording medication and food. It really comes at no cost to the corporations that are right now receiving an unjustifiable tax benefit—one that Congress really never intended.

Congress passed and has accepted as part of our tax law for 20 years this provision that doesn't allow companies to take a tax benefit for salaries over \$1 million. It is not surprising that companies found a way around that provision because it exempted performance-based pay. So bonuses and stock options could be handed over with full tax benefit, and that became the standard for compensation packages. All of a sudden it wasn't about salary any longer, and it became about this performance-based pay.

You live in a world today in which there is this perverse system—the more corporations pay their CEOs, the lower their tax bill is.

It is not going to hurt corporations to simply have to pay taxes on the bonuses above \$1 million that they send to their CEOs and big executives. They are going to continue paying their CEOs a lot of money. A lot of them live in Connecticut. I don't have any fear that there is going to be a rapid diminution in the amount of money that CEOs are making, but at least those companies will pay taxes on those exorbitant salaries. We will be able to use that money to make sure that their customers—the people who are buying the goods that these big companies make—actually have the purchasing power with which to enter and be active in the economy.

I guess that is the piece of economics that I will end on here. By putting \$50 more a month into the hands of frail, poor seniors and disabled, you are providing an enormous economic benefit to the economy, because all of that money is going to go into the economy.

Let me tell you what a senior living at or below the poverty line is going to do with \$50 a month. They are going to put it into food. They are going to put it into medicine. They are going to put it into Main Street businesses. The fact is that when you decide instead to subsidize salaries of above \$1 million, that money isn't going back into the Main Street economy. Maybe a portion of it is, but a lot of it is ending up in giant accrued pensions and savings accounts or in offshore investments—not in the Main Street economy.

This is not just the right thing to do for these seniors who are crying out to every single one of our offices to do something about this unjustifiable lack of a COLA, but it is the right thing to do for the economy at large because

the money is going to find its way into all sorts of crevices and corners of this economy that badly need that kind of infusion.

I wish to thank Senator WARREN for introducing this legislation. I wanted to come down to the floor to lend my voice to it and for it on behalf of the hundreds and hundreds of seniors in Connecticut who are contacting and calling our office asking for the Senate to do something.

With that, let me yield to my colleague and friend from Connecticut, Senator BLUMENTHAL.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I am grateful to my colleague and friend from Connecticut for quoting some of the literally hundreds of letters that both of our offices have been receiving from Social Security recipients and also from veterans in my State. I suspect my colleagues from Massachusetts have been receiving the same letters. I want to thank Senator WARREN for her leadership on this issue but also Senator REED, who joined me some years ago in seeking to close the loophole that is fundamentally undermining not only the fairness but the effectiveness of our Tax Code.

Let's understand what this loophole means to us as taxpayers. The performance pay loophole means that effectively unlimited corporate tax deductions are provided for executive pay. Put aside the issue of whether this pay makes sense or is fair, whether you agree or disagree with these gargantuan amounts. Who should pay for those extraordinary amounts of compensation? This loophole means that you and I as taxpayers are the ones who shoulder at least part of the burden. We do it because the money lost to the Federal Government as a result of this tax deduction must somehow be gained in some other way. Guess where it comes from. It comes from you and me—not from those corporations that can deduct it. It comes from you and me.

Senator REED and I have sought over the years to close this loophole to make sure that the tax-deferred compensation for corporate executives and the performance pay loophole are effectively closed and the Tax Code is made fair. But Senator WARREN has introduced a new and profoundly important element to this fight. And that is this: How should we use the proceeds from closing this loophole? The answer is this: In recognition of the reality that current economic burdens are falling hardest on people who least can afford them—seniors, veterans, and families who depend entirely or in significant part on benefits through Social Security and the VA—should be given the benefit of closing this loophole. Why? First of all, because it is the right thing to do.

The current measures of the cost of living fail to measure the cost of living for them. That is because we don't all buy the same thing. The index or the formula that is used to calculate costs-of-living increases fail to measure the real economic burden on certain groups, namely our seniors and our veterans. You have heard very eloquently and powerfully from my colleagues, from Senator WARREN and Senator MURPHY, about the impact on our Social Security recipients.

I am here as the ranking member of the Senate Veterans' Affairs Committee to say that those benefits affect 25,000 veterans in Connecticut who receive VA compensation for a service-connected disability, more than 2,000 survivors or dependent children who receive VA compensation, and 4.3 million veteran beneficiaries nationwide. They earned their benefits through their sacrifice and service to this country.

This issue is about keeping faith with our veterans and making sure we leave no veteran behind. They earned those benefits through their service as well as sacrifice—sometimes unimaginable sacrifice. They earned those benefits through injury and wounds on the battlefield, and those benefits are necessary to ensure a smooth transition into civilian life for service-disabled veterans and their families who often face enormous and staggering additional costs and a reduced ability to work.

To ensure that these vital benefits correspond to the actual cost of food, housing, clothing, gas, and other basic elements of daily life, the VA is authorized to adjust them—adjust them for inflation—and the index they use is the one that Social Security relies on as well. That is the connection to veterans. And that volatile formula, as I have said, too often fails to reflect the actual cost of living for this group of people, leaving millions of our veterans, as well as our seniors, without a realistic chance to keep pace.

Our disabled veterans deserve better. It is that simple. They deserve better than what is happening to them right now. They deserve real compensation that recognizes rising real-world costs, escalating living expenses that are painfully squeezing them, as well as our seniors, and they deserve a fair raise and a fair choice.

I urge my colleagues to join with us. Close this loophole, make the Tax Code fairer to all taxpayers, and also make sure our seniors and veterans get what they need and deserve, to live with the basic necessities that are essential to them. We need to keep faith with our veterans and make sure the greatest Nation in the world recognizes the greatest of its heroes, our veterans.

I thank the Presiding Officer.

I yield the floor to my colleague and great friend from Hawaii, Senator HIRONO.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Madam President, last month the Social Security Administration announced some disappointing news. For only the third time in 40 years Social Security beneficiaries will not receive a cost-of-living or COLA increase in January 2016.

In Hawaii, one out of four seniors relies on Social Security as their only source of income. They are struggling to keep a roof over their heads, pay for medicine, and buy groceries—basic necessities. Many Hawaii seniors have told me their stories about how costs for essential goods keep rising while the Social Security checks do not.

Meanwhile, by contrast—and we heard this from my esteemed colleague the Senator from Massachusetts—the CEOs of the wealthiest companies in America are doing great. The average CEO at America's top 350 companies saw a raise of 3.9 percent just last year. Since the economic recovery of 2009, these CEOs have seen their pay increase by a whopping 54.3 percent. I have nothing against hard-working people, including CEOs, getting a raise. If CEOs came up with a good idea and they are managing a successful company, that is great for them, their companies, and one hopes for the company's employees, but did you know taxpayers are partly footing the bill for CEO pay raises?

The Tax Code today has a "performance pay" loophole that provides tax subsidies for high-level corporate executive compensation packages. That is why I am proud to join Senator WARREN and others in introducing the SAVE Benefits Act. Our bill would provide a modest cost-of-living increase next year, the same 3.9 percent increase our Nation's top CEOs received this year. This would mean an average payment increase of about \$580 for our seniors. This is money that makes a huge difference to all of our seniors. This one-time COLA payment would also apply to veterans' benefits—as my colleague RICHARD BLUMENTHAL just focused upon—Federal disability insurance, and equivalent State or local retirement programs. To pay for this one-time COLA, our bill would close the tax giveaways to the wealthiest CEOs. Closing the performance pay loophole is a bipartisan idea, even supported by the former chair of the House Committee on Ways and Means in his tax reform proposal.

In the long run, we should also modernize the formula Social Security uses to calculate COLAs each year, and that is why I introduced the Protecting and Preserving Social Security Act, which would base COLAs on a more accurate formula of what seniors actually buy, the Consumer Price Index for the Elderly or CPI-E. The CPI-E gives more weight to items seniors actually buy, such as medicine, housing, and home

energy costs rather than electronics or clothing that younger workers buy more of. My bill would pay for the CPI-E by requiring millionaires and billionaires to pay the same rate into the Social Security trust fund that everybody else pays year-round. Otherwise, under the current law, once workers earn more than \$118,500 in the year, they stop paying the payroll taxes that support the Social Security trust fund.

I was on the Senate floor last month and shared the story of one of my constituents from Wahiawa, and it bears repeating. She wrote to me recently and said:

I find it incredible that there are people who actually believe that Social Security is too generous. The average Social Security benefit is a whopping \$14,000 a year, and we've only seen an average 2 percent COLA over the past five years. I can assure you my health care costs have far exceeded that tiny increase.

Congress needs to listen to seniors like her and act to provide this modest one-time increase to help seniors make ends meet in 2016 and to change the way COLA is calculated. I urge my colleagues to join me in letting seniors in Hawaii and seniors all across the country have this one-time boost to their Social Security payments.

I urge my colleagues to cosponsor the SAVE Benefits Act as well as the Protecting and Preserving Social Security Act.

I yield the floor to my colleague from Massachusetts, Senator MARKEY.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Madam President, I thank the Senator from Hawaii for her eloquent statement on this very important issue, and I thank the Senator from Massachusetts Senator WARREN for once again, as usual, putting her finger right on the heart of a huge issue in our country.

We have seniors, veterans, and SSI recipients across our country who will receive zero this year in terms of an increase in their benefits that they have so rightly earned by their service to our country. What Senator WARREN is essentially saying is, Who really built this country? Who made this great country the place that we live in today? The truth is grandma and grandpa built this country. Grandma and grandpa got up every single day, went to work, built this incredible economy, and now that they are in retirement, grandma and grandpa are being told for the next year they don't get a raise. They don't get anything. They don't get a cost-of-living adjustment. They don't get any increase at all. They built this country. The veterans who are seniors, they protected this country. The veterans who are disabled, they built this country, they protected this country.

What Senator WARREN has done so accurately is essentially point out that there was a big loophole in our laws,

and that loophole is a corporate compensation loophole that allows unlimited corporate deductions for executive performance pay.

What have we learned over the last 20 years in America? The rich are getting richer, but the people at the bottom are not. All this bill says, quite simply, is, Let's have the raise go to the seniors for 1 year. Let's have the raise go to grandma and grandpa. Let's give them a reward for the incredible benefits that have been flowing disproportionately to the upper 1 percentile. Let's give them the 3.9-percent raise. Let's give them the kind of comfort and thanks they deserve for all of their hard work.

What happens too often in Congress is that grandma and grandpa just get forgotten. There is a constant debate over whether grandma and grandpa are getting too much in Medicare, too much in Medicaid, and too much in Social Security benefits. "We must solve that problem," say too many people here and around the country.

No, grandma and grandpa are not the problem. By their hard work every single day for their entire lives, by getting up, going to work, and creating these great families who make us the greatest country on the planet, they are the ones who created this incredible wealth that we have in our society.

I think we all owe an enormous debt of gratitude to Senator WARREN because she has found a quite brilliant way to frame this debate on the Senate floor and for our country because it really does force us to all step back and ask the question of who contributed the most to our country over the last generation—a small handful of people at the top or everyone in the country who got up every single day who are the people we now call grandma and grandpa. I don't think we should be shortchanging them. I think Senator WARREN's bill is the right way to solve that problem in order to make sure they get what they deserve. I thank Senator WARREN for her great leadership on this issue.

I yield to the Senator from Montana. The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Madam President, I want to speak on the MILCON-VA bill. We have 1 minute. We are going to take a giant leap of faith that the majority is going to do the right thing by our veterans and by this country. I will vote to proceed on this bill with the hope that Members of this body are finally ready to honor our commitment we made to the veterans of this country.

As everyone knows, for most of the year, the Senate Appropriations Committee was crafting appropriations bills that fit under disastrous spending caps put forward by the majority's budget resolution. As a member of the VA appropriations subcommittee, I was

especially concerned that because of the budget resolution, we were underfunding the VA by over \$850 million. This shortchange to our veterans would have been a disgrace.

Back in May when I introduced an amendment in the committee to provide an additional \$857 million to the VA—\$857 million the VA needs to do its job—every Republican on the Appropriations Committee voted against my amendment. I find it troubling that there are some so quick to send our troops into harm's way but neglect them when they return from war. That is exactly what happened, and we saw an appropriations bill that underfunded veterans health.

The good news is that under the budget agreement we voted on this last week, that Senators in this body supported, we are going to fix the problem. It is now time to show the American people that we can govern responsibly by standing up for our veterans.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Madam President, I know of no further debate on the motion to proceed to H.R. 2029.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the motion.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Kansas (Mr. MORAN), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Oregon (Mr. MERKLEY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. HOEVEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 299 Leg.]

YEAS—93

Alexander	Casey	Ernst
Ayotte	Cassidy	Feinstein
Baldwin	Coats	Fischer
Barrasso	Cochran	Flake
Bennet	Collins	Franken
Blumenthal	Coons	Gardner
Blunt	Corker	Gillibrand
Booker	Cornyn	Grassley
Boozman	Cotton	Hatch
Brown	Crapo	Heinrich
Burr	Cruz	Heitkamp
Cantwell	Daines	Heller
Capito	Donnelly	Hirono
Cardin	Durbin	Hoeven
Carper	Enzi	Inhofe

Isakson	Murkowski	Scott
Johnson	Murphy	Sessions
Kaine	Murray	Shaheen
King	Nelson	Shelby
Kirk	Paul	Stabenow
Klobuchar	Perdue	Sullivan
Lankford	Peters	Tester
Leahy	Portman	Thune
Lee	Reed	Tillis
Manchin	Reid	Toomey
Markey	Risch	Udall
McCain	Roberts	Warner
McCaskill	Rounds	Warren
McConnell	Sasse	Whitehouse
Menendez	Schatz	Wicker
Mikulski	Schumer	Wyden

NOT VOTING—7

Boxer	Moran	Vitter
Graham	Rubio	
Merkley	Sanders	

The motion was agreed to.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The PRESIDING OFFICER. The clerk will report the pending business. The bill clerk read as follows:

A bill (H.R. 2029) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Thereupon, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$663,245,000, to remain available until September 30, 2020: Provided, That, of this amount, not to exceed \$109,245,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$1,619,699,000, to remain available until September 30, 2020: Provided, That, of this amount, not to exceed

\$91,649,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,389,185,000, to remain available until September 30, 2020: Provided, That, of this amount, not to exceed \$89,164,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$2,290,767,000, to remain available until September 30, 2020: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That, of the amount appropriated, not to exceed \$160,404,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$197,237,000, to remain available until September 30, 2020: Provided, That, of the amount appropriated, not to exceed \$20,337,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$138,738,000, to remain available until September 30, 2020: Provided, That, of the amount appropriated, not to exceed \$5,104,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National

Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$113,595,000, to remain available until September 30, 2020: Provided, That, of the amount appropriated, not to exceed \$9,318,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$36,078,000, to remain available until September 30, 2020: Provided, That, of the amount appropriated, not to exceed \$2,208,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$65,021,000, to remain available until September 30, 2020: Provided, That, of the amount appropriated, not to exceed \$13,400,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

NORTH ATLANTIC TREATY ORGANIZATION

SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$120,000,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$99,695,000, to remain available until September 30, 2020.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal

and interest charges, and insurance premiums, as authorized by law, \$393,511,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$16,541,000, to remain available until September 30, 2020.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$353,036,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$160,498,000, to remain available until September 30, 2020.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$331,232,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$58,668,000.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$251,334,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military

department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 120. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress

all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 121. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 122. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 123. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14-R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

SEC. 124. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

SEC. 125. For an additional amount for "Military Construction, Army", \$34,500,000, to remain available until September 30, 2020: Provided, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Army's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: Provided further, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 126. For an additional amount for "Military Construction, Navy and Marine Corps", \$34,320,000, to remain available until September 30, 2020: Provided, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Navy's Unfunded Priority List for fiscal year 2016: Provided further, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That, not later than 30 days after enactment of this Act, the Secretary of the Navy shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 127. For an additional amount for "Military Construction, Army National Guard", \$51,300,000, to remain available until September 30, 2020: Provided, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Army's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: Provided further, That such funding is subject to authorization prior to obligation and expenditure of funds

to carry out construction: Provided further, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 128. For an additional amount for “Military Construction, Army Reserve”, \$34,200,000, to remain available until September 30, 2020: Provided, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Army’s Unfunded Priority List for Fiscal Year 2016 submitted to Congress: Provided further, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

(RESCISSIONS OF FUNDS)

SEC. 129. Of the unobligated balances available from prior Appropriations Acts (other than appropriations that were designated by the Congress as an emergency requirement or as being for Overseas Contingency Operations/Global War on Terrorism pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985) the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

“Military Construction, Army”, \$85,000,000;
 “Military Construction, Air Force”, \$86,400,000; and
 “Military Construction, Defense-Wide”, \$133,000,000.

(RESCISSION OF FUNDS)

SEC. 130. Of the unobligated balances made available in prior appropriations Acts for the fund established in section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374), \$65,000,000 are hereby rescinded.

SEC. 131. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this or any other Act may be used to consolidate or relocate any element of a United States Air Force Rapid Engineer Deployable Heavy Operational Repair Squadron Engineer (RED HORSE) outside of the United States until the Secretary of the Air Force (1) completes an analysis and comparison of the cost and infrastructure investment required to consolidate or relocate a RED HORSE squadron outside of the United States versus within the United States; (2) provides to the Committees on Appropriations of both Houses of Congress (“the Committees”) a report detailing the findings of the cost analysis; and (3) certifies in writing to the Committees that the preferred site for the consolidation or relocation yields the greatest savings for the Air Force: Provided, That the term “United States” in this section does not include any territory or possession of the United States.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency

and other officers’ retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$166,271,436,000, to remain available until expended, of which \$87,146,761,000 shall become available on October 1, 2016: Provided, That not to exceed \$15,562,000 of the amount appropriated for fiscal year 2016 and \$16,021,000 of the amount made available for fiscal year 2017 under this heading shall be reimbursed to “General Operating Expenses, Veterans Benefits Administration”, and “Information Technology Systems” for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the “Compensation and Pensions” appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to “Medical Care Collections Fund” to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, \$32,088,826,000, to remain available until expended, of which \$16,743,904,000 shall become available on October 1, 2016: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen’s indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, \$169,080,000, to remain available until expended, of which \$91,920,000 shall become available on October 1, 2016.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That, during fiscal year 2016, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$164,558,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$31,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,952,381.

In addition, for administrative expenses necessary to carry out the direct loan program, \$367,000, which may be paid to the appropriation for “General Operating Expenses, Veterans Benefits Administration”.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$1,134,000.

VETERANS HEALTH ADMINISTRATION MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bio-engineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; \$1,134,197,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2015; and, in addition, \$51,673,000,000, plus reimbursements, shall become available on October 1, 2016, and shall remain available until September 30, 2017: Provided, That, of the amount made available on October 1, 2016, under this heading, \$1,400,000,000 shall remain available until September 30, 2018: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: Provided further, That, of the amount made available on October 1, 2016, under this heading, not less than \$900,000,000 shall be available for highly effective Hepatitis C Virus (HCV) clinical treatments including clinical treatments with modern medications that have significantly higher cure rates than older medications, are easier to prescribe, and have fewer and milder side effects.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), \$6,524,000,000, plus reimbursements, shall become available on October 1, 2016, and shall remain available until September 30, 2017: Provided, That, of the amount made

available on October 1, 2016, under this heading, \$100,000,000 shall remain available until September 30, 2018.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, \$5,074,000,000, plus reimbursements, shall become available on October 1, 2016, and shall remain available until September 30, 2017: Provided, That, of the amount made available on October 1, 2016, under this heading, \$250,000,000 shall remain available until September 30, 2018.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$621,813,000, plus reimbursements, shall remain available until September 30, 2017.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$266,220,000, of which not to exceed \$26,600,000 shall remain available until September 30, 2017.

DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$311,591,000, of which not to exceed \$10,000,000 shall remain available until September 30, 2017: Provided, That funds provided under this heading may be transferred to "General Operating Expenses, Veterans Benefits Administration".

BOARD OF VETERANS APPEALS

For necessary operating expenses of the Board of Veterans Appeals, \$107,884,000, of which not to exceed \$10,788,000 shall remain available until September 30, 2017.

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$2,697,734,000: Provided, That expenses for services and assistance authorized under para-

graphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That, of the funds made available under this heading, not to exceed \$160,000,000 shall remain available until September 30, 2017.

INFORMATION TECHNOLOGY SYSTEMS

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$4,106,363,000, plus reimbursements: Provided, That \$1,115,757,000 shall be for pay and associated costs, of which not to exceed \$34,800,000 shall remain available until September 30, 2017: Provided further, That \$2,512,863,000 shall be for operations and maintenance, of which not to exceed \$175,000,000 shall remain available until September 30, 2017: Provided further, That \$477,743,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2017: Provided further, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: Provided further, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That amounts made available for the "Information Technology Systems" account for development, modernization, and enhancement may be transferred among projects or to newly defined projects: Provided further, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: Provided further, That funds under this heading may be used by the Interagency Program Office through the Department of Veterans Affairs to develop a standard data reference terminology model: Provided further, That, of the funds made available for information technology systems development, modernization, and enhancement for VistA Evolution, not more than 25 percent may be obligated or expended until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a report that describes: (1) the status of and changes to the VistA Evolution program plan dated March 24, 2014 (hereinafter referred to as the "Plan"), the VistA 4 product roadmap dated February 26, 2015 ("Roadmap"), and the VistA 4 Incremental Life Cycle Cost Estimate, dated October 26, 2014; (2) any changes to the scope or functionality of projects within the VistA Evolution program as established in the Plan; (3)

actual program costs incurred to date; (4) progress in meeting the schedule milestones that have been established in the Plan; (5) a Project Management Accountability System (PMAS) Dashboard Progress report that identifies each VistA Evolution project being tracked through PMAS, what functionality it is intended to provide, and what evaluation scores it has received throughout development; (6) the definition being used for interoperability between the electronic health record systems of the Department of Defense and the Department of Veterans Affairs, the metrics to measure the extent of interoperability, the milestones and timeline associated with achieving interoperability, and the baseline measurements associated with interoperability; (7) progress toward developing and implementing all components and levels of interoperability, including semantic interoperability; (8) the change management tools in place to facilitate the implementation of VistA Evolution and interoperability; and (9) any changes to the governance structure for the VistA Evolution program and its chain of decisionmaking authority: Provided further, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the report accompanying this Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$126,766,000, of which \$12,676,000 shall remain available until September 30, 2017.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$1,027,064,000, of which \$967,064,000 shall remain available until September 30, 2020, and of which \$60,000,000 shall remain available until expended: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds made available under this heading for fiscal year 2016, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2016; and

(2) by the awarding of a construction contract by September 30, 2017: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: Provided further, That, of the amount made available on October 1, 2016, under this heading, \$490,700,000 for Veterans Health Administration major construction projects shall not be available until the Secretary of Veterans Affairs:

(1) Enters into an agreement with the U.S. Army Corps of Engineers, to serve as the design and construction agent for Veterans Health Administration projects with a Total Estimated Cost of \$250,000,000 or above.

(2) That such an agreement will designate the U.S. Army Corps of Engineers as the design and construction agent to serve as—

(A) the overall construction project manager, with a dedicated project delivery team including engineers, medical facility designers, and professional project managers;

(B) the facility design manager, with a dedicated design manager and technical support;

(C) the design agent, with standardized and rigorous facility designs;

(D) the architect/engineer designer; and

(E) the overall construction agent, with a dedicated construction and technical team during pre-construction, construction, and commissioning phases.

(3) Certifies in writing that such an agreement is in effect and will prevent subsequent major construction project cost overruns, provides a copy of the agreement entered into (and any required supplementary information) to the Committees on Appropriations of both Houses of Congress, and a period of 60 days has elapsed.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$378,080,000, to remain available until September 30, 2020, along with unobligated balances of previous "Construction, Minor Projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$100,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$46,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2016 for "Compensation and Pensions", "Readjustment Benefits", and "Veterans Insurance and Indemnities" may be transferred as necessary to any other of the mentioned appropriations: Provided, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2016, in this Act or any other Act, under the "Medical Services", "Medical support and compliance", and "Medical Facilities" accounts may be transferred among the accounts: Provided, That any transfers between the "Medical Services" and "Medical Support and Compliance" accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: Provided further, That any transfers between the "Medical Services" and "Medical Support and Compliance" accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the "Medical Facilities" account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for "Construction, Major Projects", and "Construction, Minor Projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the "Medical Services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of

prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2015.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from "Compensation and Pensions".

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2016, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the "General operating expenses, Veterans Benefits Administration" and "Information Technology Systems" accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2016 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That, if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2016 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not to exceed \$43,700,000 for the Office of Resolution Management and \$3,400,000 for the Office of Employment Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the "General Administration" and "Information Technology Systems" accounts for use by the office that provided the service.

(TRANSFER OF FUNDS)

SEC. 211. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2016 for the Office of Rural Health under the heading "Medical Services", including any advance appropriation for fiscal year 2016 provided in prior appropriation Acts, up to \$20,000,000 may be transferred to and merged with funds appropriated under the heading "Grants for Construction of State Extended Care Facilities".

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38,

United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, Major Projects" and "Construction, Minor Projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, Major Projects" and "Construction, Minor Projects".

SEC. 214. Amounts made available under "Medical Services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to "Medical Services", to remain available until expended for the purposes of that account: Provided, That, for fiscal year 2016, up to \$27,000,000 deposited in the Department of Veterans Affairs Medical Care Collections Fund shall be transferred to "Information Technology Systems", to remain available until expended, for development of the Medical Care Collections Fund electronic data exchange provider and payer system.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the

"Construction, Major Projects" and "Construction, Minor Projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the "Medical Services", "Medical Support and Compliance", "Medical Facilities", "General Operating Expenses, Veterans Benefits Administration", "General Administration", and "National Cemetery Administration" accounts for fiscal year 2016 may be transferred to or from the "Information Technology Systems" account: Provided, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 221. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2506); or (2) section 8110(a)(5) of title 38, United States Code.

SEC. 222. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2016, in this Act or any other Act, under the "Medical Facilities" account for non-recurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last 2 months of that fiscal year: Provided, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2016 for "Medical Services", "Medical Support and Compliance", "Medical Facilities", "Construction, Minor Projects", and "Information Technology Systems", up to \$266,303,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: Provided further, That section 223 of Title II of Division I of Public Law 113–235 is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2016, for "Medical Services", "Medical Support and Compliance", and "Medical Facilities", up to \$265,675,000, plus re-

imbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

(TRANSFER OF FUNDS)

SEC. 226. Of the amounts available in this title for "Medical Services", "Medical Support and Compliance", and "Medical Facilities", a minimum of \$15,000,000 shall be transferred to the DOD–VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 227. (a) Of the funds appropriated in division I of Public Law 113–235, the following amounts which become available on October 1, 2015, are hereby rescinded from the following accounts in the amounts specified:

(1) "Department of Veterans Affairs, Medical Services", \$1,400,000,000.

(2) "Department of Veterans Affairs, Medical Support and Compliance", \$150,000,000.

(3) "Department of Veterans Affairs, Medical Facilities", \$250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified to remain available until September 30, 2017:

(1) "Department of Veterans Affairs, Medical Services", \$1,400,000,000.

(2) "Department of Veterans Affairs, Medical Support and Compliance", \$100,000,000.

(3) "Department of Veterans Affairs, Medical Facilities", \$250,000,000.

SEC. 228. The Secretary of the Department of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and

shall describe the anticipated use of such savings.

SEC. 229. The scope of work for a project included in "Construction, Major Projects" may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations.

SEC. 230. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report that contains the following information from each Veterans Benefits Administration Regional Office: (1) the average time to complete a disability compensation claim; (2) the number of claims pending more than 125 days; (3) error rates; (4) the number of claims personnel; (5) any corrective action taken within the quarter to address poor performance; (6) training programs undertaken; and (7) the number and results of Quality Review Team audits: Provided, That each quarterly report shall be submitted no later than 30 days after the end of the respective quarter.

SEC. 231. Of the funds provided to the Department of Veterans Affairs for fiscal year 2016 for "Medical Services" and "Medical Support and Compliance", a maximum of \$5,000,000 may be obligated from the "Medical Services" account and a maximum of \$154,596,000 may be obligated from the "Medical Support and Compliance" account for the VistA Evolution and electronic health record interoperability projects: Provided, That funds in addition to these amounts may be obligated for the VistA Evolution and electronic health record interoperability projects upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

SEC. 232. The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.

SEC. 233. The Secretary of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed \$2,000,000.

SEC. 234. Not more than \$4,400,000 of the funds provided in this Act under the heading "Department of Veterans Affairs—Departmental Administration—General Administration" may be used for the Office of Congressional and Legislative Affairs.

SEC. 235. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

(RESCISSIONS OF FUNDS)

SEC. 236. Of the discretionary funds made available in title II of division I of Public Law 113–235 for the Department of Veterans Affairs for fiscal year 2016, \$198,000,000 are rescinded from "Medical Services", \$42,000,000 are rescinded from "Medical Support and Compliance", and \$15,000,000 are rescinded from "Medical Facilities".

(RESCISSIONS OF FUNDS)

SEC. 237. (a) There is hereby rescinded an aggregate amount of \$55,000,000 from the total budget authority provided for fiscal year 2016 for discretionary accounts of the Department of Veterans Affairs in—

(1) this Act; or

(2) any advance appropriation for fiscal year 2016 in prior appropriation Acts.

(b) The Secretary shall submit to the Committees on Appropriations of both Houses of Con-

gress a report specifying the account and amount of each rescission not later than 30 days following enactment of this Act.

(RESCISSION OF FUNDS)

SEC. 238. Of the unobligated balances available within the "DOD-VA Health Care Sharing Incentive Fund", \$50,000,000 are hereby rescinded.

(RESCISSIONS OF FUNDS)

SEC. 239. Of the discretionary funds made available in title II of division I of Public Law 113–235 for the Department of Veterans Affairs for fiscal year 2015, \$1,052,000 are rescinded from "General Administration", and \$5,000,000 are rescinded from "Construction, Minor Projects".

(RESCISSIONS OF FUNDS)

SEC. 240. (a) There is hereby rescinded an aggregate amount of \$90,293,000 from prior year unobligated balances available within discretionary accounts of the Department of Veterans Affairs;

(b) No funds may be rescinded from amounts provided under the following headings:

- (1) "Medical Services";
- (2) "Medical and Prosthetic Research";
- (3) "National Cemetery Administration";
- (4) "Board of Veterans Appeals";
- (5) "General Operating Expenses, Veterans Benefits Administration";
- (6) "Office of Inspector General";
- (7) "Grants for Construction of State Extended Care Facilities"; and
- (8) "Grants for Construction of Veterans Cemeteries".

(c) No amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(d) The Secretary shall submit to the Committees on Appropriations of both Houses of Congress a report specifying the account and amount of each rescission not later than 30 days following enactment of this Act.

SEC. 241. Section 2302(a)(2)(A)(viii) of title 5, United States Code, is amended by inserting "or under title 38" after "of this title".

SEC. 242. The Department of Veterans Affairs is authorized to administer financial assistance grants and enter into cooperative agreements with organizations, utilizing a competitive selection process, to train and employ homeless and at-risk veterans in natural resource conservation management.

SEC. 243. Section 312 of title 38, United States Code, is amended by adding at the end the following new subsection:

"(c)(1) Whenever the Inspector General, in carrying out the duties and responsibilities established under the Inspector General Act of 1978 (5 U.S.C. App.), issues a work product that makes a recommendation or otherwise suggests corrective action, the Inspector General shall—

"(A) submit the work product to—

"(i) the Secretary;

"(ii) the Committee on Veterans' Affairs, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate;

"(iii) the Committee on Veterans' Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives;

"(iv) if the work product was initiated upon request by an individual or entity other than the Inspector General, that individual or entity; and

"(v) any Member of Congress upon request; and

"(B) the Inspector General shall submit all final work products to—

"(i) if the work product was initiated upon request by an individual or entity other than the

Inspector General, that individual or entity; and

"(ii) any Member of Congress upon request; and

"(C) not later than 3 days after the work product is submitted in final form to the Secretary, post the work product on the Internet website of the Inspector General.

"(2) Nothing in this subsection shall be construed to authorize the public disclosure of information that is specifically prohibited from disclosure by any other provision of law."

SEC. 244. None of the funds provided in this Act may be used to pay the salary of any individual who (a) was the Executive Director of the Office of Acquisition, Logistics and Construction, and (b) who retired from Federal service in the midst of an investigation, initiated by the Department of Veterans Affairs, into delays and cost overruns associated with the design and construction of the new medical center in Aurora, Colorado.

SEC. 245. Of the amounts appropriated or otherwise made available to the Department of Veterans Affairs for the "Medical Services" account for fiscal year 2016 in this Act of any other Act, not less than \$10,000,000 shall be used to hire additional caregiver support coordinators to support the programs of assistance and support for caregivers of veterans under section 1720G of title 38, United States Code.

SEC. 246. None of the funds appropriated or otherwise made available to the Department of Veterans Affairs in this Act may be used in a manner that would—

(1) interfere with the ability of a veteran to participate in a State-approved medicinal marijuana program;

(2) deny any services from the Department to a veteran who is participating in such a program; or

(3) limit or interfere with the ability of a health care provider of the Department to make appropriate recommendations, fill out forms, or take steps to comply with such a program.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$75,100,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR

VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$32,141,000: Provided, That \$2,500,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL
CEMETERIAL EXPENSES, ARMY
SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed \$1,000 for official reception and representation expenses, \$70,800,000, of which not to exceed \$28,000,000 shall remain available until September 30, 2018. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the "Lease of Department of Defense Real Property for Defense Agencies" account.

ARMED FORCES RETIREMENT HOME
TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$64,300,000, of which \$1,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi.

ADMINISTRATIVE PROVISIONS

SEC. 301. Funds appropriated in this Act under the heading "Department of Defense—Civil, Cemeterial Expenses, Army", may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.

SEC. 302. Amounts deposited during the current fiscal year to the special account established under 10 U.S.C. 4727 are appropriated and shall be available until expended to support activities at the Army National Military Cemeteries.

TITLE IV
GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 403. Such sums as may be necessary for fiscal year 2016 for pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 404. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 405. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of "E-Commerce" technologies and procedures in the conduct of their business practices and public service activities.

SEC. 406. Unless stated otherwise, all reports and notifications required by this Act shall be

submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 407. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 408. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

- (1) the public posting of the report compromises national security; or
- (2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 409. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 410. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantánamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

This Act may be cited as the "Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2016".

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENT NO. 2763

(Purpose: In the nature of a substitute)

Mr. KIRK. Mr. President, I call up my substitute amendment, a bipartisan bill for VA-MILCON.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Illinois [Mr. KIRK] proposes an amendment numbered 2763.

Mr. KIRK. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

AMENDMENT NO. 2764 TO AMENDMENT NO. 2763

Mr. KIRK. Mr. President, I call up my first-degree amendment.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Illinois [Mr. KIRK] proposes an amendment numbered 2764 to amendment No. 2763.

Mr. KIRK. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To clarify the term "congressional defense committees")

At the appropriate place in title IV, insert the following:

SEC. . For the purposes of this Act, the term "congressional defense committees" means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

The PRESIDING OFFICER. The majority leader.

SUPPORTING OUR TROOPS

Mr. McCONNELL. Well, amazingly enough, our colleagues across the aisle just voted to proceed to an individual appropriations bill. We have been trying to do this for months. Finally, they have approved going to an appropriations bill. This should not be breaking news, goodness gracious, but it is newsworthy because of what has been going on around here for the last 2 or 3 months. Democrats have repeatedly blocked the Senate from even debating individual appropriations bills. They never had a good excuse, of course, and the excuses kept changing as each previous excuse got debunked, but nevertheless they kept it up month after month. Well, finally that seems to have changed today. Maybe we can assume that this is the end of the filibuster summer, in November, a partisan season of obstructionist Democratic filibustering in which they have blockaded government funding bills entirely—all of them. Nearly every one of those bills was bipartisan.

Our Democratic friends, as they voted for them in committee, would send out press releases praising the bills, and then when they got out here on the floor, they all blocked them. They said no to funding for bridges and infrastructure. They said no to funding for energy conservation and clean water. They said no to funding for absolutely anything at all, especially for our troops.

You know, it is particularly jarring when you consider some of the things

written recently by President Obama's own Defense Secretary in an op-ed entitled "U.S. Military Needs Budget Certainty in Uncertain Times." Here is what this Obama administration Cabinet Secretary said:

While Washington struggles to get its house in order, the challenges around the world continue. China continues its dubious and destabilizing land-reclamation activities in the South China Sea. Islamic State continues its barbarous campaign. Russia continues to violate the sovereignty of Ukraine and pour gasoline on the Syrian conflict. In this uncertain security environment, the U.S. military needs to be agile and dynamic.

This is the Defense Secretary of the President's administration.

What it has now is a straitjacket. At the Defense Department, we are forced to make hasty reductions when choices should be considered carefully and strategically.

This is President Obama's Defense Secretary talking about the necessity for these bills that are being blocked by his own party.

Here is the way he continues in his op-ed. He said:

I appeal to Congress to act on a long-term budget deal—

We did that—

that will let the American troops and their families know we have the commitment and the resources to see them succeed, and send a global message that the United States will continue to plan and build for the finest fighting force the world has ever known.

This is the Secretary of Defense in the Democratic administration. Sounds like he is lecturing the guys on the other side here who are the obstacle.

In spite of these pleas from the Secretary of Defense, we are still unable to get on a defense appropriations bill. One Member of the other side said that funding our troops was wasting the Senate's time—wasting the Senate's time.

We have seen them all filibustered repeatedly. They just did so again this morning. At a time when a vast number of threats face our country, as Secretary Ash Carter alluded to, our colleagues across the aisle actually voted to filibuster the bill that funds our troops and our military one more time. Democrats filibustered for months on end to hold hostage the men and women who voluntarily put themselves in harm's way, for reasons that shifted constantly and had little to do with our troops.

Mr. CORNYN. Will the Senator yield for a question?

Mr. MCCONNELL. I will.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I would ask the distinguished majority leader whether he finds it ironic—and perhaps he has a better word than "ironic" to describe the situation we find ourselves in—that three separate times the Democrats have filibustered the funding that provides the resources to our troops to fight our Nation's battles and

keep us safe, but then a few short days before Veterans Day, they decide to allow us to finally get on a veterans and military construction bill. I would hope it is not because they had second thoughts about going home on Wednesday and giving patriotic speeches about their support for our troops and military but then realizing what a spot they have put themselves in. I wonder if the majority leader shares my view that that is at least ironic, and perhaps "cynical" would be a more appropriate description.

Mr. MCCONNELL. Yes, I would say to my colleague from Texas, they were afraid to feel the heat next Wednesday on Veterans Day, having stopped a veterans appropriations bill. Frankly, I hope they still feel a little heat on stopping the Defense bill because the vast number of veterans in our country don't just care about their own well-being after they served, they care about the well-being of those who are still serving.

Mr. CORNYN. Mr. President, will the Senator yield for one additional question?

Mr. MCCONNELL. I will.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I would ask the majority leader, having been through what we have been through here in just this last week in establishing spending caps for this year and next in this bipartisan and bicameral Budget Act, if he can think of any possible rationale for the Democrats filibustering the Defense appropriations bill, when, in fact, those spending caps are subject to a law which the President has now signed into law, and which were the subject of this bipartisan, bicameral agreement that passed just last week.

Mr. MCCONNELL. Well, you know, as each obstacle has been removed, as each reason for filibustering these bills earlier is removed, they come up with a new one. We obviously last week agreed on how much we were going to spend, so the question of spending has been removed. The 302(b) allocations were completed yesterday. Our friends on the other side said they were happy with them. They are running out of excuses, but the end result is the same: They are still not allowing us to go forward on the Defense bill.

I would say to my friend and colleague from Texas that I heard these conspiracy theories that we had some trick to play here. I made it clear not only to my counterpart the Democratic leader but to other Democratic Senators that there is no nefarious scheme. We thought, all objections having been removed, the appropriate thing to do would be to try—by pursuing regular order, try to pass some of the appropriations bills, given the limited amount of time we have left. Yet they kept on doing the same thing with

the exception of the veterans bill. It is a mystery.

The level of dysfunction the other side seems to be promoting is bad for the institution and bad for the country.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. If the Senator will yield for a question, I ask the distinguished majority leader if it is still true that in order to accomplish this delusional scheme that our friends across the aisle have somehow dreamed up as a way to block this funding for our troops, even if that were true—which it is not, as you have pointed out—isn't it still true for an appropriations bill to become law it requires the signature of the President of the United States? So it would literally be impossible to do what they have dreamed up in their delusional state when they are accusing us of this sort of a scheme and plan, which is absolutely false.

Mr. MCCONNELL. Yes, my friend from Texas is entirely right. There would be no way—consistent with the Constitution that James Madison wrote—that they would in the end not have some considerable sway over how this episode ends.

What I think it says, more than anything, is how committed to dysfunction our friends on the other side are—dysfunction for the sake of dysfunction. The American people are sick and tired of that. They want to see us do our work like adults, serious adults taking the responsibility we have been given by our constituents to do our very best for this country.

This is the same party on the other side that I remember lecturing everyone else about the dangers of the filibuster. Apparently they weren't very serious because it is obviously their new best friend now. This is the same party we remember bashing legislative "hostage-taking," but apparently they weren't serious about that either because they basically have become experts.

Look, the Democrats may never be able to fully remove the stain of this filibuster summer gridlock gambit from their party's reputation, but they can work with us now to finally start turning the page.

I ask my friends on the other side: When are we going to get back to normal if not now? When, if not now, when we have agreed to all of the contentious parts of the appropriations process. Every excuse has been wiped away. We have settled our own budget agreement. We have agreed on topline budget numbers. We have settled on subcommittee allocations, and we have just proceeded to an individual appropriations bill at long last.

It is time for the appropriations process to finally be allowed to move forward, time for the Senate to finally be

able to get back to regular order. It is time for each of us to get back to work, not just because it is the right thing for our country, not just because it is the right thing for the brave men and women who are voluntarily putting themselves in harm's way, but it is the best way for Senators of both parties to have the most say in the process, for the American people to be best represented, with their Members debating each appropriations bill on the floor with the opportunity for amendments to be offered.

A lot of work went into developing these appropriations bills—the occupant of the chair is on that committee. Most passed the committee with bipartisan support. That was certainly true of the Defense appropriations bill. It passed out of the Appropriations Committee 27 to 3. It was similarly true of the appropriations bill that funds veterans, which passed the committee with bipartisan support. That is the bill we just voted to proceed to.

It would support veterans by funding the health care and the benefits they rely on. It would support military families by funding the housing, schools, and health care facilities that serve them. It would provide support for women's health, for medical research, for veterans suffering from traumatic brain injury. It would do a lot of good in many of our home States too. In my State it would provide funding for design work at a new VA medical center in Louisville, a special operations headquarters at Fort Campbell, and an educational facility at Fort Knox.

The bill would do right by our veterans. We should pass it. With continued cooperation, we can pass it by Veterans Day. Then the appropriations process can continue after we pass this bill. It is obvious why we started with a Defense appropriations bill first. While this morning's filibuster was deeply regrettable, to say the least, we have the option to reconsider that bill and we will. We are going to keep working to ensure its passage.

Look, as we approach Veterans Day, I ask my colleagues to consider this. We have an all-volunteer force in this country. The young men and women who sign up to defend our Nation don't ask for a lot, but our Nation certainly asks a lot of them. These mothers and brothers and friends and neighbors aren't legislative poker chips, and helping them isn't a "waste of the Senate's time." These are Americans who deserve our support. Let's put the past in the past and unite to finally give it to them. Both parties did so in committee a few months ago and both parties could do so now.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GETTING THE BUSINESS OF THE COUNTRY DONE

Mr. REID. Mr. President, I had the pleasure of listening to the Republican leader's speech a few minutes ago. I understand he has two-thirds of his caucus who voted against the budget agreement and he has to kind of play to his audience. I think the words he used were: We are the party of dysfunction.

All you have to do is read the newspaper to find out that is not the case. The fact is, it has been shown time and time again in recent years the party that is not working is the Republican Party. There is no more evidence of that when you see who is running for President. All you have to do is look and see what happened in recent weeks in the House of Representatives, where the Speaker of the House of Representatives, when asked a week before he resigned: How do you put up with those people over there, and he said: If you are around garbage long enough, you can't smell it.

So let's not talk about us being the party of dysfunction.

The Republican leader has complained about delay. I don't know what kind of glasses he is wearing; we were ready to negotiate in June. We kept saying that over and over again. Right now we don't have anything we can move forward on. Let's sit down and talk. They refused to talk time and time again. We asked for consent agreements. They refused to do that.

Time was marching on. The debt ceiling was fast approaching where, if we had not advanced that, this country would have basically shut down and it would have had a dramatic negative effect on the world economy.

Please, I say to my Republican colleagues, don't talk about delay. We haven't delayed anything. These bills that are going to be in the form of an omnibus, they should have been done one at a time, but you couldn't do it because they were spending everything for defense and nothing for nondefense. So with the budget agreement, as we have said, we wanted to make sure sequestration was taken care of—and it was. Drastic cuts in sequestration are gone for 2 years. We wanted to make sure if there was any increase in defense the middle class got equal parity, and they did. We are satisfied where we are, but the time for casting blame is gone and my friend the Republican leader should stop trying to blame it on us. We didn't do it. We are not the party of dysfunction.

From the very beginning we sought funding levels that were fair to the middle class and to the military. The military is going to get their money. Everybody knows that. The Presiding

Officer knows it. Everybody knows it, but it is not a bad deal that the middle class also gets enough to take care of them. Republicans seem compelled, as they did this morning, to once again fund one part of the government they like—the Pentagon—without doing anything for the needs of the rest of the country: the middle class, those people here at home.

We can give a speech just as patriotic as my Republican friend. We believe in the military. They have made great sacrifices for all of us, but we don't need to give great speeches about how patriotic we are. What we need to do is get the business of the country done, and that has not happened. Hopefully, with this step forward and being on this Military Construction and Veterans Affairs appropriations bill, we can do that.

Democrats opposed the motion to invoke cloture on the Defense bill this morning because Republicans again were compelled to do everything they could for the Pentagon and ignore the rest of the country, but this afternoon we have been willing to move ahead the Military Construction and Veterans Affairs bill. It is the right thing to do. That bill has both defense and domestic matters contained in it. It is a non-controversial bill, and it will give us an opportunity to start the appropriations process. It doesn't seem fair to us that we would rush forward and do the Defense bill, which is more than 50 percent of all the money this country spends in a year—more than 50 percent of the discretionary spending that we have to appropriate.

Now we have a December 11 deadline and we have to fund all the government to avoid a shutdown. So I hope we are considering this Military Construction and Veterans Affairs appropriations bill. The Appropriations Committee will be working together to put together funding—likely in an omnibus—for the rest of the government. Dealing with the Military Construction and Veterans Affairs appropriations bill is a small step to rebuild trust and experience in working together.

Democrats are willing partners to carry out the budget agreement Congress passed last week, but we will continue to fight for the needs of the middle class while we continue to fight and make sure the military is taken care of and also continue to fight poison pill riders.

Mr. President, we have a number of people on the floor. Is anyone seeking recognition?

The PRESIDING OFFICER. The Senator from New Hampshire.

UNANIMOUS CONSENT REQUEST—S. 552 AND S. 966

Mrs. SHAHEEN. Mr. President, I come to the floor this afternoon to ask the Senate to take up and pass two bipartisan no-cost bills that will help small businesses with one of their most urgent needs; that is, access to credit.

Specifically, I am referring to Senator RISCCH's bill to enhance the SBA support for startup firms, which is called the Small Business Investment Company Capital Act, and the bill I have sponsored with Senator ISAKSON, the Commercial Real Estate and Economic Development Act, which is also known as the CREED Act.

Both of these bills have broad bipartisan support. In April, almost 6 months ago, the Senate Committee on Small Business and Entrepreneurship voted unanimously to pass both of these bills. I had introduced the CREED Act with my friend from Georgia Senator ISAKSON to reinstate a new version of a successful no-cost program at the SBA known as 504 refinancing. That program had expired before many of the small businesses that needed help could benefit. Congress had created this refinancing program during the financial crisis when small business lending was frozen. As real estate values declined, many small businesses, even those that were performing well and were current on their mortgage payments, were unable to refinance their loans through traditional methods. Small businesses with equity in their properties were often unable to access that equity for additional operating capital.

That 504 refinancing program worked. For the short time that it was active, SBA and its loan partners were able to help a lot of those small businesses. More than 2,300 small firms refinanced \$5 billion of small business debt. Unfortunately, the program expired in September of 2012, even though there was still significant demand for this type of financing. In fact, on the last day this program was authorized, more than 400 businesses from around the country applied.

There is still a significant demand for this lending today. We keep hearing from small businesses that they would benefit greatly from this type of financing. In particular, it would help the many small businesses who are paying too much in interest because they took out their loans during the recession. As one lender in New Hampshire said:

During the crisis, businesses took whatever financing they could get. The banks wouldn't commit to long terms. Today the rates are much better, [so businesses holding those loans are paying too much].

Now, while the economy is better and lending to small businesses is starting to recover, many banks today either cannot or will not refinance or renew an existing commercial real estate loan on terms as beneficial as the 504 refinancing loan could.

We know there is real need for this program. We have heard it from small businesses, and we have heard it from groups that work directly with small businesses. I have a chart here that shows a number of those groups we

have heard from. The U.S. Chamber of Commerce and the American Bankers Association support the legislation. The National Association of Development Companies; the National Small Business Association; the Consumer Bankers Association; the Small Business Majority; Women Impacting Public Policy, which does so much to support women-owned businesses; the Association of Women's Business Centers; and then we have a whole list of those development companies that support this legislation. I won't read through those development companies, but these are all organizations and businesses that want to see us start this program again because they have small businesses that need this lending.

I have a number of letters here that I will just hold up and show. We have a whole packet of letters, and I ask unanimous consent to have printed in the RECORD these letters.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GSDC,
AUG. 4, 2015.

Hon. JEANNE SHAHEEN,
Committee on Small Business & Entrepreneurship,

U.S. Senate, Washington, DC.

DEAR RANKING MEMBER SHAHEEN: Thank you for introducing S. 966, the Commercial Real Estate and Economic Development Act of 2015 (CREED Act). This bill is important to small businesses in New Hampshire and across the country. It would re-instate the 504 Refi program, a two-year initiative that permitted refinancing of existing commercial real estate debt using the Small Business Administration (SBA) 504 loan program.

We also want to thank the Members of the Senate Committee on Small Business & Entrepreneurship for voting unanimously to pass the bill out of Committee on April 23, 2015. That was three months ago, and we are counting on the full Senate to pass the bill because it is an important source of financing for small businesses. We need to get it up and running again as soon as possible.

The biggest impact of the SBA 504 Refi program is to allow small businesses access to equity in their business real estate thereby allowing the bank and SBA 504 to consolidate shorter term, higher interest rate loans. This directly benefits the small business by 1) lowering interest payments and monthly payments, 2) locking in low rate mortgage payments for 20 years, 3) freeing up working assets (Accounts Receivable, Inventory, FF&E—Furniture, fixtures, and equipment) allowing the business access to working capital to support business growth and the hiring of new employees.

The SBA 504 Refi program is only available to existing businesses that are financially viable with experienced management and all loan payments current. This is not a bailout for big businesses on the brink of collapse but rather a credit enhancement for small businesses with equity in real estate that banks are not willing to leverage without the assistance of the SBA 504 Refinance program. The small business owner is savvy enough to realize the significant benefit of the program and is willing to pay the small fees to cover all costs, if they only had the opportunity.

Below are three specific examples of small businesses that benefited from the SBA 504 Refi program.

1. A building supply company headquartered in Merrimack, NH, that was significantly impacted by the recession with sales decreasing over 30% from 2007 to 2010. The business's \$1,000,000 LOC (line of credit) was demanded by the bank with payment due in full in less than 6 months. The SBA 504 Refinance program allowed the business to access the equity in their real estate by taking out a new 90% LTV mortgage (50% new bank, 40% SBA) providing 1) sufficient funds to pay off the \$1,000,000 LOC, 2) convert short term working capital with higher interest rate to long term lower interest debt with a fixed rate, and 3) free up access to new working capital. The new bank provided a new \$250,000 LOC and a new \$200,000 term loan.

2. A manufacturing company that provides drilling and routing services to high-tech industries located primarily throughout the northeastern United States and has its headquarters located in a 9,620 SF manufacturing facility in an Industrial Park in Salem, NH. The company's original \$575M mortgage required monthly P&I payments of \$4,500 (priced @5.65%) and the SBA 504 Refi program refinanced their mortgage and reduced monthly mortgage payments to approximately \$3,950 creating an annual savings of over \$6,600. The interest rate on the new mortgage was also decreased to 4.25% with the assistance of the SBA 504 Refinance program. This 504 Refi transaction allowed the Bank to reduce its mortgage exposure to the customer by \$250M, which in turn allowed the Bank to consolidate three term loans and provide a single \$460M term loan, creating an additional \$3,000 yearly savings at a lower interest rate. Finally, debt consolidation and SBA 504 refinance allowed the Bank to grant the customer a new \$50M RLOC for working capital needs to keep the customer operating during the slow winter months.

3. A grocery store located in Littleton, NH. The store carries a full line of grocery store products as well as natural, organic and locally produced goods. With the assistance of the SBA 504 Refi program the business was able to access equity in their real estate and consolidate eight short term mortgages and equipment terms loans totaling \$3,231,000 reducing payments by \$114,000 per year. With this annual savings the business was able to add long term financial stability to costs and free up working capital to allow the business to hire new employees. This business has seen steady growth and is planning to expand in 2015.

There are more small businesses that could use this financing. Please urge the Senate to pass this bill.

Thank you,
SCOTT GARDINER,
*Executive Vice President, Granite State
Economic Development Corp.*

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
Washington, DC, Aug. 19, 2015.

Hon. JEANNE SHAHEEN,
U.S. Senate, Washington, DC.
Hon. JOHNNY ISAKSON,
U.S. Senate, Washington, DC.

DEAR SENATORS SHAHEEN AND ISAKSON: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as

state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, supports S. 966, the "Commercial Real Estate and Economic Development Act of 2015," (CREED Act) which would help provide small business owners with much needed access to capital when attempting to refinance their commercial real estate loans.

Many small business owners are challenged to refinance real estate loans structured as balloon payments and collateralized by devalued assets when the loan matures. Even though the small business borrower may be current on their payments, the financial institution experiencing tightened lending standards and increased oversight by examiners may not have a choice but to either force the business into foreclosure, or take a loss by writing down the loan.

S. 966 would help small businesses and financial institutions overcome these hurdles by allowing small businesses to refinance eligible debt with a Small Business Administration 504 loan, at no expense to taxpayers.

More than ninety-six percent of the Chamber's members are small businesses with fewer than one hundred employees. The Chamber thanks you for introducing S. 966, the CREED Act, and looks forward to working with you on its passage.

Sincerely,

R. BRUCE JOSTEN.

SEPT. 25, 2015.

Sen. BOB CASEY,
393 Russell Senate Office Building,
U.S. Senate, Washington, DC.

Sen. PAT TOOMEY,
248 Russell Senate Office Building,
U.S. Senate, Washington, DC.

DEAR SENATOR CASEY AND SENATOR TOOMEY: On behalf of Northeastern Economic Development Co. in Pennsylvania, I write to share my enthusiasm for S. 966, the CREED Act. This bill was unanimously voted out of the Senate Committee on Small Business and Entrepreneurship in April and has been waiting to be passed by the full Senate for more than three months. The bill is bi-partisan and has zero cost.

I urge you to push for quick consideration of this bill in the Senate and vote in favor it so that Pennsylvania small businesses, and small businesses everywhere, can once again have access to this valuable program.

The CREED Act will reinstitute a program that permits conventional loans to be refinanced with the SBA's 504 loan program. When this refinancing was in place from mid-2011 to September 2012, more than 2,300 small business owners were able to refinance existing equipment or owner-occupied real estate debt. During this economically challenging time, these entrepreneurs refinanced \$5 billion of their own capital to reinvest in their business and create jobs. One of the states to use this program the most was Pennsylvania—roughly \$68 million in loans went to small businesses that refinanced existing loans on essential fixed assets.

While large businesses have equal access to capital as they did before the recession, small businesses still have a tight credit market. This valuable refinancing tool is needed to help America's 28 million small businesses grow. The demand is certainly there—over 400 businesses applied to the refinancing program on its final day, but were left out from participating when it closed. With interest rates at historic lows, reinstituting the refinancing program will give small business owners a once-in-a-lifetime opportunity to lock in a fixed-rate refi-

nanced loan and be able to use those savings to reinvest and grow their businesses. We hope with your leadership, this program will be available to them again.

Thank you in advance for your support of S.966, the CREED Act, and for your continued support of small businesses.

Sincerely,

STEPHEN URSICH,
Executive Director.

CSRA BUSINESS,
OCT. 26, 2015.

Sen. JOHNNY ISAKSON,
131 Russell Senate Office Building,
U.S. Senate, Washington, DC.

DEAR SENATOR ISAKSON, We the non-profit SBA Certified Development Companies in the State of Georgia, are jointly writing you this letter to thank you for your support and co-sponsorship of S.966 (the CREED Act) and to ask you to assist in the passage of the bill that is expected to be introduced on the floor of the Senate in the coming days. We as a group unanimously support this legislation which is a badly needed rule change to the SBA-504 loan program that we all operate in our various communities which would allow small business owners throughout our state to tap into the equity in their buildings and refinance debt at our current low historical rates.

This bill was unanimously voted out of the Senate Committee on Small Business and Entrepreneurship in April and has been waiting to be passed by the full Senate for more than four months. As you well know, the bill is bipartisan and has zero cost to the taxpayers.

As one of the lead cosponsors of this bill, you understand the benefits it will provide to small businesses. The CREED Act will reinstitute a program that permits conventional mortgages and other loans to be refinanced with the SBA's 504 loan program if a small business owner can demonstrate sufficient equity and cash flow exists. When this refinancing was in place from mid-2011 to September 2012, more than 2,300 small business owners were able to refinance their owner-occupied business real estate debt.

While large businesses have equal access to capital as they did before the recession, small businesses still have a tight credit market. This valuable refinancing tool is needed to help America's 28 million small businesses grow. The demand is certainly there—over 900 businesses applied to the refinancing program on the final day it was in place. With interest rates at historic lows, reinstituting the refinancing program will give small business owners the same opportunity consumers have had—to refinance into a low fixed-rate loan and be able to use those savings to reinvest and grow their businesses. We hope with your leadership, this program will be available to them again.

It is our understanding that some have suggested that this program be held to accounting standards outside of the current federal budgeting procedure. The process of how the budget is managed is a contentious one and one that should not hold this bill hostage. That issue should be handled through the Senate Budget Committee and not a bipartisan bill that gives small businesses an opportunity to grow.

We know the performance of the loans that were refinanced during the downturn while program was in place, have outperformed OMB projections and the regular default rates on standard SBA loans. SBA implemented credit safeguards by making the program available only to businesses who have

been in business two or more years and by not allowing business to refinance debt that has been past due in the year prior to application.

We appreciate your leadership on S.966, the CREED Act, and ask for your assistance in its passage in the Senate.

Sincerely,

RANDY GRIFFIN, President,
CSRA Business Lending, Augusta,
On Behalf of the Attached.

Mrs. SHAHEEN. The support for this bill is so broad, as indicated by this chart and as indicated by these letters, because the need is so great. There is no reason we shouldn't take up and pass this bill. It has been approved by the committee—the small business committee. It has broad bipartisan support. It is cosponsored by Senators FISCHER, AYOTTE, COONS, CANTWELL, HIRONO, FRANKEN, and CASEY. I thank them for their support, and I thank the small business committee for its work.

Mr. President, like so many of the important bills that go through the Senate, this bill has been paired, as I said earlier, by the chairman of the small business committee, Senator VITTER, with another no-cost small business bill which is authored by Senator RISCH from Idaho. That bill, along with the CREED Act, will provide no-cost solutions that will help small businesses in this country get the credit they need to fuel our growth.

Again, both of these bills passed unanimously out of the small business committee. I believe the time has come to pass them in the Senate. They have been held up for too long.

At this time I want to yield to my colleague, who is going to talk about the hold problem we have been facing on this bill.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I would like to be recognized to ask my colleague from New Hampshire a question.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, it has been more than 4 years since the Senate overwhelmingly passed a bipartisan resolution ending the ability of Senators to place secret holds as a way to block passage of legislation and confirmations of nominees. The resolution—which I worked on with our colleague from Iowa Senator GRASSLEY for more than a decade, and Senator MCCASKILL joined in these efforts—overwhelmingly passed the Senate by a 92-to-4 vote. Under the resolution, Senators who object to requests to pass legislation by unanimous consent are supposed to record their opposition by sending notice to the cloakroom and to the Secretary of the Senate, notifying colleagues of their objection. The objection is then listed in the Senate Calendar on a page—I took today's with the title "Notice of Intent to Object to Proceeding."

Mr. President, if you look at the page in the Senate Calendar where holds on

bills are supposed to be listed, right now you will find a single entry on the page. It concerns a public hold that I placed on the intelligence authorization legislation last July. I wish I could say the reason that only one objection to a unanimous consent request is listed in the Senate Calendar is that my objection is the only hold placed on a bill in the past few months.

Regrettably, that does not seem to be the case. For example, my colleague from New Hampshire has been talking about her bill, known as the CREED Act, S. 966. It was hotlined back on June 18 to determine if any Senator objected to passing that bill by unanimous consent. An objection was made after the bill was hotlined back in June, but the objecting Senator was not publicly identified as the timely objection was made. My understanding is that Senator SHAHEEN and her staff subsequently learned that multiple Senators had objected to passing her bill by unanimous consent, but not one of those Senators made their objection public through the notice requirements that were part of the bipartisan resolution.

I think it is important to note that Senator SHAHEEN's CREED Act was determined to have no cost to Federal taxpayers. It is funded entirely by fees paid by the borrowers and lenders under the SBA 504 Loan Program. It strikes me as a very good bill that would benefit America's economy.

I gather there are some Senators who might not agree about the value of the program, which, of course, is their right as Senators. But if they object to passing a bill, Senators ought to be publicly accountable. That is how we voted—92 to 4. They shouldn't be able to hide opposition behind anonymous objection. Senator GRASSLEY and I and Senator McCASKILL and others have said: Look, public business has got to be done in public. So Senator GRASSLEY and I have publicly announced our holds by putting statements in the CONGRESSIONAL RECORD, and I don't think that Western civilization has exactly been harmed as a result of this kind of transparency and accountability.

I would like to ask my colleague Senator SHAHEEN, given her interest in living up to both the letter and the spirit of the bipartisan resolution, whether it is her intent to state a unanimous consent request at this time to ensure the kind of transparency and accountability that was envisioned in the bipartisan resolution.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. I thank my colleague from Oregon for pointing out the fact that people who want to hold up legislation that has broad bipartisan support are supposed to make themselves publicly known. It took us months to figure out who was actually

holding up this bill. So I do intend to ask unanimous consent to move the bill forward. I appreciate the Senator pointing out the change we have agreed to as a Senate in how we handle those holds and that the people holding up the legislation should be public so the public understands who is objecting and has a chance to weigh in with the people who are objecting.

Mr. President, with that said, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 104, S. 552, and Calendar No. 107, S. 966, en bloc; that the bills be read a third time and passed; and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, reserving the right to object, I want to address the unanimous consent request, and I am delighted to continue the ongoing conversation we have been having about this for many months now with the minority staff on the small business committee and with the office of the Senator from New Hampshire.

I might preface my comments by observing that I used to own and operate my own small business. I helped launch a little community bank in eastern Pennsylvania, western New Jersey. I have some firsthand personal experience both as a small business borrower and as a small business lender, and that experience informs my judgment about this and other things.

I should also point out that this is a unanimous consent request to consider two bills together en bloc. I have made it clear that I have no objection to S. 552, but I do have some concerns about S. 966 that I want to address.

Let me be clear about what this does. This legislation would reactivate an expired program that requires taxpayers to guarantee certain loans. By the way, taxpayers are already on the hook for over \$3 trillion of loans we force them to guarantee through many different programs. This would bring back to life another taxpayer loan guarantee program. It does it by specifically requiring taxpayers to guarantee loans that would refinance existing debt.

So this particular legislation that we are considering today is about the refinancing of existing debt. It is not taking on new debt for the purpose of expanding an existing business or something like that; it is refinancing existing debt.

As the Senator observed, this would sort of reincarnate a program that was launched in 2010. This was launched in 2010 because we were still in the very early days of recovering from a severe financial crisis. It was designed intentionally to be temporary—to require

taxpayers to finance these loans for small businesses but only for this 2-year period. And that is what happened.

Here are my problems with this. I have two problems. One is the cost this imposes on taxpayers. I have heard it described as a no-cost program on several occasions. That is absolutely not true. The fact is that no small business goes through the hassle of applying for and participating in this program unless it can get the loan at a lower rate than what is generally available from banks. That difference between this taxpayer-subsidized lower rate and a market rate is the cost to the taxpayers. You don't have to take my word for it; that is what the Congressional Budget Office said. I will say more on that in a moment. In addition, the parent program that provides similar types of loans has lost \$300 million for taxpayers over just the last several years. How is that no cost?

The second concern I have is that there is no job requirement whatsoever in this particular legislation, unlike the existing program—the parent program, if you will, the 504 program that never suspended. That has an explicit job requirement for additional taxpayer liabilities. This one doesn't. It explicitly exempts the business borrowing this money from having to create or even retain so much as a single job.

So I would like to modify the unanimous consent request, and my modification does three things: No. 1, it allows the resumption of the program. That is the first thing it does. It allows this program to resume, which is the intention of the Senator from New Hampshire, I believe. But what it also does, after 1 year of resumption, is require that we begin to have some taxpayer protections on this. Specifically, the form that would take would be to require the Office of Management and Budget to certify that the program doesn't cost money on a fair value basis. The fair value basis is taking into account the fact that not all credits are equal. For instance, the corner pizza shop is not as creditworthy as the Treasury of the United States of America. So a true cost of a loan differs between that which you would extend to the Treasury of the United States of America and the local pizza shop. If you don't have a differential between those two, then someone is getting the wrong rate. And if you lend to the pizza shop at the same rate you lend to the Federal Government, you are surely not being compensated adequately for the risk you are taking.

So this methodology, the fair value methodology, is the same one we use when we quantify the cost of the TARP program, when we quantify the cost of GSE guarantees, and when we quantify IMF liabilities. That is what I am suggesting we use.

The Congressional Budget Office has weighed in with their views on fair value accounting, and they said:

When the government extends credit, the associated market risk of those obligations is effectively passed along to taxpayers, who, as investors, would view that risk as having a cost. Therefore, the fair-value approach offers a more comprehensive estimate of federal costs.

That is the second thing we do. First, we extend the program and allow it to resume. Secondly, we impose fair value, which is to say an honest assessment of the true cost to taxpayers. Finally, my suggestion is that we enact the very same jobs test that the parent legislation—the alternative, similar legislation, the 504 program—requires, and that is, for every \$65,000 of new risk that taxpayers are being forced to take, let's at least make sure we are creating or retaining at least one job. Think about the alternative. Someone could go out and refinance an existing loan at a lower rate because the government—the taxpayers—is subsidizing the rate. They could use the savings to buy automation equipment and actually eliminate jobs. How could that make any sense at all?

My modification would restore the program, would provide some protection to taxpayers, and would require job creation in the process.

I ask that the Senator modify her request, that the bills be passed en bloc, and that my amendment to S. 966, which is at the desk, be agreed to.

The PRESIDING OFFICER. Will the Senator so modify?

Mrs. SHAHEEN. Reserving the right to object to the modification, let me point out that Senator TOOMEY's objection to this bill is not only wrong, it is inconsistent. The Senator is not objecting to Senator RISC's bill, S. 552, which is also being considered today. He not seeking to amend it, even though it would increase small business assistance and also require taxpayer guarantee.

We have also recently passed bills that increase small business assistance, including Senator VITTER's disaster legislation and an increase to the cap for the SBA 7(a) Loan Program. The fact is that the amendment Senator TOOMEY is proposing is really not a compromise. Let me take a few minutes to explain why.

This amendment would essentially gut the pre-legislation, the 504 refinancing program, and it would prevent it from ever helping small businesses.

I appreciate Senator TOOMEY's experience as a small business owner. My husband and I started out our married life as small business owners. We had a family business. It did very well by us. I learned a lot about the challenges facing small business. One of the major ones is access to credit.

What Senator TOOMEY is talking about would single out this legislation

and gut the intent of this legislation, and that is not what small businesses need.

I want to read a letter that we received from nine lenders—the nonprofit SBA certified development companies in the State of Georgia that worked with this program—about their assessment of what Senator TOOMEY is proposing. They say:

It is our understanding that some have suggested that this program be held to accounting standards outside of the current federal budgeting procedure. The process of how the budget is managed is a contentious one and one that should not hold this bill hostage. . . . We know the performance of the loans that were refinanced during the downturn while [the] program was in place have outperformed OMB projections and the regular default rates on standard SBA loans. SBA implemented credit safeguards by making the program available only to businesses who have been in business two or more years and by not allowing businesses to refinance debt that has been past due in the year prior to the application.

That is the end of the quote from the letter, and it was submitted as part of the package of letters I submitted earlier.

What Senator TOOMEY's proposal would do is single out this program and make it subject to a budget standard that would artificially raise the cost of programs meant to help small businesses, farmers, students, and so many others get access to credit.

I understand the Senator from Pennsylvania wanting to change budget rules for credit programs. Certainly, if he has a concern about that, he should try to do that. I am happy to have that debate. But this isn't the right place to do it. We shouldn't be holding small businesses hostage.

The Budget Committee recently started a series of hearings on budget reforms, and I think that is the right venue for this discussion.

I would point out that Senator ENZI, who chairs the Budget Committee, voted for this legislation. He was part of the vote in the Small Business Committee that passed this legislation.

I would also like to note that the CREED Act, as passed by the committee, was supported by a number of organizations from the Commonwealth of Pennsylvania.

I will quote again from one of the letters we received from one of those lenders from Pennsylvania, NEDCO. They said:

I write to share my enthusiasm for the CREED Act. . . . I urge you to push for quick consideration of this bill in the Senate and vote in favor of it so that Pennsylvania small businesses, and small businesses everywhere, can once again have access to this valuable program. . . . While large businesses have equal access to capital as they did before the recession, small businesses still have a tight credit market. . . . With interest rates at historic lows, reinstituting the refinancing program will give small business owners a once-in-a-lifetime opportunity to lock in a fixed-rate refinanced loan and be

able to use those savings to reinvest and grow their businesses.

The letter goes on. That is just one lender. Across Pennsylvania, the program had a big impact while it was up and running. In fact, Pennsylvania was the 12th most active State, with more than \$64 million in loans and more than 1,700 jobs supported in about the 18 months of the program.

We did amend the bill in the Small Business Committee to address some of the concerns from Republican Members about its budget implications. Those changes have been made. They have been vetted by our committee. But now, after months of delay, Senator TOOMEY has proposed an amendment that is not a good-faith effort at compromise, from my perspective, that would effectively prevent the program from ever helping small businesses that we need to help.

For all of these reasons, I object, and I would again ask unanimous consent to take up and pass both bills as reported by the committee of jurisdiction.

The PRESIDING OFFICER (Mr. CASSIDY). Objection is heard to the modification.

Is there objection to the original request?

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, reserving the right to object, I am a little surprised and disappointed to be accused of not operating in good faith when I attempted to reach a compromise by allowing one of these two bills to go exactly as the proponent advocated.

I would be happy to extend fair value accounting treatment to the Risch bill as well. The Senator from New Hampshire is concerned about consistency. Let's consistently apply honest accounting for the risks we are imposing on taxpayers. And to think that is not an appropriate conversation to have at a time when we are asking taxpayers to take new risks—I don't know what better time there could be, especially after we have saddled taxpayers with over \$3 trillion of guarantees that they have been obligated to already.

If somehow my modifications would make it impossible to make the loans, that should tell us something about this program. In other words, if we say that they can't proceed with a loan if a fair and honest accounting, as prescribed by CBO, shows it to be in a loss, then apparently they are concerned about the program being at a loss—as well they should be since the most closely related program has lost hundreds of millions of dollars for taxpayers.

So I think this is exactly the time to have this conversation. We have been having this conversation for months with the Senator from New Hampshire's staff and the small business committee's minority staff. If we can

reach an agreement on this, as I said before, I am happy to allow this program to resume, but it should be done in a way that it actually creates jobs and actually does provide some protection to taxpayers. So since we can't agree to that today, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I understand Senator TOOMEY has objected to my unanimous consent request, but I do think it is important to point out that in fact the amendment he has proposed would essentially undermine the program. That is why I say that is not an amendment that is a real effort to improve the bill. In fact, it is not being offered on any other of these kinds of programs—didn't offer it on Senator VITTER's legislation, on increasing the SBA 7(a) program cap.

If that is a conversation he wants to have as a member of the Budget Committee and for the Budget Committee to start talking about that, that is very appropriate, but that should not undermine the efforts of small businesses to get the lending they need. In fact, this is a program that has a history. It has a history that shows that it has a lower default rate than other SBA loan programs. In Pennsylvania alone, it created 1,700 jobs during the time it was in effect.

So I think there is the possibility to get to some agreement, even though we have already made some reforms to this bill in committee, but I don't think gutting the program in a way that makes it ineffective is the way to do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, first, I thank the senior Senator from New Hampshire for her advocacy for small business. We work together on a number of different small business issues dealing with capital, and I appreciate her advocacy. Her partnership has helped us in Michigan on some very important things on which I hope we are going to be able to move forward, so I thank her.

AFFORDABLE CARE ACT

Mr. President, I want to speak today about the importance of having access to quality, affordable health care. The Affordable Care Act has fixed a lot of what has been wrong with our broken health care system in the past. We no longer have to be afraid of someone in our family getting sick and being dropped from our insurance plan. Being a woman is no longer viewed as a pre-existing condition. Young people are able to stay on their parents' plan while they are looking for a job with full health benefits. That has certainly affected people in my family, as I am sure everyone in the Chamber and certainly those across the country have

felt this, as they are supporting young people who are moving from high school or college and looking for a job. And we are slowing the growth of health insurance premiums. And, as we have this first week of open enrollment and Americans are heading to healthcare.gov to sign up and get covered, we know we now have 17.6 million more Americans enrolled in the Affordable Care Act who know that if the kids get sick tonight, they will be able to make sure they can go to a doctor and get the health care they need. If they themselves get sick, they won't just be relying on emergency rooms, which are the most expensive way to get regular health care. They will have the peace of mind of knowing they are covered if there is cancer discovered or if there is an accident or something else happens in their family.

According to the Centers for Disease Control, the number of people who are uninsured has fallen to 9.2 percent. I would like to see that still lower, but the good news is that it is half of what it was just 2 years ago. So in 2 years we have seen the number of people without health insurance cut in half—I think that is good news—even before the opening of the marketplace and State exchanges.

Thanks to the ACA, the rate of uninsured children dropped to 6 percent last year, which is the lowest in history. We have the lowest number of children who are now in a situation where they don't have health care coverage. Unfortunately, just as Americans are reviewing their options right now during the open enrollment period, Republicans are looking to pull the rug out from under these children and their families.

A few weeks ago Republicans in the House passed what is called a budget reconciliation bill that essentially, bottom line, guts the Affordable Care Act, removing major provisions that help families get access to quality affordable health care coverage. According to the nonpartisan budget office, the bill on the whole "would increase premiums . . . by roughly 20 percent above what would be expected under current law" and cause 16 million people of the 17.6 to lose health insurance. Why in the world would we want to pass this bill? I don't know why in the world the House wanted to pass this bill, but why in the world would we want to pass a bill that will roughly increase premiums by 20 percent above what they otherwise would be and knock 16 million people off their health insurance? Unfortunately, we are going to have that bill in front of us very shortly. I hope we are all going to vote no.

Of those who lose insurance, up to 20 percent of them—over 3 million—are children. After achieving the lowest rates of uninsured children in history, we are going to have in front of us a bill that would require elimination of 3

million children from being able to get health insurance.

The bill also eliminates the Prevention and Public Health Fund. As they say, we know that an ounce of prevention is worth a pound of care. It is much better to focus on healthy outcomes, to focus on reducing obesity, diabetes, heart disease, strokes, and all of those things that allow us on the front end to do prevention and public health and wellness rather than picking up the pieces. It would eliminate that thought.

In Michigan these funds have been used to help prevent tobacco use and to promote awareness of the importance of children getting immunized against debilitating and deadly diseases, to name just a few things. Critically important, the House bill strips funding for Planned Parenthood. The budget office again estimates that up to 25 percent—one out of four—people currently being served by clinics for preventive health care would face reduced access to care. It makes absolutely no sense to roll back preventive health care for women, to roll back prevention that allows us to create opportunities for people with information and tools they need to be healthy rather than getting diseases down the road. Certainly, it makes no sense to raise premiums by 20 percent or to see 16 million people lose their health care.

I hope when that budget reconciliation bill comes before the Senate that we will say no and allow millions of Americans to continue to have the peace of mind of knowing they will have access to the medical care they need for themselves and their families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

F-35 PROCUREMENT

Mr. HATCH. Mr. President, I rise in strong support of the current plan to procure around 2,500 F-35s for our men and women in uniform.

Recently, I understand the chairman of the Armed Services Committee called upon Congress to cut the number of F-35s our Armed Forces will produce. Usually, I fully agree with the chairman's astute assessment of national security matters. In fact, I think he is a terrific chairman. In particular, I applaud his vital work in drawing attention to this administration's lack of effective strategies to eliminate the current threats posed by the Taliban, Al Qaeda, and the so-called Islamic State.

Nevertheless, I must respectfully disagree with his call to reduce the number of F-35s to be acquired by our Nation's military. In doing so, I reiterate my full support for the existing program of record, which calls for the procurement of 1,763 F-35s for the Air Force, 420 for the Marines, and 260 for the Navy.

As we assess the question of F-35 procurement, we should remember how

the Department of Defense determined the number of aircraft it would purchase in the first place. I can assure you, this decision was neither hasty nor taken lightly. The Pentagon based its estimates on a thorough review of our Nation's airpower readiness and the capabilities needed to deter and defeat future threats to our national security. The Department's procurement request doesn't reflect an arbitrary estimate but the number of F-35s needed to keep our Nation safe.

If we reduce the number of F-35s to be acquired by the military, we hamstring our own ability to defend ourselves against America's enemies. Despite the formidable war-winning capabilities of the F-35, this weapon system cannot be in more than one place at once. One F-35 aircraft cannot simultaneously deter Russian aggression in Eastern Europe, patrol free waters in the South China Sea, target the Islamic State of the Middle East, and provide critical air support for our allies in Afghanistan. With every aircraft we cut, we are spreading our defenses thin, putting our national security at risk, and limiting the ability of our men and women in uniform to complete their mission.

Now is the worst time imaginable to limit production of the F-35. Not only does the quantity and magnitude of threats facing our Nation continue to increase, so does the number of locations from which these threats emanate. Moreover, when the Department of Defense made the initial assessment for F-35 procurement, we did not face the exponential growth of threats which continue to metastasize under the Obama administration's failed foreign policy. In this sense, the military's request to procure just under 2,500 aircraft is not only reasonable but actually highly conservative.

As some of my colleagues discuss reducing the number of F-35s we provide to our Nation's military, they should remember to consider the economies of scale. With every single aircraft we cut, the individual cost of each F-35 actually increases, but if we keep current procurement levels the same, the price of each aircraft remains the same. We should be actively looking for ways to lower costs, not raise them.

Thanks to the hard work and dedication of the F-35 Joint Program Office, its program executive officer, Lt. Gen. Christopher Bogdan, and its industry partners, we are finding ways to drive down costs and make the F-35 more affordable. They are doing a terrific job. In fact, the pricetag for the F-35 in our country is actually decreasing. Currently, each aircraft costs roughly \$104 million to produce, but with the projected purchase of over 3,500 jet fighters worldwide, I believe that price will continue to fall.

At full production, the price of the F-35 will be comparable to the cost of

new versions of the aircraft it is designed to replace; namely, the F-16 and the F/A-18, which raises another question. Why is it vital to replace our aging aircraft with the F-35? Why don't we just purchase new and improved versions of aircraft which are already in the fleet? The answer is simple. No matter how many improvements and modifications we make to the design of the A-10, F-16, and F/A-18 aircraft, they will never be stealth aircraft, nor will they ever match the capabilities of a fifth-generation jet fighter.

Stealth technology is absolutely critical to the future of our Armed Forces. Stealth fighters are the only aircraft capable of penetrating airspace protected by advanced area denial anti-aircraft systems. Both Russia and China are developing these advanced anti-aircraft systems, and both nations appear willing to sell their technology to potential adversaries, including Iran. Because of Russia's propensity to proliferate weapon systems to rogue regimes and China's startling advancement in technology to include the J-31 stealth aircraft and the PL-15 air-to-air missile, it is all but inevitable that our forces will routinely encounter these sophisticated systems in both the near- and the long-term. Because stealth technology is the most effective means of defeating these anti-aircraft systems, we hold a solemn duty to our servicemembers to provide them with the superior capabilities of the F-35.

I will not deny that the F-35 has had its fair share of problems. Its development program was not well-planned, and along the way there were abundant technical hurdles, cost overruns, and program execution concerns, but as is the case in the development of any breakthrough technology, setbacks are not only probable, they are expected. What matters now is how we react to these setbacks to make the program a success.

We have now rounded the corner and are on the cusp of fielding the most remarkable strike aircraft ever developed. The F-35 will help our Nation reclaim its technological edge at a critical time. Our enemies have been working tirelessly to match our military might, and they have made significant progress in achieving parity with our current technology systems, but the F-35 will widen the technological gap once again. Its superior capabilities will put us far ahead of our adversaries, and we can stay one step ahead by keeping procurement numbers for the F-35 at their current levels.

In all of my years of public service, the F-35 is the most impressive weapon system I have ever seen. I am convinced this platform will give our Air Force, Navy, and Marine aviators the military advantage they need to protect us against tyranny, deter our foes, and protect our cherished liberties for

years to come. I urge my colleagues to support this program, including the military's initial procurement request.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to be recognized as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. The Senate is considering H.R. 2029.

Mr. MCCAIN. Which is?

The PRESIDING OFFICER. The MILCON-VA appropriations bill.

DEPARTMENT OF DEFENSE APPROPRIATIONS
BILL

Mr. MCCAIN. Mr. President, we are now considering the MILCON-VA appropriations bill. Obviously, anything we do for our veterans is something that is laudable to all of us, but earlier a very interesting vote took place in the U.S. Senate, when the Department of Defense appropriations bill which funds the appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes, et cetera—in other words, the Defense appropriations bill which provides for the training, the equipment, the pay, the medical care, all of those vital necessities for the men and women who are serving in the military—a sufficient number of my colleagues, I believe all but one on the other side of the aisle, decided to vote against moving to that legislation.

I want the record to be clear, all but one of my colleagues on the other side of the aisle, as I understand it, voted against moving to the legislation which provides the funding for the defense of this Nation and the men and women who serve it—items that are vitally important to the men and women who are serving, items such as military personnel. The committee recommends \$3 billion for pay allowances and other personnel costs for Active Reserve and Guard troops activated for duty in Afghanistan and other contingencies, counterterrorism partnership funds, a money provision that recommends \$300 million for the Ukrainians who are now being dismantled by Vladimir Putin. The committee, as I mentioned, recommends money for pay allowances and other personnel costs for Active, Reserve, and Guard troops activated for duty in Afghanistan and other contingency operations. The recommendation includes funding for subsistence, permanent change of station, travel, and special pays, including imminent danger pay, family separation allowance, and hardship duty pay.

I will have some other selections, but I think the American people ought to know what my colleagues on the other side of the aisle just voted against. They voted against paying allowances

and personnel costs for the Active, Reserve, and Guard troops activated for duty in Afghanistan, including funding for subsistence, permanent change of station, travel, and special pays, including imminent danger pay. We won't fund the men and women serving in imminent danger. We decided not to fund them. That is amazing—truly amazing.

One of the programs in here is the Counterterrorism Partnership Fund. There is item after item listed here. These appropriations are for the men and women in the armed services. These appropriations include their pay, their benefits, their weapons, and their means to carry out their duties in dangerous times.

Other programs in here include countering violent extremism online, the European Reassurance Initiative, and, as I mentioned, Ukraine and counterterrorism. All of these provisions are contained in probably what is the most important obligation that we have. I don't know of a greater obligation that we have to the American people and the security of the Nation. If there is any doubt about what is going on in the world, one might just want to look back at what happened in the last couple of days—the loss of a Russian airliner under very suspicious circumstances, the continued pouring of weapons and capabilities into Syria by the Russians and Iranians, and the continued gains made by ISIS in many parts of the world, including even as far away as parts of Africa and Afghanistan.

Do any of my colleagues know of the strategy that the United States has to address these issues? They can't because there is none. But here we are doing our duty—our constitutional obligation—to provide for the men and women who are serving and defending this Nation. And for obscure reasons—perhaps the Democrats, my colleagues and friends on the other side of the aisle, will come to the floor and explain why they would not go to a piece of legislation that protects this Nation and the men and women who serve it.

I am sure that in about 6 days—I believe it is—on November 11, Veterans Day, every one of my colleagues, like me, will go and be part of the celebration of the men and women who served and sacrificed.

What do you have to say about the men and women who are now serving? What you just did was to vote to not fund, train, equip, and defend these men and women, and without this, their lives are in greater danger. So don't go back and say that you are doing everything you can to defend this Nation. You are not.

Right now we have a very turbulent political situation in America. We have people who are now leading in the polls and perhaps have never held public office. The approval rating of Congress is

at 12 percent or lower, and sometimes I hear some of my colleagues wonder why we are held in such low esteem. If we can't even fund the men and women in the military and take care of their needs, who in the world will we take care of?

I believe the Republican leader voted in a way so that we can reconsider the vote. We need to reconsider the vote. We need to vote, and we need to be on record that we have done our barest of duties—our fundamental duty as elected officials, which is to ensure the security of this Nation.

Right now my colleagues on the other side of the aisle who voted not to move forward with this legislation have a lot of explaining to do on Veterans Day—a lot of explaining to do as to why they wouldn't take up the legislation that takes care of their change of station, their pay, their benefits, and takes care of their health care. It is all in this legislation, and yet my colleagues, for reasons which I do not understand, did not vote to take up this legislation.

I say to my colleagues on the other side of the aisle: Where are your priorities? Where are they? Is it somehow to gridlock this legislation because you want a certain piece of legislation brought up instead of this one? Is it for some other obscure reason or is it because you don't give a damn?

This is an embarrassing time for me in this body, when we have enough Senators to prevent us from taking up what are our barest minimal requirements of our obligations, which are to provide for the defense of this Nation and the men and women who serve it. It is foolish, cynical, and dangerous to hold defense legislation hostage until every one of their political demands is met simply because of that.

Veterans Day is 1 week away. I urge my Democratic colleagues to stop treating our national defense as a tool for extracting political leverage. Let's return to the bipartisan tradition of providing for the common defense. That is what the men and women serving in the military deserve and require from us, it is what Americans expect from us, and it is what the Constitution demands of us.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSPORTATION AUTHORIZATION BILL

Mr. CARPER. Mr. President, it is always a pleasure to spend these late afternoons—sometimes Thursday afternoons—when the current Presiding Officer gets stuck presiding, when I come to the floor to talk, yet again, about

funding—paying for—these roads and highways, bridges and transit systems that we use. I thank the Chair for being here. As I look around, sometimes we have more than a few folks on the floor, but I think a lot of people are headed for home on Thursday afternoon when we have no more votes.

Looking back over the last several days, there are actually a couple of things to feel good about. Last week we passed very important legislation improving the strength of our cyber defenses and our ability to fend off some of the 24/7 attacks that are being visited on financial institutions, on our military, on colleges and universities, on research operations, and on businesses in our country. I am very proud of the bipartisan work we did on cyber security, information sharing, and some of the new technologies that are being deployed to help fend off attacks from the bad guys around the world. I felt very good about that.

Not everybody likes the 2-year budget agreement that has been worked out in rough form. But I like to say about a friend, when you ask him how he is doing, he says: Compared to what? The idea of living from week to week, not knowing if we are going to have to shut down the government, continuing to spend enormous amounts of human time and capital getting ready for a shutdown and hoping it won't happen but preparing for the worst and having to do that month after month—I think we have, for the most part, said we are not going to do that for the next 2 years. Whether one likes every morsel or portion of the budget deal, I think we can pretty much all say: Compared to what? Well, it is better than the path we were on.

Today, as we prepare to take up over the next couple of weeks transportation policy for our country and transportation funding to fund that policy, there is the late-breaking news this morning from the House of Representatives that they have taken a very modest transportation bill including authorization—it is probably a two-part deal where we actually authorize transportation policy and then we try to figure out how to pay for it.

Too often in the past we have decided to pay for it by bailing out the transportation trust fund. The legislation we passed and I voted against here in the Senate last month on transportation—during the last Congress I chaired the Senate subcommittee on transportation infrastructure. I am I think the No. 2 Democrat on the Environment and Public Works Committee. I am a former Governor. I spent 8 years as Governor in my own State of Delaware. We focused on transportation infrastructure. I chaired the National Governors Association for a year. So I have looked at these issues nationally as well as a Governor.

But if we look at the authorization bill—again, that is one of the two parts

of our legislation, to authorize programs. A lot of what we did in the Senate, coupled with what they did in the House, was pretty darn good. I was very proud of it. I want to give shout-outs to some of my colleagues, including Senator BOXER and Senator INHOFE. I don't always think of them as two people who work well together, but on transportation and infrastructure, they do. They provide very good leadership, and they were good enough to let the rest of us join in. I think we had a good policy or set of policies that we can be proud of. I will just run through a couple of them here, using of this chart.

I have made a big focus on freight transportation. It is not just people who use roads, highways, bridges, and transit to get places, but we move an enormous amount of freight in this country. We move it on barges—actually, I don't know how many people think of that—or ships. We move a fair amount on airplanes. We move a fair amount on trains. We also move a great deal of our freight by roads, highways, and bridges.

The legislation we passed out of the Environment and Public Works Committee on I believe a unanimous vote makes good progress on the freight transportation side, trying to make our roads, highways, and bridges more reliable, more affordable, and more efficient. That is good.

The legislation we passed out of committee, which I think is mirrored in the House Transportation bill, is that we prioritized bridge safety. I think something like one out of every four bridges in our country, deemed so by people a lot smarter than me, are not safe. So in our legislation, we focused on bridge safety and we focused on large facilities, large projects of national importance—not little projects but big ones of national importance, regional importance.

The Transportation authorization legislation from the House and from the Senate also increases baseline funding and funding for public transportation. And it focuses on clean air funding toward the most dangerous diesel emissions to increase the bang for the buck, if you will. If you ever go by road projects, highway or bridge projects and transit projects, you will often see this yellow equipment that is almost always powered by diesel, and they put out—those vehicles put out a lot of pollution. We provide some money here in the authorization legislation to say that can't be good for us. It can't be good for the people who work around there and live around there. Let's see if we can't get some reduction in those emissions.

The other thing I liked about our authorization bill is research grants that go to States to see if we can't find a better alternative to user fees, which we have historically traditionally used, and to eventually replace the gas tax

or something that makes more sense. It could be something called a road user charge, it could be tolling in conjunction with public-private partnerships, but just to look at the alternatives to user fees like the gas tax and diesel tax, which has not been raised for 22 years.

Let's see what we have next. The last time we raised the user fees in this country—part of me wishes I could be doing this speech surrounded by former Presidents who have supported the use of user fees. I think we go back a long time, actually, when I was a little kid, before the Presiding Officer was born. Dwight Eisenhower, the President who brought us the State highway system, was an advocate of user fees. Since then we have had other Presidents—let me think of another President who thought that was a—Bill Clinton thought user fees were appropriate. I want to say George Herbert Walker Bush might have been one who thought that things that are worth having—that folks who use our roads, highways, and bridges ought to pay for it. I think there might have been one more. Ronald Reagan supported that notion as well. So in a bipartisan way, Democrats and Republicans have said for a long time that if we really want to have a better transportation system, we have to pay for it.

The idea is that folks who use that system and the businesses that use that transportation system have some responsibility to pay for it. That has been the way we have done it for a long time. Maybe someday, when we have the ability to do these vehicle-miles-traveled deals, where we don't have to worry about privacy concerns, figure out how many miles every car, truck, van in the country travels and be able to assess a user fee—I don't know if we are going to be able to do it. We have been trying for a long time. Maybe somebody will be able to do it, but concerns have been raised about doing that as well.

Anyway, since 1993, what has been happening? Maintenance costs continue to rise. We raised the gas tax in 1993 to 18.3 cents per gallon. We raised the Federal tax on diesel to I think 24.3 cents. What has happened in the last 22 years, believe it or not, is the cost of concrete has gone up a lot. The cost of asphalt has gone up a lot. The cost of steel and the cost of labor has gone up a lot. And the gas tax and the diesel tax have stayed right where they were 22 years ago.

The gas tax has lost almost 40 percent of its purchasing power—18.3 cents in 1993 is today worth about a dime. I think the 24.3 cent diesel tax is now worth somewhere between 10 and 15 cents. We have done nothing about it. We have not even been willing to consider indexing these user fees to the rate of inflation.

Has the highway trust fund eroded? Not everybody knows we have a high-

way or transportation trust fund. We do. Not everybody understands it is largely fed by user fees. Not everybody understands that when we run out of money in the transportation trust fund, we have to—if we are going to still build roads, highways, bridges, and transit systems, we have to do something about it. What we often-times do is we move money from the general fund for our country and move that money over to fill up the transportation trust fund or the highway fund. When we run out of money in the general fund, we go around the world with a tin cup in hand and borrow money from all kinds of people, including the Chinese. We say: We would like to borrow some money from you, and, by the way, we don't want you to be mucking around in the South China Sea and all those other places where I used to fly around. We don't want you to be inflating your currency. We don't want you to be dumping your stuff on the American markets.

And the Chinese say: Well, we thought you wanted to borrow money, so get off our backs.

We don't want to be in that situation.

There is a growing need for road repair, as I mentioned earlier. One out of four bridges is bad. Two out of every 10 miles of highway surfaces are not good.

We have vehicles that are more fuel efficient. That is a good thing. We adopted CAFE legislation, and Senator FEINSTEIN was good enough to let some of us help her write that. But probably over the next 10 years or so we are going to continue to require more energy-efficient vehicles.

There has been a reduction in the annual miles driven. A lot of the millennial generation don't want to have a car. I remember as a kid growing up—maybe the Presiding Officer growing up couldn't wait to have and drive a car. That sure was my generation.

We have an aging system that needs to be addressed. In the face of congressional inaction, what have we done to pay for our transportation system? Well, we use budget gimmicks. We are pretty good at pension smoothing. Our pensions must be pretty smooth, because we have used that. We have used unrelated offsets to pay for some. Say, for example, monies that go to TSA to supposedly provide for safer travel in our airlines and airways, we are going to use that money instead to go into transportation—money that should be used to strengthen our ability to monitor traffic coming across our borders, a lot of vehicular traffic, a lot of trade. We are going to raise those Customs fees, but we are not going to use it to build up our defenses along our border and other stuff that probably has no relationship with transportation. That is what we have done—gimmicks.

It is not an easy thing to think about, but these are some numbers

that we ought to look at. We bailed out the transportation trust fund in 2008 to the tune of \$8 billion. We bailed it out again in 2009, \$7 billion; the next year, 2010, almost \$20 billion; 2013, over \$6 billion; and we really got into the bailout business in 2014, \$23 billion; and for the current year, 2015, \$10 billion. Add it all up, it is about \$75 billion in bailouts. We moved money from the general fund. That means we don't have money to spend on other things that are legitimate needs in our country, and we are using it to pay for things that ought to be actually paid for by the folks and businesses that use our roads, highways, and bridges.

Now, a lot of people are saying to me: Why should we raise the user fees? Why should we raise the gas tax or the diesel tax? Because it is fair. The notion that people and businesses that use these roads and highways and bridges ought to pay for them, to me, that seems fair. Frankly, it seemed fair in this country for about 60 years. We seem to have gotten away from that. We need to get back to that.

Here are a couple of questions—or the same question asked several times. Why raise the gas tax and fix the trust fund? This is \$324. What is that number? That is how much the average driver in this country spends a year in vehicle repairs, such as replacement of tires, axles, wheel rims—you name it. I have seen it actually as high as \$500, but we will take the low range of \$324. We pay for it one way or the other, and that is how much we spend on average in vehicle repair.

Again, the same question: Why raise the gas tax and fix the trust fund? The number 42 shows up. That is because that is how many hours a year we spend sitting in traffic. These are not my numbers. Every year Texas A&M updates this number, and they say that in Washington, DC, and up the road from where Senator COONS and I live, in New York City, where some of our family members live, or Denver or LA, it is about 82 hours per year sitting in traffic, wasting gas, and putting out harmful emissions.

This is the number of billions of gallons of gas we waste just sitting in traffic every year—2.9 billion gallons of gas a year. That is a lot.

I don't know if it is the last poster that we have, but it is not a bad one to close on. One of the major roles of government is to provide a nurturing environment for job creation and job preservation. It is not the main role of government, but a major role of government is to provide a nurturing environment for job creation and preservation. We don't create jobs. Senators, Governors, and county executives don't create jobs, no matter how talented they are. Presidents don't create jobs. What we do is create a nurturing environment to help support job creation and job growth. What does that in-

clude? A world-class workforce, young people and not-so-young people coming out of colleges and universities who can read, write, think, and use math and technology, and who have a good work ethic—public safety and rule of law, affordable energy, affordable health care, access to foreign markets, and also the ability to move goods and products from place to place in this country and through our export markets.

McKinsey has a piece of their operation that does consulting and it is called McKinsey Global Institute. They have done a little bit of thinking and calculating to see if we actually made robust investments—not just little investments, not just creeping from year to year borrowing money from the general fund but actually making robust investments.

What would it do? We are talking about \$150 to \$180 billion of annual investments from all sources—State, local, and Federal—and to do this for 15 to 20 years. What would it do in terms of employment and GDP? Here is what it would do. Those kinds of investments in our transportation system would raise GDP anywhere from 1.4 to 1.8 percent per year. In addition to that, it would add almost 2 million jobs. Half of those jobs would be men and women going to work building highways, roads, bridges, and transit systems. We would have a more efficient economy—an economy to move products and goods more effectively, more efficiently, and more productively.

We say thanks very much to the McKinsey Global Institute. If we did this, a lot of people would be put to work building our roads, highways, bridges, and transit systems. They haven't been working much because we have underfunded transportation investment now for years at the local, State, and Federal levels. If we had funded it in a more appropriate and robust way, then a lot of people who have been on the sidelines who are either unemployed or underemployed would be doing something productive with their lives and at the same time strengthen our economy.

I see my colleague has been waiting patiently for me to finish. I will close with these words. Someone said to me: How do you feel that the House seems to have come up with a little bit more money?

We are not sure what the pay-fors are that they are using. Somehow we found some magic money in the Federal Reserve, and I hope it is legitimate. I hope there are no unintended consequences that we are aware of, but we will find out about that over the next several days, I hope. I am not outraged.

I was, frankly, outraged by what we passed here a month or so ago—so grossly underfunded, 3 years of not very thoughtful funding. What we hear

from the House is that it is more robust, and I am happy to take a look at that. But it is not a user fee approach. It basically doesn't say: OK, those who use our highways, roads, and bridges ought to pay for those. We strayed from that. It is sort of a grab bag from places that have nothing to do with transportation. We are going to use that money, and it is only for a short while. We will be back in the soup again in 4 or 5 years.

This Senator thinks we can do better than that. It is not just me who is disappointed. People are disappointed, but we will live to fight again another day. It is too bad that we didn't take advantage of this day and seize the day.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, it is my desire to address the Senate about a particular serious problem that faces us. I ask unanimous consent that I be granted 7 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

GUANTANAMO BAY DETENTION FACILITIES

Mr. ROBERTS. Mr. President, I rise today regarding President Obama's most recent, egregious attempt to close the Guantanamo Bay Naval Base detention facilities and relocate enemy combatants, i.e., terrorists, to the United States.

Who are we talking about here when we say enemy combatants with regard to our national security and the problems that this may pose? We still have some high-level terrorists at Gitmo. It reminds me of the five terrorists that we let out sometime ago in exchange for a Sgt. Bergdahl. These are high-level terrorists. Khalid Shaikh Mohammed we know is the mastermind of 9/11. Abd al-Rahim al-Nashiri, the USS *Cole* bomber. I was a member of the Intelligence Committee when that happened, and I was concerned that we didn't connect the dots with regards to our national security and our national safety. That certainly was the case. We have Hambali, who is the Bali bomber. We have four coconspirators with Khalid with regards to 9/11—Ramzi bin al-Shibh, Mustafa Ahmed al Hawsawi, Abd al Aziz Ali, and Walid bin Attash.

These are folks that are still determined to do great harm to the United States. I don't think they changed their minds.

The President's determined effort to close Gitmo began his first days in office when he signed Executive Order 13492, requiring the close of Gitmo within 1 year. Fortunately, for the security of the United States, the Congress stood up to this Executive order and stopped it, and the President's attempt to close Gitmo was also met by strong objections from all across the country, even in his home State of Illinois. Illinois turned its back on a plan

to transfer detainees to a state-run prison, the Thompson Correctional Facility.

More importantly, the Congress laid down its first marker on prohibiting the President from transferring or releasing detainees to the United States through the Supplemental Appropriations Act passed in June of 2009. Every year since then—7 years—the Congress has maintained this prohibition.

This year's National Defense Authorization Act continues to enforce the will of the American people and the Congress. Yet just yesterday the President's Press Secretary announced blithely that the President is not bound by Congress—and I would include the American people—and the President will do what he wants to do by another Executive order if he determines that is the best approach.

National Security Advisor Susan Rice has just been quoted as saying: "I can't say with certainty that we're 100 percent going to get there, but I can tell you we're going to die trying." That is a pretty bold statement.

What the President wants to do doesn't equate with national security. I think he wants to fulfill his campaign promise and preserve his alleged legacy and simply close Gitmo, not taking a hard look at what may take place.

Now I have gone head-to-head with this administration on many issues but none are as close to my strong belief and commitment to protect the United States, the people of Kansas, and all Americans. It does not make sense to locate terrorists at Fort Leavenworth, KS, which is the intellectual center of the Army, and to pose a threat to that community. I have often said that the first obligation of any Member of Congress is to protect our national security. Allowing Gitmo terrorists to set foot in the United States is in direct violation, in my view, of that commitment, and we should not stand for this President or any future President to threaten our security by Executive order.

It is regrettable that I have to be here making this speech at all in response to the administration and the news that suddenly appears in the Nation's press that there were people visiting Colorado, Fort Leavenworth, and Charleston, SC.

In September, in response to the administration's visit to Kansas, I placed a hold on the administration's nominee to serve as Secretary of the Army. I don't like doing this. I have no personal bias whatsoever with regard to this person politically or the ability to do the job. I did so with purpose and respect. I articulated this to the Army. I articulated this to my good friend and colleague John McHugh, who was the Secretary of Army, to the Department of Defense and the Secretary of Defense. During my conversations I was reminded that the administration

could not implement any parts of this study without explicit authorization from Congress. So if and when a study is produced—if there is a plan, and we don't know if there is a plan—the administration would come before Congress to ask for that authority and the money. Guess what; no money can be spent on that. So it seems to me that is already a violation.

The administration's threat to act by Executive order yesterday speaks to the exact opposite of the understanding that I have. Congress has listened to the American people and done what is necessary to uphold national security and prohibit this administration from behaving in an unleashed fashion.

I know the President is resolute. He reminded us of that fact by signing 223 Executive orders during his Presidency. It is not so much the number of Executive orders but Executive orders that are in direct violation or in opposition to the intent of the Congress.

I just don't think this should be determined by ignoring the Congress and simply issuing an Executive order. That is not the way to go. It just raises all this dust in opposition, and people like me come to the floor extremely worried about what this could bring.

I remember before 9/11, when I made the statement that the oceans no longer protected us. Our threat level remains high today. The threat of ISIS grows, stability in Syria continues to erode, Russia is advancing in the Middle East, and Iran continues to churn its nuclear reactors.

We cannot, it seems to me, we must not act politically. We must not take action simply because of "legacy" and a political campaign promise. Instead, we must act conscientiously. The only conscientious way forward on this issue is to maintain detention at Guantanamo Bay. To do otherwise would be a violation of U.S. law, not to mention a bull's-eye on Fort Leavenworth, where we have the intellectual center of the Army and the Army Command and General Staff College. That is not wise. That does not make any sense.

Let me say that there is another issue the President has brought up, and that is the issue of recruitment. We hear this from people who honestly believe that if we close Gitmo, somehow it will take away the incentive for various terrorist groups to recruit other terrorists from this country and all across Europe, all around the world, saying: Oh my goodness, we have terrorists at Gitmo, and when will the United States close that so that we can close our recruiting?

If we have terrorists located in the United States, it seems to me that the recruiting would simply be this: All right, Gitmo is closed, but we have our brothers at Fort Leavenworth, we have our brothers in Charleston, and we have our brothers in Colorado. What do you think would happen with regard to

what they would do in response to that, not only to recruit people but to act? This goes back to the welfare of all Americans, not to mention those in Colorado, Kansas, and South Carolina. This is a bad idea—a very bad idea.

I hope those of us in the Congress will maintain our vigilance and make sure that no money will ever be authorized or appropriated with regard to taking terrorists from Gitmo and locating them in the United States. We must not do it. It is the wrong decision. It is a bad decision. I don't know why the President is so stubborn about it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

NATIONAL APPRENTICESHIP WEEK

Mr. COONS. Mr. President, I rise today to shine a spotlight on apprentices, one of our Nation's oldest forms of education and still one of the smartest investments we can make as a nation. The week we are in the middle of right now—this very week—is National Apprenticeship Week. I am honored to be joined today by Senator FRANKEN, who will also be making remarks in support of the value of apprenticeships.

In this body, we often discuss the importance, the value of expanding early childhood education, strengthening our public schools, and making college more affordable. Indeed, these investments are critical, but let's not forget about what I call the other 4-year degree. It is a degree that guarantees you a well-paying job and a career path after graduation. It is a degree that gives you experience that employers demand and teaches you skills that last a lifetime. It is a degree that provides a paycheck even while you are still in school. And it is a degree that leaves you debt-free. But where is the catch? Well, you might have to wake up early every day. You might have to work on nights and weekends. You will definitely have to complete thousands of hours of hands-on on-the-job training and 4, 5, or more years of work in your trade. In many apprenticeship programs, if you miss even a few days of work, that is it, you are done. On-the-job training, years of work experience, and a limited number of absences does not sound like a typical college curriculum, and it is not. It is an apprenticeship.

Broadly defined, apprenticeships are programs that train workers in highly skilled occupations by providing instruction and on-the-job training. After apprentices complete their programs, they receive journeyman papers and are set up for a job with the employer, the union, or the association that sponsored the program. These programs are long, challenging, and competitive. An appropriate question at the outset is, Do they work?

Well, ask Ed Woodrum, an instructor at the Carpenters Joint Apprenticeship

Center in New Castle, DE. Ed tells the story of Scotty. Scotty is a Delawarean who was literally living on the streets, destitute, who was blessed to land an opportunity through the Challenge Program, a not-for-profit rehabilitation and skills organization in Wilmington which I know well and have always supported and have enjoyed seeing the impact of their work, both the materials they introduce and the impacts on the lives of the young men and women they train.

The Carpenters have a partnership with the Challenge Program, and through that relationship Scotty began working as an apprentice with the Carpenters. Fast-forward to today, years later, and Scotty is still a journeyman with the Carpenters. He recently got engaged, he owns a car, and he is living in a townhouse in Wilmington. So do apprenticeship programs work? In Scotty's case, it transformed his life.

If you want to know if they really work, ask Jim Maravelias with Laborers Local 199, also from Delaware. The laborers apprenticeship program requires 4,000 hours in the field and at least five core classes in heavy construction, although most apprentices take over a dozen classes in that time. Jim has seen his laborers journey men and women go on to leadership and management roles in construction as foremen or shop stewards or business agents. Jim knows how important apprenticeships are not only for the construction industry but for the lives and futures of the Delawareans who are so deeply affected positively by their apprenticeship experience. As Jim puts it, through these apprentices, "we offer them a career, not just a job."

So do apprenticeship programs work? Ask Tony Papili, my friend from the Glasgow area who runs the Plumbers and Pipefitters Local 74. Fresh out of college with a traditional bachelor's degree, Pip went back to school as an apprentice. Today Pip knows from firsthand experience how valuable apprenticeship programs are, which is why Local 74 trains fitters, plumbers, HVAC service technicians, welders, and instrument technicians. Local 74's program is no cakewalk. Once an applicant is accepted, they are committed to 5 years of night classes, on top of the 8,500 hours they will spend in the field learning their trade before becoming a journeyman.

Apprenticeship programs are not just difficult, they are competitive too. Take the program at the IBEW 313 in New Castle, DE, of which Doug Drummond is one of the leaders and a trustee. The IBEW's apprenticeship program is the largest in Delaware today with 120 active apprentices. Each year, 313's apprenticeship program has 2,500 applicants competing for just 1 of 24 open spots. That is a 1-percent acceptance rate.

The fitters, the electricians, and the carpenters in these programs are just

some of the 1,100 Delawareans actively working through apprenticeship programs with lots of different businesses, unions, and organizations. Last year, my home State saw 119 apprentices complete their programs and get their journeyman papers. So far, 109 have gotten their papers this year, and we want to see these numbers continue to steadily rise.

Right now, across the entire country, over 440,000 aspiring journeymen are working through apprenticeship programs, knowing that if they put in the time and effort, they will earn an opportunity to unlock a steady, high-paying job. On average, the starting salary for an apprentice is \$50,000, which is several thousand dollars more than the average starting salary for a college graduate with a bachelor's degree, and typically there is no debt for an apprentice.

The benefits of apprenticeship programs are sustainable. Over the course of their career, American workers who complete an apprenticeship program can expect to earn \$300,000 more than their peers who don't go through a comparable program. If that is not the ticket to the middle class, I don't what is.

I want to commend today the 150,000 employers across this whole country who host apprentices, who partner with apprenticeship programs. Businesses are not doing it as a public service; they are investing in apprenticeships because they typically get \$1.50 in return for every \$1 they invest. Tony Papili and the members of Local 74 pay for their own apprenticeship program out of pocket. They take money that would otherwise go to a pay raise or their benefits and put it back into the program. The electricians at Local 313 put in over 1 million hours of work a year, and for every hour they work, they put 55 cents back into their apprenticeship program. These are significant investments. More importantly, they are smart investments that are helping to fill a much needed gap in the American workforce with high-quality, high-paying jobs and by helping train workers for skilled trades and the vital manufacturing jobs of this century.

Strengthening America's 21st-century workforce is essential to the competitiveness of our economy in the world today and to the continued revitalization of our manufacturing sector. That is why it is one of the four core pillars of the Manufacturing Jobs for America Initiative, which includes a number of additional proposals to strengthen career development and on-the-job training programs.

Last year's reauthorization of the Workforce Innovation and Opportunity Act, which was a real win for job-training programs across the country, included five different policy ideas, many of them bipartisan, which came from

the Manufacturing Jobs for America Initiative. I would like to see this momentum continue by making a sustained commitment to expanding apprenticeship programs.

The thousands of hours of on-the-job experience produce journeymen with a keen understanding of the techniques and the tools they need to do their jobs, and it makes them safer, more skilled, and more productive employees. Employers know this too. Electrical contractors in Delaware are hiring journeyman straight out of the IBEW's apprenticeship program because they know they are well trained, well equipped, and ready to work. Same for the pipefitters.

Pip said he is training apprentices to be "smarter and better skilled than the last generation," but he adds, "I don't think people realize what we do to train these young men and women to become journeymen in the field." Pip is right. That is why after I get off the 5 o'clock train I am taking home to Wilmington tonight, my first stop will be a trade and apprenticeship open house at Delcastle High School.

I urge my colleagues to learn about the apprenticeship programs in your States. Go and visit employers who depend on apprentices and talk to your constituents who have gone through these programs. I know you will be impressed.

Too often we define "education" too narrowly here. We talk about education as a ticket to the middle class, but we often don't include apprenticeship programs. That has to change. Apprenticeship programs work.

Ed Woodrum with the Carpenters sees it as simple math. He describes apprenticeship programs as "opportunity plus resources plus support which equals changed lives." Ed is right.

That is why I am so proud to join Senator FRANKEN in cosponsoring Senator MURRAY's bipartisan resolution honoring the inaugural National Apprenticeship Week this week. I am also proud to join President Obama and Delaware's own Vice President JOE BIDEN in support of their goal to double the number of apprenticeships in 5 years—a goal all of us should share. I especially want to recognize and thank the Vice President for his effective and long leadership in reviewing our Nation's job-training programs and finding ways to meaningfully improve them.

I commend the administration's efforts to expand access to registered apprenticeships to make it easier for apprentices to turn their experience into college credit. Besides apprenticeships, there are very few other Federal programs we know that are estimated to return \$27 in economic productivity for every dollar we invest. Budgets are tight today, and we are all looking for smart, cost-effective investments that create jobs and that can help revitalize

manufacturing. That is why apprenticeship programs deserve our continued support.

Before I yield the floor, I want to thank my colleague Senator FRANKEN for his passionate, engaged, and sustained leadership on making sure that community colleges and apprenticeship programs work for the working men and women of this country and help create new opportunities for manufacturing jobs that are high-skill, high-wage, and high-quality for folks all over this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I would like to return the kind words of my colleague from Delaware and thank him for his leadership in this whole field of manufacturing and filling the skills gap that we see all over this country and getting young people and getting people in midcareer trained up to do jobs that manufacturers and people in the IT industry and other industries need to fill.

I rise today to recognize the very first week of November as the very first ever National Apprenticeship Week. I want to talk a little bit about the benefits of apprenticeship training programs, about what I hear in my State of Minnesota, and about my bill, the Community College to Career Fund Act, which would expand apprenticeship training programs through partnerships between employers and community and technical colleges.

When I travel around my State—and I am sure the Presiding Officer hears this in Louisiana as well—I hear over and over again that employers are desperate to hire good people with the right skills for jobs that pay well.

Today there are over 6,500 open manufacturing jobs in my State. And other sectors such as IT, health care—and mechanics for the aerospace industry, for airplanes—these sectors in our economy are experiencing similar problems. They cannot find workers with the necessary training and the right skills to fit jobs that are there. These jobs are there. This is what is called the skills gap. I am sure that my friend, the Presiding Officer from Louisiana, sees the skills gap in his State as well.

One Minnesota employer, Kimberly Arrigoni of Haberman Machine in Oakdale, MN, put it this way:

For my company specifically it no longer is a capacity issue because of equipment, but one with people. We are limited in what we can produce and ship out the door. . . . Imagine what this very ripple effect is causing my state and our country as a whole.

She is right, by the way. I visited Haberman Machine, and it is a very good precision machine tooling company. It is a family-owned business, and it is great. They have jobs they want to fill, but people aren't being trained up fast enough.

There are many registered apprenticeship programs nationwide in more than 1,000 occupations that prepare workers with the skills they need for tomorrow's jobs, yet they don't get the support they need. I have a bill that would address that and provide that support. My bill, the Community College to Career Fund Act, would encourage apprenticeship training programs by supporting public-private partnerships among communities, technical colleges, and businesses. These partnerships create job-training programs that provide direct hiring opportunities for students, and they give businesses the trained workforce they desperately need at little or no cost to the student. Programs such as the one supported by my bill will help employers fill available jobs, they will help students get those jobs and graduate with very little or no college debt, and they help our economy stay competitive globally. This is a win, win, win.

Labor Secretary Tom Perez has described apprenticeship programs as college "without the debt" or "earn while you learn."

In Minnesota we have many great examples of such programs. I want to talk a little bit about one of them.

Erick Ajax is the co-owner of EJ Ajax Metalforming Solutions in Fridley, MN. This is the third generation of Ajaxes. It was Ajax and Son, but the son, I think, is too old to be called a son anymore. Erick is third generation.

They make 70 percent of North America's appliance hinges. His company has over 70 employees—one for every percent, evidently, of our appliance industry. Half of his employees were trained, hired, and had their college tuitions fully paid through his earn while you learn registered apprenticeship program. To do this, Erick partnered with local community and technical colleges to find and train students, including veterans, women, first-generation Americans, and ex-offenders.

I went to his factory floor, and he introduced me to an ex-offender who had been working there at EJ Ajax for 6 years. He just bought his first home because of a training program he had taken that had been made available through a community technical college.

For all of these categories I am talking about, I met first-generation Americans who have great middle-class jobs, got their training, and received degrees. There was a veteran who has his bachelor's degree now, paid for by Erick, by the company. These are full-time, high-paying, solid, middle-class jobs.

Because Erick fully covered college tuition for his employees, some of his veteran employees were able to transfer their GI bill benefits to their spouses and their children to help pay

for them to go to college. This is a great answer to our college affordability, our vexing college affordability problem that we all talk about. Erick Ajax's employees are evidence that apprenticeship training programs work. They increase their career opportunities, they provide businesses with skilled workers, they generate higher paying jobs, and they help our competitiveness globally.

Did you know that individuals who have completed registered apprenticeship programs earn, on average, a starting salary of \$50,000 a year and \$300,000 more over their careers than their peers who did not participate in registered apprenticeship programs? In fact, the apprenticeships can be the start of a pathway to business leadership positions.

Take Martin Senn, who is Swiss. Martin is the CEO of the Zurich Insurance Group, a Swiss company with offices around the world. The last I checked, it was one of the Fortune 500 companies—well, actually, in the Fortune 200 companies in 2012. I don't know exactly where it is now, but Martin is CEO of a huge company. Like many Swiss executives, he is a believer in apprenticeship programs.

When he was asked why Swiss executives choose to implement apprenticeship programs in the United States, he said: "I started my career as an apprentice and know first-hand how powerful such a program can be in inspiring young people to achieve their full potential."

From apprentice to CEO, I would like to see more of these success companies involving U.S. companies here at home. Not all apprentices are going to become CEOs, but apprenticeship programs—their training programs—are providing a proven path for workers to enter the middle class and for business owners to develop a high-skilled workforce to fill today's available jobs.

So as we recognize the first ever National Apprenticeship Week, I invite my colleagues to take a close look at my Community College to Career Fund Act. Let's expand the apprenticeship training model so we can better serve the needs of our students seeking good-paying jobs and of our businesses looking for qualified employees.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. HEITKAMP. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPORT-IMPORT BANK

Ms. HEITKAMP. Mr. President, finally we see the light at the end of the tunnel, and it is not a train. It is, in fact, the eventual and necessary passage of the Ex-Im reauthorization bill.

As you know, last week the Ex-Im bill passed the House by a vote that was 72 percent in favor. We have been told for months and months as we debate the Ex-Im Bank that this bill could not possibly pass the House as a stand-alone bill. Remarkably, when that myth was put to the test, we found out that not just 51 percent, but 72 percent of the House supports reauthorization of the Ex-Im bill.

Last night we faced another challenge for the Ex-Im bill which was, in fact, a series of amendments on the Ex-Im portion of the Transportation bill. Once again, we exceeded expectations by having supermajorities on almost—in fact, all of these amendments suffering defeat at a very wide margin. So now what we know is we have a bill that continues to have broad-based support and continues to represent the necessary steps that need to be taken to reauthorize and reopen the Ex-Im Bank.

Let's just recount history. The Export-Import Bank has been closed for over 3 months, preventing needed support for small business across the country. Many of those small businesses—guess where they are? They are in States such as North Dakota. A lot of people, such as my colleague from Washington State who has come on the floor—I think everybody understands the significance of exports to States on the Pacific Rim and understands that story, but I don't think anyone really thinks about the Ex-Im Bank in conjunction with places such as North Dakota. So I wish to take a few moments today to talk about small business, to talk about the people who have been dramatically affected by the closure of the Ex-Im Bank and why it is so important that we understand, appreciate, and not have a long-term history that does not move the Ex-Im Bank forward.

Let's start out by talking about the 5,800 small businesses around the country that depend on the Export-Import Bank to finance export deals and how many of them right now have no support as this issue has languished in the Senate. I think we all know that small business makes up a large percentage of that economic opportunity in the United States. That is true in North Dakota and true to a greater extent because probably 95 percent of all employers in North Dakota qualify as small businesses. For many of these businesses, if they do not have help exporting their products, that help, which the Export-Import Bank provides, they can't grow. With more than 95 percent of all consumers in the world living outside the United States, if businesses in the United States do not export, if they are not competitive, we will lose economically.

Several of my colleagues have been on the floor talking about manufacturing and talking about economic op-

portunity. At the end of the day this is about small business, but it is also about the jobs that small business create. So we have seen companies such as GE and Boeing, which use, interestingly enough, 16 suppliers in North Dakota that are dependent on the work GE and Boeing does—and their necessary reaction to the failure of this Congress to appropriately and timely reauthorize the Ex-Im Bank has been to look for other ways to encourage their business growth, and that encouragement has not been in this country. They have had to look overseas.

So it is critically important we understand the idea of a supply chain. Everybody says: Well, this is a bank for big business. This is a bank for these people. That is just pure nonsense. In every one of those deals that is done for one of these major manufacturers, inside that deal are literally thousands of small businesses and hundreds of thousands of jobs created in those small businesses as they support the supply chain.

I want to talk about a number of the export-import uses in my State and brag a bit about the work they do because they are on the cutting edge with a lot of their technologies. The first business I want to talk about is Amity Technology. It is a 20-year-old family-owned company based in Fargo that sells farm manufacturing equipment to companies around the world. They began in August of 1977. They sold their first business to Case International and then built Amity in the winter of 1996.

What I love to tell about this story is these brothers—one of whom I went to college with—come from the family who actually created the Bobcat. So they have been entrepreneurs, they have been inventors, they have been innovators, and they have driven a lot of jobs in North Dakota.

Amity is a big user of the Ex-Im Bank. It is the largest distributor of sugar beet equipment, working with some of the world's largest farm equipment companies around the world. With agriculture markets slowing down, business is harder to come by and so it is particularly important they have all the tools in their arsenal. Without the help of the Export-Import Bank, the company, which employs 70 North Dakotans, could quickly lose out on at least 10 percent of their business and face tough questions about the future of their exports.

The next business I want to talk about is WCCO Belting in Wahpeton. Wahpeton is a small community in the far southeastern corner of our State. It is a 60-year-old, family-owned rubber supply company often used in farm equipment that is supplied to every major farm equipment company in the world.

For 12 years, the Export-Import Bank has allowed WCCO Belting to continue to export opportunities it had pre-

viously been ignoring. The Bank has supported over \$850,000 in exports from the belting company since 2007. The company employs 200 employees who generate more than 60 percent of their annual revenue from customers that are located outside of the United States. That would not be possible if it were not for the Ex-Im Bank; if that 60 percent of their business is driven by the opportunity that the Ex-Im Bank gives them.

I want to talk about JM Grain. That is a small grain company in Garrison. They are a young family-owned pea, lentil, and chickpea distributing company that supplies their products to top packaging and food companies around the world. When you look at their numbers, \$15 million—in fact, 70 percent of the company's annual revenue for almost a decade—has been backed by the Ex-Im Bank. It has allowed JM Grain to pursue export opportunities to top manufacturing and packaging food ingredient companies that demand buyers to provide financing for 90 to 100 days—something they could not do on their own.

Incidentally, they could not find a private bank that would be willing to do it. Without the Export-Import Bank, JM Grain would not have been able to pursue exports to such high-quality, high-selling companies because it would have to significantly cut its price or risk going under.

The company now has doubled or tripled the pay of its workers, retaining its workforce throughout the oil boom, which has been awfully tough in North Dakota given high living costs, and has been able to hire top technological workers. It is incredible. It is an incredible story, but it is a story that would not be possible without the Ex-Im Bank. It is responsible for \$10 million of the company's annual \$15 million in revenue. Without the Export-Import Bank, the company would risk losing sales to competitive exporting companies abroad, including companies from India, China, and South America.

The last company I want to talk about is Equipment Wholesalers based in Fargo, ND, and Sioux Falls, SD. They sell equipment such as John Deere tractors in the United States and abroad. Equipment wholesalers told us if the Export-Import Bank is not reauthorized, it will have a negative impact on the company's sales. How great is that? Well, it will be a 35- to 40-percent impact on their sales. Imagine that. Just because of the inactivity of Congress, we have risked 35 to 40 percent of this company's business. The company acknowledges it has already lost business to companies in Germany that have access to Germany's export-import agency. They say without the Export-Import Bank being reauthorized, Equipment Wholesalers will lose even more business.

While our businesses are left at a disadvantage because the Export-Import

Bank expired, foreign—foreign—export—import banks, including those in India and China and 60 other places around the world, are hugely benefiting. In fact, they are wondering what is going on in the United States, but we are not going to let any grass grow under our feet as we run to daylight and a take advantage of the inaction in Washington, DC. They are already stepping in and filling our place.

If we do not reauthorize the Export-Import Bank to support American businesses and manufacturers, China and India will step in. There is no doubt about it. They are already doing it. In fact, during the recent downturn in both of those economies, the first investment they made was putting billions more in their export credit agencies. Do you know why? Because it made business sense. It made sense to their balance of trade. It made sense to their economy to support their manufacturers, especially in an environment where we weren't supporting ours.

Last week my bipartisan bill with Senator KIRK, which would reauthorize this agency, passed with the support of more than 70 percent of the House. Just yesterday—again, I will repeat—the Export-Import Bank reauthorization was attached to the House Transportation bill. Despite efforts to once again derail the Export-Import Bank from people who believed they could kill it altogether with amendments, over two-thirds—and in most cases those same House Members who tried to kill it—voted against those Export-Import Bank-killing amendments.

Doesn't that tell us something? Doesn't that tell us that the vast majority of people here are not ideologues; that they look at the facts? They say: In what world would you not support exports?

We used to do this in State government when I was attorney general and when I served on the Industrial Commission. We would talk about North Dakota's economy and we would say: What do we do to grow economies? We say: We have new wealth creation. I am not picking on retail businesses. Retail businesses typically, unless we are inviting Canadians, which we do, to come down and spend money, they are not new wealth creation. It is those things that bring new dollars to our State. If you look at new wealth creation in this country and look at what creates wealth in this country, guess what it is. It is exports. It is having a favorable balance of trade. It is making sure we are a country that believes in reaching out to the 95 percent of the consumers in this world and saying to them: We produce the best quality agricultural products, we produce the best quality manufacturing products, we are the top supplier and the most trusted source of products in the world, but we need the tools to make those sales, and the Ex-Im Bank is a critical tool. It is part of

that structure of trade infrastructure that we need to make this work.

I hope, I sincerely hope—because I don't know whether I am going to be here when we go through this again—I hope the lessons of the last 3 months have been learned. I hope the lessons we have been preaching since really this spring—that we cannot let this Bank expire and there will be dire consequences if we do—have been learned and that the Ex-Im Bank and the people at the Ex-Im Bank, but more importantly that our American businesses that rely on the Export-Import Bank, our jobs that rely on the Export-Import Bank, and our opportunities created by the Export-Import Bank, are never forgotten; that they are never left behind.

Once again we have cleared yet another hurdle. The light is at the end of the tunnel. We believe we are ready, willing, and excited about the opportunity of once again opening the doors of the Export-Import Bank and welcoming American business in and saying once again, "America is open for business" to the rest of the world.

Mr. President, I yield the floor to my friend from Washington.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank my colleague from North Dakota for coming to the floor again to talk about the Export-Import Bank and today specifically outlining how this program of credit insurance helps finance the sales of U.S. products in overseas markets, particularly for small businesses.

She and I, obviously, are stalwarts on what are economic opportunities in a global economy. We want to make things in the United States of America and we want to sell them to overseas markets. So we are here today to thank our House colleagues for standing up and defeating amendments last night that would kill the Export-Import Bank as a part of a package in the transportation deal. We are proud of those Senators who have supported this in the Senate, but we are especially proud of those House Members who went to the extent of getting a discharge petition to demonstrate that 313 Members of the House of Representatives support this policy.

My colleague and I are not giving up on trying to emphasize to people we have waited way too long to get this done and now we should not wait one moment longer. We should make sure this part of a transportation bill—while not necessarily our choice for how this gets done—finally gets over the finish line so we can put our small businesses back to work.

As my colleague said, small businesses are the key to her State's economy. Well, they are really the key to the U.S. economy. Fifty percent of all U.S. jobs are provided by small busi-

nesses. So that is why we have talked about this issue as it relates to those job providers.

If you are in North Dakota and Washington State and you are growing an agricultural product, you show me the bank that is going to finance that sale. I know maybe people don't think about agricultural products when it comes to Ex-Im Bank, but that is exactly what we have in mind because our States produce so many agricultural products.

The fact is small businesses need global customers. Why? Because if we are just going to grow product for the United States of America, we are not going to be growing much job opportunity. Ninety-five percent of consumers live outside the United States, and we want to make sure we are selling to them, but when we are selling to a country in Africa or we are selling to a country in Asia and you go to that bank in North Dakota or even in Walla Walla, WA, or someplace, and you say: Listen, I want you to help me do a deal with this buyer in a very small country, they want to know, what the securitization is. The securitization of that issue is usually all the capital of that company, which means they are not going to do the sale or they are going to try to find a bank that is also not going to do it because they do not have the security to put behind that.

That is why credit insurance was created—to help those sales actually happen. That is why this is such an important issue to small businesses. People think, well, OK, we get it, you are concerned about jobs. This is not just about the jobs in our State today, although we care immensely about that; this is about the way the Senator from North Dakota and I view the economy of the future. We view it as an economy that is taking opportunity of what is happening with the growth of the middle class outside the United States, that and selling them U.S.-made and U.S.-grown products.

Less than 3 percent of small businesses today are exporters. How are we going to get them to be exporters? We want them to take risks. How are we going to get them to take risks if they can't get financing for their products? If 95 percent of consumers live outside the United States, that is where the rising growth is happening, that is where the big opportunity is, and we want our small businesses to do something about it. Yet we take away the one tool that has been there to help small businesses finance those. It was a big mistake. My colleague talked about that.

There were more than 3,300 small business deals approved by the Export-Import Bank in 2014, so that was a lot of economic opportunity. I have met people from many of those companies. They warm my heart and make me believe the United States of America can win at any economic opportunity it sets its mind to.

When I think about a Yakima company that makes music stands—Manhasset has been in the music stand business for 40 years. They are selling music stands all over the United States of America. They get up every morning, they go into that factory, and they try to figure out how they are going to improve their processes, how they are going to improve access. But if you say to them that every sale they make to an overseas market has to be backed with their own capital—from Manhasset—how long will it take before someone comes in and competes with them and basically knocks them off and defeats them? It is not going to take long.

What they have to do is constantly grow their market opportunities and stay ahead of technology investments, even with a music stand, the best techniques, the best practices, and get your reputation as the best product and advertise and continue to dominate in the marketplace. That is what selling and exporting are all about.

The two of us come from export States, Washington State being a major exporter and North Dakota being an exporter. We know in our DNA that we have to compete. We want our small businesses to compete, and that is why both of our States have been big users of the Export-Import Bank, and we want these deals.

In helping to support those small businesses, the Export-Import Bank has done \$10 billion worth of exports. Isn't this what we want? Isn't this what we want in the United States of America, to help small businesses grow and become exporters? They are winning. They want their products to be purchased by overseas consumers.

When they don't support the Export-Import Bank, they are saying: I want to make it really, really, really hard or impossible for you to make that sale, because you are going to have to go find somebody to finance it. And we all know that people would rather do a lot more financing of dark derivative markets than helping small businesses get their deals done.

We are so happy that our colleagues in the House of Representatives last night defeated 10 amendments to kill the Export-Import Bank and that it is now traveling over here as part of a transportation package that will go to conference, and hopefully in the next 2 weeks we will be able to rectify this issue and put our small businesses back to work. This is so important not just for the companies using the Export-Import Bank today but because my colleague and I know we have to grow our economy. We know we do great work and we produce great products. We need to make sure that in the developing world, we can access the opportunity to get our foot in the door and make the sale. Don't stop us from doing that. Let's finally get this Bank

reauthorized and get on our way to growing a stronger economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I want to make one final point, along with my colleague from Washington State. I don't know how many times the Senator from Washington and I have been on the floor telling the story of the Ex-Im Bank, about what the problems have been since we have closed the Bank for business, talking about what this means for small business, trying to reflect the amazement we get from our small businesses: Why is this happening when we return money to the Treasury and this doesn't cost anything?

I find it curious that as many times as we have been down here, there has been no one down here arguing the counterpoint. There has been no one down here willing to ask us to yield for a question about why we believe what we believe about the Ex-Im Bank. There is no one down here challenging what we are saying about the Ex-Im Bank. I find that interesting, and I think it is a lesson maybe for the future—let's not mess around with jobs; let's not mess around with people.

I think everybody thinks they are picking on some kind of large corporation, but the reality is that those large corporations in many ways can wait this out or they can devise a business plan that gives them a work-around from the Ex-Im Bank or they can assemble their materials someplace other than the United States. But my small businesses, the ones I just outlined, don't have that choice, and they don't have a big line of credit they can use to just wait this out. They don't have the ability to wait.

It is one thing to say we are all about small business and helping small business. We hear it every time. The two great lines that are used here: We care about the middle class and we care about small business. But as it relates to the Ex-Im Bank, there has been no activity here that would actually prove the point that we care about small business.

So I want to say I do find it extraordinarily curious that we have gone unchallenged in this whole discussion. No one really wants to take us on because at the end of the day there is no argument on the other side. Yet we have closed this Bank for over 3 months. We have closed this Bank and this opportunity for America's manufacturers, America's small businesses, and all of the great people who work there.

Just know that I am so grateful for the work of my colleague from Washington. She has been an incredible leader. I thank her for everything she has done. She is an expert on the Export-Import Bank but also a woman who has been in business most of her

life and who understands the critical importance of the Ex-Im Bank.

So let's not unlearn this lesson. Let's make sure this never happens again and that we never disrupt Americans' economic opportunity the way we have by shutting down the Export-Import Bank for the last 3 or 4 months.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHATZ. Mr. President, I ask to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SOLUTIONS TO DEFORESTATION

Mr. SCHATZ. Mr. President, I rise to talk about one of the solutions to one of the driving forces behind global climate change; that is, deforestation. After fossil fuel combustion, deforestation is the single largest contributor to human-induced climate change, but the exciting thing is that we have proven cost-effective solutions at hand that can go a long way in addressing this problem.

Forests in the United States and around the world provide important services to people—services that are not adequately or appropriately valued by the free market, creating a market failure. These services include many things that we all take for granted—clean air, clean water, wildlife habitats, and long-term carbon sinks that absorb and sequester carbon pollution for years. Because these functions of a healthy forest ecosystem don't have a dollar sign attached to them, they are often not incorporated into decisions made by businesses, consumers, and governments, but just because they don't have a pricetag does not mean they are without value. In fact, the 2008 study pegged the cost of deforestation to the global economy at between \$2 trillion and \$5 trillion per year.

As the U.S. Forest Service put it, "When our forests are undervalued, they are increasingly susceptible to development pressures and conversion. Recognizing forest ecosystems as natural assets with economic and social value can help promote conservation and more responsible decisionmaking."

I agree. Adequately valuing forests, and the services they provide offers many benefits to local populations to the climate. Limiting deforestation and forest degradation will not reduce global carbon pollution and slow the pace of climate change. It will also help to safeguard the livelihoods of the more than 1.6 billion people who the U.N. estimates depend on forest services.

What is more, tropical forests are the source of over one-quarter of all modern medicines. Forests impede the transmission of insect- and animal-borne infectious diseases. So beyond the economic benefits, we know that keeping our forests intact can improve the livelihoods of billions of people while avoiding drastic increases in global temperatures.

Thankfully there are good solutions available to address deforestation. We can start by properly enforcing laws that are already on the books. I plan on working with my colleagues to ensure that we fully fund the agencies charged with enforcing the ban on illegally sourced timber and paper included in the 2008 amendments to the Lacey Act.

When the leaders, environmental ministers, finance ministers, and climate negotiators from all nations meet in Paris later this month, I hope they will keep in mind the many advantages of reducing forest loss in rainforest nations and other developing countries. I hope my colleagues will recognize the crucial role that the United States can play in sharing our best practices and helping to build capacity in those countries so we will all be better stewards of our natural environment.

A changing climate brings with it a unique set of challenges, but it is not too late to take the necessary steps to avoid the worst impacts of climate change. There is good news to be had. We have at our disposal a wide range of solutions for reining in our emissions of carbon pollution. Addressing deforestation is one of the most effective and cost-effective ways to slow global warming, while enhancing the lives and livelihoods of the hundreds of millions of people who rely on forests and the services they provide.

CLEAN POWER PLAN

Mr. President, I wish to talk about another aspect of climate change and another reason for hope. Two weeks ago the Clean Power Plan was published in the Federal Register, meaning that it is now the law of the land. This is the signature achievement of President Obama's efforts to reduce carbon pollution. It will reduce carbon emissions from the power sector by 32 percent by the year 2030. The power sector is the source of some of the most cost-effective emissions reductions, and the Clean Power Plan is the most critical and vital step toward putting the United States on a path to a low-carbon economy.

Powerplants are the largest single source of greenhouse gas emissions in the Nation, accounting for more than 30 percent of all U.S. carbon pollution. There are currently no limits to the amount of carbon pollution that can be emitted from powerplants. I want to repeat that. There is no limit under the law before the Clean Power Plan to the amount of carbon pollution that can be put into the air.

This is despite having landmark legislation already in the books called the Clean Air Act. The Clean Air Act requires the Federal Government to regulate airborne pollutants. It doesn't require or allow the Federal Government to select from among a menu of airborne pollutants and decide which ones will be most cost-effective or most important to regulate. It says the EPA is charged with taking airborne pollutants and regulating them, to place limits on them. It is a mistake that over the last 20 years, even though we have recognized that carbon is an airborne pollutant, that it is not regulated under the Clean Air Act.

The Clean Power Plan fixes this problem. It is an innovative and flexible solution that gives States the right to develop their individual plans. This is also an important point. The first iteration of the Clean Power Plan was a little more of a blunt instrument. It was geographically constrained. It was powerplant constrained. Therefore, a lot of States, a lot of utility companies came back and said: Look, there are going to be individual instances where it is going to be very difficult to reduce carbon pollution at a particular site because it is rural, because it has already been capitalized, because we can't get the financing to reduce the carbon pollution at a particular site, but if you allow us to work what they call outside of the fence and you allow us State by State to reduce in the aggregate the amount of carbon pollution put into the air, then we can make this work. We can still have what they call good power quality, which is to say you don't want undulations in power quality to the point where you have blackouts and brownouts. That was industry. That was regulators. That was a public utilities commission. That was energy companies coming back and saying this is not workable.

The EPA came up with a scenario where we are still regulating carbon pollution under the Clean Air Act, but we are doing it in a way that is totally workable for every State and every energy portfolio in every region in every State. It gives States the rights to develop their own individual plans to cut carbon pollution from the energy sector. The Clean Power Plan has sent a signal to the rest of the world that the United States is serious about preventing catastrophic changes to our climate.

The American public knows that climate change is a problem and large majorities want us to act. A Stanford poll found 83 percent of Americans, including 61 percent of Republicans, say that if nothing is done to reduce emissions, global warming will be a serious problem in the future. Now, 77 percent of Americans say the Federal Government should be doing a substantial amount to combat climate change, and 67 percent of Americans support EPA action to curb carbon pollution.

In other words, 67 percent of Americans support the EPA action that is being undertaken right now. They support the Clean Power Plan. They may not know the details, but they understand the basic premise which is that the Clean Air Act is the law of the land. It was passed a long time ago with large bipartisan majorities. The basic idea that the Federal Government has some simple responsibilities, and one of them is to keep us safe from air and water pollution, is a bipartisan consensus not in this Chamber, unfortunately, and not in the other Chamber, unfortunately, but across the country, everybody understands that carbon is a pollutant, and we should try to reduce it over time as much as we possibly can.

I think it is time we acknowledge that the electricity industry is already changing. We are rapidly moving away from fossil fuels as the dominant source of electricity generation. Soon even low-priced natural gas may not be able to compete with wind and solar energy. We should be celebrating these advances and devoting ourselves to finding ways to accelerate this transition, not throwing up roadblocks.

The truth is the Clean Power Plan is merely accelerating market trends that are already underway. Listen to this. Through the first 9 months of this year, over 60 percent of new U.S. capacity additions were renewable energy. More than 60 percent of the new power generation in the United States over the last 9 months has been clean energy. That is the change that is happening. That is the clean energy revolution.

In 1998, when I was in the State legislature and I was helping to work on net energy metering laws, solar tax credits, and a renewable portfolio standard, this was aspirational. This was something we hoped we would eventually achieve, but 60 percent of new generation this year in the United States is clean energy. It is already happening.

As wind and solar prices fall, they are increasingly competitive with new fossil generation in more and more places around the country. To my colleagues who warn of massive price shocks from the transition to clean energy, I point out that we are already underway with our transition, and the massive price shocks have not happened. The Clean Power Plan is the most important power tool that we have in our arsenal to fight climate change.

To my colleagues who are trying to stand in the way of making real progress toward reducing greenhouse gas emissions, I say this: When you are ready to be constructive and work on a comprehensive energy policy, to work on a comprehensive climate policy, we are open.

I have continued to come to the floor of the Senate over the last several

months, over the year of 2015, and have said this is an issue that has unfortunately become incredibly partisan. This is an issue where we have Democrats coming to the floor offering constructive solutions and an empty side of the Chamber on the other side, but this is the challenge of our generation. This is our obligation as the indispensable Nation. The United States has to lead. The Senate has to have a real debate on climate and energy policy, and we need Republicans to step up. This issue is crying for Republican leadership, and I am looking forward to the day—hopefully very soon—where we will have it, where we will have a serious negotiation.

I understand that not all of my ideas will win out, not all of the progressive perspectives will win out, but that is the legislative process. We need a dance partner. We look forward to that moment.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

(At the request of Mr. RISCH, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

Mr. RUBIO. Mr. President, today the Senate voted on a motion to proceed to H.R. 2685, the Department of Defense Appropriations Act. I would have voted yes.

Funding our military and keeping Americans safe used to be a point of bipartisan consensus in Washington. Unfortunately, for the third time this year, Senate Democrats have blocked a bill that provides funding for American men and women in uniform, their housing, health care, and benefits. Although we will ultimately need additional funding to confront the vast array of national security threats we face in this century, this bill includes important funding we need now for procurement, modernization, construction to maintain our military bases, and vital funds for the intelligence community who work in secret as our first line of defense. It also includes funds for ongoing operations against ISIS, Al

Qaeda, and terrorist organizations globally who seek to do us harm.

As they have shown on issue after issue, President Obama, his administration, and Washington Democrats are not serious about confronting the challenges we face as a nation. We need new leadership in Washington that will restore American strength and keep the American people safe.

RECOGNIZING THE USS "PITTSBURGH"

Mr. TOOMEY. Mr. President, I wish to honor the skilled, brave, and determined sailors who served aboard the USS *Pittsburgh*.

The third of four naval vessels named after the Steel City, the USS *Pittsburgh* was a Baltimore-class heavy cruiser that served 6 months in the Pacific theatre during World War II. In that short time, the cruiser earned two battle stars. However, her greatest accomplishment was assisting in the rescue of the crew of a disabled ship in enemy waters.

In March 1945, Japanese bombers began an air raid on a task force assigned to the U.S. 5th Fleet. This attack severely damaged the aircraft carrier USS *Franklin* and set it ablaze. The USS *Franklin* lost 725 crew members, with another 264 injured in the bombing, and it was left stranded in the water just 50 miles from the Japanese coast. The USS *Pittsburgh* quickly came to the rescue, saving 34 men from the water. Along with another ship, a light cruiser, the USS *Santa Fe*, the USS *Pittsburgh* was able to tow the carrier to safety while fighting off enemy attacks.

The crew of the USS *Franklin* was highly decorated for their bravery during the fight, but the crew of the USS *Pittsburgh* has never received any honors for their bravery. Today I rise to recognize and honor the crew of the USS *Pittsburgh* for their heroism and bravery displayed rendering aid and assistance to the USS *Franklin* on March 19, 1945.

Along with this heroic action, the USS *Pittsburgh* faced another big fight against a different kind of enemy: Mother Nature. On June 5, 1945, the ship encountered a typhoon and suffered extensive damage, including loss of its bow, but was kept afloat because of her skilled crewmembers' damage control efforts. The USS *Pittsburgh*'s captain maneuvered the boat entirely by cleverly manipulating the ship's engines until the storm subsided, returning to Guam a few days later.

I would especially like to recognize three veterans of the USS *Pittsburgh* who are still living in southwestern Pennsylvania. Their names are: Robert McKnight, seaman 1st class, of Connelville, Fayette County; George Jock, seamen 1st class, of Somerset, Somerset County; and Paul Gaudi, sea-

man 1st class, of Jeanette, Westmoreland County.

I thank them and their fellow USS *Pittsburgh* crew members for their valiant heroism and service to our country. I ask unanimous consent that the additional information that was obtained with the help of the Congressional Research Service and National Archives be printed in the RECORD.

Lastly, I appreciate having the opportunity to provide my remarks about the USS *Pittsburgh* and its crew's unique and extraordinary contributions to our Nation's history in World War II. It is an honor to serve in the U.S. Senate on behalf of the great city for which this cruiser was named and represent those veterans who served aboard her.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

On the morning of 19 March, 1945, while a part of Fast Carrier Task Group 58.2, the U.S.S. PITTSBURGH was ordered by Commander Cruiser Division TEN to "Proceed to FRANKLIN and render all possible assistance".

The PITTSBURGH cleared the formation and proceeded at 30 knots to the vicinity of the burning carrier FRANKLIN, which had been severely damaged, both by a Japanese bomb and by the following internal explosions and fires which were still raging.

After picking up 34 of her men from the water during the approach, the carrier was taken in tow at 1402, 19 March, in position Latitude 30°-10' N., Longitude 133°-50, E., 57 miles southeast of the southern tip of Shikoku, Japan; and towed for 22½ hours away from the coast of Japan in southwest, southeasterly and south directions, a distance of approximately 120 miles, until the FRANKLIN could proceed under her own power.

At the commencement of the towing operation the FRANKLIN had a list to starboard of about 15°; had no power, or steering control, and her rudder was jammed right 3°. The list of the carrier away from the wind, which was blowing from an easterly direction, caused her to sail up into the wind, making towing on southerly courses most difficult and prohibiting steering a given course away from Japan for any continuous length of time.

At 1550 our speed by pitometer log was 6¼ knots, however speed varied from 1½ knots to 8 knots.

At about 2300 the FRANKLIN's starboard list was corrected and became about 5° to port. With the change in list to port, the sail area of the carrier was reduced and it was possible to keep a steady course of 155° (T) and maintain a fairly constant speed between 6 and 7 knots.

At 0245, 20 March, the FRANKLIN began to turn over her engines, and by 0400 she was making turns for 4.5 knots, and we were making 7.5 knots through the water.

At 0930, the FRANKLIN gained steering control, and towing speed was gradually increased to 13.7 knots with the FRANKLIN engines assisting.

At 1233, in position 160 miles from Shikoku (Latitude 30°-14.5 N., Longitude 134°-23.2 E.) the tow was cast off and the FRANKLIN proceeded under her own power.

The PITTSBURGH assisted in repelling two air attacks during the towing operation.

The first attack occurred while in process of passing the tow wire, and the second attack after the carrier had been taken in tow. Neither attack was successful, and two Japanese planes were shot down by Combat Air Patrol.

The FRANKLIN is of about 27,000 tons displacement, and so far as I know this is the first large carrier to be towed any from the scene of action to safety.

No damage was suffered by this vessel during the towing operation.

Sufficient praise cannot be given the commanding officer of the FRANKLIN and his heroic rescue crew, who, in spite of all odds, fought fires, repaired machinery and righted the heavy initial list. The cooperation of the FRANKLIN was complete, and made bringing her to safety possible.

The SANTA FE went alongside the FRANKLIN, transferred personnel, and assisted in line handling while ammunition was exploding and fires were raging. The destroyer MILLER (DE535), likewise, repeatedly and with great courage went alongside the FRANKLIN and under her stern to put down fires and cool her bulkhead with water.

ADDITIONAL STATEMENTS

TRIBUTE TO PETE GARDZINA

• Mr. DAINES. Mr. President, I wish to recognize Pete Gardzina. Pete is the transition assistance adviser for the Montana National Guard and an honorable representation of the passion and service we honor in Montana.

Pete aids in the readjustment of our veterans after they return from their deployment. This form of outreach not only touches the lives of Montana's service men and women, but the families they are returning to. He works alongside the Veterans' Affairs Committee and community organizations to build a network of support for returned veterans. This network offers continued support for those who fought for us and the freedoms we take for granted every day.

Pete has helped improve the lives of multiple veterans by ensuring that, when they return, they are well taken care of, are quickly connected to the right people, and are supported throughout their adjustment back into civilian life.

I am so grateful to have someone in our community with such passion for serving Montana's servicemembers and veterans. On behalf of the many veterans Pete has helped and their families, it is my honor to recognize his service. I am truly grateful to have someone in Montana fighting for those who fought for us.●

TRIBUTE TO GRADY TARBUTTON

• Mr. HELLER. Mr. President, today I wish to congratulate Grady Tarbutton on his retirement after over 8 years of service to Washoe County Senior Services. It gives me great pleasure to recognize his years of hard work and dedication to this important community in northern Nevada.

Mr. Tarbutton first began his career working to aid seniors at the Washington County Department of Disability, Aging, and Veterans' Services in Oregon, as the senior program coordinator. In 2005, he moved to Portland, OR, and served as the community services manager for Multnomah County Aging and Disability Services. He began his tenure as director for Washoe County Senior Services in November of 2007, sacrificing countless hours to build the department and offer an array of key resources to our senior community. His commitment to our seniors stands as a shining example of true selflessness and empathy for those in need.

With the help of Mr. Tarbutton's leadership, Washoe County Senior Services offers a variety of assistance to help Nevada's seniors, including guidance on community senior centers, health programs, food services, housing and care options, legal services, and Federal programs such as Medicare, Medicaid, and veterans benefits. The department also offers Meals on Wheels, which is an important program that provides meals and support for seniors in need. This department truly goes above and beyond, providing seniors with the tools necessary to create a higher quality of life through steadfast support and help.

Mr. Tarbutton's work has had a great impact on Washoe County's residents. Through his unwavering commitment and tireless work ethic, Nevada's seniors and their families have had an unparalleled support system, ready to assist in times of difficulty or uncertainty. I have visited the Washoe County Senior Center and have witnessed firsthand the positive impact Washoe County Senior Services has on this center's residents. The strong foundation Mr. Tarbutton has built will be felt for years to come.

As a member of both the Senate Special Committee on Aging and the Senate Committee on Finance, I understand the importance of assisting the needs of Nevada's seniors and ensuring our communities are equipped to serve our State's aging population. Washoe County's seniors have benefited greatly from the work of this organization. This community is fortunate to have had someone like Mr. Tarbutton there as an ally and friend.

Today I ask my colleagues and all Nevadans to join me in thanking Mr. Tarbutton for his dedication to Washoe County Senior Services. He exemplifies the highest standards of leadership and service and should be proud of his long and meaningful career. I wish him well in all of his future endeavors.●

TRIBUTE TO VICTORIA NAPOLES

• Mr. HELLER. Mr. President, today I wish to congratulate Victoria Napoles on her retirement after decades of serv-

ice to the Las Vegas Latin Chamber of Commerce. I am proud to recognize Ms. Napoles, who has contributed so much to the success of this important entity in southern Nevada.

Throughout her 25 years of service to the Las Vegas Latin Chamber of Commerce, Ms. Napoles worked diligently to establish the chamber as a tireless force in helping Las Vegas' Hispanic business community. As senior executive vice president to the chamber, she spent countless hours working to bring southern Nevada's entrepreneurs numerous networking opportunities and to establish positive relationships in all corners of the Hispanic community. During her service, she was responsible for coordinating events, luncheons, and galas, as well as leading the organization in the development of a leadership structure, strategic planning, goal creation, and financial management. Her determination and resilience in gaining sponsors to support the chamber contributed to making it the successful entity that it is today. Her efforts also established an important partnership with the Clark County School District, bringing Nevada's Hispanic youth positivity and support for their futures. I am proud to have attended multiple Latin Chamber of Commerce events where I have spoken with the men and women who participate in this chamber, and I can attest to the incredible role they play within our community. The immense amount of work Ms. Napoles has done for the Las Vegas Latin Chamber of Commerce has not gone unnoticed.

Businesses across southern Nevada, both large and small, are fortunate to have had someone like Ms. Napoles working as an ally. Her unwavering work ethic and commitment greatly impacted this community, helping it to grow and prosper. Even in difficult economic times, Ms. Napoles was there with creativity and ingenuity to maintain the success of Nevada's Hispanic businesses. The strong foundation she built throughout her tenure will be felt for years to come.

I ask my colleagues and all Nevadans to join me in thanking Ms. Napoles for all of her hard work and dedication in making Las Vegas' Hispanic business community and Las Vegas' Latin Chamber of Commerce the best they can be. I would also like to congratulate her on her retirement after a long and meaningful career. I wish her well in all of her future endeavors.●

MESSAGES FROM THE HOUSE

At 12:53 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 91. Concurrent resolution providing for a conditional adjournment of the House of Representatives.

At 2:17 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 90. Concurrent resolution directing the Secretary of the Senate to make a technical correction in the enrollment of S. 1356.

H. Con. Res. 92. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The message also announced that the House has passed the bill (S. 1356) to clarify that certain provisions of the Border Patrol Agent Pay Reform Act of 2014 will not take effect until after the Director of the Office of Personnel Management promulgates and makes effective regulations relating to such provisions, with amendment, in which it requests the concurrence of the Senate.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3463. A communication from the Assistant Director for Legislative Affairs, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Home Mortgage Disclosure (Regulation C)" (RIN3170-AA10) received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3464. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2015-0001)) received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3465. A communication from the Assistant Secretary, Division of Corporate Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "CROWDFUNDING" (RIN3235-AL37) received in the Office of the President of the Senate on November 3, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3466. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs; CY 2016 Home Health Prospective Payment System Rate Update; Home Health Value-Based Purchasing Model; and Home Health Quality Reporting Requirements" (RIN0938-AS46) received in the Office of the President of the Senate on October 30, 2015; to the Committee on Finance.

EC-3467. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; End-Stage Renal Disease Prospective Payment System, and Quality Incentive Program" (RIN0938-AS48) received in the Office of the President of the Senate on October 30, 2015; to the Committee on Finance.

EC-3468. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs; Short Inpatient Hospital Stays; Transition for Certain Medicare-Dependent, Small Rural Hospitals under the Hospital Inpatient Prospective Payment System; Provider Administrative Appeals and Judicial Review" (RIN0938-AS42 and RIN0938-AS11) received in the Office of the President of the Senate on October 30, 2015; to the Committee on Finance.

EC-3469. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Revisions to Payment Policies under the Physician Fee Schedule and Other Revisions to Part B for CY 2016" (RIN0938-AS48) received in the Office of the President of the Senate on October 30, 2015; to the Committee on Finance.

EC-3470. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the establishment of the danger pay allowance; to the Committee on Foreign Relations.

EC-3471. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the elimination of the danger pay allowance; to the Committee on Foreign Relations.

EC-3472. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the status of the Government of Cuba's compliance with the United States-Cuba September 1994 "Joint Communiqué" and on the treatment of persons returned to Cuba in accordance with the United States-Cuba May 1995 "Joint Statement"; to the Committee on Foreign Relations.

EC-3473. A communication from the Director of Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Listing of Color Additives Exempt From Certification; Spirulina Extract; Confirmation of Effective Date" (Docket No. FDA-2014-C-1552) received in the Office of the President of the Senate on October 30, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-3474. A communication from General Counsel, Corporation for National and Community Service, transmitting, pursuant to law, the report of a rule entitled "Volunteers in Service to America" (RIN3045-AA36) received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-3475. A communication from the Chair of the Board of Governors, Federal Reserve

System, transmitting, pursuant to law, the Inspector General's Semiannual Report for the six-month period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3476. A communication from the Chairman, Board of Trustees, and the President, John F. Kennedy Center for the Performing Arts, transmitting, pursuant to law, a report relative to the Center's financial statements, supplemental schedules of operations, and independent auditor's report for years ended September 28, 2014, and September 29, 2013, and a report relative to the Center's schedule of expenditures of federal awards and independent auditor's reports for the year ended September 28, 2014; to the Committee on Rules and Administration.

EC-3477. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, a report relative to expenditures from the Pershing Hall Revolving Fund for fiscal year 2015; to the Committee on Veterans' Affairs.

EC-3478. A communication from the Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Snapper Management Measures; Correction" (RIN0648-BE91) received in the Office of the President of the Senate on October 30, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3479. A communication from the Deputy Chief Financial Officer, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Schedule of Fees for Access to NOAA Environmental Data, Information, and Related Products and Services" (RIN0648-BE86) received in the Office of the President of the Senate on October 30, 2015; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1298. A bill to provide nationally consistent measures of performance of the Nation's ports, and for other purposes (Rept. No. 114-164).

By Mr. COCHRAN, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2016" (Rept. No. 114-165).

By Mr. CORKER, from the Committee on Foreign Relations, with amendments:

S. 2152. A bill to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Rebecca Goodgame Ebinger, of Iowa, to be United States District Judge for the Southern District of Iowa.

Leonard Terry Strand, of South Dakota, to be United States District Judge for the Northern District of Iowa.

Julien Xavier Neals, of New Jersey, to be United States District Judge for the District of New Jersey.

Gary Richard Brown, of New York, to be United States District Judge for the Eastern District of New York.

Mark A. Young, of California, to be United States District Judge for the Central District of California.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REID (for Mr. SANDERS for himself, Mr. HEINRICH, and Ms. BALDWIN):

S. 2242. A bill to repeal section 3003 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015; to the Committee on Energy and Natural Resources.

By Mr. JOHNSON (for himself, Mr. DONNELLY, Mr. COATS, and Ms. BALDWIN):

S. 2243. A bill to amend the fresh fruit and vegetable program under the Richard B. Russell National School Lunch Act to include canned, dried, frozen, or pureed fruits and vegetables; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. FLAKE (for himself and Mrs. SHAHEEN):

S. 2244. A bill to reform the Federal Crop Insurance Act and reduce Federal spending on crop insurance; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. GARDNER:

S. 2245. A bill to exclude the Internal Revenue Service from the provisions of title 5, United States Code, relating to labor-management relations; to the Committee on Finance.

By Mr. SCOTT:

S. 2246. A bill to amend title 5, United States Code, to exempt the Internal Revenue Service from certain labor-management relations requirements; to the Committee on Finance.

By Mrs. SHAHEEN:

S. 2247. A bill to direct the Secretary of Transportation to assist States to rehabilitate or replace certain bridges, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DURBIN (for himself and Mr. CASEY):

S. 2248. A bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE:

S. 2249. A bill to amend title 18, United States Code, to impose criminal penalties for the unsafe operation of unmanned aircraft; to the Committee on the Judiciary.

By Mr. PETERS (for himself and Ms. STABENOW):

S. 2250. A bill to authorize the President to award the Medal of Honor to Major Charles S. Kettles of the United States Army for acts of valor during the Vietnam War; to the Committee on Armed Services.

By Ms. WARREN (for herself, Ms. MIKULSKI, Mrs. MURRAY, Mr. SCHUMER, Mr. NELSON, Ms. STABENOW, Ms. CANTWELL, Mr. SANDERS, Mr. BROWN, Mr. CASEY, Mr. WHITEHOUSE, Mr. MERKLEY, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. MURPHY, Ms. HIRONO, Ms. BALDWIN, and Mr. MARKEY):

S. 2251. A bill to provide for a supplementary payment to Social Security beneficiaries, supplemental security income beneficiaries, and recipients of veterans benefits, and for other purposes; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. DURBIN, Mr. CARDIN, Mr. CASEY, Mr. FRANKEN, and Mr. SANDERS):

S. 2252. A bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to issue prospective guidance clarifying the employment status of individuals for purposes of employment taxes and to prevent retroactive assessments with respect to such clarifications; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself, Mr. TILLIS, Ms. BALDWIN, Mr. BROWN, Mr. DURBIN, Mrs. GILLIBRAND, Ms. HIRONO, Mr. MURPHY, Mr. REED, Ms. WARREN, and Mr. WYDEN):

S. 2253. A bill to amend title 38, United States Code, to provide veterans affected by closures of educational institutions certain relief and restoration of educational benefits, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. UDALL (for himself, Mr. HEINRICH, Mr. BENNET, Mr. WYDEN, and Mr. MARKEY):

S. 2254. A bill to modify the requirements applicable to locatable minerals on public domain land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BOOKER (for himself and Mr. LEE):

S. 2255. A bill to amend the Fair Debt Collection Practices Act to restrict the debt collection practices of certain debt collectors; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. Kaine (for himself and Mrs. CAPITO):

S. 2256. A bill to establish programs for health care provider training in Federal health care and medical facilities, to establish Federal co-prescribing guidelines, to establish a grant program with respect to naloxone, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CANTWELL (by request):

S. 2257. A bill to prepare the National Park Service for its Centennial in 2016 and for a second century of protecting our national parks' natural, historic, and cultural resources for present and future generations and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BARRASSO (for himself, Ms. BALDWIN, Ms. CANTWELL, Mr. COCHRAN, Ms. COLLINS, Mr. CRAPO, Mr. DAINES, Mrs. FEINSTEIN, Mr. FRANKEN, Mr. GARDNER, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. Kaine, Mr. LANKFORD, Mr. MCCAIN, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. SCHATZ, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. UDALL, Mr. WARNER, Mr. WYDEN, Mr. PETERS, Mr. ENZI, Mr. ROUNDS, Mr. JOHNSON, and Mr. REID):

S. Res. 307. A resolution recognizing National Native American Heritage Month and celebrating the heritages and cultures of Native Americans and the contributions of Native Americans to the United States; considered and agreed to.

By Mr. CASEY (for himself and Mr. ROBERTS):

S. Res. 308. A resolution expressing support for the designation of October 20, 2015, as the "National Day on Writing"; considered and agreed to.

By Mr. MCCONNELL (for himself, Mr. REID, Mr. ALEXANDER, Mr. CORKER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. Kaine, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. Risch, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 309. A resolution relative to the death of Fred Thompson, former United States Senator for the State of Tennessee; considered and agreed to.

By Mr. BLUNT (for himself, Mr. MCCONNELL, Mr. SCHUMER, and Mr. REID):

S. Con. Res. 24. A concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of the marble bust of Vice President Richard Cheney on December 3, 2015; considered and agreed to.

ADDITIONAL COSPONSORS

S. 248

At the request of Mr. MORAN, the name of the Senator from Wisconsin

(Mr. JOHNSON) was added as a cosponsor of S. 248, a bill to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act.

S. 264

At the request of Mr. PAUL, the name of the Senator from Alaska (Mr. SULIVAN) was added as a cosponsor of S. 264, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

S. 352

At the request of Ms. AYOTTE, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 352, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate, and for other purposes.

S. 417

At the request of Ms. KLOBUCHAR, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 417, a bill to encourage spectrum licensees to make unused spectrum available for use by rural and smaller carriers in order to expand wireless coverage.

S. 553

At the request of Mr. CORKER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 553, a bill to marshal resources to undertake a concerted, transformative effort that seeks to bring an end to modern slavery, and for other purposes.

S. 578

At the request of Mr. SCHUMER, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 578, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 591

At the request of Mr. BLUNT, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 591, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 857

At the request of Ms. STABENOW, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 857, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of an initial comprehensive care plan for Medicare beneficiaries newly diagnosed with Alzheimer's disease and related dementias, and for other purposes.

S. 865

At the request of Mr. TESTER, the name of the Senator from Hawaii (Ms.

HIRONO) was added as a cosponsor of S. 865, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 966

At the request of Mrs. SHAHEEN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 966, a bill to extend the low-interest refinancing provisions under the Local Development Business Loan Program of the Small Business Administration.

S. 1056

At the request of Mr. CARDIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1056, a bill to eliminate racial profiling by law enforcement, and for other purposes.

S. 1110

At the request of Mr. ENZI, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1110, a bill to direct the Secretary of Agriculture to publish in the Federal Register a strategy to significantly increase the role of volunteers and partners in National Forest System trail maintenance, and for other purposes.

S. 1133

At the request of Mr. FRANKEN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1133, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 1500

At the request of Mr. CRAPO, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 1500, a bill to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes.

S. 1520

At the request of Ms. KLOBUCHAR, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1520, a bill to protect victims of stalking from violence.

S. 1685

At the request of Mr. WICKER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1685, a bill to direct the Federal Communications Commission to extend to private land use restrictions its rule relating to reasonable accommodation of amateur service communications.

S. 2002

At the request of Mr. CORNYN, the names of the Senator from Idaho (Mr. RISCH) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 2002, a bill to strength-

en our mental health system and improve public safety.

S. 2040

At the request of Mr. CORNYN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2040, a bill to deter terrorism, provide justice for victims, and for other purposes.

S. 2044

At the request of Mr. THUNE, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 2044, a bill to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes.

S. 2045

At the request of Mr. HELLER, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 2045, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

S. 2134

At the request of Mr. TESTER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2134, a bill to require the Secretary of Veterans Affairs to carry out a pilot program to provide educational assistance to certain former members of the Armed Forces for education and training as physician assistants of the Department of Veterans Affairs, to establish pay grades and require competitive pay for physician assistants of the Department, and for other purposes.

S. 2196

At the request of Mr. CASEY, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2196, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 2220

At the request of Mr. BROWN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2220, a bill to amend title XXVII of the Public Health Service Act to provide for a special enrollment period for pregnant women, and for other purposes.

S. 2235

At the request of Mr. MARKEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2235, a bill to repeal debt collection amendments made by the Bipartisan Budget Act of 2015.

S. 2240

At the request of Mr. BARRASSO, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 2240, a bill to improve the

control and management of invasive species that threaten and harm Federal land under the jurisdiction of the Secretary of Agriculture and the Secretary of the Interior, and for other purposes.

S. RES. 113

At the request of Mr. CORNYN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. Res. 113, a resolution expressing the sense of the Senate that the Citizens' Stamp Advisory Committee should recommend the issuance of, and the United States Postal Service should issue, a commemorative stamp in honor of the holiday of Diwali.

At the request of Mr. WARNER, the names of the Senator from Ohio (Mr. BROWN), the Senator from Delaware (Mr. COONS), the Senator from California (Mrs. FEINSTEIN), the Senator from Utah (Mr. HATCH), the Senator from Maryland (Ms. MIKULSKI), the Senator from West Virginia (Mr. MANCHIN), and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. Res. 113, *supra*.

S. RES. 282

At the request of Mrs. SHAHEEN, the names of the Senator from Delaware (Mr. COONS) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. Res. 282, a resolution supporting the goals and ideals of American Diabetes Month.

S. RES. 299

At the request of Mrs. FEINSTEIN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. Res. 299, a resolution honoring the life, legacy, and example of former Israeli Prime Minister Yitzhak Rabin on the twentieth anniversary of his death.

S. RES. 302

At the request of Mr. BLUMENTHAL, the names of the Senator from Indiana (Mr. DONNELLY), the Senator from Virginia (Mr. WARNER), the Senator from Hawaii (Mr. SCHATZ), the Senator from North Dakota (Mr. HOEVEN), the Senator from Michigan (Ms. STABENOW), the Senator from Kansas (Mr. ROBERTS), the Senator from Delaware (Mr. COONS), the Senator from West Virginia (Mr. MANCHIN), the Senator from Alaska (Mr. SULLIVAN), the Senator from New Jersey (Mr. BOOKER), the Senator from Hawaii (Ms. HIRONO), the Senator from South Dakota (Mr. ROUNDS), the Senator from Georgia (Mr. ISAKSON), the Senator from South Carolina (Mr. SCOTT), and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. Res. 302, a resolution expressing the sense of the Senate in support of Israel and in condemnation of Palestinian terror attacks.

S. RES. 304

At the request of Mrs. SHAHEEN, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from Col-

orado (Mr. BENNET), the Senator from Indiana (Mr. DONNELLY), and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. Res. 304, a resolution recognizing November 28, 2015, as "Small Business Saturday" and supporting efforts to increase awareness of the value of locally owned small businesses.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself and Mr. CASEY):

S. 2248. A bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr President, every 15 minutes in America, a baby is born with a congenital heart defect. Many of these congenital heart defects are simple and can be easily corrected. Others are complex; some can require a lifetime of specialized medical care.

If you want to know what fear and powerlessness feels like, imagine being a young parent, listening to a doctor tell you that your new baby—who appears so perfect to you—has a threatening heart problem.

Fortunately, congenital heart defects aren't as deadly as they once were. In the 1950s, only 20 percent of American babies with congenital heart defects survived infancy. Today, 90 percent survive. Many children born with serious heart defects grow up to be adults with active, productive lives.

That progress didn't happen by accident. It happened because Americans made a decision in the 1960s to reduce these mortality numbers. We invested in research that led to better understanding and better treatments of the heart, from infancy to old age.

That investment in research has paid off in many ways. Some heart conditions that used to kill adults quickly often are managed now with medications and life style changes. The number of Americans with congenital heart disease living full, healthy lives increases by about 5 percent every year. About 2 million Americans are living with congenital heart disease today. We have come a long way—but there is more that we can do.

We know that the sooner a baby with a congenital heart defect is diagnosed and treated, the better the chances are to live a long and healthy life. But, the Centers for Disease Control and Prevention estimates that 30 percent of babies with critical congenital heart defects aren't diagnosed in the first few days, when treatment is most effective; 1 in 200 babies die from complications that might have been avoided if their heart disease had been detected.

In 2009, I introduced the Congenital Heart Futures Act to study people of all ages with congenital heart disease and coordinate research. That bill expired this year.

Today I am introducing the Congenital Heart Futures Reauthorization Act of 2015. This bill will save lives by allowing us to build on the knowledge we have gained about congenital heart defects and the best ways to treat them.

My bill directs the Centers for Disease Control and Prevention to study people of all ages with congenital heart disease. The CDC would make the results of its research available to congenital heart disease researchers and to Congress. We will enable some of the best scientific and medical minds in America to evaluate the best ways to diagnose and treat congenital heart disease.

Many adults living with congenital heart disease are not aware they need specialized care throughout their lives. And fewer than 10 percent of adults with complex congenital heart disease receive the care they need.

The Congenital Heart Futures Reauthorization Act directs the CDC to create a public awareness campaign to educate both patients and doctors about congenital heart disease and the need for lifelong specialized care for those living with congenital heart defects.

Finally, my bill directs the National Institutes of Health to conduct a review of ongoing research on congenital heart disease, identify areas of greatest need for research, and identify plans for future research.

We are not powerless when it comes to congenital heart challenges. We have made tremendous progress in my lifetime. Millions of Americans with congenital heart defects are living happy, healthy lives today because of that progress.

The Congenital Heart Futures Reauthorization Act bill will help us better understand what congenital heart disease looks like in the United States and what we can do to help those living with this disease live longer. This bill will save lives and ultimately it will save taxpayers money—a lifetime of specialized heart care is expensive.

I would like to thank Senator CASEY for joining me in introducing this bill, and Representatives BILIRAKIS from Florida and ADAM SCHIFF from California in the House for introducing the companion bill. I look forward to working with them on this issue that affects so many families.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2248

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Congenital Heart Futures Reauthorization Act of 2015”.

SEC. 2. NATIONAL CONGENITAL HEART DISEASE COHORT STUDY AND AWARENESS CAMPAIGN.

Section 301 of the Public Health Service Act (42 U.S.C. 241) is amended by adding at the end the following—

“(f) NATIONAL CONGENITAL HEART DISEASE COHORT STUDY.—

“(1) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall plan, develop, implement, and submit annual reports to the Congress on surveillance and research activities of the Centers for Disease Control and Prevention, including a cohort study to improve understanding of the epidemiology of congenital heart disease (referred to in this subsection and subsection (g) as ‘CHD’) across the lifespan, from birth to adulthood, with particular interest in the following:

“(A) Health care utilization and natural history of those affected by CHD.

“(B) Demographic factors associated with CHD, such as age, race, ethnicity, gender, and family history of individuals who are diagnosed with the disease.

“(C) Outcome measures, such that analysis of the outcome measures will allow derivation of evidence-based best practices and guidelines for CHD patients.

“(2) PERMISSIBLE CONSIDERATIONS.—The study under this subsection may—

“(A) gather data on the health outcomes of a diverse population of those affected by CHD;

“(B) consider health disparities among those affected by CHD which may include the consideration of prenatal exposures; and

“(C) incorporate behavioral, emotional, and educational outcomes of those affected by CHD.

“(3) PUBLIC ACCESS.—Subject to paragraph (4), the data generated from the studies under this subsection shall be made available to CHD researchers subject to appropriate privacy protections, and aggregate data from such studies shall be made available to the public.

“(4) PATIENT PRIVACY.—The Secretary shall ensure that the study under this subsection is carried out in a manner that complies with the requirements applicable to a covered entity under the regulations promulgated pursuant to section 264(c) of the Health Insurance Portability and Accountability Act of 1996.

“(g) CONGENITAL HEART DISEASE AWARENESS CAMPAIGN.—

“(1) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall establish and implement an awareness, outreach, and education campaign regarding CHD across the lifespan. The information expressed through such campaign may—

“(A) emphasize that CHD is the most prevalent birth defect;

“(B) identify CHD as a condition that affects those diagnosed throughout their lives; and

“(C) promote the need for pediatric, adolescent, and adult individuals with CHD to seek and maintain lifelong, specialized care.

“(2) PERMISSIBLE ACTIVITIES.—The campaign under this subsection shall—

“(A) utilize collaborations or partnerships with other agencies, health care professionals, and patient advocacy organizations that specialize in the needs of individuals with CHD; and

“(B) include the use of print, film, or electronic materials distributed via television,

radio, Internet, or other commercial marketing venues.”.

SEC. 3. CONGENITAL HEART DISEASE RESEARCH.

Section 425 of the Public Health Service Act (42 U.S.C. 285b-8) is amended by adding the end the following:

“(d) REPORT FROM NIH.—Not later than 1 year after the date of enactment of the Congenital Heart Futures Reauthorization Act of 2015, the Director of NIH, acting through the Director of the Institute, shall provide a report to Congress—

“(1) outlining the ongoing research efforts of the National Institutes of Health regarding congenital heart disease; and

“(2) identifying—

“(A) future plans for research regarding congenital heart disease; and

“(B) the areas of greatest need for such research.”.

By Mr. UDALL (for himself, Mr. HEINRICH, Mr. BENNET, Mr. WYDEN, and Mr. MARKEY):

S. 2254. A bill to modify the requirements applicable to locatable minerals on public domain land, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. UDALL. Mr. President, I rise today to introduce the Hardrock Mining Reform and Reclamation Act of 2015.

First, I thank Senator HEINRICH, who will be here with me in a moment, for working with me on this bill. He is a dedicated conservation Senator from the West and really cares about this issue, and we have both been working together on this bill. I so much appreciate all of his hard work and his commitment to this important legislation. I also thank Senator BENNET and Senator WYDEN for their hard work and support on this bill. I also thank our New Mexico colleague, Congressman BEN RAY LUJÁN, for his efforts on the House side.

We are proposing this bill for one reason: to reform the mining law of 1872. It is a matter of simple fairness, it is a matter of common sense, and it is a reform that is long overdue.

The 1872 mining law played a historic role in the settling of the West. It encouraged mining for silver, gold, copper, uranium, and other minerals on public lands. It helped the West to grow, but there was a price—one we are still paying. It did almost nothing to compensate the public, it did nothing to protect the environment, and it did nothing to require mines to clean up the mess. It did nothing to require those mines to clean up the mess. The legacy is clear—thousands of abandoned mines, contaminated land, polluted streams, costly cleanup, and taxpayers stuck with the bill. We have a 19th-century law which is totally inadequate to 21st-century challenges.

The spill at the Gold King mine earlier this year tells the story. With terrible damage in my State, in other States, and in the Navajo Nation, this is a disaster on many levels—to our water, our economy, and to our culture.

Mistakes were made at the Gold King mine. We have to do all we can to make sure they are not made again and to make sure our communities are fairly compensated for losses. That is why Senator HEINRICH and I introduced the Gold King Mine Spill Recovery Act of 2015.

The Gold King mine disaster is also a wakeup call. The mine is still there; the owners are not. There are up to 500,000 abandoned mines in our country. They are a ticking timebomb. They are leaking toxins into our rivers and streams in the West and have been for decades. It will cost tens of billions of dollars to fix this. The estimates are anywhere from \$20 billion to \$54 billion, with a “b”—billions. A mining royalty will bring fairness to taxpayers and help pay for the cleanup.

I have pushed for—and will keep pushing for—mining reform, first in the House and now in the Senate because I believe in the simple principle that the polluter pays. The polluter pays, but under current law the mining companies do not pay—not for the minerals they take, not for the damage they have done. This cannot continue. They cannot continue to reap all the benefits and hundreds of millions of dollars while taxpayers continue to shoulder all the burden. This goes against every notion of simple fairness. Working Americans know this, middle-class families know this, and both sides of the aisle know this.

The 1872 mining law also basically gives away Federal land for \$5. Less than what a working American pays for lunch, mining companies can buy an acre of Federal land if they discover a valuable mineral deposit. So there is no surprise here. Hard rock mining companies don’t want reform. They have had a free ride for a long time—no wonder they want to keep it—but it is long past time for that ride to end.

Coal, oil, and gas companies have paid royalties for many decades. Hard rock mining companies, including foreign mining companies, should do the same. Our bill will require that they do that. It is not a radical idea. The oil industry pays a small fee on every barrel of oil, the coal industry pays a small fee on each ton of coal, and the sky has not fallen in. And when disasters happen, from oil spills to abandoned coal mines, these industries bear some of the cost.

History may explain why the 1872 law was created, but it is hard to see now why it should continue. What began as an effort to settle the West has become a gravy train for multibillion-dollar companies and not just American companies but foreign ones as well. We know the taxpayers are getting short-changed. We just don’t know how much.

In 2011 I asked the General Accounting Office for the numbers. They couldn’t say. Not only do the hard rock

mining companies not pay, they do not disclose, and under current law they do not have to—not how much they extract from Federal lands, not where the minerals are sold, not the overall value. Yet at the same time, oil, gas, and coal brought in \$11.4 billion in Federal revenue.

We need to get this done. We can't keep asking working Americans and struggling communities to foot the bill while mining companies reap the profits. Let us be clear. The silver and gold on public lands are a natural resource. They belong to the American people. They should be an investment for public good, not a giveaway for private gain.

After my father left office after 8 years as Secretary of the Interior, he was asked what were his big regrets, and he said mining reform was his greatest unfinished business. Fifty years later we still need to do this and we still need to do it now. We have an outdated law. Special treatment for the profits of large hard rock mining companies is not a reason to keep it, at least not to the taxpayers of my State.

It is time to stop giving away the store. It is time to reform the mining law of 1872. It is the right thing to do. It is the fair thing to do. I urge my colleagues to support this bill and let us get this done.

Mr. President, I was just in a press conference with Senator HEINRICH and Senator BENNET where we talked, and one of the questions that was asked was: How are you working at building bipartisan support and is there bipartisan support? I want to say a word on that because we have seen very solid bills pass here in Washington with bipartisan support. One of the ones I wanted to point out was in 2007 in the House. Nick Rahall had a mining reform bill. He had Republican cosponsors by the names of Wayne Gilchrest and Representative Christopher Shays—24 Republicans in the House—and the bill was passed 244 to 166. PAUL RYAN, who was in my class when I came into Congress in 1998—we arrived at the same time and PAUL is now the Speaker over in the House—voted yes for mining reform back in 2007 on this Rahall bill.

So I think if you look at the history, this is a bill where we need to work with both sides of the aisle, and I hope and wish Congressman RYAN—Speaker RYAN—the best and I hope he will join us in this effort to reform this long outdated law.

With that, I see my good friend and partner in this, Senator HEINRICH, is on the floor, so I yield the floor at this time.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, I want to begin by thanking my colleague the senior Senator from New Mexico TOM UDALL for the incredible leadership he

has shown on this issue. I know it is something near and dear to his heart and something he absolutely and truly cares about. We have had a good team working on this over the course of the last couple of months. Senator MICHAEL BENNET of Colorado has been a great contributor to this effort. Congressman BEN RAY LUJÁN of northern New Mexico has taken a leadership effort on a similar effort in the House, and today we are joined by Senator RON WYDEN of Oregon on this legislation as well.

As many folks know, in August a large plume of bright orange mine waste spilled into the Animas River, which leads into the San Juan, and polluted the Four Corners region from Colorado to New Mexico and through the Navajo Nation.

If you take a look at this photo, which was shared with me by the president and vice president of the Navajo Nation, this is not what you want to see when you look at the river that you take your drinking water from or the river that you use for irrigation or the place you go fishing or recreate and kayak on. This is not how our mountain streams in the Southwest are supposed to look. I think visually this got the attention of people all around the country as to the scope and scale of this problem.

After the mine spill, I toured affected communities in New Mexico and the Navajo Nation. I met with impacted residents, including farmers in Aztec and Shiprock, San Juan County leaders, Navajo Nation President Russell Begaye, Vice President Jonathan Nez, and the attorney general, Ethel Branch. In the Southwest, water is by far our most precious resource, so you can imagine the kind of impact this disaster had on our communities.

My colleagues in the Environment and Public Works Committee and the Committee on Indian Affairs have now held hearings to investigate the Environmental Protection Agency's actions which led to this spill and to seek to bring proper oversight to the Agency's response. Last week, the Department of the Interior released a report of its independent technical evaluation of the EPA's action. The evaluation found that the EPA did not properly appreciate the engineering complexity of trying to clean up the Gold King mine and that it could in fact have prevented what we see here.

I share the anger and frustration that not only my colleagues but, more importantly, our constituents have expressed over this terrible accident. It is why Senator UDALL and I have introduced separate pieces of legislation specifically to make these communities whole. We need to continue to demand the EPA act with urgency to protect the health and the safety of the affected communities and to repair the damage inflicted on this watershed. That is our first and top priority.

We are doing a disservice to the American people by not also taking action to address the thousands—thousands—of other similarly contaminated abandoned mines that literally litter the West and are leaking toxins into our watersheds—into the watersheds that provide drinking water and irrigation to our communities all across the West.

There are estimates that 40 percent of western watersheds have been polluted by toxic mining waste and that reclaiming and cleaning up abandoned mines to make this right is going to cost tens of billions of dollars.

This latest disaster was all too familiar for those of us from the Four Corners region and to many people around the West. Back in 1975, in an even larger accident than the Gold King blowout, a tailings pile near Silverton, CO, spilled 50,000 tons of tailings laden with toxic heavy metals into the Animas River Watershed—the watershed that drains from Colorado into New Mexico, into the San Juan and through the Navajo Nation in Arizona as well.

In 1979, a breached dam at a uranium mill tailings disposal pond near Church Rock in New Mexico on the Navajo Nation sent more than 1,000 tons of solid radioactive waste and 93 million gallons of acidic liquid into the Rio Puerco.

Disastrous blowouts and spills like these are easy to see. They get the media's attention, but the toxins leaking silently out of thousands of abandoned hard rock mines are doing even more damage to our watersheds each and every day.

For decades before the spill, the Gold King mine actually leached water laced with heavy metals and sulfuric acid into Cement Creek, which is a tributary of the Animas. Over the last 10 years, an average of 200 gallons of highly polluted water each and every minute, or more than 100 million gallons per year, flowed out of this mine and into the Animas River via Cement Creek. The Gold King and other abandoned mines in the San Juan Mountains in southwestern Colorado continue to pollute the Animas and the San Juan Watershed as we speak.

Beyond the immediate cleanup of the Gold King spill, it is high time we as a Congress overhaul our abandoned mine cleanup policies to make future disasters less likely and to address the thousands and thousands of abandoned mines that are polluting our watersheds.

The Navajo Nation, which was perhaps most affected by the Gold King mine blowout, has more than 500 abandoned uranium mines. Last month, I met with officials at the Navajo Abandoned Mine Lands Reclamation and Uranium Mill Tailings Remedial Action Office and learned about their efforts to clean up these literally hundreds of sites. I visited a large uranium

tailings disposal pile in Shiprock—in the town of Shiprock—that sits close to the San Juan River.

If you look at this map, this is the San Juan River. This is the community of Shiprock. We have the high school, the fairgrounds, and the residential area all around a permanent tailings disposal site—something that is going to require stewardship for literally hundreds, if not thousands, of years.

Melvin Yazzie, a senior reclamation specialist with the department, also took me through an abandoned uranium mine site in the Red Valley Chapter of the Northern Navajo Nation. Carrying a Geiger counter, he showed me the abandoned mine and a nearby house that was constructed using materials contaminated with radioactive materials.

Here we see Mr. Yazzie with his Geiger counter. This is obviously no longer occupied, but it gives us a sense of the impact to members of the Navajo Nation, some of whom literally have their homes built with the spill-over, the rock materials that came out of these mines, and live with that irradiation each and every day.

The Navajo Government is doing its best to address this legacy of uranium mining and milling, but they do not have anywhere close to enough resources or funding necessary to clean up the waste from decades and decades of uranium mining.

A large reason why the Navajo Nation lacks adequate resources and why communities all across Indian Country and the entire West are dealing with pollution from abandoned mines and lack resources is that we have not updated our Federal laws on hard rock mining in 143 years.

During the era of manifest destiny, the Federal Government encouraged Americans to settle newly acquired lands in the West by passing laws—laws like the Timber and Stone Act of 1878 and the Desert Land Act of 1878, laws like the Homestead Act, which my grandparents took advantage of. Some of these laws gave away public lands and resources to private users with no strings attached and often no price tag attached.

The General Mining Act of 1872 came along during this era of unrestrained western expansion. It allowed individuals and companies to claim ownership of minerals in the public domain—minerals owned by us as a nation, such as gold, silver, copper, uranium, molybdenum, and others—simply by locating a mineral source, staking a claim, and paying \$5 for an acre of land. Miners did not have to consider environmental impacts or make any plans to clean up the waste, which has created the pollution and contamination we confront today. This law drew thousands of people to the West. My father and my mother's father both made a living working in hard rock mining. But

shortsighted policy also left behind a scarred legacy on our lands.

Unlike other 19th-century western settlement laws which have long since been reformed or replaced, the Mining Act of 1872 remains on the books today. While developers of resources such as oil, natural gas, and coal all pay royalties to return fair value to taxpayers for our public resources, hard rock mining companies still mine publicly owned minerals for free—for free—and we still don't have a plan to address a century of pollution from abandoned mines.

We desperately need to bring our mining laws out of the 19th century and into the 20th century. That is why I am joining my colleagues—Senator UDALL of New Mexico, Senator BENNET of Colorado, and Senator WYDEN of Oregon—to introduce legislation to reform our outdated and ineffective Federal policy on abandoned mines and on hard rock mining. Our legislation will require that reasonable royalties and fees from hard rock mining be used to create a dedicated funding stream for cleaning up mine waste. A reclamation program will allow States, tribes, and nonprofit organizations to collaborate on projects to restore fish and wildlife habitat affected by past hard rock mining and to repair watersheds that are the very center of our economy in the West, the source of our essential agricultural and drinking water supply for western communities up and down the spine of the Rockies.

This legislation will also reform the permitting process for new mines. Hard rock mining companies will need to protect water and wildlife resources and provide financial assurance that they can actually fund reclamation cleanup and restoration efforts after their mines close so that in the future we don't have this legacy of abandoned hard rock mines.

These are simply, commonsense reforms—reforms that, frankly, Congress should have adopted decades ago.

I appreciate the value of the hard rock mining industry. My own family has benefited from it, and I recognize that the industry continues to provide good-paying jobs in States throughout the West. Some mining companies are already stepping up to help clean up old mining waste sites. I look forward to working with industry stakeholders to find practical ways to bring our policies into the 21st century. We cannot wait for more disasters like the Gold King mine spill for us to act. We cannot continue to do nothing while thousands of abandoned hard rock mines drain toxic metals into our rivers, water supplies, and our drinking water each and every day. We must come together and press forward for pragmatic reforms to our outdated Federal hard rock mining laws.

By Mr. KAINÉ (for himself and Mrs. CAPITO):

S. 2256. A bill to establish programs for health care provider training in Federal health care and medical facilities, to establish Federal co-prescribing guidelines, to establish a grant program with respect to naloxone, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. KAINÉ. Mr. President, I rise to discuss a bill I am introducing called the Co-prescribing Saves Lives Act.

All across the Nation, and certainly all across my Commonwealth, we are seeing the scourge of prescription drug abuse and a heroin epidemic. These opioids are having major impact in communities everywhere in Virginia, from the coal mines of Appalachia to rural communities in the Shenandoah Valley, to right here in suburban Fairfax County.

I have heard, as have my colleagues, stories from parents who have buried children, from companies that can't find employees who can pass drug tests, and certainly from law enforcement officials, including judges, prosecutors, police officials, and sheriffs, who talk about the dramatic expansion of opioid addiction in this country. The numbers are kind of shocking. When I came to the Senate and started doing tours around the State in the spring of 2013, I really wasn't schooled about this, and I started to hear stories.

Heroin and opioids now account for 25,000 American deaths a year. In Virginia, and in much of the United States, the deaths from opioid overdoses are now exceeding deaths from motor vehicle accidents. According to the Centers for Disease Control, in the United States fatal opioid-related drug overdose rates have quadrupled since 1990 and have never been higher than they are right now.

The question is, How do we address this crisis? Obviously, the answer is there is no single answer. There are a lot of things that have to be done. The Federal Government, State and local communities, faith communities, nonprofit organizations, families, individuals educating themselves—there are a lot of answers, but we have to move forward with steps that we know can reduce overdose deaths.

There is some good news. There are advances that can help us do this, and one of the advances has been the development of a drug called naloxone, which is a medicine that is safe and effective as an antidote to all opioid-related overdoses, including heroin, prescription opioids, and fentanyl. It is a critical tool—it has been proven to be a critical tool since its development in preventing fatal opioid overdoses.

One of the neat things about naloxone is if you come across somebody who is in respiratory failure from an overdose or for some other reason, you can administer naloxone to that individual, and if it is not an overdose,

it doesn't have any side effects. It can bring somebody back from the overdose-caused respiratory failure, but it doesn't have any negative side effects if it turns out the person is suffering from something else.

In Virginia there is an organization called Project REVIVE! that trains people to administer naloxone. In one of our communities in Russell County in Southwest Virginia, about a year ago I took the training with a lot of family members and others—just 2 hours of training—to learn how to do this.

Since naloxone has been developed and come into more common usage beginning in the late 1990s, it has saved more than 26,000 people who have been in the throes of an overdose. Naloxone has brought them back to life. I think a lot of professionals—public safety professionals and health care professionals around the country—have seen how effective it is.

One answer to our overdose problem is to co-prescribe naloxone when someone is getting a prescription for an opioid. Opioids have legitimate uses, to manage pain. So when somebody is getting a prescription for that, co-prescribe naloxone so they have the antidote right there in case of an overdose.

There are overdoses from people who are using drugs inappropriately and grabbing somebody else's prescriptions and using opioids, but there are also quite a few overdoses where people who are legitimately prescribed the drug—and they are usually prescribed it for pain—they develop a tolerance to the drug. The package may say to take one pill every 6 hours, but the pain is strong, and after 3 hours they start to feel it again and somebody thinks, OK, the drug has worn off now so I can take another one. So a person can start to take too many because of pain symptoms, and they get into an overdose situation for that reason too. If a person has a naloxone co-prescribed, they can have the antidote right there that they can administer themselves, or someone else can, if they get into an overdose situation.

Many communities, States, national organizations, and medical organizations have supported co-prescribing naloxone to patients who are taking opioids as a critical part of this overdose problem, and we have guidelines. Not everybody who gets an opioid prescription needs naloxone. My wife broke and dislocated her shoulder two Good Fridays ago, and she was prescribed a powerful opioid pain killer. She used about a day and a half's worth of it. It made her sick to her stomach so she quit using it. Not everybody who gets prescribed a prescription opioid needs naloxone, but there are certain warning signs—the medical profession has developed the warning signs—and if you have the warning signs, you should get the co-prescription. Developing

these guidelines helps physicians, pharmacists, and other providers determine who is at risk and whom we should be proactive with regarding a co-prescription.

What this bill does is the following: It improves access to naloxone by encouraging physicians to co-prescribe in a couple of circumstances, to co-prescribe this lifesaving drug alongside opioid prescriptions and make it more widely available in Federal health settings.

The Co-prescribing Saves Lives Act would require that the Secretaries of Health and Human Services, Defense, and Veterans Affairs would establish physician education co-prescribing guidelines for all Federal health centers, including VA hospitals, DOD hospitals, the Indian Health Service, and federally qualified health centers. So within Federal health care facilities, if there is going to be an opioid prescription to somebody in a high-risk situation, there would be a mandate that naloxone would be prescribed as well.

This bill is based upon work that has already been done in the Federal Government. The VA especially has been a real leader in setting up these co-prescription guidelines. In addition, the bill would provide a program of grants through State departments of health that are interested in doing the co-prescribing guidelines for private physicians not in Federal settings in their States. The funding would allow States to purchase naloxone, to provide copay assistance for uninsured patients, and to fund training for health professionals and patients. Grant funding could also support State innovation and provide for community outreach. The kind of program where I trained last summer, Project REVIVE!, is just a community program trying to battle opioid overdose deaths in the coalfields of Appalachia. That would be the kind of program that if other States wanted to do that, could be eligible for grant funding.

In closing, this is just one solution. Obviously, the real solutions, the important ones, are still around prevention. Why do Americans get prescribed so many more opioids than folks in other nations? What do we do about prescriptions when the quantities that are given are too big and then we end up with a lot of unused opioids that can be taken by young people or stolen and sold? There are a lot of issues we have to solve, but there is this bit of good news; that naloxone saves lives and it is easy to administer. It doesn't have a negative effect. If we can broaden access to naloxone for those who have been prescribed opioids—we have saved lives in the past and we are going to save a lot more.

I will conclude by saying there is a dad in Northern Virginia—a guy by the name of Don Flattery—who has been very public about the loss of his son,

Kevin, who was a 26-year-old graduate of UVA in 2014. He talked about his son, the family, the advantages they had, and his educational track record of success at UVA, but then he fell into the just bottomless pit of opioid prescription, opioid addiction, and he perished in 2014. What Don said is that “I feel we need to keep personalizing what is happening. We are not addressing shocking, obtuse statistics—we are speaking about my son, your daughter, our neighbors . . . they are real people with real lives, and their losses are the face of the epidemic we must stop.”

That is what this bill intends to play a part in.

By Ms. CANTWELL (by request):
S. 2257. A bill to prepare the National Park Service for its Centennial in 2016 and for a second century of protecting our national parks' natural, historic, and cultural resources for present and future generations and for other purposes; to the Committee on Energy and Natural Resources.

Ms. CANTWELL. Mr. President, I am pleased to introduce, by request, the Administration's legislative proposal the National Park Service Centennial Act.

The bill authorizes or expands several authorities to assist the National Park Service in managing the over 400 units of the National Park System as it prepares for the centennial anniversary of the agency's establishment in 1916.

While I may not agree with every provision in the administration's proposed bill, I believe it is important for this legislative proposal to be considered in the Senate, which is why I agreed to introduce it by request. At the same time, I will continue to work with other Senators on both sides of the aisle to develop a bipartisan consensus on a national park centennial bill so that the Senate can consider and pass a bill before the National Park Service's centennial anniversary next year.

Mr. President, I ask unanimous consent that the administration's letter to the Senate transmitting the legislative proposal and a section-by-section summary of the bill prepared by the Department of the Interior be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE INTERIOR,
Washington, DC, August 31, 2015.
Hon. JOSEPH R. BIDEN, JR.,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: Enclosed is a draft of a bill entitled, the “National Park Service Centennial Act.” Also enclosed is a section-by-section analysis of the bill. We recommend that the bill be introduced, referred to the appropriate committee for consideration, and enacted.

The National Park Service (NPS) will celebrate its centennial in 2016. As we look ahead

to the next century, there are a number of key authorities that need to be authorized, clarified, or expanded to allow us to better serve the American people.

Title I, the Centennial Declaration, would recognize that the NPS has responsibility not only for administering the units of the National Park System, but for programs that provide financial and technical assistance to states, communities, and individuals to protect our national heritage. Title I would also direct the Secretary of the Interior to utilize these financial and technical assistance programs to further the conservation and enjoyment of the natural and cultural heritage of the Nation for the benefit and inspiration of the public.

Titles II-IV of the proposed legislation would implement part of the President's Fiscal Year (FY) 2016 Budget request to Congress. Title II would establish a National Park Centennial Challenge Fund of up to \$100 million for FY 2016, FY 2017, and 2018 to be used for signature projects that will help prepare the national parks for another century of conservation, preservation, and enjoyment.

Title III would provide a mandatory appropriation of \$300 million to the NPS Construction Account for FY 2016, FY 2017, and FY 2018, to correct deficiencies in NPS infrastructure and facilities.

Title IV would establish the Centennial Land Management Investment Fund, consisting of a mandatory appropriation equal to \$100 million for FY 2016, FY 2017, and FY

2018 to provide funding for the Secretaries of the Interior and Agriculture to jointly establish a competitive program available to the four Federal land management agencies for projects that enhance visitor services and outdoor recreational opportunities, restore lands and waters, repair facilities or trails, or increase energy and water efficiency.

Title V would direct the National Park Foundation (NPF) to establish a special account known as the Second Century Endowment for the NPS, consisting of gifts or bequests provided for this purpose, for projects and activities that further the mission of the NPS.

Title VI would establish the NPS Second Century Fund in the Treasury, which would be funded through additional lodging or camping fees and funds collected from purchases of the lifetime pass for citizens 62 years of age or older.

Title VII would clarify or expand authorities for activities that the NPS are already conducting to allow us to better serve the American people. This includes providing clear authority for the interpretation and education work of the NPS by consolidating a number of disparate authorities currently used, and directing the Secretary to ensure that management of National Park System units and related areas is enhanced by the availability and utilization of a broad program of the highest quality interpretation and education. Title VII would also raise the age limit for participation in the Public Lands Corp from 25 to 30 and extend the di-

rect-hire authority from 120 days to 2 years, consistent with Department of the Interior resource assistant direct-hire authority. And, this title would remove the \$3.5 million authorization ceiling for the Volunteers in the Parks to accommodate the funding needed to support this growing program.

Title VIII would establish the NPS Visitor Services Management Authority (VMSA), and authorize the Secretary to establish a program to allow the VMSA to award and manage contracts for the operation of commercial visitor services programs and activities.

Title IX would authorize the Secretary to enter into agreements for the creation of reproductions of a museum object in which the object and its intellectual property rights are under the control of the Secretary. The Administration is developing additional language related to the protection of NPS intellectual property, which we intend to transmit under separate cover.

Title X would redesignate the Secretary of the Interior and the Director of the NPS as ex officio members of the NPF board. It also would authorize appropriations of \$25 million for each of FY 2016 through FY 2026 to NPF that would be used to leverage additional non-federal funds to support our national parks.

The effect of this draft bill on the deficit is:

FISCAL YEARS											
[dollars in millions]											
2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	Total
45	312	476	386	67	-71	-11	-52	81	-38	-92	1,103

The Statutory Pay-As-You-Go (PAYGO) Act of 2010 provides that revenue and direct spending legislation cannot, in the aggregate, increase the on-budget deficit. If such legislation increases the on-budget deficit and that increase is not offset by the end of the congressional session, a sequestration must be ordered. This proposal would increase direct spending, is therefore subject to the Statutory PAYGO Act, and should be considered in conjunction with all other proposals that are subject to the Act.

The Office of Management and Budget has advised that there is no objection to the enactment of the enclosed draft legislation from the standpoint of the Administration's program.

Sincerely,

SALLY JEWELL.

NATIONAL PARK SERVICE CENTENNIAL ACT
SECTION-BY-SECTION SUMMARY
TITLE I—CENTENNIAL DECLARATION

Recognizes that the National Service has responsibility not only for administering the units of the National Park System, but also for programs that provide financial and technical assistance to states, communities and individuals to protect our national heritage.

Reaffirms and directs the Secretary of the Interior to utilize these financial and technical assistance programs to further the conservation and enjoyment of the natural and cultural heritage of the nation for the benefit and inspiration of the public.

TITLE II—NATIONAL PARK CENTENNIAL CHALLENGE FUND

Establishes in the Treasury a fund to be known as the National Park Centennial Challenge Fund, which will consist of an an-

nual appropriated amount equal to the qualified donations received in the same fiscal year not to exceed \$100 million for each of fiscal years 2016 through 2018. The fund will be used for signature projects identified as ones that will help prepare the National Parks for another century of conservation, preservation and enjoyment.

TITLE III—SECOND CENTURY INFRASTRUCTURE INVESTMENT

Provides a mandatory appropriation of \$300 million to the National Park Service Construction Account for each of fiscal years 2016 through 2018, to correct deficiencies in National Park Service infrastructure and facilities.

TITLE IV—CENTENNIAL LAND MANAGEMENT INVESTMENT PROGRAM

Establishes in the Treasury a fund to be known as the Centennial Land Management Investment Fund, consisting of a mandatory appropriation equal to \$100 million for each of fiscal years 2016 through 2018. The Secretaries of the Interior and Agriculture are required to establish jointly a competitive program available to the four federal land management agencies for projects that enhance visitor services and outdoor recreational opportunities, restore lands and waters, repair facilities or trails, or increase energy and water efficiency.

TITLE V—NATIONAL PARK FOUNDATION ENDOWMENT

Establishes in the National Park Foundation a special account to be known as the Second Century Endowment for the National Park Service, consisting of gifts or bequests provided for this purpose. The National Park Foundation may use the funds deposited in the Endowment for projects and activities

approved by the Secretary that further the mission and purposes of the National Park Service.

TITLE VI—NATIONAL PARK SERVICE SECOND CENTURY FUND

Establishes in the Treasury an account to be known as the National Park Service Second Century Fund, with funds remaining available to the Secretary of the Interior until expended and available without further appropriation. Funds may only be used if matched, on a 1-to-1 basis, by nonfederal donations to the National Park Service for specified projects and programs

Funds the account with two sources of funding: (1) fees in addition to the daily cost of lodging or camping within a unit of the national park system; and (2) funds from amounts above \$10.00 that are collected from purchases of the lifetime pass for citizens 62 years of age or older (passes would be available at the same cost as the National Parks and Federal Recreational Lands Pass).

TITLE VII—NATIONAL PARK NEXT GENERATION STEWARDS

NPS Interpretation and Education Authority

Provides clear authority for the interpretation and education work of the National Park Service by consolidating a number of disparate authorities currently used.

Directs the Secretary of the Interior to ensure that management of National Park System units and related areas is enhanced by the availability and utilization of a broad program of the highest quality interpretation and education.

Public Lands Corps Amendments

Raises the age limit for participation in the Public Lands Corps from 25 to 30. This section also would provide non-competitive

hiring status to a former Public Lands Corps member from the current 120 days after the member's service is completed to a period of up to two years.

Volunteers in Parks

Removes the \$3.5 million authorization ceiling for the Volunteers in the Parks to accommodate the funding needed to support this growing program.

TITLE VIII—NATIONAL PARK SERVICE VISITOR SERVICE MANAGEMENT PROGRAM

Authorizes the Secretary of the Interior to establish the National Park Service Visitor Services Management Authority (VMSA) to award and manage contracts for the operation of commercial visitor services programs and activities.

Authorizes the establishment of a VSMA operating board, a director of the VSMA, and the hiring of staff.

Authorizes the use of funds collected by the VSMA from the contracts awarded to be available for expenditure by the VSMA in furtherance of the purposes of the law.

TITLE IX—INTELLECTUAL PROPERTY

Authorizes the Secretary of the Interior to enter into agreements for the creation of reproductions of a museum object in which the object and its intellectual property rights are under the control of the Secretary. The agreements may include provisions for the collection of fees or royalties, which can be retained and used by the park or repository where the museum object is held.

TITLE X—NATIONAL PARK FOUNDATION

Authorizes the Secretary of the Interior and the Director of the National Park Service as ex officio members of the National Park Foundation board.

Authorizes appropriations of \$25 million for each of fiscal years 2016 through 2026 to National Park Foundation, and prohibits the use of these funds for administrative expenses of the Foundation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 307—RECOGNIZING NATIONAL NATIVE AMERICAN HERITAGE MONTH AND CELEBRATING THE HERITAGES AND CULTURES OF NATIVE AMERICANS AND THE CONTRIBUTIONS OF NATIVE AMERICANS TO THE UNITED STATES

Mr. BARRASSO (for himself, Ms. BALDWIN, Ms. CANTWELL, Mr. COCHRAN, Ms. COLLINS, Mr. CRAPO, Mr. DAINES, Mrs. FEINSTEIN, Mr. FRANKEN, Mr. GARDNER, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. KAINE, Mr. LANKFORD, Mr. MCCAIN, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. SCHATZ, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. UDALL, Mr. WARNER, Mr. WYDEN, Mr. PETERS, Mr. ENZI, Mr. ROUNDS, Mr. JOHNSON, and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 307

Whereas from November 1, 2015, through November 30, 2015, the United States celebrates National Native American Heritage Month;

Whereas National Native American Heritage Month is an opportunity to consider and recognize the contributions of Native Americans to the history of the United States;

Whereas Native Americans are descendants of the original, indigenous inhabitants of what is now the United States;

Whereas the Bureau of the Census estimated that in 2010, there were more than 5,000,000 individuals of Native American descent in the United States;

Whereas Native Americans maintain vibrant cultures and traditions and hold a deeply rooted sense of community;

Whereas Native Americans have moving stories of tragedy, triumph, and perseverance that need to be shared with future generations;

Whereas Native Americans speak and preserve indigenous languages, which have contributed to the English language by being used as names of individuals and locations throughout the United States;

Whereas Congress has consistently reaffirmed the support of the United States of tribal self-governance and self-determination and the commitment of the United States to improving the lives of all Native Americans by—

(1) enhancing health care and law enforcement resources; and

(2) improving the housing and socioeconomic status of Native Americans;

Whereas the United States is committed to strengthening the government-to-government relationship that the United States has maintained with the various Indian tribes;

Whereas Congress has recognized the contributions of the Iroquois Confederacy, and the influence of the Iroquois Confederacy on the Founding Fathers in the drafting of the Constitution of the United States with the concepts of—

(1) freedom of speech;

(2) the separation of governmental powers; and

(3) the system of checks and balances between the branches of government;

Whereas, with the enactment of the Native American Heritage Day Act of 2009 (Public Law 111-33; 123 Stat. 1922), Congress—

(1) reaffirmed the government-to-government relationship between the United States and Native American governments; and

(2) recognized the important contributions of Native Americans to the culture of the United States;

Whereas Native Americans have made distinct and important contributions to the United States and the rest of the world in many fields, including the fields of agriculture, medicine, music, language, and art;

Whereas Native Americans have distinguished themselves as inventors, entrepreneurs, spiritual leaders, and scholars;

Whereas Native Americans have served with honor and distinction in the Armed Forces, and continue to serve in the Armed Forces in greater numbers per capita than any other group in the United States;

Whereas the United States has recognized the contribution of the Native American code talkers in World War I and World War II, who used indigenous languages as an unbreakable military code, saving countless lives in the United States; and

Whereas the people of the United States have reason to honor the great achievements and contributions of Native Americans and their ancestors: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the month of November 2015, as National Native American Heritage Month;

(2) recognizes the Friday after Thanksgiving as “Native American Heritage Day” in accordance with section 2(10) of the Native American Heritage Day Act of 2009 (Public Law 111-33; 123 Stat. 1923); and

(3) urges the people of the United States to observe National Native American Heritage Month and Native American Heritage Day with appropriate programs and activities.

SENATE RESOLUTION 308—EXPRESSING SUPPORT FOR THE DESIGNATION OF OCTOBER 20, 2015, AS THE “NATIONAL DAY ON WRITING”

Mr. CASEY (for himself and Mr. ROBERTS) submitted the following resolution; which was considered and agreed to:

S. RES. 308

Whereas people in the 21st century are writing more than ever before for personal, professional, and civic purposes;

Whereas the social nature of writing invites people of every age, profession, and walk of life to create meaning through composing;

Whereas more and more people in every occupation consider writing to be essential and influential in their work;

Whereas writers continue to learn how to write for different purposes, audiences, and occasions throughout their lifetimes;

Whereas developing digital technologies expand the possibilities for composing in multiple media at a faster pace than ever before;

Whereas young people are leading the way in developing new forms of composing by using different forms of digital media;

Whereas effective communication contributes to building a global economy and a global community;

Whereas the National Council of Teachers of English, in conjunction with its many national and local partners, honors and celebrates the importance of writing through the National Day on Writing;

Whereas the National Day on Writing celebrates the foundational place of writing in the personal, professional, and civic lives of the people of the United States;

Whereas the National Day on Writing highlights the importance of writing instruction and practice at every educational level and in every subject area;

Whereas the National Day on Writing emphasizes the lifelong process of learning to write and compose for different audiences, purposes, and occasions;

Whereas the National Day on Writing honors the use of the full range of media for composing, from traditional tools like print, audio, and video to Internet website tools like blogs, wikis, and podcasts; and

Whereas the National Day on Writing encourages all people of the United States to write, enjoy, and learn from the writing of others: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of October 20, 2015, as the “National Day on Writing”;

(2) strongly affirms the purposes of the National Day on Writing; and

(3) encourages educational institutions, businesses, community and civic associations, and other organizations to celebrate and promote the National Day on Writing.

SENATE RESOLUTION 309—RELATIVE TO THE DEATH OF FRED THOMPSON, FORMER UNITED STATES SENATOR FOR THE STATE OF TENNESSEE

Mr. McCONNELL (for himself, Mr. REID, Mr. ALEXANDER, Mr. CORKER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 309

Whereas Fred Thompson was born in Alabama in 1942, and grew up in Lawrenceburg, Tennessee;

Whereas Fred Thompson graduated from Memphis State University in 1964 and Vanderbilt University School of Law in 1967, was admitted to the Tennessee bar and served as an assistant U.S. Attorney;

Whereas Fred Thompson was appointed by Senator Howard Baker, Jr., to serve as minority counsel to the Senate Watergate Committee in 1973;

Whereas Fred Thompson continued to practice law and in 1977 helped expose government corruption in Tennessee;

Whereas Fred Thompson was first elected to the United States Senate in 1994 and served as a Senator from the State of Tennessee until 2003;

Whereas following his service as Senator, Fred Thompson continued to pursue his acting career, which began in 1985 with the movie "Marie" in which he played himself;

Whereas Fred Thompson was known for his integrity, humility and dedication to public service; Now, therefore, be it

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Fred Thompson, former member of the United States Senate.

Resolved, That the Secretary of the Senate communicate these resolutions to the House

of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Fred Thompson.

SENATE CONCURRENT RESOLUTION 24—AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR THE UNVEILING OF THE MARBLE BUST OF VICE PRESIDENT RICHARD CHENEY ON DECEMBER 3, 2015

Mr. BLUNT (for himself, Mr. McCONNELL, Mr. SCHUMER, and Mr. REID) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 24

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR THE UNVEILING OF THE MARBLE BUST OF VICE PRESIDENT RICHARD CHENEY.

(a) IN GENERAL.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for a ceremony to unveil the marble bust of Vice President Richard Cheney on December 3, 2015.

(b) PREPARATIONS.—The Architect of the Capitol and the Capitol Police Board shall take such action as may be necessary with respect to physical preparations and security for the ceremony described in subsection (a).

AMENDMENTS SUBMITTED AND PROPOSED

SA 2763. Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) proposed an amendment to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

SA 2764. Mr. KIRK proposed an amendment to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, *supra*.

SA 2765. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, *supra*; which was ordered to lie on the table.

SA 2766. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2029, *supra*; which was ordered to lie on the table.

SA 2767. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2029, *supra*; which was ordered to lie on the table.

SA 2768. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2029, *supra*; which was ordered to lie on the table.

SA 2769. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2029, *supra*; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2763. Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) proposed an

amendment to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$663,245,000, to remain available until September 30, 2020: *Provided*, That, of this amount, not to exceed \$109,245,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$1,619,699,000, to remain available until September 30, 2020: *Provided*, That, of this amount, not to exceed \$91,649,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,389,185,000, to remain available until September 30, 2020: *Provided*, That, of this amount, not to exceed \$89,164,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and

real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$2,290,767,000, to remain available until September 30, 2020: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further*, That, of the amount appropriated, not to exceed \$160,404,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$197,237,000, to remain available until September 30, 2020: *Provided*, That, of the amount appropriated, not to exceed \$20,337,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$138,738,000, to remain available until September 30, 2020: *Provided*, That, of the amount appropriated, not to exceed \$5,104,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$113,595,000, to remain available until September 30, 2020: *Provided*, That, of the amount appropriated, not to exceed \$9,318,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$36,078,000, to remain available until September 30, 2020: *Provided*, That, of the amount appropriated, not to exceed \$2,208,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$65,021,000, to remain available until September 30, 2020: *Provided*, That, of the amount appropriated, not to exceed \$13,400,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

NORTH ATLANTIC TREATY ORGANIZATION

SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$120,000,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$99,695,000, to remain available until September 30, 2020.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$393,511,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$16,541,000, to remain available until September 30, 2020.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and inter-

est charges, and insurance premiums, as authorized by law, \$353,036,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$160,498,000, to remain available until September 30, 2020.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$331,232,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$58,668,000.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$251,334,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity

from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: *Provided further*, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a

project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: *Provided*, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 120. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: *Provided*, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: *Provided further*, That the

Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 121. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 122. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 123. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14-R, Volume 3, Chapter 7, of February 2009, as in effect on the date of enactment of this Act.

SEC. 124. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

SEC. 125. For an additional amount for "Military Construction, Army", \$34,500,000, to remain available until September 30, 2020: *Provided*, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Army's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: *Provided further*, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: *Provided further*, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 126. For an additional amount for "Military Construction, Navy and Marine Corps", \$34,320,000, to remain available until September 30, 2020: *Provided*, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Navy's Unfunded Priority List for fiscal year 2016: *Provided further*, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: *Provided further*, That, not later than 30 days after enactment of this Act, the Secretary of the Navy shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 127. For an additional amount for "Military Construction, Army National

Guard", \$51,300,000, to remain available until September 30, 2020: *Provided*, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Army's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: *Provided further*, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: *Provided further*, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 128. For an additional amount for "Military Construction, Army Reserve", \$34,200,000, to remain available until September 30, 2020: *Provided*, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Army's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: *Provided further*, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: *Provided further*, That, not later than 30 days after enactment of this Act, the Secretary of the Army shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

(RESCISSIONS OF FUNDS)

SEC. 129. Of the unobligated balances available from prior Appropriations Acts (other than appropriations that were designated by the Congress as an emergency requirement or as being for Overseas Contingency Operations/Global War on Terrorism pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985) the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

"Military Construction, Army", \$45,000,000;
"Military Construction, Air Force", \$46,400,000; and
"Military Construction, Defense-Wide", \$80,500,000.

(RESCISSION OF FUNDS)

SEC. 130. Of the unobligated balances made available in prior appropriations Acts for the fund established in section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374), \$65,000,000 are hereby rescinded.

SEC. 131. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this or any other Act may be used to consolidate or relocate any element of a United States Air Force Rapid Engineer Deployable Heavy Operational Repair Squadron Engineer (RED HORSE) outside of the United States until the Secretary of the Air Force (1) completes an analysis and comparison of the cost and infrastructure investment required to consolidate or relocate a RED HORSE squadron outside of the United States versus within the United States; (2) provides to the Committees on Appropriations of both Houses of Congress ("the Committees") a report detailing the findings of the cost analysis; and (3) certifies in writing to the Committees that the preferred site for the consolidation or relocation yields the greatest savings for the Air Force: *Provided*, That the term "United States" in this section does not include any territory or possession of the United States.

SEC. 132. For an additional amount for "Military Construction, Air Force", \$21,000,000, to remain available until Sep-

tember 30, 2020: *Provided*, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Air Force's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: *Provided further*, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: *Provided further*, That not later than 30 days after enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 133. For an additional amount for "Military Construction, Air National Guard", \$6,100,000, to remain available until September 30, 2020: *Provided*, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Air Force's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: *Provided further*, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: *Provided further*, That not later than 30 days after enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 134. For an additional amount for "Military Construction, Air Force Reserve", \$10,400,000, to remain available until September 30, 2020: *Provided*, That such funds may only be obligated to carry out construction projects, in priority order, identified in the Department of the Air Force's Unfunded Priority List for Fiscal Year 2016 submitted to Congress: *Provided further*, That such funding is subject to authorization prior to obligation and expenditure of funds to carry out construction: *Provided further*, That not later than 30 days after enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$166,271,436,000, to remain available until expended, of which \$87,146,761,000 shall become available on October 1, 2016: *Provided*, That not to exceed \$15,562,000 of the amount appropriated for fiscal year 2016 and \$16,021,000 of the amount made available for fiscal year 2017 under this heading shall be reimbursed to "General Operating Expenses, Veterans Benefits Administration", and "Information Technology Systems" for necessary expenses in implementing the provisions of chapters 51, 53, and

55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and Pensions" appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical Care Collections Fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, \$32,088,826,000, to remain available until expended, of which \$16,743,904,000 shall become available on October 1, 2016: *Provided*, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, \$169,080,000, to remain available until expended, of which \$91,920,000 shall become available on October 1, 2016.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That, during fiscal year 2016, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$164,558,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$31,000, as authorized by chapter 31 of title 38, United States Code: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,952,381.

In addition, for administrative expenses necessary to carry out the direct loan program, \$367,000, which may be paid to the appropriation for "General Operating Expenses, Veterans Benefits Administration".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$1,134,000.

VETERANS HEALTH ADMINISTRATION MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United

States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bioengineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; \$3,104,197,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2015; and, in addition, \$51,673,000,000, plus reimbursements, shall become available on October 1, 2016, and shall remain available until September 30, 2017: *Provided*, That, of the amount made available on October 1, 2016, under this heading, \$1,400,000,000 shall remain available until September 30, 2018: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: *Provided further*, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: *Provided further*, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: *Provided further*, That, of the amount made available on October 1, 2016, under this heading, not less than \$900,000,000 shall be available for highly effective Hepatitis C Virus (HCV) clinical treatments including clinical treatments with modern medications that have significantly higher cure rates than older medications, are easier to prescribe, and have fewer and milder side effects.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), \$6,524,000,000, plus reimbursements, shall become available on October 1, 2016, and shall remain available until September 30, 2017: *Provided*, That, of the amount made available on October 1, 2016, under this heading, \$100,000,000 shall remain available until September 30, 2018.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Ad-

ministration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, \$5,074,000,000, plus reimbursements, shall become available on October 1, 2016, and shall remain available until September 30, 2017: *Provided*, That, of the amount made available on October 1, 2016, under this heading, \$250,000,000 shall remain available until September 30, 2018.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$621,813,000, plus reimbursements, shall remain available until September 30, 2017.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$266,220,000, of which not to exceed \$26,600,000 shall remain available until September 30, 2017.

DEPARTMENTAL ADMINISTRATION

GENERAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-Wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$311,591,000, of which not to exceed \$10,000,000 shall remain available until September 30, 2017: *Provided*, That funds provided under this heading may be transferred to "General Operating Expenses, Veterans Benefits Administration".

BOARD OF VETERANS APPEALS

For necessary operating expenses of the Board of Veterans Appeals, \$107,884,000, of which not to exceed \$10,788,000 shall remain available until September 30, 2017.

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$2,697,734,000: *Provided*, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled

veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further*, That, of the funds made available under this heading, not to exceed \$160,000,000 shall remain available until September 30, 2017.

INFORMATION TECHNOLOGY SYSTEMS

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$4,106,363,000, plus reimbursements: *Provided*, That \$1,115,757,000 shall be for pay and associated costs, of which not to exceed \$34,800,000 shall remain available until September 30, 2017: *Provided further*, That \$2,512,863,000 shall be for operations and maintenance, of which not to exceed \$175,000,000 shall remain available until September 30, 2017: *Provided further*, That \$477,743,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2017: *Provided further*, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: *Provided further*, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That amounts made available for the "Information Technology Systems" account for development, modernization, and enhancement may be transferred among projects or to newly defined projects: *Provided further*, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: *Provided further*, That funds under this heading may be used by the Interagency Program Office through the Department of Veterans Affairs to develop a standard data reference terminology model: *Provided further*, That, of the funds made available for information technology systems development, modernization, and enhancement for Vista Evolution, not more than 25 percent may be obligated or expended until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a report that describes: (1) the status of and changes to the Vista Evolution program plan dated March 24, 2014 (hereinafter referred to as the "Plan"), the Vista 4 product roadmap dated February 26, 2015 ("Roadmap"), and the Vista 4 Incremental Life Cycle Cost Estimate, dated October 26, 2014; (2) any changes

to the scope or functionality of projects within the VistA Evolution program as established in the Plan; (3) actual program costs incurred to date; (4) progress in meeting the schedule milestones that have been established in the Plan; (5) a Project Management Accountability System (PMAS) Dashboard Progress report that identifies each VistA Evolution project being tracked through PMAS, what functionality it is intended to provide, and what evaluation scores it has received throughout development; (6) the definition being used for interoperability between the electronic health record systems of the Department of Defense and the Department of Veterans Affairs, the metrics to measure the extent of interoperability, the milestones and timeline associated with achieving interoperability, and the baseline measurements associated with interoperability; (7) progress toward developing and implementing all components and levels of interoperability, including semantic interoperability; (8) the change management tools in place to facilitate the implementation of VistA Evolution and interoperability; and (9) any changes to the governance structure for the VistA Evolution program and its chain of decisionmaking authority: *Provided further*, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the report accompanying this Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$126,766,000, of which \$12,676,000 shall remain available until September 30, 2017.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$1,027,064,000, of which \$967,064,000 shall remain available until September 30, 2020, and of which \$60,000,000 shall remain available until expended: *Provided*, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account, and funds provided for the purchase of land for the National Cemetery Administration through the land acqui-

sition line item, none of the funds made available under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: *Provided further*, That funds made available under this heading for fiscal year 2016, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2016; and (2) by the awarding of a construction contract by September 30, 2017: *Provided further*, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: *Provided further*, That, of the amount made available on October 1, 2016, under this heading, \$490,700,000 for Veterans Health Administration major construction projects shall not be available until the Secretary of Veterans Affairs:

(1) Enters into an agreement with the U.S. Army Corps of Engineers, to serve as the design and construction agent for Veterans Health Administration projects with a Total Estimated Cost of \$250,000,000 or above.

(2) That such an agreement will designate the U.S. Army Corps of Engineers as the design and construction agent to serve as—

(A) the overall construction project manager, with a dedicated project delivery team including engineers, medical facility designers, and professional project managers;

(B) the facility design manager, with a dedicated design manager and technical support;

(C) the design agent, with standardized and rigorous facility designs;

(D) the architect/engineer designer; and

(E) the overall construction agent, with a dedicated construction and technical team during pre-construction, construction, and commissioning phases.

(3) Certifies in writing that such an agreement is in effect and will prevent subsequent major construction project cost overruns, provides a copy of the agreement entered into (and any required supplementary information) to the Committees on Appropriations of both Houses of Congress, and a period of 60 days has elapsed.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$378,080,000, to remain available until September 30, 2020, along with unobligated balances of previous "Construction, Minor Projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: *Provided*, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or dam-

age caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$100,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$46,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2016 for "Compensation and Pensions", "Readjustment Benefits", and "Veterans Insurance and Indemnities" may be transferred as necessary to any other of the mentioned appropriations: *Provided*, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2016, in this Act or any other Act, under the "Medical Services", "Medical support and compliance", and "Medical Facilities" accounts may be transferred among the accounts: *Provided*, That any transfers between the "Medical Services" and "Medical Support and Compliance" accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: *Provided further*, That any transfers between the "Medical Services" and "Medical Support and Compliance" accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: *Provided further*, That any transfers to or from the "Medical Facilities" account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for "Construction, Major Projects", and "Construction, Minor Projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the "Medical Services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for "Compensation and pensions", "Readjustment benefits", and "Veterans insurance and indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2015.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from "Compensation and Pensions".

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2016, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the "General operating expenses, Veterans Benefits Administration" and "Information Technology Systems" accounts for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2016 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further*, That, if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2016 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs

but not to exceed \$43,700,000 for the Office of Resolution Management and \$3,400,000 for the Office of Employment Discrimination Complaint Adjudication: *Provided*, That payments may be made in advance for services to be furnished based on estimated costs: *Provided further*, That amounts received shall be credited to the "General Administration" and "Information Technology Systems" accounts for use by the office that provided the service.

(TRANSFER OF FUNDS)

SEC. 211. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2016 for the Office of Rural Health under the heading "Medical Services", including any advance appropriation for fiscal year 2016 provided in prior appropriation Acts, up to \$20,000,000 may be transferred to and merged with funds appropriated under the heading "Grants for Construction of State Extended Care Facilities".

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: *Provided*, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: *Provided further*, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, Major Projects" and "Construction, Minor Projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, Major Projects" and "Construction, Minor Projects".

SEC. 214. Amounts made available under "Medical Services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to "Medical Services", to remain available until expended for the purposes of that account: *Provided*, That, for fiscal year 2016, up to \$27,000,000 deposited in the Department of Veterans Affairs Medical Care Collections Fund shall be transferred to "Information Technology Systems", to remain available until expended, for development of the Medical Care Collections Fund electronic data exchange provider and payer system.

SEC. 216. The Secretary of Veterans Affairs may enter into agreements with Indian

tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, and Indian tribes and tribal organizations serving rural Alaska which have entered into contracts with the Indian Health Service under the Indian Self Determination and Educational Assistance Act, to provide healthcare, including behavioral health and dental care. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands sited within the external boundaries of the Alaska Native regions specified in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), and those lands within the Alaska Native regions specified in sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1606), which are not within the boundaries of the municipality of Anchorage, the Fairbanks North Star Borough, the Kenai Peninsula Borough or the Matanuska Susitna Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, Major Projects" and "Construction, Minor Projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this title may be used to implement any policy prohibiting the Directors of the Veterans Integrated Services Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the "Medical Services", "Medical Support and Compliance", "Medical Facilities", "General Operating Expenses, Veterans Benefits Administration", "General Administration", and "National Cemetery Administration" accounts for fiscal year 2016 may be transferred to or from the "Information Technology Systems" account: *Provided*, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 221. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109-115; 119 Stat. 2506); or (2) section 8110(a)(5) of title 38, United States Code.

SEC. 222. Of the amounts made available to the Department of Veterans Affairs for fiscal year 2016, in this Act or any other Act, under the "Medical Facilities" account for non-recurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last 2 months of that fiscal year: *Provided*, That the Secretary may waive this requirement after providing written notice to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2016 for “Medical Services”, “Medical Support and Compliance”, “Medical Facilities”, “Construction, Minor Projects”, and “Information Technology Systems”, up to \$266,303,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: *Provided further*, That section 223 of Title II of Division I of Public Law 113-235 is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2016, for “Medical Services”, “Medical Support and Compliance”, and “Medical Facilities”, up to \$265,675,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 225. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

(TRANSFER OF FUNDS)

SEC. 226. Of the amounts available in this title for “Medical Services”, “Medical Support and Compliance”, and “Medical Facilities”, a minimum of \$15,000,000 shall be transferred to the DOD-VA Health Care

Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

(INCLUDING RESCISSIONS OF FUNDS)

SEC. 227. (a) Of the funds appropriated in division I of Public Law 113-235, the following amounts which become available on October 1, 2015, are hereby rescinded from the following accounts in the amounts specified:

(1) “Department of Veterans Affairs, Medical Services”, \$1,400,000,000.

(2) “Department of Veterans Affairs, Medical Support and Compliance”, \$150,000,000.

(3) “Department of Veterans Affairs, Medical Facilities”, \$250,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified to remain available until September 30, 2017:

(1) “Department of Veterans Affairs, Medical Services”, \$1,400,000,000.

(2) “Department of Veterans Affairs, Medical Support and Compliance”, \$100,000,000.

(3) “Department of Veterans Affairs, Medical Facilities”, \$250,000,000.

SEC. 228. The Secretary of the Department of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in major construction projects that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: *Provided*, That such notification shall occur within 14 days of a contract identifying the programmed amount: *Provided further*, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 229. The scope of work for a project included in “Construction, Major Projects” may not be increased above the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations.

SEC. 230. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report that contains the following information from each Veterans Benefits Administration Regional Office: (1) the average time to complete a disability compensation claim; (2) the number of claims pending more than 125 days; (3) error rates; (4) the number of claims personnel; (5) any corrective action taken within the quarter to address poor performance; (6) training programs undertaken; and (7) the number and results of Quality Review Team audits: *Provided*, That each quarterly report shall be submitted no later than 30 days after the end of the respective quarter.

SEC. 231. Of the funds provided to the Department of Veterans Affairs for fiscal year 2016 for “Medical Services” and “Medical Support and Compliance”, a maximum of \$5,000,000 may be obligated from the “Medical Services” account and a maximum of \$154,596,000 may be obligated from the “Medical Support and Compliance” account for the VistA Evolution and electronic health record interoperability projects: *Provided*, That funds in addition to these amounts may be obligated for the VistA Evolution and electronic health record interoperability projects upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

SEC. 232. The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.

SEC. 233. The Secretary of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed \$2,000,000.

SEC. 234. Not more than \$4,400,000 of the funds provided in this Act under the heading “Department of Veterans Affairs—Departmental Administration—General Administration” may be used for the Office of Congressional and Legislative Affairs.

SEC. 235. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

(RESCISSIONS OF FUNDS)

SEC. 236. Of the discretionary funds made available in title II of division I of Public Law 113-235 for the Department of Veterans Affairs for fiscal year 2016, \$198,000,000 are rescinded from “Medical Services”, \$42,000,000 are rescinded from “Medical Support and Compliance”, and \$15,000,000 are rescinded from “Medical Facilities”.

(RESCISSIONS OF FUNDS)

SEC. 237. (a) There is hereby rescinded an aggregate amount of \$55,000,000 from the total budget authority provided for fiscal year 2016 for discretionary accounts of the Department of Veterans Affairs in—

- (1) this Act; or
- (2) any advance appropriation for fiscal year 2016 in prior appropriation Acts.

(b) The Secretary shall submit to the Committees on Appropriations of both Houses of Congress a report specifying the account and amount of each rescission not later than 30 days following enactment of this Act.

(RESCISSION OF FUNDS)

SEC. 238. Of the unobligated balances available within the “DOD-VA Health Care Sharing Incentive Fund”, \$50,000,000 are hereby rescinded.

(RESCISSIONS OF FUNDS)

SEC. 239. Of the discretionary funds made available in title II of division I of Public Law 113-235 for the Department of Veterans Affairs for fiscal year 2015, \$1,052,000 are rescinded from “General Administration”, and \$5,000,000 are rescinded from “Construction, Minor Projects”.

(RESCISSIONS OF FUNDS)

SEC. 240. (a) There is hereby rescinded an aggregate amount of \$90,293,000 from prior year unobligated balances available within discretionary accounts of the Department of Veterans Affairs;

(b) No funds may be rescinded from amounts provided under the following headings:

- (1) “Medical Services”;
- (2) “Medical and Prosthetic Research”;
- (3) “National Cemetery Administration”;
- (4) “Board of Veterans Appeals”;
- (5) “General Operating Expenses, Veterans Benefits Administration”;
- (6) “Office of Inspector General”;
- (7) “Grants for Construction of State Extended Care Facilities”;

(8) “Grants for Construction of Veterans Cemeteries”.

(c) No amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(d) The Secretary shall submit to the Committees on Appropriations of both Houses of Congress a report specifying the account and amount of each rescission not later than 30 days following enactment of this Act.

SEC. 241. Section 2302(a)(2)(A)(viii) of title 5, United States Code, is amended by inserting “or under title 38” after “of this title”.

SEC. 242. The Department of Veterans Affairs is authorized to administer financial assistance grants and enter into cooperative agreements with organizations, utilizing a competitive selection process, to train and employ homeless and at-risk veterans in natural resource conservation management.

SEC. 243. Section 312 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(c)(1) Whenever the Inspector General, in carrying out the duties and responsibilities established under the Inspector General Act of 1978 (5 U.S.C. App.), issues a work product that makes a recommendation or otherwise suggests corrective action, the Inspector General shall—

“(A) submit the work product to—

“(i) the Secretary;

“(ii) the Committee on Veterans’ Affairs, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate;

“(iii) the Committee on Veterans’ Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives;

“(iv) if the work product was initiated upon request by an individual or entity other than the Inspector General, that individual or entity; and

“(v) any Member of Congress upon request; and

“(B) the Inspector General shall submit all final work products to—

“(i) if the work product was initiated upon request by an individual or entity other than the Inspector General, that individual or entity; and

“(ii) any Member of Congress upon request; and

“(C) not later than 3 days after the work product is submitted in final form to the Secretary, post the work product on the Internet website of the Inspector General.

“(2) Nothing in this subsection shall be construed to authorize the public disclosure of information that is specifically prohibited from disclosure by any other provision of law.”.

SEC. 244. None of the funds provided in this Act may be used to pay the salary of any individual who (a) was the Executive Director of the Office of Acquisition, Logistics and Construction, and (b) who retired from Federal service in the midst of an investigation, initiated by the Department of Veterans Affairs, into delays and cost overruns associated with the design and construction of the new medical center in Aurora, Colorado.

SEC. 245. Of the amounts appropriated or otherwise made available to the Department of Veterans Affairs for the “Medical Services” account for fiscal year 2016 in this Act of any other Act, not less than \$10,000,000 shall be used to hire additional caregiver support coordinators to support the programs of assistance and support for care-

givers of veterans under section 1720G of title 38, United States Code.

SEC. 246. None of the funds appropriated or otherwise made available to the Department of Veterans Affairs in this Act may be used in a manner that would—

(1) interfere with the ability of a veteran to participate in a State-approved medicinal marijuana program;

(2) deny any services from the Department to a veteran who is participating in such a program; or

(3) limit or interfere with the ability of a health care provider of the Department to make appropriate recommendations, fill out forms, or take steps to comply with such a program.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$75,100,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$32,141,000: *Provided*, That \$2,500,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102-229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERY EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers’ and Airmen’s Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed \$1,000 for official reception and representation expenses, \$70,800,000, of which not to exceed \$28,000,000 shall remain available until September 30, 2018. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the “Lease of Department of Defense Real Property for Defense Agencies” account.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement

Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfpport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$64,300,000, of which \$1,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfpport, Mississippi.

ADMINISTRATIVE PROVISIONS

SEC. 301. Funds appropriated in this Act under the heading “Department of Defense—Civil, Cemetery Expenses, Army”, may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.

SEC. 302. Amounts deposited during the current fiscal year to the special account established under 10 U.S.C. 4727 are appropriated and shall be available until expended to support activities at the Army National Military Cemeteries.

SEC. 303. For an additional amount for “Department of Defense—Civil Cemetery Expenses, Army” in this title, \$30,000,000: *Provided*, That notwithstanding any other provision of law, such funds may be transferred to the Federal Highway Administration, Department of Transportation, for construction of access roads adjacent to Arlington National Cemetery to support land acquisition for the expansion of the cemetery.

TITLE IV

GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 403. Such sums as may be necessary for fiscal year 2016 for pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 404. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 405. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of “E-Commerce” technologies and procedures in the conduct of their business practices and public service activities.

SEC. 406. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 407. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 408. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 409. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 410. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantánamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

This Act may be cited as the “Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2016”.

SA 2764. Mr. KIRK proposed an amendment to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in title IV, insert the following:

SEC. _____. For the purposes of this Act, the term “congressional defense committees”

means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

SA 2765. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 411. Section 213(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note) is amended by adding at the end the following:

“(3) NOTIFICATIONS AND CONSULTATIONS.—Not less than 90 days before applying a categorical exclusion under this subsection to a new procedure at an OEP airport, the Administrator shall—

“(A) notify and consult with the operator of the airport at which the procedure would be implemented; and

“(B) consider consultations or other engagement with the community in the which the airport is located to inform the public of the procedure.

“(4) REVIEW OF CERTAIN CATEGORICAL EXCLUSIONS.—

“(A) IN GENERAL.—The Administrator shall review a decision of the Administrator made on or after February 14, 2012, and before the date of the enactment of this paragraph to grant a categorical exclusion under this subsection with respect to a procedure to be implemented at an OEP airport that was a material change from procedures previously in effect at the airport to determine if the implementation of the procedure had a significant effect on the human environment in the community in which the airport is located if the operator of that airport requests such a review and demonstrates that there is good cause to believe that the implementation of the procedure had such an effect.

“(B) CONTENT OF REVIEW.—If, in conducting a review under subparagraph (A) with respect to a procedure implemented at an OEP airport, the Administrator, in consultation with the operator of the airport, determines that implementing the procedure had a significant effect on the human environment in the community in which the airport is located, the Administrator shall—

“(i) consult with the operator of the airport to identify measures to mitigate the effect of the procedure on the human environment; and

“(ii) in conducting such consultations, consider the use of alternative flight paths.

“(C) HUMAN ENVIRONMENT DEFINED.—In this paragraph, the term ‘human environment’ has the meaning given that term in section 1508.14 of title 40, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act).”

SA 2766. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2029, making appropriations for military construction,

the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 247. None of the amounts appropriated or otherwise made available by this title may be used to transfer any amount from the Filipino Veterans Equity Compensation Fund to any other account in the Treasury of the United States.

SA 2767. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Of the amounts appropriated or otherwise made available to the Department of Veterans Affairs for the Office of General Counsel, \$9,000,000 shall be transferred to the “Medical Services” account and shall be used to hire full-time gynecologists at medical centers of the Department of Veterans Affairs to ensure that each such medical center has a full-time gynecologist.

SA 2768. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 247. (a) None of the amounts appropriated or otherwise made available by this title may be used to pay an employee described in subsection (b) an award or bonus under title 5 or 38, United States Code, for performance.

(b) An employee described in this subsection is any employee of the Veterans Benefits Administration in a senior executive position (as defined in section 713(g) of title 38, United States Code) who is responsible for oversight of the processing or adjudication of claims submitted to the Secretary of Veterans Affairs for compensation under chapter 11 or 13 of title 38, United States Code.

SA 2769. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds made available under section 231 for “Medical Support and Compliance” for the VistA Evolution and electronic health record interoperability projects may be obligated until the Department of Veterans Affairs has implemented all recommendations included in the report by the Comptroller General of the United States (GAO-16-184T) regarding the establishment of a time frame for identifying outcome-oriented metrics and defining goals to

provide a basis for assessing and reporting on the status of an interoperable electronic health record between the Department of Veterans Affairs and the Department of Defense.

AUTHORITIES FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on November 5, 2015, at 10 a.m., in room SR-328A Russell Senate Office Building, to conduct a hearing entitled “Wildfire: Stakeholder Perspectives on Budgetary Impacts and Threats to Natural Resources on Federal, State and Private Lands.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on November 5, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on November 5, 2015, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Select

Committee on Intelligence be authorized to meet during the session of the Senate on November 5, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

Mr. CORNYN. Mr. President, I ask unanimous consent that the Subcommittee on Regulatory Affairs and Federal Management of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 5, 2015, at 9:30 a.m., to conduct a hearing entitled, “Agency Progress in Retrospective Review of Existing Regulations.”

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Pat Roberts:									
Australia	Dollar		1,235.00						1,235.00
Indonesia	Rupiah		515.00						515.00
Singapore	Dollar		930.00						930.00
Jacqueline Cottrell:									
Australia	Dollar		1,235.00						1,235.00
Indonesia	Rupiah		497.00						497.00
Singapore	Dollar		930.00						930.00
Total			5,342.00						5,342.00

SENATOR PAT ROBERTS,
Chairman, Committee on Agriculture, Nutrition, and Forestry, Oct. 22, 2015.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Allen Cutler:									
Switzerland	Franc		327.00						327.00
Germany	Euro		656.00						656.00
United States	Dollar				3,379.60				3,379.60
Charles Rathburn:									
Switzerland	Franc		327.00						327.00
Germany	Euro		656.00						656.00
United States	Dollar				3,379.60				3,379.60
Jennifer Santos:									
Bahrain	Dinar		728.43						728.43
United States	Dollar				13,369.30				13,369.30
Colleen Gaydos:									
Bahrain	Dinar		728.43						728.43
United States	Dollar				13,257.86				13,257.86
Paul “Church” Hutton:									
Bahrain	Dinar		728.43						728.43
United States	Dollar				15,195.40				15,195.40
Brian Potts:									
Panama	Dollar		322.00				55.00		377.00
Colombia	Dollar		657.00				22.51		679.51
United States	Dollar				3,796.00				3,796.00
William Todd:									
Honduras	Lempira		258.00				53.35		311.35
Panama	Dollar		322.00				22.00		344.00
Colombia	Dollar		657.00				22.72		679.72
United States	Dollar				3,264.75				3,264.75
Chris Hall:									
Honduras	Lempira		258.00				48.00		306.00
Panama	Dollar		322.00				22.00		344.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Colombia	Dollar		657.00				30.13		687.13
United States	Dollar				3,264.75				3,264.75
David Gillies:									
Honduras	Lempira		258.00				18.00		276.00
Panama	Dollar		322.00				22.00		344.00
Colombia	Dollar		657.00						657.00
United States	Dollar				2,581.50				2,581.50
Peter Babb:									
Israel	Shekel		1,500.00		159.39		106.51		1,765.90
Jordan	Dinar		1,066.24		148.32		126.23		1,340.79
United Arab Emirates	Dirham		462.07				140.27		602.34
United States	Dollar				11,780.24				11,780.24
Kathy Kraninger:									
Israel	Shekel		1,500.00		159.39		106.51		1,765.90
Jordan	Dinar		1,066.24		148.32		126.23		1,340.79
United Arab Emirates	Dirham		462.07				140.27		602.34
United States	Dollar				11,726.10				11,726.10
Chip Walgren:									
Israel	Shekel		1,500.00		159.39		106.51		1,765.90
Jordan	Dinar		1,066.24		148.32		126.23		1,340.79
United Arab Emirates	Dirham		462.07				140.27		602.34
United States	Dollar				11,786.27				11,786.27
Senator Barbara Mikulski:									
Austria	Euro		912.00		1,740.91				2,652.91
United States	Dollar				10,483.10				10,483.10
Shannon Kula:									
Austria	Euro		1,910.57		1,740.91				3,651.48
United States	Dollar				10,483.10				10,483.10
Charles Kieffer:									
Austria	Euro		1,121.72						1,121.72
United States	Dollar				1,525.00				1,525.00
Colleen Gaydos:									
South Korea	Won		564.00				920.00		1,484.00
Singapore	Dollar		264.00				562.14		826.14
United States	Dollar				13,648.20				13,648.20
Jennifer Santos:									
South Korea	Won		564.00				920.00		1,484.00
Singapore	Dollar		264.00				562.14		826.14
United States	Dollar				13,330.20				13,330.20
Alexander Carnes:									
Nigeria	Naira		1,251.00						1,251.00
Niger	West African CFA f		637.24						637.24
Cameroon	Central African CFA		660.16						660.16
United States	Dollar				6,797.70				6,797.70
Christina Gleason:									
Senegal	West African CFA		421.00		889.86				1,310.86
Ethiopia	Birr		788.15						788.15
Rwanda	RWF		634.00						634.00
Gabon	Central African CFA		957.00						957.00
Senator Christopher Coons:									
Senegal	West African CFA		421.00		889.86				1,310.86
Ethiopia	Birr		788.15						788.15
Rwanda	RWF		634.00						634.00
Gabon	Central African CFA		957.00						957.00
Senator Jeff Merkley:									
Senegal	West African CFA		421.00		889.86				1,310.86
Ethiopia	Birr		788.15						788.15
Rwanda	RWF		634.00						634.00
Gabon	Central African CFA		957.00						957.00
Adrian Snead:									
Senegal	West African CFA		421.00		889.86				1,310.86
Ethiopia	Birr		753.15						753.15
Rwanda	RWF		634.00						634.00
Gabon	Central African CFA		957.00						957.00
Senator Roy Blunt:									
Estonia	Euro		451.26						451.26
Glen Chambers:									
Estonia	Euro		451.26						451.26
Jason Wheelock:									
Mexico	Peso		724.00						724.00
Cuba	Cuban Convertible		780.00						780.00
United States	Dollar				1,331.04				1,331.04
Paul Grove:									
Guatemala	Quetzal		603.12						603.12
Mexico	Peso		724.00						724.00
Cuba	Cuban Convertible		780.00						780.00
United States	Dollar				1,881.64				1,881.64
Alexander Keenan:									
South Africa	Rand		464.50						464.50
Tanzania	Shilling		1,529.00		113.00				1,642.00
United States	Dollar				12,285.50				12,285.50
Laura Friedel:									
South Africa	Rand		464.50						464.50
Tanzania	Shilling		1,529.00		113.00				1,642.00
United States	Dollar				12,285.50				12,285.50
Delegation Expenses:*									
Mexico	Peso						990.22		990.22
Delegation Expenses:*									
Austria	Euro				5,222.72		448.24		5,670.96
Delegation Expenses:*									
Nigeria	Naira						4,770.00		4,770.00
Delegation Expenses:*									
Estonia	Euro						1,763.42		1,763.42
Delegation Expenses:*									
Senegal	West African CFA						3,820.00		3,820.00
Delegation Expenses:*									
Ethiopia	Birr				900.08		1,213.32		2,113.40
Delegation Expenses:*									
Rwanda	RWF						2,066.28		2,066.28
Delegation Expenses:*									
Gabon	Central African CFA						1,654.28		1,654.28

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Total			45,741.15		195,145.54		21,124.78		262,011.47

*Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR THAD COCHRAN,
Chairman, Committee on Appropriations, Oct. 27, 2015.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Tim Kaine:									
Kuwait	Dinar		447.52						447.52
Jordan	Dinar		550.40						550.40
Turkey	Lira		1,183.72						1,183.72
Mary Naylor:									
Kuwait	Dinar		441.57						441.57
Jordan	Dinar		550.40						550.40
Turkey	Lira		1,231.34						1,231.34
Ryan Colvert:									
Kuwait	Dinar		441.57						441.57
Jordan	Dinar		550.40						550.40
Turkey	Lira		1,251.48						1,251.48
Senator Joe Donnelly:									
Kuwait	Dinar		340.97						340.57
Iraq	Dinar		70.00						70.00
South Korea	Won		469.91						469.91
China	Renminbi		245.59						245.59
Rachel Lipsey:									
Kuwait	Dinar		332.97						332.97
South Korea	Won		599.91						599.91
China	Renminbi		241.77						241.77
Delegation Expenses:*									
Kuwait	Dinar					195.67			195.67
Iraq	Dinar			14,500.00					14,500.00
Turkey	Lira					2,435.04			2,435.04
Jordan	Dinar			61.33		128.05			189.38
Daniel Lerner:									
United States	Dollar			20,954.00					20,954.00
Japan	Yen		1,170.00						1,170.00
Delegation Expenses:*									
Japan	Yen			1,316.50		617.00			1,933.50
Senator Roger Wicker:									
Ukraine	Hryvnia		421.07						421.07
Czech Republic	Koruna		405.99						405.99
Finland	Euro		1,251.05						1,251.05
Joseph Lai:									
Ukraine	Hryvnia		421.07						421.07
Czech Republic	Koruna		405.99						405.99
Finland	Euro		1,251.05						1,251.05
Delegation Expenses:*									
Ukraine	Hryvnia					450.18			450.18
Czech Republic	Koruna			309.98		1,183.44			1,493.42
Finland	Euro			912.51		752.13			1,664.64
Senator John McCain:									
United States	Dollar			11,106.20					11,106.20
Thomas Goffus:									
United States	Dollar			11,194.52					11,194.52
Elizabeth O'Bagy:									
United States	Dollar			16,117.24					16,117.24
Afghanistan	Afghani		6.00						6.00
Delegation Expenses:*									
Afghanistan	Afghani					66.00			66.00
United Arab Emirates:	Dirham			1,109.93					1,109.93
Senator Tom Cotton:									
United States	Dollar			10,994.50					10,994.50
Austria	Euro		284.50						284.50
United Kingdom	Pound		720.50						720.50
Alex Wong:									
United States	Dollar			10,994.50					10,994.50
Austria	Euro		338.00						338.00
United Kingdom	Pound		774.00						774.00
Delegation Expenses:*									
Austria	Euro			1,033.87		802.38			1,836.25
United Kingdom	Pound					673.04			673.04
Jonathan Epstein:									
United States	Dollar			15,976.30					15,976.30
Kenya	Schilling		1,340.00						1,340.00
Liberia	Dollar		512.00						512.00
Delegation Expenses:*									
Liberia	Dollar					210.64			210.64
Senator Tom Cotton:									
United States	Dollar			18,634.95					18,634.95
Japan	Yen		481.66						481.66
Taiwan	New Dollar		638.00						638.00
South Korea	Won		967.00						967.00
Alex Wong:									
United States	Dollar			18,702.62					18,702.62
Japan	Yen		517.91						517.91
Taiwan	New Dollar		674.25						674.25
South Korea	Won		1,003.25						1,003.25
Thomas Brady:									
United States	Dollar			18,708.70					18,708.70

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Japan	Yen		722.10						722.10
Taiwan	New Dollar		863.00						863.00
South Korea	Won		1,307.42						1,307.42
Delegation Expenses:*									
Japan	Yen								624.51
Taiwan	New Dollar						2,102.00		2,102.00
South Korea	Won						5,405.09		5,405.09
Senator John McCain:									
United States	Dollar				12,162.00				12,162.00
Norway	Krone		742.63						742.63
Sweden	Krona		540.49						540.49
Estonia	Euro		203.31						203.31
Kathryn Wheelbarger:									
United States	Dollar				12,162.00				12,162.00
Norway	Krone		630.63						630.63
Sweden	Krona		698.46						698.46
Estonia	Euro		243.94						243.94
Stephanie Hall:									
United States	Dollar				12,162.00				12,162.00
Norway	Krone		550.00						550.00
Sweden	Krona		582.25						582.25
Estonia	Euro		176.58						176.58
Elizabeth O'Bagy:									
United States	Dollar				12,242.00				12,242.00
Norway	Krone		582.62						582.62
Sweden	Krona		672.10						672.10
Estonia	Euro		176.58						176.58
Delegation Expenses:*									
Sweden	Krona				1,100.00		1,637.71		2,737.71
Norway	Krone				6,367.29		4,528.89		10,896.18
Estonia	Euro						880.21		880.21
Latvia	Euro						251.96		251.96
Senator Mazie Hirono:									
United States	Dollar				11,107.59				11,107.59
Japan	Yen		918.17						918.17
Hiroshi N. Ikeda:									
United States	Dollar				19,122.09				19,122.09
Japan	Yen		1,071.96						1,071.96
Delegation Expenses:*									
Japan	Yen						3,896.47		3,896.47
Daniel Lerner:									
United States	Dollar				9,763.40				9,763.40
United Kingdom	Pound		1,502.00						1,502.00
Kathryn Wheelbarger:									
United States	Dollar				10,082.90				10,082.90
United Kingdom	Pound		1,840.70						1,840.70
Delegation Expenses:*									
United Kingdom	Pound				2,837.53				2,837.53
Cord Sterling:									
United States	Dollar				12,921.10				12,921.10
Germany	Euro		710.59						710.59
Portugal	Euro		546.00						546.00
Spain	Euro		583.00						583.00
Thomas Goffus:									
United States	Dollar				12,850.30				12,850.30
Germany	Euro		710.59						710.59
Portugal	Euro		546.00						546.00
Spain	Euro		583.00						583.00
Dustin Walker:									
United States	Dollar				12,146.30				12,146.30
Germany	Euro		556.69						556.69
Portugal	Euro		609.79						609.79
Spain	Euro		584.21						584.21
Delegation Expenses:*									
Portugal	Euro						286.00		286.00
Spain	Euro				1,027.34				1,027.34
United Kingdom	Pound				760.00				760.00
Senator Lindsey Graham:									
Canada	Dollar		161.82						161.82
Matthew Rinkunas:									
Canada	Dollar		173.07						173.07
Richard Perry:									
Canada	Dollar		173.07						173.07
Delegation Expenses:*									
Canada	Dollar						4,690.00		4,690.00
Steven Barney:									
United States	Dollar				11,266.70				11,266.70
Spain	Euro		178.00						178.00
Italy	Euro		912.67						912.67
Germany	Euro		224.66						224.66
Allen Edwards:									
United States	Dollar				11,261.30				11,261.30
Spain	Euro		178.00						178.00
Italy	Euro		912.34						912.34
Germany	Euro		223.66						223.66
Samantha Clark:									
United States	Dollar				11,171.30				11,171.30
Spain	Euro		178.00						178.00
Italy	Euro		912.34						912.34
Germany	Euro		162.67						162.67
Delegation Expenses:*									
Italy	Euro						198.00		198.00
Senator Jack Reed:									
United States	Dollar				12,262.00				12,262.00
Belgium	Euro		10.00						10.00
Germany	Euro		435.00						435.00
Ukraine	Hryvnia		289.00						289.00
Turkey	Lira		260.00						260.00
Elizabeth King:									
United States	Dollar				12,347.00				12,347.00
Belgium	Euro		10.00						10.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Germany	Euro		525.00						525.00
Ukraine	Hryvnia		289.00						289.00
Turkey	Lira		261.00						261.00
William Monahan:									
United States	Dollar				12,439.43				12,439.43
Belgium	Euro		10.00						10.00
Germany	Euro		457.00						457.00
Ukraine	Hryvnia		296.00						296.00
Turkey	Lira		277.00						277.00
Delegation Expenses:*									
Belgium	Euro				453.07				453.07
Ukraine	Hryvnia						508.68		508.68
Kathryn Wheelbarger:									
United States	Dollar				12,994.28				12,994.28
Djibouti	Franc		344.80						344.80
Kenya	Shilling		1,116.00						1,116.00
Sudan	Pound		463.56						463.56
Adam Barker:									
United States	Dollar				11,170.92				11,170.92
Djibouti	Franc		375.80						375.80
Kenya	Shilling		1,030.00						1,030.00
Sudan	Pound		417.56						417.56
Thomas Goffus:									
United States	Dollar				10,819.11				10,819.11
Djibouti	Franc		345.00						345.00
Kenya	Shilling		975.00						975.00
Sudan	Pound		424.00						424.00
Michael Noblet:									
United States	Dollar				11,283.92				11,283.92
Djibouti	Franc		411.00						411.00
Kenya	Shilling		812.00						812.00
Sudan	Pound		397.00						397.00
Michael Kuiken:									
United States	Dollar				12,994.28				12,994.28
Djibouti	Franc		106.00						106.00
Kenya	Shilling		431.00						431.00
Sudan	Pound		145.00						145.00
Senator John McCain:									
United States	Dollar				12,275.00				12,275.00
Ukraine	Hryvnia		374.75						374.75
Elizabeth O'Bagy:									
United States	Dollar				12,275.00				12,275.00
Ukraine	Hryvnia		298.29						298.29
Delegation Expenses:*									
Ukraine	Hryvnia				299.41		16,185.45		16,484.86
Total			57,963.68		476,124.21		48,708.54		582,796.43

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR JOHN MCCAIN,
Chairman, Committee on Armed Services, Oct. 23, 2015.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ENERGY AND NATURAL RESOURCES FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Tristan Abbey:									
United States	Dollar				11,618.80				11,618.80
Saudi Arabia	Riyal		513.00						513.00
Oman	Rial		578.39						578.39
Qatar	Riyal		279.21						279.21
Delegation Expenses:*									
Saudi Arabia	Riyal						186.66		186.66
Oman	Rial						62.12		62.12
Qatar	Riyal						54.93		54.93
Senator Lisa Murkowski:									
Norway	Kroner		292.78		2,653.01				2,945.79
Iceland	Krona		384.25		150.00				534.25
Senator John Barrasso:									
Norway	Kroner		292.78		2,653.01				2,945.79
Iceland	Krona		384.25		150.00				534.25
Isaac Edwards:									
Norway	Kroner		292.78		2,653.01				2,945.79
Iceland	Krona		384.25		150.00				534.25
Delegation Expenses:*									
Norway	Kroner						2,542.63		2,542.63
Iceland	Krona						1,230.00		1,230.00
Total			3,401.69		20,027.83		4,076.34		27,505.86

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

SENATOR LISA MURKOWSKI,
Chairman, Committee on Energy and Natural Resources, Oct. 27, 2015.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Sean Moore:									
United States	Dollar				1,697.20				1,697.20
Cuba	Peso		1,593.00				955.67		2,548.67
Yvette Martinez:									
United States	Dollar				1,450.20				1,450.20
Cuba	Peso		1,604.00				955.67		2,559.67
Frederick Illston:									
United States	Dollar				2,362.93				2,362.93
Costa Rica	Colon		2,246.01				273.97		2,519.98
Senator Sheldon Whitehouse:									
Norway	Krone		145.45		696.43				841.88
Sweden	Krona		111.33		275.00		409.43		795.76
Estonia	Euro		50.14						50.14
Latvia	Euro				43.57		19.43		63.00
Lacy Dwyer:									
Norway	Krone		22.78		696.43				719.21
Sweden	Krona		99.77		275.00		409.43		784.20
Estonia	Euro		50.14						50.14
Latvia	Euro				43.57		19.43		63.00
Senator Sheldon Whitehouse:									
Canada	Dollar		143.59				1,563.34		1,706.93
Aaron Goldner:									
Canada	Dollar		184.59				1,563.34		1,747.93
Senator Mike Rounds:									
Norway	Krone		292.78		2,653.01		847.55		3,793.34
Iceland	Krona		384.25		150.00		410.00		944.25
Total			6,927.83		10,343.34		7,427.26		24,698.43

SENATOR JAMES M. INHOFE,
Chairman, Committee on Environment and Public Works, Oct. 23, 2015.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Everett Eissenstat:									
Japan	Yen		529.50						529.50
Vietnam	Dong		708.89						708.89
Malaysia	Ringgit		640.73						640.73
United States	Dollar				18,291.00				18,291.00
Shane Warren:									
Japan	Yen		555.26						555.26
Vietnam	Dong		710.53						710.53
Malaysia	Ringgit		663.43						663.43
United States	Dollar				16,476.50				16,476.50
Douglas Petersen:									
Japan	Yen		579.81						579.81
Vietnam	Dong		704.61						704.61
Malaysia	Ringgit		710.61						710.61
United States	Dollar				16,479.80				16,479.80
Aaron Fobes:									
Japan	Yen		639.29						639.29
Vietnam	Dong		686.87						686.87
Malaysia	Ringgit		307.27						307.27
United States	Dollar				10,912.60				10,912.60
Elissa Alben:									
Japan	Yen		464.55						464.55
Vietnam	Dong		638.96						638.96
Malaysia	Ringgit		645.94						645.94
United States	Dollar				16,644.00				16,644.00
Milan Dalal:									
Japan	Yen		446.32						446.32
Vietnam	Dong		718.73						718.73
Malaysia	Ringgit		541.00						541.00
United States	Dollar				15,129.00				15,129.00
Treon Glenn:									
Japan	Yen		486.61						486.61
Vietnam	Dong		652.03						652.03
Malaysia	Ringgit		555.23						555.23
United States	Dollar				15,773.00				15,773.00
Eric Toy:									
Japan	Yen		506.86						506.86
Vietnam	Dong		657.13						657.13
Malaysia	Ringgit		576.88						576.88
United States	Dollar				18,542.00				18,542.00
Riki Parikh:									
Japan	Yen		450.01						450.01
Vietnam	Dong		692.69						692.69
Malaysia	Ringgit		644.77						644.77
United States	Dollar				8,951.60				8,951.60
Ryan Evans:									
Japan	Yen		413.59						413.59
Vietnam	Dong		646.95						646.95
Malaysia	Ringgit		645.38						645.38
United States	Dollar				15,088.80				15,088.80
Delegation Expenses: *									
United States	Dollar						8,200.23		8,200.23
Greta Peisch:									
Cuba	Peso		554.25						554.25
Guatemala	Quetzal		278.18						278.18
Argentina	Peso		750.25						750.25
United States	Dollar				9,025.88				9,025.88

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Isaiah Akin:									
Cuba	Peso		626.65						626.65
Guatemala	Quetzal		369.10						369.10
Argentina	Peso		901.47						901.47
United States	Dollar				8,621.88				8,621.88
Delegation Expenses:*									
United States	Dollar						1,039.00		1,039.00
Caitlin Gearen:									
Kuwait	Dinar		561.15						561.15
Jordan	Dinar		683.03						683.03
Qatar	Riyal		462.79						462.79
Turkey	Lira		598.22						598.22
United States	Dollar				5,765.80				5,765.80
Total			23,605.52		175,701.86		9,239.23		208,546.61

* Delegation Expenses include transportation, interpretation, embassy overtime and other official expenses in accordance with the responsibilities of the host country.

SENATOR ORRIN G. HATCH,
Chairman, Committee on Finance, Oct. 23, 2015.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Barrasso:									
Norway	Krone		270.00		1,591.82				1,861.82
Sweden	Krona		536.03						536.03
Estonia	Euro		176.58						176.58
United States	Dollar				12,600.10				12,600.10
Delegation Expenses:*									
Norway	Krone						1,132.22		1,132.22
Sweden	Krona						684.42		684.42
Estonia	Euro						222.05		222.05
Latvia	Euro						62.99		62.99
Senator Barbara Boxer:									
Cuba	Peso		2,374.00						2,374.00
Costa Rica	Colon		2,124.60						2,124.60
United States	Dollar				3,444.36				3,444.36
Delegation Expenses:*									
Cuba	Peso						955.66		955.66
Costa Rica	Colon						273.96		273.96
United States	Dollar				14,223.90				14,223.90
Senator Ben Cardin:									
Honduras	Lempiras		289.43						289.43
El Salvador	Dollar		487.57						487.57
United States	Dollar				3,153.70				3,153.70
Brandon Yoder:									
Honduras	Lempiras		333.00						333.00
El Salvador	Dollar		744.00						744.00
United States	Dollar				2,567.70				2,567.70
Delegation Expenses:*									
Honduras	Lempiras						594.00		594.00
El Salvador	Dollar						494.45		494.45
Senator Bob Corker:									
Venezuela	Bolivar		564.80						564.80
United States	Dollar				5,770.70				5,770.70
Todd Womack:									
Venezuela	Bolivar		764.80						764.80
United States	Dollar				5,789.90				5,789.90
Caleb McCarr:									
Venezuela	Bolivar		641.84						641.84
United States	Dollar				6,326.30				6,326.30
Delegation Expenses:*									
Venezuela	Bolivar						5,844.83		5,844.83
Senator Cory Gardner:									
Japan	Yen		527.00						527.00
Korea	Won		510.00						510.00
China	Renminbi		279.52						279.52
Hong Kong	Hong Kong Dollar		459.89						459.89
United States	Dollar				19,237.10				19,237.10
Igor Khrestin:									
Japan	Yen		468.00						468.00
Korea	Won		569.00						569.00
China	Renminbi		387.52						387.52
Hong Kong	Hong Kong Dollar		435.88						435.88
United States	Dollar				17,325.40				17,325.40
Delegation Expenses:*									
Japan	Yen						2,304.14		2,304.14
Korea	Won						783.41		783.41
China	Renminbi						650.94		650.94
Hong Kong	Hong Kong Dollar						583.27		583.27
Senator Christopher Murphy:									
United Arab Emirates	Dirham		555.70						555.70
Qatar	Riyal		395.04						395.04
Iraq	Dollar		86.00		1,150.00				1,236.00
Jordan	Dinar		430.41						430.41
United States	Dollar				17,364.00				17,364.00
Jessica Elledge:									
United Arab Emirates	Dirham		542.70						542.70
Qatar	Riyal		395.04						395.04
Iraq	Dollar		86.00		1,150.00				1,236.00
Jordan	Dinar		430.41						430.41
United States	Dollar				17,364.00				17,364.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Delegation Expenses:									
United Arab Emirates	Dirham						508.53		508.53
Qatar	Riyal						240.60		240.60
Iraq	Dollar						2,300.00		2,300.00
Jordan	Dinar						695.52		695.52
United States	Dollar				1,957.50				1,957.50
Senator David Perdue:									
Australia	Dollar		859.11						859.11
Indonesia	Rupiah		239.26						239.26
Singapore	Dollar		889.91						889.91
Caitlin Poling:									
Australia	Dollar		802.83						802.83
Indonesia	Rupiah		239.26						239.26
Singapore	Dollar		889.01						889.01
Delegation Expenses:									
Australia	Dollar						2,664.22		2,664.22
Indonesia	Rupiah						465.80		465.80
Singapore	Dollar						580.20		580.20
Robert Hunter Bethea:									
Saudi Arabia	Riyal		560.00						560.00
Qatar	Riyal		364.21						364.21
Oman	Rial		629.39						629.39
United States	Dollar				11,534.00				11,534.00
David Andrew Olson:									
Saudi Arabia	Riyal		609.75						609.75
Qatar	Riyal		364.17						364.17
Oman	Rial		627.36						627.36
United States	Dollar				11,564.00				11,564.00
Delegation Expenses:									
Saudi Arabia	Riyal						373.33		373.33
Qatar	Riyal						109.86		109.86
Oman	Rial						124.24		124.24
Brooke Eisele:									
Kosovo	Euro		516.17						516.17
Ukraine	Hryvnia		726.95						726.95
United States	Dollar				11,184.30				11,184.30
Kirsten Madison:									
Ukraine	Hryvnia		838.00						838.00
United States	Dollar				8,936.40				8,936.40
Delegation Expenses:									
Ukraine	Hryvnia						1,324.90		1,324.90
Jaime Fly:									
Qatar	Riyal		324.65						324.65
United Arab Emirates	Dirham		667.59						667.59
Israel	Shekel		853.99						853.99
United States	Dollar				15,093.06				15,093.06
John Rader:									
Qatar	Riyal		364.72						364.72
United Arab Emirates	Dirham		1,021.08						1,021.08
Israel	Shekel		743.25						743.25
United States	Dollar				15,093.06				15,093.06
Delegation Expenses: *									
Qatar	Riyal						158.60		158.60
United Arab Emirates	Dirham						372.06		372.06
Israel	Shekel						1,801.83		1,801.83
Heather Flynn:									
Nigeria	Naira		1,811.43						1,811.43
Germany	Euro		494.67						494.67
Uganda	Shilling		460.00						460.00
United States	Dollar				15,855.30				15,855.30
Alec Johnson:									
Kuwait	Dinar		377.05						377.05
Jordan	Dinar		1,050.87						1,050.87
Turkey	Lira		581.97						581.97
Qatar	Riyal		613.50						613.50
United States	Dollar				6,816.20				6,816.20
Tri Nguyen:									
Kuwait	Dinar		315.61						315.61
Jordan	Dinar		606.00						606.00
Turkey	Lira		479.99						479.99
Qatar	Riyal		556.62						556.62
United States	Dollar				5,914.80				5,914.80
Delegation Expenses: *									
Kuwait	Dinar						316.16		316.16
Jordan	Dinar						370.49		370.49
Turkey	Lira						93.11		93.11
Qatar	Riyal						40.15		40.15
Caleb McCarr:									
Italy	Euro		1,674.00						1,674.00
United States	Dollar				14,375.70				14,375.70
Todd Womack:									
Italy	Euro		1,674.00						1,674.00
United States	Dollar				14,662.20				14,662.20
Delegation Expenses: *									
Italy	Euro						1,861.52		1,861.52
Thomas Mancinelli:									
Senegal	Franc		224.66						224.66
Ethiopia	Birr		825.87						825.87
Rwanda	Franc		504.19						504.19
Gabon	Franc		809.93						809.93
Delegation Expenses: *									
Senegal	Franc						955.14		955.14
Ethiopia	Birr						528.35		528.35
Rwanda	Franc						282.76		282.76
Gabon	Central African Franc						241.25		241.25
Damian Murphy:									
India	Rupee		709.11						709.11
Sri Lanka	Rupee		808.76						808.76
United States	Dollar				13,753.75				13,753.75
Charlotte Oldham-Moore:									
India	Rupee		763.99						763.99

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Sri Lanka	Rupee		727.50						727.50
United States	Dollar				13,753.75				13,753.75
Delegation Expenses:*									
India	Rupee					715.49			715.49
Stacie Oliver:									
Austria	Euro		288.65						288.65
Turkey	Lira		286.88						286.88
Netherlands	Euro		531.48						531.48
United States	Dollar				4,257.00				4,257.00
Delegation Expenses:*									
Austria	Euro					666.91			666.91
Turkey	Lira					37.65			37.65
Netherlands	Euro					194.72			194.72
Michael Phelan:									
Eritrea	Nakfa		968.50						968.50
United States	Dollar				5,868.20				5,868.20
Delegation Expenses:*									
Eritrea	Nakfa					132.60			132.60
Nicole Porreca:									
Kuwait	Dinar		455.03						455.03
Jordan	Dinar		375.87						375.87
Turkey	Lira		657.56						657.56
Iraq					2,700.00				2,700.00
Delegation Expenses:*									
Kuwait	Dinar					48.91			48.91
Jordan	Dinar					94.68			94.68
Turkey	Lira					400.89			400.89
Michael Schiffer:									
Burma	Kyat		1,820.00						1,820.00
United States	Dollar				11,325.70				11,325.70
Delegation Expenses:*									
Burma	Kyat					3,872.00			3,872.00
Chris Socha:									
Poland	Zloty		224.00						224.00
United States	Dollar				4,244.30				4,244.30
Morgan Vina:									
Kenya	Shilling		1,015.91		205.60				1,221.51
Namibia	Namibian Dollar		760.82						760.82
United States	Dollar				4,015.50				4,015.50
Delegation Expenses:*									
Kenya	Shilling					22.01			22.01
Namibia	Namibian Dollar					553.88			553.88
Brandon Yoder:									
Nicaragua	Cordoba		632.90						632.90
Costa Rica	Colon		225.12						225.12
United States	Dollar				1,111.93				1,111.93
Delegation Expenses:*									
Costa Rica	Colon					286.78			286.78
Total			53,307.86		323,281.23		38,021.48		414,610.57

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR BOB CORKER,
Chairman, Committee on Foreign Relations, Oct. 23, 2015.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Jason Rauch:									
United States	Dollar				5,895.80				5,895.80
Kuwait	Dinar		390.00						390.00
Jordan	Dinar		870.00						870.00
Qatar	Riyal		590.00						590.00
Turkey	Lira		570.00						570.00
Senator Gary Peters:									
United States	Dollar				12,994.00				12,994.00
United Arab Emirates	Dirham		198.00						198.00
Qatar	Riyal		191.89						191.89
Iraq	Dinar		11.00						11.00
Jordan	Dinar		238.87						238.87
Brooke Ericson:									
United States	Dollar				965.93				965.93
Canada	Dollar		334.40						334.40
Roscoe Jones, Jr.:									
United States	Dollar		273.10		1,000.93				1,000.93
Canada	Dollar								273.10
Jose Bautista:									
United States	Dollar				505.83				505.83
Canada	Dollar		326.40						326.40
Holly Idelson:									
United States	Dollar				1,000.93				1,000.93
Canada	Dollar		282.13						282.13
Delegation Expenses:*									
Jordan	Dinar					740.98			740.98
Qatar	Riyal					80.31			80.31
Turkey	Lira					186.22			186.22
Total			4,275.79		22,363.42		1,007.51		27,646.72

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR RON JOHNSON,
Chairman, Committee on Homeland Security and Governmental Affairs,
Oct. 29, 2015.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON THE JUDICIARY FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Cornyn:									
Australia	Dollar		1,235.00						1,235.00
Indonesia	Rupiah		289.00						289.00
Singapore	Dollar		930.00						930.00
Beth Jafari:									
Australia	Dollar		1,157.00						1,157.00
Indonesia	Rupiah		257.00						257.00
Singapore	Dollar		930.00						930.00
Monica Popp:									
Australia	Dollar		1,157.00						1,157.00
Indonesia	Rupiah		257.00						257.00
Singapore	Dollar		930.00						930.00
Jonathan Porter:									
Australia	Dollar		1,207.00						1,207.00
Indonesia	Rupiah		257.00						257.00
Singapore	Dollar		930.00						930.00
Senator Thom Tillis:									
Australia	Dollar		970.92						970.92
Indonesia	Rupiah		257.00						257.00
Singapore	Dollar		870.95						870.95
Delegation Expenses:*									
Australia	Dollar						7,350.54		7,350.54
Indonesia	Rupiah						1,164.50		1,164.50
Singapore	Dollar						1,441.09		1,441.09
Total			11,634.87				9,956.13		21,591.00

*Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

SENATOR CHUCK GRASSLEY,
Chairman, Committee on the Judiciary, Oct. 23, 2015.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Al Franken:									
Senegal	Franc		342.65		692.11				1,034.76
Ethiopia	Birr		859.37						859.37
Rwanda	Franc		561.86						561.86
Gabon	Franc		954.83						954.83
Ali Nouri:									
Senegal	Franc		370.61		692.11				1,062.72
Ethiopia	Birr		759.59						759.59
Rwanda	Franc		509.22						509.22
Gabon	Franc		782.93						782.93
Delegation Expenses:*									
Senegal	Franc						3,232.29		3,232.29
Ethiopia	Birr						1,056.71		1,056.71
Rwanda	Franc						1,250.00		1,250.00
Gabon	Franc						827.14		827.14
Total			5,141.06		1,384.22		6,366.14		12,891.42

*Delegation expenses include payments and reimbursements to the Department of State under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and S. Res. 179, agreed to May 25, 1977.

SENATOR LAMAR ALEXANDER,
Chairman, Committee on Health, Education, Labor, and Pensions,
Oct. 23, 2015.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), SELECT COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Ryan Tully:									
.....			202.00						202.00
.....			664.00						664.00
.....					10,079.50				10,079.50
Josh Alexander:									
.....			382.00						382.00
Walter Weiss:									
.....			382.00						382.00
Randy Bookout:									
.....			870.00						870.00
.....			10,412.00						10,412.00
.....			1,487.38						1,487.38
Christian Cook:									
.....			870.00						870.00
.....					10,412.00				10,412.00
Paul Matulic:									
.....			870.00						870.00
.....					10,412.00				10,412.00
Jennifer Barrett:									
.....			342.00						342.00
Hayden Milberg:									
.....			1,803.00				126.70		1,929.70

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), SELECT COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Paul Matulic:	200.00	.....	14,491.30	.....	.....	.....	200.00
	14,491.30
	1,803.00	.....	.....	.....	126.70	.....	1,929.70
Senator Tom Cotton:	200.00	.....	14,491.30	.....	.....	.....	200.00
	14,491.30
	390.00	.....	.....	.....	.....	.....	390.00
Total	10,465.38	.....	70,298.10	.....	253.40	.....	81,016.88

SENATOR RICHARD BURR,
Chairman, Select Committee on Intelligence, Oct. 23, 2015.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), REPUBLICAN LEADER FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Dr. Brian Monahan:	.....	.....	.....	.....	.....	.....	.....	.....	.....
Czech Republic	Dollar	.....	428.75	.....	.....	.....	.....	.....	428.75
Ukraine	Dollar	.....	496.63	.....	.....	.....	.....	.....	496.63
Finland	Dollar	.....	1,155.00	.....	.....	.....	.....	.....	1,155.00
Brendan Dunn:	.....	.....	.....	.....	.....	.....	.....	.....	.....
Japan	Dollar	.....	455.00	.....	.....	.....	.....	.....	455.00
Malaysia	Dollar	.....	569.40	.....	.....	.....	.....	.....	569.40
Vietnam	Dollar	.....	675.56	.....	.....	.....	.....	.....	675.56
United States	Dollar	.....	.....	.....	9,006.80	.....	.....	.....	9,006.80
Thomas Hawkins:	.....	.....	.....	.....	.....	.....	.....	.....	.....
Austria	Dollar	.....	318.75	.....	.....	.....	.....	.....	318.75
United Kingdom	Dollar	.....	1,625.76	.....	.....	.....	.....	.....	1,625.76
United States	Dollar	.....	.....	.....	11,711.90	.....	.....	.....	11,711.90
United States	Dollar	.....	.....	.....	14,491.30	.....	.....	.....	14,491.30
United Arab Emirates	Dirham	.....	1,628.00	.....	.....	.....	126.70	.....	1,754.70
Pakistan	Rupee	.....	200.00	.....	.....	.....	.....	.....	200.00
Total	.....	.....	7,552.85	.....	35,210.00	.....	126.70	.....	42,889.55

SENATOR MITCH MCCONNELL,
Republican Leader, Oct. 27, 2015.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2015

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Amb. David Killian:	.....	.....	.....	.....	.....	.....	.....	.....	.....
Ukraine	Hryvnia	.....	594.00	.....	.....	.....	.....	.....	594.00
Czech Republic	Koruna	.....	466.00	.....	.....	.....	.....	.....	466.00
Finland	Euro	.....	2,050.00	.....	.....	.....	.....	.....	2,050.00
United States	Dollar	.....	.....	.....	10,024.10	.....	.....	.....	10,024.10
Poland	Zloty	.....	2,600.00	.....	.....	.....	.....	.....	2,600.00
United States	Dollar	.....	.....	.....	9,272.00	.....	.....	.....	9,272.00
Total	.....	.....	5,710.00	.....	19,296.10	.....	.....	.....	25,006.10

SENATOR ROGER F. WICKER,
Chairman, Commission on Security and Cooperation in Europe,
Oct. 15, 2015.

UNANIMOUS CONSENT AGREE-
MENT—HOUSE MESSAGE TO AC-
COMPANY S. 1356

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following leader remarks on Tuesday, November 10, the Chair lay before the Senate the House message to accompany S. 1356; that Senator McCain or his designee be recognized to offer a motion to concur in the House amendment and that there then be 20 minutes equally divided before a vote on the motion to concur; further, that if the motion to concur is agreed to, the Senate proceed

to the immediate consideration of H. Con. Res. 90, the resolution be agreed to, and the motions to reconsider be considered made and laid upon the table, all without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREE-
MENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 5:30 p.m. on Monday, November 9, the Senate proceed to executive session to con-

sider the following nomination: Calendar No. 334; that the Senate vote on the nomination without intervening action or debate; that following disposition of the nomination the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL NURSE-MANAGED HEALTH CLINIC WEEK

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 303.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 303) designating the week beginning November 8, 2015, as "National Nurse-Managed Health Clinic Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 303) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of November 3, 2015, under "Submitted Resolutions.")

AUTHORIZING USE OF EMANCIPATION HALL

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 24.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 24) authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of the marble bust of Vice President Richard Cheney on December 3, 2015.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 24) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

RECOGNIZING NATIONAL NATIVE AMERICAN HERITAGE MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 307, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 307) recognizing National Native American Heritage Month and celebrating the heritages and cultures of Native Americans and the contributions of Native Americans to the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 307) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

EXPRESSING SUPPORT FOR DESIGNATING OCTOBER 20, 2015, AS THE NATIONAL DAY ON WRITING

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 308, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 308) expressing support for the designation of October 20, 2015, as the "National Day on Writing."

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 308) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

RELATIVE TO THE DEATH OF FRED THOMPSON, FORMER UNITED STATES SENATOR FOR THE STATE OF TENNESSEE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 309, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 309) relative to the death of Fred Thompson, former United States Senator for the State of Tennessee.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 309) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES AND A CONDITIONAL RECESS OR AD- JOURNMENT OF THE SENATE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 92.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 92) providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 92) was agreed to, as follows:

H. CON. RES. 92

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Thursday, November 5, 2015, through Thursday, November 12, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, November 16, 2015, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Tuesday, November 10, 2015, through Friday, November 13, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, November 16, 2015, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader

of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Majority Leader of the Senate or his designee, after concurrence with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand adjourned pursuant

to the first section of this concurrent resolution.

ORDERS FOR MONDAY,
NOVEMBER 9, 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, November 9; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of H.R. 2029, with the time until 5:30 p.m. equally divided in the usual form; finally, that at 5:30

p.m., the Senate proceed to executive session as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY,
NOVEMBER 9, 2015, AT 3 P.M.

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the provisions of S. Res. 309 as a further mark of respect to the late Fred Thompson, former Senator from Tennessee.

There being no objection, the Senate, at 5:53 p.m., adjourned until Monday, November 9, 2015, at 3 p.m.

HOUSE OF REPRESENTATIVES—Thursday, November 5, 2015

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Dear God, we give You thanks for giving us another day.

We ask Your special blessing upon the Members of this people's House. They face difficult decisions in difficult times with many forces and interests demanding their attention.

We are grateful, O God, that You have given to them the goals of justice and the designs of freedom. Remind each Member that it is their work to develop the strategies of achieving those goals and designs, being mindful of the prompting of Your spirit.

You have given to each of them, and to us all, the abilities to do good works. So we pray that we will be faithful in our tasks, responsible in our actions, and fervent in our desire to serve.

Bless us, O God, this day and every day to come. May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. HECK of Nevada. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. HECK of Nevada. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas (Mr. CONAWAY) come forward and lead the House in the Pledge of Allegiance.

Mr. CONAWAY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

SAVE THE CHRISTIANS FROM GENOCIDE ACT

(Mr. ROHRABACHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROHRABACHER. Mr. Speaker, I rise today to introduce legislation declaring the Christians and Yazidis of Syria, Iraq, Pakistan, Iran, Egypt, and Libya as targets of genocide. This bill will make them eligible for expedited refugee and visa processing for entry into the United States and give them priority over other applicants.

The Save the Christians from Genocide Act is imperative at this time. The alarm bell is ringing. Ancient long-standing communities of Christians in the Middle East are being murdered individually and en masse, targeted for extinction. Under President Obama's leadership, our government has stood by impotently and watched this crime against humanity.

I call on my colleagues and Members of this House to join me in cosponsoring this bill to save the Christians from genocide. Hundreds of thousands of Muslims are finding safety and economic handouts in Europe, but what about the true targets of genocide? Where is their safe haven?

I ask my colleagues to join me to support the Save the Christians from Genocide Act to prioritize our immigration and refugee policy to save these Christians from facing brutal extinction.

I rise now and will ask my colleagues to join me in cosponsoring this bill. I, at this moment, will submit it to Congress for consideration.

ROYALS 2015 WORLD CHAMPIONSHIP

(Mr. CLEAVER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLEAVER. Mr. Speaker, I am very pleased to be here this morning.

On Sunday, November 1, the Kansas City Royals took game five of the World Series from a very good New York Mets team. They beat them in the 12th inning, and they bring the Commissioner's Trophy back to Kansas City for the first time in 30 years.

The Royals' championship season had the best record in the American League: 95 wins, defeated the Astros in five games, defeated the Blue Jays in six, and defeated the Mets in the World Series in five games. These unheralded comeback kids scored 51 runs in the seventh inning or after in the post-season, shattering the previous record by 15 runs.

It was made clear on Tuesday that this championship was not only about the Royals, but about their loyal fan base. Mr. Speaker, 800,000 people turned out for the celebration. Every school within 100 miles was closed.

The 2015 Royals team epitomizes what it means to play like a team. Our players never gave up. They have respect for themselves and the game, and they treat each other like family.

I want to congratulate my team, the Kansas City Royals, and express sympathy for the losers.

SALVAGE TIMBER BURN

(Mr. LAMALFA asked and was given permission to address the House for 1 minute.)

Mr. LAMALFA. Mr. Speaker, California and the West continue to be ravaged by wildfires each summer and fall, which is especially devastating to our forests in a time of record drought. Much is done on suppressing fires as they happen, to the tune of hundreds of millions of dollars of sometimes unplanned emergency funds, as well as hundreds of millions in loss of the people's assets: the forestland and trees are in that inventory and, with it, the habitat, all of value not frequently accounted for on public lands.

What I am immediately frustrated by is the lack of mobilization after a fire for the important salvage work needed on public land and how important it is that it be timely. Large trees after a fire, many of them can be salvaged within a year, and their value, sold to help recover costs for needed reforestation.

This is important for many reasons, such as: habitat; the renewal of the forest; and the critical prevention of massive erosion into our streams, rivers, lakes, and other waterways after a fire, which replantings help mitigate. Indeed, with the EPA's waters of the

United States emphasis, they should be looking at their own timely treatment of their own jurisdictional public lands first.

We need timely issuance now of the permitting that the Forest Service and the U.S. Fish and Wildlife Service are holding in their hands for even modest work still pending on 2014 fires. I urge these permitting entities to expedite the paperwork now to salvage what we can of 2014 timber burn that has little time left to salvage at a value that will help taxpayers, instead of cost them.

UNIVERSITY OF CALIFORNIA AT MERCED

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, today I rise with a heavy heart to convey my thoughts, prayers, and support for the students, the faculty, and the staff of the University of California at Merced in my district, one of the rising stars and the newest university in the University of California system. It is 11 years old, with 6,700 students.

Yesterday was a very sad and unfortunate day. An incident occurred where four individuals were stabbed by a student on campus. The good news is that I am told that they will all recover, but it was a tragic act of violence. The campus was shut down.

My thoughts and prayers are with the victims, their families, and all those who are part of the University of California campus at Merced, a wonderful community that I am honored to represent.

I am touched, but not surprised, by the courage and the bravery that the students have shown during this difficult time. I am also not surprised by the amount of community support that has come together over the last 24 hours.

The university community that Chancellor Dorothy Leland and the faculty have built is a tremendous support within the Merced campus. It is very special, and I know everybody is reaching out to support everyone at this difficult time.

Again, my prayers and thoughts are with the victims and their families, the faculty, the students, and the administration. We, today, are all University of California Merced Bobcats.

Stay strong and courageous. We are all with you. God bless.

STAFF SERGEANT RYAN D. HAMMOND

(Mr. MCKINLEY asked and was given permission to address the House for 1 minute.)

Mr. MCKINLEY. Mr. Speaker, I rise today to pay tribute to Staff Sergeant Ryan Hammond of Moundsville, West

Virginia. Staff Sergeant Hammond was one of six airmen killed last month when their C-130 crashed at Jalalabad.

A native of Moundsville, Staff Sergeant Hammond joined the Air Force after graduating from John Marshall High School in Glen Dale.

On Tuesday, I joined with Ryan's family and friends to honor his life, service, and sacrifice at Arlington National Cemetery. The burial service was a reminder that the expense of individual freedom is steep, row after row of white headstones with names of Americans who gave their ultimate sacrifice.

Dozens of his fellow squadron members paid tribute to Staff Sergeant Hammond during the ceremony. As they filed past, they laid their wings upon his coffin, a final salute to a young airman who followed his dream of flying. There was not a dry eye at the grave site.

Thomas Paine said, 200 years ago:

Those who expect to reap the blessings of freedom, must undergo the fatigue of supporting it.

I offer my condolences to Staff Sergeant Hammond's family; his wife, Holly; his parents, David and Cathy; and his friends.

Staff Sergeant Hammond will be missed, but his sacrifices will never be forgotten.

REVIVE THE SALTON SEA

(Mr. RUIZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RUIZ. Mr. Speaker, today we are leading the way at the Red Hill Bay to revive the Salton Sea. The Salton Sea is the largest body of water in and poses the largest public health and economic threat to California.

As the sea recedes, windblown dust containing arsenic and pesticides can cause respiratory distress in kids and seniors in the surrounding communities. The noxious odors may reduce home values and harm our tourism industry, costing billions of dollars. For too long, there has been study after study but no concrete action.

Today, at the Salton Sea's Red Hill Bay, we break ground on the first large-scale project to help prevent dust exposure and promote renewable energy development.

Imagine a Salton Sea that hosts the largest renewable energy industrial park in the Nation, creating jobs in southern California, while preserving wildlife habitat and preventing the noxious dust our children may breathe. Imagine a Salton Sea that, once again, attracts tourists from throughout the globe.

This is my vision for the Salton Sea, and today we took the first step to making this vision a reality.

GOFFSTOWN HIGH SCHOOL FOOTBALL

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, I rise to salute the Goffstown Grizzlies football team, a high school with just 1,000 students who have an amazing story of perseverance and achievement.

Thanks to great coaching and hard work, the team qualified for a division 3 championship a few years ago and has since advanced to division 1, the toughest in the Granite State. Even their fans thought competing at this level would be a tall order.

The Grizzlies are undefeated this season. They entered Saturday's playoff game ranked number one; and they got there with exciting defense and special teams blocking punts and returning kickoffs for touchdowns.

The Grizzlies have the Granite State's fiercest linebacking crew and a sack leader. Their kicker boots 45-yard field goals, helping his team to average more than 42 points a game. The running back rushed for over 1,000 yards this season and scored over 20 touchdowns. They have New Hampshire's most potent passing attack and incredible local support.

Their spirited fans make it easy to like the Grizzlies, who take on the Second District's North Nashua Titans this weekend.

I wish both teams well but the Grizzlies just a little bit better.

TRUMP'S SNL APPEARANCE

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to encourage Saturday Night Live to disinvite Donald Trump from hosting their show this weekend.

Many may believe that Mr. Trump is just causing controversy so that he can get media attention, but his divisive and racist rhetoric has very troubling and real-world consequences.

Many businesses and individuals have severed ties with Mr. Trump. Even SNL's owner, NBC Universal, stated that, "At NBC, respect and dignity for all people are cornerstones of our values," and they ended their relationship with Mr. Trump.

Perhaps this blunder happened because currently there is no Latino cast member on SNL, and there have only been two in the entire history of SNL.

I hope Saturday Night Live's producers, writers, and cast members will consider how Donald Trump hosting SNL will compromise the integrity of their show. Having Mr. Trump degrades the quality of SNL's humor because racism isn't funny. It is lazy, and it is cheap.

Comedy has the power to highlight hypocrisy in society and reveal important social truths and political commentary. SNL has achieved that in the past, and I hope it returns.

□ 0915

HAPPY 100TH BIRTHDAY TO TSCPA

(Mr. CONAWAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONAWAY. Mr. Speaker, I rise today to congratulate the Texas Society of CPAs on their 100th birthday. As a lifetime member of the TSCPA and a past chairman of the Texas State Board of Public Accountancy, the TSCPA holds a special place in my heart.

While not in plain view and often not recognized, CPAs are a special part of our communities. They do important oversight and regulation work that is integral to the functioning of our society. Bottom line, CPAs are essential for facilitating a thriving commercial system.

Some important TSCPA initiatives include financial literacy education and financial preparation in the event of a disaster. Both of these outreach programs are designed to help the general public improve their lives. Simply put, TSCPA is teaching people how to fish. In a complex world, these financial skills will benefit them and their children for the rest of their lives.

For 100 years, the TSCPA has been growing the profession, maintaining the profession's integrity, molding leaders, and helping others. Its growth is in the evidence of its success. Since its founding in 1915, the TSCPA has grown to 20 chapters and a membership of nearly 28,000 CPAs.

I am a proud member of the profession. I am proud to be a CPA, I am proud of my fellow CPAs, and I am proud of the TSCPA. I wish them happy birthday on their 100th birthday.

NOVEMBER IS MEN'S HEALTH MONTH

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Mr. Speaker, in our national conversation on health and health disparities, we often forget that men face some unique health and health access challenges. So I rise today on behalf of men around the world to recognize November as Men's Health Month and to raise awareness for men's health issues.

Today American men face a mortality rate 41 percent higher than women. Life expectancy for men is 76 years compared to 81 for women. American men face a higher mortality rate than women for 8 of the 10 leading

causes of death, including cancer, liver disease, and heart disease. Additionally, men are at increased risk of mental health problems and 4.1 times more likely to commit suicide than women.

These are serious issues facing men around the world. Every November men around the world grow out their mustaches to raise awareness for these and other issues facing men. While I won't be able to join my colleagues in growing facial hair to raise awareness, I will be working behind the scenes to spread the word. In the meantime, I urge my colleagues to become educated about men's health and to stay healthy.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HULTGREN). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

Mr. THORNBERRY. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1356) to clarify that certain provisions of the Border Patrol Agent Pay Reform Act of 2014 will not take effect until after the Director of the Office of Personnel Management promulgates and makes effective regulations relating to such provisions, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1356

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Defense Authorization Act for Fiscal Year 2016".

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into four divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(4) Division D—Funding Tables.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

Sec. 3. Congressional defense committees.

Sec. 4. Budgetary effects of this Act.

Sec. 5. Explanatory statement.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Prioritization of upgraded UH-60 Blackhawk helicopters within Army National Guard.

Sec. 112. Roadmap for replacement of A/MH-6 Mission Enhanced Little Bird aircraft to meet special operations requirements.

Sec. 113. Report on options to accelerate replacement of UH-60A Blackhawk helicopters of Army National Guard.

Sec. 114. Sense of Congress on tactical wheeled vehicle protection kits.

Subtitle C—Navy Programs

Sec. 121. Modification of CVN-78 class aircraft carrier program.

Sec. 122. Amendment to cost limitation baseline for CVN-78 class aircraft carrier program.

Sec. 123. Extension and modification of limitation on availability of funds for Littoral Combat Ship.

Sec. 124. Modification to multiyear procurement authority for Arleigh Burke class destroyers and associated systems.

Sec. 125. Procurement of additional Arleigh Burke class destroyer.

Sec. 126. Refueling and complex overhaul of the U.S.S. George Washington.

Sec. 127. Fleet Replenishment Oiler Program.

Sec. 128. Limitation on availability of funds for U.S.S. John F. Kennedy (CVN-79).

Sec. 129. Limitation on availability of funds for U.S.S. Enterprise (CVN-80).

Sec. 130. Limitation on availability of funds for Littoral Combat Ship.

Sec. 131. Reporting requirement for Ohio-class replacement submarine program.

Subtitle D—Air Force Programs

Sec. 141. Backup inventory status of A-10 aircraft.

Sec. 142. Prohibition on availability of funds for retirement of A-10 aircraft.

Sec. 143. Prohibition on availability of funds for retirement of EC-130H Compass Call aircraft.

Sec. 144. Prohibition on availability of funds for retirement of Joint Surveillance Target Attack Radar System, EC-130H Compass Call, and Airborne Warning and Control System aircraft.

Sec. 145. Limitation on availability of funds for F-35A aircraft procurement.

Sec. 146. Prohibition on availability of funds for retirement of KC-10 aircraft.

Sec. 147. Limitation on availability of funds for transfer of C-130 aircraft.

Sec. 148. Limitation on availability of funds for executive communications upgrades for C-20 and C-37 aircraft.

Sec. 149. Limitation on availability of funds for T-1A Jayhawk aircraft.

Sec. 150. Notification of retirement of B-1, B-2, and B-52 bomber aircraft.

Sec. 151. Inventory requirement for fighter aircraft of the Air Force.

Sec. 152. Sense of Congress regarding the OCONUS basing of F-35A aircraft.

Subtitle E—Defense-wide, Joint, and

Multiservice Matters

Sec. 161. Limitation on availability of funds for Joint Battle Command-Platform.

Sec. 162. Report on Army and Marine Corps modernization plan for small arms.

Sec. 163. Study on use of different types of enhanced 5.56mm ammunition by the Army and the Marine Corps.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations
Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

- Sec. 211. Centers for Science, Technology, and Engineering Partnership.
Sec. 212. Expansion of eligibility for financial assistance under Department of Defense Science, Mathematics, and Research for Transformation Program to include citizens of countries participating in the Technical Cooperation Program.
Sec. 213. Expansion of education partnerships to support technology transfer and transition.
Sec. 214. Improvement to coordination and communication of defense research activities.
Sec. 215. Reauthorization of Global Research Watch program.
Sec. 216. Reauthorization of defense research and development rapid innovation program.
Sec. 217. Science and technology activities to support business systems information technology acquisition programs.
Sec. 218. Department of Defense technology offset program to build and maintain the military technological superiority of the United States.
Sec. 219. Limitation on availability of funds for F-15 infrared search and track capability development.
Sec. 220. Limitation on availability of funds for development of the shallow water combat submersible.
Sec. 221. Limitation on availability of funds for the advanced development and manufacturing facility under the medical countermeasure program.
Sec. 222. Limitation on availability of funds for distributed common ground system of the Army.
Sec. 223. Limitation on availability of funds for distributed common ground system of the United States Special Operations Command.
Sec. 224. Limitation on availability of funds for Integrated Personnel and Pay System of the Army.

Subtitle C—Reports and Other Matters

- Sec. 231. Streamlining the Joint Federated Assurance Center.
Sec. 232. Demonstration of Persistent Close Air Support capabilities.
Sec. 233. Strategies for engagement with Historically Black Colleges and Universities and Minority-serving Institutions of Higher Education.
Sec. 234. Report on commercial-off-the-shelf wide-area surveillance systems for Army tactical unmanned aerial systems.
Sec. 235. Report on Tactical Combat Training System Increment II.
Sec. 236. Report on technology readiness levels of the technologies and capabilities critical to the long-range strike bomber aircraft.

Sec. 237. Assessment of air-land mobile tactical communications and data network requirements and capabilities.

Sec. 238. Study of field failures involving counterfeit electronic parts.

Sec. 239. Airborne data link plan.

Sec. 240. Plan for advanced weapons technology war games.

Sec. 241. Independent assessment of F135 engine program.

Sec. 242. Comptroller General review of autonomic logistics information system for F-35 Lightning II aircraft.

Sec. 243. Sense of Congress regarding facilitation of a high quality technical workforce.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

- Sec. 311. Limitation on procurement of drop-in fuels.
Sec. 312. Southern Sea Otter Military Readiness Areas.
Sec. 313. Modification of energy management reporting requirements.
Sec. 314. Revision to scope of statutorily required review of projects relating to potential obstructions to aviation so as to apply only to energy projects.
Sec. 315. Exclusions from definition of “chemical substance” under Toxic Substances Control Act.

Subtitle C—Logistics and Sustainment

- Sec. 322. Repeal of limitation on authority to enter into a contract for the sustainment, maintenance, repair, or overhaul of the F117 engine.
Sec. 323. Pilot programs for availability of working-capital funds for product improvements.

Subtitle D—Reports

- Sec. 331. Modification of annual report on prepositioned materiel and equipment.
Sec. 332. Report on merger of Office of Assistant Secretary for Operational Energy Plans and Deputy Under Secretary for Installations and Environment.
Sec. 333. Report on equipment purchased noncompetitively from foreign entities.

Subtitle E—Other Matters

- Sec. 341. Prohibition on contracts making payments for honoring members of the Armed Forces at sporting events.
Sec. 342. Military animals: transfer and adoption.
Sec. 343. Temporary authority to extend contracts and leases under the ARMS Initiative.
Sec. 344. Improvements to Department of Defense excess property disposal.
Sec. 345. Limitation on use of funds for Department of Defense sponsorships, advertising, or marketing associated with sports-related organizations or sporting events.
Sec. 346. Reduction in amounts available for Department of Defense headquarters, administrative, and support activities.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

- Sec. 401. End strengths for active forces.
Sec. 402. Revisions in permanent active duty end strength minimum levels.

Subtitle B—Reserve Forces

- Sec. 411. End strengths for Selected Reserve.
Sec. 412. End strengths for reserves on active duty in support of the reserves.
Sec. 413. End strengths for military technicians (dual status).
Sec. 414. Fiscal year 2016 limitation on number of non-dual status technicians.
Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

- Sec. 421. Military personnel.
Sec. 422. Report on force structure of the Army.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

- Sec. 501. Reinstatement of enhanced authority for selective early discharge of warrant officers.
Sec. 502. Equitable treatment of junior officers excluded from an all-fully-qualified-officers list because of administrative error.
Sec. 503. Enhanced flexibility for determination of officers to continue on active duty and for selective early retirement and early discharge.
Sec. 504. Authority to defer until age 68 mandatory retirement for age of a general or flag officer serving as Chief or Deputy Chief of Chaplains of the Army, Navy, or Air Force.
Sec. 505. General rule for warrant officer retirement in highest grade held satisfactorily.
Sec. 506. Implementation of Comptroller General recommendation on the definition and availability of costs associated with general and flag officers and their aides.

Subtitle B—Reserve Component Management

- Sec. 511. Continued service in the Ready Reserve by Members of Congress who are also members of the Ready Reserve.
Sec. 512. Clarification of purpose of reserve component special selection boards as limited to correction of error at a mandatory promotion board.
Sec. 513. Increase in number of days of active duty required to be performed by reserve component members for duty to be considered Federal service for purposes of unemployment compensation for ex-servicemembers.
Sec. 514. Temporary authority to use Air Force reserve component personnel to provide training and instruction regarding pilot training.

Sec. 515. Assessment of Military Compensation and Retirement Modernization Commission recommendation regarding consolidation of authorities to order members of reserve components to perform duty.

Subtitle C—General Service Authorities

Sec. 521. Limited authority for Secretary concerned to initiate applications for correction of military records.

Sec. 522. Temporary authority to develop and provide additional recruitment incentives.

Sec. 523. Expansion of authority to conduct pilot programs on career flexibility to enhance retention of members of the Armed Forces.

Sec. 524. Modification of notice and wait requirements for change in ground combat exclusion policy for female members of the Armed Forces.

Sec. 525. Role of Secretary of Defense in development of gender-neutral occupational standards.

Sec. 526. Establishment of process by which members of the Armed Forces may carry an appropriate firearm on a military installation.

Sec. 527. Establishment of breastfeeding policy for the Department of the Army.

Sec. 528. Sense of Congress recognizing the diversity of the members of the Armed Forces.

Subtitle D—Military Justice, Including Sexual Assault and Domestic Violence Prevention and Response

Sec. 531. Enforcement of certain crime victim rights by the Court of Criminal Appeals.

Sec. 532. Department of Defense civilian employee access to Special Victims' Counsel.

Sec. 533. Authority of Special Victims' Counsel to provide legal consultation and assistance in connection with various Government proceedings.

Sec. 534. Timely notification to victims of sex-related offenses of the availability of assistance from Special Victims' Counsel.

Sec. 535. Additional improvements to Special Victims' Counsel program.

Sec. 536. Enhancement of confidentiality of restricted reporting of sexual assault in the military.

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Sec. 3137. Governance and management of nuclear security enterprise.

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TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

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SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

In this Act, the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

SEC. 4. BUDGETARY EFFECTS OF THIS ACT.

The budgetary effects of this Act, for the purposes of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on the conference report or amendment between the Houses.

SEC. 5. EXPLANATORY STATEMENT.

The explanatory statement regarding this Act, printed in the House section of the Congressional Record on or about November 5, 2015, by the Chairman of the Committee on Armed Services of the House of Representatives and the Chairman of the Committee on Armed Services of the Senate, shall have the same effect with respect to the implementation of this Act as if it were a joint explanatory statement of a committee of conference.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

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Subtitle B—Army Programs

Sec. 111. Prioritization of upgraded UH-60 Blackhawk helicopters within Army National Guard.

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Subtitle C—Navy Programs

- Sec. 121. Modification of CVN-78 class aircraft carrier program.
- Sec. 122. Amendment to cost limitation baseline for CVN-78 class aircraft carrier program.
- Sec. 123. Extension and modification of limitation on availability of funds for Littoral Combat Ship.
- Sec. 124. Modification to multiyear procurement authority for Arleigh Burke class destroyers and associated systems.
- Sec. 125. Procurement of additional Arleigh Burke class destroyer.
- Sec. 126. Refueling and complex overhaul of the U.S.S. George Washington.
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- Sec. 128. Limitation on availability of funds for U.S.S. John F. Kennedy (CVN-79).
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- Sec. 142. Prohibition on availability of funds for retirement of A-10 aircraft.
- Sec. 143. Prohibition on availability of funds for retirement of EC-130H Compass Call aircraft.
- Sec. 144. Prohibition on availability of funds for retirement of Joint Surveillance Target Attack Radar System, EC-130H Compass Call, and Airborne Warning and Control System aircraft.
- Sec. 145. Limitation on availability of funds for F-35A aircraft procurement.
- Sec. 146. Prohibition on availability of funds for retirement of KC-10 aircraft.
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- Sec. 149. Limitation on availability of funds for T-1A Jayhawk aircraft.
- Sec. 150. Notification of retirement of B-1, B-2, and B-52 bomber aircraft.
- Sec. 151. Inventory requirement for fighter aircraft of the Air Force.
- Sec. 152. Sense of Congress regarding the OCONUS basing of F-35A aircraft.

Subtitle E—Defense-wide, Joint, and Multiservice Matters

- Sec. 161. Limitation on availability of funds for Joint Battle Command-Platform.
- Sec. 162. Report on Army and Marine Corps modernization plan for small arms.
- Sec. 163. Study on use of different types of enhanced 5.56mm ammunition by the Army and the Marine Corps.

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2016 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Army Programs

SEC. 111. PRIORITIZATION OF UPGRADED UH-60 BLACKHAWK HELICOPTERS WITHIN ARMY NATIONAL GUARD.

(a) PRIORITIZATION OF UPGRADES.—Not later than 180 days after the date of the enactment of this Act, the Chief of the National Guard Bureau shall issue guidance regarding the fielding of upgraded UH-60 Blackhawk helicopters to units of the Army National Guard. Such guidance shall prioritize for such fielding the units of the Army National Guard with assigned UH-60 helicopters that have the most flight hours and the highest annual usage rates within the UH-60 fleet of the Army National Guard, consistent with the force generation unit readiness requirements of the Army.

(b) REPORT.—Not later than 30 days after the date on which the Chief of the National Guard Bureau issues the guidance under subsection (a), the Chief shall submit to the congressional defense committees a report that details such guidance.

SEC. 112. ROADMAP FOR REPLACEMENT OF A/MH-6 MISSION ENHANCED LITTLE BIRD AIRCRAFT TO MEET SPECIAL OPERATIONS REQUIREMENTS.

(a) ROADMAP.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a roadmap for replacing A/MH-6 Mission Enhanced Little Bird aircraft to meet the rotary-wing, light attack, reconnaissance requirements particular to special operations.

(b) ELEMENTS.—The roadmap under subsection (a) shall include the following:

(1) An updated schedule and display of programmed A/MH-6 Block 3.0 modernization and upgrades, showing usable life of the fleet, and the anticipated service life extensions of all A/MH-6 platforms.

(2) A description of current and anticipated rotary-wing, light attack, reconnaissance requirements and platforms particular to special operations, including key performance parameters of anticipated platforms.

(3) The feasibility of service-common platforms satisfying future rotary-wing, light attack, reconnaissance requirements particular to special operations.

(4) The feasibility of commercially available platforms satisfying future rotary-wing, light attack, reconnaissance requirements particular to special operations.

(5) The anticipated funding requirements for the special operation forces major force program for the development and procurement of an A/MH-6 replacement platform if the service-common platforms described in paragraph (3) are not available or if commercially available platforms described in paragraph (4) are leveraged.

(6) A description of efforts as of the date of the roadmap to coordinate with the military departments on a service-common platform to satisfy replacement platform requirements.

(7) Any other matters the Secretary considers appropriate.

SEC. 113. REPORT ON OPTIONS TO ACCELERATE REPLACEMENT OF UH-60A BLACKHAWK HELICOPTERS OF ARMY NATIONAL GUARD.

Not later than March 1, 2016, the Secretary of the Army shall submit to the congressional defense committees a report containing detailed options for the potential acceleration of the replacement of all UH-60A helicopters of the Army National Guard by not later than September 30, 2020. The report shall include the following:

(1) The additional funding and quantities required, listed by each of fiscal years 2017

through 2020, for H-60M production, UH-60A-to-L RECAP, and UH-60L-to-V RECAP that is necessary to achieve such replacement of all UH-60A helicopters by September 30, 2020.

(2) Any industrial base limitations that may affect such acceleration, including with respect to the production schedules for the other variants of the UH-60 helicopter.

(3) The potential effects of such acceleration on the planned replacement of all UH-60A helicopters of the regular components of the Armed Forces by September 30, 2025.

(4) Identification of any additional funding or resources required to train members of the National Guard to operate and maintain UH-60M aircraft in order to achieve such replacement of all UH-60A helicopters by September 30, 2020.

(5) Any other matters the Secretary determines appropriate.

SEC. 114. SENSE OF CONGRESS ON TACTICAL WHEELED VEHICLE PROTECTION KITS.

It is the sense of Congress that—

(1) members of the Army face an increasingly complex and evolving threat environment that requires advanced and effective technology to protect soldiers while allowing the soldiers to effectively carry out the mission of the Army;

(2) the heavy tactical vehicle protection kits program provides the Army with improved and necessary ballistic protection for the heavy tactical vehicle fleet;

(3) a secure heavy tactical vehicle fleet provides the Army with greater logistical tractability and offers soldiers the necessary flexibility to tailor armor levels based on threat levels and mission requirements; and

(4) as Congress provides for a modern and secure Army, it is necessary to provide the appropriate funding levels to meet the tactical wheeled vehicle protection kits acquisition objectives of the Army.

Subtitle C—Navy Programs

SEC. 121. MODIFICATION OF CVN-78 CLASS AIRCRAFT CARRIER PROGRAM.

(a) REPORTS ON DESIGN AND ENGINEERING CHANGES.—Subsection (f) of section 122 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2104), as added by section 121(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 692), is amended by adding at the end the following new paragraph:

“(3) CVN-78 CLASS AIRCRAFT CARRIERS CHANGE ORDERS.—

“(A) As part of each report required under paragraph (1), the Secretary shall include a description of new design and engineering changes to CVN-78 class aircraft carriers if applicable.

“(B) The additional reporting requirement in subparagraph (A) shall include, with respect to CVN-78 class aircraft carriers in each reporting period—

“(i) any design or engineering change with an associated cost greater than \$5,000,000;

“(ii) any program or ship cost increases for each design or engineering change identified in subparagraph (A); and

“(iii) any cost reduction achieved.

“(C) The Secretary and the Chief of Naval Operations, without delegation, shall jointly certify the design and engineering changes included in each report under paragraph (1), as required by subparagraph (A) of this paragraph. Each certification shall include a determination that each such change—

“(i) serves the national security interests of the United States; and

“(ii) cannot be deferred to a future ship because of operational necessity, safety, or

substantial cost reduction that still meets threshold requirements.”.

(b) CONFORMING AMENDMENTS.—Such subsection is further amended—

(1) by striking the heading and inserting the following new heading: “REQUIREMENTS FOR CVN-78 CLASS AIRCRAFT CARRIERS”; and

(2) in paragraph (1), by striking the heading and inserting the following new heading: “CVN-79 QUARTERLY COST ESTIMATE”.

SEC. 122. AMENDMENT TO COST LIMITATION BASELINE FOR CVN-78 CLASS AIRCRAFT CARRIER PROGRAM.

(a) COST LIMITATION.—Section 122(a)(2) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2104), as amended by section 121(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 691), is further amended by striking “\$11,498,000,000” and inserting “\$11,398,000,000”.

(b) FACTOR FOR ADJUSTMENT.—Subsection (b) of such section 122, as amended by section 121(b)(1) of the National Defense Authorization Act for Fiscal Year 2014, is amended by adding at the end the following new paragraph:

“(8) With respect to the aircraft carrier designated as CVN-79, the amounts of increases not exceeding \$100,000,000 if the Chief of Naval Operations determines that achieving the amount set forth in subsection (a)(2) (as amended by section 122(a) of the National Defense Authorization Act for Fiscal Year 2016) would result in unacceptable reductions to the operational capability of the ship.”.

SEC. 123. EXTENSION AND MODIFICATION OF LIMITATION ON AVAILABILITY OF FUNDS FOR LITTORAL COMBAT SHIP.

Section 124(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 693), as amended by section 123 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3314), is further amended—

(1) by striking “this Act, the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015, or otherwise made available for fiscal years 2014 or 2015” and inserting “this Act, the National Defense Authorization Act for Fiscal Year 2016, or otherwise made available for fiscal years 2014, 2015, or 2016”; and

(2) by adding at the end the following new paragraphs:

“(6) A Littoral Combat Ship seaframe acquisition strategy for the Littoral Combat Ships designated as LCS 25 through LCS 32, including upgrades to be installed on these ships that were identified for the upgraded Littoral Combat Ship, which is proposed to commence with LCS 33.

“(7) A Littoral Combat Ship mission module acquisition strategy to reach the total acquisition quantity of each mission module.

“(8) A cost and schedule plan to outfit Flight 0 and Flight 0+ Littoral Combat Ships with capabilities identified for the upgraded Littoral Combat Ship.

“(9) A current Test and Evaluation Master Plan for the Littoral Combat Ship Mission Modules, approved by the Director of Operational Test and Evaluation, which includes the performance levels expected to be demonstrated during developmental testing for each component and mission module prior to commencing the associated operational test phase.”.

SEC. 124. MODIFICATION TO MULTIYEAR PROCUREMENT AUTHORITY FOR ARLEIGH BURKE CLASS DESTROYERS AND ASSOCIATED SYSTEMS.

Section 123(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1655) is amended by inserting “or Flight III” after “Flight IIA”.

SEC. 125. PROCUREMENT OF ADDITIONAL ARLEIGH BURKE CLASS DESTROYER.

(a) PROCUREMENT AUTHORITY.—

(1) ADDITIONAL DESTROYER.—The Secretary of the Navy may procure one Arleigh Burke class destroyer, in addition to any other procurement of such ships otherwise authorized by law, to be procured either—

(A) as an addition to the contract covering the 10 Arleigh Burke class destroyers authorized to be procured under section 123 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1655); or

(B) under a separate contract in fiscal year 2018.

(2) INCREMENTAL FUNDING.—The Secretary may employ incremental funding for the procurement authorized under paragraph (1).

(b) CONDITION ON OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under such contract for any fiscal year after fiscal year 2016 is subject to the availability of appropriations for that purpose for such fiscal year.

SEC. 126. REFUELING AND COMPLEX OVERHAUL OF THE U.S.S. GEORGE WASHINGTON.

(a) REFUELING AND COMPLEX OVERHAUL.—The Secretary of the Navy may carry out the nuclear refueling and complex overhaul of the U.S.S. George Washington (CVN-73).

(b) USE OF INCREMENTAL FUNDING.—With respect to any contract entered into under subsection (a) for the nuclear refueling and complex overhaul of the U.S.S. George Washington, the Secretary may use incremental funding for a period not to exceed six years after advance procurement funds for such nuclear refueling and complex overhaul effort are first obligated.

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—Any contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2016 is subject to the availability of appropriations for that purpose for that later fiscal year.

SEC. 127. FLEET REPLENISHMENT OILER PROGRAM.

(a) CONTRACT AUTHORITY.—The Secretary of the Navy may enter into one or more contracts to procure up to six Fleet Replenishment Oilers. Such procurements may also include advance procurement for economic order quantity and long lead time materials, beginning with the lead ship, commencing not earlier than fiscal year 2016.

(b) LIABILITY.—Any contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that total liability to the Government for termination of any contract entered into shall be limited to the total amount of funding obligated at the time of termination.

SEC. 128. LIMITATION ON AVAILABILITY OF FUNDS FOR U.S.S. JOHN F. KENNEDY (CVN-79).

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for pro-

curement for the U.S.S. John F. Kennedy (CVN-79), \$100,000,000 may not be obligated or expended until the date on which the Secretary of the Navy submits to the congressional defense committees the certification under subsection (b)(1) or the notification under paragraph (2) of such subsection, as the case may be, and the reports under subsections (c) and (d).

(b) CERTIFICATION REGARDING FULL SHIP SHOCK TRIALS.—

(1) IN GENERAL.—Except as provided by paragraph (2), not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a certification that the Navy will conduct full ship shock trials on the U.S.S. Gerald R. Ford (CVN-78) prior to the first deployment of such ship.

(2) WAIVER.—The Secretary of Defense may waive the certification required under paragraph (1) if the Secretary submits to the congressional defense committees a notification of such waiver, including—

(A) the rationale of the Secretary for issuing such waiver;

(B) a certification that the Secretary has analyzed and accepts the operational risk of the U.S.S. Gerald R. Ford deploying without having conducted full ship shock trials; and

(C) a certification that full ship shock trials will be completed on the U.S.S. Gerald R. Ford after the first deployment of such ship and prior to the first major maintenance availability of such ship.

(c) REPORT ON COSTS RELATING TO CVN-79 AND CVN-80.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report that evaluates cost issues related to the U.S.S. John F. Kennedy (CVN-79) and the U.S.S. Enterprise (CVN-80).

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) Options to achieve ship end cost of no more than \$10,000,000,000.

(B) Options to freeze the design of CVN-79 for CVN-80, with exceptions only for changes due to full ship shock trials or other significant test and evaluation results.

(C) Options to reduce the plans cost for CVN-80 to less than 50 percent of the CVN-79 plans cost.

(D) Options to transition all non-nuclear Government-furnished equipment, including launch and arresting equipment, to contractor-furnished equipment.

(E) Options to build the ships at the most economic pace, such as four years between ships.

(F) A business case analysis for the Enterprise Air Search Radar modification to CVN-79 and CVN-80.

(G) A business case analysis for the two-phase CVN-79 delivery proposal and impact on fleet deployments.

(d) REPORT ON FUTURE DEVELOPMENT.—

(1) IN GENERAL.—Not later than April 1, 2016, the Secretary of the Navy shall submit to the congressional defense committees a report on potential requirements, capabilities, and alternatives for the future development of aircraft carriers that would replace or supplement the CVN-78 class aircraft carrier.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) A description of fleet, sea-based tactical aviation capability requirements for a range of operational scenarios beginning in the 2025 timeframe.

(B) A description of alternative aircraft carrier designs that meet the requirements described under subparagraph (A).

(C) A description of nuclear and non-nuclear propulsion options.

(D) A description of tonnage options ranging from less than 20,000 tons to greater than 100,000 tons.

(E) Requirements for unmanned systems integration from inception.

(F) Developmental, procurement, and lifecycle cost assessment of alternatives.

(G) A notional acquisition strategy for the development and construction of alternatives.

(H) A description of shipbuilding industrial base considerations and a plan to ensure opportunity for competition among alternatives.

(I) A description of funding and timing considerations related to developing the Annual Long-Range Plan for Construction of Naval Vessels required under section 231 of title 10, United States Code.

SEC. 129. LIMITATION ON AVAILABILITY OF FUNDS FOR U.S.S. ENTERPRISE (CVN-80).

(a) **LIMITATION.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for advance procurement for the U.S.S. Enterprise (CVN-80), \$191,400,000 may not be obligated or expended until the date on which the Secretary of the Navy submits to the congressional defense committees the certification under subsection (b) and the report under subsection (c).

(b) **CERTIFICATION REGARDING CVN-80 DESIGN.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a certification that the design of the U.S.S. Enterprise (CVN-80) will repeat the design of CVN-79, with modifications only for significant test and evaluation results or significant cost reduction initiatives that still meet threshold requirements.

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report that details the costs of the plans related to the U.S.S. Enterprise (CVN-80).

(2) **ELEMENTS.**—The report under paragraph (1) shall include the following elements, reported by total cost and cost by fiscal year, with a detailed description and a justification for why each cost is recurring and attributable to the U.S.S. Enterprise (CVN-80):

(A) Overall plans.

(B) Propulsion plant detail design.

(C) Platform detail design.

(D) Lead yard services and hull planning yard.

(E) Platform detail design (Steam and Electric Plant Planning Yard).

(F) Other.

SEC. 130. LIMITATION ON AVAILABILITY OF FUNDS FOR LITTORAL COMBAT SHIP.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research and development, design, construction, procurement, or advanced procurement of materials for the Littoral Combat Ships designated as LCS 33 or subsequent, not more than 50 percent may be obligated or expended until Secretary of the Navy submits to the Committees on Armed Services of the Senate and the House of Representatives each of the following:

(1) A capabilities based assessment, or equivalent report, to assess capability gaps

and associated capability requirements and risks for the upgraded Littoral Combat Ship, which is proposed to commence with LCS 33. Such assessment shall conform with the Joint Capabilities Integration and Development System, including Chairman of the Joint Chiefs of Staff Instruction 3170.01H.

(2) A certification that the Joint Requirements Oversight Council has validated an updated Capabilities Development Document for the upgraded Littoral Combat Ship.

(3) A report describing the upgraded Littoral Combat Ship modernization, which shall, at a minimum, include the following elements:

(A) A description of capabilities that the Littoral Combat Ship program delivers, and a description of how these relate to the characteristics of the future joint force identified in the Capstone Concept for Joint Operations, concept of operations, and integrated architecture documents.

(B) A summary of analyses and studies conducted on Littoral Combat Ship modernization.

(C) A concept of operations for Littoral Combat Ship at the operational level and tactical level describing how they integrate and synchronize with joint and combined forces to achieve the Joint Force Commander's intent.

(D) A description of threat systems of potential adversaries that are projected or assessed to reach initial operational capability within 15 years against which the lethality and survivability of the Littoral Combat Ship should be determined.

(E) A plan and timeline for Littoral Combat Ship modernization program execution.

(F) A description of system capabilities required for Littoral Combat Ship modernization, including key performance parameters and key system attributes.

(G) A plan for family of systems or systems of systems synchronization.

(H) A plan for information technology and national security systems supportability.

(I) A plan for intelligence supportability.

(J) A plan for electromagnetic environmental effects and spectrum supportability.

(K) A description of assets required to achieve initial operational capability of a Littoral Combat Ship modernization increment.

(L) A schedule and initial operational capability and full operational capability definitions.

(M) A description of doctrine, organization, training, materiel, leadership, education, personnel, facilities, and policy considerations.

(N) A description of other system attributes.

(4) A plan for future periodic combat systems upgrades, which are necessary to ensure relevant capability throughout the Littoral Combat Ship or Frigate class service lives, using the process described in paragraph (3).

SEC. 131. REPORTING REQUIREMENT FOR OHIO-CLASS REPLACEMENT SUBMARINE PROGRAM.

If the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for a fiscal year includes a request for funds for the Ohio-class replacement submarine program, the Secretary of Defense shall include in the budget justification materials submitted to Congress in support of the Department of Defense budget for such fiscal year a report that includes the following elements regarding such program (described in terms of both fiscal year 2010 dollars and current fiscal year dollars as of the date of the report):

(1) Lead ship end cost (with plans).

(2) Lead ship end cost (less plans).

(3) Lead ship non-recurring engineering cost.

(4) Average follow-on ship cost.

(5) Average operations and sustainment cost per hull per year.

(6) The average follow-on ship affordability target as determined by the Under Secretary of Defense for Acquisition, Technology, and Logistics.

(7) The operations and sustainment cost per hull per year affordability target as determined by the Under Secretary of Defense for Acquisition, Technology, and Logistics.

Subtitle D—Air Force Programs

SEC. 141. BACKUP INVENTORY STATUS OF A-10 AIRCRAFT.

(a) **MAXIMUM NUMBER.**—In carrying out section 133(b)(2)(A) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3316), the Secretary of the Air Force may not move more than 18 A-10 aircraft in the active component to backup flying status pursuant to an authorization made by the Secretary of Defense under such section.

(b) **CONFORMING AMENDMENT.**—Such section 133(b)(2)(A) is amended by striking “36” and inserting “18”.

SEC. 142. PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF A-10 AIRCRAFT.

(a) **PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT.**—Except as provided by section 141, none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended to retire, prepare to retire, or place in storage or on backup aircraft inventory status any A-10 aircraft.

(b) **ADDITIONAL LIMITATIONS ON RETIREMENT.**—

(1) **IN GENERAL.**—Except as provided by section 141, and in addition to the limitation in subsection (a), during the period before December 31, 2016, the Secretary of the Air Force may not retire, prepare to retire, or place in storage or on backup flying status any A-10 aircraft.

(2) **MINIMUM INVENTORY REQUIREMENT.**—The Secretary of the Air Force shall ensure the Air Force maintains a minimum of 171 A-10 aircraft designated as primary mission aircraft inventory.

(c) **PROHIBITION ON AVAILABILITY OF FUNDS FOR SIGNIFICANT REDUCTIONS IN MANNING LEVELS.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended to make significant reductions to manning levels with respect to any A-10 aircraft squadrons or divisions.

(d) **ADDITIONAL LIMITATION ON SIGNIFICANT REDUCTIONS IN MANNING LEVELS.**—In addition to the limitation in subsection (c), during the period before December 31, 2016, the Secretary of the Air Force may not make significant reductions to manning levels with respect to any A-10 aircraft squadrons or divisions.

(e) **STUDY ON REPLACEMENT CAPABILITY REQUIREMENTS OR MISSION PLATFORM FOR THE A-10 AIRCRAFT.**—

(1) **INDEPENDENT ASSESSMENT REQUIRED.**—

(A) **IN GENERAL.**—The Secretary of the Air Force shall commission an appropriate entity outside the Department of Defense to conduct an assessment of the required capabilities or mission platform to replace the A-10 aircraft. This assessment would represent

preparatory work to inform an analysis of alternatives.

(B) ELEMENTS.—The assessment required under subparagraph (A) shall include each of the following:

(i) Future needs analysis for the current A-10 aircraft mission set to include troops-in-contact/close air support, air interdiction, strike control and reconnaissance, and combat search and rescue support in both contested and uncontested battle environments. At a minimum, the needs analysis should specifically address the following areas:

(I) The ability to safely and effectively conduct troops-in-contact/danger close missions or missions in close proximity to civilians in the presence of the air defenses found with enemy ground maneuver units.

(II) The ability to effectively target and destroy moving, camouflaged, or dug-in troops, artillery, armor, and armored personnel carriers.

(III) The ability to engage, target, and destroy tanks and armored personnel carriers, including with respect to the carrying capacity of armor-piercing weaponry, including mounted cannons and missiles.

(IV) The ability to remain within visual range of friendly forces and targets to facilitate responsiveness to ground forces and minimize re-attack times.

(V) The ability to safely conduct close air support beneath low cloud ceilings and in reduced visibilities at low airspeeds in the presence of the air defenses found with enemy ground maneuver units.

(VI) The capability to enable the pilot and aircraft to survive attacks stemming from small arms, machine guns, man-portable air-defense systems, and lower caliber anti-aircraft artillery organic or attached to enemy ground forces and maneuver units.

(VII) The ability to communicate effectively with ground forces and downed pilots, including in communications jamming or satellite-denied environments.

(VIII) The ability to execute the missions described in subclauses (I), (II), (III), and (IV) in a GPS- or satellite-denied environment with or without sensors.

(IX) The ability to deliver multiple lethal firing passes and sustain long loiter endurance to support friendly forces throughout extended ground engagements.

(X) The ability to operate from unprepared dirt, grass, and narrow road runways and to generate high sortie rates under these austere conditions.

(i) Identification and assessment of gaps in the ability of existing and programmed mission platforms in providing required capabilities to conduct missions specified in clause (i) in both contested and uncontested battle environments.

(iii) Assessment of operational effectiveness of existing and programmed mission platforms to conduct missions specified in clause (i) in both contested and uncontested battle environments.

(iv) Assessment of probability of likelihood of conducting missions requiring troops-in-contact/close air support operations specified in clause (i) in contested environments as compared to uncontested environments.

(v) Any other matters the independent entity or the Secretary of the Air Force determines to be appropriate.

(2) REPORT.—

(A) IN GENERAL.—Not later than September 30, 2016, the Secretary of the Air Force shall submit to the congressional defense committees a report that includes the assessment required under paragraph (1).

(B) FORM.—The report required under subparagraph (A) may be submitted in classified

form, but shall also contain an unclassified executive summary and may contain an unclassified annex.

(3) NONDUPLICATION OF EFFORT.—If any information required under paragraph (1) has been included in another report or notification previously submitted to the congressional defense committees by law, the Secretary of the Air Force may provide a list of such reports and notifications at the time of submitting the report required under paragraph (2) instead of including such information in such report.

SEC. 143. PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF EC-130H COMPASS CALL AIRCRAFT.

(a) PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended to retire, prepare to retire, or place in storage or on backup aircraft inventory status any EC-130H Compass Call aircraft.

(b) ADDITIONAL PROHIBITION ON RETIREMENT.—In addition to the prohibition in subsection (a), during the period preceding December 31, 2016, the Secretary of the Air Force may not retire, prepare to retire, or place in storage or on backup flying status any EC-130H Compass Call aircraft.

(c) REPORT ON RETIREMENT OF EC-130H COMPASS CALL AIRCRAFT.—Not later than September 30, 2016, the Secretary of the Air Force shall submit to the congressional defense committees a report that includes, at a minimum, the following:

(1) The rationale for the retirement of existing EC-130H Compass Call aircraft, including an operational analysis of the impact of such retirements on the warfighting requirements of the combatant commanders.

(2) Future needs analysis for the current EC-130H Compass Call aircraft electronic warfare mission set to include suppression of sophisticated enemy air defense systems, advanced radar jamming, avoiding radar detection, communications, sensing, satellite navigation, command and control, and battlefield awareness.

(3) A review of operating concepts for airborne electronic attack.

(4) An assessment of upgrades to the electronic warfare systems of EC-130H Compass Call aircraft, the costs of such upgrades, and expected upgrades through 2025, and the expected service life of EC-130H Compass Call aircraft.

(5) A review of the global proliferation of more sophisticated air defenses and advanced commercial digital electronic devices which counter the airborne electronic attack capabilities of the United States by state and non-state actors.

(6) An assessment of the ability of the current EC-130H Compass Call fleet to meet tasking requirements of the combatant commanders.

(7) A plan for how the Air Force will recapitalize the capability requirement of the EC-130H Compass Call mission in the future, whether through a replacement program or by integrating such capabilities onto an existing platform.

(8) If the plan under paragraph (7) includes integrating such capabilities onto an existing platform, an analysis that verifies that such platform has the space, weight, cooling, and power necessary to support the integration of the EC-130H Compass Call capability.

(9) Such other matters relating to the required mission capabilities and transition of the EC-130H Compass Call fleet as the Secretary considers appropriate.

(d) FORM.—The report under subsection (c) may be submitted in classified form, but shall also contain an unclassified executive summary and may contain an unclassified annex.

(e) NONDUPLICATION OF EFFORT.—If any information required in the report under subsection (c) has been included in another report or notification previously submitted to the congressional defense committees by law, the Secretary of the Air Force may provide a list of such reports and notifications at the time of submitting the report required under subsection (c) instead of including such information in such report.

SEC. 144. PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF JOINT SURVEILLANCE TARGET ATTACK RADAR SYSTEM, EC-130H COMPASS CALL, AND AIRBORNE WARNING AND CONTROL SYSTEM AIRCRAFT.

(a) PROHIBITION.—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal years 2016 or 2017 for the Air Force may be obligated or expended to retire, or prepare to retire, any covered aircraft.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to individual covered aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be non-operational because of mishaps, other damage, or being uneconomical to repair.

(c) COVERED AIRCRAFT.—In this section, the term “covered aircraft” means the following:

(1) Joint Surveillance Target Attack Radar System aircraft.

(2) EC-130H Compass Call aircraft.

(3) Airborne Warning and Control System aircraft.

SEC. 145. LIMITATION ON AVAILABILITY OF FUNDS FOR F-35A AIRCRAFT PROCUREMENT.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for aircraft procurement, Air Force, not more than \$4,285,000,000 may be obligated for the procurement of F-35A aircraft until the Secretary of the Air Force certifies to the congressional defense committees that F-35A aircraft delivered during fiscal year 2018 will have full combat capability, as determined as of the date of the enactment of this Act, with Block 3F hardware, software, and weapons carriage.

SEC. 146. PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF KC-10 AIRCRAFT.

(a) PROHIBITION.—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal years 2016 or 2017 for the Air Force may be obligated or expended to retire, or prepare to retire, any KC-10 aircraft.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to individual KC-10 aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be non-operational because of mishaps, other damage, or being uneconomical to repair.

SEC. 147. LIMITATION ON AVAILABILITY OF FUNDS FOR TRANSFER OF C-130 AIRCRAFT.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended to transfer from one facility of the Department of Defense to another any C-130H aircraft, initiate any C-130 manpower authorization adjustments, retire or prepare to retire any C-130H aircraft, or close any C-130H unit until a period of 90 days elapses following the date on

which the Secretary of the Air Force, the Secretary of the Army, the Chief of Staff of the Air Force, and the Chief of Staff of the Army, in consultation with the commanders of the XVIII Airborne Corps, the 82nd Airborne Division, and the United States Army Special Operations Command, jointly certify to the Committees on Armed Services of the Senate and the House of Representatives that—

(1) the Secretary of the Air Force will maintain dedicated C-130 wings to support the daily training and contingency requirements of the XVIII Airborne Corps, the 82nd Airborne Division, and the United States Army Special Operations Command at manning levels required to support and operate the number of aircraft that existed as part of regular and reserve Air Force operations in support of such units as of September 30, 2014; or

(2) the failure to maintain such dedicated C-130 wings will not adversely affect the daily training requirement of such airborne and special operations units.

SEC. 148. LIMITATION ON AVAILABILITY OF FUNDS FOR EXECUTIVE COMMUNICATIONS UPGRADES FOR C-20 AND C-37 AIRCRAFT.

(a) **LIMITATION.**—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended to upgrade the executive communications of C-20 and C-37 aircraft until the date on which the Secretary of the Air Force certifies in writing to the congressional defense committees that such upgrades do not—

(1) cause such aircraft to exceed any weight limitation; or

(2) reduce the operational capability of such aircraft.

(b) **WAIVER.**—The Secretary may waive the limitation in subsection (a) if the Secretary—

(1) determines that such waiver is necessary for the national security interests of the United States; and

(2) notifies the congressional defense committees of such waiver.

SEC. 149. LIMITATION ON AVAILABILITY OF FUNDS FOR T-1A JAYHAWK AIRCRAFT.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for aircraft procurement, Air Force, for avionics modification to the T-1A Jayhawk aircraft, not more than 85 percent may be obligated or expended until a period of 30 days has elapsed following the date on which the Secretary of the Air Force submits to the congressional defense committees the report required under section 142 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3320).

SEC. 150. NOTIFICATION OF RETIREMENT OF B-1, B-2, AND B-52 BOMBER AIRCRAFT.

(a) **NOTIFICATION.**—Except as provided by subsection (b), during the period preceding the date on which the long-range strike bomber aircraft achieves initial operational capability, the Secretary of the Air Force may not retire or prepare to retire covered aircraft during a fiscal year unless the Secretary includes in the defense budget materials for that fiscal year a notification of the proposed retirement, including the rationale for the retirement, the effects of the retirement, and how the Secretary will mitigate any risks relating to the retirement.

(b) **EXCEPTION.**—The notification requirement in subsection (a) shall not apply to in-

dividual covered aircraft that the Secretary determines, on a case-by-case basis, to be non-operational because of mishaps, other damage, or being uneconomical to repair.

(c) **DEFINITIONS.**—In this section:

(1) The term “covered aircraft” means B-1, B-2, and B-52 bomber aircraft.

(2) The term “defense budget materials” has the meaning given that term in section 231(f) of title 10, United States Code.

SEC. 151. INVENTORY REQUIREMENT FOR FIGHTER AIRCRAFT OF THE AIR FORCE.

(a) **INVENTORY REQUIREMENT.**—During the two-year period beginning on October 1, 2015, the Secretary of the Air Force shall maintain a total aircraft inventory of fighter aircraft of not less than 1,900 aircraft, and a total primary mission aircraft inventory (combat-coded) of not less than 1,100 fighter aircraft.

(b) **BUDGET INFORMATION REGARDING RETIREMENT OF FIGHTER AIRCRAFT.**—

(1) **REPORT.**—If the Secretary proposes to retire fighter aircraft in a fiscal year, the Secretary shall include in the materials submitted in support of the budget of the President for that fiscal year (as submitted to Congress under section 1105(a) of title 31, United States Code) a report setting forth the following:

(A) The rationale and appropriate supporting analysis for the proposed retirement.

(B) An assessment of the implications of such retirement for the Air Force, the Air National Guard, and the Air Force Reserve for the force mix ratio of fighter aircraft.

(C) Such other matters relating to the proposed retirement as the Secretary considers appropriate.

(2) **EXCEPTION.**—Paragraph (1) shall not apply to individual fighter aircraft that the Secretary determines, on a case-by-case basis, to be non-operational because of mishaps, other damage, or being uneconomical to repair.

(c) **DEFINITIONS.**—In this section:

(1) The term “fighter aircraft” means an aircraft that is designated by a basic mission design series of A-10, F-15, F-16, F-22, or F-35.

(2) The term “primary mission aircraft inventory” means aircraft assigned to meet the primary aircraft authorization to a unit for the performance of its wartime mission.

SEC. 152. SENSE OF CONGRESS REGARDING THE OCONUS BASING OF F-35A AIRCRAFT.

(a) **FINDING.**—Congress finds that the Department of Defense is continuing its process of permanently stationing the F-35 aircraft at installations in the continental United States and forward-basing such aircraft outside the continental United States.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the Secretary of the Air Force, in the strategic basing process for the F-35A aircraft, should continue to consider the benefits derived from sites that—

(1) are capable of hosting fighter-based bilateral and multilateral training opportunities with international partners;

(2) have sufficient airspace and range capabilities and capacity to meet the training requirements;

(3) have existing facilities to support personnel, operations, and logistics associated with the flying mission;

(4) have limited encroachment that would adversely impact training or operations; and

(5) minimize the overall construction and operational costs.

Subtitle E—Defense-wide, Joint, and Multiservice Matters

SEC. 161. LIMITATION ON AVAILABILITY OF FUNDS FOR JOINT BATTLE COMMAND-PLATFORM.

(a) **LIMITATION.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for joint battle command-platform equipment, not more than 75 percent may be obligated or expended until a period of 30 days has elapsed following the date on which the Assistant Secretary of the Army for Acquisition, Technology, and Logistics submits to the congressional defense committees the report under subsection (b).

(b) **REPORT.**—Not later than March 1, 2016, the Assistant Secretary of the Army for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report that provides a detailed test and evaluation plan to address the effectiveness, suitability, and survivability shortfalls of the joint battle command-platform identified by the Director of Operational Test and Evaluation in the fiscal year 2014 report of the Director submitted to Congress.

SEC. 162. REPORT ON ARMY AND MARINE CORPS MODERNIZATION PLAN FOR SMALL ARMS.

(a) **REPORT REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Secretary of the Army and the Secretary of the Navy shall jointly submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the plan of the Army and the Marine Corps to modernize small arms for the Army and the Marine Corps during the 15-year period beginning on the date of such plan, including the mechanisms to be used to promote competition among suppliers of small arms and small arms parts in achieving the plan.

(b) **SMALL ARMS.**—The small arms covered by the plan under subsection (a) shall include the following:

(1) Pistols.

(2) Carbines.

(3) Rifles and automatic rifles.

(4) Light machine guns.

(5) Such other small arms as the Secretaries consider appropriate for purposes of the report required by subsection (a).

(c) **NON-STANDARD SMALL ARMS.**—In addition to the arms specified in subsection (b), the plan under subsection (a) shall also address non-standard small arms not currently in the small arms inventory of the Army or the Marine Corps.

SEC. 163. STUDY ON USE OF DIFFERENT TYPES OF ENHANCED 5.56MM AMMUNITION BY THE ARMY AND THE MARINE CORPS.

(a) **USE OF DIFFERENT TYPES OF ENHANCED 5.56MM AMMUNITION.**—

(1) **STUDY.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct a study on the use of different types of enhanced 5.56mm ammunition by the Army and the Marine Corps.

(2) **SUBMISSION.**—Not later than 90 days after the date on which the contract is entered into under paragraph (1), the federally funded research and development center conducting the study under such paragraph shall submit to the Secretary the study, including any findings and recommendations of the federally funded research and development center.

(b) **REPORT.**—

(1) IN GENERAL.—Not later than 30 days after the date on which the Secretary receives the study under subsection (a)(2), the Secretary shall submit to the congressional defense committees a report on the study.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) The study, including any findings and recommendations of the federally funded research and development center that conducted the study.

(B) An explanation of the reasons for the Army and the Marine Corps to use in combat two different types of enhanced 5.56mm ammunition.

(C) An explanation of the appropriateness, effectiveness, and suitability issues that may arise from the use of such different types of ammunition.

(D) An explanation of any additional costs that have resulted from the use of such different types of ammunition.

(E) An explanation of any future plans of the Army or the Marine Corps to eventually transition to using in combat one standard type of enhanced 5.56mm ammunition.

(F) If there are no plans described in subparagraph (E), an analysis of the potential benefits of a transition described in such subparagraph, including the timeline for such a transition to occur.

(G) Any findings, recommendations, comments, or plans that the Secretary determines appropriate.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Centers for Science, Technology, and Engineering Partnership.

Sec. 212. Expansion of eligibility for financial assistance under Department of Defense Science, Mathematics, and Research for Transformation Program to include citizens of countries participating in the Technical Cooperation Program.

Sec. 213. Expansion of education partnerships to support technology transfer and transition.

Sec. 214. Improvement to coordination and communication of defense research activities.

Sec. 215. Reauthorization of Global Research Watch program.

Sec. 216. Reauthorization of defense research and development rapid innovation program.

Sec. 217. Science and technology activities to support business systems information technology acquisition programs.

Sec. 218. Department of Defense technology offset program to build and maintain the military technological superiority of the United States.

Sec. 219. Limitation on availability of funds for F-15 infrared search and track capability development.

Sec. 220. Limitation on availability of funds for development of the shallow water combat submersible.

Sec. 221. Limitation on availability of funds for the advanced development and manufacturing facility under the medical counter-measure program.

Sec. 222. Limitation on availability of funds for distributed common ground system of the Army.

Sec. 223. Limitation on availability of funds for distributed common ground system of the United States Special Operations Command.

Sec. 224. Limitation on availability of funds for Integrated Personnel and Pay System of the Army.

Subtitle C—Reports and Other Matters

Sec. 231. Streamlining the Joint Federated Assurance Center.

Sec. 232. Demonstration of Persistent Close Air Support capabilities.

Sec. 233. Strategies for engagement with Historically Black Colleges and Universities and Minority-serving Institutions of Higher Education.

Sec. 234. Report on commercial-off-the-shelf wide-area surveillance systems for Army tactical unmanned aerial systems.

Sec. 235. Report on Tactical Combat Training System Increment II.

Sec. 236. Report on technology readiness levels of the technologies and capabilities critical to the long-range strike bomber aircraft.

Sec. 237. Assessment of air-land mobile tactical communications and data network requirements and capabilities.

Sec. 238. Study of field failures involving counterfeit electronic parts.

Sec. 239. Airborne data link plan.

Sec. 240. Plan for advanced weapons technology war games.

Sec. 241. Independent assessment of F135 engine program.

Sec. 242. Comptroller General review of autonomous logistics information system for F-35 Lightning II aircraft.

Sec. 243. Sense of Congress regarding facilitation of a high quality technical workforce.

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Department of Defense for research, development, test, and evaluation as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. CENTERS FOR SCIENCE, TECHNOLOGY, AND ENGINEERING PARTNERSHIP.

(a) IN GENERAL.—Chapter 139 of title 10, United States Code, is amended by inserting after section 2367 the following new section:

“§ 2368. Centers for Science, Technology, and Engineering Partnership

“(a) DESIGNATION.—(1) The Secretary of Defense, in coordination with the Secretaries of the military departments, shall designate each science and technology reinvention laboratory as a Center for Science, Technology, and Engineering Partnership (in this section referred to as ‘Centers’) in the recognized core competencies of the designee.

“(2) The Secretary of Defense shall establish a policy to encourage the Secretary of each military department to reengineer management and business processes and adopt best-business and personnel practices at the Centers of the Secretary concerned in connection with the capability requirements of the Centers, so as to serve as recognized leaders in such capabilities throughout the Department of Defense and in the national technology and industrial base.

“(3) The Secretary of Defense, acting through the directors of the Centers, may

conduct one or more pilot programs, consistent with applicable requirements of law, to test any practices referred to in paragraph (2) that the Directors determine could—

“(A) improve the efficiency and effectiveness of operations at Centers;

“(B) improve the support provided by the Centers for the elements of the Department of Defense who use the services of the Centers; and

“(C) enhance capabilities by reducing the cost and improving the performance and efficiency of executing laboratory missions.

“(b) PUBLIC-PRIVATE PARTNERSHIPS.—(1) To achieve one or more objectives set forth in paragraph (2), the Secretary may authorize and establish incentives for the Director of a Center to enter into public-private cooperative arrangements (in this section referred to as a ‘public-private partnership’) to provide for any of the following:

“(A) For employees of the Center, academia, private industry, State and local governments, or other entities outside the Department of Defense to perform (under contract, subcontract, or otherwise) work related to the capabilities of the Center, including any work that—

“(i) involves one or more capabilities of the Center; and

“(ii) may be applicable to both the Department and commercial entities.

“(B) For private industry or other entities outside the Department of Defense to use for either Government or commercial purposes any capabilities of the Center that are not fully used for Department of Defense activities for any period determined to be consistent with the needs of the Department of Defense.

“(2) The objectives for exercising the authority provided in paragraph (1) are as follows:

“(A) To maximize the use of the capacity of a Center.

“(B) To reduce or eliminate the cost of ownership of a Center by the Department of Defense.

“(C) To reduce the cost of science, technology, and engineering activities of the Department of Defense.

“(D) To leverage private sector investment in—

“(i) such efforts as research and equipment recapitalization for a Center; and

“(ii) the promotion of the undertaking of commercial business ventures based on the capabilities of a Center, as determined by the director of the Center.

“(E) To foster cooperation and technology transfer between the armed forces, academia, private industry, and State and local governments.

“(F) To increase access by a Center to a skilled technical workforce that can contribute to the effective and efficient execution of the missions of the Department of Defense.

“(G) To increase the ability of a Center to access and use non-Department of Defense methods to develop and innovate and access capabilities that contribute to the effective and efficient execution of the missions of the Department of Defense.

“(3)(A) Public-private partnerships entered into under paragraph (1) may be used for purposes relating to technology transfer and other authorities described in subparagraph (B).

“(B) The authorities described in this subparagraph are provisions of law that provide for cooperation and partnership by the Department of Defense with academia, private industry, and State and local governments, including the following:

“(i) Sections 3371 through 3375 of title 5.

“(ii) Sections 2194, 2358, 2371, 2511, 2539b, and 2563 of this title.

“(iii) Section 209 of title 35.

“(iv) Sections 8, 12, and 23 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3706, 3710a, and 3715).

“(c) PRIVATE SECTOR USE OF EXCESS CAPACITY.—Any capability of a Center made available to the private sector may be used to perform research and testing activities in order to make more efficient and economical use of Government-owned capabilities and encourage the creation and preservation of jobs to ensure the availability of a workforce with the necessary research and technical skills to meet the needs of the armed forces.

“(d) CREDITING OF AMOUNTS FOR PERFORMANCE.—Amounts received by a Center for work performed under a public-private partnership may—

“(1) be credited to the appropriation or fund, including a working-capital or revolving fund, that incurs the cost of performing the work; or

“(2) be used by the Director of the Center as the Director considers appropriate and consistent with section 219 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 10 U.S.C. 2358 note).

“(e) AVAILABILITY OF EXCESS CAPACITIES TO PRIVATE-SECTOR PARTNERS.—Capacities of a Center may be made available for use by a private-sector entity under this section only if—

“(1) the use of the capacities will not have a significant adverse effect on the performance of the Center or the ability of the Center to achieve the mission of the Center, as determined by the Director of the Center; and

“(2) the private-sector entity agrees—

“(A) to reimburse the Department of Defense when required in accordance with the guidance of the Department for the direct and indirect costs (including any rental costs) that are attributable to the use of the capabilities by the private-sector entity, as determined by the Secretary of the military departments; and

“(B) to hold harmless and indemnify the United States from—

“(i) any claim for damages or injury to any person or property arising out of the use of the capabilities, except under the circumstances described in section 2563(c)(3) of this title; and

“(ii) any liability or claim for damages or injury to any person or property arising out of a decision by the Secretary to suspend or terminate that use of capabilities during a war or national emergency.

“(f) CONSTRUCTION OF PROVISION.—Nothing in this section may be construed to authorize a change, otherwise prohibited by law, from the performance of work at a Center by personnel of the Department of Defense to performance by a contractor.

“(g) DEFINITIONS.—In this section:

“(1) The term ‘capabilities’, with respect to a Center for Science, Technology, and Engineering Partnership, means the facilities, equipment, personnel, intellectual property, and other assets that support the core competencies of the Center.

“(2) The term ‘national technology and industrial base’ has the meaning given that term in section 2500 of this title.

“(3) The term ‘science and technology reinvention laboratory’ means a science and technology reinvention laboratory designated under section 1105 of the National Defense Authorization Act for Fiscal Year

2010 (Public Law 111-84; 10 U.S.C. 2358 note).’.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2367 the following new item:

“2368. Centers for Science, Technology, and Engineering Partnership.”.

SEC. 212. EXPANSION OF ELIGIBILITY FOR FINANCIAL ASSISTANCE UNDER DEPARTMENT OF DEFENSE SCIENCE, MATHEMATICS, AND RESEARCH FOR TRANSFORMATION PROGRAM TO INCLUDE CITIZENS OF COUNTRIES PARTICIPATING IN THE TECHNICAL COOPERATION PROGRAM.

Section 2192a of title 10, United States Code, is amended—

(1) in subsection (b)(1)(A), by inserting “or, subject to subsection (g), a country the government of which is a party to The Technical Cooperation Program (TTCP) memorandum of understanding of October 24, 1995” after “United States”;

(2) by redesignating subsection (g) as subsection (h); and

(3) by inserting after section (f) the following new subsection (g):

“(g) LIMITATION ON PARTICIPATION.—(1) The Secretary may not award scholarships or fellowships under this section to more than five individuals described in paragraph (2) per year.

“(2) An individual described in this paragraph is an individual who—

“(A) has not previously been awarded a scholarship or fellowship under the program under this section;

“(B) is not a citizen of the United States; and

“(C) is a citizen of a country the government of which is a party to The Technical Cooperation Program (TTCP) memorandum of understanding of October 24, 1995.”.

SEC. 213. EXPANSION OF EDUCATION PARTNERSHIPS TO SUPPORT TECHNOLOGY TRANSFER AND TRANSITION.

Section 2194 of title 10, United States Code, is amended—

(1) in subsection (a), by inserting “business, law, technology transfer or transition” after “mathematics,”; and

(2) in subsection (b)—

(A) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively;

(B) by inserting after paragraph (3) the following new paragraph (4):

“(4) providing in the defense laboratory sabbatical opportunities for faculty and internship opportunities for students;”;

(C) in paragraphs (5) and (6), as redesignated by subparagraph (A), by striking “research projects” both places it appears and inserting “projects, including research and technology transfer or transition projects”.

SEC. 214. IMPROVEMENT TO COORDINATION AND COMMUNICATION OF DEFENSE RESEARCH ACTIVITIES.

(a) IN GENERAL.—Section 2364 of title 10, United States Code, is amended—

(1) by striking subsection (a) and inserting the following new subsection:

“(a) COORDINATION OF DEPARTMENT OF DEFENSE RESEARCH, DEVELOPMENT, AND TECHNOLOGICAL DATA.—The Secretary of Defense shall promote, monitor, and evaluate programs for the communication and exchange of research, development, and technological data—

“(1) among the Defense research facilities, combatant commands, and other organizations that are involved in developing for the Department of Defense the technological requirements for new items for use by combat forces;

“(2) among Defense research facilities and other offices, agencies, and bureaus in the Department that are engaged in related technological matters;

“(3) among other research facilities and other departments or agencies of the Federal Government that are engaged in research, development, and technological matters;

“(4) among private commercial, research institution, and university entities engaged in research, development, and technological matters potentially relevant to defense on a voluntary basis;

“(5) to the extent practicable, to achieve full awareness of scientific and technological advancement and innovation wherever it may occur, whether funded by the Department of Defense, another element of the Federal Government, or other entities; and

“(6) through development and distribution of clear technical communications to the public, military operators, acquisition organizations, and civilian and military decision-makers that conveys successes of research and engineering activities supported by the Department and the contributions of such activities to support national needs.”;

(2) in subsection (b)—

(A) by striking paragraph (3) and inserting the following new paragraph:

“(3) that the managers of such facilities have broad latitude to choose research and development projects based on awareness of activities throughout the technology domain, including within the Federal Government, the Department of Defense, public and private research institutions and universities, and the global commercial marketplace;”;

(B) in paragraph (4), by striking “; and” and inserting a semicolon;

(C) in paragraph (5), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following new paragraph:

“(6) that, in light of Defense research facilities being funded by the public, Defense research facilities are broadly authorized and encouraged to support national technological development goals and support technological missions of other departments and agencies of the Federal Government, when such support is determined by the Secretary of Defense to be in the best interests of the Federal Government.”.

(3) in the section heading, by inserting “and technology domain awareness” after “activities”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of such title is amended by striking the item relating to section 2364 and inserting the following:

“2364. Coordination and communication of defense research activities and technology domain awareness.”.

SEC. 215. REAUTHORIZATION OF GLOBAL RESEARCH WATCH PROGRAM.

Section 2365 of title 10, United States Code, is amended—

(1) in paragraphs (1) and (2) of subsection (b), by inserting “and private sector persons” after “foreign nations” both places it appears; and

(2) in subsection (f), by striking “September 30, 2015” and inserting “September 30, 2025”.

SEC. 216. REAUTHORIZATION OF DEFENSE RESEARCH AND DEVELOPMENT RAPID INNOVATION PROGRAM.

(a) EXTENSION OF PROGRAM.—Section 1073 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 10 U.S.C. 2359a note) is amended—

(1) in subsection (d), by striking “2015” and inserting “2023”; and

(2) in subsection (g), by striking “September 30, 2015” and inserting “September 30, 2023”.

(b) MODIFICATION OF GUIDELINES FOR OPERATION OF PROGRAM.—Subsection (b) of such section is amended—

(1) by amending paragraph (1) to read as follows:

“(1) The issuance of an annual broad agency announcement or the use of any other competitive or merit-based processes by the Department of Defense for candidate proposals in support of defense acquisition programs as described in subsection (a).”;

(2) in paragraph (3), by striking the second sentence;

(3) in paragraph (4)—

(A) in the first sentence, by striking “be funded under the program for more than two years” and inserting “receive more than a total of two years of funding under the program”; and

(B) by striking the second sentence; and

(4) by adding at the end, the following new paragraphs:

“(5) Mechanisms to facilitate transition of follow-on or current projects carried out under the program into defense acquisition programs, through the use of the authorities of section 819 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 10 U.S.C. 2302 note) or such other authorities as may be appropriate to conduct further testing, low rate production, or full rate production of technologies developed under the program.

“(6) Projects are selected using merit-based selection procedures and the selection of projects is not subject to undue influence by Congress or other Federal agencies.”.

(c) REPEAL OF REPORT REQUIREMENT.—Such section is further amended—

(1) by striking subsection (f); and

(2) by redesignating subsection (g) as subsection (f).

SEC. 217. SCIENCE AND TECHNOLOGY ACTIVITIES TO SUPPORT BUSINESS SYSTEMS INFORMATION TECHNOLOGY ACQUISITION PROGRAMS.

(a) IN GENERAL.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Deputy Chief Management Officer, and the Chief Information Officer, shall establish a set of science, technology, and innovation activities to improve the acquisition outcomes of major automated information systems through improved performance and reduced developmental and life cycle costs.

(b) EXECUTION OF ACTIVITIES.—The activities established under subsection (a) shall be carried out by such military departments and Defense Agencies as the Under Secretary and the Deputy Chief Management Officer consider appropriate.

(c) ACTIVITIES.—

(1) IN GENERAL.—The set of activities established under subsection (a) may include the following:

(A) Development of capabilities in Department of Defense laboratories, test centers, and federally funded research and development centers to provide technical support for acquisition program management and business process re-engineering activities.

(B) Funding of intramural and extramural research and development activities as described in subsection (e).

(2) CURRENT ACTIVITIES.—The Secretary shall identify the current activities described in subparagraphs (A) and (B) of paragraph (1) that are being carried out as of the

date of the enactment of this Act. The Secretary shall consider such current activities in determining the set of activities to establish pursuant to subsection (a).

(d) GAP ANALYSIS.—In establishing the set of activities under subsection (a), not later than 270 days after the date of the enactment of this Act, the Secretary, in coordination with the Secretaries of the military departments and the heads of the Defense Agencies, shall conduct a gap analysis to identify activities that are not, as of such date, being pursued in the current science and technology program of the Department. The Secretary shall use such analysis in determining—

(1) the set of activities to establish pursuant to subsection (a) that carry out the purposes specified in subsection (c)(1); and

(2) the proposed funding requirements and timelines.

(e) FUNDING OF INTRAMURAL AND EXTRAMURAL RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—In carrying out the set of activities required by subsection (a), the Secretary may award grants or contracts to eligible entities to carry out intramural or extramural research and development in areas of interest described in paragraph (3).

(2) ELIGIBLE ENTITIES.—For purposes of this subsection, an eligible entity includes the following:

(A) Entities in the defense industry.

(B) Institutions of higher education.

(C) Small businesses.

(D) Nontraditional defense contractors (as defined in section 2302 of title 10, United States Code).

(E) Federally funded research and development centers, primarily for the purpose of improving technical expertise to support acquisition efforts.

(F) Nonprofit research institutions.

(G) Government laboratories and test centers, primarily for the purpose of improving technical expertise to support acquisition efforts.

(3) AREAS OF INTEREST.—The areas of interest described in this paragraph are the following:

(A) Management innovation, including personnel and financial management policy innovation.

(B) Business process re-engineering.

(C) Systems engineering of information technology business systems.

(D) Cloud computing to support business systems and business processes.

(E) Software development, including systems and techniques to limit unique interfaces and simplify processes to customize commercial software to meet the needs of the Department of Defense.

(F) Hardware development, including systems and techniques to limit unique interfaces and simplify processes to customize commercial hardware to meet the needs of the Department of Defense.

(G) Development of methodologies and tools to support development and operational test of large and complex business systems.

(H) Analysis tools to allow decision-makers to make tradeoffs between requirements, costs, technical risks, and schedule in major automated information system acquisition programs.

(I) Information security in major automated information system systems.

(J) Innovative acquisition policies and practices to streamline acquisition of information technology systems.

(K) Such other areas as the Secretary considers appropriate.

(f) PRIORITIES.—

(1) IN GENERAL.—In carrying out the set of activities required by subsection (a), the Secretary shall give priority to—

(A) projects that—

(i) address the innovation and technology needs of the Department of Defense; and

(ii) support activities of initiatives, programs, and offices identified by the Under Secretary and Deputy Chief Management Officer; and

(B) the projects and programs identified in paragraph (2).

(2) PROJECTS AND PROGRAMS IDENTIFIED.—The projects and programs identified in this paragraph are the following:

(A) Major automated information system programs.

(B) Projects and programs under the oversight of the Deputy Chief Management Officer.

(C) Projects and programs relating to defense procurement acquisition policy.

(D) Projects and programs of the agencies and field activities of the Office of the Secretary of Defense that support business missions such as finance, human resources, security, management, logistics, and contract management.

(E) Military and civilian personnel policy development for information technology workforce.

SEC. 218. DEPARTMENT OF DEFENSE TECHNOLOGY OFFSET PROGRAM TO BUILD AND MAINTAIN THE MILITARY TECHNOLOGICAL SUPERIORITY OF THE UNITED STATES.

(a) PROGRAM ESTABLISHED.—

(1) IN GENERAL.—The Secretary of Defense shall establish a technology offset program to build and maintain the military technological superiority of the United States by—

(A) accelerating the fielding of offset technologies that would help counter technological advantages of potential adversaries of the United States, including directed energy, low-cost, high-speed munitions, autonomous systems, undersea warfare, cyber technology, and intelligence data analytics, developed using research funding of the Department of Defense and accelerating the commercialization of such technologies; and

(B) developing and implementing new policies and acquisition and business practices.

(2) GUIDELINES.—Not later than one year after the date of the enactment of this Act, the Secretary shall issue guidelines for the operation of the program established under paragraph (1), including—

(A) criteria for an application for funding by a military department, Defense Agency, or a combatant command;

(B) the purposes for which such a department, agency, or command may apply for funds and appropriate requirements for technology development or commercialization to be supported using program funds;

(C) the priorities, if any, to be provided to field or commercialize offset technologies developed by certain types of research funding of the Department; and

(D) criteria for evaluation of an application for funding or changes to policies or acquisition and business practices by such a department, agency, or command for purposes of the program.

(b) APPLICATIONS FOR FUNDING.—

(1) IN GENERAL.—Under the program established under subsection (a)(1), not less frequently than annually, the Secretary shall solicit from the heads of the military departments, the Defense Agencies, and the combatant commands applications for funding to be used to enter into contracts, cooperative agreements, or other transaction agreements

entered into pursuant to section 2371b of title 10, United States Code, as added by section 815, with appropriate entities for the fielding or commercialization of technologies.

(2) **TREATMENT PURSUANT TO CERTAIN CONGRESSIONAL RULES.**—Nothing in this section shall be interpreted to require any official of the Department of Defense to provide funding under this section to any Congressional earmark as defined pursuant to clause 9 of rule XXI of the Rules of the House of Representatives or any congressionally directed spending item as defined pursuant to paragraph 5 of rule XLIV of the Standing Rules of the Senate.

(c) **FUNDING.**—

(1) **IN GENERAL.**—Subject to the availability of appropriations for such purpose, of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Defense-wide, not more than \$300,000,000 may be used for each such fiscal year for the program established under subsection (a)(1).

(2) **AMOUNT FOR DIRECTED ENERGY.**—Of the funds specified in paragraph (1) for any of fiscal years 2016 through 2020, not more than \$150,000,000 may be used for each such fiscal year for activities in the field of directed energy.

(d) **TRANSFER AUTHORITY.**—

(1) **IN GENERAL.**—The Secretary may transfer funds available for the program established under subsection (a)(1) to the research, development, test, and evaluation accounts of a military department, Defense Agency, or a combatant command pursuant to an application, or any part of an application, that the Secretary determines would support the purposes of the program.

(2) **SUPPLEMENT NOT SUPPLANT.**—The transfer authority provided in paragraph (1) is in addition to any other transfer authority available to the Secretary of Defense.

(e) **TERMINATION.**—

(1) **IN GENERAL.**—The authority to carry out the program under subsection (a)(1) shall terminate on September 30, 2020.

(2) **TRANSFER AFTER TERMINATION.**—Any amounts made available for the program that remain available for obligation on the date on which the program terminates may be transferred under subsection (d) during the 180-day period beginning on the date of the termination of the program.

SEC. 219. LIMITATION ON AVAILABILITY OF FUNDS FOR F-15 INFRARED SEARCH AND TRACK CAPABILITY DEVELOPMENT.

(a) **LIMITATION.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Air Force, for F-15 infrared search and track capability, not more than 50 percent may be obligated or expended until a period of 30 days has elapsed following the date on which the Secretary of Defense submits to the congressional defense committees the report under subsection (b).

(b) **REPORT.**—Not later than March 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a report on the requirements and cost estimates for the development and procurement of infrared search and track capability for F/A-18 and F-15 aircraft of the Navy and the Air Force. The report shall include the following:

(1) A comparison of the requirements between the F/A-18 and F-15 aircraft infrared search and track development efforts of the Navy and the Air Force.

(2) An explanation of any differences between the F/A-18 and F-15 aircraft infrared search and track capability development efforts of the Navy and the Air Force.

(3) A summary of the schedules and required funding to develop and field such capability.

(4) An explanation of any need for the Navy and the Air Force to field different F/A-18 and F-15 aircraft infrared search and track systems.

(5) Any other matters the Secretary determines appropriate.

SEC. 220. LIMITATION ON AVAILABILITY OF FUNDS FOR DEVELOPMENT OF THE SHALLOW WATER COMBAT SUBMERSIBLE.

(a) **LIMITATION.**—Of the amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the development of the shallow water combat submersible of the United States Special Operations Command, not more than 50 percent may be obligated or expended until a period of 15 days elapses following the later of the date on which—

(1) the Under Secretary of Defense for Acquisition, Technology, and Logistics designates a civilian official to be responsible for oversight of and assistance to the United States Special Operations Command for all undersea mobility programs; and

(2) the Under Secretary, in coordination with the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict and the Commander of the United States Special Operations Command, submits to the congressional defense committees the report described in subsection (b).

(b) **REPORT DESCRIBED.**—The report described in this subsection is a report on the shallow water combat submersible program that includes the following:

(1) An analysis of the reasons for cost and schedule overruns associated with the program, including with respect to the performance of contractors and subcontractors.

(2) A revised timeline for initial and full operational capability of the shallow water combat submersible.

(3) A description of the challenges associated with the integration with dry deck shelter and other diving technologies.

(4) The projected cost to meet the total unit acquisition objective.

(5) A plan to prevent, identify, and mitigate any additional cost and schedule overruns.

(6) A description of any opportunities to recover cost or schedule overruns.

(7) A description of any lessons that the Under Secretary may have learned from the shallow water combat submersible program that could be applied to future undersea mobility acquisition programs.

(8) Any other matters that the Under Secretary considers appropriate.

SEC. 221. LIMITATION ON AVAILABILITY OF FUNDS FOR THE ADVANCED DEVELOPMENT AND MANUFACTURING FACILITY UNDER THE MEDICAL COUNTERMEASURE PROGRAM.

(a) **LIMITATION.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Defense-wide, for the advanced development and manufacturing facility, and the associated activities performed at such facility, under the medical countermeasure program of the chemical and biological defense program, not more than 75 percent may be obligated or expended until a period of 45 days elapses following the date on which the Secretary of Defense submits to the congressional defense committees the report under subsection (b).

sional defense committees the report under subsection (b).

(b) **REPORT.**—The Secretary shall submit to the congressional defense committees a report on the advanced development and manufacturing facility under the medical countermeasure program that includes the following:

(1) An overall description of the advanced development and manufacturing facility, including validated Department of Defense requirements.

(2) Program goals, proposed metrics of performance, and anticipated procurement and operations and maintenance costs during the period covered by the current future years defense program under section 221 of title 10, United States Code.

(3) The results of any analysis of alternatives and efficiency reviews conducted by the Secretary that justifies the manufacturing and privately financed construction of an advanced manufacturing and development facility rather than using other programs and facilities of the Federal Government or industry facilities for advanced development and manufacturing of medical countermeasures.

(4) An independent cost-benefit analysis that justifies the manufacturing and privately financed construction of an advanced manufacturing and development facility described in paragraph (3).

(5) If no independent cost-benefit analysis makes the justification described in paragraph (4), an explanation for why such manufacturing and privately financed construction cannot be so justified.

(6) Any other matters the Secretary of Defense determines appropriate.

(c) **COMPTROLLER GENERAL REVIEW.**—Not later than 60 days after the date on which the Secretary submits the report under subsection (b), the Comptroller General of the United States shall submit to the congressional defense committees a review of such report.

SEC. 222. LIMITATION ON AVAILABILITY OF FUNDS FOR DISTRIBUTED COMMON GROUND SYSTEM OF THE ARMY.

(a) **LIMITATION.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Army, for the distributed common ground system of the Army, not more than 75 percent may be obligated or expended until the Secretary of the Army—

(1) conducts a review of the program planning for the distributed common ground system of the Army; and

(2) submits to the appropriate congressional committees the report required by subsection (b)(1).

(b) **REPORT.**—

(1) **IN GENERAL.**—The Secretary shall submit to the appropriate congressional committees a report on the review of the distributed common ground system of the Army conducted under subsection (a)(1).

(2) **MATTERS INCLUDED.**—The report under paragraph (1) shall include the following:

(A) A review of the segmentation of Increment 2 of the distributed common ground system program of the Army into discrete software components with the associated requirements of each component.

(B) Identification of each component of Increment 2 of the distributed common ground system of the Army for which commercial software exists that is capable of fulfilling most or all of the system requirements for each such component.

(C) A cost analysis of each such commercial software that compares performance with projected cost.

(D) Determination of the degree to which commercial software solutions are compliant with the standards required by the framework and guidance for the Intelligence Community Information Technology Enterprise, the Defense Intelligence Information Enterprise, and the Joint Information Environment.

(E) Identification of each component of Increment 2 of the distributed common ground system of the Army that the Secretary determines may be acquired through competitive means.

(F) An acquisition plan for Increment 2 of the distributed common ground system of the Army that prioritizes the acquisition of commercial software components, including a data integration layer, in time to meet the projected deployment schedule for Increment 2.

(G) A review of the timetable for the distributed common ground system program of the Army in order to determine whether there is a practical, executable acquisition strategy, including the use of operational capability demonstrations, that could lead to an initial operating capability of Increment 2 of the distributed common ground system of the Army prior to fiscal year 2017.

(C) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and

(2) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 223. LIMITATION ON AVAILABILITY OF FUNDS FOR DISTRIBUTED COMMON GROUND SYSTEM OF THE UNITED STATES SPECIAL OPERATIONS COMMAND.

(a) **LIMITATION.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Defense-wide, for the United States Special Operations Command for the distributed common ground system, not more than 75 percent may be obligated or expended until the Commander of the United States Special Operations Command submits to the congressional defense committees the report required by subsection (b).

(b) **REPORT REQUIRED.**—The Commander shall submit to the congressional defense committees and the Permanent Select Committee on Intelligence of the House of Representatives a report on the distributed common ground system. Such report shall include the following:

(1) A review of the segmentation of the distributed common ground system special operations forces program into discrete software components with the associated requirements of each component.

(2) Identification of each component of the distributed common ground system special operations forces program for which commercial software exists that is capable of fulfilling most or all of the system requirements for each such component.

(3) A cost analysis of each such commercial software that compares performance with projected cost.

(4) A determination of the degree to which commercial software solutions are compliant with the standards required by the framework and guidance for the Intelligence Community Information Technology Enterprise,

the Defense Intelligence Information Enterprise, and the Joint Information Environment.

(5) Identification of each component of the distributed common ground system special operations forces program that the Commander determines may be acquired through competitive means.

(6) An assessment of the extent to which elements of the distributed common ground system special operations forces program could be modified to increase commercial acquisition opportunities.

(7) An acquisition plan that leads to full operational capability prior to fiscal year 2019.

SEC. 224. LIMITATION ON AVAILABILITY OF FUNDS FOR INTEGRATED PERSONNEL AND PAY SYSTEM OF THE ARMY.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Army, for the integrated personnel and pay system of the Army, not more than 75 percent may be obligated or expended until the date on which the Secretary of the Army submits to the congressional defense committees a report that includes the following:

(1) Updated and validated information regarding the performance of the current legacy personnel and pay system of the Army for each high-level objective and business outcome described in the business case for IPPS-A Increment II, dated December 2014, including justifications for threshold and objective values for the integrated personnel and pay system of the Army.

(2) An explanation how the integrated personnel and pay system of the Army will enable significant change throughout the entire human resources enterprise.

(3) A description for how the implementation of the capabilities in the integrated personnel and pay system of the Army will result in changes to the capabilities and services to be provided by the Defense Finance and Accounting Services, including an estimate of cost savings and manpower savings resulting from elimination of duplicative functions.

(4) A description of alternative program approaches that could reduce the overall cost of development and deployment for the integrated personnel and pay system of the Army without delaying the current program schedule by more than six months.

Subtitle C—Reports and Other Matters

SEC. 231. STREAMLINING THE JOINT FEDERATED ASSURANCE CENTER.

Section 937(c)(2) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 2224 note) is amended—

(1) in subparagraph (C), by striking “, in coordination with the Center for Assured Software of the National Security Agency,”; and

(2) in subparagraph (E), by striking “, in coordination with the Defense Microelectronics Activity.”.

SEC. 232. DEMONSTRATION OF PERSISTENT CLOSE AIR SUPPORT CAPABILITIES.

(a) **JOINT DEMONSTRATION REQUIRED.**—Subject to the availability of funds, the Secretary of the Air Force, the Secretary of the Army, and the Director of the Defense Advanced Research Projects Agency may jointly conduct a demonstration of the persistent close air support capability during fiscal year 2016.

(b) **PARAMETERS OF DEMONSTRATION.**—

(1) **SELECTION AND EQUIPMENT OF AIRCRAFT.**—If the demonstration under sub-

section (a) is conducted, the Secretary of the Air Force shall select and equip at least two aircraft for use in the demonstration that the Secretary otherwise intends to use for close air support.

(2) **CLOSE AIR SUPPORT OPERATIONS.**—If the demonstration under subsection (a) is conducted, the demonstration shall include close air support operations that involve the following:

(A) Multiple tactical radio networks representing diverse ground force user communities.

(B) Two-way digital exchanges of situational awareness data, video, and calls for fire between aircraft and ground users without modification to aircraft operational flight profiles.

(C) Real-time sharing of blue force, aircraft, and target location data to reduce risks of fratricide.

(D) Lightweight digital tools based on commercial-off-the-shelf technology for pilots and joint tactical air controllers.

(E) Operations in simple and complex operating environments.

(c) **ASSESSMENT.**—If the demonstration under subsection (a) is conducted, the Secretary of the Air Force, the Secretary of the Army, and the Director of the Defense Advanced Research Projects Agency shall jointly—

(1) assess the effect of the capabilities demonstrated as part of the demonstration required by subsection (a) on—

(A) the time required to conduct close air support operations;

(B) the effectiveness of blue force in achieving tactical objectives; and

(C) the risk of fratricide and collateral damage;

(2) estimate the costs that would be incurred in transitioning the technology used in the persistent close air support capability to the Army and the Air Force; and

(3) provide to the congressional defense committees a briefing on the results of the demonstration, the assessment under paragraph (1), and the cost estimates under paragraph (2) by December 1, 2016.

SEC. 233. STRATEGIES FOR ENGAGEMENT WITH HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTIONS OF HIGHER EDUCATION.

(a) **BASIC RESEARCH ENTITIES.**—

(1) **STRATEGY.**—The heads of each basic research entity shall each develop a strategy for how to engage with and support the development of scientific, technical, engineering, and mathematics capabilities of covered educational institutions in carrying out section 2362 of title 10, United States Code.

(2) **ELEMENTS.**—Each strategy under paragraph (1) shall include the following:

(A) Goals and vision for maintaining a credible and sustainable program relating to the engagement and support under the strategy.

(B) Metrics to enhance scientific, technical, engineering, and mathematics capabilities at covered educational institutions, including with respect to measuring progress toward increasing the success of such institutions to compete for broader research funding sources other than set-aside funds.

(C) Promotion of mentoring opportunities between covered educational institutions and other research institutions.

(D) Regular assessment of activities that are used to develop, maintain, and grow scientific, technical, engineering, and mathematics capabilities.

(E) Inclusion of faculty of covered educational institutions into program reviews, peer reviews, and other similar activities.

(F) Targeting of undergraduate, graduate, and postgraduate students at covered educational institutions for inclusion into research or internship opportunities within the military department.

(b) OFFICE OF THE SECRETARY.—The Secretary of Defense shall develop and implement a strategy for how to engage with and support the development of scientific, technical, engineering, and mathematics capabilities of covered educational institutions pursuant to the strategies developed under subsection (a).

(c) SUBMISSION.—

(1) BASIC RESEARCH ENTITIES.—Not later than 180 days after the date of the enactment of this Act, the heads of each basic research entity shall each submit to the congressional defense committees the strategy developed by the head under subsection (a)(1).

(2) OFFICE OF THE SECRETARY.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees the strategy developed under subsection (b).

(d) COVERED INSTITUTION DEFINED.—In this section:

(1) The term “basic research entity” means an entity of the Department of Defense that executes research, development, test, and evaluation budget activity 1 funding, as described in the Department of Defense Financial Management Regulation.

(2) The term “covered educational institution” has the meaning given that term in section 2362(e) of title 10, United States Code.

SEC. 234. REPORT ON COMMERCIAL-OFF-THE-SHELF WIDE-AREA SURVEILLANCE SYSTEMS FOR ARMY TACTICAL UNMANNED AERIAL SYSTEMS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report that contains the findings of a market survey and assessment of commercial-off-the-shelf wide-area surveillance sensors operationally suitable for insertion into the tactical unmanned aerial systems of the Army.

(b) ELEMENTS.—The market survey and assessment contained in the report under subsection (a) shall include—

(1) specific details regarding the capabilities of current and commercial-off-the-shelf wide-area surveillance sensors that are, or could be, used on tactical unmanned aerial systems of the Army, including—

(A) daytime and nighttime monitoring coverage;

(B) video resolution outputs;

(C) bandwidth requirements;

(D) activity-based intelligence and forensic capabilities;

(E) simultaneous region of interest monitoring capability;

(F) interoperability with other sensors and subsystems currently used on such tactical unmanned aerial systems;

(G) sensor weight;

(H) sensor cost;

(I) frame rates;

(J) on-board processing capabilities; and

(K) any other factors the Secretary considers relevant;

(2) an assessment of the effect on such tactical unmanned aerial systems due to the insertion of commercial-off-the-shelf wide-area surveillance sensors; and

(3) recommendations on the advisability and feasibility to upgrade or enhance wide-area surveillance sensors of such tactical un-

manned aerial systems, as considered appropriate by the Secretary.

(c) FORM.—The report under subsection (a) may contain a classified annex.

SEC. 235. REPORT ON TACTICAL COMBAT TRAINING SYSTEM INCREMENT II.

(a) REPORT.—Not later than January 29, 2016, the Secretary of the Navy and the Secretary of the Air Force shall submit to the congressional defense committees a report on the baseline and alternatives to the Tactical Air Combat Training System (TCTS) Increment II of the Navy.

(b) CONTENTS.—The report under subsection (a) shall include the following:

(1) An explanation of the rationale for a new start TCTS II program as compared to an incremental upgrade to the existing TCTS system.

(2) An estimate of total cost to develop, procure, and replace the existing Department of the Navy TCTS architecture with an encrypted TCTS II compared to upgrades to existing TCTS.

(3) A cost estimate and schedule comparison of achieving encryption requirements into the existing TCTS program as compared to TCTS II.

(4) A review of joint Department of the Air Force and the Department of the Navy investment in live-virtual-constructive advanced air combat training and planned timeline for inclusion into TCTS II architecture.

(5) A cost estimate to integrate F-35 aircraft with TCTS II and achieve interoperability between the Department of the Navy and Department of the Air Force.

(6) A cost estimate for coalition partners to achieve TCTS II interoperability within the Department of Defense.

(7) An assessment of risks posed by non-interoperable TCTS systems within the Department of the Navy and the Department of the Air Force.

(8) An explanation of the acquisition strategy for the TCTS program.

(9) An explanation of key performance parameters for the TCTS II program.

(10) Any other information the Secretary of the Navy and Secretary of the Air Force determine is appropriate to include.

SEC. 236. REPORT ON TECHNOLOGY READINESS LEVELS OF THE TECHNOLOGIES AND CAPABILITIES CRITICAL TO THE LONG-RANGE STRIKE BomBER AIRCRAFT.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the technology readiness levels of the technologies and capabilities critical to the long-range strike bomber aircraft.

(b) REVIEW BY COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than 60 days after the report of the Secretary is submitted under subsection (a), the Comptroller General of the United States shall review the report and submit to the congressional defense committees an assessment of the matters contained in the report.

SEC. 237. ASSESSMENT OF AIR-LAND MOBILE TACTICAL COMMUNICATIONS AND DATA NETWORK REQUIREMENTS AND CAPABILITIES.

(a) ASSESSMENT REQUIRED.—The Director of Cost Assessment and Program Evaluation shall seek to enter into a contract with a federally funded research and development center to conduct a comprehensive assessment of current and future requirements and capabilities of the Army with respect to air-land ad hoc, mobile tactical communications and data networks, including the techno-

logical feasibility, suitability, and survivability of such networks.

(b) ELEMENTS.—The assessment under subsection (a) shall include the following:

(1) Concepts, capabilities, and capacities of current or future communications and data network systems to meet the requirements of current or future tactical operations effectively, efficiently, and affordably.

(2) Software requirements and capabilities, particularly with respect to communications and data network waveforms.

(3) Hardware requirements and capabilities, particularly with respect to receiver and transmission technology, tactical communications, and data radios at all levels and on all platforms, all associated technologies, and their integration, compatibility, and interoperability.

(4) Any other matters relevant or necessary for a comprehensive assessment of tactical networks or networking in the Warfighter Information Network-Tactical (Increments 1 and 2).

(c) INDEPENDENT ENTITY.—The Director shall select a federally funded research and development center with direct, long-standing, and demonstrated experience and expertise in program test and evaluation of concepts, requirements, and technologies for joint tactical communications and data networking to perform the assessment under subsection (a).

(d) REPORT REQUIRED.—Not later than April 30, 2016, the Secretary of Defense shall submit to the congressional defense committees a report including the findings and recommendations of the assessment conducted under subsection (a), together with the separate comments of the Secretary of Defense and the Secretary of the Army.

SEC. 238. STUDY OF FIELD FAILURES INVOLVING COUNTERFEIT ELECTRONIC PARTS.

(a) IN GENERAL.—The Secretary of Defense shall conduct a hardware assurance study to assess the presence, scope, and effect on Department of Defense operations of counterfeit electronic parts that have passed through the supply chain of the Department and into fielded systems.

(b) MATTERS INCLUDED.—The study under subsection (a) shall include the following:

(1) The technical analysis conducted under paragraph (1) of subsection (c).

(2) The report on the technical assessment submitted under paragraph (3)(B) of subsection (c).

(3) Recommendations for such legislative and administrative action, including budget requirements, as the Secretary considers necessary to conduct sampling and technical hardware analyses of counterfeit parts in identified areas of high concern.

(c) EXECUTION AND TECHNICAL ANALYSIS.—

(1) IN GENERAL.—The Secretary shall direct the executive agent for printed circuit board technology designated under section 256(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 10 U.S.C. 2501 note) to coordinate the execution of the study under subsection (a) using capabilities of the Department in effect on the day before the date of the enactment of this Act to conduct a technical analysis on a sample of failed electronic parts in fielded systems.

(2) ELEMENTS.—The technical analysis required by paragraph (1) shall include the following:

(A) The selection of a representative sample of electronic component types, including digital, mixed-signal, and analog integrated circuits.

(B) An assessment of the presence of counterfeit parts, including causes and attributes of failures of any identified counterfeit part.

(C) For components found to have counterfeit parts, an assessment of the effect of the counterfeit part in the failure mechanism.

(D) For cases with counterfeit parts contributing to the failure, a determination of the failure attributes, factors, and effects on subsystem and system level reliability, readiness, and performance.

(3) **TECHNICAL ASSESSMENT.**—For any parts assessed under paragraph (2) that demonstrate unusual or suspicious failure mechanisms, the federation established under section 937(a)(1) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 2224 note) shall—

(A) conduct a technical assessment for indications of malicious tampering; and

(B) submit to the executive agent described in paragraph (1) a report on the findings of the federation with respect to the technical assessment.

(d) **REPORT.**—

(1) **IN GENERAL.**—Not later than 540 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the study carried out under subsection (a).

(2) **CONTENTS.**—The report required by paragraph (1) shall include the following:

(A) The findings of the Secretary with respect to the study conducted under subsection (a).

(B) The recommendations developed under subsection (b)(3).

SEC. 239. AIRBORNE DATA LINK PLAN.

(a) **PLAN REQUIRED.**—The Under Secretary of Defense for Acquisition, Technology, and Logistics and the Vice Chairman of the Joint Chiefs of Staff shall jointly, in consultation with the Secretary of the Navy and the Secretary of the Air Force, develop a plan—

(1) to provide objective survivable communications gateways to enable—

(A) the secure dissemination of national and tactical intelligence information to fourth-generation fighter aircraft and supporting airborne platforms and to low-observable penetrating platforms such as the F-22 and F-35 aircraft; and

(B) the secure reception and dissemination of sensor data from low-observable penetrating aircraft, such as the F-22 and F-35 aircraft;

(2) to provide secure data sharing between the fifth-generation fighter aircraft of the Navy, the Air Force, and the Marine Corps, with minimal changes to the outer surfaces of the aircraft and to aircraft operational flight programs; and

(3) to enable secure data sharing between fifth-generation and fourth-generation aircraft in jamming environments.

(b) **ADDITIONAL PLAN REQUIREMENTS.**—The plan under subsection (a) shall include non-proprietary and open systems approaches that are compatible with the rapid capabilities office open mission systems initiative of the Air Force and the future airborne capability environment initiative of the Navy.

(c) **BRIEFING.**—Not later than February 15, 2016, the Under Secretary and the Vice Chairman shall jointly provide to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a briefing on the plan under subsection (a).

SEC. 240. PLAN FOR ADVANCED WEAPONS TECHNOLOGY WAR GAMES.

(a) **PLAN REQUIRED.**—The Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff, shall develop and

implement a plan for integrating advanced weapons and offset technologies into exercises carried out individually and jointly by the military departments to improve the development and experimentation of various concepts for employment by the Armed Forces.

(b) **ELEMENTS.**—The plan under subsection (a) shall include the following:

(1) Identification of specific exercises to be carried out individually or jointly by the military departments under the plan.

(2) Identification of emerging advanced weapons and offset technologies based on joint and individual recommendations of the military departments, including with respect to directed-energy weapons, hypersonic strike systems, autonomous systems, or other technologies as determined by the Secretary.

(3) A schedule for integrating either prototype capabilities or table-top exercises into relevant exercises.

(4) A method for capturing lessons learned and providing feedback both to the developers of the advanced weapons and offset technology and the military departments.

(c) **SUBMISSION.**—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing the plan under subsection (a) and a status update on the implementation of such plan.

SEC. 241. INDEPENDENT ASSESSMENT OF F135 ENGINE PROGRAM.

(a) **ASSESSMENT.**—The Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct an assessment of the F135 engine program.

(b) **ELEMENTS.**—The assessment under subsection (a) shall include the following:

(1) An assessment of the reliability, growth, and cost-reduction efforts with respect to the F135 engine program, including—

(A) a detailed description of the reliability and cost history of the engine;

(B) the identification of key reliability and cost challenges to the program as of the date of the assessment; and

(C) the identification of any potential options for addressing such challenges.

(2) In accordance with subsection (c), a thorough assessment of the incident on June 23, 2014, consisting of an F135 engine failure and subsequent fire, including—

(A) the identification and definition of the root cause of the incident;

(B) the identification of potential actions or design changes needed to address such root cause; and

(C) the associated cost, schedule, and performance implications of such incident to both the F135 engine program and the F-35 Joint Strike Fighter program.

(c) **CONDUCT OF ASSESSMENT.**—The federally funded research and development center selected to conduct the assessment under subsection (a) shall carry out subsection (b)(2) by analyzing data collected by the F-35 Joint Program Office, other elements of the Federal Government, or contractors. Nothing in this section may be construed as affecting the plans of the Secretary to dispose of the aircraft involved in the incident described in such subsection (b)(2).

(d) **REPORT.**—Not later than March 15, 2016, the Secretary shall submit to the congressional defense committees a report containing the assessment conducted under subsection (a).

SEC. 242. COMPTROLLER GENERAL REVIEW OF AUTONOMIC LOGISTICS INFORMATION SYSTEM FOR F-35 LIGHTNING II AIRCRAFT.

(a) **REPORT.**—Not later than April 1, 2016, the Comptroller General of the United States shall submit to the congressional defense committees a report on the autonomic logistics information system for the F-35 Lightning II aircraft program.

(b) **ELEMENTS.**—The report under subsection (a) shall include, at a minimum, the following:

(1) The fielding status, in terms of units equipped with various software and hardware configurations, for the autonomic logistics information system element of the F-35 Lightning II aircraft program, as of the date of the report.

(2) The development schedule for upgrades to the autonomic logistics information system, and an assessment of the ability of the F-35 Lightning II aircraft program to maintain such schedule.

(3) The views of maintenance personnel and other personnel involved in operating and maintaining F-35 Lightning II aircraft in testing and operational units.

(4) The effect of the autonomic logistics information system program on the operational availability of the F-35 Lightning II aircraft program.

(5) Improvements, if any, regarding the time required for maintenance personnel to input data and use the autonomic logistics information system.

(6) The ability of the autonomic logistics information system to be deployed on both ships and to forward land-based locations, including any limitations of such a deployable version.

(7) The cost estimates for development and fielding of the autonomic logistics information system program and an assessment of the capability of the program to address performance problems within the planned resources.

(8) Other matters regarding the autonomic logistics information system that the Comptroller General determines of critical importance to the long-term viability of the system.

SEC. 243. SENSE OF CONGRESS REGARDING FACILITATION OF A HIGH QUALITY TECHNICAL WORKFORCE.

It is the sense of Congress that the Secretary of Defense should explore using existing authorities for promoting science, technology, engineering, and mathematics programs, such as under section 233 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 10 U.S.C. 2193a note), to allow laboratories of the Department of Defense and federally funded research and development centers to help facilitate and shape a high quality scientific and technical future workforce that can support the needs of the Department.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations
Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment
Sec. 311. Limitation on procurement of drop-in fuels.

Sec. 312. Southern Sea Otter Military Readiness Areas.

Sec. 313. Modification of energy management reporting requirements.

Sec. 314. Revision to scope of statutorily required review of projects relating to potential obstructions to aviation so as to apply only to energy projects.

Sec. 315. Exclusions from definition of “chemical substance” under Toxic Substances Control Act.

Subtitle C—Logistics and Sustainment

Sec. 322. Repeal of limitation on authority to enter into a contract for the sustainment, maintenance, repair, or overhaul of the F117 engine.

Sec. 323. Pilot programs for availability of working-capital funds for product improvements.

Subtitle D—Reports

Sec. 331. Modification of annual report on prepositioned materiel and equipment.

Sec. 332. Report on merger of Office of Assistant Secretary for Operational Energy Plans and Deputy Under Secretary for Installations and Environment.

Sec. 333. Report on equipment purchased noncompetitively from foreign entities.

Subtitle E—Other Matters

Sec. 341. Prohibition on contracts making payments for honoring members of the Armed Forces at sporting events.

Sec. 342. Military animals: transfer and adoption.

Sec. 343. Temporary authority to extend contracts and leases under the ARMS Initiative.

Sec. 344. Improvements to Department of Defense excess property disposal.

Sec. 345. Limitation on use of funds for Department of Defense sponsorships, advertising, or marketing associated with sports-related organizations or sporting events.

Sec. 346. Reduction in amounts available for Department of Defense headquarters, administrative, and support activities.

Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

Subtitle B—Energy and Environment

SEC. 311. LIMITATION ON PROCUREMENT OF DROP-IN FUELS.

(a) IN GENERAL.—Subchapter II of chapter 173 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2922h. Limitation on procurement of drop-in fuels

“(a) LIMITATION.—Except as provided in subsection (b), the Secretary of Defense may not make a bulk purchase of a drop-in fuel for operational purposes unless the fully burdened cost of that drop-in fuel is cost-competitive with the fully burdened cost of a traditional fuel available for the same purpose.

“(b) WAIVER.—(1) Subject to the requirements of paragraph (2), the Secretary of Defense may waive the limitation under subsection (a) with respect to a purchase.

“(2) Not later than 30 days after issuing a waiver under this subsection, the Secretary shall submit to the congressional defense committees notice of the waiver. Any such notice shall include each of the following:

“(A) The rationale of the Secretary for issuing the waiver.

“(B) A certification that the waiver is in the national security interest of the United States.

“(C) The expected fully burdened cost of the purchase for which the waiver is issued.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘drop-in fuel’ means a neat or blended liquid hydrocarbon fuel designed as a direct replacement for a traditional fuel with comparable performance characteristics and compatible with existing infrastructure and equipment.

“(2) The term ‘traditional fuel’ means a liquid hydrocarbon fuel derived or refined from petroleum.

“(3) The term ‘operational purposes’—

“(A) means for the purposes of conducting military operations, including training, exercises, large scale demonstrations, and moving and sustaining military forces and military platforms; and

“(B) does not include research, development, testing, evaluation, fuel certification, or other demonstrations.

“(4) The term ‘fully burdened cost’ means the commodity price of the fuel plus the total cost of all personnel and assets required to move and, when necessary, protect the fuel from the point at which the fuel is received from the commercial supplier to the point of use.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2922g the following new item: “2922h. Limitation on procurement of drop-in fuels.”.

SEC. 312. SOUTHERN SEA OTTER MILITARY READINESS AREAS.

(a) ESTABLISHMENT OF THE SOUTHERN SEA OTTER MILITARY READINESS AREAS.—Chapter 631 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 7235. Establishment of the Southern Sea Otter Military Readiness Areas

“(a) ESTABLISHMENT.—The Secretary of the Navy shall establish areas, to be known as ‘Southern Sea Otter Military Readiness Areas’, for national defense purposes. Such areas shall include each of the following:

“(1) The area that includes Naval Base Ventura County, San Nicolas Island, and Begg Rock and the adjacent and surrounding waters within the following coordinates:

“N. Latitude/W. Longitude

33°27.8’/119°34.3’
33°20.5’/119°15.5’
33°13.5’/119°11.8’
33°06.5’/119°15.3’
33°02.8’/119°26.8’
33°08.8’/119°46.3’
33°17.2’/119°56.9’
33°30.9’/119°54.2’.

“(2) The area that includes Naval Base Coronado, San Clemente Island and the adjacent and surrounding waters running parallel to shore to 3 nautical miles from the high tide line designated by part 165 of title 33, Code of Federal Regulations, on May 20, 2010, as the San Clemente Island 3NM Safety Zone.

“(b) ACTIVITIES WITHIN THE SOUTHERN SEA OTTER MILITARY READINESS AREAS.—

“(1) INCIDENTAL TAKINGS UNDER ENDANGERED SPECIES ACT OF 1973.—Sections 4 and 9 of the Endangered Species Act of 1973 (16 U.S.C. 1533, 1538) shall not apply with respect to the incidental taking of any southern sea

otter in the Southern Sea Otter Military Readiness Areas in the course of conducting a military readiness activity.

“(2) INCIDENTAL TAKINGS UNDER MARINE MAMMAL PROTECTION ACT OF 1972.—Sections 101 and 102 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371, 1372) shall not apply with respect to the incidental taking of any southern sea otter in the Southern Sea Otter Military Readiness Areas in the course of conducting a military readiness activity.

“(3) TREATMENT AS SPECIES PROPOSED TO BE LISTED.—For purposes of conducting a military readiness activity, any southern sea otter while within the Southern Sea Otter Military Readiness Areas shall be treated for the purposes of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) as a member of a species that is proposed to be listed as an endangered species or a threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533).

“(c) REMOVAL.—Nothing in this section or any other Federal law shall be construed to require that any southern sea otter located within the Southern Sea Otter Military Readiness Areas be removed from the Areas.

“(d) REVISION OR TERMINATION OF EXCEPTIONS.—The Secretary of the Interior may revise or terminate the application of subsection (b) if the Secretary of the Interior, in consultation with the Secretary of the Navy, determines that military activities occurring in the Southern Sea Otter Military Readiness Areas are impeding the southern sea otter conservation or the return of southern sea otters to optimum sustainable population levels.

“(e) MONITORING.—

“(1) IN GENERAL.—The Secretary of the Navy shall conduct monitoring and research within the Southern Sea Otter Military Readiness Areas to determine the effects of military readiness activities on the growth or decline of the southern sea otter population and on the near-shore ecosystem. Monitoring and research parameters and methods shall be determined in consultation with the Service.

“(2) REPORTS.—Not later than 24 months after the date of the enactment of this section and every three years thereafter, the Secretary of the Navy shall report to Congress and the public on monitoring undertaken pursuant to paragraph (1).

“(f) DEFINITIONS.—In this section:

“(1) SOUTHERN SEA OTTER.—The term ‘southern sea otter’ means any member of the subspecies *Enhydra lutris nereis*.

“(2) TAKE.—The term ‘take’—

“(A) when used in reference to activities subject to regulation by the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), shall have the meaning given such term in that Act; and

“(B) when used in reference to activities subject to regulation by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.) shall have the meaning given such term in that Act.

“(3) INCIDENTAL TAKING.—The term ‘incidental taking’ means any take of a southern sea otter that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.

“(4) MILITARY READINESS ACTIVITY.—The term ‘military readiness activity’ has the meaning given that term in section 315(f) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (16 U.S.C. 703 note) and includes all training and operations of the armed forces that relate to

combat and the adequate and realistic testing of military equipment, vehicles, weapons, and sensors for proper operation and suitability for combat use.

“(5) OPTIMUM SUSTAINABLE POPULATION.—The term ‘optimum sustainable population’ means, with respect to any population stock, the number of animals that will result in the maximum productivity of the population or the species, keeping in mind the carrying capacity of the habitat and the health of the ecosystem of which they form a constituent element.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“7235. Establishment of the Southern Sea Otter Military Readiness Areas.”.

SEC. 313. MODIFICATION OF ENERGY MANAGEMENT REPORTING REQUIREMENTS.

Section 2925(a) of title 10, United States Code, is amended—

(1) by striking paragraphs (4) and (7);
(2) by redesignating paragraphs (5), (6), (8), (9), (10), (11), and (12) as paragraphs (4), (5), (6), (7), (8), (9), and (10), respectively;

(3) by amending paragraph (7), as redesignated by paragraph (2) of this section, to read as follows:

“(7) A description and estimate of the progress made by the military departments in meeting current high performance and sustainable building standards under the Unified Facilities Criteria.”;

(4) by amending paragraph (9), as redesignated by such paragraph (2), to read as follows:

“(9) Details of all commercial utility outages caused by threats and those caused by hazards at military installations that last eight hours or longer, whether or not the outage was mitigated by backup power, including non-commercial utility outages and Department of Defense-owned infrastructure, including the total number and location of outages, the financial impact of the outages, and measure taken to mitigate outages in the future at the affected locations and across the Department of Defense.”; and

(5) by adding at the end the following new paragraph:

“(11) At the discretion of the Secretary of Defense, a classified annex, as appropriate.”.

SEC. 314. REVISION TO SCOPE OF STATUTORILY REQUIRED REVIEW OF PROJECTS RELATING TO POTENTIAL OBSTRUCTIONS TO AVIATION SO AS TO APPLY ONLY TO ENERGY PROJECTS.

(a) SCOPE OF SECTION.—Section 358 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4198; 49 U.S.C. 44718 note) is amended—

(1) in subsection (c)(3), by striking “from State and local officials or the developer of a renewable energy development or other energy project” and inserting “from a State government, an Indian tribal government, a local government, a landowner, or the developer of an energy project”;

(2) in subsection (c)(4), by striking “readiness, and” and all that follows and inserting “readiness and to clearly communicate to such parties actions being taken by the Department of Defense under this section.”;

(3) in subsection (d)(2)(B), by striking “as high, medium, or low”;

(4) by redesignating subsection (j) as subsection (k); and

(5) by inserting after subsection (i) the following new subsection (j):

“(j) APPLICABILITY OF SECTION.—This section does not apply to a non-energy project.”.

(b) DEFINITIONS.—Subsection (k) of such section, as redesignated by paragraph (4) of subsection (a), is amended by adding at the end the following new paragraphs:

“(4) The term ‘energy project’ means a project that provides for the generation or transmission of electrical energy.

“(5) The term ‘non-energy project’ means a project that is not an energy project.

“(6) The term ‘landowner’ means a person or other legal entity that owns a fee interest in real property on which a proposed energy project is planned to be located.”.

SEC. 315. EXCLUSIONS FROM DEFINITION OF “CHEMICAL SUBSTANCE” UNDER TOXIC SUBSTANCES CONTROL ACT.

Section 3(2)(B)(v) of the Toxic Substances Control Act (15 U.S.C. 2602(2)(B)(v)) is amended by striking “, and” and inserting “and any component of such an article (limited to shot shells, cartridges, and components of shot shells and cartridges), and”.

Subtitle C—Logistics and Sustainment

SEC. 322. REPEAL OF LIMITATION ON AUTHORITY TO ENTER INTO A CONTRACT FOR THE SUSTAINMENT, MAINTENANCE, REPAIR, OR OVERHAUL OF THE F117 ENGINE.

Section 341 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3345) is repealed.

SEC. 323. PILOT PROGRAMS FOR AVAILABILITY OF WORKING-CAPITAL FUNDS FOR PRODUCT IMPROVEMENTS.

(a) PILOT PROGRAMS REQUIRED.—During fiscal year 2016, each of the Assistant Secretary of the Army for Acquisition, Logistics, and Technology, the Assistant Secretary of the Navy for Research, Development, and Acquisition, and the Assistant Secretary of the Air Force for Acquisition shall initiate a pilot program pursuant to section 330 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 68), as amended by section 332 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1697).

(b) LIMITATION ON AVAILABILITY OF FUNDS.—A minimum of \$5,000,000 of working-capital funds shall be used for each of the pilot programs initiated under subsection (a) for fiscal year 2016.

Subtitle D—Reports

SEC. 331. MODIFICATION OF ANNUAL REPORT ON PREPOSITIONED MATERIEL AND EQUIPMENT.

Section 2229a(a)(8) of title 10, United States Code, is amended to read as follows:

“(8) A list of any equipment used in support of contingency operations slated for retrograde and subsequent inclusion in the prepositioned stocks.”.

SEC. 332. REPORT ON MERGER OF OFFICE OF ASSISTANT SECRETARY FOR OPERATIONAL ENERGY PLANS AND DEPUTY UNDER SECRETARY FOR INSTALLATIONS AND ENVIRONMENT.

The Secretary of Defense shall submit to Congress a report on the merger of the Office of the Assistant Secretary of Defense for Operational Energy Plans and the Office of the Deputy Under Secretary of Defense for Installations and Environment under section 901 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3462). Such report shall include—

(1) a description of how the office is implementing its responsibilities under sections 138(b)(9), 138(c), and 2925(b) of title 10, United States Code, and Department of Defense Di-

rectives 5134.15 (Assistant Secretary of Defense for Operational Energy Plans and Programs) and 4280.01 (Department of Defense Energy Policy);

(2) a description of any efficiencies achieved as a result of the merger; and

(3) the number of Department of Defense personnel whose responsibilities are focused on energy matters specifically.

SEC. 333. REPORT ON EQUIPMENT PURCHASED NONCOMPETITIVELY FROM FOREIGN ENTITIES.

(a) REPORT REQUIRED.—Not later than March 30, 2016, the Secretary of Defense shall submit to the congressional defense committees a report containing a list of each contract awarded to a foreign entity outside of the national technology and industrial base, as described in section 2505(c) of title 10, United States Code, by the Department of Defense during fiscal years 2011 through 2015—

(1) using procedures other than competitive procedures; and

(2) for the procurement of equipment, weapons, weapons systems, components, sub-components, or end-items with a value of \$10,000,000 or more.

(b) ELEMENTS OF REPORT.—The report required by subsection (a) shall include, for each contract listed, each of the following:

(1) An identification of the items purchased under the contract—

(A) described in section 8302(a)(1) of title 41, United States Code, and purchased from a foreign manufacturer by reason of an exception under section 8302(a)(2)(A) or section 8302(a)(2)(B) of such title;

(B) described in section 2533b(a)(1) of title 10, United States Code, and purchased from a foreign manufacturer by reason of an exception under section 2533b(b); and

(C) described in section 2534(a) of such title and purchased from a foreign manufacturer by reason of a waiver exercised under paragraph (1), (2), (4), or (5) of section 2534(d) of such title.

(2) The rationale for using the exception or waiver.

(3) A list of potential alternative manufacturing sources from the public and private sector that could be developed to establish competition for those items.

Subtitle E—Other Matters

SEC. 341. PROHIBITION ON CONTRACTS MAKING PAYMENTS FOR HONORING MEMBERS OF THE ARMED FORCES AT SPORTING EVENTS.

(a) PROHIBITION.—Subchapter I of chapter 134 of title 10, United States Code, is amended by inserting after section 2241a the following new section:

“§ 2241b. Prohibition on contracts providing payments for activities at sporting events to honor members of the armed forces

“(a) PROHIBITION.—The Department of Defense may not enter into any contract or other agreement under which payments are to be made in exchange for activities by the contractor intended to honor, or giving the appearance of honoring, members of the armed forces (whether members of the regular components or the reserve components) at any form of sporting event.

“(b) CONSTRUCTION.—Nothing in subsection (a) shall be construed as prohibiting the Department of Defense from taking actions to facilitate activities intended to honor members of the armed forces at sporting events that are provided on a pro bono basis or otherwise funded with non-Federal funds if such activities are provided and received in accordance with applicable rules and regulations regarding the acceptance of gifts by

the military departments, the armed forces, and members of the armed forces.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of subchapter I of chapter 134 of title 10, United States Code, is amended by inserting after the item relating to section 2241a the following new item:

“2241b. Prohibition on contracts providing payments for activities at sporting events to honor members of the armed forces.”.

SEC. 342. MILITARY ANIMALS: TRANSFER AND ADOPTION.

(a) **AVAILABILITY FOR ADOPTION.**—Section 2583(a) of title 10, United States Code, is amended by striking “may” in the matter preceding paragraph (1) and inserting “shall”.

(b) **AUTHORIZED RECIPIENTS.**—Subsection (c) of section 2583 of title 10, United States Code, is amended to read as follows:

“(c) **AUTHORIZED RECIPIENTS.**—(1) A military animal shall be made available for adoption under this section, in order of recommended priority—

“(A) by former handlers of the animal;

“(B) by other persons capable of humanely caring for the animal; and

“(C) by law enforcement agencies.

“(2) If the Secretary of the military department concerned determines that an adoption is justified under subsection (a)(2) under circumstances under which the handler of a military working dog is wounded in action, the dog shall be made available for adoption only by the handler. If the Secretary of the military department concerned determines that such an adoption is justified under circumstances under which the handler of a military working dog is killed in action or dies of wounds received in action, the military working dog shall be made available for adoption only by a parent, child, spouse, or sibling of the deceased handler.”.

(c) **TRANSFER FOR ADOPTION.**—Subsection (f) of section 2583 of title 10, United States Code, is amended in the matter preceding paragraph (1) by striking “may transfer” and inserting “shall transfer”.

(d) **LOCATION OF RETIREMENT.**—Subsection (f) of such section is further amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by inserting “(1)” before “If the Secretary”;

(3) in paragraph (1), as designated by paragraph (2) of this subsection—

(A) by striking “, and no suitable adoption is available at the military facility where the dog is located,”; and

(B) in subparagraph (B), as designated by paragraph (1) of this subsection, by inserting “within the United States” after “to another location”; and

(4) by adding at the end the following new paragraph (2):

“(2) Paragraph (1) shall not apply if at the time of retirement—

“(A) the dog is located outside the United States and a United States citizen or service member living abroad adopts the dog; or

“(B) the dog is located within the United States and suitable adoption is available where the dog is located.”.

(e) **PREFERENCE IN ADOPTION FOR FORMER HANDLERS.**—Such section is further amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection (g):

“(g) **PREFERENCE IN ADOPTION OF RETIRED MILITARY WORKING DOGS FOR FORMER HANDLERS.**—(1) In providing for the adoption

under this section of a retired military working dog described in paragraph (1) or (3) of subsection (a), the Secretary of the military department concerned shall accord a preference to the former handler of the dog unless the Secretary determines that adoption of the dog by the former handler would not be in the best interests of the dog.

“(2) In the case of a dog covered by paragraph (1) with more than one former handler seeking adoption of the dog at the time of adoption, the Secretary shall provide for the adoption of the dog by such former handler whose adoption of the dog will best serve the interests of the dog and such former handlers. The Secretary shall make any determination required by this paragraph with respect to a dog following consultation with the kennel master of the unit at which the dog was last located before adoption under this section.

“(3) Nothing in this subsection shall be construed as altering, revising, or overriding any policy of a military department for the adoption of military working dogs by law enforcement agencies before the end of the dogs’ useful lives.”.

SEC. 343. TEMPORARY AUTHORITY TO EXTEND CONTRACTS AND LEASES UNDER THE ARMS INITIATIVE.

Contracts or subcontracts entered into pursuant to section 4554(a)(3)(A) of title 10, United States Code, on or before the date that is five years after the date of the enactment of this Act may include an option to extend the term of the contract or subcontract for an additional 25 years.

SEC. 344. IMPROVEMENTS TO DEPARTMENT OF DEFENSE EXCESS PROPERTY DISPOSAL.

(a) **PLAN REQUIRED.**—Not later than March 15, 2016, the Secretary of Defense shall submit to the congressional defense committees a plan for the improved management and oversight of the systems, processes, and controls involved in the disposition of excess non-mission essential equipment and materiel by the Defense Logistics Agency Disposition Services.

(b) **CONTENTS OF PLAN.**—At a minimum, the plan shall address each of the following:

(1) Backlogs of unprocessed property at disposition sites that do not meet Defense Logistics Agency Disposition Services goals.

(2) Customer wait times.

(3) Procedures governing the disposal of serviceable items in order to prevent the destruction of excess property eligible for utilization, transfer, or donation before potential recipients are able to view and obtain the property.

(4) Validation of materiel release orders.

(5) Assuring adequate physical security for the storage of equipment.

(6) The number of personnel required to effectively manage retrograde sort yards.

(7) Managing any potential increase in the amount of excess property to be processed.

(8) Improving the reliability of Defense Logistics Agency Disposition Services data.

(9) Procedures for ensuring no property is offered for public sale until all requirements for utilization, transfer, and donation are met.

(10) Validation of physical inventory against database entries.

(c) **CONGRESSIONAL BRIEFING.**—By not later than March 15, 2016, the Secretary shall provide to the congressional defense committees a briefing on the actions taken to implement the plan required under subsection (a).

SEC. 345. LIMITATION ON USE OF FUNDS FOR DEPARTMENT OF DEFENSE SPONSORSHIPS, ADVERTISING, OR MARKETING ASSOCIATED WITH SPORTS-RELATED ORGANIZATIONS OR SPORTING EVENTS.

Of the amounts authorized to be appropriated for the Department of Defense by this Act or otherwise made available to the Department for sponsorship, advertising, or marketing associated with sports-related organizations or sporting events, not more than 75 percent may be obligated or expended until the date on which the Under Secretary of Defense for Personnel and Readiness, in consultation with the Director of Accessions Policy—

(1) conducts a review of current contracts and task orders for such sponsorships, advertising, and marketing (as awarded by the regular and reserve components of the Armed Forces) in order to assess—

(A) whether such sponsorships, advertising, and marketing are effective in meeting the recruiting objectives of the Department;

(B) whether consistent metrics are used to evaluate the effectiveness of each such activity in generating leads and recruit accessions; and

(C) whether the return on investment for such activities is sufficient to warrant the continuing use of Department funds for such activities; and

(2) submits to the Committees on Armed Services of the Senate and the House of Representatives a report that includes—

(A) a description of the actions being taken to coordinate efforts of the Department relating to such sponsorships, advertising, and marketing, and to minimize duplicative contracts for such sponsorships, advertising, and marketing, as applicable; and

(B) the results of the review required by paragraph (1), including an assessment of the extent to which the continuing use of Department funds for such sponsorships, advertising, and marketing is warranted in light of the review and the actions described pursuant to subparagraph (A).

SEC. 346. REDUCTION IN AMOUNTS AVAILABLE FOR DEPARTMENT OF DEFENSE HEADQUARTERS, ADMINISTRATIVE, AND SUPPORT ACTIVITIES.

(a) **PLAN FOR ACHIEVEMENT OF COST SAVINGS.**—

(1) **IN GENERAL.**—Commencing not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall implement a plan to ensure that the Department of Defense achieves not less than \$10,000,000,000 in cost savings from the headquarters, administrative, and support activities of the Department during the period beginning with fiscal year 2015 and ending with fiscal year 2019. The Secretary shall ensure that at least one half of the required cost savings are programmed for fiscal years before fiscal year 2018.

(2) **TREATMENT OF SAVINGS PURSUANT TO HEADQUARTERS REDUCTION.**—Documented savings achieved pursuant to the headquarters reduction requirement in subsection (b), other than savings achieved in fiscal year 2020, shall count toward the cost savings required by paragraph (1).

(3) **TREATMENT OF SAVINGS PURSUANT TO MANAGEMENT ACTIVITIES.**—Documented savings in the human resources management, health care management, financial flow management, information technology infrastructure and management, supply chain and logistics, acquisition and procurement, and real property management activities of the Department during the period referred to in paragraph (1) may be counted toward the cost savings required by paragraph (1).

(4) **TREATMENT OF SAVINGS PURSUANT TO FORCE STRUCTURE REVISIONS.**—Savings or reductions to military force structure or military operating units of the Armed Forces may not count toward the cost savings required by paragraph (1).

(5) **REPORTS.**—The Secretary shall include with the budget for the Department of Defense for each of fiscal years 2017, 2018, and 2019, as submitted to Congress pursuant to section 1105 of title 31, United States Code, a report describing and assessing the progress of the Department in implementing the plan required by paragraph (1) and in achieving the cost savings required by that paragraph.

(6) **COMPTROLLER GENERAL ASSESSMENTS.**—Not later than 90 days after the submittal of each report required by paragraph (5), the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth the assessment of the Comptroller General of the report and of the extent to which the Department of Defense is in compliance with the requirements of this section.

(b) **HEADQUARTERS REDUCTIONS.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall modify the headquarters reduction plan required by section 904 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 816; 10 U.S.C. 111 note) to ensure that it achieves savings in the total funding available for major Department of Defense headquarters activities by fiscal year 2020 that are not less than 25 percent of the baseline amount. The modified plan shall establish a specific savings objective for each major headquarters activity in each fiscal year through fiscal year 2020. The budget for the Department of Defense for each fiscal year after fiscal year 2016 shall reflect the savings required by the modified plan.

(2) **BASELINE AMOUNT.**—For the purposes of this subsection, the baseline amount is the amount authorized to be appropriated by this Act for fiscal year 2016 for major Department of Defense headquarters activities, adjusted by a credit for reductions in such headquarters activities that are documented, as of the date that is 90 days after the date of the enactment of this Act, as having been accomplished in earlier fiscal years in accordance with the December 2013 directive of the Secretary of Defense on headquarters reductions. The modified plan issued pursuant to paragraph (1) shall include an overall baseline amount for all of the major Department of Defense headquarters activities that credits reductions accomplished in earlier fiscal years in accordance with the December 2013 directive, and a specific baseline amount for each such headquarters activity that credits such reductions.

(3) **MAJOR DEPARTMENT OF DEFENSE HEADQUARTERS ACTIVITIES DEFINED.**—In this subsection, the term “major Department of Defense headquarters activities” means the following:

(A) Each of the following organizations:

(i) The Office of the Secretary of Defense and the Joint Staff.

(ii) The Office of the Secretary of the Army and the Army Staff.

(iii) The Office of the Secretary of the Navy, the Office of the Chief of Naval Operations, and Headquarters, Marine Corps.

(iv) The Office of the Secretary of the Air Force and the Air Staff.

(v) The Office of the Chief, National Guard Bureau, and the National Guard Joint Staff.

(B)(i) Except as provided in clause (ii), headquarters elements of each of the following:

(I) The combatant commands, the sub-unified commands, and subordinate commands that directly report to such commands.

(II) The major commands of the military departments and the subordinate commands that directly report to such commands.

(III) The component commands of the military departments.

(IV) The Defense Agencies, the Department of Defense field activities, and the Office of the Inspector General of the Department of Defense.

(V) Department of Defense components that report directly to the organizations specified in subparagraph (A).

(ii) Subordinate commands and direct-reporting components otherwise described in clause (i) that do not have significant functions other than operational, operational intelligence, or tactical functions, or training for operational, operational intelligence, or tactical functions, are not headquarters elements for purposes of this subsection.

(4) **IMPLEMENTATION.**—Not later than 120 days after the date of the enactment of this Act, the Secretary shall revise applicable guidance on the Department of Defense major headquarters activities as needed to—

(A) incorporate into such guidance the definition of the term “major Department of Defense headquarters activities” as provided in paragraph (3);

(B) ensure that the term “headquarters element”, as used in paragraph (3)(B), is consistently applied within such guidance to include—

(i) senior leadership and staff functions of applicable commands and components; and

(ii) direct support to senior leadership and staff functions of applicable commands and components and to higher headquarters;

(C) ensure that the budget and accounting systems of the Department of Defense are modified to track funding for the major Department of Defense headquarters activities as separate funding lines; and

(D) identify and address any deviation from the specific savings objective established for a headquarters activity in the modified plan issued by the Secretary pursuant to the requirement in paragraph (1).

(c) **COMPREHENSIVE REVIEW OF HEADQUARTERS AND ADMINISTRATIVE AND SUPPORT ACTIVITIES.**—

(1) **IN GENERAL.**—The Secretary of Defense shall conduct a comprehensive review of the management and operational headquarters of the Department of Defense for purposes of consolidating and streamlining headquarters functions and administrative and support activities.

(2) **ELEMENTS.**—The review required by paragraph (1) shall address the following:

(A) The extent, if any, to which the staff of the Secretaries of the military departments and the Chiefs of Staff of the Armed Forces have duplicative staff functions and services and could be consolidated into a single service staff.

(B) The extent, if any, to which the staff of the Office of the Secretary of Defense, the military departments, the Defense Agencies, and temporary organizations have duplicative staff functions and services and could be streamlined with respect to—

(i) performing oversight and making policy;

(ii) performing staff functions and services specific to the military department concerned;

(iii) performing multi-department staff functions and services; and

(iv) performing functions and services across the Department of Defense with respect to intelligence collection and analysis.

(C) The extent, if any, to which the Joint Staff, the combatant commands, and their subordinate service component commands have duplicative staff functions and services that could be shared, consolidated, eliminated, or otherwise streamlined with—

(i) the Joint Staff performing oversight and execution;

(ii) the staff of the combatant commands performing only staff functions and services specific to the combatant command concerned; and

(iii) the staff of the service component commands of the combatant commands performing only staff functions and services specific to the service component command concerned.

(D) The extent, if any, to which reductions in military and civilian end-strength in management or operational headquarters could be used to create, build, or fill shortages in force structure for operational units.

(E) The extent, if any, to which revisions are required to the Defense Officers Personnel Management Act, including requirements for officers to serve in joint billets, the number of qualifying billets, the rank structure in the joint billets, and the joint qualification requirement for officers to be promoted while serving for extensive periods in critical positions such as program managers of major defense acquisition programs, and officers in units of component forces supporting joint commands, in order to achieve efficiencies, provide promotion fairness and equity, and obtain effective governance in the management of the Department of Defense.

(F) The structure and staffing of the Joint Staff, and the number, structure, and staffing of the combatant commands and their subordinate service component commands, including, in particular—

(i) whether or not the staff organization of each such entity has documented and periodically validated requirements for such entity;

(ii) whether or not there are an appropriate number of combatant commands relative to the requirements of the National Security Strategy, the Quadrennial Defense Review, and the National Military Strategy; and

(iii) whether or not opportunities exist to consolidate staff functions and services common to the Joint Staff and the service component commands into a single staff organization that provides the required functions, services, capabilities, and capacities to the Chairman of the Joint Chiefs of Staff and supported combatant commanders, and if so—

(I) where in the organizational structure such staff functions, services, capabilities, and capacities would be established; and

(II) whether or not the military departments could execute such staff functions, services, capabilities, and capacities while executing their requirements to organize, train, and equip the Armed Forces.

(G) The statutory and regulatory authority of the combatant commands to establish subordinate joint commands or headquarters, including joint task forces, led by a general or flag officer, and the extent, if any, to which the combatant commands have used such authority—

(i) to establish temporary or permanent subordinate joint commands or headquarters, including joint task forces, led by general or flag officers;

(ii) to disestablish temporary or permanent subordinate joint commands or headquarters, including joint task forces, led by general or flag officers;

(iii) to increase requirements for general and flag officers in the joint pool which are exempt from the end strength limitations otherwise applicable to general and flag officers in the Armed Forces;

(iv) to participate in the management of joint officer qualification in order to ensure the efficient and effective quality and quantity of officers needed to staff headquarters functions and services and return to the services officers with required professional experience and skills necessary to remain competitive for increased responsibility and authority through subsequent assignment or promotion, including by identifying—

(I) circumstances, if any, in which officers spend a disproportionate amount of time in their careers to attain joint officer qualifications with corresponding loss of opportunities to develop in the service-specific assignments needed to gain the increased proficiency and experience to qualify for service and command assignments; and

(II) circumstances, if any, in which the military departments detail officers to joint headquarters staffs in order to maximize the number of officers receiving joint duty credit with a focus on the quantity, instead of the quality, of officers achieving joint duty credit;

(v) to establish commanders' strategic planning groups, advisory groups, or similar parallel personal staff entities that could risk isolating function and staff processes, including an assessment of the justification used to establish such personal staff organizations and their impact on the effectiveness and efficiency of organizational staff functions, services, capabilities, and capacities; and

(vi) to ensure the identification and management of officers serving or having served in units in subordinate service component or joint commands during combat operations and did not receive joint duty credit for such service.

(3) **CONSULTATION.**—The Secretary shall, to the extent practicable and as the Secretary considers appropriate, conduct the review required by paragraph (1) in consultation with such experts on matters covered by the review who are independent of the Department of Defense.

(4) **REPORT.**—Not later than March 1, 2016, the Secretary shall submit to the congressional defense committees a report setting forth the results of the review required by paragraph (1).

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

Sec. 402. Revisions in permanent active duty end strength minimum levels.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.

Sec. 412. End strengths for reserves on active duty in support of the reserves.

Sec. 413. End strengths for military technicians (dual status).

Sec. 414. Fiscal year 2016 limitation on number of non-dual status technicians.

Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

Sec. 422. Report on force structure of the Army.

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2016, as follows:

- (1) The Army, 475,000.
- (2) The Navy, 329,200.
- (3) The Marine Corps, 184,000.
- (4) The Air Force, 320,715.

SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.

Section 691 of title 10, United States Code, is amended—

(1) in subsection (b), by striking paragraphs (1) through (4) and inserting the following new paragraphs:

- “(1) For the Army, 475,000.
- “(2) For the Navy, 329,200.
- “(3) For the Marine Corps, 184,000.
- “(4) For the Air Force, 317,000.”; and

(2) in subsection (e), by striking “0.5 percent” and inserting “2 percent”.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) **IN GENERAL.**—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2016, as follows:

- (1) The Army National Guard of the United States, 342,000.
- (2) The Army Reserve, 198,000.
- (3) The Navy Reserve, 57,400.
- (4) The Marine Corps Reserve, 38,900.
- (5) The Air National Guard of the United States, 105,500.
- (6) The Air Force Reserve, 69,200.
- (7) The Coast Guard Reserve, 7,000.

(b) **END STRENGTH REDUCTIONS.**—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) **END STRENGTH INCREASES.**—Whenever units or individual members of the Selected Reserve of any reserve component are released from active duty during any fiscal year, the end strength prescribed for such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2016, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

- (1) The Army National Guard of the United States, 30,770.
- (2) The Army Reserve, 16,261.
- (3) The Navy Reserve, 9,934.
- (4) The Marine Corps Reserve, 2,260.
- (5) The Air National Guard of the United States, 14,748.

(6) The Air Force Reserve, 3,032.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2016 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

- (1) For the Army National Guard of the United States, 26,099.
- (2) For the Army Reserve, 7,395.
- (3) For the Air National Guard of the United States, 22,104.
- (4) For the Air Force Reserve, 9,814.

SEC. 414. FISCAL YEAR 2016 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.

(a) **LIMITATIONS.**—

(1) **NATIONAL GUARD.**—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2016, may not exceed the following:

(A) For the Army National Guard of the United States, 1,600.

(B) For the Air National Guard of the United States, 350.

(2) **ARMY RESERVE.**—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2016, may not exceed 595.

(3) **AIR FORCE RESERVE.**—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2016, may not exceed 90.

(b) **NON-DUAL STATUS TECHNICIANS DEFINED.**—In this section, the term “non-dual status technician” has the meaning given that term in section 10217(a) of title 10, United States Code.

SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2016, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

- (1) The Army National Guard of the United States, 17,000.
- (2) The Army Reserve, 13,000.
- (3) The Navy Reserve, 6,200.
- (4) The Marine Corps Reserve, 3,000.
- (5) The Air National Guard of the United States, 16,000.
- (6) The Air Force Reserve, 14,000.

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) **CONSTRUCTION OF AUTHORIZATION.**—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2016.

SEC. 422. REPORT ON FORCE STRUCTURE OF THE ARMY.

(a) **REPORT REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report containing the following:

(1) An assessment by the Secretary of Defense of reports by the Secretary of the Army on the force structure of the Army

submitted to Congress under section 1066 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1943) and section 1062 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3503).

(2) An evaluation of the adequacy of the Army force structure proposed for the future-years defense program for fiscal years 2017 through 2021 to meet the goals of the national military strategy of the United States.

(3) An independent risk assessment by the Chairman of the Joint Chiefs of Staff of the proposed Army force structure and the ability of such force structure to meet the operational requirements of combatant commanders.

(4) A description of the planning assumptions and scenarios used by the Department of Defense to validate the size and force structure of the Army, including the Army Reserve and the Army National Guard.

(5) A certification by the Secretary of Defense that the Secretary has reviewed the reports by the Secretary of the Army and the assessments of the Chairman of the Joint Chiefs of Staff and determined that an end strength for active duty personnel of the Army below the end strength level authorized in section 401(1) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3348) will be adequate to meet the national military strategy of the United States.

(6) A description of various alternative options for allocating funds to ensure that the end strengths of the Army do not fall below levels of significant risk, as determined pursuant to the risk assessment conducted by the Chairman of the Joint Chiefs of Staff under paragraph (3).

(7) Such other information or updates as the Secretary of Defense considers appropriate.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

- Sec. 501. Reinstatement of enhanced authority for selective early discharge of warrant officers.
- Sec. 502. Equitable treatment of junior officers excluded from an all-fully-qualified-officers list because of administrative error.
- Sec. 503. Enhanced flexibility for determination of officers to continue on active duty and for selective early retirement and early discharge.
- Sec. 504. Authority to defer until age 68 mandatory retirement for age of a general or flag officer serving as Chief or Deputy Chief of Chaplains of the Army, Navy, or Air Force.
- Sec. 505. General rule for warrant officer retirement in highest grade held satisfactorily.
- Sec. 506. Implementation of Comptroller General recommendation on the definition and availability of costs associated with general and flag officers and their aides.

Subtitle B—Reserve Component Management

- Sec. 511. Continued service in the Ready Reserve by Members of Congress who are also members of the Ready Reserve.

Sec. 512. Clarification of purpose of reserve component special selection boards as limited to correction of error at a mandatory promotion board.

Sec. 513. Increase in number of days of active duty required to be performed by reserve component members for duty to be considered Federal service for purposes of unemployment compensation for ex-servicemembers.

Sec. 514. Temporary authority to use Air Force reserve component personnel to provide training and instruction regarding pilot training.

Sec. 515. Assessment of Military Compensation and Retirement Modernization Commission recommendation regarding consolidation of authorities to order members of reserve components to perform duty.

Subtitle C—General Service Authorities

- Sec. 521. Limited authority for Secretary concerned to initiate applications for correction of military records.
- Sec. 522. Temporary authority to develop and provide additional recruitment incentives.
- Sec. 523. Expansion of authority to conduct pilot programs on career flexibility to enhance retention of members of the Armed Forces.
- Sec. 524. Modification of notice and wait requirements for change in ground combat exclusion policy for female members of the Armed Forces.
- Sec. 525. Role of Secretary of Defense in development of gender-neutral occupational standards.
- Sec. 526. Establishment of process by which members of the Armed Forces may carry an appropriate firearm on a military installation.
- Sec. 527. Establishment of breastfeeding policy for the Department of the Army.
- Sec. 528. Sense of Congress recognizing the diversity of the members of the Armed Forces.

Subtitle D—Military Justice, Including Sexual Assault and Domestic Violence Prevention and Response

- Sec. 531. Enforcement of certain crime victim rights by the Court of Criminal Appeals.
- Sec. 532. Department of Defense civilian employee access to Special Victims' Counsel.
- Sec. 533. Authority of Special Victims' Counsel to provide legal consultation and assistance in connection with various Government proceedings.
- Sec. 534. Timely notification to victims of sex-related offenses of the availability of assistance from Special Victims' Counsel.
- Sec. 535. Additional improvements to Special Victims' Counsel program.
- Sec. 536. Enhancement of confidentiality of restricted reporting of sexual assault in the military.
- Sec. 537. Modification of deadline for establishment of Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces.

Sec. 538. Improved Department of Defense prevention and response to sexual assaults in which the victim is a male member of the Armed Forces.

Sec. 539. Preventing retaliation against members of the Armed Forces who report or intervene on behalf of the victim of an alleged sex-related offense.

Sec. 540. Sexual assault prevention and response training for administrators and instructors of Senior Reserve Officers' Training Corps.

Sec. 541. Retention of case notes in investigations of sex-related offenses involving members of the Army, Navy, Air Force, or Marine Corps.

Sec. 542. Comptroller General of the United States reports on prevention and response to sexual assault by the Army National Guard and the Army Reserve.

Sec. 543. Improved implementation of changes to Uniform Code of Military Justice.

Sec. 544. Modification of Rule 104 of the Rules for Courts-Martial to establish certain prohibitions concerning evaluations of Special Victims' Counsel.

Sec. 545. Modification of Rule 304 of the Military Rules of Evidence relating to the corroboration of a confession or admission.

Subtitle E—Member Education, Training, and Transition

- Sec. 551. Enhancements to Yellow Ribbon Reintegration Program.
- Sec. 552. Availability of pre-separation counseling for members of the Armed Forces discharged or released after limited active duty.
- Sec. 553. Availability of additional training opportunities under Transition Assistance Program.
- Sec. 554. Modification of requirement for in-resident instruction for courses of instruction offered as part of Phase II joint professional military education.
- Sec. 555. Termination of program of educational assistance for reserve component members supporting contingency operations and other operations.
- Sec. 556. Appointments to military service academies from nominations made by Delegates in Congress from the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.
- Sec. 557. Support for athletic programs of the United States Military Academy.
- Sec. 558. Condition on admission of defense industry civilians to attend the United States Air Force Institute of Technology.
- Sec. 559. Quality assurance of certification programs and standards for professional credentials obtained by members of the Armed Forces.
- Sec. 560. Prohibition on receipt of unemployment insurance while receiving post-9/11 education assistance.
- Sec. 561. Job Training and Post-Service Placement Executive Committee.

Sec. 562. Recognition of additional involuntary mobilization duty authorities exempt from five-year limit on reemployment rights of persons who serve in the uniformed services.

Sec. 563. Expansion of outreach for veterans transitioning from serving on active duty.

Subtitle F—Defense Dependents' Education and Military Family Readiness Matters

Sec. 571. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.

Sec. 572. Impact aid for children with severe disabilities.

Sec. 573. Authority to use appropriated funds to support Department of Defense student meal programs in domestic dependent elementary and secondary schools located outside the United States.

Sec. 574. Family support programs for immediate family members of members of the Armed Forces assigned to special operations forces.

Subtitle G—Decorations and Awards

Sec. 581. Authorization for award of the Distinguished-Service Cross for acts of extraordinary heroism during the Korean War.

Subtitle H—Miscellaneous Reports and Other Matters

Sec. 591. Coordination with non-government suicide prevention organizations and agencies to assist in reducing suicides by members of the Armed Forces.

Sec. 592. Extension of semiannual reports on the involuntary separation of members of the Armed Forces.

Sec. 593. Report on preliminary mental health screenings for individuals becoming members of the Armed Forces.

Sec. 594. Report regarding new rulemaking under the Military Lending Act and Defense Manpower Data Center reports and meetings.

Sec. 595. Remotely piloted aircraft career field manning shortfalls.

Subtitle A—Officer Personnel Policy

SEC. 501. REINSTATEMENT OF ENHANCED AUTHORITY FOR SELECTIVE EARLY DISCHARGE OF WARRANT OFFICERS.

Section 580a of title 10, United States Code, is amended—

(1) in subsection (a), by striking “November 30, 1993, and ending on October 1, 1999” and inserting “October 1, 2015, and ending on October 1, 2019”; and

(2) in subsection (c)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

SEC. 502. EQUITABLE TREATMENT OF JUNIOR OFFICERS EXCLUDED FROM AN ALL-FULLY-QUALIFIED-OFFICERS LIST BECAUSE OF ADMINISTRATIVE ERROR.

(a) OFFICERS ON ACTIVE-DUTY LIST.—Section 624(a)(3) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(E) If the Secretary of the military department concerned determines that one or more officers or former officers were not placed on an all-fully-qualified-list under

this paragraph because of administrative error, the Secretary may prepare a supplemental all-fully-qualified-officers list containing the names of any such officers for approval in accordance with this paragraph.”.

(b) OFFICERS ON RESERVE ACTIVE-STATUS LIST.—Section 14308(b)(4) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(E) If the Secretary of the military department concerned determines that one or more officers or former officers were not placed on an all-fully-qualified-list under this paragraph because of administrative error, the Secretary may prepare a supplemental all-fully-qualified-officers list containing the names of any such officers for approval in accordance with this paragraph.”.

(c) CONFORMING AMENDMENTS TO SPECIAL SELECTION BOARD AUTHORITY.—

(1) REGULAR COMPONENTS.—Section 628(a)(1) of title 10, United States Code, is amended by striking “or the name of a person that should have been placed on an all-fully-qualified-officers list under section 624(a)(3) of this title was not so placed.”.

(2) RESERVE COMPONENTS.—Section 14502(a)(1) of title 10, United States Code, is amended by striking “or whose name was not placed on an all-fully-qualified-officers list under section 14308(b)(4) of this title because of administrative error.”.

SEC. 503. ENHANCED FLEXIBILITY FOR DETERMINATION OF OFFICERS TO CONTINUE ON ACTIVE DUTY AND FOR SELECTIVE EARLY RETIREMENT AND EARLY DISCHARGE.

Section 638a(d)(2) of title 10, United States Code, is amended by striking “officers considered—” and all that follows and inserting “officers considered.”.

SEC. 504. AUTHORITY TO DEFER UNTIL AGE 68 MANDATORY RETIREMENT FOR AGE OF A GENERAL OR FLAG OFFICER SERVING AS CHIEF OR DEPUTY CHIEF OF CHAPLAINS OF THE ARMY, NAVY, OR AIR FORCE.

(a) DEFERRAL AUTHORITY.—Section 1253 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(c) DEFERRED RETIREMENT OF CHAPLAINS.—(1) The Secretary of the military department concerned may defer the retirement under subsection (a) of an officer serving in a general or flag officer grade who is the Chief of Chaplains or Deputy Chief of Chaplains of that officer's armed force.

“(2) A deferment of the retirement of an officer referred to in paragraph (1) may not extend beyond the first day of the month following the month in which the officer becomes 68 years of age.

“(3) The authority to defer the retirement of an officer referred to in paragraph (1) expires December 31, 2020. Subject to paragraph (2), a deferment granted before that date may continue on and after that date.”.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 1253 of title 10, United States Code, is amended to read as follows:

“§ 1253. Age 64: regular commissioned officers in general and flag officer grades; exceptions”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 63 of title 10, United States Code, is amended by striking the item relating to section 1253 and inserting the following new item:

“1253. Age 64: regular commissioned officers in general and flag officer grades; exceptions.”.

SEC. 505. GENERAL RULE FOR WARRANT OFFICER RETIREMENT IN HIGHEST GRADE HELD SATISFACTORILY.

Section 1371 of title 10, United States Code, is amended to read as follows:

“§ 1371. Warrant officers: general rule

“Unless entitled to a higher retired grade under some other provision of law, a warrant officer shall be retired in the highest regular or reserve warrant officer grade in which the warrant officer served satisfactorily, as determined by the Secretary concerned.”.

SEC. 506. IMPLEMENTATION OF COMPTROLLER GENERAL RECOMMENDATION ON THE DEFINITION AND AVAILABILITY OF COSTS ASSOCIATED WITH GENERAL AND FLAG OFFICERS AND THEIR AIDES.

(a) DEFINITION OF COSTS.—

(1) IN GENERAL.—For the purpose of providing a consistent approach to estimating and managing the full costs associated with general and flag officers and their aides, the Secretary of Defense shall direct the Director, Cost Assessment and Program Evaluation, to define the costs that could be associated with general and flag officers since 2001, including—

(A) security details;

(B) Government and commercial air travel;

(C) general and flag officer per diem;

(D) enlisted and officer aide housing and travel costs;

(E) general and flag officer additional support staff and their travel, equipment, and per diem costs;

(F) general and flag officer official residences; and

(G) any other associated costs incurred due to the nature of their position.

(2) COORDINATION.—The Director, Cost Assessment and Program Evaluation, shall prepare the definition of costs under paragraph (1) in coordination with the Under Secretary of Defense for Personnel and Readiness and the Secretaries of the military departments.

(b) REPORT ON COSTS ASSOCIATED WITH GENERAL AND FLAG OFFICERS AND AIDES.—Not later than June 30, 2016, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing the costs associated with general and flag officers and their enlisted and officer aides.

Subtitle B—Reserve Component Management

SEC. 511. CONTINUED SERVICE IN THE READY RESERVE BY MEMBERS OF CONGRESS WHO ARE ALSO MEMBERS OF THE READY RESERVE.

Section 10149 of title 10, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection:

“(b)(1) In applying Ready Reserve continuous screening under this section, an individual who is both a member of the Ready Reserve and a Member of Congress may not be transferred to the Standby Reserve or discharged on account of the individual's position as a Member of Congress.

“(2) The transfer or discharge of an individual who is both a member of the Ready Reserve and a Member of Congress may be ordered—

“(A) only by the Secretary of Defense or, in the case of a Member of Congress who also is a member of the Coast Guard Reserve, the Secretary of the Department in which the Coast Guard is operating when it is not operating as a service in the Navy; and

“(B) only on the basis of the needs of the service, taking into consideration the position and duties of the individual in the Ready Reserve.

“(3) In this subsection, the term ‘Member of Congress’ includes a Delegate or Resident Commissioner to Congress and a Member-elect.”.

SEC. 512. CLARIFICATION OF PURPOSE OF RESERVE COMPONENT SPECIAL SELECTION BOARDS AS LIMITED TO CORRECTION OF ERROR AT A MANDATORY PROMOTION BOARD.

Section 14502(b) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “a selection board” and inserting “a mandatory promotion board convened under section 14101(a) of this title”; and

(B) in subparagraphs (A) and (B), by striking “selection board” and inserting “mandatory promotion board”; and

(2) in the first sentence of paragraph (3)—

(A) by striking “Such board” and inserting “The special selection board”; and

(B) by striking “selection board” and inserting “mandatory promotion board”.

SEC. 513. INCREASE IN NUMBER OF DAYS OF ACTIVE DUTY REQUIRED TO BE PERFORMED BY RESERVE COMPONENT MEMBERS FOR DUTY TO BE CONSIDERED FEDERAL SERVICE FOR PURPOSES OF UNEMPLOYMENT COMPENSATION FOR EX-SERVICEMEMBERS.

(a) INCREASE OF NUMBER OF DAYS.—Section 8521(a)(1) of title 5, United States Code, is amended by striking “90 days” in the matter preceding subparagraph (A) and inserting “180 days”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to periods of Federal service commencing on or after that date.

SEC. 514. TEMPORARY AUTHORITY TO USE AIR FORCE RESERVE COMPONENT PERSONNEL TO PROVIDE TRAINING AND INSTRUCTION REGARDING PILOT TRAINING.

(a) AUTHORITY.—

(1) IN GENERAL.—During fiscal year 2016, the Secretary of the Air Force may authorize personnel described in paragraph (2) to provide training and instruction regarding pilot training to the following:

(A) Members of the Armed Forces on active duty.

(B) Members of foreign military forces who are in the United States.

(2) PERSONNEL.—The personnel described in this paragraph are the following:

(A) Members of the reserve components of the Air Force on active Guard and Reserve duty (as that term is defined in section 101(d) of title 10, United States Code) who are not otherwise authorized to conduct the training described in paragraph (1) due to the limitations in section 12310 of title 10, United States Code.

(B) Members of the Air Force who are military technicians (dual status) who are not otherwise authorized to conduct the training described in paragraph (1) due to the limitations in section 10216 of title 10, United States Code, and section 709(a) of title 32, United States Code.

(3) LIMITATION.—Not more than 50 members described in paragraph (2) may provide training and instruction under the authority in paragraph (1) at any one time.

(4) FEDERAL TORT CLAIMS ACT.—Members of the uniformed services described in paragraph (2) who provide training and instruction pursuant to the authority in paragraph (1) shall be covered by the Federal Tort Claims Act for purposes of any claim arising

from the employment of such individuals under that authority.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan to eliminate shortages in the number of pilot instructors within the Air Force using authorities available to the Secretary under current law.

SEC. 515. ASSESSMENT OF MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION RECOMMENDATION REGARDING CONSOLIDATION OF AUTHORITIES TO ORDER MEMBERS OF RESERVE COMPONENTS TO PERFORM DUTY.

(a) ASSESSMENT REQUIRED.—The Secretary of Defense shall conduct an assessment of the recommendation of the Military Compensation and Retirement Modernization Commission regarding consolidation of statutory authorities by which members of the reserve components of the Armed Forces may be ordered to perform duty. The Secretary shall specifically assess each of the six broader duty statuses recommended by the Commission as replacements for the 30 reserve component duty statuses currently authorized to determine whether consolidation will increase efficiency in the reserve components.

(b) SUBMISSION OF REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the Secretary's assessment. If, as a result of the assessment, the Secretary determines that an alternate approach to consolidation of the statutory authorities described in subsection (a) is preferable, the Secretary shall submit the alternate approach, including a draft of such legislation as would be necessary to amend titles 10, 14, 32, and 37 of the United States Code and other provisions of law in order to implement the Secretary's approach by October 1, 2018.

Subtitle C—General Service Authorities

SEC. 521. LIMITED AUTHORITY FOR SECRETARY CONCERNED TO INITIATE APPLICATIONS FOR CORRECTION OF MILITARY RECORDS.

Section 1552(b) of title 10, United States Code, is amended—

(1) in the first sentence—

(A) by striking “or his heir or legal representative” and inserting “(or the claimant's heir or legal representative) or the Secretary concerned”; and

(B) by striking “he discovers” and inserting “discovering”; and

(2) in the second sentence, by striking “However, a board” and inserting the following: “The Secretary concerned may file a request for correction of a military record only if the request is made on behalf of a group of members or former members of the armed forces who were similarly harmed by the same error or injustice. A board”.

SEC. 522. TEMPORARY AUTHORITY TO DEVELOP AND PROVIDE ADDITIONAL RECRUITMENT INCENTIVES.

(a) ADDITIONAL RECRUITMENT INCENTIVES AUTHORIZED.—The Secretary of a military department may develop and provide incentives, not otherwise authorized by law, to encourage individuals to accept an appointment as a commissioned officer, to accept an appointment as a warrant officer, or to enlist in an Armed Force under the jurisdiction of the Secretary.

(b) RELATION TO OTHER PERSONNEL AUTHORITIES.—A recruitment incentive developed under subsection (a) may be provided—

(1) without regard to the lack of specific authority for the recruitment incentive under title 10 or 37, United States Code; and

(2) notwithstanding any provision of such titles, or any rule or regulation prescribed under such provision, relating to methods of providing incentives to individuals to accept appointments or enlistments in the Armed Forces, including the provision of group or individual bonuses, pay, or other incentives.

(c) NOTICE AND WAIT REQUIREMENT.—The Secretary of a military department may not provide a recruitment incentive developed under subsection (a) until—

(1) the Secretary submits to the congressional defense committees a plan regarding provision of the recruitment incentive, which includes—

(A) a description of the incentive, including the purpose of the incentive and the potential recruits to be addressed by the incentive; and

(B) a description of the provisions of titles 10 and 37, United States Code, from which the incentive would require a waiver and the rationale to support the waiver;

(C) a statement of the anticipated outcomes as a result of providing the incentive; and

(D) a description of the method to be used to evaluate the effectiveness of the incentive; and

(2) the expiration of the 30-day period beginning on the date on which the plan was received by Congress.

(d) LIMITATION ON NUMBER OF INCENTIVES.—The Secretary of a military department may not provide more than three recruitment incentives under the authority of this section.

(e) LIMITATION ON NUMBER OF INDIVIDUALS RECEIVING INCENTIVES.—The number of individuals who receive one or more of the recruitment incentives provided under subsection (a) by the Secretary of a military department during a fiscal year for an Armed Force under the jurisdiction of the Secretary may not exceed 20 percent of the accession objective of that Armed Force for that fiscal year.

(f) DURATION OF DEVELOPED INCENTIVE.—A recruitment incentive developed under subsection (a) may be provided for not longer than a three-year period beginning on the date on which the incentive is first provided, except that the Secretary of the military department concerned may extend the period if the Secretary determines that additional time is needed to fully evaluate the effectiveness of the incentive.

(g) REPORTING REQUIREMENTS.—If the Secretary of a military department provides an recruitment incentive under subsection (a) for a fiscal year, the Secretary shall submit to the congressional defense committees a report, not later than 60 days after the end of the fiscal year, containing—

(1) a description of each incentive provided under subsection (a) during that fiscal year; and

(2) an assessment of the impact of the incentives on the recruitment of individuals for an Armed Force under the jurisdiction of the Secretary.

(h) TERMINATION OF AUTHORITY TO PROVIDE INCENTIVES.—Notwithstanding subsection (f); the authority to provide recruitment incentives under this section expires on December 31, 2020.

SEC. 523. EXPANSION OF AUTHORITY TO CONDUCT PILOT PROGRAMS ON CAREER FLEXIBILITY TO ENHANCE RETENTION OF MEMBERS OF THE ARMED FORCES.

(a) **REPEAL OF LIMITATION ON ELIGIBLE PARTICIPANTS.**—Subsection (b) of section 533 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 10 U.S.C. prec. 701 note) is repealed.

(b) **REPEAL OF LIMITATION ON NUMBER OF PARTICIPANTS.**—Subsection (c) of section 533 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 10 U.S.C. prec. 701 note) is repealed.

(c) **CONFORMING AMENDMENTS.**—Section 533 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 10 U.S.C. prec. 701 note) is further amended—

(1) by redesignating subsections (d) through (m) as subsections (b) through (k), respectively; and

(2) in subsections (b)(1), (d), and (f)(3)(D) (as so redesignated), by striking “subsection (e)” each place it appears and inserting “subsection (c)”.

SEC. 524. MODIFICATION OF NOTICE AND WAIT REQUIREMENTS FOR CHANGE IN GROUND COMBAT EXCLUSION POLICY FOR FEMALE MEMBERS OF THE ARMED FORCES.

(a) **RULE FOR GROUND COMBAT PERSONNEL POLICY.**—Section 652(a) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) in the first sentence, by striking “before any such change is implemented” and inserting “not less than 30 calendar days before such change is implemented”; and

(B) by striking the second sentence; and

(2) by striking paragraph (5).

(b) **CONFORMING AMENDMENT.**—Section 652(b)(1) of title 10, United States Code, is amended by inserting “calendar” before “days”.

SEC. 525. ROLE OF SECRETARY OF DEFENSE IN DEVELOPMENT OF GENDER-NEUTRAL OCCUPATIONAL STANDARDS.

Section 524(a) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3361; 10 U.S.C. 113 note) is amended—

(1) by striking “and” at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(3) measure the combat readiness of combat units, including special operations forces.”.

SEC. 526. ESTABLISHMENT OF PROCESS BY WHICH MEMBERS OF THE ARMED FORCES MAY CARRY AN APPROPRIATE FIREARM ON A MILITARY INSTALLATION.

Not later than December 31, 2015, the Secretary of Defense, taking into consideration the views of senior leadership of military installations in the United States, shall establish and implement a process by which the commanders of military installations in the United States, or other military commanders designated by the Secretary of Defense for military reserve centers, Armed Services recruiting centers, and such other defense facilities as the Secretary may prescribe, may authorize a member of the Armed Forces who is assigned to duty at the installation, center or facility to carry an appropriate firearm on the installation, center, or facility if the commander determines

that carrying such a firearm is necessary as a personal- or force-protection measure.

SEC. 527. ESTABLISHMENT OF BREASTFEEDING POLICY FOR THE DEPARTMENT OF THE ARMY.

The Secretary of the Army shall develop a comprehensive policy regarding breastfeeding by female members of the Army who are breastfeeding. At a minimum, the policy shall address the following:

(1) The provision of a designated room or area that will provide the member with adequate privacy and cleanliness and that includes an electrical outlet to facilitate the use of a breast pump. Restrooms should not be considered an appropriate location.

(2) An allowance for appropriate breaks, when practicable, to permit the member to breastfeed or utilize a breast pump.

SEC. 528. SENSE OF CONGRESS RECOGNIZING THE DIVERSITY OF THE MEMBERS OF THE ARMED FORCES.

(a) **FINDINGS.**—Congress finds the following:

(1) The United States military includes individuals with a variety of national, ethnic, and cultural backgrounds that have roots all over the world.

(2) In addition to diverse backgrounds, members of the Armed Forces come from numerous religious traditions, including Christian, Hindu, Jewish, Muslim, Sikh, non-denominational, non-practicing, and many more.

(3) Members of the Armed Forces from diverse backgrounds and religious traditions have lost their lives or been injured defending the national security of the United States.

(4) Diversity contributes to the strength of the Armed Forces, and service members from different backgrounds and religious traditions share the same goal of defending the United States.

(5) The unity of the Armed Forces reflects the strength in diversity that makes the United States a great nation.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the United States should—

(1) continue to recognize and promote diversity in the Armed Forces; and

(2) honor those from all diverse backgrounds and religious traditions who have made sacrifices in serving the United States through the Armed Forces.

Subtitle D—Military Justice, Including Sexual Assault and Domestic Violence Prevention and Response

SEC. 531. ENFORCEMENT OF CERTAIN CRIME VICTIM RIGHTS BY THE COURT OF CRIMINAL APPEALS.

Subsection (e) of section 806b of title 10, United States Code (article 6b of the Uniform Code of Military Justice), is amended to read as follows:

“(e) **ENFORCEMENT BY COURT OF CRIMINAL APPEALS.**—(1) If the victim of an offense under this chapter believes that a preliminary hearing ruling under section 832 of this title (article 32) or a court-martial ruling violates the rights of the victim afforded by a section (article) or rule specified in paragraph (4), the victim may petition the Court of Criminal Appeals for a writ of mandamus to require the preliminary hearing officer or the court-martial to comply with the section (article) or rule.

“(2) If the victim of an offense under this chapter is subject to an order to submit to a deposition, notwithstanding the availability of the victim to testify at the court-martial trying the accused for the offense, the victim may petition the Court of Criminal Appeals for a writ of mandamus to quash such order.

“(3) A petition for a writ of mandamus described in this subsection shall be forwarded directly to the Court of Criminal Appeals, by such means as may be prescribed by the President, and, to the extent practicable, shall have priority over all other proceedings before the court.

“(4) Paragraph (1) applies with respect to the protections afforded by the following:

“(A) This section (article).

“(B) Section 832 (article 32) of this title.

“(C) Military Rule of Evidence 412, relating to the admission of evidence regarding a victim’s sexual background.

“(D) Military Rule of Evidence 513, relating to the psychotherapist-patient privilege.

“(E) Military Rule of Evidence 514, relating to the victim advocate-victim privilege.

“(F) Military Rule of Evidence 615, relating to the exclusion of witnesses.”.

SEC. 532. DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEE ACCESS TO SPECIAL VICTIMS’ COUNSEL.

Section 1044e(a)(2) of title 10, United States Code, is amended by adding the following new subparagraph:

“(C) A civilian employee of the Department of Defense who is not eligible for military legal assistance under section 1044(a)(7) of this title, but who is the victim of an alleged sex-related offense, and the Secretary of Defense or the Secretary of the military department concerned waives the condition in such section for the purposes of offering Special Victims’ Counsel services to the employee.”.

SEC. 533. AUTHORITY OF SPECIAL VICTIMS’ COUNSEL TO PROVIDE LEGAL CONSULTATION AND ASSISTANCE IN CONNECTION WITH VARIOUS GOVERNMENT PROCEEDINGS.

Section 1044e(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (9) as paragraph (10); and

(2) by inserting after paragraph (8) the following new paragraph (9):

“(9) Legal consultation and assistance in connection with—

“(A) any complaint against the Government, including an allegation under review by an inspector general and a complaint regarding equal employment opportunities;

“(B) any request to the Government for information, including a request under section 552a of title 5 (commonly referred to as a ‘Freedom of Information Act request’); and

“(C) any correspondence or other communications with Congress.”.

SEC. 534. TIMELY NOTIFICATION TO VICTIMS OF SEX-RELATED OFFENSES OF THE AVAILABILITY OF ASSISTANCE FROM SPECIAL VICTIMS’ COUNSEL.

(a) **TIMELY NOTICE DESCRIBED.**—Section 1044e(f) of title 10, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph (2):

“(2) Subject to such exceptions for exigent circumstances as the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating may prescribe, notice of the availability of a Special Victims’ Counsel shall be provided to an individual described in subsection (a)(2) before any military criminal investigator or trial counsel interviews, or requests any statement from, the individual regarding the alleged sex-related offense.”.

(b) **CONFORMING AMENDMENT TO RELATED LEGAL ASSISTANCE AUTHORITY.**—Section 1565b(a) of title 10, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph (3):

“(3) Subject to such exceptions for exigent circumstances as the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating may prescribe, notice of the availability of a Special Victims’ Counsel under section 1044e of this title shall be provided to a member of the armed forces or dependent who is the victim of sexual assault before any military criminal investigator or trial counsel interviews, or requests any statement from, the member or dependent regarding the alleged sexual assault.”.

SEC. 535. ADDITIONAL IMPROVEMENTS TO SPECIAL VICTIMS’ COUNSEL PROGRAM.

(a) **TRAINING TIME PERIOD AND REQUIREMENTS.**—Section 1044e(d) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “An individual”;

(2) by designating existing paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(3) by adding at the end the following new paragraph:

“(2) The Secretary of Defense shall—
“(A) develop a policy to standardize the time period within which a Special Victims’ Counsel receives training; and

“(B) establish the baseline training requirements for a Special Victims’ Counsel.”.

(b) **IMPROVED ADMINISTRATIVE RESPONSIBILITY.**—Section 1044e(e) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) The Secretary of Defense, in collaboration with the Secretaries of the military departments and the Secretary of the Department in which the Coast Guard is operating, shall establish—

“(A) guiding principles for the Special Victims’ Counsel program, to include ensuring that—

“(i) Special Victims’ Counsel are assigned to locations that maximize the opportunity for face-to-face communication between counsel and clients; and

“(ii) effective means of communication are available to permit counsel and client interactions when face-to-face communication is not feasible;

“(B) performance measures and standards to measure the effectiveness of the Special Victims’ Counsel program and client satisfaction with the program; and

“(C) processes by which the Secretaries of the military departments and the Secretary of the Department in which the Coast Guard is operating will evaluate and monitor the Special Victims’ Counsel program using such guiding principles and performance measures and standards.”.

(c) **CONFORMING AMENDMENT REGARDING QUALIFICATIONS.**—Section 1044(d)(2) of chapter 53 of title 10, United States Code is amended by striking “meets the additional qualifications specified in subsection (d)(2)” and inserting “satisfies the additional qualifications and training requirements specified in subsection (d)”.

SEC. 536. ENHANCEMENT OF CONFIDENTIALITY OF RESTRICTED REPORTING OF SEXUAL ASSAULT IN THE MILITARY.

(a) **PREEMPTION OF STATE LAW TO ENSURE CONFIDENTIALITY OF REPORTING.**—Section 1565b(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) In the case of information disclosed pursuant to paragraph (1), any State law or

regulation that would require an individual specified in paragraph (2) to disclose the personally identifiable information of the adult victim or alleged perpetrator of the sexual assault to a State or local law enforcement agency shall not apply, except when reporting is necessary to prevent or mitigate a serious and imminent threat to the health or safety of an individual.”.

(b) **CLARIFICATION OF SCOPE.**—Section 1565b(b)(1) of title 10, United States Code, is amended by striking “a dependent” and inserting “an adult dependent”.

(c) **DEFINITIONS.**—Section 1565b of title 10, United States Code, is amended by adding at the end the following new subsection:

“(c) **DEFINITIONS.**—In this section:

“(1) **SEXUAL ASSAULT.**—The term ‘sexual assault’ includes the offenses of rape, sexual assault, forcible sodomy, aggravated sexual contact, abusive sexual contact, and attempts to commit such offenses, as punishable under applicable Federal or State law.

“(2) **STATE.**—The term ‘State’ includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United States.”.

SEC. 537. MODIFICATION OF DEADLINE FOR ESTABLISHMENT OF DEFENSE ADVISORY COMMITTEE ON INVESTIGATION, PROSECUTION, AND DEFENSE OF SEXUAL ASSAULT IN THE ARMED FORCES.

Section 546(a)(2) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3374; 10 U.S.C. 1561 note) is amended by striking “not later than” and all that follows and inserting “not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.”.

SEC. 538. IMPROVED DEPARTMENT OF DEFENSE PREVENTION AND RESPONSE TO SEXUAL ASSAULTS IN WHICH THE VICTIM IS A MALE MEMBER OF THE ARMED FORCES.

(a) **PLAN TO IMPROVE PREVENTION AND RESPONSE.**—The Secretary of Defense, in collaboration with the Secretaries of the military departments, shall develop a plan to improve Department of Defense prevention and response to sexual assaults in which the victim is a male member of the Armed Forces.

(b) **ELEMENTS.**—The plan required by subsection (a) shall include the following:

(1) Sexual assault prevention and response training to more comprehensively and directly address the incidence of male members of the Armed Forces who are sexually assaulted and how certain behavior and activities, such as hazing, can constitute a sexual assault.

(2) Methods to evaluate the extent to which differences exist in the medical and mental health-care needs of male and female sexual assault victims, and the care regimen, if any, that will best meet those needs.

(3) Data-driven decision making to improve male-victim sexual assault prevention and response program efforts.

(4) Goals with associated metrics to drive the changes needed to address sexual assaults of male members of the Armed Forces.

(5) Information about the sexual victimization of males in communications to members that are used to raise awareness of sexual assault and efforts to prevent and respond to it.

(6) Guidance for the department’s medical and mental health providers, and other personnel as appropriate, based on the results of the evaluation described in paragraph (2), that delineates these gender-specific distinc-

tions and the care regimen that is recommended to most effectively meet those needs.

SEC. 539. PREVENTING RETALIATION AGAINST MEMBERS OF THE ARMED FORCES WHO REPORT OR INTERVENE ON BEHALF OF THE VICTIM OF AN ALLEGED SEX-RELATED OFFENSE.

(a) **STRATEGY REQUIRED.**—The Secretary of Defense shall develop a comprehensive strategy to prevent retaliation carried out by members of the Armed Forces against other members who report or otherwise intervene on behalf of the victim of an alleged sex-related offense.

(b) **ELEMENTS.**—The comprehensive strategy required by subsection (a) shall include, at a minimum, the following:

(1) Bystander intervention programs emphasizing the importance of guarding against retaliation.

(2) Department of Defense and military department policies and requirements to ensure protection for victims of alleged sex-related offenses and members who intervene on behalf of victims from retaliation.

(3) Additional training for commanders on methods and procedures to combat attitudes and beliefs that result in retaliation.

(c) **DEFINITIONS.**—For purposes of this section:

(1) The term “alleged sex-related offense” has the meaning given that term in section 1044e(g) of title 10, United States Code.

(2) The term “retaliation” has such meaning as may be given that term by the Secretary of Defense in the development of the strategy required by subsection (a).

SEC. 540. SEXUAL ASSAULT PREVENTION AND RESPONSE TRAINING FOR ADMINISTRATORS AND INSTRUCTORS OF SENIOR RESERVE OFFICERS’ TRAINING CORPS.

The Secretary of a military department shall ensure that the commander of each unit of the Senior Reserve Officers’ Training Corps and all Professors of Military Science, senior military instructors, and civilian employees detailed, assigned, or employed as administrators and instructors of the Senior Reserve Officers’ Training Corps receive regular sexual assault prevention and response training and education.

SEC. 541. RETENTION OF CASE NOTES IN INVESTIGATIONS OF SEX-RELATED OFFENSES INVOLVING MEMBERS OF THE ARMY, NAVY, AIR FORCE, OR MARINE CORPS.

(a) **RETENTION OF ALL INVESTIGATIVE RECORDS REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall update Department of Defense records retention policies to ensure that, for all investigations relating to an alleged sex-related offense (as defined in section 1044e(g) of title 10, United States Code) involving a member of the Army, Navy, Air Force, or Marine Corps, all elements of the case file shall be retained as part of the investigative records retained in accordance with section 586 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 10 U.S.C. 1561 note).

(b) **ELEMENTS.**—In updating records retention policies as required by subsection (a), the Secretary of Defense shall address, at a minimum, the following matters:

(1) The elements of the case file to be retained must include, at a minimum, the case activity record, case review record, investigative plans, and all case notes made by an investigating agent or agents.

(2) All investigative records must be retained for no less than 50 years.

(3) No element of the case file may be destroyed until the expiration of the time that investigative records must be kept.

(4) Records may be stored digitally or in hard copy, in accordance with existing law or regulations or additionally prescribed policy considered necessary by the Secretary of the military department concerned.

(c) **CONSISTENT EDUCATION AND POLICY.**—The Secretary of Defense shall ensure that existing policy, education, and training are updated to reflect policy changes in accordance with subsection (a).

(d) **UNIFORM APPLICATION TO MILITARY DEPARTMENTS.**—The Secretary of Defense shall ensure that, to the maximum extent practicable, the policy developed under subsections (a) is implemented uniformly by the military departments.

SEC. 542. COMPTROLLER GENERAL OF THE UNITED STATES REPORTS ON PREVENTION AND RESPONSE TO SEXUAL ASSAULT BY THE ARMY NATIONAL GUARD AND THE ARMY RESERVE.

(a) **INITIAL REPORT.**—Not later than April 1, 2016, the Comptroller General of the United States shall submit to Congress a report on the preliminary assessment of the Comptroller General (made pursuant to a review conducted by the Comptroller General for purposes of this section) of the extent to which the Army National Guard and the Army Reserve—

(1) have in place policies and programs to prevent and respond to incidents of sexual assault involving members of the Army National Guard or the Army Reserve, as applicable;

(2) provide medical and mental health care services to members of the Army National Guard or the Army Reserve, as applicable, following a sexual assault; and

(3) have identified whether the nature of service in the Army National Guard or the Army Reserve, as the case may be, poses challenges to the prevention of or response to sexual assault.

(b) **ADDITIONAL REPORTS.**—If after submitting the report required by subsection (a) the Comptroller General makes additional assessments as a result of the review described in that subsection, the Comptroller General shall submit to Congress such reports on such additional assessments as the Comptroller General considers appropriate.

SEC. 543. IMPROVED IMPLEMENTATION OF CHANGES TO UNIFORM CODE OF MILITARY JUSTICE.

The Secretary of Defense shall examine the Department of Defense process for implementing statutory changes to the Uniform Code of Military Justice for the purpose of developing options for streamlining such process. The Secretary shall adopt procedures to ensure that legal guidance is published as soon as practicable whenever statutory changes to the Uniform Code of Military Justice are implemented.

SEC. 544. MODIFICATION OF RULE 104 OF THE RULES FOR COURTS-MARTIAL TO ESTABLISH CERTAIN PROHIBITIONS CONCERNING EVALUATIONS OF SPECIAL VICTIMS' COUNSEL.

Not later than 180 days after the date of the enactment of this Act, Rule 104(b) of the Rules for Courts-Martial shall be modified to provide that the prohibitions concerning evaluations established by that Rule shall apply to the giving of a less favorable rating or evaluation to any member of the Armed Forces serving as a Special Victims' Counsel because of the zeal with which such counsel represented a victim.

SEC. 545. MODIFICATION OF RULE 304 OF THE MILITARY RULES OF EVIDENCE RELATING TO THE CORROBORATION OF A CONFESSION OR ADMISSION.

To the extent the President considers practicable, the President shall modify Rule

304(c) of the Military Rules of Evidence to conform to the rules governing the admissibility of the corroboration of admissions and confessions in the trial of criminal cases in the United States district courts.

Subtitle E—Member Education, Training, and Transition

SEC. 551. ENHANCEMENTS TO YELLOW RIBBON REINTEGRATION PROGRAM.

(a) **SCOPE AND PURPOSE.**—Section 582(a) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 10101 note) is amended by striking “combat veteran”.

(b) **ELIGIBILITY.**—

(1) **DEFINITION.**—Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 10101 note) is amended by adding at the end the following new subsection:

“(1) **ELIGIBLE INDIVIDUALS DEFINED.**—For the purposes of this section, the term ‘eligible individual’ means a member of a reserve component, a member of their family, or a designated representative who the Secretary of Defense determines to be eligible for the Yellow Ribbon Reintegration Program.”.

(2) **CONFORMING AMENDMENTS.**—Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 10101 note) is amended—

(A) in subsection (a), by striking “National Guard and Reserve members and their families” and inserting “eligible individuals”;

(B) in subsection (b), by striking “members of the reserve components of the Armed Forces, their families,” and inserting “eligible individuals”;

(C) in subsection (d)(2)(C), by striking “members of the Armed Forces and their families” and inserting “eligible individuals”;

(D) in subsection (h), in the matter preceding paragraph (1)—

(i) by striking “members of the Armed Forces and their family members” and inserting “eligible individuals”; and

(ii) by striking “such members and their family members” and inserting “such eligible individuals”;

(E) in subsection (j), by striking “members of the Armed Forces and their families” and inserting “eligible individuals”; and

(F) in subsection (k), by striking “individual members of the Armed Forces and their families” and inserting “eligible individuals”.

(c) **OFFICE FOR REINTEGRATION PROGRAMS.**—Section 582(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 10101 note) is amended—

(1) in subparagraph (1)(B), by striking “substance abuse and mental health treatment services” and inserting “substance abuse, mental health treatment, and other quality of life services”; and

(2) by adding at the end the following new paragraph:

“(3) **GRANTS.**—The Office for Reintegration Programs may make grants to conduct data collection, trend analysis, and curriculum development and to prepare reports in support of activities under this section.”.

(d) **OPERATION OF PROGRAM.**—

(1) **ENHANCED FLEXIBILITY.**—Subsection (g) of section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 10101 note) is amended to read as follows:

“(g) **OPERATION OF PROGRAM.**—

“(1) **IN GENERAL.**—The Office for Reintegration Programs shall assist State National Guard and Reserve organizations with the

development and provision of information, events, and activities to support the health and well-being of eligible individuals before, during, and after periods of activation, mobilization, or deployment.

“(2) **FOCUS OF INFORMATION, EVENTS, AND ACTIVITIES.**—

“(A) **BEFORE ACTIVATION, MOBILIZATION, OR DEPLOYMENT.**—Before a period of activation, mobilization, or deployment, the information, events, and activities described in paragraph (1) should focus on preparing eligible individuals and affected communities for the rigors of activation, mobilization, and deployment.

“(B) **DURING ACTIVATION, MOBILIZATION, OR DEPLOYMENT.**—During such a period, the information, events, and activities described in paragraph (1) should focus on—

“(i) helping eligible individuals cope with the challenges and stress associated with such period;

“(ii) decreasing the isolation of eligible individuals during such period; and

“(iii) preparing eligible individuals for the challenges associated with reintegration.

“(C) **AFTER ACTIVATION, MOBILIZATION, OR DEPLOYMENT.**—After such a period, but no earlier than 30 days after demobilization, the information, events, and activities described in paragraph (1) should focus on—

“(i) reconnecting the member with their families, friends, and communities;

“(ii) providing information on employment opportunities;

“(iii) helping eligible individuals deal with the challenges of reintegration;

“(iv) ensuring that eligible individuals understand what benefits they are entitled to and what resources are available to help them overcome the challenges of reintegration; and

“(v) providing a forum for addressing negative behaviors related to operational stress and reintegration.

“(3) **MEMBER PAY.**—Members shall receive appropriate pay for days spent attending such events and activities.

“(4) **MINIMUM NUMBER OF EVENTS AND ACTIVITIES.**—The State National Guard and Reserve Organizations shall provide to eligible individuals—

“(A) one event or activity before a period of activation, mobilization, or deployment;

“(B) one event or activity during a period of activation, mobilization, or deployment; and

“(C) two events or activities after a period of activation, mobilization, or deployment.”.

(2) **CONFORMING AMENDMENTS.**—Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 10101 note) is amended—

(A) in subsection (a), by striking “throughout the entire deployment cycle”;

(B) in subsection (b)—

(i) by striking “well-being through the 4 phases” through the end of the subsection and inserting “well-being.”;

(ii) in the heading, by striking “; DEPLOYMENT CYCLE”;

(C) in subsection (d)(2)(C), by striking “throughout the deployment cycle described in subsection (g)”;

(D) in the heading of subsection (f), by striking “STATE DEPLOYMENT CYCLE”.

(e) **ADDITIONAL PERMITTED OUTREACH SERVICE.**—Section 582(h) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 10101 note) is amended by adding at the end the following new paragraph:

“(16) Stress management and positive coping skills.”.

(f) **SUPPORT OF DEPARTMENT-WIDE SUICIDE PREVENTION EFFORTS.**—Section 582 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 10101 note) is amended by inserting after subsection (h) the following new subsection:

“(i) **SUPPORT OF SUICIDE PREVENTION EFFORTS.**—The Office for Reintegration Programs shall assist the Defense Suicide Prevention Office and the Defense Centers of Excellence for Psychological Health and Traumatic Brain Injury to collect and analyze information, suggestions, and best practices from State National Guard and Reserve organizations with suicide prevention and community response programs.”.

(g) **NAME CHANGE.**—Section 582(d)(1)(B) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 10101 note) is amended by striking “Substance Abuse and the Mental Health Services Administration” and inserting “Substance Abuse and Mental Health Services Administration”.

SEC. 552. AVAILABILITY OF PRESEPARATION COUNSELING FOR MEMBERS OF THE ARMED FORCES DISCHARGED OR RELEASED AFTER LIMITED ACTIVE DUTY.

Section 1142(a)(4) of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking “that member’s first 180 days of active duty” and inserting “the first 180 continuous days of active duty of the member”; and

(2) by adding at the end the following new subparagraph:

“(C) For purposes of calculating the days of active duty of a member under subparagraph (A), the Secretary concerned shall exclude any day on which—

“(i) the member performed full-time training duty or annual training duty; and

“(ii) the member attended, while in the active military service, a school designated as a service school by law or by the Secretary concerned.”.

SEC. 553. AVAILABILITY OF ADDITIONAL TRAINING OPPORTUNITIES UNDER TRANSITION ASSISTANCE PROGRAM.

Section 1144 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(f) **ADDITIONAL TRAINING OPPORTUNITIES.**—(1) As part of the program carried out under this section, the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating, when the Coast Guard is not operating within the Department of the Navy, shall permit a member of the armed forces eligible for assistance under the program to elect to receive additional training in any of the following subjects:

“(A) Preparation for higher education or training.

“(B) Preparation for career or technical training.

“(C) Preparation for entrepreneurship.

“(D) Other training options determined by the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating, when the Coast Guard is not operating within the Department of the Navy.

“(2) The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating, when the Coast Guard is not operating within the Department of the Navy, shall ensure that a member of the armed forces who elects to receive additional training in subjects available under paragraph (1) is able to receive the training.”.

SEC. 554. MODIFICATION OF REQUIREMENT FOR IN-RESIDENT INSTRUCTION FOR COURSES OF INSTRUCTION OFFERED AS PART OF PHASE II JOINT PROFESSIONAL MILITARY EDUCATION.

Section 2154(a)(2)(A) of title 10, United States Code, is amended by inserting “, or offered through,” after “taught in residence at”.

SEC. 555. TERMINATION OF PROGRAM OF EDUCATIONAL ASSISTANCE FOR RESERVE COMPONENT MEMBERS SUPPORTING CONTINGENCY OPERATIONS AND OTHER OPERATIONS.

(a) **IN GENERAL.**—Chapter 1607 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 16167. Sunset

“(a) **SUNSET.**—The authority to provide educational assistance under this chapter shall terminate on the date that is four years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.

“(b) **LIMITATION ON PROVISION OF ASSISTANCE PENDING SUNSET.**—Notwithstanding any other provision of this chapter, during the period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016 and ending on the date that is four years after the date of the enactment of that Act, educational assistance may be provided under this chapter only to a member otherwise eligible for educational assistance under this chapter who received educational assistance under this chapter for a course of study at an educational institution for the enrollment period at the educational institution that immediately preceded the date of the enactment of that Act.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 1607 of title 10, United States Code, is amended by adding at the end the following new item:

“16167. Sunset.”.

SEC. 556. APPOINTMENTS TO MILITARY SERVICE ACADEMIES FROM NOMINATIONS MADE BY DELEGATES IN CONGRESS FROM THE VIRGIN ISLANDS, GUAM, AMERICAN SAMOA, AND THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

(a) **UNITED STATES MILITARY ACADEMY.**—Section 4342(a) of title 10, United States Code, is amended—

(1) in paragraph (6), by striking “Three” and inserting “Four”; and

(2) in paragraph (8), by striking “Three” and inserting “Four”; and

(3) in paragraph (9), by striking “Two” and inserting “Three”; and

(4) in paragraph (10), by striking “Two” and inserting “Three”.

(b) **UNITED STATES NAVAL ACADEMY.**—Section 6954(a) of title 10, United States Code, is amended—

(1) in paragraph (6), by striking “Three” and inserting “Four”; and

(2) in paragraph (8), by striking “Three” and inserting “Four”; and

(3) in paragraph (9), by striking “Two” and inserting “Three”; and

(4) in paragraph (10), by striking “Two” and inserting “Three”.

(c) **UNITED STATES AIR FORCE ACADEMY.**—Section 9342(a) of title 10, United States Code, is amended—

(1) in paragraph (6), by striking “Three” and inserting “Four”; and

(2) in paragraph (8), by striking “Three” and inserting “Four”; and

(3) in paragraph (9), by striking “Two” and inserting “Three”; and

(4) in paragraph (10), by striking “Two” and inserting “Three”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to the nomination of candidates for appointment to the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy for classes entering these military service academies after the date of the enactment of this Act.

SEC. 557. SUPPORT FOR ATHLETIC PROGRAMS OF THE UNITED STATES MILITARY ACADEMY.

(a) **IN GENERAL.**—Chapter 403 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 4362. Support of athletic programs

“(a) **AUTHORITY.**—

“(1) **CONTRACTS AND COOPERATIVE AGREEMENTS.**—The Secretary of the Army may enter into contracts and cooperative agreements with the Army West Point Athletic Association for the purpose of supporting the athletic programs of the Academy. Notwithstanding section 2304(k) of this title, the Secretary may enter such contracts or cooperative agreements on a sole source basis pursuant to section 2304(c)(5) of this title. Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the Academy.

“(2) **FINANCIAL CONTROLS.**—(A) Before entering into a contract or cooperative agreement under paragraph (1), the Secretary shall ensure that such contract or agreement includes appropriate financial controls to account for Academy and Association resources in accordance with accepted accounting principles.

“(B) Any such contract or cooperative agreement shall contain a provision that allows the Secretary, at the Secretary’s discretion, to review the financial accounts of the Association to determine whether the operations of the Association—

“(i) are consistent with the terms of the contract or cooperative agreement; and

“(ii) will not compromise the integrity or appearance of integrity of any program of the Department of the Army.

“(3) **LEASES.**—Section 2667(h) of this title shall not apply to any leases the Secretary may enter into with the Association for the purpose of supporting the athletic programs of the Academy.

“(b) **SUPPORT SERVICES.**—

“(1) **AUTHORITY.**—To the extent required by a contract or cooperative agreement under subsection (a), the Secretary may provide support services to the Association while the Association conducts its support activities at the Academy. The Secretary may provide support services described in paragraph (2) only if the Secretary determines that the provision of such services is essential for the support of the athletic programs of the Academy.

“(2) **SUPPORT SERVICES DEFINED.**—(A) In this subsection, the term ‘support services’ includes utilities, office furnishings and equipment, communications services, records staging and archiving, audio and video support, and security systems in conjunction with the leasing or licensing of property.

“(B) Such term includes—

“(i) housing for Association personnel on United States Army Garrison, West Point, New York; and

“(ii) enrollment of dependents of Association personnel in elementary and secondary schools under the same criteria applied to

dependents of Federal employees under section 2164(a) of this title, except that educational services provided pursuant to this clause shall be provided on a reimbursable basis.

“(3) **NO LIABILITY OF THE UNITED STATES.**—Any such support services may only be provided without any liability of the United States to the Association.

“(c) **ACCEPTANCE OF SUPPORT.**—

“(1) **SUPPORT RECEIVED FROM THE ASSOCIATION.**—Notwithstanding section 1342 of title 31, the Secretary may accept from the Association funds, supplies, and services for the support of the athletic programs of the Academy. For the purposes of this section, employees or personnel of the Association may not be considered to be employees of the United States.

“(2) **FUNDS RECEIVED FROM NCAA.**—The Secretary may accept funds from the National Collegiate Athletic Association to support the athletic programs of the Academy.

“(3) **LIMITATION.**—The Secretary shall ensure that contributions under this subsection and expenditure of funds pursuant to subsection (e) do not reflect unfavorably on the ability of the Department of the Army, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner, or compromise the integrity or appearance of integrity of any program of the Department of the Army, or any individual involved in such a program.

“(d) **TRADEMARKS AND SERVICE MARKS.**—

“(1) **LICENSING, MARKETING, AND SPONSORSHIP AGREEMENTS.**—An agreement under subsection (a) may, consistent with section 2260 of this title (other than subsection (d) of such section), authorize the Association to enter into licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Academy, subject to the approval of the Secretary of the Army.

“(2) **LIMITATIONS.**—No licensing, marketing, or sponsorship agreement may be entered into under paragraph (1) if—

“(A) such agreement would reflect unfavorably on the ability of the Department of the Army, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner; or

“(B) the Secretary determines that the use of the trademark or service mark would compromise the integrity or appearance of integrity of any program of the Department of the Army, or any individual involved in such a program.

“(e) **RETENTION AND USE OF FUNDS.**—Any funds received by the Secretary under this section may be retained for use in support of the athletic programs of the Academy and shall remain available until expended.

“(f) **SERVICE ON ASSOCIATION BOARD OF DIRECTORS.**—The Association is a designated entity for which authorization under sections 1033(a) and 1589(a) of this title may be provided.

“(g) **CONDITIONS.**—The authority provided in this section with respect to the Association is available only so long as the Association continues—

“(1) to qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986 and operates in accordance with this section, the law of the State of New York, and the constitution and bylaws of the Association; and

“(2) to operate exclusively to support the athletic programs of the Academy.

“(h) **ASSOCIATION DEFINED.**—In this section, the term ‘Association’ means the Army West Point Athletic Association.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 403 of title 10, United States Code, is amended by adding at the end the following new item:

“4362. Support of athletic programs.”.

SEC. 558. CONDITION ON ADMISSION OF DEFENSE INDUSTRY CIVILIANS TO ATTEND THE UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY.

Section 9314a(c)(2) of title 10, United States Code, is amended by striking “will be done on a space-available basis and not require an increase in the size of the faculty” and inserting “will not require an increase in the permanently authorized size of the faculty”.

SEC. 559. QUALITY ASSURANCE OF CERTIFICATION PROGRAMS AND STANDARDS FOR PROFESSIONAL CREDENTIALS OBTAINED BY MEMBERS OF THE ARMED FORCES.

Section 2015 of title 10, United States Code, as amended by section 551 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3376), is further amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following new subsection (c):

“(c) **QUALITY ASSURANCE OF CERTIFICATION PROGRAMS AND STANDARDS.**—(1) Commencing not later than three years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, each Secretary concerned shall ensure that any credentialing program used in connection with the program under subsection (a) is accredited by an accreditation body that meets the requirements specified in paragraph (2).

“(2) The requirements for accreditation bodies specified in this paragraph are requirements that an accreditation body—

“(A) be an independent body that has in place mechanisms to ensure objectivity and impartiality in its accreditation activities;

“(B) meet a recognized national or international standard that directs its policy and procedures regarding accreditation;

“(C) apply a recognized national or international certification standard in making its accreditation decisions regarding certification bodies and programs;

“(D) conduct on-site visits, as applicable, to verify the documents and records submitted by credentialing bodies for accreditation;

“(E) have in place policies and procedures to ensure due process when addressing complaints and appeals regarding its accreditation activities;

“(F) conduct regular training to ensure consistent and reliable decisions among reviewers conducting accreditations; and

“(G) meet such other criteria as the Secretary concerned considers appropriate in order to ensure quality in its accreditation activities.”.

SEC. 560. PROHIBITION ON RECEIPT OF UNEMPLOYMENT INSURANCE WHILE RECEIVING POST-9/11 EDUCATION ASSISTANCE.

(a) **EFFECT OF RECEIPT OF POST-9/11 EDUCATION ASSISTANCE.**—Section 8525(b) of title 5, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking “he receives” and inserting “the individual receives”;

(2) in paragraph (1), by striking “or” after the semicolon;

(3) by redesignating paragraph (2) as paragraph (3); and

(4) by inserting after paragraph (1) the following new paragraph (2):

“(2) except in the case of an individual described in subsection (a), an educational assistance allowance under chapter 33 of title 38; or”.

(b) **EXCEPTION.**—Section 8525 of title 5, United States Code, is amended by inserting before subsection (b) the following new subsection:

“(a) Subsection (b)(2) does not apply to an individual who—

“(1) is otherwise entitled to compensation under this subchapter;

“(2) is described in section 3311(b) of title 38;

“(3) is not receiving retired pay under title 10; and

“(4) was discharged or released from service in the Armed Forces or the Commissioned Corps of the National Oceanic and Atmospheric Administration (including through a reduction in force) under honorable conditions, but did not voluntarily separate from such service.”.

SEC. 561. JOB TRAINING AND POST-SERVICE PLACEMENT EXECUTIVE COMMITTEE.

Section 320 of title 38, United States Code, is amended—

(1) in subsection (b)(2), by inserting “a subordinate Job Training and Post-Service Placement Executive Committee,” before “and such other committees”;

(2) by adding at the end the following new subsection:

“(e) **JOB TRAINING AND POST-SERVICE PLACEMENT EXECUTIVE COMMITTEE.**—The Job Training and Post-Service Placement Executive Committee described in subsection (b)(2) shall—

“(1) review existing policies, procedures, and practices of the Departments (including the military departments) with respect to job training and post-service placement programs; and

“(2) identify changes to such policies, procedures, and practices to improve job training and post-service placement.”; and

(3) in subsection (d)(2), by inserting “, including with respect to job training and post-service placement” before the period at the end.

SEC. 562. RECOGNITION OF ADDITIONAL INVOLUNTARY MOBILIZATION DUTY AUTHORITIES EXEMPT FROM FIVE-YEAR LIMIT ON REEMPLOYMENT RIGHTS OF PERSONS WHO SERVE IN THE UNIFORMED SERVICES.

Section 4312(c)(4)(A) of title 38, United States Code, is amended by inserting after “12304,” the following: “12304a, 12304b,”.

SEC. 563. EXPANSION OF OUTREACH FOR VETERANS TRANSITIONING FROM SERVING ON ACTIVE DUTY.

(a) **EXPANSION OF PILOT PROGRAM.**—Section 5(c)(5) of the Clay Hunt Suicide Prevention for American Veterans Act (Public Law 114–2; 38 U.S.C. 1712A note) is amended—

(1) in subparagraph (C), by striking “; and” and inserting a semicolon;

(2) in subparagraph (D), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following new subparagraph:

“(E) conducts outreach to individuals transitioning from serving on active duty in the Armed Forces who are participating in the Transition Assistance Program of the Department of Defense or other similar transition programs to inform such individuals of the community oriented veteran peer support network under paragraph (1) and other support programs and opportunities that are available to such individuals.”.

(b) INCLUSION OF INFORMATION IN INTERIM REPORT.—Section 5(d)(1) of the Clay Hunt Suicide Prevention for American Veterans Act (Public Law 114-2; 38 U.S.C. 1712A note) is amended—

(1) in subparagraph (C), by striking “; and” and inserting a semicolon;

(2) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(E) the number of veterans who—

“(i) received outreach from the Department of Veterans Affairs while serving on active duty as a member of the Armed Forces; and

“(ii) participated in a peer support program under the pilot program for veterans transitioning from serving on active duty.”.

Subtitle F—Defense Dependents’ Education and Military Family Readiness Matters

SEC. 571. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2016 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, \$25,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 20 U.S.C. 7703b).

(b) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term “local educational agency” has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 572. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.

Of the amount authorized to be appropriated for fiscal year 2016 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, \$5,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-77; 20 U.S.C. 7703a).

SEC. 573. AUTHORITY TO USE APPROPRIATED FUNDS TO SUPPORT DEPARTMENT OF DEFENSE STUDENT MEAL PROGRAMS IN DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS LOCATED OUTSIDE THE UNITED STATES.

(a) AUTHORITY.—Section 2243 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “the defense dependents’ education system” and inserting “overseas defense dependents’ schools”; and

(B) by striking “students enrolled in that system” and inserting “students enrolled in such a school”;

(2) in subsection (d), by striking “Department of Defense dependents’ schools which are located outside the United States” and inserting “overseas defense dependents’ schools”; and

(3) by adding at the end the following new subsection:

“(e) OVERSEAS DEFENSE DEPENDENTS’ SCHOOL DEFINED.—In this section, the term ‘overseas defense dependents’ school’ means the following:

“(1) A school established as part of the defense dependents’ education system provided for under the Defense Dependents’ Education Act of 1978 (20 U.S.C. 921 et seq.).

“(2) An elementary or secondary school established pursuant to section 2164 of this title that is located in a territory, commonwealth, or possession of the United States.”.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 2243 of title 10, United States Code, is amended to read as follows:

“§ 2243. Authority to use appropriated funds to support student meal programs in overseas defense dependents’ schools”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter I of chapter 134 of title 10, United States Code, is amended by striking the item relating to section 2243 and inserting the following new item:

“2243. Authority to use appropriated funds to support student meal programs in overseas defense dependents’ schools.”.

SEC. 574. FAMILY SUPPORT PROGRAMS FOR IMMEDIATE FAMILY MEMBERS OF MEMBERS OF THE ARMED FORCES ASSIGNED TO SPECIAL OPERATIONS FORCES.

(a) EXTENSION OF AUTHORITY TO CONDUCT PROGRAMS.—Section 554(f) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 1785 note) is amended by striking “2016” and inserting “2018”.

(b) MODIFICATION OF REPORTING REQUIREMENT.—Subsection (g) of section 554 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 1785 note) is amended to read as follows:

“(g) REPORT REQUIRED.—

“(1) IN GENERAL.—Not later than March 1, 2016, and each March 1 thereafter though the conclusion of the pilot programs conducted under subsection (a), the Commander, in coordination with the Under Secretary of Defense for Personnel and Readiness, shall submit to the congressional defense committees a report describing the progress made in achieving the goals of the pilot programs.

“(2) ELEMENTS OF REPORT.—Each report under this subsection shall include the following for each pilot program:

“(A) A description of the pilot program to address family support requirements not being provided by the Secretary of a military department to immediate family members of members of the Armed Forces assigned to special operations forces.

“(B) An assessment of the impact of the pilot program on the readiness of members of the Armed Forces assigned to special operations forces.

“(C) A comparison of the pilot program to other programs conducted by the Secretaries of the military departments to provide family support to immediate family members of members of the Armed Forces.

“(D) Recommendations for incorporating the lessons learned from the pilot program into family support programs conducted by the Secretaries of the military departments.

“(E) Any other matters considered appropriate by the Commander or the Under Secretary of Defense for Personnel and Readiness.”.

Subtitle G—Decorations and Awards

SEC. 581. AUTHORIZATION FOR AWARD OF THE DISTINGUISHED-SERVICE CROSS FOR ACTS OF EXTRAORDINARY HEROISM DURING THE KOREAN WAR.

Notwithstanding the time limitations specified in section 3744 of title 10, United

States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished-Service Cross under section 3742 of such title to Edward Halcomb who, while serving in Korea as a member of the United States Army in the grade of Private First Class in Company B, 1st Battalion, 29th Infantry Regiment, 24th Infantry Division, distinguished himself by acts of extraordinary heroism from August 20, 1950, to October 19, 1950, during the Korean War.

Subtitle H—Miscellaneous Reports and Other Matters

SEC. 591. COORDINATION WITH NON-GOVERNMENT SUICIDE PREVENTION ORGANIZATIONS AND AGENCIES TO ASSIST IN REDUCING SUICIDES BY MEMBERS OF THE ARMED FORCES.

(a) DEVELOPMENT OF POLICY.—The Secretary of Defense, in consultation with the Secretaries of the military departments, may develop a policy to coordinate the efforts of the Department of Defense and non-government suicide prevention organizations regarding—

(1) the use of such non-government organizations to reduce the number of suicides among members of the Armed Forces by comprehensively addressing the needs of members of the Armed Forces who have been identified as being at risk of suicide;

(2) the delineation of the responsibilities within the Department of Defense regarding interaction with such organizations;

(3) the collection of data regarding the efficacy and cost of coordinating with such organizations; and

(4) the preparation and preservation of any reporting material the Secretary determines necessary to carry out the policy.

(b) SUICIDE PREVENTION EFFORTS.—The Secretary of Defense is authorized to take any necessary measures to prevent suicides by members of the Armed Forces, including by facilitating the access of members of the Armed Forces to successful non-governmental treatment regimen.

SEC. 592. EXTENSION OF SEMIANNUAL REPORTS ON THE INVOLUNTARY SEPARATION OF MEMBERS OF THE ARMED FORCES.

Section 525(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1724) is amended by striking “calendar years 2013 and 2014” and “each of calendar years 2013 through 2017”.

SEC. 593. REPORT ON PRELIMINARY MENTAL HEALTH SCREENINGS FOR INDIVIDUALS BECOMING MEMBERS OF THE ARMED FORCES.

(a) REPORT ON RECOMMENDATIONS IN CONNECTION WITH SCREENINGS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility of conducting, before the enlistment or accession of an individual into the Armed Forces, a mental health screening of the individual to bring mental health screenings to parity with physical screenings of prospective members.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) Recommendations with respect to establishing a secure, electronically-based preliminary mental health screening of new members of the Armed Forces.

(2) Recommendations with respect to the composition of the mental health screening, evidenced-based best practices, and how to track changes in mental health screenings relating to traumatic brain injuries, post-

traumatic stress disorder, and other conditions.

SEC. 594. REPORT REGARDING NEW RULEMAKING UNDER THE MILITARY LENDING ACT AND DEFENSE MANPOWER DATA CENTER REPORTS AND MEETINGS.

(a) **REPORT ON NEW MILITARY LENDING ACT RULEMAKING.**—Not later than 60 days after the issuance by the Secretary of Defense of the regulation issued with regard to section 987 of title 10, United States Code (commonly known as the Military Lending Act), and part of 232 of title 32, Code of Federal Regulations (its implementing regulation), the Secretary shall submit to the congressional defense committees a report that discusses—

(1) the ability and reliability of the Defense Manpower Data Center in meeting real-time requests for accurate information needed to make a determination regarding whether a borrower is covered by the Military Lending Act; or

(2) an alternate mechanism or mechanisms for identifying such covered borrowers.

(b) **DEFENSE MANPOWER DATA CENTER REPORTS AND MEETINGS.**—

(1) **REPORTS ON ACCURACY, RELIABILITY, AND INTEGRITY OF SYSTEMS.**—The Director of the Defense Manpower Data Center shall submit to the congressional defense committees reports on the accuracy, reliability, and integrity of the Defense Manpower Data Center systems used to identify covered borrowers and covered policyholders under military consumer protection laws. The first report is due six months after the date of the enactment of this Act, and the Director shall submit additional reports every six months thereafter through December 31, 2020, to show improvements in the accuracy, reliability, and integrity of such systems.

(2) **REPORT ON PLAN TO STRENGTHEN CAPABILITIES.**—Not later than six months after the date of the enactment of this Act, the Director of the Defense Manpower Data Center shall submit to the congressional defense committees a report on plans to strengthen the capabilities of the Defense Manpower Data Center systems, including staffing levels and funding, in order to improve the identification of covered borrowers and covered policyholders under military consumer protection laws.

(3) **MEETINGS WITH PRIVATE SECTOR USERS OF SYSTEMS.**—The Director of the Defense Manpower Data Center shall meet regularly with private sector users of Defense Manpower Data Center systems used to identify covered borrowers and covered policyholders under military consumer protection laws to learn about issues facing such users and to develop ways of addressing such issues. The first meeting pursuant to this requirement shall take place with three months after the date of the enactment of this Act.

SEC. 595. REMOTELY PILOTED AIRCRAFT CAREER FIELD MANNING SHORTFALLS.

(a) **LIMITATION.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for operation and maintenance for the Office of the Secretary of the Air Force, not more than 85 percent may be obligated or expended until a period of 15 days has elapsed following the date on which the Secretary of the Air Force submits to the congressional defense committees the report described in subsection (b).

(b) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on remotely piloted aircraft career field

manning levels and actions the Air Force will take to rectify personnel shortfalls.

(2) **ELEMENTS.**—The report required under paragraph (1) shall include the following elements:

(A) A description of current and projected manning requirements and inventory levels for remotely piloted aircraft systems.

(B) A description of rated and non-rated officer and enlisted manning policies for authorization and inventory levels in effect for remotely piloted aircraft systems and units, to include whether remotely piloted aircraft duty is considered as a permanent Air Force Specialty Code or treated as an ancillary single assignment duty, and if both are used, the division of authorizations between permanently assigned personnel and those who will return to a different primary career field.

(C) Comparisons to other Air Force manned combat aircraft systems and units with respect to personnel policies, manpower authorization levels, and projected personnel inventory.

(D) Identification and assessment of mitigation actions to increase unit manning levels, including recruitment and retention bonuses, incentive pay, use of enlisted personnel, and increased weighting to remotely piloted aircraft personnel on promotion boards, and to ensure the school house for remotely piloted aircraft personnel is sufficient to meet increased manning demands.

(E) Analysis demonstrating the requirements determination for how remotely piloted aircraft pilot and sensor operators are selected, including whether individuals are prior rated or non-rated qualified, what prerequisite training or experience is necessary, and required and types of basic and advanced qualification training for each mission design series of remotely piloted aircraft in the Air Force inventory.

(F) Recommendations for changes to existing legislation required to implement mitigation actions.

(G) An assessment of the authorization levels of government civilian and contractor support required for sufficiency of remotely piloted aircraft career field manning.

(H) A description and associated timeline of actions the Air Force will take to increase remotely piloted aircraft career field manpower authorizations and manning levels to at least the equal of the normative levels of manning and readiness of all other combat aircraft career fields.

(I) A description of any other matters concerning remotely piloted aircraft career field manning levels the Secretary of the Air Force determines to be appropriate.

(3) **FORM.**—The report required under paragraph (1) may be submitted in classified form, but shall also contain an unclassified executive summary and may contain an unclassified annex.

(4) **NONDUPLICATION OF EFFORT.**—If any information required under paragraph (1) has been included in another report or notification previously submitted to Congress by law, the Secretary of the Air Force may provide a list of such reports and notifications at the time of submitting the report required under this subsection in lieu of including such information in the report.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. No fiscal year 2016 increase in military basic pay for general and flag officers.

Sec. 602. Limitation on eligibility for supplemental subsistence allowances to members serving outside the United States and associated territory.

Sec. 603. Phased-in modification of percentage of national average monthly cost of housing usable in computation of basic allowance for housing inside the United States.

Sec. 604. Extension of authority to provide temporary increase in rates of basic allowance for housing under certain circumstances.

Sec. 605. Availability of information under the Food and Nutrition Act of 2008.

Subtitle B—Bonuses and Special and Incentive Pays

Sec. 611. One-year extension of certain bonus and special pay authorities for reserve forces.

Sec. 612. One-year extension of certain bonus and special pay authorities for health care professionals.

Sec. 613. One-year extension of special pay and bonus authorities for nuclear officers.

Sec. 614. One-year extension of authorities relating to title 37 consolidated special pay, incentive pay, and bonus authorities.

Sec. 615. One-year extension of authorities relating to payment of other title 37 bonuses and special pays.

Sec. 616. Increase in maximum annual amount of nuclear officer bonus pay.

Sec. 617. Modification to special aviation incentive pay and bonus authorities for officers.

Sec. 618. Repeal of obsolete authority to pay bonus to encourage Army personnel to refer persons for enlistment in the Army.

Subtitle C—Travel and Transportation Allowances

Sec. 621. Transportation to transfer ceremonies for family and next of kin of members of the Armed Forces who die overseas during humanitarian operations.

Sec. 622. Repeal of obsolete special travel and transportation allowance for survivors of deceased members of the Armed Forces from the Vietnam conflict.

Sec. 623. Study and report on policy changes to the Joint Travel Regulations.

Subtitle D—Disability Pay, Retired Pay, and Survivor Benefits

PART I—RETIRED PAY REFORM

Sec. 631. Modernized retirement system for members of the uniformed services.

Sec. 632. Full participation for members of the uniformed services in the Thrift Savings Plan.

Sec. 633. Lump sum payments of certain retired pay.

Sec. 634. Continuation pay for full TSP members with 12 years of service.

Sec. 635. Effective date and implementation.

PART II—OTHER MATTERS

Sec. 641. Death of former spouse beneficiaries and subsequent remarriages under the Survivor Benefit Plan.

Subtitle E—Commissary and Non-Appropriated Fund Instrumentality Benefits and Operations

Sec. 651. Plan to obtain budget-neutrality for the defense commissary system and the military exchange system.

Sec. 652. Comptroller General of the United States report on the Commissary Surcharge, Non-appropriated Fund, and Privately-Financed Major Construction Program.

Subtitle F—Other Matters

Sec. 661. Improvement of financial literacy and preparedness of members of the Armed Forces.

Sec. 662. Recordation of obligations for installment payments of incentive pays, allowances, and similar benefits when payment is due.

Subtitle A—Pay and Allowances

SEC. 601. NO FISCAL YEAR 2016 INCREASE IN MILITARY BASIC PAY FOR GENERAL AND FLAG OFFICERS.

Section 203(a)(2) of title 37, United States Code, shall be applied for rates of basic pay payable for commissioned officers in pay grades O-7 through O-10 during calendar year 2016 by using the rate of pay for level II of the Executive Schedule in effect during 2014. The rates of basic pay payable for such officers shall not increase during calendar year 2016.

SEC. 602. LIMITATION ON ELIGIBILITY FOR SUPPLEMENTAL SUBSISTENCE ALLOWANCES TO MEMBERS SERVING OUTSIDE THE UNITED STATES AND ASSOCIATED TERRITORY.

Section 402a(b) of title 37, United States Code, is amended—

(1) in paragraph (1), by inserting “and paragraph (4)” after “subsection (d)”; and

(2) by adding at the end the following new paragraph:

“(4) After September 30, 2016, a member is eligible for a supplemental subsistence allowance under this section only if the member is serving outside the United States, the Commonwealth of Puerto Rico, the United States Virgin Islands, or Guam.”.

SEC. 603. PHASED-IN MODIFICATION OF PERCENTAGE OF NATIONAL AVERAGE MONTHLY COST OF HOUSING USABLE IN COMPUTATION OF BASIC ALLOWANCE FOR HOUSING INSIDE THE UNITED STATES.

Section 403(b)(3)(B) of title 37, United States Code, is amended by striking “may not exceed one percent.” and inserting the following: “may not exceed the following:

“(i) One percent for months occurring during 2015.

“(ii) Two percent for months occurring during 2016.

“(iii) Three percent for months occurring during 2017.

“(iv) Four percent for months occurring during 2018.

“(v) Five percent for months occurring after 2018.”.

SEC. 604. EXTENSION OF AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING UNDER CERTAIN CIRCUMSTANCES.

Section 403(b)(7)(E) of title 37, United States Code, is amended by striking “December 31, 2015” and inserting “December 31, 2016”.

SEC. 605. AVAILABILITY OF INFORMATION UNDER THE FOOD AND NUTRITION ACT OF 2008.

In administering the supplemental nutrition assistance program established under

the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the Secretary of Agriculture shall ensure that any safeguards that prevent the use or disclosure of information obtained from applicant households shall not prevent the use of that information by, or the disclosure of that information to, the Secretary of Defense for purposes of determining the number of applicant households that contain one or more members of a regular component or reserve component of the Armed Forces.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

The following sections of title 37, United States Code, are amended by striking “December 31, 2015” and inserting “December 31, 2016”:

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

(7) Section 478a(e), relating to reimbursement of travel expenses for inactive-duty training outside of normal commuting distance.

(8) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) TITLE 10 AUTHORITIES.—The following sections of title 10, United States Code, are amended by striking “December 31, 2015” and inserting “December 31, 2016”:

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) TITLE 37 AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking “December 31, 2015” and inserting “December 31, 2016”:

(1) Section 302c-1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.

(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.

(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

The following sections of title 37, United States Code, are amended by striking “December 31, 2015” and inserting “December 31, 2016”:

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.

(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

The following sections of title 37, United States Code, are amended by striking “December 31, 2015” and inserting “December 31, 2016”:

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(6) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.

(7) Section 351(h), relating to hazardous duty pay.

(8) Section 352(g), relating to assignment pay or special duty pay.

(9) Section 353(i), relating to skill incentive pay or proficiency bonus.

(10) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUS AND SPECIAL PAYS.

The following sections of title 37, United States Code, are amended by striking “December 31, 2015” and inserting “December 31, 2016”:

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 316a(g), relating to incentive pay for members of precommissioning programs pursuing foreign language proficiency.

(6) Section 324(g), relating to accession bonus for new officers in critical skills.

(7) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(8) Section 327(h), relating to incentive bonus for transfer between Armed Forces.

(9) Section 330(f), relating to accession bonus for officer candidates.

SEC. 616. INCREASE IN MAXIMUM ANNUAL AMOUNT OF NUCLEAR OFFICER BONUS PAY.

Section 333(d)(1)(A) of title 37, United States Code, is amended by striking “\$35,000” and inserting “\$50,000”.

SEC. 617. MODIFICATION TO SPECIAL AVIATION INCENTIVE PAY AND BONUS AUTHORITIES FOR OFFICERS.

(a) CLARIFICATION OF SECRETARIAL AUTHORITY TO SET REQUIREMENTS FOR AVIATION INCENTIVE PAY ELIGIBILITY.—Subsection (a) of section 334 of title 37, United States Code, is amended—

(1) by redesignating paragraphs (1), (2), (3), (4), and (5) as subparagraphs (A), (B), (C), (D), and (E), respectively, and moving the margin of such subparagraphs, as so redesignated, 2 ems to the right;

(2) by striking “The Secretary” and inserting the following:

“(1) INCENTIVE PAY AUTHORIZED.—The Secretary”; and

(3) by adding at the end the following new paragraph (2):

“(2) OFFICERS NOT CURRENTLY ENGAGED IN FLYING DUTY.—The Secretary concerned may pay aviation incentive pay under this section to an officer who is otherwise qualified for such pay but who is not currently engaged in the performance of operational flying duty or proficiency flying duty if the Secretary determines, under regulations prescribed under section 374 of this title, that payment of aviation incentive pay to that officer is in the best interests of the service.”.

(b) RESTORATION OF AUTHORITY TO PAY AVIATION INCENTIVE PAY TO MEDICAL OFFICERS PERFORMING FLIGHT SURGEON DUTIES.—Subsection (h)(1) of such section is amended by striking “(except a flight surgeon or other medical officer)”.

(c) INCREASE IN MAXIMUM AMOUNT OF AVIATION SPECIAL PAYS FOR FLYING DUTY OF REMOTELY PILOTED AIRCRAFT.—Subsection (c)(1) of such section is amended—

(1) in subparagraph (A), by striking “exceed \$850 per month; and” and inserting “exceed—

“(i) \$1,000 per month for officers performing qualifying flying duty relating to remotely piloted aircraft (RPA); or

“(ii) \$850 per month for officers performing other qualifying flying duty; and”; and

(2) in subparagraph (B), by striking “\$25,000” and all that follows and inserting “, for each 12-month period of obligated service agreed to under subsection (d)—

“(i) \$35,000 for officers performing qualifying flying duty relating to remotely piloted aircraft; or

“(ii) \$25,000 for officers performing other qualifying flying duty.”.

(d) AUTHORITY TO PAY AVIATION BONUS AND SKILL INCENTIVE PAY TO OFFICERS SIMULTANEOUSLY.—Subsection (f) of such section is amended—

(1) in paragraph (1), by striking “353” and inserting “353(a)”; and

(2) in paragraph (2)—

(A) by striking “a payment” and inserting “a bonus payment”; and

(B) by striking “353” and inserting “353(b)”.

(e) REPORT.—Not later than February 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the empirical case for an increase in special and incentive pay for aviation officers in order to address a specific, statistically-based retention problem with respect to such officers. The report shall include the results of a study, conducted by the Secretary in connection with the case, on a market-based compensation approach to the retention of such officers that considers the pay and allowances offered by commercial airlines to pilots and the propensity of pilots to leave the Air Force to become commercial airline pilots.

SEC. 618. REPEAL OF OBSOLETE AUTHORITY TO PAY BONUS TO ENCOURAGE ARMY PERSONNEL TO REFER PERSONS FOR ENLISTMENT IN THE ARMY.

(a) REPEAL.—Section 3252 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 333 of such title is amended by striking the item relating to section 3252.

Subtitle C—Travel and Transportation Allowances**SEC. 621. TRANSPORTATION TO TRANSFER CEREMONIES FOR FAMILY AND NEXT OF KIN OF MEMBERS OF THE ARMED FORCES WHO DIE OVERSEAS DURING HUMANITARIAN OPERATIONS.**

Section 481f(e)(1) of title 37, United States Code, is amended by inserting “(including during a humanitarian relief operation)” after “located or serving overseas”.

SEC. 622. REPEAL OF OBSOLETE SPECIAL TRAVEL AND TRANSPORTATION ALLOWANCE FOR SURVIVORS OF DECEASED MEMBERS OF THE ARMED FORCES FROM THE VIETNAM CONFLICT.

(a) REPEAL AND REDESIGNATION.—Section 481f of title 37, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e), (f), (g), and (h) as subsections (d), (e), (f), and (g), respectively.

(b) CONFORMING AMENDMENT TO CROSS REFERENCE.—Section 2493(a)(4)(B)(ii) of title 10, United States Code, is amended by striking “section 481f(e)” and inserting “section 481f(d)”.

SEC. 623. STUDY AND REPORT ON POLICY CHANGES TO THE JOINT TRAVEL REGULATIONS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the impact of the policy changes to the Joint Travel Regulations for the Uniformed Service Members and Department of Defense Civilian Employees related to flat rate per diem for long term temporary duty travel that took effect on November 1, 2014. The study shall assess the following:

(1) The impact of such changes on shipyard workers who travel on long-term temporary duty assignments.

(2) Whether such changes have discouraged employees of the Department of Defense, including civilian employees at shipyards and depots, from volunteering for important temporary duty travel assignments.

(b) REPORT.—Not later than June 1, 2016, the Comptroller General shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the study required by subsection (a).

Subtitle D—Disability Pay, Retired Pay, and Survivor Benefits**PART I—RETIRED PAY REFORM****SEC. 631. MODERNIZED RETIREMENT SYSTEM FOR MEMBERS OF THE UNIFORMED SERVICES.**

(a) REGULAR SERVICE.—Section 1409(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) MODERNIZED RETIREMENT SYSTEM.—

“(A) REDUCED MULTIPLIER FOR FULL TSP MEMBERS.—Notwithstanding paragraphs (1), (2), and (3), in the case of a member who first becomes a member of the uniformed services on or after January 1, 2018, or a member who makes the election described in subparagraph (B) (referred to as a ‘full TSP member’)—

“(i) paragraph (1)(A) shall be applied by substituting ‘2’ for ‘2½’;

“(ii) clause (i) of paragraph (3)(B) shall be applied by substituting ‘60 percent’ for ‘75 percent’; and

“(iii) clause (ii)(I) of such paragraph shall be applied by substituting ‘2’ for ‘2½’.

“(B) ELECTION TO PARTICIPATE IN MODERNIZED RETIREMENT SYSTEM.—Pursuant to subparagraph (C), a member of a uniformed service serving on December 31, 2017, who has served in the uniformed services for fewer than 12 years as of December 31, 2017, may elect, in exchange for the reduced multipliers described in subparagraph (A) for purposes of calculating the retired pay of the member, to receive Thrift Savings Plan contributions pursuant to section 8440e(e) of title 5.

“(C) ELECTION PERIOD.—

“(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), a member of a uniformed service described in subparagraph (B) may make the election authorized by that subparagraph only during the period that begins on January 1, 2018, and ends on December 31, 2018.

“(ii) HARDSHIP EXTENSION.—The Secretary concerned may extend the election period described in clause (i) for a member who experiences a hardship as determined by the Secretary concerned.

“(iii) EFFECT OF BREAK IN SERVICE.—A member of a uniformed service who returns to service after a break in service that occurs during the election period specified in clause (i) shall make the election described in subparagraph (B) within 30 days after the date of the reentry into service of the member.

“(D) NO RETROACTIVE CONTRIBUTIONS PURSUANT TO ELECTION.—Thrift Savings Plan contributions may not be made for a member making an election pursuant to subparagraph (B) for any period beginning before the date of the member’s election under that subparagraph by reason of the member’s election.

“(E) REGULATIONS.—The Secretary concerned shall prescribe regulations to implement this paragraph.”.

(b) NON-REGULAR SERVICE.—Section 12739 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(f) MODERNIZED RETIREMENT SYSTEM.—

“(1) REDUCED MULTIPLIER FOR FULL TSP MEMBERS.—Notwithstanding subsection (a) or (c), in the case of a person who first performs reserve component service on or after January 1, 2018, after not having performed regular or reserve component service on or before that date, or a person who makes the election described in paragraph (2) (referred to as a ‘full TSP member’)—

“(A) subsection (a)(2) shall be applied by substituting ‘2 percent’ for ‘2½ percent’;

“(B) subparagraph (A) of subsection (c)(2) shall be applied by substituting ‘60 percent’ for ‘75 percent’; and

“(C) subparagraph (B)(ii) of such subsection shall be applied by substituting ‘2 percent’ for ‘2½ percent’.

“(2) ELECTION TO PARTICIPATE IN MODERNIZED RETIREMENT SYSTEM.—

“(A) IN GENERAL.—Pursuant to subparagraph (B), a person performing reserve component service on December 31, 2017, who has performed fewer than 12 years of service as of December 31, 2017 (as computed in accordance with section 12733 of this title), may elect, in exchange for the reduced multipliers described in paragraph (1) for purposes of calculating the retired pay of the person,

to receive Thrift Savings Plan contributions pursuant to section 8440e(e) of title 5.

“(B) ELECTION PERIOD.—

“(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), a person described in subparagraph (A) may make the election described in that subparagraph during the period that begins on January 1, 2018, and ends on December 31, 2018.

“(ii) HARDSHIP EXTENSION.—The Secretary concerned may extend the election period described in clause (i) for a person who experiences a hardship as determined by the Secretary concerned.

“(iii) PERSONS EXPERIENCING BREAK IN SERVICE.—A person returning to reserve component service after a break in reserve component service in which falls the election period specified in clause (i) shall make the election described in subparagraph (A) on the date of the reentry into service of the person.

“(C) NO RETROACTIVE CONTRIBUTIONS PURSUANT TO ELECTION.—Thrift Savings Plan contributions may not be made for a person making an election pursuant to subparagraph (A) for any pay period beginning before the date of the person's election under that subparagraph by reason of the person's election.

“(3) REGULATIONS.—The Secretary concerned shall prescribe regulations to implement this subsection.”

(c) COORDINATING AMENDMENTS TO OTHER RETIREMENT AUTHORITIES.—

(1) DISABILITY, WARRANT OFFICERS, AND DOPMA RETIRED PAY.—

(A) COMPUTATION OF RETIRED PAY.—The table in section 1401(a) of title 10, United States Code, is amended—

(i) in paragraph (1) in column 2 of formula number 1, by striking “2½% of years of service credited to him under section 1208” and inserting “the retired pay multiplier determined for the member under section 1409 of this title”; and

(ii) in paragraph (1) in column 2 of formula number 2, by striking “2½% of years of service credited to him under section 1208” and inserting “the retired pay multiplier determined for the member under section 1409 of this title”; and

(iii) in column 2 of each of formula number 4 and formula number 5, by striking “section 1409(a)” and inserting “section 1409”.

(B) CLARIFICATION REGARDING MODERNIZED RETIREMENT SYSTEM.—Section 1401a(b) of title 10, United States Code, is amended—

(i) by redesignating paragraph (5) as paragraph (6); and

(ii) by inserting after paragraph (4) the following new paragraph (5):

“(5) ADJUSTMENTS FOR PARTICIPANTS IN MODERNIZED RETIREMENT SYSTEM.—Notwithstanding paragraph (3), if a member or former member participates in the modernized retirement system by reason of section 1409(b)(4) of this title (including pursuant to an election under subparagraph (B) of that section), the Secretary shall increase the retired pay of such member in accordance with paragraph (2).”

(2) 15-YEAR CAREER STATUS BONUS.—Section 354 of title 37, United States Code, is amended—

(A) in subsection (f)—

(i) by striking “If a” and inserting “(1) If a”; and

(ii) by adding at the end the following new paragraph:

“(2) If a person who is paid a bonus under this section subsequently makes an election described in section 1409(b)(4)(B) of title 10, the person shall repay any bonus payments

received under this section in the same manner as repayments are made under section 373 of this title.”; and

(B) by adding at the end the following new subsection:

“(g) SUNSET AND CONTINUATION OF PAYMENTS.—(1) A Secretary concerned may not pay a new bonus under this section after December 31, 2017.

“(2) Subject to subsection (f)(2), the Secretary concerned may continue to make payments for bonuses that were awarded under this section on or before the date specified in paragraph (1).”

(3) APPLICATION TO NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED CORPS.—Paragraph (2) of section 245(a) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3045(a)) is amended to read as follows:

“(2) the retired pay multiplier determined under section 1409 of such title for the number of years of service that may be credited to the officer under section 1405 of such title as if the officer's service were service as a member of the Armed Forces.”

(4) APPLICATION TO PUBLIC HEALTH SERVICE.—Section 211(a)(4) of the Public Health Service Act (42 U.S.C. 212(a)(4)) is amended—

(A) in the matter preceding subparagraph (A), by striking “at the rate of 2 ½ per centum of the basic pay of the highest grade held by him as such officer” and inserting “calculated by multiplying the retired pay base determined under section 1406 of title 10, United States Code, by the retired pay multiplier determined under section 1409 of such title for the numbers of years of service credited to the officer under this paragraph”; and

(B) in the matter following subparagraph (B)(iii)—

(i) in subparagraph (C), by striking “such pay, and” and inserting “such pay.”; and

(ii) in subparagraph (D), by striking “such basic pay.” and inserting “such basic pay, and (E) in the case of any officer who participates in the modernized retirement system by reason of section 1409(b) of title 10, United States Code (including pursuant to an election under subparagraph (B) of that section), subparagraph (C) shall be applied by substituting ‘40 per centum’ for ‘50 per centum’ each place the term appears.”

(d) REPEAL OF REDUCED COST-OF-LIVING ADJUSTMENTS FOR MEMBERS UNDER THE AGE OF 62.—The following amendments shall not take effect:

(1) The amendments to be made by section 403 of the Bipartisan Budget Act of 2013 (Public Law 113-67; 127 Stat. 1186), as amended by section 10001(a) of the Department of Defense Appropriations Act, 2014 (division C of Public Law 113-76; 128 Stat. 151), section 2 of Public Law 113-82 (128 Stat. 1009), and section 623 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3403).

(2) The amendments to be made by section 10001(b) of the Department of Defense Appropriations Act, 2014.

SEC. 632. FULL PARTICIPATION FOR MEMBERS OF THE UNIFORMED SERVICES IN THE THRIFT SAVINGS PLAN.

(a) MODERNIZED RETIREMENT SYSTEM.—

(1) DEFINITIONS.—Section 8440e(a) of title 5, United States Code, is amended by striking paragraphs (1) and (2) and inserting the following new paragraphs:

“(1) the term ‘basic pay’ means basic pay payable under section 204 of title 37;

“(2) the term ‘full TSP member’ means a member described in subsection (e)(1);

“(3) the term ‘member’ has the meaning given the term in section 211 of title 37; and

“(4) the term ‘Secretary concerned’ has the meaning given the term in section 101 of title 37.”

(2) TSP CONTRIBUTIONS.—Subsection (e) of section 8440e of title 5, United States Code, is amended to read as follows:

“(e) MODERNIZED RETIREMENT SYSTEM.—

“(1) TSP CONTRIBUTIONS.—Notwithstanding any other provision of law, the Secretary concerned shall make contributions to the Thrift Savings Fund, in accordance with section 8432 (except to the extent the requirements under such section are modified by this subsection), for the benefit of a member—

“(A) who first enters a uniformed service on or after January 1, 2018; or

“(B) who—

“(i) first entered a uniformed service before January 1, 2018;

“(ii) has completed fewer than 12 years of service in the uniformed services as of December 31, 2017; and

“(iii) makes the election described in section 1409(b)(4)(B) or 12729(f)(2) of title 10 to receive Thrift Savings Plan contributions under this subsection in exchange for the reduced multipliers described in section 1409(b)(4)(A) or 12739(f)(1) of title 10, as applicable, for purposes of calculating the retired pay of the member.

“(2) MAXIMUM AMOUNT.—The amount contributed under this subsection by the Secretary concerned for the benefit of a full TSP member for any pay period shall not be more than 5 percent of the member's basic pay for such pay period. Any such contribution under this subsection, though in accordance with section 8432 as provided in paragraph (1), is instead of, and not in addition to, amounts contributable under section 8432 as provided in section 8432(c).

“(3) TIMING AND DURATION OF CONTRIBUTIONS.—

“(A) AUTOMATIC CONTRIBUTIONS.—The Secretary concerned shall make a contribution described in section 8432(c)(1) under this subsection for the benefit of a member described in paragraph (1) for any pay period during the period that—

“(i) begins—

“(I) on or after the day that is 60 days after the date the member first enters a uniformed service, in the case of a member described in paragraph (1)(A); or

“(II) on or after the date the member makes the election described in paragraph (1)(B), in the case of a member making such an election; and

“(ii) ends on the day such member completes 26 years of service as a member of the uniformed services.

“(B) MATCHING CONTRIBUTIONS.—The Secretary concerned shall make a contribution described in section 8432(c)(2) under this subsection for the benefit of a member described in paragraph (1) for any pay period during the period that—

“(i) begins—

“(I) on or after the day that is 2 years and 1 day after the date the member first enters a uniformed service, in the case of a member described in paragraph (1)(A); or

“(II) on or after the date the member makes the election described in paragraph (1)(B), in the case of a member making such an election; and

“(ii) ends on the day such member completes 26 years of service as a member of the uniformed services.

“(4) PROTECTIONS FOR SPOUSES AND FORMER SPOUSES.—Section 8435 shall apply to a full

TSP member in the same manner as such section is applied to an employee or Member under such section.”.

(b) **AUTOMATIC ENROLLMENT IN THRIFT SAVINGS PLAN.**—Section 8432(b)(2) of title 5, United States Code, is amended—

(1) in subparagraph (D)(ii), by striking “Members” and inserting “(ii) Except in the case of a full TSP member (as defined in section 8440e(a)), members”;

(2) in subparagraph (E), by striking “8440e(a)(1)” and inserting “8440e(b)(1)”;

(3) by adding at the end the following new subparagraph:

“(F) Notwithstanding any other provision of this paragraph, if a full TSP member (as defined in section 8440e(a)) has declined automatic enrollment into the Thrift Savings Plan for a year, the full TSP member shall be automatically reenrolled on January 1 of the succeeding year, with contributions under subsection (a) at the default percentage of basic pay.”.

(c) **VESTING.**—

(1) **TWO-YEARS OF SERVICE.**—Section 8432(g)(2) of title 5, United States Code, is amended—

(A) in subparagraph (A)(iii), by striking “or” after the semicolon;

(B) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(C) 2 years of service in the case of a member of the uniformed services.”.

(2) **SEPARATION.**—Section 8432(g) of title 5, United States Code, is amended by adding at the end the following new paragraph:

“(6) For purposes of this subsection, a member of the uniformed services shall be considered to have separated from Government employment if the member is discharged or released from service in the uniformed services.”.

(d) **THRIFT SAVINGS PLAN DEFAULT INVESTMENT FUND.**—Section 8438(c)(2) of title 5, United States Code, is amended—

(1) in subparagraph (A), by striking “(A) Consistent with the requirements of subparagraph (B), if an” and inserting “If an”; and

(2) by striking subparagraph (B).

(e) **REPEAL OF SEPARATE CONTRIBUTION AGREEMENT AUTHORITY.**—

(1) **REPEAL.**—Section 211 of title 37, United States Code, is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(2) **CONFORMING AMENDMENT.**—Section 8432b(c)(2)(B) of title 5, United States Code, is amended by striking “(including pursuant to an agreement under section 211(d) of title 37)”.

SEC. 633. LUMP SUM PAYMENTS OF CERTAIN RETIRED PAY.

(a) **LUMP SUM PAYMENTS OF CERTAIN RETIRED PAY.**—

(1) **IN GENERAL.**—Chapter 71 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 1415. Lump sum payment of certain retired pay

“(a) **DEFINITIONS.**—In this section:

“(1) **COVERED RETIRED PAY.**—The term ‘covered retired pay’ means retired pay under—

“(A) this title;

“(B) title 14;

“(C) the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3001 et seq.); or

“(D) the Public Health Service Act (42 U.S.C. 201 et seq.).

“(2) **ELIGIBLE PERSON.**—The term ‘eligible person’ means a person who—

“(A)(i) first becomes a member of a uniformed service on or after January 1, 2018; or

“(ii) makes the election described in section 1409(b)(4)(B) or 12739(f)(2) of this title; and

“(B) does not retire or separate under chapter 61 of this title.

“(3) **RETIREMENT AGE.**—The term ‘retirement age’ has the meaning given the term in section 216(l) of the Social Security Act (42 U.S.C. 416(1)).

“(b) **ELECTION OF LUMP SUM PAYMENT OF CERTAIN RETIRED PAY.**—

“(1) **IN GENERAL.**—An eligible person entitled to covered retired pay (including an eligible person who is entitled to such pay by reason of an election described in subsection (a)(2)(A)(ii)) may elect to receive—

“(A) a lump sum payment of the discounted present value at the time of the election of an amount of the covered retired pay that the eligible person is otherwise entitled to receive for the period beginning on the date of retirement and ending on the date the eligible person attains the eligible person’s retirement age equal to—

“(i) 50 percent of the amount of such covered retired pay during such period; or

“(ii) 25 percent of the amount of such covered retired pay during such period; and

“(B) a monthly amount during the period described in subparagraph (A) equal to—

“(i) in the case of an eligible person electing to receive an amount described in subparagraph (A)(i), 50 percent of the amount of monthly covered retired pay the eligible person is otherwise entitled to receive during such period; and

“(ii) in the case of an eligible person electing to receive an amount described in subparagraph (A)(ii), 75 percent of the amount of monthly covered retired pay the eligible person is otherwise entitled to receive during such period

“(2) **DISCOUNTED PRESENT VALUE.**—The Secretary of Defense shall compute the discounted present value of amounts of covered retired pay that an eligible person is otherwise entitled to receive for a period for purposes of paragraph (1)(A) by—

“(A) estimating the aggregate amount of retired pay the person would receive for the period, taking into account cost-of-living adjustments under section 1401a of this title projected by the Secretary at the time the person separates from service and would otherwise begin receiving covered retired pay; and

“(B) reducing the aggregate amount estimated pursuant to subparagraph (A) by an appropriate percentage determined by the Secretary—

“(i) using average personal discount rates (as defined and calculated by the Secretary taking into consideration applicable and reputable studies of personal discount rates for military personnel and past actuarial experience in the calculation of personal discount rates under this paragraph); and

“(ii) in accordance with generally accepted actuarial principles and practices.

“(3) **TIMING OF ELECTION.**—An eligible person shall make the election under this subsection not later than 90 days before the date of the retirement of the eligible person from the uniformed services.

“(4) **SINGLE PAYMENT OR COMBINATION OF PAYMENTS.**—An eligible person may elect to receive a lump sum payment under this subsection in a single payment or in a combination of payments.

“(5) **COMMENCEMENT OF PAYMENT.**—An eligible person who makes an election under this subsection shall receive the lump sum payment, or the first installment of a combination of payments of the lump sum payment if elected under paragraph (4), as follows:

“(A) Not later than 60 days after the date of the retirement of the eligible person from the uniformed services.

“(B) In the case of an eligible person who is a member of a reserve component, not later than 60 days after the earlier of—

“(i) the date on which the eligible person attains 60 years of age; or

“(ii) the date on which the eligible person first becomes entitled to covered retired pay.

“(6) **NO SUBSEQUENT ADJUSTMENT.**—An eligible person who accepts payment of a lump sum under this subsection may not seek the review of or otherwise challenge the amount of the lump sum in light of any variation in cost-of-living adjustments under section 1401a of this title, actuarial assumptions, or other factors used by the Secretary in calculating the amount of the lump sum that occur after the Secretary pays the lump sum.

“(c) **RESUMPTION OF MONTHLY ANNUITY.**—

“(1) **GENERAL RULE.**—Subject to paragraph (2), an eligible person who makes an election described in subsection (b)(1) shall be entitled to receive the eligible person’s monthly covered retired pay calculated in accordance with paragraph (2) after the eligible person attains the eligible person’s retirement age.

“(2) **RESTORATION OF FULL RETIREMENT AMOUNT AT RETIREMENT AGE.**—The retired pay of an eligible person who makes an election described in subsection (a) shall be recomputed, effective on the first day of the first month beginning after the person attains the eligible person’s retirement age, so as to be an amount equal to the amount of covered retired pay to which the eligible person would otherwise be entitled on that date if the annual increases, in the retired pay of the eligible person made to reflect changes in the Consumer Price Index, had been made in accordance with section 1401a of this title.

“(d) **PAYMENT OF RETIRED PAY TO PERSONS NOT MAKING ELECTION.**—An eligible person who does not make the election described in subsection (b)(1) shall be paid the retired pay to which the eligible person is otherwise entitled under the applicable provisions of law referred to in subsection (a)(1).

“(e) **REGULATIONS.**—The Secretary of Defense concerned shall prescribe regulations to carry out the provisions of this section.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 71 of such title is amended by adding at the end the following new item:

“1415. Lump sum payment of certain retired pay.”.

(3) **PAYMENTS FROM DEPARTMENT OF DEFENSE MILITARY RETIREMENT FUND.**—Section 1463(a)(1) of title 10, United States Code, is amended by striking “or 1414” and inserting “, 1414, or 1415”.

(b) **OFFSET OF VETERANS PENSION AND COMPENSATION BY AMOUNT OF LUMP SUM PAYMENTS.**—Section 5304 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(d)(1) Other than amounts payable under section 1413a or 1414 of title 10, the amount of pension and compensation benefits payable to a person under this title shall be reduced by the amount of any lump sum payment made to such person under section 1415 of title 10.

“(2) The Secretary shall collect any reduction under paragraph (1) from amounts otherwise payable to the person under this title, including pension and compensation payable under this title, before any pension and compensation payments under this title may be paid to the person.”.

SEC. 634. CONTINUATION PAY FOR FULL TSP MEMBERS WITH 12 YEARS OF SERVICE.

(a) CONTINUATION PAY.—Subchapter II of chapter 5 of title 37, United States Code, is amended by adding at the end the following new section:

“§ 356. Continuation pay: full TSP members with 12 years of service

“(a) CONTINUATION PAY.—The Secretary concerned shall make a payment of continuation pay to each full TSP member (as defined in section 8440e(a) of title 5) of the uniformed services under the jurisdiction of the Secretary who—

“(1) completes 12 years of service; and

“(2) enters into an agreement with the Secretary to serve for an additional 4 years of obligated service.

“(b) AMOUNT.—The amount of continuation pay payable to a full TSP member under subsection (a) shall be the amount that is equal to—

“(1) in the case of a member of a regular component—

“(A) the monthly basic pay of the member at 12 years of service multiplied by 2.5; plus

“(B) at the discretion of the Secretary concerned, the monthly basic pay of the member at 12 years of service multiplied by such number of months (not to exceed 13 months) as the Secretary concerned shall specify in the agreement of the member under subsection (a); and

“(2) in the case of a member of a reserve component—

“(A) the amount of monthly basic pay to which the member would be entitled at 12 years of service if the member were a member of a regular component multiplied by 0.5; plus

“(B) at the discretion of the Secretary concerned, the amount of monthly basic pay described in subparagraph (A) multiplied by such number of months (not to exceed 6 months) as the Secretary concerned shall specify in the agreement of the member under subsection (a).

“(c) ADDITIONAL DISCRETIONARY AUTHORITY.—In addition to the continuation pay required under subsection (a), the Secretary concerned may provide continuation pay under this subsection to a full TSP member described in subsection (a), and subject to the service agreement referred to in paragraph (2) of such subsection, in an amount determined by the Secretary concerned.

“(d) TIMING OF PAYMENT.—The Secretary concerned shall pay continuation pay under subsection (a) to a full TSP member when the member completes 12 years of service. If the Secretary concerned also provides continuation pay under subsection (c) to the member, that continuation pay shall be provided when the member completes 12 years of service.

“(e) LUMP SUM OR INSTALLMENTS.—A full TSP member may elect to receive continuation pay provided under subsection (a) or (c) in a lump sum or in a series of not more than four payments.

“(f) RELATIONSHIP TO OTHER PAY AND ALLOWANCES.—Continuation pay under this section is in addition to any other pay or allowance to which the full TSP member is entitled.

“(g) REPAYMENT.—A full TSP member who receives continuation pay under this section (a) and fails to complete the obligated service required under such subsection shall be subject to the repayment provisions of section 373 of this title.

“(h) REGULATIONS.—Each Secretary concerned shall prescribe regulations to carry out this section.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 5 of title 37, United States Code, is amended by adding at the end the following new item:

“356. Continuation pay: full TSP members with 12 years of service.”.

SEC. 635. EFFECTIVE DATE AND IMPLEMENTATION.

(a) EFFECTIVE DATE.—The amendments made by this part shall take effect on January 1, 2018.

(b) IMPLEMENTATION.—

(1) IN GENERAL.—The Secretaries concerned, the Director of the Office of Personnel Management, and the Federal Retirement Thrift Investment Board shall each and jointly take appropriate actions to ensure the full and effective implementation of the amendments made by this part in order to ensure that members of the uniformed services will be able to participate in the modernized retirement plan provided by this part commencing on the date specified in subsection (a).

(2) IMPLEMENTATION PLAN.—Not later than March 1, 2016, the Secretaries concerned shall submit to the appropriate committees of Congress a report containing a plan to ensure the full and effective commencement and operational implementation of the amendments made by this part in accordance with paragraph (1).

(c) ADDITIONAL TECHNICAL AND CONFORMING AMENDMENTS.—The report required by subsection (b) shall contain a draft of such legislation as may be necessary to make any additional technical and conforming changes to titles 10 and 37, United States Code, and other provisions of law that are required or should be made by reason of the amendments made by this part.

(d) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Energy and Commerce, the Committee on Natural Resources, the Committee on Oversight and Government Reform, and the Committee on Transportation and Infrastructure of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, the Committee on Energy and Natural Resources, the Committee on Homeland Security and Governmental Affairs, and the Committee on Health, Education, Labor, and Pensions of the Senate.

(2) The term “Secretary concerned” has the meaning given that term in section 101 of title 37, United States Code.

PART II—OTHER MATTERS**SEC. 641. DEATH OF FORMER SPOUSE BENEFICIARIES AND SUBSEQUENT REMARRIAGES UNDER THE SURVIVOR BENEFIT PLAN.**

(a) IN GENERAL.—Section 1448(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(7) EFFECT OF DEATH OF FORMER SPOUSE BENEFICIARY.—

“(A) TERMINATION OF PARTICIPATION IN PLAN.—A person who elects to provide an annuity to a former spouse under paragraph (2) or (3) and whose former spouse subsequently dies is no longer a participant in the Plan, effective on the date of death of the former spouse.

“(B) AUTHORITY FOR ELECTION OF NEW SPOUSE BENEFICIARY.—If a person’s participation in the Plan is discontinued by reason of the death of a former spouse beneficiary, the person may elect to resume participation in the Plan and to elect a new spouse beneficiary as follows:

“(i) MARRIED ON THE DATE OF DEATH OF FORMER SPOUSE.—A person who is married at the time of the death of the former spouse beneficiary may elect to provide coverage to that person’s spouse. Such an election must be received by the Secretary concerned within one year after the date of death of the former spouse beneficiary.

“(ii) MARRIAGE AFTER DEATH OF FORMER SPOUSE BENEFICIARY.—A person who is not married at the time of the death of the former spouse beneficiary and who later marries may elect to provide spouse coverage. Such an election must be received by the Secretary concerned within one year after the date on which that person marries.

“(C) EFFECTIVE DATE OF ELECTION.—The effective date of election under this paragraph shall be as follows:

“(i) An election under subparagraph (B)(i) is effective as of the first day of the first calendar month following the death of the former spouse beneficiary.

“(ii) An election under subparagraph (B)(ii) is effective as of the first day of the first calendar month following the month in which the election is received by the Secretary concerned.

“(D) LEVEL OF COVERAGE.—A person making an election under subparagraph (B) may not reduce the base amount previously elected.

“(E) PROCEDURES.—An election under this paragraph shall be in writing, signed by the participant, and made in such form and manner as the Secretary concerned may prescribe.

“(F) IRREVOCABILITY.—An election under this paragraph is irrevocable.”.

(b) EFFECTIVE DATE.—Paragraph (7) of section 1448(b) of title 10, United States Code, as added by subsection (a), shall apply with respect to any person whose former spouse beneficiary dies on or after the date of the enactment of this Act.

(c) APPLICABILITY TO FORMER SPOUSE DEATHS BEFORE ENACTMENT.—

(1) IN GENERAL.—A person—

(A) who before the date of the enactment of this Act had a former spouse beneficiary under the Survivor Benefit Plan who died before that date; and

(B) who on the date of the enactment of this Act is married,

may elect to provide spouse coverage for such spouse under the Plan, regardless of whether the person married such spouse before or after the death of the former spouse beneficiary. Any such election may only be made during the one-year period beginning on the date of the enactment of this Act.

(2) EFFECTIVE DATE OF ELECTION IF MARRIED AT LEAST A YEAR AT DEATH FORMER SPOUSE.—If the person providing the annuity was married to the spouse beneficiary for at least one year at the time of the death of the former spouse beneficiary, the effective date of such election shall be the first day of the first month after the death of the former spouse beneficiary.

(3) OTHER EFFECTIVE DATE.—If the person providing the annuity married the spouse beneficiary after (or during the one-year period preceding) the death of the former spouse beneficiary, the effective date of the election shall be the first day of the first month following the first anniversary of the person’s marriage to the spouse beneficiary.

(4) RESPONSIBILITY FOR PREMIUMS.—A person electing to participate in the Plan under this subsection shall be responsible for payment of all premiums due from the effective date of the election.

Subtitle E—Commissary and Non-Appropriated Fund Instrumentality Benefits and Operations

SEC. 651. PLAN TO OBTAIN BUDGET-NEUTRALITY FOR THE DEFENSE COMMISSARY SYSTEM AND THE MILITARY EXCHANGE SYSTEM.

(a) **IN GENERAL.**—Not later than March 1, 2016, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a comprehensive plan to achieve by October 1, 2018, budget-neutrality in the delivery of commissary and exchange benefits while meeting the benchmarks set forth in subsection (c). In preparing the report, the Secretary shall consider the report required by section 634 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3406) and any other previous reports, studies, and surveys of matters appropriate to the report.

(b) **REPORT ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) A description of any modifications to the commissary and exchange benefit systems the Secretary considers appropriate to obtain budget-neutrality in the delivery of commissary and exchange benefits, including the following:

(A) The establishment of common business processes, practices, and systems to exploit synergies between the operations of defense commissaries and exchanges and to optimize the operations of the resale system and the benefits provided by the commissaries and exchanges.

(B) The privatization of the defense commissary system and the military exchange system, in whole or in part.

(C) Engagement of major commercial grocery retailers or other private sector entities to determine their willingness to provide eligible beneficiaries with discount savings on grocery products and certain household goods.

(D) The closure of commissaries in locations in close proximity to other commissaries or in locations where commercial alternatives, through major grocery retailers, may be available.

(2) An analysis of different pricing constructs to improve or enhance the delivery of commissary and exchange benefits.

(3) A description of the impact of any modifications described pursuant to paragraph (1) on Morale, Welfare and Recreation (MWR) quality-of-life programs.

(4) Such recommendations for legislative action as the Secretary considers appropriate to achieve by October 1, 2018, budget-neutrality in the delivery of commissary and exchange benefits while meeting the benchmarks set forth in subsection (c).

(c) **BENCHMARKS.**—The report required by subsection (a) shall ensure—

(1) the maintenance of high levels of customer satisfaction in the delivery of commissary and exchange benefits;

(2) the provision of high quality products; and

(3) the sustainment of discount savings to eligible beneficiaries.

(d) **COMPTROLLER GENERAL ASSESSMENT OF PLAN.**—Not later than 120 days after the submittal of the report required by subsection (a), the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth an assessment by the Comptroller General of the plan to achieve budget-neutrality in the

delivery of commissary and exchange benefits while meeting the benchmarks set forth in subsection (c) as set forth in the report required by subsection (a).

(e) **PILOT PROGRAMS.**—

(1) **PROGRAMS AUTHORIZED.**—After the reports required by subsections (a) and (d) have been submitted as described in such subsections, the Secretary may, notwithstanding any requirement in chapter 147 of title 10, United States Code, conduct one or more pilot programs to evaluate the feasibility and advisability of processes and methods for achieving budget-neutrality in the delivery of commissary and exchange benefits and other applicable benchmarks in accordance with this section. The Secretary may authorize any commissary or exchange, or private sector entity, participating in any such pilot program to establish appropriate prices in response to market conditions and customer demand, provided that the level of savings required by paragraph (3) is maintained.

(2) **BENCHMARKS.**—If the Secretary conducts a pilot program under this subsection, the Secretary shall establish specific, measurable benchmarks for measuring success in the provision of high quality grocery goods and products, discount savings to patrons, and high levels of customer satisfaction while achieving budget-neutrality in the delivery of commissary and exchange benefits under the pilot program.

(3) **REQUIRED SAVINGS TO PATRONS.**—The Secretary shall ensure that the level of savings to commissary and exchange patrons under any pilot program under this subsection is not less than the level of savings to such patrons before the implementation of such pilot program, as follows:

(A) Before commencing a pilot program the Secretary shall establish a baseline of savings to patrons achieved for each commissary or exchange to participate in such pilot program by comparing prices charged by such commissary or exchange for a representative market basket of goods to prices charged by local competitors for the same market basket of goods.

(B) After commencement of such pilot program, the Secretary shall ensure that each commissary or exchange, or private sector entity, participating in such pilot program conducts market-basket price comparisons not less than once a month and adjusts pricing as necessary to ensure that pricing achieves savings to patrons under such pilot program that are reasonably consistent with the baseline savings for the commissary or exchange established pursuant to subparagraph (A).

(4) **DURATION OF AUTHORITY.**—The authority of the Secretary to carry out a pilot program under this subsection shall expire on the date that is five years after the date of the enactment of this Act. However, if a pilot program achieves budget-neutrality in the delivery of commissary and exchange benefits and other applicable benchmarks, as measured using the benchmarks required by paragraph (2), the Secretary may continue the pilot program for an additional period of up to five years.

(5) **REPORTS.**—

(A) **INITIAL REPORTS.**—If the Secretary conducts a pilot program under this subsection, the Secretary shall, not later than 30 days before commencing the pilot program, submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program, including the following:

(i) A description of the pilot program.

(ii) The provisions, if any, of chapter 147 of title 10, United States Code, that will be waived in the conduct of the pilot program.

(B) **FINAL REPORTS.**—Not later than 90 days after the date of the completion of any pilot program under this subsection or the date of the commencement of an extension of a pilot program under paragraph (4), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program, including the following:

(i) A description and assessment of the pilot program.

(ii) Such recommendations for administrative or legislative action as the Secretary considers appropriate in light of the pilot program.

SEC. 652. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE COMMISSARY SURCHARGE, NON-APPROPRIATED FUND, AND PRIVATELY-FINANCED MAJOR CONSTRUCTION PROGRAM.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the Commissary Surcharge, Non-appropriated Fund and Privately-Financed Major Construction Program of the Department of Defense.

(b) **ELEMENTS.**—The report under subsection (a) shall include the following:

(1) An assessment whether the Secretary of Defense has established policies and procedures to ensure the timely submittal to the committees of Congress referred to in subsection (a) of notice on construction projects proposed to be funded through the program referred to in that subsection.

(2) An assessment whether the Secretaries of the military departments have developed and implemented policies and procedures to comply with the policies and directives of the Department of Defense for the submittal to such committees of Congress of notice on such construction projects.

(3) An assessment whether the Secretary of Defense has established policies and procedures to notify such committees of Congress when such construction projects have been commenced without notice to Congress.

(4) An assessment whether construction projects described in paragraph (3) have been completed before submittal of notice to Congress as described in that paragraph and, if so, a list of such projects.

Subtitle F—Other Matters

SEC. 661. IMPROVEMENT OF FINANCIAL LITERACY AND PREPAREDNESS OF MEMBERS OF THE ARMED FORCES.

(a) **SENSE OF CONGRESS ON FINANCIAL LITERACY AND PREPAREDNESS OF MEMBERS.**—It is the sense of Congress that—

(1) the Secretary of Defense should strengthen arrangements with other departments and agencies of the Federal Government and nonprofit organizations in order to improve the financial literacy and preparedness of members of the Armed Forces; and

(2) the Secretaries of the military departments and the Chiefs of Staff of the Armed Forces should provide support for the financial literacy and preparedness training carried out under section 992 of title 10, United States Code, as amended by subsections (b), (c), and (d).

(b) **PROVISION OF FINANCIAL LITERACY AND PREPAREDNESS TRAINING.**—Subsection (a) of section 992 of title 10, United States Code, is amended—

(1) in the subsection heading, by striking “CONSUMER EDUCATION” and inserting “FINANCIAL LITERACY TRAINING”;

(2) in paragraph (1), by striking “education” in the matter preceding subparagraph (A) and inserting “financial literacy training”;

(3) by striking paragraph (2) and inserting the following new paragraph:

“(2) Training under this subsection shall be provided to a member of the armed forces—

“(A) as a component of the initial entry training of the member;

“(B) upon arrival at the first duty station of the member;

“(C) upon arrival at each subsequent duty station, in the case of a member in pay grade E-4 or below or in pay grade O-3 or below;

“(D) on the date of promotion of the member, in the case of a member in pay grade E-5 or below or in pay grade O-4 or below;

“(E) when the member vests in the Thrift Savings Plan (TSP) under section 8432(g)(2)(C) of title 5;

“(F) when the member becomes entitled to receive continuation pay under section 356 of title 37, at which time the training shall include, at a minimum, information on options available to the member regarding the use of continuation pay;

“(G) at each major life event during the service of the member, such as—

“(i) marriage;

“(ii) divorce;

“(iii) birth of first child; or

“(iv) disabling sickness or condition;

“(H) during leadership training;

“(I) during pre-deployment training and during post-deployment training;

“(J) at transition points in the service of the member, such as—

“(i) transition from a regular component to a reserve component;

“(ii) separation from service; or

“(iii) retirement; and

“(K) as a component of periodically recurring required training that is provided to the member at a military installation.”;

(4) in paragraph (3), by striking “paragraph (2)(B)” and inserting “paragraph (2)(J)”;

and

(5) by adding at the end the following new paragraph:

“(4) The Secretary concerned shall prescribe regulations setting forth any other events and circumstances (in addition to the events and circumstances described in paragraph (2)) upon which the training required by this subsection shall be provided.”.

(c) SURVEY OF MEMBERS’ FINANCIAL LITERACY AND PREPAREDNESS.—Such section is further amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) FINANCIAL LITERACY AND PREPAREDNESS SURVEY.—(1) The Director of the Defense Manpower Data Center shall annually include in the status of forces survey a survey of the status of the financial literacy and preparedness of members of the armed forces.

“(2) The results of the annual financial literacy and preparedness survey—

“(A) shall be used by each of the Secretaries concerned as a benchmark to evaluate and update training provided under this section; and

“(B) shall be submitted to the Committees on Armed Services of the Senate and the House of Representatives.”.

(d) FINANCIAL SERVICES DEFINED.—Subsection (e) of such section, as redesignated by subsection (c)(1) of this section, is amend-

ed by adding at the end the following new paragraph:

“(4) Health insurance, budget management, Thrift Savings Plan (TSP), retirement lump sum payments (including rollover options and tax consequences), and Survivor Benefit Plan (SBP).”.

(e) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

“§ 992. Financial literacy training: financial services”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 50 of such title is amended by striking the item related to section 992 and inserting the following new item:

“992. Financial literacy training: financial services.”.

(f) IMPLEMENTATIONS.—Not later than six months after the date of the enactment of this Act, the Secretary of the military department concerned and the Secretary of the Department in which the Coast Guard is operating shall commence providing financial literacy training under section 992 of title 10, United States Code, as amended by subsections (b), (c), and (d) of this section, to members of the Armed Forces.

SEC. 662. RECORDATION OF OBLIGATIONS FOR INSTALLMENT PAYMENTS OF INCENTIVE PAYS, ALLOWANCES, AND SIMILAR BENEFITS WHEN PAYMENT IS DUE.

(a) IN GENERAL.—Chapter 19 of title 37, United States Code, is amended by adding at the end the following new section:

“§ 1015. Recordation of installment payment obligations for incentive pays and similar benefits

“(a) IN GENERAL.—In the case of any pay, allowance, bonus, or other benefit described in subsection (b) that is paid to a member of the uniformed services on an installment basis, each installment payment shall be charged to appropriations that are available for obligation at the time such payment is payable.

“(b) COVERED PAY AND BENEFITS.—Subsection (a) applies to any incentive pay, special pay, or bonus, or similar periodic payment of pay or allowances, or of educational benefits or stipends, that is paid to a member of the uniformed services under this title or title 10.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 19 of such title is amended by adding at the end the following new item:

“1015. Recordation of installment payment obligations for incentive pays and similar benefits.”.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

Sec. 701. Access to TRICARE Prime for certain beneficiaries.

Sec. 702. Modifications of cost-sharing for the TRICARE pharmacy benefits program.

Sec. 703. Expansion of continued health benefits coverage to include discharged and released members of the Selected Reserve.

Sec. 704. Access to health care under the TRICARE program for beneficiaries of TRICARE Prime.

Sec. 705. Expansion of reimbursement for smoking cessation services for certain TRICARE beneficiaries.

Subtitle B—Health Care Administration

Sec. 711. Waiver of recoupment of erroneous payments caused by administrative error under the TRICARE program.

Sec. 712. Publication of data on patient safety, quality of care, satisfaction, and health outcome measures under the TRICARE program.

Sec. 713. Expansion of evaluation of effectiveness of the TRICARE program to include information on patient safety, quality of care, and access to care at military medical treatment facilities.

Sec. 714. Portability of health plans under the TRICARE program.

Sec. 715. Joint uniform formulary for transition of care.

Sec. 716. Licensure of mental health professionals in TRICARE program.

Sec. 717. Designation of certain non-Department mental health care providers with knowledge relating to treatment of members of the Armed Forces.

Sec. 718. Comprehensive standards and access to contraception counseling for members of the Armed Forces.

Subtitle C—Reports and Other Matters

Sec. 721. Provision of transportation of dependent patients relating to obstetrical anesthesia services.

Sec. 722. Extension of authority for DOD-VA Health Care Sharing Incentive Fund.

Sec. 723. Extension of authority for joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund.

Sec. 724. Limitation on availability of funds for Office of the Secretary of Defense.

Sec. 725. Pilot program on urgent care under TRICARE program.

Sec. 726. Pilot program on incentive programs to improve health care provided under the TRICARE program.

Sec. 727. Limitation on availability of funds for Department of Defense Healthcare Management Systems Modernization.

Sec. 728. Submittal of information to Secretary of Veterans Affairs relating to exposure to airborne hazards and open burn pits.

Sec. 729. Plan for development of procedures to measure data on mental health care provided by the Department of Defense.

Sec. 730. Report on plans to improve experience with and eliminate performance variability of health care provided by the Department of Defense.

Sec. 731. Comptroller General study on gambling and problem gambling behavior among members of the Armed Forces.

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. ACCESS TO TRICARE PRIME FOR CERTAIN BENEFICIARIES.

Section 732(c)(3) of the National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. 1097a note) is amended to read as follows:

“(3) RESIDENCE AT TIME OF ELECTION.—

“(A) Except as provided by subparagraph (B), an affected eligible beneficiary may not

make the one-time election under paragraph (1) if, at the time of such election, the beneficiary does not reside—

“(i) in a ZIP code that is in a region described in subsection (d)(1)(B); and

“(ii) within 100 miles of a military medical treatment facility.

“(B) Subparagraph (A)(ii) shall not apply with respect to an affected eligible beneficiary who—

“(i) as of December 25, 2013, resides farther than 100 miles from a military medical treatment facility; and

“(ii) is such an eligible beneficiary by reason of service in the Army, Navy, Air Force, or Marine Corps.”.

SEC. 702. MODIFICATIONS OF COST-SHARING FOR THE TRICARE PHARMACY BENEFITS PROGRAM.

(a) **MODIFICATION OF COST-SHARING AMOUNTS.**—Subparagraph (A) of section 1074g(a)(6) of title 10, United States Code, is amended—

(1) in clause (i)—

(A) in subclause (I), by striking “\$8” and inserting “\$10”; and

(B) in subclause (II), by striking “\$20” and inserting “\$24”; and

(2) in clause (ii)—

(A) in subclause (II), by striking “\$16” and inserting “\$20”; and

(B) in subclause (III), by striking “\$46” and inserting “\$49”.

(b) **MODIFICATION OF COLA INCREASE.**—Subparagraph (C) of such section is amended—

(1) in clause (i), by striking “Beginning October 1, 2013,” and inserting “Beginning October 1, 2016,”; and

(2) by striking clause (ii) and inserting the following new clause (ii):

“(ii) The amount of the increase otherwise provided for a year by clause (i) shall be computed as follows:

“(I) If the amount of the increase is equal to or greater than 50 cents, the amount of the increase shall be rounded to the nearest multiple of \$1.

“(II) If the amount of the increase is less than 50 cents, the increase shall not be made for such year, but shall be carried over to, and accumulated with, the amount of the increase for the subsequent year or years and made when the aggregate amount of increases under this clause for a year is equal to or greater than 50 cents.”.

SEC. 703. EXPANSION OF CONTINUED HEALTH BENEFITS COVERAGE TO INCLUDE DISCHARGED AND RELEASED MEMBERS OF THE SELECTED RESERVE.

(a) **IN GENERAL.**—Subsection (b) of section 1078a of title 10, United States Code, is amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

“(2) A member of the Selected Reserve of the Ready Reserve of a reserve component of the armed forces who—

“(A) is discharged or released from service in the Selected Reserve, whether voluntarily or involuntarily, under other than adverse conditions, as characterized by the Secretary concerned;

“(B) immediately preceding that discharge or release, is enrolled in TRICARE Reserve Select; and

“(C) after that discharge or release, would not otherwise be eligible for any benefits under this chapter.”.

(b) **NOTIFICATION OF ELIGIBILITY.**—Subsection (c)(2) of such section is amended by inserting “or subsection (b)(2)” after “subsection (b)(1)”.

(c) **ELECTION OF COVERAGE.**—Subsection (d) of such section is amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

“(2) In the case of a member described in subsection (b)(2), the written election shall be submitted to the Secretary concerned before the end of the 60-day period beginning on the later of—

“(A) the date of the discharge or release of the member from service in the Selected Reserve; and

“(B) the date the member receives the notification required pursuant to subsection (c).”.

(d) **COVERAGE OF DEPENDENTS.**—Subsection (e) of such section is amended by inserting “or subsection (b)(2)” after “subsection (b)(1)”.

(e) **PERIOD OF CONTINUED COVERAGE.**—Subsection (g)(1) of such section is amended—

(1) by redesignating subparagraphs (B) through (D) as subparagraphs (C) through (E); and

(2) by inserting after subparagraph (A) the following new subparagraph (B):

“(B) In the case of a member described in subsection (b)(2), the date which is 18 months after the date the member ceases to be eligible to enroll in TRICARE Reserve Select;”.

(f) **TRICARE RESERVE SELECT DEFINED.**—Such section is further amended by adding at the end the following new subsection:

“(h) **TRICARE RESERVE SELECT DEFINED.**—In this section, the term ‘TRICARE Reserve Select’ means TRICARE Standard coverage provided under section 1076d of this title.”.

(g) **CONFORMING AMENDMENTS.**—Such section is further amended—

(1) in subsection (c)—

(A) in paragraph (3), by striking “subsection (b)(2)” and inserting “subsection (b)(3)”; and

(B) in paragraph (4), by striking “subsection (b)(3)” and inserting “subsection (b)(4)”; and

(2) in subsection (d)—

(A) in paragraph (3), as redesignated by subsection (c)(1), by striking “subsection (b)(2)” and inserting “subsection (b)(3)”; and

(B) in paragraph (4), as so redesignated, by striking “subsection (b)(3)” and inserting “subsection (b)(4)”; and

(C) in paragraph (5), as so redesignated, by striking “subsection (b)(4)” and inserting “subsection (b)(5)”; and

(3) in subsection (e), by striking “subsection (b)(2) or subsection (b)(3)” and inserting “subsection (b)(3) or subsection (b)(4)”; and

(4) in subsection (g)—

(A) in paragraph (1)—

(i) in subparagraph (C), as redesignated by subsection (e)(1), by striking “subsection (b)(2)” and inserting “subsection (b)(3)”; and

(ii) in subparagraph (D), as so redesignated, by striking “subsection (b)(3)” and inserting “subsection (b)(4)”; and

(iii) in subparagraph (E), as so redesignated, by striking “subsection (b)(4)” and inserting “subsection (b)(5)”; and

(B) in paragraph (2)—

(i) by striking “paragraph (1)(B)” and inserting “paragraph (1)(C)”; and

(ii) by striking “subsection (b)(2)” and inserting “subsection (b)(3)”; and

(C) in paragraph (3)—

(i) by striking “paragraph (1)(C)” and inserting “paragraph (1)(D)”; and

(ii) by striking “subsection (b)(3)” and inserting “subsection (b)(4)”.

SEC. 704. ACCESS TO HEALTH CARE UNDER THE TRICARE PROGRAM FOR BENEFICIARIES OF TRICARE PRIME.

(a) **ACCESS TO HEALTH CARE.**—The Secretary of Defense shall ensure that beneficiaries under TRICARE Prime who are seeking an appointment for health care under TRICARE Prime shall obtain such an appointment within the health care access standards established under subsection (b), including through the use of health care providers in the preferred provider network of TRICARE Prime.

(b) **STANDARDS FOR ACCESS TO CARE.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish health care access standards for the receipt of health care under TRICARE Prime, whether received at military medical treatment facilities or from health care providers in the preferred provider network of TRICARE Prime.

(2) **CATEGORIES OF CARE.**—The health care access standards established under paragraph (1) shall include standards with respect to the following categories of health care:

(A) Primary care, including pediatric care, maternity care, gynecological care, and other subcategories of primary care.

(B) Specialty care, including behavioral health care and other subcategories of specialty care.

(3) **MODIFICATIONS.**—The Secretary may modify the health care access standards established under paragraph (1) whenever the Secretary considers the modification of such standards appropriate.

(4) **PUBLICATION.**—The Secretary shall publish the health care access standards established under paragraph (1), and any modifications to such standards, in the Federal Register and on a publicly accessible Internet website of the Department of Defense.

(c) **DEFINITIONS.**—In this section:

(1) **TRICARE PRIME.**—The term “TRICARE Prime” means the managed care option of the TRICARE program.

(2) **TRICARE PROGRAM.**—The term “TRICARE program” has the meaning given that term in section 1072(7) of title 10, United States Code.

SEC. 705. EXPANSION OF REIMBURSEMENT FOR SMOKING CESSATION SERVICES FOR CERTAIN TRICARE BENEFICIARIES.

Section 713(f) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4503; 10 U.S.C. 1074 note) is amended—

(1) in paragraph (1)(A), by striking “during fiscal year 2009”; and

(2) in paragraph (1)(B), by striking “during such fiscal year”; and

(3) in paragraph (2), by striking “during fiscal year 2009” and inserting “after September 30, 2008”.

Subtitle B—Health Care Administration

SEC. 711. WAIVER OF RECOUPMENT OF ERRONEOUS PAYMENTS CAUSED BY ADMINISTRATIVE ERROR UNDER THE TRICARE PROGRAM.

(a) **IN GENERAL.**—Chapter 55 of title 10, United States Code, is amended by inserting after section 1095f the following new section:

“§ 1095g. TRICARE program: waiver of recoupment of erroneous payments caused by administrative error

“(a) **WAIVER OF RECOUPMENT.**—The Secretary of Defense may waive recoupment from an individual who has benefitted from an erroneous TRICARE payment in a case in which each of the following applies:

“(1) The payment was made because of an administrative error by an employee of the

Department of Defense or a contractor under the TRICARE program.

“(2) The individual (or in the case of a minor, the parent or guardian of the individual) had a good faith, reasonable belief that the individual was entitled to the benefit of such payment under this chapter.

“(3) The individual relied on the expectation of such entitlement.

“(4) The Secretary determines that a waiver of recoupment of such payment is necessary to prevent an injustice.

“(b) RESPONSIBILITY OF CONTRACTOR.—In any case in which the Secretary waives recoupment under subsection (a) and the administrative error was on the part of a contractor under the TRICARE program, the Secretary shall, consistent with the requirements and procedures of the applicable contract, impose financial responsibility on the contractor for the erroneous payment.

“(c) FINALITY OF DETERMINATIONS.—Any determination by the Secretary under this section to waive or decline to waive recoupment under subsection (a) is a final determination and shall not be subject to appeal or judicial review.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 1095f the following new item:

“1095g. TRICARE program: waiver of recoupment of erroneous payments caused by administrative error.”.

SEC. 712. PUBLICATION OF DATA ON PATIENT SAFETY, QUALITY OF CARE, SATISFACTION, AND HEALTH OUTCOME MEASURES UNDER THE TRICARE PROGRAM.

Section 1073b of title 10, United States Code, is amended by adding at the end the following:

“(c) PUBLICATION OF DATA ON PATIENT SAFETY, QUALITY OF CARE, SATISFACTION, AND HEALTH OUTCOME MEASURES.—(1) Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary of Defense shall publish on a publically available Internet website of the Department of Defense data on all measures that the Secretary considers appropriate that are used by the Department to assess patient safety, quality of care, patient satisfaction, and health outcomes for health care provided under the TRICARE program at each military medical treatment facility.

“(2) The Secretary shall publish an update to the data published under paragraph (1) not less frequently than once each quarter during each fiscal year.

“(3) The Secretary may not include data relating to risk management activities of the Department in any publication under paragraph (1) or update under paragraph (2).

“(4) The Secretary shall ensure that the data published under paragraph (1) and updated under paragraph (2) is accessible to the public through the primary Internet website of the Department and the primary Internet website of the military medical treatment facility with respect to which such data applies.”.

SEC. 713. EXPANSION OF EVALUATION OF EFFECTIVENESS OF THE TRICARE PROGRAM TO INCLUDE INFORMATION ON PATIENT SAFETY, QUALITY OF CARE, AND ACCESS TO CARE AT MILITARY MEDICAL TREATMENT FACILITIES.

Section 717(a) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104-106; 10 U.S.C. 1073 note)) is amended—

(1) in the matter preceding paragraph (1), in the second sentence, by striking “address”;

(2) in paragraph (1)—

(A) by inserting “address” before “the impact of”; and

(B) by striking “; and” and inserting a semicolon;

(3) in paragraph (2), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following new paragraph:

“(3) address patient safety, quality of care, and access to care at military medical treatment facilities, including—

“(A) an identification of the number of practitioners providing health care in military medical treatment facilities that were reported to the National Practitioner Data Bank during the year preceding the evaluation; and

“(B) with respect to each military medical treatment facility, an assessment of—

“(i) the current accreditation status of such facility, including any recommendations for corrective action made by the relevant accrediting body;

“(ii) any policies or procedures implemented during such year by the Secretary of the military department concerned that were designed to improve patient safety, quality of care, and access to care at such facility;

“(iii) data on surgical and maternity care outcomes during such year;

“(iv) data on appointment wait times during such year; and

“(v) data on patient safety, quality of care, and access to care as compared to standards established by the Department of Defense with respect to patient safety, quality of care, and access to care.”.

SEC. 714. PORTABILITY OF HEALTH PLANS UNDER THE TRICARE PROGRAM.

(a) HEALTH PLAN PORTABILITY.—

(1) IN GENERAL.—The Secretary of Defense shall ensure that covered beneficiaries under the TRICARE program who are covered under a health plan under such program are able to seamlessly access health care under such health plan in each TRICARE program region.

(2) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall prescribe regulations to carry out paragraph (1).

(b) MECHANISMS TO ENSURE PORTABILITY.—In carrying out subsection (a), the Secretary shall—

(1) establish a process for electronic notification of contractors responsible for administering the TRICARE program in each TRICARE region when any covered beneficiary intends to relocate between such regions;

(2) provide for the automatic electronic transfer between such contractors of information relating to covered beneficiaries who are relocating between such regions, including demographic, enrollment, and claims information; and

(3) ensure each such covered beneficiary is able to obtain a new primary health care provider within ten days of—

(A) arriving at the location to which the covered beneficiary has relocated; and

(B) initiating a request for a new primary health care provider.

(c) PUBLICATION.—The Secretary shall—

(1) publish information on any modifications made pursuant to subsection (a) with respect to the ability of covered beneficiaries under the TRICARE program who are covered under a health plan under such program

to access health care in each TRICARE region on the primary Internet website of the Department that is available to the public; and

(2) ensure that such information is made available on the primary Internet website that is available to the public of each current contractor responsible for administering the TRICARE program.

(d) DEFINITIONS.—In this section, the terms “covered beneficiary” and “TRICARE program” have the meaning given such terms in section 1072 of title 10, United States Code.

SEC. 715. JOINT UNIFORM FORMULARY FOR TRANSITION OF CARE.

(a) JOINT FORMULARY.—Not later than June 1, 2016, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly establish a joint uniform formulary for the Department of Veterans Affairs and the Department of Defense with respect to pharmaceutical agents that are critical for the transition of an individual from receiving treatment furnished by the Secretary of Defense to treatment furnished by the Secretary of Veterans Affairs.

(b) SELECTION.—The Secretaries shall select for inclusion on the joint uniform formulary established under subsection (a) pharmaceutical agents relating to—

(1) the control of pain, sleep disorders, and psychiatric conditions, including post-traumatic stress disorder; and

(2) any other conditions determined appropriate by the Secretaries.

(c) REPORT.—Not later than July 1, 2016, the Secretaries shall jointly submit to the appropriate congressional committees a report on the joint uniform formulary established under subsection (a), including a list of the pharmaceutical agents selected for inclusion on the formulary.

(d) CONSTRUCTION.—Nothing in this section shall be construed to prohibit the Secretary of Defense and the Secretary of Veterans Affairs from each maintaining the respective uniform formularies of the Department of the Secretary.

(e) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Committees on Veterans' Affairs of the House of Representatives and the Senate.

(2) The term “pharmaceutical agent” has the meaning given that term in section 1074g(g) of title 10, United States Code.

(f) CONFORMING AMENDMENT.—Section 1074g(a)(2)(A) of title 10, United States Code, is amended by adding at the end the following new sentence: “With respect to members of the uniformed services, such uniform formulary shall include pharmaceutical agents on the joint uniform formulary established under section 715 of the National Defense Authorization Act for Fiscal Year 2016.”.

SEC. 716. LICENSURE OF MENTAL HEALTH PROFESSIONALS IN TRICARE PROGRAM.

(a) QUALIFICATIONS FOR TRICARE CERTIFIED MENTAL HEALTH COUNSELORS DURING TRANSITION PERIOD.—During the period preceding January 1, 2021, for purposes of determining whether a mental health care professional is eligible for reimbursement under the TRICARE program as a TRICARE certified mental health counselor, an individual who holds a masters degree or doctoral degree in counseling from a program that is accredited by a covered institution shall be treated as holding such degree from a mental health counseling program or clinical mental health counseling program that is accredited by the Council for Accreditation of

Counseling and Related Educational Programs.

(b) DEFINITIONS.—In this section:

(1) The term “covered institution” means any of the following:

(A) The Accrediting Commission for Community and Junior Colleges Western Association of Schools and Colleges (ACCJC-WASC).

(B) The Higher Learning Commission (HLC).

(C) The Middle States Commission on Higher Education (MSCHE).

(D) The New England Association of Schools and Colleges Commission on Institutions of Higher Education (NEASC-CIHE).

(E) The Southern Association of Colleges and Schools (SACS) Commission on Colleges.

(F) The WASC Senior College and University Commission (WASC-SCUC).

(G) The Accrediting Bureau of Health Education Schools (ABHES).

(H) The Accrediting Commission of Career Schools and Colleges (ACCSC).

(I) The Accrediting Council for Independent Colleges and Schools (ACICS).

(J) The Distance Education Accreditation Commission (DEAC).

(2) The term “TRICARE program” has the meaning given that term in section 1072 of title 10, United States Code.

SEC. 717. DESIGNATION OF CERTAIN NON-DEPARTMENT MENTAL HEALTH CARE PROVIDERS WITH KNOWLEDGE RELATING TO TREATMENT OF MEMBERS OF THE ARMED FORCES.

(a) MENTAL HEALTH PROVIDER READINESS DESIGNATION.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall develop a system by which any non-Department mental health care provider that meets eligibility criteria established by the Secretary relating to the knowledge described in paragraph (2) receives a mental health provider readiness designation from the Department of Defense.

(2) KNOWLEDGE DESCRIBED.—The knowledge described in this paragraph is the following:

(A) Knowledge and understanding with respect to the culture of members of the Armed Forces and family members and caregivers of members of the Armed Forces.

(B) Knowledge with respect to evidence-based treatments that have been approved by the Department for the treatment of mental health issues among members of the Armed Forces.

(b) AVAILABILITY OF INFORMATION ON DESIGNATION.—

(1) REGISTRY.—The Secretary of Defense shall establish and update as necessary a publicly available registry of all non-Department mental health care providers that are currently designated under subsection (a)(1).

(2) PROVIDER LIST.—The Secretary shall update all lists maintained by the Secretary of non-Department mental health care providers that provide mental health care under the laws administered by the Secretary by indicating the providers that are currently designated under subsection (a)(1).

(c) NON-DEPARTMENT MENTAL HEALTH CARE PROVIDER DEFINED.—In this section, the term “non-Department mental health care provider” —

(1) means a health care provider who—

(A) specializes in mental health;

(B) is not a health care provider of the Department of Defense at a facility of the Department; and

(C) provides health care to members of the Armed Forces; and

(2) includes psychiatrists, psychologists, psychiatric nurses, social workers, mental health counselors, marriage and family therapists, and other mental health care providers designated by the Secretary of Defense.

SEC. 718. COMPREHENSIVE STANDARDS AND ACCESS TO CONTRACEPTION COUNSELING FOR MEMBERS OF THE ARMED FORCES.

(a) CLINICAL PRACTICE GUIDELINES.—

(1) ESTABLISHMENT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall establish clinical practice guidelines for health care providers employed by the Department of Defense on standards of care with respect to methods of contraception and counseling on methods of contraception for members of the Armed Forces.

(2) UPDATES.—The Secretary shall from time to time update the clinical practice guidelines established under paragraph (1) to incorporate into such guidelines new or updated standards of care with respect to methods of contraception and counseling on methods of contraception.

(b) DISSEMINATION.—

(1) INITIAL DISSEMINATION.—As soon as practicable, but commencing not later than one year after the date of the enactment of this Act, the Secretary shall provide for rapid dissemination of the clinical practice guidelines to health care providers described in subsection (a)(1).

(2) DISSEMINATION OF UPDATES.—As soon as practicable after each update to the clinical practice guidelines made by the Secretary pursuant to paragraph (2) of subsection (a), the Secretary shall provide for the rapid dissemination of such updated clinical practice guidelines to health care providers described in paragraph (1) of such subsection.

(3) PROTOCOLS.—The Secretary shall disseminate the clinical practice guidelines under paragraph (1) and any updates to such guidelines under paragraph (2) in accordance with administrative protocols developed by the Secretary for such purpose.

(c) ACCESS TO CONTRACEPTION COUNSELING.—As soon as practicable after the date of the enactment of this Act, the Secretary shall ensure that women members of the Armed Forces have access to comprehensive counseling on the full range of methods of contraception provided by health care providers described in subsection (a)(1) during health care visits, including visits as follows:

(1) During predeployment health care visits, including counseling that provides specific information women need regarding the interaction between anticipated deployment conditions and various methods of contraception.

(2) During health care visits during deployment.

(3) During annual physical examinations.

Subtitle C—Reports and Other Matters

SEC. 721. PROVISION OF TRANSPORTATION OF DEPENDENT PATIENTS RELATING TO OBSTETRICAL ANESTHESIA SERVICES.

Section 1040(a)(2) of title 10, United States Code, is amended by striking subparagraph (F).

SEC. 722. EXTENSION OF AUTHORITY FOR DOD-VA HEALTH CARE SHARING INCENTIVE FUND.

Section 8111(d)(3) of title 38, United States Code, is amended by striking “September 30, 2015” and inserting “September 30, 2020”.

SEC. 723. EXTENSION OF AUTHORITY FOR JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND.

Section 1704(e) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2573), as amended by section 722 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291), is further amended by striking “September 30, 2016” and inserting “September 30, 2017”.

SEC. 724. LIMITATION ON AVAILABILITY OF FUNDS FOR OFFICE OF THE SECRETARY OF DEFENSE.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the date on which the Secretary of Defense submits to the congressional defense committees the report required by section 713(a)(2) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3414).

SEC. 725. PILOT PROGRAM ON URGENT CARE UNDER TRICARE PROGRAM.

(a) PILOT PROGRAM.—

(1) IN GENERAL.—Commencing not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall carry out a pilot program to allow a covered beneficiary under the TRICARE program access to urgent care visits without the need for preauthorization for such visits.

(2) DURATION.—The Secretary shall carry out the pilot program for a period of three years.

(3) INCORPORATION OF NURSE ADVICE LINE.—The Secretary shall incorporate the nurse advice line of the Department into the pilot program to direct covered beneficiaries seeking access to care to the source of the most appropriate level of health care required to treat the medical conditions of the beneficiaries, including urgent care under the pilot program.

(b) PUBLICATION.—The Secretary shall—

(1) publish information on the pilot program under subsection (a) for the receipt of urgent care under the TRICARE program—

(A) on the primary publicly available Internet website of the Department; and

(B) on the primary publicly available Internet website of each military medical treatment facility; and

(2) ensure that such information is made available on the primary publicly available Internet website of each current managed care contractor that has established a health care provider network under the TRICARE program.

(c) REPORTS.—

(1) FIRST REPORT.—

(A) IN GENERAL.—Not later than one year after the date on which the pilot program under subsection (a) commences, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the pilot program.

(B) ELEMENTS.—The report under subparagraph (1) shall include the following:

(i) An analysis of urgent care use by covered beneficiaries in military medical treatment facilities and the TRICARE purchased care provider network.

(ii) A comparison of urgent care use by covered beneficiaries to the use by covered beneficiaries of emergency departments in military medical treatment facilities and

the TRICARE purchased care provider network, including an analysis of whether the pilot program decreases the inappropriate use of medical care in emergency departments.

(iii) A determination of the extent to which the nurse advice line of the Department affected both urgent care and emergency department use by covered beneficiaries in military medical treatment facilities and the TRICARE purchased care provider network.

(iv) An analysis of any cost savings to the Department realized through the pilot program.

(v) A determination of the optimum number of urgent care visits available to covered beneficiaries without preauthorization.

(vi) An analysis of the satisfaction of covered beneficiaries with the pilot program.

(2) **SECOND REPORT.**—Not later than two years after the date on which the pilot program commences, the Secretary shall submit to the committees specified in paragraph (1)(A) an update to the report required by such paragraph, including any recommendations of the Secretary with respect to extending or making permanent the pilot program and a description of any related legislative actions that the Secretary considers appropriate.

(3) **FINAL REPORT.**—Not later than 180 days after the date on which the pilot program is completed, the Secretary shall submit to the committees specified in paragraph (1)(A) a final report on the pilot program that updates the report required by paragraph (2).

(d) **DEFINITIONS.**—In this section, the terms “covered beneficiary” and “TRICARE program” have the meaning given such terms in section 1072 of title 10, United States Code.

SEC. 726. PILOT PROGRAM ON INCENTIVE PROGRAMS TO IMPROVE HEALTH CARE PROVIDED UNDER THE TRICARE PROGRAM.

(a) **PILOT PROGRAM.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall commence the conduct of a pilot program under section 1092 of title 10, United States Code, to assess whether a reduction in the rate of increase in health care spending by the Department of Defense and an enhancement of the operation of the military health system may be achieved by developing and implementing value-based incentive programs to encourage health care providers under the TRICARE program (including physicians, hospitals, and others involved in providing health care to patients) to improve the following:

(1) The quality of health care provided to covered beneficiaries under the TRICARE program.

(2) The experience of covered beneficiaries in receiving health care under the TRICARE program.

(3) The health of covered beneficiaries.

(b) **INCENTIVE PROGRAMS.**—

(1) **DEVELOPMENT.**—In developing an incentive program under this section, the Secretary shall—

(A) consider the characteristics of the population of covered beneficiaries affected by the incentive program;

(B) consider how the incentive program would impact the receipt of health care under the TRICARE program by such covered beneficiaries;

(C) establish or maintain an assurance that such covered beneficiaries will have timely access to health care during operation of the incentive program;

(D) ensure that there are no additional financial costs to such covered beneficiaries of implementing the incentive program; and

(E) consider such other factors as the Secretary considers appropriate.

(2) **ELEMENTS.**—With respect to an incentive program developed and implemented under this section, the Secretary shall ensure that—

(A) the size, scope, and duration of the incentive program is reasonable in relation to the purpose of the incentive program; and

(B) appropriate criteria and data collection are used to ensure adequate evaluation of the feasibility and advisability of implementing the incentive program throughout the TRICARE program.

(3) **USE OF EXISTING MODELS.**—In developing an incentive program under this section, the Secretary may adapt a value-based incentive program conducted by the Centers for Medicare & Medicaid Services or any other governmental or commercial health care program.

(c) **TERMINATION.**—The authority of the Secretary to carry out the pilot program under this section shall terminate on December 31, 2019.

(d) **REPORTS.**—

(1) **INTERIM REPORT.**—Not later than one year after the date of the enactment of this Act, and not less frequently than once each year thereafter until the termination of the pilot program, the Secretary shall submit to the congressional defense committees a report on the pilot program.

(2) **FINAL REPORT.**—Not later than September 30, 2019, the Secretary shall submit to the congressional defense committees a final report on the pilot program.

(3) **ELEMENTS.**—Each report submitted under paragraph (1) or paragraph (2) shall include the following:

(A) An assessment of each incentive program developed and implemented under this section, including whether such incentive program—

(i) improves the quality of health care provided to covered beneficiaries, the experience of covered beneficiaries in receiving health care under the TRICARE program, or the health of covered beneficiaries;

(ii) reduces the rate of increase in health care spending by the Department of Defense; or

(iii) enhances the operation of the military health system.

(B) Such recommendations for administrative or legislative action as the Secretary considers appropriate in light of the pilot program, including to implement any such incentive program or programs throughout the TRICARE program.

(e) **DEFINITIONS.**—In this section, the terms “covered beneficiary” and “TRICARE program” have the meanings given those terms in section 1072 of title 10, United States Code.

SEC. 727. LIMITATION ON AVAILABILITY OF FUNDS FOR DEPARTMENT OF DEFENSE HEALTHCARE MANAGEMENT SYSTEMS MODERNIZATION.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense Healthcare Management Systems Modernization, not more than 75 percent may be obligated or expended until the date on which the Secretary of Defense makes the certification required by section 713(g)(2) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 1071 note).

SEC. 728. SUBMITTAL OF INFORMATION TO SECRETARY OF VETERANS AFFAIRS RELATING TO EXPOSURE TO AIRBORNE HAZARDS AND OPEN BURN PITS.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and periodically thereafter, the Secretary of Defense shall submit to the Secretary of Veterans Affairs such information in the possession of the Secretary of Defense as the Secretary of Veterans Affairs considers necessary to supplement and support—

(1) the development of information to be included in the Airborne Hazards and Open Burn Pit Registry established by the Department of Veterans Affairs under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note); and

(2) research and development activities conducted by the Department of Veterans Affairs to explore the potential health risks of exposure by members of the Armed Forces to environmental factors in Iraq and Afghanistan, in particular the connection of such exposure to respiratory illnesses such as chronic cough, chronic obstructive pulmonary disease, constrictive bronchiolitis, and pulmonary fibrosis.

(b) **INCLUSION OF CERTAIN INFORMATION.**—The Secretary of Defense shall include in the information submitted to the Secretary of Veterans Affairs under subsection (a) information on any research and surveillance efforts conducted by the Department of Defense to evaluate the incidence and prevalence of respiratory illnesses among members of the Armed Forces who were exposed to open burn pits while deployed overseas.

SEC. 729. PLAN FOR DEVELOPMENT OF PROCEDURES TO MEASURE DATA ON MENTAL HEALTH CARE PROVIDED BY THE DEPARTMENT OF DEFENSE.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan for the Department of Defense to develop procedures to compile and assess data relating to the following:

(1) Outcomes for mental health care provided by the Department.

(2) Variations in such outcomes among different medical facilities of the Department.

(3) Barriers, if any, to the implementation by mental health care providers of the Department of the clinical practice guidelines and other evidence-based treatments and approaches recommended for such providers by the Secretary.

SEC. 730. REPORT ON PLANS TO IMPROVE EXPERIENCE WITH AND ELIMINATE PERFORMANCE VARIABILITY OF HEALTH CARE PROVIDED BY THE DEPARTMENT OF DEFENSE.

(a) **COMPREHENSIVE REPORT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a comprehensive report setting forth the current and future plans of the Secretary, with estimated dates of completion, to carry out the following:

(A) To improve the experience of beneficiaries with health care provided in military medical treatment facilities and through purchased care.

(B) To eliminate performance variability with respect to the provision of such health care.

(2) **ELEMENTS.**—The comprehensive report under paragraph (1) shall include the plans of the Secretary of Defense, in consultation

with the Secretaries of the military departments, as follows:

(A) To align performance measures for health care provided in military medical treatment facilities with performance measures for health care provided through purchased care.

(B) To improve performance in the provision of health care by the Department of Defense by eliminating performance variability with respect to the provision of health care in military medical treatment facilities and through purchased care.

(C) To use innovative, high-technology services to improve access to care, coordination of care, and the experience of care in military medical treatment facilities and through purchased care.

(D) To collect and analyze data throughout the Department with respect to health care provided in military medical treatment facilities and through purchased care to improve the quality of such care, patient safety, and patient satisfaction.

(E) To develop a performance management system, including by adoption of common measures for access to care, quality of care, safety, and patient satisfaction, that holds medical leadership throughout the Department accountable for sustained improvement of performance.

(F) To use such other methods as the Secretary considers appropriate to improve the experience of beneficiaries with and eliminate performance variability with respect to health care received from the Department.

(b) **COMPTROLLER GENERAL REPORT.**—

(1) **IN GENERAL.**—Not later than 180 days after the submission of the comprehensive report required by subsection (a)(1), the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the plans of the Secretary of Defense set forth in the comprehensive report submitted under such subsection.

(2) **ELEMENTS.**—The report under paragraph (1) shall include the following:

(A) An assessment of whether the plans included in the comprehensive report submitted under subsection (a) will, with respect to members of the Armed Forces and covered beneficiaries under the TRICARE program—

(i) improve health outcomes;

(ii) create consistent health value; and

(iii) ensure that such individuals receive quality health care in all military medical treatment facilities and through purchased care.

(B) An assessment of whether such plans can be achieved within the estimated dates of completion set forth by the Department under such subsection.

(C) An assessment of whether any such plan would require legislation for the implementation of such plan.

(D) An assessment of whether the Department of Defense has adequately budgeted amounts to fund the carrying out of such plans.

(E) Metrics that can be used to evaluate the performance of such plans.

(c) **DEFINITIONS.**—In this section:

(1) The term “purchased care” means health care provided pursuant to a contract entered into under the TRICARE program.

(2) The terms “covered beneficiary” and “TRICARE program” have the meaning given such terms in section 1072 of title 10, United States Code.

SEC. 731. COMPTROLLER GENERAL STUDY ON GAMBLING AND PROBLEM GAMBLING BEHAVIOR AMONG MEMBERS OF THE ARMED FORCES.

(a) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study on gambling among members of the Armed Forces.

(b) **MATTERS INCLUDED.**—The study conducted under subsection (a) shall include the following:

(1) With respect to gaming facilities at military installations, disaggregated by each military department, the number, type, and location of such gaming facilities.

(2) An assessment of the prevalence of and particular risks for problem gambling among members of the Armed Forces, including such recommendations for policies and programs to be carried out by the Department to address problem gambling as the Comptroller General considers appropriate.

(3) An assessment of the ability and capacity of military health care personnel to adequately diagnose and provide dedicated treatment for problem gambling, including—

(A) a comparison of treatment programs of the Department for alcohol abuse, illegal substance abuse, and tobacco addiction with treatment programs of the Department for problem gambling; and

(B) an assessment of whether additional training for military health care personnel on providing treatment for problem gambling would be beneficial.

(4) An assessment of the financial counseling and related services that are available to members of the Armed Forces and dependents of such members who are affected by problem gambling.

(c) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report on the results of the study conducted under subsection (a).

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

Sec. 801. Required review of acquisition-related functions of the Chiefs of Staff of the Armed Forces.

Sec. 802. Role of Chiefs of Staff in the acquisition process.

Sec. 803. Expansion of rapid acquisition authority.

Sec. 804. Middle tier of acquisition for rapid prototyping and rapid fielding.

Sec. 805. Use of alternative acquisition paths to acquire critical national security capabilities.

Sec. 806. Secretary of Defense waiver of acquisition laws to acquire vital national security capabilities.

Sec. 807. Acquisition authority of the Commander of United States Cyber Command.

Sec. 808. Report on linking and streamlining requirements, acquisition, and budget processes within Armed Forces.

Sec. 809. Advisory panel on streamlining and codifying acquisition regulations.

Sec. 810. Review of time-based requirements process and budgeting and acquisition systems.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

Sec. 811. Amendment relating to multiyear contract authority for acquisition of property.

Sec. 812. Applicability of cost and pricing data and certification requirements.

Sec. 813. Rights in technical data.

Sec. 814. Procurement of supplies for experimental purposes.

Sec. 815. Amendments to other transaction authority.

Sec. 816. Amendment to acquisition threshold for special emergency procurement authority.

Sec. 817. Revision of method of rounding when making inflation adjustment of acquisition-related dollar thresholds.

Subtitle C—Provisions Related to Major Defense Acquisition Programs

Sec. 821. Acquisition strategy required for each major defense acquisition program, major automated information system, and major system.

Sec. 822. Revision to requirements relating to risk management in development of major defense acquisition programs and major systems.

Sec. 823. Revision of Milestone A decision authority responsibilities for major defense acquisition programs.

Sec. 824. Revision of Milestone B decision authority responsibilities for major defense acquisition programs.

Sec. 825. Designation of milestone decision authority.

Sec. 826. Tenure and accountability of program managers for program definition periods.

Sec. 827. Tenure and accountability of program managers for program execution periods.

Sec. 828. Penalty for cost overruns.

Sec. 829. Streamlining of reporting requirements applicable to Assistant Secretary of Defense for Research and Engineering regarding major defense acquisition programs.

Sec. 830. Configuration Steering Boards for cost control under major defense acquisition programs.

Sec. 831. Repeal of requirement for standalone manpower estimates for major defense acquisition programs.

Sec. 832. Revision to duties of the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation and the Deputy Assistant Secretary of Defense for Systems Engineering.

Subtitle D—Provisions Relating to Acquisition Workforce

Sec. 841. Amendments to Department of Defense Acquisition Workforce Development Fund.

Sec. 842. Dual-track military professionals in operational and acquisition specialities.

Sec. 843. Provision of joint duty assignment credit for acquisition duty.

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Sec. 845. Independent study of implementation of defense acquisition workforce improvement efforts.

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Subtitle E—Provisions Relating to
Commercial Items

- Sec. 851. Procurement of commercial items.
- Sec. 852. Modification to information required to be submitted by offeror in procurement of major weapon systems as commercial items.
- Sec. 853. Use of recent prices paid by the Government in the determination of price reasonableness.
- Sec. 854. Report on defense-unique laws applicable to the procurement of commercial items and commercially available off-the-shelf items.
- Sec. 855. Market research and preference for commercial items.
- Sec. 856. Limitation on conversion of procurements from commercial acquisition procedures.
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Subtitle F—Industrial Base Matters

- Sec. 861. Amendment to Mentor-Protege Program.
- Sec. 862. Amendments to data quality improvement plan.
- Sec. 863. Notice of contract consolidation for acquisition strategies.
- Sec. 864. Clarification of requirements related to small business contracts for services.
- Sec. 865. Certification requirements for Business Opportunity Specialists, commercial market representatives, and procurement center representatives.
- Sec. 866. Modifications to requirements for qualified HUBZone small business concerns located in a base closure area.
- Sec. 867. Joint venturing and teaming.
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- Sec. 869. Establishment of an Office of Hearings and Appeals in the Small Business Administration; petitions for reconsideration of size standards.
- Sec. 870. Additional duties of the Director of Small and Disadvantaged Business Utilization.
- Sec. 871. Including subcontracting goals in agency responsibilities.
- Sec. 872. Reporting related to failure of contractors to meet goals under negotiated comprehensive small business subcontracting plans.
- Sec. 873. Pilot program for streamlining awards for innovative technology projects.
- Sec. 874. Surety bond requirements and amount of guarantee.
- Sec. 875. Review of Government access to intellectual property rights of private sector firms.
- Sec. 876. Inclusion in annual technology and industrial capability assessments of a determination about defense acquisition program requirements.

Subtitle G—Other Matters

- Sec. 881. Consideration of potential program cost increases and schedule delays resulting from oversight of defense acquisition programs.
- Sec. 882. Examination and guidance relating to oversight and approval of services contracts.

- Sec. 883. Streamlining of requirements relating to defense business systems.
- Sec. 884. Procurement of personal protective equipment.
- Sec. 885. Amendments concerning detection and avoidance of counterfeit electronic parts.
- Sec. 886. Exception for AbilityOne products from authority to acquire goods and services manufactured in Afghanistan, Central Asian States, and Djibouti.
- Sec. 887. Effective communication between government and industry.
- Sec. 888. Standards for procurement of secure information technology and cyber security systems.
- Sec. 889. Unified information technology services.
- Sec. 890. Cloud strategy for Department of Defense.
- Sec. 891. Development period for Department of Defense information technology systems.
- Sec. 892. Revisions to pilot program on acquisition of military purpose nondevelopmental items.
- Sec. 893. Improved auditing of contracts.
- Sec. 894. Sense of Congress on evaluation method for procurement of audit or audit readiness services.
- Sec. 895. Mitigating potential unfair competitive advantage of technical advisors to acquisition programs.
- Sec. 896. Survey on the costs of regulatory compliance.
- Sec. 897. Treatment of interagency and State and local purchases when the Department of Defense acts as contract intermediary for the General Services Administration.
- Sec. 898. Competition for religious services contracts.
- Sec. 899. Pilot program regarding risk-based contracting for smaller contract actions under the Truth in Negotiations Act.

**Subtitle A—Acquisition Policy and
Management**

SEC. 801. REQUIRED REVIEW OF ACQUISITION-RELATED FUNCTIONS OF THE CHIEFS OF STAFF OF THE ARMED FORCES.

(a) **REVIEW REQUIRED.**—The Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps shall conduct a review of their current individual authorities provided in sections 3033, 5033, 8033, and 5043 of title 10, United States Code, and other relevant statutes and regulations related to defense acquisitions for the purpose of developing such recommendations as the Chief concerned or the Commandant considers necessary to further or advance the role of the Chief concerned or the Commandant in the development of requirements, acquisition processes, and the associated budget practices of the Department of Defense.

(b) **REPORTS.**—Not later than March 1, 2016, the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps shall each submit to the congressional defense committees a report containing, at a minimum, the following:

(1) The recommendations developed by the Chief concerned or the Commandant under subsection (a) and other results of the review conducted under such subsection.

(2) The actions the Chief concerned or the Commandant is taking, if any, within the Chief's or Commandant's existing authority to implement such recommendations.

SEC. 802. ROLE OF CHIEFS OF STAFF IN THE ACQUISITION PROCESS.

(a) **CHIEFS OF STAFF AS CUSTOMER OF ACQUISITION PROCESS.**—

(1) **IN GENERAL.**—Chapter 149 of title 10, United States Code, is amended by inserting after section 2546 the following new section:

“§2546a. Customer-oriented acquisition system

“(a) **OBJECTIVE.**—It shall be the objective of the defense acquisition system to meet the needs of its customers in the most cost-effective manner practicable. The acquisition policies, directives, and regulations of the Department of Defense shall be modified as necessary to ensure the development and implementation of a customer-oriented acquisition system.

“(b) **CUSTOMER.**—The customer of the defense acquisition system is the armed force that will have primary responsibility for fielding the system or systems acquired. The customer is represented with regard to a major defense acquisition program by the Secretary of the military department concerned and the Chief of the armed force concerned.

“(c) **ROLE OF CUSTOMER.**—The customer of a major defense acquisition program shall be responsible for balancing resources against priorities on the acquisition program and ensuring that appropriate trade-offs are made among cost, schedule, technical feasibility, and performance on a continuing basis throughout the life of the acquisition program.”

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 149 of such title is amended by inserting after the item relating to section 2546 the following new item:

“2546a. Customer-oriented acquisition system.”

(b) **RESPONSIBILITIES OF CHIEFS.**—Section 2547(a) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(2) by inserting after paragraph (1) the following new paragraph:

“(2) Decisions regarding the balancing of resources and priorities, and associated trade-offs among cost, schedule, technical feasibility, and performance on major defense acquisition programs.”; and

(3) in paragraph (6), as redesignated by paragraph (1) of this subsection, by striking “The development” and inserting “The development and management”.

(c) **RESPONSIBILITIES OF MILITARY DEPUTIES.**—Section 908(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 2430 note) is amended to read as follows:

“(d) **DUTIES OF PRINCIPAL MILITARY DEPUTIES.**—Each Principal Military Deputy to a service acquisition executive shall be responsible for—

“(1) keeping the Chief of Staff of the Armed Force concerned informed of the progress of major defense acquisition programs;

“(2) informing the Chief of Staff on a continuing basis of any developments on major defense acquisition programs, which may require new or revisited trade-offs among cost, schedule, technical feasibility, and performance, including—

“(A) significant cost growth or schedule slippage; and

“(B) requirements creep (as defined in section 2547(c)(1) of title 10, United States Code); and

“(3) ensuring that the views of the Chief of Staff on cost, schedule, technical feasibility, and performance trade-offs are strongly considered by program managers and program executive officers in all phases of the acquisition process.”.

(d) CONFORMING AMENDMENTS.—

(1) JOINT REQUIREMENTS OVERSIGHT COUNCIL.—Section 181(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) The Council shall seek, and strongly consider, the views of the Chiefs of Staff of the armed forces, in their roles as customers of the acquisition system, on matters pertaining to trade-offs among cost, schedule, technical feasibility, and performance under subsection (b)(1)(C) and the balancing of resources with priorities pursuant to subsection (b)(3).”.

(2) MILESTONE A DECISIONS.—The Chief of the Armed Force concerned shall advise the milestone decision authority for a major defense acquisition program of the Chief's views on cost, schedule, technical feasibility, and performance trade-offs that have been made with regard to the program, as provided in section 2366a(a)(2) of title 10, United States Code, as amended by section 823 of this Act, prior to a Milestone A decision on the program.

(3) MILESTONE B DECISIONS.—The Chief of the Armed Force concerned shall advise the milestone decision authority for a major defense acquisition program of the Chief's views on cost, schedule, technical feasibility, and performance trade-offs that have been made with regard to the program, as provided in section 2366b(b)(3) of title 10, United States Code, as amended by section 824 of this Act, prior to a Milestone B decision on the program.

(4) DUTIES OF CHIEFS.—

(A) Section 3033(d)(5) of title 10, United States Code, is amended by striking “section 171” and inserting “sections 171 and 2547”.

(B) Section 5033(d)(5) of title 10, United States Code, is amended by striking “section 171” and inserting “sections 171 and 2547”.

(C) Section 5043(e)(5) of title 10, United States Code, is amended by striking “section 171” and inserting “sections 171 and 2547”.

(D) Section 8033(d)(5) of title 10, United States Code, is amended by striking “section 171” and inserting “sections 171 and 2547”.

SEC. 803. EXPANSION OF RAPID ACQUISITION AUTHORITY.

Section 806(c) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 10 U.S.C. 2302 note) is amended to read as follows:

“(c) RESPONSE TO COMBAT EMERGENCIES AND CERTAIN URGENT OPERATIONAL NEEDS.—

“(1) DETERMINATION OF NEED FOR RAPID ACQUISITION AND DEPLOYMENT.—(A) In the case of any supplies and associated support services that, as determined in writing by the Secretary of Defense, are urgently needed to eliminate a documented deficiency that has resulted in combat casualties, or is likely to result in combat casualties, the Secretary may use the procedures developed under this section in order to accomplish the rapid acquisition and deployment of the needed supplies and associated support services.

“(B) In the case of any supplies and associated support services that, as determined in writing by the Secretary of Defense, are urgently needed to eliminate a documented deficiency that impacts an ongoing or anticipated contingency operation and that, if left

unfulfilled, could potentially result in loss of life or critical mission failure, the Secretary may use the procedures developed under this section in order to accomplish the rapid acquisition and deployment of the needed supplies and associated support services.

“(C)(i) In the case of any supplies and associated support services that, as determined in writing by the Secretary of Defense without delegation, are urgently needed to eliminate a deficiency that as the result of a cyber attack has resulted in critical mission failure, the loss of life, property destruction, or economic effects, or if left unfilled is likely to result in critical mission failure, the loss of life, property destruction, or economic effects, the Secretary may use the procedures developed under this section in order to accomplish the rapid acquisition and deployment of the needed offensive or defensive cyber capabilities, supplies, and associated support services.

“(ii) In this subparagraph, the term ‘cyber attack’ means a deliberate action to alter, disrupt, deceive, degrade, or destroy computer systems or networks or the information or programs resident in or transiting these systems or networks.

“(2) DESIGNATION OF SENIOR OFFICIAL RESPONSIBLE.—(A) Whenever the Secretary makes a determination under subparagraph (A), (B), or (C) of paragraph (1) that certain supplies and associated support services are urgently needed to eliminate a deficiency described in that subparagraph, the Secretary shall designate a senior official of the Department of Defense to ensure that the needed supplies and associated support services are acquired and deployed as quickly as possible, with a goal of awarding a contract for the acquisition of the supplies and associated support services within 15 days.

“(B) Upon designation of a senior official under subparagraph (A), the Secretary shall authorize that official to waive any provision of law, policy, directive, or regulation described in subsection (d) that such official determines in writing would unnecessarily impede the rapid acquisition and deployment of the needed supplies and associated support services. In a case in which the needed supplies and associated support services cannot be acquired without an extensive delay, the senior official shall require that an interim solution be implemented and deployed using the procedures developed under this section to minimize adverse consequences resulting from the urgent need.

“(3) USE OF FUNDS.—(A) In any fiscal year in which the Secretary makes a determination described in subparagraph (A), (B), or (C) of paragraph (1), the Secretary may use any funds available to the Department of Defense for acquisitions of supplies and associated support services if the determination includes a written finding that the use of such funds is necessary to address the deficiency in a timely manner.

“(B) The authority of this section may only be used to acquire supplies and associated support services—

“(i) in the case of determinations by the Secretary under paragraph (1)(A), in an amount aggregating not more than \$200,000,000 during any fiscal year;

“(ii) in the case of determinations by the Secretary under paragraph (1)(B), in an amount aggregating not more than \$200,000,000 during any fiscal year; and

“(iii) in the case of determinations by the Secretary under paragraph (1)(C), in an amount aggregating not more than \$200,000,000 during any fiscal year.

“(4) NOTIFICATION TO CONGRESSIONAL DEFENSE COMMITTEES.—(A) In the case of a de-

termination by the Secretary under paragraph (1)(A), the Secretary shall notify the congressional defense committees of the determination within 15 days after the date of the determination.

“(B) In the case of a determination by the Secretary under paragraph (1)(B) the Secretary shall notify the congressional defense committees of the determination at least 10 days before the date on which the determination is effective.

“(C) A notice under this paragraph shall include the following:

“(i) The supplies and associated support services to be acquired.

“(ii) The amount anticipated to be expended for the acquisition.

“(iii) The source of funds for the acquisition.

“(D) A notice under this paragraph shall be sufficient to fulfill any requirement to provide notification to Congress for a new start program.

“(E) A notice under this paragraph shall be provided in consultation with the Director of the Office of Management and Budget.

“(5) TIME FOR TRANSITIONING TO NORMAL ACQUISITION SYSTEM.—Any acquisition initiated under this subsection shall transition to the normal acquisition system not later than two years after the date on which the Secretary makes the determination described in paragraph (1) with respect to the supplies and associated support services concerned.

“(6) LIMITATION ON OFFICERS WITH AUTHORITY TO MAKE A DETERMINATION.—The authority to make a determination under subparagraph (A), (B), or (C) of paragraph (1) may be exercised only by the Secretary or Deputy Secretary of Defense.”.

SEC. 804. MIDDLE TIER OF ACQUISITION FOR RAPID PROTOTYPING AND RAPID FIELDING.

(a) GUIDANCE REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Comptroller of the Department of Defense and the Vice Chairman of the Joint Chiefs of Staff, shall establish guidance for a “middle tier” of acquisition programs that are intended to be completed in a period of two to five years.

(b) ACQUISITION PATHWAYS.—The guidance required by subsection (a) shall cover the following two acquisition pathways:

(1) RAPID PROTOTYPING.—The rapid prototyping pathway shall provide for the use of innovative technologies to rapidly develop fieldable prototypes to demonstrate new capabilities and meet emerging military needs. The objective of an acquisition program under this pathway shall be to field a prototype that can be demonstrated in an operational environment and provide for a residual operational capability within five years of the development of an approved requirement.

(2) RAPID FIELDING.—The rapid fielding pathway shall provide for the use of proven technologies to field production quantities of new or upgraded systems with minimal development required. The objective of an acquisition program under this pathway shall be to begin production within six months and complete fielding within five years of the development of an approved requirement.

(c) EXPEDITED PROCESS.—

(1) IN GENERAL.—The guidance required by subsection (a) shall provide for a streamlined and coordinated requirements, budget, and acquisition process that results in the development of an approved requirement for each

program in a period of not more than six months from the time that the process is initiated. Programs that are subject to the guidance shall not be subject to the Joint Capabilities Integration and Development System Manual and Department of Defense Directive 5000.01, except to the extent specifically provided in the guidance.

(2) **RAPID PROTOTYPING.**—With respect to the rapid prototyping pathway, the guidance shall include—

(A) a merit-based process for the consideration of innovative technologies and new capabilities to meet needs communicated by the Joint Chiefs of Staff and the combatant commanders;

(B) a process for developing and implementing acquisition and funding strategies for the program;

(C) a process for cost-sharing with the military departments on rapid prototype projects, to ensure an appropriate commitment to the success of such projects;

(D) a process for demonstrating and evaluating the performance of fieldable prototypes developed pursuant to the program in an operational environment; and

(E) a process for transitioning successful prototypes to new or existing acquisition programs for production and fielding under the rapid fielding pathway or the traditional acquisition system.

(3) **RAPID FIELDING.**—With respect to the rapid fielding pathway, the guidance shall include—

(A) a merit-based process for the consideration of existing products and proven technologies to meet needs communicated by the Joint Chiefs of Staff and the combatant commanders;

(B) a process for demonstrating performance and evaluating for current operational purposes the proposed products and technologies;

(C) a process for developing and implementing acquisition and funding strategies for the program; and

(D) a process for considering lifecycle costs and addressing issues of logistics support and system interoperability.

(4) **STREAMLINED PROCEDURES.**—The guidance for the programs may provide for any of the following streamlined procedures:

(A) The service acquisition executive of the military department concerned shall appoint a program manager for such program from among candidates from among civilian employees or members of the Armed Forces who have significant and relevant experience managing large and complex programs.

(B) The program manager for each program shall report with respect to such program directly, without intervening review or approval, to the service acquisition executive of the military department concerned.

(C) The service acquisition executive of the military department concerned shall evaluate the job performance of such manager on an annual basis. In conducting an evaluation under this paragraph, a service acquisition executive shall consider the extent to which the manager has achieved the objectives of the program for which the manager is responsible, including quality, timeliness, and cost objectives.

(D) The program manager of a defense streamlined program shall be authorized staff positions for a technical staff, including experts in business management, contracting, auditing, engineering, testing, and logistics, to enable the manager to manage the program without the technical assistance of another organizational unit of an agency to the maximum extent practicable.

(E) The program manager of a defense streamlined program shall be authorized, in coordination with the users of the equipment and capability to be acquired and the test community, to make trade-offs among lifecycle costs, requirements, and schedules to meet the goals of the program.

(F) The service acquisition executive, acting in coordination with the defense acquisition executive, shall serve as the milestone decision authority for the program.

(G) The program manager of a defense streamlined program shall be provided a process to expeditiously seek a waiver from Congress from any statutory or regulatory requirement that the program manager determines adds little or no value to the management of the program.

(d) **RAPID PROTOTYPING FUND.**—

(1) **IN GENERAL.**—The Secretary of Defense shall establish a fund to be known as the “Department of Defense Rapid Prototyping Fund” to provide funds, in addition to other funds that may be available for acquisition programs under the rapid prototyping pathway established pursuant to this section. The Fund shall be managed by a senior official of the Department of Defense designated by the Under Secretary of Defense for Acquisition, Technology, and Logistics. The Fund shall consist of amounts appropriated to the Fund and amounts credited to the Fund pursuant to section 828 of this Act.

(2) **TRANSFER AUTHORITY.**—Amounts available in the Fund may be transferred to a military department for the purpose of carrying out an acquisition program under the rapid prototyping pathway established pursuant to this section. Any amount so transferred shall be credited to the account to which it is transferred. The transfer authority provided in this subsection is in addition to any other transfer authority available to the Department of Defense.

(3) **CONGRESSIONAL NOTICE.**—The senior official designated to manage the Fund shall notify the congressional defense committees of all transfers under paragraph (2). Each notification shall specify the amount transferred, the purpose of the transfer, and the total projected cost and estimated cost to complete the acquisition program to which the funds were transferred.

SEC. 805. USE OF ALTERNATIVE ACQUISITION PATHS TO ACQUIRE CRITICAL NATIONAL SECURITY CAPABILITIES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish procedures for alternative acquisition pathways to acquire capital assets and services that meet critical national security needs. The procedures shall—

(1) be separate from existing acquisition procedures;

(2) be supported by streamlined contracting, budgeting, and requirements processes;

(3) establish alternative acquisition paths based on the capabilities being bought and the time needed to deploy these capabilities; and

(4) maximize the use of flexible authorities in existing law and regulation.

SEC. 806. SECRETARY OF DEFENSE WAIVER OF ACQUISITION LAWS TO ACQUIRE VITAL NATIONAL SECURITY CAPABILITIES.

(a) **WAIVER AUTHORITY.**—The Secretary of Defense is authorized to waive any provision of acquisition law or regulation described in subsection (c) for the purpose of acquiring a capability that would not otherwise be available to the Armed Forces of the United States, upon a determination that—

(1) the acquisition of the capability is in the vital national security interest of the United States;

(2) the application of the law or regulation to be waived would impede the acquisition of the capability in a manner that would undermine the national security of the United States; and

(3) the underlying purpose of the law or regulation to be waived can be addressed in a different manner or at a different time.

(b) **DESIGNATION OF RESPONSIBLE OFFICIAL.**—Whenever the Secretary of Defense makes a determination under subsection (a)(1) that the acquisition of a capability is in the vital national security interest of the United States, the Secretary shall designate a senior official of the Department of Defense who shall be personally responsible and accountable for the rapid and effective acquisition and deployment of the needed capability. The Secretary shall provide the designated official such authority as the Secretary determines necessary to achieve this objective, and may use the waiver authority in subsection (a) for this purpose.

(c) **ACQUISITION LAWS AND REGULATIONS.**—

(1) **IN GENERAL.**—Upon a determination described in subsection (a), the Secretary of Defense is authorized to waive any provision of law or regulation addressing—

(A) the establishment of a requirement or specification for the capability to be acquired;

(B) research, development, test, and evaluation of the capability to be acquired;

(C) production, fielding, and sustainment of the capability to be acquired; or

(D) solicitation, selection of sources, and award of contracts for the capability to be acquired.

(2) **LIMITATIONS.**—Nothing in this subsection authorizes the waiver of—

(A) the requirements of this section;

(B) any provision of law imposing civil or criminal penalties; or

(C) any provision of law governing the proper expenditure of appropriated funds.

(d) **REPORT TO CONGRESS.**—The Secretary of Defense shall notify the congressional defense committees at least 30 days before exercising the waiver authority under subsection (a). Each such notice shall include—

(1) an explanation of the basis for determining that the acquisition of the capability is in the vital national security interest of the United States;

(2) an identification of each provision of law or regulation to be waived; and

(3) for each provision identified pursuant to paragraph (2)—

(A) an explanation of why the application of the provision would impede the acquisition in a manner that would undermine the national security of the United States; and

(B) a description of the time or manner in which the underlying purpose of the law or regulation to be waived will be addressed.

(e) **NONDELEGATION.**—The authority of the Secretary to waive provisions of laws and regulations under subsection (a) is nondelegable.

SEC. 807. ACQUISITION AUTHORITY OF THE COMMANDER OF UNITED STATES CYBER COMMAND.

(a) **AUTHORITY.**—

(1) **IN GENERAL.**—The Commander of the United States Cyber Command shall be responsible for, and shall have the authority to conduct, the following acquisition activities:

(A) Development and acquisition of cyber operations-peculiar equipment and capabilities.

(B) Acquisition and sustainment of cyber capability-peculiar equipment, capabilities, and services.

(2) **ACQUISITION FUNCTIONS.**—Subject to the authority, direction, and control of the Secretary of Defense, the Commander shall have authority to exercise the functions of the head of an agency under chapter 137 of title 10, United States Code.

(b) **COMMAND ACQUISITION EXECUTIVE.**—

(1) **IN GENERAL.**—The staff of the Commander shall include a command acquisition executive, who shall be responsible for the overall supervision of acquisition matters for the United States Cyber Command. The command acquisition executive shall have the authority—

(A) to negotiate memoranda of agreement with the military departments and Department of Defense components to carry out the acquisition of equipment, capabilities, and services described in subsection (a)(1) on behalf of the Command;

(B) to supervise the acquisition of equipment, capabilities, and services described in subsection (a)(1);

(C) to represent the Command in discussions with the military departments regarding acquisition programs for which the Command is a customer; and

(D) to work with the military departments to ensure that the Command is appropriately represented in any joint working group or integrated product team regarding acquisition programs for which the Command is a customer.

(2) **DELIVERY OF ACQUISITION SOLUTIONS.**—The command acquisition executive of the United States Cyber Command shall be—

(A) responsible to the Commander for rapidly delivering acquisition solutions to meet validated cyber operations-peculiar requirements;

(B) subordinate to the defense acquisition executive in matters of acquisition;

(C) subject to the same oversight as the service acquisition executives; and

(D) included on the distribution list for acquisition directives and instructions of the Department of Defense.

(c) **ACQUISITION PERSONNEL.**—

(1) **IN GENERAL.**—The Secretary of Defense shall provide the United States Cyber Command with the personnel or funding equivalent to ten full-time equivalent personnel to support the Commander in fulfilling the acquisition responsibilities provided for under this section with experience in—

(A) program acquisition;

(B) the Joint Capabilities Integration and Development System Process;

(C) program management;

(D) system engineering; and

(E) costing.

(2) **EXISTING PERSONNEL.**—The personnel provided under this subsection shall be provided from among the existing personnel of the Department of Defense.

(d) **BUDGET.**—In addition to the activities of a combatant command for which funding may be requested under section 166 of title 10, United States Code, the budget proposal of the United States Cyber Command shall include requests for funding for—

(1) development and acquisition of cyber operations-peculiar equipment; and

(2) acquisition and sustainment of other capabilities or services that are peculiar to cyber operations activities.

(e) **CYBER OPERATIONS PROCUREMENT FUND.**—In exercising the authority granted in subsection (a), the Commander may not obligate or expend more than \$75,000,000 out of the funds made available in each fiscal

year from 2016 through 2021 to support acquisition activities provided for under this section.

(f) **RULE OF CONSTRUCTION REGARDING INTELLIGENCE AND SPECIAL ACTIVITIES.**—Nothing in this section shall be construed to constitute authority to conduct any activity which, if carried out as an intelligence activity by the Department of Defense, would require a notice to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.).

(g) **IMPLEMENTATION PLAN REQUIRED.**—The authority granted in subsection (a) shall become effective 30 days after the date on which the Secretary of Defense provides to the congressional defense committees a plan for implementation of those authorities under subsection (a). The plan shall include the following:

(1) A Department of Defense definition of—
(A) cyber operations-peculiar equipment and capabilities; and

(B) cyber capability-peculiar equipment, capabilities, and services.

(2) Summaries of the components to be negotiated in the memorandum of agreements with the military departments and other Department of Defense components to carry out the development, acquisition, and sustainment of equipment, capabilities, and services described in subparagraphs (A) and (B) of subsection (a)(1).

(3) Memorandum of agreement negotiation and approval timelines.

(4) Plan for oversight of the command acquisition executive established in subsection (b).

(5) Assessment of the acquisition workforce needs of the United States Cyber Command to support the authority in subsection (a) until 2021.

(6) Other matters as appropriate.

(h) **ANNUAL END-OF-YEAR ASSESSMENT.**—Each year, the Cyber Investment Management Board shall review and assess the acquisition activities of the United States Cyber Command, including contracting and acquisition documentation, for the previous fiscal year, and provide any recommendations or feedback to the acquisition executive of Cyber Command.

(i) **SUNSET.**—

(1) **IN GENERAL.**—The authority under this section shall terminate on September 30, 2021.

(2) **LIMITATION ON DURATION OF ACQUISITIONS.**—The authority under this section does not include major defense acquisition programs, major automated information system programs, or acquisitions of foundational infrastructure or software architectures the duration of which is expected to last more than five years.

SEC. 808. REPORT ON LINKING AND STREAMLINING REQUIREMENTS, ACQUISITION, AND BUDGET PROCESSES WITHIN ARMED FORCES.

(a) **REPORTS.**—Not later than 180 days after the date of the enactment of this Act, the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps shall each submit to the congressional defense committees a report on efforts to link and streamline the requirements, acquisition, and budget processes within the Army, Navy, Air Force, and Marine Corps, respectively.

(b) **MATTERS INCLUDED.**—Each report under subsection (a) shall include the following:

(1) A specific description of—

(A) the management actions the Chief concerned or the Commandant has taken or plans to take to link and streamline the requirements, acquisition, and budget processes of the Armed Force concerned;

(B) any reorganization or process changes that will link and streamline the requirements, acquisition, and budget processes of the Armed Force concerned; and

(C) any cross-training or professional development initiatives of the Chief concerned or the Commandant.

(2) For each description under paragraph (1)—

(A) the specific timeline associated with implementation;

(B) the anticipated outcomes once implemented; and

(C) how to measure whether or not those outcomes are realized.

(3) Any other matters the Chief concerned or the Commandant considers appropriate.

SEC. 809. ADVISORY PANEL ON STREAMLINING AND CODIFYING ACQUISITION REGULATIONS.

(a) **ESTABLISHMENT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish under the sponsorship of the Defense Acquisition University and the National Defense University an advisory panel on streamlining acquisition regulations.

(b) **MEMBERSHIP.**—The panel shall be composed of at least nine individuals who are recognized experts in acquisition and procurement policy. In making appointments to the advisory panel, the Under Secretary shall ensure that the members of the panel reflect diverse experiences in the public and private sectors.

(c) **DUTIES.**—The panel shall—

(1) review the acquisition regulations applicable to the Department of Defense with a view toward streamlining and improving the efficiency and effectiveness of the defense acquisition process and maintaining defense technology advantage; and

(2) make any recommendations for the amendment or repeal of such regulations that the panel considers necessary, as a result of such review, to—

(A) establish and administer appropriate buyer and seller relationships in the procurement system;

(B) improve the functioning of the acquisition system;

(C) ensure the continuing financial and ethical integrity of defense procurement programs;

(D) protect the best interests of the Department of Defense; and

(E) eliminate any regulations that are unnecessary for the purposes described in subparagraphs (A) through (D).

(d) **ADMINISTRATIVE MATTERS.**—

(1) **IN GENERAL.**—The Secretary of Defense shall provide the advisory panel established pursuant to subsection (a) with timely access to appropriate information, data, resources, and analysis so that the advisory panel may conduct a thorough and independent assessment as required under such subsection.

(2) **INAPPLICABILITY OF FACA.**—The requirements of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory panel established pursuant to subsection (a).

(e) **REPORT.**—

(1) **PANEL REPORT.**—Not later than two years after the date on which the Secretary of Defense establishes the advisory panel, the panel shall transmit a final report to the Secretary.

(2) ELEMENTS.—The final report shall contain a detailed statement of the findings and conclusions of the panel, including—

(A) a history of each current acquisition regulation and a recommendation as to whether the regulation and related law (if applicable) should be retained, modified, or repealed; and

(B) such additional recommendations for legislation as the panel considers appropriate.

(3) INTERIM REPORTS.—(A) Not later than 6 months and 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit a report to or brief the congressional defense committees on the interim findings of the panel with respect to the elements set forth in paragraph (2).

(B) The panel shall provide regular updates to the Secretary of Defense for purposes of providing the interim reports required under this paragraph.

(4) FINAL REPORT.—Not later than 30 days after receiving the final report of the advisory panel, the Secretary of Defense shall transmit the final report, together with such comments as the Secretary determines appropriate, to the congressional defense committees.

(f) DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND SUPPORT.—The Secretary of Defense may use amounts available in the Department of Defense Acquisition Workforce Development Fund established under section 1705 of title 10, United States Code, to support activities of the advisory panel under this section.

SEC. 810. REVIEW OF TIME-BASED REQUIREMENTS PROCESS AND BUDGETING AND ACQUISITION SYSTEMS.

(a) TIME-BASED REQUIREMENTS PROCESS.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall review the requirements process with the goal of establishing an agile and streamlined system that develops requirements that provide stability and foundational direction for acquisition programs and shall determine the advisability of providing a time-based or phased distinction between capabilities needed to be deployed urgently, within 2 years, within 5 years, and longer than 5 years.

(b) BUDGETING AND ACQUISITION SYSTEMS.—The Secretary of Defense shall review and ensure that the acquisition and budgeting systems are structured to meet time-based or phased requirements in a manner that is predictable, cost effective, and efficient and takes advantage of emerging technological developments.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 811. AMENDMENT RELATING TO MULTIYEAR CONTRACT AUTHORITY FOR ACQUISITION OF PROPERTY.

Subsection (a)(1) and subsection (i)(4) of section 2306b of title 10, United States Code, are each amended by striking “substantial” and inserting “significant”.

SEC. 812. APPLICABILITY OF COST AND PRICING DATA AND CERTIFICATION REQUIREMENTS.

Section 2306a(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking “; or” and inserting a semicolon;

(2) in subparagraph (C), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following new subparagraph:

“(D) to the extent such data—

“(i) relates to an offset agreement in connection with a contract for the sale of a

weapon system or defense-related item to a foreign country or foreign firm; and

“(ii) does not relate to a contract or sub-contract under the offset agreement for work performed in such foreign country or by such foreign firm that is directly related to the weapon system or defense-related item being purchased under the contract.”.

SEC. 813. RIGHTS IN TECHNICAL DATA.

(a) RIGHTS IN TECHNICAL DATA RELATING TO MAJOR WEAPON SYSTEMS.—Paragraph (2) of section 2321(f) of title 10, United States Code, is amended to read as follows:

“(2) In the case of a challenge to a use or release restriction that is asserted with respect to technical data of a contractor or subcontractor for a major system or a subsystem or component thereof on the basis that the major weapon system, subsystem, or component was developed exclusively at private expense—

“(A) the presumption in paragraph (1) shall apply—

“(i) with regard to a commercial subsystem or component of a major system, if the major system was acquired as a commercial item in accordance with section 2379(a) of this title;

“(ii) with regard to a component of a subsystem, if the subsystem was acquired as a commercial item in accordance with section 2379(b) of this title; and

“(iii) with regard to any other component, if the component is a commercially available off-the-shelf item or a commercially available off-the-shelf item with modifications of a type customarily available in the commercial marketplace or minor modifications made to meet Federal Government requirements; and

“(B) in all other cases, the challenge to the use or release restriction shall be sustained unless information provided by the contractor or subcontractor demonstrates that the item was developed exclusively at private expense.”.

(b) GOVERNMENT-INDUSTRY ADVISORY PANEL.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall establish a Government-industry advisory panel for the purpose of reviewing sections 2320 and 2321 of title 10, United States Code, regarding rights in technical data and the validation of proprietary data restrictions and the regulations implementing such sections, for the purpose of ensuring that such statutory and regulatory requirements are best structured to serve the interests of the taxpayers and the national defense.

(2) MEMBERSHIP.—The panel shall be chaired by an individual selected by the Under Secretary, and the Under Secretary shall ensure that—

(A) the government members of the advisory panel are knowledgeable about technical data issues and appropriately represent the three military departments, as well as the legal, acquisition, logistics, and research and development communities in the Department of Defense; and

(B) the private sector members of the advisory panel include independent experts and individuals appropriately representative of the diversity of interested parties, including large and small businesses, traditional and non-traditional government contractors, prime contractors and subcontractors, suppliers of hardware and software, and institutions of higher education.

(3) SCOPE OF REVIEW.—In conducting the review required by paragraph (1), the advisory

panel shall give appropriate consideration to the following factors:

(A) Ensuring that the Department of Defense does not pay more than once for the same work.

(B) Ensuring that Department of Defense contractors are appropriately rewarded for their innovation and invention.

(C) Providing for cost-effective repurchase, sustainment, modification, and upgrades to Department of Defense systems.

(D) Encouraging the private sector to invest in new products, technologies, and processes relevant to the missions of the Department of Defense.

(E) Ensuring that the Department of Defense has appropriate access to innovative products, technologies, and processes developed by the private sector for commercial use.

(4) FINAL REPORT.—Not later than September 30, 2016, the advisory panel shall submit its final report and recommendations to the Secretary of Defense. Not later than 60 days after receiving the report, the Secretary shall submit a copy of the report, together with any comments or recommendations, to the congressional defense committees.

SEC. 814. PROCUREMENT OF SUPPLIES FOR EXPERIMENTAL PURPOSES.

(a) ADDITIONAL PROCUREMENT AUTHORITY.—Subsection (a) of section 2373 of title 10, United States Code, is amended by inserting “transportation, energy, medical, spaceflight,” before “and aeronautical supplies”.

(b) APPLICABILITY OF CHAPTER 137 OF TITLE 10, UNITED STATES CODE.—Subsection (b) of such section is amended by striking “only when such purchases are made in quantity” and inserting “only when such purchases are made in quantities greater than necessary for experimentation, technical evaluation, assessment of operational utility, or safety or to provide a residual operational capability”.

SEC. 815. AMENDMENTS TO OTHER TRANSACTION AUTHORITY.

(a) AUTHORITY OF THE DEPARTMENT OF DEFENSE TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.—

(1) IN GENERAL.—Chapter 139 of title 10, United States Code, is amended by inserting after section 2371a the following new section:

“§ 2371b. Authority of the Department of Defense to carry out certain prototype projects

“(a) AUTHORITY.—(1) Subject to paragraph (2), the Director of the Defense Advanced Research Projects Agency, the Secretary of a military department, or any other official designated by the Secretary of Defense may, under the authority of section 2371 of this title, carry out prototype projects that are directly relevant to enhancing the mission effectiveness of military personnel and the supporting platforms, systems, components, or materials proposed to be acquired or developed by the Department of Defense, or to improvement of platforms, systems, components, or materials in use by the armed forces.

“(2) The authority of this section—

“(A) may be exercised for a prototype project that is expected to cost the Department of Defense in excess of \$50,000,000 but not in excess of \$250,000,000 (including all options) only upon a written determination by the senior procurement executive for the agency as designated for the purpose of section 1702(c) of title 41, or, for the Defense Advanced Research Projects Agency or the Missile Defense Agency, the director of the agency that—

“(i) the requirements of subsection (d) will be met; and

“(ii) the use of the authority of this section is essential to promoting the success of the prototype project; and

“(B) may be exercised for a prototype project that is expected to cost the Department of Defense in excess of \$250,000,000 (including all options) only if—

“(i) the Under Secretary of Defense for Acquisition, Technology, and Logistics determines in writing that—

“(I) the requirements of subsection (d) will be met; and

“(II) the use of the authority of this section is essential to meet critical national security objectives; and

“(ii) the congressional defense committees are notified in writing at least 30 days before such authority is exercised.

“(3) The authority of a senior procurement executive or director of the Defense Advanced Research Projects Agency or Missile Defense Agency under paragraph (2)(A), and the authority of the Under Secretary of Defense for Acquisition, Technology, and Logistics under paragraph (2)(B), may not be delegated.

“(b) EXERCISE OF AUTHORITY.—

“(1) Subsections (e)(1)(B) and (e)(2) of such section 2371 shall not apply to projects carried out under subsection (a).

“(2) To the maximum extent practicable, competitive procedures shall be used when entering into agreements to carry out projects under subsection (a).

“(c) COMPTROLLER GENERAL ACCESS TO INFORMATION.—(1) Each agreement entered into by an official referred to in subsection (a) to carry out a project under that subsection that provides for payments in a total amount in excess of \$5,000,000 shall include a clause that provides for the Comptroller General, in the discretion of the Comptroller General, to examine the records of any party to the agreement or any entity that participates in the performance of the agreement.

“(2) The requirement in paragraph (1) shall not apply with respect to a party or entity, or a subordinate element of a party or entity, that has not entered into any other agreement that provides for audit access by a Government entity in the year prior to the date of the agreement.

“(3)(A) The right provided to the Comptroller General in a clause of an agreement under paragraph (1) is limited as provided in subparagraph (B) in the case of a party to the agreement, an entity that participates in the performance of the agreement, or a subordinate element of that party or entity if the only agreements or other transactions that the party, entity, or subordinate element entered into with Government entities in the year prior to the date of that agreement are cooperative agreements or transactions that were entered into under this section or section 2371 of this title.

“(B) The only records of a party, other entity, or subordinate element referred to in subparagraph (A) that the Comptroller General may examine in the exercise of the right referred to in that subparagraph are records of the same type as the records that the Government has had the right to examine under the audit access clauses of the previous agreements or transactions referred to in such subparagraph that were entered into by that particular party, entity, or subordinate element.

“(4) The head of the contracting activity that is carrying out the agreement may waive the applicability of the requirement in paragraph (1) to the agreement if the head of

the contracting activity determines that it would not be in the public interest to apply the requirement to the agreement. The waiver shall be effective with respect to the agreement only if the head of the contracting activity transmits a notification of the waiver to Congress and the Comptroller General before entering into the agreement. The notification shall include the rationale for the determination.

“(5) The Comptroller General may not examine records pursuant to a clause included in an agreement under paragraph (1) more than three years after the final payment is made by the United States under the agreement.

“(d) APPROPRIATE USE OF AUTHORITY.—(1) The Secretary of Defense shall ensure that no official of an agency enters into a transaction (other than a contract, grant, or cooperative agreement) for a prototype project under the authority of this section unless one of the following conditions is met:

“(A) There is at least one nontraditional defense contractor participating to a significant extent in the prototype project.

“(B) All significant participants in the transaction other than the Federal Government are small businesses or nontraditional defense contractors.

“(C) At least one third of the total cost of the prototype project is to be paid out of funds provided by parties to the transaction other than the Federal Government.

“(D) The senior procurement executive for the agency determines in writing that exceptional circumstances justify the use of a transaction that provides for innovative business arrangements or structures that would not be feasible or appropriate under a contract, or would provide an opportunity to expand the defense supply base in a manner that would not be practical or feasible under a contract.

“(2)(A) Except as provided in subparagraph (B), the amounts counted for the purposes of this subsection as being provided, or to be provided, by a party to a transaction with respect to a prototype project that is entered into under this section other than the Federal Government do not include costs that were incurred before the date on which the transaction becomes effective.

“(B) Costs that were incurred for a prototype project by a party after the beginning of negotiations resulting in a transaction (other than a contract, grant, or cooperative agreement) with respect to the project before the date on which the transaction becomes effective may be counted for purposes of this subsection as being provided, or to be provided, by the party to the transaction if and to the extent that the official responsible for entering into the transaction determines in writing that—

“(i) the party incurred the costs in anticipation of entering into the transaction; and

“(ii) it was appropriate for the party to incur the costs before the transaction became effective in order to ensure the successful implementation of the transaction.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘nontraditional defense contractor’ has the meaning given the term under section 2302(9) of this title.

“(2) The term ‘small business’ means a small business concern as defined under section 3 of the Small Business Act (15 U.S.C. 632).

“(f) FOLLOW-ON PRODUCTION CONTRACTS OR TRANSACTIONS.—(1) A transaction entered into under this section for a prototype project may provide for the award of a follow-on production contract or transaction to the participants in the transaction.

“(2) A follow-on production contract or transaction provided for in a transaction under paragraph (1) may be awarded to the participants in the transaction without the use of competitive procedures, notwithstanding the requirements of section 2304 of this title, if—

“(A) competitive procedures were used for the selection of parties for participation in the transaction; and

“(B) the participants in the transaction successfully completed the prototype project provided for in the transaction.

“(3) Contracts and transactions entered into pursuant to this subsection may be awarded using the authority in subsection (a), under the authority of chapter 137 of this title, or under such procedures, terms, and conditions as the Secretary of Defense may establish by regulation.

“(g) AUTHORITY TO PROVIDE PROTOTYPES AND FOLLOW-ON PRODUCTION ITEMS AS GOVERNMENT-FURNISHED EQUIPMENT.—An agreement entered into pursuant to the authority of subsection (a) or a follow-on contract or transaction entered into pursuant to the authority of subsection (f) may provide for prototypes or follow-on production items to be provided to another contractor as Government-furnished equipment.

“(h) APPLICABILITY OF PROCUREMENT ETHICS REQUIREMENTS.—An agreement entered into under the authority of this section shall be treated as a Federal agency procurement for the purposes of chapter 21 of title 41.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of such title is amended by inserting after the item relating to section 2371a the following new item:

“2371b. Authority of the Department of Defense to carry out certain prototype projects.”

(b) MODIFICATION TO DEFINITION OF NON-TRADITIONAL DEFENSE CONTRACTOR.—Section 2302(9) of such title is amended to read as follows:

“(9) The term ‘nontraditional defense contractor’, with respect to a procurement or with respect to a transaction authorized under section 2371(a) or 2371b of this title, means an entity that is not currently performing and has not performed, for at least the one-year period preceding the solicitation of sources by the Department of Defense for the procurement or transaction, any contract or subcontract for the Department of Defense that is subject to full coverage under the cost accounting standards prescribed pursuant to section 1502 of title 41 and the regulations implementing such section.”

(c) REPEAL OF OBSOLETE AUTHORITY.—Section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160; 10 U.S.C. 2371 note) is hereby repealed. Transactions entered into under the authority of such section 845 shall remain in force and effect and shall be modified as appropriate to reflect the amendments made by this section.

(d) TECHNICAL AND CONFORMING AMENDMENT.—Subparagraph (B) of section 1601(c)(1) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 10 U.S.C. 2358 note) is amended to read as follows:

“(B) sections 2371 and 2371b of title 10, United States Code.”

(e) UPDATED GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue updated guidance to implement the amendments made by this section.

(f) ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of

this Act, the Secretary of Defense shall submit to the congressional defense committees an assessment of—

(1) the benefits and risks of permitting not-for-profit defense contractors to be awarded transaction agreements under section 2371b of title 10, United States Code, for the purposes of cost-sharing requirements of subsection (d)(1)(C) of such section; and

(2) the benefits and risks of removing the cost-sharing requirements of subsection (d)(1)(C) of such section in their entirety.

SEC. 816. AMENDMENT TO ACQUISITION THRESHOLD FOR SPECIAL EMERGENCY PROCUREMENT AUTHORITY.

Section 1903(b)(2) of title 41, United States Code, is amended—

(1) in subparagraph (A), by striking “\$250,000” and inserting “\$750,000”; and

(2) in subparagraph (B), by striking “\$1,000,000” and inserting “\$1,500,000”.

SEC. 817. REVISION OF METHOD OF ROUNDING WHEN MAKING INFLATION ADJUSTMENT OF ACQUISITION-RELATED DOLLAR THRESHOLDS.

Section 1908(e)(2) of title 41, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking “on the day before the adjustment” and inserting “as calculated under paragraph (1)”;

(2) by striking “and” at the end of subparagraph (C); and

(3) by striking subparagraph (D) and inserting the following new subparagraphs:

“(D) not less than \$1,000,000, but less than \$10,000,000, to the nearest \$500,000;

“(E) not less than \$10,000,000, but less than \$100,000,000, to the nearest \$5,000,000;

“(F) not less than \$100,000,000, but less than \$1,000,000,000, to the nearest \$50,000,000; and

“(G) \$1,000,000,000 or more, to the nearest \$500,000,000.”.

Subtitle C—Provisions Related to Major Defense Acquisition Programs

SEC. 821. ACQUISITION STRATEGY REQUIRED FOR EACH MAJOR DEFENSE ACQUISITION PROGRAM, MAJOR AUTOMATED INFORMATION SYSTEM, AND MAJOR SYSTEM.

(a) CONSOLIDATION OF REQUIREMENTS RELATING TO ACQUISITION STRATEGY.—

(1) NEW TITLE 10 SECTION.—Chapter 144 of title 10, United States Code, is amended by inserting after section 2431 the following new section:

“§ 2431a. Acquisition strategy

“(a) ACQUISITION STRATEGY REQUIRED.—There shall be an acquisition strategy for each major defense acquisition program, each major automated information system, and each major system approved by a milestone decision authority.

“(b) RESPONSIBLE OFFICIAL.—For each acquisition strategy required by subsection (a), the Under Secretary of Defense for Acquisition, Technology, and Logistics is responsible for issuing and maintaining the requirements for—

“(1) the content of the strategy; and

“(2) the review and approval process for the strategy.

“(c) CONSIDERATIONS.—(1) In issuing requirements for the content of an acquisition strategy for a major defense acquisition program, major automated information system, or major system, the Under Secretary shall ensure that—

“(A) the strategy clearly describes the proposed top-level business and technical management approach for the program or system, in sufficient detail to allow the milestone decision authority to assess the viability of the proposed approach, the method of

implementing laws and policies, and program objectives;

“(B) the strategy contains a clear explanation of how the strategy is designed to be implemented with available resources, such as time, funding, and management capacity;

“(C) the strategy is tailored to address program requirements and constraints; and

“(D) the strategy considers the items listed in paragraph (2).

“(2) Each strategy shall, where appropriate, consider the following:

“(A) An approach that delivers required capability in increments, each depending on available mature technology, and that recognizes up front the need for future capability improvements.

“(B) Acquisition approach, including industrial base considerations in accordance with section 2440 of this title.

“(C) Risk management, including such methods as competitive prototyping at the system, subsystem, or component level, in accordance with section 2431b of this title.

“(D) Business strategy, including measures to ensure competition at the system and subsystem level throughout the life-cycle of the program or system in accordance with section 2337 of this title.

“(E) Contracting strategy, including—

“(i) contract type and how the type selected relates to level of program risk in each acquisition phase;

“(ii) how the plans for the program or system to reduce risk enable the use of fixed-price elements in subsequent contracts and the timing of the use of those fixed price elements;

“(iii) market research; and

“(iv) consideration of small business participation.

“(F) Intellectual property strategy in accordance with section 2320 of this title.

“(G) International involvement, including foreign military sales and cooperative opportunities, in accordance with section 2350a of this title.

“(H) Multiyear procurement in accordance with section 2306b of this title.

“(I) Integration of current intelligence assessments into the acquisition process.

“(J) Requirements related to logistics, maintenance, and sustainment in accordance with sections 2464 and 2466 of this title.

“(d) REVIEW.—(1) Subject to the authority, direction, and control of the Under Secretary of Defense for Acquisition, Technology, and Logistics, the milestone decision authority shall review and approve, as appropriate, the acquisition strategy for a major defense acquisition program, major automated information system, or major system at each of the following times:

“(A) Milestone A approval.

“(B) The decision to release the request for proposals for development of the program or system.

“(C) Milestone B approval.

“(D) Each subsequent milestone.

“(E) Review of any decision to enter into full-rate production.

“(F) When there has been—

“(i) a significant change to the cost of the program or system;

“(ii) a critical change to the cost of the program or system;

“(iii) a significant change to the schedule of the program or system; or

“(iv) a significant change to the performance of the program or system.

“(G) Any other time considered relevant by the milestone decision authority.

“(2) If the milestone decision authority revises an acquisition strategy for a program

or system, the milestone decision authority shall provide notice of the revision to the congressional defense committees.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘major defense acquisition program’ has the meaning provided in section 2430 of this title.

“(2) The term ‘major system’ has the meaning provided in section 2302(5) of this title.

“(3) The term ‘Milestone A approval’ means a decision to enter into technology maturation and risk reduction pursuant to guidance prescribed by the Secretary of Defense for the management of Department of Defense acquisition programs.

“(4) The term ‘Milestone B approval’ has the meaning provided in section 2366(e)(7) of this title.

“(5) The term ‘milestone decision authority’, with respect to a major defense acquisition program, major automated information system, or major system, means the official within the Department of Defense designated with the overall responsibility and authority for acquisition decisions for the program or system, including authority to approve entry of the program or system into the next phase of the acquisition process.

“(6) The term ‘management capacity’, with respect to a major defense acquisition program, major automated information system, or major system, means the capacity to manage the program or system through the use of highly qualified organizations and personnel with appropriate experience, knowledge, and skills.

“(7) The term ‘significant change to the cost’, with respect to a major defense acquisition program or major system, means a significant cost growth threshold, as that term is defined in section 2433(a)(4) of this title.

“(8) The term ‘critical change to the cost’, with respect to a major defense acquisition program or major system, means a critical cost growth threshold, as that term is defined in section 2433(a)(5) of this title.

“(9) The term ‘significant change to the schedule’, with respect to a major defense acquisition program, major automated information system, or major system, means any schedule delay greater than six months in a reported event.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2431 the following new item:

“2431a. Acquisition strategy.”.

(b) ADDITIONAL AMENDMENTS.—

(1) Section 2350a(e) of such title is amended—

(A) in the subsection heading, by striking “DOCUMENT”;

(B) in paragraph (1), by striking “the Under Secretary of Defense for” and all that follows through “of the Board” and inserting “opportunities for such cooperative research and development shall be addressed in the acquisition strategy for the project”; and

(C) in paragraph (2)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “document” and inserting “discussion”; and

(II) by striking “include” and inserting “consider”;

(ii) in subparagraph (A), by striking “A statement indicating whether” and inserting “Whether”;

(iii) in subparagraph (B)—

(I) by striking “by the Under Secretary of Defense for Acquisition, Technology, and Logistics”; and

(II) by striking “of the United States under consideration by the Department of Defense”; and

(iv) in subparagraph (D), by striking “The recommendation of the Under Secretary” and inserting “A recommendation to the milestone decision authority”.

(2) Section 803 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 10 U.S.C. 2430 note) is repealed.

SEC. 822. REVISION TO REQUIREMENTS RELATING TO RISK MANAGEMENT IN DEVELOPMENT OF MAJOR DEFENSE ACQUISITION PROGRAMS AND MAJOR SYSTEMS.

(a) RISK MANAGEMENT AND MITIGATION REQUIREMENTS.—

(1) IN GENERAL.—Chapter 144 of title 10, United States Code, is amended by inserting after section 2431a (as added by section 821) the following new section:

“§2431b. Risk management and mitigation in major defense acquisition programs and major systems

“(a) REQUIREMENT.—The Secretary of Defense shall ensure that the initial acquisition strategy (required under section 2431a of this title) approved by the milestone decision authority and any subsequent revisions include the following:

“(1) A comprehensive approach for managing and mitigating risk (including technical, cost, and schedule risk) during each of the following periods or when determined appropriate by the milestone decision authority:

“(A) The period preceding engineering manufacturing development, or its equivalent.

“(B) The period preceding initial production.

“(C) The period preceding full-rate production.

“(2) An identification of the major sources of risk in each of the periods listed in paragraph (1) to improve programmatic decision-making and appropriately minimize and manage program concurrency.

“(b) APPROACH TO MANAGE AND MITIGATE RISKS.—The comprehensive approach to manage and mitigate risk included in the acquisition strategy for purposes of subsection (a)(1) shall, at a minimum, include consideration of risk mitigation techniques such as the following:

“(1) Prototyping (including prototyping at the system, subsystem, or component level and competitive prototyping, where appropriate) and, if prototyping at either the system, subsystem, or component level is not used, an explanation of why it is not appropriate.

“(2) Modeling and simulation, the areas that modeling and simulation will assess, and identification of the need for development of any new modeling and simulation tools in order to support the comprehensive strategy.

“(3) Technology demonstrations and decision points for disciplined transition of planned technologies into programs or the selection of alternative technologies.

“(4) Multiple design approaches.

“(5) Alternative designs, including any designs that meet requirements but do so with reduced performance.

“(6) Phasing of program activities or related technology development efforts in order to address high-risk areas as early as feasible.

“(7) Manufacturability and industrial base availability.

“(8) Independent risk element assessments by outside subject matter experts.

“(9) Schedule and funding margins for identified risks.

“(c) PREFERENCE FOR PROTOTYPING.—To the maximum extent practicable and consistent with the economical use of available financial resources, the milestone decision authority for each major defense acquisition program shall ensure that the acquisition strategy for the program provides for—

“(1) the production of competitive prototypes at the system or subsystem level before Milestone B approval; or

“(2) if the production of competitive prototypes is not practicable, the production of single prototypes at the system or subsystem level.

“(d) DEFINITIONS.—In this section, the terms ‘major defense acquisition program’ and ‘major system’ have the meanings provided in section 2431a of this title.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2431a, as so added, the following new item:

“2431b. Risk reduction in major defense acquisition programs and major systems.”.

(b) REPEAL OF SUPERSEDED PROVISION.—Section 203 of the Weapon Systems Acquisition Reform Act of 2009 (10 U.S.C. 2430 note) is repealed.

SEC. 823. REVISION OF MILESTONE A DECISION AUTHORITY RESPONSIBILITIES FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REVISION TO MILESTONE A REQUIREMENTS.—Section 2366a of title 10, United States Code, is amended to read as follows:

“§2366a. Major defense acquisition programs: determination required before Milestone A approval

“(a) RESPONSIBILITIES.—Before granting Milestone A approval for a major defense acquisition program or a major subprogram, the milestone decision authority for the program or subprogram shall ensure that—

“(1) information about the program or subprogram is sufficient to warrant entry of the program or subprogram into the risk reduction phase;

“(2) the Secretary of the military department concerned and the Chief of the armed force concerned concur in the cost, schedule, technical feasibility, and performance trade-offs that have been made with regard to the program; and

“(3) there are sound plans for progression of the program or subprogram to the development phase.

“(b) WRITTEN DETERMINATION REQUIRED.—A major defense acquisition program or subprogram may not receive Milestone A approval or otherwise be initiated prior to Milestone B approval until the milestone decision authority determines in writing, after consultation with the Joint Requirements Oversight Council on matters related to program requirements and military needs—

“(1) that the program fulfills an approved initial capabilities document;

“(2) that the program has been developed in light of appropriate market research;

“(3) if the program duplicates a capability already provided by an existing system, the duplication provided by such program is necessary and appropriate;

“(4) that, with respect to any identified areas of risk, there is a plan to reduce the risk;

“(5) that planning for sustainment has been addressed and that a determination of applicability of core logistics capabilities requirements has been made;

“(6) that an analysis of alternatives has been performed consistent with study guidance developed by the Director of Cost Assessment and Program Evaluation;

“(7) that a cost estimate for the program has been submitted, with the concurrence of the Director of Cost Assessment and Program Evaluation, and that the level of resources required to develop, procure, and sustain the program is sufficient for successful program execution; and

“(8) that the program or subprogram meets any other considerations the milestone decision authority considers relevant.

“(c) SUBMISSION TO CONGRESS.—At the request of any of the congressional defense committees, the Secretary of Defense shall submit to the committee an explanation of the basis for a determination made under subsection (b) with respect to a major defense acquisition program, together with a copy of the written determination. The explanation shall be submitted in unclassified form, but may include a classified annex.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘major defense acquisition program’ has the meaning provided in section 2430 of this title.

“(2) The term ‘initial capabilities document’ means any capabilities requirement document approved by the Joint Requirements Oversight Council that establishes the need for a materiel approach to resolve a capability gap.

“(3) The term ‘Milestone A approval’ means a decision to enter into technology maturation and risk reduction pursuant to guidance prescribed by the Secretary of Defense for the management of Department of Defense acquisition programs.

“(4) The term ‘Milestone B approval’ has the meaning provided that term in section 2366(e)(7) of this title.

“(5) The term ‘core logistics capabilities’ means the core logistics capabilities identified under section 2464(a) of this title.

“(6) the term ‘major subprogram’ means a major subprogram of a major defense acquisition program designated under section 2430a(a)(1) of this title.

“(7) The term ‘milestone decision authority’, with respect to a major defense acquisition program or a major subprogram, means the official within the Department of Defense designated with the overall responsibility and authority for acquisition decisions for the program or subprogram, including authority to approve entry of the program or subprogram into the next phase of the acquisition process.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of such title is amended by striking the item relating to section 2366a and inserting the following:

“2366a. Major defense acquisition programs: determination required before Milestone A approval.”.

SEC. 824. REVISION OF MILESTONE B DECISION AUTHORITY RESPONSIBILITIES FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REVISION TO MILESTONE B REQUIREMENTS.—Section 2366b of title 10, United States Code, is amended to read as follows:

“§2366b. Major defense acquisition programs: certification required before Milestone B approval

“(a) CERTIFICATIONS AND DETERMINATION REQUIRED.—A major defense acquisition program may not receive Milestone B approval until the milestone decision authority—

“(1) has received a preliminary design review and conducted a formal post-preliminary design review assessment, and certifies

on the basis of such assessment that the program demonstrates a high likelihood of accomplishing its intended mission;

“(2) further certifies that the technology in the program has been demonstrated in a relevant environment, as determined by the milestone decision authority on the basis of an independent review and assessment by the Assistant Secretary of Defense for Research and Engineering, in consultation with the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation;

“(3) determines in writing that—

“(A) the program is affordable when considering the ability of the Department of Defense to accomplish the program’s mission using alternative systems;

“(B) appropriate trade-offs among cost, schedule, technical feasibility, and performance objectives have been made to ensure that the program is affordable when considering the per unit cost and the total acquisition cost in the context of the total resources available during the period covered by the future-years defense program submitted during the fiscal year in which the certification is made;

“(C) reasonable cost and schedule estimates have been developed to execute, with the concurrence of the Director of Cost Assessment and Program Evaluation, the product development and production plan under the program; and

“(D) funding is available to execute the product development and production plan under the program, through the period covered by the future-years defense program submitted during the fiscal year in which the certification is made, consistent with the estimates described in subparagraph (C) for the program;

“(E) appropriate market research has been conducted prior to technology development to reduce duplication of existing technology and products;

“(F) the Department of Defense has completed an analysis of alternatives with respect to the program;

“(G) the Joint Requirements Oversight Council has accomplished its duties with respect to the program pursuant to section 181(b) of this title, including an analysis of the operational requirements for the program;

“(H) life-cycle sustainment planning, including corrosion prevention and mitigation planning, has identified and evaluated relevant sustainment costs throughout development, production, operation, sustainment, and disposal of the program, and any alternatives, and that such costs are reasonable and have been accurately estimated;

“(I) an estimate has been made of the requirements for core logistics capabilities and the associated sustaining workloads required to support such requirements;

“(J) there is a plan to mitigate and account for any costs in connection with any anticipated de-certification of cryptographic systems and components during the production and procurement of the major defense acquisition program to be acquired;

“(K) the program complies with all relevant policies, regulations, and directives of the Department of Defense; and

“(L) the Secretary of the military department concerned and the Chief of the armed force concerned concur in the trade-offs made in accordance with subparagraph (B); and

“(4) in the case of a space system, performs a cost benefit analysis for any new or follow-on satellite system using a dedicated ground control system instead of a shared ground

control system, except that no cost benefit analysis is required to be performed under this paragraph for any Milestone B approval of a space system after December 31, 2019.

“(b) CHANGES TO CERTIFICATIONS OR DETERMINATION.—(1) The program manager for a major defense acquisition program that has received certifications or a determination under subsection (a) shall immediately notify the milestone decision authority of any changes to the program or a designated major subprogram of such program that—

“(A) alter the substantive basis for the certifications or determination of the milestone decision authority relating to any component of such certifications or determination specified in paragraph (1), (2), or (3) of subsection (a); or

“(B) otherwise cause the program or subprogram to deviate significantly from the material provided to the milestone decision authority in support of such certifications or determination.

“(2) Upon receipt of information under paragraph (1), the milestone decision authority may withdraw the certifications or determination concerned or rescind Milestone B approval if the milestone decision authority determines that such certifications, determination, or approval are no longer valid.

“(c) SUBMISSION TO CONGRESS.—(1) The certifications and determination under subsection (a) with respect to a major defense acquisition program shall be submitted to the congressional defense committees with the first Selected Acquisition Report submitted under section 2432 of this title after completion of the certification.

“(2) The milestone decision authority shall retain records of the basis for the certifications and determination under paragraphs (1), (2), and (3) of subsection (a).

“(3) At the request of any of the congressional defense committees, the Secretary of Defense shall submit to the committee an explanation of the basis for the certifications and determination under paragraphs (1), (2), and (3) of subsection (a) with respect to a major defense acquisition program. The explanation shall be submitted in unclassified form, but may include a classified annex.

“(d) WAIVER FOR NATIONAL SECURITY.—(1) The milestone decision authority may, at the time of Milestone B approval or at the time that such milestone decision authority withdraws a certification or rescinds Milestone B approval pursuant to subsection (b)(2), waive the applicability to a major defense acquisition program of one or more components (as specified in paragraph (1), (2), or (3) of subsection (a)) of the certification and determination requirements if the milestone decision authority determines that, but for such a waiver, the Department would be unable to meet critical national security objectives.

“(2) Whenever the milestone decision authority makes such a determination and authorizes such a waiver—

“(A) the waiver, the waiver determination, and the reasons for the waiver determination shall be submitted in writing to the congressional defense committees within 30 days after the waiver is authorized; and

“(B) the milestone decision authority shall review the program not less often than annually to determine the extent to which such program currently satisfies the certification and determination components specified in paragraphs (1), (2), and (3) of subsection (a) until such time as the milestone decision authority determines that the program satisfies all such certification and determination components.

“(3) The requirement in paragraph (2)(B) shall not apply to a program for which a certification was required pursuant to section 2433a(c) of this title if the milestone decision authority—

“(A) determines in writing that—

“(i) the program has reached a stage in the acquisition process at which it would not be practicable to meet the certification component that was waived; and

“(ii) the milestone decision authority has taken appropriate alternative actions to address the underlying purposes of such certification component; and

“(B) submits the written determination, and an explanation of the basis for the determination, to the congressional defense committees.

“(e) DESIGNATION OF CERTIFICATION STATUS IN BUDGET DOCUMENTATION.—Any budget request, budget justification material, budget display, reprogramming request, Selected Acquisition Report, or other budget documentation or performance report submitted by the Secretary of Defense to the President regarding a major defense acquisition program receiving a waiver pursuant to subsection (d) shall prominently and clearly indicate that such program has not fully satisfied the certification requirements of this section until such time as the milestone decision authority makes the determination that such program has satisfied all such certification requirements.

“(f) NONDELEGATION.—The milestone decision authority may not delegate the certification requirement under subsection (a) or the authority to waive any component of such requirement under subsection (d).

“(g) DEFINITIONS.—In this section:

“(1) The term ‘major defense acquisition program’ means a Department of Defense acquisition program that is a major defense acquisition program for purposes of section 2430 of this title.

“(2) The term ‘designated major subprogram’ means a major subprogram of a major defense acquisition program designated under section 2430a(a)(1) of this title.

“(3) The term ‘milestone decision authority’, with respect to a major defense acquisition program, means the official within the Department of Defense designated with the overall responsibility and authority for acquisition decisions for the program, including authority to approve entry of the program into the next phase of the acquisition process.

“(4) The term ‘Milestone B approval’ has the meaning provided that term in section 2366(e)(7) of this title.

“(5) The term ‘core logistics capabilities’ means the core logistics capabilities identified under section 2464(a) of this title.”

(b) CONFORMING AMENDMENT.—Section 2334(a) of title 10, United States Code, is amended in paragraph (6)(A)(i) by striking “any certification under” and inserting “any decision to grant milestone approval pursuant to”.

SEC. 825. DESIGNATION OF MILESTONE DECISION AUTHORITY.

(a) IN GENERAL.—Section 2430 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d)(1) The milestone decision authority for a major defense acquisition program reaching Milestone A after October 1, 2016, shall be the service acquisition executive of the military department that is managing the program, unless the Secretary of Defense designates, under paragraph (2), another official to serve as the milestone decision authority.

“(2) The Secretary of Defense may designate an alternate milestone decision authority for a program with respect to which—

“(A) the Secretary determines that the program is addressing a joint requirement;

“(B) the Secretary determines that the program is best managed by a Defense Agency;

“(C) the program has incurred a unit cost increase greater than the significant cost threshold or critical cost threshold under section 2433 of this title;

“(D) the program is critical to a major interagency requirement or technology development effort, or has significant inter-national partner involvement; or

“(E) the Secretary determines that an alternate official serving as the milestone decision authority will best provide for the program to achieve desired cost, schedule, and performance outcomes.

“(3)(A) After designating an alternate milestone decision authority under paragraph (2) for a program, the Secretary of Defense may revert the position of milestone decision authority for the program back to the service acquisition executive upon request of the Secretary of the military department concerned. A decision on the request shall be made within 180 days after receipt of the request from the Secretary of the military department concerned.

“(B) If the Secretary of Defense denies the request for reversion of the milestone decision authority back to the service acquisition executive, the Secretary shall report to the congressional defense committees on the basis of the Secretary's decision that an alternate official serving as milestone decision authority will best provide for the program to achieve desired cost, schedule, and performance outcomes. No such reversion is authorized after a program has incurred a unit cost increase greater than the significant cost threshold or critical cost threshold under section 2433 of this title, except in exceptional circumstances.

“(4)(A) For each major defense acquisition program, the Secretary of the military department concerned and the Chief of the armed force concerned shall, in each Selected Acquisition Report required under section 2432 of this title, certify that program requirements are stable and funding is adequate to meet cost, schedule, and performance objectives for the program and identify and report to the congressional defense committees on any increased risk to the program since the last report.

“(B) The Secretary of Defense shall review the acquisition oversight process for major defense acquisition programs and shall limit outside requirements for documentation to an absolute minimum on those programs where the service acquisition executive of the military department that is managing the program is the milestone decision authority and ensure that any policies, procedures, and activities related to oversight efforts conducted outside of the military departments with regard to major defense acquisition programs shall be implemented in a manner that does not unnecessarily increase program costs or impede program schedules.”.

(b) **CONFORMING AMENDMENT.**—Section 133(b)(5) of such title is amended by inserting before the period at the end the following: “, except that the Under Secretary shall exercise advisory authority, subject to the authority, direction, and control of the Secretary of Defense, over service acquisition programs for which the service acquisition

executive is the milestone decision authority”.

(c) **IMPLEMENTATION.**—

(1) **IMPLEMENTATION PLAN.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for implementing subsection (d) of section 2430 of title 10, United States Code, as added by subsection (a) of this section.

(2) **GUIDANCE.**—The Deputy Chief Management Officer of the Department of Defense, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics and the service acquisition executives, shall issue guidance to ensure that by not later than October 1, 2016, the acquisition policy, guidance, and practices of the Department of Defense conform to the requirements of subsection (d) of section 2430 of title 10, United States Code, as added by subsection (a) of this section. The guidance shall be designed to ensure a streamlined decisionmaking and approval process and to minimize any information requests, consistent with the requirement of paragraph (4)(A) of such subsection (d).

(3) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) shall take effect on October 1, 2016.

SEC. 826. TENURE AND ACCOUNTABILITY OF PROGRAM MANAGERS FOR PROGRAM DEFINITION PERIODS.

(a) **REVISED GUIDANCE REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall revise Department of Defense guidance for major defense acquisition programs to address the tenure and accountability of program managers for the program definition period of major defense acquisition programs.

(b) **PROGRAM DEFINITION PERIOD.**—For the purposes of this section, the term “program definition period”, with respect to a major defense acquisition program, means the period beginning with initiation of the program and ending with Milestone B approval (or Key Decision Point B approval in the case of a space program).

(c) **RESPONSIBILITIES.**—The revised guidance required by subsection (a) shall provide that the program manager for the program definition period of a major defense acquisition program is responsible for—

(1) bringing technologies to maturity and identifying the manufacturing processes that will be needed to carry out the program;

(2) ensuring continuing focus during program development on meeting stated mission requirements and other requirements of the Department of Defense;

(3) recommending trade-offs between program cost, schedule, and performance for the life-cycle of the program;

(4) developing a business case for the program; and

(5) ensuring that appropriate information is available to the milestone decision authority to make a decision on Milestone B approval (or Key Decision Point B approval in the case of a space program), including information necessary to make the certification required by section 2366a of title 10, United States Code.

(d) **QUALIFICATIONS, RESOURCES, AND TENURE.**—The Secretary of Defense shall ensure that each program manager for the program definition period of a major defense acquisition program—

(1) has the appropriate management, engineering, technical, and financial expertise needed to meet the responsibilities assigned pursuant to subsection (c);

(2) is provided the resources and support (including systems engineering expertise, cost-estimating expertise, and software development expertise) needed to meet such responsibilities; and

(3) is assigned to the program manager position for such program until such time as such program receives Milestone B approval (or Key Decision Point B approval in the case of a space program), unless removed for cause or due to exceptional circumstances.

(e) **WAIVER AUTHORITY.**—The Secretary may waive the requirement in paragraph (3) of subsection (d) upon a determination that the program definition period will take so long that it would not be appropriate for a single individual to serve as program manager for the entire period covered by such paragraph.

SEC. 827. TENURE AND ACCOUNTABILITY OF PROGRAM MANAGERS FOR PROGRAM EXECUTION PERIODS.

(a) **REVISED GUIDANCE REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall revise Department of Defense guidance for major defense acquisition programs to address the tenure and accountability of program managers for the program execution period of major defense acquisition programs.

(b) **PROGRAM EXECUTION PERIOD.**—For purposes of this section, the term “program execution period”, with respect to a major defense acquisition program, means the period beginning with Milestone B approval (or Key Decision Point B approval in the case of a space program) and ending with declaration of initial operational capability.

(c) **RESPONSIBILITIES.**—The revised guidance required by subsection (a) shall—

(1) require the program manager for the program execution period of a major defense acquisition program to enter into a performance agreement with the manager's immediate supervisor for such program within six months of assignment, that—

(A) establishes expected parameters for the cost, schedule, and performance of the program consistent with the business case for the program;

(B) provides the commitment of the supervisor to provide the level of funding and resources required to meet such parameters; and

(C) provides the assurance of the program manager that such parameters are achievable and that the program manager will be accountable for meeting such parameters; and

(2) provide the program manager with the authority to—

(A) consult on the addition of new program requirements that would be inconsistent with the parameters established in the performance agreement entered into pursuant to paragraph (1);

(B) recommend trade-offs between cost, schedule, and performance, provided that such trade-offs are consistent with the parameters established in the performance agreement entered into pursuant to paragraph (1); and

(C) develop such interim goals and milestones as may be required to achieve the parameters established in the performance agreement entered into pursuant to paragraph (1).

(d) **QUALIFICATIONS, RESOURCES, AND TENURE.**—The Secretary shall ensure that each program manager for the program execution period of a defense acquisition program—

(1) has the appropriate management, engineering, technical, and financial expertise

needed to meet the responsibilities assigned pursuant to subsection (c);

(2) is provided the resources and support (including systems engineering expertise, cost estimating expertise, and software development expertise) needed to meet such responsibilities; and

(3) is assigned to the program manager position for such program during the program execution period, unless removed for cause or due to exceptional circumstances.

(e) **WAIVER AUTHORITY.**—The immediate supervisor of a program manager for a major defense acquisition program may waive the requirement in paragraph (3) of subsection (d) upon a determination that the program execution period will take so long that it would not be appropriate for a single individual to serve as program manager for the entire program execution period.

SEC. 828. PENALTY FOR COST OVERRUNS.

(a) **IN GENERAL.**—For each fiscal year beginning with fiscal year 2015, the Secretary of each military department shall pay a penalty for cost overruns on the covered major defense acquisition programs of the military department.

(b) **CALCULATION OF PENALTY.**—For the purposes of this section:

(1) The amount of the cost overrun or underrun on any major defense acquisition program or subprogram in a fiscal year is the difference between the current program acquisition unit cost for the program or subprogram and the program acquisition unit cost for the program as shown in the original Baseline Estimate for the program or subprogram, multiplied by the quantity of items to be purchased under the program or subprogram, as reported in the final Selected Acquisition Report for the fiscal year in accordance with section 2432 of title 10, United States Code.

(2) Cost overruns or underruns for covered major defense acquisition programs that are joint programs of more than one military department shall be allocated among the military departments in percentages determined by the Under Secretary of Defense for Acquisition, Technology, and Logistics.

(3) The cumulative amount of cost overruns for a military department in a fiscal year is the sum of the cost overruns and cost underruns for all covered major defense acquisition programs of the department in the fiscal year (including cost overruns or underruns allocated to the military department in accordance with paragraph (2)).

(4) The cost overrun penalty for a military department in a fiscal year is three percent of the cumulative amount of cost overruns of the military department in the fiscal year, as determined pursuant to paragraph (3), except that the cost overrun penalty may not be a negative amount.

(c) TRANSFER OF FUNDS.—

(1) **REDUCTION OF RESEARCH, DEVELOPMENT, TEST, AND EVALUATION ACCOUNTS.**—Not later than 60 days after the end of each fiscal year beginning with fiscal year 2015, the Secretary of each military department shall reduce each research, development, test, and evaluation account of the military department by the percentage determined under paragraph (2), and remit such amount to the Secretary of Defense.

(2) **DETERMINATION OF AMOUNT.**—The percentage reduction to research, development, test, and evaluation accounts of a military department referred to in paragraph (1) is the percentage reduction to such accounts necessary to equal the cost overrun penalty for the fiscal year for such department determined pursuant to subsection (b)(4).

(3) **CREDITING OF FUNDS.**—Any amount remitted under paragraph (1) shall be credited to the Rapid Prototyping Fund established pursuant to section 804 of this Act.

(d) **COVERED PROGRAMS.**—A major defense acquisition program is covered under this section if the original Baseline Estimate was established for such program under paragraph (1) or (2) of section 2435(d) of title 10, United States Code, on or after May 22, 2009 (which is the date of the enactment of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111-23)).

SEC. 829. STREAMLINING OF REPORTING REQUIREMENTS APPLICABLE TO ASSISTANT SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING REGARDING MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) **REPORTING TO UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS BEFORE MILESTONE B APPROVAL.**—Subparagraph (A) of paragraph (8) of section 138(b) of title 10, United States Code, as amended by section 901(h)(2) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3466), is further amended—

(1) by striking “periodically”;

(2) by striking “the major defense acquisition programs” and inserting “each major defense acquisition program”;

(3) by inserting “before the Milestone B approval for that program” after “Department of Defense”;

(4) by striking “such reviews and assessments” and inserting “such review and assessment”.

(b) **ANNUAL REPORT TO SECRETARY OF DEFENSE AND CONGRESSIONAL DEFENSE COMMITTEES.**—Subparagraph (B) of such paragraph is amended by inserting “for which a Milestone B approval occurred during the preceding fiscal year” after “Department of Defense”.

SEC. 830. CONFIGURATION STEERING BOARDS FOR COST CONTROL UNDER MAJOR DEFENSE ACQUISITION PROGRAMS.

Section 814(c)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4529; 10 U.S.C. 2430 note) is amended—

(1) by redesignating subparagraphs (A), (B), and (C) as subparagraphs (B), (C), and (D), respectively; and

(2) by inserting after “for the following:” the following new subparagraph:

“(A) Monitoring changes in program requirements and ensuring the Chief of Staff of the Armed Force concerned, in consultation with the Secretary of the military department concerned, approves of any proposed changes that could have an adverse effect on program cost or schedule.”.

SEC. 831. REPEAL OF REQUIREMENT FOR STAND-ALONE MANPOWER ESTIMATES FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) **REPEAL OF REQUIREMENT.**—Subsection (a)(1) of section 2434 of title 10, United States Code, is amended by striking “and a manpower estimate for the program have” and inserting “has”.

(b) **CONFORMING AMENDMENTS RELATING TO REGULATIONS.**—Subsection (b) of such section is amended—

(1) by striking paragraph (2);

(2) by striking “shall require—” and all that follows through “that the independent” and inserting “shall require that the independent”;

(3) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and moving those paragraphs, as so redesignated, two ems to the left; and

(4) in paragraph (2), as so redesignated—

(A) by striking “and operations and support,” and inserting “operations and support, and trained manpower to operate, maintain, and support the program upon full operational deployment.”; and

(B) by striking “; and” and inserting a period.

(c) CLERICAL AMENDMENTS.—

(1) **SECTION HEADING.**—The heading of such section is amended to read as follows:

“§ 2434. Independent cost estimates”.

(2) **TABLE OF SECTIONS.**—The table of sections at the beginning of chapter 144 of such title is amended by striking the item relating to section 2434 and inserting the following:

“2434. Independent cost estimates.”.

SEC. 832. REVISION TO DUTIES OF THE DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR DEVELOPMENTAL TEST AND EVALUATION AND THE DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR SYSTEMS ENGINEERING.

Section 139b of title 10, United States Code, is amended—

(1) in subsection (a)(5)—

(A) in subparagraph (B), by striking “and approve or disapprove”; and

(B) in subparagraph (C), by inserting “in order to advise relevant technical authorities for such programs on the incorporation of best practices for developmental test from across the Department” after “in accordance with subsection (c)”; and

(2) in subsection (b)(5)—

(A) in subparagraph (B), by striking “and approve”; and

(B) in subparagraph (C), by inserting “in order to advise relevant technical authorities for such programs on the incorporation of best practices for systems engineering from across the Department” after “programs”.

Subtitle D—Provisions Relating to Acquisition Workforce

SEC. 841. AMENDMENTS TO DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND.

(a) **MODIFICATIONS TO DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND.**—Section 1705 of title 10, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (2), by amending subparagraph (C) to read as follows:

“(C) For purposes of this paragraph, the applicable percentage for a fiscal year is the percentage that results in the credit to the Fund of \$500,000,000 in each fiscal year.”;

(B) in paragraph (2), in subparagraph (D)—

(i) by striking “an amount specified in subparagraph (C)” and inserting “the amount specified in subparagraph (C)”; and

(ii) by striking “an amount that is less than” and all that follows through the end and inserting “an amount that is less than \$400,000,000.”; and

(C) in paragraph (3), by striking “24-month period” and inserting “36-month period”;

(2) in subsection (f), by striking “60 days” and inserting “120 days”; and

(3) in subsection (g)—

(A) by striking paragraph (2);

(B) by striking “acquisition workforce positions” and inserting “of positions in the acquisition workforce, as defined in subsection (h).”;

(C) by striking “AUTHORITY.—” and all that follows through “For purposes of” in paragraph (1) and inserting “AUTHORITY.—For purposes of”;

(D) by striking “(A)” and inserting “(1)”;

(E) by striking “(B)” and inserting “(2)”;

and

(F) by aligning paragraphs (1) and (2), as designated by subparagraphs (D) and (E), so as to be two ems from the left margin.

(b) MODIFICATIONS TO BIENNIAL STRATEGIC WORKFORCE PLAN.—Section 115b(d) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “the defense acquisition workforce, including both military and civilian personnel” and inserting “the military, civilian, and contractor personnel that directly support the acquisition processes of the Department of Defense, including persons serving in acquisition-related positions designated by the Secretary of Defense under section 1721 of this title”;

(2) in paragraph (2)(D)—

(A) in clause (i), by striking “; and” and inserting a semicolon;

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following new clause:

“(ii) a description of steps that will be taken to address any new or expanded critical skills and competencies the civilian employee workforce will need to address recent trends in defense acquisition, emerging best practices, changes in the Government and commercial marketplace, and new requirements established in law or regulation; and”;

(3) by adding at the end the following new paragraph:

“(3) For the purposes of paragraph (1), contractor personnel shall be treated as directly supporting the acquisition processes of the Department if, and to the extent that, such contractor personnel perform functions in support of personnel in Department of Defense positions designated by the Secretary of Defense under section 1721 of this title.”.

SEC. 842. DUAL-TRACK MILITARY PROFESSIONALS IN OPERATIONAL AND ACQUISITION SPECIALITIES.

(a) REQUIREMENT FOR CHIEF OF STAFF INVOLVEMENT.—Section 1722a(a) of title 10, United States Code, is amended by inserting after “military department” the following: “, in collaboration with the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps (with respect to the Army, Navy, Air Force, and Marine Corps, respectively).”.

(b) DUAL-TRACK CAREER PATH.—Section 1722a(b) of such title is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(2) in paragraph (1), by inserting “single-track” before “career path”; and

(3) by inserting after paragraph (1) the following new paragraph (2):

“(2) A dual-track career path that attracts the highest quality officers and enlisted personnel and allows them to gain experience in and receive credit for a primary career in combat arms and a functional secondary career in the acquisition field in order to more closely align the military operational, requirements, and acquisition workforces of each armed force.”.

SEC. 843. PROVISION OF JOINT DUTY ASSIGNMENT CREDIT FOR ACQUISITION DUTY.

Section 668(a)(1) of title 10, United States Code, is amended—

(1) by striking “or” at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting “; or”; and

(3) by adding at the end the following new subparagraph:

“(F) acquisition matters addressed by military personnel and covered under chapter 87 of this title.”.

SEC. 844. MANDATORY REQUIREMENT FOR TRAINING RELATED TO THE CONDUCT OF MARKET RESEARCH.

(a) MANDATORY MARKET RESEARCH TRAINING.—Section 2377 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d) MARKET RESEARCH TRAINING REQUIRED.—The Secretary of Defense shall provide mandatory training for members of the armed forces and employees of the Department of Defense responsible for the conduct of market research required under subsection (c). Such mandatory training shall, at a minimum—

“(1) provide comprehensive information on the subject of market research and the function of market research in the acquisition of commercial items;

“(2) teach best practices for conducting and documenting market research; and

“(3) provide methodologies for establishing standard processes and reports for collecting and sharing market research across the Department.”.

(b) INCORPORATION INTO MANAGEMENT CERTIFICATION TRAINING MANDATE.—The Chairman of the Joint Chiefs of Staff shall ensure that the requirements of section 2377(d) of title 10, United States Code, as added by subsection (a), are incorporated into the requirements management certification training mandate of the Joint Capabilities Integration Development System.

SEC. 845. INDEPENDENT STUDY OF IMPLEMENTATION OF DEFENSE ACQUISITION WORKFORCE IMPROVEMENT EFFORTS.

(a) REQUIREMENT FOR STUDY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent research entity described in subsection (b) to carry out a comprehensive study of the strategic planning of the Department of Defense related to the defense acquisition workforce. The study shall provide a comprehensive examination of the Department's efforts to recruit, develop, and retain the acquisition workforce with a specific review of the following:

(1) The implementation of the Defense Acquisition Workforce Improvement Act (including chapter 87 of title 10, United States Code).

(2) The application of the Department of Defense Acquisition Workforce Development Fund (as established under section 1705 of title 10, United States Code).

(3) The effectiveness of professional military education programs, including fellowships and exchanges with industry.

(b) INDEPENDENT RESEARCH ENTITY.—The entity described in this subsection is an independent research entity that is a not-for-profit entity or a federally funded research and development center with appropriate expertise and analytical capability.

(c) REPORTS.—

(1) TO SECRETARY.—Not later than one year after the date of the enactment of this Act, the independent research entity shall provide to the Secretary a report containing—

(A) the results of the study required by subsection (a); and

(B) such recommendations to improve the acquisition workforce as the independent research entity considers to be appropriate.

(2) TO CONGRESS.—Not later than 30 days after receipt of the report under paragraph (1), the Secretary of Defense shall submit such report, together with any additional views or recommendations of the Secretary, to the congressional defense committees.

SEC. 846. EXTENSION OF AUTHORITY FOR THE CIVILIAN ACQUISITION WORKFORCE PERSONNEL DEMONSTRATION PROJECT.

(a) EXTENSION.—Section 1762(g) of title 10, United States Code, is amended by striking “September 30, 2017” and inserting “December 31, 2020”.

(b) TECHNICAL AMENDMENT.—Such section is further amended by striking “demonstration program” and inserting “demonstration project”.

Subtitle E—Provisions Relating to Commercial Items

SEC. 851. PROCUREMENT OF COMMERCIAL ITEMS.

(a) COMMERCIAL ITEM DETERMINATIONS BY DEPARTMENT OF DEFENSE.—

(1) IN GENERAL.—Chapter 140 of title 10, United States Code, is amended by adding at the end the following new section:

“§2380. Commercial item determinations by Department of Defense

“The Secretary of Defense shall—

“(1) establish and maintain a centralized capability with necessary expertise and resources to oversee the making of commercial item determinations for the purposes of procurements by the Department of Defense; and

“(2) provide public access to Department of Defense commercial item determinations for the purposes of procurements by the Department of Defense.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“2380. Commercial item determinations by Department of Defense.”.

(b) COMMERCIAL ITEM EXCEPTION TO SUBMISSION OF COST AND PRICING DATA.—Section 2306a(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) COMMERCIAL ITEM DETERMINATION.—(A) For purposes of applying the commercial item exception under paragraph (1)(B) to the required submission of certified cost or pricing data, the contracting officer may presume that a prior commercial item determination made by a military department, a Defense Agency, or another component of the Department of Defense shall serve as a determination for subsequent procurements of such item.

“(B) If the contracting officer does not make the presumption described in subparagraph (A) and instead chooses to proceed with a procurement of an item previously determined to be a commercial item using procedures other than the procedures authorized for the procurement of a commercial item, the contracting officer shall request a review of the commercial item determination by the head of the contracting activity.

“(C) Not later than 30 days after receiving a request for review of a commercial item determination under subparagraph (B), the head of a contracting activity shall—

“(i) confirm that the prior determination was appropriate and still applicable; or

“(ii) issue a revised determination with a written explanation of the basis for the revision.”.

(c) DEFINITION OF COMMERCIAL ITEM.—Nothing in this section or the amendments made by this section shall affect the meaning of the term “commercial item” under subsection (a)(5) of section 2464 of title 10, United States Code, or any requirement under subsection (a)(3) or subsection (c) of such section.

(d) REGULATIONS UPDATE.—Not later than 180 days after the date of the enactment of

this Act, the Defense Federal Acquisition Regulation Supplement shall be updated to reflect the requirements of this section and the amendments made by this section.

(e) **RULE OF CONSTRUCTION.**—Nothing in this section or the amendments made by this section shall be construed to preclude the contracting officer for the procurement of a commercial item from requiring the contractor to supply information that is sufficient to determine the reasonableness of price, regardless of whether or not the contractor was required to provide such information in connection with any earlier procurement.

SEC. 852. MODIFICATION TO INFORMATION REQUIRED TO BE SUBMITTED BY OFFEROR IN PROCUREMENT OF MAJOR WEAPON SYSTEMS AS COMMERCIAL ITEMS.

(a) **REQUIREMENT FOR DETERMINATION.**—Subsection (a) of section 2379 of title 10, United States Code, is amended—

(1) in paragraph (1)(B), by inserting “and” after the semicolon;

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(b) **TREATMENT OF SUBSYSTEMS AS COMMERCIAL ITEMS.**—Subsection (b) of such section is amended—

(1) in the matter preceding paragraph (1), by striking “only if” and inserting “if either”;

(2) in paragraph (2)—

(A) by striking “that—” and all that follows through “the subsystem is a” and inserting “that the subsystem is a”;

(B) by striking “; and” and inserting a period; and

(C) by striking subparagraph (B).

(c) **TREATMENT OF COMPONENTS AS COMMERCIAL ITEMS.**—Subsection (c)(1) of such section is amended—

(1) by striking “title only if” and inserting “title if either”;

(2) in subparagraph (B)—

(A) by striking “that—” and all that follows through “the component or” and inserting “that the component or”;

(B) by striking “; and” and inserting a period; and

(C) by striking clause (ii).

(d) **INFORMATION SUBMITTED.**—Subsection (d) of such section is amended to read as follows:

“(d) **INFORMATION SUBMITTED.**—(1) To the extent necessary to determine the reasonableness of the price for items acquired under this section, the contracting officer shall require the offeror to submit—

“(A) prices paid for the same or similar commercial items under comparable terms and conditions by both Government and commercial customers;

“(B) if the contracting officer determines that the offeror does not have access to and cannot provide sufficient information described in subparagraph (A) to determine the reasonableness of price, information on—

“(i) prices for the same or similar items sold under different terms and conditions;

“(ii) prices for similar levels of work or effort on related products or services;

“(iii) prices for alternative solutions or approaches; and

“(iv) other relevant information that can serve as the basis for a price assessment; and

“(C) if the contracting officer determines that the information submitted pursuant to subparagraphs (A) and (B) is not sufficient to determine the reasonableness of price, other relevant information regarding the basis for price or cost, including information on labor costs, material costs, and overhead rates.

“(2) An offeror may not be required to submit information described in paragraph (1)(C) with regard to a commercially available off-the-shelf item and may be required to submit such information with regard to any other item that was developed exclusively at private expense only after the head of the contracting activity determines in writing that the information submitted pursuant to paragraphs (1)(A) and (1)(B) is not sufficient to determine the reasonableness of price.”.

(e) **CONFORMING AMENDMENT TO TRUTH IN NEGOTIATIONS ACT.**—Section 2306a(d)(1) of title 10, United States Code, is amended by adding at the end the following new sentence: “If the contracting officer determines that the offeror does not have access to and cannot provide sufficient information on prices for the same or similar items to determine the reasonableness of price, the contracting officer shall require the submission of information on prices for similar levels of work or effort on related products or services, prices for alternative solutions or approaches, and other information that is relevant to the determination of a fair and reasonable price.”.

SEC. 853. USE OF RECENT PRICES PAID BY THE GOVERNMENT IN THE DETERMINATION OF PRICE REASONABLENESS.

Section 2306a(b) of title 10, United States Code, as amended by section 851, is further amended by adding at the end the following new paragraph:

“(5) A contracting officer shall consider evidence provided by an offeror of recent purchase prices paid by the Government for the same or similar commercial items in establishing price reasonableness on a subsequent purchase if the contracting officer is satisfied that the prices previously paid remain a valid reference for comparison after considering the totality of other relevant factors such as the time elapsed since the prior purchase and any differences in the quantities purchased or applicable terms and conditions.”.

SEC. 854. REPORT ON DEFENSE-UNIQUE LAWS APPLICABLE TO THE PROCUREMENT OF COMMERCIAL ITEMS AND COMMERCIALLY AVAILABLE OFF-THE-SHELF ITEMS.

(a) **REPORT REQUIRED.**—The Secretary of Defense shall submit to the congressional defense committees a report identifying the defense-unique provisions of law that are applicable for procurement of commercial items or commercial off-the-shelf items, both at the prime contract and subcontract level. The report—

(1) shall discuss the impact—

(A) of limiting the inclusion of clauses in contracts for commercial items or commercial off-the-shelf items to those that are required to implement law or Executive orders or are determined to be consistent with standard commercial practice; and

(B) of limiting flow down of clauses in subcontracts for commercial items or commercial off the shelf-items to those that are required to implement law or Executive order; and

(2) shall provide a listing of all standard clauses used in Federal Acquisition Regulation Part 12 contracts, including a justification for the inclusion of each.

(b) **DEADLINE FOR SUBMISSION.**—The report under subsection (a) shall be submitted not later than 180 days after the date of the enactment of this Act.

SEC. 855. MARKET RESEARCH AND PREFERENCE FOR COMMERCIAL ITEMS.

(a) **GUIDANCE REQUIRED.**—Not later than 90 days after the date of the enactment of this

Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall issue guidance to ensure that acquisition officials of the Department of Defense fully comply with the requirements of section 2377 of title 10, United States Code, regarding market research and commercial items. The guidance issued pursuant to this subsection shall, at a minimum—

(1) provide that the head of an agency may not enter into a contract in excess of the simplified acquisition threshold for information technology products or services that are not commercial items unless the head of the agency determines in writing that no commercial items are suitable to meet the agency's needs as provided in subsection (c)(2) of such section; and

(2) ensure that market research conducted in accordance with subsection (c) of such section is used, where appropriate, to inform price reasonableness determinations.

(b) **REVIEW REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Chairman and the Vice Chairman of the Joint Chiefs of Staff, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall review Chairman of the Joint Chiefs of Staff Instruction 3170.01, the Manual for the Operation of the Joint Capabilities Integration and Development System, and other documents governing the requirements development process and revise these documents as necessary to ensure that the Department of Defense fully complies with the requirement in section 2377(c) of title 10, United States Code, and section 10.001 of the Federal Acquisition Regulation for Federal agencies to conduct appropriate market research before developing new requirements.

(c) **MARKET RESEARCH DEFINED.**—For the purposes of this section, the term “market research” means a review of existing systems, subsystems, capabilities, and technologies that are available or could be made available to meet the needs of the Department of Defense in whole or in part. The review may include any of the techniques for conducting market research provided in section 10.002(b)(2) of the Federal Acquisition Regulation and shall include, at a minimum, contacting knowledgeable individuals in Government and industry regarding existing market capabilities.

SEC. 856. LIMITATION ON CONVERSION OF PROCUREMENTS FROM COMMERCIAL ACQUISITION PROCEDURES.

(a) **LIMITATION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), prior to converting the procurement of commercial items or services valued at more than \$1,000,000 from commercial acquisition procedures under part 12 of the Federal Acquisition Regulation to non-commercial acquisition procedures under part 15 of the Federal Acquisition Regulation, the contracting officer for the procurement shall determine in writing that—

(A) the earlier use of commercial acquisition procedures under part 12 of the Federal Acquisition Regulation was in error or based on inadequate information; and

(B) the Department of Defense will realize a cost savings compared to the cost of procuring a similar quantity or level of such item or service using commercial acquisition procedures.

(2) **REQUIREMENT FOR APPROVAL OF DETERMINATION BY HEAD OF CONTRACTING ACTIVITY.**—In the case of a procurement valued at more than \$100,000,000, a contract may not be awarded pursuant to a conversion of the procurement described in paragraph (1) until—

(A) the head of the contracting activity approves the determination made under paragraph (1); and

(B) a copy of the determination so approved is provided to the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics.

(b) **FACTORS TO BE CONSIDERED.**—In making a determination under paragraph (1), the determining official shall, at a minimum, consider the following factors:

(1) The estimated cost of research and development to be performed by the existing contractor to improve future products or services.

(2) The transaction costs for the Department of Defense and the contractor in assessing and responding to data requests to support a conversion to noncommercial acquisition procedures.

(3) Changes in purchase quantities.

(4) Costs associated with potential procurement delays resulting from the conversion.

(c) **PROCEDURES.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop procedures to track conversions of future contracts and subcontracts for improved analysis and reporting and shall revise the Defense Federal Acquisition Regulation Supplement to reflect the requirement in subsection (a).

(d) **REPORTING REQUIREMENT.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the implementation of subsection (a), including any procurements converted as described in that subsection.

(e) **SUNSET.**—The requirements of this section shall terminate 5 years after the date of the enactment of this Act.

SEC. 857. TREATMENT OF GOODS AND SERVICES PROVIDED BY NONTRADITIONAL DEFENSE CONTRACTORS AS COMMERCIAL ITEMS.

(a) **IN GENERAL.**—Chapter 140 of title 10, United States Code, as amended by section 851, is further amended by adding at the end the following new section:

“§ 2380A. Treatment of goods and services provided by nontraditional defense contractors as commercial items

“Notwithstanding section 2376(1) of this title, items and services provided by nontraditional defense contractors (as that term is defined in section 2302(9) of this title) may be treated by the head of an agency as commercial items for purposes of this chapter.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 140 of such title is amended by inserting after the item relating to section 2380, as added by section 851, the following new item:

“2380A. Treatment of goods and services provided by nontraditional defense contractors as commercial items.”.

Subtitle F—Industrial Base Matters

SEC. 861. AMENDMENT TO MENTOR-PROTEGE PROGRAM.

(a) **IN GENERAL.**—Section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 104 Stat. 1607; 10 U.S.C. 2302 note) is amended—

(1) in subsection (b), by striking “designed to enhance” and all that follows through the period at the end and inserting the following: “designed to—

“(1) enhance the capabilities of disadvantaged small business concerns to perform as subcontractors and suppliers under Depart-

ment of Defense contracts and other contracts and subcontracts; and

“(2) increase the participation of such business concerns as subcontractors and suppliers under Department of Defense contracts, other Federal Government contracts, and commercial contracts.”;

(2) in subsection (c)(2), by striking “to receive such assistance at any time” and inserting “concurrently, and the authority to enter into agreements under subsection (e) shall only be available to such concern during the 5-year period beginning on the date such concern enters into the first such agreement”;

(3) in subsection (d)—

(A) by redesignating paragraphs (1) and (2) as clauses (i) and (ii), respectively (and conforming the margins accordingly); and

(B) by inserting before clause (i) (as so redesignated) the following:

“(1) the mentor firm is not affiliated with the protege firm prior to the approval of that agreement; and

“(2) the mentor firm demonstrates that it—

“(A) is qualified to provide assistance that will contribute to the purpose of the program;

“(B) is of good financial health and character and does not appear on a Federal list of debarred or suspended contractors; and

“(C) can impart value to a protege firm because of experience gained as a Department of Defense contractor or through knowledge of general business operations and government contracting, as demonstrated by evidence that—”;

(4) by amending subsection (e)(1) to read as follows:

“(1) A developmental program for the protege firm, in such detail as may be reasonable, including—

“(A) factors to assess the protege firm’s developmental progress under the program;

“(B) a description of the quantitative and qualitative benefits to the Department of Defense from the agreement, if applicable; and

“(C) goals for additional awards that protege firm can compete for outside the Mentor-Protege Program.”;

(5) in subsection (f)—

(A) in paragraph (1)(A), by striking “business development.”;

(B) by striking paragraph (6); and

(C) by redesignating paragraph (7) as paragraph (6);

(6) in subsection (g)—

(A) in paragraph (2)—

(i) in subparagraph (A), by striking “paragraphs (1) and (7) of subsection (f)” and inserting “paragraphs (1) and (6) of subsection (f) (except as provided in subparagraph (D))”;

(ii) in subparagraph (B), by striking “under subsection (1)(2)”;

(iii) by adding at the end the following new subparagraph:

“(D) The Secretary may not reimburse any fee assessed by the mentor firm for services provided to the protege firm pursuant to subsection (f)(6) or for business development expenses incurred by the mentor firm under a contract awarded to the mentor firm while participating in a joint venture with the protege firm.”; and

(B) in paragraph (3)(B)(i), by striking “subsection (f)(7)” and inserting “subsection (f)(6)”;

(7) in subsection (h)(1), by inserting “(15 U.S.C. 631 et seq.)” after “Small Business Act”;

(8) in subsection (j)—

(A) in paragraph (1), by striking “September 30, 2015” and inserting “September 30, 2018”; and

(B) in paragraph (2), by striking “September 30, 2018” and inserting “September 30, 2021”;

(9) by redesignating subsection (1) as subsection (n);

(10) by inserting after subsection (k) the following new subsections:

“(1) **REPORT BY MENTOR FIRMS.**—To comply with section 8(d)(7) of the Small Business Act (15 U.S.C. 637(d)(7)), each mentor firm shall submit a report to the Secretary not less than once each fiscal year that includes, for the preceding fiscal year—

“(1) all technical or management assistance provided by mentor firm personnel for the purposes described in subsection (f)(1);

“(2) any new awards of subcontracts on a competitive or noncompetitive basis to the protege firm under Department of Defense contracts or other contracts, including the value of such subcontracts;

“(3) any extensions, increases in the scope of work, or additional payments not previously reported for prior awards of subcontracts on a competitive or noncompetitive basis to the protege firm under Department of Defense contracts or other contracts, including the value of such subcontracts;

“(4) the amount of any payment of progress payments or advance payments made to the protege firm for performance under any subcontract made under the Mentor-Protege Program;

“(5) any loans made by mentor firm to the protege firm;

“(6) all Federal contracts awarded to the mentor firm and the protege firm as a joint venture, designating whether the award was a restricted competition or a full and open competition;

“(7) any assistance obtained by the mentor firm for the protege firm from one or more—

“(A) small business development centers established pursuant to section 21 of the Small Business Act (15 U.S.C. 648);

“(B) entities providing procurement technical assistance pursuant to chapter 142 of title 10, United States Code; or

“(C) historically Black colleges or universities or minority institutions of higher education;

“(8) whether there have been any changes to the terms of the mentor-protege agreement; and

“(9) a narrative describing the success assistance provided under subsection (f) has had in addressing the developmental needs of the protege firm, the impact on Department of Defense contracts, and addressing any problems encountered.

“(m) **REVIEW OF REPORT BY THE OFFICE OF SMALL BUSINESS PROGRAMS.**—The Office of Small Business Programs of the Department of Defense shall review the report required by subsection (1) and, if the Office finds that the mentor-protege agreement is not furthering the purpose of the Mentor-Protege Program, decide not to approve any continuation of the agreement.”; and

(11) in subsection (n) (as so redesignated)—

(A) in paragraph (1), by striking “means a business concern that meets the requirements of section 3(a) of the Small Business Act (15 U.S.C. 632(a)) and the regulations promulgated pursuant thereto” and inserting “has the meaning given such term under section 3 of the Small Business Act (15 U.S.C. 632)”;

(B) in paragraph (2)—

(i) by striking “means:” and inserting “means a firm that has less than half the

size standard corresponding to its primary North American Industry Classification System code, is not owned or managed by individuals or entities that directly or indirectly have stock options or convertible securities in the mentor firm, and is—”;

(ii) in subparagraph (D), by striking “the severely disabled” and inserting “severely disabled individuals”;

(iii) in subparagraph (G), by striking “Small Business Act.” and inserting “Small Business Act (15 U.S.C. 632(p)); or”; and

(iv) by adding at the end the following new subparagraph:

“(H) a small business concern that—

“(i) is a nontraditional defense contractor, as such term is defined in section 2302 of title 10, United States Code; or

“(ii) currently provides goods or services in the private sector that are critical to enhancing the capabilities of the defense supplier base and fulfilling key Department of Defense needs.”;

(C) by amending paragraph (8) to read as follows:

“(8) The term ‘severely disabled individual’ means an individual who is blind (as defined in section 8501 of title 41, United States Code) or a severely disabled individual (as defined in such section).”; and

(D) by adding at the end the following new paragraph:

“(9) The term ‘affiliated’, with respect to the relationship between a mentor firm and a protege firm, means—

“(A) the mentor firm shares, directly or indirectly, with the protege firm ownership or management of the protege firm;

“(B) the mentor firm has an agreement, at the time the mentor firm enters into a mentor-protege agreement under subsection (e), to merge with the protege firm;

“(C) the owners and managers of the mentor firm are the parent, child, spouse, sibling, aunt, uncle, niece, nephew, grandparent, grandchild, or first cousin of an owner or manager of the protege firm;

“(D) the mentor firm has, during the 2-year period before entering into a mentor-protege agreement, employed any officer, director, principal stock holder, managing member, or key employee of the protege firm;

“(E) the mentor firm has engaged in a joint venture with the protege firm during the 2-year period before entering into a mentor-protege agreement, unless such joint venture was approved by the Small Business Administration prior to making any offer on a contract;

“(F) the mentor firm is, directly or indirectly, the primary party providing contracts to the protege firm, as measured by the dollar value of the contracts; and

“(G) the Small Business Administration has made a determination of affiliation or control under subsection (h).”.

(b) APPLICATION.—

(1) IN GENERAL.—The amendments made by subsection (a) shall apply to a mentor-protege agreement made pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 104 Stat. 1607; 10 U.S.C. 2302 note) entered into after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.

(2) RETROACTIVITY OF REPORT AND REVIEW REQUIREMENTS.—The amendments made by subsection (a)(10) shall apply to a mentor-protege agreement made pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 104 Stat. 1607; 10 U.S.C. 2302 note) entered

into before, on, or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.

SEC. 862. AMENDMENTS TO DATA QUALITY IMPROVEMENT PLAN.

(a) IN GENERAL.—Section 15(s) of the Small Business Act (15 U.S.C. 644(s)) is amended—

(1) by redesignating paragraph (4) as paragraph (6); and

(2) by inserting after paragraph (3) the following new paragraphs:

“(4) IMPLEMENTATION.—Not later than October 1, 2016, the Administrator of the Small Business Administration shall implement the plan described in this subsection.

“(5) CERTIFICATION.—The Administrator shall annually provide to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a certification of the accuracy and completeness of data reported on bundled and consolidated contracts.”.

(b) GAO STUDY.—

(1) STUDY.—Not later than October 1, 2017, the Comptroller General of the United States shall initiate a study on the effectiveness of the plan described in section 15(s) of the Small Business Act (15 U.S.C. 644(s)) that shall assess whether contracts were accurately labeled as bundled or consolidated.

(2) CONTRACTS EVALUATED.—For the purposes of conducting the study described in paragraph (1), the Comptroller General of the United States—

(A) shall evaluate, for work in each of sectors 23, 33, 54, and 56 (as defined by the North American Industry Classification System), not fewer than 100 contracts in each sector;

(B) shall evaluate only those contracts—

(i) awarded by an agency listed in section 901(b) of title 31, United States Code; and

(ii) that have a Base and Exercised Options Value, an Action Obligation, or a Base and All Options Value (as such terms are defined in the Federal Procurement Data System described in section 1122(a)(4)(A) of title 41, United States Code, or any successor system); and

(C) shall not evaluate contracts that have used any set-aside authority.

(3) REPORT.—Not later than 12 months after initiating the study required by paragraph (1), the Comptroller General of the United States shall report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on the results from such study and, if warranted, any recommendations on how to improve the quality of data reported on bundled and consolidated contracts.

SEC. 863. NOTICE OF CONTRACT CONSOLIDATION FOR ACQUISITION STRATEGIES.

(a) NOTICE REQUIREMENT FOR THE HEAD OF A CONTRACTING AGENCY.—Section 15(e)(3) of the Small Business Act (15 U.S.C. 644(e)(3)) is amended to read as follows:

“(3) STRATEGY SPECIFICATIONS.—If the head of a contracting agency determines that an acquisition plan for a procurement involves a substantial bundling of contract requirements, the head of a contracting agency shall publish a notice on a public website that such determination has been made not later than 7 days after making such determination. Any solicitation for a procurement related to the acquisition plan may not be published earlier than 7 days after such notice is published. Along with the publication of the solicitation, the head of a contracting agency shall publish a justification for the determination, which shall include the following information:

“(A) The specific benefits anticipated to be derived from the bundling of contract requirements and a determination that such benefits justify the bundling.

“(B) An identification of any alternative contracting approaches that would involve a lesser degree of bundling of contract requirements.

“(C) An assessment of—

“(i) the specific impediments to participation by small business concerns as prime contractors that result from the bundling of contract requirements; and

“(ii) the specific actions designed to maximize participation of small business concerns as subcontractors (including suppliers) at various tiers under the contract or contracts that are awarded to meet the requirements.”.

(b) NOTICE REQUIREMENT FOR THE SENIOR PROCUREMENT EXECUTIVE OR CHIEF ACQUISITION OFFICER.—Section 44(c)(2) of the Small Business Act (15 U.S.C. 657q(c)(2)) is amended by adding at the end the following:

“(C) NOTICE.—Not later than 7 days after making a determination that an acquisition strategy involving a consolidation of contract requirements is necessary and justified under subparagraph (A), the senior procurement executive or Chief Acquisition Officer shall publish a notice on a public website that such determination has been made. Any solicitation for a procurement related to the acquisition strategy may not be published earlier than 7 days after such notice is published. Along with the publication of the solicitation, the senior procurement executive or Chief Acquisition Officer shall publish a justification for the determination, which shall include the information in subparagraphs (A) through (E) of paragraph (1).”.

(c) TECHNICAL AMENDMENT.—Section 44(c)(1) of the Small Business Act (15 U.S.C. 657q(c)(1)) is amended by striking “Subject to paragraph (4), the head” and inserting “The head”.

SEC. 864. CLARIFICATION OF REQUIREMENTS RELATED TO SMALL BUSINESS CONTRACTS FOR SERVICES.

(a) PROCUREMENT CONTRACTS.—Section 8(a)(17) of the Small Business Act (15 U.S.C. 637(a)(17)) is amended—

(1) in subparagraph (A), by striking “any procurement contract” and all that follows through “section 15” and inserting “any procurement contract, which contract has as its principal purpose the supply of a product to be let pursuant to this subsection, subsection (m), section 15(a), section 31, or section 36.”; and

(2) by adding at the end the following new subparagraph:

“(C) LIMITATION.—This paragraph shall not apply to a contract that has as its principal purpose the acquisition of services or construction.”.

(b) SUBCONTRACTOR CONTRACTS.—Section 46(a)(4) of the Small Business Act (15 U.S.C. 657s(a)(4)) is amended by striking “for supplies from a regular dealer in such supplies” and inserting “which is principally for supplies from a regular dealer in such supplies, and which is not a contract principally for services or construction”.

SEC. 865. CERTIFICATION REQUIREMENTS FOR BUSINESS OPPORTUNITY SPECIALISTS, COMMERCIAL MARKET REPRESENTATIVES, AND PROCUREMENT CENTER REPRESENTATIVES.

(a) BUSINESS OPPORTUNITY SPECIALIST REQUIREMENTS.—

(1) IN GENERAL.—Section 4 of the Small Business Act (15 U.S.C. 633) is amended by adding at the end the following new subsection:

“(g) CERTIFICATION REQUIREMENTS FOR BUSINESS OPPORTUNITY SPECIALISTS.—

“(1) IN GENERAL.—Consistent with the requirements of paragraph (2), a Business Opportunity Specialist described under section 7(j)(10)(D) shall have a Level I Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification, except that a Business Opportunity Specialist who was serving on or before January 3, 2013, may continue to serve as a Business Opportunity Specialist for a period of 5 years beginning on such date without such a certification.

“(2) DELAY OF CERTIFICATION REQUIREMENT.—

“(A) TIMING.—The certification described in paragraph (1) is not required for any person serving as a Business Opportunity Specialist until the date that is one calendar year after the date such person is appointed as a Business Opportunity Specialist.

“(B) APPLICATION.—The requirements of subparagraph (A) shall—

“(i) be included in any initial job posting for the position of a Business Opportunity Specialist; and

“(ii) apply to any person appointed as a Business Opportunity Specialist after January 3, 2013.”.

(2) CONFORMING AMENDMENT.—Section 7(j)(10)(D)(i) of such Act (15 U.S.C. 636(j)(10)(D)(i)) is amended by striking the second sentence.

(b) COMMERCIAL MARKET REPRESENTATIVE REQUIREMENTS.—Section 4 of the Small Business Act (15 U.S.C. 633), as amended by subsection (a)(1), is further amended by adding at the end the following new subsection:

“(h) CERTIFICATION REQUIREMENTS FOR COMMERCIAL MARKET REPRESENTATIVES.—

“(1) IN GENERAL.—Consistent with the requirements of paragraph (2), a commercial market representative referred to in section 15(q)(3) shall have a Level I Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification, except that a commercial market representative who was serving on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016 may continue to serve as a commercial market representative for a period of 5 years beginning on such date without such a certification.

“(2) DELAY OF CERTIFICATION REQUIREMENT.—

“(A) TIMING.—The certification described in paragraph (1) is not required for any person serving as a commercial market representative until the date that is one calendar year after the date such person is appointed as a commercial market representative.

“(B) APPLICATION.—The requirements of subparagraph (A) shall—

“(i) be included in any initial job posting for the position of a commercial market representative; and

“(ii) apply to any person appointed as a commercial market representative after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.”.

(c) PROCUREMENT CENTER REPRESENTATIVE REQUIREMENTS.—Section 15(l)(5) of the Small Business Act (15 U.S.C. 644(l)(5)) is amended—

(1) in subparagraph (A), by amending clause (iii) to read as follows:

“(iii) have the certification described in subparagraph (C).”; and

(2) by adding at the end the following new subparagraph:

“(C) CERTIFICATION REQUIREMENTS.—

“(1) IN GENERAL.—Consistent with the requirements of clause (ii), a procurement center representative shall have a Level III Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification, except that any person serving in such a position on or before January 3, 2013, may continue to serve in that position for a period of 5 years without the required certification.

“(ii) DELAY OF CERTIFICATION REQUIREMENTS.—

“(I) TIMING.—The certification described in clause (i) is not required for any person serving as a procurement center representative until the date that is one calendar year after the date such person is appointed as a procurement center representative.

“(II) APPLICATION.—The requirements of subclause (I) shall—

“(aa) be included in any initial job posting for the position of a procurement center representative; and

“(bb) apply to any person appointed as a procurement center representative after January 3, 2013.”.

SEC. 866. MODIFICATIONS TO REQUIREMENTS FOR QUALIFIED HUBZONE SMALL BUSINESS CONCERNS LOCATED IN A BASE CLOSURE AREA.

(a) IN GENERAL.—Section 3(p) of the Small Business Act (15 U.S.C. 632(p)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking “or”;

(B) in subparagraph (E), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(F) qualified disaster areas.”;

(2) in paragraph (3)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following:

“(D) a small business concern—

“(i) that is wholly owned by one or more Native Hawaiian Organizations (as defined in section 8(a)(15)), or by a corporation that is wholly owned by one or more Native Hawaiian Organizations; or

“(ii) that is owned in part by one or more Native Hawaiian Organizations, or by a corporation that is wholly owned by one or more Native Hawaiian Organizations, if all other owners are either United States citizens or small business concerns.”;

(3) in paragraph (4)—

(A) by amending subparagraph (D) to read as follows:

“(D) BASE CLOSURE AREA.—

“(i) IN GENERAL.—Subject to clause (ii), the term ‘base closure area’ means—

“(I) lands within the external boundaries of a military installation that were closed through a privatization process under the authority of—

“(aa) the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of division B of Public Law 101–510; 10 U.S.C. 2687 note);

“(bb) title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note);

“(cc) section 2687 of title 10, United States Code; or

“(dd) any other provision of law authorizing or directing the Secretary of Defense or the Secretary of a military department to dispose of real property at the military installation for purposes relating to base closures of redevelopment, while retaining the authority to enter into a leaseback of all or a portion of the property for military use;

“(II) the census tract or nonmetropolitan county in which the lands described in subclause (I) are wholly contained;

“(III) a census tract or nonmetropolitan county the boundaries of which intersect the area described in subclause (I); and

“(IV) a census tract or nonmetropolitan county the boundaries of which are contiguous to the area described in subclause (II) or subclause (III).

“(ii) LIMITATION.—A base closure area shall be treated as a HUBZone—

“(I) with respect to a census tract or nonmetropolitan county described in clause (i), for a period of not less than 8 years, beginning on the date the military installation undergoes final closure and ending on the date the Administrator makes a final determination as to whether or not to implement the applicable designation described in subparagraph (A) or (B) in accordance with the results of the decennial census conducted after the area was initially designated as a base closure area; and

“(II) if such area was treated as a HUBZone at any time after 2010, until such time as the Administrator makes a final determination as to whether or not to implement the applicable designation described in subparagraph (A) or (B), after the 2020 decennial census.

“(iii) DEFINITIONS.—In this subparagraph:

“(I) CENSUS TRACT.—The term ‘census tract’ means a census tract delineated by the United States Bureau of the Census in the most recent decennial census that is not located in a nonmetropolitan county and does not otherwise qualify as a qualified census tract.

“(II) NONMETROPOLITAN COUNTY.—The term ‘nonmetropolitan county’ means a county that was not located in a metropolitan statistical area (as defined in section 143(k)(2)(B) of the Internal Revenue Code of 1986) at the time of the most recent census taken for purposes of selecting qualified census tracts and does not otherwise qualify as a qualified nonmetropolitan county.”; and

(B) by adding at the end the following new subparagraph:

“(E) QUALIFIED DISASTER AREA.—

“(i) IN GENERAL.—Subject to clause (ii), the term ‘qualified disaster area’ means any census tract or nonmetropolitan county located in an area for which the President has declared a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) or located in an area in which a catastrophic incident has occurred if such census tract or nonmetropolitan county ceased to be qualified under subparagraph (A) or (B), as applicable, during the period beginning 5 years before the date on which the President declared the major disaster or the catastrophic incident occurred and ending 2 years after such date, except that such census tract or nonmetropolitan county may be a ‘qualified disaster area’ only—

“(I) in the case of a major disaster declared by the President, during the 5-year period beginning on the date on which the President declared the major disaster for the area in which the census tract or nonmetropolitan county, as applicable, is located; and

“(II) in the case of a catastrophic incident, during the 10-year period beginning on the date on which the catastrophic incident occurred in the area in which the census tract or nonmetropolitan county, as applicable, is located.

“(ii) LIMITATION.—A qualified disaster area described in clause (i) shall be treated as a HUBZone for a period of not less than 8

years, beginning on the date the Administrator makes a final determination as to whether or not to implement the designations described in subparagraphs (A) and (B) in accordance with the results of the decennial census conducted after the area was initially designated as a qualified disaster area.”; and

(4) in paragraph (5)(A)(i)(I)—

(A) in item (aa)—

(i) by striking “subparagraph (A), (B), (C), (D), or (E) of paragraph (3)” and inserting “subparagraph (A), (B), (C), (D), (E), or (F) of paragraph (3)”;

(ii) by striking “or” at the end;

(B) by redesignating item (bb) as item (cc); and

(C) by inserting after item (aa) the following new item:

“(bb) pursuant to subparagraph (A), (B), (C), (D), (E), or (F) of paragraph (3), that its principal office is located within a base closure area and that not fewer than 35 percent of its employees reside in such base closure area or in another HUBZone; or”.

(b) **APPLICABILITY.**—The amendments made by subsection (a)(3)(B) shall apply to a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) or a catastrophic incident that occurs on or after the date of enactment of such subsection.

(c) **INCLUDING FEMA IN AGENCIES THAT MAY PROVIDE DATA FOR HUBZONE PROGRAM.**—Section 31(c)(3) of the Small Business Act (15 U.S.C. 657a(c)(3)) is amended by inserting “the Administrator of the Federal Emergency Management Agency,” after “the Secretary of Labor.”.

(d) **GAO STUDY OF IMPROVEMENT TO OVERSIGHT OF THE HUBZONE PROGRAM.**—Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall complete a study on and submit a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate that includes—

(1) an assessment of the evaluation process, including any weaknesses in the process, used by the Small Business Administration to approve or deny participation in the HUBZone program established under section 31 of the Small Business Act (15 U.S.C. 657a);

(2) an assessment of the oversight of HUBZone program participants by the Small Business Administration, including Administration actions taken to prevent fraud, waste, and abuse; and

(3) recommendations on how to improve the evaluation process and oversight mechanisms to further reduce fraud, waste, and abuse.

SEC. 867. JOINT VENTURING AND TEAMING.

(a) **JOINT VENTURE OFFERS FOR BUNDLED OR CONSOLIDATED CONTRACTS.**—Section 15(e)(4) of the Small Business Act (15 U.S.C. 644(e)(4)) is amended to read as follows:

“(4) **CONTRACT TEAMING.**—

“(A) **IN GENERAL.**—In the case of a solicitation of offers for a bundled or consolidated contract that is issued by the head of an agency, a small business concern that provides for use of a particular team of subcontractors or a joint venture of small business concerns may submit an offer for the performance of the contract.

“(B) **EVALUATION OF OFFERS.**—The head of the agency shall evaluate an offer described in subparagraph (A) in the same manner as other offers, with due consideration to the capabilities of all of the proposed subcontractors or members of the joint venture as follows:

“(i) **TEAMS.**—When evaluating an offer of a small business prime contractor that includes a proposed team of small business subcontractors, the head of the agency shall consider the capabilities and past performance of each first tier subcontractor that is part of the team as the capabilities and past performance of the small business prime contractor.

“(ii) **JOINT VENTURES.**—When evaluating an offer of a joint venture of small business concerns, if the joint venture does not demonstrate sufficient capabilities or past performance to be considered for award of a contract opportunity, the head of the agency shall consider the capabilities and past performance of each member of the joint venture as the capabilities and past performance of the joint venture.

“(C) **STATUS AS A SMALL BUSINESS CONCERN.**—Participation of a small business concern in a team or a joint venture under this paragraph shall not affect the status of that concern as a small business concern for any other purpose.”.

(b) **TEAM AND JOINT VENTURES OFFERS FOR MULTIPLE AWARD CONTRACTS.**—Section 15(q)(1) of such Act (15 U.S.C. 644(q)(1)) is amended—

(1) in the heading, by inserting “AND JOINT VENTURE” before “REQUIREMENTS”;

(2) by striking “Each Federal agency” and inserting the following:

“(A) **IN GENERAL.**—Each Federal agency”;

and

(3) by adding at the end the following new subparagraphs:

“(B) **TEAMS.**—When evaluating an offer of a small business prime contractor that includes a proposed team of small business subcontractors for any multiple award contract above the substantial bundling threshold of the Federal agency, the head of the agency shall consider the capabilities and past performance of each first tier subcontractor that is part of the team as the capabilities and past performance of the small business prime contractor.

“(C) **JOINT VENTURES.**—When evaluating an offer of a joint venture of small business concerns for any multiple award contract above the substantial bundling threshold of the Federal agency, if the joint venture does not demonstrate sufficient capabilities or past performance to be considered for award of a contract opportunity, the head of the agency shall consider the capabilities and past performance of each member of the joint venture as the capabilities and past performance of the joint venture.”.

SEC. 868. MODIFICATION TO AND SCORECARD PROGRAM FOR SMALL BUSINESS CONTRACTING GOALS.

(a) **AMENDMENT TO GOVERNMENTWIDE GOAL FOR SMALL BUSINESS PARTICIPATION IN PROCUREMENT CONTRACTS.**—Section 15(g)(1)(A)(i) of the Small Business Act (15 U.S.C. 644(g)(1)(A)(i)) is amended by adding at the end the following: “In meeting this goal, the Government shall ensure the participation of small business concerns from a wide variety of industries and from a broad spectrum of small business concerns within each industry.”.

(b) **SCORECARD PROGRAM FOR EVALUATING FEDERAL AGENCY COMPLIANCE WITH SMALL BUSINESS CONTRACTING GOALS.**—

(1) **IN GENERAL.**—Not later than September 30, 2016, the Administrator of the Small Business Administration, in consultation with the Federal agencies, shall—

(A) develop a methodology for calculating a score to be used to evaluate the compliance of each Federal agency with meeting the

goals established pursuant to section 15(g)(1)(B) of the Small Business Act (15 U.S.C. 644(g)(1)(B)) based on each such goal; and

(B) develop a scorecard based on such methodology.

(2) **USE OF SCORECARD.**—Beginning in fiscal year 2017, the Administrator shall establish and carry out a program to use the scorecard developed under paragraph (1) to evaluate whether each Federal agency is creating the maximum practicable opportunities for the award of prime contracts and subcontracts to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women, by assigning a score to each Federal agency for the previous fiscal year.

(3) **CONTENTS OF SCORECARD.**—The scorecard developed under paragraph (1) shall include, for each Federal agency, the following information:

(A) A determination of whether the Federal agency met each of the prime contract goals established pursuant to section 15(g)(1)(B) of the Small Business Act (15 U.S.C. 644(g)(1)(B)) with respect to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

(B) A determination of whether the Federal agency met each of the subcontract goals established pursuant to such section with respect to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

(C) The number of small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women awarded prime contracts in each North American Industry Classification System code during the fiscal year and a comparison to the number of awarded contracts during the prior fiscal year, if available.

(D) The number of small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women awarded subcontracts in each North American Industry Classification System code during the fiscal year and a comparison to the number of awarded subcontracts during the prior fiscal year, if available.

(E) Any other factors that the Administrator deems important to achieve the maximum practicable utilization of small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and

controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

(4) **WEIGHTED FACTORS.**—In using the scorecard to evaluate and assign a score to a Federal agency, the Administrator shall base—

(A) fifty percent of the score on the dollar value of prime contracts described in paragraph (3)(A); and

(B) fifty percent of the score on the information provided in subparagraphs (B) through (E) of paragraph (3), weighted in a manner determined by the Administrator to encourage the maximum practicable opportunity for the award of prime contracts and subcontracts to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

(5) **PUBLICATION.**—The scorecard used by the Administrator under this subsection shall be submitted to the President and Congress along with the report submitted under section 15(h)(2) of the Small Business Act (15 U.S.C. 644(h)(2)).

(6) **REPORT.**—After the Administrator uses the scorecard for fiscal year 2018 to assign scores to Federal agencies, but not later than March 31, 2019, the Administrator shall submit a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate. Such report shall include the following:

(A) A description of any increase in the dollar amount of prime contracts and subcontracts awarded to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

(B) A description of any increase in the dollar amount of prime contracts and subcontracts, and the total number of contracts, awarded to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women in each North American Industry Classification System code.

(C) The recommendation of the Administrator on continuing, modifying, expanding, or terminating the program established under this subsection.

(7) **GAO REPORT ON SCORECARD METHODOLOGY.**—Not later than September 30, 2018, the Comptroller General of the United States shall submit to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report that—

(A) evaluates whether the methodology used to calculate a score under this subsection accurately and effectively—

(i) measures the compliance of each Federal agency with meeting the goals established pursuant to section 15(g)(1)(B) of the Small Business Act (15 U.S.C. 644(g)(1)(B)); and

(ii) encourages Federal agencies to expand opportunities for small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small

business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women to compete for and be awarded Federal procurement contracts across North American Industry Classification System codes; and

(B) if warranted, makes recommendations on how to improve such methodology to improve its accuracy and effectiveness.

(8) **DEFINITIONS.**—In this subsection:

(A) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Small Business Administration.

(B) **FEDERAL AGENCY.**—The term “Federal agency” has the meaning given the term “agency” by section 551(1) of title 5, United States Code, but does not include the United States Postal Service or the Government Accountability Office.

(C) **SCORECARD.**—The term “scorecard” shall mean any summary using a rating system to evaluate a Federal agency’s efforts to meet goals established under section 15(g)(1)(B) of the Small Business Act (15 U.S.C. 644(g)(1)(B)) that—

(i) includes the measures described in paragraph (3); and

(ii) assigns a score to each Federal agency evaluated.

(D) **SMALL BUSINESS ACT DEFINITIONS.**—

(i) **IN GENERAL.**—The terms “small business concern”, “small business concern owned and controlled by service-disabled veterans”, “qualified HUBZone small business concern”, and “small business concern owned and controlled by women” have the meanings given such terms under section 3 of the Small Business Act (15 U.S.C. 632).

(ii) **SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.**—The term “small business concern owned and controlled by socially and economically disadvantaged individuals” has the meaning given that term under section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)).

SEC. 869. ESTABLISHMENT OF AN OFFICE OF HEARINGS AND APPEALS IN THE SMALL BUSINESS ADMINISTRATION; PETITIONS FOR RECONSIDERATION OF SIZE STANDARDS.

(a) **ESTABLISHMENT OF AN OFFICE OF HEARINGS AND APPEALS IN THE SMALL BUSINESS ADMINISTRATION.**—

(1) **IN GENERAL.**—Section 5 of the Small Business Act (15 U.S.C. 634) is amended by adding at the end the following new subsection:

“(i) **OFFICE OF HEARINGS AND APPEALS.**—

“(1) **ESTABLISHMENT.**—

“(A) **OFFICE.**—There is established in the Administration an Office of Hearings and Appeals—

“(i) to impartially decide matters relating to program decisions of the Administrator—

“(I) for which Congress requires a hearing on the record; or

“(II) that the Administrator designates for hearing by regulation; and

“(ii) which shall contain the office of the Administration that handles requests submitted pursuant to sections 552 of title 5, United States Code (commonly referred to as the ‘Freedom of Information Act’) and maintains records pursuant to section 552a of title 5, United States Code (commonly referred to as the ‘Privacy Act of 1974’).

“(B) **JURISDICTION.**—The Office of Hearings and Appeals shall only hear appeals of matters as described in this Act, the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.), and title 13 of the Code of Federal Regulations.

“(C) **ASSOCIATE ADMINISTRATOR.**—The head of the Office of Hearings and Appeals shall be the Chief Hearing Officer appointed under section 4(b)(1), who shall be responsible to the Administrator.

“(2) **CHIEF HEARING OFFICER DUTIES.**—

“(A) **IN GENERAL.**—The Chief Hearing Officer shall—

“(i) be a career appointee in the Senior Executive Service and an attorney licensed by a State, commonwealth, territory or possession of the United States, or the District of Columbia; and

“(ii) be responsible for the operation and management of the Office of Hearings and Appeals.

“(B) **ALTERNATIVE DISPUTE RESOLUTION.**—The Chief Hearing Officer may assign a matter for mediation or other means of alternative dispute resolution.

“(3) **HEARING OFFICERS.**—

“(A) **IN GENERAL.**—The Office of Hearings and Appeals shall appoint Hearing Officers to carry out the duties described in paragraph (1)(A)(i).

“(B) **CONDITIONS OF EMPLOYMENT.**—A Hearing Officer appointed under this paragraph—

“(i) shall serve in the excepted service as an employee of the Administration under section 2103 of title 5, United States Code, and under the supervision of the Chief Hearing Officer;

“(ii) shall be classified at a position to which section 5376 of title 5, United States Code, applies; and

“(iii) shall be compensated at a rate not exceeding the maximum rate payable under such section.

“(C) **AUTHORITY; POWERS.**—Notwithstanding section 556(b) of title 5, United States Code—

“(i) a Hearing Officer may hear cases arising under section 554 of such title;

“(ii) a Hearing Officer shall have the powers described in section 556(c) of such title; and

“(iii) the relevant provisions of subchapter II of chapter 5 of such title (except for section 556(b) of such title) shall apply to such Hearing Officer.

“(D) **TREATMENT OF CURRENT PERSONNEL.**—An individual serving as a Judge in the Office of Hearings and Appeals (as that position and office are designated in section 134.101 of title 13, Code of Federal Regulations) on the effective date of this subsection shall be considered as qualified to be, and redesignated as, a Hearing Officer.

“(4) **HEARING OFFICER DEFINED.**—In this subsection, the term ‘Hearing Officer’ means an individual appointed or redesignated under this subsection who is an attorney licensed by a State, commonwealth, territory or possession of the United States, or the District of Columbia.”

(2) **ASSOCIATE ADMINISTRATOR AS CHIEF HEARING OFFICER.**—Section 4(b)(1) of such Act (15 U.S.C. 633(b)) is amended by adding at the end the following: “One such Associate Administrator shall be the Chief Hearing Officer, who shall administer the Office of Hearings and Appeals established under section 5(i).”

(3) **REPEAL OF REGULATION.**—Section 134.102(t) of title 13, Code of Federal Regulations, as in effect on January 1, 2015 (relating to types of hearings within the jurisdiction of the Office of Hearings and Appeals), shall have no force or effect.

(b) **PETITIONS FOR RECONSIDERATION OF SIZE STANDARDS FOR SMALL BUSINESS CONCERNS.**—Section 3(a) of the Small Business Act (15 U.S.C. 632(a)) is amended by adding at the end the following:

“(9) PETITIONS FOR RECONSIDERATION OF SIZE STANDARDS.—

“(A) IN GENERAL.—A person may file a petition for reconsideration with the Office of Hearings and Appeals (as established under section 5(i)) of a size standard revised, modified, or established by the Administrator pursuant to this subsection.

“(B) TIME LIMIT.—A person filing a petition for reconsideration described in subparagraph (A) shall file such petition not later than 30 days after the publication in the Federal Register of the notice of final rule to revise, modify, or establish size standards described in paragraph (6).

“(C) PROCESS FOR AGENCY REVIEW.—The Office of Hearings and Appeals shall use the same process it uses to decide challenges to the size of a small business concern to decide a petition for review pursuant to this paragraph.

“(D) JUDICIAL REVIEW.—The publication of a final rule in the Federal Register described in subparagraph (B) shall be considered final agency action for purposes of seeking judicial review. Filing a petition for reconsideration under subparagraph (A) shall not be a condition precedent to judicial review of any such size standard.”.

SEC. 870. ADDITIONAL DUTIES OF THE DIRECTOR OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION.

Section 15(k) of the Small Business Act (15 U.S.C. 644(k)) is amended—

(1) in paragraph (15), by striking “; and” and inserting a semicolon;

(2) in paragraph (16)(C), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (16) the following new paragraph:

“(17) shall, when notified by a small business concern prior to the award of a contract that the small business concern believes that a solicitation, request for proposal, or request for quotation unduly restricts the ability of the small business concern to compete for the award—

“(A) submit the notice of the small business concern to the contracting officer and, if necessary, recommend ways in which the solicitation, request for proposal, or request for quotation may be altered to increase the opportunity for competition;

“(B) inform the advocate for competition of such agency (as established under section 1705 of title 41, United States Code, or section 2318 of title 10, United States Code) of such notice; and

“(C) ensure that the small business concern is aware of other resources and processes available to address unduly restrictive provisions in a solicitation, request for proposal, or request for quotation, even if such resources and processes are provided by such agency, the Administration, the Comptroller General, or a procurement technical assistance program established under chapter 142 of title 10, United States Code.”.

SEC. 871. INCLUDING SUBCONTRACTING GOALS IN AGENCY RESPONSIBILITIES.

Section 1633(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2076; 15 U.S.C. 631 note) is amended by striking “assume responsibility for of the agency’s success in achieving small business contracting goals and percentages” and inserting “assume responsibility for the agency’s success in achieving each of the small business prime contracting and subcontracting goals and percentages”.

SEC. 872. REPORTING RELATED TO FAILURE OF CONTRACTORS TO MEET GOALS UNDER NEGOTIATED COMPREHENSIVE SMALL BUSINESS SUBCONTRACTING PLANS.

Paragraph (2) of section 834(d) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (15 U.S.C. 637 note), as added by section 821(d)(2) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3434), is amended by striking “may not negotiate” and all that follows through the period at the end and inserting “shall report to Congress on any negotiated comprehensive subcontracting plan that the Secretary determines did not meet the subcontracting goals negotiated in the plan for the prior fiscal year.”.

SEC. 873. PILOT PROGRAM FOR STREAMLINING AWARDS FOR INNOVATIVE TECHNOLOGY PROJECTS.

(a) EXCEPTION FROM CERTIFIED COST AND PRICING DATA REQUIREMENTS.—The requirements under section 2306a(a) of title 10, United States Code, shall not apply to a contract, subcontract, or modification of a contract or subcontract valued at less than \$7,500,000 awarded to a small business or non-traditional defense contractor pursuant to—

(1) a technical, merit-based selection procedure, such as a broad agency announcement, or

(2) the Small Business Innovation Research Program, unless the head of the agency determines that submission of cost and pricing data should be required based on past performance of the specific small business or non-traditional defense contractor, or based on analysis of other information specific to the award.

(b) EXCEPTION FROM RECORDS EXAMINATION REQUIREMENT.—The requirements under subsection (b) of section 2313 of title 10, United States Code, shall not apply to a contract valued at less than \$7,500,000 awarded to a small business or non-traditional defense contractor pursuant to—

(1) a technical, merit-based selection procedure, such as a broad agency announcement, or

(2) the Small Business Innovation Research Program, unless the head of the agency determines that auditing of records should be required based on past performance of the specific small business or non-traditional defense contractor, or based on analysis of other information specific to the award.

(c) SUNSET.—The exceptions under subsections (a) and (b) shall terminate on October 1, 2020.

(d) DEFINITIONS.—In this section:

(1) SMALL BUSINESS.—The term “small business” has the meaning given the term “small business concern” under section 3 of the Small Business Act (15 U.S.C. 632).

(2) NON-TRADITIONAL DEFENSE CONTRACTOR.—The term “non-traditional defense contractor” has the meaning given that term in section 2302(9) of title 10, United States Code.

(e) SMALL BUSINESS INNOVATION RESEARCH PROGRAM ADMINISTRATIVE FEE EXTENSION.—Section 9(mm)(1) of the Small Business Act (15 U.S.C. 638(mm)(1)) is amended by striking “, for the 3 fiscal years beginning after the date of enactment of this subsection,” and inserting “and until September 30, 2017,”.

SEC. 874. SURETY BOND REQUIREMENTS AND AMOUNT OF GUARANTEE.

(a) SURETY BOND REQUIREMENTS.—Chapter 93 of subtitle VI of title 31, United States Code, is amended—

(1) by adding at the end the following:

“§ 9310. Individual sureties

“If another applicable Federal law or regulation permits the acceptance of a bond from a surety that is not subject to sections 9305 and 9306 and is based on a pledge of assets by the surety, the assets pledged by such surety shall—

“(1) consist of eligible obligations described under section 9303(a); and

“(2) be submitted to the official of the Government required to approve or accept the bond, who shall deposit the obligations as described under section 9303(b).”; and

(2) in the table of contents for such chapter, by adding at the end the following:

“9310. Individual sureties.”.

(b) AMOUNT OF SURETY BOND GUARANTEE FROM SMALL BUSINESS ADMINISTRATION.—Section 411(c)(1) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(c)(1)) is amended by striking “70” and inserting “90”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 1 year after the date of the enactment of this Act.

SEC. 875. REVIEW OF GOVERNMENT ACCESS TO INTELLECTUAL PROPERTY RIGHTS OF PRIVATE SECTOR FIRMS.

(a) REVIEW REQUIRED.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent entity with appropriate expertise to conduct a review of—

(A) Department of Defense regulations, practices, and sustainment requirements related to Government access to and use of intellectual property rights of private sector firms; and

(B) Department of Defense practices related to the procurement, management, and use of intellectual property rights to facilitate competition in sustainment of weapon systems throughout their life-cycle.

(2) CONSULTATION REQUIRED.—The contract shall require that in conducting the review, the independent entity shall consult with the National Defense Technology and Industrial Base Council (described in section 2502 of title 10, United States Code) and each Center of Industrial and Technical Excellence (described in section 2474 of title 10, United States Code).

(b) REPORT.—Not later than March 1, 2016, the Secretary shall submit to the congressional defense committees a report on the findings of the independent entity, along with a description of any actions that the Secretary proposes to revise and clarify laws or that the Secretary may take to revise or clarify regulations related to intellectual property rights.

SEC. 876. INCLUSION IN ANNUAL TECHNOLOGY AND INDUSTRIAL CAPABILITY ASSESSMENTS OF A DETERMINATION ABOUT DEFENSE ACQUISITION PROGRAM REQUIREMENTS.

Section 2505(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (2) the following new paragraphs (3) and (4):

“(3) determine the extent to which the requirements associated with defense acquisition programs can be satisfied by the present and projected performance capacities of industries supporting the sectors or capabilities in the assessment, evaluate the reasons for any variance from applicable preceding determinations, and identify the extent to which those industries are comprised of only one potential source in the national technology and industrial base or have multiple potential sources;

“(4) determine the extent to which the requirements associated with defense acquisition programs can be satisfied by the present and projected performance capacities of industries that do not actively support Department of Defense acquisition programs and identify the barriers to the participation of those industries;”.

Subtitle G—Other Matters

SEC. 881. CONSIDERATION OF POTENTIAL PROGRAM COST INCREASES AND SCHEDULE DELAYS RESULTING FROM OVERSIGHT OF DEFENSE ACQUISITION PROGRAMS.

(a) AVOIDANCE OF UNNECESSARY COST INCREASES AND SCHEDULE DELAYS.—The Director of Operational Test and Evaluation, the Deputy Chief Management Officer, the Director of the Defense Contract Management Agency, the Director of the Defense Contract Audit Agency, the Inspector General of the Department of Defense, and the heads of other defense audit, testing, acquisition, and management agencies shall ensure that policies, procedures, and activities implemented by their offices and agencies in connection with defense acquisition program oversight do not result in unnecessary increases in program costs or cost estimates or delays in schedule or schedule estimates.

(b) CONSIDERATION OF PRIVATE SECTOR BEST PRACTICES.—In considering potential cost increases and schedule delays as a result of oversight efforts pursuant to subsection (a), the officials described in such subsection shall consider private sector best practices with respect to oversight implementation.

SEC. 882. EXAMINATION AND GUIDANCE RELATING TO OVERSIGHT AND APPROVAL OF SERVICES CONTRACTS.

Not later than March 1, 2016, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall—

(1) complete an examination of the decision authority related to acquisition of services; and

(2) develop and issue guidance to improve capabilities and processes related to requirements development and source selection for, and oversight and management of, services contracts.

SEC. 883. STREAMLINING OF REQUIREMENTS RELATING TO DEFENSE BUSINESS SYSTEMS.

(a) IN GENERAL.—

(1) REVISION.—Section 2222 of title 10, United States Code, is amended to read as follows:

“§ 2222. Defense business systems: business process reengineering; enterprise architecture; management

“(a) DEFENSE BUSINESS PROCESSES GENERALLY.—The Secretary of Defense shall ensure that defense business processes are reviewed, and as appropriate revised, through business process reengineering to match best commercial practices, to the maximum extent practicable, so as to minimize customization of commercial business systems.

“(b) DEFENSE BUSINESS SYSTEMS GENERALLY.—The Secretary of Defense shall ensure that each covered defense business system developed, deployed, and operated by the Department of Defense—

“(1) supports efficient business processes that have been reviewed, and as appropriate revised, through business process reengineering;

“(2) is integrated into a comprehensive defense business enterprise architecture;

“(3) is managed in a manner that provides visibility into, and traceability of, expenditures for the system; and

“(4) uses an acquisition and sustainment strategy that prioritizes the use of commercial software and business practices.

“(c) ISSUANCE OF GUIDANCE.—

“(1) SECRETARY OF DEFENSE GUIDANCE.—The Secretary shall issue guidance to provide for the coordination of, and decision making for, the planning, programming, and control of investments in covered defense business systems.

“(2) SUPPORTING GUIDANCE.—The Secretary shall direct the Deputy Chief Management Officer of the Department of Defense, the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Chief Information Officer, and the Chief Management Officer of each of the military departments to issue and maintain supporting guidance, as appropriate and within their respective areas of responsibility, for the guidance of the Secretary issued under paragraph (1).

“(d) GUIDANCE ELEMENTS.—The guidance issued under subsection (c)(1) shall include the following elements:

“(1) Policy to ensure that the business processes of the Department of Defense are continuously reviewed and revised—

“(A) to implement the most streamlined and efficient business processes practicable; and

“(B) eliminate or reduce the need to tailor commercial off-the-shelf systems to meet or incorporate requirements or interfaces that are unique to the Department of Defense.

“(2) A process to establish requirements for covered defense business systems.

“(3) Mechanisms for the planning and control of investments in covered defense business systems, including a process for the collection and review of programming and budgeting information for covered defense business systems.

“(4) Policy requiring the periodic review of covered defense business systems that have been fully deployed, by portfolio, to ensure that investments in such portfolios are appropriate.

“(5) Policy to ensure full consideration of sustainability and technological refreshment requirements, and the appropriate use of open architectures.

“(6) Policy to ensure that best acquisition and systems engineering practices are used in the procurement and deployment of commercial systems, modified commercial systems, and defense-unique systems to meet Department of Defense missions.

“(e) DEFENSE BUSINESS ENTERPRISE ARCHITECTURE.—

“(1) BLUEPRINT.—The Secretary, working through the Deputy Chief Management Officer of the Department of Defense, shall develop and maintain a blueprint to guide the development of integrated business processes within the Department of Defense. Such blueprint shall be known as the ‘defense business enterprise architecture’.

“(2) PURPOSE.—The defense business enterprise architecture shall be sufficiently defined to effectively guide implementation of interoperable defense business system solutions and shall be consistent with the policies and procedures established by the Director of the Office of Management and Budget.

“(3) ELEMENTS.—The defense business enterprise architecture shall—

“(A) include policies, procedures, business data standards, business performance measures, and business information requirements that apply uniformly throughout the Department of Defense; and

“(B) enable the Department of Defense to—

“(i) comply with all applicable law, including Federal accounting, financial management, and reporting requirements;

“(ii) routinely produce verifiable, timely, accurate, and reliable business and financial information for management purposes;

“(iii) integrate budget, accounting, and program information and systems; and

“(iv) identify whether each existing business system is a part of the business systems environment outlined by the defense business enterprise architecture, will become a part of that environment with appropriate modifications, or is not a part of that environment.

“(4) INTEGRATION INTO INFORMATION TECHNOLOGY ARCHITECTURE.—(A) The defense business enterprise architecture shall be integrated into the information technology enterprise architecture required under subparagraph (B).

“(B) The Chief Information Officer of the Department of Defense shall develop an information technology enterprise architecture. The architecture shall describe a plan for improving the information technology and computing infrastructure of the Department of Defense, including for each of the major business processes conducted by the Department of Defense.

“(f) DEFENSE BUSINESS COUNCIL.—

“(1) REQUIREMENT FOR COUNCIL.—The Secretary shall establish a Defense Business Council to provide advice to the Secretary on developing the defense business enterprise architecture, reengineering the Department's business processes, developing and deploying defense business systems, and developing requirements for defense business systems. The Council shall be chaired by the Deputy Chief Management Officer and the Chief Information Officer of the Department of Defense.

“(2) MEMBERSHIP.—The membership of the Council shall include the following:

“(A) The Chief Management Officers of the military departments, or their designees.

“(B) The following officials of the Department of Defense, or their designees:

“(i) The Under Secretary of Defense for Acquisition, Technology, and Logistics with respect to acquisition, logistics, and installations management processes.

“(ii) The Under Secretary of Defense (Comptroller) with respect to financial management and planning and budgeting processes.

“(iii) The Under Secretary of Defense for Personnel and Readiness with respect to human resources management processes.

“(g) APPROVALS REQUIRED FOR DEVELOPMENT.—

“(1) INITIAL APPROVAL REQUIRED.—The Secretary shall ensure that a covered defense business system program cannot proceed into development (or, if no development is required, into production or fielding) unless the appropriate approval official (as specified in paragraph (2)) determines that—

“(A) the system has been, or is being, reengineered to be as streamlined and efficient as practicable, and the implementation of the system will maximize the elimination of unique software requirements and unique interfaces;

“(B) the system and business system portfolio are or will be in compliance with the defense business enterprise architecture developed pursuant to subsection (e) or will be in compliance as a result of modifications planned;

“(C) the system has valid, achievable requirements and a viable plan for implementing those requirements (including, as appropriate, market research, business process reengineering, and prototyping activities);

“(D) the system has an acquisition strategy designed to eliminate or reduce the need to tailor commercial off-the-shelf systems to meet unique requirements, incorporate unique requirements, or incorporate unique interfaces to the maximum extent practicable; and

“(E) is in compliance with the Department’s auditability requirements.

“(2) APPROPRIATE OFFICIAL.—For purposes of paragraph (1), the appropriate approval official with respect to a covered defense business system is the following:

“(A) Except as may be provided in subparagraph (C), in the case of a priority defense business system, the Deputy Chief Management Officer of the Department of Defense.

“(B) Except as may be provided in subparagraph (C), for any defense business system other than a priority defense business system—

“(i) in the case of a system of a military department, the Chief Management Officer of that military department; and

“(ii) in the case of a system of a Defense Agency or Department of Defense Field Activity, or a system that will support the business process of more than one military department or Defense Agency or Department of Defense Field Activity, the Deputy Chief Management Officer of the Department of Defense.

“(C) In the case of any defense business system, such official other than the applicable official under subparagraph (A) or (B) as the Secretary designates for such purpose.

“(3) ANNUAL CERTIFICATION.—For any fiscal year in which funds are expended for development or sustainment pursuant to a covered defense business system program, the appropriate approval official shall review the system and certify, with conditions, or decline to certify, as the case may be, that it continues to satisfy the requirements of paragraph (1). If the approval official determines that certification cannot be granted, the approval official shall notify the milestone decision authority for the program and provide a recommendation for corrective action.

“(4) OBLIGATION OF FUNDS IN VIOLATION OF REQUIREMENTS.—The obligation of Department of Defense funds for a covered defense business system program that has not been certified in accordance with paragraph (3) is a violation of section 1341(a)(1)(A) of title 31.

“(h) RESPONSIBILITY OF MILESTONE DECISION AUTHORITY.—The milestone decision authority for a covered defense business system program shall be responsible for the acquisition of such system and shall ensure that acquisition process approvals are not considered for such system until the relevant certifications and approvals have been made under this section.

“(i) DEFINITIONS.—In this section:

“(1)(A) DEFENSE BUSINESS SYSTEM.—The term ‘defense business system’ means an information system that is operated by, for, or on behalf of the Department of Defense, including any of the following:

“(i) A financial system.

“(ii) A financial data feeder system.

“(iii) A contracting system.

“(iv) A logistics system.

“(v) A planning and budgeting system.

“(vi) An installations management system.

“(vii) A human resources management system.

“(viii) A training and readiness system.

“(B) The term does not include—

“(i) a national security system; or

“(ii) an information system used exclusively by and within the defense commissary

system or the exchange system or other instrumentality of the Department of Defense conducted for the morale, welfare, and recreation of members of the armed forces using nonappropriated funds.

“(2) COVERED DEFENSE BUSINESS SYSTEM.—The term ‘covered defense business system’ means a defense business system that is expected to have a total amount of budget authority, over the period of the current future-years defense program submitted to Congress under section 221 of this title, in excess of \$50,000,000.

“(3) BUSINESS SYSTEM PORTFOLIO.—The term ‘business system portfolio’ means all business systems performing functions closely related to the functions performed or to be performed by a covered defense business system.

“(4) COVERED DEFENSE BUSINESS SYSTEM PROGRAM.—The term ‘covered defense business system program’ means a defense acquisition program to develop and field a covered defense business system or an increment of a covered defense business system.

“(5) PRIORITY DEFENSE BUSINESS SYSTEM PROGRAM.—The term ‘priority defense business system’ means a defense business system that is—

“(A) expected to have a total amount of budget authority over the period of the current future-years defense program submitted to Congress under section 221 of this title in excess of \$250,000,000; or

“(B) designated by the Deputy Chief Management Officer of the Department of Defense as a priority defense business system, based on specific program analyses of factors including complexity, scope, and technical risk, and after notification to Congress of such designation.

“(6) ENTERPRISE ARCHITECTURE.—The term ‘enterprise architecture’ has the meaning given that term in section 3601(4) of title 44.

“(7) INFORMATION SYSTEM.—The term ‘information system’ has the meaning given that term in section 11101 of title 40, United States Code.

“(8) NATIONAL SECURITY SYSTEM.—The term ‘national security system’ has the meaning given that term in section 3552(b)(6)(A) of title 44.

“(9) BUSINESS PROCESS MAPPING.—The term ‘business process mapping’ means a procedure in which the steps in a business process are clarified and documented in both written form and in a flow chart.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by striking the item relating to section 2222 and inserting the following new item:

“2222. Defense business systems: business process reengineering; enterprise architecture; management.”

(b) DEADLINE FOR GUIDANCE.—The guidance required by subsection (c)(1) of section 2222 of title 10, United States Code, as amended by subsection (a)(1), shall be issued not later than December 31, 2016.

(c) REPEAL.—Section 811 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 10 U.S.C. 2222 note) is repealed.

(d) COMPTROLLER GENERAL ASSESSMENT.—

(1) ASSESSMENT REQUIRED.—In each odd-numbered year, the Comptroller General of the United States shall submit to the congressional defense committees an assessment of the extent to which the actions taken by the Department of Defense comply with the requirements of section 2222 of title 10, United States Code.

(2) REPEAL OF SUPERSEDED PROVISION.—Subsection (d) of section 332 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 118 Stat. 1856) is repealed.

(e) GUIDANCE ON ACQUISITION OF BUSINESS SYSTEMS.—The Secretary of Defense shall issue guidance for major automated information systems acquisition programs to promote the use of best acquisition, contracting, requirement development, systems engineering, program management, and sustainment practices, including—

(1) ensuring that an acquisition program baseline has been established within two years after program initiation;

(2) ensuring that program requirements have not changed in a manner that increases acquisition costs or delays the schedule, without sufficient cause and only after maximum efforts to reengineer business processes prior to changing requirements;

(3) policies to evaluate commercial off-the-shelf business systems for security, resilience, reliability, interoperability, and integration with existing interrelated systems where such system integration and interoperability are essential to Department of Defense operations;

(4) policies to work with commercial off-the-shelf business system developers and owners in adapting systems for Department of Defense use;

(5) policies to perform Department of Defense legacy system audits to determine which systems are related to or rely upon the system to be replaced or integrated with commercial off-the-shelf business systems;

(6) policies to perform full backup of systems that will be changed or replaced by the installation of commercial off-the-shelf business systems prior to installation and deployment to ensure reconstitution of the system to a functioning state should it become necessary;

(7) policies to engage the research and development activities and laboratories of the Department of Defense to improve acquisition outcomes; and

(8) policies to refine and improve developmental and operational testing of business processes that are supported by the major automated information systems.

SEC. 884. PROCUREMENT OF PERSONAL PROTECTIVE EQUIPMENT.

The Secretary of Defense shall ensure that the Secretaries of the Army, Navy, and Air Force, in procuring an item of personal protective equipment or a critical safety item, use source selection criteria that is predominately based on technical qualifications of the item and not predominately based on price to the maximum extent practicable if the level of quality or failure of the item could result in death or severe bodily harm to the user, as determined by the Secretaries.

SEC. 885. AMENDMENTS CONCERNING DETECTION AND AVOIDANCE OF COUNTERFEIT ELECTRONIC PARTS.

(a) AMENDMENTS RELATED TO CONTRACTOR RESPONSIBILITIES.—Section 818(c)(2)(B) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 10 U.S.C. 2302 note) is amended—

(1) in clause (i), by inserting “electronic” after “avoid counterfeit”;

(2) in clause (ii)—

(A) by inserting “covered” after “provided to the”; and

(B) by inserting “or were obtained by the covered contractor in accordance with regulations described in paragraph (3)” after “Regulation”; and

(3) in clause (iii), by inserting “discovers the counterfeit electronic parts or suspect counterfeit electronic parts and” after “contractor”.

(b) AMENDMENTS RELATED TO TRUSTED SUPPLIERS.—Section 818(c)(3)(D)(iii) of such Act (Public Law 112-81; 10 U.S.C. 2302 note) is amended by striking “review and audit” and inserting “review, audit, and approval”.

SEC. 886. EXCEPTION FOR ABILITYONE PRODUCTS FROM AUTHORITY TO ACQUIRE GOODS AND SERVICES MANUFACTURED IN AFGHANISTAN, CENTRAL ASIAN STATES, AND DJIBOUTI.

(a) EXCLUSION OF CERTAIN ITEMS NOT MANUFACTURED IN AFGHANISTAN.—Section 886 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note) is amended—

(1) in subsection (a), by inserting “and except as provided in subsection (d),” after “subsection (b),”; and

(2) by adding at the end the following new subsection:

“(d) EXCLUSION OF ITEMS ON THE ABILITYONE PROCUREMENT CATALOG.—The authority under subsection (a) shall not be available for the procurement of any good that is contained in the procurement catalog described in section 8503(a) of title 41, United States Code, in Afghanistan if such good can be produced and delivered by a qualified nonprofit agency for the blind or a nonprofit agency for other severely disabled in a timely fashion to support mission requirements.”.

(b) EXCLUSION OF CERTAIN ITEMS NOT MANUFACTURED IN CENTRAL ASIAN STATES.—Section 801 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2399) is amended—

(1) in subsection (a), by inserting “and except as provided in subsection (h),” after “subsection (b),”; and

(2) by adding at the end the following new subsection:

“(h) EXCLUSION OF ITEMS ON THE ABILITYONE PROCUREMENT CATALOG.—The authority under subsection (a) shall not be available for the procurement of any good that is contained in the procurement catalog described in section 8503(a) of title 41, United States Code, if such good can be produced and delivered by a qualified nonprofit agency for the blind or a nonprofit agency for other severely disabled in a timely fashion to support mission requirements.”.

(c) EXCLUSION OF CERTAIN ITEMS NOT MANUFACTURED IN DJIBOUTI.—Section 1263 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) is amended—

(1) in subsection (b), by inserting “and except as provided in subsection (g),” after “subsection (c),”; and

(2) by adding at the end the following new subsection:

“(g) EXCLUSION OF ITEMS ON THE ABILITYONE PROCUREMENT CATALOG.—The authority under subsection (b) shall not be available for the procurement of any good that is contained in the procurement catalog described in section 8503(a) of title 41, United States Code, if such good can be produced and delivered by a qualified nonprofit agency for the blind or a nonprofit agency for other severely disabled in a timely fashion to support mission requirements.”.

SEC. 887. EFFECTIVE COMMUNICATION BETWEEN GOVERNMENT AND INDUSTRY.

Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall prescribe a regulation making clear that agency ac-

quisition personnel are permitted and encouraged to engage in responsible and constructive exchanges with industry, so long as those exchanges are consistent with existing law and regulation and do not promote an unfair competitive advantage to particular firms.

SEC. 888. STANDARDS FOR PROCUREMENT OF SECURITY INFORMATION TECHNOLOGY AND CYBER SECURITY SYSTEMS.

(a) ASSESSMENT REQUIRED.—The Secretary of Defense shall conduct an assessment of the application of the Open Trusted Technology Provider Standard or similar public, open technology standards to Department of Defense procurements for information technology and cyber security acquisitions and provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives not later than one year after the date of the enactment of this Act.

(b) ELEMENTS.—The assessment and briefing required by subsection (a) shall include the following:

(1) Assessment of the current Open Trusted Technology Provider Standard to determine what aspects might be adopted by the Department of Defense and where additional development of the standard may be required.

(2) Identification of the types or classes of programs where the standard might be applied most effectively, as well as identification of types or classes of programs that should specifically be excluded from consideration.

(3) Assessment of the impact on current acquisition regulations or policies of the adoption of the standard.

(4) Recommendations the Secretary may have related to the adoption of the standard or improvement in the standard to support Department acquisitions.

(5) Any other matters the Secretary may deem appropriate.

SEC. 889. UNIFIED INFORMATION TECHNOLOGY SERVICES.

(a) BUSINESS CASE ANALYSIS.—Not later than one year after the date of the enactment of this Act, the Deputy Chief Management Officer, the Chief Information Officer of the Department of Defense, and the Under Secretary of Defense for Acquisition, Technology, and Logistics shall jointly complete a business case analysis to determine the most effective and efficient way to procure and deploy common information technology services.

(b) ELEMENTS.—The business case analysis required by subsection (a) shall include an assessment of whether the Department of Defense should—

(1) either—

(A) acquire a unified set of commercially provided common or enterprise information technology services, including such services as messaging, collaboration, directory, security, and content delivery; or

(B) allow the military departments and other components of the Department to acquire such services separately;

(2) either—

(A) acquire such services from a single provider that bundles all of the services; or

(B) require that each common service be independently defined and use open standards to enable continuous adoption of best commercial technology; and

(3) enable availability of multiple versions of each type of service and application to enable choice and competition while supporting interoperability where necessary.

SEC. 890. CLOUD STRATEGY FOR DEPARTMENT OF DEFENSE.

(a) CLOUD STRATEGY FOR SECRET INTERNET PROTOCOL ROUTER NETWORK.—

(1) IN GENERAL.—The Chief Information Officer of the Department of Defense shall, in consultation with the Under Secretary of Defense for Intelligence, the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Vice Chairman of the Joint Chiefs of Staff, and the chief information officers of the military departments, develop a cloud strategy for the Secret Internet Protocol Router Network (SIPRNet) of the Department.

(2) MATTERS ADDRESSED.—This strategy required by paragraph (1) shall address the following:

(A) Security requirements.

(B) The compatibility of applications currently utilized within the Secret Internet Protocol Router Network with a cloud computing environment.

(C) How a Secret Internet Protocol Router Network cloud capability should be competitively acquired.

(D) How a Secret Internet Protocol Router Network cloud system for the Department would achieve interoperability with the cloud systems of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) operating at the security level Sensitive Compartmented Information.

(b) PRICING POLICY AND COST RECOVERY PROCESS FOR CERTAIN CLOUD SERVICES.—The Chief Information Officer shall, in consultation with the Under Secretary of Defense for Intelligence, develop a consistent pricing policy and cost recovery process for the use by Department of Defense components of the cloud services provided through the Intelligence Community Information Technology Environment.

(c) ASSESSMENT OF FEASIBILITY AND ADVISABILITY OF IMPOSING MINIMUM STANDARDS.—The Chief Information Officer shall assess the feasibility and advisability of imposing a minimum set of open standards for cloud infrastructure, middle-ware, metadata, and application programming interfaces to promote interoperability, information sharing, ease of access to data, and competition across all of the cloud computing systems and services utilized by components of the Department of Defense.

SEC. 891. DEVELOPMENT PERIOD FOR DEPARTMENT OF DEFENSE INFORMATION TECHNOLOGY SYSTEMS.

(a) FLEXIBLE LIMITATION ON DEVELOPMENT PERIOD.—Section 2445b of title 10, United States Code is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

“(d) TIME-CERTAIN DEVELOPMENT.—If an adjustment or revision under subsection (c) for a major automated information system that is not a national security system provides for a period in excess of five years from the time of program initiation to the time of a full deployment decision, the documents submitted under subsection (a) shall include a written determination by the senior Department of Defense official responsible for the program justifying the need for the longer period.”.

(b) REPEAL OF INCONSISTENT REQUIREMENT.—Section 2445c(c)(2) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking the semicolon at the end and inserting “; or”;

(2) in subparagraph (C), by striking “; or” and inserting a period; and

(3) by striking subparagraph (D).

SEC. 892. REVISIONS TO PILOT PROGRAM ON ACQUISITION OF MILITARY PURPOSE NONDEVELOPMENTAL ITEMS.

Section 866 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 10 U.S.C. 2302 note) is amended—

(1) in subsection (a)(2), by striking “with nontraditional defense contractors”; and

(2) in subsection (b)—

(A) in paragraph (1), by striking “awarded using competitive procedures in accordance with chapter 137 of title 10, United States Code”; and

(B) in paragraph (2), by striking “\$50,000,000” and inserting “\$100,000,000”.

SEC. 893. IMPROVED AUDITING OF CONTRACTS.

(a) PROHIBITION ON PERFORMANCE OF NON-DEFENSE AUDITS BY DCAA.—

(1) IN GENERAL.—Effective on the date of the enactment of this Act, the Defense Contract Audit Agency may not provide audit support for non-Defense Agencies unless the Secretary of Defense certifies that the backlog for incurred cost audits is less than 18 months of incurred cost inventory.

(2) ADJUSTMENT IN FUNDING FOR REIMBURSEMENTS FROM NON-DEFENSE AGENCIES.—The amount appropriated and otherwise available to the Defense Contract Audit Agency for a fiscal year beginning after September 30, 2016, shall be reduced by an amount equivalent to any reimbursements received by the Agency from non-Defense Agencies for audit support provided.

(b) AMENDMENTS TO DEFENSE CONTRACT AUDIT AGENCY ANNUAL REPORT.—Section 2313a(a) of title 10, United States Code, is amended—

(1) in paragraph (2), by amending subparagraph (D) to read as follows:

“(D) the total costs of sustained or recovered costs both as a total number and as a percentage of questioned costs; and”;

(2) in paragraph (3), by striking “; and” and inserting a semicolon;

(3) by redesignating paragraph (4) as paragraph (5); and

(4) by inserting after paragraph (3) the following new paragraph:

“(4) a description of outreach actions toward industry to promote more effective use of audit resources; and”.

(c) REVIEW OF ACQUISITION OVERSIGHT AND AUDITS.—

(1) REVIEW REQUIRED.—The Secretary of Defense shall review the oversight and audit structure of the Department of Defense with the goals of—

(A) enhancing the productivity of oversight and program and contract auditing to avoid duplicative audits; and

(B) streamlining of oversight reviews.

(2) RECOMMENDATIONS.—The Secretary shall ensure streamlined oversight reviews and avoidance of duplicative audits and make recommendations in the report required under paragraph (3) for any necessary changes in law.

(3) REPORT.—

(A) Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on actions taken to avoid duplicative audits and streamline oversight reviews.

(B) The report required under this paragraph shall include the following elements:

(i) A description of actions taken to avoid duplicative audits and streamline oversight reviews based on the review conducted under paragraph (1).

(ii) A comparison of commercial industry accounting practices, including require-

ments under the Sarbanes-Oxley Act of 2002 (Public Law 107-204; 15 U.S.C. 7201 et seq.), with the cost accounting standards prescribed under chapter 15 of title 41, United States Code, to determine if some portions of cost accounting standards compliance can be met through such practices or requirements.

(iii) A description of standards of materiality used by the Defense Contract Audit Agency and the Inspector General of the Department of Defense for defense contract audits.

(iv) An estimate of average delay and range of delays in contract awards due to the time necessary for the Defense Contract Audit Agency to complete pre-award audits.

(v) The total costs of sustained or recovered costs both as a total number and as a percentage of questioned costs.

(d) INCURRED COST INVENTORY DEFINED.—In this section, the term “incurred cost inventory” means the level of contractor incurred cost proposals in inventory from prior fiscal years that are currently being audited by the Defense Contract Audit Agency.

SEC. 894. SENSE OF CONGRESS ON EVALUATION METHOD FOR PROCUREMENT OF AUDIT OR AUDIT READINESS SERVICES.

(a) FINDINGS.—Congress finds the following:

(1) Given the size, scope, and complexity of the Department of Defense, the statutory deadline to establish and maintain auditable financial statements, starting with the fiscal year 2018 financial statement, is one of the more challenging management tasks that has ever faced the Department.

(2) As the military services have never received a clean opinion on their consolidated financial statements and only recently begun auditing portions of their financial statements, the audits of military service financial statements will also be a complex challenge for companies selected to provide audit services.

(3) The acquisition of services by the Department abides by many rules and parameters, one of which is the lowest price, technically acceptable (LPTA) evaluation method. LPTA is generally appropriate for commercial or noncomplex services or supplies where the requirement is clearly definable and the risk of unsuccessful contract performance is minimal.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, before using the lowest price, technically acceptable evaluation method for the procurement of audit or audit readiness services, the Secretary of Defense should establish the values and metrics for evaluating companies offering audit services, including financial management and audit expertise and experience, personnel qualifications and certifications, past performance, technology, tools, and size.

SEC. 895. MITIGATING POTENTIAL UNFAIR COMPETITIVE ADVANTAGE OF TECHNICAL ADVISORS TO ACQUISITION PROGRAMS.

Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall review, and as necessary revise or issue, policy guidance pertaining to the identification, mitigation, and prevention of potential unfair competitive advantage conferred to technical advisors to acquisition programs.

SEC. 896. SURVEY ON THE COSTS OF REGULATORY COMPLIANCE.

(a) SURVEY.—The Secretary of Defense shall conduct a survey of contractors with the highest level of reimbursements for cost type contracts with the Department of De-

fense during fiscal year 2014 to estimate industry's cost of regulatory compliance (as a percentage of total costs) with Government-unique acquisition regulations and requirements in the categories of quality assurance, accounting and financial management, contracting and purchasing, program management, engineering, logistics, material management, property administration, and other unique requirements not imposed on contracts for commercial items.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the findings of the survey conducted under subsection (a). The data received as a result of the survey and included in the report shall be aggregated to protect against the public release of proprietary information.

SEC. 897. TREATMENT OF INTERAGENCY AND STATE AND LOCAL PURCHASES WHEN THE DEPARTMENT OF DEFENSE ACTS AS CONTRACT INTERMEDIARY FOR THE GENERAL SERVICES ADMINISTRATION.

Contracts executed by the Department of Defense as a result of the transfer of contracts from the General Services Administration or for which the Department serves as an item manager for products on behalf of the General Services Administration shall not be subject to requirements under chapter 148 of title 10, United States Code, to the extent such contracts are for purchases of products by other Federal agencies or State or local governments.

SEC. 898. COMPETITION FOR RELIGIOUS SERVICES CONTRACTS.

The Department of Defense may not preclude a non-profit organization from competing for a contract for religious related services on a United States military installation.

SEC. 899. PILOT PROGRAM REGARDING RISK-BASED CONTRACTING FOR SMALLER CONTRACT ACTIONS UNDER THE TRUTH IN NEGOTIATIONS ACT.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may conduct a pilot program to demonstrate the efficacy of using risk-based techniques in requiring submission of data on a sampling basis for purposes of section 2306a of title 10, United States Code (popularly known as the “Truth in Negotiations Act”).

(b) INCREASE IN THRESHOLDS.—For purposes of a pilot program under subsection (a), \$5,000,000 shall be the threshold applicable to requirements under paragraph (1) of section 2306a(a) of such title, as follows:

(1) The requirement under subparagraph (A) of such paragraph to submit cost or pricing data for a prime contract entered into during the pilot program period.

(2) The requirement under subparagraph (B) of such paragraph to submit cost or pricing data for the change or modification to a prime contract made during the pilot program period.

(3) The requirement under subparagraph (C) of such paragraph to submit cost or pricing data for a subcontract entered into during the pilot program period.

(4) The requirement under subparagraph (D) of such paragraph to submit cost or pricing data for the change or modification to a subcontract made during the pilot program period.

(c) RISK-BASED CONTRACTING.—

(1) AUTHORITY TO REQUIRE SUBMISSION OF COST OR PRICING DATA ON BELOW-THRESHOLD CONTRACTS.—Subject to paragraph (4), when

certified cost or pricing data are not required to be submitted pursuant to subsection (b) for a contract or subcontract entered into or modified during the pilot program period, such data may nevertheless be required to be submitted by the head of the procuring activity, if the head of the procuring activity—

(A) determines that such data are necessary for the evaluation by the agency of the reasonableness of the price of the contract, subcontract, or modification of a contract or subcontract; or

(B) requires the submission of such data in accordance with a risk-based contracting approach established pursuant to paragraph (3).

(2) **WRITTEN DETERMINATION REQUIRED.**—In any case in which the head of the procuring activity requires certified cost or pricing data to be submitted under paragraph (1)(A), the head of the procuring activity shall justify in writing the reason for such requirement.

(3) **RISK-BASED CONTRACTING.**—The head of an agency shall establish a risk-based sampling approach under which the submission of certified cost or pricing data may be required for a risk-based sample of contracts, the price of which is expected to exceed \$750,000 but not \$5,000,000. The authority to require certified cost or pricing data under this paragraph shall not apply to any contract of an offeror that has not been awarded, for at least the one-year period preceding the issuance of a solicitation for the contract, any other contract in excess of \$5,000,000 under which the offeror was required to submit certified cost or pricing data under section 2306a of title 10, United States Code.

(4) **EXCEPTION.**—The head of the procuring activity may not require certified cost or pricing data to be submitted under this subsection for any contract or subcontract, or modification of a contract or subcontract, covered by the exceptions in subparagraph (A) or (B) of section 2306a(b)(1) of title 10, United States Code.

(5) **DELEGATION OF AUTHORITY PROHIBITED.**—The head of a procuring activity may not delegate functions under this subsection.

(d) **REPORTS.**—Not later than January 1, 2017, and January 1, 2019, the Secretary of Defense shall submit to the congressional defense committees a report on activities undertaken under this section.

(e) **DEFINITIONS.**—In this section:

(1) **HEAD OF AN AGENCY.**—The term “head of an agency” has the meaning given the term in section 2302 of title 10, United States Code.

(2) **PILOT PROGRAM PERIOD.**—The term “pilot program period” means the period beginning on October 1, 2016, and ending on September 30, 2019.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Sec. 901. Update of statutory specification of functions of the Chairman of the Joint Chiefs of Staff relating to joint force development activities.

Sec. 902. Sense of Congress on the United States Marine Corps.

SEC. 901. UPDATE OF STATUTORY SPECIFICATION OF FUNCTIONS OF THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF RELATING TO JOINT FORCE DEVELOPMENT ACTIVITIES.

Section 153(a)(5) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(F) Advising the Secretary on development of joint command, control, commu-

nications, and cyber capability, including integration and interoperability of such capability, through requirements, integrated architectures, data standards, and assessments.”.

SEC. 902. SENSE OF CONGRESS ON THE UNITED STATES MARINE CORPS.

(a) **FINDINGS.**—Congress finds the following:

(1) As senior United States statesman Dr. Henry Kissinger wrote in testimony submitted to the Committee on Armed Services of the Senate on January 29, 2015, “The United States has not faced a more diverse and complex array of crises since the end of the Second World War.”.

(2) The rise of non-state forces and near peer competitors has introduced destabilizing pressures around the globe.

(3) Advances in information and weapons technology have reduced the time available for the United States to prepare for and respond to crises against both known and unknown threats.

(4) The importance of the maritime domain cannot be overstated. As acknowledged in the March 2015 Navy, Marine Corps, and Coast Guard maritime strategy, “A Cooperative Strategy for 21st Century Seapower: Forward, Engaged, Ready”: “Oceans are the lifeblood of the interconnected global community. . . 90 percent of trade by volume travels across the oceans. Approximately 70 percent of the world’s population lives within 100 miles of the coastline.”.

(5) The United States must be prepared to rapidly respond to crises around the world regardless of the nation’s fiscal health.

(6) In this global security environment, it is critical that the nation possess a maritime force whose mission and ethos is readiness—a fight tonight force, forward deployed, that can respond immediately to emergent crises across the full range of military operations around the globe either from the sea or home station.

(7) The need for such a force was recognized by the 82nd Congress during the Korean War, when it mandated a core mission for the nation’s leanest force—the Marine Corps—to be most ready when the nation is least ready.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the Marine Corps, within the Department of the Navy, remain the Nation’s expeditionary, crisis response force;

(2) the need for such a force with such a capability has never been greater; and

(3) accordingly, in recognition of this need and the wisdom of the 82nd Congress, the 114th Congress reaffirms section 5063 of title 10, United States Code, which states that the Marine Corps—

(A) shall—

(i) be organized to include not less than three combat divisions and three air wings, and such other land combat, aviation, and other services as may be organic therein;

(ii) be organized, trained, and equipped to provide fleet marine forces of combined arms, together with supporting air components, for service with the fleet in the seizure or defense of advanced naval bases and for the conduct of such land operations as may be essential to the prosecution of a naval campaign; and

(iii) provide detachments and organizations for service on armed vessels of the Navy, provide security detachments for the protection of naval property at naval stations and bases, and perform such other duties as the President may direct;

but these additional duties may not detract from nor interfere with the operations for

which the Marine Corps is primarily organized;

(B) shall develop, in coordination with the Army and the Air Force, those phases of amphibious operations that pertain to the tactics, techniques, and equipment used by landing forces; and

(C) is responsible, in accordance with the integrated joint mobilization plans, for the expansion of peacetime components of the Marine Corps to meet the needs of war.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. General transfer authority.

Sec. 1002. Accounting standards to value certain property, plant, and equipment items.

Sec. 1003. Report on auditable financial statements.

Sec. 1004. Sense of Congress on sequestration.

Sec. 1005. Annual audit of financial statements of Department of Defense components by independent external auditors.

Subtitle B—Counter-Drug Activities

Sec. 1011. Extension of authority to support unified counterdrug and counterterrorism campaign in Colombia.

Sec. 1012. Extension and expansion of authority to provide additional support for counter-drug activities of certain foreign governments.

Sec. 1013. Sense of Congress on Central America.

Subtitle C—Naval Vessels and Shipyards

Sec. 1021. Additional information supporting long-range plans for construction of naval vessels.

Sec. 1022. National Sea-Based Deterrence Fund.

Sec. 1023. Extension of authority for reimbursement of expenses for certain Navy mess operations afloat.

Sec. 1024. Availability of funds for retirement or inactivation of Ticonderoga class cruisers or dock landing ships.

Sec. 1025. Limitation on the use of funds for removal of ballistic missile defense capabilities from Ticonderoga class cruisers.

Sec. 1026. Independent assessment of United States Combat Logistic Force requirements.

Subtitle D—Counterterrorism

Sec. 1031. Prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States.

Sec. 1032. Prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.

Sec. 1033. Prohibition on use of funds for transfer or release to certain countries of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

- Sec. 1034. Reenactment and modification of certain prior requirements for certifications relating to transfer of detainees at United States Naval Station, Guantanamo Bay, Cuba, to foreign countries and other foreign entities.
- Sec. 1035. Comprehensive detention strategy.
- Sec. 1036. Prohibition on use of funds for realignment of forces at or closure of United States Naval Station, Guantanamo Bay, Cuba.
- Sec. 1037. Report on current detainees at United States Naval Station, Guantanamo Bay, Cuba, determined or assessed to be high risk or medium risk.
- Sec. 1038. Reports to Congress on contact between terrorists and individuals formerly detained at United States Naval Station, Guantanamo Bay, Cuba.
- Sec. 1039. Inclusion in reports to Congress of information about recidivism of individuals formerly detained at United States Naval Station, Guantanamo Bay, Cuba.
- Sec. 1040. Report to Congress on terms of written agreements with foreign countries regarding transfer of detainees at United States Naval Station, Guantanamo Bay, Cuba.
- Sec. 1041. Report on use of United States Naval Station, Guantanamo Bay, Cuba, and other Department of Defense or Bureau of Prisons prisons or detention or disciplinary facilities in recruitment or other propaganda of terrorist organizations.
- Sec. 1042. Permanent authority to provide rewards through government personnel of allied forces and certain other modifications to Department of Defense program to provide rewards.
- Sec. 1043. Sunset on exception to congressional notification of sensitive military operations.
- Sec. 1044. Repeal of semiannual reports on obligation and expenditure of funds for the combating terrorism program.
- Sec. 1045. Limitation on interrogation techniques.
- Subtitle E—Miscellaneous Authorities and Limitations
- Sec. 1051. Department of Defense excess property program.
- Sec. 1052. Sale or donation of excess personal property for border security activities.
- Sec. 1053. Management of military technicians.
- Sec. 1054. Limitation on transfer of certain AH-64 Apache helicopters from Army National Guard to regular Army and related personnel levels.
- Sec. 1055. Authority to provide training and support to personnel of foreign ministries of defense.
- Sec. 1056. Information operations and engagement technology demonstrations.
- Sec. 1057. Prohibition on use of funds for retirement of Helicopter Sea Combat Squadron 84 and 85 aircraft.
- Sec. 1058. Limitation on availability of funds for destruction of certain landmines and report on department of defense policy and inventory of anti-personnel landmine munitions.
- Sec. 1059. Department of Defense authority to provide assistance to secure the southern land border of the United States.
- Subtitle F—Studies and Reports
- Sec. 1060. Provision of defense planning guidance and contingency planning guidance information to Congress.
- Sec. 1061. Expedited meetings of the National Commission on the Future of the Army.
- Sec. 1062. Modification of certain reports submitted by Comptroller General of the United States.
- Sec. 1063. Report on implementation of the geographically distributed force laydown in the area of responsibility of United States Pacific Command.
- Sec. 1064. Independent study of national security strategy formulation process.
- Sec. 1065. Report on the status of detection, identification, and disablement capabilities related to remotely piloted aircraft.
- Sec. 1066. Report on options to accelerate the training of pilots of remotely piloted aircraft.
- Sec. 1067. Studies of fleet platform architectures for the Navy.
- Sec. 1068. Report on strategy to protect United States national security interests in the Arctic region.
- Sec. 1069. Comptroller General briefing and report on major medical facility projects of Department of Veterans Affairs.
- Sec. 1070. Submittal to Congress of munitions assessments.
- Sec. 1071. Potential role for United States ground forces in the Western Pacific theater.
- Sec. 1072. Repeal or revision of reporting requirements related to military personnel issues.
- Sec. 1073. Repeal or revision of reporting requirements relating to readiness.
- Sec. 1074. Repeal or revision of reporting requirements related to naval vessels and Merchant Marine.
- Sec. 1075. Repeal or revision of reporting requirements related to civilian personnel.
- Sec. 1076. Repeal or revision of reporting requirements related to nuclear proliferation and related matters.
- Sec. 1077. Repeal or revision of reporting requirements related to acquisition.
- Sec. 1078. Repeal or revision of miscellaneous reporting requirements.
- Sec. 1079. Repeal of reporting requirements.
- Sec. 1080. Termination of requirement for submittal to Congress of reports required of Department of Defense by statute.
- Subtitle G—Other Matters
- Sec. 1081. Technical and clerical amendments.
- Sec. 1082. Situations involving bombings of places of public use, Government facilities, public transportation systems, and infrastructure facilities.
- Sec. 1083. Executive agent for the oversight and management of alternative compensatory control measures.
- Sec. 1084. Navy support of Ocean Research Advisory Panel.
- Sec. 1085. Level of readiness of Civil Reserve Air Fleet carriers.
- Sec. 1086. Reform and improvement of personnel security, insider threat detection and prevention, and physical security.
- Sec. 1087. Transfer of surplus firearms to Corporation for the Promotion of Rifle Practice and Firearms Safety.
- Sec. 1088. Modification of requirements for transferring aircraft within the Air Force inventory.
- Sec. 1089. Reestablishment of Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack.
- Sec. 1090. Mine countermeasures master plan and report.
- Sec. 1091. Congressional notification and briefing requirement on ordered evacuations of United States embassies and consulates involving support provided by the Department of Defense.
- Sec. 1092. Interagency Hostage Recovery Coordinator.
- Sec. 1093. Sense of Congress on the inadvertent transfer of anthrax from the Department of Defense.
- Sec. 1094. Modification of certain requirements applicable to major medical facility lease for a Department of Veterans Affairs outpatient clinic in Tulsa, Oklahoma.
- Sec. 1095. Authorization of fiscal year 2015 major medical facility projects of the Department of Veterans Affairs.
- Sec. 1096. Designation of construction agent for certain construction projects by Department of Veterans Affairs.
- Sec. 1097. Department of Defense strategy for countering unconventional warfare.
- Subtitle A—Financial Matters
- SEC. 1001. GENERAL TRANSFER AUTHORITY.**
- (a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.**—
- (1) **AUTHORITY.**—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2016 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.
- (2) **LIMITATION.**—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed \$4,500,000,000.
- (3) **EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.**—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).
- (b) **LIMITATIONS.**—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) **EFFECT ON AUTHORIZATION AMOUNTS.**—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) **NOTICE TO CONGRESS.**—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. ACCOUNTING STANDARDS TO VALUE CERTAIN PROPERTY, PLANT, AND EQUIPMENT ITEMS.

(a) **REQUIREMENT FOR CERTAIN ACCOUNTING STANDARDS.**—The Secretary of Defense shall work in coordination with the Federal Accounting Standards Advisory Board to establish accounting standards to value large and unordinary general property, plant, and equipment items.

(b) **DEADLINE.**—The accounting standards required by subsection (a) shall be established by not later than September 30, 2017, and be available for use for the full audit on the financial statements of the Department of Defense for fiscal year 2018, as required by section 1003(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 842; 10 U.S.C. 2222 note).

SEC. 1003. REPORT ON AUDITABLE FINANCIAL STATEMENTS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report ranking all military departments and Defense Agencies in order of how advanced they are in achieving auditable financial statements as required by law. The report should not include information otherwise available in other reports to Congress.

SEC. 1004. SENSE OF CONGRESS ON SEQUESTRATION.

It is the sense of the Congress that—

(1) the fiscal challenges of the Federal Government are a top priority for Congress, and sequestration—non-strategic, across-the-board budget cuts—remains an unreasonable and inadequate budgeting tool to address the deficits and debt of the Federal Government;

(2) budget caps imposed by the Budget Control Act of 2011 (Public Law 112-25) impose unacceptable limitations on the budget and increase risk to the national security of the United States; and

(3) the budget caps imposed by the Budget Control Act of 2011 must be modified or eliminated through a bipartisan legislative agreement.

SEC. 1005. ANNUAL AUDIT OF FINANCIAL STATEMENTS OF DEPARTMENT OF DEFENSE COMPONENTS BY INDEPENDENT EXTERNAL AUDITORS.

(a) **AUDITS REQUIRED.**—For purposes of satisfying the requirement under section 3521(e) of title 31, United States Code, for audits of financial statements of Department of Defense components identified by the Director of the Office of Management and Budget under section 3515(c) of such title, the Inspector General of the Department of Defense shall obtain each year audits of the financial statements of each such component by an independent external auditor.

(b) **SELECTION OF AUDITORS.**—The selection of independent external auditors for purposes of subsection (a) shall be based, among other

appropriate criteria, on their qualifications, independence, and capacity to conduct audits described in subsection (a) in accordance with applicable generally accepted government auditing standards. The Inspector General shall participate in the selection of the independent external auditors.

(c) **MONITORING AUDITS.**—The Inspector General shall monitor the conduct of all audits by independent external auditors under subsection (a).

(d) **REPORTS ON AUDITS.**—

(1) **IN GENERAL.**—The Inspector General shall require the independent external auditors conducting audits under subsection (a) to submit a report on their audits each year to—

(A) the Under Secretary of Defense (Comptroller) as the Chief Financial Officer of the Department of Defense for the purposes of chapter 9 of title 31, United States Code;

(B) the Controller of the Office of Federal Financial Management in the Office of Management and Budget; and

(C) the appropriate committees of Congress.

(2) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

(e) **RELATIONSHIP TO EXISTING LAW.**—The requirements of this section—

(1) shall be implemented in a manner that is consistent with the requirements of section 1008 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 10 U.S.C. 113 note);

(2) shall not be construed to alter the requirement under section 3521(e) of title 31, United States Code, that the financial statements of the Department of Defense as a whole be audited by the Inspector General or by an independent external auditor, as determined by the Inspector General; and

(3) shall not be construed to limit or alter the authorities of the Comptroller General of the United States under section 3521(g) of title 31, United States Code.

Subtitle B—Counter-Drug Activities

SEC. 1011. EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTERDRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

(a) **EXTENSION OF AUTHORITY.**—Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 118 Stat. 2042), as most recently amended by section 1011(a) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3483), is further amended—

(1) in subsection (a), by striking “2016” and inserting “2017”; and

(2) in subsection (c), by striking “2016” and inserting “2017”.

(b) **EXTENSION OF ANNUAL NOTICE TO CONGRESS ON ASSISTANCE.**—Section 1011(b) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 is amended by striking “(as amended by subsection (a)) using funds available for fiscal year 2015” and inserting “using funds available for any fiscal year”.

SEC. 1012. EXTENSION AND EXPANSION OF AUTHORITY TO PROVIDE ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES OF CERTAIN FOREIGN GOVERNMENTS.

(a) **EXTENSION.**—Subsection (a)(2) of section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1881), as most recently amended by section 1013 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 844), is further amended by striking “2016” and inserting “2017”.

(b) **ADDITIONAL GOVERNMENTS ELIGIBLE TO RECEIVE SUPPORT.**—Subsection (b) of such section 1033, as so amended, is further amended by adding at the end of the following new paragraphs:

“(40) Government of Kenya.

“(41) Government of Tanzania.”.

(c) **REPORT ON USE OF AUTHORITY.**—

(1) **REPORT REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the authority to provide additional support for counter-drug activities of foreign governments in section 1033 of the National Defense Authorization Act for Fiscal Year 1998.

(2) **ELEMENTS.**—The report shall include, at a minimum, the following:

(A) A description of the use of the authority over time, and of the use of the authority as in effect during fiscal years 2014 and 2015.

(B) A description of the impetus for the expansion of the countries eligible for assistance under the program.

(C) A description of the impetus for the increases over time in the amounts of fund requested for assistance under the program.

(D) A description of the processes through which priorities are established for countries and regions to be assisted under the program.

(E) An assessment of the advantages and disadvantages of providing assistance under the program on a country-by country basis rather than providing such assistance on a global basis.

(F) A description of the funding challenges, if any, associated with providing assistance under the program on a country-by country basis and with providing such assistance on a global basis.

(3) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 1013. SENSE OF CONGRESS ON CENTRAL AMERICA.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The stability and security of Central American nations have a direct impact on the stability and security of the United States.

(2) Over the past decade, increased stability and security in the Republic of Colombia has displaced illicit trafficking to Central America, bringing with it increased violence and instability.

(3) According to the Global Study on Homicide 2013 of the United Nations Office on Drugs and Crime, four of the top five countries with the highest homicide rates in the world were Central American nations, including Honduras, Belize, El Salvador, and Guatemala.

(4) In 2014, approximately 65,000 unaccompanied alien children from Central America entered the United States through its southwest border.

(5) In November 2014, Guatemala, Honduras, and El Salvador announced a Plan for the Alliance for Prosperity of the Northern Triangle, which is a comprehensive approach to address the ongoing violence and instability facing these three nations by stimulating economic opportunities, improving public safety and rule of law, and strengthening institutions to increase trust in the state.

(6) The United States Government is supportive of the Alliance for Prosperity, and President's strategy for support includes \$1,000,000,000 focused on promoting prosperity and regional economic integration, enhancing security, and promoting improved governance.

(7) The Department of Defense continues to build the capacity of our partners in the region to address their security challenges and confront threats of mutual concern.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should, to the extent practicable, prioritize efforts to address the threatening levels of violence, instability, illicit trafficking, and transnational organized crime that challenge the sovereignty of Central American nations and the security of the United States; and

(2) in order to address such issues, the Department of Defense, to the extent practicable, should—

(A) increase its operations, as the lead agency of the United States Government, to detect and monitor aerial and maritime illicit trafficking into the United States;

(B) increase its efforts to support aerial and maritime illicit trafficking interdiction operations;

(C) increase its operations to build the capacity of partner nations in Central America to confront their own security challenges;

(D) support interagency programs and activities in Central America addressing instability, including development, education, economic, political, and security challenges; and

(E) promote observance of and respect for human rights and fundamental freedoms and respect for civilian control of the military.

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. ADDITIONAL INFORMATION SUPPORTING LONG-RANGE PLANS FOR CONSTRUCTION OF NAVAL VESSELS.

Section 231(b)(2)(C) of title 10, United States Code, is amended by inserting “by ship class in both graphical and tabular form” after “The estimated levels of annual funding”.

SEC. 1022. NATIONAL SEA-BASED DETERRENCE FUND.

(a) ENHANCEMENT OF AUTHORITY OF SECRETARY OF NAVY TO USE NATIONAL SEA-BASED DETERRENCE FUND.—Section 2218a of title 10, United States Code, is amended—

(1) by redesignating subsections (f) and (g) as subsections (i) and (j), respectively; and

(2) by inserting after subsection (e) the following new subsections:

“(f) AUTHORITY TO ENTER INTO ECONOMIC ORDER QUANTITY CONTRACTS.—(1) The Secretary of the Navy may use funds deposited in the Fund to enter into contracts known as ‘economic order quantity contracts’ with private shipyards and other commercial or government entities to achieve economic efficiencies based on production economies for major components or subsystems. The authority under this subsection extends to the

procurement of parts, components, and systems (including weapon systems) common with and required for other nuclear powered vessels under joint economic order quantity contracts.

“(2) A contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that total liability to the Government for termination of any contract entered into shall be limited to the total amount of funding obligated at time of termination.

“(g) AUTHORITY TO BEGIN MANUFACTURING AND FABRICATION EFFORTS PRIOR TO SHIP AUTHORIZATION.—(1) The Secretary of the Navy may use funds deposited into the Fund to enter into contracts for advance construction of national sea-based deterrence vessels to support achieving cost savings through workload management, manufacturing efficiencies, or workforce stability, or to phase fabrication activities within shipyard and manage sub-tier manufacturer capacity.

“(2) A contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that total liability to the Government for termination of any contract entered into shall be limited to the total amount of funding obligated at time of termination.

“(h) AUTHORITY TO USE INCREMENTAL FUNDING TO ENTER INTO CONTRACTS FOR CERTAIN ITEMS.—(1) The Secretary of the Navy may use funds deposited into the Fund to enter into incrementally funded contracts for advance procurement of high value, long lead time items for nuclear powered vessels to better support construction schedules and achieve cost savings through schedule reductions and properly phased installment payments.

“(2) A contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that total liability to the Government for termination of any contract entered into shall be limited to the total amount of funding obligated at time of termination.”

(b) MODIFICATION AND EXTENSION OF AUTHORITY TO TRANSFER FUNDS.—Section 1022(b)(1) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3487) is amended—

(1) by striking “or 2016” and inserting “2016, or 2017”; and

(2) by striking “for the Navy for the Ohio Replacement Program” and inserting “for the Department of Defense”.

SEC. 1023. EXTENSION OF AUTHORITY FOR REIMBURSEMENT OF EXPENSES FOR CERTAIN NAVY MESS OPERATIONS AFLOAT.

(a) EXTENSION.—Subsection (b) of section 1014 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4585), as amended by section 1021 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4348), is amended by striking “September 30, 2015” and inserting “September 30, 2020”.

(b) TECHNICAL AND CLARIFYING AMENDMENTS.—Subsection (a) of such section is amended—

(1) in the matter preceding paragraph (1), by striking “not more than” and inserting “not more than”; and

(2) in paragraph (2), by striking “Naval vessels” and inserting “such vessels”.

SEC. 1024. AVAILABILITY OF FUNDS FOR RETIREMENT OR INACTIVATION OF TICONDEROGA CLASS CRUISERS OR DOCK LANDING SHIPS.

None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2016 may be obligated or expended to retire, prepare to retire, inactivate, or place in storage a cruiser or dock landing ship, except as provided in section 1026(b) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3490).

SEC. 1025. LIMITATION ON THE USE OF FUNDS FOR REMOVAL OF BALLISTIC MISSILE DEFENSE CAPABILITIES FROM TICONDEROGA CLASS CRUISERS.

None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense may be used to remove ballistic missile defense capabilities from any of the 5 Ticonderoga class cruisers equipped with such capabilities until the Secretary of the Navy certifies to the congressional defense committees that the Navy has—

(1) obtained the ballistic missile defense capabilities required by the most recent Navy Force Structure Assessment;

(2) entered into a modernization of such cruisers that will provide an equal or improved ballistic missile defense capability; or

(3) obtained at least 40 large surface combatants with ballistic missile defense capability.

SEC. 1026. INDEPENDENT ASSESSMENT OF UNITED STATES COMBAT LOGISTIC FORCE REQUIREMENTS.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center with appropriate expertise and analytical capability to conduct an assessment of the anticipated future demands of the combat logistics force ships of the Navy and the challenges such ships may face when conducting and supporting future naval operations in contested maritime environments.

(2) ELEMENTS.—The assessment under paragraph (1) shall include the following:

(A) An assessment of the programmed ability of the United States Combat Logistic Force to support the Navy and the naval forces of allies of the United States that are operating in a dispersed manner and not concentrated in carrier or expeditionary strike groups, in accordance with the concept of distributed lethality of the Navy.

(B) An assessment of the programmed ability of the United States Combat Logistic Force to support the Navy and the naval forces of allies of the United States that are engaged in major combat operations against an adversary possessing maritime anti-access and area-denial capabilities, including anti-ship ballistic and cruise missiles, land-based maritime strike aircraft, submarines, and sea mines.

(C) An assessment of the programmed ability of the United States Combat Logistic Force to support distributed and expeditionary air operations from an expanded set of alternative and austere air bases in accordance with concepts under development by the Air Force and the Marine Corps.

(D) An assessment of gaps and deficiencies in the capability and capacity of the United States Combat Logistic Force to conduct and support operations of the United States and allies under the conditions described in subparagraphs (A), (B), and (C).

(E) Recommendations for adjustments to the programmed ability of the United States

Combat Logistic Force to address capability and capacity gaps and deficiencies described in subparagraph (D).

(F) Any other matters the federally funded research and development center considers appropriate.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than April 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a report that includes the assessment under subsection (a) and any other matters the Secretary considers appropriate.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(c) SUPPORT.—The Secretary of Defense shall provide the federally funded research and development center that conducts the assessment under subsection (a) with timely access to appropriate information, data, resources, and analyses necessary for the center to conduct such assessment thoroughly and independently.

Subtitle D—Counterterrorism

SEC. 1031. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES.

No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 1032. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense unless authorized by Congress.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term “individual detained at Guantanamo” has the meaning given that term in section 1034(f)(2).

SEC. 1033. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE TO CERTAIN COUNTRIES OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

No amounts authorized to be appropriated or otherwise available for the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to transfer, release, or assist in the transfer or release of any individual detained in the custody or under the control of the Department of De-

fense at United States Naval Station, Guantanamo Bay, Cuba, to the custody or control of any country, or any entity within such country, as follows:

- (1) Libya.
- (2) Somalia.
- (3) Syria.
- (4) Yemen.

SEC. 1034. REENACTMENT AND MODIFICATION OF CERTAIN PRIOR REQUIREMENTS FOR CERTIFICATIONS RELATING TO TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) CERTIFICATION REQUIRED PRIOR TO TRANSFER.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary submits to the appropriate committees of Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify the appropriate committees of Congress of promptly after issuance).

(b) CERTIFICATION.—A certification described in this subsection is a written certification made by the Secretary that—

(1) the transfer concerned is in the national security interests of the United States;

(2) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo concerned is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) has taken or agreed to take appropriate steps to substantially mitigate any risk the individual could attempt to reengage in terrorist activity or otherwise threaten the United States or its allies or interests; and

(D) has agreed to share with the United States any information that is related to the individual;

(3) if the country to which the individual is to be transferred is a country to which the United States transferred an individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, and such transferred individual subsequently engaged in any terrorist activity, the Secretary has—

(A) considered such circumstances; and

(B) determined that the actions to be taken as described in paragraph (2)(C) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(4) includes an intelligence assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or foreign entity concerned in relation to the certification of the Secretary under this subsection.

(c) COORDINATION WITH PROHIBITION ON TRANSFER TO CERTAIN COUNTRIES.—While the prohibition in section 1033 is in effect, no certification may be made under subsection (b) in connection with the transfer of an individual detained at Guantanamo to a country specified in such section.

(d) RECORD OF COOPERATION.—In assessing the risk that an individual detained at Guantanamo will engage in terrorist activity or other actions that could affect the national security of the United States if released for the purpose of making a certification under subsection (b), the Secretary may give favorable consideration to any such individual—

(1) who has substantially cooperated with United States intelligence and law enforcement authorities, pursuant to a pre-trial agreement, while in the custody of or under the effective control of the Department of Defense; and

(2) for whom agreements and effective mechanisms are in place, to the extent relevant and necessary, to provide for continued cooperation with United States intelligence and law enforcement authorities.

(e) REPORT.—Whenever the Secretary makes a certification under subsection (b) with respect to an individual detained at Guantanamo, the Secretary shall submit to the appropriate committees of Congress, together with such certification, a report that shall include, at a minimum, the following:

(1) A detailed statement of the basis for the transfer of the individual.

(2) An explanation why the transfer of the individual is in the national security interests of the United States.

(3) A description of actions taken to mitigate the risks of reengagement by the individual as described in subsection (b)(2)(C), including any actions taken to address factors relevant to an applicable prior case of reengagement described in subsection (b)(3).

(4) A copy of any Periodic Review Board findings relating to the individual.

(5) A copy of the final recommendation by the Guantanamo Detainee Review Task Force established pursuant to Executive Order 13492 relating to the individual and, if applicable, updated information related to any change to such recommendation.

(6) An assessment whether, as of the date of the certification, the country to which the individual is to be transferred is facing a threat that could substantially affect its ability to exercise control over the individual.

(7) A classified summary of—

(A) the individual's record of cooperation, if any, while in the custody of or under the effective control of the Department of Defense; and

(B) any agreements and mechanisms in place to provide for continuing cooperation.

(f) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term “individual detained at Guantanamo” means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(3) The term “foreign terrorist organization” means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(4) The term “state sponsor of terrorism” has the meaning given that term in section 301(13) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8541(13)).

(g) **REPEAL OF SUPERSEDED REQUIREMENTS AND LIMITATIONS.**—Section 1035 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 851; 10 U.S.C. 801 note) is repealed.

SEC. 1035. COMPREHENSIVE DETENTION STRATEGY.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Attorney General and the Director of National Intelligence, submit to the congressional defense committees a report setting forth the details of a comprehensive strategy for the detention of current and future individuals captured and held pursuant to the Authorization for Use of Military Force (Public Law 107-40) pending the end of hostilities.

(b) **ELEMENTS.**—The report required by subsection (a) shall contain the following:

(1) The specific facility or facilities that are intended to be used, or modified to be used, to hold individuals for purpose of trial and incarceration after conviction or detention and interrogation pursuant to the law of armed conflict.

(2) The estimated costs associated with the detention of individuals detained for purpose of trial, incarceration after conviction, or continued detention under the law of armed conflict, including the costs of—

(A) improvements, additions, or changes to each facility specified pursuant to paragraph (1);

(B) construction of new facilities, if any;

(C) maintenance, operation, and sustainment of any such facility;

(D) security;

(E) military, civilian, and contractor support personnel; and

(F) other matters associated with support of detention operations.

(3) A plan for the disposition of such individuals if the authority to continue detaining an individual pursuant to the law of armed conflict were to expire while such individual is being detained, and an assessment of possible actions that could be taken to mitigate any adverse implications of such a scenario to the national security interests of the United States.

(4) A plan for the disposition of individuals held pursuant to the Authorization for Use of Military Force who are currently detained at the United States Naval Base, Guantanamo Bay, Cuba.

(5) A plan for the disposition of future detainees held pursuant to the Authorization for Use of Military Force.

(6) The additional authorities, if any, necessary to detain an individual pursuant to the law of armed conflict as an unprivileged enemy belligerent pursuant to the Authorization for Use of Military Force pending the end of hostilities or a future determination by the Secretary of Defense that such individual no longer requires continued detention.

(c) **FORM.**—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1036. PROHIBITION ON USE OF FUNDS FOR REALIGNMENT OF FORCES AT OR CLOSURE OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) **PROHIBITION ON USE OF FUNDS.**—No amounts authorized to be appropriated or otherwise made available for the Department of Defense for fiscal year 2016 may be used—

(1) to close or abandon United States Naval Station, Guantanamo Bay, Cuba;

(2) to relinquish control of Guantanamo Bay to the Republic of Cuba; or

(3) to implement a material modification to the Treaty Between the United States of America and Cuba signed at Washington, D.C. on May 29, 1934 that constructively closes United States Naval Station, Guantanamo Bay.

(b) **REPORT.**—

(1) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth an assessment of the military implications of United States Naval Station Guantanamo Bay, Cuba.

(2) **ELEMENTS.**—The report shall include the following:

(A) An historical analysis of the use and significance of the basing at United States Naval Station, Guantanamo Bay.

(B) A description of the personnel, resources, and base operations based out of United States Naval Station, Guantanamo Bay, as of the date of the enactment of this Act.

(C) An assessment of the role of United States Naval Station, Guantanamo Bay, in support of the National Security Strategy, the National Defense Strategy, and the National Military Strategy.

(D) An assessment of the missions and military requirements that United States Naval Station, Guantanamo Bay, currently supports.

(E) A description of the uses of United States Naval Station, Guantanamo Bay, by other departments and agencies of the United States Government.

(F) Any other matters the Secretary considers appropriate.

SEC. 1037. REPORT ON CURRENT DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, DETERMINED OR ASSESSED TO BE HIGH RISK OR MEDIUM RISK.

(a) **REPORT REQUIRED.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees and members of Congress a report setting forth a list of the individuals detained at Guantanamo as of the date of the enactment of this Act who have been determined or assessed by Joint Task Force Guantanamo, at any time before the date of the report, to be a high-risk or medium-risk threat to the United States, its interests, or its allies.

(b) **ELEMENTS.**—The report under subsection (a) shall set forth, for each individual covered by the report, the following:

(1) The name and country of origin.

(2) The date on which first designated or assessed as a high-risk or medium-risk threat to the United States, its interests, or its allies, and an assessment of the justification for the designation or assessment.

(3) Whether, as of the date of the report, currently designated or assessed as a high-risk or medium-risk threat to the United States, its interests, or its allies.

(4) If the designation or assessment changed between the date specified pursuant to paragraph (2) and the date of the report—

(A) the new designation or assessment to which changed;

(B) the year and month in which the designation or assessment changed; and

(C) information on, and a justification for, the change in designation or assessment.

(5) To the extent practicable, without jeopardizing intelligence sources and methods—

(A) prior actions in support of terrorism, hostile actions against the United States or its allies, gross violations of human rights, and other violations of international law; and

(B) any affiliations with al Qaeda, al Qaeda affiliates, or other terrorist groups.

(c) **FORM.**—The report under subsection (a) shall be submitted in unclassified form to the maximum extent practicable, but may include a classified annex.

(d) **DEFINITIONS.**—In this section:

(1) The term “appropriate committees and members of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate;

(B) the Majority Leader and the Minority Leader of the Senate;

(C) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(D) the Speaker of the House of Representatives and the Minority Leader of the House of Representatives.

(2) The term “individual detained at Guantanamo” means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1038. REPORTS TO CONGRESS ON CONTACT BETWEEN TERRORISTS AND INDIVIDUALS FORMERLY DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) **IN GENERAL.**—Section 319(c) of the Supplemental Appropriations Act, 2009 (Public Law 111-32; 123 Stat. 1874; 10 U.S.C. 801 note) is amended by adding at the end the following new paragraph:

“(6) A summary of all known contact between any individual formerly detained at Naval Station Guantanamo Bay and any individual known or suspected to be associated with a foreign terrorist group, which contact included information or discussion about planning for or conduct of hostilities against the United States or its allies or the organizational, logistical, or resource needs or activities of any terrorist group or activity.”.

(b) **RULE OF CONSTRUCTION.**—Nothing in the amendment made by subsection (a) shall be construed to terminate, alter, modify, override, or otherwise affect any reporting of information required under section 319(c) of the Supplemental Appropriations Act, 2009 before the date of the enactment of this section.

SEC. 1039. INCLUSION IN REPORTS TO CONGRESS OF INFORMATION ABOUT RECIDIVISM OF INDIVIDUALS FORMERLY DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 319(c) of the Supplemental Appropriations Act, 2009 (Public Law 111-32; 123 Stat. 1874; 10 U.S.C. 801 note), as amended by section 1038, is further amended by adding at the end the following new paragraphs:

“(7) For each individual described in paragraph (4), the date on which such individual was released or transferred from Naval Station Guantanamo Bay and the date on which it is confirmed that such individual is suspected or confirmed of reengaging in terrorist activities.

“(8) The average period of time described in paragraph (7) for all the individuals described in paragraph (4).”.

SEC. 1040. REPORT TO CONGRESS ON TERMS OF WRITTEN AGREEMENTS WITH FOREIGN COUNTRIES REGARDING TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate committees of Congress a report describing the terms of any written agreement between the United States Government and the government of the foreign country concerned regarding each individual detained at Guantanamo who was transferred to a foreign country pursuant to a negotiated transfer.

(2) STATEMENT ON LACK OF WRITTEN AGREEMENT.—If an individual detained at Guantanamo was transferred to a foreign country pursuant to a negotiated transfer and no written agreement exists between the United States Government and the government of the foreign country regarding the transfer of such individual, the report under paragraph (1) shall include an unclassified statement of that fact.

(3) ARRANGEMENTS WHEN LACK OF WRITTEN AGREEMENT.—The report under paragraph (1) shall also provide a description of the types and frequency of arrangements or assurances applicable to negotiated transfers covered by paragraph (2).

(4) FORM.—The report under paragraph (1) may be submitted in classified form, except as provided in paragraph (2).

(b) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term “individual detained at Guantanamo” means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1041. REPORT ON USE OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, AND OTHER DEPARTMENT OF DEFENSE OR BUREAU OF PRISONS PRISONS OR DETENTION OR DISCIPLINARY FACILITIES IN RECRUITMENT OR OTHER PROPAGANDA OF TERRORIST ORGANIZATIONS.

Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Director of National Intelligence, submit to Congress a report on the use by terrorist organizations and their leaders of images and symbols relating to United States Naval Station, Guantanamo Bay, Cuba, and any other Department of Defense or Bureau of Prisons prison or other detention or disciplinary facility for recruitment and other propaganda purposes. The report shall include the following:

(1) a description of the use by terrorist organizations and their leaders of images and symbols relating to United States Naval Station, Guantanamo Bay, and any other Department of Defense or Bureau of Prisons prison or other detention or disciplinary facility for recruitment and other propaganda purposes.

(2) A description and assessment of—

(A) the effectiveness of the use of such images and symbols for recruitment and other propaganda purposes during the period beginning on September 11, 2001, and ending on the date of the report; and

(B) the extent to which such images and symbols continue to be used for recruitment or other propaganda purposes.

(3) A description and assessment of the efforts of the United States Government to counter the use of such images and symbols for recruitment and other propaganda purposes and to disseminate accurate information about such facilities.

SEC. 1042. PERMANENT AUTHORITY TO PROVIDE REWARDS THROUGH GOVERNMENT PERSONNEL OF ALLIED FORCES AND CERTAIN OTHER MODIFICATIONS TO DEPARTMENT OF DEFENSE PROGRAM TO PROVIDE REWARDS.

(a) IN GENERAL.—Subsection (c)(3) of section 127b of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking “subparagraphs (B) and (C)” and inserting “subparagraph (B)”; and

(2) by striking subparagraphs (C) and (D).

(b) MODIFICATION OF REPORTING REQUIREMENTS.—Subsection (f)(2) of such section is amended—

(1) by striking subparagraph (D);

(2) by redesignating subparagraphs (E), (F), and (G), as subparagraphs (D), (E), and (F), respectively; and

(3) in subparagraph (D), as redesignated by paragraph (2), by inserting before the period at the end the following: “, including in which countries the program is being operated”.

(c) REPORT ON DESIGNATION OF COUNTRIES FOR WHICH REWARDS MAY BE PAID.—Such section is further amended by adding at the end the following new subsection:

“(h) REPORT ON DESIGNATION OF COUNTRIES FOR WHICH REWARDS MAY BE PAID.—Not later than 15 days after the date on which the Secretary designates a country as a country in which an operation or activity of the armed forces is occurring in connection with which rewards may be paid under this section, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the designation. Each report shall include the following:

“(1) The country so designated.

“(2) The reason for the designation of the country.

“(3) A justification for the designation of the country for purposes of this section.”.

(d) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

“§ 127b. Department of Defense rewards program”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 3 of such title is amended by striking the item relating to section 127b and inserting the following new item:

“127b. Department of Defense rewards program”.

SEC. 1043. SUNSET ON EXCEPTION TO CONGRESSIONAL NOTIFICATION OF SENSITIVE MILITARY OPERATIONS.

Section 130f(e) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “The notification”; and

(2) by adding at the end the following new paragraph:

“(2) The exception in paragraph (1) shall cease to be in effect at the close of December 31, 2017.”.

SEC. 1044. REPEAL OF SEMIANNUAL REPORTS ON OBLIGATION AND EXPENDITURE OF FUNDS FOR THE COMBATING TERRORISM PROGRAM.

Section 229 of title 10, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

SEC. 1045. LIMITATION ON INTERROGATION TECHNIQUES.

(a) LIMITATION ON INTERROGATION TECHNIQUES TO THOSE IN THE ARMY FIELD MANUAL.—

(1) ARMY FIELD MANUAL 2-22.3 DEFINED.—In this subsection, the term “Army Field Manual 2-22.3” means the Army Field Manual 2-22.3 entitled “Human Intelligence Collector Operations” in effect on the date of the enactment of this Act or any similar successor Army Field Manual.

(2) RESTRICTION.—

(A) IN GENERAL.—An individual described in subparagraph (B) shall not be subjected to any interrogation technique or approach, or any treatment related to interrogation, that is not authorized by and listed in the Army Field Manual 2-22.3.

(B) INDIVIDUAL DESCRIBED.—An individual described in this subparagraph is an individual who is—

(i) in the custody or under the effective control of an officer, employee, or other agent of the United States Government; or

(ii) detained within a facility owned, operated, or controlled by a department or agency of the United States, in any armed conflict.

(3) IMPLEMENTATION.—Interrogation techniques, approaches, and treatments described in Army Field Manual 2-22.3 shall be implemented strictly in accord with the principles, processes, conditions, and limitations prescribed by Army Field Manual 2-22.3.

(4) AGENCIES OTHER THAN THE DEPARTMENT OF DEFENSE.—If a process required by Army Field Manual 2-22.3, such as a requirement of approval by a specified Department of Defense official, is inapposite to a department or an agency other than the Department of Defense, the head of such department or agency shall ensure that a process that is substantially equivalent to the process prescribed by Army Field Manual 2-22.3 for the

Department of Defense is utilized by all officers, employees, or other agents of such department or agency.

(5) **INTERROGATION BY FEDERAL LAW ENFORCEMENT.**—The limitations in this subsection shall not apply to officers, employees, or agents of the Federal Bureau of Investigation, the Department of Homeland Security, or other Federal law enforcement entities.

(6) **UPDATE OF THE ARMY FIELD MANUAL.**—

(A) **REQUIREMENT TO UPDATE.**—

(i) **IN GENERAL.**—Not sooner than three years after the date of the enactment of this Act, and once every three years thereafter, the Secretary of Defense, in consultation with the Attorney General, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence, shall complete a thorough review of Army Field Manual 2-22.3, and revise Army Field Manual 2-22.3, as necessary to ensure that Army Field Manual 2-22.3 complies with the legal obligations of the United States and the practices for interrogation described therein do not involve the use or threat of force.

(ii) **AVAILABILITY TO THE PUBLIC.**—Army Field Manual 2-22.3 shall remain available to the public and any revisions to the Army Field Manual 2-22.3 adopted by the Secretary of Defense shall be made available to the public 30 days prior to the date the revisions take effect.

(B) **REPORT ON BEST PRACTICES OF INTERROGATIONS.**—

(i) **REQUIREMENT FOR REPORT.**—Not later than 120 days after the date of the enactment of this Act, the interagency body established pursuant to Executive Order 13491 (commonly known as the High-Value Detainee Interrogation Group) shall submit to the Secretary of Defense, the Director of National Intelligence, the Attorney General, and other appropriate officials a report on best practices for interrogation that do not involve the use of force.

(ii) **RECOMMENDATIONS.**—The report required by clause (i) may include recommendations for revisions to Army Field Manual 2-22.3 based on the body of research commissioned by the High-Value Detainee Interrogation Group.

(iii) **AVAILABILITY TO THE PUBLIC.**—Not later than 30 days after the report required by clause (i) is submitted such report shall be made available to the public.

(b) **INTERNATIONAL COMMITTEE OF THE RED CROSS ACCESS TO DETAINEES.**—

(1) **REQUIREMENT.**—The head of any department or agency of the United States Government shall provide the International Committee of the Red Cross with notification of, and prompt access to, any individual detained in any armed conflict in the custody or under the effective control of an officer, employee, contractor, subcontractor, or other agent of the United States Government or detained within a facility owned, operated, or effectively controlled by a department, agency, contractor, or subcontractor of the United States Government, consistent with Department of Defense regulations and policies.

(2) **CONSTRUCTION.**—Nothing in this subsection shall be construed—

(A) to create or otherwise imply the authority to detain; or

(B) to limit or otherwise affect any other individual rights or state obligations which may arise under United States law or international agreements to which the United States is a party, including the Geneva Conventions, or to state all of the situations under which notification to and access for

the International Committee of the Red Cross is required or allowed.

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1051. DEPARTMENT OF DEFENSE EXCESS PROPERTY PROGRAM.

(a) **WEBSITE REQUIRED.**—Section 2576a of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) **PUBLICLY ACCESSIBLE WEBSITE.**—(1) The Secretary shall create and maintain a publicly available Internet website that provides information on the controlled property transferred under this section and the recipients of such property.

“(2) The contents of the Internet website required under paragraph (1) shall include all publicly accessible unclassified information pertaining to the request, transfer, denial, and repossession of controlled property under this section, including—

“(A) a current inventory of all controlled property transferred to Federal and State agencies under this section, listed by the name of the recipient and the year of the transfer;

“(B) all pending requests for transfers of controlled property under this section, including the information submitted by the Federal and State agencies requesting such transfers; and

“(C) all reports required to be submitted to the Secretary under this section by Federal and State agencies that receive controlled property under this section.”.

(b) **CONDITIONS FOR TRANSFER.**—Subsection (b) of such section is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking the period and inserting “; and”; and

(3) by adding at the end the following new paragraphs:

“(5) the recipient, on an annual basis, and with the authorization of the relevant local governing body or authority, certifies that it has adopted publicly available protocols for the appropriate use of controlled property, the supervision of such use, and the evaluation of the effectiveness of such use, including auditing and accountability policies; and

“(6) after the completion of the assessment required by section 1051(e) of the National Defense Authorization Act for Fiscal Year 2016, the recipient, on an annual basis, certifies that it provides annual training to relevant personnel on the maintenance, sustainment, and appropriate use of controlled property.”.

(c) **DEFINITION OF CONTROLLED PROPERTY.**—Such section is further amended by adding at the end the following new subsection:

“(f) **CONTROLLED PROPERTY.**—In this section, the term ‘controlled property’ means any item assigned a demilitarization code of B, C, D, E, G, or Q under Department of Defense Manual 4160.21–M, ‘Defense Materiel Disposition Manual’, or any successor document.”.

(d) **EXAMINATION OF TRAINING REQUIREMENTS.**—The Secretary of Defense shall enter into an agreement with a federally funded research and development center for the conduct of an assessment of the Department of Defense excess property program under section 2576a of title 10, United States Code, as amended by this section. Such assessment shall include—

(1) an evaluation of the policies and controls governing the determination of the suitability of recipients of controlled property transferred under the program, including specific recommendations relating to the

training that Federal and State agencies that receive such property should receive, at no cost to the Department of Defense, to ensure proficiency in the use, maintenance, and sustainment of such property; and

(2) an analysis of reported statistics on controlled property transfers, the incidence of controlled property that is unaccounted for, and the effectiveness of the policies and procedures governing the return of controlled property transferred under the program to the Department of Defense.

(e) **ONE-YEAR MANDATORY USE POLICY ASSESSMENT.**—The Secretary of Defense shall enter into an agreement with a federally funded research and development center for the conduct of an assessment of the Department of Defense excess property program under section 2576a of title 10, United States Code, as amended by this section, to determine if the requirement that all controlled property transferred under the program be used within one year of being transferred is achieving its intended effect. Such assessment shall include recommendations on process improvement, including legislative proposals.

(f) **COMPTROLLER GENERAL ASSESSMENT.**—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an assessment of the Department of Defense excess property program under section 2576a of title 10, United States Code, as amended by this section. Such assessment shall include—

(1) an evaluation of the transfer of controlled property under the program, including the manner in which the property was used by Federal and State agencies and the effectiveness of the Internet website required under subsection (e) of section 2576a of title 10, United States Code, as added by subsection (a), in providing transparency to the public; and

(2) a determination of whether the transfer of property under the program enhances the ability of Federal and State agencies to carry out counter-drug and counter-terrorism activities in accordance with the purposes of the program as set forth in section 2576a of title 10, United States Code.

SEC. 1052. SALE OR DONATION OF EXCESS PERSONAL PROPERTY FOR BORDER SECURITY ACTIVITIES.

Section 2576a of title 10, United States Code, as amended by section 1051 is further amended—

(1) in subsection (a)—

(A) in paragraph (1)(A), by striking “counter-drug and counter-terrorism activities” and inserting “counterdrug, counterterrorism, and border security activities”; and

(B) in paragraph (2), by striking “the Attorney General and the Director of National Drug Control Policy” and inserting “the Attorney General, the Director of National Drug Control Policy, and the Secretary of Homeland Security, as appropriate”; and

(2) in subsection (d), by striking “counter-drug or counter-terrorism activities” and inserting “counterdrug, counterterrorism, or border security activities”.

SEC. 1053. MANAGEMENT OF MILITARY TECHNICIANS.

(a) **CONVERSION OF CERTAIN MILITARY TECHNICIAN (DUAL STATUS) POSITIONS TO CIVILIAN POSITIONS.**—

(1) **IN GENERAL.**—The Secretary of Defense shall convert not fewer than 20 percent of the positions described in paragraph (2) as of January 1, 2017, from military technician (dual status) positions to positions filled by individuals who are employed under section

3101 of title 5, United States Code, and are not military technicians.

(2) COVERED POSITIONS.—The positions described in this paragraph are military technician (dual status) positions as follows:

(A) Military technician (dual status) positions identified as general administration, clerical, finance, and office service occupations in the report of the Secretary of Defense under section 519 of the National Defense Authorization Act for Fiscal Year 2011 (Public Law 112–81; 125 Stat. 1397).

(B) Such other military technician (dual status) positions as the Secretary shall specify for purposes of this subsection.

(3) TREATMENT OF INCUMBENTS.—In the case of a position converted under paragraph (1) for which there is an incumbent employee, the Secretary may fill that position, as converted, with the incumbent employee without regard to any requirement concerning competition or competitive hiring procedures.

(b) PHASED-IN TERMINATION OF ARMY RESERVE, AIR FORCE RESERVE, AND NATIONAL GUARD NON-DUAL STATUS TECHNICIANS.—

(1) IN GENERAL.—Section 10217 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) PHASED-IN TERMINATION OF POSITIONS.—(1) No individual may be newly hired or employed, or rehired or reemployed, as a non-dual status technician for the purposes of this section after December 31, 2016.

“(2) Commencing January 1, 2017, the maximum number of non-dual status technicians employable by the Army Reserve and by the Air Force Reserve shall be reduced from the number otherwise provided by subsection (c)(1) by one for each individual who retires, is separated from, or otherwise ceases service as a non-dual status technician of the Army Reserve or the Air Force Reserve, as the case may be, after such date until the maximum number of non-dual status technicians employable by the Army Reserve or the Air Force Reserve, as the case may be, is zero.

“(3) Commencing January 1, 2017, the maximum number of non-dual status technicians employable by the National Guard shall be reduced from the number otherwise provided by subsection (c)(2) by one for each individual who retires, is separated from, or otherwise ceases service as a non-dual status technician of the National Guard after such date until the maximum number of non-dual status technicians employable by the National Guard is zero.

“(4) Any individual newly hired or employed, or rehired or employed, to a position required to be filled by reason of the amendment made by paragraph (1) shall be an individual employed in such position under section 3101 of title 5, and may not be a military technician.

“(5) Nothing in this subsection shall be construed to terminate the status as a non-dual status technician under this section after December 31, 2016, of any individual who is a non-dual status technician for the purposes of this section on that date.”.

(2) REPORT ON PHASED-IN TERMINATIONS.—Not later than February 1, 2016, the Secretary of Defense shall submit to Congress a report setting forth a plan for implementing the amendment made by paragraph (1).

SEC. 1054. LIMITATION ON TRANSFER OF CERTAIN AH-64 APACHE HELICOPTERS FROM ARMY NATIONAL GUARD TO REGULAR ARMY AND RELATED PERSONNEL LEVELS.

Section 1712 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3668) is amended—

(1) in subsection (b), by striking “March 31, 2016” and inserting “June 30, 2016”; and

(2) in subsection (e), by striking “March 31, 2016” and inserting “June 30, 2016” both places it appears.

SEC. 1055. AUTHORITY TO PROVIDE TRAINING AND SUPPORT TO PERSONNEL OF FOREIGN MINISTRIES OF DEFENSE.

(a) AUTHORITY.—Section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 168 note), as amended by section 1047 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3494), is further amended—

(1) by redesignating subsections (b) through (e) as subsections (c) through (f), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

“(b) TRAINING OF PERSONNEL OF FOREIGN MINISTRIES WITH SECURITY MISSIONS.—

“(1) IN GENERAL.—The Secretary of Defense may, with the concurrence of the Secretary of State, carry out a program to provide training and associated training support services to personnel of foreign ministries of defense (or ministries with security force oversight) or regional organizations with security missions—

“(A) for the purpose of—

“(i) enhancing civilian oversight of foreign security forces;

“(ii) establishing responsible defense governance and internal controls in order to help build effective, transparent, and accountable defense institutions;

“(iii) assessing organizational weaknesses and establishing a roadmap for addressing shortfalls; and

“(iv) enhancing ministerial, general or joint staff, or service level core management competencies; and

“(B) for such other purposes as the Secretary considers appropriate, consistent with the authority in subsection (a).

“(2) NOTICE TO CONGRESS.—Each fiscal year quarter, the Secretary of Defense shall submit to the appropriate committees of Congress a report on activities under the program under paragraph (1) during the preceding fiscal year quarter. Each report shall include, for the fiscal year quarter covered by such report, the following:

“(A) A list of activities under the program.

“(B) A list of any organization described in paragraph (1) to which the Secretary assigned employees under the program, including the number of such employees so assigned, the duration of each assignment, a brief description of each assigned employee’s activities, and a statement of the cost of each assignment.

“(C) A comprehensive justification of any activities conducted pursuant to paragraph (1)(B).”.

(b) TERMINATION OF AUTHORITY.—Subsection (c) of such section, as redesignated by subsection (a)(1) of this section, is amended in paragraph (1) by striking “of the Secretary of Defense” and all that follows and inserting “in this section terminates at the close of December 31, 2017.”.

(c) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting “MINISTRY OF DEFENSE ADVISOR” before “AUTHORITY”; and

(2) in subsections (d) and (e), as redesignated by subsection (a)(1) of this section, by striking “the Committees on Armed Services and Foreign Relations of the Senate and the Committees on Armed Services and Foreign

Affairs of the House of Representatives” and inserting “the appropriate committees of Congress”; and

(3) by adding at the end the following new subsection:

“(g) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘appropriate committees of Congress’ means—

“(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

“(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.”.

(d) CLERICAL AND CONFORMING AMENDMENT TO SECTION HEADING TO REFLECT NAME OF PROGRAM.—

(1) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows:

“SEC. 1081. DEFENSE INSTITUTION CAPACITY BUILDING PROGRAM.”.

(2) CLERICAL AMENDMENT.—The table of contents in section 2(b) of such Act is amended by striking the item relating to section 1081 and inserting the following new item:

“Sec. 1081. Defense Institution Capacity Building Program.”.

SEC. 1056. INFORMATION OPERATIONS AND ENGAGEMENT TECHNOLOGY DEMONSTRATIONS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) military information support operations are a critical component of the efforts of the Department of Defense to provide commanders with capabilities to shape the operational environment;

(2) military information support operations are integral to armed conflict and therefore the Secretary of Defense has broad latitude to conduct military information support operations;

(3) the Secretary of Defense should develop creative and agile concepts, technologies, and strategies across all available media to most effectively reach target audiences, to counter and degrade the ability of adversaries and potential adversaries to persuade, inspire, and recruit inside areas of hostilities or in other areas in direct support of the objectives of commanders; and

(4) the Secretary of Defense should request additional funds in future budgets to carry out military information support operations to support the broader efforts of the Government to counter violent extremism.

(b) TECHNOLOGY DEMONSTRATIONS REQUIRED.—To support the ability of the Department of Defense to provide innovative operational concepts and technologies to shape the informational environment, the Secretary of Defense shall carry out a series of technology demonstrations, subject to the availability of funds for such purpose or to a prior approval reprogramming, to assess innovative new technologies for information operations and information engagement to support the operational and strategic requirements of the commanders of the geographic and functional combatant commands, including the urgent and emergent operational needs and the operational and theater campaign plans of such combatant commanders to further the national security objectives and strategic communications requirements of the United States.

(c) PLAN.—By not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a plan describing how the Department of Defense will

execute the technology demonstrations required under subsection (b). Such plan shall include each of the following elements:

(1) A general timeline for conducting the technology demonstrations.

(2) Clearly defined goals and endstate objectives for the demonstrations, including traceability of such goals to the tactical, operational, or strategic requirements of the combatant commanders.

(3) A process for measuring the performance and effectiveness of the demonstrations.

(4) A coordination structure to include participation between the technology development and the operational communities, including potentially joint, interagency, intergovernmental, and multinational partners.

(5) The identification of potential technologies to support the tactical, operational, or strategic needs of the combatant commanders.

(6) An explanation of how such technologies will support and coordinate with elements of joint, interagency, intergovernmental, and multinational partners.

(d) **CONGRESSIONAL NOTICE.**—Upon initiating a technology demonstration under subsection (b), the Secretary of Defense shall submit to the congressional defense committees written notice of the demonstration that includes a detailed description of the demonstration, including its purpose, cost, engagement medium, targeted audience, and any other details the Secretary of Defense believes will assist the committees in evaluating the demonstration.

(e) **TERMINATION.**—The authority to carry out a technology demonstration under this section shall terminate on September 30, 2022.

(f) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to limit or alter any authority under which the Department of Defense supports information operations activities within the Department.

SEC. 1057. PROHIBITION ON USE OF FUNDS FOR RETIREMENT OF HELICOPTER SEA COMBAT SQUADRON 84 AND 85 AIRCRAFT.

(a) **PROHIBITIONS.**—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Navy may be obligated or expended to—

(1) retire, prepare to retire, transfer, or place in storage any Helicopter Sea Combat Squadron 84 (HSC-84) or Helicopter Sea Combat Squadron 85 (HSC-85) aircraft; or

(2) make any changes to manning levels with respect to any HSC-84 or HSC-85 aircraft squadron.

(b) **WAIVER.**—The Secretary of the Navy may waive subsection (a), if the Secretary certifies to the congressional defense committees that the Secretary has—

(1) conducted a cost-benefit analysis identifying savings to Department of the Navy regarding decommissioning or deactivation of an HSC-84 or HSC-85 squadron;

(2) identified a replacement capability that would be available if prioritized and directed by the Secretary of Defense and would meet all operational requirements, including special operational-peculiar requirements of the combatant commands, currently being met by the HSC-84 or HSC-85 squadrons and aircraft to be retired, transferred, or placed in storage; and

(3) deployed such capability.

SEC. 1058. LIMITATION ON AVAILABILITY OF FUNDS FOR DESTRUCTION OF CERTAIN LANDMINES AND REPORT ON DEPARTMENT OF DEFENSE POLICY AND INVENTORY OF ANTI-PERSONNEL LANDMINE MUNITIONS.

(a) **LIMITATION.**—Except as provided under subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense may be obligated or expended for the destruction of anti-personnel landmine munitions before the date on which the Secretary of Defense submits the report required by subsection (c).

(b) **EXCEPTION FOR SAFETY.**—The limitation under subsection (a) shall not apply to any anti-personnel landmine munitions that the Secretary determines are unsafe or could pose a safety risk if not demilitarized or destroyed.

(c) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 180 days after enactment of this Act, the Secretary of Defense shall submit to Congress a report that includes each of the following:

(A) A description of the policy of the Department of Defense regarding the use of anti-personnel landmines, including methods for commanders to seek waivers to use such munitions.

(B) A 10-year projection of the inventory levels for all anti-personnel landmine munitions that takes into account future production of anti-personnel landmine munitions, any plans for demilitarization of such munitions, the age of the munitions, storage and safety considerations, and other factors that will impact the size of the inventory.

(C) A 10-year projection for the cost to achieve the inventory levels projected in subparagraph (B), including the cost for potential demilitarization or disposal of such munitions.

(D) A 10-year projection for the cost to develop and produce new anti-personnel landmine munitions the Secretary determines are necessary to meet the demands of current operational plans.

(E) An assessment, by the Chairman of the Joint Chiefs of Staff, of the effects of the projected anti-personnel landmine inventory on current operational plans.

(F) Any other matters that the Secretary determines should be included in the report.

(2) **FORM OF REPORT.**—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) **ANTI-PERSONNEL LANDMINE MUNITIONS DEFINED.**—In this section, the term “anti-personnel landmine munitions” includes anti-personnel landmines and sub-munitions as defined by the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, as determined by the Secretary.

SEC. 1059. DEPARTMENT OF DEFENSE AUTHORITY TO PROVIDE ASSISTANCE TO SECURE THE SOUTHERN LAND BORDER OF THE UNITED STATES.

(a) **AUTHORITY TO PROVIDE ASSISTANCE.**—The Secretary of Defense may provide assistance to United States Customs and Border Protection for purposes of increasing ongoing efforts to secure the southern land border of the United States.

(b) **CONCURRENCE IN ASSISTANCE.**—Assistance under subsection (a) shall be provided with the concurrence of the Secretary of Homeland Security.

(c) **TYPES OF ASSISTANCE AUTHORIZED.**—The assistance provided under subsection (a) may include the following:

(1) Deployment of members and units of the regular and reserve components of the Armed Forces to the southern land border of the United States.

(2) Deployment of manned aircraft, unmanned aerial surveillance systems, and ground-based surveillance systems to support continuous surveillance of the southern land border of the United States.

(3) Intelligence analysis support.

(d) **MATERIEL AND LOGISTICAL SUPPORT.**—The Secretary of Defense is authorized to deploy such materiel and equipment and logistics support as is necessary to ensure the effectiveness of assistance provided under subsection (a).

(e) **FUNDING.**—Of the amounts authorized to be appropriated for the Department of Defense by this Act, the Secretary of Defense may use up to \$75,000,000 to provide assistance under subsection (a).

(f) **REPORTS.**—At the end of each three-month period during which assistance is provided under subsection (a), the Secretary of Defense, in coordination with the Secretary of Homeland Security, shall submit to the congressional defense committees, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Government Affairs of the Senate a report on the provision of such assistance during that period. Each report shall include, for the period covered by the report, the following:

(1) A description of the assistance provided.

(2) A description of the sources and amounts of funds used to provide such assistance.

(3) A description of the amounts obligated to provide such assistance.

(4) An assessment of the efficacy and cost-effectiveness of such assistance in support of the Department of Homeland Security's objectives and strategy to address the challenges on the southern land border of the United States and recommendations, if any, to enhance the effectiveness of such assistance.

Subtitle F—Studies and Reports

SEC. 1060. PROVISION OF DEFENSE PLANNING GUIDANCE AND CONTINGENCY PLANNING GUIDANCE INFORMATION TO CONGRESS.

(a) **IN GENERAL.**—Section 113(g) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) At the time of the budget submission by the President for a fiscal year, the Secretary of Defense shall include in the budget materials submitted to Congress for that year summaries of the guidance developed under paragraphs (1) and (2), as well as summaries of any plans developed in accordance with the guidance developed under paragraph (2). Such summaries shall be sufficient to allow the congressional defense committees to evaluate fully the requirements for military forces, acquisition programs, and operation and maintenance funding in the President's annual budget request for the Department of Defense.”.

(b) **REPORT REQUIRED.**—Notwithstanding the requirement under paragraph (3) of section 113(g) of title 10, United States Code, as added by subsection (a), that the Secretary of Defense submit summaries under that paragraph at the time of the President's annual budget submission, by not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report containing—

(1) summaries of the guidance developed under paragraphs (1) and (2) of subsection (g)

of section 113 of title 10, United States Code; and

(2) summaries of any plans developed in accordance with the guidance developed under paragraph (2) of such subsection.

SEC. 1061. EXPEDITED MEETINGS OF THE NATIONAL COMMISSION ON THE FUTURE OF THE ARMY.

Section 1702(f) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3665) is amended by adding at the end the following new sentence: "Section 10 of the Federal Advisory Committee Act (5 U.S.C. App. I) shall not apply to a meeting of the Commission unless the meeting is attended by five or more members of the Commission."

SEC. 1062. MODIFICATION OF CERTAIN REPORTS SUBMITTED BY COMPTROLLER GENERAL OF THE UNITED STATES.

(a) **REPORT ON NNSA BUDGET REQUESTS.**—Section 3255(a)(2) of the National Nuclear Security Administration Act (50 U.S.C. 2455(a)(2)) is amended by inserting before "the Comptroller General" the following: "in an even-numbered year, and not later than 150 days after the date on which the Administrator submits such materials in an odd-numbered year".

(b) **REPORT ON ENVIRONMENTAL MANAGEMENT.**—Section 3134 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2713), as amended by section 3134(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2193), is further amended—

(1) in subsection (a), by striking "a series of three reviews, as described in subsections (b), (c), and (d)," and inserting "reviews as described in subsections (b) and (c)";

(2) by striking subsection (d); and

(3) by redesignating subsection (e) as subsection (d).

SEC. 1063. REPORT ON IMPLEMENTATION OF THE GEOGRAPHICALLY DISTRIBUTED FORCE LAYDOWN IN THE AREA OF RESPONSIBILITY OF UNITED STATES PACIFIC COMMAND.

(a) **REPORT REQUIRED.**—Not later than March 1, 2016, the Secretary of Defense, in consultation with the Commander of the United States Pacific Command, shall submit to the congressional defense committees a report on Department of Defense plans for implementing the geographically distributed force laydown in the area of responsibility of United States Pacific Command.

(b) **MATTERS TO BE INCLUDED.**—The report required under subsection (a) shall include the following:

(1) A description of the force laydown.

(2) A discussion of how the force laydown affects the operational and contingency plans in the area of responsibility of United States Pacific Command, including a discussion on how timeliness, availability of forces, and risk in meeting the military objectives contained in those plans are affected.

(3) A discussion of the specific support asset requirements derived from the force laydown, including logistical sustainment, pre-positioned stocks, sea and air lift and command and control.

(4) A discussion of the specific infrastructure and military construction requirements derived from the force laydown.

(5) A discussion on how Department of Defense plans to meet the requirements identified in paragraphs (3) and (4), including the ability of United States Transportation Command, the United States Combat Logistics Force, and the Armed Forces to meet those requirements.

(6) Any other matters the Secretary of Defense determines to be appropriate.

(c) **FORM.**—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1064. INDEPENDENT STUDY OF NATIONAL SECURITY STRATEGY FORMULATION PROCESS.

(a) **REQUIREMENT FOR STUDY.**—The Secretary of Defense shall enter into a contract with an independent research entity described in subsection (c) to carry out a comprehensive study of the role of the Department of Defense in the formulation of national security strategy.

(b) **MATTERS COVERED.**—The study required by subsection (a) shall include, at a minimum, the following:

(1) Several case studies of the role of the Department of Defense and its process for the formulation of previous national security strategies in place throughout the history of the United States, with specific emphasis on the development and execution of previous strategies, as well as the factors that contributed to the development and execution of successful previous strategies with specific emphasis on—

(A) the frequency of strategy updates;

(B) the synchronization of timelines and content among different strategies;

(C) the prioritization of objectives;

(D) the assignment of roles and responsibilities among relevant agencies;

(E) the links between strategy and resourcing;

(F) the implementation of strategy within the planning documents of relevant agencies;

(G) the value of a competition of ideas; and

(H) recommendations for the executive and legislative branches on the best practices and organizational lessons learned for enabling the Department of Defense to formulate long-term defense strategy.

(2) A complete review and analysis of the current national security strategy formulation process, as it relates to the Department of Defense, including an analysis of the following:

(A) All major Government products and documents of national security strategy relevant to the Department of Defense and how they fit together, including—

(i) the National Military Strategy prepared by the Chairman of the Joint Chiefs of Staff under section 153(b)(1) of title 10, United States Code;

(ii) the most recent quadrennial defense review conducted by the Secretary of Defense pursuant to section 118 of title 10, United States Code;

(iii) the national security strategy report required under section 108 of the National Security Act of 1947 (50 U.S.C. 3043); and

(iv) any other relevant national security strategy products and documents.

(B) The time periods during which the products and documents covered by subparagraph (A) are prepared and published, and how they fit together.

(C) The interaction between the White House and the agencies that develop such products and documents and formulate strategy.

(D) All the current entities in the Federal Government that contribute to the national security strategy formulation process and how they fit together.

(c) **INDEPENDENT RESEARCH ENTITY.**—The entity described in this subsection is an independent research entity that is a not-for-profit entity or a federally funded research and development center with appropriate expertise and analytical capability.

(d) **REPORT.**—Not later than 18 months after the date of the enactment of this Act, the independent research entity shall provide to the Secretary a report on the results of the study. Not later than 90 days after receipt of the report, the Secretary shall submit such report, together with any additional views or recommendations of the Secretary, to the congressional defense committees.

SEC. 1065. REPORT ON THE STATUS OF DETECTION, IDENTIFICATION, AND DISABLEMENT CAPABILITIES RELATED TO REMOTELY PILOTED AIRCRAFT.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report addressing the suitability of existing capabilities to detect, identify, and disable remotely piloted aircraft operating within special use and restricted airspace. The report shall include the following:

(1) An assessment of the degree to which existing capabilities to detect, identify, and potentially disable remotely piloted aircraft within special use and restricted airspace are able to be deployed and combat prevailing threats.

(2) An assessment of existing gaps in capabilities related to the detection, identification, or disablement of remotely piloted aircraft within special use and restricted airspace.

(3) A plan that outlines the extent to which existing research and development programs within the Department of Defense can be leveraged to fill identified capability gaps and/or the need to establish new programs to address such gaps as are identified pursuant to paragraph (2).

SEC. 1066. REPORT ON OPTIONS TO ACCELERATE THE TRAINING OF PILOTS OF REMOTELY PILOTED AIRCRAFT.

Not later than February 1, 2016, the Secretary of the Air Force shall submit to the congressional defense committees a report addressing the immediate and critical training and operational needs of the remotely piloted aircraft community. The report shall include the following:

(1) An assessment of the viability of using non-rated, civilian, contractor, or enlisted pilots to execute remotely piloted aircraft missions.

(2) An assessment of the availability and existing utilization of special use airspace available for remotely piloted aircraft training and a plan for accessing additional special use airspace in order to meet anticipated training requirements for remotely piloted aircraft.

(3) A comprehensive training plan aimed at increasing the throughput of undergraduate remotely piloted aircraft training without sacrificing quality and standards.

(4) Establishment of an optimum ratio for the mix of training airframes to operational airframes in the remotely piloted aircraft inventory necessary to achieve manning requirements for pilots and sensor operators and, to the extent practicable, a plan for fielding additional remotely piloted aircraft airframes at the formal training units in the active, National Guard, and reserve components in accordance with optimum ratios for MQ-9 and Global Hawk remotely piloted aircraft.

(5) Establishment of optimum and minimum crew ratios to combat air patrols taking into account all tasks remotely piloted aircraft units execute and, to the extent practicable, a plan for conducting missions in accordance with optimum ratios.

(6) Identification of any resource, legislative, or departmental policy challenges impeding the corrective action needed to reach a sustainable remotely piloted aircraft operations tempo.

(7) An assessment, to the extent practicable, of the direct and indirect impacts that the integration of remotely piloted aircraft into the national airspace system has on the ability to generate remotely piloted aircraft crews.

(8) Any other matters the Secretary determines appropriate.

SEC. 1067. STUDIES OF FLEET PLATFORM ARCHITECTURES FOR THE NAVY.

(a) INDEPENDENT STUDIES.—

(1) IN GENERAL.—The Secretary of Defense shall provide for the performance of three independent studies of alternative future fleet platform architectures for the Navy in the 2030 timeframe.

(2) SUBMISSION TO CONGRESS.—Not later than April 1, 2016, the Secretary shall submit the results of each study to the congressional defense committees.

(3) FORM.—Each such study shall be submitted in unclassified form, but may contain a classified annex as necessary.

(b) ENTITIES TO PERFORM STUDIES.—The Secretary of Defense shall provide for the studies under subsection (a) to be performed as follows:

(1) One study shall be performed by the Department of the Navy and shall include participants from—

(A) the Office of Net Assessment within the Office of the Secretary of Defense; and

(B) the Naval Surface Warfare Center Dahlgren Division.

(2) The second study shall be performed by a federally funded research and development center.

(3) The final study shall be conducted by an independent, non-governmental institute which is described in section 501(c)(3) of the Internal Revenue Code of 1986, and exempt from tax under section 501(a) of such Code, and has recognized credentials and expertise in national security and military affairs.

(c) PERFORMANCE OF STUDIES.—

(1) INDEPENDENT PERFORMANCE.—The Secretary of Defense shall require the three studies under this section to be conducted independently of each other.

(2) MATTERS TO BE CONSIDERED.—In performing a study under this section, the organization performing the study, while being aware of the current and projected fleet platform architectures, shall not be limited by the current or projected fleet platform architecture and shall consider the following matters:

(A) The National Security Strategy of the United States.

(B) Potential future threats to the United States and to United States naval forces in the 2030 timeframe.

(C) Traditional roles and missions of United States naval forces.

(D) Alternative roles and missions for United States naval forces.

(E) Other government and non-government analyses that would contribute to the study through variations in study assumptions or potential scenarios.

(F) The role of evolving technology on future naval forces, including unmanned systems.

(G) Opportunities for reduced operation and sustainment costs.

(H) Current and projected capabilities of other United States armed forces that could affect force structure capability and capacity requirements of United States naval forces.

(d) STUDY RESULTS.—The results of each study under this section shall—

(1) present the alternative fleet platform architectures considered, with assumptions and possible scenarios identified for each;

(2) provide for presentation of minority views of study participants; and

(3) for the recommended architecture, provide—

(A) the numbers, kinds, and sizes of vessels, the numbers and types of associated manned and unmanned vehicles, and the basic capabilities of each of those platforms;

(B) other information needed to understand that architecture in basic form and the supporting analysis;

(C) deviations from the current Annual Long-Range Plan for Construction of Naval Vessels required under section 231 of title 10, United States Code;

(D) options to address ship classes that begin decommissioning prior to 2035; and

(E) implications for naval aviation, including the future carrier air wing and land-based aviation platforms.

SEC. 1068. REPORT ON STRATEGY TO PROTECT UNITED STATES NATIONAL SECURITY INTERESTS IN THE ARCTIC REGION.

(a) REPORT ON STRATEGY REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that sets forth an updated military strategy for the protection of United States national security interests in the Arctic region.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of United States military interests in the Arctic region.

(2) A description of operational plans and military requirements for the protection of United States national security interests in the Arctic region, including United States citizens, territory, freedom of navigation, and economic and trade interests.

(3) An identification of any operational seams and a plan to enhance unity of effort among the combatant commands with responsibility for the Arctic region, as well as among the Armed Forces.

(4) A description of the security environment in the Arctic region, including the activities of foreign nations operating within the Arctic region.

(5) A description of United States military capabilities required to implement the strategy required by subsection (a).

(6) An identification of any capability gaps and resource gaps, including in installations, infrastructure, communications and domain awareness, and personnel in the Arctic region, that would impact the implementation of the strategy required by subsection (a) or the execution of any associated operational plan, and a mitigation plan to address such gaps.

(7) An assessment of military-to-military cooperation with partner nations that have mutual security interests in the Arctic region, including opportunities for sharing installations and maintenance facilities.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1069. COMPTROLLER GENERAL BRIEFING AND REPORT ON MAJOR MEDICAL FACILITY PROJECTS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) BRIEFING.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall provide to the appropriate committees of Congress a briefing on the administration

and oversight by the Department of Veterans Affairs of contracts for the design and construction of major medical facility projects, as defined in section 8104(a)(3)(A) of title 38, United States Code.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the administration and oversight described in subsection (a).

(c) ELEMENTS.—The briefing required by subsection (a) and the report required by subsection (b) shall each include an examination of the following:

(1) The processes used by the Department for overseeing and assuring the performance of construction design and construction contracts for major medical facility projects, as so defined.

(2) Any actions taken by the Department to improve the administration of such contracts.

(3) Such opportunities for further improvement of the administration of such contracts as the Comptroller General considers appropriate.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Veterans’ Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate; and

(2) the Committee on Veterans’ Affairs and the Subcommittee on Military Construction, Veterans Affairs and Related Agencies of the Committee on Appropriations of the House of Representatives.

SEC. 1070. SUBMITTAL TO CONGRESS OF MUNITIONS ASSESSMENTS.

(a) REQUIRED REPORTS.—Not later than March 1, 2016, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees each of the following:

(1) The most current munitions assessments, as defined by Department of Defense Instruction Number 3000.04, relating to the Department of Defense munitions process.

(2) The most current sufficiency assessments, as defined by such Department of Defense Instruction.

(3) The most current approved memorandum of the Joint Requirements Oversight Council resulting from the munitions requirements process.

(b) SUNSET.—The requirement to submit reports and assessments under this section shall terminate on the date that is two years after the date of the enactment of this Act.

SEC. 1071. POTENTIAL ROLE FOR UNITED STATES GROUND FORCES IN THE WESTERN PACIFIC THEATER.

(a) GENERAL ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly conduct a comprehensive assessment of potential roles for United States ground forces in the western Pacific in cooperation with host nations to deter and defeat aggression in the western Pacific region.

(2) CAPABILITIES TO BE EXAMINED.—The Secretary and the Chairman shall assess the feasibility and potential effectiveness of mobile United States ground forces operating jointly to facilitate—

(A) anti-access and area-denial capabilities in contested sea lanes and airspace;

(B) air defense capabilities;

(C) electronic countermeasures capabilities;

(D) command, control, communications, and logistics capabilities;

(E) littoral defenses; and

(F) any other capabilities the Secretary and Chairman determine to be appropriate.

(b) **COMPLETION DATE.**—The assessment required by this section shall be completed by not later than one year after the date of the enactment of this Act.

(c) **BRIEFING OF CONGRESS.**—Upon the completion of the assessments required by this section, the Secretary and the Chairman shall provide a briefing on the assessment to the Committees on Armed Services of the Senate and House of Representatives.

SEC. 1072. REPEAL OR REVISION OF REPORTING REQUIREMENTS RELATED TO MILITARY PERSONNEL ISSUES.

(a) **REPORT ON FOREIGN LANGUAGE PROFICIENCY INCENTIVE PAY.**—Section 316a of title 37, United States Code, as amended by section 615(5) of this Act, is amended—

(1) by striking subsection (f); and

(2) by redesignating subsection (g) as subsection (f).

(b) **REPORT ON USE OF WAIVER AUTHORITY FOR MILITARY SERVICE ACADEMY APPOINTMENTS.**—Section 553 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 4346 note) is amended—

(1) by striking subsection (e); and

(2) by redesignating subsection (f) as subsection (e).

(c) **REPORT ON INCREASE IN JUNIOR RESERVE OFFICERS' TRAINING CORPS UNITS.**—Subsection (e) of section 548 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4466) is repealed.

(d) **REPORT ON IMPLEMENTATION OF YELLOW RIBBON REINTEGRATION PROGRAM.**—

(1) **REPORTING REQUIREMENT.**—Section 582(e) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 10101 note) is amended by striking paragraph (4).

(2) **CONFORMING REPEAL.**—Section 597 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 10101 note) is repealed.

(e) **REPORT ON STANDARDS OF FACILITIES.**—Section 1648 of the Wounded Warrior Act (title XVI of Public Law 110–181; 10 U.S.C. 1071 note) is amended by striking subsection (f).

(f) **REPORT ON INSPECTIONS OF FACILITIES.**—Section 1662 of the Wounded Warrior Act (title XVI of Public Law 110–181; 10 U.S.C. 1071 note) is amended—

(1) by striking “(a) REQUIRED INSPECTIONS OF FACILITIES.”; and

(2) by striking subsection (b).

(g) **REPORT ON INSPECTIONS OF OTHER FACILITIES.**—Section 3307 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28; 10 U.S.C. 1073 note) is amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

(h) **REPORT ON LOCAL EDUCATIONAL AGENCY ASSISTANCE RELATED TO DOD ACTIVITIES.**—Section 574 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 20 U.S.C. 7703b note) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

SEC. 1073. REPEAL OR REVISION OF REPORTING REQUIREMENTS RELATING TO READINESS.

(a) **BIANNUAL REPORTS ON ALLOCATION OF FUNDS WITHIN OPERATION AND MAINTENANCE BUDGET SUBACTIVITIES.**—

(1) **IN GENERAL.**—Chapter 9 of title 10, United States Code, is amended by striking section 228.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by striking the item relating to section 228.

(b) **ANNUAL REPORT ON NAVAL PETROLEUM RESERVES.**—Section 7431 of title 10, United States Code, is amended by striking subsection (c).

(c) **ANNUAL REPORT ON ARMY NATIONAL GUARD COMBAT READINESS.**—

(1) **IN GENERAL.**—Chapter 1013 of title 10, United States Code, is amended by striking section 10542.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by striking the item relating to section 10542.

(d) **GAO REPORT ON IN-KIND PAYMENTS.**—Section 2805 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2149) is repealed.

(e) **INSIDER THREAT DETECTION BUDGET SUBMISSION.**—Section 922 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 2224 note) is amended by striking subsection (f).

(f) **PRICE TREND ANALYSIS.**—Section 892 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2306a) is repealed.

(g) **REPORT ON AUTHORITY FOR AIRLIFT TRANSPORTATION AT DEPARTMENT OF DEFENSE RATES FOR NON-DEPARTMENT OF DEFENSE FEDERAL CARGOES.**—Section 351 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2262) is amended by striking subsection (b).

(h) **BIENNIAL REPORT ON PROCUREMENT OF MILITARY WORKING DOGS.**—Section 358 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2302 note) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

(i) **REPORT ON FOREIGN LANGUAGE PROFICIENCY.**—Section 958 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 297) is repealed.

(j) **REPORT ON ARSENAL SUPPORT PROGRAM INITIATIVE.**—Section 343 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 10 U.S.C. 4551 note) is amended by striking subsection (g).

(k) **GAO REVIEW OF CONTRACTOR-OPERATED CIVIL ENGINEERING SUPPLY STORES PROGRAM.**—Section 345 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1978) is amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

SEC. 1074. REPEAL OR REVISION OF REPORTING REQUIREMENTS RELATED TO NAVAL VESSELS AND MERCHANT MARINE.

(a) **REPORT ON NAMING OF NAVAL VESSELS.**—Section 7292 of title 10, United States Code, is amended by striking subsection (d).

(b) **REPORT ON TRANSFER OF VESSELS STRICKEN FROM NAVAL VESSEL REGISTER.**—Section 7306 of title 10, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(c) **ANNUAL REPORT OF MARITIME ADMINISTRATION.**—

(1) **ELIMINATION OF REPORT AND REVISION OF REMAINING REQUIREMENT.**—Section 50111 of

title 46, United States Code, is amended to read as follows:

“§50111. Submission of annual MARAD authorization request

“(a) **SUBMISSION OF LEGISLATIVE PROPOSAL.**—Not later than 30 days after the date on which the President submits to Congress a budget for a fiscal year pursuant to section 1105 of title 31, the Secretary of Transportation shall submit to the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the Maritime Administration authorization request for that fiscal year.

“(b) **MARITIME ADMINISTRATION REQUEST DEFINED.**—In this section, the term ‘Maritime Administration authorization request’ means a proposal for legislation that, for a fiscal year—

“(1) recommends authorizations of appropriations for the Maritime Administration for that fiscal year, including with respect to matters described in subsection 109(j) of title 49 or authorized in subtitle V of this title; and

“(2) addresses any other matter with respect to the Maritime Administration that the Secretary determines is appropriate.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 501 of title 46, United States Code, is amended by striking the item relating to section 50111 and inserting the following new item:

“50111. Submission of annual MARAD authorization request.”.

(d) **DISCRETIONARY REPORT NO LONGER NEEDED.**—The Secretary of the Navy is not required to submit to the congressional defense committees a report, or updates to such a report, on open architecture as described in Senate Report 110–077.

SEC. 1075. REPEAL OR REVISION OF REPORTING REQUIREMENTS RELATED TO CIVILIAN PERSONNEL.

(a) **REPORT ON PILOT PROGRAM FOR EXCHANGE OF INFORMATION TECHNOLOGY PERSONNEL.**—Section 1110 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2493) is amended—

(1) by striking subsection (i);

(2) by redesignating subsection (j) as subsection (i); and

(3) in subsection (i), as so redesignated, by striking paragraph (2) and inserting the following new paragraph:

“(2) any employee whose assignment is allowed to continue by virtue of paragraph (1) shall be taken into account for purposes of the numerical limitation under subsection (h).”.

(b) **REPORT ON EXPERIMENTAL PROGRAM FOR SCIENTIFIC AND TECHNICAL PERSONNEL.**—Section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2139) is amended by striking subsection (g).

SEC. 1076. REPEAL OR REVISION OF REPORTING REQUIREMENTS RELATED TO NUCLEAR PROLIFERATION AND RELATED MATTERS.

(a) **REPORT ON NUCLEAR WEAPONS COUNCIL.**—Section 179 of title 10, United States Code, is amended by striking subsection (g).

(b) **REPORT ON PROLIFERATION SECURITY INITIATIVE.**—Section 1821(b) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 2911(b)) is amended—

(1) by striking “(1) IN GENERAL.—”; and

(2) by striking paragraphs (2) and (3).

(c) **BRIEFINGS ON DIALOGUE BETWEEN UNITED STATES AND RUSSIAN FEDERATION ON**

NUCLEAR ARMS.—Section 1282 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2034; 22 U.S.C. 5951 note) is amended—

(1) in the section heading, by striking “BRIEFINGS ON DIALOGUE” and inserting “SENSE OF CONGRESS ON AGREEMENTS”;

(2) by striking subsection (a);

(3) in subsection (b), by striking “(b) SENSE OF CONGRESS ON CERTAIN AGREEMENTS.—”; and

(4) by striking subsection (c).

(d) IMPLEMENTATION PLAN FOR WHOLE-OF-GOVERNMENT VISION PRESCRIBED IN THE NATIONAL SECURITY STRATEGY.—Section 1072 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1592; 50 U.S.C. 3043 note) is amended—

(1) by striking subsection (b); and

(2) by redesignating subsection (c) as subsection (b).

SEC. 1077. REPEAL OR REVISION OF REPORTING REQUIREMENTS RELATED TO ACQUISITION.

(a) REPORT ON COST ASSESSMENT ACTIVITIES.—Section 2334 of title 10, United States Code, is amended—

(1) by striking subsection (f); and

(2) by redesignating subsection (g) as subsection (f).

(b) REPORT ON PERFORMANCE ASSESSMENTS AND ROOT CAUSE ANALYSES.—Section 2438 of title 10, United States Code, is amended by striking subsection (f).

SEC. 1078. REPEAL OR REVISION OF MISCELLANEOUS REPORTING REQUIREMENTS.

(a) REPORT ON TECHNOLOGICAL MATURITY AND INTEGRATION RISK OF CRITICAL TECHNOLOGIES.—Section 138(b)(8) of title 10, United States Code, is amended—

(1) by striking subparagraph (B);

(2) by striking “shall—” and all that follows through “assess the technological maturity” and inserting “shall periodically review and assess the technological maturity”; and

(3) by striking “; and” and inserting a period.

(b) REPORT ON SYSTEMS ENGINEERING.—Section 139b(d) of title 10, United States Code, is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraph (3) as paragraph (2);

(3) in paragraph (2), as so redesignated—

(A) by striking “or (2)”; and

(B) in subparagraph (A), by striking “systems engineering master plans and”;

(C) in subparagraph (B), by striking “, systems engineering master plans,”;

(D) in subparagraph (C), by striking “systems engineering, development planning,” and inserting “development planning”; and

(E) by redesignating subparagraph (D) as subparagraph (F);

(4) by transferring subparagraphs (A) and (B) of paragraph (4) to the end of paragraph (2), as so redesignated, and redesignating those subparagraphs as subparagraphs (D) and (E), respectively; and

(5) by striking paragraph (4).

(c) REPORT ON DARPA.—

(1) REPEAL.—Section 2352 of title 10, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of title 10, United States Code, is amended by striking the item relating to section 2352.

(d) REPORTS ON STATUS OF NAVY NEXT GENERATION ENTERPRISE NETWORKS PROGRAM.—Section 1034 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4593) is repealed.

SEC. 1079. REPEAL OF REPORTING REQUIREMENTS.

(a) ANNUAL REPORT ON PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.—Section 2374a of title 10, United States Code, is amended—

(1) by striking subsection (e); and

(2) by redesignating subsection (f) as subsection (e).

(b) ANNUAL IMPACT STATEMENT ON NUMBER OF MEMBERS IN INTEGRATED DISABILITY EVALUATION SYSTEM ON READINESS REQUIREMENTS.—Section 528 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1725) is repealed.

(c) REPORT ON TASK FORCE FOR BUSINESS AND STABILITY OPERATIONS IN AFGHANISTAN.—Section 1535(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4426) is amended by striking paragraph (6).

(d) REPORTS UNDER PUBLIC LAW 110-417.—

(1) MITIGATION OF POWER OUTAGE RISKS FOR DEPARTMENT OF DEFENSE FACILITIES AND ACTIVITIES.—Section 335 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4422; 10 U.S.C. 2911 note) is amended by striking subsection (c).

(2) ANNUAL REPORTS ON CENTER OF EXCELLENCE ON TRAUMATIC EXTREMITY INJURIES AND AMPUTATIONS.—Section 723 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4508) is amended by striking (d).

(e) BIENNIAL UPDATE OF STRATEGIC MANAGEMENT PLAN.—Section 904(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 275) is amended by striking paragraph (3).

(f) ROADMAPS AND REPORTS ON HYPERSONICS DEVELOPMENT.—Section 218 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 10 U.S.C. 2358 note) is amended—

(1) in subsection (d), by striking paragraph (4); and

(2) by striking subsection (f).

(g) REPORTS ON ANNUAL REVIEW OF ROLES AND MISSIONS OF THE RESERVE COMPONENTS.—Section 513(h) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 118 Stat. 1882; 10 U.S.C. 10101 note) is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraph (3) as paragraph (2).

(h) ANNUAL SUBMITTAL OF INFORMATION REGARDING INFORMATION TECHNOLOGY CAPITAL ASSETS.—Section 351 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 10 U.S.C. 221 note) is hereby repealed.

SEC. 1080. TERMINATION OF REQUIREMENT FOR SUBMITTAL TO CONGRESS OF REPORTS REQUIRED OF DEPARTMENT OF DEFENSE BY STATUTE.

(a) TERMINATION.—Effective on the date that is two years after the date of the enactment of this Act, each report described in subsection (b) that is still required to be submitted to Congress as of such effective date shall no longer be required to be submitted to Congress.

(b) COVERED REPORTS.—A report described in this subsection is a report that is required to be submitted to Congress by the Department of Defense, or by any officer, official, component, or element of the Department, by any annual national defense authorization Act as of April 1, 2015.

(c) REPORT TO CONGRESS.—Not later than February 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a report that includes each of the following:

(1) A list of all reports described in subsection (b).

(2) For each such report, a citation to the provision of law under which the report is required to be submitted.

(3) Draft legislation that would repeal each such report.

Subtitle G—Other Matters

SEC. 1081. TECHNICAL AND CLERICAL AMENDMENTS.

(a) AMENDMENTS TO TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) The tables of chapters at the beginning of subtitle A, and at the beginning of part I of such subtitle, are each amended by striking the item relating to chapter 19 and inserting the following new item:

“19. Cyber Matters 391”.

(2) The heading of section 130e is amended to read as follows:

“§ 130e. Treatment under Freedom of Information Act of certain critical infrastructure security information”.

(3) The heading of section 153(a)(5) is amended to read as follows: “JOINT FORCE DEVELOPMENT ACTIVITIES.—”.

(4) The table of sections at the beginning of chapter 19 is amended by striking the item relating to section 391 and inserting the following new item:

“391. Reporting on cyber incidents with respect to networks and information systems of operationally critical contractors and certain other contractors.”.

(5) The table of sections at the beginning of subchapter I of chapter 21 is amended by inserting after the item relating to section 429 the following new item:

“430. Tactical Exploitation of National Capabilities Executive Agent.”.

(6) Section 2006a(a) is amended by striking “August, 1” and inserting “August 1”.

(7) Sections 2222(j)(5), 2223(c)(3), and 2315 are each amended by striking “section 3552(b)(5)” and inserting “section 3552(b)(6)”.

(8) Section 2229(d)(1) is amended by striking “certification in writing” and inserting “a certification in writing”.

(9) Section 2679, as transferred, redesignated, and amended by section 351 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3346), is amended in subsection (a)(1) by striking “with” before “, on a sole source”.

(10) Section 2684(d)(1) is amended by striking “section 2023.01 of title 54” and inserting “section 302101 of title 54”.

(11) Section 2687a(d)(2) is amended by inserting “fair market” before “value”.

(12) Section 2926, as added and amended by section 901(g) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3464), is amended in subsections (a), (b), (c), and (d) by striking “for Installations, Energy,” each place it appears and inserting “for Energy, Installations,”.

(13) Section 9314a(b) is amended by striking “only so long at” and inserting “only so long as”.

(b) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2015.—Effective as of December 19, 2014, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) is amended as follows:

(1) Section 351(b)(1) (128 Stat. 3346) is amended by striking the period at the end of subparagraph (C) and inserting “; and”.

(2) Section 901(g)(1)(F) (128 Stat. 3465) is amended by inserting “paragraph (4) of” before “subsection (b) of section 2926”.

(3) Section 1072(a)(2) (128 Stat. 3516) is amended by inserting “in the table of sections” before “at the beginning of”.

(4) Section 1079(a)(1) (128 Stat. 3521) is amended by striking “section 12102 of title 42, United States Code” and inserting “section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)”.

(5) Section 1104(b)(2) (128 Stat. 3526) is amended by striking “paragraph (2)” and inserting “paragraph (1)(A)”.

(6) Section 1208 (128 Stat. 3541) is amended by striking “of Fiscal Year” each place it appears and inserting “for Fiscal Year”.

(7) Section 2803(a) (128 Stat. 3696) is amended in paragraph (2) of the subsection (f) being added by the amendment to be made by that section by inserting “section” before “1105 of title 31”.

(8) Section 2832(c)(3) (128 Stat. 3704) is amended by striking “United States Code” and inserting “United States Code”.

(c) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009.—Section 943(d)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4578) by striking the second period at the end of the first sentence.

(d) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005.—Section 1208(f)(2) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 118 Stat. 2086), as amended by section 1202(a) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 363) and section 1202(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat 2512), is further amended—

(1) by redesignating the paragraphs (1) through (8) added by section 1202(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat 2512) as subparagraphs (A) through (H), respectively; and

(2) by moving the margins of such subparagraphs, as so redesignated, two ems to the right.

(e) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments made by this section shall be treated as having been enacted immediately before any such amendments by other provisions of this Act.

SEC. 1082. SITUATIONS INVOLVING BOMBINGS OF PLACES OF PUBLIC USE, GOVERNMENT FACILITIES, PUBLIC TRANSPORTATION SYSTEMS, AND INFRASTRUCTURE FACILITIES.

(a) IN GENERAL.—Chapter 18 of title 10, United States Code, is amended by adding at the end the following new section:

“§383. Situations involving bombings of places of public use, Government facilities, public transportation systems, and infrastructure facilities

“(a) IN GENERAL.—Upon the request of the Attorney General, the Secretary of Defense may provide assistance in support of Department of Justice activities related to the enforcement of section 2332f of title 18 during situations involving bombings of places of public use, Government facilities, public transportation systems, and infrastructure facilities.

“(b) RENDERING-SAFE SUPPORT.—Military explosive ordnance disposal units providing rendering-safe support to Department of Justice activities relating to the enforcement of section 175, 229, or 2332a of title 18 in emergency situations involving weapons of mass

destruction shall provide such support in a manner consistent with the provisions of section 382 of this title.

“(c) REGULATIONS.—(1) The Secretary of Defense and the Attorney General shall jointly prescribe regulations concerning the types of assistance that may be provided under this section. Such regulations shall also describe the actions that Department of Defense personnel may take in circumstances incident to the provision of assistance under this section.

“(2)(A) Except as provided in subparagraph (B), the regulations prescribed under paragraph (1) may not authorize any of the following actions:

“(i) Arrest.

“(ii) Any direct participation in conducting a search for or seizure of evidence related to a violation of section 175, 229, or 2332a of title 18.

“(iii) Any direct participation in the collection of intelligence for law enforcement purposes.

“(B) Such regulations may authorize an action described in subparagraph (A) to be taken under the following conditions:

“(i) The action is considered necessary for the immediate protection of human life, and civilian law enforcement officials are not capable of taking the action.

“(ii) The action is otherwise authorized under subsection (a) or under otherwise applicable law.

“(d) EXPLOSIVE ORDNANCE DEFINED.—The term ‘explosive ordnance’—

“(1) means—

“(A) bombs and warheads;

“(B) guided and ballistic missiles;

“(C) artillery, mortar, rocket, and small arms ammunition;

“(D) all mines, torpedoes, and depth charges;

“(E) grenades demolition charges;

“(F) pyrotechnics;

“(G) clusters and dispensers;

“(H) cartridge- and propellant- actuated devices;

“(I) electroexplosives devices;

“(J) clandestine and improvised explosive devices; and

“(K) all similar or related items or components explosive in nature; and

“(2) includes all munitions containing explosives, propellants, nuclear fission or fusion materials, and biological and chemical agents.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“383. Situations involving bombings of places of public use, Government facilities, public transportation systems, and infrastructure facilities.”.

SEC. 1083. EXECUTIVE AGENT FOR THE OVERSIGHT AND MANAGEMENT OF ALTERNATIVE COMPENSATORY CONTROL MEASURES.

(a) EXECUTIVE AGENT.—

(1) IN GENERAL.—Subchapter I of chapter 21 of title 10, United States Code, is amended by adding at the end of the following new section:

“§430a. Executive agent for management and oversight of alternative compensatory control measures

“(a) EXECUTIVE AGENT.—The Secretary of Defense shall designate a senior official from among the personnel of the Department of Defense to act as the Department of Defense executive agent for the management and oversight of alternative compensatory control measures.

“(b) ROLES, RESPONSIBILITIES, AND AUTHORITIES.—The Secretary shall prescribe the roles, responsibilities, and authorities of the executive agent designated under subsection (a). Such roles, responsibilities, and authorities shall include the development of an annual management and oversight plan for Department-wide accountability and reporting to the congressional defense committees.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of such chapter is amended by adding at the end the following new item:

“430a. Executive agent for management and oversight of alternative compensatory control measures.”.

(b) REPORTS.—Not later than 30 days after the close of each of fiscal years 2016 through 2020, the Secretary of Defense shall submit to the congressional defense committees a report on the oversight and management of alternative compensatory control measures. Each such report shall include—

(1) the annual management and oversight plan required under section 430a(b) of title 10, United States Code, as added by subsection (a);

(2) a discussion of the scope and number of alternative compensatory control measures in effect;

(3) a brief description of each alternative compensatory control measures program and of the number of individuals with access to such program; and

(4) any other matters the Secretary considers appropriate.

SEC. 1084. NAVY SUPPORT OF OCEAN RESEARCH ADVISORY PANEL.

Section 7903 of title 10, United States Code, is amended by striking subsection (c).

SEC. 1085. LEVEL OF READINESS OF CIVIL RESERVE AIR FLEET CARRIERS.

(a) FINDINGS.—Congress finds the following:

(1) The National Airlift Policy states that “[t]he national defense airlift objective is to ensure that military and civil airlift resources will be able to meet defense mobilization and deployment requirements in support of US defense and foreign policies.”.

(2) The National Airlift Policy also emphasizes the need for “dialogue and cooperation with our national aviation industry,” and it states that “[i]t is of particular importance that the aviation industry be apprised by the Department of Defense of long-term requirements for airlift in support of national defense.”.

(3) The National Airlift Policy emphasizes the importance of both military and civil airlift resources and their interdependence in the fulfillment of the national defense airlift objective, and it states that the “Department of Defense shall establish appropriate levels for peacetime cargo airlift augmentation in order to promote the effectiveness of Civil Reserve Air Fleet and provide training within the military airlift system.”.

(4) Civil Reserve Air Fleet carriers continue to be an important component of the military airlift system in support of United States defense and foreign policies.

(b) LEVEL OF READINESS OF CIVIL RESERVE AIR FLEET CARRIERS.—

(1) IN GENERAL.—Chapter 931 of title 10, United States Code, is amended by adding at the end the following new section:

“§9517. Level of readiness of Civil Reserve Air Fleet carriers

“The Civil Reserve Air Fleet program is an important component of the military airlift system in support of United States defense

and foreign policies, and it is the policy of the United States to maintain the readiness and interoperability of Civil Reserve Air Fleet carriers by providing appropriate levels of peacetime airlift augmentation to maintain networks and infrastructure, exercise the system, and interface effectively within the military airlift system.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“9517. Level of Readiness of Civil Reserve Air Fleet carriers.”.

(3) DEFINITION OF CIVIL RESERVE AIR FLEET PROGRAM.—Section 9511 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(12) The term ‘Civil Reserve Air Fleet program’ means the program developed by the Department of Defense through which the Department of Defense augments its airlift capability by use of civil aircraft.”.

(c) REPORT REQUIREMENT.—On the day the President submits the budget to Congress for each of fiscal years 2017 and 2018, the Secretary of Defense shall submit to Congress a report that sets forth, for each fiscal year during the period covered by the current future-years defense program under section 221 of title 10, United States Code, each of the following, expressed separately for passenger and cargo airlift services:

(1) The results (including analytical and justification materials) of an assessment, conducted in consultation with the Civil Reserve Air Fleet carriers, of the level of commercial airlift augmentation necessary to maintain the readiness and interoperability of such carriers, maintain networks and infrastructure, exercise the system, and facilitate the regular interfacing between such carriers and the military airlift system, which shall include—

(A) a projection of the number of block hours necessary to achieve such levels of commercial airlift augmentation;

(B) a strategic plan for achieving such level of commercial airlift augmentation; and

(C) an explanation of any deviation from the previous fiscal year's assessment of the projected number of block hours under subparagraph (A).

(2) A comparison (including analytical and justification materials and explanations of any deviations) of the forecasted number of block hours for each fiscal year of the period covered by the report with the projected number of block hours under paragraph (1)(A) for each such fiscal year.

SEC. 1086. REFORM AND IMPROVEMENT OF PERSONNEL SECURITY, INSIDER THREAT DETECTION AND PREVENTION, AND PHYSICAL SECURITY.

(a) PERSONNEL SECURITY AND INSIDER THREAT PROTECTION IN DEPARTMENT OF DEFENSE.—

(1) PLANS AND SCHEDULES.—Consistent with the Memorandum of the Secretary of Defense dated March 18, 2014, regarding the recommendations of the reviews of the Washington Navy Yard shooting, the Secretary of Defense shall develop plans and schedules—

(A) to implement a continuous evaluation capability for the national security population for which clearance adjudications are conducted by the Department of Defense Central Adjudication Facility, in coordination with the heads of other relevant agencies;

(B) to produce a Department-wide insider threat strategy and implementation plan, which includes—

(i) resourcing for the Defense Insider Threat Management and Analysis Center and component insider threat programs, and

(ii) alignment of insider threat protection programs with continuous evaluation capabilities and processes for personnel security;

(C) to centralize the authority, accountability, and programmatic integration responsibilities, including fiscal control, for personnel security and insider threat protection under the Under Secretary of Defense for Intelligence;

(D) to develop a defense security enterprise reform investment strategy to ensure a consistent, long-term focus on funding to strengthen all of the Department's security and insider threat programs, policies, functions, and information technology capabilities, including detecting threat behaviors conveyed in the cyber domain, in a manner that keeps pace with evolving threats and risks;

(E) to resource and expedite deployment of the Identity Management Enterprise Services Architecture; and

(F) to implement the recommendations contained in the study conducted by the Director of Cost Analysis and Program Evaluation required by section 907 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 1564 note), including, specifically, the recommendations to centrally manage and regulate Department of Defense requests for personnel security background investigations.

(2) REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report describing the plans and schedules required under paragraph (1).

(b) PHYSICAL AND LOGICAL ACCESS.—Not later than 270 days after the date of the enactment of this Act—

(1) the Secretary of Defense shall define physical and logical access standards, capabilities, and processes applicable to all personnel with access to Department of Defense installations and information technology systems, including—

(A) periodic or regularized background or records checks appropriate to the type of physical or logical access involved, the security level, the category of individuals authorized, and the level of access to be granted;

(B) standards and methods for verifying the identity of individuals seeking access; and

(C) electronic attribute-based access controls that are appropriate for the type of access and facility or information technology system involved;

(2) the Director of the Office of Management and Budget and the Chair of the Performance Accountability Council, in coordination with the Secretary of Defense, the Administrator of General Services, and, when appropriate, the Director of National Intelligence, and in consultation with representatives from stakeholder organizations, shall design a capability to share and apply electronic identity information across the Government to enable real-time, risk-managed physical and logical access decisions; and

(3) the Director of the Office of Management and Budget, in conjunction with the Director of the Office of Personnel Management and in consultation with representatives from stakeholder organizations, shall establish investigative and adjudicative standards for the periodic or regularized reevaluation of the eligibility of an individual

to retain credentials issued pursuant to Homeland Security Presidential Directive 12 (dated August 27, 2004), as appropriate, but not less frequently than the authorization period of the issued credentials.

(c) SECURITY ENTERPRISE MANAGEMENT.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall—

(1) formalize the Security, Suitability, and Credentialing Line of Business; and

(2) submit to the appropriate congressional committee a report that describes plans—

(A) for oversight by the Office of Management and Budget of activities of the executive branch of the Government for personnel security, suitability, and credentialing;

(B) to designate enterprise shared services to optimize investments;

(C) to define and implement data standards to support common electronic access to critical Government records; and

(D) to reduce the burden placed on Government data providers by centralizing requests for records access and ensuring proper sharing of the data with appropriate investigative and adjudicative elements.

(d) RECIPROCITY MANAGEMENT.—Not later than two years after the date of the enactment of this Act, the Chair of the Performance Accountability Council shall ensure that—

(1) a centralized system is available to serve as the reciprocity management system for the Federal Government; and

(2) the centralized system described in paragraph (1) is aligned with, and incorporates results from, continuous evaluation and other enterprise reform initiatives.

(e) REPORTING REQUIREMENTS IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the Chair of the Performance Accountability Council, in coordination with the Security Executive Agent, the Suitability Executive Agent, and the Secretary of Defense, shall jointly develop a plan to—

(1) implement the Security Executive Agent Directive on common, standardized employee and contractor security reporting requirements;

(2) establish and implement uniform reporting requirements for employees and Federal contractors, according to risk, relative to the safety of the workforce and protection of the most sensitive information of the Government; and

(3) ensure that reported information is shared appropriately.

(f) ACCESS TO CRIMINAL HISTORY RECORDS FOR NATIONAL SECURITY AND OTHER PURPOSES.—

(1) DEFINITION.—Section 9101(a) of title 5, United States Code, is amended by adding at the end the following:

“(7) The terms ‘Security Executive Agent’ and ‘Suitability Executive Agent’ mean the Security Executive Agent and the Suitability Executive Agent, respectively, established under Executive Order 13467 (73 Fed. Reg. 38103), or any successor thereto.”.

(2) COVERED AGENCIES.—Section 9101(a)(6) of title 5, United States Code, is amended by adding at the end the following:

“(G) The Department of Homeland Security.

“(H) The Office of the Director of National Intelligence.

“(I) An Executive agency that—

“(i) is authorized to conduct background investigations under a Federal statute; or

“(ii) is delegated authority to conduct background investigations in accordance with procedures established by the Security

Executive Agent or the Suitability Executive Agent under subsection (b) or (c)(iv) of section 2.3 of Executive Order 13467 (73 Fed. Reg. 38103), or any successor thereto.

“(J) A contractor that conducts a background investigation on behalf of an agency described in subparagraphs (A) through (I).”

(3) APPLICABLE PURPOSES OF INVESTIGATIONS.—Section 9101(b)(1) of title 5, United States Code, is amended—

(A) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively, and adjusting the margins accordingly;

(B) in the matter preceding clause (i), as redesignated—

(i) by striking “the head of”;

(ii) by inserting “all” before “criminal history record information”; and

(iii) by striking “for the purpose of determining eligibility for any of the following:” and inserting “, in accordance with Federal Investigative Standards jointly promulgated by the Suitability Executive Agent and Security Executive Agent, for the purpose of—

“(A) determining eligibility for—”;

(C) in clause (i), as redesignated—

(i) by striking “Access” and inserting “access”; and

(ii) by striking the period and inserting a semicolon;

(D) in clause (ii), as redesignated—

(i) by striking “Assignment” and inserting “assignment”; and

(ii) by striking the period and inserting “or positions”;;

(E) in clause (iii), as redesignated—

(i) by striking “Acceptance” and inserting “acceptance”; and

(ii) by striking the period and inserting “; or”;

(F) in clause (iv), as redesignated—

(i) by striking “Appointment” and inserting “appointment”;;

(ii) by striking “or a critical or sensitive position”; and

(iii) by striking the period and inserting “; or”;

(G) by adding at the end the following:

“(B) conducting a basic suitability or fitness assessment for Federal or contractor employees, using Federal Investigative Standards jointly promulgated by the Security Executive Agent and the Suitability Executive Agent in accordance with—

“(i) Executive Order 13467 (73 Fed. Reg. 38103), or any successor thereto; and

“(ii) the Office of Management and Budget Memorandum ‘Assignment of Functions Relating to Coverage of Contractor Employee Fitness in the Federal Investigative Standards’, dated December 6, 2012;

“(C) credentialing under the Homeland Security Presidential Directive 12 (dated August 27, 2004); and

“(D) Federal Aviation Administration checks required under—

“(i) the Federal Aviation Administration Drug Enforcement Assistance Act of 1988 (subtitle E of title VII of Public Law 100-690; 102 Stat. 4424) and the amendments made by that Act; or

“(ii) section 44710 of title 49.”

(4) BIOMETRIC AND BIOGRAPHIC SEARCHES.—Section 9101(b)(2) of title 5, United States Code, is amended to read as follows:

“(2)(A) A State central criminal history record depository shall allow a covered agency to conduct both biometric and biographic searches of criminal history record information.

“(B) Nothing in subparagraph (A) shall be construed to prohibit the Federal Bureau of Investigation from requiring a request for

criminal history record information to be accompanied by the fingerprints of the individual who is the subject of the request.”

(5) USE OF MOST COST-EFFECTIVE SYSTEM.—Section 9101(e) of title 5, United States Code, is amended by adding at the end the following:

“(6) If a criminal justice agency is able to provide the same information through more than 1 system described in paragraph (1), a covered agency may request information under subsection (b) from the criminal justice agency, and require the criminal justice agency to provide the information, using the system that is most cost-effective for the Federal Government.”

(6) SEALED OR EXPUNGED RECORDS; JUVENILE RECORDS.—

(A) IN GENERAL.—Section 9101(a)(2) of title 5, United States Code, is amended by striking the third sentence and inserting the following: “The term includes those records of a State or locality sealed pursuant to law if such records are accessible by State and local criminal justice agencies for the purpose of conducting background checks.”

(B) REGULATIONS.—

(i) DEFINITION.—In this subparagraph, the terms “Security Executive Agent” and “Suitability Executive Agent” mean the Security Executive Agent and the Suitability Executive Agent, respectively, established under Executive Order 13467 (73 Fed. Reg. 38103), or any successor thereto.

(ii) DEVELOPMENT; PROMULGATION.—The Security Executive Agent shall—

(I) not later than 45 days after the date of enactment of this Act, and in conjunction with the Suitability Executive Agent and the Attorney General, begin developing regulations to implement the amendments made by subparagraph (A); and

(II) not later than 120 days after the date of enactment of this Act, promulgate regulations to implement the amendments made by subparagraph (A).

(C) SENSE OF CONGRESS.—It is the sense of Congress that the Federal Government should not uniformly reject applicants for employment with the Federal Government or Federal contractors based on—

(i) sealed or expunged criminal records; or

(ii) juvenile records.

(7) INTERACTION WITH LAW ENFORCEMENT AND INTELLIGENCE AGENCIES ABROAD.—Section 9101 of title 5, United States Code, is amended by adding at the end the following:

“(g) Upon request by a covered agency and in accordance with the applicable provisions of this section, the Deputy Assistant Secretary of State for Overseas Citizens Services shall make available criminal history record information collected by the Deputy Assistant Secretary with respect to an individual who is under investigation by the covered agency regarding any interaction of the individual with a law enforcement agency or intelligence agency of a foreign country.”

(8) CLARIFICATION OF SECURITY REQUIREMENTS FOR CONTRACTORS CONDUCTING BACKGROUND INVESTIGATIONS.—Section 9101 of title 5, United States Code, as amended by this subsection, is amended by adding at the end the following:

“(h) If a contractor described in subsection (a)(6)(J) uses an automated information delivery system to request criminal history record information, the contractor shall comply with any necessary security requirements for access to that system.”

(9) CLARIFICATION REGARDING ADVERSE ACTIONS.—Section 7512 of title 5, United States Code, is amended—

(A) in subparagraph (D), by striking “or”;

(B) in subparagraph (E), by striking the period and inserting “, or”; and

(C) by adding at the end the following:

“(F) a suitability action taken by the Office under regulations prescribed by the Office, subject to the rules prescribed by the President under this title for the administration of the competitive service.”

(10) ANNUAL REPORT BY SUITABILITY AND SECURITY CLEARANCE PERFORMANCE ACCOUNTABILITY COUNCIL.—Section 9101 of title 5, United States Code, as amended by this subsection, is amended by adding at the end the following:

“(i) The Suitability and Security Clearance Performance Accountability Council established under Executive Order 13467 (73 Fed. Reg. 38103), or any successor thereto, shall submit to the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate, and the Committee on Armed Services, the Committee on Oversight and Government Reform, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives, an annual report that—

“(1) describes efforts of the Council to integrate Federal, State, and local systems for sharing criminal history record information;

“(2) analyzes the extent and effectiveness of Federal education programs regarding criminal history record information;

“(3) provides an update on the implementation of best practices for sharing criminal history record information, including ongoing limitations experienced by investigators working for or on behalf of a covered agency with respect to access to State and local criminal history record information; and

“(4) provides a description of limitations on the sharing of information relevant to a background investigation, other than criminal history record information, between—

“(A) investigators working for or on behalf of a covered agency; and

“(B) State and local law enforcement agencies.”

(11) GAO REPORT ON ENHANCING INTEROPERABILITY AND REDUCING REDUNDANCY IN FEDERAL CRITICAL INFRASTRUCTURE PROTECTION ACCESS CONTROL, BACKGROUND CHECK, AND CREDENTIALING STANDARDS.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the background check, access control, and credentialing requirements of Federal programs for the protection of critical infrastructure and key resources.

(B) CONTENTS.—The Comptroller General shall include in the report required under subparagraph (A)—

(i) a summary of the major characteristics of each such Federal program, including the types of infrastructure and resources covered;

(ii) a comparison of the requirements, whether mandatory or voluntary in nature, for regulated entities under each such program to—

(I) conduct background checks on employees, contractors, and other individuals;

(II) adjudicate the results of a background check, including the utilization of a standardized set of disqualifying offenses or the consideration of minor, non-violent, or juvenile offenses; and

(III) establish access control systems to deter unauthorized access, or provide a security credential for any level of access to a covered facility or resource;

(iii) a review of any efforts that the Screening Coordination Office of the Department of Homeland Security has undertaken or plans to undertake to harmonize or standardize background check, access control, or credentialing requirements for critical infrastructure and key resource protection programs overseen by the Department; and

(iv) recommendations, developed in consultation with appropriate stakeholders, regarding—

(I) enhancing the interoperability of security credentials across critical infrastructure and key resource protection programs;

(II) eliminating the need for redundant background checks or credentials across existing critical infrastructure and key resource protection programs;

(III) harmonizing, where appropriate, the standards for identifying potentially disqualifying criminal offenses and the weight assigned to minor, nonviolent, or juvenile offenses in adjudicating the results of a completed background check; and

(IV) the development of common, risk-based standards with respect to the background check, access control, and security credentialing requirements for critical infrastructure and key resource protection programs.

(g) DEFINITIONS.—In this section—

(1) the term “appropriate committees of Congress” means—

(A) the congressional defense committees;

(B) the Select Committee on Intelligence and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Permanent Select Committee on Intelligence, the Committee on Oversight and Government Reform, and the Committee on Homeland Security of the House of Representatives; and

(2) the term “Performance Accountability Council” means the Suitability and Security Clearance Performance Accountability Council established under Executive Order 13467 (73 Fed. Reg. 38103), or any successor thereto.

SEC. 1087. TRANSFER OF SURPLUS FIREARMS TO CORPORATION FOR THE PROMOTION OF RIFLE PRACTICE AND FIREARMS SAFETY.

(a) AUTHORIZATION OF TRANSFER OF SURPLUS FIREARMS TO CORPORATION FOR THE PROMOTION OF RIFLE PRACTICE AND FIREARMS SAFETY.—

(1) IN GENERAL.—Section 40728 of title 36, United States Code, is amended by adding at the end the following new subsection:

“(h) AUTHORIZED TRANSFERS.—(1) Subject to paragraph (2), the Secretary may transfer to the corporation, in accordance with the procedure prescribed in this subchapter, surplus caliber .45 M1911/M1911A1 pistols and spare parts and related accessories for those pistols that, on the date of the enactment of this subsection, are under the control of the Secretary and are surplus to the requirements of the Department of the Army, and such material as may be recovered by the Secretary pursuant to section 40728A(a) of this title. The Secretary shall determine a reasonable schedule for the transfer of such surplus pistols.

“(2) The Secretary may not transfer more than 10,000 surplus caliber .45 M1911/M1911A1 pistols to the corporation during any year and may only transfer such pistols as long as pistols described in paragraph (1) remain available for transfer.”

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Such title is further amended—

(A) in section 40728A—

(i) by striking “rifles” each place it appears and inserting “surplus firearms”; and

(ii) in subsection (a), by striking “section 40731(a)” and inserting “section 40732(a)”;

(B) in section 40729(a)—

(i) in paragraph (1), by striking “section 40728(a)” and inserting “subsections (a) and (h) of section 40728”;

(ii) in paragraph (2), by striking “40728(a)” and inserting “subsections (a) and (h) of section 40728”;

(iii) in paragraph (4), by inserting “and caliber .45 M1911/M1911A1 surplus pistols” after “caliber .30 and caliber .22 rimfire rifles”;

(C) in section 40732—

(i) by striking “caliber .22 rimfire and caliber .30 surplus rifles” both places it appears and inserting “surplus caliber .22 rimfire rifles, caliber .30 surplus rifles, and caliber .45 M1911/M1911A1 surplus pistols”; and

(ii) in subsection (b), by striking “is over 18 years of age” and inserting “is legally of age”;

(D) in section 40733—

(i) by striking “Section 922(a)(1)-(3) and (5)” and inserting “(a) IN GENERAL.—Except as provided in subsection (b), section 922(a)(1)-(3) and (5)”;

(ii) by adding at the end the following new subsection:

“(b) EXCEPTION.—With respect to firearms other than caliber .22 rimfire and caliber .30 rifles, the corporation shall obtain a license as a dealer in firearms and abide by all requirements imposed on persons licensed under chapter 44 of title 18, including maintaining acquisition and disposition records, and conducting background checks.”

(b) PILOT PROGRAM.—

(1) ONE-YEAR AUTHORITY.—The Secretary of the Army may carry out a one-year pilot program under which the Secretary may transfer to the Corporation for the Promotion of Rifle Practice and Firearms Safety not more than 10,000 firearms described in paragraph (2).

(2) FIREARMS DESCRIBED.—The firearms described in this paragraph are surplus caliber .45 M1911/M1911A1 pistols and spare parts and related accessories for those pistols that, on the date of the enactment of this section, are under the control of the Secretary and are surplus to the requirements of the Department of the Army.

(3) TRANSFER REQUIREMENTS.—Transfers of surplus caliber .45 M1911/M1911A1 pistols from the Army to the Corporation under the pilot program shall be made in accordance with subchapter II of chapter 407 of title 36, United States Code.

(4) REPORTS TO CONGRESS.—

(A) INTERIM REPORT.—Not later than 90 days after the Secretary initiates the pilot program under this subsection, the Secretary shall submit to Congress an interim report on the pilot program.

(B) FINAL REPORT.—Not later than 15 days after the Secretary completes the pilot program under this subsection, the Secretary shall submit to Congress a final report on the pilot program.

(C) CONTENTS OF REPORT.—Each report required by this subsection shall include, for the period covered by the report—

(i) the number of firearms described in subsection (a)(2) transferred under the pilot program; and

(ii) information on any crimes committed using firearms transferred under the pilot program.

(c) LIMITATION ON TRANSFER OF SURPLUS CALIBER .45 M1911/M1911A1 PISTOLS.—The

Secretary may not transfer firearms described in subsection (b)(2) under subchapter II of chapter 407 of title 36, United States Code, until the date that is 60 days after the date of the submittal of the final report required under subsection (b)(4)(B).

SEC. 1088. MODIFICATION OF REQUIREMENTS FOR TRANSFERRING AIRCRAFT WITHIN THE AIR FORCE INVENTORY.

(a) MODIFICATION OF REQUIREMENTS.—Section 345 of the National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 10 U.S.C. 8062 note) is amended—

(1) in subsection (a)—

(A) by striking the first sentence and inserting the following: “Before making an aircraft transfer described in subsection (c), the Secretary of the Air Force shall ensure that a written agreement regarding such transfer has been entered into between the Chief of Staff of the Air Force and the Director of the Air National Guard or the Chief of Air Force Reserve.”; and

(B) in paragraph (3), by striking “depot”;

(2) by striking subsection (b) and inserting the following new subsection:

“(b) SUBMITTAL OF AGREEMENTS TO THE DEPARTMENT OF DEFENSE AND CONGRESS.—The Secretary of the Air Force may not take any action to transfer an aircraft until the Secretary—

“(1) ensures that the Air Force has complied with Department of Defense regulations applicable to the transfer; and

“(2) for a transfer described in subsection (c)(1), submits to the congressional defense committees an agreement entered into pursuant to subsection (a) regarding the transfer of the aircraft.”; and

(3) by adding at the end the following new subsections:

“(c) COVERED AIRCRAFT TRANSFERS.—

“(1) COVERED TRANSFERS.—An aircraft transfer described in this subsection is the transfer (other than as specified in paragraph (2)) from a reserve component of the Air Force to the regular component of the Air Force of—

“(A) the permanent assignment of an aircraft that terminates a reserve component’s equitable interest in the aircraft; or

“(B) possession of an aircraft for a period in excess of 90 days.

“(2) EXCEPTIONS.—Paragraph (1) does not apply to the following:

“(A) A routine temporary transfer of possession of an aircraft from a reserve component that is made solely for the benefit of the reserve component for the purpose of maintenance, upgrade, conversion, modification, or testing and evaluation.

“(B) A routine permanent transfer of assignment of an aircraft that terminates a reserve component’s equitable interest in the aircraft if notice of the transfer has previously been provided to the congressional defense committees and the transfer has been approved by the Secretary of Defense pursuant to Department of Defense regulations.

“(C) A transfer described in paragraph (1)(A) when there is a reciprocal permanent assignment of an aircraft from the regular component of the Air Force to the reserve component that does not degrade the capability of, or reduce the total number of, aircraft assigned to the reserve component.

“(d) RETURN OF AIRCRAFT AFTER ROUTINE TEMPORARY TRANSFER.—In the case of an aircraft transferred from a reserve component of the Air Force to the regular component of the Air Force for which an agreement under subsection (a) is not required by reason of subsection (c)(2)(A), possession of the aircraft shall be transferred back to the reserve

component upon completion of the work described in subsection (c)(2)(A).''.

(b) **CONFORMING AMENDMENT.**—Section 345(a)(7) of the National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 10 U.S.C. 8062 note) is amended by striking "Commander of the Air Force Reserve Command" and inserting "Chief of Air Force Reserve".

(c) **TECHNICAL AMENDMENTS TO DELETE REFERENCES TO AIRCRAFT OWNERSHIP.**—Section 345(a) of the National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 10 U.S.C. 8062 note) is amended in paragraphs (2)(A), (2)(C), and (3) by striking "the ownership of".

SEC. 1089. REESTABLISHMENT OF COMMISSION TO ASSESS THE THREAT TO THE UNITED STATES FROM ELECTROMAGNETIC PULSE ATTACK.

(a) **REESTABLISHMENT.**—The commission established pursuant to title XIV of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-345), and reestablished pursuant to section 1052 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 50 U.S.C. 2301 note), known as the Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack, is hereby reestablished.

(b) **MEMBERSHIP.**—Service on the Commission is voluntary, and Commissioners may elect to terminate their service on the Commission. If a Commissioner is unwilling or unable to serve on the Commission, the Secretary of Defense, in consultation with the chairmen and ranking members of the Committees on Armed Services of the House of Representatives and the Senate, shall appoint a new member to fill that vacancy.

(c) **COMMISSION CHARTER DEFINED.**—In this section, the term "Commission charter" means title XIV of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-345 et seq.), as amended by section 1052 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 50 U.S.C. 2301 note) and section 1073 of the John Warner National Defense Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2403).

(d) **EXPANDED PURPOSE.**—Section 1401(b) of the Commission charter (114 Stat. 1654A-345) is amended by inserting before the period at the end the following: ", from non-nuclear EMP weapons, from natural EMP generated by geomagnetic storms, and from proposed uses in the military doctrines of potential adversaries of using EMP weapons in combination with other attack vectors.".

(e) **DUTIES OF COMMISSION.**—Section 1402 of the Commission charter (114 Stat. 1654A-346) is amended to read as follows:

"SEC. 1402. DUTIES OF COMMISSION.

"The Commission shall assess the following:

"(1) The vulnerability of electric-dependent military systems in the United States to a manmade or natural EMP event, giving special attention to the progress made by the Department of Defense, other Government departments and agencies of the United States, and entities of the private sector in taking steps to protect such systems from such an event.

"(2) The evolving current and future threat from state and non-state actors of a manmade EMP attack employing nuclear or non-nuclear weapons.

"(3) New technologies, operational procedures, and contingency planning that can

protect electronics and military systems from the effects a manmade or natural EMP event.

"(4) Among the States, if State grids are protected against manmade or natural EMP, which States should receive highest priority for protecting critical defense assets.

"(5) The degree to which vulnerabilities of critical infrastructure systems create cascading vulnerabilities for military systems.".

(f) **REPORT.**—Section 1403 of the Commission charter (114 Stat. 1654A-345) is amended by striking "September 30, 2007" and inserting "June 30, 2017".

(g) **TERMINATION.**—Section 1049 of the Commission charter (114 Stat. 1654A-348) is amended by inserting before the period at the end the following: ", as amended by the National Defense Authorization Act for Fiscal Year 2016".

SEC. 1090. MINE COUNTERMEASURES MASTER PLAN AND REPORT.

(a) **MASTER PLAN REQUIRED.**—

(1) **PLAN REQUIRED.**—At the same time the budget is submitted to Congress for each of fiscal years 2018 through 2023, the Secretary of the Navy shall submit to the congressional defense committees a mine countermeasures (in this section referred to as "MCM") master plan.

(2) **ELEMENTS.**—Each MCM master plan submitted under paragraph (1) shall include each of the following:

(A) An evaluation of the capabilities, capacities, requirements, and readiness levels of the defensive capabilities of the Navy for MCM, including an assessment of—

(i) the dedicated MCM force; and

(ii) the capabilities of ships, aircraft, and submarines that are not yet dedicated to MCM but could be modified to carry MCM capabilities.

(B) An evaluation of the ability of commanders—

(i) to properly command and control air and surface MCM forces from the fleet to the unit level; and

(ii) to provide necessary operational and tactical control and awareness of such forces to facilitate mission accomplishment and defense.

(C) An assessment of—

(i) technologies having promising potential to improve MCM; and

(ii) programs for transitioning such technologies from the testing and evaluation phases to procurement.

(D) A fiscal plan to support the master plan through the Future Years Defense Plan.

(E) A plan for inspection of each asset with MCM responsibilities, requirements, and capabilities, which shall include proposed methods to ensure the material readiness of each asset and the training level of the force, a general summary, and readiness trends.

(3) **FORM OF SUBMISSION.**—Each MCM master plan submitted under paragraph (1) shall be in unclassified form, but may include a classified annex addressing the capability and capacity to meet operational plans and contingency requirements.

(b) **REPORT TO CONGRESS.**—

(1) **REPORT REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report that contains the recommendations of the Secretary—

(A) regarding MCM force structure; and

(B) ensuring the operational effectiveness of the surface MCM force through 2025 based on current capabilities and capacity, replacement schedules, and service life extensions or retirement schedules.

(2) **ELEMENTS.**—The report submitted under paragraph (1) shall include the following:

(A) An assessment of the MCM vessels, including the decommissioned MCM-1 and MCM-2 ships and the potential of such ships for reserve operating status.

(B) An assessment of the Littoral Combat Ship MCM mission package increment one performance against the initial operational test and evaluation criteria.

(C) An assessment of other commercially available MCM systems that could supplement or supplant Littoral Combat Ship MCM mission package systems.

SEC. 1091. CONGRESSIONAL NOTIFICATION AND BRIEFING REQUIREMENT ON ORDERED EVACUATIONS OF UNITED STATES EMBASSIES AND CONSULATES INVOLVING SUPPORT PROVIDED BY THE DEPARTMENT OF DEFENSE.

(a) **NOTIFICATION REQUIREMENT.**—The Secretary of Defense and the Secretary of State shall provide notification to the appropriate congressional committees as soon as practicable upon the initiation of an ordered evacuation of a United States embassy or consulate involving support provided by the Department of Defense.

(b) **BRIEFING REQUIREMENT.**—The Secretary of Defense and the Secretary of State shall provide a briefing to the appropriate congressional committees not later than 15 days after the initiation of an ordered evacuation of a United States embassy or consulate involving support provided by the Department of Defense.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term "appropriate congressional committees" means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1092. INTERAGENCY HOSTAGE RECOVERY COORDINATOR.

(a) **INTERAGENCY HOSTAGE RECOVERY COORDINATOR.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the President shall designate an existing Federal official to coordinate efforts to secure the release of United States persons who are hostages held abroad. For purposes of carrying out the duties described in paragraph (2), such official shall have the title of "Interagency Hostage Recovery Coordinator".

(2) **DUTIES.**—The Coordinator shall have the following duties:

(A) Coordinate activities of the Federal Government relating to each hostage situation described in paragraph (1) to ensure efforts to secure the release of hostages are properly resourced and correct lines of authority are established and maintained.

(B) Chair a fusion cell consisting of appropriate personnel of the Federal Government with purview over each hostage situation described in paragraph (1).

(C) Ensure sufficient representation of each Federal agency and department at each fusion cell established under subparagraph (B) and issue procedures for adjudication and appeal.

(D) Develop processes and procedures to keep family members of hostages described in paragraph (1) informed of the status of such hostages, inform such family members of updates that do not compromise the national security of the United States, and coordinate with the Federal Government's family engagement coordinator or other designated senior representative.

(b) QUARTERLY REPORT AND BRIEFING.—
(1) REPORT.—

(A) IN GENERAL.—On a quarterly basis, the Coordinator shall submit to the appropriate congressional committees a report that includes a summary of each hostage situation described in subsection (a)(1).

(B) FORM OF REPORT.—Each report under this subparagraph (A) may be submitted in classified or unclassified form.

(2) BRIEFING.—On a quarterly basis, the Coordinator shall provide to the Senators representing the State, and the Member, Delegate, or Resident Commissioner of the House of Representatives representing the district, where a hostage described in subsection (a)(1) resides a briefing with respect to the status of such hostage.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on the Judiciary, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate.

SEC. 1093. SENSE OF CONGRESS ON THE INADVERTENT TRANSFER OF ANTHRAX FROM THE DEPARTMENT OF DEFENSE.

It is the sense of Congress that—

(1) the inadvertent transfer of live *Bacillus anthracis*, also known as anthrax, from an Army laboratory to numerous laboratories located in many States and several countries that was discovered in May 2015 represents a serious safety lapse;

(2) the Department of Defense, in cooperation with the Centers for Disease Control and Prevention, should continue to investigate the cause of this lapse and determine what protective protocols should be strengthened;

(3) the Department of Defense should reassess all Select Agent standards on a regular basis to ensure they are current and effective to prevent a recurrence; and

(4) the Department of Defense should keep Congress apprised of the investigation, any potential public health or safety risk, corrective actions taken, and plans to regularly reassess standards.

SEC. 1094. MODIFICATION OF CERTAIN REQUIREMENTS APPLICABLE TO MAJOR MEDICAL FACILITY LEASE FOR A DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC IN TULSA, OKLAHOMA.

Section 601(b) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 128 Stat. 1793) is amended—

(1) by striking “IN TULSA.—” and all that follows through “In carrying out” and inserting “IN TULSA.—In carrying out”;

(2) by striking paragraph (2);

(3) by redesignating subparagraphs (A) through (E) as paragraphs (1) through (5), respectively, and adjusting the indentation of the margin of such paragraphs, as so redesignated, two ems to the left;

(4) in paragraph (1), as so redesignated, by striking “140,000 gross square feet” and inserting “140,000 net usable square feet”;

(5) in paragraph (2), as so redesignated, by striking “not more than the average” and all that follows and inserting “not more than the average of equivalent medical facility leases executed by the Department of Veterans Affairs over the last five years, plus 20 percent;”; and

(6) in paragraph (5), as so redesignated, by striking “30-year life cycle” and inserting “20-year life cycle”.

SEC. 1095. AUTHORIZATION OF FISCAL YEAR 2015 MAJOR MEDICAL FACILITY PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) AUTHORIZATION.—The Secretary of Veterans Affairs may carry out the following major medical facility projects in fiscal year 2015, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Construction of a community living center, outpatient clinic, renovated domiciliary, and renovation of existing buildings in Canandaigua, New York, in an amount not to exceed \$158,980,000.

(2) Seismic corrections to the mental health and community living center in Long Beach, California, in an amount not to exceed \$126,100,000.

(3) Seismic correction of 12 buildings in West Los Angeles, California, in an amount not to exceed \$70,500,000.

(4) Construction of a spinal cord injury building and seismic corrections in San Diego, California, in an amount not to exceed \$205,840,000.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2015 or the year in which funds are appropriated for the Construction, Major Projects, account, a total of \$561,420,000 for the projects authorized in subsection (a).

SEC. 1096. DESIGNATION OF CONSTRUCTION AGENT FOR CERTAIN CONSTRUCTION PROJECTS BY DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall seek to enter into an agreement subject to subsections (b), (c), and (e) of section 1535 of title 31, United States Code, with the Army Corps of Engineers or another entity of the Federal Government to serve, on a reimbursable basis, as the construction agent for the construction, alteration, or acquisition of any medical facility of the Department of Veterans Affairs specifically authorized by Congress after the date of the enactment of this Act that involves a total expenditure of more than \$100,000,000, excluding any acquisition by exchange.

(b) AGREEMENT.—Under the agreement entered into under subsection (a), the construction agent shall provide design, procurement, and construction management services for the construction, alteration, and acquisition of medical facilities of the Department.

SEC. 1097. DEPARTMENT OF DEFENSE STRATEGY FOR COUNTERING UNCONVENTIONAL WARFARE.

(a) STRATEGY REQUIRED.—The Secretary of Defense shall, in consultation with the Chairman of the Joint Chiefs of Staff and the heads of other appropriate departments and agencies of the United States Government, develop a strategy for the Department of Defense to counter unconventional warfare threats posed by adversarial state and non-state actors.

(b) ELEMENTS.—The strategy required under subsection (a) shall include each of the following:

(1) An articulation of the activities that constitute unconventional warfare threats to the United States and allies.

(2) A clarification of the roles and responsibilities of the Department of Defense in providing indications and warning of, and protection against, acts of unconventional warfare.

(3) An analysis of the adequacy of current authorities and command structures necessary for countering unconventional warfare.

(4) An articulation of the goals and objectives of the Department of Defense with respect to countering unconventional warfare threats.

(5) An articulation of related or required interagency capabilities and whole-of-Government activities required by the Department of Defense to support a counter-unconventional warfare strategy.

(6) Recommendations for improving the counter-unconventional warfare capabilities, authorities, and command structures of the Department of Defense.

(7) Recommendations for improving interagency coordination and support mechanisms with respect to countering unconventional warfare threats.

(8) Recommendations for the establishment of joint doctrine to support counter-unconventional warfare capabilities within the Department of Defense.

(9) Any other matters the Secretary of Defense considers appropriate.

(c) SUBMITTAL TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees the strategy required by subsection (a). The strategy shall be submitted in unclassified form, but may include a classified annex.

(d) UNCONVENTIONAL WARFARE DEFINED.—In this section, the term “unconventional warfare” means activities conducted to enable a resistance movement or insurgency to coerce, disrupt, or overthrow a government or occupying power by operating through or with an underground, auxiliary, or guerrilla force in a denied area.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Sec. 1101. Procedures for reduction in force of Department of Defense civilian personnel.

Sec. 1102. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.

Sec. 1103. Extension of rate of overtime pay for Department of the Navy employees performing work aboard or dockside in support of the nuclear-powered aircraft carrier forward deployed in Japan.

Sec. 1104. Modification to temporary authorities for certain positions at Department of Defense research and engineering facilities.

Sec. 1105. Required probationary period for new employees of the Department of Defense.

Sec. 1106. Delay of periodic step increase for civilian employees of the Department of Defense based upon unacceptable performance.

Sec. 1107. United States Cyber Command workforce.

Sec. 1108. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.

Sec. 1109. Pilot program on dynamic shaping of the workforce to improve the technical skills and expertise at certain Department of Defense laboratories.

Sec. 1110. Pilot program on temporary exchange of financial management and acquisition personnel.

Sec. 1111. Pilot program on enhanced pay authority for certain acquisition and technology positions in the Department of Defense.

Sec. 1112. Pilot program on direct hire authority for veteran technical experts into the defense acquisition workforce.

Sec. 1113. Direct hire authority for technical experts into the defense acquisition workforce.

SEC. 1101. PROCEDURES FOR REDUCTION IN FORCE OF DEPARTMENT OF DEFENSE CIVILIAN PERSONNEL.

(a) **PROCEDURES.**—Section 1597 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(f) **REDUCTIONS BASED PRIMARILY ON PERFORMANCE.**—The Secretary of Defense shall establish procedures to provide that, in implementing any reduction in force for civilian positions in the Department of Defense in the competitive service or the excepted service, the determination of which employees shall be separated from employment in the Department shall be made primarily on the basis of performance, as determined under any applicable performance management system.”.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the Secretary of Defense should proceed with the collaborative work with employee representatives on the “New Beginnings” performance management and workforce incentive system authorized under section 1113 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 5 U.S.C. 9902 note) and begin implementation of the new system at the earliest possible date.

SEC. 1102. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4616) and as most recently amended by section 1102 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3525), is further amended by striking “2016” and inserting “2017”.

SEC. 1103. EXTENSION OF RATE OF OVERTIME PAY FOR DEPARTMENT OF THE NAVY EMPLOYEES PERFORMING WORK ABOARD OR DOCKSIDE IN SUPPORT OF THE NUCLEAR-POWERED AIRCRAFT CARRIER FORWARD DEPLOYED IN JAPAN.

Section 5542(a)(6)(B) of title 5, United States Code, is amended by striking “September 30, 2015” and inserting “September 30, 2017”.

SEC. 1104. MODIFICATION TO TEMPORARY AUTHORITIES FOR CERTAIN POSITIONS AT DEPARTMENT OF DEFENSE RESEARCH AND ENGINEERING FACILITIES.

Section 1107 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 888) is amended—

(1) in subsection (a), by adding at the end the following:

“(4) **NONCOMPETITIVE CONVERSION TO PERMANENT APPOINTMENT.**—With respect to any student appointed by the director of an

STRL under paragraph (3) to a temporary or term appointment, upon graduation from the applicable institution of higher education (as defined in such paragraph), the director may noncompetitively convert such student to a permanent appointment within the STRL without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code (other than sections 3303 and 3328 of such title), provided the student meets all eligibility and Office of Personnel Management qualification requirements for the position.”;

(2) in subsection (c)(1), by striking “3 percent” and inserting “6 percent”;

(3) in subsection (c)(2), by striking “1 percent” and inserting “3 percent”;

(4) in subsection (f)(2), by striking “1 percent” and inserting “2 percent”.

SEC. 1105. REQUIRED PROBATIONARY PERIOD FOR NEW EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

(a) **REQUIRED PROBATIONARY PERIOD.**—

(1) **IN GENERAL.**—Chapter 81 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 1599e. Probationary period for employees

“(a) **IN GENERAL.**—Notwithstanding sections 3321 and 3393(d) of title 5, the appointment of a covered employee shall become final only after such employee has served a probationary period of two years. The Secretary concerned may extend a probationary period under this subsection at the discretion of such Secretary.

“(b) **DEFINITIONS.**—In this section:

“(1) The term ‘covered employee’ means any individual—

“(A) appointed to a permanent position within the competitive service at the Department of Defense; or

“(B) appointed as a career appointee (as that term is defined in section 3132(a)(4) of title 5) within the Senior Executive Service at the Department.

“(2) The term ‘Secretary concerned’ includes the Secretary of Defense with respect to employees of the Department of Defense who are not employees of a military department.

“(c) **EMPLOYMENT BECOMES FINAL.**—Upon the expiration of a covered employee’s probationary period under subsection (a), the supervisor of the employee shall determine whether the appointment becomes final based on regulations prescribed for such purpose by the Secretary of Defense.

“(d) **APPLICATION OF CHAPTER 75 OF TITLE 5 FOR EMPLOYEES IN THE COMPETITIVE SERVICE.**—With respect to any individual described in subsection (b)(1)(A) and to whom this section applies, section 7501(1) and section 7511(a)(1)(A)(ii) of title 5 shall be applied to such individual by substituting ‘completed 2 years’ for ‘completed 1 year’ in each instance it appears.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 81 of such title is amended by adding at the end the following new item:

“1599e. Probationary period for employees.”.

(b) **APPLICATION.**—The amendment made by subsection (a) shall apply to any covered employee (as that term is defined in section 1599e of title 10, United States Code, as added by such subsection) appointed after the date of the enactment of this section.

(c) **CONFORMING AMENDMENTS.**—Title 5, United States Code, is amended—

(1) in section 3321(c), by inserting at the end before the period the following: “, or any individual covered by section 1599e of title 10”;

(2) in section 3393(d), by adding at the end the following: “The preceding sentence shall

not apply to any individual covered by section 1599e of title 10.”;

(3) in section 7501(1), by striking “or who” and inserting “or, except as provided in section 1599e of title 10, who”;

(4) in section 7511(a)(1)(A)(ii), by inserting “except as provided in section 1599e of title 10,” before “who”; and

(5) in section 7541(1)(A), by inserting “or section 1599e of title 10” after “this title”.

SEC. 1106. DELAY OF PERIODIC STEP INCREASE FOR CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE BASED UPON UNACCEPTABLE PERFORMANCE.

(a) **DELAY.**—Under procedures established by the Secretary of Defense, upon a determination by the Secretary that the work of an employee is not at an acceptable level of competence, the period of time during which the work of the employee is not at an acceptable level of competence shall not count toward completion of the period of service required for purposes of subsection (a) of section 5335 of title 5, United States Code, or subsection (e)(1) or (e)(2) of section 5343 of such title.

(b) **APPLICABILITY TO PERIODS OF SERVICE.**—Subsection (a) shall not apply with respect to any period of service performed before the date of the enactment of this Act.

SEC. 1107. UNITED STATES CYBER COMMAND WORKFORCE.

(a) **IN GENERAL.**—Chapter 81 of title 10, United States Code, as amended by section 1105, is further amended by adding at the end the following new section:

“§ 1599f. United States Cyber Command recruitment and retention

“(a) **GENERAL AUTHORITY.**—(1) The Secretary of Defense may—

“(A) establish, as positions in the excepted service, such qualified positions in the Department of Defense as the Secretary determines necessary to carry out the responsibilities of the United States Cyber Command, including—

“(i) positions held by staff of the headquarters of the United States Cyber Command;

“(ii) positions held by elements of the United States Cyber Command enterprise relating to cyberspace operations, including elements assigned to the Joint Task Force-Department of Defense Information Networks; and

“(iii) positions held by elements of the military departments supporting the United States Cyber Command;

“(B) appoint an individual to a qualified position (after taking into consideration the availability of preference eligibles for appointment to the position); and

“(C) subject to the requirements of subsections (b) and (c), fix the compensation of an individual for service in a qualified position.

“(2) The authority of the Secretary under this subsection applies without regard to the provisions of any other law relating to the appointment, number, classification, or compensation of employees.

“(b) **BASIC PAY.**—(1) In accordance with this section, the Secretary shall fix the rates of basic pay for any qualified position established under subsection (a)—

“(A) in relation to the rates of pay provided for employees in comparable positions in the Department, in which the employee occupying the comparable position performs, manages, or supervises functions that execute the cyber mission of the Department; and

“(B) subject to the same limitations on maximum rates of pay established for such employees by law or regulation.

“(2) The Secretary may—

“(A) consistent with section 5341 of title 5, adopt such provisions of that title to provide for prevailing rate systems of basic pay; and

“(B) apply those provisions to qualified positions for employees in or under which the Department may employ individuals described by section 5342(a)(2)(A) of such title.

“(C) **ADDITIONAL COMPENSATION, INCENTIVES, AND ALLOWANCES.**—(1) The Secretary may provide employees in qualified positions compensation (in addition to basic pay), including benefits, incentives, and allowances, consistent with, and not in excess of the level authorized for, comparable positions authorized by title 5.

“(2) An employee in a qualified position whose rate of basic pay is fixed under subsection (b)(1) shall be eligible for an allowance under section 5941 of title 5 on the same basis and to the same extent as if the employee was an employee covered by such section, including eligibility conditions, allowance rates, and all other terms and conditions in law or regulation.

“(d) **IMPLEMENTATION PLAN REQUIRED.**—The authority granted in subsection (a) shall become effective 30 days after the date on which the Secretary of Defense provides to the congressional defense committees a plan for implementation of such authority. The plan shall include the following:

“(1) An assessment of the current scope of the positions covered by the authority.

“(2) A plan for the use of the authority.

“(3) An assessment of the anticipated workforce needs of the United States Cyber Command across the future-years defense plan.

“(4) Other matters as appropriate.

“(e) **COLLECTIVE BARGAINING AGREEMENTS.**—Nothing in subsection (a) may be construed to impair the continued effectiveness of a collective bargaining agreement with respect to an office, component, subcomponent, or equivalent of the Department that is a successor to an office, component, subcomponent, or equivalent of the Department covered by the agreement before the succession.

“(f) **REQUIRED REGULATIONS.**—The Secretary, in coordination with the Director of the Office of Personnel Management, shall prescribe regulations for the administration of this section.

“(g) **ANNUAL REPORT.**—(1) Not later than one year after the date of the enactment of this section and not less frequently than once each year thereafter until the date that is five years after the date of the enactment of this section, the Director of the Office of Personnel Management, in coordination with the Secretary, shall submit to the appropriate committees of Congress a detailed report on the administration of this section during the most recent one-year period.

“(2) Each report submitted under paragraph (1) shall include, for the period covered by the report, the following:

“(A) A discussion of the process used in accepting applications, assessing candidates, ensuring adherence to veterans' preference, and selecting applicants for vacancies to be filled by an individual for a qualified position.

“(B) A description of the following:

“(i) How the Secretary plans to fulfill the critical need of the Department to recruit and retain employees in qualified positions.

“(ii) The measures that will be used to measure progress.

“(iii) Any actions taken during the reporting period to fulfill such critical need.

“(C) A discussion of how the planning and actions taken under subparagraph (B) are integrated into the strategic workforce planning of the Department.

“(D) The metrics on actions occurring during the reporting period, including the following:

“(i) The number of employees in qualified positions hired, disaggregated by occupation, grade, and level or pay band.

“(ii) The placement of employees in qualified positions, disaggregated by military department, Defense Agency, or other component within the Department.

“(iii) The total number of veterans hired.

“(iv) The number of separations of employees in qualified positions, disaggregated by occupation and grade and level or pay band.

“(v) The number of retirements of employees in qualified positions, disaggregated by occupation, grade, and level or pay band.

“(vi) The number and amounts of recruitment, relocation, and retention incentives paid to employees in qualified positions, disaggregated by occupation, grade, and level or pay band.

“(E) A description of the training provided to supervisors of employees in qualified positions at the Department on the use of the new authorities.

“(h) **THREE-YEAR PROBATIONARY PERIOD.**—The probationary period for all employees hired under the authority established in this section shall be three years.

“(i) **INCUMBENTS OF EXISTING COMPETITIVE SERVICE POSITIONS.**—(1) An individual occupying a position on the date of the enactment of this section that is selected to be converted to a position in the excepted service under this section shall have the right to refuse such conversion.

“(2) After the date on which an individual who refuses a conversion under paragraph (1) stops serving in the position selected to be converted, the position may be converted to a position in the excepted service.

“(j) **DEFINITIONS.**—In this section:

“(1) The term ‘appropriate committees of Congress’ means—

“(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

“(B) the Committee on Armed Services, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives.

“(2) The term ‘collective bargaining agreement’ has the meaning given that term in section 7103(a)(8) of title 5.

“(3) The term ‘excepted service’ has the meaning given that term in section 2103 of title 5.

“(4) The term ‘preference eligible’ has the meaning given that term in section 2108(3) of title 5.

“(5) The term ‘qualified position’ means a position, designated by the Secretary for the purpose of this section, in which the individual occupying such position performs, manages, or supervises functions that execute the responsibilities of the United States Cyber Command relating to cyber operations.

“(6) The term ‘Senior Executive Service’ has the meaning given that term in section 2101a of title 5.”

(b) **CONFORMING AMENDMENT.**—Section 3132(a)(2) of title 5, United States Code, is amended in the matter following subparagraph (E)—

(1) in clause (ii), by striking “or” at the end;

(2) in clause (iii), by inserting “or” after the semicolon; and

(3) by inserting after clause (iii) the following new clause:

“(iv) any position established as a qualified position in the excepted service by the Secretary of Defense under section 1599f of title 10.”

(c) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 81 of title 10, United States Code, as amended by section 1105, is further amended by adding at the end the following new item:

“1599f. United States Cyber Command recruitment and retention.”

SEC. 1108. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

Effective January 1, 2016, section 1101(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4615), as most recently amended by section 1101 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291), is further amended by striking “through 2015” and inserting “through 2016”.

SEC. 1109. PILOT PROGRAM ON DYNAMIC SHAPING OF THE WORKFORCE TO IMPROVE THE TECHNICAL SKILLS AND EXPERTISE AT CERTAIN DEPARTMENT OF DEFENSE LABORATORIES.

(a) **PILOT PROGRAM REQUIRED.**—The Secretary of Defense shall establish a pilot program to utilize the authorities specified in subsection (b) at the Department of Defense laboratories specified in subsection (c) to provide the directors of such laboratories the authority to dynamically shape the mix of technical skills and expertise in the workforces of such laboratories in order to achieve one or more of the following:

(1) To meet organizational and Department-designated missions in the most cost-effective and efficient manner.

(2) To upgrade and enhance the scientific quality of the workforces of such laboratories.

(3) To shape such workforces to better respond to such missions.

(4) To reduce the average unit cost of such workforces.

(b) **WORKFORCE SHAPING AUTHORITIES.**—The authorities that shall be available for use by the director of a Department of Defense laboratory under the pilot program are the following:

(1) **FLEXIBLE LENGTH AND RENEWABLE TERM TECHNICAL APPOINTMENTS.**—

(A) **IN GENERAL.**—Subject to the provisions of this paragraph, authority otherwise available to the director by law (and within the available budgetary resources of the laboratory) to appoint qualified scientific and technical personnel who are not currently Department of Defense civilian employees into any scientific or technical position in the laboratory for a period of more than one year but not more than six years.

(B) **BENEFITS.**—Personnel appointed under this paragraph shall be provided with benefits comparable to those provided to similar employees at the laboratory concerned, including professional development opportunities, eligibility for all laboratory awards programs, and designation as “status applicants” for the purposes of eligibility for positions in the Federal service.

(C) **EXTENSION OF APPOINTMENTS.**—The appointment of any individual under this paragraph may be extended without limit in up

to six year increments at any time during any term of service under such conditions as the director concerned shall establish for purposes of this paragraph.

(D) CONSTRUCTION WITH CERTAIN LIMITATION.—For purposes of determining the workforce size of a laboratory in connection with compliance with section 955 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1896; 10 U.S.C. 129a note), any individual serving in an appointment under this paragraph shall be treated as a fractional employee of the laboratory, which fraction is—

(i) the current term of appointment of the individual under this paragraph; divided by

(ii) the average length of tenure of a career employee at the laboratory, as calculated at the end of the last fiscal year ending before the date of the most recent appointment or extension of the individual under this paragraph.

(2) REEMPLOYMENT OF ANNUITANTS.—Authorities to authorize the director of any science and technology reinvention laboratory (in this section referred to as “STRL”) to reemploy annuitants in accordance with section 9902(g) of title 5, United States Code, except that as a condition for reemployment the director may authorize the deduction from the pay of any annuitant so reemployed of an amount up to the amount of the annuity otherwise payable to such annuitant allocable to the period of actual employment of such annuitant, which amount shall be determined in a manner specified by the director for purposes of this paragraph to ensure the most cost effective execution of designated missions by the laboratory while retaining critical technical skills.

(3) EARLY RETIREMENT INCENTIVES.—Authorities to authorize the director of any STRL to authorize voluntary early retirement of employees in accordance with section 8336 of title 5, United States Code, without regard to section 8336(d)(2)(D) or 3522 of such title, and with employees so separated voluntarily from service.

(4) SEPARATION INCENTIVE PAY.—Authorities to authorize the director of any STRL to pay voluntary separation pay to employees in accordance with section 8414(b)(1)(B) of title 5, United States Code, without regard to clause (iv) or (v) of such section or section 3522 of such title, and with—

(A) employees so separated voluntarily from service under regulations prescribed by the Secretary of Defense for purposes of the pilot program; and

(B) payments to employees so separated authorized under section 3523 of such title without regard to—

(i) the plan otherwise required by section 3522 of such title; and

(ii) paragraph (1) or (3) of section 3523(b) of such title.

(C) LABORATORIES.—The Department of Defense laboratories specified in this subsection are the laboratories specified in section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2486; 10 U.S.C. 2358 note).

(d) EXPIRATION.—

(1) IN GENERAL.—The authority in this section shall expire on December 31, 2023.

(2) CONTINUATION OF AUTHORITIES EXERCISED BEFORE TERMINATION.—The expiration in paragraph (1) shall not be construed to effect the continuation after the date specified in paragraph (1) of any term of employment or other benefit authorized under this section before that date in accordance with the terms of such authorization.

SEC. 1110. PILOT PROGRAM ON TEMPORARY EXCHANGE OF FINANCIAL MANAGEMENT AND ACQUISITION PERSONNEL.

(a) IN GENERAL.—The Secretary of Defense may carry out a pilot program to assess the feasibility and advisability of the temporary assignment of covered employees of the Department of Defense to nontraditional defense contractors and of covered employees of such contractors to the Department.

(b) COVERED EMPLOYEES; NONTRADITIONAL DEFENSE CONTRACTORS.—

(1) COVERED EMPLOYEES.—An employee of the Department of Defense or a nontraditional defense contractor is a covered employee for purposes of this section if the employee—

(A) works in the field of financial management or in the acquisition field;

(B) is considered by the Secretary of Defense to be an exceptional employee; and

(C) is compensated at not less than the GS-11 level (or the equivalent).

(2) NONTRADITIONAL DEFENSE CONTRACTORS.—For purposes of this section, the term “nontraditional defense contractor” has the meaning given that term in section 2302(9) of title 10, United States Code.

(c) AGREEMENTS.—

(1) IN GENERAL.—The Secretary of Defense shall provide for a written agreement among the Department of Defense, the nontraditional defense contractor concerned, and the employee concerned regarding the terms and conditions of the employee's assignment under this section.

(2) ELEMENTS.—An agreement under this subsection—

(A) shall require, in the case of an employee of the Department, that upon completion of the assignment, the employee will serve in the civil service for a period at least equal to three times the length of the assignment, unless the employee is sooner involuntarily separated from the service of the employee's agency; and

(B) shall provide that if the employee of the Department or of the contractor (as the case may be) fails to carry out the agreement, or if the employee is voluntarily separated from the service of the employee's agency before the end of the period stated in the agreement, the employee shall be liable to the United States for payment of all expenses of the assignment unless that failure or voluntary separation was for good and sufficient reason, as determined by the Secretary.

(3) DEBT TO THE UNITED STATES.—An amount for which an employee is liable under paragraph (2)(B) shall be treated as a debt due the United States. The Secretary may waive, in whole or in part, collection of such a debt based on a determination that the collection would be against equity and good conscience and not in the best interests of the United States.

(d) TERMINATION.—An assignment under this section may, at any time and for any reason, be terminated by the Department of Defense or the nontraditional defense contractor concerned.

(e) DURATION.—An assignment under this section shall be for a period of not less than three months and not more than one year.

(f) STATUS OF FEDERAL EMPLOYEES ASSIGNED TO CONTRACTORS.—An employee of the Department of Defense who is assigned to a nontraditional defense contractor under this section shall be considered, during the period of assignment, to be on detail to a regular work assignment in the Department for all purposes. The written agreement established under subsection (c) shall address

the specific terms and conditions related to the employee's continued status as a Federal employee.

(g) TERMS AND CONDITIONS FOR PRIVATE SECTOR EMPLOYEES.—An employee of a nontraditional defense contractor who is assigned to a Department of Defense organization under this section—

(1) shall continue to receive pay and benefits from the contractor from which such employee is assigned;

(2) shall be deemed to be an employee of the Department of Defense for the purposes of—

(A) chapter 73 of title 5, United States Code;

(B) sections 201, 203, 205, 207, 208, 209, 603, 606, 607, 643, 654, 1905, and 1913 of title 18, United States Code, and any other conflict of interest statute;

(C) sections 1343, 1344, and 1349(b) of title 31, United States Code;

(D) chapter 171 and section 1346(b) of title 28, United States Code (popularly known as the Federal Tort Claims Act), and any other Federal tort liability statute;

(E) the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.);

(F) chapter 21 of title 41, United States Code; and

(G) subchapter I of chapter 81 of title 5, United States Code, relating to compensation for work-related injuries; and

(3) may not have access, while the employee is assigned to a Department organization, to any trade secrets or to any other nonpublic information which is of commercial value to the contractor from which such employee is assigned.

(h) PROHIBITION AGAINST CHARGING CERTAIN COSTS TO FEDERAL GOVERNMENT.—A nontraditional defense contractor may not charge the Department of Defense or any other agency of the Federal Government, as direct or indirect costs under a Federal contract, the costs of pay or benefits paid by the contractor to an employee assigned to a Department organization under this section for the period of the assignment.

(i) CONSIDERATION.—In providing for assignments of employees under this section, the Secretary of Defense shall take into consideration the question of how assignments might best be used to help meet the needs of the Department of Defense with respect to the training of employees in financial management or in acquisition.

(j) NUMERICAL LIMITATIONS.—

(1) DEPARTMENT EMPLOYEES.—The number of employees of the Department of Defense who may be assigned to nontraditional defense contractors under this section at any given time may not exceed the following:

(A) Five employees in the field of financial management.

(B) Five employees in the acquisition field.

(2) NONTRADITIONAL DEFENSE CONTRACTOR EMPLOYEES.—The total number of nontraditional defense contractor employees who may be assigned to the Department under this section at any given time may not exceed 10 such employees.

(k) TERMINATION OF AUTHORITY FOR ASSIGNMENTS.—No assignment of an employee may commence under this section after September 30, 2019.

SEC. 1111. PILOT PROGRAM ON ENHANCED PAY AUTHORITY FOR CERTAIN ACQUISITION AND TECHNOLOGY POSITIONS IN THE DEPARTMENT OF DEFENSE.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a pilot program to assess the feasibility and advisability of using the pay authority specified in subsection (d) to fix the rate of basic pay

for positions described in subsection (c) in order to assist the Office of the Secretary of Defense and the military departments in attracting and retaining high-quality acquisition and technology experts in positions responsible for managing and developing complex, high-cost, technological acquisition efforts of the Department of Defense.

(b) **APPROVAL REQUIRED.**—The pilot program may be carried out only with approval as follows:

(1) Approval of the Under Secretary of Defense for Acquisition, Technology, and Logistics, in the case of positions in the Office of the Secretary of Defense.

(2) Approval of the Service Acquisition Executive of the military department concerned, in the case of positions in a military department.

(c) **POSITIONS.**—The positions described in this subsection are positions that—

(1) require expertise of an extremely high level in a scientific, technical, professional, or acquisition management field; and

(2) are critical to the successful accomplishment of an important acquisition or technology development mission.

(d) **RATE OF BASIC PAY.**—The pay authority specified in this subsection is authority as follows:

(1) Authority to fix the rate of basic pay for a position at a rate not to exceed 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the Under Secretary of Defense for Acquisition, Technology, and Logistics or the Service Acquisition Executive concerned, as applicable.

(2) Authority to fix the rate of basic pay for a position at a rate in excess of 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the Secretary of Defense.

(e) **LIMITATIONS.**—

(1) **IN GENERAL.**—The authority in subsection (a) may be used only to the extent necessary to competitively recruit or retain individuals exceptionally well qualified for positions described in subsection (c).

(2) **NUMBER OF POSITIONS.**—The authority in subsection (a) may not be used with respect to more than five positions in the Office of the Secretary of Defense and more than five positions in each military department at any one time.

(3) **TERM OF POSITIONS.**—The authority in subsection (a) may be used only for positions having terms less than five years.

(f) **TERMINATION.**—

(1) **IN GENERAL.**—The authority to fix rates of basic pay for a position under this section shall terminate on October 1, 2020.

(2) **CONTINUATION OF PAY.**—Nothing in paragraph (1) shall be construed to prohibit the payment after October 1, 2020, of basic pay at rates fixed under this section before that date for positions whose terms continue after that date.

SEC. 1112. PILOT PROGRAM ON DIRECT HIRE AUTHORITY FOR VETERAN TECHNICAL EXPERTS INTO THE DEFENSE ACQUISITION WORKFORCE.

(a) **PILOT PROGRAM.**—The Secretary of Defense may carry out a pilot program to assess the feasibility and advisability of appointing qualified veteran candidates to positions described in subsection (b) in the defense acquisition workforce of the military departments without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code. The Secretary shall carry out the pilot program in each military department through the service acquisition executive of such military department.

(b) **POSITIONS.**—The positions described in this subsection are scientific, technical, en-

gineering, and mathematics positions, including technicians, within the defense acquisition workforce.

(c) **LIMITATION.**—Authority under subsection (a) may not, in any calendar year and with respect to any military department, be exercised with respect to a number of candidates greater than the number equal to 1 percent of the total number of positions in the acquisition workforce of that military department that are filled as of the close of the fiscal year last ending before the start of such calendar year.

(d) **DEFINITIONS.**—In this section:

(1) The term “employee” has the meaning given that term in section 2105 of title 5, United States Code.

(2) The term “veteran” has the meaning given that term in section 101 of title 38, United States Code.

(e) **TERMINATION.**—

(1) **IN GENERAL.**—The authority to appoint candidates to positions under the pilot program shall expire on the date that is five years after the date of the enactment of this Act.

(2) **EFFECT ON EXISTING APPOINTMENTS.**—The termination by paragraph (1) of the authority in subsection (a) shall not affect any appointment made under that authority before the termination date specified in paragraph (1) in accordance with the terms of such appointment.

SEC. 1113. DIRECT HIRE AUTHORITY FOR TECHNICAL EXPERTS INTO THE DEFENSE ACQUISITION WORKFORCE.

(a) **AUTHORITY.**—Each Secretary of a military department may appoint qualified candidates possessing a scientific or engineering degree to positions described in subsection (b) for that military department without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code.

(b) **APPLICABILITY.**—Positions described in this subsection are scientific and engineering positions within the defense acquisition workforce.

(c) **LIMITATION.**—Authority under this section may not, in any calendar year and with respect to any military department, be exercised with respect to a number of candidates greater than the number equal to 5 percent of the total number of scientific and engineering positions within the acquisition workforce of that military department that are filled as of the close of the fiscal year last ending before the start of such calendar year.

(d) **NATURE OF APPOINTMENT.**—Any appointment under this section shall be treated as an appointment on a full-time equivalent basis, unless such appointment is made on a term or temporary basis.

(e) **EMPLOYEE DEFINED.**—In this section, the term “employee” has the meaning given that term in section 2105 of title 5, United States Code.

(f) **TERMINATION.**—The authority to make appointments under this section shall not be available after December 31, 2020.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

Sec. 1201. One-year extension of logistical support for coalition forces supporting certain United States military operations.

Sec. 1202. Strategic framework for Department of Defense security cooperation.

Sec. 1203. Redesignation, modification, and extension of National Guard State Partnership Program.

Sec. 1204. Extension of authority for non-reciprocal exchanges of defense personnel between the United States and foreign countries.

Sec. 1205. Monitoring and evaluation of overseas humanitarian, disaster, and civic aid programs of the Department of Defense.

Sec. 1206. One-year extension of funding limitations for authority to build the capacity of foreign security forces.

Sec. 1207. Authority to provide support to national military forces of allied countries for counterterrorism operations in Africa.

Sec. 1208. Reports on training of foreign military intelligence units provided by the Department of Defense.

Sec. 1209. Prohibition on security assistance to entities in Yemen controlled by the Houthi movement.

Subtitle B—Matters Relating to Afghanistan and Pakistan

Sec. 1211. Extension and modification of Commanders’ Emergency Response Program.

Sec. 1212. Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.

Sec. 1213. Additional matter in semiannual report on enhancing security and stability in Afghanistan.

Sec. 1214. Extension of authority to acquire products and services produced in countries along a major route of supply to Afghanistan.

Sec. 1215. Extension of authority to transfer defense articles and provide defense services to the military and security forces of Afghanistan.

Sec. 1216. Modification of protection for Afghan allies.

Subtitle C—Matters Relating to Syria and Iraq

Sec. 1221. Extension of authority to support operations and activities of the Office of Security Cooperation in Iraq.

Sec. 1222. Strategy for the Middle East and to counter violent extremism.

Sec. 1223. Modification of authority to provide assistance to counter the Islamic State of Iraq and the Levant.

Sec. 1224. Reports on United States Armed Forces deployed in support of Operation Inherent Resolve.

Sec. 1225. Matters relating to support for the vetted Syrian opposition.

Sec. 1226. Support to the Government of Jordan and the Government of Lebanon for border security operations.

Sec. 1227. Sense of Congress on the security and protection of Iranian dissidents living in Camp Liberty, Iraq.

Subtitle D—Matters Relating to Iran

Sec. 1231. Modification and extension of annual report on the military power of Iran.

Sec. 1232. Sense of Congress on the Government of Iran’s malign activities.

Sec. 1233. Report on military-to-military engagements with Iran.

Sec. 1234. Security guarantees to countries in the Middle East.

Sec. 1235. Rule of construction.

Subtitle E—Matters Relating to the Russian Federation

- Sec. 1241. Notifications relating to testing, production, deployment, and sale or transfer to other states or non-state actors of the Club-K cruise missile system by the Russian Federation.
- Sec. 1242. Notifications of deployment of nuclear weapons by Russian Federation to territory of Ukrainian Republic or Russian territory of Kaliningrad.
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- Sec. 1244. Modification of notification and assessment of proposal to modify or introduce new aircraft or sensors for flight by the Russian Federation under the Open Skies Treaty.
- Sec. 1245. Prohibition on availability of funds relating to sovereignty of the Russian Federation over Crimea.
- Sec. 1246. Limitation on military cooperation between the United States and the Russian Federation.
- Sec. 1247. Report on implementation of the New START Treaty.
- Sec. 1248. Additional matters in annual report on military and security developments involving the Russian Federation.
- Sec. 1249. Report on alternative capabilities to procure and sustain non-standard rotary wing aircraft historically procured through Rosoboronexport.
- Sec. 1250. Ukraine Security Assistance Initiative.
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Subtitle F—Matters Relating to the Asia-Pacific Region

- Sec. 1261. Strategy to promote United States interests in the Indo-Asia-Pacific region.
- Sec. 1262. Requirement to submit Department of Defense policy regarding foreign disclosure or technology release of Aegis Ashore capability to Japan.
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Subtitle G—Other Matters

- Sec. 1271. Two-year extension and modification of authorization for non-conventional assisted recovery capabilities.
- Sec. 1272. Amendment to the annual report under Arms Control and Disarmament Act.
- Sec. 1273. Extension of authorization to conduct activities to enhance the capability of foreign countries to respond to incidents involving weapons of mass destruction.
- Sec. 1274. Modification of authority for support of special operations to combat terrorism.
- Sec. 1275. Limitation on availability of funds to implement the Arms Trade Treaty.
- Sec. 1276. Report on the security relationship between the United States and the Republic of Cyprus.
- Sec. 1277. Sense of Congress on European defense and the North Atlantic Treaty Organization.

Sec. 1278. Briefing on the sale of certain fighter aircraft to Qatar.

Sec. 1279. United States-Israel anti-tunnel cooperation.

Sec. 1280. NATO Special Operations Headquarters.

Sec. 1281. Increased presence of United States ground forces in Eastern Europe to deter aggression on the border of the North Atlantic Treaty Organization.

Subtitle A—Assistance and Training

SEC. 1201. ONE-YEAR EXTENSION OF LOGISTICAL SUPPORT FOR COALITION FORCES SUPPORTING CERTAIN UNITED STATES MILITARY OPERATIONS.

Section 1234 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 394), as most recently amended by section 1223(a) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3548), is further amended—

(1) in subsection (a), by striking “fiscal year 2015” and inserting “fiscal year 2016”;

(2) in subsection (d), by striking “during the period beginning on October 1, 2014, and ending on December 31, 2015” and inserting “during the period beginning on October 1, 2015, and ending on December 31, 2016”; and

(3) in subsection (e)(1), by striking “December 31, 2015” and inserting “December 31, 2016”.

SEC. 1202. STRATEGIC FRAMEWORK FOR DEPARTMENT OF DEFENSE SECURITY COOPERATION.

(a) STRATEGIC FRAMEWORK.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, shall develop and issue to the Department of Defense a strategic framework for Department of Defense security cooperation to guide prioritization of resources and activities.

(2) ELEMENTS.—The strategic framework required by paragraph (1) shall include the following:

(A) Discussion of the strategic goals of Department of Defense security cooperation programs, overall and by combatant command, and the extent to which these programs—

(i) support broader strategic priorities of the Department of Defense; and

(ii) complement and are coordinated with Department of State security assistance programs to achieve United States Government goals globally, regionally, and, if appropriate, within specific programs.

(B) Identification of the primary objectives, priorities, and desired end-states of Department of Defense security cooperation programs.

(C) Identification of challenges to achieving the primary objectives, priorities, and desired end-states identified under subparagraph (B), including—

(i) constraints on Department of Defense resources, authorities, and personnel;

(ii) partner nation variables and conditions, such as political will, absorptive capacity, corruption, and instability risk, that impact the likelihood of a security cooperation program achieving its primary objectives, priorities, and desired end-states;

(iii) constraints or limitations due to bureaucratic impediments, interagency processes, or congressional requirements;

(iv) validation of requirements; and

(v) assessment, monitoring, and evaluation.

(D) A methodology for assessing the effectiveness of Department of Defense security

cooperation programs in making progress toward achieving the primary objectives, priorities, and desired end-states identified under subparagraph (B), including an identification of key benchmarks for such progress.

(E) Any other matters the Secretary of Defense determines appropriate.

(3) FREQUENCY.—The Secretary of Defense shall, at a minimum, update the strategic framework required by paragraph (1) on a biennial basis and shall update or supplement the strategic framework as appropriate to address emerging priorities.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and on a biennial basis thereafter, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report on the strategic framework required by subsection (a).

(2) FORM.—The report required by paragraph (1) shall be submitted in an unclassified form, but may include a classified annex.

(3) DEFINITION.—In this subsection, the term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(c) SUNSET.—This section shall cease to be effective on the date that is 6 years after the date of the enactment of this Act.

SEC. 1203. REDESIGNATION, MODIFICATION, AND EXTENSION OF NATIONAL GUARD STATE PARTNERSHIP PROGRAM.

(a) REDESIGNATION.—The heading of section 1205 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 897; 32 U.S.C. 107 note) is amended to read as follows:

“SEC. 1205. DEPARTMENT OF DEFENSE STATE PARTNERSHIP PROGRAM.”

(b) SCOPE OF AUTHORITY.—Subsection (a) of such section is amended—

(1) in paragraph (1), by striking “a program of exchanges” and all that follows and inserting “a program of activities described in paragraph (2), to support the security cooperation objectives of the United States, between members of the National Guard of a State or territory and any of the following:

“(A) The military forces of a foreign country.

“(B) The security forces of a foreign country.

“(C) Governmental organizations of a foreign country whose primary functions include disaster response or emergency response.”; and

(2) by striking paragraph (2) and inserting the following new paragraph (2):

“(2) STATE PARTNERSHIP.—Each program established under this subsection shall be known as a ‘State Partnership’.”.

(c) LIMITATION.—Subsection (b) of such section is amended by striking “activity under a program” and all that follows through “State or territory,” and inserting “activity with forces referred to in subsection (a)(1)(B) or organizations described in subsection (a)(1)(C) under a program established under subsection (a)”.

(d) COORDINATION OF ACTIVITIES.—Such section is further amended—

(1) by redesignating subsections (c) through (g) as subsections (d) through (h), respectively; and

(2) by inserting after subsection (b) the following new subsection (c):

“(c) COORDINATION OF ACTIVITIES.—The Chief of the National Guard Bureau shall designate a director for each State and territory to be responsible for the coordination of activities under a program established under subsection (a) for such State or territory and reporting on activities under the program.”.

(e) ANNUAL REPORT.—Paragraph (2)(B) of subsection (f) of such section, as redesignated by subsection (d)(1) of this section, is amended—

(1) in clause (iii), by inserting “or other government organizations” after “and security forces”;

(2) in clause (iv), by adding before the period at the the following: “and country”;

(3) in clause (v), by striking “training” and inserting “activities”;

(4) by adding at the end the following:

“(vi) An assessment of the extent to which the activities conducted during the previous year met the objectives described in clause (v).”.

(f) STATE PARTNERSHIP PROGRAM FUND.—

(1) ASSESSMENT OF ESTABLISHMENT OF FUND.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Policy and the Under Secretary of Defense (Comptroller) shall jointly submit to the congressional defense committees a report setting forth a joint assessment of the feasibility and advisability of establishing a central fund to manage funds for programs and activities under the Department of Defense State Partnership Program under section 1205 of the National Defense Authorization Act for Fiscal Year 2014, as amended by this section.

(2) RECOMMENDATION FOR LEGISLATIVE ACTION.—If the report under paragraph (1) concludes that the establishment of a fund as described in that paragraph is feasible and advisable, the Secretary of Defense shall include with the materials submitted to Congress in support of the budget of the President for fiscal year 2017 pursuant to section 1105 of title 31, United States Code, a recommendation for such legislation as the Secretary considers appropriate to establish the fund.

(g) CONFORMING AMENDMENTS.—Paragraph (2)(A) of subsection (f) of such section, as redesignated by subsection (d)(1) of this section, is amended—

(1) by striking “a program” and inserting “each program”;

(2) by striking “the program” and inserting “such program”.

(h) RECIPIENTS OF REPORTS AND NOTIFICATIONS.—Paragraph (1) of subsection (h) of such section, as redesignated by subsection (d)(1) of this section, is amended by striking subparagraphs (A) and (B) and inserting the following new subparagraphs (A) and (B):

“(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

“(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.”.

(i) FIVE-YEAR EXTENSION.—Subsection (i) of such section is amended by striking “September 30, 2016” and inserting “September 30, 2021”.

SEC. 1204. EXTENSION OF AUTHORITY FOR NON-RECIPROCAL EXCHANGES OF DEFENSE PERSONNEL BETWEEN THE UNITED STATES AND FOREIGN COUNTRIES.

Section 1207(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2514; 10 U.S.C. 168 note), as amended by section 1202 of the National

Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1980), is further amended by striking “September 30, 2016” and inserting “December 31, 2021”.

SEC. 1205. MONITORING AND EVALUATION OF OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Of the amounts authorized to be appropriated by this Act for Overseas Humanitarian, Disaster, and Civic Aid, the Secretary of Defense is authorized to use up to 5 percent of such amounts to conduct monitoring and evaluation of programs that are funded using such amounts during fiscal year 2016.

(b) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the appropriate congressional committees on mechanisms to evaluate the programs conducted pursuant to the authorities listed in subsection (a).

(c) DEFINITION.—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1206. ONE-YEAR EXTENSION OF FUNDING LIMITATIONS FOR AUTHORITY TO BUILD THE CAPACITY OF FOREIGN SECURITY FORCES.

Section 1205(d) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3536) is amended—

(1) in paragraph (1)—

(A) by striking “for fiscal year 2015” and all that follows through “section 4301” and inserting “for fiscal year 2015 or 2016 for the Department of Defense for operation and maintenance”;

(B) by inserting “, in such fiscal year” before the period; and

(2) in paragraph (2), by striking “for fiscal year 2015” and inserting “for a fiscal year specified in that paragraph”.

SEC. 1207. AUTHORITY TO PROVIDE SUPPORT TO NATIONAL MILITARY FORCES OF ALLIED COUNTRIES FOR COUNTERTERRORISM OPERATIONS IN AFRICA.

(a) IN GENERAL.—The Secretary of Defense is authorized, in coordination with the Secretary of State, to provide, on a nonreimbursable basis, logistic support, supplies, and services to the national military forces of an allied country conducting counterterrorism operations in Africa if the Secretary of Defense determines that the provision of such logistic support, supplies, and services, on a nonreimbursable basis, is—

(1) in the national security interests of the United States; and

(2) critical to the timely and effective participation of such national military forces in such operations.

(b) NOTICE TO CONGRESS ON SUPPORT PROVIDED.—Not later than 15 days after providing logistic support, supplies, or services under subsection (a), the Secretary of Defense shall submit to the congressional defense committees a notice setting forth the following:

(1) The determination of the Secretary specified in subsection (a).

(2) The type of logistic support, supplies, or services provided.

(3) The national military forces supported.

(4) The purpose of the operations for which such support was provided, and the objectives of such support.

(5) The estimated cost of such support.

(6) The intended duration of such support.

(c) LIMITATIONS.—

(1) IN GENERAL.—The Secretary of Defense may not use the authority in subsection (a) to provide any type of support that is otherwise prohibited by any other provision of law.

(2) AMOUNT.—The aggregate amount of logistic support, supplies, and services provided under subsection (a) in any fiscal year may not exceed \$100,000,000.

(d) REPORTS.—Not later than six months after the date of the enactment of this Act, and every six months thereafter through the expiration date in subsection (f) of the authority provided by this section, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a description of the use of the authority provided by this section during the six-month period ending on the date of such report. Each report shall include the following:

(1) An assessment of the extent to which the support provided under this section during the period covered by such report facilitated the national military forces of allied countries so supported in conducting counterterrorism operations in Africa.

(2) A description of any efforts by countries that received such support to address, as practicable, the requirements of their forces for logistics support, supplies, or services for conducting counterterrorism operations in Africa, including under acquisition and cross-servicing agreements.

(e) LOGISTIC SUPPORT, SUPPLIES, AND SERVICES DEFINED.—In this section, the term “logistic support, supplies, and services” has the meaning given that term in section 2350(1) of title 10, United States Code.

(f) EXPIRATION.—The authority provided by this section may not be exercised after September 30, 2018.

SEC. 1208. REPORTS ON TRAINING OF FOREIGN MILITARY INTELLIGENCE UNITS PROVIDED BY THE DEPARTMENT OF DEFENSE.

(a) REPORTS REQUIRED.—Not later than 30 days after each calendar half-year beginning on or after the date of the enactment of this Act and ending with the second calendar half-year of 2017, the Under Secretary of Defense for Intelligence shall submit to the Committees of Armed Services of the Senate and the House of Representatives a report setting forth the following:

(1) All the training of foreign military intelligence units provided by the Department during the calendar half-year covered by such report.

(2) The authority or authorities under which the training described in paragraph (1) was provided.

(b) FORM.—Each report under subsection (a) should be submitted in classified form.

SEC. 1209. PROHIBITION ON SECURITY ASSISTANCE TO ENTITIES IN YEMEN CONTROLLED BY THE HOUTHI MOVEMENT.

(a) PROHIBITION.—No amounts authorized to be appropriated for fiscal year 2016 for the Department of Defense by this Act may be used to provide security assistance to an entity in Yemen that is controlled by members of the Houthi movement.

(b) NATIONAL SECURITY EXCEPTION.—

(1) IN GENERAL.—The prohibition in subsection (a) shall not apply if the Secretary of Defense determines, with the concurrence of the Secretary of State, that the provision of security assistance as described in that subsection is important to the national security interests of the United States.

(2) NOTICE AND WAIT.—If security assistance as described in subsection (a) is provided pursuant to an exception under paragraph (1),

not later than 15 days before such assistance is so provided, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate committees of Congress a notice on the provision of such assistance, together with an assessment by the Director of National Intelligence on whether any entity controlled by members of the Houthi movement to be provided such assistance is also receiving direct assistance from the Government of Iran.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

Subtitle B—Matters Relating to Afghanistan and Pakistan

SEC. 1211. EXTENSION AND MODIFICATION OF COMMANDERS’ EMERGENCY RESPONSE PROGRAM.

(a) ONE-YEAR EXTENSION.—Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1619), as most recently amended by section 1221 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3546), is further amended by striking “fiscal year 2015” in subsections (a), (b), and (f) and inserting “fiscal year 2016”.

(b) RESTRICTION ON AMOUNT OF PAYMENTS.—Subsection (e) of such section 1201, as so amended, is further amended by striking “\$2,000,000” and inserting “\$500,000”.

(c) SUBMITTAL OF REVISED GUIDANCE.—Not later than 15 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a copy of the guidance issued by the Secretary to the Armed Forces concerning the Commanders’ Emergency Response Program in Afghanistan as revised to take into account the amendments made by this section.

(d) AUTHORITY FOR CERTAIN PAYMENTS TO REDRESS INJURY AND LOSS IN IRAQ.—

(1) IN GENERAL.—During fiscal year 2016, amounts available pursuant to section 1201 of the National Defense Authorization Act for Fiscal Year 2012, as amended by this section, shall also be available for ex gratia payments for damage, personal injury, or death that is incident to combat operations of the Armed Forces in Iraq.

(2) NOTICE AND WAIT.—The authority in this subsection may not be used until 30 days after the date on which the Secretary of Defense submits to the congressional defense committees a report setting forth the following:

(A) The amount that will be used for payments pursuant to this subsection.

(B) The manner in which claims for payments shall be verified.

(C) The officers or officials who shall be authorized to approve claims for payments.

(D) The manner in which payments shall be made.

(3) LIMITATION ON AMOUNT AVAILABLE.—The total amount of payments made pursuant to this subsection in fiscal year 2016 may not exceed \$5,000,000.

(4) AUTHORITIES APPLICABLE TO PAYMENT.—Any payment made pursuant to this subsection shall be made in accordance with the authorities and limitations in section 8121 of the Department of Defense Appropriations

Act, 2015 (division C of Public Law 113–235), other than subsection (h) of such section.

(5) CONSTRUCTION WITH RESTRICTION ON AMOUNT OF PAYMENTS.—For purposes of the application of subsection (e) of such section 1201, as so amended, to any payment pursuant to this subsection, such payment shall be deemed to be a project described by such subsection (e).

SEC. 1212. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as most recently amended by section 1222 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3547), is further amended by striking “fiscal year 2015” and inserting “fiscal year 2016”.

(b) LIMITATION ON AMOUNTS AVAILABLE.—Subsection (d)(1) of such section, as so amended, is further amended—

(1) in the second sentence, by striking “during fiscal year 2015 may not exceed \$1,200,000,000” and inserting “during fiscal year 2016 may not exceed \$1,160,000,000”; and

(2) in the third sentence, by striking “during fiscal year 2015 may not exceed \$1,000,000,000” and inserting “during fiscal year 2016 may not exceed \$900,000,000”.

(c) EXTENSION OF NOTICE REQUIREMENT RELATING TO REIMBURSEMENT OF PAKISTAN FOR SUPPORT PROVIDED BY PAKISTAN.—Section 1232(b)(6) of the National Defense Authorization Act for Fiscal Year 2008 (122 Stat. 393), as most recently amended by section 1222(d) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (128 Stat. 3548), is further amended by striking “September 30, 2015” and inserting “September 30, 2016”.

(d) EXTENSION OF LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—Section 1227(d)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2001), as most recently amended by section 1222(e) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (128 Stat. 3548), is further amended by striking “fiscal year 2015” and inserting “fiscal year 2016”.

(e) ADDITIONAL LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.—Of the total amount of reimbursements and support authorized for Pakistan during fiscal year 2016 pursuant to the third sentence of section 1233(d)(1) of the National Defense Authorization Act for Fiscal Year 2008 (as amended by subsection (b)(2)), \$350,000,000 shall not be eligible for the waiver under section 1227(d)(2) of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 2001) unless the Secretary of Defense certifies to the congressional defense committees that—

(1) Pakistan continues to conduct military operations in North Waziristan that are contributing to significantly disrupting the safe haven and freedom of movement of the Haqqani Network in Pakistan;

(2) Pakistan has taken steps to demonstrate its commitment to prevent the Haqqani Network from using North Waziristan as a safe haven; and

(3) the Government of Pakistan actively coordinates with the Government of Afghanistan to restrict the movement of militants, such as the Haqqani Network, along the Afghanistan-Pakistan border.

(f) AVAILABILITY OF CERTAIN FUNDS FOR STABILITY ACTIVITIES IN FATA.—

(1) IN GENERAL.—In addition to the total amount of reimbursements and support authorized for Pakistan during fiscal year 2016 pursuant to the third sentence of section 1233(d)(1) of the National Defense Authorization Act for Fiscal Year 2008 (as so amended), of the total amount of funds made available for the Department of Defense for fiscal year 2016 for overseas contingency operations for operation and maintenance, Defense-wide activities, \$100,000,000 may be available for stability activities undertaken by Pakistan in the Federally Administered Tribal Areas (FATA), including the provision of funds to the Pakistan military and the Pakistan Frontier Corps Khyber Pakhtunkhwa for activities undertaken in support of the following:

(A) Building and maintaining border outposts.

(B) Strengthening cooperative efforts between the Pakistan military and the Afghan National Defense Security Forces in activities that include—

(i) bilateral meetings to enhance border security coordination;

(ii) sustaining critical infrastructure within the Federally Administered Tribal Areas, such as maintaining key ground lines of communication;

(iii) increasing training for the Pakistan Frontier Corps Khyber Pakhtunkhwa; and

(iv) training to improve interoperability between the Pakistan military and the Pakistan Frontier Corps Khyber Pakhtunkhwa.

(2) LIMITATION.—

(A) IN GENERAL.—Funds available under paragraph (1) may not be obligated or expended until the Secretary of Defense certifies to the congressional defense committees that the conditions described in subparagraphs (A) and (B) of section 1227(d)(1) of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 2001), as amended by subsection (d), have been met.

(B) WAIVER.—The Secretary of Defense may waive the limitation in subparagraph (A) if the Secretary certifies to the congressional defense committees in writing that the waiver is in the national security interests of the United States and includes with such certification a justification for the waiver.

(3) REPORT.—Not later than December 31, 2017, the Secretary of Defense shall submit to the appropriate congressional committees a report on the expenditure of funds available under paragraph (1), including a description of the following:

(A) The purpose for which such funds were expended.

(B) Each organization on whose behalf such funds were expended, including the amount expended on such organization and the number of members of such organization trained with such amount.

(C) Any limitation imposed on the expenditure of funds under that paragraph, including on any recipient of funds or any use of funds expended.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” has the meaning given that term in section 1233(g) of the National Defense Authorization Act for Fiscal Year 2008.

SEC. 1213. ADDITIONAL MATTER IN SEMIANNUAL REPORT ON ENHANCING SECURITY AND STABILITY IN AFGHANISTAN.

Section 1225(b) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public

Law 113-291; 128 Stat. 3550) is amended by adding at the end the following new paragraph:

“(7) ASSESSMENT OF RISKS ASSOCIATED WITH DRAWDOWN OF UNITED STATES FORCES.—An assessment of the risks to the mission in Afghanistan associated with any drawdown of United States forces that occurred during the period covered by such report.”.

SEC. 1214. EXTENSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.

Section 801(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2399), as most recently amended by section 832(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 814), is further amended by striking “December 31, 2015” and inserting “December 31, 2016”.

SEC. 1215. EXTENSION OF AUTHORITY TO TRANSFER DEFENSE ARTICLES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF AFGHANISTAN.

(a) EXTENSION.—Subsection (h) of section 1222 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1992), as amended by section 1231 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3556), is further amended by striking “December 31, 2015” and inserting “December 31, 2016”.

(b) QUARTERLY REPORTS.—Subsection (f)(1) of such section, as so amended, is further amended by striking “March 31, 2016” and inserting “March 31, 2017”.

(c) EXCESS DEFENSE ARTICLES.—Subsection (i)(2) of such section, as so amended, is further amended by striking “and 2015” each place it appears and inserting “, 2015, and 2016”.

SEC. 1216. MODIFICATION OF PROTECTION FOR AFGHAN ALLIES.

(a) COVERED AFGHANS.—

(1) TERM OF EMPLOYMENT.—Clause (ii) of section 602(b)(2)(A) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended by striking “year—” and inserting “year, or, if submitting a petition after September 30, 2015, for a period of not less than 2 years—”.

(2) TECHNICAL AMENDMENTS.—

(A) SUCCESSOR NAME FOR INTERNATIONAL SECURITY ASSISTANCE FORCE.—Subclause (II) of section 602(b)(2)(A)(ii) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(i) in the matter preceding item (aa), by striking “Force” and inserting “Force (or any successor name for such Force)”;

(ii) in item (aa), by striking “Force,” and inserting “Force (or any successor name for such Force),”; and

(iii) in item (bb), by striking “Force;” and inserting “Force (or any successor name for such Force);”.

(B) SHORT TITLE.—Section 601 of the Afghan Allies Protection Act of 2009 is amended by striking “This Act” and inserting “This title”.

(C) EXECUTIVE AGENCY REFERENCE.—Section 602(c)(4) of the Afghan Allies Protection Act of 2009 is amended by striking “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)” and inserting “section 133 of title 41, United States Code”.

(b) NUMERICAL LIMITATIONS.—Subparagraph (F) of section 602(b)(3) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in the heading, by striking “2015 AND 2016” and inserting “2015, 2016, AND 2017”;

(2) in the matter preceding clause (i)—

(A) by striking “and ending on September 30, 2016”, and inserting “until such time that available special immigrant visas under subparagraphs (D) and (E) and this subparagraph are exhausted,” and

(B) by striking “4,000.” and inserting “7,000.”;

(3) in clause (i), by striking “September 30, 2015,” and inserting “December 31, 2016.”;

(4) in clause (ii), by striking “December 31, 2015,” and inserting “December 31, 2016.”;

(5) in clause (iii), by striking “March 31, 2017.” and inserting “the date such visas are exhausted.”.

(c) REPORTS AND SENSE OF CONGRESS.—Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended by adding at the end the following:

“(15) REPORTS INFORMING THE CONCLUSION OF THE AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.—Not later than June 1, 2016, and every six months thereafter, the Secretary of Defense, in conjunction with the Secretary of State, shall submit to the Committee on Armed Services and the Committee on the Judiciary of the Senate and the Committee on Armed Services and the Committee on the Judiciary of the House of Representatives a report that contains—

“(A) a description of the United States force presence in Afghanistan during the previous 6 months;

“(B) a description of the projected United States force presence in Afghanistan;

“(C) the number of citizens or nationals of Afghanistan who were employed by or on behalf of the entities described in paragraph (2)(A)(ii) during the previous 6 months; and

“(D) the projected number of such citizens or nationals who will be employed by or on behalf of such entities.

“(16) SENSE OF CONGRESS.—It is the sense of Congress that the necessity of providing special immigrant status under this subsection should be assessed at regular intervals by the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, taking into account the scope of the current and planned presence of United States troops in Afghanistan, the current and prospective numbers of citizens and nationals of Afghanistan employed by or on behalf of the entities described in paragraph (2)(A)(ii), and the security climate in Afghanistan.”.

Subtitle C—Matters Relating to Syria and Iraq

SEC. 1221. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) EXTENSION OF AUTHORITY.—Subsection (f)(1) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 113 note) is amended by striking “fiscal year 2015” and inserting “fiscal year 2016”.

(b) AMOUNT AVAILABLE.—Such section is further amended—

(1) in subsection (c), by striking “fiscal year 2015” and all that follows and inserting “fiscal year 2016 may not exceed \$80,000,000.”; and

(2) in subsection (d), by striking “fiscal year 2015” and inserting “fiscal year 2016”.

(c) SUPERSEDING REPORT REQUIREMENTS.—Subsection (g) of such section is amended to read as follows:

“(g) REPORTS.—

“(1) IN GENERAL.—Not later than September 30, 2015, and every 180 days thereafter

until the authority in this section expires, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the appropriate committees of Congress a report on the activities of the Office of Security Cooperation in Iraq.

“(2) ELEMENTS.—Each report under this subsection shall include the following:

“(A) A current description of capability gaps in the security forces of Iraq, including capability gaps relating to intelligence matters, protection of Iraq airspace, and logistics and maintenance, and a current description of the extent, if any, to which the Government of Iraq has requested assistance in addressing such capability gaps.

“(B) A current description of the activities of the Office of Security Cooperation in Iraq and the extent, if any, to which the programs conducted by the Office in conjunction with other United States programs (such as the Foreign Military Financing program, the Foreign Military Sales program, and the assistance provided pursuant to section 1236 of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291)) will address the capability gaps described pursuant to subparagraph (A).

“(C) A current description of how the activities of the Office of Security Cooperation in Iraq are coordinated with, and complement and enhance, the assistance provided pursuant to section 1236 of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015.

“(D) A current description of end use monitoring programs, and any other programs or procedures, used to improve accountability for equipment provided to the Government of Iraq.

“(E) A current description of the measures of effectiveness used to evaluate the activities of the Office of the Security Cooperation in Iraq, and an analysis of any determinations to expand, alter, or terminate specific activities of the Office based on such evaluations.

“(F) A current evaluation of the effectiveness of the training described in subsection (f)(2) in promoting respect for human rights, military professionalism, and respect for legitimate civilian authority in Iraq.

“(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ‘appropriate committees of Congress’ means—

“(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

“(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.”.

SEC. 1222. STRATEGY FOR THE MIDDLE EAST AND TO COUNTER VIOLENT EXTREMISM.

(a) STRATEGY REQUIRED.—Not later than February 15, 2016, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate committees of Congress a strategy for the Middle East and to counter violent extremism.

(b) ELEMENTS.—The strategy required by subsection (a) shall include the following:

(1) A description of the objectives and end state for the United States in the Middle East and with respect to violent extremism.

(2) A description of the roles and responsibilities of the Department of State in the strategy.

(3) A description of the roles and responsibilities of the Department of Defense in the strategy.

(4) A description of actions to prevent the weakening and failing of states in the Middle East.

(5) A description of actions to counter violent extremism.

(6) A description of the resources required by the Department of Defense to counter ISIL's illicit oil revenues.

(7) A list of the state and non-state actors that must be engaged to counter violent extremism.

(8) A description of the coalition required to carry out the strategy, and the expected lines of effort of such a coalition.

(9) An assessment of United States efforts to disrupt and prevent foreign fighters traveling to Syria and Iraq and to disrupt and prevent foreign fighters in Syria and Iraq traveling to the United States.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In the section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 1223. MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND THE LEVANT.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the Islamic State of Iraq and the Levant (ISIL) poses an acute threat to the people and territorial integrity of Iraq, including the Iraqi Kurdistan Region, Iraqi Sunni communities, and Iraq's religious and ethnic minorities, and to the security and stability of the Middle East and beyond the region;

(2) defeating ISIL is critical to maintaining a unified Iraq in which all faiths, sects, and ethnicities are afforded equal protection and full integration into the Government and society of Iraq; and

(3) the United States should, in coordination with coalition partners, provide, in an expeditious and responsive manner and without undue delay, the military and other security forces of or associated with the Government of Iraq, including Kurdish and tribal security forces and other local security forces, with a national security mission, with defense articles, defense services, and related training to more effectively partner with the United States and other international coalition members to defeat ISIL.

(b) QUARTERLY PROGRESS REPORT.—

(1) IN GENERAL.—Subsection (d) of section 1236 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3559) is amended—

(A) in the matter preceding paragraph (1), by striking “30 days” and inserting “90 days”; and

(B) by adding at the end the following:

“(1) A list of the forces or elements of forces that are restricted from receiving assistance under subsection (a), other than the forces or elements of forces with respect to which the Secretary of Defense has exercised the waiver authority under subsection (j), as a result of vetting required by subsection (e) or section 2249e of title 10, United States Code, and a detailed description of the reasons for such restriction, including for each force or element, as applicable, the following:

“(A) Information relating to gross violation of human rights committed by such

force or element, including the time-frame of the alleged violation.

“(B) The source of the information described in subparagraph (A) and an assessment of the veracity of the information.

“(C) The association of such force or element with terrorist groups or groups associated with the Government of Iran.

“(D) The amount and type of any assistance provided to such force or element by the Government of Iran.”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the date of the enactment of this Act and shall apply with respect to reports required to be submitted pursuant to subsection (d) of section 1236 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015, as so amended, on or after such date of enactment.

(c) FUNDING.—Subsection (g) of such section is amended by striking the first sentence and inserting the following: “Of the amounts authorized to be appropriated in the National Defense Authorization Act for Fiscal Year 2016 for Overseas Contingency Operations in title XV for fiscal year 2016, there are authorized to be appropriated \$715,000,000 to carry out this section.”.

(d) WAIVER AUTHORITY.—Subsection (j) of such section is amended—

(1) in paragraph (1)—

(A) in subparagraph (B)(ii), by striking by striking “Sections 40 and 40A” and inserting “Section 40A”; and

(B) by adding at the end the following:

“(C) ADDITIONAL WAIVER AUTHORITY.—

“(i) IN GENERAL.—For purposes of the provision of assistance described in subsection (1)(2), the Secretary of Defense may waive any provision of law described in clause (ii) if the Secretary satisfies the requirements described in clauses (i) and (ii) of subparagraph (A) with respect to such waiver.

“(ii) PROVISIONS OF LAW.—The provisions of law described in this clause are the following:

“(I) Any provision of law described in subparagraph (B).

“(II) Any eligibility requirement under section 3 of the Arms Export Control Act (22 U.S.C. 2753).

“(III) Any eligibility requirement under chapter 2 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.).”.

(2) in paragraph (2), by striking “For purposes” and all that follows through “described in paragraph (1)(B)” and inserting “The President may waive any provision of law other than a provision of law described in paragraph (1)(B) for purposes of the provision of assistance pursuant to subsection (a) and any provision of law other than a provision of law described in subsection (1)(C) for purposes of the provision of assistance described in subsection (1)(2)”.

(e) ASSESSMENT AND AUTHORITY TO ASSIST DIRECTLY CERTAIN COVERED GROUPS.—Such section, as so amended, is further amended by adding at the end the following:

“(1) ASSESSMENT AND AUTHORITY TO ASSIST DIRECTLY CERTAIN COVERED GROUPS.—

“(1) ASSESSMENT.—

“(A) IN GENERAL.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate congressional committees an assessment of the extent to which the Government of Iraq is increasing political inclusiveness, addressing the grievances of ethnic and sectarian minorities, and enhancing minority integration in the political and military structures in Iraq.

“(B) FACTORS TO BE CONSIDERED IN MAKING ASSESSMENT.—In making the assessment described in subparagraph (A), the Secretary of Defense and the Secretary of State shall consider the following factors:

“(i) The extent to which the Government of Iraq is taking steps to reduce support among the Iraqi people for the Islamic State of Iraq and the Levant (ISIL) and improve stability in Iraq.

“(ii) The progress of efforts to enact legislation establishing the Iraqi National Guard, particularly in predominantly Sunni regions.

“(iii) The extent to which the Government of Iraq is expanding the representation of minorities in adequate numbers in government security organizations and providing for the training and equipping of such forces.

“(iv) Whether the Government of Iraq is ending support for Shia militias under the command and control of, or associated with, the Government of Iran, and stopping abuses of elements of the Iraqi population by such militias.

“(v) Whether the Government of Iraq is ensuring that supplies, equipment, and weaponry supplied by the United States are appropriately distributed to security forces with a national security mission in Iraq, including the Kurdish Peshmerga, Sunni tribal security forces and local security forces with a national security mission, and, once established, the Iraqi Sunni National Guard.

“(vi) Whether the Government of Iraq is addressing grievances regarding the arrest and detention without trial of ethnic and sectarian minorities or is taking steps to prosecute such individuals that are detained in a fair, transparent, and prompt manner.

“(vii) Such other factors as the Secretaries consider appropriate.

“(C) UPDATE.—The Secretary of Defense and the Secretary of State shall submit to the appropriate congressional committees an update of the assessment required under subparagraph (A) not later than 180 days after the date on which the assessment is submitted to the appropriate congressional committees under subparagraph (A).

“(D) SUBMISSION.—The assessment required under subparagraph (A) and the update of the assessment authorized under subparagraph (C) may be submitted as part of the quarterly report required under subsection (d).

“(2) ASSISTANCE DIRECTLY TO CERTAIN COVERED GROUPS.—

“(A) IN GENERAL.—If the President, taking into account the results of the assessment required under paragraph (1)(A) or the update required under paragraph (1)(C), determines and notifies the appropriate congressional committees that the Government of Iraq has failed to take substantial action to increase political inclusiveness, address the grievances of ethnic and sectarian minorities, and enhance minority integration in the political and military structures in Iraq, the Secretary of Defense, in coordination with the Secretary of State, is authorized to provide, in coordination to the extent practicable with the Government of Iraq, assistance under the authority of subsection (a) directly to the groups described in subparagraph (D) for the purpose of supporting international coalition efforts against ISIL.

“(B) ADMINISTRATIVE PROVISIONS.—In carrying out subparagraph (A), the Secretary of Defense may—

“(i) re-allocate the amount of assistance authorized under subsection (a) to increase the share of such assistance provided to the groups described in subparagraph (D); and

“(ii) exercise the waiver authority provided in subsection (j)(1)(C) with respect to

providing assistance to the groups described in subparagraph (D).

“(C) **COST-SHARING REQUIREMENT INAPPLICABLE.**—The cost-sharing requirement of subsection (k) shall not apply with respect to funds that are obligated or expended under this subsection for assistance provided directly to the groups described in subparagraph (D).

“(D) **COVERED GROUPS.**—The groups described in this subparagraph are—

“(i) the Kurdish Peshmerga; and

“(ii) Sunni tribal security forces, or other local security forces, with a national security mission.”.

(f) **PROHIBITION ON ASSISTANCE AND REPORT ON EQUIPMENT OR SUPPLIES TRANSFERRED TO OR ACQUIRED BY VIOLENT EXTREMIST ORGANIZATIONS.**—

(1) **PROHIBITION.**—Assistance authorized under section 1236 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3558), as so amended, may not be provided to the Government of Iraq after the date that is 90 days after the date of the enactment of this Act unless the Secretary of Defense certifies to the appropriate congressional committees, after the date of the enactment of this Act, that the Government of Iraq has taken such actions as may be reasonably necessary to safeguard against such assistance being transferred to or acquired by violent extremist organizations.

(2) **REPORT.**—

(A) **REPORT REQUIRED.**—Not later than 30 days after the date on which the Secretary of Defense makes any determination that equipment or supplies provided pursuant to section 1236(a) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3558), as so amended, have been transferred to or acquired by a violent extremist organization, the Secretary shall submit to the appropriate congressional committees a report that contains a description of the determination of the Secretary and the transfer to or acquisition by the violent extremist organization.

(B) **ELEMENTS.**—Each report under paragraph (1) shall include, with respect to the transfer covered by the report, the following:

(i) An assessment of the type and quantity of equipment or supplies transferred to the violent extremist organization.

(ii) A description of the criteria used to determine that the organization is a violent extremist organization.

(iii) A description, if known, of how the equipment or supplies were transferred to or acquired by the violent extremist organization.

(iv) If the equipment or supplies are determined to remain under the current control of the violent extremist organization, a description of the organization, including its relationship, if any, to the security forces of the Government of Iraq.

(v) A description of the end use monitoring or other policies and procedures in place in order to prevent equipment or supplies to be transferred to or acquired by violent extremist organizations.

(3) **DEFINITIONS.**—In this subsection:

(A) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(i) the congressional defense committees; and

(ii) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(B) **VIOLENT EXTREMIST ORGANIZATION.**—The term “violent extremist organization” means an organization that—

(i) is a foreign terrorist organization designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) or is associated with a foreign terrorist organization; or

(ii) is known to be under the command and control of, or is associated with, the Government of Iran.

SEC. 1224. REPORTS ON UNITED STATES ARMED FORCES DEPLOYED IN SUPPORT OF OPERATION INHERENT RESOLVE.

(a) **REPORTS REQUIRED.**—Not later than 30 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on United States Armed Forces deployed in support of Operation Inherent Resolve.

(b) **ELEMENTS.**—Each report under subsection (a) shall include the following:

(1) The total number of members of the United States Armed Forces deployed in support of Operation Inherent Resolve for the most recent month for which data is available, delineated by Armed Force and component (including whether regular, National Guard, or Reserve).

(2) An estimate for the three-month period following the date on which the report is submitted of the total number of members of the United States Armed Forces expected to be deployed in support of Operation Inherent Resolve, delineated by Armed Force and component (including whether regular, National Guard, or Reserve).

(3) A description of the authorities and limitations on the number of United States Armed Forces deployed in support of Operation Inherent Resolve.

(4) A description of military functions that are and are not subject to the authorities and limitations described in paragraph (3).

(5) Any changes to the authorities and limitations described in paragraph (3) and the rationale for such changes.

(6) Any other matters the Secretary considers appropriate.

(c) **SUNSET.**—The requirement to submit reports under this section shall terminate on the earlier of—

(1) the date on which Operation Inherent Resolve terminates; or

(2) the date that is five years after the date of the enactment of this Act.

SEC. 1225. MATTERS RELATING TO SUPPORT FOR THE VETTED SYRIAN OPPOSITION.

(a) **REPORT ON POTENTIAL SUPPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report setting forth a description of the military support the Secretary considers necessary to provide to recipients of assistance under section 1209 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541) upon their return to Syria to ensure their ability to meet the intended purposes of such assistance.

(2) **COVERED POTENTIAL SUPPORT.**—The support the Secretary may consider necessary to provide for purposes of the report required by paragraph (1) is the following:

(A) Logistical support.

(B) Defensive supportive fire.

(C) Intelligence.

(D) Medical support.

(E) Any other support the Secretary considers appropriate for purposes of the report.

(3) **ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) For each type of support the Secretary considers necessary to provide as described in paragraph (1), a description of the actions to be taken by the Secretary to ensure that such support would not benefit any of the following:

(i) The Islamic State of Iraq and Syria (ISIS), the Jabhat Al-Nusra Front, al-Qaeda, the Khorasan Group, or any other violent extremist organization

(ii) The Syrian Arab Army or any group or organization supporting President Bashir Assad.

(B) An estimate of the cost of providing such support.

(b) **STRATEGY FOR SYRIA.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of State, submit to the appropriate congressional committees a strategy for Syria.

(2) **ELEMENTS.**—The strategy required by paragraph (1) shall include the following:

(A) A description of the means by which assistance provided to appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups and individuals will achieve the purposes set forth in section 1209(a) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015.

(B) A description of the political and military objectives and end states for Syria.

(C) A description of means by which the assistance will support the political and military objectives and end states for Syria.

(D) An explanation of the manner in which the military campaign in Syria and Iraq is integrated.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In subsections (a) and (b), the term “appropriate congressional committees” has the meaning given that term in section 1209(e)(2) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015.

(d) **ADDITIONAL MATTERS FOR QUARTERLY PROGRESS REPORTS ON ASSISTANCE TO THE VETTED OPPOSITION.**—

(1) **ADDITIONAL MATTERS.**—Subsection (d) of section 1209 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 is amended—

(A) in paragraph (10), by striking “and” at the end;

(B) in paragraph (11) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

“(12) a description of support, if any, provided to appropriately vetted recipients pursuant to subsection (a) while those forces are located in Syria, including—

“(A) logistics support;

“(B) defense supporting fire;

“(C) intelligence; and

“(D) medical support; and

“(13) a description of the number of appropriately vetted recipients located in Syria, the approximate locations in which they are operating, and the number of known casualties among such recipients.”.

(2) **EFFECTIVE DATE.**—The amendments made by paragraph (1) shall take effect on the date of the enactment of this Act, and shall apply with respect to quarterly reports submitted under subsection (d) of section 1209 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 after that date.

(e) INFORMATION ACCOMPANYING REPROGRAMMING REQUESTS.—Subsection (f) of such section is amended—

(1) by striking “The Secretary of Defense” and inserting the following:

“(1) IN GENERAL.—The Secretary of Defense”; and

(2) by adding at the end the following new paragraph:

“(2) INFORMATION ACCOMPANYING REPROGRAMMING REQUESTS.—Each request under paragraph (1) shall include the following:

“(A) The amount, type, and purpose of assistance to be funded pursuant to such request.

“(B) The budget, implementation timeline with milestones, and anticipated delivery schedule for such assistance.”.

SEC. 1226. SUPPORT TO THE GOVERNMENT OF JORDAN AND THE GOVERNMENT OF LEBANON FOR BORDER SECURITY OPERATIONS.

(a) AUTHORITY TO PROVIDE SUPPORT.—

(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to provide support on a reimbursement basis to the Government of Jordan and the Government of Lebanon for purposes of supporting and enhancing efforts of the armed forces of Jordan and the armed forces of Lebanon to increase security and sustain increased security along the border of Jordan and the border of Lebanon with Syria and Iraq, as applicable.

(2) FREQUENCY.—Support may be provided under this subsection on a quarterly basis.

(b) FUNDS AVAILABLE FOR SUPPORT.—The following amounts made be used to provide support under the authority of subsection (a):

(1) Amounts authorized to be appropriated for fiscal year 2016 and available for reimbursement of certain coalition nations for support provided to United States military operations pursuant to section 1233 of the National Defense Authorization Act for fiscal year 2008 (Public Law 110-181; 122 Stat. 393).

(2) Amounts authorized to be appropriated for fiscal year 2016 for the Counterterrorism Partnerships Fund pursuant to section 1534 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for fiscal year 2015 (Public Law 113-291; 128 Stat. 3616).

(c) LIMITATIONS.—

(1) LIMITATION ON AMOUNT.—The total amount of support provided under the authority of subsection (a) may not exceed \$150,000,000 for any country specified in subsection (a) in any fiscal year.

(2) SUPPORT TO THE GOVERNMENT OF LEBANON.—Support provided under the authority of subsection (a) to the Government of Lebanon may be used only for the armed forces of Lebanon, and may not be used for or to reimburse Hezbollah or any forces other than the armed forces of Lebanon.

(3) PROHIBITION ON CONTRACTUAL OBLIGATIONS.—The Secretary of Defense may not enter into any contractual obligation to provide support under the authority of subsection (a).

(4) DETERMINATION REQUIRED.—The Secretary of Defense may not provide support to a country specified in subsection (a) if the Secretary determines that the government of such country fails to increase security and sustain increased security along the border of Jordan and the border of Lebanon with Syria and Iraq, as applicable.

(d) NOTICE BEFORE EXERCISE.—Not later than 15 days before providing support under the authority of subsection (a), the Sec-

retary of Defense shall submit to the specified congressional committees a report setting forth a full description of the support to be provided, including the amount of support to be provided, and the timeline for the provision of such support.

(e) SPECIFIED CONGRESSIONAL COMMITTEES.—In the section, the term “specified congressional committees” means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(f) EXPIRATION OF AUTHORITY.—No support may be provided under the authority of subsection (a) after December 31, 2018.

SEC. 1227. SENSE OF CONGRESS ON THE SECURITY AND PROTECTION OF IRANIAN DISSIDENTS LIVING IN CAMP LIBERTY, IRAQ.

It is the sense of Congress that the United States should—

(1) take prompt and appropriate steps in accordance with international agreements to promote the physical security and protection of residents of Camp Liberty, Iraq;

(2) urge the Government of Iraq to uphold its commitments to the United States to ensure the safety and well-being of those living in Camp Liberty;

(3) urge the Government of Iraq to ensure continued and reliable access to food, clean water, medical assistance, electricity and other energy needs, and any other equipment and supplies necessary to sustain the residents during periods of attack or siege by external forces;

(4) oppose the extradition of Camp Liberty residents to Iran;

(5) assist the international community in implementing a plan to provide for the safe, secure, and permanent relocation of Camp Liberty residents, including a detailed outline of steps that would need to be taken by recipient countries, the United States, the Nations High Commissioner for Refugees (UNHCR), and the Camp residents to relocate residents to other countries;

(6) encourage continued close cooperation between the residents of Camp Liberty and the authorities in the relocation process; and

(7) assist the United Nations High Commissioner for Refugees in expediting the ongoing resettlement of all residents of Camp Liberty to safe locations outside Iraq.

Subtitle D—Matters Relating to Iran

SEC. 1231. MODIFICATION AND EXTENSION OF ANNUAL REPORT ON THE MILITARY POWER OF IRAN.

(a) ELEMENT ON CYBER CAPABILITIES IN DESCRIPTION OF STRATEGY.—Paragraph (1) of subsection (b) of section 1245 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2542) is amended—

(1) in subparagraph (B), by striking “and” at the end;

(2) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(D) Iranian strategy regarding offensive cyber capabilities and defensive cyber capabilities.”.

(b) ELEMENTS ON CYBER CAPABILITIES IN ASSESSMENTS OF UNCONVENTIONAL FORCES.—Paragraph (3) of such subsection, as amended by section 1232(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 920), is further amended—

(1) in subparagraph (D), by striking “and” at the end;

(2) in subparagraph (E), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

“(F) offensive cyber capabilities and defensive cyber capabilities; and

“(G) Iranian ability to manipulate the information environment both domestically and against the interests of the United States and its allies.”.

(c) MATTERS TO BE INCLUDED.—Such subsection is further amended by adding at the end the following:

“(5) An assessment of transfers to Iran of military equipment, technology, and training from non-Iranian sources.”.

(d) TERMINATION.—Subsection (d) of such section 1245, as amended by section 1277 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3592), is further amended by striking “December 31, 2016” and inserting “December 31, 2025”.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to reports required to be submitted under section 1245 of the National Defense Authorization Act for Fiscal Year 2010, as so amended, after that date.

SEC. 1232. SENSE OF CONGRESS ON THE GOVERNMENT OF IRAN'S MALIGN ACTIVITIES.

It is the sense of Congress that—

(1) Iran continues to conduct a range of malign military and intelligence activities in the region and around the globe which constitute a significant threat to regional stability and the national security interests of the United States and our allies and partners;

(2) Iran continues funding its conventional and unconventional military development, including its ballistic missile development programs, and its acquisition of destabilizing conventional weapons, which requires the United States to continue to support and build the collective capacity of our allies and partners in the region to address threats;

(3) the sale of advanced weaponry, including advance air defense systems, to the Government of Iran increases the risk of further destabilizing the region;

(4) Iran's malign activities, continued state sponsorship of terrorism, and the violation of the human rights of the Iranian people justify continued pressure by the United States; and

(5) the United States should continue to enhance the region's security architecture, build our partners' capacity to respond to external aggression, increase the interoperability of our respective military forces, and continue to better integrate their advanced capabilities.

SEC. 1233. REPORT ON MILITARY-TO-MILITARY ENGAGEMENTS WITH IRAN.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, and annually thereafter for 2 years, the Secretary of Defense shall submit to the appropriate congressional committees a report on—

(1) any military-to-military engagements conducted by the Armed Forces or Department of Defense civilians with representatives of the military or paramilitary forces (including the IRGC Quds Force) of the Islamic Republic of Iran during the one-year period ending on the date of the submission of the report; and

(2) any policy changes to such military-to-military engagements with the armed forces of Iran.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1234. SECURITY GUARANTEES TO COUNTRIES IN THE MIDDLE EAST.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall submit to the appropriate congressional committees a report that summarizes any agreement, in effect as of the date that is 15 days before the date of the submittal of the report, that provides security commitments by the United States to any country in the Middle East, including the member countries of the Gulf Cooperation Council.

(b) ANALYSIS.—Not later than 90 days after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff shall provide the Secretary of Defense with an analysis of the United States military force structure and posture required to meet any current agreement that provides security commitments in the Middle East, including to member countries of the Gulf Cooperation Council. The Secretary shall include such analysis, without revision, in the report required by subsection (a), together with such additional views as the Secretary considers appropriate.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1235. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed as authorizing the use of force against Iran.

Subtitle E—Matters Relating to the Russian Federation

SEC. 1241. NOTIFICATIONS RELATING TO TESTING, PRODUCTION, DEPLOYMENT, AND SALE OR TRANSFER TO OTHER STATES OR NON-STATE ACTORS OF THE CLUB-K CRUISE MISSILE SYSTEM BY THE RUSSIAN FEDERATION.

(a) NOTIFICATIONS.—Not later than seven days after the Secretary determines that there is reasonable grounds to believe that the Russian Federation has tested, initially deployed, or sold or transferred to another state or non-state actor the Club-K cruise missile system, the Secretary shall submit to the appropriate committees of Congress a notification of such determination.

(b) DEPARTMENT OF DEFENSE PLANNING.—The Chairman of the Joint Chiefs of Staff shall include in military planning options for responding to the military threat posed by the Russian Federation testing, deployment, or sale or transfer to other states or non-state actors the Club-K cruise missile system.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) CLUB-K CRUISE MISSILE SYSTEM.—The term “Club-K cruise missile system” means the Club-K cruise missile “container launcher” weapons system.

(d) SUNSET.—The provisions of this section shall not be in effect on and after the date that is 5 years after the date of the enactment of this Act.

SEC. 1242. NOTIFICATIONS OF DEPLOYMENT OF NUCLEAR WEAPONS BY RUSSIAN FEDERATION TO TERRITORY OF UKRAINIAN REPUBLIC OR RUSSIAN TERRITORY OF KALININGRAD.

(a) NOTIFICATIONS.—

(1) UPON DEPLOYMENT.—Not later than seven days after the Secretary of Defense determines that there is reasonable grounds to believe that the Russian Federation has deployed covered weapons systems onto the territory of the Ukrainian Republic, or has deployed covered weapons systems onto the Russian territory of Kaliningrad, the Secretary shall submit to the appropriate congressional committees a notification of such determination.

(2) FORM.—A notification required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex if necessary.

(b) DEPARTMENT OF DEFENSE PLANNING.—The Chairman of the Joint Chiefs of Staff shall include in military planning options for responding to the military threat posed by the Russian Federation deploying covered weapons systems onto the territory of the Ukrainian Republic, or deploying covered weapons system onto the Russian territory of Kaliningrad, including opportunities for allied cooperation in developing such responses based on consultation with such allies.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED WEAPONS SYSTEMS.—The term “covered weapons systems” means weapons systems that can perform both conventional and nuclear missions, nuclear weapon delivery systems, and nuclear warheads.

(d) SUNSET.—The provisions of this section shall not be in effect on and after the date that is 5 years after the date of the enactment of this Act.

SEC. 1243. MEASURES IN RESPONSE TO NON-COMPLIANCE BY THE RUSSIAN FEDERATION WITH ITS OBLIGATIONS UNDER THE INF TREATY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the development and deployment of a nuclear ground-launched cruise missile by the Russian Federation is in violation of the INF Treaty, and the Russian Federation should return to compliance with the INF Treaty;

(2) the increasing role for nuclear weapons in the Russian Federation’s military strategy, and the continuing violation of the INF Treaty threatens the viability of the INF Treaty;

(3) efforts taken by the President to compel the Russian Federation to return to compliance with the INF Treaty, including by developing military and nonmilitary options, must be persistent and are in the best interests of the United States, but cannot be open-ended;

(4) not only should the Russian Federation end its cheating with respect to the INF

Treaty, but also its illegal occupation of the sovereign territory of another nation, its plans for stationing nuclear weapons on that nation’s territory, and its cheating and violation of as many as eight of its 12 arms control obligations and agreements; and

(5) there are several United States military requirements that would be addressed by the development and deployment of systems currently prohibited by the INF Treaty.

(b) NOTIFICATIONS OF RUSSIAN FEDERATION VIOLATIONS OF INF TREATY.—

(1) IN GENERAL.—The President shall submit to the appropriate congressional committees a notification of—

(A) whether the Russian Federation has flight-tested, deployed, or possesses a military system that has achieved an initial operating capability that is either a ground-launched ballistic missile or ground-launched cruise missile with a flight-tested range of between 500 and 5,500 kilometers; and

(B) whether the Russian Federation has begun steps to return to full compliance with the INF Treaty, including by agreeing to inspections and verification measures necessary to achieve high confidence that any missile described in subparagraph (A) will be eliminated, as required by the INF Treaty upon its entry into force.

(2) DEADLINE.—The notification required under paragraph (1) shall be submitted not later than 30 days after the date of the enactment of this Act and not later than 30 days after the date on which the Russian Federation meets any of the conditions described in subparagraphs (A) and (B) of paragraph (1).

(3) FORM.—The notification required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(c) NOTIFICATION OF COORDINATION WITH ALLIES REGARDING INF TREATY.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment, and every 120-day period thereafter for a period of 5 years, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly, in coordination with the Secretary of State and the Director of National Intelligence, submit to the appropriate congressional committees a notification on the status and content of updates provided to the North Atlantic Treaty Organization (NATO) and allies of the United States in East Asia, on the Russian Federation’s flight testing, operating capability and deployment of ground launched ballistic missiles or ground-launched cruise missiles with a flight-tested range of between 500 and 5,500 kilometers, including updates on the status and a description of efforts with such allies to develop collective responses (including economic and military responses) to arms control violations of the Russian Federation (including violations of the INF Treaty).

(2) FORM.—The notification required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) MILITARY RESPONSE OPTIONS TO RUSSIAN FEDERATION VIOLATION OF INF TREATY.—

(1) IN GENERAL.—If, as of the date of the enactment of this Act, the Russian Federation has not begun taking measures to return to full compliance with the INF Treaty, including by agreeing to verification measures necessary to achieve high confidence that any ground-launched ballistic missile or ground-launched cruise missile with a flight-tested range of between 500 and 5,500 kilometers will be eliminated, the Secretary of Defense

shall, not later than 120 days after that date, submit to the appropriate congressional committees a plan for the development of the following military capabilities:

(A) Counterforce capabilities to prevent intermediate-range ground-launched ballistic missile and cruise missile attacks, whether or not such capabilities are in compliance with the INF Treaty and including capabilities that may be acquired from allies of the United States.

(B) Countervailing strike capabilities to enhance the forces of the United States or allies of the United States, whether or not such capabilities are in compliance with the INF Treaty and including capabilities that may be acquired from allies of the United States.

(C) Active defenses to defend against intermediate-range ground-launched cruise missile attacks.

(2) **COST AND SCHEDULE ESTIMATES.**—The Secretary of Defense shall include in the plan required by paragraph (1), with respect to each military capability described in subparagraphs (A), (B), and (C) of that paragraph, an estimate of cost and the approximate time for achieving a Milestone A decision, if such a decision is required.

(3) **AVAILABILITY OF FUNDS.**—Using amounts authorized to be appropriated for fiscal year 2016 by section 201 and available for research, development, test, and evaluation, Defense-wide, or otherwise made available, the Secretary of Defense shall carry out the development of capabilities pursuant to paragraph (1) that are recommended by the Chairman of the Joint Chiefs of Staff to meet military requirements and current capability gaps with respect to missiles described in paragraph (1). In making such a recommendation, the Chairman shall give priority to such capabilities that the Chairman determines could be tested and fielded most expediently, with the most priority given to capabilities that the Chairman determines could be fielded in two years.

(4) **OTHER RESPONSE OPTIONS.**—The Secretary of Defense shall also include in the plan required by paragraph (1) such other options as the Secretary of Defense or the Secretary of State consider useful to encourage the Russian Federation to return to full compliance with the INF Treaty or necessary to respond to the failure of the Russian Federation to return to full compliance with the INF Treaty.

(5) **REPORTS ON DEVELOPMENT.**—

(A) **IN GENERAL.**—During each 180-day period beginning on the date on which funds are first obligated to develop capabilities under paragraph (1), the Chairman of the Joint Chiefs of Staff shall submit to the appropriate congressional committees a report on such capabilities, including the costs of development (and estimated total costs of each system if pursued to deployment) and the time for development flight testing and deployment.

(B) **SUNSET.**—The provisions of subparagraph (A) shall not be in effect after the date on which the President certifies to the appropriate congressional committees that the INF Treaty is no longer in force or the Russian Federation has fully returned to compliance with its obligations under the INF Treaty.

(6) **REPORT ON DEPLOYMENT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of State, submit to the appropriate congressional committees a report on the following:

(A) Potential deployment locations of the military capabilities described in paragraph

(1) in East Asia and Eastern Europe, including any potential basing agreements that may be required to facilitate such deployments.

(B) Any required safety and security measures, estimates of potential costs of deployments described in subparagraph (A) and an assessment of whether or not such deployments in Eastern Europe may require a decision of the North Atlantic Council.

(e) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) **INF TREATY.**—The term “INF Treaty” means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the Intermediate-Range Nuclear Forces (INF) Treaty, signed at Washington, December 8, 1987, and entered into force June 1, 1988.

SEC. 1244. MODIFICATION OF NOTIFICATION AND ASSESSMENT OF PROPOSAL TO MODIFY OR INTRODUCE NEW AIRCRAFT OR SENSORS FOR FLIGHT BY THE RUSSIAN FEDERATION UNDER THE OPEN SKIES TREATY.

(a) **IN GENERAL.**—Section 1242(b) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3563) is amended—

(1) in paragraph (1), by striking “30 days” and inserting “90 days”; and

(2) in paragraph (2)—

(A) in the paragraph caption, by striking “ELEMENT” and inserting “ELEMENTS”; and

(B) by adding at the end the following new sentence: “The assessment shall also include an assessment of the proposal by the commander of each combatant command potentially affected by the proposal, including an assessment of the potential effects of the proposal on operations and any potential vulnerabilities raised by the proposal.”.

(b) **LIMITATION ON AVAILABILITY OF FUNDS.**—Not more than 75 percent of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Air Force, for arms control implementation (PE 0305145F) may be obligated or expended until the Secretary of Defense, in coordination with the Secretary of State, submits to the appropriate committees of Congress a report on the following:

(1) A description of any meetings of the Open Skies Consultative Commission during the prior year.

(2) A description of any agreements entered into during such meetings of the Open Skies Consultative Commission.

(3) A description of any future year proposals for modifications to the aircraft or sensors of any State Party to the Open Skies Treaty that will be subject to the Open Skies Treaty.

(c) **DEFINITIONS.**—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(2) The term “Open Skies Treaty” means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

SEC. 1245. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.

(a) **PROHIBITION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense may be obligated or expended to implement any activity that recognizes the sovereignty of the Russian Federation over Crimea.

(b) **WAIVER.**—The Secretary of Defense may waive the restriction on the obligation or expenditure of funds required by subsection (a) if the Secretary—

(1) determines that to do so is in the national interest of the United States; and

(2) submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a notification of the waiver at the time the waiver is invoked.

SEC. 1246. LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

(a) **LIMITATION.**—None of the funds authorized to be appropriated for fiscal year 2016 for the Department of Defense may be used for any bilateral military-to-military cooperation between the Governments of the United States and the Russian Federation until the Secretary of Defense, in coordination with the Secretary of State, certifies to the appropriate congressional committees that—

(1) the Russian Federation has ceased its occupation of Ukrainian territory and its aggressive activities that threaten the sovereignty and territorial integrity of Ukraine and members of the North Atlantic Treaty Organization; and

(2) the Russian Federation is abiding by the terms of and taking steps in support of the Minsk Protocols regarding a ceasefire in eastern Ukraine.

(b) **NONAPPLICABILITY.**—The limitation in subsection (a) shall not apply to—

(1) any activities necessary to ensure the compliance of the United States with its obligations or the exercise of rights of the United States under any bilateral or multilateral arms control or nonproliferation agreement or any other treaty obligation of the United States; and

(2) any activities required to provide logistical or other support to the conduct of United States or North Atlantic Treaty Organization military operations in Afghanistan or the withdrawal from Afghanistan.

(c) **WAIVER.**—The Secretary of Defense may waive the limitation in subsection (a) if the Secretary of Defense, in coordination with the Secretary of State—

(1) determines that the waiver is in the national security interest of the United States; and

(2) submits to the appropriate congressional committees—

(A) a notification that the waiver is in the national security interest of the United States and a description of the national security interest covered by the waiver; and

(B) a report explaining why the Secretary of Defense cannot make the certification under subsection (a).

(d) **EXCEPTION FOR CERTAIN MILITARY BASES.**—The certification requirement specified in paragraph (1) of subsection (a) shall

not apply to military bases of the Russian Federation in Ukraine's Crimean peninsula operating in accordance with its 1997 agreement on the Status and Conditions of the Black Sea Fleet Stationing on the Territory of Ukraine.

(e) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1247. REPORT ON IMPLEMENTATION OF THE NEW START TREATY.

(a) **REPORT.**—

(1) **IN GENERAL.**—During each year described in paragraph (2), the President shall transmit to the appropriate congressional committees a report explaining the reasons that the continued implementation of the New START Treaty is in the national security interests of the United States.

(2) **YEAR DESCRIBED.**—A year described in this paragraph is a year in which the President implements the New START Treaty and determines that any of the following circumstances apply:

(A) The Russian Federation illegally occupies Ukrainian territory.

(B) The Russian Federation is not respecting the sovereignty of all Ukrainian territory.

(C) The Russian Federation is not in full compliance with the INF treaty.

(D) The Russian Federation is not in compliance with the CFE Treaty and has not lifted its suspension of Russian observance of its treaty obligations.

(E) The Russian Federation is not reducing its deployed strategic delivery vehicles.

(b) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) **CFE TREATY.**—The term “CFE Treaty” means the Treaty on Conventional Armed Forces in Europe, signed at Paris November 19, 1990, and entered into force July 17, 1992.

(3) **INF TREATY.**—The term “INF Treaty” means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the Intermediate-Range Nuclear Forces (INF) Treaty, signed at Washington December 8, 1987, and entered into force June 1, 1988.

(4) **NEW START TREATY.**—The term “New START Treaty” means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

SEC. 1248. ADDITIONAL MATTERS IN ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.

(a) **ADDITIONAL MATTERS.**—Subsection (b) of section 1245 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3566) is amended—

(1) by redesignating paragraphs (4) through (15) as paragraphs (7) through (18), respectively; and

(2) by inserting after paragraph (3) the following new paragraphs (4), (5), and (6):

“(4) An assessment of the force structure and capabilities of Russian military forces stationed in each of the Arctic, Kaliningrad, and Crimea, including a description of any changes to such force structure or capabilities during the one-year period ending on the date of such report and with a particular emphasis on the anti-access and area denial capabilities of such forces.

“(5) An assessment of Russian military strategy and objectives for the Arctic region.

“(6) A description of the status of testing, production, deployment, and sale or transfer to other states or non-state actors of the Club-K cruise missile system by the Russian Federation.”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to reports submitted under section 1245 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 after that date.

SEC. 1249. REPORT ON ALTERNATIVE CAPABILITIES TO PROCURE AND SUSTAIN NONSTANDARD ROTARY WING AIRCRAFT HISTORICALLY PROCURED THROUGH ROSOBORONEXPORT.

(a) **REPORT ON ASSESSMENT OF ALTERNATIVE CAPABILITIES.**—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall, in consultation with the Chairman of the Joint Chiefs of Staff, submit to the congressional defense committees a report setting forth an assessment, obtained by the Under Secretary for purposes of the report, of the feasibility and advisability of using alternative industrial base capabilities to procure and sustain, with parts and service, nonstandard rotary wing aircraft historically acquired through Rosoboronexport, or nonstandard rotary wing aircraft that are in whole or in part reliant upon Rosoboronexport for continued sustainment, in order to benefit United States national security interests.

(b) **INDEPENDENT ASSESSMENT.**—The assessment obtained for purposes of subsection (a) shall be conducted by a federally funded research and development center (FFRDC), or another appropriate independent entity with expertise in the procurement and sustainment of complex weapon systems, selected by the Under Secretary for purposes of the assessment.

(c) **ELEMENTS.**—The assessment obtained for purposes of subsection (a) shall include the following:

(1) An identification and assessment of international industrial base capabilities, other than Rosoboronexport, to provide one or more of the following:

(A) Means of procuring nonstandard rotary wing aircraft historically procured through Rosoboronexport.

(B) Reliable and timely supply of required and appropriate parts, spares, and consumables of such aircraft.

(C) Certifiable maintenance of such aircraft, including major periodic overhauls, damage repair, and modifications.

(D) Access to required reference data on such aircraft, including technical manuals and service bulletins.

(E) Credible certification of airworthiness of such aircraft through physical inspection, notwithstanding any current administrative requirements to the contrary.

(2) An assessment (including an assessment of associated costs and risks) of alterations to administrative processes of the United States Government that may be required to procure any of the capabilities specified in paragraph (1), including waivers to Department of Defense or Department of State requirements applicable to foreign military sales or alterations to procedures for approval of airworthiness certificates.

(3) An assessment of the potential economic impact to Rosoboronexport of procuring nonstandard rotary wing aircraft described in paragraph (1)(A) through entities other than Rosoboronexport.

(4) An assessment of the risks and benefits of using the entities identified pursuant to paragraph (1)(A) to procure aircraft described in that paragraph.

(5) Such other matters as the Under Secretary considers appropriate.

(d) **USE OF PREVIOUS STUDIES.**—The entity conducting the assessment for purposes of subsection (a) may use and incorporate information from previous studies on matters appropriate to the assessment.

(e) **FORM OF REPORT.**—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1250. UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) **AUTHORITY TO PROVIDE ASSISTANCE.**—Of the amounts authorized to be appropriated for fiscal year 2016 by title XV and available for overseas contingency operations as specified in the funding tables in division D, \$300,000,000 shall be available to the Secretary of Defense, in coordination with the Secretary of State, to provide appropriate security assistance and intelligence support, including training, equipment, and logistics support, supplies and services, to military and other security forces of the Government of Ukraine for the purposes as follows:

(1) To enhance the capabilities of the military and other security forces of the Government of Ukraine to defend against further aggression.

(2) To assist Ukraine in developing the combat capability to defend its sovereignty and territorial integrity.

(3) To support the Government of Ukraine in defending itself against actions by Russia and Russian-backed separatists that violate the ceasefire agreements of September 4, 2014, and February 11, 2015.

(b) **APPROPRIATE SECURITY ASSISTANCE AND INTELLIGENCE SUPPORT.**—For purposes of subsection (a), appropriate security assistance and intelligence support includes the following:

(1) Real time or near real time actionable intelligence, including by lease of such capabilities from United States commercial entities.

(2) Lethal assistance such as anti-armor weapon systems, mortars, crew-served weapons and ammunition, grenade launchers and ammunition, and small arms and ammunition.

(3) Counter-artillery radars, including medium-range and long-range counter-artillery radars that can detect and locate long-range artillery.

(4) Unmanned aerial tactical surveillance systems.

(5) Cyber capabilities.

(6) Counter-electronic warfare capabilities such as secure communications equipment and other electronic protection systems.

(7) Other electronic warfare capabilities.

(8) Training required to maintain and employ systems and capabilities described in paragraphs (1) through (7).

(9) Training for critical combat operations such as planning, command and control, small unit tactics, counter-artillery tactics, logistics, countering improvised explosive devices, battle-field first aid, post-combat treatment, and medical evacuation.

(C) AVAILABILITY OF FUNDS.—

(1) TRAINING.—Up to 20 percent of the amount available pursuant to subsection (a) may be used to support training pursuant to section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 2151 note), relating to the Global Security Contingency Fund.

(2) DEFENSIVE LETHAL ASSISTANCE.—Subject to paragraph (3), of the amount available pursuant to subsection (a), \$50,000,000 shall be available only for lethal assistance described in paragraphs (2) and (3) of subsection (b).

(3) OTHER PURPOSES.—The amount described in paragraph (2) shall be available for purposes other than lethal assistance referred to in that paragraph commencing on the date that is six months after the date of the enactment of this Act if the Secretary of Defense, with the concurrence of the Secretary of State, certifies to the congressional defense committees that the use of such amount for purposes of such lethal assistance is not in the national security interests of the United States. The purposes for which the amount may be used pursuant to this paragraph include the following:

(A) Assistance or support to national-level security forces of other Partnership for Peace nations that the Secretary of Defense determines to be appropriate to assist in preserving their sovereignty and territorial integrity against Russian aggression.

(B) Exercises and training support of national-level security forces of Partnership for Peace nations or the Government of Ukraine that the Secretary of Defense determines to be appropriate to assist in preserving their sovereignty and territorial integrity against Russian aggression.

(D) UNITED STATES INVENTORY AND OTHER SOURCES.—

(1) IN GENERAL.—In addition to any assistance provided pursuant to subsection (a), the Secretary of Defense is authorized, with the concurrence of the Secretary of State, to make available to the Government of Ukraine weapons and other defense articles, from the United States inventory and other sources, and defense services, in such quantity as the Secretary of Defense determines to be appropriate to achieve the purposes specified in subsection (a).

(2) REPLACEMENT.—Amounts for the replacement of any items provided to the Government of Ukraine pursuant to paragraph (1) shall be derived from the amount available pursuant to subsection (a) or amounts authorized to be appropriated for the Department of Defense for overseas contingency operations for weapons procurement.

(E) CONSTRUCTION OF AUTHORIZATION.—Nothing in this section shall be construed to constitute a specific statutory authorization for the introduction of United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

(F) TERMINATION OF AUTHORITY.—Assistance may not be provided under the authority in this section after December 31, 2017.

(G) EXTENSION OF REPORTS ON MILITARY ASSISTANCE TO UKRAINE.—Section 1275(e) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3592) is amended by striking “January 31, 2017” and inserting “December 31, 2017”.

SEC. 1251. TRAINING FOR EASTERN EUROPEAN NATIONAL MILITARY FORCES IN THE COURSE OF MULTILATERAL EXERCISES.

(A) AUTHORITY.—The Secretary of Defense may provide the training specified in subsection (b), and pay the incremental expenses incurred by a country as the direct result of participation in such training, for the national military forces provided for under subsection (c).

(B) TYPES OF TRAINING.—The training provided to the national military forces of a country under subsection (a) shall be limited to training that is—

(1) provided in the course of the conduct of a multilateral exercise in which the United States Armed Forces are a participant;

(2) comparable to or complimentary of the types of training the United States Armed Forces receive in the course of such multilateral exercise; and

(3) for any purpose as follows:

(A) To enhance and increase the interoperability of the military forces to be trained to increase their ability to participate in coalition efforts led by the United States or the North Atlantic Treaty Organization (NATO).

(B) To increase the capacity of such military forces to respond to external threats.

(C) To increase the capacity of such military forces to respond to hybrid warfare.

(D) To increase the capacity of such military forces to respond to calls for collective action within the North Atlantic Treaty Organization.

(C) ELIGIBLE COUNTRIES.—

(1) IN GENERAL.—Training may be provided under subsection (a) to the national military forces of the countries determined by the Secretary of Defense, with the concurrence of the Secretary of State, to be appropriate recipients of such training from among the countries as follows:

(A) Countries that are a signatory to the Partnership for Peace Framework Documents, but not a member of the North Atlantic Treaty Organization.

(B) Countries that became a member of the North Atlantic Treaty Organization after January 1, 1999.

(2) ELIGIBLE COUNTRIES.—Before providing training under subsection (a), the Secretary of Defense shall, in coordination with the Secretary of State, submit to the Committees on Armed Services of the Senate and the House of Representatives a list of the countries determined pursuant to paragraph (1) to be eligible for the provision of training under subsection (a).

(D) FUNDING OF INCREMENTAL EXPENSES.—

(1) ANNUAL FUNDING.—Of the amounts specified in paragraph (2) for a fiscal year, up to a total of \$28,000,000 may be used to pay incremental expenses under subsection (a) in that fiscal year.

(2) AMOUNTS.—The amounts specified in this paragraph are as follows:

(A) Amounts authorized to be appropriated for a fiscal year for operation and maintenance, Army, and available for the Combatant Commands Direct Support Program for that fiscal year.

(B) Amounts authorized to be appropriated for a fiscal year for operation and maintenance, Defense-wide, and available for the Wales Initiative Fund for that fiscal year.

(3) AVAILABILITY OF FUNDS FOR ACTIVITIES ACROSS FISCAL YEARS.—Amounts available in a fiscal year pursuant to this subsection may be used for incremental expenses of training that begins in that fiscal year and ends in the next fiscal year.

(E) BRIEFING TO CONGRESS ON USE OF AUTHORITY.—Not later than 90 days after the

end of each fiscal year in which the authority in subsection (a) is used, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives on the use of the authority during such fiscal year, including each country with which training under the authority was conducted and the types of training provided.

(F) CONSTRUCTION OF AUTHORITY.—The authority provided in subsection (a) is in addition to any other authority provided by law authorizing the provision of training for the national military forces of a foreign country, including section 2282 of title 10, United States Code.

(G) INCREMENTAL EXPENSES DEFINED.—In this section, the term “incremental expenses” means the reasonable and proper cost of the goods and services that are consumed by a country as a direct result of that country’s participation in training under the authority of this section, including rations, fuel, training ammunition, and transportation. Such term does not include pay, allowances, and other normal costs of a country’s personnel.

(H) TERMINATION OF AUTHORITY.—The authority under this section shall terminate on September 30, 2017. Any activity under this section initiated before that date may be completed, but only using funds available for fiscal years 2016 through 2017.

Subtitle F—Matters Relating to the Asia-Pacific Region

SEC. 1261. STRATEGY TO PROMOTE UNITED STATES INTERESTS IN THE INDO-ASIA-PACIFIC REGION.

(A) STRATEGY.—Not later than March 1, 2017, the President shall develop an overall strategy to promote United States interests in the Indo-Asia-Pacific region. Such strategy shall be informed by, but not limited to, the following:

(1) The national security strategy of the United States for 2015 set forth in the national security strategy report required under section 108(a)(3) of the National Security Act of 1947 (50 U.S.C. 5043(a)(3)), as such strategy relates to United States interests in the Indo-Asia-Pacific region.

(2) The 2014 Quadrennial Defense Review, as it relates to United States interests in the Indo-Asia-Pacific region.

(3) The 2015 Quadrennial Diplomacy and Development Review, as it relates to United States interests in the Indo-Asia-Pacific region.

(4) The strategy to prioritize United States defense interests in the Asia-Pacific region as contained in the report required by section 1251(a) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291).

(5) The integrated, multi-year planning and budget strategy for a rebalancing of United States policy in Asia submitted to Congress pursuant to section 7043(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of the Consolidated Appropriations Act, 2014 (Public Law 113-76)).

(B) PRESIDENTIAL POLICY DIRECTIVE.—The President shall issue a Presidential Policy Directive to appropriate departments and agencies of the United States Government that contains the strategy developed under subsection (a) and includes implementing guidance to such departments and agencies.

(C) RELATION TO AGENCY PRIORITY GOALS AND ANNUAL BUDGET.—

(1) AGENCY PRIORITY GOALS.—In identifying agency priority goals under section 1120(b) of title 31, United States Code, for each appropriate department and agency of the United

States Government, the head of such department or agency, or as otherwise determined by the Director of the Office of Management and Budget, shall take into consideration the strategy developed under subsection (a) and the Presidential Policy Directive issued under subsection (b).

(2) **ANNUAL BUDGET.**—The President, acting through the Director of the Office of Management and Budget, shall ensure that the annual budget submitted to Congress under section 1105 of title 31, United States Code, includes a separate section that clearly highlights programs and projects that are being funded in the annual budget that relate to the strategy developed under subsection (a) and the Presidential Policy Directive issued under subsection (b).

SEC. 1262. REQUIREMENT TO SUBMIT DEPARTMENT OF DEFENSE POLICY REGARDING FOREIGN DISCLOSURE OR TECHNOLOGY RELEASE OF AEGIS ASHORE CAPABILITY TO JAPAN.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that a decision by the Government of Japan to purchase Aegis Ashore for its self-defense, given that it already possesses sea-based Aegis weapons system-equipped naval vessels, could create a significant opportunity for promoting interoperability and integration of air- and missile defense capability, could provide for force multiplication benefits, and could potentially alleviate force posture requirements on multi-mission assets.

(b) **REQUIREMENT TO SUBMIT POLICY.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a copy of the Department of Defense policy regarding foreign disclosure or technology release of Aegis Ashore capability to Japan.

(c) **DEFINITION.**—In this section, the term “appropriate congressional committees” means—

- (1) the congressional defense committees; and
- (2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1263. SOUTH CHINA SEA INITIATIVE.

(a) **ASSISTANCE AND TRAINING.**—

(1) **IN GENERAL.**—The Secretary of Defense is authorized, with the concurrence of the Secretary of State, for the purpose of increasing maritime security and maritime domain awareness of foreign countries along the South China Sea—

(A) to provide assistance to national military or other security forces of such countries that have among their functional responsibilities maritime security missions; and

(B) to provide training to ministry, agency, and headquarters level organizations for such forces.

(2) **DESIGNATION OF ASSISTANCE AND TRAINING.**—The provision of assistance and training under this section may be referred to as the “South China Sea Initiative”.

(b) **RECIPIENT COUNTRIES.**—The foreign countries that may be provided assistance and training under subsection (a) are the following:

- (1) Indonesia.
- (2) Malaysia.
- (3) The Philippines.
- (4) Thailand.
- (5) Vietnam.

(c) **TYPES OF ASSISTANCE AND TRAINING.**—

(1) **AUTHORIZED ELEMENTS OF ASSISTANCE.**—Assistance provided under subsection (a)(1)(A) may include the provision of equip-

ment, supplies, training, and small-scale military construction.

(2) **REQUIRED ELEMENTS OF ASSISTANCE AND TRAINING.**—Assistance and training provided under subsection (a) shall include elements that promote the following:

(A) Observance of and respect for human rights and fundamental freedoms.

(B) Respect for legitimate civilian authority within the country to which the assistance is provided.

(d) **PRIORITIES FOR ASSISTANCE AND TRAINING.**—In developing programs for assistance or training to be provided under subsection (a), the Secretary of Defense shall accord a priority to assistance, training, or both that will enhance the maritime capabilities of the recipient foreign country, or a regional organization of which the recipient country is a member, to respond to emerging threats to maritime security.

(e) **INCREMENTAL EXPENSES OF PERSONNEL OF CERTAIN OTHER COUNTRIES FOR TRAINING.**—

(1) **AUTHORITY FOR PAYMENT.**—If the Secretary of Defense determines that the payment of incremental expenses in connection with training described in subsection (a)(1)(B) will facilitate the participation in such training of organization personnel of foreign countries specified in paragraph (2), the Secretary may use amounts available under subsection (f) for assistance and training under subsection (a) for the payment of such incremental expenses.

(2) **COVERED COUNTRIES.**—The foreign countries specified in this paragraph are the following:

- (A) Brunei.
- (B) Singapore.
- (C) Taiwan.

(f) **AVAILABILITY OF FUNDS.**—

(1) **IN GENERAL.**—Of the amounts authorized to be appropriated for fiscal year 2016 for the Department of Defense, \$50,000,000 may be available for the provision of assistance and training under subsection (a).

(2) **NOTICE ON SOURCE OF FUNDS.**—If the Secretary of Defense uses funds available to the Department pursuant to paragraph (1) to provide assistance and training under subsection (a) during a fiscal half-year of fiscal year 2016, not later than 30 days after the end of such fiscal half-year, the Secretary shall submit to the congressional defense committees a notice on the account or accounts providing such funds.

(g) **NOTICE TO CONGRESS ON ASSISTANCE AND TRAINING.**—

(1) **IN GENERAL.**—Not later than 15 days before exercising the authority under subsection (a) or (e) with respect to a recipient foreign country, the Secretary of Defense shall submit to the appropriate committees of Congress a notification containing the following:

(A) The recipient foreign country.

(B) A detailed justification of the program for the provision of the assistance or training concerned, and its relationship to United States security interests.

(C) The budget for the program, including a timetable of planned expenditures of funds to implement the program, an implementation timeline for the program with milestones (including anticipated delivery schedules for any assistance under the program), the military department or component responsible for management of the program, and the anticipated completion date for the program.

(D) A description of the arrangements, if any, to support host nation sustainment of any capability developed pursuant to the

program, and the source of funds to support sustainment efforts and performance outcomes to be achieved under the program beyond its completion date, if applicable.

(E) A description of the program objectives and an assessment framework to be used to develop capability and performance metrics associated with operational outcomes for the recipient force.

(F) Such other matters as the Secretary considers appropriate.

(2) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(h) **EXPIRATION.**—Assistance and training may not be provided under this section after September 30, 2020.

Subtitle G—Other Matters

SEC. 1271. TWO-YEAR EXTENSION AND MODIFICATION OF AUTHORIZATION FOR NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.

(a) **EXTENSION.**—Subsection (h) of section 943 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4579), as most recently amended by section 1261(a) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291), is further amended by striking “2016” and inserting “2018”.

(b) **REVISION TO ANNUAL LIMITATION ON FUNDS.**—Subsection (a) of such section 943 is amended—

(1) by striking “Upon” and inserting the following:

“(1) **IN GENERAL.**—Upon”;

(2) by striking “an amount” and all that follows through “may be” and inserting “amounts appropriated or otherwise made available for the Department of Defense for operation and maintenance may be”; and

(3) by adding at the end the following new paragraph:

“(2) **ANNUAL LIMIT.**—The total amount made available for support of non-conventional assisted recovery activities under this subsection in any fiscal year may not exceed \$25,000,000.”.

(c) **OVERSIGHT.**—Subsection (b) of such section 943 is amended—

(1) by striking “(b) PROCEDURES.—The Secretary” and inserting the following:

“(b) **PROCEDURES AND OVERSIGHT.**—

“(1) **PROCEDURES.**—The Secretary”; and

(2) by adding at the end the following new paragraph:

“(2) **PROGRAMMATIC AND POLICY OVERSIGHT.**—The Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict shall have primary programmatic and policy oversight of non-conventional assisted recovery activities authorized by this section.”.

SEC. 1272. AMENDMENT TO THE ANNUAL REPORT UNDER ARMS CONTROL AND DISARMAMENT ACT.

Subsection (e) of section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a) is amended to read as follows:

“(e) **ANNUAL REPORT.**—

“(1) **IN GENERAL.**—Not later than June 15 of each year described in paragraph (2), the Director of National Intelligence shall submit to the appropriate congressional committees

a report that contains a detailed assessment, consistent with the provision of classified information and intelligence sources and methods, of the adherence of other nations to obligations undertaken in all arms control, nonproliferation, and disarmament agreements or commitments to which the United States is a party, including information of cases in which any such nation has behaved inconsistently with respect to its obligations undertaken in such agreements or commitments.

“(2) COVERED YEAR.—A year described in this paragraph is a year in which the President fails to submit the report required by subsection (a) by not later than April 15 of such year.

“(3) FORM.—The report required by this subsection shall be submitted in unclassified form, but may contain a classified annex if necessary.”.

SEC. 1273. EXTENSION OF AUTHORIZATION TO CONDUCT ACTIVITIES TO ENHANCE THE CAPABILITY OF FOREIGN COUNTRIES TO RESPOND TO INCIDENTS INVOLVING WEAPONS OF MASS DESTRUCTION.

Section 1204(h) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 897; 10 U.S.C. 401 note) is amended by striking “September 30, 2017” and inserting “September 30, 2019”.

SEC. 1274. MODIFICATION OF AUTHORITY FOR SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.

(a) AUTHORITY.—Subsection (a) of section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 118 Stat. 2086), as most recently amended by section 1208(a) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3541), is further amended by striking “\$75,000,000” and inserting “\$85,000,000”.

(b) NOTIFICATION.—Subsection (c)(1) of such section 1208, as most recently amended by section 1202(b) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2511), is further amended—

(1) by striking “Upon using” and inserting “Not later than 15 days before exercising”;

(2) by striking “for support” and inserting “to initiate support”;

(3) by inserting after “for such an operation,” the following: “or not later than 48 hours after exercising such authority provided in subsection (a) if the Secretary of Defense determines that extraordinary circumstances that impact the national security of the United States exist,”; and

(4) by striking “expeditiously, and in any event within 48 hours,”.

(c) ANNUAL REPORT.—Subsection (f)(1) of such section 1208, as most recently amended by section 1202(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2512), is further amended by striking “Not later than 120 days after the close of each fiscal year during which subsection (a) is in effect” and inserting “Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, and every 180 days thereafter”.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) take effect on the date of the enactment of this Act and apply with respect to each fiscal year that begins on or after such date of enactment.

SEC. 1275. LIMITATION ON AVAILABILITY OF FUNDS TO IMPLEMENT THE ARMS TRADE TREATY.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or other-

wise made available for fiscal year 2016 for the Department of Defense may be obligated or expended to implement the Arms Trade Treaty, or to make any change to existing programs, projects, or activities as approved by Congress in furtherance of, pursuant to, or otherwise to implement the Arms Trade Treaty, unless the Arms Trade Treaty has received the advice and consent of the Senate and has been the subject of implementing legislation, as required, by Congress.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude the Department of Defense from assisting foreign countries in bringing their laws and regulations up to United States standards.

SEC. 1276. REPORT ON THE SECURITY RELATIONSHIP BETWEEN THE UNITED STATES AND THE REPUBLIC OF CYPRUS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate congressional committees a report on the security relationship between the United States and the Republic of Cyprus.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A description of ongoing military and security cooperation between the United States and the Republic of Cyprus.

(2) A discussion of potential steps for enhancing the bilateral security relationship between the United States and Cyprus, including steps to enhance the military and security capabilities of the Republic of Cyprus.

(3) An analysis of the effect on the bilateral security relationship of the United States policy to deny applications for licenses and other approvals for the export of defense articles and defense services to the armed forces of Cyprus.

(4) An analysis of the extent to which such United States policy is consistent with overall United States security and policy objectives in the region.

(5) An assessment of the potential impact of lifting such United States policy.

(c) DEFINITION.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1277. SENSE OF CONGRESS ON EUROPEAN DEFENSE AND THE NORTH ATLANTIC TREATY ORGANIZATION.

It is the sense of Congress that—

(1) it is in the national security and fiscal interests of the United States that prompt efforts should be undertaken by North Atlantic Treaty Organization allies to meet defense budget commitments made in Declaration 14 of the Wales Summit Declaration of September 2014;

(2) thoughtful and coordinated defense investments by European allies in military capabilities would add deterrence value to the posture of the North Atlantic Treaty Organization against Russian aggression and terrorist organizations and more appropriately balance the share of Atlantic defense spending;

(3) the United States Government should continue to support the open-door policy of the North Atlantic Treaty Organization, declared at the 2014 Summit in Wales that “NATO’s open-door will remain open to all European democracies which share the values of our Alliance, which are willing and able to assume the responsibilities and obli-

gations of membership, which are in a position to further the principles of the Treaty, and whose inclusion will contribute to the security of the North Atlantic area”; and

(4) the United States Government should—

(A) continue to work with aspirant countries to prepare such countries for entry into the North Atlantic Treaty Organization;

(B) work with the Republic of Kosovo to prepare the country for entrance into the Partnership for Peace (PfP) program;

(C) continue supporting a Membership Action Plan (MAP) for Georgia;

(D) encourage leaders of Macedonia and Greece to find a mutually agreeable solution to the name dispute between the two countries; and

(E) support North Atlantic Treaty Organization membership for Montenegro.

SEC. 1278. BRIEFING ON THE SALE OF CERTAIN FIGHTER AIRCRAFT TO QATAR.

(a) BRIEFING REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, shall, in consultation with the Secretary of State, provide the appropriate committees of Congress a briefing on the risks and benefits of the sale of fighter aircraft to Qatar pursuant to the July 2013 Letter of Request from the Government of Qatar.

(b) ELEMENTS.—The briefing required by subsection (a) shall include the following elements:

(1) A description of the assumptions regarding the increase to Qatar air force capabilities as a result of the sale described in subsection (a).

(2) A description of the assumptions regarding the impact of the items sold to Qatar pursuant to the sale on the preservation by Israel of a qualitative military edge.

(3) An estimated timeline for final adjudication of the decision to approve the sale.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1279. UNITED STATES-ISRAEL ANTI-TUNNEL COOPERATION.

(a) AUTHORITY TO ESTABLISH ANTI-TUNNEL CAPABILITIES PROGRAM WITH ISRAEL.—

(1) IN GENERAL.—The Secretary of Defense, upon request of the Ministry of Defense of Israel and in consultation with the Secretary of State and the Director of National Intelligence, is authorized to carry out research, development, test, and evaluation, on a joint basis with Israel, to establish anti-tunnel capabilities to detect, map, and neutralize underground tunnels that threaten the United States or Israel. Any activities carried out pursuant to such authority shall be conducted in a manner that appropriately protects sensitive information and United States and Israel national security interests.

(2) REPORT.—The activities described in paragraph (1) and subsection (b) may be carried out after the Secretary of Defense submits to the appropriate committees of Congress a report setting forth the following:

(A) A memorandum of agreement between the United States and Israel regarding sharing of research and development costs for the capabilities described in paragraph (1), and any supporting documents.

(B) A certification that the memorandum of agreement—

(i) requires sharing of costs of projects, including in-kind support, between the United States and Israel;

(ii) establishes a framework to negotiate the rights to any intellectual property developed under the memorandum of agreement; and

(iii) requires the United States Government to receive semiannual reports on expenditure of funds, if any, by the Government of Israel, including a description of what the funds have been used for, when funds were expended, and an identification of entities that expended the funds.

(b) **SUPPORT IN CONNECTION WITH PROGRAM.**—

(1) **IN GENERAL.**—The Secretary of Defense is authorized to provide maintenance and sustainment support to Israel for the anti-tunnel capabilities research, development, test, and evaluation activities authorized in subsection (a)(1). Such authority includes authority to install equipment necessary to carry out such research, development, test, and evaluation.

(2) **REPORT.**—Support may not be provided under paragraph (1) until 15 days after the Secretary submits to the appropriate committees of Congress a report setting forth a detailed description of the support to be provided.

(3) **MATCHING CONTRIBUTION.**—Support may not be provided under this subsection unless the Government of Israel contributes an amount not less than the amount of support to be so provided to the program, project, or activity for which the support is to be so provided.

(4) **ANNUAL LIMITATION ON AMOUNT.**—The amount of support provided under this subsection in any year may not exceed \$25,000,000.

(c) **LEAD AGENCY.**—The Secretary of Defense shall designate an appropriate research and development entity of a military department as the lead agency of the Department of Defense in carrying out this section.

(d) **SEMIANNUAL REPORTS.**—The Secretary of Defense shall submit to the appropriate committees of Congress on a semiannual basis a report that contains a copy of the most recent semiannual report provided by the Government of Israel to the Department of Defense pursuant to subsection (a)(2)(B)(iii).

(e) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(f) **SUNSET.**—The authority in this section to carry out activities described in subsection (a), and to provide support described in subsection (b), shall expire on December 31, 2018.

SEC. 1280. NATO SPECIAL OPERATIONS HEADQUARTERS.

Section 1244(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2541), as most recently amended by section 1272(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2023), is further amended by striking “each of fiscal years 2013, 2014, and 2015” and inserting “each of fiscal years 2013 through 2020”.

SEC. 1281. INCREASED PRESENCE OF UNITED STATES GROUND FORCES IN EASTERN EUROPE TO DETER AGGRESSION ON THE BORDER OF THE NORTH ATLANTIC TREATY ORGANIZATION.

(a) **REPORT.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the appropriate committees of Congress a report setting forth an assessment of options for expanding the presence of United States ground forces of the size of a Brigade Combat Team in Eastern Europe to respond, along with European allies and partners, to the security challenges posed by Russia and increase the combat capability of forces able to respond to unconventional or hybrid warfare tactics such as those used by the Russian Federation in Crimea and Eastern Ukraine.

(b) **ELEMENTS.**—The report under this section shall include the following:

(1) An evaluation of the optimal location or locations of the enhanced ground force presence described in subsection (a) that considers such factors as—

(A) proximity, suitability, and availability of maneuver and gunnery training areas;

(B) transportation capabilities;

(C) availability of facilities, including for potential equipment storage and prepositioning;

(D) ability to conduct multinational training and exercises;

(E) a site or sites for prepositioning of equipment, a rotational presence or permanent presence of troops, or a combination of options; and

(F) costs.

(2) A description of any initiatives by other members of the North Atlantic Treaty Organization, or other European allies and partners, for enhancing force presence on a permanent or rotational basis in Eastern Europe to match or exceed the potential increased presence of United States ground forces in the region.

(c) **ADDITIONAL ELEMENT ON REDUCTION IN TROOP LEVELS OR MATERIEL.**—In addition to the matters specified in subsection (b), the report under this section shall also include an assessment of any impacts on United States national security interests in Europe of any proposed Brigade-sized or other significant reduction in United States troop levels or materiel in Europe.

(d) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

TITLE XIII—COOPERATIVE THREAT REDUCTION

Sec. 1301. Specification of Cooperative Threat Reduction funds.

Sec. 1302. Funding allocations.

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.

(a) **FISCAL YEAR 2016 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.**—In this title, the term “fiscal year 2016 Cooperative Threat Reduction funds” means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for the Department of Defense Cooperative

Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711).

(b) **AVAILABILITY OF FUNDS.**—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2016, 2017, and 2018.

SEC. 1302. FUNDING ALLOCATIONS.

Of the \$358,496,000 authorized to be appropriated to the Department of Defense for fiscal year 2016 in section 301 and made available by the funding table in section 4301 for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, \$1,289,000.

(2) For chemical weapons destruction, \$942,000.

(3) For global nuclear security, \$20,555,000.

(4) For cooperative biological engagement, \$264,618,000.

(5) For proliferation prevention, \$38,945,000.

(6) For threat reduction engagement, \$2,827,000.

(7) For activities designated as Other Assessments/Administrative Costs, \$29,320,000.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

Sec. 1401. Working capital funds.

Sec. 1402. National Defense Sealift Fund.

Sec. 1403. Chemical Agents and Munitions Destruction, Defense.

Sec. 1404. Drug Interdiction and Counter-Drug Activities, Defense-wide.

Sec. 1405. Defense Inspector General.

Sec. 1406. Defense Health Program.

Sec. 1407. National Sea-Based Deterrence Fund.

Subtitle B—National Defense Stockpile

Sec. 1411. Extension of date for completion of destruction of existing stockpile of lethal chemical agents and munitions.

Subtitle C—Working-Capital Funds

Sec. 1421. Limitation on cessation or suspension of distribution of funds from Department of Defense working-capital funds.

Sec. 1422. Working-capital fund reserve account for petroleum market price fluctuations.

Subtitle D—Other Matters

Sec. 1431. Authority for transfer of funds to Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois.

Sec. 1432. Authorization of appropriations for Armed Forces Retirement Home.

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the National

Defense Sealift Fund, as specified in the funding table in section 4501.

SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) **USE.**—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1404. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1406. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the Defense Health Program, as specified in the funding table in section 4501, for use of the Armed Forces and other activities and agencies of the Department of Defense in providing for the health of eligible beneficiaries.

SEC. 1407. NATIONAL SEA-BASED DETERRENCE FUND.

There are authorized to be appropriated to the National Sea-Based Deterrence Fund such sums as may be necessary for fiscal year 2017.

Subtitle B—National Defense Stockpile

SEC. 1411. EXTENSION OF DATE FOR COMPLETION OF DESTRUCTION OF EXISTING STOCKPILE OF LETHAL CHEMICAL AGENTS AND MUNITIONS.

Section 1412(b)(3) of the Department of Defense Authorization Act, 1986 (Public Law 99-145; 50 U.S.C. 1521) is amended by striking “December 31, 2017” and inserting “December 31, 2023”.

Subtitle C—Working-Capital Funds

SEC. 1421. LIMITATION ON CESSATION OR SUSPENSION OF DISTRIBUTION OF FUNDS FROM DEPARTMENT OF DEFENSE WORKING-CAPITAL FUNDS.

Section 2208 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(s) **LIMITATION ON CESSATION OR SUSPENSION OF DISTRIBUTION OF FUNDS FOR CERTAIN WORKLOAD.**—(1) Except as provided in paragraph (2), the Secretary of Defense or the Secretary of a military department is not authorized—

“(A) to suspend the employment of indirectly funded Government employees of the Department of Defense who are paid for out of working-capital funds by ceasing or suspending the distribution of such funds; or

“(B) to cease or suspend the distribution of funds from a working-capital fund for a current project undertaken to carry out the functions or activities of the Department.

“(2) Paragraph (1) shall not apply with respect to a working-capital fund if—

“(A) the working-capital fund is insolvent; or

“(B) there are insufficient funds in the working-capital fund to pay labor costs for the current project concerned.

“(3) The Secretary of Defense or the Secretary of a military department may waive the limitation in paragraph (1) if such Secretary determines that the waiver is in the national security interests of the United States.

“(4) This subsection shall not be construed to provide for the exclusion of any particular category of employees of the Department of Defense from furlough due to absence of or inadequate funding.”.

SEC. 1422. WORKING-CAPITAL FUND RESERVE ACCOUNT FOR PETROLEUM MARKET PRICE FLUCTUATIONS.

Section 2208 of title 10, United States Code, as amended by section 1421, is further amended by adding at the end the following new subsection:

“(t) **MARKET FLUCTUATION ACCOUNT.**—(1) From amounts available for Working Capital Fund, Defense, the Secretary shall reserve up to \$1,000,000,000, to remain available without fiscal year limitation, for petroleum market price fluctuations. Such amounts may only be disbursed if the Secretary determines such a disbursement is necessary to absorb volatile market changes in fuel prices without affecting the standard price charged for fuel.

“(2) A budget request for the anticipated costs of fuel may not take into account the availability of funds reserved under paragraph (1).”.

Subtitle D—Other Matters

SEC. 1431. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) **AUTHORITY FOR TRANSFER OF FUNDS.**—Of the funds authorized to be appropriated for section 1406 and available for the Defense Health Program for operation and maintenance, \$120,387,000 may be transferred by the Secretary of Defense to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) **USE OF TRANSFERRED FUNDS.**—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

SEC. 1432. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2016 from the Armed Forces Retirement Home Trust Fund the sum of \$64,300,000 for the operation of the Armed Forces Retirement Home.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

Sec. 1501. Purpose and treatment of certain authorizations of appropriations.

Sec. 1502. Procurement.

Sec. 1503. Research, development, test, and evaluation.

Sec. 1504. Operation and maintenance.

Sec. 1505. Military personnel.

Sec. 1506. Working capital funds.

Sec. 1507. Drug Interdiction and Counter-Drug Activities, Defense-wide.

Sec. 1508. Defense Inspector General.

Sec. 1509. Defense Health program.

Sec. 1510. Counterterrorism Partnerships Fund.

Subtitle B—Financial Matters

Sec. 1521. Treatment as additional authorizations.

Sec. 1522. Special transfer authority.

Subtitle C—Limitations, Reports, and Other Matters

Sec. 1531. Afghanistan Security Forces Fund.

Sec. 1532. Joint Improvised Explosive Device Defeat Fund.

Sec. 1533. Availability of Joint Improvised Explosive Device Defeat Fund for training of foreign security forces to defeat improvised explosive devices.

Sec. 1534. Comptroller General report on use of certain funds provided for operation and maintenance.

Subtitle A—Authorization of Appropriations

SEC. 1501. PURPOSE AND TREATMENT OF CERTAIN AUTHORIZATIONS OF APPROPRIATIONS.

(a) **PURPOSE.**—The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2016 to provide additional funds—

(1) for overseas contingency operations being carried out by the Armed Forces, in such amounts as may be designated as provided in section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985; and

(2) pursuant to section 1504, for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4303.

(b) SUPPORT OF BASE BUDGET REQUIREMENTS; TREATMENT.—

(1) **IN GENERAL.**—Funds identified in paragraph (2) of subsection (a) are being authorized to be appropriated in support of base budget requirements as requested by the President for fiscal year 2016 pursuant to section 1105(a) of title 31, United States Code.

(2) **APPORTIONMENT.**—The Director of the Office of Management and Budget shall apportion the funds identified in paragraph (2) of subsection (a) to the Department of Defense without restriction, limitation, or constraint on the execution of such funds in support of base requirements, including any restriction, limitation, or constraint imposed by, or described in, the document entitled “Criteria for War/Overseas Contingency Operations Funding Requests” transmitted by the Director to the Department of Defense on September 9, 2010, or any successor or related guidance.

(3) **EXECUTION AND USE.**—The Secretary of Defense shall apportion, use, and execute the funds apportioned by the Director of the Office of Management and Budget as described in paragraph (2) of this subsection without restriction, limitation, or constraint on the

execution of such funds in support of base requirements, including any restriction, limitation, or constraint specifically described in paragraph (2) of this subsection.

SEC. 1502. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2016 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.

SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

SEC. 1504. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in—

- (1) the funding table in section 4302, or
- (2) the funding table in section 4303.

SEC. 1505. MILITARY PERSONNEL.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4402.

SEC. 1506. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

SEC. 1508. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

SEC. 1509. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

SEC. 1510. COUNTERTERRORISM PARTNERSHIPS FUND.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for the Counterterrorism Partnerships Fund, as specified in the funding table in section 4502.

(b) DURATION OF AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available for obligation through September 30, 2017.

Subtitle B—Financial Matters

SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts oth-

erwise authorized to be appropriated by this Act.

SEC. 1522. SPECIAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2016 between any such authorizations for that fiscal year (or any subdivisions thereof).

(2) EFFECT OF TRANSFER.—Amounts of authorizations transferred under this subsection shall be merged with and be available for the same purposes as the authorization to which transferred.

(3) LIMITATIONS.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed \$3,500,000,000.

(4) EXCEPTION.—In the case of the authorization of appropriations contained in section 1504 that is provided for the purpose specified in section 1501(a)(2), the transfer authority provided under section 1001, rather than the transfer authority provided by this subsection, shall apply to any transfer of amounts of such authorization.

(b) TERMS AND CONDITIONS.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

Subtitle C—Limitations, Reports, and Other Matters

SEC. 1531. AFGHANISTAN SECURITY FORCES FUND.

(a) CONTINUATION OF PRIOR AUTHORITIES AND NOTICE AND REPORTING REQUIREMENTS.—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2016 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4424).

(b) EQUIPMENT DISPOSITION.—

(1) ACCEPTANCE OF CERTAIN EQUIPMENT.—Subject to paragraph (2), the Secretary of Defense may accept equipment that is procured using amounts in the Afghanistan Security Forces Fund authorized under this Act and is intended for transfer to the security forces of Afghanistan, but is not accepted by such security forces.

(2) CONDITIONS ON ACCEPTANCE OF EQUIPMENT.—Before accepting any equipment under the authority provided by paragraph (1), the Commander of United States forces in Afghanistan shall make a determination that the equipment was procured for the purpose of meeting requirements of the security forces of Afghanistan, as agreed to by both the Government of Afghanistan and the United States, but is no longer required by such security forces or was damaged before transfer to such security forces.

(3) ELEMENTS OF DETERMINATION.—In making a determination under paragraph (2) regarding equipment, the Commander of United States forces in Afghanistan shall consider alternatives to Secretary of Defense acceptance of the equipment. An explanation of each determination, including the basis for the determination and the alternatives

considered, shall be included in the relevant quarterly report required under paragraph (5).

(4) TREATMENT AS DEPARTMENT OF DEFENSE STOCKS.—Equipment accepted under the authority provided by paragraph (1) may be treated as stocks of the Department of Defense upon notification to the congressional defense committees of such treatment.

(5) QUARTERLY REPORTS ON EQUIPMENT DISPOSITION.—Not later than 90 days after the date of the enactment of this Act and every 90-day period thereafter during which the authority provided by paragraph (1) is exercised, the Secretary of Defense shall submit to the congressional defense committees a report describing the equipment accepted under this subsection, section 1531(d) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 938; 10 U.S.C. 2302 note), and section 1532(b) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3612) during the period covered by the report. Each report shall include a list of all equipment that was accepted during the period covered by the report and treated as stocks of the Department and copies of the determinations made under paragraph (2), as required by paragraph (3).

(c) PLAN TO PROMOTE SECURITY OF AFGHAN WOMEN.—

(1) REPORTING REQUIREMENT.—The Secretary of Defense, with the concurrence of the Secretary of State, shall include in the report required under section 1225 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3550)—

(A) an assessment of the security of Afghan women and girls, including information regarding efforts to increase the recruitment and retention of women in the Afghan National Security Forces; and

(B) an assessment of the implementation of the plans for the recruitment, integration, retention, training, treatment, and provision of appropriate facilities and transportation for women in the Afghan National Security Forces, including the challenges associated with such implementation and the steps being taken to address those challenges.

(2) PLAN REQUIRED.—

(A) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, shall support, to the extent practicable, the efforts of the Government of Afghanistan to promote the security of Afghan women and girls during and after the security transition process through the development and implementation by the Government of Afghanistan of an Afghan-led plan that should include the elements described in this paragraph.

(B) TRAINING.—The Secretary of Defense, with the concurrence of the Secretary of State and working with the NATO-led Resolute Support mission, should encourage the Government of Afghanistan to develop—

(i) measures for the evaluation of the effectiveness of existing training for Afghan National Security Forces on this issue;

(ii) a plan to increase the number of female security officers specifically trained to address cases of gender-based violence, including ensuring the Afghan National Police's Family Response Units have the necessary resources and are available to women across Afghanistan;

(iii) mechanisms to enhance the capacity for units of National Police's Family Response Units to fulfill their mandate as well

as indicators measuring the operational effectiveness of these units;

(iv) a plan to address the development of accountability mechanisms for Afghanistan National Army and Afghanistan National Police personnel who violate codes of conduct related to the human rights of women and girls, including female members of the Afghan National Security Forces; and

(v) a plan to develop training for the Afghanistan National Army and the Afghanistan National Police to increase awareness and responsiveness among Afghanistan National Army and Afghanistan National Police personnel regarding the unique security challenges women confront when serving in those forces.

(C) **ENROLLMENT AND TREATMENT.**—The Secretary of Defense, with the concurrence of the Secretary of State and in cooperation with the Afghan Ministries of Defense and Interior, shall seek to assist the Government of Afghanistan in including as part of the plan developed under subparagraph (A) the development and implementation of a plan to increase the number of female members of the Afghanistan National Army and the Afghanistan National Police and to promote their equal treatment, including through such steps as providing appropriate equipment, modifying facilities, and ensuring literacy and gender awareness training for recruits.

(D) **ALLOCATION OF FUNDS.**—

(i) **IN GENERAL.**—Of the funds available to the Department of Defense for the Afghan Security Forces Fund for fiscal year 2016, it is the goal that \$25,000,000, but in no event less than \$10,000,000, shall be used for—

(I) the recruitment, integration, retention, training, and treatment of women in the Afghan National Security Forces; and

(II) the recruitment, training, and contracting of female security personnel for future elections.

(ii) **TYPES OF PROGRAMS AND ACTIVITIES.**—Such programs and activities may include—

(I) efforts to recruit women into the Afghan National Security Forces, including the special operations forces;

(II) programs and activities of the Afghan Ministry of Defense Directorate of Human Rights and Gender Integration and the Afghan Ministry of Interior Office of Human Rights, Gender and Child Rights;

(III) development and dissemination of gender and human rights educational and training materials and programs within the Afghan Ministry of Defense and the Afghan Ministry of Interior;

(IV) efforts to address harassment and violence against women within the Afghan National Security Forces;

(V) improvements to infrastructure that address the requirements of women serving in the Afghan National Security Forces, including appropriate equipment for female security and police forces, and transportation for policewomen to their station;

(VI) support for Afghanistan National Police Family Response Units; and

(VII) security provisions for high-profile female police and army officers.

SEC. 1532. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.

(a) **USE AND TRANSFER OF FUNDS.**—Subsections (b) and (c) of section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2439), as in effect before the amendments made by section 1503 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4649), shall apply to the funds made

available for fiscal year 2016 to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund.

(b) **EXTENSION OF INTERDICTION OF IMPROVISED EXPLOSIVE DEVICE PRECURSOR CHEMICALS AUTHORITY.**—Section 1532(c) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2057) is amended—

(1) in paragraph (1), by inserting “and for fiscal year 2016,” after “fiscal year 2013”; and

(2) in paragraph (4), as most recently amended by section 1533(c) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3615), by striking “December 31, 2015” and inserting “December 31, 2016”.

(c) **PLAN FOR TRANSITION.**—Not later than January 31, 2016, the Secretary of Defense shall submit to the congressional defense committees a plan and timeline for each of the following:

(1) The full and complete transition of the activities, functions, and resources of the Joint Improvised-Threat Defeat Agency to an office under the authority, direction, and control of a military department or a Defense Agency in existence as of October 1, 2015.

(2) The transition of the Joint Improvised Explosive Device Defeat Fund to a successor fund that provides for the continuation of current flexibility in funding the activities supported and enabled by the Fund.

(3) The transition of the Counter-Improvised Explosive Device Operations/Intelligence Integration Center of the Joint Improvised-Threat Defeat Agency to an element of a military department or a Defense Agency in existence as of October 1, 2015.

(4) The transition of the research, development, and acquisition activities of the Joint Improvised-Threat Defeat Agency to an element of a military department or a Defense Agency in existence as of October 1, 2015.

(d) **FINAL IMPLEMENTATION PLAN AND TIMELINE.**—

(1) **PLAN AND TIMELINE REQUIRED.**—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan and timeline that—

(A) incorporates the plans and timelines required by paragraphs (1) through (4) of subsection (c); and

(B) provides for the completion of the implementation of such plans by not later than September 30, 2016.

(2) **SUMMARY DESCRIPTION OF NECESSARY ACTIONS.**—In submitting the plan and timeline required by this subsection, the Secretary shall also submit a summary description of the actions to be taken by the Department of Defense to complete implementation of the plans and timelines required by paragraphs (1) through (4) of subsection (c) by September 30, 2016.

(3) **COMPLIANCE WITH DEADLINES.**—

(A) **LIMITATION ON AVAILABILITY OF FUNDS.**—Except as provided in subparagraph (B), if the Secretary does not submit the plan and timeline required by paragraph (1) before the deadline specified in that paragraph, or does not complete implementation of such plan before the deadline specified in subparagraph (B) of that paragraph, none of the funds available to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund may be obligated after September 30, 2016.

(B) **EXCEPTION.**—Subparagraph (A) shall not apply to the obligation of funds referred to in such subparagraph after September 30,

2016, for operations or operational support activities determined by the Secretary to be critical to force protection in overseas contingency operations.

(e) **PROHIBITION ON USE OF FUNDS FOR IMPLEMENTATION OF COMBAT SUPPORT AGENCY DETERMINATION.**—

(1) **PROHIBITION.**—None of the funds authorized to be appropriated for the Department of Defense may be obligated or expended to implement administrative, organizational, facility, or non-operational changes necessary to carry out the Joint Improvised-Threat Defeat Agency transition and consolidation.

(2) **RULE OF CONSTRUCTION.**—Nothing in paragraph (1) shall be construed to mean that ongoing activities directly supporting overseas contingency operations must be halted.

SEC. 1533. AVAILABILITY OF JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND FOR TRAINING OF FOREIGN SECURITY FORCES TO DEFEAT IMPROVISED EXPLOSIVE DEVICES.

(a) **AVAILABILITY OF FUNDS.**—

(1) **IN GENERAL.**—Of the amounts authorized to be appropriated for fiscal year 2016 for the Joint Improvised Explosive Device Defeat Fund, or a successor fund, up to \$30,000,000 may be available to the Secretary of Defense to provide training to foreign security forces to defeat improvised explosive devices under authority provided the Department of Defense under any other provision of law.

(2) **APPLICABILITY OF CONTINGENT LIMITATION.**—The availability of funds under this subsection is subject to the contingent limitation on the availability of amounts in the Joint Improvised Explosive Device Defeat Fund after September 30, 2016, in section 1532(g).

(b) **CONSTRUCTION OF AVAILABILITY OF FUNDS.**—The availability of funds under subsection (a) shall not be construed as authority in and of itself for the provision of training as described in that subsection.

(c) **GEOGRAPHIC LIMITATION.**—Training may be provided using funds available under subsection (a) only—

(1) in locations in which the Department is conducting a named operation; or

(2) in geographic areas in which the Secretary of Defense has determined that a foreign security force is facing a significant threat from improvised explosive devices.

(d) **COORDINATION WITH GEOGRAPHIC COMBATANT COMMANDS.**—The Secretary of Defense shall, to the extent practicable, coordinate the provision of training using funds available under subsection (a) with requests received from the commanders of the geographic combatant commands.

(e) **EXPIRATION.**—The authority to use funds described in subsection (a) in accordance with this section shall expire on September 30, 2018.

SEC. 1534. COMPTROLLER GENERAL REPORT ON USE OF CERTAIN FUNDS PROVIDED FOR OPERATION AND MAINTENANCE.

The Comptroller General of the United States shall submit to Congress a report specifying how all funds made available pursuant to section 1504 for operation and maintenance, as specified in the funding table in section 4303, are ultimately used.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

Sec. 1601. Major force program and budget for national security space programs.

- Sec. 1602. Principal advisor on space control.
- Sec. 1603. Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise.
- Sec. 1604. Modification to development of space science and technology strategy.
- Sec. 1605. Delegation of authority regarding purchase of Global Positioning System user equipment.
- Sec. 1606. Rocket propulsion system development program.
- Sec. 1607. Exception to the prohibition on contracting with Russian suppliers of rocket engines for the evolved expendable launch vehicle program.
- Sec. 1608. Acquisition strategy for evolved expendable launch vehicle program.
- Sec. 1609. Allocation of funding for evolved expendable launch vehicle program.
- Sec. 1610. Consolidation of acquisition of wideband satellite communications.
- Sec. 1611. Analysis of alternatives for wideband communications.
- Sec. 1612. Expansion of goals and modification of pilot program for acquisition of commercial satellite communication services.
- Sec. 1613. Integrated policy to deter adversaries in space.
- Sec. 1614. Prohibition on reliance on China and Russia for space-based weather data.
- Sec. 1615. Limitation on availability of funds for weather satellite follow-on system.
- Sec. 1616. Limitations on availability of funds for the Defense Meteorological Satellite program.
- Sec. 1617. Streamline of commercial space launch activities.
- Sec. 1618. Plan on full integration and exploitation of overhead persistent infrared capability.
- Sec. 1619. Options for rapid space reconstitution.
- Sec. 1620. Evaluation of exploitation of space-based infrared system against additional threats.
- Sec. 1621. Quarterly reports on Global Positioning System III space segment, Global Positioning System operational control segment, and Military Global Positioning System user equipment acquisition programs.
- Sec. 1622. Sense of Congress on missile defense sensors in space.
- Subtitle B—Defense Intelligence and Intelligence-Related Activities**
- Sec. 1631. Executive agent for open-source intelligence tools.
- Sec. 1632. Waiver and congressional notification requirements related to facilities for intelligence collection or for special operations abroad.
- Sec. 1633. Prohibition on National Intelligence Program consolidation.
- Sec. 1634. Limitation on availability of funds for Office of the Under Secretary of Defense for Intelligence.
- Sec. 1635. Department of Defense intelligence needs.
- Sec. 1636. Report on management of certain programs of Defense intelligence elements.
- Sec. 1637. Report on Air National Guard contributions to the RQ-4 Global Hawk mission.
- Sec. 1638. Government Accountability Office review of intelligence input to the defense acquisition process.
- Subtitle C—Cyberspace-Related Matters**
- Sec. 1641. Codification and addition of liability protections relating to reporting on cyber incidents or penetrations of networks and information systems of certain contractors.
- Sec. 1642. Authorization of military cyber operations.
- Sec. 1643. Limitation on availability of funds pending the submission of integrated policy to deter adversaries in cyberspace.
- Sec. 1644. Authorization for procurement of relocatable Sensitive Compartmented Information Facility.
- Sec. 1645. Designation of military department entity responsible for acquisition of critical cyber capabilities.
- Sec. 1646. Assessment of capabilities of United States Cyber Command to defend the United States from cyber attacks.
- Sec. 1647. Evaluation of cyber vulnerabilities of major weapon systems of the Department of Defense.
- Sec. 1648. Comprehensive plan and biennial exercises on responding to cyber attacks.
- Sec. 1649. Sense of Congress on reviewing and considering findings and recommendations of Council of Governors on cyber capabilities of the Armed Forces.
- Subtitle D—Nuclear Forces**
- Sec. 1651. Assessment of threats to National Leadership Command, Control, and Communications System.
- Sec. 1652. Organization of nuclear deterrence functions of the Air Force.
- Sec. 1653. Procurement authority for certain parts of intercontinental ballistic missile fuzes.
- Sec. 1654. Prohibition on availability of funds for de-alerting intercontinental ballistic missiles.
- Sec. 1655. Assessment of global nuclear environment.
- Sec. 1656. Annual briefing on the costs of forward-deploying nuclear weapons in Europe.
- Sec. 1657. Report on the number of planned long-range standoff weapons.
- Sec. 1658. Review of Comptroller General of the United States on recommendations relating to nuclear enterprise of the Department of Defense.
- Sec. 1659. Sense of Congress on organization of Navy for nuclear deterrence mission.
- Sec. 1660. Sense of Congress on the nuclear force improvement program of the Air Force.
- Sec. 1661. Senses of Congress on importance of cooperation and collaboration between United States and United Kingdom on nuclear issues and on 60th anniversary of Fleet Ballistic Missile Program.
- Sec. 1662. Sense of Congress on plan for implementation of Nuclear Enterprise Reviews.
- Sec. 1663. Sense of Congress and report on milestone A decision on long-range standoff weapon.
- Sec. 1664. Sense of Congress on policy on the nuclear triad.
- Sec. 1665. Report relating to the costs associated with extending the life of the Minuteman III intercontinental ballistic missile.
- Subtitle E—Missile Defense Programs and Other Matters**
- Sec. 1671. Prohibitions on providing certain missile defense information to Russian Federation.
- Sec. 1672. Prohibition on integration of missile defense systems of Russian Federation into missile defense systems of United States.
- Sec. 1673. Prohibition on integration of missile defense systems of China into missile defense systems of United States.
- Sec. 1674. Limitations on availability of funds for Patriot lower tier air and missile defense capability of the Army.
- Sec. 1675. Integration and interoperability of air and missile defense capabilities of the United States.
- Sec. 1676. Integration and interoperability of allied missile defense capabilities.
- Sec. 1677. Missile defense capability in Europe.
- Sec. 1678. Availability of funds for Iron Dome short-range rocket defense system.
- Sec. 1679. Israeli cooperative missile defense program codevelopment and co-production.
- Sec. 1680. Boost phase defense system.
- Sec. 1681. Development and deployment of multiple-object kill vehicle for missile defense of the United States homeland.
- Sec. 1682. Requirement to replace capability enhancement I exoatmospheric kill vehicles.
- Sec. 1683. Designation of preferred location of additional missile defense site in the United States and plan for expediting deployment time of such site.
- Sec. 1684. Additional missile defense sensor coverage for protection of United States homeland.
- Sec. 1685. Concept development of space-based missile defense layer.
- Sec. 1686. Aegis Ashore capability development.
- Sec. 1687. Development of requirements to support integrated air and missile defense capabilities.
- Sec. 1688. Extension of requirement for Comptroller General of the United States review and assessment of missile defense acquisition programs.
- Sec. 1689. Report on medium range ballistic missile defense sensor alternatives for enhanced defense of Hawaii.
- Sec. 1690. Sense of Congress and report on validated military requirement and Milestone A decision on prompt global strike weapon system.
- Subtitle A—Space Activities**
- SEC. 1601. MAJOR FORCE PROGRAM AND BUDGET FOR NATIONAL SECURITY SPACE PROGRAMS.**
- (a) BUDGET MATTERS.—
- (1) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 239. National security space programs: major force program and budget assessment

“(a) ESTABLISHMENT OF MAJOR FORCE PROGRAM.—The Secretary of Defense shall establish a unified major force program for national security space programs pursuant to section 222(b) of this title to prioritize national security space activities in accordance with the requirements of the Department of Defense and national security.

“(b) BUDGET ASSESSMENT.—(1) The Secretary shall include with the defense budget materials for each of fiscal years 2017 through 2020 a report on the budget for national security space programs of the Department of Defense.

“(2) Each report on the budget for national security space programs of the Department of Defense under paragraph (1) shall include the following:

“(A) An overview of the budget, including—

“(i) a comparison between that budget, the previous budget, the most recent and prior future-years defense program submitted to Congress under section 221 of this title, and the amounts appropriated for such programs during the previous fiscal year; and

“(ii) the specific identification, as a budgetary line item, for the funding under such programs.

“(B) An assessment of the budget, including significant changes, priorities, challenges, and risks.

“(C) Any additional matters the Secretary determines appropriate.

“(3) Each report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘budget’, with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31.

“(2) The term ‘defense budget materials’, with respect to a fiscal year, means the materials submitted to Congress by the Secretary of Defense in support of the budget for that fiscal year.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 238 the following new item:

“239. National security space programs: major force program and budget assessment.”.

(b) PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan to carry out the unified major force program designation required by section 239(a) of title 10, United States Code, as added by subsection (a)(1), including any recommendations for legislative action the Secretary determines appropriate.

SEC. 1602. PRINCIPAL ADVISOR ON SPACE CONTROL.

(a) IN GENERAL.—Chapter 135 of title 10, United States Code is amended by adding at the end the following new section:

“§ 2279a. Principal Advisor on Space Control

“(a) IN GENERAL.—The Secretary of Defense shall designate a senior official of the Department of Defense or a military department to serve as the Principal Space Control Advisor, who, in addition to the other duties of such senior official, shall act as the principal advisor to the Secretary on space control activities.

“(b) RESPONSIBILITIES.—The Principal Space Control Advisor shall be responsible for the following:

“(1) Supervision of space control activities related to the development, procurement, and employment of, and strategy relating to, space control capabilities.

“(2) Oversight of policy, resources, personnel, and acquisition and technology relating to space control activities.

“(c) CROSS-FUNCTIONAL TEAM.—The Principal Space Control Advisor shall integrate the space control expertise and perspectives of appropriate organizational entities of the Office of the Secretary of Defense, the Joint Staff, the military departments, the Defense Agencies, and the combatant commands, by establishing and maintaining a cross-functional team of subject-matter experts who are otherwise assigned or detailed to those entities.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2279 the following new item:

“2279a. Principal Advisor on Space Control.”.

SEC. 1603. COUNCIL ON OVERSIGHT OF THE DEPARTMENT OF DEFENSE POSITIONING, NAVIGATION, AND TIMING ENTERPRISE.

(a) IN GENERAL.—Chapter 135 of title 10, United States Code, as amended by section 1602, is further amended by adding at the end the following new section:

“§ 2279b. Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise

“(a) ESTABLISHMENT.—There is within the Department of Defense a council to be known as the ‘Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise’ (in this section referred to as the ‘Council’).

“(b) MEMBERSHIP.—The members of the Council shall be as follows:

“(1) The Under Secretary of Defense for Policy.

“(2) The Under Secretary of Defense for Acquisition, Technology, and Logistics.

“(3) The Vice Chairman of the Joint Chiefs of Staff.

“(4) The Commander of the United States Strategic Command.

“(5) The Commander of the United States Northern Command.

“(6) The Commander of United States Cyber Command.

“(7) The Director of the National Security Agency.

“(8) The Chief Information Officer of the Department of Defense.

“(9) The Secretaries of the military departments, who shall be ex officio members.

“(10) Such other officers of the Department of Defense as the Secretary may designate.

“(c) CO-CHAIR.—The Council shall be co-chaired by the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Vice Chairman of the Joint Chiefs of Staff.

“(d) RESPONSIBILITIES.—(1) The Council shall be responsible for oversight of the Department of Defense positioning, navigation, and timing enterprise, including services provided to civil, commercial, scientific, and international users.

“(2) In carrying out the responsibility for oversight of the Department of Defense positioning, navigation, and timing enterprise as specified in paragraph (1), the Council shall be responsible for the following:

“(A) Oversight of performance assessments (including interoperability).

“(B) Vulnerability identification and mitigation.

“(C) Architecture development.

“(D) Resource prioritization.

“(E) Such other responsibilities as the Secretary of Defense shall specify for purposes of this section.

“(e) ANNUAL REPORTS.—At the same time each year that the budget of the President is submitted to Congress under section 1105(a) of title 31, the Council shall submit to the congressional defense committees a report on the activities of the Council. Each report shall include the following:

“(1) A description and assessment of the activities of the Council during the previous fiscal year.

“(2) A description of the activities proposed to be undertaken by the Council during the period covered by the current future-years defense program under section 221 of this title.

“(3) Any changes to the requirements of the Department of Defense positioning, navigation, and timing enterprise made during the previous year, along with an explanation for why the changes were made and a description of the effects of the changes to the capability of such enterprise.

“(4) A breakdown of each program element in such budget that relates to the Department of Defense positioning, navigation, and timing enterprise, including how such program element relates to the operation and sustainment, research and development, procurement, or other activity of such enterprise.

“(f) BUDGET AND FUNDING MATTERS.—(1) Not later than 30 days after the President submits to Congress the budget for a fiscal year under section 1105(a) of title 31, the Commander of the United States Strategic Command shall submit to the Chairman of the Joint Chiefs of Staff an assessment of—

“(A) whether such budget allows the Federal Government to meet the required capabilities of the Department of Defense positioning, navigation, and timing enterprise during the fiscal year covered by the budget and the four subsequent fiscal years; and

“(B) if the Commander determines that such budget does not allow the Federal Government to meet such required capabilities, a description of the steps being taken to meet such required capabilities.

“(2) Not later than 30 days after the date on which the Chairman of the Joint Chiefs of Staff receives the assessment of the Commander of the United States Strategic Command under paragraph (1), the Chairman shall submit to the congressional defense committees—

“(A) such assessment as it was submitted to the Chairman; and

“(B) any comments of the Chairman.

“(3) If a House of Congress adopts a bill authorizing or appropriating funds for the activities of the Department of Defense positioning, navigation, and timing enterprise that, as determined by the Council, provides insufficient funds for such activities for the period covered by such bill, the Council shall notify the congressional defense committees of the determination.

“(g) NOTIFICATION OF ANOMALIES.—(1) The Secretary of Defense shall submit to the congressional defense committees written notification of an anomaly in the Department of Defense positioning, navigation, and timing enterprise that is reported to the Secretary or the Council by not later than 14 days after the date on which the Secretary or the Council learns of such anomaly, as the case may be.

“(2) In this subsection, the term ‘anomaly’ means any unplanned, irregular, or abnormal event, whether unexplained or caused intentionally or unintentionally by a person or a system.

“(h) **TERMINATION.**—The Council shall terminate on the date that is 10 years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter, as amended by section 1602, is further amended by inserting after the item relating to section 2279a the following new item:

“2279b. Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise.”.

SEC. 1604. MODIFICATION TO DEVELOPMENT OF SPACE SCIENCE AND TECHNOLOGY STRATEGY.

Section 2272 of title 10, United States Code, is amended to read as follows:

“§ 2272. Space science and technology strategy: coordination

“The Secretary of Defense and the Director of National Intelligence shall jointly develop and implement a space science and technology strategy and shall review and, as appropriate, revise the strategy biennially. Functions of the Secretary under this section shall be carried out jointly by the Assistant Secretary of Defense for Research and Engineering and the official of the Department of Defense designated as the Department of Defense Executive Agent for Space.”.

SEC. 1605. DELEGATION OF AUTHORITY REGARDING PURCHASE OF GLOBAL POSITIONING SYSTEM USER EQUIPMENT.

Section 913 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (10 U.S.C. 2281 note) is amended by adding at the end the following new subsection:

“(d) **LIMITATION ON DELEGATION OF WAIVER AUTHORITY.**—The Secretary of Defense may not delegate the authority to make a waiver under subsection (c) to an official below the level of the Secretaries of the military departments or the Under Secretary of Defense for Acquisition, Technology, and Logistics.”.

SEC. 1606. ROCKET PROPULSION SYSTEM DEVELOPMENT PROGRAM.

(a) **STREAMLINED ACQUISITION.**—Section 1604 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3623; 10 U.S.C. 2273 note) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

“(c) **STREAMLINED ACQUISITION.**—In developing the rocket propulsion system required under subsection (a), the Secretary shall—

“(1) use a streamlined acquisition approach, including tailored documentation and review processes, that enables the effective, efficient, and expeditious transition from the use of non-allied space launch engines to a domestic alternative for national security space launches; and

“(2) prior to establishing such acquisition approach, establish well-defined requirements with a clear acquisition strategy.”.

(b) **AVAILABILITY OF FUNDS.**—

(1) **IN GENERAL.**—In accordance with paragraph (2), of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the rocket propulsion system required by section 1604 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015, the Secretary of Defense may obligate or expend such funds only for the development of such system, and the necessary interfaces to, or integration of, the launch vehicle, to replace non-allied

space launch engines by 2019 as required by such section.

(2) **RULE OF CONSTRUCTION.**—The funds specified in paragraph (1)—

(A) may be used for the integration of the rocket propulsion system covered by such paragraph with an existing or new launch vehicle; and

(B) may not be used to develop or procure a new launch vehicle or related infrastructure.

(c) **BRIEFING.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committee a briefing on—

(1) the streamlined acquisition approach, requirements, and acquisition strategy required under subsection (c) of section 1604 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015, as added by subsection (a); and

(2) the plan for the development and fielding of a full-up rocket propulsion system pursuant to such section 1604.

SEC. 1607. EXCEPTION TO THE PROHIBITION ON CONTRACTING WITH RUSSIAN SUPPLIERS OF ROCKET ENGINES FOR THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

Paragraph (1) of section 1608(c) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3626; 10 U.S.C. 2271 note) is amended to read as follows:

“(1) **IN GENERAL.**—The prohibition in subsection (a) shall not apply to any of the following:

“(A) The placement of orders or the exercise of options under the contract numbered FA8811–13–C–0003 and awarded on December 18, 2013.

“(B) Subject to paragraph (2), contracts awarded for the procurement of property or services for space launch activities that include the use of not more than a total of five rocket engines designed or manufactured in the Russian Federation that prior to February 1, 2014, were either fully paid for by the contractor or covered by a legally binding commitment of the contractor to fully pay for such rocket engines.

“(C) Contracts not covered under subparagraph (A) or (B) that are awarded for the procurement of property or services for space launch activities that include the use of not more than a total of four additional rocket engines designed or manufactured in the Russian Federation.”.

SEC. 1608. ACQUISITION STRATEGY FOR EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

(a) **TREATMENT OF CERTAIN ARRANGEMENT.**—

(1) **DISCONTINUATION.**—The Secretary of the Air Force shall discontinue the evolved expendable launch vehicle launch capability arrangement, as structured as of the date of the enactment of this Act, for—

(A) existing contracts using rocket engines designed or manufactured in the Russian Federation by not later than December 31, 2019; and

(B) existing contracts using domestic rocket engines by not later than December 31, 2020.

(2) **WAIVER.**—The Secretary may waive paragraph (1) if the Secretary—

(A) determines that such waiver is necessary for the national security interests of the United States;

(B) notifies the congressional defense committees of such waiver; and

(C) a period of 90 days has elapsed following the date of such notification.

(b) **CONSISTENT STANDARDS.**—In accordance with section 2306a of title 10, United States Code, the Secretary shall—

(1) apply consistent and appropriate standards to certified evolved expendable launch vehicle providers with respect to certified cost and pricing data; and

(2) conduct the appropriate audits.

(c) **ACQUISITION STRATEGY.**—In accordance with subsections (a) and (b) and section 2273 of title 10, United States Code, the Secretary shall develop and carry out a 10-year phased acquisition strategy, including near and long term, for the evolved expendable launch vehicle program.

(d) **ELEMENTS.**—The acquisition strategy under subsection (c) for the evolved expendable launch vehicle program shall—

(1) provide the necessary—

(A) stability in budgeting and acquisition of capabilities;

(B) flexibility to the Federal Government; and

(C) procedures for fair competition; and

(2) specifically take into account, as appropriate per competition, the effect of—

(A) contracts or agreements for launch services or launch capability entered into by the Department of Defense and the National Aeronautics and Space Administration with certified evolved expendable launch vehicle providers;

(B) the requirements of the Department of Defense, including with respect to launch capabilities and pricing data, that are met by such providers;

(C) the cost of integrating a satellite onto a launch vehicle; and

(D) any other matters the Secretary considers appropriate.

(e) **COMPETITION.**—In awarding any contract for launch services in a national security space mission pursuant to a competitive acquisition, the evaluation shall account for the value of the evolved expendable launch vehicle launch capability arrangement per contract line item numbers in the bid price of the offeror as appropriate per launch.

(f) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a report on the acquisition strategy developed under subsection (c).

SEC. 1609. ALLOCATION OF FUNDING FOR EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

(a) **CERTIFICATION AND JUSTIFICATION.**—Together with the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for each of fiscal years 2017, 2018, and 2019, the Director of the Office of Management and Budget shall submit to the appropriate congressional committees—

(1) a certification that the cost share between the Air Force and the National Reconnaissance Office for the evolved expendable launch vehicle launch capability program equitably reflects the appropriate allocation of funding for the Air Force and the National Reconnaissance Office, respectively, based on the launch schedule and national mission forecast; and

(2) sufficient rationale to justify such cost share.

(b) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

- (1) the congressional defense committees;
- (2) the Permanent Select Committee on Intelligence of the House of Representatives; and
- (3) the Select Committee on Intelligence of the Senate.

SEC. 1610. CONSOLIDATION OF ACQUISITION OF WIDEBAND SATELLITE COMMUNICATIONS.

(a) PLAN.—

(1) CONSOLIDATION.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for the consolidation, during the one-year period beginning on the date on which the plan is submitted, of the acquisition of wideband satellite communications necessary to meet the requirements of the Department of Defense for such communications, including with respect to military and commercial satellite communications.

(2) ELEMENTS.—The plan under paragraph (1) shall include—

(A) an assessment of the management and overhead costs relating to the acquisition of commercial satellite communications services across the Department of Defense;

(B) an estimate of—

(i) the costs of implementing the consolidation of the acquisition of such services described in paragraph (1); and

(ii) the projected savings of the consolidation;

(C) the identification and designation of a single acquisition agent pursuant to paragraph (3)(A); and

(D) the roles and responsibilities of officials of the Department, including pursuant to paragraph (3).

(3) SINGLE ACQUISITION AGENT.—

(A) Except as provided by subparagraph (B), under the plan under paragraph (1), the Secretary of Defense shall identify and designate a single senior official of the Department of Defense to procure wideband satellite communications necessary to meet the requirements of the Department of Defense for such communications, including with respect to military and commercial satellite communications.

(B) Notwithstanding subparagraph (A), under the plan under paragraph (1), an official described in subparagraph (C) may carry out the procurement of commercial wideband satellite communications if the official determines that such procurement is required to meet an urgent need.

(C) An official described in this subparagraph is any of the following:

- (i) A Secretary of a military department.
- (ii) The Under Secretary of Defense for Acquisition, Technology, and Logistics.
- (iii) The Chief Information Office of the Department of Defense.
- (iv) A commander of a combatant command.

(4) VALIDATION.—The Director of Cost Assessment and Program Evaluation shall validate the assessment required by subparagraph (A) of paragraph (2) and the estimates required by subparagraph (B) of such paragraph.

(b) IMPLEMENTATION.—

(1) IN GENERAL.—Except as provided by paragraph (2), the Secretary of Defense shall complete the implementation of the plan under subsection (a) by not later than one year after the date on which the Secretary submits the plan under such paragraph.

(2) WAIVER.—The Secretary may waive the implementation of the plan under subsection (a) if the Secretary—

(A) determines that—

(i) such implementation will require significant additional funding; or

(ii) such waiver is in the interests of national security; and

(B) submits to the congressional defense committees notice of such waiver and the justifications for such waiver.

SEC. 1611. ANALYSIS OF ALTERNATIVES FOR WIDE-BAND COMMUNICATIONS.

(a) IN GENERAL.—The Secretary of Defense shall conduct an analysis of alternatives for a follow-on wide-band communications system to the Wideband Global SATCOM System that includes space, air, and ground layer communications capabilities of the Department of Defense.

(b) REPORT REQUIRED.—Not later than March 31, 2017, the Secretary shall submit to the congressional defense committees a report on the analysis conducted under subsection (a).

SEC. 1612. EXPANSION OF GOALS AND MODIFICATION OF PILOT PROGRAM FOR ACQUISITION OF COMMERCIAL SATELLITE COMMUNICATION SERVICES.

(a) CARRYING OUT OF PILOT PROGRAM.—Subsection (a) of section 1605 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3623; 10 U.S.C. 2208 note) is amended—

(1) in paragraph (1), by striking “may develop” and all that follows through “funds by the Secretary” and inserting “shall develop and carry out a pilot program”; and

(2) by adding at the end the following new paragraph:

“(4) METHODS.—In carrying out the pilot program under paragraph (1), the Secretary may use a variety of methods authorized by law to effectively and efficiently acquire commercial satellite communications services, including by carrying out multiple pathfinder activities under the pilot program.”

(b) GOALS.—Subsection (b) of such section is amended—

(1) in paragraph (3), by striking “; and” and inserting a semicolon;

(2) in paragraph (4), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(5) demonstrates the potential to achieve order-of-magnitude improvements in satellite communications capability.”

(c) REPORTS AND BRIEFINGS.—Subsection (d) of such section is amended—

(1) in the heading, by striking “REPORTS.—” and inserting “REPORTS AND BRIEFINGS.—”; and

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “90 days” and inserting “270 days”; and

(B) in subparagraph (A), by striking “; or” and inserting “; and”; and

(C) by amending subparagraph (B) to read as follows:

“(B) a description of the appropriate metrics established by the Secretary to meet the goals of the pilot program.”;

(3) by redesignating paragraph (2) as paragraph (3);

(4) by inserting after paragraph (1) the following new paragraph (2):

“(2) BRIEFING.—At the same time as the President submits to Congress the budget pursuant to section 1105 of title 31, for each of fiscal years 2017 through 2020, the Secretary shall provide to the congressional defense committees a briefing on the pilot program.”; and

(5) in paragraph (3) (as redesignated by paragraph (3) of this subsection)—

(A) in subparagraph (A), by striking “expanding the use of working capital funds to effectively and efficiently acquire” and inserting “the pilot program and whether the pilot program effectively and efficiently acquires”; and

(B) in subparagraph (B)(ii), by striking “working capital funds as described in subparagraph (A)” and inserting “the pilot program”.

SEC. 1613. INTEGRATED POLICY TO DETER ADVERSARIES IN SPACE.

(a) IN GENERAL.—The President shall establish an interagency process to provide for the development of a policy to deter adversaries in space—

(1) with the objectives of—

(A) reducing risks to the United States and allies of the United States in space; and

(B) protecting and preserving the rights, access, capabilities, use, and freedom of action of the United States in space and the right of the United States to respond to an attack in space and, if necessary, deny adversaries the use of space capabilities hostile to the national interests of the United States; and

(2) that integrates the interests and responsibilities of the agencies participating in the process.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the policy developed pursuant to subsection (a).

(2) FUNDING RESTRICTION.—If the President has not submitted the policy developed under subsection (a) and the answers to Enclosure 1, regarding space control policy, of the classified annex to this Act, to the Committees on Armed Services of the Senate and the House of Representatives by the date required by paragraph (1), an amount equal to \$10,000,000 of the amount authorized to be appropriated or otherwise made available to the Department of Defense for fiscal year 2016 to provide support services to the Executive Office of the President shall be withheld from obligation or expenditure until the policy and such answers are submitted to such Committees.

(3) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1614. PROHIBITION ON RELIANCE ON CHINA AND RUSSIA FOR SPACE-BASED WEATHER DATA.

(a) PROHIBITION.—The Secretary of Defense shall ensure that the Department of Defense does not rely on, or in the future plan to rely on, space-based weather data provided by the Government of the People's Republic of China, the Government of the Russian Federation, or an entity owned or controlled by either such government for national security purposes.

(b) CERTIFICATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a certification that the Secretary is in compliance with the prohibition under subsection (a).

SEC. 1615. LIMITATION ON AVAILABILITY OF FUNDS FOR WEATHER SATELLITE FOLLOW-ON SYSTEM.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Air Force, for the weather satellite follow-on

system, not more than 50 percent may be obligated or expended until the date on which—

(1) the Secretary of Defense provides to the congressional defense committees a briefing on the plan developed under subsection (b); and

(2) the Chairman of the Joint Chiefs of Staff certifies to the congressional defense committees that such plan will—

(A) meet the requirements of the Department of Defense for cloud characterization and theater weather imagery; and

(B) not negatively affect the commanders of the combatant commands.

(b) **PLAN REQUIRED.**—The Secretary shall develop a plan to address the requirements of the Department of Defense for cloud characterization and theater weather imagery.

SEC. 1616. LIMITATIONS ON AVAILABILITY OF FUNDS FOR THE DEFENSE METEOROLOGICAL SATELLITE PROGRAM.

(a) **LIMITATION.**—

(1) **FISCAL YEAR 2016 FUNDS.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Defense Meteorological Satellite program or for the launch of Defense Meteorological Satellite program satellite #20 (in this section referred to as “DMSP20”) may be obligated or expended until the date on which the Secretary of Defense and the Chairman of the Joint Chiefs of Staff jointly submit to the congressional defense committees the certification described in subsection (b).

(2) **REMAINING FISCAL YEAR 2015 FUNDS.**—Of the funds authorized to be appropriated or otherwise made available for fiscal year 2015 for the Defense Meteorological Satellite program or the launch of DMSP20 that remain available for obligation as of the date of the enactment of this Act, not more than 50 percent may be obligated or expended until the date on which the Secretary of Defense and the Chairman of the Joint Chiefs of Staff jointly submit to the congressional defense committees the certification described in subsection (b).

(b) **CERTIFICATION.**—The certification described in this subsection is a certification that—

(1) the Joint Requirements Oversight Council has conducted a recent review and certification of the space-based environmental monitoring requirements while taking into consideration the changes in international allied plans and the feedback of the military departments and Defense Agencies (as defined in section 101(a) of title 10, United States Code);

(2) relying on civil and international contributions to meet space-based environmental monitoring requirements is insufficient or is a risk to national security and launching DMSP20 will meet those requirements;

(3) launching DMSP20 is the most affordable solution to meeting requirements validated by the Joint Requirements Oversight Council; and

(4) nonmaterial solutions within the Department of Defense, the National Oceanic and Atmospheric Administration, and the National Aeronautics and Space Administration are incapable of meeting the cloud characterization and theater weather requirements validated by the Joint Requirements Oversight Council.

(c) **COMPARATIVE COST AND CAPABILITY ASSESSMENT.**—If the Secretary and the Chairman determine that a material solution is required to meet the cloud characterization and theater weather requirements validated by the Joint Requirements Oversight Coun-

cil, the Secretary and the Chairman shall jointly submit to the congressional defense committees a cost and capability assessment that compares the cost of meeting those requirements with DMSP20 and with an alternate material solution that includes electro-optical infrared weather imaging or other comparable solutions.

SEC. 1617. STREAMLINE OF COMMERCIAL SPACE LAUNCH ACTIVITIES.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that eliminating duplicative requirements and approvals for commercial launch and reentry operations will promote and encourage the development of the commercial space sector.

(b) **REAFFIRMATION OF POLICY.**—Congress reaffirms that the Secretary of Transportation, in overseeing and coordinating commercial launch and reentry operations, should—

(1) promote commercial space launches and reentries by the private sector;

(2) facilitate Government, State, and private sector involvement in enhancing United States launch sites and facilities;

(3) protect public health and safety, safety of property, national security interests, and foreign policy interests of the United States; and

(4) consult with the head of another executive agency, including the Secretary of Defense or the Administrator of the National Aeronautics and Space Administration, as necessary to provide consistent application of licensing requirements under chapter 509 of title 51, United States Code.

(c) **REQUIREMENTS.**—

(1) **IN GENERAL.**—The Secretary of Transportation under section 50918 of title 51, United States Code, and subject to section 50905(b)(2)(C) of that title, shall consult with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, and the heads of other executive agencies, as appropriate—

(A) to identify all requirements that are imposed to protect the public health and safety, safety of property, national security interests, and foreign policy interests of the United States relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle; and

(B) to evaluate the requirements identified in subparagraph (A) and, in coordination with the licensee or transferee and the heads of the relevant executive agencies—

(i) determine whether the satisfaction of a requirement of one agency could result in the satisfaction of a requirement of another agency; and

(ii) resolve any inconsistencies and remove any outmoded or duplicative requirements or approvals of the Federal Government relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle.

(2) **REPORTS.**—Not later than 180 days after the date of enactment of this Act, and annually thereafter until the Secretary of Transportation determines no outmoded or duplicative requirements or approvals of the Federal Government exist, the Secretary of Transportation, in consultation with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, the commercial space sector, and the heads of other executive agencies, as appropriate, shall submit to the appropriate congressional committees a report that includes the following:

(A) A description of the process for the application for and approval of a permit or license under chapter 509 of title 51, United

States Code, for the commercial launch of a launch vehicle or commercial reentry of a reentry vehicle, including the identification of—

(i) any unique requirements for operating on a United States Government launch site, reentry site, or launch property; and

(ii) any inconsistent, outmoded, or duplicative requirements or approvals.

(B) A description of current efforts, if any, to coordinate and work across executive agencies to define interagency processes and procedures for sharing information, avoiding duplication of effort, and resolving common agency requirements.

(C) Recommendations for legislation that may further—

(i) streamline requirements in order to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints; and

(ii) consolidate or modify requirements across affected agencies into a single application set that satisfies the requirements identified in paragraph (1)(A).

(3) **DEFINITIONS.**—For purposes of this subsection—

(A) any applicable definitions set forth in section 50902 of title 51, United States Code, shall apply;

(B) the term “appropriate congressional committees” means—

(i) the congressional defense committees;

(ii) the Committee on Commerce, Science, and Transportation of the Senate;

(iii) the Committee on Science, Space, and Technology of the House of Representatives; and

(iv) the Committee on Transportation and Infrastructure of the House of Representatives;

(C) the terms “launch”, “reenter”, and “reentry” include landing of a launch vehicle or reentry vehicle; and

(D) the terms “United States Government launch site” and “United States Government reentry site” include any necessary facility, at that location, that is commercially operated on United States Government property.

SEC. 1618. PLAN ON FULL INTEGRATION AND EXPLOITATION OF OVERHEAD PERSISTENT INFRARED CAPABILITY.

(a) **PLAN.**—Not later than 180 days after the date of the enactment of this Act, the Commander of the United States Strategic Command and the Director of Cost Assessment and Program Evaluation, in coordination with the Director of National Intelligence, shall jointly submit to the appropriate congressional committees a plan for the integration of overhead persistent infrared capabilities to support the missions specified in subsection (b)(1).

(b) **ELEMENTS.**—The plan under subsection (a) shall—

(1) ensure that all overhead persistent infrared capabilities of the United States, including such capabilities that are planned to be developed, are integrated to allow for such capabilities to be exploited to support the requirements of the missions of the Department of Defense relating to—

(A) strategic and theater missile warning;

(B) ballistic and cruise missile defense, including with respect to missile tracking, fire control, and kill assessment;

(C) technical intelligence supporting missile warning;

(D) battlespace awareness;

(E) other technical intelligence;

(F) civil and environmental missions, including with respect to the collection of weather data; and

(G) battle damage assessments; and

(2) establish clear benchmarks by which to establish acquisition plans, manning, and budget requirements.

(c) **ANNUAL DETERMINATION.**—The Secretary of Defense shall include, together with, or not later than 30 days after, the budget justification materials submitted to Congress in support of the budget of the Department of Defense for a fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), a written determination of how the plan under subsection (a) is being implemented.

(d) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 1619. OPTIONS FOR RAPID SPACE RECONSTITUTION.

(a) **EVALUATION.**—The Secretary of Defense shall evaluate options for the use of current assets of the Department of Defense for the purpose of rapid reconstitution of critical space-based warfighter enabling capabilities.

(b) **BRIEFING.**—Not later than March 31, 2016, the Secretary shall provide to the congressional defense committees a briefing on the evaluation conducted under subsection (a), including development timelines, a test plan, and technology readiness levels of key systems and technologies.

SEC. 1620. EVALUATION OF EXPLOITATION OF SPACE-BASED INFRARED SYSTEM AGAINST ADDITIONAL THREATS.

(a) **EVALUATION.**—The Commander of the United States Strategic Command, in cooperation with the Secretary of the Navy, the Secretary of the Air Force, the Director of National Intelligence, and the Commander of the United States Northern Command, shall conduct an evaluation of space-based infrared systems to detect, track, and target, or to develop the capability to detect, track, and target, the full range of threats to the United States, deployed members of the Armed Forces, and allies of the United States.

(b) **SUBMISSION.**—Not later than December 31, 2016, the Commander of the United States Strategic Command shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate the evaluation under subsection (a).

SEC. 1621. QUARTERLY REPORTS ON GLOBAL POSITIONING SYSTEM III SPACE SEGMENT, GLOBAL POSITIONING SYSTEM OPERATIONAL CONTROL SEGMENT, AND MILITARY GLOBAL POSITIONING SYSTEM USER EQUIPMENT ACQUISITION PROGRAMS.

(a) **REPORTS REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of the Air Force shall submit to the Comptroller General of the United States a report and supporting documentation on the Global Positioning System III space segment, the Global Positioning System operational control segment, and the Military Global Positioning System user equipment acquisition programs.

(b) **ELEMENTS.**—Each report required by subsection (a) shall include, with respect to an acquisition program specified in that subsection, the following:

(1) A statement of the status of the program with respect to cost, schedule, and performance.

(2) A description of any changes to the requirements of the program.

(3) A description of any technical risks impacting the cost, schedule, and performance of the program.

(4) An assessment of how such risks are to be addressed and the costs associated with such risks.

(5) An assessment of the extent to which the segments of the program are synchronized.

(c) **BRIEFINGS BY COMPTROLLER GENERAL.**—The Comptroller General shall provide to the congressional defense committees a briefing on a report submitted under subsection (a)—

(1) in the case of the first such report, not later than 30 days after receiving that report; and

(2) as the Comptroller General considers appropriate thereafter.

(d) **TERMINATION.**—The requirement under subsection (a) shall terminate with respect to an acquisition program specified in that subsection on the date on which that program reaches initial operational capability.

SEC. 1622. SENSE OF CONGRESS ON MISSILE DEFENSE SENSORS IN SPACE.

It is the sense of Congress that a robust multi-mission space sensor network will be vital to ensuring a strong missile defense system.

Subtitle B—Defense Intelligence and Intelligence-Related Activities

SEC. 1631. EXECUTIVE AGENT FOR OPEN-SOURCE INTELLIGENCE TOOLS.

(a) **EXECUTIVE AGENT.**—Subchapter I of chapter 21 of title 10, United States Code, as amended by section 1083, is further amended by adding at the end the following new section:

“§ 430b. Executive agent for open-source intelligence tools

“(a) **DESIGNATION.**—Not later than April 1, 2016, the Secretary of Defense shall designate a senior official of the Department of Defense to serve as the executive agent for the Department for open-source intelligence tools.

“(b) **ROLES, RESPONSIBILITIES, AND AUTHORITIES.**—(1) Not later than July 1, 2016, in accordance with Directive 5101.1, the Secretary shall prescribe the roles, responsibilities, and authorities of the executive agent designated under subsection (a).

“(2) The roles and responsibilities of the executive agent designated under subsection (a) shall include the following:

“(A) Developing and maintaining a comprehensive list of open-source intelligence tools and technical standards.

“(B) Establishing priorities for the development, acquisition, and integration of open-source intelligence tools into the intelligence enterprise, and other command and control systems as needed.

“(C) Certifying all open-source intelligence tools with respect to compliance with the standards required by the framework and guidance for the Intelligence Community Information Technology Enterprise, the Defense Intelligence Information Enterprise, and the Joint Information Environment.

“(D) Assessing and making recommendations regarding the protection of privacy in the acquisition, analysis, and dissemination of open-source information available around the world.

“(E) Performing such other assessments or analyses as the Secretary considers appropriate.

“(c) **SUPPORT WITHIN DEPARTMENT OF DEFENSE.**—In accordance with Directive 5101.1, the Secretary shall ensure that the military

departments, the Defense Agencies, and other elements of the Department of Defense provide the executive agent designated under subsection (a) with the appropriate support and resources needed to perform the roles, responsibilities, and authorities of the executive agent.

“(d) **DEFINITIONS.**—In this section:

“(1) The term ‘Directive 5101.1’ means Department of Defense Directive 5101.1, or any successor directive relating to the responsibilities of an executive agent of the Department of Defense.

“(2) The term ‘executive agent’ has the meaning given the term ‘DoD Executive Agent’ in Directive 5101.1.

“(3) The term ‘open-source intelligence tools’ means tools for the systematic collection, processing, and analysis of publicly available information for known or anticipated intelligence requirements.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 430a, as added by section 1083, the following new item:

“430b. Executive agent for open-source intelligence tools.”

SEC. 1632. WAIVER AND CONGRESSIONAL NOTIFICATION REQUIREMENTS RELATED TO FACILITIES FOR INTELLIGENCE COLLECTION OR FOR SPECIAL OPERATIONS ABROAD.

(a) **ADDITION OF CONGRESSIONAL NOTIFICATION REQUIREMENT.**—Section 2682(c) of title 10, United States Code, is amended—

(1) by inserting “(1)” before “The Secretary of Defense”; and

(2) by adding at the end the following new paragraphs:

“(2) Not later than 48 hours after using the waiver authority under paragraph (1) for any facility for intelligence collection conducted under the authorities of the Department of Defense or special operations activity, the Secretary of Defense shall submit to the appropriate congressional committees written notification of the use of the authority, including the justification for the waiver and the estimated cost of the project for which the waiver applies.

“(3) In this subsection, the term ‘appropriate congressional committees’ means the following:

“(A) With respect to a waiver regarding special operations activities, the congressional defense committees.

“(B) With respect to a waiver regarding intelligence collection conducted under the authorities of the Department of Defense—

“(i) the congressional defense committees; and

“(ii) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.”

(b) **CODIFICATION OF SUNSET PROVISION.**—

(1) **CODIFICATION.**—Section 2682(c) of title 10, United States Code, is further amended by inserting after paragraph (3), as added by subsection (a)(2), the following new paragraph:

“(4) The waiver authority provided by paragraph (1) expires December 31, 2020.”

(2) **CONFORMING REPEAL.**—Subsection (b) of section 926 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1541; 10 U.S.C. 2682 note) is repealed.

SEC. 1633. PROHIBITION ON NATIONAL INTELLIGENCE PROGRAM CONSOLIDATION.

(a) **PROHIBITION.**—No amounts authorized to be appropriated or otherwise made available to the Department of Defense may be

used during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to execute—

(1) the separation of the National Intelligence Program budget from the Department of Defense budget;

(2) the consolidation of the National Intelligence Program budget within the Department of Defense budget; or

(3) the establishment of a new appropriations account or appropriations account structure for the National Intelligence Program budget.

(b) DEFINITIONS.—In this section:

(1) NATIONAL INTELLIGENCE PROGRAM.—The term “National Intelligence Program” has the meaning given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) NATIONAL INTELLIGENCE PROGRAM BUDGET.—The term “National Intelligence Program budget” means the portions of the Department of Defense budget designated as part of the National Intelligence Program.

SEC. 1634. LIMITATION ON AVAILABILITY OF FUNDS FOR OFFICE OF THE UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense for the Office of the Under Secretary of Defense for Intelligence, not more than 75 percent may be obligated or expended for such Office until the Secretary of Defense identifies the intelligence gaps and establishes the written policy required by section 922 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 828).

SEC. 1635. DEPARTMENT OF DEFENSE INTELLIGENCE NEEDS.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional defense committees and the congressional intelligence committees a report on how the Director ensures that the National Intelligence Program budgets for the elements of the intelligence community that are within the Department of Defense are adequate to satisfy the national intelligence needs of the Department as required under section 102A(p) of the National Security Act of 1947 (50 U.S.C. 3024(p)). Such report shall include a description of how the Director incorporates the needs of the Chairman of the Joint Chiefs of Staff and the commanders of the unified and specified commands into the metrics used to evaluate the performance of the elements of the intelligence community that are within the Department of Defense in conducting intelligence activities funded under the National Intelligence Program.

(b) DEFINITIONS.—In this section, the terms “congressional intelligence committees”, “intelligence community”, and “National Intelligence Program” have the meanings given such terms in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 1636. REPORT ON MANAGEMENT OF CERTAIN PROGRAMS OF DEFENSE INTELLIGENCE ELEMENTS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Intelligence shall submit to the appropriate congressional committees a report on the management of science and technology research and development programs and foreign materiel exploitation programs of Defense intelligence elements.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) An assessment of the management of each Defense intelligence element that is responsible for work relating to the programs described in subsection (a), including with respect to the policies, procedures, and organizational structures of such element relating to the management and coordination of such work across such elements.

(2) Recommendations to improve the coordination and organization of such elements.

(3) Identification of options for realigning such elements within the Department of Defense to better meet the needs of the Department and reduce unnecessary overhead.

(c) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees;

(B) the Permanent Select Committee on Intelligence of the House of Representatives; and

(C) the Select Committee on Intelligence of the Senate.

(2) The term “Defense intelligence element” has the meaning given that term in section 429(e) of title 10, United States Code.

SEC. 1637. REPORT ON AIR NATIONAL GUARD CONTRIBUTIONS TO THE RQ-4 GLOBAL HAWK MISSION.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force, in coordination with the Chief of Staff of the Air Force and the Chief of the National Guard Bureau, shall submit to Congress a report on the feasibility of using the Air National Guard in association with the active duty Air Force to operate and maintain the RQ-4 Global Hawk.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the costs, training requirements, and personnel required to create an association for the Global Hawk mission consisting of members of the Air Force serving on active duty and members of the Air National Guard.

(2) The capacity of the Air National Guard to support an association described in paragraph (1).

SEC. 1638. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF INTELLIGENCE INPUT TO THE DEFENSE ACQUISITION PROCESS.

(a) REVIEW.—The Comptroller General of the United States shall carry out a comprehensive review of the processes and procedures for the integration of intelligence into the defense acquisition process, consistent with the provision of classified information, and intelligence sources and methods.

(b) REQUIREMENTS.—The review required by subsection (a) shall—

(1) identify processes and procedures for the integration of intelligence into the decision process, including with respect to the staffing and training of Defense intelligence personnel assigned to program offices, for the acquisition of weapon systems from initial requirements through the milestones process and upon final delivery; and

(2) include a review of processes and procedures for—

(A) the integration of intelligence on foreign capabilities into the acquisition process from initial requirement through deployment;

(B) identifying opportunities for weapons systems to collect intelligence, without regard to whether that is the primary mission of such systems, and the plans for exploiting the collection of such intelligence; and

(C) assessing the requirements weapon systems will place on the Defense Intelligence

Enterprise once the weapons systems are deployed.

(c) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the review required by subsection (a).

Subtitle C—Cyberspace-Related Matters

SEC. 1641. CODIFICATION AND ADDITION OF LIABILITY PROTECTIONS RELATING TO REPORTING ON CYBER INCIDENTS OR PENETRATIONS OF NETWORKS AND INFORMATION SYSTEMS OF CERTAIN CONTRACTORS.

(a) CODIFICATION AND AMENDMENT.—Section 941 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1889; 10 U.S.C. 2224 note) is transferred to chapter 19 of title 10, United States Code, inserted so as to appear after section 392, redesignated as section 393, and amended—

(1) by amending the section heading to read as follows:

“§ 393. Reporting on penetrations of networks and information systems of certain contractors”;

(2) by striking paragraph (3) of subsection (c) and inserting the following new paragraph (3):

“(3) DISSEMINATION OF INFORMATION.—The procedures established pursuant to subsection (a) shall limit the dissemination of information obtained or derived through such procedures to entities—

“(A) with missions that may be affected by such information;

“(B) that may be called upon to assist in the diagnosis, detection, or mitigation of cyber incidents;

“(C) that conduct counterintelligence or law enforcement investigations; or

“(D) for national security purposes, including cyber situational awareness and defense purposes.”; and

(3) by striking subsection (d) and inserting the following new subsection (d):

“(d) PROTECTION FROM LIABILITY OF CLEARED DEFENSE CONTRACTORS.—(1) No cause of action shall lie or be maintained in any court against any cleared defense contractor, and such action shall be promptly dismissed, for compliance with this section that is conducted in accordance with the procedures established pursuant to subsection (a).

“(2)(A) Nothing in this section shall be construed—

“(i) to require dismissal of a cause of action against a cleared defense contractor that has engaged in willful misconduct in the course of complying with the procedures established pursuant to subsection (a); or

“(ii) to undermine or limit the availability of otherwise applicable common law or statutory defenses.

“(B) In any action claiming that paragraph (1) does not apply due to willful misconduct described in subparagraph (A), the plaintiff shall have the burden of proving by clear and convincing evidence the willful misconduct by each cleared defense contractor subject to such claim and that such willful misconduct proximately caused injury to the plaintiff.

“(C) In this subsection, the term ‘willful misconduct’ means an act or omission that is taken—

“(i) intentionally to achieve a wrongful purpose;

“(ii) knowingly without legal or factual justification; and

“(iii) in disregard of a known or obvious risk that is so great as to make it highly probable that the harm will outweigh the benefit.”.

(b) ADDITION OF LIABILITY PROTECTIONS FOR REPORTING ON CYBER INCIDENTS.—Section 391 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) PROTECTION FROM LIABILITY OF OPERATIONALLY CRITICAL CONTRACTORS.—(1) No cause of action shall lie or be maintained in any court against any operationally critical contractor, and such action shall be promptly dismissed, for compliance with this section that is conducted in accordance with procedures established pursuant to subsection (b).

“(2)(A) Nothing in this section shall be construed—

“(i) to require dismissal of a cause of action against an operationally critical contractor that has engaged in willful misconduct in the course of complying with the procedures established pursuant to subsection (b); or

“(ii) to undermine or limit the availability of otherwise applicable common law or statutory defenses.

“(B) In any action claiming that paragraph (1) does not apply due to willful misconduct described in subparagraph (A), the plaintiff shall have the burden of proving by clear and convincing evidence the willful misconduct by each operationally critical contractor subject to such claim and that such willful misconduct proximately caused injury to the plaintiff.

“(C) In this subsection, the term ‘willful misconduct’ means an act or omission that is taken—

“(i) intentionally to achieve a wrongful purpose;

“(ii) knowingly without legal or factual justification; and

“(iii) in disregard of a known or obvious risk that is so great as to make it highly probable that the harm will outweigh the benefit.”.

(c) CONFORMING AND TECHNICAL AMENDMENTS.—

(1) Section 391 of title 10, United States Code, is amended in subsection (a) by striking “and with section 941 of the National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. 2224 note)” and inserting “and section 393 of this title”.

(2) The table of sections at the beginning of chapter 19 of such title is amended—

(A) by amending the item relating to section 391 to read as follows:

“391. Reporting on cyber incidents with respect to networks and information systems of operationally critical contractors and certain other contractors.”; and

(B) by adding at the end the following new item:

“393. Reporting on penetrations of networks and information systems of certain contractors.”.

SEC. 1642. AUTHORIZATION OF MILITARY CYBER OPERATIONS.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 130g. Authorities concerning military cyber operations

“The Secretary of Defense shall develop, prepare, and coordinate; make ready all armed forces for purposes of; and, when ap-

propriately authorized to do so, conduct, a military cyber operation in response to malicious cyber activity carried out against the United States or a United States person by a foreign power (as such terms are defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801)).”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of such title is amended by adding at the end the following new item:

“130g. Authorities concerning military cyber operations.”.

SEC. 1643. LIMITATION ON AVAILABILITY OF FUNDS PENDING THE SUBMISSION OF INTEGRATED POLICY TO DETER ADVERSARIES IN CYBERSPACE.

Until the President submits to the congressional defense committees the report required by section 941 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 837), \$10,000,000 of the unobligated balance of the amounts appropriated or otherwise made available to the Department of Defense to provide support services to the Executive Office of the President may not be obligated or expended.

SEC. 1644. AUTHORIZATION FOR PROCUREMENT OF RELOCATABLE SENSITIVE COMPARTMENTED INFORMATION FACILITY.

Of the unobligated amounts appropriated or otherwise made available in fiscal years 2014 and 2015 for procurement for the Army, not more than \$10,600,000 may be used for the procurement of a relocatable Sensitive Compartmented Information Facility for the Cyber Center of Excellence at Fort Gordon, Georgia, as described in the reprogramming action prior approval request submitted by the Under Secretary of Defense (Comptroller) to Congress on February 6, 2015.

SEC. 1645. DESIGNATION OF MILITARY DEPARTMENT ENTITY RESPONSIBLE FOR ACQUISITION OF CRITICAL CYBER CAPABILITIES.

(a) DESIGNATION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall designate an entity within a military department to be responsible for the acquisition of each critical cyber capability described in paragraph (2).

(2) CRITICAL CYBER CAPABILITIES DESCRIBED.—The critical cyber capabilities described in this paragraph are the cyber capabilities that the Secretary considers critical to the mission of the Department of Defense, including the following:

(A) The Unified Platform described in the Department of Defense document titled “The Department of Defense Cyber Strategy” dated April 15, 2015.

(B) A persistent cyber training environment.

(C) A cyber situational awareness and battle management system.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report containing the information described in paragraph (2).

(2) CONTENTS.—The report under paragraph (1) shall include the following with respect to the critical cyber capabilities described in subsection (a)(2):

(A) Identification of each critical cyber capability and the entity of a military department responsible for the acquisition of the capability.

(B) Estimates of the funding requirements and acquisition timelines for each critical cyber capability.

(C) An explanation of whether critical cyber capabilities could be acquired more quickly with changes to acquisition authorities.

(D) Such recommendations as the Secretary may have for legislation or administrative action to improve the acquisition of, or to acquire more quickly, the critical cyber capabilities for which designations are made under subsection (a).

SEC. 1646. ASSESSMENT OF CAPABILITIES OF UNITED STATES CYBER COMMAND TO DEFEND THE UNITED STATES FROM CYBER ATTACKS.

(a) WAR GAMES.—The Chairman of the Joint Chiefs of Staff, in consultation with the Principal Cyber Advisor, shall conduct a series of war games through the warfighting analysis division of the Force Structure, Resources, and Assessment Directorate to assess the strategy, assumptions, and capabilities of the United States Cyber Command to prevent large-scale cyber attacks, by foreign powers with cyber attack capabilities comparable to the capabilities that China, Iran, North Korea, and Russia are expected to achieve in the years 2020 and 2025, from reaching United States targets.

(b) FINDINGS.—Not later than one year after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff shall convey to the congressional defense committees the findings of the Chairman with respect to the war games conducted under subsection (a).

(c) FOREIGN POWER DEFINED.—In this section, the term “foreign power” has the meaning given the term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

SEC. 1647. EVALUATION OF CYBER VULNERABILITIES OF MAJOR WEAPON SYSTEMS OF THE DEPARTMENT OF DEFENSE.

(a) EVALUATION REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall, in accordance with the plan under subsection (b), complete an evaluation of the cyber vulnerabilities of each major weapon system of the Department of Defense by not later than December 31, 2019.

(2) EXCEPTION.—The Secretary may waive the requirement of paragraph (1) with respect to a weapon system or complete the evaluation of a weapon system required by such paragraph after the date specified in such paragraph if the Secretary certifies to the congressional defense committees before that date that all known cyber vulnerabilities in the weapon system have minimal consequences for the capability of the weapon system to meet operational requirements or otherwise satisfy mission requirements.

(b) PLAN FOR EVALUATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the plan of the Secretary for the evaluations of major weapon systems under subsection (a), including an identification of each of the weapon systems to be evaluated and an estimate of the funding required to conduct the evaluations.

(2) PRIORITY IN EVALUATIONS.—The plan under paragraph (1) shall accord a priority among evaluations based on the criticality of major weapon systems, as determined by the Chairman of the Joint Chiefs of Staff based on an assessment of employment of forces and threats.

(3) INTEGRATION WITH OTHER EFFORTS.—The plan under paragraph (1) shall build upon existing efforts regarding the identification and mitigation of cyber vulnerabilities of major weapon systems, and shall not duplicate similar ongoing efforts such as Task

Force Cyber Awakening of the Navy or Task Force Cyber Secure of the Air Force.

(c) **STATUS ON PROGRESS.**—The Secretary shall inform the congressional defense committees of the activities undertaken in the evaluation of major weapon systems under this section as part of the quarterly cyber operations briefings under section 484 of title 10, United States Code.

(d) **RISK MITIGATION STRATEGIES.**—As part of the evaluation of cyber vulnerabilities of major weapon systems of the Department under this section, the Secretary shall develop strategies for mitigating the risks of cyber vulnerabilities identified in the course of such evaluations.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research, development, test, and evaluation, Defense-wide, not more than \$200,000,000 shall be available to the Secretary to conduct the evaluations under subsection (a)(1).

SEC. 1648. COMPREHENSIVE PLAN AND BIENNIAL EXERCISES ON RESPONDING TO CYBER ATTACKS.

(a) **COMPREHENSIVE PLAN OF DEPARTMENT OF DEFENSE TO SUPPORT CIVIL AUTHORITIES IN RESPONSE TO CYBER ATTACKS BY FOREIGN POWERS.**—

(1) **PLAN REQUIRED.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop a comprehensive plan for the United States Cyber Command to support civil authorities in responding to cyber attacks by foreign powers (as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801)) against the United States or a United States person.

(B) **ELEMENTS.**—The plan required by subparagraph (A) shall include the following:

(i) A plan for internal Department of Defense collective training activities that are integrated with exercises conducted with other agencies and State and local governments.

(ii) Plans for coordination with the heads of other Federal agencies and State and local governments pursuant to the exercises required under clause (i).

(iii) A list of any other exercises previously conducted that are used in the formulation of the plan required by subparagraph (A), such as Operation Noble Eagle.

(iv) Descriptions of the roles, responsibilities, and expectations of Federal, State, and local authorities as the Secretary understands them.

(v) Descriptions of the roles, responsibilities, and expectations of the active components and reserve components of the Armed Forces.

(vi) A description of such legislative and administrative action as may be necessary to carry out the plan required by subparagraph (A).

(2) **COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF PLAN.**—The Comptroller General of the United States shall review the plan developed under paragraph (1)(A).

(b) **BIENNIAL EXERCISES ON RESPONDING TO CYBER ATTACKS AGAINST CRITICAL INFRASTRUCTURE.**—

(1) **BIENNIAL EXERCISES REQUIRED.**—Not less frequently than once every two years until the date that is six years after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of Homeland Security, the Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the

heads of the critical infrastructure sector-specific agencies designated under Presidential Policy Directive-21 (titled “Critical Infrastructure Security Resilience” and dated February 12, 2013) and in consultation with Governors of the States and the owners and operators of critical infrastructure, organize and execute one or more exercises based on scenarios in which—

(A) critical infrastructure of the United States is attacked through cyberspace; and

(B) the President directs the Secretary of Defense to—

(i) defend the United States; and

(ii) provide support to civil authorities in responding to and recovering from cyber attacks, while exercising any guidance derived from the plan developed under subsection (a) or any subsequent updates to that plan.

(2) **PURPOSES.**—The purposes of the exercises required by paragraph (1) are as follows:

(A) To exercise command and control, coordination, communications, and information sharing capabilities under the stressing conditions of an ongoing cyber attack.

(B) To identify gaps and problems that require new enhanced training, capabilities, procedures, or authorities.

(C) To identify—

(i) interdependencies;

(ii) strengths that should be leveraged; and

(iii) weaknesses that need to be mitigated.

(3) **REQUIREMENT FOR VARIATION OF ASSUMPTIONS AND CONDITIONS.**—In conducting the exercises required by paragraph (1), the Secretary shall ensure that there is an appropriate degree of variation from exercise to exercise of the following:

(A) The size, scope, duration, and sophistication of the cyber attacks.

(B) The degree of warning and knowledge that is available to the Department of Defense about the attack, the means used in the attack, and the degree of delegation of authority from the President to react, including with pre-planned responses.

(C) The effectiveness of the National Mission Force of the United States Cyber Command in preempting and defeating the attack.

(D) The effectiveness of the attacks on critical infrastructure in general and particularly in specific industry sectors.

(E) The effectiveness of resilience and recovery mechanisms.

(4) **COST-SHARING AGREEMENTS.**—The Secretary shall coordinate with those with whom the Secretary is required to coordinate under paragraph (1) to develop equitable cost-sharing agreements to defray the expenses of the exercises required by paragraph (1).

SEC. 1649. SENSE OF CONGRESS ON REVIEWING AND CONSIDERING FINDINGS AND RECOMMENDATIONS OF COUNCIL OF GOVERNORS ON CYBER CAPABILITIES OF THE ARMED FORCES.

It is the sense of Congress that the Secretary of Defense should review and consider any findings and recommendations of the Council of Governors established under section 1822 of the National Defense Authorization Act of 2008 (Public Law 110-181; 122 Stat. 500; 32 U.S.C. 104 note) pertaining to cyber mission force requirements and any proposed reductions in and synchronization of the cyber capabilities of active or reserve components of the Armed Forces.

Subtitle D—Nuclear Forces

SEC. 1651. ASSESSMENT OF THREATS TO NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.

Section 171a of title 10, United States Code, is amended—

(1) by redesignating subsections (f), (g), and (h), as subsections (g), (h), and (i), respectively;

(2) by inserting after subsection (e) the following new subsection (f):

“(f) **COLLECTION OF ASSESSMENTS ON CERTAIN THREATS.**—The Council shall collect and assess (consistent with the provision of classified information and intelligence sources and methods) all reports and assessments otherwise conducted by the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))) regarding foreign threats, including cyber threats, to the command, control, and communications system for the national leadership of the United States and the vulnerabilities of such system to such threats.”; and

(3) in subsection (e), by adding at the end the following new paragraph:

“(5) An assessment of the threats and vulnerabilities described in the reports and assessments collected under subsection (f) during the previous year, including any plans to address such threats and vulnerabilities.”.

SEC. 1652. ORGANIZATION OF NUCLEAR DETERRENCE FUNCTIONS OF THE AIR FORCE.

(a) **OVERSIGHT OF NUCLEAR DETERRENCE MISSION.**—

(1) **IN GENERAL.**—Chapter 805 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 8040. Oversight of nuclear deterrence mission

“(a) **OVERSIGHT OF NUCLEAR DETERRENCE MISSION.**—Subject to the authority, direction, and control of the Secretary of the Air Force, the Chief of Staff of the Air Force shall be responsible for overseeing the safety, security, reliability, effectiveness, and credibility of the nuclear deterrence mission of the Air Force.

“(b) **DEPUTY CHIEF OF STAFF.**—Not later than March 1, 2016, the Chief of Staff shall designate a Deputy Chief of Staff to carry out the following duties:

“(1) Provide direction, guidance, integration, and advocacy regarding the nuclear deterrence mission of the Air Force.

“(2) Conduct monitoring and oversight activities regarding the safety, security, reliability, effectiveness, and credibility of the nuclear deterrence mission of the Air Force.

“(3) Conduct periodic comprehensive assessments of all aspects of the nuclear deterrence mission of the Air Force and provide such assessments to the Secretary of the Air Force and the Chief of Staff of the Air Force.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 8039 the following new item:

“8040. Oversight of nuclear deterrence mission.”.

(3) **CONFORMING AMENDMENT.**—Section 8033(d)(5) of such title is amended by inserting before the semicolon the following: “, including pursuant to section 8040 of this title”.

(d) **CONSOLIDATION.**—

(1) **SENSE OF CONGRESS.**—It is the sense of Congress that the Secretary of the Air Force should—

(A) consolidate, to the extent the Secretary determines appropriate, under a major command commanded by a single general officer the responsibility, authority, accountability, and resources for carrying out all aspects of the nuclear deterrence mission of the Air Force, including with respect to nuclear weapons, nuclear weapon delivery systems, and the nuclear command, control, and communications system; and

(B) issue, including through the Chief of Staff of the Air Force and other elements of the Air Force, guidance, directives, and orders to carry out such consolidation.

(2) **REPORT.**—Not later than February 28, 2016, the Secretary of the Air Force shall submit to the congressional defense committees a report on any actions taken or planned to be taken by the Secretary to reorganize, streamline, and clarify the responsibilities, authorities, accountabilities, and resources for carrying out the nuclear deterrence mission of the Air Force. Such report shall include the following:

(A) How elements of the Air Force will coordinate and integrate to carry out such mission.

(B) What guidance, directives, and orders have been or will be issued by the Secretary, the Chief of Staff of the Air Force, or other elements of the Air Force to ensure roles, responsibilities, authorities, and accountabilities are clear and institutionalized with respect to such mission.

SEC. 1653. PROCUREMENT AUTHORITY FOR CERTAIN PARTS OF INTERCONTINENTAL BALLISTIC MISSILE FUZES.

(a) **AVAILABILITY OF FUNDS.**—Notwithstanding section 1502(a) of title 31, United States Code, of the amount authorized to be appropriated for fiscal year 2016 by section 101 and available for Missile Procurement, Air Force, as specified in the funding table in section 4101, \$13,700,000 shall be available for the procurement of covered parts pursuant to contracts entered into under section 1645(a) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3651).

(b) **COVERED PARTS DEFINED.**—In this section, the term “covered parts” means commercially available off-the-shelf items as defined in section 104 of title 41, United States Code.

SEC. 1654. PROHIBITION ON AVAILABILITY OF FUNDS FOR DE-ALERTING INTERCONTINENTAL BALLISTIC MISSILES.

(a) **PROHIBITION.**—Except as provided by subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense may be obligated or expended to reduce, or prepare to reduce, the responsiveness or alert level of the intercontinental ballistic missiles of the United States.

(b) **EXCEPTIONS.**—The prohibition in subsection (a) shall not apply to any of the following activities:

(1) The maintenance or sustainment of intercontinental ballistic missiles.

(2) Ensuring the safety, security, or reliability of intercontinental ballistic missiles.

(3) Reductions in the number of deployed intercontinental ballistic missiles that are carried out in compliance with—

(A) the limitations of the New START Treaty (as defined in section 494(a)(2)(D) of title 10, United States Code); and

(B) section 1644 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3651; 10 U.S.C. 494 note).

SEC. 1655. ASSESSMENT OF GLOBAL NUCLEAR ENVIRONMENT.

(a) **ASSESSMENT REQUIRED.**—The Director of Net Assessment of the Department of Defense, in coordination with the Commander of the United States Strategic Command, shall conduct an assessment of the global environment with respect to nuclear weapons and the role of the nuclear forces, policy, and strategy of the United States in that environment.

(b) **OBJECTIVES.**—The objectives of the assessment required by subsection (a) are to inform the long-term planning of the Department of Defense and policies relating to regional nuclear crises and operations that may involve the escalation of nuclear competition among countries.

(c) **REQUIREMENTS.**—

(1) **IN GENERAL.**—In conducting the assessment required by subsection (a), the Director shall develop and analyze a range of contingencies and scenarios, including crises that may emerge from nuclear competition during the 10- to 20-year period beginning on the date of the enactment of this Act that involve the following:

(A) The United States and one other country that possesses a nuclear weapon.

(B) The United States and multiple such countries.

(C) Two other such countries.

(D) Three or more other such countries.

(E) Regional and cross-regional geography, including contingencies and scenarios in Europe, the Middle East, South Asia, and East Asia, and contingencies and scenarios that transcend regions.

(F) The long-term geopolitical and military-technical competition as it relates to nuclear weapons and strategic warfare.

(2) **ANALYSIS OF COMPETITIVE DISCONTINUITIES.**—In analyzing the long-term geopolitical and military-technical competition as it relates to nuclear weapons and strategic warfare under paragraph (1)(F), the Director shall identify—

(A) prospective discontinuities in that competition; and

(B) strategies and capabilities the United States could adopt to improve its competitive position following such discontinuities.

(d) **STAFFING.**—In conducting the assessment required by subsection (a), the Director shall engage the best talent available, with particular emphasis on engaging individuals and independent entities with demonstrated expertise in strategy and net assessment methodology.

(e) **REPORT REQUIRED.**—Not later than November 15, 2016, the Director shall submit to the congressional defense committees a report on the assessment required by subsection (a).

SEC. 1656. ANNUAL BRIEFING ON THE COSTS OF FORWARD-DEPLOYING NUCLEAR WEAPONS IN EUROPE.

(a) **IN GENERAL.**—Not later than 30 days after the date on which the President submits to Congress the budget for each of fiscal years 2017 through 2021 under section 1105 of title 31, United States Code, the Secretary of Defense shall provide to the congressional defense committees a briefing on the costs of forward-deploying nuclear weapons in Europe (not including costs relating to the life extension program for the B61 nuclear bomb).

(b) **ELEMENTS.**—Each briefing required under paragraph (1) shall include the following:

(1) The contributions of the United States, including with respect to sustainment (operations and maintenance) and manpower, to support forward-deployed nuclear weapons in

Europe, but not costs that are attributed to non-nuclear missions, during the fiscal year following the date of the briefing and the period covered by the future-years defense program submitted to Congress under section 221 of title 10, United States Code, for that fiscal year.

(2) Contributions made by the North Atlantic Treaty Organization (NATO) or member states of NATO relating to the extended deterrence mission.

(3) Recent or planned contributions of the United States for security enhancements (site-by-site) relating to support for such forward-deployed nuclear weapons and any other contributions, including burden-share costs by the United States, for other security enhancements and upgrades relating to such forward-deployed nuclear weapons, including infrastructure upgrades at weapons storage sites in Europe.

SEC. 1657. REPORT ON THE NUMBER OF PLANNED LONG-RANGE STANDOFF WEAPONS.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the justification of the number of planned nuclear-armed cruise missiles, known as the long-range standoff weapon, of the United States. The report shall include—

(1) the rationale for procuring such planned number of cruise missiles;

(2) how such planned number of cruise missiles aligns with the nuclear employment strategy of the United States;

(3) an estimate of the annual and total cost for research, development, test, and evaluation and procurement for such planned number of cruise missiles; and

(4) an estimate of the proportional annual cost of such cruise missiles as compared to the annual cost of the nuclear triad and annual defense spending.

SEC. 1658. REVIEW OF COMPTROLLER GENERAL OF THE UNITED STATES ON RECOMMENDATIONS RELATING TO NUCLEAR ENTERPRISE OF THE DEPARTMENT OF DEFENSE.

(a) **IN GENERAL.**—During each of fiscal years 2016 through 2021, the Comptroller General of the United States shall conduct a review of the process of the Department of Defense for addressing the recommendations of the Department of Defense Internal Nuclear Enterprise Review, the Independent Review of the Department of Defense Nuclear Enterprise, and the Nuclear Deterrence Enterprise Review Group that are evaluated by the Director of Cost Assessment and Program Evaluation.

(b) **BRIEFING.**—After conducting each review under subsection (a), the Comptroller General shall provide to the congressional defense committees a briefing on the review.

SEC. 1659. SENSE OF CONGRESS ON ORGANIZATION OF NAVY FOR NUCLEAR DETERRENCE MISSION.

(a) **FINDINGS.**—Congress finds the following:

(1) The safety, security, reliability, and credibility of the nuclear deterrent of the United States is a vital national security priority.

(2) Nuclear weapons require special consideration because of the political and military importance of the weapons, the destructive power of the weapons, and the potential consequences of an accident or unauthorized act involving the weapons.

(3) The assured safety, security, and control of nuclear weapons and related systems are of paramount importance.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the Navy has repeatedly demonstrated the commitment and prioritization of the Navy to the nuclear deterrence mission of the Navy;

(2) the emphasis of the Navy on ensuring a safe, secure, reliable, and credible sea-based nuclear deterrent force has been matched by an equal emphasis on ensuring the assured safety, security, and control of nuclear weapons and related systems ashore; and

(3) the Navy is commended for the actions the Navy has taken subsequent to the 2014 Nuclear Enterprise Review to ensure continued focus on the nuclear deterrent mission by all ranks within the Navy, including the clarification and assignment of specific responsibilities and authorities within the Navy contained in OPNAV Instruction 8120.1 and SECNAV Instruction 8120.1B.

SEC. 1660. SENSE OF CONGRESS ON THE NUCLEAR FORCE IMPROVEMENT PROGRAM OF THE AIR FORCE.

(a) FINDINGS.—Congress finds the following:

(1) On February 6, 2014, Air Force Global Strike Command initiated a force improvement program for the intercontinental ballistic missile force designed to improve mission effectiveness, strengthen culture and morale, and identify areas in need of investment by soliciting input from airmen performing intercontinental ballistic missile operations.

(2) The intercontinental ballistic missile force improvement program generated more than 300 recommendations to strengthen intercontinental ballistic missile operations and served as a model for subsequent force improvement programs in other mission areas, such as bomber operations and sustainment.

(3) On May 28, 2014, as part of the nuclear force improvement program, the Air Force announced it would make immediate improvements in the nuclear mission of the Air Force, including enhancing career opportunities for airmen in the nuclear career field, ensuring training activities focused on performing the mission in the field, reforming the personnel reliability program, establishing special pay rates for positions in the nuclear career field, and creating a new service medal for nuclear deterrence operations.

(4) Chief of Staff of the Air Force Mark Welsh has said that, as part of the nuclear force improvement program, the Air Force will increase nuclear-manning levels and strengthen professional development for the members of the Air Force supporting the nuclear mission of the Air Force in order “to address shortfalls and offer our airmen more stable work schedule and better quality of life”.

(5) Secretary of the Air Force Deborah Lee James, in recognition of the importance of the nuclear mission of the Air Force, proposed elevating the grade of the commander of the Air Force Global Strike Command from lieutenant general to general, and on March 30, 2015, the Senate confirmed a general as commander of that command.

(6) The Air Force redirected more than \$160,000,000 in fiscal year 2014 to alleviate urgent, near-term shortfalls within the nuclear mission of the Air Force as part of the nuclear force improvement program.

(7) The Air Force plans to spend more than \$200,000,000 on the nuclear force improvement program in fiscal year 2015, and requested more than \$130,000,000 for the program for fiscal year 2016.

(8) Secretary of Defense Chuck Hagel said on November 14, 2014, that “[t]he nuclear mission plays a critical role in ensuring the

Nation’s safety. No other enterprise we have is more important”.

(9) Secretary Hagel also said that the budget for the nuclear mission of the Air Force should increase by 10 percent over a five-year period.

(10) Section 1652 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3654; 10 U.S.C. 491 note) declares it the policy of the United States “to ensure that the members of the Armed Forces who operate the nuclear deterrent of the United States have the training, resources, and national support required to execute the critical national security mission of the members”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the nuclear mission of the Air Force should be a top priority for the Department of the Air Force and for Congress;

(2) the members of the Air Force who operate and maintain the nuclear deterrent of the United States perform work that is vital to the security of the United States;

(3) the nuclear force improvement program of the Air Force has made significant near-term improvements for the members of the Air Force in the nuclear career field of the Air Force;

(4) Congress should support long-term investments in the Air Force nuclear enterprise that sustain the progress made under the nuclear force improvement program;

(5) the Air Force should—

(A) regularly inform Congress on the progress being made under the nuclear force improvement program and its efforts to strengthen the nuclear enterprise; and

(B) make Congress aware of any additional actions that should be taken to optimize performance of the nuclear mission of the Air Force and maximize the strength of the strategic deterrent of the United States; and

(6) future budgets for the Air Force should reflect the importance of the nuclear mission of the Air Force and the need to provide members of the Air Force assigned to the nuclear mission the best possible support and quality of life.

SEC. 1661. SENSES OF CONGRESS ON IMPORTANCE OF COOPERATION AND COLLABORATION BETWEEN UNITED STATES AND UNITED KINGDOM ON NUCLEAR ISSUES AND ON 60TH ANNIVERSARY OF FLEET BALLISTIC MISSILE PROGRAM.

(a) COLLABORATION BETWEEN UNITED STATES AND UNITED KINGDOM.—It is the sense of Congress that—

(1) cooperation and collaboration under the 1958 Mutual Defense Agreement and the 1963 Polaris Sales Agreement are fundamental elements of the security of the United States and the United Kingdom as well as international stability;

(2) the recent renewal of the Mutual Defense Agreement and the continued work under the Polaris Sales Agreement underscore the enduring and long-term value of the agreements to both countries; and

(3) the vital efforts performed under the purview of both the Mutual Defense Agreement and the Polaris Sales Agreement are critical to sustaining and enhancing the capabilities and knowledge base of both countries regarding nuclear deterrence, nuclear nonproliferation and counterproliferation, and naval nuclear propulsion.

(b) 60TH ANNIVERSARY OF FLEET BALLISTIC MISSILE PROGRAM.—It is the sense of Congress that—

(1) November 2015 marks the 60th anniversary of the Fleet Ballistic Missile Program

of the Navy, which evolved from the Special Project Office established under President Dwight D. Eisenhower, and has provided credible, reliable, and affordable strategic deterrence solutions to the warfighter by producing more than 3,600 missiles over six different generations;

(2) The current Trident II D5 missile system has provided a reliable deterrent for nearly 25 years onboard Ohio-class ballistic missile submarines and has demonstrated reliability that is second-to-none as evidenced by more than two decades of annual, operationally representative flight testing;

(3) Congress congratulates the men and women of Strategic Systems Programs, their industry partners, and the Marines, Sailors, and Coast Guardsmen who stand watch ensuring the safety, security, and credibility of the strategic weapons of the United States; and

(4) Strategic Systems Programs, and the strategic weapon system the programs provide, are a vital and esteemed cornerstone of the security and defense of the United States and will remain so well into the future.

SEC. 1662. SENSE OF CONGRESS ON PLAN FOR IMPLEMENTATION OF NUCLEAR ENTERPRISE REVIEWS.

It is the sense of Congress that—

(1) the Secretary of Defense should develop a plan regarding how the Secretary plans to implement the recommendations of the two nuclear enterprise reviews, one of which was led by Assistant Secretary of Defense Madelyn Creedon and Rear Admiral Peter Fanta and one of which was led by General Larry Welch (retired) and Admiral John Harvey, Jr. (retired); and

(2) such plan should include a timeline for when each recommendation will be implemented and how any additional manpower resulting from such recommendations will be allocated.

SEC. 1663. SENSE OF CONGRESS AND REPORT ON MILESTONE A DECISION ON LONG-RANGE STANDOFF WEAPON.

(a) SENSE OF CONGRESS.—It is the Sense of Congress that, to support the nuclear deterrence requirements of the United States Strategic Command and ensure the credibility and reliability of the nuclear-capable air launched cruise missiles of the United States, Congress supports efforts by the Secretary of Defense to validate military requirements and make a Milestone A decision on the long-range standoff weapon.

(b) REPORT.—Not later than May 31, 2016, the Secretary of Defense shall submit to the congressional defense committees a report on the outcome of Milestone A decision for the long-range standoff weapon.

SEC. 1664. SENSE OF CONGRESS ON POLICY ON THE NUCLEAR TRIAD.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the triad of strategic nuclear delivery systems plays a critical role in ensuring the national security of the United States; and

(2) retaining all three legs of the nuclear triad is among the highest priorities of the Department of Defense and will best maintain strategic stability at a reasonable cost, while hedging against potential technical problems and vulnerabilities.

(b) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to operate, sustain, and modernize or replace the triad of strategic nuclear delivery systems consisting of—

(A) heavy bombers equipped with nuclear gravity bombs and air-launched nuclear cruise missiles;

(B) land-based intercontinental ballistic missiles equipped with nuclear warheads

that are capable of carrying multiple independently targetable reentry vehicles; and

(C) ballistic missile submarines equipped with submarine launched ballistic missiles and multiple nuclear warheads;

(2) to operate, sustain, and modernize or replace a capability to forward-deploy nuclear weapons and dual-capable fighter-bomber aircraft;

(3) to deter potential adversaries and assure allies and partners of the United States through strong and long-term commitment to the nuclear deterrent of the United States and the personnel, systems, and infrastructure that comprise such deterrent;

(4) to ensure that the members of the Armed Forces who operate the nuclear deterrent of the United States have the training, resources, and national support required to execute the critical national security mission of the members; and

(5) to achieve a modern and responsive nuclear infrastructure to support the full spectrum of deterrence requirements.

SEC. 1665. REPORT RELATING TO THE COSTS ASSOCIATED WITH EXTENDING THE LIFE OF THE MINUTEMAN III INTERCONTINENTAL BALLISTIC MISSILE.

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report examining the costs associated with extending the life of the Minuteman III intercontinental ballistic missile compared to the costs associated with procuring a new ground-based strategic deterrent.

Subtitle E—Missile Defense Programs and Other Matters

SEC. 1671. PROHIBITIONS ON PROVIDING CERTAIN MISSILE DEFENSE INFORMATION TO RUSSIAN FEDERATION.

(a) PROHIBITIONS.—

(1) IN GENERAL.—Chapter 3 of title 10, United States Code, as amended by section 1642, is further amended by adding at the end the following new section:

“§ 130h. Prohibitions on providing certain missile defense information to Russian Federation

“(a) CERTAIN ‘HIT-TO-KILL’ TECHNOLOGY AND TELEMETRY DATA.—None of the funds authorized to be appropriated or otherwise made available for any fiscal year for the Department of Defense may be used to provide the Russian Federation with ‘hit-to-kill’ technology and telemetry data for missile defense interceptors or target vehicles.

“(b) OTHER SENSITIVE MISSILE DEFENSE INFORMATION.—None of the funds authorized to be appropriated or otherwise made available for any fiscal year for the Department of Defense may be used to provide the Russian Federation with—

“(1) information relating to velocity at burnout of missile defense interceptors or targets of the United States; or

“(2) classified or otherwise controlled missile defense information.

“(c) EXCEPTION.—The prohibitions in subsection (a) and (b) shall not apply to the United States providing to the Russian Federation information regarding ballistic missile early warning.

“(d) SUNSET.—The prohibitions in subsection (a) and (b) shall expire on January 1, 2017.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 1642, is further amended by inserting after the item relating to section 130g the following new item:

“130h. Prohibitions on providing certain missile defense information to Russian Federation.”.

(b) CONFORMING REPEAL.—Section 1246 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 922), as amended by section 1243 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3568), is further amended—

(1) by striking subsection (c); and

(2) in the heading, by striking “AND LIMITATIONS” and all that follows through “FEDERATION”.

SEC. 1672. PROHIBITION ON INTEGRATION OF MISSILE DEFENSE SYSTEMS OF RUSSIAN FEDERATION INTO MISSILE DEFENSE SYSTEMS OF UNITED STATES.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal years 2016 or 2017 for the Department of Defense may be obligated or expended to integrate a missile defense system of the Russian Federation into any missile defense system of the United States.

SEC. 1673. PROHIBITION ON INTEGRATION OF MISSILE DEFENSE SYSTEMS OF CHINA INTO MISSILE DEFENSE SYSTEMS OF UNITED STATES.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense may be obligated or expended to integrate a missile defense system of the People's Republic of China into any missile defense system of the United States.

SEC. 1674. LIMITATIONS ON AVAILABILITY OF FUNDS FOR PATRIOT LOWER TIER AIR AND MISSILE DEFENSE CAPABILITY OF THE ARMY.

(a) LIMITATION.—Except as provided by subsection (c), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for any program described in subsection (b) may be obligated or expended unless—

(1) the Secretary of the Army certifies to the congressional defense committees that the analysis of alternatives regarding the Patriot lower tier air and missile defense capability of the Army has been submitted to such committees;

(2) a period of 30 days has elapsed following the date on which the Secretary makes the certification under paragraph (1); and

(3) the Under Secretary of Defense for Acquisition, Technology, and Logistics certifies to such committees that such obligation or expenditure of funds on such programs is consistent with the findings of the analysis of alternatives described in paragraph (1) to modernize the Patriot lower tier air and missile defense capability of the Army.

(b) PROGRAM DESCRIBED.—A program described in this subsection are the following components and capabilities of the Patriot air and missile defense system:

(1) Radar capability development, radar improvements, the digital sidelobe canceller, or the radar digital processor of the lower tier air and missile defense program of the Army.

(2) The enhanced launcher electronic system.

(c) WAIVER.—The Under Secretary of Defense for Acquisition, Technology, and Logistics may waive the limitations in subsection (a) if the Under Secretary—

(1) determines that such waiver—

(A) is caused by the delay of the analysis of alternatives described in paragraph (1) of such subsection; and

(B) is necessary to avoid an unacceptable risk to mission performance;

(2) notifies the congressional defense committees of such waiver; and

(3) pursuant to such waiver, obligates or expends funds only in amounts necessary to

avoid such unacceptable risk to mission performance.

SEC. 1675. INTEGRATION AND INTEROPERABILITY OF AIR AND MISSILE DEFENSE CAPABILITIES OF THE UNITED STATES.

(a) INTEROPERABILITY OF MISSILE DEFENSE SYSTEMS.—The Under Secretary of Defense for Acquisition, Technology, and Logistics and the Vice Chairman of the Joint Chiefs of Staff, acting through the Missile Defense Executive Board, shall ensure the interoperability and integration of the covered air and missile defense capabilities of the United States, including by carrying out operational testing.

(b) ANNUAL DEMONSTRATION.—

(1) REQUIREMENT.—Except as provided by paragraph (2), the Director of the Missile Defense Agency and the Secretary of the Army shall jointly ensure that not less than one intercept or flight test is carried out each year that demonstrates interoperability and integration among the covered air and missile defense capabilities of the United States.

(2) WAIVER.—The Director and the Secretary may waive the requirement in paragraph (1) with respect to an intercept or flight test carried out during the year covered by the waiver if the Under Secretary of Defense for Acquisition, Technology, and Logistics—

(A) determines that such waiver is necessary for such year; and

(B) submits to the congressional defense committees notification of such waiver, including an explanation for how such waiver will not negatively affect demonstrating the interoperability and integration among the covered air and missile defense capabilities of the United States.

(c) DEFINITIONS.—In this section, the term “covered air and missile defense capabilities” means Patriot air and missile defense batteries and associated interceptors and systems, Aegis ships and associated ballistic missile interceptors (including Aegis Ashore capability), AN/TPY-2 radars, or terminal high altitude area defense batteries and interceptors.

SEC. 1676. INTEGRATION AND INTEROPERABILITY OF ALLIED MISSILE DEFENSE CAPABILITIES.

(a) ASSESSMENTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, each covered commander shall submit to the Secretary of Defense and the Chairman of the Joint Chiefs of Staff an assessment on opportunities for the integration and interoperability of covered air and missile defense capabilities of the United States with such capabilities of allies of the United States located in the area of responsibility of the commander, particularly with respect to such allies who acquired such capabilities through foreign military sales by the United States. Each assessment shall include an assessment of the key technology, security, command and control, and policy requirements necessary to achieve such an integrated and interoperable air and missile defense capability in a manner that ensures burden sharing and furthers the force multiplication goals of the United States.

(2) SUBMISSION.—Not later than 30 days after the date on which a covered commander submits to the Secretary and the Chairman an assessment under paragraph (1), the Secretary shall submit to the congressional defense committees a report containing such assessment, without change.

(b) INTEGRATION, INTEROPERABILITY, AND COMMAND-AND-CONTROL.—The Secretary and the Chairman, in coordination with the Secretary of the Army, the Chief of Staff of the

Army, the Secretary of the Navy, and the Chief of Naval Operations, shall carry out the planning, risk assessments, policy development, and concepts of operations necessary for each covered commander to ensure that the integration (to the extent that specific integration arrangements are agreeable to the partner nation or among the partner nations involved in such arrangements), interoperability, and command-and-control of air and missile defense capabilities described in subsection (a)(1) occur by not later than December 31, 2017.

(c) **REPORTS.**—Not later than one year after the date of the enactment of this Act, and annually thereafter until December 31, 2017, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly submit to the congressional defense committees a report that describes the progress made by the Secretary, the Chairman, and the covered commanders with respect to carrying out subsection (b), including an identification of each required action that has not been taken as of the date of the report.

(d) **DEFINITIONS.**—In this section:

(1) The term “covered air and missile defense capabilities” means Patriot air and missile defense batteries and associated interceptors and systems, Aegis ships and associated ballistic missile interceptors (including Aegis Ashore capability), AN/TPY-2 radars, or terminal high altitude area defense batteries and interceptors.

(2) The term “covered commander” means the following:

(A) The Commander of the United States European Command.

(B) The Commander of the United States Central Command.

(C) The Commander of the United States Pacific Command.

SEC. 1677. MISSILE DEFENSE CAPABILITY IN EUROPE.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that the Secretary of Defense, in consultation with the relevant combatant command, should ensure that arrangements are in place, including support from other members of the North Atlantic Treaty Organization (NATO) and the host nations, to provide anti-air defense capability at the Aegis Ashore sites in Romania and Poland by not later than June 1, 2019.

(b) **REQUEST TO NATO.**—

(1) **IN GENERAL.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to NATO a request for NATO Security Investment Programme support for an air defense capability at the Aegis Ashore sites in Romania and Poland.

(2) **NOTIFICATION.**—Not later than April 1, 2016, the Secretary shall notify the appropriate congressional committees as to whether NATO has agreed in principle to providing the support described in paragraph (1).

(3) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—In this subsection, the term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(c) **REPORT ON AIR DEFENSE CAPABILITY.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report describing—

(A) the plan and budget profile to provide the air defense capability described in subsection (b)(1);

(B) an assessment of any changes to the hosting agreements between the respective host nations and the United States;

(C) an evaluation of the feasibility, benefit, and cost of using the evolved sea sparrow missile, the standard missile 2, or other options as determined by the Secretary to provide such air defense capability; and

(D) an assessment of the air and ballistic missile threat to the military installations of the United States in Europe, including the Naval Shore Facility in Devesulu, Romania, and the planned facility in Redzikowo, Poland.

(2) **FORM.**—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) **CAPABILITIES IN EUROPEAN COMMAND AREA OF RESPONSIBILITY.**—

(1) **ROTATIONAL DEPLOYMENT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall ensure that a terminal high altitude area defense battery is available for rotational deployment to the area of responsibility of the United States European Command unless the Secretary notifies the congressional defense committees that such battery is needed in the area of responsibility of another combatant command.

(2) **PRE-POSITIONING SITES.**—The Secretary of Defense shall examine potential sites in the area of responsibility of the United States European Command to pre-position a terminal high altitude area defense battery.

(3) **STUDIES.**—

(A) Not later than 180 days after the date of the enactment of this Act, the Secretary shall conduct studies to evaluate—

(i) not fewer than three sites in the area of responsibility of the United States European Command for the deployment of a terminal high altitude area defense battery in the event that the deployment of such a battery is determined to be necessary; and

(ii) not fewer than three sites in such area for the deployment of a Patriot air and missile defense battery in the event that such a deployment is determined to be necessary.

(B) In evaluating sites under clauses (i) and (ii) of subparagraph (A), the Secretary shall determine which sites are best for defending—

(i) the Armed Forces of the United States; and

(ii) the member states of the North Atlantic Treaty Organization.

(4) **AGREEMENTS.**—If the Secretary of Defense determines that a deployment described in clause (i) or (ii) of paragraph (3)(A) is necessary and the appropriate host nation requests such a deployment, the President shall seek to enter into the necessary agreements with the host nation to carry out such deployment.

(e) **IMPLEMENTATION OF CERTAIN DIRECTION.**—The Secretary shall implement the direction relating to this section contained in the classified annex accompanying this Act.

SEC. 1678. AVAILABILITY OF FUNDS FOR IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.

(a) **AVAILABILITY OF FUNDS.**—Of the funds authorized to be appropriated by section 101 for procurement, Defense-wide, and available for the Missile Defense Agency, not more than \$41,400,000 may be provided to the Government of Israel to procure radars for the Iron Dome short-range rocket defense system as specified in the funding table in section 4101, including for coproduction of such

radars in the United States by industry of the United States.

(b) **CONDITIONS.**—

(1) **AGREEMENT.**—Funds described in subsection (a) to produce the Iron Dome short-range rocket defense program shall be available subject to the terms and conditions in the Agreement Between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel Concerning Iron Dome Defense System Procurement, signed on March 5, 2014, subject to an amended agreement for coproduction for radar components. In negotiations by the Missile Defense Agency and the Missile Defense Organization of the Government of Israel regarding such production, the goal of the United States is to maximize opportunities for coproduction of the radars described in subsection (a) in the United States by industry of the United States.

(2) **CERTIFICATION.**—Not later than 30 days prior to the initial obligation of funds described in subsection (a), the Director of the Missile Defense Agency and the Under Secretary of Defense for Acquisition, Technology, and Logistics shall jointly submit to the appropriate congressional committees—

(A) a certification that the agreement specified in paragraph (1) is being implemented as provided in such agreement; and

(B) an assessment detailing any risks relating to the implementation of such agreement.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 1679. ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM CODEVELOPMENT AND COPRODUCTION.

(a) **IN GENERAL.**—Subject to subsection (b), of the funds authorized to be appropriated for fiscal year 2016 for procurement, Defense-wide, and available for the Missile Defense Agency—

(1) not more than \$150,000,000 may be provided to the Government of Israel to procure the David’s Sling Weapon System, including for coproduction of parts and components in the United States by United States industry; and

(2) not more than \$15,000,000 may be provided to the Government of Israel for the Arrow 3 Upper Tier Interceptor Program, including for coproduction of parts and components in the United States by United States industry.

(b) **CERTIFICATION.**—

(1) **CRITERIA.**—Except as provided by subsection (c), the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the appropriate congressional committees a certification that—

(A) the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and production readiness reviews required by the research, development, and technology agreements for the David’s Sling Weapon System and the Arrow 3 Upper Tier Development Program, respectively;

(B) such funds will be provided on the basis of a one-for-one cash match made by Israel for such respective systems or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel);

(C) the United States has entered into a bilateral agreement with Israel that establishes—

(i) in accordance with subparagraph (D), the terms of coproduction of parts and components of such respective systems on the basis of the greatest practicable coproduction of parts, components, and all-up rounds (if appropriate) by United States industry and minimizes nonrecurring engineering and facilitization expenses;

(ii) complete transparency on the requirement of Israel for the number of interceptors and batteries of such respective systems that will be procured, including with respect to the procurement plans, acquisition strategy, and funding profiles of Israel;

(iii) technical milestones for coproduction of parts and components and procurement of such respective systems; and

(iv) joint approval processes for third-party sales of such respective systems and the components of such respective systems; and
(D) the level of coproduction described in subparagraph (C)(i) for the David's Sling Weapon System is equal to or greater than 50 percent.

(2) **NUMBER.**—In carrying out paragraph (1), the Under Secretary may submit—

(A) one certification covering both the David's Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program; or

(B) separate certifications for each such respective system.

(3) **TIMING.**—The Under Secretary shall submit to the congressional defense committees the certification under paragraph (1) by not later than 60 days before the funds specified in subsection (a) for the respective system covered by the certification are provided to the Government of Israel.

(c) **WAIVER.**—The Under Secretary may waive the certification required by subsection (b) if the Under Secretary certifies to the appropriate congressional committees that the Under Secretary has received sufficient data from the Government of Israel to demonstrate—

(1) the funds specified in paragraph (1) and (2) of subsection (a) are provided to Israel solely for funding the procurement of long-lead components in accordance with a production plan, including a funding profile detailing Israeli contributions for production, including long-lead production, of either David's Sling Weapon System or the Arrow 3 Upper Tier Interceptor Program;

(2) such long-lead components have successfully completed knowledge points, technical milestones, and production readiness reviews; and

(3) the long-lead procurement will be conducted in a manner that maximizes coproduction in the United States without incurring additional nonrecurring engineering activity or cost.

(d) **PLAN ON COPRODUCTION OF DAVID'S SLING WEAPON SYSTEM.**—At the same time that the President submits to Congress the budget for fiscal year 2017 under section 1105(a) of title 31, United States Code, the Director of the Missile Defense Agency and the Under Secretary shall jointly submit to the appropriate congressional committees a plan to achieve a rate of coproduction by United States industry of parts and components of the David's Sling Weapon System at a level that is not less than 50 percent. Such plan shall include—

(1) a timeline for achieving such a level of coproduction;

(2) any nonrecurring engineering or facilitization costs related to such coproduction, costs for additional testing and training, and other additional associated costs;

(3) a recommendation for whether carrying out such plan is in the national interest of the United States; and

(4) any other matter the Director and Under Secretary consider appropriate.

(e) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term "appropriate congressional committees" means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 1680. BOOST PHASE DEFENSE SYSTEM.

(a) **IN GENERAL.**—The Secretary of Defense shall—

(1) prioritize technology investments in the Department of Defense to support feasible and cost-effective efforts by the Missile Defense Agency to develop and field an airborne boost phase defense system by not later than fiscal year 2025;

(2) ensure that development and fielding of a boost phase missile defense layer to the ballistic missile defense system supports multiple warfighter missile defense requirements, including, specifically, protection of the United States homeland and allies of the United States against ballistic missiles, particularly in the boost phase;

(3) continue development and fielding of high-energy lasers, electromagnetic and other railgun technology, high-power microwave systems, and other advanced technologies as part of a layered architecture to defend ships and theater bases against air and cruise missile strikes;

(4) encourage collaboration among the military departments and the Defense Advanced Research Projects Agency with respect to high energy laser efforts carried out in support of the Missile Defense Agency; and

(5) ensure cooperation and coordination between the Missile Defense Agency with respect to the plans of the Missile Defense Agency to develop an airborne laser and the requirements of the Air Force for unmanned aerial vehicles.

(b) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the efforts of the Department of Defense to develop and deploy an airborne or other boost phase defense system for missile defense by fiscal year 2025.

(2) **ELEMENTS.**—The report under paragraph (1) shall include the following:

(A) Such schedules, costs, warfighter requirements, operational concept, constraints, potential alternative boost phase approaches, and other information regarding the efforts described in paragraph (1) as the Secretary considers appropriate.

(B) Analyses of the efforts described in paragraph (1) with respect to the following cases:

(i) A case in which the Department is under no funding constraints with respect to such efforts and progress is based on the state of the technology.

(ii) A case in which the Department is under funding constraints and the efforts are carried out in accordance with a moderately aggressive schedule and are subject to moderate technical risk.

(iii) A case in which the Department is under funding constraints and the efforts are carried out in accordance with a less aggressive schedule and are subject to less technical risk.

(C) An update on related efforts of the Department to develop high energy lasers, electromagnetic and other railguns, high power microwave systems, and other advanced

technologies to defend ships and theater bases against air and cruise missile strikes and to protect the homeland of the United States and protect allies of the United States.

(D) An evaluation of recommendations, including a listing of the recommendations, from industry on emerging technologies that could be applied for boost phase missile defense.

(E) Such recommendations as the Secretary may have for legislative or administrative action to enable more rapid fielding of a directed-energy based missile defense system.

(3) **FORM.**—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1681. DEVELOPMENT AND DEPLOYMENT OF MULTIPLE-OBJECT KILL VEHICLE FOR MISSILE DEFENSE OF THE UNITED STATES HOMELAND.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the defense of the United States homeland against the threat of limited ballistic missile attack (whether accidental, unauthorized, or deliberate) is the highest priority of the Missile Defense Agency;

(2) the Missile Defense Agency is appropriately prioritizing the design, development, and deployment of the redesigned kill vehicle; and

(3) the multiple-object kill vehicle could contribute critical capabilities to the future of the ballistic missile defense of the United States homeland.

(b) **MULTIPLE-OBJECT KILL VEHICLE.**—

(1) **DEVELOPMENT.**—The Director of the Missile Defense Agency shall develop a highly reliable multiple-object kill vehicle for the ground-based midcourse defense system using sound acquisition practices.

(2) **DEPLOYMENT.**—The Director shall—

(A) conduct rigorous flight testing of the multiple-object kill vehicle developed under paragraph (1) by not later than 2020; and

(B) recognizing the primacy of developing the redesigned kill vehicle, produce and deploy the multiple-object kill vehicle as early as practicable after the date on which the Director carries out subparagraph (A).

(c) **CAPABILITIES AND CRITERIA.**—The Director shall ensure that the multiple-object kill vehicle developed under subsection (b)(1) meets, at a minimum, the following capabilities and criteria:

(1) Vehicle-to-vehicle communications.

(2) Vehicle-to-ground communications.

(3) Kill assessment capability.

(4) The ability to counter advanced counter measures, decoys, and penetration aids.

(5) Producibility and manufacturability.

(6) Use of technology involving high technology readiness levels.

(7) Options to be integrated onto other missile defense interceptor vehicles other than the ground-based interceptors of the ground-based midcourse defense system.

(8) Sound acquisition processes.

(d) **PROGRAM MANAGEMENT.**—The management of the multiple-object kill vehicle program under subsection (b) shall report directly to the Deputy Director of the Missile Defense Agency.

(e) **REPORT ON FUNDING PROFILE.**—The Director shall include with the budget justification materials submitted to Congress in support of the budget of the Department of Defense for fiscal year 2017 (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a report on the funding profile necessary for the multiple-object kill vehicle program to meet the objectives under subsection (b).

SEC. 1682. REQUIREMENT TO REPLACE CAPABILITY ENHANCEMENT I EXOATMOSPHERIC KILL VEHICLES.

(a) IN GENERAL.—Subject to subsection (b), the Director of the Missile Defense Agency shall ensure, to the maximum extent practicable, that all remaining ground-based interceptors of the ground-based midcourse defense system that are armed with the capability enhancement I exoatmospheric kill vehicle are replaced with the redesigned exoatmospheric kill vehicle before September 30, 2022.

(b) CONDITION.—Subsection (a) shall not apply if the Director determines that flight and intercept testing of the redesigned exoatmospheric kill vehicle is not successful.

SEC. 1683. DESIGNATION OF PREFERRED LOCATION OF ADDITIONAL MISSILE DEFENSE SITE IN THE UNITED STATES AND PLAN FOR EXPEDITING DEPLOYMENT TIME OF SUCH SITE.

(a) SITE DESIGNATION.—Not later than 30 days after the date on which the Secretary of Defense publishes the draft environmental impact statement pursuant to subsection (b) of section 227 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1678), the Director of the Missile Defense Agency, in consultation with the Commander of the United States Northern Command, shall designate, from among the sites evaluated under subsection (a) of such section 227, the preferred site in the United States for the future deployment of an interceptor capable of protecting the homeland, as informed by—

(1) such environmental impact statement; and

(2) the operational effectiveness and cost effectiveness of such evaluated sites.

(b) PLAN.—

(1) IN GENERAL.—Not later than 30 days after the date on which the Secretary of Defense makes the congressional notification of the finalization of the environmental impact statement prepared pursuant to section 227(b) of the National Defense Authorization Act for Fiscal Year 2013, the Secretary shall—

(A) develop a plan for expediting the deployment time for the site designated under subsection (a) by at least two years, if the decision is made to proceed with such deployment; and

(B) submit to the congressional defense committees such plan and any update, as may be necessary, to the designation made under subsection (a).

(2) REPORT ELEMENTS.—The plan under paragraph (1)(A) shall include the following:

(A) Estimates of the costs of carrying out the plan and a schedule for carrying out the plan.

(B) An assessment of any risks associated with decreasing the deployment time of the site designated under subsection (a), including with respect to cost and the operational effectiveness and reliability of interceptors.

(C) Identification of any deviation in the plan from sound acquisition processes, including with respect to testing prior to full operational capability designation.

(D) A description of such legislative or administrative action as may be necessary to carry out the plan.

(c) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for military construction for the East Coast missile site planning and design, as specified in the funding table in section 4601, may be obligated or expended until the date on which the Secretary of Defense publishes the final environmental impact statement pursuant

to section 227(b) of the National Defense Authorization Act for Fiscal Year 2013.

(d) ASSESSMENT BY COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than 90 days after the date on which the Secretary submits the plan under subsection (b)(1)(B), the Comptroller General of the United States shall—

(1) complete a review of the plan; and

(2) submit to the congressional defense committees a report on such review that includes the findings and recommendations of the Comptroller General.

SEC. 1684. ADDITIONAL MISSILE DEFENSE SENSOR COVERAGE FOR PROTECTION OF UNITED STATES HOMELAND.

(a) SENSE OF CONGRESS.—It is the sense of Congress that additional missile defense sensor discrimination capabilities are needed to enhance the protection of the United States homeland against potential long-range ballistic missiles from Iran that, according to the Department of Defense, could soon be obtained by Iran as a result of its active space launch program.

(b) STUDIES AND EVALUATIONS ON HOMEPORT OF SEA-BASED X-BAND RADAR.—Not later than 60 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall commence any siting studies, environmental impact assessments or statements required pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) that have not otherwise been prepared, homeport agreements for sea-based X-band radar support, evaluations of any needed pier modifications, and evaluations of any communications capabilities or other requirements to carry out the reassignment of the homeport of the sea-based X-band radar to a homeport on the East Coast of the United States.

(c) POTENTIAL FUTURE MISSILE DEFENSE SENSOR SITES.—

(1) EVALUATION.—Not later than March 31, 2016, the Director shall commence a study to evaluate at least three possible additional locations (in or outside the United States), selected by the Director, that would be best suited for future deployment of an advanced missile defense sensor site optimized against threats from Iran.

(2) ENVIRONMENTAL IMPACT STATEMENTS.—Except as provided by paragraph (3), the evaluation under paragraph (1) shall include an environmental impact statement or other analysis in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for each location included in the evaluation.

(3) EXCEPTION.—If an environmental impact statement or other analysis described in paragraph (2) has already been prepared, or is not required by law, for a location included in the evaluation under paragraph (1), the Director shall not be required to carry out paragraph (2) with respect to such location.

(d) DEPLOYMENT OF ADDITIONAL COVERAGE.—

(1) DEPLOYMENT.—Not later than December 31, 2020, the Director, in cooperation with the relevant combatant command, shall deploy a long-range discrimination radar or other appropriate sensor capability in a location optimized to support the defense of the homeland of the United States from emerging long-range ballistic missile threats from Iran.

(2) SEA-BASED X-BAND RADAR.—If the Director carries out paragraph (1) by reassigning the homeport of the sea-based X-band radar, the Director and the Secretary of the Navy may not carry out such reassignment until

the date on which the Director certifies to the congressional defense committees that Hawaii will have adequate missile defense coverage prior to such reassignment.

(e) SUBMISSION OF INFORMATION.—

(1) REPORT.—Not later than December 31, 2018, the Director shall submit to the congressional defense committees a report containing the following:

(A) The findings of the study conducted under paragraph (1) of subsection (c), including any environmental impact statements or analyses required by paragraph (2) of such subsection.

(B) Notification of the manner in which Hawaii is being provided ballistic missile defense coverage.

(2) PLAN.—In the budget justification materials submitted to Congress in support of the budget for each of fiscal years 2017 through 2020 submitted by the President to Congress under section 1105 of title 31, United States Code, the Director shall include—

(A) the plan of the Director to carry out subsection (d); and

(B) an update on the progress of the Director in implementing subsections (b) and (c).

SEC. 1685. CONCEPT DEVELOPMENT OF SPACE-BASED MISSILE DEFENSE LAYER.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of the Missile Defense Agency, in coordination with the Secretary of the Air Force and the Director of the Defense Advanced Research Projects Agency, shall commence the concept definition of a space-based ballistic missile intercept layer to the ballistic missile defense system that provides—

(1) a boost-phase layer for missile defense; or

(2) additional defensive options against direct ascent anti-satellite weapons, hypersonic glide vehicles, and maneuvering reentry vehicles.

(b) ELEMENTS.—The activities carried out under subsection (a) shall include, at a minimum, the following:

(1) Draft operation concepts for how a space-based ballistic missile intercept layer would function in the context of a multi-layer missile defense architecture.

(2) An assessment of how such a space-based ballistic missile intercept layer could contribute to the defense of the United States against intercontinental ballistic missiles with varying degrees of effectiveness.

(3) An assessment of the required architecture and components (including hardware, software, and related command and control systems) and the maturity of critical technologies necessary to make such a space-based ballistic missile intercept layer operational.

(4) An assessment of how such a space-based ballistic missile intercept layer could protect the satellites of the United States against adversary anti-satellite weapons.

(5) An assessment of the effort required to integrate and make interoperable such a space-based ballistic missile intercept layer with the ground-based missile defense system.

(6) Any other matters the Director of the Missile Defense Agency considers appropriate.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Director shall submit to the congressional defense committees a report that includes—

(1) the findings of the concept development required by subsection (a);

(2) a plan for developing one or more programs of record for a space-based ballistic missile intercept layer, including estimates of the appropriate identifiable costs of each such potential program of record; and

(3) the views of the Director regarding such findings and plan.

SEC. 1686. AEGIS ASHORE CAPABILITY DEVELOPMENT.

(a) EVALUATION.—

(1) IN GENERAL.—The Director of the Missile Defense Agency, in coordination with the Chief of Naval Operations and the Chief of Staff of the Army, shall evaluate the role, feasibility, cost, cost benefit, and operational effectiveness of additional Aegis Ashore sites and upgrades to current ballistic missile defense system sensors to offset capacity demands on current Aegis ships, Aegis Ashore sites, and Patriot and Terminal High Altitude Area Defense capability and to meet the requirements of the combatant commanders.

(2) SUBMISSION.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall—

(A) review the evaluation conducted under paragraph (1); and

(B) submit to the congressional defense committees such evaluation and the results of such review, including recommendations for potential future locations of Aegis Ashore sites.

(b) IDENTIFICATION OF FMS OBSTACLES.—

(1) IN GENERAL.—The Under Secretary of Defense for Policy and the Secretary of State shall jointly identify any obstacles to foreign military sales of Aegis Ashore or co-financing of additional Aegis Ashore sites. Such evaluation shall include, with coordination with other agencies and departments of the Federal Government as appropriate, the feasibility of host nation manning or dual manning with the United States and such host nation.

(2) SUBMISSION.—Not later than one year after the date of the enactment of this Act, the Under Secretary shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report on the identification of obstacles under paragraph (1).

SEC. 1687. DEVELOPMENT OF REQUIREMENTS TO SUPPORT INTEGRATED AIR AND MISSILE DEFENSE CAPABILITIES.

(a) IN GENERAL.—Consistent with the memorandum of the Chairman of the Joint Chiefs of Staff of January 27, 2014, regarding joint integrated air and missile defense, the Vice Chairman of the Joint Chiefs of Staff shall oversee the development of warfighter requirements for persistent and survivable capabilities to detect, identify, determine the status, track, and support engagement of strategically important mobile or relocatable assets in all phases of conflict in order to achieve the objective of preventing the effective employment of such assets, including through offensive actions against such assets prior to their use.

(b) PURPOSE OF REQUIREMENTS.—The requirements developed pursuant to subsection (a) shall be used and updated, as appropriate, for the purpose of informing applicable acquisition programs and systems-of-systems architecture planning that are funded through the Military Intelligence Program, the National Intelligence Program, and non-intelligence programs.

(c) SUPPORTING ACTIVITIES.—The Vice Chairman shall also oversee the development

of the enabling framework for intelligence support for integrated air and missile defense, including concepts for the integrated operation of multiple systems, and, as appropriate, the development of requirements for capabilities to be acquired to achieve such integrated operations.

(d) SENSE OF CONGRESS.—It is the sense of Congress that new acquisition programs for applicable major systems or capabilities, or for upgrades to existing systems, should not be undertaken until the applicable requirements described in subsections (a) and (c) have been developed and incorporated into programmatic decision-making.

SEC. 1688. EXTENSION OF REQUIREMENT FOR COMPTROLLER GENERAL OF THE UNITED STATES REVIEW AND ASSESSMENT OF MISSILE DEFENSE ACQUISITION PROGRAMS.

Section 232(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1339) is amended—

(1) in paragraph (1), by striking “through 2015” and inserting “through 2020”; and

(2) in paragraph (2), in the first sentence, by striking “through 2016” and inserting “through 2021”.

SEC. 1689. REPORT ON MEDIUM RANGE BALLISTIC MISSILE DEFENSE SENSOR ALTERNATIVES FOR ENHANCED DEFENSE OF HAWAII.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) expanding persistent midcourse and terminal ballistic missile defense system discrimination capability is critically important to the defense of the United States;

(2) such discrimination capability is needed to respond to emerging ballistic missile threats involving countermeasures and decoys; and

(3) the Department of Defense should take all appropriate steps to ensure Hawaii has adequate missile defense coverage.

(b) EVALUATION AND REPORT.—

(1) EVALUATION.—The Director of the Missile Defense Agency shall conduct an evaluation of potential options for fielding a medium range ballistic missile defense sensor for the defense of Hawaii, including—

(A) the use of the Aegis Ashore Missile Defense Test Complex land-based system at the Pacific Missile Range Facility in Hawaii;

(B) the use of existing sensor assets in the region; and

(C) other options the Director determines appropriate.

(2) SUBMISSION OF REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director shall submit to the congressional defense committees a report on the options for augmenting the missile defense of Hawaii, including—

(A) a summary of the findings and recommendations of the evaluation conducted under paragraph (1);

(B) estimated acquisition and operating costs for each sensor option; and

(C) estimated timelines for the deployment of each sensor option.

SEC. 1690. SENSE OF CONGRESS AND REPORT ON VALIDATED MILITARY REQUIREMENT AND MILESTONE A DECISION ON PROMPT GLOBAL STRIKE WEAPON SYSTEM.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that the United States must continue to develop the conventional prompt global strike capability to strike high-value, time-sensitive, and defended targets from ranges outside of current conventional technology while addressing and preventing any risk of ambiguity.

(b) REPORT.—Not later than September 30, 2020, the Secretary of Defense shall submit

to the congressional defense committees a report regarding the outcome of the military requirements process and Milestone A decision for at least one conventional prompt global strike weapons system.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2016”.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2018; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2018; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2019 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI through XXVII shall take effect on the later of—

(1) October 1, 2015; or

(2) the date of the enactment of this Act.

TITLE XXI—ARMY MILITARY CONSTRUCTION

Sec. 2101. Authorized Army construction and land acquisition projects.

Sec. 2102. Family housing.

Sec. 2103. Improvements to military family housing units.

Sec. 2104. Authorization of appropriations, Army.

Sec. 2105. Modification of authority to carry out certain fiscal year 2013 project.

Sec. 2106. Extension of authorizations of certain fiscal year 2012 projects.

Sec. 2107. Extension of authorizations of certain fiscal year 2013 projects.

Sec. 2108. Additional authority to carry out certain fiscal year 2016 project.

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
Alaska	Fort Greely	\$7,800,000
California	Concord	\$98,000,000
Colorado	Fort Carson	\$5,800,000
Georgia	Fort Gordon	\$90,000,000
Maryland	Fort Meade	\$34,500,000
New York	Fort Drum	\$19,000,000
	United States Military Academy	\$70,000,000
Oklahoma	Fort Sill	\$69,400,000
Texas	Corpus Christi	\$85,000,000
Virginia	Arlington National Cemetery	\$30,000,000
	Fort Lee	\$33,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military construc-

tion projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out the military con-

struction project for the installation or location outside the United States, and in the amount, set forth in the following table:

Army: Outside the United States

Country	Installation or Location	Amount
Germany	Grafenwoehr	\$51,000,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section

2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family hous-

ing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

State/Country	Installation or Location	Units	Amount
Florida	Camp Rudder	Family Housing New Construction	\$8,000,000
Illinois	Rock Island	Family Housing New Construction	\$29,000,000
Korea	Camp Walker	Family Housing New Construction	\$61,000,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$7,195,000.

SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may improve existing military family housing units in an amount not to exceed \$3,500,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appro-

priated for fiscal years beginning after September 30, 2015, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2119) for the United States Military Academy, New York, for construction of a Cadet barracks building at the installation,

the Secretary of the Army may install mechanical equipment and distribution lines sufficient to provide chilled water for air conditioning the nine existing historical Cadet barracks which are being renovated through the Cadet Barracks Upgrade Program.

SEC. 2106. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1660), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (125 Stat. 1661) and extended by section 2107 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3673), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2012 Project Authorizations

State	Installation or Location	Project	Amount
Georgia	Fort Benning	Land Acquisition	\$5,100,000
	Fort Benning	Land Acquisition	\$25,000,000
Virginia	Fort Belvoir	Road and Infrastructure Improvements	\$25,000,000

SEC. 2107. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) **EXTENSION.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of

Public Law 112-239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (126 Stat. 2119) shall remain in effect until October 1, 2016, or the date of the en-

actment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) **TABLE.**—The table referred to in subsection (a) is as follows:

Army: Extension of 2013 Project Authorizations

State or Country	Installation or Location	Project	Amount
District of Columbia	Fort McNair	Vehicle Storage Building, Installation	\$7,191,000
Kansas	Fort Riley	Unmanned Aerial Vehicle Complex	\$12,184,000
North Carolina	Fort Bragg	Aerial Gunnery Range	\$41,945,000
Texas	Joint Base San Antonio	Barracks	\$20,971,000
Virginia	Fort Belvoir	Secure Admin/Operations Facility	\$93,876,000
Italy	Camp Ederle	Barracks	\$35,952,000
Japan	Sagami	Vehicle Maintenance Shop	\$17,976,000

SEC. 2108. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2016 PROJECT.

(a) **PROJECT AUTHORIZATION.**—The Secretary of the Army may carry out a military construction project to construct a vehicle bridge and traffic circle to facilitate traffic flow to and from the Medical Center at Rhine Ordnance Barracks, Germany, in the amount of \$12,400,000.

(b) **USE OF HOST-NATION PAYMENT-IN-KIND FUNDS.**—The Secretary may use available host-nation payment-in-kind funding for the project described in subsection (a).

TITLE XXII—NAVY MILITARY CONSTRUCTION

Sec. 2201. Authorized Navy construction and land acquisition projects.

Sec. 2202. Family housing.

Sec. 2203. Improvements to military family housing units.

Sec. 2204. Authorization of appropriations, Navy.

Sec. 2205. Extension of authorizations of certain fiscal year 2012 projects.

Sec. 2206. Extension of authorizations of certain fiscal year 2013 projects.

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

Country	Installation or Location	Amount
Arizona	Yuma	\$50,635,000
California	Camp Pendleton	\$44,540,000
	Coronado	\$4,856,000
	Lemoore	\$71,830,000
	Miramar	\$11,200,000
	Point Mugu	\$22,427,000
	San Diego	\$37,366,000
	Twentynine Palms	\$9,160,000
Florida	Jacksonville	\$16,751,000
	Mayport	\$16,159,000
	Pensacola	\$18,347,000
	Whiting Field	\$10,421,000
Georgia	Albany	\$7,851,000
	Kings Bay	\$8,099,000
	Townsend	\$43,279,000
Guam	Joint Region Marianas	\$181,768,000
Hawaii	Barking Sands	\$30,623,000
	Joint Base Pearl Harbor-Hickam	\$14,881,000
	Kaneohe Bay	\$106,618,000
	Marine Corps Base Hawaii	\$12,800,000
	Patuxent River	\$40,935,000
Maryland	Camp Lejeune	\$54,849,000
North Carolina	Cherry Point	\$57,726,000
	New River	\$8,230,000
South Carolina	Parris Island	\$27,075,000
Virginia	Dam Neck	\$23,066,000
	Norfolk	\$126,677,000
	Portsmouth	\$45,513,000
	Quantico	\$58,199,000
Washington	Bangor	\$34,177,000
	Bremerton	\$22,680,000
	Indian Island	\$4,472,000

(b) **OUTSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section

2204(a) and available for military construction projects outside the United States as specified in the funding table in section 4601,

the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations

outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Bahrain Island	Southwest Asia	\$89,791,000
Italy	Sigonella	\$102,943,000
Japan	Camp Butler	\$11,697,000
	Iwakuni	\$17,923,000
	Kadena Air Base	\$23,310,000
	Yokosuka	\$13,846,000
Poland	Redzikowo Base	\$51,270,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section

2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may construct or acquire family hous-

ing units (including land acquisition and supporting facilities) at the installation or location, in the number of units, and in the amounts set forth in the following table:

Navy: Family Housing

State	Installation or Location	Units	Amount
Virginia	Wallops Island	Family Housing New Construction	\$438,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,588,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing

military family housing units in an amount not to exceed \$11,515,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the total amount authorized to be appropriated under

subsection (a), as specified in the funding table in section 4601.

SEC. 2205. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (125 Stat. 1666) and extended by section 2208 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3678), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2012 Project Authorizations

State	Installation or Location	Project	Amount
California	Camp Pendleton	Infantry Squad Defense Range	\$29,187,000
Florida	Jacksonville	P–8A Hangar Upgrades	\$6,085,000
Georgia	Kings Bay	Crab Island Security Enclave	\$52,913,000

SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of

Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (126 Stat. 2122), shall remain in effect until October 1, 2016, or the date of the en-

actment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2013 Project Authorizations

State/Country	Installation or Location	Project	Amount
California	Camp Pendleton	Comm. Information Systems Ops Complex	\$78,897,000
	Coronado	Bachelor Quarters	\$76,063,000
	Twentynine Palms	Land Expansion Phase 2	\$47,270,000
Greece	Souda Bay	Intermodal Access Road	\$4,630,000
South Carolina	Beaufort	Recycling/Hazardous Waste Facility	\$3,743,000
Virginia	Quantico	Infrastructure—Widen Russell Road	\$14,826,000
Worldwide Unspecified	Various Worldwide Locations	BAMS Operational Facilities	\$34,048,000

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.
- Sec. 2303. Improvements to military family housing units.
- Sec. 2304. Authorization of appropriations, Air Force.
- Sec. 2305. Modification of authority to carry out certain fiscal year 2010 project.

- Sec. 2306. Modification of authority to carry out certain fiscal year 2014 project.
- Sec. 2307. Modification of authority to carry out certain fiscal year 2015 project.
- Sec. 2308. Extension of authorization of certain fiscal year 2012 project.
- Sec. 2309. Extension of authorization of certain fiscal year 2013 project.
- Sec. 2310. Certification of optimal location for Joint Intelligence Analysis Complex and plan for rotation of forces at Lajes Field, Azores.

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Eielson Air Force Base	\$71,400,000
Arizona	Davis-Monthan Air Force Base	\$16,900,000
	Luke Air Force Base	\$77,700,000
Colorado	Air Force Academy	\$10,000,000
Florida	Cape Canaveral Air Force Station	\$21,000,000
	Eglin Air Force Base	\$8,700,000
	Hurlburt Field	\$14,200,000
Guam	Joint Region Marianas	\$50,800,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$46,000,000
Kansas	McConnell Air Force Base	\$4,300,000
Missouri	Whiteman Air Force Base	\$29,500,000
Montana	Malstrom Air Force Base	\$19,700,000
Nebraska	Offutt Air Force Base	\$21,000,000
Nevada	Nellis Air Force Base	\$68,950,000
New Mexico	Cannon Air Force Base	\$7,800,000
	Holloman Air Force Base	\$3,000,000
	Kirtland Air Force Base	\$12,800,000
North Carolina	Seymour Johnson Air Force Base	\$17,100,000
Oklahoma	Altus Air Force Base	\$28,400,000
	Tinker Air Force Base	\$49,900,000
South Dakota	Ellsworth Air Force Base	\$23,000,000
Texas	Joint Base San Antonio	\$106,000,000
Utah	Hill Air Force Base	\$38,400,000
Wyoming	F.E. Warren Air Force Base	\$95,000,000
CONUS Classified	Classified Location	\$77,130,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construc-

tion projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out the military con-

struction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Greenland	Thule Air Base	\$41,965,000
Japan	Kadena Air Base	\$3,000,000
	Yokota Air Base	\$8,461,000
Niger	Agadez	\$50,000,000
Oman	Al Musannah Air Base	\$25,000,000
United Kingdom	Croughton Royal Air Force	\$130,615,000

SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$9,849,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve ex-

isting military family housing units in an amount not to exceed \$150,649,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) \$21,000,000 (the balance of the amount authorized under section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113-66; 127 Stat. 992) for the CYBERCOM Joint Operations Center at Fort Meade, Maryland).

SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECT.

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2636), for Hickam Air Force Base, Hawaii, for construction of a ground control tower at the installation, the Secretary of the Air Force may install communications cabling.

SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

(a) **AUTHORIZATION.**—In the case of the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113-66; 127 Stat. 993) for Royal Air Force Lakenheath, United Kingdom, for construction of a Guardian Angel Operations Facility at the installation, the Secretary of the Air Force may construct the facility at an unspecified location within the United States European Command's area of responsibility.

(b) **NOTICE AND WAIT REQUIREMENT.**—Before the Secretary of the Air Force commences construction of the Guardian Angel Operations Facility at an alternative location, as authorized by subsection (a)—

(1) the Secretary shall submit to the congressional defense committees a report con-

taining a description of the project, including the rationale for selection of the project location; and

(2) a period of 14 days has expired following the date on which the report is received by the committees or, if over sooner, a period of 7 days has expired following the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of title 10, United States Code.

SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECT.

In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3679) for McConnell Air Force Base, Kansas, for construction of a KC-46A Alter Composite Maintenance Shop at the installation, the Secretary of the Air Force may construct a 696 square meter (7,500 square

foot) facility consistent with Air Force guidelines for composite maintenance shops.

SEC. 2308. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2012 PROJECT.

(a) **EXTENSION.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1660), the authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (125 Stat. 1670) and extended by section 2305 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3680), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) **TABLE.**—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2012 Project Authorization

Country	Installation	Project	Amount
Italy	Sigonella Naval Air Station	UAS SATCOM Relay Pads and Facility	\$15,000,000

SEC. 2309. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2013 PROJECT.

(a) **EXTENSION.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of

Public Law 112-239; 126 Stat. 2118), the authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (126 Stat. 2126), shall remain in effect until October 1, 2016, or the date of the en-

actment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) **TABLE.**—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2013 Project Authorization

Country	Installation or Location	Project	Amount
Portugal	Lajes Field	Sanitary Sewer Lift/Pump Station	\$2,000,000

SEC. 2310. CERTIFICATION OF OPTIMAL LOCATION FOR JOINT INTELLIGENCE ANALYSIS COMPLEX AND PLAN FOR ROTATION OF FORCES AT LAJES FIELD, AZORES.

(a) **JOINT INTELLIGENCE ANALYSIS COMPLEX CERTIFICATION.**—No amounts may be expended for the construction of the Joint Intelligence Analysis Complex Consolidation, Phase 2, at Royal Air Force Croughton, United Kingdom, as authorized by section 2301(b), until the Secretary of Defense certifies to the congressional defense committees that the Secretary has determined, based on an analysis of United States operational requirements, that Royal Air Force Croughton, United Kingdom, remains the optimal location for recapitalization of the Joint Intelligence Analysis Complex. The certification shall include an explanation of the basis for the certification.

(b) **LAJES FIELD UTILIZATION.**—

(1) **DETERMINATION.**—Not later than March 1, 2016, the Secretary of Defense shall submit to the congressional defense committees a determination of the operational viability of the use of Lajes Field, Azores, for—

(A) Department of Defense intelligence functions; or

(B) the rotational presence of—

(i) fighter aircraft for air-to-air training; or

(ii) naval forces.

(2) **BASIS OF DETERMINATION.**—The submission to the congressional defense committees under paragraph (1) shall include an explanation of the basis for the determination.

(3) **PLAN.**—If the Secretary of Defense determines that Lajes Field is a viable option for one or more of the uses specified in paragraph (1), the Secretary shall submit to the congressional defense committees, not later than April 1, 2016, a plan for such uses that includes the following:

(A) The types and number of naval forces or air-to-air training fighter aircraft considered for rotational assignment at Lajes Field or a description of the Department of Defense intelligence functions to be assigned, as applicable.

(B) The duration and frequency of such assignment.

(C) Any additional infrastructure investment required to support such assignment.

(D) The impact to permanent manpower levels necessary to support such assignment.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.

Sec. 2402. Authorized energy conservation projects.

Sec. 2403. Authorization of appropriations, Defense Agencies.

Sec. 2404. Modification of authority to carry out certain fiscal year 2012 project.

Sec. 2405. Extension of authorizations of certain fiscal year 2012 projects.

Sec. 2406. Extension of authorizations of certain fiscal year 2013 projects.

Sec. 2407. Modification and extension of authority to carry out certain fiscal year 2014 project.

Sec. 2408. Modification of authority to carry out certain fiscal year 2015 project.

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alabama	Fort Rucker	\$46,787,000
Arizona	Maxwell Air Force Base	\$32,968,000
	Fort Huachuca	\$3,884,000

Defense Agencies: Inside the United States—Continued

State	Installation or Location	Amount
California	Camp Pendleton	\$20,552,000
	Coronado	\$47,218,000
	Fresno Yosemite IAP ANG	\$10,700,000
Colorado	Fort Carson	\$8,243,000
CONUS Classified	Classified Location	\$20,065,000
Delaware	Dover Air Force Base	\$21,600,000
Florida	Hurlburt Field	\$17,989,000
	MacDill Air Force Base	\$39,142,000
Georgia	Moody Air Force Base	\$10,900,000
Hawaii	Kaneohe Bay	\$122,071,000
	Schofield Barracks	\$123,838,000
Kentucky	Fort Campbell	\$12,553,000
	Fort Knox	\$23,279,000
Maryland	Fort Meade	\$816,077,000
Nevada	Nellis Air Force Base	\$39,900,000
New Mexico	Cannon Air Force Base	\$45,111,000
New York	West Point	\$55,778,000
North Carolina	Camp Lejeune	\$69,006,000
	Fort Bragg	\$168,811,000
Ohio	Wright-Patterson Air Force Base	\$6,623,000
Oregon	Klamath Falls IAP	\$2,500,000
Pennsylvania	Philadelphia	\$49,700,000
South Carolina	Fort Jackson	\$26,157,000
Texas	Joint Base San Antonio	\$61,776,000
Virginia	Fort Belvoir	\$9,500,000
	Joint Base Langley-Eustis	\$28,000,000
	Joint Expeditionary Base Little Creek-Story	\$23,916,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construc-

tion projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction

projects for the installations or locations outside the United States, and in the amounts, set forth in the following:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Djibouti	Camp Lemonier	\$43,700,000
Germany	Garmisch	\$14,676,000
	Grafenwoehr	\$38,138,000
	Spangdahlem Air Base	\$39,571,000
	Stuttgart-Patch Barracks	\$49,413,000
Japan	Kadena Air Base	\$37,485,000
Poland	Redzikowo Base	\$169,153,000
Spain	Rota	\$13,737,000

SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section

2403(a) and available for energy conservation projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy con-

servation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Inside the United States

State	Installation or Location	Amount
American Samoa	Wake Island	\$5,331,000
California	Edwards Air Force Base	\$4,550,000
	Fort Hunter Liggett	\$22,000,000
Colorado	Schriever Air Force Base	\$4,400,000
District of Columbia	NSA Washington/Naval Research Lab	\$10,990,000
Guam	Naval Base Guam	\$5,330,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$13,780,000
	Marine Corps Recruiting Command Kaneohe Bay	\$5,740,000
Idaho	Mountain Home Air Force Base	\$6,471,000
Montana	Malmstrom Air Force Base	\$4,260,000
Virginia	Pentagon	\$4,528,000
Washington	Joint Base Lewis-McChord	\$14,770,000
Various locations	Various locations	\$25,809,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation

projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of

title 10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Outside the United States

Country	Installation or Location	Amount
Bahamas	Ascension Aux Airfield St. Helena	\$5,500,000
Japan	Yokoska	\$12,940,000
Various locations	Various locations	\$3,600,000

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) \$747,435,000 (the balance of the amount authorized under section 2401(a) of this Act for an operations facility at Fort Meade, Maryland).

(3) \$441,134,000 (the balance of the amount authorized under section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1673) for a hospital at the Rhine Ordnance Barracks, Germany).

(4) \$91,441,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2640) for a hospital at Fort Bliss, Texas).

SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECT.

In the case of the authorization in the table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672), as amended by section 2404(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2131), for Fort Meade, Maryland, for construction of the High Perform-

ance Computing Center at the installation, the Secretary of Defense may construct a generator plant capable of producing up to 60 megawatts of back-up electrical power in support of the 60 megawatt technical load.

SEC. 2405. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1660), the authorization set forth in the table in subsection (b), as provided in section 2401 of that Act (125 Stat. 1672) and as amended by section 2405 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3685), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2012 Project Authorizations

State	Installation or Location	Project	Amount
California	Naval Base Coronado	SOF Support Activity Operations Facility	\$38,800,000
Virginia	Pentagon Reservation	Heliport Control Tower and Fire Station	\$6,457,000
		Pedestrian Plaza	\$2,285,000

SEC. 2406. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of

Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (126 Stat. 2127), shall remain in effect until October 1, 2016, or the date of the en-

actment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2013 Project Authorizations

State/Country	Installation or Location	Project	Amount
California	Naval Base Coronado	SOF Mobile Communications Detachment Support Facility	\$9,327,000
Colorado	Pikes Peak	High Altitude Medical Research Center	\$3,600,000
Germany	Ramstein AB	Replace Vogelweh Elementary School	\$61,415,000
Hawaii	Joint Base Pearl Harbor-Hickam	SOF SDVT–1 Waterfront Operations Facility	\$22,384,000
Japan	CFAS Sasebo	Replace Sasebo Elementary School	\$35,733,000
	Camp Zama	Renovate Zama High School	\$13,273,000
Pennsylvania	DEF Distribution Depot New Cumberland	Replace reservoir	\$4,300,000
United Kingdom	RAF Feltwell	Feltwell Elementary School Addition	\$30,811,000

SEC. 2407. MODIFICATION AND EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

In the case of the authorization contained in the table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 995) for Fort Knox, Kentucky, for construction of an Ambulatory Care Center at that location, subsequently cancelled by the Department of Defense, substitute authorization is provided for a 102,000-square foot Medical Clinic Replacement at that location in the amount of \$80,000,000, using appropriations available for the original project pursuant to the authorization of appropriations in section 2403 of such Act (127 Stat. 997). This substitute authorization shall remain

in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019.

SEC. 2408. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECT.

In the case of the authorization contained in section 2401(b) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3682), for Brussels, Belgium, for construction of an elementary/high school, the Secretary of Defense may acquire approximately 7.4 acres of land adjacent to the existing Sterrebeek Dependent School site and construct a multi-

sport athletic field, track, perimeter road, parking, and fencing.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

Sec. 2501. Authorized NATO construction and land acquisition projects.

Sec. 2502. Authorization of appropriations, NATO.

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the

sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Subtitle A—Project Authorizations and Authorization of Appropriations

Sec. 2601. Authorized Army National Guard construction and land acquisition projects.

Sec. 2602. Authorized Army Reserve construction and land acquisition projects.

Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.

Sec. 2604. Authorized Air National Guard construction and land acquisition projects.

Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.

Sec. 2606. Authorization of appropriations, National Guard and Reserve.

Subtitle B—Other Matters

Sec. 2611. Modification and extension of authority to carry out certain fiscal year 2013 project.

Sec. 2612. Modification of authority to carry out certain fiscal year 2015 projects.

Sec. 2613. Extension of authorizations of certain fiscal year 2012 projects.

Sec. 2614. Extension of authorizations of certain fiscal year 2013 projects.

Subtitle A—Project Authorizations and Authorization of Appropriations

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard

State	Location	Amount
Alabama	Camp Foley	\$4,500,000
Connecticut	Camp Hartell	\$11,000,000
Florida	Palm Coast	\$18,000,000
Georgia	Fort Stewart	\$6,800,000
Illinois	Sparta	\$1,900,000
Kansas	Salina	\$6,700,000
Maryland	Easton	\$13,800,000
Mississippi	Gulfport	\$40,000,000
Nevada	Reno	\$8,000,000
Ohio	Camp Ravenna	\$3,300,000
Oregon	Salem	\$16,500,000
Pennsylvania	Fort Indiantown Gap	\$16,000,000
Vermont	North Hyde Park	\$7,900,000
Virginia	Richmond	\$29,000,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the au-

thorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may ac-

quire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve: Inside the United States

State	Location	Amount
California	Miramar	\$24,000,000
Florida	MacDill Air Force Base	\$55,000,000
New York	Orangeburg	\$4,200,000
Pennsylvania	Conneaut Lake	\$5,000,000
Virginia	A.P. Hill	\$24,000,000

(b) **OUTSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Re-

serve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out a military construction project for the Army Reserve

location outside the United States, and in the amount, set forth in the following table:

Army Reserve: Outside the United States

Country	Location	Amount
Puerto Rico	Fort Buchanan	\$10,200,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and

Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Nevada	Fallon	\$11,480,000
New York	Brooklyn	\$2,479,000
Virginia	Dam Neck	\$18,443,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in section 4601, the Secretary of the Air Force may acquire real property and carry out military

construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard

State	Location	Amount
Alabama	Dannelly Field	\$7,600,000
California	Moffett Field	\$6,500,000
Colorado	Buckley Air Force Base	\$5,100,000
Florida	Cape Canaveral Air Force Station	\$6,100,000
Georgia	Savannah/Hilton Head International Airport	\$9,000,000
Iowa	Des Moines Municipal Airport	\$6,700,000
Kansas	Smokey Hill Range	\$2,900,000
Louisiana	New Orleans	\$10,000,000
Maine	Bangor International Airport	\$7,200,000
New Hampshire	Pease International Trade Port	\$2,800,000
New Jersey	Atlantic City International Airport	\$10,200,000
New York	Niagara Falls International Airport	\$7,700,000
North Carolina	Charlotte/Douglas International Airport	\$9,000,000
North Dakota	Hector International Airport	\$7,300,000
Oklahoma	Will Rogers World Airport	\$7,600,000
Oregon	Klamath Falls International Airport	\$7,200,000
West Virginia	Yeager Airport	\$3,900,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and

carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

Air Force Reserve

State	Location	Amount
California	March Air Force Base	\$4,600,000
Florida	Patrick Air Force Base	\$3,400,000
Georgia	Dobbins Air Reserve Base	\$10,400,000
Ohio	Youngstown	\$9,400,000
Texas	Joint Base San Antonio	\$9,900,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

Subtitle B—Other Matters**SEC. 2611. MODIFICATION AND EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.**

(a) MODIFICATION.—In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2135) for Aberdeen Proving Ground, Maryland, for construction of an Army Reserve Center at that

location, the Secretary of the Army may construct a new facility in the vicinity of Aberdeen Proving Ground, Maryland.

(b) DURATION OF AUTHORITY.—Notwithstanding section 2002 of the Military Construction Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2118), the authorization set forth in subsection (a) shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

SEC. 2612. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECTS.

(a) DAVIS-MONTHAN AIR FORCE BASE.—In the case of the authorization contained in the table in section 2605 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3689) for Davis-Monthan Air Force Base, Arizona, for construction of a Guardian Angel Operations facility at that loca-

tion, the Secretary of the Air Force may construct a new 5,913 square meter (63,647 square foot) facility in the amount of \$18,200,000.

(b) FORT SMITH.—In the case of the authorization contained in the table in section 2604 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3689) for Fort Smith Municipal Airport, Arkansas, for construction of a consolidated Secure Compartmented Information Facility at that location, the Secretary of the Air Force may construct a new facility in the amount of \$15,200,000.

SEC. 2613. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1660), the authorizations set forth in the table in subsection

(b), as provided in section 2602 of that Act (125 Stat. 1678), and extended by section 2611 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public

Law 113-291; 128 Stat. 3690), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for

military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Extension of 2012 Army Reserve Project Authorizations

State	Location	Project	Amount
Kansas	Kansas City	Army Reserve Center	\$13,000,000
Massachusetts	Attleboro	Army Reserve Center	\$22,000,000

SEC. 2614. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of

Public Law 112-239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in sections 2601, 2602, and 2603 of that Act (126 Stat. 2134, 2135) shall remain in effect until October 1, 2016, or the

date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Extension of 2013 National Guard and Reserve Project Authorizations

State	Installation or Location	Project	Amount
Arizona	Yuma	Reserve Training Facility	\$5,379,000
California	Tustin	Army Reserve Center	\$27,000,000
Iowa	Fort Des Moines	Joint Reserve Center	\$19,162,000
Louisiana	New Orleans	Transient Quarters	\$7,187,000
New York	Camp Smith (Stormville)	Combined Support Maintenance Shop Phase 1	\$24,000,000

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense base closure account.

Sec. 2702. Prohibition on conducting additional Base Realignment and Closure (BRAC) round.

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2140)), as specified in the funding table in section 4601.

SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

Sec. 2801. Revision of congressional notification thresholds for reserve facility expenditures and contributions to reflect congressional notification thresholds for minor construction and repair projects.

Sec. 2802. Extension of temporary, limited authority to use operation and maintenance funds for construction projects outside the United States.

Sec. 2803. Defense laboratory modernization pilot program.

Sec. 2804. Temporary authority for acceptance and use of contributions for certain construction, maintenance, and repair projects mutually beneficial to the Department of Defense and Kuwait military forces.

Sec. 2805. Conveyance to Indian tribes of relocatable military housing units at military installations in the United States.

Subtitle B—Real Property and Facilities Administration

Sec. 2811. Protection of Department of Defense installations.

Sec. 2812. Enhancement of authority to accept conditional gifts of real property on behalf of military service academies.

Sec. 2813. Utility system conveyance authority.

Sec. 2814. Leasing of non-excess property of military departments and Defense Agencies; treatment of value provided by local education agencies and elementary and secondary schools.

Sec. 2815. Force-structure plan and infrastructure inventory and assessment of infrastructure necessary to support the force structure.

Sec. 2816. Temporary reporting requirements related to main operating bases, forward operating sites, and cooperative security locations.

Sec. 2817. Exemption of Army off-site use and off-site removal only non-mobile properties from certain excess property disposal requirements.

Subtitle C—Provisions Related to Asia-Pacific Military Realignment

Sec. 2821. Limited exception to restriction on development of public infrastructure in connection with realignment of Marine Corps forces in Asia-Pacific region.

Sec. 2822. Annual report on Government of Japan contributions toward realignment of Marine Corps forces in Asia-Pacific region.

Subtitle D—Land Conveyances

Sec. 2831. Release of reversionary interest retained as part of conveyance to the Economic Development Alliance of Jefferson County, Arkansas.

Sec. 2832. Land exchange authority, Mare Island Army Reserve Center, Vallejo, California.

Sec. 2833. Land exchange, Navy Outlying Landing Field, Naval Air Station, Whiting Field, Florida.

Sec. 2834. Release of property interests retained in connection with land conveyance, Camp Villere, Louisiana.

Sec. 2835. Release of property interests retained in connection with land conveyance, Fort Bliss Military Reservation, Texas.

Subtitle E—Military Land Withdrawals

Sec. 2841. Additional withdrawal and reservation of public land, Naval Air Weapons Station China Lake, California.

Subtitle F—Other Matters

Sec. 2851. Modification of Department of Defense guidance on use of airfield pavement markings.

Sec. 2852. Extension of authority for establishment of commemorative work in honor of Brigadier General Francis Marion.

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. REVISION OF CONGRESSIONAL NOTIFICATION THRESHOLDS FOR RESERVE FACILITY EXPENDITURES AND CONTRIBUTIONS TO REFLECT CONGRESSIONAL NOTIFICATION THRESHOLDS FOR MINOR CONSTRUCTION AND REPAIR PROJECTS.

Section 18233a of title 10, United States Code, is amended—

(1) in subsection (a), by striking “in an amount in excess of \$750,000” and inserting “in excess of the amount specified in section 2805(b)(1) of this title”; and

(2) in subsection (b)(3), by striking “section 2811(e) of this title) that costs less than \$7,500,000” and inserting “subsection (e) of section 2811 of this title) that costs less than the amount specified in subsection (d) of such section”.

SEC. 2802. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.

(a) **EXTENSION OF AUTHORITY.**—Subsection (h) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108-136; 117 Stat. 1723), as most recently amended by section 2806 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3699), is amended—

(1) in paragraph (1), by striking “December 31, 2015” and inserting “December 31, 2016”; and

(2) in paragraph (2), by striking “fiscal year 2016” and inserting “fiscal year 2017”.

(b) **LIMITATION ON USE OF AUTHORITY.**—Subsection (c)(1) of such section is amended—

(1) by striking “October 1, 2014” and inserting “October 1, 2015”; and

(2) by striking “December 31, 2015” and inserting “December 31, 2016”; and

(3) by striking “fiscal year 2016” and inserting “fiscal year 2017”.

(c) **ELIMINATION OF REPORTING REQUIREMENT.**—Such section is further amended by striking subsection (d).

SEC. 2803. DEFENSE LABORATORY MODERNIZATION PILOT PROGRAM.

(a) **AUTHORITY TO USE RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FUNDS.**—Using amounts appropriated or otherwise made available to the Department of Defense for research, development, test, and evaluation, the Secretary of Defense may fund a military construction project described in subsection (d) at any of the following:

(1) A Department of Defense Science and Technology Reinvention Laboratory (as designated by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 10 U.S.C. 2358 note).

(2) A Department of Defense Federally Funded Research and Development Center that functions primarily as a research laboratory.

(3) A Department of Defense facility in support of a technology development program that is consistent with the fielding of offset technologies as described in section 218 of this Act.

(b) **CONDITION ON AND SCOPE OF PROJECT AUTHORITY.**—Subject to the condition that a military construction project under this section be authorized in a Military Construction Authorization Act, the authority to carry out the military construction project includes authority for—

(1) surveys, site preparation, and advanced planning and design;

(2) acquisition, conversion, rehabilitation, and installation of facilities;

(3) acquisition and installation of equipment and appurtenances integral to the project; acquisition and installation of supporting facilities (including utilities) and appurtenances incident to the project; and

(4) planning, supervision, administration, and overhead expenses incident to the project.

(c) **CONGRESSIONAL NOTIFICATION REQUIREMENTS.**—

(1) **SUBMISSION OF PROJECT REQUESTS.**—The Secretary of Defense shall include military construction projects proposed to be carried out under this section in the budget justification documents for the Department of

Defense submitted to Congress in connection with the budget for a fiscal year submitted under 1105 of title 31, United States Code.

(2) **NOTIFICATION OF IMPLEMENTATION.**—Not less than 14 days prior to the first obligation of funds described in subsection (a) for a military construction project to be carried out under this section, the Secretary of Defense shall submit a notification to the congressional defense committees providing an updated construction description, cost, and schedule for the project and any other matters regarding the project as the Secretary considers appropriate.

(d) **AUTHORIZED PROJECTS DESCRIBED.**—The authority provided by this section to fund military construction projects using amounts appropriated or otherwise made available for research, development, test, and evaluation is limited to military construction projects that the Secretary of Defense, in the budget justification documents exhibits submitted pursuant to subsection (c)(1), determines—

(1) will support research and development activities at laboratories described in subsection (a);

(2) will establish facilities that will have significant potential for use by entities outside the Department of Defense, including universities, industrial partners, and other Federal agencies;

(3) are endorsed for funding by more than one military department or Defense Agency; and

(4) cannot be fully funded within the thresholds specified in section 2805 of title 10, United States Code.

(e) **FUNDING LIMITATION.**—The maximum amount of funds appropriated or otherwise made available for research, development, test, and evaluation that may be obligated in any fiscal year for military construction projects under this section is \$150,000,000.

(f) **TERMINATION OF AUTHORITY.**—The authority provided by this section to fund military construction projects using funds appropriated or otherwise made available for research, development, test, and evaluation shall terminate on October 1, 2020.

SEC. 2804. TEMPORARY AUTHORITY FOR ACCEPTANCE AND USE OF CONTRIBUTIONS FOR CERTAIN CONSTRUCTION, MAINTENANCE, AND REPAIR PROJECTS MUTUALLY BENEFICIAL TO THE DEPARTMENT OF DEFENSE AND KUWAIT MILITARY FORCES.

(a) **AUTHORITY TO ACCEPT CONTRIBUTIONS.**—The Secretary of Defense, after consultation with the Secretary of State, may accept cash contributions from the government of Kuwait for the purpose of paying for the costs of construction (including military construction not otherwise authorized by law), maintenance, and repair projects mutually beneficial to the Department of Defense and Kuwait military forces.

(b) **ACCOUNTING.**—Contributions accepted under subsection (a) shall be placed in an account established by the Secretary of Defense and shall remain available until expended as provided in such subsection.

(c) **PROHIBITION ON USE OF CONTRIBUTIONS TO OFFSET BURDEN SHARING CONTRIBUTIONS.**—Contributions accepted under subsection (a) may not be used to offset any burden sharing contributions made by the government of Kuwait.

(d) **NOTICE.**—When a decision is made to carry out a project using contributions accepted under subsection (a) and the estimated cost of the project will exceed the thresholds prescribed by section 2805 of title 10, United States Code, the Secretary of De-

fense shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives written notice of decision, the justification for the project, and the estimated cost of the project.

(e) **MUTUALLY BENEFICIAL DEFINED.**—A project described in subsection (a) shall be considered to be “mutually beneficial” if—

(1) the project is in support of a bilateral defense cooperation agreement between the United States and the government of Kuwait; or

(2) the Secretary of Defense determines that the United States may derive a benefit from the project, including—

(A) access to and use of facilities of the Kuwait military forces;

(B) ability or capacity for future force posture; and

(C) increased interoperability between the Department of Defense and Kuwait military forces.

(f) **EXPIRATION OF PROJECT AUTHORITY.**—The authority to carry out projects under this section expires on September 30, 2020. The expiration of the authority does not prevent the continuation of any project commenced before that date.

SEC. 2805. CONVEYANCE TO INDIAN TRIBES OF RELOCATABLE MILITARY HOUSING UNITS AT MILITARY INSTALLATIONS IN THE UNITED STATES.

(a) **DEFINITIONS.**—In this section:

(1) **EXECUTIVE DIRECTOR.**—The term “Executive Director” means the Executive Director of Walking Shield, Inc.

(2) **INDIAN TRIBE.**—The term “Indian tribe” means any Indian tribe included on the list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a-1).

(b) **REQUESTS FOR CONVEYANCE.**—

(1) **IN GENERAL.**—The Executive Director may submit to the Secretary of the military department concerned, on behalf of any Indian tribe, a request for conveyance of any relocatable military housing unit located at a military installation in the United States.

(2) **CONFLICTS.**—The Executive Director shall resolve any conflict among requests of Indian tribes for housing units described in paragraph (1) before submitting a request to the Secretary of the military department concerned under this subsection.

(c) **CONVEYANCE BY A SECRETARY.**—Notwithstanding any other provision of law, on receipt of a request under subsection (b)(1), the Secretary of the military department concerned may convey to the Indian tribe that is the subject of the request, at no cost to such military department and without consideration, any relocatable military housing unit described in subsection (b)(1) that, as determined by such Secretary, is in excess of the needs of the military.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. PROTECTION OF DEPARTMENT OF DEFENSE INSTALLATIONS.

(a) **SECRETARY OF DEFENSE RESPONSIBILITY.**—Chapter 159 of title 10, United States Code, is amended by inserting after section 2671 the following new section:

“§ 2672. Protection of buildings, grounds, property, and persons

“(a) **SECRETARY OF DEFENSE RESPONSIBILITY.**—The Secretary of Defense shall protect the buildings, grounds, and property that are under the jurisdiction, custody, or control of the Department of Defense and the persons on that property.”

“(b) DESIGNATION OF OFFICERS AND AGENTS.—(1) The Secretary of Defense may designate military or civilian personnel of the Department of Defense as officers and agents to perform the functions of the Secretary under subsection (a), including, with regard to civilian officers and agents, duty in areas outside the property specified in that subsection to the extent necessary to protect that property and persons on that property.

“(2) A designation under paragraph (1) may be made by individual, by position, by installation, or by such other category of personnel as the Secretary determines appropriate.

“(3) In making a designation under paragraph (1) with respect to any category of personnel, the Secretary shall specify each of the following:

“(A) The personnel or positions to be included in the category.

“(B) The authorities provided for in subsection (c) that may be exercised by personnel in that category.

“(C) In the case of civilian personnel in that category—

“(i) the authorities provided for in subsection (c), if any, that are authorized to be exercised outside the property specified in subsection (a); and

“(ii) with respect to the exercise of any such authorities outside the property specified in subsection (a), the circumstances under which coordination with law enforcement officials outside of the Department of Defense should be sought in advance.

“(4) The Secretary may make a designation under paragraph (1) only if the Secretary determines, with respect to the category of personnel to be covered by that designation, that—

“(A) the exercise of each specific authority provided for in subsection (c) to be delegated to that category of personnel is necessary for the performance of the duties of the personnel in that category and such duties cannot be performed as effectively without such authorities; and

“(B) the necessary and proper training for the authorities to be exercised is available to the personnel in that category.

“(c) AUTHORIZED ACTIVITIES.—Subject to subsection (i) and to the extent specifically authorized by the Secretary of Defense, while engaged in the performance of official duties pursuant to this section, an officer or agent designated under subsection (b) may—

“(1) enforce Federal laws and regulations for the protection of persons and property;

“(2) carry firearms;

“(3) make arrests—

“(A) without a warrant for any offense against the United States committed in the presence of the officer or agent; or

“(B) for any felony cognizable under the laws of the United States if the officer or agent has reasonable grounds to believe that the person to be arrested has committed or is committing a felony;

“(4) serve warrants and subpoenas issued under the authority of the United States; and

“(5) conduct investigations, on and off the property in question, of offenses that may have been committed against property under the jurisdiction, custody, or control of the Department of Defense or persons on such property.

“(d) REGULATIONS.—(1) The Secretary of Defense may prescribe regulations, including traffic regulations, necessary for the protection and administration of property under the jurisdiction, custody, or control of the Department of Defense and persons on that

property. The regulations may include reasonable penalties, within the limits prescribed in paragraph (2), for violations of the regulations. The regulations shall be posted and remain posted in a conspicuous place on the property to which they apply.

“(2) A person violating a regulation prescribed under this subsection shall be fined under title 18, imprisoned for not more than 30 days, or both.

“(e) LIMITATION ON DELEGATION OF AUTHORITY.—The authority of the Secretary of Defense under subsections (b), (c), and (d) may be exercised only by the Secretary or the Deputy Secretary of Defense.

“(f) DISPOSITION OF PERSONS ARRESTED.—A person who is arrested pursuant to authority exercised under subsection (b) may not be held in a military confinement facility, other than in the case of a person who is subject to chapter 47 of this title (the Uniform Code of Military Justice).

“(g) FACILITIES AND SERVICES OF OTHER AGENCIES.—In implementing this section, when the Secretary of Defense determines it to be economical and in the public interest, the Secretary may utilize the facilities and services of Federal, State, Indian tribal, and local law enforcement agencies, with the consent of those agencies, and may reimburse those agencies for the use of their facilities and services. Such services of State, Indian tribal, and local law enforcement, including application of their powers of law enforcement, may be provided notwithstanding that the property is subject to the legislative jurisdiction of the United States.

“(h) AUTHORITY OUTSIDE FEDERAL PROPERTY.—For the protection of property under the jurisdiction, custody, or control of the Department of Defense and persons on that property, the Secretary of Defense may enter into agreements with Federal agencies and with State, Indian tribal, and local governments to obtain authority for civilian officers and agents designated under this section to enforce Federal laws and State, Indian tribal, and local laws concurrently with other Federal law enforcement officers and with State, Indian tribal, and local law enforcement officers.

“(i) ATTORNEY GENERAL APPROVAL.—The powers granted pursuant to subsection (c) to officers and agents designated under subsection (b) shall be exercised in accordance with guidelines approved by the Attorney General. Such guidelines may include specification of the geographical extent of property outside of the property specified in subsection (a) within which those powers may be exercised.

“(j) LIMITATION WITH REGARD TO OTHER FEDERAL AGENCIES.—Nothing in this section shall be construed as affecting the authority of the Secretary of Homeland Security to provide for the protection of facilities (including the buildings, grounds, and properties of the General Services Administration) that are under the jurisdiction, custody, or control, in whole or in part, of a Federal agency other than the Department of Defense and that are located off of a military installation.

“(k) COOPERATION WITH LOCAL LAW ENFORCEMENT AGENCIES.—Before authorizing civilian officers and agents to perform duty in areas outside the property specified in subsection (a), the Secretary of Defense shall consult with, and is encouraged to enter into agreements with, local law enforcement agencies exercising jurisdiction over such areas for the purposes of avoiding conflicts of jurisdiction, promoting notification of planned law enforcement actions, and other-

wise facilitating productive working relationships.

“(l) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed—

“(1) to preclude or limit the authority of any Federal law enforcement agency;

“(2) to restrict the authority of the Secretary of Homeland Security under the Homeland Security Act of 2002 or of the Administrator of General Services, including the authority to promulgate regulations affecting property under the custody and control of that Secretary or the Administrator, respectively;

“(3) to expand or limit section 21 of the Internal Security Act of 1950 (50 U.S.C. 797);

“(4) to affect chapter 47 of this title;

“(5) to restrict any other authority of the Secretary of Defense or the Secretary of a military department; or

“(6) to restrict the authority of the Director of the National Security Agency under section 11 of the National Security Agency Act of 1959 (50 U.S.C. 3609).”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 159 of such title is amended by inserting after the item relating to section 2671 the following new item:

“2672. Protection of buildings, grounds, property, and persons.”

SEC. 2812. ENHANCEMENT OF AUTHORITY TO ACCEPT CONDITIONAL GIFTS OF REAL PROPERTY ON BEHALF OF MILITARY SERVICE ACADEMIES.

Section 2601 of title 10, United States Code, is amended—

(1) by redesignating subsections (e), (f), (g), (h), and (i) as subsections (f), (g), (h), (i), and (j), respectively; and

(2) by inserting after subsection (d) the following new subsection (e):

“(e) ACCEPTANCE OF REAL PROPERTY GIFTS; NAMING RIGHTS.—(1) The Secretary concerned may accept a gift under subsection (a) or (b) consisting of the provision, acquisition, enhancement, or construction of real property offered to the United States Military Academy, the Naval Academy, the Air Force Academy, or the Coast Guard Academy even though the gift will be subject to the condition that the real property, or a portion thereof, bear a specified name.

“(2) The authority conferred by this subsection may be delegated by the Secretary concerned only to a civilian official appointed by the President, by and with the advice and consent of the Senate.

“(3) A gift may not be accepted under paragraph (1) if—

“(A) the acceptance of the gift or the imposition of the naming-rights condition would reflect unfavorably upon the United States, as provided in subsection (d)(2); or

“(B) the real property to be subject to the condition, or portion thereof, has been named by an act of Congress.

“(4) The Secretaries concerned shall issue uniform regulations governing the circumstances under which gifts conditioned on naming rights may be accepted, appropriate naming conventions, and suitable display standards.”

SEC. 2813. UTILITY SYSTEM CONVEYANCE AUTHORITY.

Section 2688(j) of title 10, United States Code, is amended—

(1) in the subsection heading, by striking “CONSTRUCTION OF” and inserting “CONVEYANCE OF ADDITIONAL”; and

(2) in paragraph (1)—

(A) by striking subparagraphs (A) and (C);

(B) by redesignating subparagraph (B) as subparagraph (A) and, in such subparagraph,

by striking “utility system;” and inserting the following: “utility system or operation of the additional utility infrastructure by the utility or entity would be in the best interest of the Government; and”;

(C) by redesignating subparagraph (D) as subparagraph (B) and, in such subparagraph, by striking “amount equal to the fair market value of” and inserting “amount for”.

SEC. 2814. LEASING OF NON-EXCESS PROPERTY OF MILITARY DEPARTMENTS AND DEFENSE AGENCIES; TREATMENT OF VALUE PROVIDED BY LOCAL EDUCATION AGENCIES AND ELEMENTARY AND SECONDARY SCHOOLS.

Section 2667 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(k) LEASES FOR EDUCATION.—Notwithstanding subsection (b)(4), the Secretary concerned may accept consideration in an amount that is less than the fair market value of the lease, if the lease is to a local education agency or an elementary or secondary school (as those terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)).”.

SEC. 2815. FORCE-STRUCTURE PLAN AND INFRASTRUCTURE INVENTORY AND ASSESSMENT OF INFRASTRUCTURE NECESSARY TO SUPPORT THE FORCE STRUCTURE.

(a) PREPARATION AND SUBMISSION OF FORCE-STRUCTURE PLANS AND INFRASTRUCTURE INVENTORY.—Not later than the date on which the budget of the President for fiscal year 2017 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary of Defense shall submit to the congressional defense committees the following:

(1) A force-structure plan for each of the Army, Navy, Air Force, and Marine Corps informed by—

(A) an assessment by the Secretary of Defense of the probable threats to United States national security; and

(B) end-strength levels and major military force units (including land force divisions, carrier and other major combatant vessels, air wings, and other comparable units) authorized in the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81).

(2) A categorical inventory of world-wide military installations for each military department, including the number and type of facilities for the regular and reserve forces of each military department.

(b) RELATIONSHIP OF PLANS AND INVENTORY.—Using the force-structure plans and categorical infrastructure inventory prepared under subsection (a), the Secretary of Defense shall prepare (and include as part of the submission of such plans and inventory) the following:

(1) A description of the infrastructure necessary to support the force structure described in each force-structure plan.

(2) A discussion of categories of excess infrastructure and infrastructure capacity.

(3) An assessment of the value of retaining certain excess infrastructure to accommodate contingency, mobilization, or surge requirements.

(c) COMPTROLLER GENERAL EVALUATION.—Not later than 60 days after the date of the submission of the force-structure plans and the categorical infrastructure inventory under subsection (a), the Comptroller General of the United States shall submit to the congressional defense committees an evaluation of the force-structure plans and the cat-

egorical infrastructure inventory, including an evaluation of the accuracy and analytical sufficiency of the plans and inventory.

SEC. 2816. TEMPORARY REPORTING REQUIREMENTS RELATED TO MAIN OPERATING BASES, FORWARD OPERATING SITES, AND COOPERATIVE SECURITY LOCATIONS.

(a) REPORTS REQUIRED.—Not later than the date on which the report required by section 2687a of title 10, United States Code, is submitted for each of the fiscal years 2016 through 2020, the Secretary of Defense shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report specifying each location that was newly designated, or had a change in its designation, as a main operating base, forward operating site, or cooperative security location during the preceding fiscal year.

(b) ELEMENTS.—Each report required by subsection (a) shall include, at a minimum, the following:

(1) The strategic goal and operational requirements supported by the main operating base, forward operating site, or cooperative security location.

(2) The basis for and cost of any anticipated infrastructure improvements to the base, site, or location.

(3) A summary of the terms of agreements with the host nation regarding the base, site, or location, including access agreements, status of forces agreements, or other implementing agreements, including any limitations on United States presence and operations.

(c) FORM OF REPORT.—Each report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex as necessary.

SEC. 2817. EXEMPTION OF ARMY OFF-SITE USE AND OFF-SITE REMOVAL ONLY NON-MOBILE PROPERTIES FROM CERTAIN EXCESS PROPERTY DISPOSAL REQUIREMENTS.

(a) IN GENERAL.—Excess or unutilized or underutilized non-mobile property of the Army that is situated on non-excess land shall be exempt from the requirements of title V of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411 et seq.) upon a determination by the Secretary of the Army that—

(1) the property is not feasible to relocate;

(2) the property is located in an area to which the general public is denied access in the interest of national security; and

(3) the exemption would facilitate the efficient disposal of excess property or result in more efficient real property management.

(b) CONSULTATION.—Before making an initial determination under the authority provided under subsection (a), and periodically thereafter, the Secretary of the Army shall consult with the Executive Director of the United States Interagency Council on Homelessness on types of non-mobile properties that may be feasible for relocation and suitable to assist the homeless.

(c) SUNSET.—The authority of the Secretary of the Army to make a determination under subsection (a) expires on September 30, 2017.

Subtitle C—Provisions Related to Asia-Pacific Military Realignment

SEC. 2821. LIMITED EXCEPTION TO RESTRICTION ON DEVELOPMENT OF PUBLIC INFRASTRUCTURE IN CONNECTION WITH REALIGNMENT OF MARINE CORPS FORCES IN ASIA-PACIFIC REGION.

Notwithstanding section 2821(b) of the Military Construction Authorization Act for

Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3701), the Secretary of Defense may proceed with a public infrastructure project intended to improve water and wastewater systems on Guam if—

(1) the project was identified in the report prepared by the Secretary of Defense under section 2822(d)(2) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1017); and

(2) amounts have been appropriated or made available to be expended by the Department of Defense for the project.

SEC. 2822. ANNUAL REPORT ON GOVERNMENT OF JAPAN CONTRIBUTIONS TOWARD REALIGNMENT OF MARINE CORPS FORCES IN ASIA-PACIFIC REGION.

(a) REPORT REQUIRED.—Not later than the date of the submission of the budget of the President for each of fiscal years 2017 through 2026 under section 1105 of title 31, United States Code, the Secretary of Defense shall submit to the congressional defense committees a report that specifies each of the following:

(1) The total amount contributed by the Government of Japan during the most recently concluded Japanese fiscal year under section 2350k of title 10, United States Code, for deposit in the Support for United States Relocation to Guam Account.

(2) The anticipated contributions to be made by the Government of Japan under such section during the current and next Japanese fiscal years.

(3) The projects carried out on Guam or the Commonwealth of the Northern Mariana Islands during the previous fiscal year using amounts in the Support for United States Relocation to Guam Account.

(4) The anticipated projects that will be carried out on Guam or the Commonwealth of the Northern Mariana Islands during the fiscal year covered by the budget submission using amounts in such Account.

(b) FORM OF REPORT.—Each report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex as necessary.

(c) REPEAL OF SUPERSEDED REPORTING REQUIREMENT.—Subsection (e) of section 2824 of the Military Construction Authorization Act for Fiscal Year 2009 (division B of Public Law 110–417; 10 U.S.C. 2687 note) is repealed.

Subtitle D—Land Conveyances

SEC. 2831. RELEASE OF REVERSIONARY INTEREST RETAINED AS PART OF CONVEYANCE TO THE ECONOMIC DEVELOPMENT ALLIANCE OF JEFFERSON COUNTY, ARKANSAS.

(a) RELEASE OF CONDITIONS AND RETAINED INTERESTS.—With respect to a parcel of real property in Jefferson County, Arkansas, consisting of approximately 1,447 acres and conveyed by deed to the Economic Development Alliance of Jefferson County, Arkansas (in this section referred to as the “Economic Development Alliance”) by the United States for use as the facility known as the “Bioplex” and related activities pursuant to section 2827 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201), the Secretary of the Army may release subject to the conditions of subsections (b) and (d) below, the conditions of conveyance of subsection (c) of such section 2827 and the reversionary interest retained by the United States under subsection (e) of such section.

(b) CONSIDERATION.—

(1) EFFECT OF RECONVEYANCE.—Notwithstanding subsection (d) of such section 2827, the release authorized by subsection (a) of

this section shall be subject to the condition that, if the Economic Development Alliance reconveys all or any part of the conveyed property during the 25-year period referred to in subsection (c)(2) of such section, the Economic Development Alliance shall pay to the United States, upon reconveyance, an amount equal to the fair market value of the reconveyed property as of the time of the reconveyance, excluding the value of any improvements made to the property by the Economic Development Alliance.

(2) DETERMINATION OF FAIR MARKET VALUE.—The Secretary of the Army shall determine fair market value in accordance with Federal appraisal standards and procedures.

(3) TREATMENT OF LEASES.—The Secretary of the Army may treat a lease of the property within such 25-year period as a reconveyance if the Secretary determines that the lease is being used to avoid application of paragraph (1).

(4) DEPOSIT OF PROCEEDS.—The Secretary of the Army shall deposit any proceeds received under this subsection in the special account established pursuant to section 572(b) of title 40, United States Code.

(c) INSTRUMENT OF RELEASE.—The Secretary of the Army may execute and file in the appropriate office a deed of release, amended deed, or other appropriate instrument reflecting the release of conditions and retained interests under subsection (a).

(d) PAYMENT OF ADMINISTRATIVE COSTS.—

(1) PAYMENT REQUIRED.—The Secretary of the Army shall require the Economic Development Alliance to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the release of conditions and retained interests under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the release. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the release, the Secretary shall refund the excess amount to the Economic Development Alliance.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the release under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the release. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the release of conditions and retained interests under subsection (a) as the Secretary considers appropriate to protect the interests of the United States, including provisions that the Secretary determines are necessary to preclude any use of the property that would interfere with activities at Pine Bluff Arsenal.

SEC. 2832. LAND EXCHANGE AUTHORITY, MARE ISLAND ARMY RESERVE CENTER, VALLEJO, CALIFORNIA.

(a) EXCHANGE AUTHORIZED.—Subject to subsection (b), the Secretary of the Army may carry out a real property exchange with Touro University California (in this section referred to as the “University”), under which the Secretary will convey all right, title, and interest of the United States in and to a parcel of real property, including any improve-

ments thereon, consisting of approximately 3.42 acres of the former Mare Island Naval Shipyard on Azuar Drive in the City of Vallejo, California, and administered by the Secretary as part of the 63rd Regional Support Command, for the purpose of permitting the University to use the parcel for educational and administrative purposes.

(b) CONVEYANCE AUTHORITY CONDITIONAL.—The conveyance authority provided by subsection (a) shall take effect only if the real property exchange process initiated by the Secretary of the Army in a notice of availability (DACW05–8–15–512) issued on January 28, 2015, and involving the real property described in subsection (a) is terminated unsuccessfully.

(c) CONVEYANCE PROCESS.—The Secretary shall carry out the real property exchange authorized by subsection (a) using the authority available to the Secretary under section 18240 of title 10, United States Code.

(d) FACILITIES TO BE ACQUIRED.—In exchange for the conveyance of the real property under subsection (a), the Secretary of the Army shall acquire, consistent with subsections (c) and (d) of section 18240 of title 10, United States Code, a facility, or addition to an existing facility, needed to rectify the parking shortage for the Mare Island Army Reserve Center.

(e) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Army shall require the University to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation related to the conveyance, and any other administrative costs related to the conveyance. If amounts are collected from the University in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the University.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance or, if the period of availability for obligations for that appropriation has expired, to the appropriations or fund that is currently available to the Secretary for the same purpose. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(f) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) and acquired under subsection (d) shall be determined by a survey satisfactory to the Secretary of the Army.

SEC. 2833. LAND EXCHANGE, NAVY OUTLYING LANDING FIELD, NAVAL AIR STATION, WHITING FIELD, FLORIDA.

(a) LAND EXCHANGE AUTHORIZED.—The Secretary of the Navy may convey to Escambia County, Florida (in this section referred to as the “County”), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, containing Navy Outlying Landing Field Site 8 in Escambia County associated with Naval Air Station, Whiting Field, Milton, Florida.

(b) LAND TO BE ACQUIRED.—In exchange for the property described in subsection (a), the County shall convey to the Secretary of the Navy land and improvements thereon in Santa Rosa County, Florida, that is acceptable to the Secretary and suitable for use as a Navy outlying landing field to replace Navy Outlying Landing Field Site 8.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Navy shall require the County to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the land exchange under this section, including survey costs, costs for environmental documentation, other administrative costs related to the land exchange, and all costs associated with relocation of activities and facilities from Navy Outlying Landing Field Site 8 to the replacement location. If amounts are collected from the County in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the land exchange, the Secretary shall refund the excess amount to the County.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the land exchange. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be exchanged under this section shall be determined by surveys satisfactory to the Secretary of the Navy.

(e) CONVEYANCE AGREEMENT.—The exchange of real property under this section shall be accomplished using a quit claim deed or other legal instrument and upon terms and conditions mutually satisfactory to the Secretary of the Navy and the County, including such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2834. RELEASE OF PROPERTY INTERESTS RETAINED IN CONNECTION WITH LAND CONVEYANCE, CAMP VILLERE, LOUISIANA.

(a) RELEASE OF RETAINED INTERESTS.—With respect to a parcel of real property at Camp Villere, Louisiana, consisting of approximately 48.04 acres and conveyed by quitclaim deed for National Guard purposes by the United States to the State of Louisiana pursuant to section 616 of the Military Construction Authorization Act, 1975 (titles I through VI of Public Law 93–552; 88 Stat. 1768), the Secretary of the Army may release the terms and conditions imposed by the United States under subsection (b) of such section and the reversionary interest retained by the United States under subsection (c) of such section. The release of such terms and conditions and retained interests with respect to any portion of that parcel shall not be construed to alter the rights or interests retained by the United States with respect to the remainder of the real property conveyed to the State under such section.

(b) CONDITION OF RELEASE.—The release authorized by subsection (a) of terms and conditions and retained interests shall be subject to the condition that the State of Louisiana—

(1) transfer the parcel of real property described in such subsection from the Louisiana Military Department to the Louisiana

Agricultural Finance Authority for the purpose of permitting the Louisiana Agricultural Finance Authority to use the parcel for any purposes allowed by State law; and

(2) make available to the Louisiana Military Department real property to replace the transferred parcel that is suitable for use for National Guard training and operational support for emergency management and homeland defense activities.

(c) **INSTRUMENT OF RELEASE AND DESCRIPTION OF PROPERTY.**—The Secretary of the Army may execute and file in the appropriate office a deed of release, amended deed, or other appropriate instrument reflecting the release of terms and conditions and retained interests under subsection (a). The exact acreage and legal description of the property described in such subsection shall be determined by a survey satisfactory to the Secretary of the Army.

(d) **PAYMENT OF ADMINISTRATIVE COSTS.**—

(1) **PAYMENT REQUIRED.**—The Secretary of the Army may require the State of Louisiana to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the release of retained interests under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the State.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the release of retained interests under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the release of retained interests. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary of the Army may require such additional terms and conditions in connection with the release of retained interests under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2835. RELEASE OF PROPERTY INTERESTS RETAINED IN CONNECTION WITH LAND CONVEYANCE, FORT BLISS MILITARY RESERVATION, TEXAS.

(a) **RELEASE OF RETAINED INTERESTS.**—With respect to a parcel of real property in El Paso, Texas, consisting of approximately 20 acres and conveyed by deed for National Guard and military purposes by the United States to the State of Texas pursuant to section 708 of the Military Construction Authorization Act, 1972 (Public Law 92-145; 85 Stat. 412), the Secretary of the Army may release the rights reserved by the United States under subsections (d) and (e)(2) of such section and the reversionary interest retained by the United States under subsection (e)(1) of such section. The release of such rights and retained interests with respect to any portion of that parcel shall not be construed to alter the rights or interests retained by the United States with respect to the remainder of the real property conveyed to the State under such section.

(b) **CONDITION OF RELEASE.**—The release authorized by subsection (a) of rights and retained interests shall be subject to the condition that—

(1) the State of Texas sell the parcel of real property covered by the release for fair market value; and

(2) all proceeds from the sale shall be used to fund improvements or repairs for National Guard and military purposes on the remainder of the property conveyed under section 708 of the Military Construction Authorization Act, 1972 (Public Law 92-145; 85 Stat. 412) and retained by the State.

(c) **INSTRUMENT OF RELEASE AND DESCRIPTION OF PROPERTY.**—The Secretary of the Army may execute and file in the appropriate office a deed of release, amended deed, or other appropriate instrument reflecting the release of rights and retained interests under subsection (a). The exact acreage and legal description of the property for which rights and retained interests are released under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Army.

(d) **PAYMENT OF ADMINISTRATIVE COSTS.**—

(1) **PAYMENT REQUIRED.**—The Secretary of the Army may require the State of Texas to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the release of retained interests under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the State.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the release of retained interests under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the release of retained interests. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary of the Army may require such additional terms and conditions in connection with the release of retained interests under subsection (a) as the Secretary considers appropriate to protect the interests of the United States, to include necessary munitions response actions by the State of Texas in accordance with subsection (e)(3) of section 708 of the Military Construction Authorization Act, 1972 (Public Law 92-145; 85 Stat. 412).

Subtitle E—Military Land Withdrawals

SEC. 2841. ADDITIONAL WITHDRAWAL AND RESERVATION OF PUBLIC LAND, NAVAL AIR WEAPONS STATION CHINA LAKE, CALIFORNIA.

Section 2971(b) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113-66; 127 Stat. 1044) is amended—

(1) by striking “The public land” and inserting the following:

“(1) **INITIAL WITHDRAWAL.**—The public land”; and

(2) by adding at the end the following new paragraph:

“(2) **ADDITIONAL WITHDRAWAL.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), the public land (including interests in land) referred to in subsection (a) also includes the approximately 21,060 acres of public land in San Bernardino County, California, identified as ‘Proposed Navy

Land’ on the map entitled ‘Proposed Navy Withdrawal’, dated March 10, 2015, and filed in accordance with section 2912.

“(B) **EXCLUDED LANDS.**—The withdrawal area referred to in subparagraph (A) specifically excludes section 36, township 29 south, range 43 east, San Bernardino meridian.

“(C) **EXISTING RIGHTS AND ACCESS.**—The withdrawal and reservation of public land pursuant to subparagraph (A) is subject to valid existing rights. The Secretary of the Navy shall ensure that the owners of the excluded private land identified in subparagraph (B) continue to have reasonable access to such land.”.

Subtitle F—Other Matters

SEC. 2851. MODIFICATION OF DEPARTMENT OF DEFENSE GUIDANCE ON USE OF AIRFIELD PAVEMENT MARKINGS.

The Secretary of Defense shall require such modifications of Unified Facilities Guide Specifications for pavement markings (UFGS 32 17 23.00 20 Pavement Markings, UFGS 32 17 24.00 10 Pavement Markings), Air Force Engineering Technical Letter ETL 97-18 (Guide Specification for Airfield and Roadway Marking), and any other Department of Defense guidance on airfield pavement markings as may be necessary to permit the use of Type III category of retro-reflective beads to reflectorize airfield markings. The Secretary shall develop appropriate policy to ensure that the determination of the category of retro-reflective beads used on an airfield is determined on an installation-by-installation basis, taking into consideration local conditions and the life-cycle maintenance costs of the pavement markings.

SEC. 2852. EXTENSION OF AUTHORITY FOR ESTABLISHMENT OF COMMEMORATIVE WORK IN HONOR OF BRIGADIER GENERAL FRANCIS MARION.

Notwithstanding section 8903(e) of title 40, United States Code, the authority provided by section 331 of the Consolidated Natural Resources Act of 2008 (Public Law 110-229; 122 Stat. 781; 40 U.S.C. 8903 note) shall continue to apply through May 8, 2018.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

Sec. 3101. National Nuclear Security Administration.

Sec. 3102. Defense environmental cleanup.

Sec. 3103. Other defense activities.

Sec. 3104. Nuclear energy.

Subtitle B—Program Authorizations, Restrictions, and Limitations

Sec. 3111. Improvement to accountability of Department of Energy employees and projects.

Sec. 3112. Stockpile responsiveness program.

Sec. 3113. Notification of cost overruns and Selected Acquisition Reports for major alteration projects.

Sec. 3114. Root cause analyses for certain cost overruns.

Sec. 3115. Funding of laboratory-directed research and development programs.

Sec. 3116. Hanford Waste Treatment and Immobilization Plant contract oversight.

Sec. 3117. Use of best practices for capital asset projects and nuclear weapon life extension programs.

- Sec. 3118. Research and development of advanced naval nuclear fuel system based on low-enriched uranium.
- Sec. 3119. Disposition of weapons-usable plutonium.
- Sec. 3120. Establishment of microlab pilot program.
- Sec. 3121. Prohibition on availability of funds for provision of defense nuclear nonproliferation assistance to Russian Federation.
- Sec. 3122. Prohibition on availability of funds for new fixed site radiological portal monitors in foreign countries.
- Sec. 3123. Limitation on availability of funds for certain arms control and nonproliferation technologies.
- Sec. 3124. Limitation on availability of funds for nuclear weapons dismantlement.
- Subtitle C—Plans and Reports**
- Sec. 3131. Long-term plan for meeting national security requirements for unenriched uranium.
- Sec. 3132. Defense nuclear nonproliferation management plan and reports.
- Sec. 3133. Plan for deactivation and decommissioning of nonoperational defense nuclear facilities.
- Sec. 3134. Assessment of emergency preparedness of defense nuclear facilities.
- Sec. 3135. Modifications to cost-benefit analyses for competition of management and operating contracts.
- Sec. 3136. Interagency review of applications for the transfer of United States civil nuclear technology.
- Sec. 3137. Governance and management of nuclear security enterprise.
- Sec. 3138. Annual report on number of full-time equivalent employees and contractor employees.
- Sec. 3139. Development of strategy on risks to nonproliferation caused by additive manufacturing.
- Sec. 3140. Plutonium pit production capacity.
- Sec. 3141. Assessments on nuclear proliferation risks and nuclear nonproliferation opportunities.
- Sec. 3142. Analysis of alternatives for Mobile Guardian Transporter program.

**Subtitle A—National Security Programs
Authorizations**

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2016 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) **AUTHORIZATION OF NEW PLANT PROJECTS.**—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out the following new plant project for the National Nuclear Security Administration:

Project 16–D–621, Substation Replacement at Technical Area 3, Los Alamos National Laboratory, Los Alamos, New Mexico, \$25,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2016 for defense environmental cleanup activities in carrying out programs

as specified in the funding table in section 4701.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2016 for other defense activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3104. NUCLEAR ENERGY.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2016 for nuclear energy as specified in the funding table in section 4701.

**Subtitle B—Program Authorizations,
Restrictions, and Limitations**

SEC. 3111. IMPROVEMENT TO ACCOUNTABILITY OF DEPARTMENT OF ENERGY EMPLOYEES AND PROJECTS.

(a) **NOTIFICATIONS.**—

(1) **IN GENERAL.**—Subtitle C of the National Nuclear Security Administration Act (50 U.S.C. 2441 et seq.) is amended by adding at the end the following new section:

“SEC. 3245. NOTIFICATION OF EMPLOYEE PRACTICES AFFECTING NATIONAL SECURITY.

“(a) **ANNUAL NOTIFICATION.**—At or about the time that the President’s budget is submitted to Congress under section 1105(a) of title 31, United States Code, the Secretary of Energy and the Administrator shall jointly notify the appropriate congressional committees of—

“(1) the number of covered employees whose security clearance was revoked during the year prior to the year in which the notification is made; and

“(2) for each employee counted under paragraph (1), the length of time such employee has been employed at the Department or the Administration, as the case may be, since such revocation.

“(b) **NOTIFICATION TO CONGRESSIONAL COMMITTEES.**—Whenever the Secretary or the Administrator terminates the employment of a covered employee or removes and reassigns a covered employee for cause, the Secretary or the Administrator, as the case may be, shall notify the appropriate congressional committees of such termination or reassignment by not later than 30 days after the date of such termination or reassignment.

“(c) **DEFINITIONS.**—In this section:

“(1) The term ‘appropriate congressional committees’ means—

“(A) the congressional defense committees; and

“(B) the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

“(2) The term ‘covered employee’ means—

“(A) an employee of the Administration; or

“(B) an employee of an element of the Department of Energy (other than the Administration) involved in nuclear security.”

(2) **CLERICAL AMENDMENT.**—The table of contents for such Act is amended by inserting after the item relating to section 3244 the following new item:

“Sec. 3245. Notification of employee practices affecting national security.”

(3) **ONE-TIME CERTIFICATION.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Energy and the Administrator for Nuclear Security shall jointly submit to the congressional defense committees, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Energy and Natural Resources of the Senate written certification that the Secretary and the Administrator

possess the authorities needed to terminate the employment of an employee for cause relating to improper program management, as described in section 3246(a) of the National Nuclear Security Administration Act (as added by subsection (b)(1)).

(b) **LIMITATION ON BONUSES.**—

(1) **IN GENERAL.**—Such subtitle, as amended by subsection (a)(1), is further amended by adding at the end the following:

“SEC. 3246. LIMITATION ON BONUSES FOR EMPLOYEES WHO ENGAGE IN IMPROPER PROGRAM MANAGEMENT.

“(a) **LIMITATION.**—

“(1) **IN GENERAL.**—The Secretary of Energy or the Administrator may not pay to a covered employee a bonus during the one-year period beginning on the date on which the Secretary or the Administrator, as the case may be, determines that the covered employee engaged in improper program management that resulted in a notification under section 4713 of the Atomic Energy Defense Act (50 U.S.C. 2753) or significantly and detrimentally affected the cost, scope, or schedule associated with the approval of critical decision 3 in the acquisition process for a project (as defined in Department of Energy Order 413.3B (relating to program management and project management for the acquisition of capital assets)).

“(2) **IMPLEMENTATION GUIDANCE.**—Not later than one year after the date of the enactment of this section, the Secretary shall issue guidance for the implementation of paragraph (1).

“(b) **GUIDANCE PROHIBITING BONUSES FOR ADDITIONAL EMPLOYEES.**—Not later than 180 days after the date of the enactment of this section, the Secretary and the Administrator shall each issue guidance prohibiting the payment of a bonus to a covered employee during the one-year period beginning on the date on which the Secretary or the Administrator, as the case may be, determines that the covered employee engaged in improper program management—

“(1) that jeopardized the health, safety, or security of employees or facilities of the Administration or another element of the Department of Energy involved in nuclear security; or

“(2) in carrying out defense nuclear nonproliferation activities.

“(c) **WAIVER.**—The Secretary or the Administrator, as the case may be, may waive the limitation on the payment of a bonus under subsection (a) or (b) on a case-by-case basis if—

“(1) the Secretary or the Administrator, as the case may be, notifies the appropriate congressional committees of such waiver; and

“(2) a period of 60 days elapses following such notification.

“(d) **DEFINITIONS.**—In this section:

“(1) The term ‘appropriate congressional committees’ means—

“(A) the congressional defense committees; and

“(B) the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

“(2) The term ‘bonus’ means a bonus or award paid under title 5, United States Code, including under chapters 45 or 53 of such title, or any other provision of law.

“(3) The term ‘covered employee’ has the meaning given that term in section 3245.”

(2) **CLERICAL AMENDMENT.**—The table of contents for such Act, as amended by subsection (a)(2), is further amended by inserting after the item relating to section 3245 the following new item:

"Sec. 3246. Limitation on bonuses for employees who engage in improper program management."

(c) TREATMENT OF CONTACTOR EMPLOYEES.—

(1) IN GENERAL.—Such subtitle, as amended by subsections (a)(1) and (b)(1), is further amended by adding at the end the following:

"SEC. 3247. TREATMENT OF CONTRACTORS WHO ENGAGE IN IMPROPER PROGRAM MANAGEMENT."

"(a) IN GENERAL.—Except as provided by subsection (b), if the Secretary of Energy or the Administrator determines that a covered contractor engaged in improper program management that resulted in a notification under section 4713 of the Atomic Energy Defense Act (50 U.S.C. 2753) or significantly and detrimentally affected the cost, scope, or schedule associated with the approval of critical decision 3 in the acquisition process for a project (as defined in Department of Energy Order 413.3B (relating to program management and project management for the acquisition of capital assets)), the Secretary or the Administrator, as the case may be, shall submit to the appropriate congressional committees—

"(1) an explanation as to whether termination of the contract is an appropriate remedy;

"(2) a description of the terms of the contract regarding award fees and performance; and

"(3) a description of how the Secretary or the Administrator, as the case may be, plans to exercise options under the contract.

"(b) EXCEPTION.—If the Secretary or the Administrator, as the case may be, is not able to submit the information described in paragraphs (1) through (3) of subsection (a) by reason of a contract enforcement action, the Secretary or the Administrator, as the case may be, shall submit to the appropriate congressional committees a notification of such contract enforcement action and the date on which the Secretary or the Administrator, as the case may be, plans to submit the information described in such paragraphs.

"(c) DEFINITIONS.—In this section:

"(1) The term 'appropriate congressional committees' means—

"(A) the congressional defense committees; and

"(B) the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

"(2) The term 'covered contractor' means—

"(A) a contractor of the Administration; or

"(B) a contractor of an element of the Department of Energy (other than the Administration) involved in nuclear security."

(2) CLERICAL AMENDMENT.—The table of contents for such Act, as amended by subsections (a)(2) and (b)(2), is further amended by inserting after the item relating to section 3246 the following new item:

"Sec. 3247. Treatment of contractors who engage in improper program management."

SEC. 3112. STOCKPILE RESPONSIVENESS PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) a modern and responsive nuclear weapons infrastructure is only one component of a nuclear posture that is agile, flexible, and responsive to change; and

(2) to ensure the nuclear deterrent of the United States remains safe, secure, reliable, credible, and responsive, the United States must continually exercise all capabilities re-

quired to conceptualize, study, design, develop, engineer, certify, produce, and deploy nuclear weapons.

(b) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is amended by adding at the end the following new section:

"SEC. 4220. STOCKPILE RESPONSIVENESS PROGRAM."

"(a) STATEMENT OF POLICY.—It is the policy of the United States to identify, sustain, enhance, integrate, and continually exercise all capabilities required to conceptualize, study, design, develop, engineer, certify, produce, and deploy nuclear weapons to ensure the nuclear deterrent of the United States remains safe, secure, reliable, credible, and responsive.

"(b) PROGRAM REQUIRED.—The Secretary of Energy, acting through the Administrator and in consultation with the Secretary of Defense, shall carry out a stockpile responsiveness program, along with the stockpile stewardship program under section 4201 and the stockpile management program under section 4204, to identify, sustain, enhance, integrate, and continually exercise all capabilities required to conceptualize, study, design, develop, engineer, certify, produce, and deploy nuclear weapons.

"(c) OBJECTIVES.—The program under subsection (b) shall have the following objectives:

"(1) Identify, sustain, enhance, integrate, and continually exercise all of the capabilities, infrastructure, tools, and technologies across the science, engineering, design, certification, and manufacturing cycle required to carry out all phases of the joint nuclear weapons life cycle process, with respect to both the nuclear security enterprise and relevant elements of the Department of Defense.

"(2) Identify, enhance, and transfer knowledge, skills, and direct experience with respect to all phases of the joint nuclear weapons life cycle process from one generation of nuclear weapon designers and engineers to the following generation.

"(3) Periodically demonstrate stockpile responsiveness throughout the range of capabilities required, including prototypes, flight testing, and development of plans for certification without the need for nuclear explosive testing.

"(4) Shorten design, certification, and manufacturing cycles and timelines to minimize the amount of time and costs leading to an engineering prototype and production.

"(5) Continually exercise processes for the integration and coordination of all relevant elements and processes of the Administration and the Department of Defense required to ensure stockpile responsiveness.

"(d) JOINT NUCLEAR WEAPONS LIFE CYCLE PROCESS DEFINED.—In this section, the term 'joint nuclear weapons life cycle process' means the process developed and maintained by the Secretary of Defense and the Secretary of Energy for the development, production, maintenance, and retirement of nuclear weapons."

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 4219 the following new item:

"Sec. 4220. Stockpile responsiveness program."

(c) INCLUSION IN STOCKPILE STEWARDSHIP, MANAGEMENT, AND INFRASTRUCTURE PLAN.—

(1) IN GENERAL.—Section 4203 of such Act (50 U.S.C. 2523) is amended—

(A) in the section heading, by striking "**INFRASTRUCTURE**" and inserting "**RESPONSIVENESS**";

(B) in subsection (a), by inserting "stockpile responsiveness," after "stockpile management,";

(C) in subsection (c)—

(i) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively; and

(ii) by inserting after paragraph (4) the following new paragraph (5):

"(5) A summary of the status, plans, and budgets for carrying out the stockpile responsiveness program under section 4220."

(D) in subsection (d)(1)—

(i) in the matter preceding subparagraph (A), by striking "stewardship and management" and inserting "stewardship, stockpile management, and stockpile responsiveness";

(ii) in subparagraph (K), by striking "and" and inserting a semicolon;

(iii) in subparagraph (L), by striking the period and inserting a semicolon; and

(iv) by adding at the end the following new subparagraphs:

"(M) the status, plans, activities, budgets, and schedules for carrying out the stockpile responsiveness program under section 4220; and

"(N) for each of the five fiscal years following the fiscal year in which the report is submitted, an identification of the funds needed to carry out the program required under section 4220.";

(E) in subsection (e)(1)(A)—

(i) in clause (i), by striking "and" and inserting a semicolon;

(ii) in clause (ii), by striking the period and inserting "and"; and

(iii) by adding at the end the following new clause:

"(iii) whether the plan supports the stockpile responsiveness program under section 4220 in a manner that meets the objectives of such program and an identification of any improvements that may be made to the plan to better carry out such program."

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the item relating to section 4203 and inserting the following new item:

"Sec. 4203. Nuclear weapons stockpile stewardship, management, and responsiveness plan."

(d) REPORT BY STRATCOM.—Section 4205(e)(4) of such Act (50 U.S.C. 2525(e)(4)) is amended—

(1) in subparagraph (A), by striking "and" and inserting a semicolon;

(2) in subparagraph (B), by striking the period and inserting "and"; and

(3) by adding at the end the following new subparagraph:

"(C) the views of the Commander on the stockpile responsiveness program under section 4220, the activities conducted under such program, and any suggestions to improve such program."

SEC. 3113. NOTIFICATION OF COST OVERRUNS AND SELECTED ACQUISITION REPORTS FOR MAJOR ALTERATION PROJECTS.

(a) NOTIFICATION OF COST OVERRUNS.—

(1) IN GENERAL.—Section 4713(a) of the Atomic Energy Defense Act (50 U.S.C. 2753(a)) is amended—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1) the following new paragraph (2):

"(2) MAJOR ALTERATION PROJECTS.—

"(A) IN GENERAL.—The Administrator shall establish a cost and schedule baseline for each major alteration project.

“(B) PER UNIT COST.—The cost baseline developed under subparagraph (A) shall include, with respect to each major alteration project, an estimated cost for each warhead in the project.

“(C) NOTIFICATION TO CONGRESSIONAL DEFENSE COMMITTEES.—Not later than 30 days after establishing a cost and schedule baseline under subparagraph (A), the Administrator shall submit the cost and schedule baseline to the congressional defense committees.

“(D) MAJOR ALTERATION PROJECT DEFINED.—In this paragraph, the term ‘major alteration project’ means a nuclear weapon system alteration project of the Administration the cost of which exceeds \$750,000,000.”.

(2) CONFORMING AMENDMENTS.—Section 4713 of such Act is further amended—

(A) in subsection (b)—

(i) in paragraph (1), by striking “or (3)” and inserting “(3), or (4)”; and

(ii) in paragraph (2)—

(I) by inserting “or a major alteration project referred to in subsection (a)(2)” after “subsection (a)(1)”; and

(II) by inserting “or (a)(2)(B), as applicable,”; and

(B) in subsection (c)(2)(A), by inserting “or a major alteration project referred to in subsection (a)(2)” after “subsection (a)(1)”.

(b) INCLUSION OF MAJOR ALTERATION PROJECTS IN SELECTED ACQUISITION REPORTS AND INDEPENDENT COST ESTIMATES.—

(1) IN GENERAL.—Section 4217 of such Act (50 U.S.C. 2537) is amended—

(A) in subsection (a)(1), by inserting “or a major alteration project (as defined in section 4713(a)(2))” after “life extension”; and

(B) in subsection (b)(1)(A), by adding at the end the following new clause:

“(iv) Each nuclear weapons system undergoing a major alteration project (as defined in section 4713(a)(2)).”.

(2) CONFORMING AMENDMENTS.—

(A) The section heading for section 4217 of such Act is amended by striking “LIFE EXTENSION PROGRAMS AND NEW NUCLEAR FACILITIES” and inserting “CERTAIN PROGRAMS AND FACILITIES”.

(B) The table of contents for such Act is amended by striking the item relating to section 4217 and inserting the following new item:

“Sec. 4217. Selected Acquisition Reports and independent cost estimates and reviews of certain programs and facilities.”.

SEC. 3114. ROOT CAUSE ANALYSES FOR CERTAIN COST OVERRUNS.

Section 4713(c) of the Atomic Energy Defense Act (50 U.S.C. 2753(c)), as amended by section 3113, is further amended—

(1) in the subsection heading, by inserting “AND ROOT CAUSE ANALYSES” after “PROJECTS”;

(2) in paragraph (1), by striking “and”;

(3) in paragraph (2)(C), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following paragraph:

“(3) submit to the congressional defense committees an assessment of the root cause or causes of the growth in the total cost of the project, including the contribution of any shortcomings in cost, schedule, or performance of the program, including the role, if any, of—

“(A) unrealistic performance expectations;

“(B) unrealistic baseline estimates for cost or schedule;

“(C) immature technologies or excessive manufacturing or integration risk;

“(D) unanticipated design, engineering, manufacturing, or technology integration issues arising during program performance;

“(E) changes in procurement quantities;

“(F) inadequate program funding or funding instability;

“(G) poor performance by personnel of the Federal Government or contractor personnel responsible for program management; or

“(H) any other matters.”.

SEC. 3115. FUNDING OF LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT PROGRAMS.

(a) IN GENERAL.—Section 4811(c) of the Atomic Energy Defense Act (50 U.S.C. 2791(c)) is amended—

(1) by striking “to such laboratories” and inserting “to a national security laboratory”;

(2) by striking “not to exceed 6 percent” and inserting “of not less than 5 percent and not more than 7 percent”; and

(3) by striking “by such laboratories” and inserting “by the laboratory”.

(b) BRIEFING REQUIRED.—Not later than February 28, 2016, the Administrator for Nuclear Security shall provide a briefing to the congressional defense committees on—

(1) all recent or ongoing reviews of the laboratory-directed research and development program, including such reviews initiated by the Secretary of Energy;

(2) costs and accounting practices associated with laboratory-directed research and development; and

(3) how laboratory-directed research and development projects support the mission of the National Nuclear Security Administration.

SEC. 3116. HANFORD WASTE TREATMENT AND IMMOBILIZATION PLANT CONTRACT OVERSIGHT.

(a) IN GENERAL.—Subtitle C of title XLIV of the Atomic Energy Defense Act (50 U.S.C. 2621 et seq.) is amended by adding at the end the following new section:

“SEC. 4446. HANFORD WASTE TREATMENT AND IMMOBILIZATION PLANT CONTRACT OVERSIGHT.

“(a) IN GENERAL.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary of Energy shall arrange to have an owner’s agent advise the Secretary in carrying out the oversight responsibilities of the Secretary with respect to the contract described in subsection (b).

“(b) CONTRACT DESCRIBED.—The contract described in this subsection is the contract between the Office of River Protection of the Department of Energy and Bechtel National, Inc., or its successor relating to the Hanford Waste Treatment and Immobilization Plant (contract number DE-AC27-01RV14136).

“(c) DUTIES.—The duties of the owner’s agent under subsection (a) shall include advising the Secretary with respect to the following:

“(1) Performing design, construction, nuclear safety, and operability oversight of each facility covered by the contract described in subsection (b).

“(2) Beginning not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, ensuring that the preliminary documented safety analyses for all facilities covered by the contract meet the requirements of all applicable Department of Energy regulations and guidance, including section 830.206 of title 10, Code of Federal Regulations, and the Department of Energy Standard on the Integration of Safety into the Design Process (DOE-STD-1189-2008).

“(3) Ensuring that, until the Secretary approves the documented safety analysis for each facility covered by the contract, the contractor ensures that each preliminary documented safety analysis is current.

“(4) Ensuring that the contractor acts to promptly resolve any unreviewed safety questions.

“(d) REPORT ON ACTIVITIES OF OWNER’S AGENT.—

“(1) IN GENERAL.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, and every 180 days thereafter, the owner’s agent specified in subsection (a) shall submit to the Secretary a report on the advice provided by the owner’s agent to the Secretary under that subsection with respect to oversight of the contract described in subsection (b).

“(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

“(A) Information on the status of, and the plan for resolving, each unreviewed safety question at each facility covered by the contract described in subsection (b).

“(B) An identification of each instance of disagreement between the owner’s agent and the contractor with respect to whether an unreviewed safety question exists and the plan for resolution of the disagreement.

“(C) An identification of each aspect of each preliminary documented safety analysis that is not current, the plan for making that aspect current, and the status of the corrective efforts.

“(D) Information on the status of, and the plan for resolving, each unresolved technical issue at each facility covered by the contract, and the status of corrective efforts.

“(3) SUBMISSION TO CONGRESS.—The Secretary shall transmit to the congressional defense committees the report required by paragraph (1) and any views of the Secretary with respect to the report.

“(e) REPORT ON SELECTION OF THE OWNER’S AGENT.—Not later than 30 days after the selection of the owner’s agent under subsection (a), the Secretary shall submit to the congressional defense committees a report on the process used to select the owner’s agent to ensure that the owner’s agent does not have a conflict of interest.

“(f) DEFINITIONS.—In this section:

“(1) The term ‘contractor’ means Bechtel National, Inc.

“(2) The term ‘current’, with respect to a documented safety analysis, means that the documented safety analysis includes any design changes approved by the contractor and any safety evaluation reports issued by the Secretary with respect to the facility covered by the analysis before the date that is 60 days before the date of the analysis.

“(3) The terms ‘documented safety analysis’, ‘safety evaluation report’, and ‘unreviewed safety question’ have the meanings given those terms in section 830.3 of title 10, Code of Federal Regulations (or any corresponding similar ruling or regulation).

“(4) The term ‘owner’s agent’ means a private third-party entity with nuclear safety management expertise.”.

(b) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 4445 the following new item:

“Sec. 4446. Hanford Waste Treatment and Immobilization Plant contract oversight.”.

SEC. 3117. USE OF BEST PRACTICES FOR CAPITAL ASSET PROJECTS AND NUCLEAR WEAPON LIFE EXTENSION PROGRAMS.

(a) **ANALYSES OF ALTERNATIVES.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Energy, in coordination with the Administrator for Nuclear Security, shall ensure that analyses of alternatives are conducted (including through contractors, as appropriate) in accordance with best practices for capital asset projects and life extension programs of the National Nuclear Security Administration and capital asset projects relating to defense environmental management.

(b) **COST ESTIMATES.**—Not later than 30 days after the date of the enactment of this Act, the Secretary, in coordination with the Administrator, shall develop cost estimates in accordance with cost estimating best practices for capital asset projects and life extension programs of the National Nuclear Security Administration and capital asset projects relating to defense environmental management.

(c) **REVISIONS TO DEPARTMENTAL PROJECT MANAGEMENT ORDER AND NUCLEAR WEAPON LIFE EXTENSION REQUIREMENTS.**—As soon as practicable after the date of the enactment of this Act, but not later than two years after such date of enactment, the Secretary shall revise—

(1) the capital asset project management order of the Department of Energy to require the use of best practices for preparing cost estimates and for conducting analyses of alternatives for National Nuclear Security Administration and defense environmental management capital asset projects; and

(2) the nuclear weapon life extension program procedures of the Department to require the use of use of best practices for preparing cost estimates and conducting analyses of alternatives for National Nuclear Security Administration life extension programs.

SEC. 3118. RESEARCH AND DEVELOPMENT OF ADVANCED NAVAL NUCLEAR FUEL SYSTEM BASED ON LOW-ENRICHED URANIUM.

(a) **AVAILABILITY OF FUNDS.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for defense nuclear nonproliferation for material management and minimization, as specified in the funding table in section 4701, not more than \$5,000,000 shall be made available to the Deputy Administrator for Naval Reactors for initial planning and early research and development of an advanced naval nuclear fuel system based on low-enriched uranium.

(b) **CONCEPTUAL PROGRAM PLAN.**—Not later than 90 days after the date of the enactment of this Act, the Deputy Administrator shall submit to the congressional defense committees a conceptual plan for a program for research and development of an advanced naval nuclear fuel system based on low-enriched uranium to meet military requirements. Such plan shall include the following:

(1) Timelines.

(2) Costs (including an analysis of the cost of such research and development as compared to the cost of maintaining current naval nuclear reactor technology).

(3) Milestones, including an identification of decision points in which the Deputy Administrator shall determine whether further research and development of a low-enriched uranium naval nuclear fuel system is warranted.

(4) Identification of any benefits or risks for nuclear nonproliferation of such research and development and eventual deployment.

(5) Identification of any military benefits or risks of such research and development and eventual deployment.

(6) A discussion of potential security cost savings from using low-enriched uranium in future naval nuclear fuels, including for transporting and using low-enriched uranium fuel, and how such cost savings relate to the cost of fuel fabrication.

(7) The distinguishment between requirements for aircraft carriers from submarines.

(8) Any other matters the Deputy Administrator determines appropriate.

(c) **DETERMINATION OF CONTINUED RESEARCH AND DEVELOPMENT.**—

(1) **DETERMINATION.**—Not later than 60 days after the date on which the Deputy Administrator submits the conceptual plan to the congressional defense committees under subsection (b), the Secretary of Energy and the Secretary of the Navy shall jointly submit to the congressional defense committees the determination of the Secretaries as to whether the United States should continue to pursue research and development of an advanced naval nuclear fuel system based on low-enriched uranium.

(2) **BUDGET REQUEST.**—If the Secretaries determine under paragraph (1) that research and development of an advanced naval nuclear fuel system based on low-enriched uranium should continue, the Secretaries shall ensure that the budget of the President for fiscal year 2018 (and for fiscal year 2017, if feasible) submitted to Congress under section 1105(a) of title 31, United States Code, includes in the budget line item for the “Defense Nuclear Nonproliferation” account for material management and minimization amounts necessary to carry out the conceptual plan under subsection (b).

(d) **MEMORANDUM OF UNDERSTANDING.**—If the Secretaries determine under subsection (c)(1) that research and development of an advanced naval nuclear fuel system based on low-enriched uranium should continue, not later than 60 days after such determination, the Deputy Administrator shall enter into a memorandum of understanding with the Deputy Administrator for Defense Nuclear Nonproliferation regarding such research and development, including with respect to how funding for such research and development will be requested for the “Defense Nuclear Nonproliferation” account for material management and minimization and provided to the “Naval Reactors” account to carry out the program.

SEC. 3119. DISPOSITION OF WEAPONS-USABLE PLUTONIUM.

(a) **MIXED-OXIDE FUEL FABRICATION FACILITY.**—

(1) **IN GENERAL.**—Using funds described in paragraph (3), the Secretary of Energy shall carry out construction and project support activities relating to the MOX facility.

(2) **EXCEPTION.**—Notwithstanding paragraph (1), not more than \$5,000,000 of the funds described in paragraph (3) may be obligated or expended to conduct an analysis of alternative options for carrying out the plutonium disposition program.

(3) **FUNDS DESCRIBED.**—The funds described in this paragraph are the following:

(A) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the National Nuclear Security Administration for the MOX facility for construction and project support activities.

(B) Funds authorized to be appropriated for a fiscal year prior to fiscal year 2016 for the National Nuclear Security Administration for the MOX facility for construction and project support activities that are unobli-

gated as of the date of the enactment of this Act.

(b) **UPDATED PERFORMANCE BASELINE.**—The Secretary shall include in the budget justification materials submitted to Congress in support of the Department of Energy budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) for fiscal year 2017 an updated performance baseline for construction and project support activities relating to the MOX facility conducted in accordance with Department of Energy Order 413.3B (relating to program and project management for the acquisition of capital assets).

(c) **DEFINITIONS.**—In this section:

(1) **MOX FACILITY.**—The term “MOX facility” means the mixed-oxide fuel fabrication facility at the Savannah River Site, Aiken, South Carolina.

(2) **PROJECT SUPPORT ACTIVITIES.**—The term “project support activities” means activities that support the design, long-lead equipment procurement, and site preparation of the MOX facility.

SEC. 3120. ESTABLISHMENT OF MICROLAB PILOT PROGRAM.

(a) **IN GENERAL.**—The Secretary of Energy, in consultation with the directors of the national security laboratories, may establish a microlab pilot program under which the Secretary establishes a microlab for the purposes of—

(1) enhancing collaboration with regional research groups, such as institutions of higher education and industry groups;

(2) accelerating technology transfer from national security laboratories to the marketplace; and

(3) promoting regional workforce development through science, technology, engineering, and mathematics instruction and training.

(b) **CRITERIA.**—

(1) **IN GENERAL.**—In determining the placement of a microlab under subsection (a), the Secretary shall consider—

(A) the interest of a national security laboratory in establishing a microlab;

(B) the existence of an available facility that has the capability to house a microlab;

(C) whether employees of a national security laboratory and persons from academia, industry, and government are available to be assigned to the microlab; and

(D) cost-sharing or in-kind contributions from State and local governments and private industry.

(2) **COST-SHARING.**—The Secretary shall, to the extent feasible, require cost-sharing or in-kind contributions described in paragraph (1)(D) to cover the full cost of the microlab under subsection (a).

(c) **TIMING.**—If the Secretary, in consultation with the directors of the national security laboratories, elects to establish a microlab pilot program under this section, the Secretary, in collaboration with such directors, shall—

(1) not later than 180 days after the date of the enactment of this Act, begin the process of determining the placement of the microlab under subsection (a); and

(2) not later than one year after such date of enactment, implement the microlab pilot program under this section.

(d) **REPORTS REQUIRED.**—If the Secretary, in consultation with the directors of the national security laboratories, elects to establish a microlab pilot program under this section, the Secretary shall submit to the appropriate congressional committees—

(1) not later than 120 days after the date of the implementation of the program, a report

that provides an update on the implementation of the program; and

(2) not later than one year after the date of the implementation of the program, a report on the program, including findings and recommendations of the Secretary with respect to the program.

(e) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Armed Services, the Committee on Science, Space, and Technology, and the Committee on Energy and Commerce of the House of Representatives.

(2) **MICROLAB.**—The term “microlab” means a facility that is—

(A) in close proximity to, but outside the perimeter of, a national security laboratory;

(B) an extension of or affiliated with a national security laboratory; and

(C) accessible to the public.

(3) **NATIONAL SECURITY LABORATORY.**—The term “national security laboratory” has the meaning given that term in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471).

SEC. 3121. PROHIBITION ON AVAILABILITY OF FUNDS FOR PROVISION OF DEFENSE NUCLEAR NONPROLIFERATION ASSISTANCE TO RUSSIAN FEDERATION.

(a) **PROHIBITION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for defense nuclear nonproliferation activities may be obligated or expended to enter into a contract with, or otherwise provide assistance to, the Russian Federation.

(b) **WAIVER.**—The Secretary of Energy, without delegation, may waive the prohibition in subsection (a) if the Secretary—

(1) submits to the appropriate congressional committees a report containing—

(A) notification that such a waiver is in the national security interest of the United States; and

(B) justification for such a waiver; and

(2) a period of 15 days elapses following the date on which the Secretary submits such report.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 3122. PROHIBITION ON AVAILABILITY OF FUNDS FOR NEW FIXED SITE RADIOLOGICAL PORTAL MONITORS IN FOREIGN COUNTRIES.

(a) **PROHIBITION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the National Nuclear Security Administration may be obligated or expended for the installation, on or after the date of the enactment of this Act, of fixed site radiological portal monitors or equipment in foreign countries until the date on which the Director of National Intelligence submits to the Administrator for Nuclear Security and the appropriate congressional committees, consistent with the provision of classified information and protection of sources and methods, a report containing an assessment of—

(1) whether and the extent to which fixed site and mobile radiological monitors address nuclear nonproliferation and smuggling threats;

(2) the contribution of other threat reduction programs and how well such programs

address nuclear nonproliferation and smuggling threats;

(3) which programs have the greatest impact and cost-benefit for addressing nuclear nonproliferation and smuggling threats; and

(4) such other matters as the Director considers appropriate.

(b) **PLAN REQUIRED.**—

(1) **IN GENERAL.**—Not later than March 1, 2016, the Administrator shall submit to the appropriate congressional committees a plan for transitioning fixed site radiological portal monitors installed in foreign countries before or after the date of the enactment of this Act to being sustained, to the greatest extent possible, by the countries in which such monitors are located.

(2) **ELEMENTS.**—The plan required by paragraph (1) shall include—

(A) timelines for the transition of the radiological portal monitors described in paragraph (1) to being sustained by the countries in which such monitors are located; and

(B) an estimate of the costs expected to be incurred by the United States before the transition is complete.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees;

(2) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives; and

(3) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 3123. LIMITATION ON AVAILABILITY OF FUNDS FOR CERTAIN ARMS CONTROL AND NONPROLIFERATION TECHNOLOGIES.

(a) **IN GENERAL.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Office of Nonproliferation and Arms Control of the National Nuclear Security Administration may be obligated or expended to test and validate arms control and nonproliferation verification and monitoring technologies designed to be used to verify and monitor obligations under arms control treaties or other international agreements to which the United States is not a signatory until the Administrator for Nuclear Security submits to the congressional defense committees a comprehensive review of all arms control and nonproliferation verification and monitoring technologies that are in research and development or production as of the date of the enactment of this Act under the defense nuclear nonproliferation programs of the Administration.

(b) **ELEMENTS.**—The review required by subsection (a) shall include, with respect to each arms control and nonproliferation verification and monitoring technology covered by the review, a statement of—

(1) the technology readiness level of the technology;

(2) the obligation under a treaty or other international agreement supported by the technology; and

(3) the purpose for which the technology is being developed or produced.

SEC. 3124. LIMITATION ON AVAILABILITY OF FUNDS FOR NUCLEAR WEAPONS DISMANTLEMENT.

(a) **LIMITATION ON MAXIMUM AMOUNT FOR DISMANTLEMENT.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the National Nuclear Security Administration, not more than \$50,000,000 may be obligated or expended to carry out the nuclear weapons

dismantlement and disposition activities of the Administration.

(b) **LIMITATION ON DISMANTLEMENT OF CERTAIN CRUISE MISSILE WARHEADS.**—

(1) **IN GENERAL.**—Except as provided by paragraph (2), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the National Nuclear Security Administration may be obligated or expended to dismantle or dispose of a W84 nuclear weapon.

(2) **EXCEPTION.**—The limitation in paragraph (1) shall not apply to activities necessary to conduct maintenance or surveillance of the nuclear weapons stockpile or activities to ensure the safety or reliability of the nuclear weapons stockpile.

Subtitle C—Plans and Reports

SEC. 3131. LONG-TERM PLAN FOR MEETING NATIONAL SECURITY REQUIREMENTS FOR UNENCUMBERED URANIUM.

(a) **IN GENERAL.**—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.), as amended by section 3112, is further amended by adding at the end the following new section:

“SEC. 4221. LONG-TERM PLAN FOR MEETING NATIONAL SECURITY REQUIREMENTS FOR UNENCUMBERED URANIUM.

“(a) **IN GENERAL.**—Concurrent with the submission to Congress of the budget of the President under section 1105(a) of title 31, United States Code, in each even-numbered year beginning in 2016 and ending in 2026, the Secretary of Energy shall submit to the congressional defense committees a plan for meeting national security requirements for unencumbered uranium through 2065.

“(b) **PLAN REQUIREMENTS.**—The plan required by subsection (a) shall include the following:

“(1) An inventory of unencumbered uranium (other than depleted uranium), by program source and enrichment level, that, as of the date of the plan, is allocated to national security requirements.

“(2) An inventory of unencumbered uranium (other than depleted uranium), by program source and enrichment level, that, as of the date of the plan, is not allocated to national security requirements but could be allocated to such requirements.

“(3) An identification of national security requirements for unencumbered uranium, by program source and enrichment level.

“(4) A description of any shortfall in obtaining unencumbered uranium to meet national security requirements and an assessment of whether that shortfall could be mitigated through the blending down of uranium that is of a higher enrichment level.

“(5) An inventory of unencumbered depleted uranium, an assessment of the portion of that uranium that could be allocated to national security requirements through re-enrichment, and an estimate of the costs of re-enriching that uranium.

“(6) A description of the swap and barter agreements involving unencumbered uranium needed to meet national security requirements that are in effect on the date of the plan.

“(7) An assessment of whether additional enrichment of uranium will be required to meet national security requirements and an estimate of the time for production operations and the cost for each type of enrichment being considered.

“(8) A description of changes in policy that would mitigate any shortfall in obtaining unencumbered uranium to meet national security requirements and the implications of those changes.

“(c) FORM OF PLAN.—The plan required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘depleted’, with respect to uranium, means that the uranium is depleted in uranium-235 compared with natural uranium.

“(2) The term ‘unencumbered’, with respect to uranium, means that the United States has no obligation to foreign governments to use the uranium for only peaceful purposes.”.

(b) CLERICAL AMENDMENT.—The table of contents for such Act, as amended by section 3112, is further amended by inserting after the item relating to section 4220 the following new item:

“Sec. 4221. Long-term plan for meeting national security requirements for unencumbered uranium.”.

SEC. 3132. DEFENSE NUCLEAR NONPROLIFERATION MANAGEMENT PLAN AND REPORTS.

(a) DEFENSE NUCLEAR PROLIFERATION MANAGEMENT PLAN.—

(1) IN GENERAL.—Title XLIII of the Atomic Energy Defense Act (50 U.S.C. 2563 et seq.) is amended by adding at the end the following new section:

“SEC. 4309. DEFENSE NUCLEAR NONPROLIFERATION MANAGEMENT PLAN.

“(a) IN GENERAL.—Concurrent with the submission to Congress of the budget of the President under section 1105(a) of title 31, United States Code, in each fiscal year, the Administrator shall submit to the congressional defense committees a five-year management plan for activities associated with the defense nuclear nonproliferation programs of the Administration to prevent and counter the proliferation of materials, technology, equipment, and expertise related to nuclear and radiological weapons in order to minimize and address the risk of nuclear terrorism and the proliferation of such weapons.

“(b) ELEMENTS.—The plan required by subsection (a) shall include, with respect to each defense nuclear nonproliferation program of the Administration, the following:

“(1) A description of the policy context in which the program operates, including—

“(A) a list of relevant laws, policy directives issued by the President, and international agreements; and

“(B) nuclear nonproliferation activities carried out by other Federal agencies.

“(2) A description of the objectives and priorities of the program during the year preceding the submission of the plan required by subsection (a).

“(3) A description of the activities carried out under the program during that year.

“(4) A description of the accomplishments and challenges of the program during that year, based on an assessment of metrics and objectives previously established to determine the effectiveness of the program.

“(5) A description of any gaps that remain that were not or could not be addressed by the program during that year.

“(6) An identification and explanation of uncommitted or uncosted balances for the program, as of the date of the submission of the plan required by subsection (a), that are greater than the acceptable carryover thresholds, as determined by the Secretary of Energy.

“(7) An identification of funds for the program received through contributions from or cost-sharing agreements with foreign governments consistent section 3132(f) of the

Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2569(f)) during the year preceding the submission of the plan required by subsection (a) and an explanation of such contributions and agreements.

“(8) A description and assessment of activities carried out under the program during that year that were coordinated with other elements of the Department of Energy, with the Department of Defense, and with other Federal agencies, to maximize efficiency and avoid redundancies.

“(9) Plans for activities of the program during the five-year period beginning on the date on which the plan required by subsection (a) is submitted, including activities with respect to the following:

“(A) Preventing nuclear and radiological proliferation and terrorism, including through—

“(i) material management and minimization, particularly with respect to removing or minimizing the use of highly enriched uranium, plutonium, and radiological materials worldwide (and identifying the countries in which such materials are located), efforts to dispose of surplus material, converting reactors from highly enriched uranium to low-enriched uranium (and identifying the countries in which such reactors are located);

“(ii) global nuclear material security, including securing highly enriched uranium, plutonium, and radiological materials worldwide (and identifying the countries in which such materials are located), and providing radiation detection capabilities at foreign ports and borders;

“(iii) nonproliferation and arms control, including nuclear verification and safeguards;

“(iv) defense nuclear research and development, including a description of activities related to developing and improving technology to detect the proliferation and detonation of nuclear weapons, verifying compliance of foreign countries with commitments under treaties and agreements relating to nuclear weapons, and detecting the diversion of nuclear materials (including safeguards technology); and

“(v) nonproliferation construction programs, including activities associated Department of Energy Order 413.1 (relating to program management controls).

“(B) Countering nuclear and radiological proliferation and terrorism.

“(C) Responding to nuclear and radiological proliferation and terrorism, including through—

“(i) crisis operations;

“(ii) consequences management; and

“(iii) emergency management, including international capacity building.

“(10) A threat assessment, carried out by the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))), with respect to the risk of nuclear and radiological proliferation and terrorism and a description of how each activity carried out under the program will counter the threat during the five-year period beginning on the date on which the plan required by subsection (a) is submitted and, as appropriate, in the longer term.

“(11) A plan for funding the program during that five-year period.

“(12) An identification of metrics and objectives for determining the effectiveness of each activity carried out under the program during that five-year period.

“(13) A description of the activities to be carried out under the program during that

five-year period and a description of how the program will be prioritized relative to other defense nuclear nonproliferation programs of the Administration during that five-year period to address the highest priority risks and requirements, as informed by the threat assessment carried out under paragraph (10).

“(14) A description of funds for the program expected to be received during that five-year period through contributions from or cost-sharing agreements with foreign governments consistent section 3132(f) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2569(f)).

“(15) A description and assessment of activities to be carried out under the program during that five-year period that will be coordinated with other elements of the Department of Energy, with the Department of Defense, and with other Federal agencies, to maximize efficiency and avoid redundancies.

“(16) Such other matters as the Administrator considers appropriate.

“(c) FORM OF REPORT.—The plan required by subsection (a) shall be submitted to the congressional defense committees in unclassified form, but may include a classified annex if necessary.”.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 4308 the following new item:

“Sec. 4309. Defense nuclear nonproliferation management plan.”.

(b) EXTENSION AND MODIFICATION OF CERTAIN ANNUAL REPORTS ON NUCLEAR NONPROLIFERATION.—Section 3122 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1710) is amended—

(1) by striking subsections (a) and (b);

(2) by redesignating subsections (c), (d), and (e) as subsections (a), (b), and (c), respectively;

(3) in subsection (a), as redesignated by paragraph (2)—

(A) in the matter preceding paragraph (1), by striking “2016” and inserting “2020”;

(B) in paragraph (2), by inserting after “world,” the following: “including an identification of such uranium that is obligated by the United States,”; and

(C) by adding at the end the following new paragraph:

“(3) A list, by country and site, reflecting the total amount of separated plutonium around the world, including an identification of such plutonium that is obligated by the United States, and an assessment of the vulnerability of the plutonium to theft or diversion.”; and

(4) in paragraph (2) of subsection (b), as so redesignated, by striking “subsection (c)(2)” and inserting “paragraph (2) or (3) of subsection (a)”.

(c) CONFORMING REPEAL.—Section 3145 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2197) is repealed.

SEC. 3133. PLAN FOR DEACTIVATION AND DECOMMISSIONING OF NON-OPERATIONAL DEFENSE NUCLEAR FACILITIES.

(a) IN GENERAL.—Subtitle B of title XLIV of the Atomic Energy Defense Act (50 U.S.C. 2602 et seq.) is amended by adding at the end the following new section:

“SEC. 4423. PLAN FOR DEACTIVATION AND DECOMMISSIONING OF NON-OPERATIONAL DEFENSE NUCLEAR FACILITIES.

“(a) IN GENERAL.—The Secretary of Energy shall, during each even-numbered year beginning in 2016, develop and subsequently

carry out a plan for the activities of the Department of Energy relating to the deactivation and decommissioning of nonoperational defense nuclear facilities.

“(b) ELEMENTS.—The plan required by subsection (a) shall include the following:

“(1) A list of nonoperational defense nuclear facilities, prioritized for deactivation and decommissioning based on the potential to reduce risks to human health, property, or the environment and to maximize cost savings.

“(2) An assessment of the life cycle costs of each nonoperational defense nuclear facility during the period beginning on the date on which the plan is submitted under subsection (d) and ending on the earlier of—

“(A) the date that is 25 years after the date on which the plan is submitted; or

“(B) the estimated date for deactivation and decommissioning of the facility.

“(3) An estimate of the cost and time needed to deactivate and decommission each nonoperational defense nuclear facility.

“(4) A schedule for when the Office of Environmental Management will accept each nonoperational defense nuclear facility for deactivation and decommissioning.

“(5) An estimate of costs that could be avoided by—

“(A) accelerating the cleanup of nonoperational defense nuclear facilities; or

“(B) other means, such as reusing such facilities for another purpose.

“(c) PLAN FOR TRANSFER OF RESPONSIBILITY FOR CERTAIN FACILITIES.—The Secretary shall, during 2016, develop and subsequently carry out a plan under which the Administrator shall transfer, by March 31, 2019, to the Assistant Secretary for Environmental Management the responsibility for decontaminating and decommissioning facilities of the Administration that the Secretary determines—

“(1) are nonoperational as of September 30, 2015; and

“(2) meet the requirements of the Office of Environmental Management for such transfer.

“(d) SUBMISSION TO CONGRESS.—Not later than March 31 of each even-numbered year beginning in 2016, the Secretary shall submit to the appropriate congressional committees a report that includes—

“(1) the plan required by subsection (a);

“(2) a description of the deactivation and decommissioning actions expected to be taken during the following fiscal year pursuant to the plan;

“(3) in the case of the report submitting during 2016, the plan required by subsection (c); and

“(4) in the case of a report submitted during 2018 or any year thereafter, a description of the deactivation and decommissioning actions taken at each nonoperational defense nuclear facility during the preceding fiscal year.

“(e) TERMINATION.—The requirements of this section shall terminate after the submission to the appropriate congressional committees of the report required by subsection (d) to be submitted not later than March 31, 2026.

“(f) DEFINITIONS.—In this section:

“(1) The term ‘appropriate congressional committees’ means—

“(A) the congressional defense committees; and

“(B) the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives.

“(2) The term ‘life cycle costs’, with respect to a facility, means—

“(A) the present and future costs of all resources and associated cost elements required to develop, produce, deploy, or sustain the facility; and

“(B) the present and future costs to deactivate, decommission, and deconstruct the facility.

“(3) The term ‘nonoperational defense nuclear facility’ means a production facility or utilization facility (as those terms are defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014)) under the control or jurisdiction of the Secretary of Energy and operated for national security purposes that is no longer needed for the mission of the Department of Energy, including the National Nuclear Security Administration.”.

(b) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 4422 the following new item:

“Sec. 4423. Plan for deactivation and decommissioning of nonoperational defense nuclear facilities.”.

SEC. 3134. ASSESSMENT OF EMERGENCY PREPAREDNESS OF DEFENSE NUCLEAR FACILITIES.

(a) IN GENERAL.—Subtitle A of title XLVIII of the Atomic Energy Defense Act (50 U.S.C. 2781 et seq.) is amended by inserting after section 4802 the following new section:

“SEC. 4802A. ASSESSMENTS OF EMERGENCY PREPAREDNESS OF DEFENSE NUCLEAR FACILITIES.

“The Secretary of Energy shall include, in each award-fee evaluation conducted under section 16.401 of title 48, Code of Federal Regulations, of a management and operating contract for a Department of Energy defense nuclear facility in 2016 or any even-numbered year thereafter, an assessment of the adequacy of the emergency preparedness of that facility, including an assessment of the seniority level of management and operating contractor employees that participate in emergency preparedness exercises at that facility.”.

(b) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 4802 the following new item:

“Sec. 4802A. Assessments of emergency preparedness of defense nuclear facilities.”.

SEC. 3135. MODIFICATIONS TO COST-BENEFIT ANALYSES FOR COMPETITION OF MANAGEMENT AND OPERATING CONTRACTS.

(a) IN GENERAL.—Section 3121 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2175), as amended by section 3124 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 1062), is further amended—

(1) by redesignating subsection (d) as subsection (e);

(2) by striking subsections (b) and (c) and inserting the following new subsections:

“(b) REPORT DESCRIBED.—A report described in this subsection is a report on a contract described by subsection (a) that includes—

“(1) a clear and complete description of the cost savings the Administrator expects to result from the competition for the contract over the life of the contract, including associated analyses, assumptions, and information sources used to determine such expected cost savings;

“(2) a description of any key limitations or uncertainties that could affect such costs savings, including costs savings that are anticipated but not fully known;

“(3) the costs of the competition for the contract, including the immediate costs of conducting the competition and any increased costs over the life of the contract;

“(4) a description of any disruptions or delays in mission activities or deliverables resulting from the competition for the contract;

“(5) a clear and complete description of the benefits expected by the Administrator with respect to mission performance or operations resulting from the competition;

“(6) how the competition for the contract complied with the Federal Acquisition Regulation regarding federally funded research and development centers, if applicable;

“(7) the factors considered and processes used by the Administrator to determine—

“(A) whether to compete or extend the contract; and

“(B) which activities at the facility should be covered under the contract rather than under a different contract;

“(8) with respect to the matters included under paragraphs (1) through (7), a detailed description of the analyses conducted by the Administrator to reach the conclusions presented in the report, including any assumptions, limitations, and uncertainties relating to such conclusions; and

“(9) any other matters the Administrator considers appropriate.

“(c) INFORMATION QUALITY.—A report required by subsection (a) shall be prepared in accordance with—

“(1) the information quality guidelines of the Department of Energy that are relevant to the clear and complete presentation of information on each matter required to be included in the report under subsection (b); and

“(2) best practices of the Government Accountability Office and relevant industries for cost estimating, if appropriate.

“(d) REVIEW BY COMPTROLLER GENERAL OF THE UNITED STATES.—

“(1) INITIAL REVIEW.—Except as provided in paragraph (3), the Comptroller General of the United States shall provide a briefing to the congressional defense committees that includes a review of each report required by subsection (a) not later than 180 days after the report is submitted to such committees.

“(2) COMPREHENSIVE REVIEW.—Except as provided in paragraph (3), the Comptroller General shall submit to the congressional defense committees a review of each report required by subsection (a) with respect to a contract not later than 3 years after the report is submitted to such committees that includes an assessment, based on the most current information available, of the following:

“(A) The actual cost savings achieved compared to cost savings estimated under subsection (b)(1), and any increased costs incurred under the contract that were unexpected or uncertain at the time the contract was awarded.

“(B) Any disruptions or delays in mission activities or deliverables resulting from the competition for the contract compared to the disruptions and delays estimated under subsection (b)(4).

“(C) Whether expected benefits of the competition with respect to mission performance or operations have been achieved.

“(D) Such other matters as the Comptroller General considers appropriate.

“(3) EXCEPTION.—The Comptroller General may not conduct a review under paragraph (1) or (2) of a report relating to a contract to manage and operate a facility of the National Nuclear Security Administration

while a protest described in subsection (a)(2) is pending with respect to that contract.”; and

(3) in subsection (e), as redesignated by paragraph (1)—

(A) in paragraph (1), by striking “2017” and inserting “2020”;

(B) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2); and

(C) in paragraph (2), as redesignated by subparagraph (B), by striking “and (d)(2)”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) in the past decade, competition of the management and operating contracts for the national security laboratories has resulted in significant increases in fees paid to the contractors—funding that otherwise could be used to support program and mission activities of the National Nuclear Security Administration;

(2) competition of the management and operating contracts of the nuclear security enterprise is an important mechanism to help realize cost savings, seek efficiencies, improve performance, and hold contractors accountable;

(3) when the Administrator for Nuclear Security considers it appropriate to achieve those goals, the Administrator should conduct competition of such contracts while recognizing the unique nature of federally funded research and development centers; and

(4) the Administrator should ensure that fixed fees and performance-based fees contained in management and operating contracts are as low as possible to maintain a focus on national service while attracting high-quality contractors and achieving the goals of the competition.

SEC. 3136. INTERAGENCY REVIEW OF APPLICATIONS FOR THE TRANSFER OF UNITED STATES CIVIL NUCLEAR TECHNOLOGY.

(a) REPORT ON TRANSFERS TO COVERED FOREIGN COUNTRIES.—Not less frequently than every 90 days, the Secretary of Energy shall submit to the appropriate congressional committees a report that includes—

(1) a description of the authorizations under section 57 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b)) to transfer United States civil nuclear technology to a covered foreign country during the preceding 90 days; and

(2) a statement of whether any agency required to be consulted under that section or pursuant to regulation objected to or sought conditions on each such transfer.

(b) DETERMINATION OF TECHNOLOGIES TO BE PROTECTED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every five years thereafter, the Secretary of Energy shall—

(A) in consultation with the Secretary of State, the Secretary of Commerce, the Secretary of Defense, the Director of National Intelligence, and the Nuclear Regulatory Commission, determine the critical United States civil nuclear technologies that should be protected from diversion to a military program of a covered foreign country, including with respect to a naval propulsion or weapons program; and

(B) notify the appropriate congressional committees with respect to the determination and the technologies covered by the determination.

(2) NOTIFICATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), not later than 14 days before making an authorization under section 57 b. of the Atomic Energy Act of 1954 (42

U.S.C. 2077(b)) for the transfer of a technology covered by a determination under paragraph (1) to a covered foreign country, the Secretary of Energy shall submit to the appropriate congressional committees a report that includes—

(i) a notification of the intention of the Secretary to make the authorization for the transfer of such technology; and

(ii) a statement of whether any agency required to be consulted under such section 57 b. or pursuant to regulation objected to or sought conditions on the transfer.

(B) WAIVER OF DEADLINE.—The Secretary may waive the requirement under subparagraph (A) to submit the report required by that subparagraph not later than 14 days before making an authorization for the transfer of a technology covered by a determination under paragraph (1) to a covered foreign country if the Secretary—

(i) determines that an imminent radiological hazard exists; and

(ii) not later than 7 days after determining that such hazard exists, submits to the appropriate congressional committees—

(I) a certification that the hazard exists;

(II) a justification for the waiver; and

(III) the notification required by clause (i) of subparagraph (A) and the statement required by clause (ii) of that subparagraph.

(c) CONSULTATIONS WITH INTELLIGENCE COMMUNITY.—

(1) IN GENERAL.—The Secretary of Energy shall expeditiously revise part 810 of title 10, Code of Federal Regulations, to ensure that the Director of National Intelligence—

(A) is consulted with respect to the views of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))) with respect to each authorization issued under section 57 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b)) for the transfer of United States civil nuclear technology to a covered foreign country before the determination to approve or disapprove the request for the authorization; and

(B) is provided with an opportunity to present the views of the Director and the intelligence community on the national security risks of the transfer, if any.

(2) SUBMISSION TO CONGRESS.—The Secretary of Energy, jointly with the Director of National Intelligence, shall include the results of consultations conducted under paragraph (1) in each report under subsection (a) and each notification under subsection (b)(2).

(d) REPORT ON COMPLIANCE OF COVERED FOREIGN COUNTRIES AND END-USERS.—Not less frequently than annually, the Secretary of Energy shall submit to the appropriate congressional committees a report that includes—

(1) an assessment of whether each covered foreign country is in compliance with its obligations under any authorization for the transfer of United States civil nuclear technology under section 57 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b));

(2) with respect to any covered foreign country that is not in compliance with such obligations—

(A) a description of the efforts of the United States to bring the country into compliance;

(B) an evaluation of the result of such efforts; and

(C) an assessment of the options available to the Secretary as a result of the country not being in compliance;

(3) an assessment of whether each end-user to which United States civil nuclear technology is transferred pursuant to an authorization under such section 57 b. is in compli-

ance with the obligations of the end-user under that authorization; and

(4) a description of any consequences for the end-user or the exporter of the technology if the end-user is not in compliance with such obligations.

(e) REPORT ON TRANSFERS TO ALL FOREIGN COUNTRIES.—

(1) IN GENERAL.—Concurrent with the submission to Congress of the budget of the President for a fiscal year under section 1105(a) of title 31, United States Code, the Secretary of Energy shall submit to the appropriate congressional committees a report on the activities of the Department of Energy associated with the review of applications for authorization under section 57 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b)) to transfer United States civil nuclear technology to any foreign country.

(2) ELEMENTS.—The report required by paragraph (1) shall include—

(A) the number of applications for authorization under section 57 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b)) to transfer United States civil nuclear technology to a foreign country submitted during the year preceding the submission of the report;

(B) the length of time each such application was under review;

(C) the number of such applications that were granted; and

(D) a description of efforts to streamline the review of such applications, taking into account the proliferation and diversion potential of end-users in the country to which United States civil nuclear technology would be transferred pursuant to such applications.

(f) NOTIFICATIONS OF POTENTIAL DIVERSIONS.—The Director of National Intelligence shall notify the Department of Energy and the appropriate congressional committees not later than 30 days after the date on which the Director determines that there is credible intelligence that United States civil nuclear technology is being or has been diverted—

(1) to a military program in a foreign country to which the transfer of the technology was authorized under section 57 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b)); or

(2) to a foreign country to which the transfer of the technology was not so authorized.

(g) GUIDELINES.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Energy shall issue guidance with respect to the use of the clear and intended authority of the Secretary under section 234 of the Atomic Energy Act of 1954 (42 U.S.C. 2282) to impose civil penalties, including fines and debarment, and to make referrals to the Attorney General for prosecution, for violations of the terms of authorizations for the transfer of United States civil nuclear technology issued under section 57 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b)).

(h) REPORT ON TRANSFER OF SENSITIVE ITEMS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report—

(A) describing the efforts of covered foreign countries to prevent the transfer of sensitive items, including efforts to improve the prevention of the transfer of such items; and

(B) assessing the adequacy of such efforts.

(2) SENSITIVE ITEMS DEFINED.—In this subsection, the term “sensitive items” means goods, services, and technologies described in section 2(a) of the Iran, North Korea, and

Syria Nonproliferation Act (Public Law 106-178; 50 U.S.C. 1701 note).

(i) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the congressional defense committees;

(B) the Committee on Energy and Natural Resources, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(C) the Committee on Energy and Commerce, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) COVERED FOREIGN COUNTRY.—The term “covered foreign country” means a foreign country that is a nuclear-weapon state, as defined by Article IX(3) of the Treaty on the Non-Proliferation of Nuclear Weapons, signed at Washington, London, and Moscow July 1, 1968, but does not include the United States, the United Kingdom, or France.

SEC. 3137. GOVERNANCE AND MANAGEMENT OF NUCLEAR SECURITY ENTERPRISE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) correcting the longstanding problems with the governance and management of the nuclear security enterprise will require robust, personal, and long-term engagement by the President, the Secretary of Energy, the Administrator for Nuclear Security, and leaders from the appropriate congressional committees;

(2) recent and past studies of the governance and management of the nuclear security enterprise have provided a list of reasonable, practical, and actionable steps that the Secretary and the Administrator should take to make the nuclear security enterprise more efficient and more effective; and

(3) lasting and effective change to the nuclear security enterprise will require personal engagement by senior leaders, a clear plan, and mechanisms for ensuring follow-through and accountability.

(b) IMPLEMENTATION PLAN.—

(1) IMPLEMENTATION ACTION TEAM.—(A) The Secretary and the Administrator shall jointly establish a team of senior officials from the Department of Energy and the National Nuclear Security Administration to develop and carry out an implementation plan to reform the governance and management of the nuclear security enterprise to improve the effectiveness and efficiency of the nuclear security enterprise. Such plan shall be developed and implemented in accordance with the National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.), the Atomic Energy Defense Act (50 U.S.C. 2501 et seq.), and any other provision of law.

(B) The team established under paragraph (1) shall be co-chaired by the Deputy Secretary of Energy and the Administrator.

(C) In developing and carrying out the implementation plan, the team shall consult with the implementation assessment panel established under subsection (c)(1).

(2) ELEMENTS.—The implementation plan developed under paragraph (1)(A) shall address all recommendations contained in the covered study (except such recommendations that require legislative action to carry out) by identifying specific actions, milestones, timelines, and responsible personnel to implement such plan.

(3) SUBMISSION.—Not later than March 31, 2016, the Secretary and the Administrator shall jointly submit to the appropriate congressional committees the implementation plan developed under paragraph (1)(A).

(c) IMPLEMENTATION ASSESSMENT PANEL.—

(1) AGREEMENT.—Not later than 60 days after the date of the enactment of this Act, the Administrator shall seek to enter into a joint agreement with the National Academy of Sciences and the National Academy of Public Administration to establish a panel of external, independent experts to evaluate the implementation plan developed under subsection (b)(1)(A) and the implementation of such plan.

(2) DUTIES.—The panel established under paragraph (1) shall—

(A) provide guidance to the Secretary and the Administrator with respect to the implementation plan developed under subsection (b)(1)(A), including how such plan compares or contrasts with the covered study;

(B) track the implementation of such plan; and

(C) assess the effectiveness of such plan.

(3) REPORTS.—(A) Not later than July 1, 2016, the panel established under paragraph (1) shall submit to the appropriate congressional committees, the Secretary, and the Administrator an initial assessment of the implementation plan developed under subsection (b)(1)(A), including with respect to the completeness of the plan, how the plan aligns with the intent and recommendations made by the covered study, and the prospects for success for the plan.

(B) Beginning February 28, 2017, and semi-annually thereafter through 2020, the panel established under paragraph (1) shall brief the appropriate congressional committees, the Secretary, and the Administrator on the efforts of the Secretary and the Administrator to implement the implementation plan developed under subsection (b)(1)(A).

(C) Not later than September 30, 2020, the panel established under paragraph (1) shall submit to the appropriate congressional committees, the Secretary, and the Administrator a final report on the efforts of the Secretary and the Administrator to implement the implementation plan developed under subsection (b)(1)(A), including an assessment of the effectiveness of the reform efforts under such plan and whether further action is needed.

(4) COOPERATION.—The Secretary and the Administrator shall provide to the panel established under paragraph (1) full and timely access to all information, personnel, and systems of the Department of Energy and the National Nuclear Security Administration that the panel determines necessary to carry out this subsection.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Energy and Commerce of the House of Representatives.

(2) COVERED STUDY.—The term “covered study” means the following:

(A) The final report of the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise established by section 3166 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2208).

(B) Any other study not conducted by the Secretary or the Administrator that the Secretary determines appropriate for purposes of this section.

(3) NUCLEAR SECURITY ENTERPRISE.—The term “nuclear security enterprise” has the

meaning given that term in section 4002(6) of the Atomic Energy Defense Act (50 U.S.C. 2501(6)).

(e) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to authorize any action—

(1) in contravention of section 3220 of the National Nuclear Security Administration Act (50 U.S.C. 2410); or

(2) that would undermine or weaken health, safety, or security.

SEC. 3138. ANNUAL REPORT ON NUMBER OF FULL-TIME EQUIVALENT EMPLOYEES AND CONTRACTOR EMPLOYEES.

Section 3241A of the National Nuclear Security Administration Act (50 U.S.C. 2441a) is amended by adding at the end the following new subsection:

“(f) ANNUAL REPORT.—The Administrator shall include in the budget justification materials submitted to Congress in support of the budget of the Administration for each fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a report containing the following information as of the date of the report:

“(1) The number of full-time equivalent employees of the Office of the Administrator, as counted under subsection (a).

“(2) The number of service support contracts of the Administration and whether such contracts are funded using program or program direction funds.

“(3) The number of full-time equivalent contractor employees working under each contract identified under paragraph (2).

“(4) The number of full-time equivalent contractor employees described in paragraph (3) that have been employed under such a contract for a period greater than two years.”.

SEC. 3139. DEVELOPMENT OF STRATEGY ON RISKS TO NONPROLIFERATION CAUSED BY ADDITIVE MANUFACTURING.

(a) STRATEGY.—The President shall develop and pursue a strategy to address the risks to the goals and policies of the United States regarding nuclear nonproliferation that are caused by the increased use of additive manufacturing technology (commonly referred to as “3D printing”), including such technology that does not originate in the United States.

(b) BRIEFINGS.—Not later than March 31, 2016, and the end of each 120-day period thereafter through January 1, 2019, the President shall provide to the appropriate congressional committees a briefing on the strategy developed under subsection (a).

(c) PURSUIT OF STRATEGY.—The President shall pursue the strategy developed under subsection (a) at the Nuclear Security Summit in Chicago, Illinois, in 2016.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(3) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 3140. PLUTONIUM PIT PRODUCTION CAPACITY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the requirement to create a modern, responsive nuclear infrastructure that includes the capability and capacity to produce, at minimum, 50 to 80 pits per year, is a national security priority;

(2) delaying creation of a modern, responsive nuclear infrastructure until the 2030s is an unacceptable risk to the nuclear deterrent and the national security of the United States; and

(3) timelines for creating certain capacities for production of plutonium pits and other nuclear weapons components must be driven by the requirement to hedge against technical and geopolitical risk and not solely by the needs of life extension programs.

(b) BRIEFING.—

(1) IN GENERAL.—Not later than March 1, 2016, the Chairman of the Nuclear Weapons Council established under section 179 of title 10, United States Code, in consultation with the Administrator for Nuclear Security and the Commander of the United States Strategic Command, shall provide to the congressional defense committees a briefing on the annual plutonium pit production capacity of the nuclear security enterprise (as defined in section 4002(6) of the Atomic Energy Defense Act (50 U.S.C. 2501(6))).

(2) ELEMENTS.—The briefing under paragraph (1) shall describe the following:

(A) The pit production capacity requirement, including the numbers of pits produced that are needed for nuclear weapons life extension programs.

(B) The annual pit production requirement, including the numbers of pits produced, to support a responsive nuclear weapons infrastructure to hedge against technical and geopolitical risk.

SEC. 3141. ASSESSMENTS ON NUCLEAR PROLIFERATION RISKS AND NUCLEAR NONPROLIFERATION OPPORTUNITIES.

(a) REPORTS.—Not later than March 1, 2016, and each year thereafter through 2020, the Director of National Intelligence shall submit to the appropriate congressional committees a report, consistent with the provision of classified information and intelligence sources and methods, containing—

(1) an assessment and prioritization of international nuclear proliferation risks and nuclear nonproliferation opportunities; and

(2) an assessment of the effectiveness of various means and programs for addressing such risks and opportunities.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees;

(2) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate; and

(3) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 3142. ANALYSIS OF ALTERNATIVES FOR MOBILE GUARDIAN TRANSPORTER PROGRAM.

(a) SUBMISSION OF ANALYSIS OF ALTERNATIVES.—Not later than 60 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a report containing a full and comprehensive analysis of alternatives conducted by the Administrator for the Mobile Guardian Transporter program.

(b) IDENTIFICATION IN BUDGET MATERIALS.—The Secretary of Energy shall include in the budget justification materials submitted to Congress in support of the Department of Energy budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) for any fiscal year in which the Mobile Guardian Transporter program is carried out a separate, dedicated program element for such program.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.

Sec. 3202. Administration of Defense Nuclear Facilities Safety Board.

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2016, \$29,150,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

SEC. 3202. ADMINISTRATION OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

(a) PROVISION OF INFORMATION TO BOARD MEMBERS.—Section 311(c) of the Atomic Energy Act of 1954 (42 U.S.C. 2286(c)) is amended—

(1) in paragraph (2), in the matter preceding subparagraph (A), by striking “paragraph (5)” and inserting “paragraphs (5), (6), and (7)”; and

(2) by adding at the end the following new paragraph:

“(6) In carrying out paragraph (5)(B), the Chairman may not withhold from any member of the Board any information that is made available to the Chairman regarding the Board’s functions, powers, and mission (including with respect to the management and evaluation of employees of the Board).”.

(b) SENIOR EMPLOYEES.—

(1) APPOINTMENT AND REMOVAL.—Such section 311(c), as amended by subsection (a), is further amended by adding at the end the following new paragraph:

“(7)(A) The Chairman, subject to the approval of the Board, shall appoint the senior employees described in subparagraph (C).

“(B) The Chairman, subject to the approval of the Board, may remove a senior employee described in subparagraph (C).

“(C) The senior employees described in this subparagraph are the following senior employees of the Board:

“(i) The senior employee responsible for budgetary and general administration matters.

“(ii) The general counsel.

“(iii) The senior employee responsible for technical matters.”.

(2) CONFORMING AMENDMENT.—Section 313(b)(1)(A) of such Act (42 U.S.C. 2286b(b)(1)) is amended by striking “hire” and inserting “in accordance with section 311(c)(7), hire”.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

Sec. 3401. Authorization of appropriations.

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy \$17,500,000 for fiscal year 2016 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.

(b) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME ADMINISTRATION

Sec. 3501. Authorization of the Maritime Administration.

Sec. 3502. Sense of Congress regarding Maritime Security Fleet program.

Sec. 3503. Update of references to the Secretary of Transportation regarding unemployment insurance and vessel operators.

Sec. 3504. Payment for Maritime Security Fleet vessels.

Sec. 3505. Melville Hall of United States Merchant Marine Academy.

Sec. 3506. Cadet commitment agreements.

Sec. 3507. Student incentive payment agreements.

Sec. 3508. Short sea transportation defined.

SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINISTRATION.

Funds are hereby authorized to be appropriated for fiscal year 2016, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for Maritime Administration programs associated with maintaining national security aspects of the merchant marine, as follows:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, \$96,028,000, of which—

(A) \$71,306,000 shall remain available until expended for Academy operations; and

(B) \$24,722,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, \$34,550,000, of which—

(A) \$2,400,000 shall remain available until expended for student incentive payments;

(B) \$3,000,000 shall remain available until expended for direct payments to such academies;

(C) \$1,800,000 shall remain available until expended for training ship fuel assistance payments;

(D) \$22,000,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels;

(E) \$5,000,000 shall remain available until expended for the National Security Multi-Mission Vessel Design; and

(F) \$350,000 shall remain available until expended for improving the monitoring of graduates’ service obligation.

(3) For expenses necessary to support Maritime Administration operations and programs, \$54,059,000.

(4) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, \$8,000,000, to remain available until expended.

(5) For expenses to maintain and preserve a United States-flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, \$210,000,000.

(6) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, \$3,135,000, of which \$3,135,000 shall remain available until expended for administrative expenses of the program.

SEC. 3502. SENSE OF CONGRESS REGARDING MARITIME SECURITY FLEET PROGRAM.

It is the sense of Congress that dedicated and enhanced support is necessary to stabilize and preserve the Maritime Security Fleet program, a program that provides the Department of Defense with on-demand access to world class, economical commercial sealift capacity, assures a United States-flag presence in international commerce, supports a pool of qualified United States merchant mariners needed to crew United States-flag vessels during times of war or national emergency, and serves as a critical component of our national security infrastructure.

SEC. 3503. UPDATE OF REFERENCES TO THE SECRETARY OF TRANSPORTATION REGARDING UNEMPLOYMENT INSURANCE AND VESSEL OPERATORS.

Sections 3305 and 3306(n) of the Internal Revenue Code of 1986 are each amended by striking “Secretary of Commerce” each place that it appears and inserting “Secretary of Transportation”.

SEC. 3504. PAYMENT FOR MARITIME SECURITY FLEET VESSELS.

(a) **PER-VESSEL AUTHORIZATION.**—Notwithstanding section 53106(a)(1)(C) of title 46, United States Code, and subject to the availability of appropriations, there is authorized to be paid to each contractor for an operating agreement (as those terms are used in that section) for fiscal year 2016, \$3,500,000 for each vessel that is covered by the operating agreement.

(b) **REPEAL OF OTHER AUTHORIZATION.**—Section 53111(3) of title 46, United States Code, is amended by striking “2016.”

SEC. 3505. MELVILLE HALL OF UNITED STATES MERCHANT MARINE ACADEMY.

(a) **GIFT TO THE MERCHANT MARINE ACADEMY.**—The Maritime Administrator may accept a gift of money described in subsection (b) from the Foundation under section 51315 of title 46, United States Code, for the purpose of renovating Melville Hall on the campus of the United States Merchant Marine Academy.

(b) **COVERED GIFT.**—A gift described in this subsection is a gift under subsection (a) that the Maritime Administrator determines exceeds the sum of—

(1) the minimum amount that is sufficient to ensure the renovation of Melville Hall in accordance with the capital improvement plan of the United States Merchant Marine Academy that was in effect on the date of enactment of this Act; and

(2) 25 percent of the amount described in paragraph (1).

(c) **OPERATION CONTRACTS.**—Subject to subsection (d), in the case that the Maritime Administrator accepts a gift of money described in subsection (b), the Maritime Administrator may enter into a contract with the Foundation for the operation of Melville Hall to make available facilities for, among other possible uses, official academy functions, third-party catering functions, and industry events and conferences.

(d) **CONTRACT TERMS.**—The contract described in subsection (c) shall be for such period and on such terms as the Maritime Administrator considers appropriate, including a provision, mutually agreeable to the Maritime Administrator and the Foundation, that—

(1) requires the Foundation—

(A) at the expense solely of the Foundation through the term of the contract to maintain Melville Hall in a condition that is as good as or better than the condition Melville Hall was in on the later of—

(i) the date that the renovation of Melville Hall was completed; or

(ii) the date that the Foundation accepted Melville Hall after it was tendered to the Foundation by the Maritime Administrator; and

(B) to deposit all proceeds from the operation of Melville Hall, after expenses necessary for the operation and maintenance of Melville Hall, into the account of the Regimental Affairs Non-Appropriated Fund Instrumentality or successor entity, to be used solely for the morale and welfare of the cadets of the United States Merchant Marine Academy; and

(2) prohibits the use of Melville Hall as lodging or an office by any person for more than 4 days in any calendar year other than—

(A) by the United States; or

(B) for the administration and operation of Melville Hall.

(e) **DEFINITIONS.**—In this section:

(1) **CONTRACT.**—The term “contract” includes any modification, extension, or renewal of the contract.

(2) **FOUNDATION.**—The term “Foundation” means the United States Merchant Marine Academy Alumni Association and Foundation, Inc.

(f) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed under section 3105 of title 41, United States Code, as requiring the Maritime Administrator to award a contract for the operation of Melville Hall to the Foundation.

SEC. 3506. CADET COMMITMENT AGREEMENTS.

Section 51306(a) of title 46, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking “must” and inserting “shall”;

(2) by amending paragraph (2) to read as follows:

“(2) obtain a merchant mariner license, unlimited as to horsepower or tonnage, issued by the Coast Guard as an officer in the merchant marine of the United States, accompanied by the appropriate national and international endorsements and certifications required by the Coast Guard for service aboard vessels on domestic and international voyages, without limitation, before graduation from the Academy;”;

(3) by amending paragraph (3) to read as follows:

“(3) for at least 6 years after graduation from the Academy, maintain—

“(A) a valid merchant mariner license, unlimited as to horsepower or tonnage, issued by the Coast Guard as an officer in the merchant marine of the United States, accompanied by the appropriate national and international endorsements and certifications required by the Coast Guard for service aboard vessels on domestic and international voyages, without limitation;

“(B) a valid transportation worker identification credential; and

“(C) a Coast Guard medical certificate;”;

and

(4) by amending paragraph (4) to read as follows:

“(4) apply for, and accept if tendered, an appointment as a commissioned officer in the Navy Reserve (including the Strategic Sealift Officer Program, Navy Reserve), the Coast Guard Reserve, or any other reserve component of an armed force of the United States, and, if tendered the appointment, to serve, meet the participation requirements, and maintain active status in good standing, as determined by the program manager of the appropriate military service, for at least 8 years after the date of commissioning;”.

SEC. 3507. STUDENT INCENTIVE PAYMENT AGREEMENTS.

Section 51509 of title 46, United States Code, is amended—

(1) in subsection (b)—

(A) by inserting “(3) AUTHORIZED USES.—” before the last sentence and indenting accordingly;

(B) in the matter preceding paragraph (3), by striking “Payments” and inserting “(1) IN GENERAL.—Except as provided in paragraph (2), payments” and indenting accordingly; and

(C) by inserting after paragraph (1), the following:

“(2) **EXCEPTION.**—The Secretary may modify the payments made to an individual under paragraph (1), but the total amount of payments to that individual may not exceed \$32,000.”;

(2) in subsection (c), by striking “Merchant Marine Reserve” and inserting “Strategic Sealift Officer Program”;

(3) in subsection (d)—

(A) by amending paragraph (2) to read as follows:

“(2) obtain a merchant mariner license, without limitation as to tonnage or horsepower, from the Coast Guard as an officer in the merchant marine of the United States, accompanied by the appropriate national and international endorsements and certification required by the Coast Guard for service aboard vessels on domestic and international voyages, without limitation, within three months of completion of the course of instruction at the academy the individual is attending;”;

(B) by amending paragraph (3) to read as follows:

“(3) for at least 6 years after graduation from the academy, maintain—

“(A) a valid merchant mariner license, unlimited as to horsepower or tonnage, issued by the Coast Guard as an officer in the merchant marine of the United States, accompanied by the appropriate national and international endorsements and certifications required by the Coast Guard for service aboard vessels on domestic and international voyages, without limitation;

“(B) a valid transportation worker identification credential; and

“(C) a Coast Guard medical certificate;”;

and

(C) by amending paragraph (4) to read as follows:

“(4) apply for, and accept, if tendered, an appointment as a commissioned officer in the Navy Reserve (including the Strategic Sealift Officer Program, Navy Reserve), the Coast Guard Reserve, or any other reserve component of an armed force of the United States, and, if tendered the appointment, to serve and meet the participation requirements and to maintain active status in good standing, as determined by the program manager of the appropriate military service, for at least 8 years after the date of commissioning;”;

(4) by amending subsection (e)(1) to read as follows:

“(1) **ACTIVE DUTY.**—

“(A) **IN GENERAL.**—The Secretary of Defense may order an individual to serve on active duty in the armed forces of the United States for a period of not more than 2 years if—

“(i) the individual has attended an academy under this section for more than 2 academic years, but less than 3 academic years;

“(ii) the individual has accepted the payments described in subsection (b) in an amount totaling at least \$8,000; and

“(iii) the Secretary of Transportation has determined that the individual has failed to fulfill the part of the agreement described in subsection (d)(1).

“(B) **3 OR MORE YEARS.**—The Secretary of Defense may order an individual to serve on active duty in the armed forces of the United States for a period of not more than 3 years if—

“(i) the individual has attended an academy under this section for 3 or more academic years;

“(ii) the individual has accepted the payments described in subsection (b) in an amount totaling at least \$16,000; and

“(iii) the Secretary of Transportation has determined that the individual has failed to fulfill the part of the agreement described in subsection (d)(1).

“(C) **HARDSHIP WAIVER.**—In cases of hardship as determined by the Secretary of Transportation, the Secretary of Transportation may waive this paragraph in whole or in part.”; and

(5) by adding at the end the following:

“(h) **ALTERNATIVE SERVICE.**—

“(1) SERVICE AS COMMISSIONED OFFICER.—An individual who, for the 5-year period following graduation from an academy, serves as a commissioned officer on active duty in an armed force of the United States or as a commissioned officer of the National Oceanic and Atmospheric Administration or the Public Health Service shall be excused from the requirements of paragraphs (3) through (5) of subsection (d).

“(2) MODIFICATION OR WAIVER.—The Secretary may modify or waive any of the terms and conditions set forth in subsection (d) through the imposition of alternative service requirements.”.

SEC. 3508. SHORT SEA TRANSPORTATION DEFINED.

Paragraph (1) of section 55605 of title 46, United States Code, is amended—

(1) in subparagraph (A), by striking “or”;

(2) in subparagraph (B), by striking “and”;

and

(3) by adding at the end the following:

“(C) shipped in discrete units or packages that are handled individually, palletized, or unitized for purposes of transportation; or

“(D) freight vehicles carried aboard commuter ferry boats; and”.

DIVISION D—FUNDING TABLES

Sec. 4001. Authorization of amounts in funding tables.

Sec. 4002. Clarification of applicability of undistributed reductions of certain operation and maintenance funding among all operation and maintenance funding.

TITLE XLI—PROCUREMENT

Sec. 4101. Procurement.

Sec. 4102. Procurement for overseas contingency operations.

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 4201. Research, development, test, and evaluation.

Sec. 4202. Research, development, test, and evaluation for overseas contingency operations.

TITLE XLIII—OPERATION AND MAINTENANCE

Sec. 4301. Operation and maintenance.

Sec. 4302. Operation and maintenance for overseas contingency operations.

Sec. 4303. Operation and maintenance base requirements.

TITLE XLIV—MILITARY PERSONNEL

Sec. 4401. Military personnel.

Sec. 4402. Military personnel for overseas contingency operations.

TITLE XLV—OTHER AUTHORIZATIONS

Sec. 4501. Other authorizations.

Sec. 4502. Other authorizations for overseas contingency operations.

TITLE XLVI—MILITARY CONSTRUCTION

Sec. 4601. Military construction.

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Sec. 4701. Department of Energy national security programs.

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 or section 1522 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

SEC. 4002. CLARIFICATION OF APPLICABILITY OF UNDISTRIBUTED REDUCTIONS OF CERTAIN OPERATION AND MAINTENANCE FUNDING AMONG ALL OPERATION AND MAINTENANCE FUNDING.

Any undistributed reduction in funding available for fiscal year 2016 for the Department of Defense for operation and maintenance, as specified in the funding table in section 4301, that is attributable to savings in connection with foreign currency fluctuations or bulk fuel purchases, may be applied against any funds available for that fiscal year for the Department for operation and maintenance, regardless of whether available as specified in the funding table in section 4301 or available as specified in the funding table in section 4303.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT (In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
AIRCRAFT PROCUREMENT, ARMY			
FIXED WING			
002	UTILITY F/W AIRCRAFT	879	879
004	MQ-1 UAV	260,436	277,436
	Extended Range Modifications		[17,000]
ROTARY			
006	HELICOPTER, LIGHT UTILITY (LUH)	187,177	187,177
007	AH-64 APACHE BLOCK IIIA REMAN	1,168,461	1,168,461
008	ADVANCE PROCUREMENT (CY)	209,930	209,930
011	UH-60 BLACKHAWK M MODEL (MYP)	1,435,945	1,563,945
	Additional 8 rotorcraft for Army National Guard		[128,000]
012	ADVANCE PROCUREMENT (CY)	127,079	127,079
013	UH-60 BLACK HAWK A AND L MODELS	46,641	46,641
014	CH-47 HELICOPTER	1,024,587	1,024,587
015	ADVANCE PROCUREMENT (CY)	99,344	99,344
MODIFICATION OF AIRCRAFT			
016	MQ-1 PAYLOAD (MIP)	97,543	97,543
019	MULTI SENSOR ABN RECON (MIP)	95,725	95,725
020	AH-64 MODS	116,153	116,153
021	CH-47 CARGO HELICOPTER MODS (MYP)	86,330	86,330
022	GRCS SEMA MODS (MIP)	4,019	4,019
023	ARL SEMA MODS (MIP)	16,302	16,302
024	EMARSS SEMA MODS (MIP)	13,669	13,669
025	UTILITY/CARGO AIRPLANE MODS	16,166	16,166
026	UTILITY HELICOPTER MODS	13,793	13,793
028	NETWORK AND MISSION PLAN	112,807	112,807
029	COMMS, NAV SURVEILLANCE	82,904	82,904
030	GATM ROLLUP	33,890	33,890
031	RQ-7 UAV MODS	81,444	81,444
GROUND SUPPORT AVIONICS			
032	AIRCRAFT SURVIVABILITY EQUIPMENT	56,215	56,215
033	SURVIVABILITY CM	8,917	8,917

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
034	CMWS	78,348	104,348
	Apache Survivability Enhancements—Army Unfunded Requirement		[26,000]
	OTHER SUPPORT		
035	AVIONICS SUPPORT EQUIPMENT	6,937	6,937
036	COMMON GROUND EQUIPMENT	64,867	64,867
037	AIRCREW INTEGRATED SYSTEMS	44,085	44,085
038	AIR TRAFFIC CONTROL	94,545	94,545
039	INDUSTRIAL FACILITIES	1,207	1,207
040	LAUNCHER, 2.75 ROCKET	3,012	3,012
	TOTAL AIRCRAFT PROCUREMENT, ARMY	5,689,357	5,860,357
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
001	LOWER TIER AIR AND MISSILE DEFENSE (AMD)	115,075	115,075
002	MSE MISSILE	414,946	514,946
	Army UPL for Patriot PAC 3 for improved ballistic missile		[100,000]
	AIR-TO-SURFACE MISSILE SYSTEM		
003	HELLFIRE SYS SUMMARY	27,975	27,975
004	ADVANCE PROCUREMENT (CY)	27,738	27,738
	ANTI-TANK/ASSAULT MISSILE SYS		
005	JAVELIN (AAWS-M) SYSTEM SUMMARY	77,163	168,163
	Program increase to support Unfunded Requirements		[91,000]
006	TOW 2 SYSTEM SUMMARY	87,525	87,525
008	GUIDED MLRS ROCKET (GMLRS)	251,060	251,060
009	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	17,428	17,428
	MODIFICATIONS		
011	PATRIOT MODS	241,883	241,883
012	ATACMS MODS	30,119	15,119
	Early to need		[-15,000]
013	GMLRS MOD	18,221	18,221
014	STINGER MODS	2,216	2,216
015	AVENGER MODS	6,171	6,171
016	ITAS/TOW MODS	19,576	19,576
017	MLRS MODS	35,970	35,970
018	HIMARS MODIFICATIONS	3,148	3,148
	SPARES AND REPAIR PARTS		
019	SPARES AND REPAIR PARTS	33,778	33,778
	SUPPORT EQUIPMENT & FACILITIES		
020	AIR DEFENSE TARGETS	3,717	3,717
021	ITEMS LESS THAN \$5.0M (MISSILES)	1,544	1,544
022	PRODUCTION BASE SUPPORT	4,704	4,704
	TOTAL MISSILE PROCUREMENT, ARMY	1,419,957	1,595,957
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
001	STRYKER VEHICLE	181,245	181,245
	MODIFICATION OF TRACKED COMBAT VEHICLES		
002	STRYKER (MOD)	74,085	388,085
	Lethality Upgrades		[314,000]
003	STRYKER UPGRADE	305,743	305,743
005	BRADLEY PROGRAM (MOD)	225,042	225,042
006	HOWITZER, MED SP FT 155MM M109A6 (MOD)	60,079	60,079
007	PALADIN INTEGRATED MANAGEMENT (PIM)	273,850	273,850
008	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	123,629	195,629
	Additional Vehicles – Army Unfunded Requirement		[72,000]
009	ASSAULT BRIDGE (MOD)	2,461	2,461
010	ASSAULT BREACHER VEHICLE	2,975	2,975
011	M88 FOV MODS	14,878	14,878
012	JOINT ASSAULT BRIDGE	33,455	33,455
013	M1 ABRAMS TANK (MOD)	367,939	407,939
	Program Increase		[40,000]
	SUPPORT EQUIPMENT & FACILITIES		
015	PRODUCTION BASE SUPPORT (TCV-WTCV)	6,479	6,479
	WEAPONS & OTHER COMBAT VEHICLES		
016	MORTAR SYSTEMS	4,991	4,991
017	XM320 GRENADE LAUNCHER MODULE (GLM)	26,294	26,294
018	PRECISION SNIPER RIFLE	1,984	0
	Army request – schedule delay		[-1,984]
019	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM	1,488	0
	Army request – schedule delay		[-1,488]
020	CARBINE	34,460	34,460
021	COMMON REMOTELY OPERATED WEAPONS STATION	8,367	14,750
	Army requested adjustment		[6,383]
022	HANDGUN	5,417	0
	Army request – early to need and schedule delay		[-5,417]
	MOD OF WEAPONS AND OTHER COMBAT VEH		
023	MK-19 GRENADE MACHINE GUN MODS	2,777	2,777
024	M777 MODS	10,070	10,070
025	M4 CARBINE MODS	27,566	27,566

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
026	M2 50 CAL MACHINE GUN MODS	44,004	44,004
027	M249 SAW MACHINE GUN MODS	1,190	1,190
028	M240 MEDIUM MACHINE GUN MODS	1,424	1,424
029	SNIPER RIFLES MODIFICATIONS	2,431	980
	Army request – schedule delay		[-1,451]
030	M119 MODIFICATIONS	20,599	20,599
032	MORTAR MODIFICATION	6,300	6,300
033	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV)	3,737	3,737
	SUPPORT EQUIPMENT & FACILITIES		
034	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	391	2,848
	Army requested adjustment		[2,457]
035	PRODUCTION BASE SUPPORT (WOCV-WTCV)	9,027	9,027
036	INDUSTRIAL PREPAREDNESS	304	304
037	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	2,392	2,392
	TOTAL PROCUREMENT OF W&TCV, ARMY	1,887,073	2,311,573
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	43,489	43,489
002	CTG, 7.62MM, ALL TYPES	40,715	40,715
003	CTG, HANDGUN, ALL TYPES	7,753	6,801
	Army request – program reduction		[-952]
004	CTG, .50 CAL, ALL TYPES	24,728	24,728
005	CTG, 25MM, ALL TYPES	8,305	8,305
006	CTG, 30MM, ALL TYPES	34,330	34,330
007	CTG, 40MM, ALL TYPES	79,972	69,972
	Early to need		[-10,000]
	MORTAR AMMUNITION		
008	60MM MORTAR, ALL TYPES	42,898	42,898
009	81MM MORTAR, ALL TYPES	43,500	43,500
010	120MM MORTAR, ALL TYPES	64,372	64,372
	TANK AMMUNITION		
011	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	105,541	105,541
	ARTILLERY AMMUNITION		
012	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	57,756	57,756
013	ARTILLERY PROJECTILE, 155MM, ALL TYPES	77,995	77,995
014	PROJ 155MM EXTENDED RANGE M982	45,518	45,518
015	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	78,024	78,024
	ROCKETS		
016	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	7,500	7,500
017	ROCKET, HYDRA 70, ALL TYPES	33,653	33,653
	OTHER AMMUNITION		
018	CAD/PAD, ALL TYPES	5,639	5,639
019	DEMOLITION MUNITIONS, ALL TYPES	9,751	9,751
020	GRENADES, ALL TYPES	19,993	19,993
021	SIGNALS, ALL TYPES	9,761	9,761
022	SIMULATORS, ALL TYPES	9,749	9,749
	MISCELLANEOUS		
023	AMMO COMPONENTS, ALL TYPES	3,521	3,521
024	NON-LETHAL AMMUNITION, ALL TYPES	1,700	1,700
025	ITEMS LESS THAN \$5 MILLION (AMMO)	6,181	6,181
026	AMMUNITION PECULIAR EQUIPMENT	17,811	17,811
027	FIRST DESTINATION TRANSPORTATION (AMMO)	14,695	14,695
	PRODUCTION BASE SUPPORT		
029	PROVISION OF INDUSTRIAL FACILITIES	221,703	221,703
030	CONVENTIONAL MUNITIONS DEMILITARIZATION	113,250	113,250
031	ARMS INITIATIVE	3,575	3,575
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	1,233,378	1,222,426
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
001	TACTICAL TRAILERS/DOLLY SETS	12,855	12,855
002	SEMITRAILERS, FLATBED:	53	53
004	JOINT LIGHT TACTICAL VEHICLE	308,336	308,336
005	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	90,040	90,040
006	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	8,444	8,444
007	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	27,549	27,549
008	PLS ESP	127,102	127,102
010	TACTICAL WHEELED VEHICLE PROTECTION KITS	48,292	48,292
011	MODIFICATION OF IN SVC EQUIP	130,993	120,993
	Program reduction		[-10,000]
012	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	19,146	19,146
	NON-TACTICAL VEHICLES		
014	PASSENGER CARRYING VEHICLES	1,248	1,248
015	NONTACTICAL VEHICLES, OTHER	9,614	9,614
	COMM—JOINT COMMUNICATIONS		
016	WIN-T—GROUND FORCES TACTICAL NETWORK	783,116	643,370
	Unobligated balances		[-139,746]
017	SIGNAL MODERNIZATION PROGRAM	49,898	49,898

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
018	JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY	4,062	4,062
019	JCSE EQUIPMENT (USREDCOM)	5,008	5,008
	COMM—SATELLITE COMMUNICATIONS		
020	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	196,306	196,306
021	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	44,998	29,998
	Program Reduction		[-15,000]
022	SHF TERM	7,629	7,629
023	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	14,027	14,027
024	SMART-T (SPACE)	13,453	13,453
025	GLOBAL BRDCST SVC—GBS	6,265	6,265
026	MOD OF IN-SVC EQUIP (TAC SAT)	1,042	1,042
027	ENROUTE MISSION COMMAND (EMC)	7,116	7,116
	COMM—C3 SYSTEM		
028	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	10,137	10,137
	COMM—COMBAT COMMUNICATIONS		
029	JOINT TACTICAL RADIO SYSTEM	64,640	54,640
	Unobligated balances		[-10,000]
030	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	27,762	21,868
	Excess Program Management Costs		[-5,894]
031	RADIO TERMINAL SET, MIDS LVT(2)	9,422	9,422
032	AMC CRITICAL ITEMS—OPA2	26,020	26,020
033	TRACTOR DESK	4,073	4,073
034	SPIDER APLA REMOTE CONTROL UNIT	1,403	1,403
035	SPIDER FAMILY OF NETWORKED MUNITIONS INCR	9,199	9,199
036	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	349	349
037	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	25,597	25,597
038	UNIFIED COMMAND SUITE	21,854	21,854
040	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	24,388	24,388
	COMM—INTELLIGENCE COMM		
042	CI AUTOMATION ARCHITECTURE	1,349	1,349
043	ARMY CAMISO GPF EQUIPMENT	3,695	3,695
	INFORMATION SECURITY		
045	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	19,920	19,920
046	COMMUNICATIONS SECURITY (COMSEC)	72,257	72,257
	COMM—LONG HAUL COMMUNICATIONS		
047	BASE SUPPORT COMMUNICATIONS	16,082	16,082
	COMM—BASE COMMUNICATIONS		
048	INFORMATION SYSTEMS	86,037	86,037
050	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	8,550	8,550
051	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	73,496	73,496
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
054	JTT/CIBS-M	881	881
055	PROPHET GROUND	63,650	48,650
	Program reduction		[-15,000]
057	DCGS-A (MIP)	260,268	240,268
	Program reduction		[-20,000]
058	JOINT TACTICAL GROUND STATION (JTAGS)	3,906	3,906
059	TROJAN (MIP)	13,929	13,929
060	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	3,978	3,978
061	CI HUMINT AUTO REPRTING AND COLL(CHARCS)	7,542	7,542
062	CLOSE ACCESS TARGET RECONNAISSANCE (CATR)	8,010	8,010
063	MACHINE FOREIGN LANGUAGE TRANSLATION SYSTEM-M	8,125	8,125
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
064	LIGHTWEIGHT COUNTER MORTAR RADAR	63,472	63,472
065	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	2,556	2,556
066	AIR VIGILANCE (AV)	8,224	8,224
067	CREW	2,960	2,960
068	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIE	1,722	1,722
069	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	447	447
070	CI MODERNIZATION	228	228
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
071	SENTINEL MODS	43,285	43,285
072	NIGHT VISION DEVICES	124,216	124,216
074	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	23,216	23,216
076	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	60,679	60,679
077	FAMILY OF WEAPON SIGHTS (FWS)	53,453	53,453
078	ARTILLERY ACCURACY EQUIP	3,338	3,338
079	PROFILER	4,057	4,057
081	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	133,339	133,339
082	JOINT EFFECTS TARGETING SYSTEM (JETS)	47,212	47,212
083	MOD OF IN-SVC EQUIP (LLDR)	22,314	22,314
084	COMPUTER BALLISTICS: LHMBC XM32	12,131	12,131
085	MORTAR FIRE CONTROL SYSTEM	10,075	10,075
086	COUNTERFIRE RADARS	217,379	142,379
	Unobligated balances		[-75,000]
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
087	FIRE SUPPORT C2 FAMILY	1,190	1,190
090	AIR & MSL DEFENSE PLANNING & CONTROL SYS	28,176	28,176
091	IAMD BATTLE COMMAND SYSTEM	20,917	15,917

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
	Program Reduction		[-5,000]
092	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	5,850	5,850
093	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	12,738	12,738
094	MANEUVER CONTROL SYSTEM (MCS)	145,405	135,405
	Unjustified increase		[-10,000]
095	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	162,654	146,654
	Program growth		[-16,000]
096	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP)	4,446	4,446
098	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	16,218	16,218
099	MOD OF IN-SVC EQUIPMENT (ENFIRE)	1,138	1,138
	ELECT EQUIP—AUTOMATION		
100	ARMY TRAINING MODERNIZATION	12,089	12,089
101	AUTOMATED DATA PROCESSING EQUIP	105,775	93,775
	Reduce IT procurement		[-12,000]
102	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	18,995	18,995
103	HIGH PERF COMPUTING MOD PGM (HPCMP)	62,319	62,319
104	RESERVE COMPONENT AUTOMATION SYS (RCAS)	17,894	17,894
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
106	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT)	4,242	4,242
	ELECT EQUIP—SUPPORT		
107	PRODUCTION BASE SUPPORT (C-E)	425	425
108	BCT EMERGING TECHNOLOGIES	7,438	7,438
	CLASSIFIED PROGRAMS		
108A	CLASSIFIED PROGRAMS	6,467	6,467
	CHEMICAL DEFENSIVE EQUIPMENT		
109	PROTECTIVE SYSTEMS	248	248
110	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	1,487	1,487
112	CBRN DEFENSE	26,302	26,302
	BRIDGING EQUIPMENT		
113	TACTICAL BRIDGING	9,822	9,822
114	TACTICAL BRIDGE, FLOAT-RIBBON	21,516	21,516
115	BRIDGE SUPPLEMENTAL SET	4,959	4,959
116	COMMON BRIDGE TRANSPORTER (CBT) RECAP	52,546	52,546
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
117	GRND STANDOFF MINE DETECTN SYM (GSTAMIDS)	58,682	58,682
118	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	13,565	13,565
119	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	2,136	2,136
120	EOD ROBOTICS SYSTEMS RECAPITALIZATION	6,960	6,960
121	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	17,424	17,424
122	REMOTE DEMOLITION SYSTEMS	8,284	8,284
123	< \$5M, COUNTERMINE EQUIPMENT	5,459	5,459
124	FAMILY OF BOATS AND MOTORS	8,429	8,429
	COMBAT SERVICE SUPPORT EQUIPMENT		
125	HEATERS AND ECU'S	18,876	18,876
127	SOLDIER ENHANCEMENT	2,287	2,287
128	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	7,733	7,733
129	GROUND SOLDIER SYSTEM	49,798	49,798
130	MOBILE SOLDIER POWER	43,639	43,639
132	FIELD FEEDING EQUIPMENT	13,118	13,118
133	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	28,278	28,278
135	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	34,544	34,544
136	ITEMS LESS THAN \$5M (ENG SPT)	595	595
	PETROLEUM EQUIPMENT		
137	QUALITY SURVEILLANCE EQUIPMENT	5,368	5,368
138	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	35,381	35,381
	MEDICAL EQUIPMENT		
139	COMBAT SUPPORT MEDICAL	73,828	73,828
	MAINTENANCE EQUIPMENT		
140	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	25,270	25,270
141	ITEMS LESS THAN \$5.0M (MAINT EQ)	2,760	2,760
	CONSTRUCTION EQUIPMENT		
142	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	5,903	5,903
143	SCRAPERS, EARTHMOVING	26,125	26,125
146	TRACTOR, FULL TRACKED	27,156	27,156
147	ALL TERRAIN CRANES	16,750	16,750
148	PLANT, ASPHALT MIXING	984	984
149	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	2,656	2,656
150	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPAP	2,531	2,531
151	FAMILY OF DIVER SUPPORT EQUIPMENT	446	446
152	CONST EQUIP ESP	19,640	19,640
153	ITEMS LESS THAN \$5.0M (CONST EQUIP)	5,087	5,087
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
154	ARMY WATERCRAFT ESP	39,772	39,772
155	ITEMS LESS THAN \$5.0M (FLOAT/RAIL)	5,835	5,835
	GENERATORS		
156	GENERATORS AND ASSOCIATED EQUIP	166,356	166,356
157	TACTICAL ELECTRIC POWER RECAPITALIZATION	11,505	11,505
	MATERIAL HANDLING EQUIPMENT		
159	FAMILY OF FORKLIFTS	17,496	17,496

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Line	Item	FY 2016 Request	Agreement Authorized
TRAINING EQUIPMENT			
160	COMBAT TRAINING CENTERS SUPPORT	74,916	74,916
161	TRAINING DEVICES, NONSYSTEM	303,236	278,236
	Program reduction		[-25,000]
162	CLOSE COMBAT TACTICAL TRAINER	45,210	45,210
163	AVIATION COMBINED ARMS TACTICAL TRAINER	30,068	30,068
164	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	9,793	9,793
TEST MEASURE AND DIG EQUIPMENT (TMD)			
165	CALIBRATION SETS EQUIPMENT	4,650	4,650
166	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	34,487	34,487
167	TEST EQUIPMENT MODERNIZATION (TEMOD)	11,083	11,083
OTHER SUPPORT EQUIPMENT			
169	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	17,937	17,937
170	PHYSICAL SECURITY SYSTEMS (OPA3)	52,040	52,040
171	BASE LEVEL COMMON EQUIPMENT	1,568	1,568
172	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	64,219	64,219
173	PRODUCTION BASE SUPPORT (OTH)	1,525	1,525
174	SPECIAL EQUIPMENT FOR USER TESTING	3,268	3,268
176	TRACTOR YARD	7,191	7,191
OPA2			
177	INITIAL SPARES—C&E	48,511	48,511
	TOTAL OTHER PROCUREMENT, ARMY	5,899,028	5,540,388
AIRCRAFT PROCUREMENT, NAVY			
COMBAT AIRCRAFT			
002	F/A-18E/F (FIGHTER) HORNET		978,750
	Additional 12 Aircraft—Navy Unfunded Requirement		[978,750]
003	JOINT STRIKE FIGHTER CV	897,542	873,042
	Anticipated contract savings		[-7,700]
	Cost growth for support equipment		[-16,800]
004	ADVANCE PROCUREMENT (CY)	48,630	48,630
005	JSF STOVL	1,483,414	2,329,414
	Additional 6 Aircraft—Marine Corps Unfunded Requirement		[846,000]
006	ADVANCE PROCUREMENT (CY)	203,060	203,060
007	ADVANCE PROCUREMENT (CY)	41,300	41,300
008	V-22 (MEDIUM LIFT)	1,436,355	1,421,355
	Support funding carryover		[-15,000]
009	ADVANCE PROCUREMENT (CY)	43,853	43,853
010	H-1 UPGRADES (UH-1Y/AH-1Z)	800,057	795,057
	Program reduction		[-5,000]
011	ADVANCE PROCUREMENT (CY)	56,168	56,168
012	MH-60S (MYP)	28,232	28,232
014	MH-60R (MYP)	969,991	964,991
	Poor justification of production line shutdown funds		[-5,000]
016	P-8A POSEIDON	3,008,928	3,008,928
017	ADVANCE PROCUREMENT (CY)	269,568	250,568
	Advance procurement cost growth		[-19,000]
018	E-2D ADV HAWKEYE	857,654	857,654
019	ADVANCE PROCUREMENT (CY)	195,336	195,336
TRAINER AIRCRAFT			
020	JPATS	8,914	8,914
OTHER AIRCRAFT			
021	KC-130J	192,214	192,214
022	ADVANCE PROCUREMENT (CY)	24,451	24,451
023	MQ-4 TRITON	494,259	559,259
	Additional Air Vehicle		[65,000]
024	ADVANCE PROCUREMENT (CY)	54,577	54,577
025	MQ-8 UAV	120,020	156,020
	MQ-8 UAV-Additional three air vehicles		[36,000]
026	STUASL0 UAV	3,450	3,450
MODIFICATION OF AIRCRAFT			
028	EA-6 SERIES	9,799	9,799
029	AEA SYSTEMS	23,151	38,151
	Additional Low Band Transmitter Modifications		[15,000]
030	AV-8 SERIES	41,890	45,190
	AV-8B Link 16 upgrades, unfunded requirement		[3,300]
031	ADVERSARY	5,816	5,816
032	F-18 SERIES	978,756	958,456
	Unjustified request		[-20,300]
034	H-53 SERIES	46,887	46,887
035	SH-60 SERIES	107,728	107,728
036	H-1 SERIES	42,315	40,565
	Unjustified growth—installation funding		[-1,750]
037	EP-3 SERIES	41,784	41,784
038	P-3 SERIES	3,067	3,067
039	E-2 SERIES	20,741	20,741
040	TRAINER A/C SERIES	27,980	27,980
041	C-2A	8,157	8,157
042	C-130 SERIES	70,335	69,041

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Line	Item	FY 2016 Request	Agreement Authorized
	Unjustified growth—installation funding		[-1,294]
043	FEWSG	633	633
044	CARGO/TRANSPORT A/C SERIES	8,916	8,916
045	E-6 SERIES	185,253	185,253
046	EXECUTIVE HELICOPTERS SERIES	76,138	72,338
	Unjustified growth—installation funding		[-3,800]
047	SPECIAL PROJECT AIRCRAFT	23,702	23,702
048	T-45 SERIES	105,439	105,439
049	POWER PLANT CHANGES	9,917	9,917
050	JPATS SERIES	13,537	13,537
051	COMMON ECM EQUIPMENT	131,732	131,732
052	COMMON AVIONICS CHANGES	202,745	182,745
	Cost growth		[-20,000]
053	COMMON DEFENSIVE WEAPON SYSTEM	3,062	3,062
054	ID SYSTEMS	48,206	48,206
055	P-8 SERIES	28,492	28,492
056	MAGTF EW FOR AVIATION	7,680	7,680
057	MQ-8 SERIES	22,464	22,464
058	RQ-7 SERIES	3,773	3,773
059	V-22 (TILT/ROTOR ACFT) OSPREY	121,208	144,208
	MV-22 Ballistic Protection		[8,000]
	MV-22 integrated aircraft survivability—MC UFR		[15,000]
060	F-35 STOVL SERIES	256,106	256,106
061	F-35 CV SERIES	68,527	68,527
062	QRC	6,885	6,885
	AIRCRAFT SPARES AND REPAIR PARTS		
063	SPARES AND REPAIR PARTS	1,563,515	1,478,515
	Program decrease		[-85,000]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
064	COMMON GROUND EQUIPMENT	450,959	435,959
	Contract delays		[-15,000]
065	AIRCRAFT INDUSTRIAL FACILITIES	24,010	24,010
066	WAR CONSUMABLES	42,012	42,012
067	OTHER PRODUCTION CHARGES	2,455	2,455
068	SPECIAL SUPPORT EQUIPMENT	50,859	50,859
069	FIRST DESTINATION TRANSPORTATION	1,801	1,801
	TOTAL AIRCRAFT PROCUREMENT, NAVY	16,126,405	17,877,811
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,099,064	1,089,064
	Unjustified program growth		[-10,000]
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	7,748	7,748
	STRATEGIC MISSILES		
003	TOMAHAWK	184,814	214,814
	Minimum Sustaining Rate Increase		[30,000]
	TACTICAL MISSILES		
004	AMRAAM	192,873	207,873
	Additional captive air training missiles		[15,000]
005	SIDEWINDER	96,427	96,427
006	JSOW	21,419	21,419
007	STANDARD MISSILE	435,352	435,352
008	RAM	80,826	80,826
011	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	4,265	4,265
012	AERIAL TARGETS	40,792	40,792
013	OTHER MISSILE SUPPORT	3,335	3,335
	MODIFICATION OF MISSILES		
014	ESSM	44,440	44,440
015	ADVANCE PROCUREMENT (CY)	54,462	54,462
016	HARM MODS	122,298	122,298
	SUPPORT EQUIPMENT & FACILITIES		
017	WEAPONS INDUSTRIAL FACILITIES	2,397	2,397
018	FLEET SATELLITE COMM FOLLOW-ON	39,932	34,232
	Excess storage		[-5,700]
	ORDNANCE SUPPORT EQUIPMENT		
019	ORDNANCE SUPPORT EQUIPMENT	57,641	61,309
	Classified Program		[3,668]
	TORPEDOES AND RELATED EQUIP		
020	SSTD	7,380	7,380
021	MK-48 TORPEDO	65,611	65,611
022	ASW TARGETS	6,912	6,912
	MOD OF TORPEDOES AND RELATED EQUIP		
023	MK-54 TORPEDO MODS	113,219	113,219
024	MK-48 TORPEDO ADCAP MODS	63,317	63,317
025	QUICKSTRIKE MINE	13,254	13,254
	SUPPORT EQUIPMENT		
026	TORPEDO SUPPORT EQUIPMENT	67,701	67,701
027	ASW RANGE SUPPORT	3,699	3,699

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Line	Item	FY 2016 Request	Agreement Authorized
	DESTINATION TRANSPORTATION		
028	FIRST DESTINATION TRANSPORTATION	3,342	3,342
	GUNS AND GUN MOUNTS		
029	SMALL ARMS AND WEAPONS	11,937	11,937
	MODIFICATION OF GUNS AND GUN MOUNTS		
030	CIWS MODS	53,147	53,147
031	COAST GUARD WEAPONS	19,022	19,022
032	GUN MOUNT MODS	67,980	67,980
033	AIRBORNE MINE NEUTRALIZATION SYSTEMS	19,823	19,823
	SPARES AND REPAIR PARTS		
035	SPARES AND REPAIR PARTS	149,725	149,725
	TOTAL WEAPONS PROCUREMENT, NAVY	3,154,154	3,187,122
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	101,238	101,238
002	AIRBORNE ROCKETS, ALL TYPES	67,289	67,289
003	MACHINE GUN AMMUNITION	20,340	20,340
004	PRACTICE BOMBS	40,365	40,365
005	CARTRIDGES & CART ACTUATED DEVICES	49,377	49,377
006	AIR EXPENDABLE COUNTERMEASURES	59,651	59,651
007	JATOS	2,806	2,806
008	LRLAP 6" LONG RANGE ATTACK PROJECTILE	11,596	11,596
009	5 INCH/54 GUN AMMUNITION	35,994	35,994
010	INTERMEDIATE CALIBER GUN AMMUNITION	36,715	36,715
011	OTHER SHIP GUN AMMUNITION	45,483	45,483
012	SMALL ARMS & LANDING PARTY AMMO	52,080	52,080
013	PYROTECHNIC AND DEMOLITION	10,809	10,809
014	AMMUNITION LESS THAN \$5 MILLION	4,469	4,469
	MARINE CORPS AMMUNITION		
015	SMALL ARMS AMMUNITION	46,848	46,848
016	LINEAR CHARGES, ALL TYPES	350	350
017	40 MM, ALL TYPES	500	500
018	60MM, ALL TYPES	1,849	1,849
019	81MM, ALL TYPES	1,000	1,000
020	120MM, ALL TYPES	13,867	13,867
022	GRENADES, ALL TYPES	1,390	1,390
023	ROCKETS, ALL TYPES	14,967	14,967
024	ARTILLERY, ALL TYPES	45,219	45,219
026	FUZE, ALL TYPES	29,335	29,335
027	NON LETHALS	3,868	3,868
028	AMMO MODERNIZATION	15,117	15,117
029	ITEMS LESS THAN \$5 MILLION	11,219	11,219
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	723,741	723,741
	SHIPBUILDING & CONVERSION, NAVY		
	OTHER WARSHIPS		
001	CARRIER REPLACEMENT PROGRAM	1,634,701	1,634,701
002	ADVANCE PROCUREMENT (CY)	874,658	874,658
003	VIRGINIA CLASS SUBMARINE	3,346,370	3,346,370
004	ADVANCE PROCUREMENT (CY)	1,993,740	1,993,740
005	CVN REFUELING OVERHAULS	678,274	678,274
006	ADVANCE PROCUREMENT (CY)	14,951	14,951
007	DDG 1000	433,404	433,404
008	DDG-51	3,149,703	3,399,703
	Incremental funding for one DDG-51		[250,000]
010	LITTORAL COMBAT SHIP	1,356,991	1,356,991
	AMPHIBIOUS SHIPS		
012	LPD-17	550,000	550,000
013	AFLOAT FORWARD STAGING BASE		97,000
	Accelerate shipbuilding funding		[97,000]
014A	LX(R) ADVANCE PROCURMENT (CY)		250,000
	LX(R) Acceleration		[250,000]
015	LHA REPLACEMENT ADVANCE PROCUREMENT (CY)	277,543	476,543
	Accelerate LHA-8 advanced procurement		[199,000]
016A	LCU Replacement		34,000
	Accelerate LCU replacement		[34,000]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
017	TAO FLEET OILER	674,190	674,190
019	ADVANCE PROCUREMENT (CY)	138,200	138,200
020	OUTFITTING	697,207	644,300
	Program decrease		[-52,907]
021	SHIP TO SHORE CONNECTOR	255,630	255,630
022	SERVICE CRAFT	30,014	30,014
023	LCAC SLEP	80,738	80,738
024	YP CRAFT MAINTENANCE/ROH/SLEP	21,838	21,838
025	COMPLETION OF PY SHIPBUILDING PROGRAMS	389,305	389,305
025A	T-ATS(X) Fleet Tug		75,000
	Accelerate T-ATS(X)		[75,000]

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Line	Item	FY 2016 Request	Agreement Authorized
	TOTAL SHIPBUILDING & CONVERSION, NAVY	16,597,457	17,449,550
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
001	LM-2500 GAS TURBINE	4,881	4,881
002	ALLISON 501K GAS TURBINE	5,814	5,814
003	HYBRID ELECTRIC DRIVE (HED)	32,906	32,906
	GENERATORS		
004	SURFACE COMBATANT HM&E	36,860	36,860
	NAVIGATION EQUIPMENT		
005	OTHER NAVIGATION EQUIPMENT	87,481	87,481
	PERISCOPES		
006	SUB PERISCOPES & IMAGING EQUIP	63,109	63,109
	OTHER SHIPBOARD EQUIPMENT		
007	DDG MOD	364,157	424,157
	Additional DDG Modification-Unfunded Requirement		[60,000]
008	FIREFIGHTING EQUIPMENT	16,089	16,089
009	COMMAND AND CONTROL SWITCHBOARD	2,255	2,255
010	LHA/LHD MIDLIFE	28,571	28,571
011	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	12,313	12,313
012	POLLUTION CONTROL EQUIPMENT	16,609	16,609
013	SUBMARINE SUPPORT EQUIPMENT	10,498	10,498
014	VIRGINIA CLASS SUPPORT EQUIPMENT	35,747	35,747
015	LCS CLASS SUPPORT EQUIPMENT	48,399	48,399
016	SUBMARINE BATTERIES	23,072	23,072
017	LPD CLASS SUPPORT EQUIPMENT	55,283	55,283
018	STRATEGIC PLATFORM SUPPORT EQUIP	18,563	18,563
019	DSSP EQUIPMENT	7,376	7,376
021	LCAC	20,965	20,965
022	UNDERWATER EOD PROGRAMS	51,652	51,652
023	ITEMS LESS THAN \$5 MILLION	102,498	102,498
024	CHEMICAL WARFARE DETECTORS	3,027	3,027
025	SUBMARINE LIFE SUPPORT SYSTEM	7,399	7,399
	REACTOR PLANT EQUIPMENT		
027	REACTOR COMPONENTS	296,095	296,095
	OCEAN ENGINEERING		
028	DIVING AND SALVAGE EQUIPMENT	15,982	15,982
	SMALL BOATS		
029	STANDARD BOATS	29,982	29,982
	TRAINING EQUIPMENT		
030	OTHER SHIPS TRAINING EQUIPMENT	66,538	66,538
	PRODUCTION FACILITIES EQUIPMENT		
031	OPERATING FORCES IPE	71,138	71,138
	OTHER SHIP SUPPORT		
032	NUCLEAR ALTERATIONS	132,625	132,625
033	LCS COMMON MISSION MODULES EQUIPMENT	23,500	23,500
034	LCS MCM MISSION MODULES	85,151	85,151
035	LCS SUW MISSION MODULES	35,228	35,228
036	REMOTE MINEHUNTING SYSTEM (RMS)	87,627	53,077
	Procurement in excess of need ahead of satisfactory testing		[-34,550]
	LOGISTIC SUPPORT		
037	LSD MIDLIFE	2,774	2,774
	SHIP SONARS		
038	SPQ-9B RADAR	20,551	20,551
039	AN/SQQ-89 SURF ASW COMBAT SYSTEM	103,241	103,241
040	SSN ACOUSTICS	214,835	234,835
	Submarine Towed Array-Unfunded Requirement		[20,000]
041	UNDERSEA WARFARE SUPPORT EQUIPMENT	7,331	7,331
042	SONAR SWITCHES AND TRANSDUCERS	11,781	11,781
	ASW ELECTRONIC EQUIPMENT		
044	SUBMARINE ACOUSTIC WARFARE SYSTEM	21,119	21,119
045	SSTD	8,396	8,396
046	FIXED SURVEILLANCE SYSTEM	146,968	146,968
047	SURTASS	12,953	12,953
048	MARITIME PATROL AND RECONNAISSANCE FORCE	13,725	13,725
	ELECTRONIC WARFARE EQUIPMENT		
049	AN/SLQ-32	324,726	324,726
	RECONNAISSANCE EQUIPMENT		
050	SHIPBOARD IW EXPLOIT	148,221	148,221
051	AUTOMATED IDENTIFICATION SYSTEM (AIS)	152	152
	SUBMARINE SURVEILLANCE EQUIPMENT		
052	SUBMARINE SUPPORT EQUIPMENT PROG	79,954	79,954
	OTHER SHIP ELECTRONIC EQUIPMENT		
053	COOPERATIVE ENGAGEMENT CAPABILITY	25,695	25,695
054	TRUSTED INFORMATION SYSTEM (TIS)	284	284
055	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	14,416	14,416
056	ATDLS	23,069	23,069
057	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	4,054	4,054
058	MINESWEEPING SYSTEM REPLACEMENT	21,014	21,014

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Line	Item	FY 2016 Request	Agreement Authorized
059	SHALLOW WATER MCM	18,077	18,077
060	NAVSTAR GPS RECEIVERS (SPACE)	12,359	12,359
061	AMERICAN FORCES RADIO AND TV SERVICE	4,240	4,240
062	STRATEGIC PLATFORM SUPPORT EQUIP	17,440	17,440
	TRAINING EQUIPMENT		
063	OTHER TRAINING EQUIPMENT	41,314	41,314
	AVIATION ELECTRONIC EQUIPMENT		
064	MATCALS	10,011	10,011
065	SHIPBOARD AIR TRAFFIC CONTROL	9,346	9,346
066	AUTOMATIC CARRIER LANDING SYSTEM	21,281	21,281
067	NATIONAL AIR SPACE SYSTEM	25,621	25,621
068	FLEET AIR TRAFFIC CONTROL SYSTEMS	8,249	8,249
069	LANDING SYSTEMS	14,715	14,715
070	ID SYSTEMS	29,676	29,676
071	NAVAL MISSION PLANNING SYSTEMS	13,737	13,737
	OTHER SHORE ELECTRONIC EQUIPMENT		
072	DEPLOYABLE JOINT COMMAND & CONTROL	1,314	1,314
074	TACTICAL/MOBILE C4I SYSTEMS	13,600	13,600
075	DCGS-N	31,809	31,809
076	CANES	278,991	278,991
077	RADIAC	8,294	8,294
078	CANES-INTELL	28,695	28,695
079	GPETE	6,962	6,962
080	MASF	290	290
081	INTEG COMBAT SYSTEM TEST FACILITY	14,419	14,419
082	EMI CONTROL INSTRUMENTATION	4,175	4,175
083	ITEMS LESS THAN \$5 MILLION	44,176	44,176
	SHIPBOARD COMMUNICATIONS		
084	SHIPBOARD TACTICAL COMMUNICATIONS	8,722	8,722
085	SHIP COMMUNICATIONS AUTOMATION	108,477	108,477
086	COMMUNICATIONS ITEMS UNDER \$5M	16,613	16,613
	SUBMARINE COMMUNICATIONS		
087	SUBMARINE BROADCAST SUPPORT	20,691	20,691
088	SUBMARINE COMMUNICATION EQUIPMENT	60,945	60,945
	SATELLITE COMMUNICATIONS		
089	SATELLITE COMMUNICATIONS SYSTEMS	30,892	30,892
090	NAVY MULTIBAND TERMINAL (NMT)	118,113	118,113
	SHORE COMMUNICATIONS		
091	JCS COMMUNICATIONS EQUIPMENT	4,591	4,591
092	ELECTRICAL POWER SYSTEMS	1,403	1,403
	CRYPTOGRAPHIC EQUIPMENT		
093	INFO SYSTEMS SECURITY PROGRAM (ISSP)	135,687	135,687
094	MIO INTEL EXPLOITATION TEAM	970	970
	CRYPTOLOGIC EQUIPMENT		
095	CRYPTOLOGIC COMMUNICATIONS EQUIP	11,433	11,433
	OTHER ELECTRONIC SUPPORT		
096	COAST GUARD EQUIPMENT	2,529	2,529
	SONOBUOYS		
097	SONOBUOYS—ALL TYPES	168,763	168,763
	AIRCRAFT SUPPORT EQUIPMENT		
098	WEAPONS RANGE SUPPORT EQUIPMENT	46,979	46,979
100	AIRCRAFT SUPPORT EQUIPMENT	123,884	123,884
103	METEOROLOGICAL EQUIPMENT	15,090	15,090
104	DCRS/DPL	638	638
106	AIRBORNE MINE COUNTERMEASURES	14,098	14,098
111	AVIATION SUPPORT EQUIPMENT	49,773	49,773
	SHIP GUN SYSTEM EQUIPMENT		
112	SHIP GUN SYSTEMS EQUIPMENT	5,300	5,300
	SHIP MISSILE SYSTEMS EQUIPMENT		
115	SHIP MISSILE SUPPORT EQUIPMENT	298,738	298,738
120	TOMAHAWK SUPPORT EQUIPMENT	71,245	71,245
	FBM SUPPORT EQUIPMENT		
123	STRATEGIC MISSILE SYSTEMS EQUIP	240,694	240,694
	ASW SUPPORT EQUIPMENT		
124	SSN COMBAT CONTROL SYSTEMS	96,040	96,040
125	ASW SUPPORT EQUIPMENT	30,189	30,189
	OTHER ORDNANCE SUPPORT EQUIPMENT		
129	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	22,623	22,623
130	ITEMS LESS THAN \$5 MILLION	9,906	9,906
	OTHER EXPENDABLE ORDNANCE		
134	TRAINING DEVICE MODS	99,707	99,707
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
135	PASSENGER CARRYING VEHICLES	2,252	2,252
136	GENERAL PURPOSE TRUCKS	2,191	2,191
137	CONSTRUCTION & MAINTENANCE EQUIP	2,164	2,164
138	FIRE FIGHTING EQUIPMENT	14,705	14,705
139	TACTICAL VEHICLES	2,497	2,497
140	AMPHIBIOUS EQUIPMENT	12,517	12,517
141	POLLUTION CONTROL EQUIPMENT	3,018	3,018

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Line	Item	FY 2016 Request	Agreement Authorized
142	ITEMS UNDER \$5 MILLION	14,403	14,403
143	PHYSICAL SECURITY VEHICLES	1,186	1,186
	SUPPLY SUPPORT EQUIPMENT		
144	MATERIALS HANDLING EQUIPMENT	18,805	18,805
145	OTHER SUPPLY SUPPORT EQUIPMENT	10,469	10,469
146	FIRST DESTINATION TRANSPORTATION	5,720	5,720
147	SPECIAL PURPOSE SUPPLY SYSTEMS	211,714	211,714
	TRAINING DEVICES		
148	TRAINING SUPPORT EQUIPMENT	7,468	7,468
	COMMAND SUPPORT EQUIPMENT		
149	COMMAND SUPPORT EQUIPMENT	36,433	36,433
150	EDUCATION SUPPORT EQUIPMENT	3,180	3,180
151	MEDICAL SUPPORT EQUIPMENT	4,790	4,790
153	NAVAL MIP SUPPORT EQUIPMENT	4,608	4,608
154	OPERATING FORCES SUPPORT EQUIPMENT	5,655	5,655
155	C4ISR EQUIPMENT	9,929	9,929
156	ENVIRONMENTAL SUPPORT EQUIPMENT	26,795	26,795
157	PHYSICAL SECURITY EQUIPMENT	88,453	88,453
159	ENTERPRISE INFORMATION TECHNOLOGY	99,094	99,094
	OTHER		
160	NEXT GENERATION ENTERPRISE SERVICE	99,014	99,014
	CLASSIFIED PROGRAMS		
160A	CLASSIFIED PROGRAMS	21,439	21,439
	SPARES AND REPAIR PARTS		
161	SPARES AND REPAIR PARTS	328,043	318,043
	Excess carryover		[-10,000]
	TOTAL OTHER PROCUREMENT, NAVY	6,614,715	6,650,165
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	26,744	26,744
002	LAV PIP	54,879	54,879
	ARTILLERY AND OTHER WEAPONS		
003	EXPEDITIONARY FIRE SUPPORT SYSTEM	2,652	2,652
004	155MM LIGHTWEIGHT TOWED HOWITZER	7,482	7,482
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	17,181	17,181
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	8,224	8,224
	OTHER SUPPORT		
007	MODIFICATION KITS	14,467	14,467
008	WEAPONS ENHANCEMENT PROGRAM	488	488
	GUIDED MISSILES		
009	GROUND BASED AIR DEFENSE	7,565	7,565
010	JAVELIN	1,091	51,091
	Program increase to support Unfunded Requirements		[50,000]
011	FOLLOW ON TO SMAW	4,872	4,872
012	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	668	668
	OTHER SUPPORT		
013	MODIFICATION KITS	12,495	152,495
	Additional missiles		[140,000]
	COMMAND AND CONTROL SYSTEMS		
014	UNIT OPERATIONS CENTER	13,109	13,109
015	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	35,147	32,956
	Procurement early to need		[-2,191]
	REPAIR AND TEST EQUIPMENT		
016	REPAIR AND TEST EQUIPMENT	21,210	21,210
	OTHER SUPPORT (TEL)		
017	COMBAT SUPPORT SYSTEM	792	792
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
019	ITEMS UNDER \$5 MILLION (COMM & ELEC)	3,642	3,642
020	AIR OPERATIONS C2 SYSTEMS	3,520	3,520
	RADAR + EQUIPMENT (NON-TEL)		
021	RADAR SYSTEMS	35,118	35,118
022	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	130,661	98,546
	Delay in IOTE		[-32,115]
023	RQ-21 UAS	84,916	84,916
	INTELL/COMM EQUIPMENT (NON-TEL)		
024	FIRE SUPPORT SYSTEM	9,136	9,136
025	INTELLIGENCE SUPPORT EQUIPMENT	29,936	29,936
028	DCGS-MC	1,947	1,947
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
031	NIGHT VISION EQUIPMENT	2,018	2,018
	OTHER SUPPORT (NON-TEL)		
032	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	67,295	67,295
033	COMMON COMPUTER RESOURCES	43,101	33,101
	Marine Corps common hardware suite contract delay		[-10,000]
034	COMMAND POST SYSTEMS	29,255	29,255
035	RADIO SYSTEMS	80,584	80,584
036	COMM SWITCHING & CONTROL SYSTEMS	66,123	66,123
037	COMM & ELEC INFRASTRUCTURE SUPPORT	79,486	79,486

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Line	Item	FY 2016 Request	Agreement Authorized
	CLASSIFIED PROGRAMS		
037A	CLASSIFIED PROGRAMS	2,803	2,803
	ADMINISTRATIVE VEHICLES		
038	COMMERCIAL PASSENGER VEHICLES	3,538	3,538
039	COMMERCIAL CARGO VEHICLES	22,806	22,806
	TACTICAL VEHICLES		
041	MOTOR TRANSPORT MODIFICATIONS	7,743	7,743
043	JOINT LIGHT TACTICAL VEHICLE	79,429	79,429
044	FAMILY OF TACTICAL TRAILERS	3,157	3,157
	OTHER SUPPORT		
045	ITEMS LESS THAN \$5 MILLION	6,938	6,938
	ENGINEER AND OTHER EQUIPMENT		
046	ENVIRONMENTAL CONTROL EQUIP ASSORT	94	94
047	BULK LIQUID EQUIPMENT	896	896
048	TACTICAL FUEL SYSTEMS	136	136
049	POWER EQUIPMENT ASSORTED	10,792	10,792
050	AMPHIBIOUS SUPPORT EQUIPMENT	3,235	3,235
051	EOD SYSTEMS	7,666	7,666
	MATERIALS HANDLING EQUIPMENT		
052	PHYSICAL SECURITY EQUIPMENT	33,145	33,145
053	GARRISON MOBILE ENGINEER EQUIPMENT (GMEE)	1,419	1,419
	GENERAL PROPERTY		
057	TRAINING DEVICES	24,163	24,163
058	CONTAINER FAMILY	962	962
059	FAMILY OF CONSTRUCTION EQUIPMENT	6,545	6,545
060	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)	7,533	7,533
	OTHER SUPPORT		
062	ITEMS LESS THAN \$5 MILLION	4,322	4,322
	SPARES AND REPAIR PARTS		
063	SPARES AND REPAIR PARTS	8,292	8,292
	TOTAL PROCUREMENT, MARINE CORPS	1,131,418	1,277,112
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
001	F-35	5,260,212	5,161,112
	Efficiencies and excess cost growth		[–99,100]
002	ADVANCE PROCUREMENT (CY)	460,260	460,260
	TACTICAL AIRLIFT		
003	KC-46A TANKER	2,350,601	2,326,601
	Program Decrease		[–24,000]
	OTHER AIRLIFT		
004	C-130J	889,154	848,354
	Unit cost growth and contract delays		[–40,800]
005	ADVANCE PROCUREMENT (CY)	50,000	50,000
006	HC-130J	463,934	444,434
	Unit cost growth		[–19,500]
007	ADVANCE PROCUREMENT (CY)	30,000	30,000
008	MC-130J	828,472	790,872
	Program efficiencies		[–37,600]
009	ADVANCE PROCUREMENT (CY)	60,000	60,000
	MISSION SUPPORT AIRCRAFT		
011	CIVIL AIR PATROL A/C	2,617	2,617
	OTHER AIRCRAFT		
012	TARGET DRONES	132,028	132,028
014	RQ-4	37,800	37,800
015	MQ-9	552,528	622,528
	Accelerating procurement schedule to meet CCDR demand		[80,000]
	Restrain growth in government costs		[–10,000]
	STRATEGIC AIRCRAFT		
017	B-2A	32,458	32,458
018	B-1B	114,119	114,119
019	B-52	148,987	148,987
020	LARGE AIRCRAFT INFRARED COUNTERMEASURES	84,335	84,335
022	F-15	464,367	682,071
	F-15 MIDS JTRS transfer to RDT&E		[–12,796]
	F-15C AESA radars		[48,000]
	F-15D AESA radars		[192,500]
	Milestone C delay		[–10,000]
023	F-16	17,134	17,134
024	F-22A	126,152	126,152
025	F-35 MODIFICATIONS	70,167	70,167
026	INCREMENT 3.2B	69,325	69,325
	AIRLIFT AIRCRAFT		
028	C-5	5,604	5,604
030	C-17A	46,997	46,997
031	C-21	10,162	10,162
032	C-32A	44,464	44,464
033	C-37A	10,861	10,861
	TRAINER AIRCRAFT		

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Line	Item	FY 2016 Request	Agreement Authorized
034	GLIDER MODS	134	134
035	T-6	17,968	17,968
036	T-1	23,706	23,706
037	T-38	30,604	30,604
	OTHER AIRCRAFT		
038	U-2 MODS	22,095	22,095
039	KC-10A (ATCA)	5,611	5,611
040	C-12	1,980	1,980
042	VC-25A MOD	98,231	98,231
043	C-40	13,171	13,171
044	C-130	7,048	146,248
	C-130 AMP increase		[75,000]
	C-130H Electronic Prop Control System - UPL		[13,500]
	C-130H In-flight Prop Balancing System - UPL		[1,500]
	Eight-Bladed Propeller		[16,000]
	T-56 3.5 Engine Mod		[33,200]
045	C-130J MODS	29,713	29,713
046	C-135	49,043	49,043
047	COMPASS CALL MODS	68,415	97,115
	EC-130H Force Structure Restoration		[28,700]
048	RC-135	156,165	156,165
049	E-3	13,178	13,178
050	E-4	23,937	19,937
	AEHF-PNVC ahead of need		[-4,000]
051	E-8	18,001	18,001
052	AIRBORNE WARNING AND CONTROL SYSTEM	183,308	183,308
053	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	44,163	44,163
054	H-1	6,291	6,291
055	UH-1N REPLACEMENT	2,456	2,456
056	H-60	45,731	45,731
057	RQ-4 MODS	50,022	50,022
058	HC/MC-130 MODIFICATIONS	21,660	21,660
059	OTHER AIRCRAFT	117,767	115,521
	C2ISR TDL transfer to COMSEC equipment		[-2,246]
060	MQ-1 MODS	3,173	3,173
061	MQ-9 MODS	115,226	115,226
063	CV-22 MODS	58,828	58,828
	AIRCRAFT SPARES AND REPAIR PARTS		
064	INITIAL SPARES/REPAIR PARTS	656,242	636,242
	Excess carryover		[-20,000]
	COMMON SUPPORT EQUIPMENT		
065	AIRCRAFT REPLACEMENT SUPPORT EQUIP	33,716	33,716
	POST PRODUCTION SUPPORT		
067	B-2A	38,837	38,837
068	B-52	5,911	5,911
069	C-17A	30,108	30,108
070	CV-22 POST PRODUCTION SUPPORT	3,353	3,353
071	C-135	4,490	4,490
072	F-15	3,225	3,225
073	F-16	14,969	8,969
	Unobligated balances		[-6,000]
074	F-22A	971	971
076	MQ-9	5,000	5,000
	INDUSTRIAL PREPAREDNESS		
077	INDUSTRIAL RESPONSIVENESS	18,802	18,802
	WAR CONSUMABLES		
078	WAR CONSUMABLES	156,465	156,465
	OTHER PRODUCTION CHARGES		
079	OTHER PRODUCTION CHARGES	1,052,814	1,111,900
	Transfer from RDT&E for NATO AWACS		[59,086]
	CLASSIFIED PROGRAMS		
079A	CLASSIFIED PROGRAMS	42,503	42,503
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	15,657,769	15,919,213
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	94,040	94,040
	TACTICAL		
003	JOINT AIR-SURFACE STANDOFF MISSILE	440,578	420,578
	Unit cost efficiencies		[-20,000]
004	SIDEWINDER (AIM-9X)	200,777	200,777
005	AMRAAM	390,112	380,028
	Joint program unit cost variance		[-10,084]
006	PREDATOR HELLFIRE MISSILE	423,016	423,016
007	SMALL DIAMETER BOMB	133,697	133,697
	INDUSTRIAL FACILITIES		
008	INDUSTRIAL PREPAREDNESS/POL PREVENTION	397	397
	CLASS IV		
009	MM III MODIFICATIONS	50,517	50,517

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Line	Item	FY 2016 Request	Agreement Authorized
010	AGM-65D MAVERICK	9,639	9,639
011	AGM-88A HARM	197	197
012	AIR LAUNCH CRUISE MISSILE (ALCM)	25,019	25,019
	MISSILE SPARES AND REPAIR PARTS		
014	INITIAL SPARES/REPAIR PARTS	48,523	48,523
	SPECIAL PROGRAMS		
028	SPECIAL UPDATE PROGRAMS	276,562	276,562
	CLASSIFIED PROGRAMS		
028A	CLASSIFIED PROGRAMS	893,971	893,971
	TOTAL MISSILE PROCUREMENT, AIR FORCE	2,987,045	2,956,961
	SPACE PROCUREMENT, AIR FORCE		
	SPACE PROGRAMS		
001	ADVANCED EHF	333,366	327,366
	Unjustified support growth		[-6,000]
002	WIDEBAND GAFILLER SATELLITES(SPACE)	53,476	74,476
	SATCOM pathfinder		[26,000]
	Unjustified support growth		[-5,000]
003	GPS III SPACE SEGMENT	199,218	199,218
004	SPACEBORNE EQUIP (COMSEC)	18,362	18,362
005	GLOBAL POSITIONING (SPACE)	66,135	64,135
	Unjustified support growth		[-2,000]
006	DEF METEOROLOGICAL SAT PROG(SPACE)	89,351	40,000
	Minimum sustainment of DMSP-20 program		[-49,351]
007	EVOLVED EXPENDABLE LAUNCH CAPABILITY	571,276	571,276
008	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	800,201	800,201
009	SBIR HIGH (SPACE)	452,676	452,676
	TOTAL SPACE PROCUREMENT, AIR FORCE	2,584,061	2,547,710
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	23,788	23,788
	CARTRIDGES		
002	CARTRIDGES	131,102	169,602
	Increase to match size of A-10 fleet		[38,500]
	BOMBS		
003	PRACTICE BOMBS	89,759	89,759
004	GENERAL PURPOSE BOMBS	637,181	637,181
005	MASSIVE ORDNANCE PENETRATOR (MOP)	39,690	39,690
006	JOINT DIRECT ATTACK MUNITION	374,688	354,688
	Program reduction		[-20,000]
	OTHER ITEMS		
007	CAD/PAD	58,266	58,266
008	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	5,612	5,612
009	SPARES AND REPAIR PARTS	103	103
010	MODIFICATIONS	1,102	1,102
011	ITEMS LESS THAN \$5 MILLION	3,044	3,044
	FLARES		
012	FLARES	120,935	120,935
	FUZES		
013	FUZES	213,476	213,476
	SMALL ARMS		
014	SMALL ARMS	60,097	60,097
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	1,758,843	1,777,343
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	8,834	8,834
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	58,160	58,160
003	CAP VEHICLES	977	977
004	ITEMS LESS THAN \$5 MILLION	12,483	12,483
	SPECIAL PURPOSE VEHICLES		
005	SECURITY AND TACTICAL VEHICLES	4,728	4,728
006	ITEMS LESS THAN \$5 MILLION	4,662	4,662
	FIRE FIGHTING EQUIPMENT		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES	10,419	10,419
	MATERIALS HANDLING EQUIPMENT		
008	ITEMS LESS THAN \$5 MILLION	23,320	23,320
	BASE MAINTENANCE SUPPORT		
009	RUNWAY SNOW REMOV & CLEANING EQUIP	6,215	6,215
010	ITEMS LESS THAN \$5 MILLION	87,781	87,781
	COMM SECURITY EQUIPMENT(COMSEC)		
011	COMSEC EQUIPMENT	136,998	139,244
	Transfer for Link 16 Upgrades		[2,246]
012	MODIFICATIONS (COMSEC)	677	677
	INTELLIGENCE PROGRAMS		
013	INTELLIGENCE TRAINING EQUIPMENT	4,041	4,041
014	INTELLIGENCE COMM EQUIPMENT	22,573	22,573

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Line	Item	FY 2016 Request	Agreement Authorized
015	MISSION PLANNING SYSTEMS	14,456	14,456
	ELECTRONICS PROGRAMS		
016	AIR TRAFFIC CONTROL & LANDING SYS	31,823	31,823
017	NATIONAL AIRSPACE SYSTEM	5,833	5,833
018	BATTLE CONTROL SYSTEM—FIXED	1,687	1,687
019	THEATER AIR CONTROL SYS IMPROVEMENTS	22,710	22,710
020	WEATHER OBSERVATION FORECAST	21,561	21,561
021	STRATEGIC COMMAND AND CONTROL	286,980	286,980
022	CHEYENNE MOUNTAIN COMPLEX	36,186	36,186
024	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN)	9,597	9,597
	SPCL COMM-ELECTRONICS PROJECTS		
025	GENERAL INFORMATION TECHNOLOGY	27,403	27,403
026	AF GLOBAL COMMAND & CONTROL SYS	7,212	7,212
027	MOBILITY COMMAND AND CONTROL	11,062	30,962
	Additional battlefield air operations kits to meet need		[19,900]
028	AIR FORCE PHYSICAL SECURITY SYSTEM	131,269	131,269
029	COMBAT TRAINING RANGES	33,606	33,606
030	MINIMUM ESSENTIAL EMERGENCY COMM N	5,232	5,232
031	C3 COUNTERMEASURES	7,453	7,453
032	INTEGRATED PERSONNEL AND PAY SYSTEM	3,976	3,976
033	GCSS-AF FOS	25,515	15,015
	LOGIT—prioritize FIAR projects		[–10,500]
034	DEFENSE ENTERPRISE ACCOUNTING AND MGMT SYSTEM	9,255	9,255
035	THEATER BATTLE MGT C2 SYSTEM	7,523	7,523
036	AIR & SPACE OPERATIONS CTR-WPN SYS	12,043	12,043
037	AIR OPERATIONS CENTER (AOC) 10.2	24,246	14,846
	Fielding funds ahead of need		[–9,400]
	AIR FORCE COMMUNICATIONS		
038	INFORMATION TRANSPORT SYSTEMS	74,621	74,621
039	AFNET	103,748	98,748
	Restructure program		[–5,000]
041	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	5,199	5,199
042	USCENTCOM	15,780	15,780
	SPACE PROGRAMS		
043	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	79,592	54,592
	Ahead of need		[–25,000]
044	SPACE BASED IR SENSOR PGM SPACE	90,190	90,190
045	NAVSTAR GPS SPACE	2,029	2,029
046	NUDET DETECTION SYS SPACE	5,095	5,095
047	AF SATELLITE CONTROL NETWORK SPACE	76,673	76,673
048	SPACELIFT RANGE SYSTEM SPACE	113,275	108,275
	Prior year carryover		[–5,000]
049	MILSATCOM SPACE	35,495	35,495
050	SPACE MODS SPACE	23,435	23,435
051	COUNTERSPACE SYSTEM	43,065	43,065
	ORGANIZATION AND BASE		
052	TACTICAL C-E EQUIPMENT	77,538	133,438
	Battlefield Airmen Kits Unfunded Requirement		[19,900]
	Joint Terminal Control Training Simulation Unfunded Requirement		[36,000]
054	RADIO EQUIPMENT	8,400	8,400
055	CCTV/AUDIOVISUAL EQUIPMENT	6,144	6,144
056	BASE COMM INFRASTRUCTURE	77,010	77,010
	MODIFICATIONS		
057	COMM ELECT MODS	71,800	71,800
	PERSONAL SAFETY & RESCUE EQUIP		
058	NIGHT VISION GOGGLES	2,370	2,370
059	ITEMS LESS THAN \$5 MILLION	79,623	79,623
	DEPOT PLANT+MTRLS HANDLING EQ		
060	MECHANIZED MATERIAL HANDLING EQUIP	7,249	7,249
	BASE SUPPORT EQUIPMENT		
061	BASE PROCURED EQUIPMENT	9,095	9,095
062	ENGINEERING AND EOD EQUIPMENT	17,866	17,866
064	MOBILITY EQUIPMENT	61,850	61,850
065	ITEMS LESS THAN \$5 MILLION	30,477	30,477
	SPECIAL SUPPORT PROJECTS		
067	DARP RC135	25,072	25,072
068	DCGS-AF	183,021	183,021
070	SPECIAL UPDATE PROGRAM	629,371	629,371
071	DEFENSE SPACE RECONNAISSANCE PROG.	100,663	100,663
	CLASSIFIED PROGRAMS		
071A	CLASSIFIED PROGRAMS	15,038,333	15,038,333
	SPARES AND REPAIR PARTS		
073	SPARES AND REPAIR PARTS	59,863	59,863
	TOTAL OTHER PROCUREMENT, AIR FORCE	18,272,438	18,295,584
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DCAA		
001	ITEMS LESS THAN \$5 MILLION	1,488	1,488
	MAJOR EQUIPMENT, DCMA		

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Line	Item	FY 2016 Request	Agreement Authorized
002	MAJOR EQUIPMENT	2,494	2,494
	MAJOR EQUIPMENT, DHRA		
003	PERSONNEL ADMINISTRATION	9,341	9,341
	MAJOR EQUIPMENT, DISA		
007	INFORMATION SYSTEMS SECURITY	8,080	11,580
	SHARKSEER		[3,500]
008	TELEPORT PROGRAM	62,789	62,789
009	ITEMS LESS THAN \$5 MILLION	9,399	9,399
010	NET CENTRIC ENTERPRISE SERVICES (NCES)	1,819	1,819
011	DEFENSE INFORMATION SYSTEM NETWORK	141,298	141,298
012	CYBER SECURITY INITIATIVE	12,732	12,732
013	WHITE HOUSE COMMUNICATION AGENCY	64,098	64,098
014	SENIOR LEADERSHIP ENTERPRISE	617,910	617,910
015	JOINT INFORMATION ENVIRONMENT	84,400	84,400
	MAJOR EQUIPMENT, DLA		
016	MAJOR EQUIPMENT	5,644	5,644
	MAJOR EQUIPMENT, DMACT		
017	MAJOR EQUIPMENT	11,208	11,208
	MAJOR EQUIPMENT, DODEA		
018	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,298	1,298
	MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY		
	MAJOR EQUIPMENT, DSS		
020	MAJOR EQUIPMENT	1,048	1,048
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
021	VEHICLES	100	100
022	OTHER MAJOR EQUIPMENT	5,474	5,474
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
023	THAAD	464,067	414,067
	Program reduction		[–50,000]
024	AEGIS BMD	558,916	649,361
	Increase SM-3 Block IB canisters		[2,565]
	Increase SM-3 Block IB purchase		[117,880]
	Program reduction		[–30,000]
025	ADVANCE PROCUREMENT (CY)	147,765	0
	SM-3 Block IB		[–147,765]
026	BMDS AN/TPY-2 RADARS	78,634	78,634
027	AEGIS ASHORE PHASE III	30,587	30,587
028	IRON DOME	55,000	41,400
	Request excess of requirement		[–13,600]
	MAJOR EQUIPMENT, NSA		
035	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	37,177	37,177
	MAJOR EQUIPMENT, OSD		
036	MAJOR EQUIPMENT, OSD	46,939	31,939
	Mentor Protégé Program		[–15,000]
	MAJOR EQUIPMENT, TJS		
038	MAJOR EQUIPMENT, TJS	13,027	13,027
	MAJOR EQUIPMENT, WHS		
040	MAJOR EQUIPMENT, WHS	27,859	27,859
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
028A	DAVID SLING		150,000
	David's Sling Weapon System Procurement—Subject to Title XVI		[150,000]
028B	ARROW 3		15,000
	Arrow 3 Upper Tier Procurement—Subject to Title XVI		[15,000]
	CLASSIFIED PROGRAMS		
040A	CLASSIFIED PROGRAMS	617,757	617,757
	AVIATION PROGRAMS		
041	MC-12	63,170	0
	SOCOM requested realignment		[–63,170]
042	ROTARY WING UPGRADES AND SUSTAINMENT	135,985	135,985
044	NON-STANDARD AVIATION	61,275	61,275
045	U-28		63,170
	SOCOM requested realignment		[63,170]
047	RQ-11 UNMANNED AERIAL VEHICLE	20,087	20,087
048	CV-22 MODIFICATION	18,832	18,832
049	MQ-1 UNMANNED AERIAL VEHICLE	1,934	1,934
050	MQ-9 UNMANNED AERIAL VEHICLE	11,726	21,726
	MQ-9 capability enhancements		[10,000]
051	STUASL0	1,514	1,514
052	PRECISION STRIKE PACKAGE	204,105	204,105
053	AC/MC-130J	61,368	61,368
054	C-130 MODIFICATIONS	66,861	31,361
	C-130 TF/TA adjustments		[–35,500]
	SHIPBUILDING		
055	UNDERWATER SYSTEMS	32,521	32,521
	AMMUNITION PROGRAMS		
056	ORDNANCE ITEMS <\$5M	174,734	174,734
	OTHER PROCUREMENT PROGRAMS		
057	INTELLIGENCE SYSTEMS	93,009	93,009
058	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	14,964	14,964

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
059	OTHER ITEMS <\$5M	79,149	79,149
060	COMBATANT CRAFT SYSTEMS	33,362	33,362
061	SPECIAL PROGRAMS	143,533	143,533
062	TACTICAL VEHICLES	73,520	73,520
063	WARRIOR SYSTEMS <\$5M	186,009	186,009
064	COMBAT MISSION REQUIREMENTS	19,693	19,693
065	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	3,967	3,967
066	OPERATIONAL ENHANCEMENTS INTELLIGENCE	19,225	19,225
068	OPERATIONAL ENHANCEMENTS	213,252	213,252
	CBDP		
074	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	141,223	141,223
075	CB PROTECTION & HAZARD MITIGATION	137,487	137,487
	TOTAL PROCUREMENT, DEFENSE-WIDE	5,130,853	5,137,933
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
001	JOINT URGENT OPERATIONAL NEEDS FUND	99,701	0
	Program reduction		[-99,701]
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND	99,701	0
	TOTAL PROCUREMENT	106,967,393	110,330,946

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
003	AERIAL COMMON SENSOR (ACS) (MIP)	99,500	99,500
004	MQ-1 UAV	16,537	16,537
	MODIFICATION OF AIRCRAFT		
016	MQ-1 PAYLOAD (MIP)	8,700	8,700
023	ARL SEMA MODS (MIP)	32,000	32,000
031	RQ-7 UAV MODS	8,250	8,250
	TOTAL AIRCRAFT PROCUREMENT, ARMY	164,987	164,987
	MISSILE PROCUREMENT, ARMY		
	AIR-TO-SURFACE MISSILE SYSTEM		
003	HELLFIRE SYS SUMMARY	37,260	37,260
	TOTAL MISSILE PROCUREMENT, ARMY	37,260	37,260
	PROCUREMENT OF W&TCV, ARMY		
	WEAPONS & OTHER COMBAT VEHICLES		
016	MORTAR SYSTEMS	7,030	7,030
021	COMMON REMOTELY OPERATED WEAPONS STATION	19,000	19,000
	TOTAL PROCUREMENT OF W&TCV, ARMY	26,030	26,030
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
004	CTG, .50 CAL, ALL TYPES	4,000	4,000
	MORTAR AMMUNITION		
008	60MM MORTAR, ALL TYPES	11,700	11,700
009	81MM MORTAR, ALL TYPES	4,000	4,000
010	120MM MORTAR, ALL TYPES	7,000	7,000
	ARTILLERY AMMUNITION		
012	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	5,000	5,000
013	ARTILLERY PROJECTILE, 155MM, ALL TYPES	10,000	10,000
015	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	2,000	2,000
	ROCKETS		
017	ROCKET, HYDRA 70, ALL TYPES	136,340	136,340
	OTHER AMMUNITION		
019	DEMOLITION MUNITIONS, ALL TYPES	4,000	4,000
021	SIGNALS, ALL TYPES	8,000	8,000
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	192,040	192,040
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
005	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	243,998	243,998
009	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	223,276	223,276
011	MODIFICATION OF IN SVC EQUIP	130,000	130,000
012	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	393,100	393,100
	COMM—SATELLITE COMMUNICATIONS		
021	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	5,724	5,724
	COMM—BASE COMMUNICATIONS		
051	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	29,500	29,500

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
057	DCGS-A (MIP)	54,140	54,140
059	TROJAN (MIP)	6,542	6,542
061	CI HUMINT AUTO REPRTING AND COLL(CHARCS)	3,860	3,860
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
068	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIE	14,847	14,847
069	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	19,535	19,535
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
084	COMPUTER BALLISTICS: LHMBX XM32	2,601	2,601
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
087	FIRE SUPPORT C2 FAMILY	48	48
094	MANEUVER CONTROL SYSTEM (MCS)	252	252
	ELECT EQUIP—AUTOMATION		
101	AUTOMATED DATA PROCESSING EQUIP	652	652
	CHEMICAL DEFENSIVE EQUIPMENT		
111	BASE DEFENSE SYSTEMS (BDS)	4,035	4,035
	COMBAT SERVICE SUPPORT EQUIPMENT		
131	FORCE PROVIDER	53,800	53,800
133	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	700	700
	MATERIAL HANDLING EQUIPMENT		
159	FAMILY OF FORKLIFTS	10,486	10,486
	OTHER SUPPORT EQUIPMENT		
169	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	8,500	8,500
	TOTAL OTHER PROCUREMENT, ARMY	1,205,596	1,205,596
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
	NETWORK ATTACK		
001	ATTACK THE NETWORK	219,550	204,550
	Adjustment due to low execution in prior years		[–15,000]
	JIEDDO DEVICE DEFEAT		
002	DEFEAT THE DEVICE	77,600	77,600
	FORCE TRAINING		
003	TRAIN THE FORCE	7,850	7,850
	STAFF AND INFRASTRUCTURE		
004	OPERATIONS	188,271	138,271
	Program Reduction		[–50,000]
	TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND	493,271	428,271
	AIRCRAFT PROCUREMENT, NAVY		
	OTHER AIRCRAFT		
026	STUASLO UAV	55,000	55,000
	MODIFICATION OF AIRCRAFT		
030	AV-8 SERIES	41,365	41,365
032	F-18 SERIES	8,000	8,000
037	EP-3 SERIES	6,300	6,300
047	SPECIAL PROJECT AIRCRAFT	14,198	14,198
051	COMMON ECM EQUIPMENT	72,700	72,700
052	COMMON AVIONICS CHANGES	13,988	13,988
059	V-22 (TILT/ROTOR ACFT) OSPREY	4,900	4,900
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
065	AIRCRAFT INDUSTRIAL FACILITIES	943	943
	TOTAL AIRCRAFT PROCUREMENT, NAVY	217,394	217,394
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
010	LASER MAVERICK	3,344	3,344
	TOTAL WEAPONS PROCUREMENT, NAVY	3,344	3,344
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	9,715	9,715
002	AIRBORNE ROCKETS, ALL TYPES	11,108	11,108
003	MACHINE GUN AMMUNITION	3,603	3,603
006	AIR EXPENDABLE COUNTERMEASURES	11,982	11,982
011	OTHER SHIP GUN AMMUNITION	4,674	4,674
012	SMALL ARMS & LANDING PARTY AMMO	3,456	3,456
013	PYROTECHNIC AND DEMOLITION	1,989	1,989
014	AMMUNITION LESS THAN \$5 MILLION	4,674	4,674
	MARINE CORPS AMMUNITION		
020	120MM, ALL TYPES	10,719	10,719
023	ROCKETS, ALL TYPES	3,993	3,993
024	ARTILLERY, ALL TYPES	67,200	67,200
025	DEMOLITION MUNITIONS, ALL TYPES	518	518
026	FUZE, ALL TYPES	3,299	3,299
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	136,930	136,930
	OTHER PROCUREMENT, NAVY		
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
135	PASSENGER CARRYING VEHICLES	186	186

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
	CLASSIFIED PROGRAMS		
160A	CLASSIFIED PROGRAMS	12,000	12,000
	TOTAL OTHER PROCUREMENT, NAVY	12,186	12,186
	PROCUREMENT, MARINE CORPS		
	GUIDED MISSILES		
010	JAVELIN	7,679	7,679
	OTHER SUPPORT		
013	MODIFICATION KITS	10,311	10,311
	COMMAND AND CONTROL SYSTEMS		
014	UNIT OPERATIONS CENTER	8,221	8,221
	OTHER SUPPORT (TEL)		
018	MODIFICATION KITS	3,600	3,600
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
019	ITEMS UNDER \$5 MILLION (COMM & ELEC)	8,693	8,693
	INTELL/COMM EQUIPMENT (NON-TEL)		
027	RQ-11 UAV	3,430	3,430
	MATERIALS HANDLING EQUIPMENT		
052	PHYSICAL SECURITY EQUIPMENT	7,000	7,000
	TOTAL PROCUREMENT, MARINE CORPS	48,934	48,934
	AIRCRAFT PROCUREMENT, AIR FORCE		
	OTHER AIRCRAFT		
015	MQ-9	13,500	13,500
	OTHER AIRCRAFT		
044	C-130	1,410	1,410
056	H-60	39,300	39,300
058	HC/MC-130 MODIFICATIONS	5,690	5,690
061	MQ-9 MODS	69,000	69,000
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	128,900	128,900
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
006	PREDATOR HELLFIRE MISSILE	280,902	280,902
007	SMALL DIAMETER BOMB	2,520	2,520
	CLASS IV		
010	AGM-65D MAVERICK	5,720	5,720
	TOTAL MISSILE PROCUREMENT, AIR FORCE	289,142	289,142
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	CARTRIDGES		
002	CARTRIDGES	8,371	8,371
	BOMBS		
004	GENERAL PURPOSE BOMBS	17,031	17,031
006	JOINT DIRECT ATTACK MUNITION	184,412	184,412
	FLARES		
012	FLARES	11,064	11,064
	FUZES		
013	FUZES	7,996	7,996
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	228,874	228,874
	OTHER PROCUREMENT, AIR FORCE		
	SPCL COMM-ELECTRONICS PROJECTS		
025	GENERAL INFORMATION TECHNOLOGY	3,953	3,953
027	MOBILITY COMMAND AND CONTROL	2,000	2,000
	AIR FORCE COMMUNICATIONS		
042	USCENTCOM	10,000	10,000
	ORGANIZATION AND BASE		
052	TACTICAL C-E EQUIPMENT	4,065	4,065
056	BASE COMM INFRASTRUCTURE	15,400	15,400
	PERSONAL SAFETY & RESCUE EQUIP		
058	NIGHT VISION GOGGLES	3,580	3,580
059	ITEMS LESS THAN \$5 MILLION	3,407	3,407
	BASE SUPPORT EQUIPMENT		
062	ENGINEERING AND EOD EQUIPMENT	46,790	46,790
064	MOBILITY EQUIPMENT	400	400
065	ITEMS LESS THAN \$5 MILLION	9,800	9,800
	SPECIAL SUPPORT PROJECTS		
071	DEFENSE SPACE RECONNAISSANCE PROG.	28,070	28,070
	CLASSIFIED PROGRAMS		
071A	CLASSIFIED PROGRAMS	3,732,499	3,732,499
	TOTAL OTHER PROCUREMENT, AIR FORCE	3,859,964	3,859,964
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
008	TELEPORT PROGRAM	1,940	1,940
	CLASSIFIED PROGRAMS		
040A	CLASSIFIED PROGRAMS	35,482	35,482
	AVIATION PROGRAMS		

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
041	MC-12	5,000	5,000
	AMMUNITION PROGRAMS		
056	ORDNANCE ITEMS <\$5M	35,299	35,299
	OTHER PROCUREMENT PROGRAMS		
061	SPECIAL PROGRAMS	15,160	15,160
063	WARRIOR SYSTEMS <\$5M	15,000	15,000
068	OPERATIONAL ENHANCEMENTS	104,537	104,537
	TOTAL PROCUREMENT, DEFENSE-WIDE	212,418	212,418
	NATIONAL GUARD AND RESERVE EQUIPMENT		
	UNDISTRIBUTED		
007	MISCELLANEOUS EQUIPMENT		250,000
	NGREA Program Increase		[250,000]
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT		250,000
	TOTAL PROCUREMENT	7,257,270	7,442,270

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	Agreement Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	13,018	13,018
002	0601102A	DEFENSE RESEARCH SCIENCES	239,118	259,118
		Basic research program increase		[20,000]
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	72,603	72,603
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	100,340	100,340
		SUBTOTAL BASIC RESEARCH	425,079	445,079
		APPLIED RESEARCH		
005	0602105A	MATERIALS TECHNOLOGY	28,314	28,314
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	38,374	38,374
007	0602122A	TRACTOR HIP	6,879	6,879
008	0602211A	AVIATION TECHNOLOGY	56,884	56,884
009	0602270A	ELECTRONIC WARFARE TECHNOLOGY	19,243	19,243
010	0602303A	MISSILE TECHNOLOGY	45,053	53,053
		A2/AD Anti-Ship Missile Study		[8,000]
011	0602307A	ADVANCED WEAPONS TECHNOLOGY	29,428	29,428
012	0602308A	ADVANCED CONCEPTS AND SIMULATION	27,862	27,862
013	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	68,839	68,839
014	0602618A	BALLISTICS TECHNOLOGY	92,801	92,801
015	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	3,866	3,866
016	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	5,487	5,487
017	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	48,340	48,340
018	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	55,301	55,301
019	0602709A	NIGHT VISION TECHNOLOGY	33,807	33,807
020	0602712A	COUNTERMINE SYSTEMS	25,068	25,068
021	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	23,681	23,681
022	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	20,850	20,850
023	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	36,160	36,160
024	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	12,656	12,656
025	0602784A	MILITARY ENGINEERING TECHNOLOGY	63,409	63,409
026	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	24,735	24,735
027	0602786A	WARFIGHTER TECHNOLOGY	35,795	35,795
028	0602787A	MEDICAL TECHNOLOGY	76,853	76,853
		SUBTOTAL APPLIED RESEARCH	879,685	887,685
		ADVANCED TECHNOLOGY DEVELOPMENT		
029	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	46,973	46,973
030	0603002A	MEDICAL ADVANCED TECHNOLOGY	69,584	69,584
031	0603003A	AVIATION ADVANCED TECHNOLOGY	89,736	89,736
032	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	57,663	57,663
033	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	113,071	113,071
034	0603006A	SPACE APPLICATION ADVANCED TECHNOLOGY	5,554	5,554
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	12,636	12,636
037	0603009A	TRACTOR HIKE	7,502	7,502
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	17,425	17,425
039	0603020A	TRACTOR ROSE	11,912	11,912
040	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT	27,520	27,520
041	0603130A	TRACTOR NAIL	2,381	2,381

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	Agreement Authorized
042	0603131A	TRACTOR EGGS	2,431	2,431
043	0603270A	ELECTRONIC WARFARE TECHNOLOGY	26,874	26,874
044	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	49,449	49,449
045	0603322A	TRACTOR CAGE	10,999	10,999
046	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	177,159	177,159
047	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	13,993	13,993
048	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	5,105	5,105
049	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	40,929	40,929
050	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	10,727	10,727
051	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	20,145	20,145
052	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	38,163	38,163
053	0603794A	C3 ADVANCED TECHNOLOGY	37,816	37,816
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	895,747	895,747
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
054	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	10,347	10,347
055	0603308A	ARMY SPACE SYSTEMS INTEGRATION	25,061	25,061
056	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	49,636	49,636
057	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	13,426	13,426
058	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	46,749	46,749
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	6,258	6,258
061	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	13,472	13,472
062	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	7,292	7,292
063	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	8,813	8,813
065	0603790A	NATO RESEARCH AND DEVELOPMENT	6,075	6,075
067	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	21,233	21,233
068	0603807A	MEDICAL SYSTEMS—ADV DEV	31,962	31,962
069	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	22,194	22,194
071	0604100A	ANALYSIS OF ALTERNATIVES	9,805	9,805
072	0604115A	TECHNOLOGY MATURATION INITIATIVES	40,917	40,917
073	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	30,058	30,058
074	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2—INTERCEPT (IFPC2)	155,361	155,361
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	498,659	498,659
		SYSTEM DEVELOPMENT & DEMONSTRATION		
076	0604201A	AIRCRAFT AVIONICS	12,939	12,939
078	0604270A	ELECTRONIC WARFARE DEVELOPMENT	18,843	18,843
079	0604280A	JOINT TACTICAL RADIO	9,861	9,861
080	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	8,763	8,763
081	0604321A	ALL SOURCE ANALYSIS SYSTEM	4,309	4,309
082	0604328A	TRACTOR CAGE	15,138	15,138
083	0604601A	INFANTRY SUPPORT WEAPONS	74,128	80,628
		Army requested realignment		[1,500]
		Soldier Enhancement Program		[5,000]
085	0604611A	JAVELIN	3,945	3,945
087	0604633A	AIR TRAFFIC CONTROL	10,076	10,076
088	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)	40,374	40,374
089	0604710A	NIGHT VISION SYSTEMS—ENG DEV	67,582	67,582
090	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	1,763	1,763
091	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	27,155	27,155
092	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	24,569	24,569
093	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	23,364	23,364
094	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	8,960	8,960
095	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	9,138	9,138
096	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	21,622	21,622
097	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	99,242	99,242
098	0604802A	WEAPONS AND MUNITIONS—ENG DEV	21,379	21,379
099	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	48,339	48,339
100	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	2,726	2,726
101	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	45,412	45,412
102	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	55,215	55,215
104	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	163,643	163,643
105	0604820A	RADAR DEVELOPMENT	12,309	12,309
106	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBs)	15,700	15,700
107	0604823A	FIREFINDER	6,243	6,243
108	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	18,776	18,776
109	0604854A	ARTILLERY SYSTEMS—EMD	1,953	1,953
110	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	67,358	67,358
111	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	136,011	121,011
		Restructure program		[-15,000]
112	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	230,210	230,210
113	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	13,357	13,357
114	0605031A	JOINT TACTICAL NETWORK (JTN)	18,055	18,055
115	0605032A	TRACTOR TIRE	5,677	5,677
116	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	77,570	101,570
		Apache Survivability Enhancements—Army Unfunded Requirement		[24,000]
117	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	18,112	78,112
		Apache Survivability Enhancements—Army Unfunded Requirement		[60,000]
118	0605350A	WIN-T INCREMENT 3—FULL NETWORKING	39,700	39,700

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119	0605380A	AMF JOINT TACTICAL RADIO SYSTEM (JTRS)	12,987	12,987
120	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	88,866	74,966
		EMD contract delays		[-13,900]
121	0605456A	PAC-3/MSE MISSILE	2,272	2,272
122	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	214,099	214,099
123	0605625A	MANNED GROUND VEHICLE	49,247	39,247
		Funding ahead of need		[-10,000]
124	0605626A	AERIAL COMMON SENSOR	2	2
125	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	10,599	10,599
126	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	32,486	32,486
127	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	8,880	8,880
128	0210609A	PALADIN INTEGRATED MANAGEMENT (PIM)	152,288	152,288
129	0303032A	TROJAN—RH12	5,022	5,022
130	0304270A	ELECTRONIC WARFARE DEVELOPMENT	12,686	12,686
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	2,068,950	2,120,550
		RDT&E MANAGEMENT SUPPORT		
131	0604256A	THREAT SIMULATOR DEVELOPMENT	20,035	20,035
132	0604258A	TARGET SYSTEMS DEVELOPMENT	16,684	16,684
133	0604759A	MAJOR T&E INVESTMENT	62,580	62,580
134	0605103A	RAND ARROYO CENTER	20,853	20,853
135	0605301A	ARMY KWAJALEIN ATOLL	205,145	205,145
136	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	19,430	19,430
138	0605601A	ARMY TEST RANGES AND FACILITIES	277,646	277,646
139	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	51,550	51,550
140	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	33,246	33,246
141	0605606A	AIRCRAFT CERTIFICATION	4,760	4,760
142	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	8,303	8,303
143	0605706A	MATERIEL SYSTEMS ANALYSIS	20,403	20,403
144	0605709A	EXPLOITATION OF FOREIGN ITEMS	10,396	10,396
145	0605712A	SUPPORT OF OPERATIONAL TESTING	49,337	49,337
146	0605716A	ARMY EVALUATION CENTER	52,694	52,694
147	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	938	938
148	0605801A	PROGRAMWIDE ACTIVITIES	60,319	60,319
149	0605803A	TECHNICAL INFORMATION ACTIVITIES	28,478	28,478
150	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	32,604	24,604
		Program reduction		[-8,000]
151	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	3,186	3,186
152	0605898A	MANAGEMENT HQ—R&D	48,955	48,955
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	1,027,542	1,019,542
		OPERATIONAL SYSTEMS DEVELOPMENT		
154	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	18,397	18,397
155	0603813A	TRACTOR PULL	9,461	9,461
156	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS	4,945	4,945
157	0607133A	TRACTOR SMOKE	7,569	7,569
158	0607135A	APACHE PRODUCT IMPROVEMENT PROGRAM	69,862	69,862
159	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	66,653	66,653
160	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	37,407	37,407
161	0607138A	FIXED WING PRODUCT IMPROVEMENT PROGRAM	1,151	1,151
162	0607139A	IMPROVED TURBINE ENGINE PROGRAM	51,164	51,164
163	0607140A	EMERGING TECHNOLOGIES FROM NIE	2,481	2,481
164	0607141A	LOGISTICS AUTOMATION	1,673	1,673
166	0607665A	FAMILY OF BIOMETRICS	13,237	13,237
167	0607865A	PATRIOT PRODUCT IMPROVEMENT	105,816	105,816
169	0202429A	AEROSTAT JOINT PROJECT—COCOM EXERCISE	40,565	40,565
171	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCS)	35,719	35,719
172	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	257,167	354,167
		Stryker Lethality Upgrades		[97,000]
173	0203740A	MANEUVER CONTROL SYSTEM	15,445	15,445
175	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	364	364
176	0203758A	DIGITIZATION	4,361	4,361
177	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	3,154	3,154
178	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	35,951	35,951
179	0203808A	TRACTOR CARD	34,686	34,686
180	0205402A	INTEGRATED BASE DEFENSE—OPERATIONAL SYSTEM DEV	10,750	10,750
181	0205410A	MATERIALS HANDLING EQUIPMENT	402	402
183	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM	64,159	64,159
184	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	17,527	17,527
185	0208053A	JOINT TACTICAL GROUND SYSTEM	20,515	20,515
187	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	12,368	12,368
188	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	31,154	31,154
189	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	12,274	12,274
190	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	9,355	9,355
191	0303150A	WMMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	7,053	7,053
193	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	750	750
194	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	13,225	13,225
195	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	22,870	22,870

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196	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	25,592	25,592
199	0305233A	RQ-7 UAV	7,297	7,297
201	0310349A	WIN-T INCREMENT 2—INITIAL NETWORKING	3,800	3,800
202	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	48,442	48,442
202A	9999999999	CLASSIFIED PROGRAMS	4,536	4,536
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	1,129,297	1,226,297
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	6,924,959	7,093,559
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	116,196	125,196
		Defense University Research Instrumentation Program increase		[9,000]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,126	19,126
003	0601153N	DEFENSE RESEARCH SCIENCES	451,606	479,106
		Basic research program increase		[27,500]
		SUBTOTAL BASIC RESEARCH	586,928	623,428
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	68,723	68,723
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	154,963	154,963
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	49,001	49,001
007	0602235N	COMMON PICTURE APPLIED RESEARCH	42,551	42,551
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	45,056	45,056
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	115,051	115,051
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	42,252	62,252
		Service Life Extension for the AGOR Ship		[20,000]
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,119	6,119
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	123,750	142,350
		Accelerate undersea warfare research		[18,600]
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	179,686	179,686
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	37,418	37,418
		SUBTOTAL APPLIED RESEARCH	864,570	903,170
		ADVANCED TECHNOLOGY DEVELOPMENT		
015	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	37,093	37,093
016	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	38,044	38,044
017	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	34,899	34,899
018	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	137,562	137,562
019	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	12,745	12,745
020	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	258,860	258,860
021	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	57,074	57,074
022	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,807	4,807
023	0603747N	UNDERSEA WARFARE ADVANCED TECHNOLOGY	13,748	13,748
024	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	66,041	66,041
025	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	1,991	1,991
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	662,864	662,864
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
026	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	41,832	41,832
027	0603216N	AVIATION SURVIVABILITY	5,404	5,404
028	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,086	3,086
029	0603251N	AIRCRAFT SYSTEMS	11,643	11,643
030	0603254N	ASW SYSTEMS DEVELOPMENT	5,555	5,555
031	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,087	3,087
032	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,636	1,636
033	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	118,588	113,588
		LDUUV development growth		[-5,000]
034	0603506N	SURFACE SHIP TORPEDO DEFENSE	77,385	77,385
035	0603512N	CARRIER SYSTEMS DEVELOPMENT	8,348	8,348
036	0603525N	PILOT FISH	123,246	123,246
037	0603527N	RETRACT LARCH	28,819	28,819
038	0603536N	RETRACT JUNIPER	112,678	112,678
039	0603542N	RADIOLOGICAL CONTROL	710	710
040	0603553N	SURFACE ASW	1,096	1,096
041	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	87,160	93,360
		Accelerate unmanned underwater vehicle development		[10,000]
		Universal launch and recovery module unfunded outyear tail		[-3,800]
042	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	10,371	10,371
043	0603563N	SHIP CONCEPT ADVANCED DESIGN	11,888	11,888
044	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	4,332	4,332
045	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	482,040	482,040
046	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	25,904	25,904
047	0603576N	CHALK EAGLE	511,802	511,802
048	0603581N	LITTORAL COMBAT SHIP (LCS)	118,416	118,416
049	0603582N	COMBAT SYSTEM INTEGRATION	35,901	35,901
050	0603595N	OHIO REPLACEMENT	971,393	971,393
051	0603596N	LCS MISSION MODULES	206,149	206,149
052	0603597N	AUTOMATED TEST AND RE-TEST (ATRT)	8,000	8,000

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053	0603609N	CONVENTIONAL MUNITIONS	7,678	7,678
054	0603611M	MARINE CORPS ASSAULT VEHICLES	219,082	219,082
055	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	623	623
056	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	18,260	18,260
057	0603658N	COOPERATIVE ENGAGEMENT	76,247	76,247
058	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	4,520	4,520
059	0603721N	ENVIRONMENTAL PROTECTION	20,711	20,711
060	0603724N	NAVY ENERGY PROGRAM	47,761	47,761
061	0603725N	FACILITIES IMPROVEMENT	5,226	5,226
062	0603734N	CHALK CORAL	182,771	182,771
063	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,866	3,866
064	0603746N	RETRACT MAPLE	360,065	360,065
065	0603748N	LINK PLUMERIA	237,416	237,416
066	0603751N	RETRACT ELM	37,944	37,944
067	0603764N	LINK EVERGREEN	47,312	47,312
068	0603787N	SPECIAL PROCESSES	17,408	17,408
069	0603790N	NATO RESEARCH AND DEVELOPMENT	9,359	9,359
070	0603795N	LAND ATTACK TECHNOLOGY	887	887
071	0603851M	JOINT NON-LETHAL WEAPONS TESTING	29,448	29,448
072	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	91,479	91,479
073	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	67,360	67,360
074	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80)	48,105	127,205
		Full ship shock trials for CVN-78		[79,100]
075	0604122N	REMOTE MINEHUNTING SYSTEM (RMS)	20,089	20,089
076	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIROM)	18,969	18,969
077	0604279N	ASE SELF-PROTECTION OPTIMIZATION	7,874	7,874
078	0604292N	MH-XX	5,298	5,298
079	0604454N	LX (R)	46,486	75,486
		LX(R) Acceleration		[29,000]
080	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW)	3,817	3,817
081	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	9,595	9,595
082	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	29,581	25,246
		Maritime concept generation and development growth		[-4,335]
083	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	285,849	285,849
084	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	36,656	36,656
085	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	9,835	9,835
086	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	580	580
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	5,024,626	5,129,591
		SYSTEM DEVELOPMENT & DEMONSTRATION		
087	0603208N	TRAINING SYSTEM AIRCRAFT	21,708	21,708
088	0604212N	OTHER HELO DEVELOPMENT	11,101	11,101
089	0604214N	AV-8B AIRCRAFT—ENG DEV	39,878	39,878
090	0604215N	STANDARDS DEVELOPMENT	53,059	53,059
091	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	21,358	21,358
092	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	4,515	4,515
093	0604221N	P-3 MODERNIZATION PROGRAM	1,514	1,514
094	0604230N	WARFARE SUPPORT SYSTEM	5,875	5,875
095	0604231N	TACTICAL COMMAND SYSTEM	81,553	81,553
096	0604234N	ADVANCED HAWKEYE	272,149	264,149
		Cost growth		[-8,000]
097	0604245N	H-1 UPGRADES	27,235	27,235
098	0604261N	ACOUSTIC SEARCH SENSORS	35,763	35,763
099	0604262N	V-22A	87,918	87,918
100	0604264N	AIR CREW SYSTEMS DEVELOPMENT	12,679	12,679
101	0604269N	EA-18	56,921	56,921
102	0604270N	ELECTRONIC WARFARE DEVELOPMENT	23,685	23,685
103	0604273N	EXECUTIVE HELO DEVELOPMENT	507,093	507,093
104	0604274N	NEXT GENERATION JAMMER (NGJ)	411,767	403,767
		Contract delays		[-8,000]
105	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	25,071	25,071
106	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	443,433	421,133
		Aegis development support growth		[-22,300]
107	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	747	747
108	0604329N	SMALL DIAMETER BOMB (SDB)	97,002	84,644
		F-18 integration contract delay		[-12,358]
109	0604366N	STANDARD MISSILE IMPROVEMENTS	129,649	129,649
110	0604373N	AIRBORNE MCM	11,647	11,647
111	0604376M	MARINE AIR GROUND TASK FORCE (MAGTF) ELECTRONIC WARFARE (EW) FOR AVIATION.	2,778	2,778
112	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	23,695	23,695
113	0604404N	UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYSTEM.	134,708	484,708
		Competitive air vehicle risk reduction activities		[300,000]
		Government and industry source selection preparation		[50,000]
114	0604501N	ADVANCED ABOVE WATER SENSORS	43,914	43,914
115	0604503N	SSN-688 AND TRIDENT MODERNIZATION	109,908	109,908
116	0604504N	AIR CONTROL	57,928	57,928

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117	0604512N	SHIPBOARD AVIATION SYSTEMS	120,217	120,217
118	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	241,754	241,754
119	0604558N	NEW DESIGN SSN	122,556	122,556
120	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	48,213	60,213
		Accelerate submarine combat and weapon system modernization		[12,000]
121	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	49,712	49,712
122	0604574N	NAVY TACTICAL COMPUTER RESOURCES	4,096	4,096
123	0604580N	VIRGINIA PAYLOAD MODULE (VPM)	167,719	167,719
124	0604601N	MINE DEVELOPMENT	15,122	15,122
125	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	33,738	33,738
126	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,123	8,123
127	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	7,686	7,686
128	0604727N	JOINT STANDOFF WEAPON SYSTEMS	405	405
129	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	153,836	153,836
130	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	99,619	99,619
131	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	116,798	116,798
132	0604761N	INTELLIGENCE ENGINEERING	4,353	4,353
133	0604771N	MEDICAL DEVELOPMENT	9,443	9,443
134	0604777N	NAVIGATION/ID SYSTEM	32,469	32,469
135	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	537,901	537,901
136	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	504,736	504,736
137	0604810M	JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—MARINE CORPS	59,265	20,800
		Program delay		[-38,465]
138	0604810N	JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—NAVY	47,579	21,244
		Program delay		[-26,335]
139	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	5,914	5,914
140	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	89,711	89,711
141	0605212N	CH-53K RDTE	632,092	632,092
142	0605220N	SHIP TO SHORE CONNECTOR (SSC)	7,778	7,778
143	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	25,898	25,898
144	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	247,929	247,929
145	0204202N	DDG-1000	103,199	103,199
146	0304231N	TACTICAL COMMAND SYSTEM—MIP	998	998
147	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	17,785	17,785
148	0305124N	SPECIAL APPLICATIONS PROGRAM	35,905	35,905
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	6,308,800	6,555,342
		MANAGEMENT SUPPORT		
149	0604256N	THREAT SIMULATOR DEVELOPMENT	30,769	30,769
150	0604258N	TARGET SYSTEMS DEVELOPMENT	112,606	112,606
151	0604759N	MAJOR T&E INVESTMENT	61,234	61,234
152	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	6,995	6,995
153	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	4,011	4,011
154	0605154N	CENTER FOR NAVAL ANALYSES	48,563	48,563
155	0605285N	NEXT GENERATION FIGHTER	5,000	5,000
157	0605804N	TECHNICAL INFORMATION SERVICES	925	925
158	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	78,143	78,143
159	0605856N	STRATEGIC TECHNICAL SUPPORT	3,258	3,258
160	0605861N	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	76,948	76,948
161	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	132,122	132,122
162	0605864N	TEST AND EVALUATION SUPPORT	351,912	351,912
163	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	17,985	17,985
164	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	5,316	5,316
165	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	6,519	6,519
166	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	13,649	13,649
		SUBTOTAL MANAGEMENT SUPPORT	955,955	955,955
		OPERATIONAL SYSTEMS DEVELOPMENT		
174	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	107,039	107,039
175	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	46,506	46,506
176	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	3,900	4,700
		Accelerate combat rapid attack weapon		[800]
177	0101402N	NAVY STRATEGIC COMMUNICATIONS	16,569	16,569
178	0203761N	RAPID TECHNOLOGY TRANSITION (RTT)	18,632	11,132
		TIPS program growth		[-7,500]
179	0204136N	F/A-18 SQUADRONS	133,265	133,265
181	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	62,867	51,067
		Joint aerial layer network growth		[-11,800]
182	0204228N	SURFACE SUPPORT	36,045	36,045
183	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	25,228	25,228
184	0204311N	INTEGRATED SURVEILLANCE SYSTEM	54,218	54,218
185	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	11,335	11,335
186	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	80,129	65,629
		Block II test assets early to need		[-14,500]
187	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	39,087	39,087
188	0204574N	CRYPTOLOGIC DIRECT SUPPORT	1,915	1,915
189	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	46,609	46,609
190	0205601N	HARM IMPROVEMENT	52,708	16,164
		AARGM extended range program growth		[-36,544]

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191	0205604N	TACTICAL DATA LINKS	149,997	149,997
192	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	24,460	24,460
193	0205632N	MK-48 ADCAP	42,206	47,706
		Accelerate torpedo upgrades		[5,500]
194	0205633N	AVIATION IMPROVEMENTS	117,759	117,759
195	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	101,323	101,323
196	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	67,763	67,763
197	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S)	13,431	13,431
198	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	56,769	48,669
		Project delays		[-8,100]
199	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	20,729	20,729
200	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	13,152	13,152
201	0206629M	AMPHIBIOUS ASSAULT VEHICLE	48,535	48,535
202	0207161N	TACTICAL AIM MISSILES	76,016	76,016
203	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	32,172	32,172
208	0303109N	SATELLITE COMMUNICATIONS (SPACE)	53,239	53,239
209	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)	21,677	21,677
210	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	28,102	28,102
211	0303150M	WWWCCS/GLOBAL COMMAND AND CONTROL SYSTEM	294	294
213	0305160N	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	599	599
214	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	6,207	6,207
215	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	8,550	8,550
216	0305205N	UAS INTEGRATION AND INTEROPERABILITY	41,831	41,831
217	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	1,105	1,105
218	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	33,149	33,149
219	0305220N	RQ-4 UAV	227,188	227,188
220	0305231N	MQ-8 UAV	52,770	52,770
221	0305232M	RQ-11 UAV	635	635
222	0305233N	RQ-7 UAV	688	688
223	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	4,647	4,647
224	0305239M	RQ-21A	6,435	6,435
225	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	49,145	49,145
226	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	9,246	9,246
227	0305421N	RQ-4 MODERNIZATION	150,854	150,854
228	0308601N	MODELING AND SIMULATION SUPPORT	4,757	4,757
229	0702207N	DEPOT MAINTENANCE (NON-IF)	24,185	24,185
231	0708730N	MARITIME TECHNOLOGY (MARITECH)	4,321	4,321
231A	9999999999	CLASSIFIED PROGRAMS	1,252,185	1,252,185
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	3,482,173	3,410,029
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	17,885,916	18,240,379
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	329,721	352,221
		Basic research program increase		[22,500]
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	141,754	141,754
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	13,778	13,778
		SUBTOTAL BASIC RESEARCH	485,253	507,753
		APPLIED RESEARCH		
004	0602102F	MATERIALS	125,234	125,234
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	123,438	123,438
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	100,530	100,530
007	0602203F	AEROSPACE PROPULSION	182,326	182,326
008	0602204F	AEROSPACE SENSORS	147,291	147,291
009	0602601F	SPACE TECHNOLOGY	116,122	116,122
010	0602602F	CONVENTIONAL MUNITIONS	99,851	99,851
011	0602605F	DIRECTED ENERGY TECHNOLOGY	115,604	115,604
012	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	164,909	164,909
013	0602890F	HIGH ENERGY LASER RESEARCH	42,037	42,037
		SUBTOTAL APPLIED RESEARCH	1,217,342	1,217,342
		ADVANCED TECHNOLOGY DEVELOPMENT		
014	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	37,665	47,665
		Metals Affordability Initiative		[10,000]
015	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	18,378	18,378
016	0603203F	ADVANCED AEROSPACE SENSORS	42,183	42,183
017	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	100,733	100,733
018	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	168,821	168,821
019	0603270F	ELECTRONIC COMBAT TECHNOLOGY	47,032	47,032
020	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	54,897	54,897
021	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	12,853	12,853
022	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	25,448	25,448
023	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	48,536	48,536
024	0603605F	ADVANCED WEAPONS TECHNOLOGY	30,195	30,195
025	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	42,630	52,630
		Maturation of advanced manufacturing for low-cost sustainment		[10,000]
026	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	46,414	46,414

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SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT			675,785	695,785
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
027	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	5,032	5,032
029	0603438F	SPACE CONTROL TECHNOLOGY	4,070	4,070
030	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	21,790	21,790
031	0603790F	NATO RESEARCH AND DEVELOPMENT	4,736	4,736
033	0603830F	SPACE SECURITY AND DEFENSE PROGRAM	30,771	30,771
034	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	39,765	39,765
036	0604015F	LONG RANGE STRIKE	1,246,228	556,228
		Delayed EMD contract award		[-690,000]
037	0604317F	TECHNOLOGY TRANSFER	3,512	8,512
		Technology transfer program increase		[5,000]
038	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	54,637	54,637
040	0604422F	WEATHER SYSTEM FOLLOW-ON	76,108	51,108
		Unjustified increase and analysis of alternatives		[-25,000]
044	0604857F	OPERATIONALLY RESPONSIVE SPACE	6,457	19,957
		SSA, Weather, or Launch Activities		[13,500]
045	0604858F	TECH TRANSITION PROGRAM	246,514	246,514
046	0605230F	GROUND BASED STRATEGIC DETERRENT	75,166	75,166
049	0207110F	NEXT GENERATION AIR DOMINANCE	8,830	8,830
050	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	14,939	14,939
051	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	142,288	142,288
052	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	81,732	96,732
		Increase USCC Cyber Operations Technology Development		[15,000]
SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES			2,062,575	1,381,075
SYSTEM DEVELOPMENT & DEMONSTRATION				
055	0604270F	ELECTRONIC WARFARE DEVELOPMENT	929	929
056	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	60,256	60,256
057	0604287F	PHYSICAL SECURITY EQUIPMENT	5,973	5,973
058	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	32,624	32,624
059	0604421F	COUNTERSPACE SYSTEMS	24,208	24,208
060	0604425F	SPACE SITUATION AWARENESS SYSTEMS	32,374	32,374
061	0604426F	SPACE FENCE	243,909	243,909
062	0604429F	AIRBORNE ELECTRONIC ATTACK	8,358	8,358
063	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	292,235	292,235
064	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	40,154	40,154
065	0604604F	SUBMUNITIONS	2,506	2,506
066	0604617F	AGILE COMBAT SUPPORT	57,678	57,678
067	0604706F	LIFE SUPPORT SYSTEMS	8,187	8,187
068	0604735F	COMBAT TRAINING RANGES	15,795	15,795
069	0604800F	F-35—EMD	589,441	589,441
071	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD	84,438	184,438
		EELV Program—Rocket Propulsion System Development		[100,000]
072	0604932F	LONG RANGE STANDOFF WEAPON	36,643	16,143
		Contract delay		[-20,500]
073	0604933F	ICBM FUZE MODERNIZATION	142,551	142,551
074	0605213F	F-22 MODERNIZATION INCREMENT 3.2B	140,640	140,640
075	0605214F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	3,598	3,598
076	0605221F	KC-46	602,364	402,364
		Program decrease		[-200,000]
077	0605223F	ADVANCED PILOT TRAINING	11,395	11,395
078	0605229F	CSAR HH-60 RECAPITALIZATION	156,085	156,085
080	0605431F	ADVANCED EHF MILSATCOM (SPACE)	228,230	228,230
081	0605432F	POLAR MILSATCOM (SPACE)	72,084	72,084
082	0605433F	WIDEBAND GLOBAL SATCOM (SPACE)	56,343	52,343
		Excess to need		[-4,000]
083	0605458F	AIR & SPACE OPS CENTER 10.2 RDT&E	47,629	47,629
084	0605931F	B-2 DEFENSIVE MANAGEMENT SYSTEM	271,961	271,961
085	0101125F	NUCLEAR WEAPONS MODERNIZATION	212,121	212,121
086	0207171F	F-15 EPAWSS	186,481	186,481
087	0207701F	FULL COMBAT MISSION TRAINING	18,082	18,082
088	0305176F	COMBAT SURVIVOR EVADER LOCATOR	993	993
089	0307581F	NEXTGEN JSTARS	44,343	44,343
091	0401319F	PRESIDENTIAL AIRCRAFT REPLACEMENT (PAR)	102,620	102,620
092	0701212F	AUTOMATED TEST SYSTEMS	14,563	14,563
SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION			3,847,791	3,723,291
MANAGEMENT SUPPORT				
093	0604256F	THREAT SIMULATOR DEVELOPMENT	23,844	23,844
094	0604759F	MAJOR T&E INVESTMENT	68,302	73,302
		Airborne Sensor Data Correlation Project		[5,000]
095	0605101F	RAND PROJECT AIR FORCE	34,918	34,918
097	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	10,476	10,476
098	0605807F	TEST AND EVALUATION SUPPORT	673,908	673,908
099	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	21,858	21,858
100	0605864F	SPACE TEST PROGRAM (STP)	28,228	28,228
101	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT ...	40,518	40,518

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102	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	27,895	27,895
103	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	16,507	16,507
104	0606116F	SPACE TEST AND TRAINING RANGE DEVELOPMENT	18,997	18,997
106	0606392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE	185,305	176,727
		Excess to need		[-8,578]
107	0308602F	ENTREPRISE INFORMATION SERVICES (EIS)	4,841	4,841
108	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	15,357	15,357
109	0804731F	GENERAL SKILL TRAINING	1,315	1,315
111	1001004F	INTERNATIONAL ACTIVITIES	2,315	2,315
		SUBTOTAL MANAGEMENT SUPPORT	1,174,584	1,171,006
		OPERATIONAL SYSTEMS DEVELOPMENT		
112	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	350,232	350,232
113	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	10,465	10,465
114	0604445F	WIDE AREA SURVEILLANCE	24,577	24,577
117	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	69,694	10,694
		Forward financing, excluding funding for audit readiness		[-59,000]
118	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	26,718	26,718
119	0605278F	HC/MC-130 RECAP RDT&E	10,807	10,807
121	0101113F	B-52 SQUADRONS	74,520	74,520
122	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	451	451
123	0101126F	B-1B SQUADRONS	2,245	2,245
124	0101127F	B-2 SQUADRONS	108,183	108,183
125	0101213F	MINUTEMAN SQUADRONS	178,929	178,929
126	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM	28,481	28,481
127	0101314F	NIGHT FIST—USSTRATCOM	87	87
128	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	5,315	5,315
131	0105921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES	8,090	8,090
132	0205219F	MQ-9 UAV	123,439	123,439
134	0207131F	A-10 SQUADRONS		16,200
		A-10 restoration: operational flight program development		[16,200]
135	0207133F	F-16 SQUADRONS	148,297	198,297
		AESA Radar Integration		[50,000]
136	0207134F	F-15E SQUADRONS	179,283	192,079
		Transfer from procurement		[12,796]
137	0207136F	MANNED DESTRUCTIVE SUPPRESSION	14,860	14,860
138	0207138F	F-22A SQUADRONS	262,552	262,552
139	0207142F	F-35 SQUADRONS	115,395	53,921
		Program delay		[-61,474]
140	0207161F	TACTICAL AIM MISSILES	43,360	43,360
141	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	46,160	46,160
143	0207224F	COMBAT RESCUE AND RECOVERY	412	412
144	0207227F	COMBAT RESCUE—PARARESCUE	657	657
145	0207247F	AF TENCAP	31,428	31,428
146	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	1,105	1,105
147	0207253F	COMPASS CALL	14,249	14,249
148	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	103,942	103,942
149	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	12,793	12,793
150	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	21,193	21,193
151	0207412F	CONTROL AND REPORTING CENTER (CRC)	559	559
152	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	161,812	161,812
153	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	6,001	6,001
155	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	7,793	7,793
156	0207444F	TACTICAL AIR CONTROL PARTY-MOD	12,465	12,465
157	0207448F	C2ISR TACTICAL DATA LINK	1,681	1,681
159	0207452F	DCAPES	16,796	16,796
161	0207590F	SEEK EAGLE	21,564	21,564
162	0207601F	USAF MODELING AND SIMULATION	24,994	24,994
163	0207605F	WARGAMING AND SIMULATION CENTERS	6,035	6,035
164	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,358	4,358
165	0208006F	MISSION PLANNING SYSTEMS	55,835	55,835
167	0208087F	AF OFFENSIVE CYBERSPACE OPERATIONS	12,874	12,874
168	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	7,681	7,681
171	0301017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	5,974	5,974
177	0301400F	SPACE SUPERIORITY INTELLIGENCE	13,815	13,815
178	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	80,360	80,360
179	0303001F	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	3,907	3,907
180	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	75,062	75,062
181	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	46,599	46,599
183	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE	2,470	2,470
186	0304260F	AIRBORNE SIGINT ENTERPRISE	112,775	112,775
189	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,235	4,235
192	0305110F	SATELLITE CONTROL NETWORK (SPACE)	7,879	5,879
		Unjustified increase in systems engineering		[-2,000]
193	0305111F	WEATHER SERVICE	29,955	29,955
194	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	21,485	21,485
195	0305116F	AERIAL TARGETS	2,515	2,515
198	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	472	472
199	0305145F	ARMS CONTROL IMPLEMENTATION	12,137	12,137

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200	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	361	361
203	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER	3,162	3,162
204	0305174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	1,543	1,543
205	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	7,860	7,860
206	0305182F	SPACELIFT RANGE SYSTEM (SPACE)	6,902	6,902
207	0305202F	DRAGON U-2	34,471	34,471
209	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	50,154	60,154
		Wide Area Surveillance Capability		[10,000]
210	0305207F	MANNED RECONNAISSANCE SYSTEMS	13,245	13,245
211	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	22,784	22,784
212	0305219F	MQ-1 PREDATOR A UAV	716	716
213	0305220F	RQ-4 UAV	208,053	203,053
		Program delays		[-5,000]
214	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	21,587	21,587
215	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	43,986	43,986
216	0305238F	NATO AGS	197,486	138,400
		Transfer to Procurement for NATO AWACS		[-59,086]
217	0305240F	SUPPORT TO DCGS ENTERPRISE	28,434	28,434
218	0305265F	GPS III SPACE SEGMENT	180,902	180,902
220	0305614F	JSPOC MISSION SYSTEM	81,911	81,911
221	0305881F	RAPID CYBER ACQUISITION	3,149	3,149
222	0305913F	NUDET DETECTION SYSTEM (SPACE)	14,447	14,447
223	0305940F	SPACE SITUATION AWARENESS OPERATIONS	20,077	20,077
225	0308699F	SHARED EARLY WARNING (SEW)	853	853
226	0401115F	C-130 AIRLIFT SQUADRON	33,962	33,962
227	0401119F	C-5 AIRLIFT SQUADRONS (IF)	42,864	22,864
		Forward financing		[-20,000]
228	0401130F	C-17 AIRCRAFT (IF)	54,807	54,807
229	0401132F	C-130J PROGRAM	31,010	31,010
230	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCIM)	6,802	6,802
231	0401219F	KC-10S	1,799	1,799
232	0401314F	OPERATIONAL SUPPORT AIRLIFT	48,453	48,453
233	0401318F	CV-22	36,576	36,576
235	0408011F	SPECIAL TACTICS / COMBAT CONTROL	7,963	7,963
236	0702207F	DEPOT MAINTENANCE (NON-IF)	1,525	1,525
237	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	112,676	68,400
		Program growth		[-44,276]
238	0708611F	SUPPORT SYSTEMS DEVELOPMENT	12,657	12,657
239	0804743F	OTHER FLIGHT TRAINING	1,836	1,836
240	0808716F	OTHER PERSONNEL ACTIVITIES	121	121
241	0901202F	JOINT PERSONNEL RECOVERY AGENCY	5,911	5,911
242	0901218F	CIVILIAN COMPENSATION PROGRAM	3,604	3,604
243	0901220F	PERSONNEL ADMINISTRATION	4,598	4,598
244	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,103	1,103
246	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	101,840	101,840
246A	999999999	CLASSIFIED PROGRAMS	12,780.142	12,780.142
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	17,010,339	16,848,499
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	26,473,669	25,544,751
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH INITIATIVE	38,436	38,436
002	0601101E	DEFENSE RESEARCH SCIENCES	333,119	333,119
003	0601110D8Z	BASIC RESEARCH INITIATIVES	42,022	42,022
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	56,544	56,544
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	49,453	54,453
		STEM program increase		[5,000]
006	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS	25,834	35,834
		Program increase		[10,000]
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	46,261	46,261
		SUBTOTAL BASIC RESEARCH	591,669	606,669
		APPLIED RESEARCH		
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,352	19,352
009	0602115E	BIOMEDICAL TECHNOLOGY	114,262	114,262
010	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	51,026	51,026
011	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES	48,226	48,226
012	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	356,358	356,358
014	0602383E	BIOLOGICAL WARFARE DEFENSE	29,265	29,265
015	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	208,111	208,111
016	0602668D8Z	CYBER SECURITY RESEARCH	13,727	13,727
018	0602702E	TACTICAL TECHNOLOGY	314,582	309,582
		Multi-azimuth defense fast intercept round engagement system		[-5,000]
019	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	220,115	201,721
		Program decrease		[-18,394]
020	0602716E	ELECTRONICS TECHNOLOGY	174,798	174,798
021	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES	155,415	155,415
022	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH	8,824	8,824

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Line	Program Element	Item	FY 2016 Request	Agreement Authorized
023	1160401BB	SOF TECHNOLOGY DEVELOPMENT	37,517	37,517
		SUBTOTAL APPLIED RESEARCH	1,751,578	1,728,184
		ADVANCED TECHNOLOGY DEVELOPMENT		
024	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	25,915	25,915
026	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	71,171	111,171
		Program increase		[40,000]
027	0603133D8Z	FOREIGN COMPARATIVE TESTING	21,782	21,782
028	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT ...	290,654	290,654
030	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	12,139	12,139
031	0603177C	DISCRIMINATION SENSOR TECHNOLOGY	28,200	28,200
032	0603178C	WEAPONS TECHNOLOGY	45,389	7,367
		High Power Directed Energy—Missile Destruct		[-26,055]
		Move to support Multiple Object Kill Vehicle		[-11,967]
033	0603179C	ADVANCED C4ISR	9,876	9,876
034	0603180C	ADVANCED RESEARCH	17,364	17,364
035	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	18,802	18,802
036	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY	2,679	2,679
037	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY	64,708	51,458
		Unjustified growth		[-13,250]
038	0603286E	ADVANCED AEROSPACE SYSTEMS	185,043	185,043
039	0603287E	SPACE PROGRAMS AND TECHNOLOGY	126,692	126,692
040	0603288D8Z	ANALYTIC ASSESSMENTS	14,645	14,645
041	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	59,830	49,830
		Program decrease		[-10,000]
042	0603294C	COMMON KILL VEHICLE TECHNOLOGY	46,753	7,195
		MOKV Concept Development		[-39,558]
043	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	140,094	140,094
044	0603527D8Z	RETRACT LARCH	118,666	108,666
		Program decrease		[-10,000]
045	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	43,966	23,966
		Program decrease		[-20,000]
046	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	141,540	116,540
		Program decrease		[-25,000]
047	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	6,980	6,980
050	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	157,056	142,056
		Unjustified growth		[-15,000]
051	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	33,515	41,015
		Efforts to counter-ISIL and Russian aggression		[7,500]
052	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	16,543	16,543
053	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	29,888	29,888
054	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	65,836	65,836
055	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	79,037	89,037
		Trusted Source Implementation for Field Programmable Gate Arrays Study		[10,000]
056	0603727D8Z	JOINT WARFIGHTING PROGRAM	9,626	5,000
		Program decrease		[-4,626]
057	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	79,021	79,021
058	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	201,335	201,335
059	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	452,861	432,861
		Excessive program growth		[-20,000]
060	0603767E	SENSOR TECHNOLOGY	257,127	257,127
061	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	10,771	10,771
062	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	15,202	15,202
063	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	90,500	65,500
		Unjustified growth		[-25,000]
066	0603833D8Z	ENGINEERING SCIENCE & TECHNOLOGY	18,377	18,377
067	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	82,589	82,589
068	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	37,420	37,420
069	0303310D8Z	CWMD SYSTEMS	42,488	42,488
070	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	57,741	57,741
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	3,229,821	3,066,865
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
071	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	31,710	31,710
073	0603600D8Z	WALKOFF	90,567	90,567
074	0603714D8Z	ADVANCED SENSORS APPLICATION PROGRAM	15,900	15,900
075	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	52,758	52,758
076	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	228,021	228,021
077	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	1,284,891	1,284,891
077A	0603XXXX	MULTIPLE-OBJECT KILL VEHICLE		81,525
		Divert attitude control systems technology to support Multi-Object Kill Vehicle		[10,000]
		Establish MOKV Program of Record		[71,525]
078	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	172,754	172,754
079	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	233,588	233,588
080	0603890C	BMD ENABLING PROGRAMS	409,088	409,088
080A	0603XXXX	WEAPONS TECHNOLOGY—HIGH POWER DE		26,055
		High Power Directed Energy—Missile Destruct		[26,055]
081	0603891C	SPECIAL PROGRAMS—MDA	400,387	400,387
082	0603892C	AEGIS BMD	843,355	843,355

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
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Line	Program Element	Item	FY 2016 Request	Agreement Authorized
083	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	31,632	31,632
084	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	23,289	23,289
085	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	450,085	437,785
		Future Spirals concurrency with multiple ongoing efforts and excess growth		[-12,300]
086	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	49,570	49,570
087	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	49,211	49,211
088	0603906C	REGARDING TRENCH	9,583	9,583
089	0603907C	SEA BASED X-BAND RADAR (SBX)	72,866	72,866
090	0603913C	ISRAELI COOPERATIVE PROGRAMS	102,795	267,595
		Arrow 3		[19,500]
		Arrow System Improvement Program		[45,500]
		David's Sling		[99,800]
091	0603914C	BALLISTIC MISSILE DEFENSE TEST	274,323	274,323
092	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	513,256	513,256
093	0603920D8Z	HUMANITARIAN DEMINING	10,129	10,129
094	0603923D8Z	COALITION WARFARE	10,350	10,350
095	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	1,518	11,518
		Program Increase		[10,000]
096	0604115C	TECHNOLOGY MATURATION INITIATIVES	96,300	96,300
097	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	469,798	469,798
098	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT.	3,129	3,129
103	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	25,200	25,200
105	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	137,564	137,564
106	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	278,944	298,944
		Redesigned kill vehicle development		[20,000]
107	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST	26,225	26,225
108	0604878C	AEGIS BMD TEST	55,148	55,148
109	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	86,764	86,764
110	0604880C	LAND-BASED SM-3 (LBSM3)	34,970	34,970
111	0604881C	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT	172,645	172,645
112	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	64,618	64,618
114	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	2,660	2,660
115	0305103C	CYBER SECURITY INITIATIVE	963	963
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES	6,816,554	7,106,634
		SYSTEM DEVELOPMENT AND DEMONSTRATION		
116	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	8,800	8,800
117	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	78,817	88,817
		Concept development by the Army of a CPGS option		[5,000]
		Concept development by the Navy of a CPGS option		[5,000]
118	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	303,647	303,647
119	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	23,424	23,424
120	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	14,285	14,285
121	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	7,156	7,156
122	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	12,542	42
		DCMA program decrease		[-12,500]
123	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	191	191
124	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	3,273	3,273
125	0605027D8Z	OUS(D) IT DEVELOPMENT INITIATIVES	5,962	5,962
126	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	13,412	13,412
127	0605075D8Z	DCMO POLICY AND INTEGRATION	2,223	2,223
128	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM	31,660	31,660
129	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS)	13,085	13,085
130	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	7,209	7,209
131	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	15,158	13,794
		Early to need		[-1,364]
132	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEM)	4,414	4,414
		SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION	545,258	541,394
		MANAGEMENT SUPPORT		
133	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	5,581	5,581
134	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	3,081	3,081
135	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	229,125	229,125
136	0604942D8Z	ASSESSMENTS AND EVALUATIONS	28,674	21,674
		Program decrease		[-7,000]
138	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	45,235	45,235
139	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	24,936	24,936
141	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO)	35,471	35,471
144	0605142D8Z	SYSTEMS ENGINEERING	37,655	37,655
145	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	3,015	3,015
146	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	5,287	5,287
147	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	5,289	5,289
148	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	2,120	2,120
149	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	102,264	102,264
158	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	2,169	2,169

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Line	Program Element	Item	FY 2016 Request	Agreement Authorized
159	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	13,960	13,960
160	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	51,775	51,775
161	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	9,533	9,533
162	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	17,371	21,371
		Program increase		[4,000]
163	0605898E	MANAGEMENT HQ—R&D	71,571	71,571
164	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,123	4,123
165	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	1,946	1,946
166	0204571J	JOINT STAFF ANALYTICAL SUPPORT	7,673	7,673
169	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	10,413	10,413
170	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	971	971
171	0305193D8Z	CYBER INTELLIGENCE	6,579	6,579
173	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—MHA	43,811	43,811
174	0901598C	MANAGEMENT HQ—MDA	35,871	35,871
176	0903230D8W	WHS—MISSION OPERATIONS SUPPORT—IT	1,072	1,072
177A	9999999999	CLASSIFIED PROGRAMS	49,500	49,500
		SUBTOTAL MANAGEMENT SUPPORT	856,071	853,071
		OPERATIONAL SYSTEM DEVELOPMENT		
178	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	7,929	7,929
179	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA.	1,750	1,750
180	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS)	294	294
181	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	22,576	22,576
182	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT	1,901	1,901
183	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMS).	8,474	8,474
184	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	33,561	33,561
186	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,061	3,061
187	0208045K	C4I INTEROPERABILITY	64,921	64,921
189	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING	3,645	3,645
193	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	963	963
194	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	10,186	10,186
195	0303126K	LONG-HAUL COMMUNICATIONS—DCS	36,883	36,883
196	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	13,735	13,735
197	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	6,101	6,101
198	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	43,867	43,867
199	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	8,957	8,957
200	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	146,890	146,890
201	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	21,503	21,503
202	0303153K	DEFENSE SPECTRUM ORGANIZATION	20,342	20,342
203	0303170K	NET-CENTRIC ENTERPRISE SERVICES (NCES)	444	444
205	0303610K	TELEPORT PROGRAM	1,736	1,736
206	0304210BB	SPECIAL APPLICATIONS FOR CONTINGENCIES	65,060	65,060
210	0305103K	CYBER SECURITY INITIATIVE	2,976	2,976
215	0305186D8Z	POLICY R&D PROGRAMS	4,182	4,182
216	0305199D8Z	NET CENTRICITY	18,130	18,130
218	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,302	5,302
221	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,239	3,239
225	0305327V	INSIDER THREAT	11,733	11,733
226	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,119	2,119
234	0708011S	INDUSTRIAL PREPAREDNESS	24,605	19,245
		DLA Uniform Research		[-5,360]
235	0708012S	LOGISTICS SUPPORT ACTIVITIES	1,770	1,770
236	0902298J	MANAGEMENT HQ—OJCS	2,978	2,978
237	1105219BB	MQ-9 UAV	18,151	23,151
		Medium Altitude Long Endurance Tactical (MALET) MQ-9 Unmanned Aerial Vehicle		[5,000]
238	1105232BB	RQ-11 UAV	758	758
240	1160403BB	AVIATION SYSTEMS	173,934	189,134
		MC-130 Terrain Following/Terrain Avoidance Radar Program		[15,200]
241	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	6,866	6,866
242	1160408BB	OPERATIONAL ENHANCEMENTS	63,008	63,008
243	1160431BB	WARRIOR SYSTEMS	25,342	25,342
244	1160432BB	SPECIAL PROGRAMS	3,401	3,401
245	1160480BB	SOF TACTICAL VEHICLES	3,212	3,212
246	1160483BB	MARITIME SYSTEMS	63,597	63,597
247	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	3,933	3,933
248	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	10,623	10,623
248A	9999999999	CLASSIFIED PROGRAMS	3,564,272	3,564,272
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	4,538,910	4,553,750
		UNDISTRIBUTED		
249	XXXXXXX	DEFENSE WIDE CYBER VULNERABILITY ASSESSMENT		200,000
		Assess all major weapon systems for cyber vulnerability		[200,000]
251	XXXXXXX	TECHNOLOGY OFFSET INITIATIVE		300,000
		Supports innovative technology development		[300,000]
		SUBTOTAL UNDISTRIBUTED		500,000
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	18,329,861	18,956,567

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Line	Program Element	Item	FY 2016 Request	Agreement Authorized
		OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	76,838	76,838
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	46,882	46,882
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	46,838	46,838
		SUBTOTAL MANAGEMENT SUPPORT	170,558	170,558
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	170,558	170,558
		TOTAL RDT&E	69,784,963	70,005,814

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	Agreement Authorized
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	1,500	1,500
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	1,500	1,500
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	1,500	1,500
		OPERATIONAL SYSTEMS DEVELOPMENT		
231A	9999999999	CLASSIFIED PROGRAMS	35,747	35,747
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	35,747	35,747
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	35,747	35,747
		OPERATIONAL SYSTEMS DEVELOPMENT		
133	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	300	300
246A	9999999999	CLASSIFIED PROGRAMS	16,800	16,800
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	17,100	17,100
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	17,100	17,100
		OPERATIONAL SYSTEM DEVELOPMENT		
248A	9999999999	CLASSIFIED PROGRAMS	137,087	137,087
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	137,087	137,087
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	137,087	137,087
		TOTAL RDT&E	191,434	191,434

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
	OPERATION & MAINTENANCE, ARMY OPERATING FORCES		
010	MANEUVER UNITS	1,094,429	1,344,429
	Force Readiness Restoration—Operations Tempo		[250,000]
020	MODULAR SUPPORT BRIGADES	68,873	68,873
030	ECHELONS ABOVE BRIGADE	508,008	508,008
040	THEATER LEVEL ASSETS	763,300	763,300
050	LAND FORCES OPERATIONS SUPPORT	1,054,322	1,054,322
060	AVIATION ASSETS	1,546,129	1,546,129
070	FORCE READINESS OPERATIONS SUPPORT	3,158,606	3,158,606
080	LAND FORCES SYSTEMS READINESS	438,909	438,909
090	LAND FORCES DEPOT MAINTENANCE	1,214,116	1,291,316
	Readiness funding increase		[77,200]
100	BASE OPERATIONS SUPPORT	7,616,008	7,626,508
	Readiness funding increase		[10,500]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,617,169	2,789,369
	Restore Sustainment shortfalls		[172,200]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	421,269	0

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
	Transfer base requirement to Title XV		[-421,269]
130	COMBATANT COMMANDERS CORE OPERATIONS	164,743	0
	Transfer base requirement to Title XV		[-164,743]
170	COMBATANT COMMANDS DIRECT MISSION SUPPORT	448,633	448,633
	SUBTOTAL OPERATING FORCES	21,114,514	21,038,402
	MOBILIZATION		
180	STRATEGIC MOBILITY	401,638	0
	Transfer base requirement to Title XV		[-401,638]
190	ARMY PREPOSITIONED STOCKS	261,683	0
	Transfer base requirement to Title XV		[-261,683]
200	INDUSTRIAL PREPAREDNESS	6,532	0
	Transfer base requirement to Title XV		[-6,532]
	SUBTOTAL MOBILIZATION	669,853	0
	TRAINING AND RECRUITING		
210	OFFICER ACQUISITION	131,536	131,536
220	RECRUIT TRAINING	47,843	47,843
230	ONE STATION UNIT TRAINING	42,565	42,565
240	SENIOR RESERVE OFFICERS TRAINING CORPS	490,378	490,378
250	SPECIALIZED SKILL TRAINING	981,000	989,200
	Readiness funding increase		[33,200]
	Unjustified program growth		[-25,000]
260	FLIGHT TRAINING	940,872	940,872
270	PROFESSIONAL DEVELOPMENT EDUCATION	230,324	227,324
	Advanced Civil Schooling – Civilian Graduate School 10 Percent Reduction		[-3,000]
280	TRAINING SUPPORT	603,519	603,519
290	RECRUITING AND ADVERTISING	491,922	491,922
300	EXAMINING	194,079	194,079
310	OFF-DUTY AND VOLUNTARY EDUCATION	227,951	227,951
320	CIVILIAN EDUCATION AND TRAINING	161,048	161,048
330	JUNIOR RESERVE OFFICER TRAINING CORPS	170,118	170,118
	SUBTOTAL TRAINING AND RECRUITING	4,713,155	4,718,355
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	485,778	0
	Transfer base requirement to Title XV		[-485,778]
360	CENTRAL SUPPLY ACTIVITIES	813,881	813,881
370	LOGISTIC SUPPORT ACTIVITIES	714,781	687,781
	Unjustified program growth		[-27,000]
380	AMMUNITION MANAGEMENT	322,127	322,127
390	ADMINISTRATION	384,813	376,313
	Unjustified Growth in Public Affairs		[-8,500]
400	SERVICEWIDE COMMUNICATIONS	1,781,350	1,748,350
	DISN subscription services pricing requested as program growth		[-33,000]
410	MANPOWER MANAGEMENT	292,532	292,532
420	OTHER PERSONNEL SUPPORT	375,122	375,122
430	OTHER SERVICE SUPPORT	1,119,848	1,115,348
	Spirit of America program growth		[-4,500]
440	ARMY CLAIMS ACTIVITIES	225,358	225,358
450	REAL ESTATE MANAGEMENT	239,755	239,755
460	FINANCIAL MANAGEMENT AND AUDIT READINESS	223,319	223,319
470	INTERNATIONAL MILITARY HEADQUARTERS	469,865	469,865
480	MISC. SUPPORT OF OTHER NATIONS	40,521	0
	Transfer base requirement to Title XV		[-40,521]
530	CLASSIFIED PROGRAMS	1,120,974	1,140,974
	Additional SOUTHCOM ISR and intel support		[20,000]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	8,610,024	8,030,725
	UNDISTRIBUTED		
540	UNDISTRIBUTED		-1,229,500
	Civilian and services contract reductions to streamline management HQ		[-245,000]
	Excessive standard price for fuel		[-141,000]
	Foreign Currency adjustments		[-431,000]
	Overestimation of Civilian FTE Targets		[-262,500]
	WORKING CAPITAL FUND CARRYOVER ABOVE ALLOWABLE CEILING		[-150,000]
	SUBTOTAL UNDISTRIBUTED		-1,229,500
	TOTAL OPERATION & MAINTENANCE, ARMY	35,107,546	32,557,982
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
020	MODULAR SUPPORT BRIGADES	16,612	16,612
030	ECHELONS ABOVE BRIGADE	486,531	486,531
040	THEATER LEVEL ASSETS	105,446	105,446
050	LAND FORCES OPERATIONS SUPPORT	516,791	516,791
060	AVIATION ASSETS	87,587	87,587
070	FORCE READINESS OPERATIONS SUPPORT	348,601	348,601
080	LAND FORCES SYSTEMS READINESS	81,350	81,350

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
090	LAND FORCES DEPOT MAINTENANCE	59,574	91,974
	Readiness funding increase		[32,400]
100	BASE OPERATIONS SUPPORT	570,852	557,852
	Unjustified program growth		[-13,000]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	245,686	259,286
	Restore Sustainment shortfalls		[13,600]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	40,962	40,962
	SUBTOTAL OPERATING FORCES	2,559,992	2,592,992
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	10,665	0
	Transfer base requirement to Title XV		[-10,665]
140	ADMINISTRATION	18,390	18,390
150	SERVICEWIDE COMMUNICATIONS	14,976	14,976
160	MANPOWER MANAGEMENT	8,841	8,841
170	RECRUITING AND ADVERTISING	52,928	52,928
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	105,800	95,135
	UNDISTRIBUTED		
190	UNDISTRIBUTED		-19,200
	Civilian and services contract reductions to streamline management HQ		[-6,200]
	Excessive standard price for fuel		[-13,000]
	SUBTOTAL UNDISTRIBUTED		-19,200
	TOTAL OPERATION & MAINTENANCE, ARMY RES	2,665,792	2,668,927
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	709,433	901,933
	Increased Operations Tempo to Meet Readiness Objectives		[192,500]
020	MODULAR SUPPORT BRIGADES	167,324	167,324
030	ECHELONS ABOVE BRIGADE	741,327	741,327
040	THEATER LEVEL ASSETS	88,775	96,475
	ARNG border security enhancement		[7,700]
050	LAND FORCES OPERATIONS SUPPORT	32,130	32,130
060	AVIATION ASSETS	943,609	996,209
	ARNG border security enhancement		[13,000]
	Readiness funding increase		[39,600]
070	FORCE READINESS OPERATIONS SUPPORT	703,137	703,137
080	LAND FORCES SYSTEMS READINESS	84,066	84,066
090	LAND FORCES DEPOT MAINTENANCE	166,848	189,348
	Readiness funding increase		[22,500]
100	BASE OPERATIONS SUPPORT	1,022,970	998,970
	Justification does not match summary of price and program changes		[-14,000]
	Unjustified growth		[-10,000]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	673,680	708,880
	Restore Sustainment shortfalls		[35,200]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	954,574	954,574
	SUBTOTAL OPERATING FORCES	6,287,873	6,574,373
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	6,570	0
	Transfer base requirement to Title XV		[-6,570]
140	ADMINISTRATION	59,629	58,719
	National Guard State Partnership Program increase		[500]
	NGB Heritage Painting Program		[-1,410]
150	SERVICEWIDE COMMUNICATIONS	68,452	68,452
160	MANPOWER MANAGEMENT	8,841	8,841
170	OTHER PERSONNEL SUPPORT	283,670	272,170
	Army Marketing Program unjustified program growth		[-11,500]
180	REAL ESTATE MANAGEMENT	2,942	2,942
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	430,104	411,124
	UNDISTRIBUTED		
200	UNDISTRIBUTED		-70,400
	Civilian and services contract reductions to streamline management HQ		[-27,400]
	Excessive standard price for fuel		[-43,000]
	SUBTOTAL UNDISTRIBUTED		-70,400
	TOTAL OPERATION & MAINTENANCE, ARNG	6,717,977	6,915,097
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	4,940,365	4,940,365
020	FLEET AIR TRAINING	1,830,611	1,830,611
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	37,225	0
	Transfer base requirement to Title XV		[-37,225]
040	AIR OPERATIONS AND SAFETY SUPPORT	103,456	103,456
050	AIR SYSTEMS SUPPORT	376,844	390,744

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
	Aviation Readiness Restoration—AV-8B Program Related Logistics		[4,000]
	Aviation Readiness Restoration—CH-53 Program Related Logistics		[1,900]
	Aviation Readiness Restoration—MV-22 Program Related Logistics		[1,200]
	MV-22 Fleet Engineering Support Unfunded Requirement		[6,800]
060	AIRCRAFT DEPOT MAINTENANCE	897,536	912,536
	Program increase		[15,000]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	33,201	33,201
080	AVIATION LOGISTICS	544,056	549,356
	Aviation Readiness Restoration—MV-22 Aviation Logistics		[5,300]
090	MISSION AND OTHER SHIP OPERATIONS	4,287,658	4,287,658
100	SHIP OPERATIONS SUPPORT & TRAINING	787,446	787,446
110	SHIP DEPOT MAINTENANCE	5,960,951	5,960,951
120	SHIP DEPOT OPERATIONS SUPPORT	1,554,863	0
	Transfer base requirement to Title XV		[-1,554,863]
130	COMBAT COMMUNICATIONS	704,415	684,815
	DISA/DISN price growth requested as program growth		[-19,600]
140	ELECTRONIC WARFARE	96,916	96,916
150	SPACE SYSTEMS AND SURVEILLANCE	192,198	192,198
160	WARFARE TACTICS	453,942	453,942
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	351,871	348,803
	Civilian FTE Growth		[-3,068]
180	COMBAT SUPPORT FORCES	1,186,847	1,154,487
	Civilian FTE Growth		[-17,360]
	Unjustified program growth		[-15,000]
190	EQUIPMENT MAINTENANCE	123,948	123,948
200	DEPOT OPERATIONS SUPPORT	2,443	2,443
210	COMBATANT COMMANDERS CORE OPERATIONS	98,914	98,914
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	73,110	73,110
230	CRUISE MISSILE	110,734	110,734
240	FLEET BALLISTIC MISSILE	1,206,736	1,206,736
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	141,664	141,664
260	WEAPONS MAINTENANCE	523,122	535,122
	Ship Self-Defense Systems Maintenance Backlog Reduction		[12,000]
270	OTHER WEAPON SYSTEMS SUPPORT	371,872	371,335
	Civilian FTE Growth		[-537]
280	ENTERPRISE INFORMATION	896,061	889,449
	Civilian FTE Growth		[-6,612]
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	2,220,423	2,245,723
	Restore Sustainment shortfalls		[25,300]
300	BASE OPERATING SUPPORT	4,472,468	4,468,940
	Civilian FTE Growth		[-3,528]
	SUBTOTAL OPERATING FORCES	34,581,896	32,995,603
MOBILIZATION			
310	SHIP PREPOSITIONING AND SURGE	422,846	0
	Transfer base requirement to Title XV		[-422,846]
320	AIRCRAFT ACTIVATIONS/INACTIVATIONS	6,464	6,964
	Aviation Readiness Restoration—F-18 Aircraft Activations/Inactivations		[500]
330	SHIP ACTIVATIONS/INACTIVATIONS	361,764	0
	Transfer base requirement to Title XV		[-361,764]
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	69,530	69,050
	Civilian FTE Growth		[-480]
350	INDUSTRIAL READINESS	2,237	0
	Transfer base requirement to Title XV		[-2,237]
360	COAST GUARD SUPPORT	21,823	0
	Transfer base requirement to Title XV		[-21,823]
	SUBTOTAL MOBILIZATION	884,664	76,014
TRAINING AND RECRUITING			
370	OFFICER ACQUISITION	149,375	148,514
	Civilian FTE Growth		[-861]
380	RECRUIT TRAINING	9,035	8,816
	Civilian FTE Growth		[-219]
390	RESERVE OFFICERS TRAINING CORPS	156,290	156,290
400	SPECIALIZED SKILL TRAINING	653,728	653,728
410	FLIGHT TRAINING	8,171	8,171
420	PROFESSIONAL DEVELOPMENT EDUCATION	168,471	161,561
	Civilian FTE Growth		[-910]
	Civilian Institutions Graduate Education Program		[-6,000]
430	TRAINING SUPPORT	196,048	196,048
440	RECRUITING AND ADVERTISING	234,233	234,363
	Civilian FTE Growth		[-370]
	Naval Sea Cadet Corps		[500]
450	OFF-DUTY AND VOLUNTARY EDUCATION	137,855	137,855
460	CIVILIAN EDUCATION AND TRAINING	77,257	69,961
	Civilian FTE Growth		[-7,296]
470	JUNIOR ROTC	47,653	47,653
	SUBTOTAL TRAINING AND RECRUITING	1,838,116	1,822,960

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
ADMIN & SRVWD ACTIVITIES			
480	ADMINISTRATION	923,771	912,767
	Civilian FTE Growth		[-6,004]
	Navy Fleet Band National Tours		[-5,000]
490	EXTERNAL RELATIONS	13,967	13,967
500	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	120,812	115,752
	Civilian FTE Growth		[-5,060]
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	350,983	340,017
	Civilian FTE Growth		[-6,966]
	Unjustified growth		[-4,000]
520	OTHER PERSONNEL SUPPORT	265,948	255,491
	Civilian FTE Growth		[-5,457]
	Navy Fleet Band National Tour		[-5,000]
530	SERVICEWIDE COMMUNICATIONS	335,482	334,817
	Civilian FTE Growth		[-665]
550	SERVICEWIDE TRANSPORTATION	197,724	0
	Transfer base requirement to Title XV		[-197,724]
570	PLANNING, ENGINEERING AND DESIGN	274,936	274,936
580	ACQUISITION AND PROGRAM MANAGEMENT	1,122,178	1,121,290
	Civilian FTE Growth		[-888]
590	HULL, MECHANICAL AND ELECTRICAL SUPPORT	48,587	48,587
600	COMBAT/WEAPONS SYSTEMS	25,599	25,599
610	SPACE AND ELECTRONIC WARFARE SYSTEMS	72,768	72,768
620	NAVAL INVESTIGATIVE SERVICE	577,803	577,803
680	INTERNATIONAL HEADQUARTERS AND AGENCIES	4,768	4,768
710	CLASSIFIED PROGRAMS	560,754	560,754
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	4,896,080	4,659,316
UNDISTRIBUTED			
720	UNDISTRIBUTED		-1,303,600
	Civilian and services contract reductions to streamline management HQ		[-215,600]
	Excessive standard price for fuel		[-1,001,000]
	Foreign Currency adjustments		[-87,000]
	SUBTOTAL UNDISTRIBUTED		-1,303,600
	TOTAL OPERATION & MAINTENANCE, NAVY	42,200,756	38,250,293
OPERATION & MAINTENANCE, MARINE CORPS			
OPERATING FORCES			
010	OPERATIONAL FORCES	931,079	931,079
020	FIELD LOGISTICS	931,757	931,757
030	DEPOT MAINTENANCE	227,583	227,583
040	MARITIME PREPOSITIONING	86,259	86,259
050	SUSTAINMENT, RESTORATION & MODERNIZATION	746,237	775,037
	Restore Sustainment shortfalls		[28,800]
060	BASE OPERATING SUPPORT	2,057,362	2,057,362
	SUBTOTAL OPERATING FORCES	4,980,277	5,009,077
TRAINING AND RECRUITING			
070	RECRUIT TRAINING	16,460	16,460
080	OFFICER ACQUISITION	977	977
090	SPECIALIZED SKILL TRAINING	97,325	97,325
100	PROFESSIONAL DEVELOPMENT EDUCATION	40,786	40,786
110	TRAINING SUPPORT	347,476	347,476
120	RECRUITING AND ADVERTISING	164,806	164,806
130	OFF-DUTY AND VOLUNTARY EDUCATION	39,963	39,963
140	JUNIOR ROTC	23,397	23,397
	SUBTOTAL TRAINING AND RECRUITING	731,190	731,190
ADMIN & SRVWD ACTIVITIES			
150	SERVICEWIDE TRANSPORTATION	37,386	0
	Transfer base requirement to Title XV		[-37,386]
160	ADMINISTRATION	358,395	351,695
	Unjustified Growth Marine Corps Heritage Center		[-6,700]
180	ACQUISITION AND PROGRAM MANAGEMENT	76,105	76,105
200	CLASSIFIED PROGRAMS	45,429	45,429
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	517,315	473,229
UNDISTRIBUTED			
210	UNDISTRIBUTED		-112,500
	Civilian and services contract reductions to streamline management HQ		[-33,500]
	Excessive standard price for fuel		[-41,000]
	Foreign Currency adjustments		[-28,000]
	Working Capital Fund carry over above allowable ceiling		[-10,000]
	SUBTOTAL UNDISTRIBUTED		-112,500
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	6,228,782	6,100,996
OPERATION & MAINTENANCE, NAVY RES			

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	563,722	563,722
020	INTERMEDIATE MAINTENANCE	6,218	6,218
030	AIRCRAFT DEPOT MAINTENANCE	82,712	82,712
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	326	0
	Transfer base requirement to Title XV		[-326]
050	AVIATION LOGISTICS	13,436	13,436
070	SHIP OPERATIONS SUPPORT & TRAINING	557	557
090	COMBAT COMMUNICATIONS	14,499	14,499
100	COMBAT SUPPORT FORCES	117,601	117,601
120	ENTERPRISE INFORMATION	29,382	29,382
130	SUSTAINMENT, RESTORATION AND MODERNIZATION	48,513	49,213
	Restore Sustainment shortfalls		[700]
140	BASE OPERATING SUPPORT	102,858	102,858
	SUBTOTAL OPERATING FORCES	979,824	980,198
ADMIN & SRVWD ACTIVITIES			
150	ADMINISTRATION	1,505	1,505
160	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	13,782	13,782
170	SERVICEWIDE COMMUNICATIONS	3,437	3,437
180	ACQUISITION AND PROGRAM MANAGEMENT	3,210	3,210
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	21,934	21,934
UNDISTRIBUTED			
210	UNDISTRIBUTED		-68,500
	Civilian and services contract reductions to streamline management HQ		[-1,500]
	Excessive standard price for fuel		[-67,000]
	SUBTOTAL UNDISTRIBUTED		-68,500
	TOTAL OPERATION & MAINTENANCE, NAVY RES	1,001,758	933,632
OPERATION & MAINTENANCE, MC RESERVE			
OPERATING FORCES			
010	OPERATING FORCES	97,631	97,631
020	DEPOT MAINTENANCE	18,254	18,254
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	28,653	30,053
	Restore Sustainment shortfalls		[1,400]
040	BASE OPERATING SUPPORT	111,923	111,923
	SUBTOTAL OPERATING FORCES	256,461	257,861
ADMIN & SRVWD ACTIVITIES			
050	SERVICEWIDE TRANSPORTATION	924	924
060	ADMINISTRATION	10,866	10,866
070	RECRUITING AND ADVERTISING	8,785	8,785
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	20,575	20,575
UNDISTRIBUTED			
080	UNDISTRIBUTED		-3,500
	Civilian and services contract reductions to streamline management HQ		[-1,500]
	Excessive standard price for fuel		[-2,000]
	SUBTOTAL UNDISTRIBUTED		-3,500
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	277,036	274,936
OPERATION & MAINTENANCE, AIR FORCE			
OPERATING FORCES			
010	PRIMARY COMBAT FORCES	3,336,868	3,597,368
	A-10 restoration: Force Structure Restoration		[235,300]
	Civilian FTE Growth		[-2,100]
	EC-130H Force Structure Restoration		[27,300]
020	COMBAT ENHANCEMENT FORCES	1,897,315	1,901,015
	Civilian FTE Growth		[-14,000]
	Increase Range Use Support Unfunded Requirement		[37,700]
	Unjustified growth		[-20,000]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,797,549	1,690,349
	A-10 to F-15E Training Transition		[-78,200]
	Unjustified growth		[-29,000]
040	DEPOT MAINTENANCE	6,537,127	6,497,127
	Remove FY 15 contractor logistics support costs		[-40,000]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,997,712	2,132,812
	Restore Sustainment shortfalls		[135,100]
060	BASE SUPPORT	2,841,948	2,841,948
070	GLOBAL C3I AND EARLY WARNING	930,341	930,341
080	OTHER COMBAT OPS SPT PROGRAMS	924,845	924,845
100	LAUNCH FACILITIES	271,177	271,177
110	SPACE CONTROL SYSTEMS	382,824	382,824
120	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	900,965	889,965
	Unjustified growth		[-11,000]
130	COMBATANT COMMANDERS CORE OPERATIONS	205,078	164,078

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
135	Joint Enabling Capabilities Command		[-41,000]
	CLASSIFIED PROGRAMS	907,496	904,296
	Civilian FTE Growth		[-3,200]
	SUBTOTAL OPERATING FORCES	22,931,245	23,128,145
	MOBILIZATION		
140	AIRLIFT OPERATIONS	2,229,196	2,152,196
	Excess to need		[-77,000]
150	MOBILIZATION PREPAREDNESS	148,318	0
	Transfer base requirement to Title XV		[-148,318]
160	DEPOT MAINTENANCE	1,617,571	0
	Transfer base requirement to Title XV		[-1,617,571]
170	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	259,956	0
	Transfer base requirement to Title XV		[-259,956]
180	BASE SUPPORT	708,799	0
	Transfer base requirement to Title XV		[-708,799]
	SUBTOTAL MOBILIZATION	4,963,840	2,152,196
	TRAINING AND RECRUITING		
190	OFFICER ACQUISITION	92,191	92,191
200	RECRUIT TRAINING	21,871	21,871
210	RESERVE OFFICERS TRAINING CORPS (ROTC)	77,527	77,527
220	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	228,500	228,500
230	BASE SUPPORT	772,870	772,870
240	SPECIALIZED SKILL TRAINING	359,304	379,304
	Remotely Piloted Aircraft Flight Training Acceleration		[20,000]
250	FLIGHT TRAINING	710,553	726,553
	Consolidation of Air Battle Manager Resources not properly documented		[-4,000]
	Unmanned Aerial Surveillance (UAS) Training		[20,000]
260	PROFESSIONAL DEVELOPMENT EDUCATION	228,252	227,322
	Air Force Civilian Graduate Education Program Unjustified Growth		[-930]
270	TRAINING SUPPORT	76,464	76,464
280	DEPOT MAINTENANCE	375,513	0
	Transfer base requirement to Title XV		[-375,513]
290	RECRUITING AND ADVERTISING	79,690	79,690
300	EXAMINING	3,803	3,803
310	OFF-DUTY AND VOLUNTARY EDUCATION	180,807	180,807
320	CIVILIAN EDUCATION AND TRAINING	167,478	167,478
330	JUNIOR ROTC	59,263	59,263
	SUBTOTAL TRAINING AND RECRUITING	3,434,086	3,093,643
	ADMIN & SRVWD ACTIVITIES		
340	LOGISTICS OPERATIONS	1,141,491	1,124,491
	O&M and IT budget justification inconsistencies		[-17,000]
350	TECHNICAL SUPPORT ACTIVITIES	862,022	832,022
	Acquisition Management Adjustment		[-10,000]
	Unjustified growth		[-20,000]
360	DEPOT MAINTENANCE	61,745	0
	Transfer base requirement to Title XV		[-61,745]
370	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	298,759	298,759
380	BASE SUPPORT	1,108,220	1,108,220
390	ADMINISTRATION	689,797	669,097
	DEAMS reduction-Funding ahead of need		[-20,700]
400	SERVICEWIDE COMMUNICATIONS	498,053	461,153
	DISN subscription services pricing requested as program growth		[-36,900]
410	OTHER SERVICEWIDE ACTIVITIES	900,253	900,253
420	CIVIL AIR PATROL	25,411	26,561
	Civil Air Patrol		[1,150]
450	INTERNATIONAL SUPPORT	89,148	0
	Transfer base requirement to Title XV		[-89,148]
460	CLASSIFIED PROGRAMS	1,187,859	1,182,959
	Civilian FTE Growth		[-4,900]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	6,862,758	6,603,515
	UNDISTRIBUTED		
470	UNDISTRIBUTED		-1,452,800
	Civilian and services contract reductions to streamline management HQ		[-283,800]
	Excessive standard price for fuel		[-952,000]
	Foreign Currency adjustments		[-217,000]
	SUBTOTAL UNDISTRIBUTED		-1,452,800
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	38,191,929	33,524,699
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,779,378	1,781,878
	A-10 restoration: Force Structure Restoration		[2,500]
020	MISSION SUPPORT OPERATIONS	226,243	220,243
	Justification does not match summary of price and program changes for civilian pay		[-6,000]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
030	DEPOT MAINTENANCE	487,036	0
	Transfer base requirement to Title XV		[-487,036]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	109,342	109,642
	Restore Sustainment shortfalls		[300]
050	BASE SUPPORT	373,707	370,707
	Air Force Support Standard Correction—transfer to SAG 11G not properly accounted		[-3,000]
	SUBTOTAL OPERATING FORCES	2,975,706	2,482,470
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
060	ADMINISTRATION	53,921	53,921
070	RECRUITING AND ADVERTISING	14,359	14,359
080	MILITARY MANPOWER AND PERS MGMT (ARPC)	13,665	13,665
090	OTHER PERS SUPPORT (DISABILITY COMP)	6,606	6,606
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	88,551	88,551
	UNDISTRIBUTED		
110	UNDISTRIBUTED		-175,700
	Civilian and services contract reductions to streamline management HQ		[-4,700]
	Excessive standard price for fuel		[-171,000]
	SUBTOTAL UNDISTRIBUTED		-175,700
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	3,064,257	2,395,321
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	3,526,471	3,567,371
	A-10 restoration: Force Structure Restoration		[42,200]
	DISN pricing requested as program growth		[-1,300]
020	MISSION SUPPORT OPERATIONS	740,779	743,379
	ARNG border security enhancement		[2,600]
030	DEPOT MAINTENANCE	1,763,859	1,763,859
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	288,786	307,586
	Restore Sustainment shortfalls		[18,800]
050	BASE SUPPORT	582,037	582,037
	SUBTOTAL OPERATING FORCES	6,901,932	6,964,232
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
060	ADMINISTRATION	23,626	23,626
070	RECRUITING AND ADVERTISING	30,652	30,652
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	54,278	54,278
	UNDISTRIBUTED		
080	UNDISTRIBUTED		-309,100
	Civilian and services contract reductions to streamline management HQ		[-3,100]
	Excessive standard price for fuel		[-276,000]
	Unjustified growth		[-30,000]
	SUBTOTAL UNDISTRIBUTED		-309,100
	TOTAL OPERATION & MAINTENANCE, ANG	6,956,210	6,709,410
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	485,888	505,888
	Middle East Assurance Initiative		[20,000]
020	OFFICE OF THE SECRETARY OF DEFENSE	534,795	534,795
030	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	4,862,368	4,841,168
	Overestimation of civilian FTE		[-21,200]
	SUBTOTAL OPERATING FORCES	5,883,051	5,881,851
	TRAINING AND RECRUITING		
040	DEFENSE ACQUISITION UNIVERSITY	142,659	142,659
050	NATIONAL DEFENSE UNIVERSITY	78,416	78,416
060	SPECIAL OPERATIONS COMMAND/TRAINING AND RECRUITING	354,372	354,372
	SUBTOTAL TRAINING AND RECRUITING	575,447	575,447
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
070	CIVIL MILITARY PROGRAMS	160,320	170,320
	STARBASE		[10,000]
090	DEFENSE CONTRACT AUDIT AGENCY	570,177	570,177
100	DEFENSE CONTRACT MANAGEMENT AGENCY	1,374,536	1,374,536
110	DEFENSE HUMAN RESOURCES ACTIVITY	642,551	642,551
120	DEFENSE INFORMATION SYSTEMS AGENCY	1,282,755	1,285,255
	SHARKSEER		[2,500]
140	DEFENSE LEGAL SERVICES AGENCY	26,073	26,073
150	DEFENSE LOGISTICS AGENCY	366,429	366,429
160	DEFENSE MEDIA ACTIVITY	192,625	192,625
180	DEFENSE PERSONNEL ACCOUNTING AGENCY	115,372	115,372
190	DEFENSE SECURITY COOPERATION AGENCY	524,723	495,523
	Global Security Contingency Fund		[-22,200]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
	Reduction to Combating Terrorism Fellowship		[-7,000]
200	DEFENSE SECURITY SERVICE	508,396	0
	Transfer base requirement to Title XV		[-508,396]
230	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	33,577	33,577
240	DEFENSE THREAT REDUCTION AGENCY	415,696	0
	Transfer base requirement to Title XV		[-415,696]
260	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,753,771	2,784,021
	Impact Aid		[30,000]
	School lunches for territories		[250]
270	MISSILE DEFENSE AGENCY	432,068	432,068
290	OFFICE OF ECONOMIC ADJUSTMENT	110,612	110,612
300	OFFICE OF THE SECRETARY OF DEFENSE	1,388,285	1,393,535
	Commission to Assess the Threat to the U.S. from Electromagnetic Pulse Attack		[2,000]
	OSD fleet architecture study		[1,000]
	OSD (Policy) unjustified growth		[-2,000]
	OSD AT&L Congressional Mandate (BRAC Support)		[-10,500]
	Readiness environmental protection initiative—program increase		[14,750]
310	SPECIAL OPERATIONS COMMAND/ADMIN & SVC-WIDE ACTIVITIES	83,263	83,263
320	WASHINGTON HEADQUARTERS SERVICES	621,688	621,688
330	CLASSIFIED PROGRAMS	14,379,428	14,276,828
	Classified program adjustment		[-102,600]
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	25,982,345	24,974,453
	UNDISTRIBUTED		
340	UNDISTRIBUTED		-1,053,100
	Civilian and services contract reductions to streamline management HQ		[-908,700]
	Excessive standard price for fuel		[-61,000]
	Foreign Currency adjustments		[-78,400]
	Program decrease		[-5,000]
	SUBTOTAL UNDISTRIBUTED		-1,053,100
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	32,440,843	30,378,651
	MISCELLANEOUS APPROPRIATIONS		
	MISCELLANEOUS APPROPRIATIONS		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	14,078	14,078
020	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	100,266	100,266
030	COOPERATIVE THREAT REDUCTION	358,496	358,496
040	ACQ WORKFORCE DEV FD	84,140	84,140
050	ENVIRONMENTAL RESTORATION, ARMY	234,829	234,829
060	ENVIRONMENTAL RESTORATION, NAVY	292,453	292,453
070	ENVIRONMENTAL RESTORATION, AIR FORCE	368,131	368,131
080	ENVIRONMENTAL RESTORATION, DEFENSE	8,232	8,232
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	203,717	203,717
	SUBTOTAL MISCELLANEOUS APPROPRIATIONS	1,664,342	1,664,342
	TOTAL MISCELLANEOUS APPROPRIATIONS	1,664,342	1,664,342
	TOTAL OPERATION & MAINTENANCE	176,517,228	162,374,286

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	257,900	257,900
040	THEATER LEVEL ASSETS	1,110,836	1,110,836
050	LAND FORCES OPERATIONS SUPPORT	261,943	261,943
060	AVIATION ASSETS	22,160	22,160
070	FORCE READINESS OPERATIONS SUPPORT	1,119,201	1,119,201
080	LAND FORCES SYSTEMS READINESS	117,881	117,881
100	BASE OPERATIONS SUPPORT	50,000	50,000
140	ADDITIONAL ACTIVITIES	4,500,666	4,526,466
	Army expenses related to Syria Train and Equip program		[25,800]
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	10,000	5,000
	Program decrease		[-5,000]
160	RESET	1,834,777	1,834,777
170	COMBATANT COMMANDS DIRECT MISSION SUPPORT		100,000
	AFRICOM Intelligence, Surveillance, and Reconnaissance		[100,000]
	SUBTOTAL OPERATING FORCES	9,285,364	9,406,164

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
MOBILIZATION			
190	ARMY PREPOSITIONED STOCKS	40,000	40,000
	SUBTOTAL MOBILIZATION	40,000	40,000
ADMIN & SRVWIDE ACTIVITIES			
350	SERVICEWIDE TRANSPORTATION	529,891	529,891
380	AMMUNITION MANAGEMENT	5,033	5,033
420	OTHER PERSONNEL SUPPORT	100,480	100,480
450	REAL ESTATE MANAGEMENT	154,350	154,350
530	CLASSIFIED PROGRAMS	1,267,632	1,267,632
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	2,057,386	2,057,386
	TOTAL OPERATION & MAINTENANCE, ARMY	11,382,750	11,503,550
OPERATION & MAINTENANCE, ARMY RES			
OPERATING FORCES			
030	ECHELONS ABOVE BRIGADE	2,442	2,442
050	LAND FORCES OPERATIONS SUPPORT	813	813
070	FORCE READINESS OPERATIONS SUPPORT	779	779
100	BASE OPERATIONS SUPPORT	20,525	20,525
	SUBTOTAL OPERATING FORCES	24,559	24,559
	TOTAL OPERATION & MAINTENANCE, ARMY RES	24,559	24,559
OPERATION & MAINTENANCE, ARNG			
OPERATING FORCES			
010	MANEUVER UNITS	1,984	1,984
030	ECHELONS ABOVE BRIGADE	4,671	4,671
060	AVIATION ASSETS	15,980	15,980
070	FORCE READINESS OPERATIONS SUPPORT	12,867	12,867
100	BASE OPERATIONS SUPPORT	23,134	23,134
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,426	1,426
	SUBTOTAL OPERATING FORCES	60,062	60,062
ADMIN & SRVWD ACTIVITIES			
150	SERVICEWIDE COMMUNICATIONS	783	783
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	783	783
	TOTAL OPERATION & MAINTENANCE, ARNG	60,845	60,845
AFGHANISTAN SECURITY FORCES FUND			
MINISTRY OF DEFENSE			
010	SUSTAINMENT	2,214,899	2,136,899
	Fuel savings		[-78,000]
030	EQUIPMENT AND TRANSPORTATION	182,751	182,751
040	TRAINING AND OPERATIONS	281,555	281,555
	SUBTOTAL MINISTRY OF DEFENSE	2,679,205	2,601,205
MINISTRY OF INTERIOR			
060	SUSTAINMENT	901,137	869,137
	Fuel savings		[-32,000]
080	EQUIPMENT AND TRANSPORTATION	116,573	116,573
090	TRAINING AND OPERATIONS	65,342	65,342
	SUBTOTAL MINISTRY OF INTERIOR	1,083,052	1,051,052
	TOTAL AFGHANISTAN SECURITY FORCES FUND	3,762,257	3,652,257
IRAQ TRAIN AND EQUIP FUND			
IRAQ TRAIN AND EQUIP FUND			
010	IRAQ TRAIN AND EQUIP FUND	715,000	715,000
	SUBTOTAL IRAQ TRAIN AND EQUIP FUND	715,000	715,000
	TOTAL IRAQ TRAIN AND EQUIP FUND	715,000	715,000
SYRIA TRAIN AND EQUIP FUND			
SYRIA TRAIN AND EQUIP FUND			
010	SYRIA TRAIN AND EQUIP FUND	600,000	406,450
	Change in scope of program		[-125,000]
	Realignment to Air Force		[-42,750]
	Realignment to Army		[-25,800]
	SUBTOTAL SYRIA TRAIN AND EQUIP FUND	600,000	406,450
	TOTAL SYRIA TRAIN AND EQUIP FUND	600,000	406,450
OPERATION & MAINTENANCE, NAVY			
OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	358,417	361,717
	Readiness funding increase		[3,300]
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	110	110

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
040	AIR OPERATIONS AND SAFETY SUPPORT	4,513	4,513
050	AIR SYSTEMS SUPPORT	126,501	126,501
060	AIRCRAFT DEPOT MAINTENANCE	75,897	92,897
	Readiness funding increase		[17,000]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	2,770	2,770
080	AVIATION LOGISTICS	34,101	34,101
090	MISSION AND OTHER SHIP OPERATIONS	1,184,878	1,184,878
100	SHIP OPERATIONS SUPPORT & TRAINING	16,663	16,663
110	SHIP DEPOT MAINTENANCE	1,922,829	1,922,829
130	COMBAT COMMUNICATIONS	33,577	33,577
160	WARFARE TACTICS	26,454	26,454
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	22,305	22,305
180	COMBAT SUPPORT FORCES	513,969	513,969
190	EQUIPMENT MAINTENANCE	10,007	10,007
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	60,865	60,865
260	WEAPONS MAINTENANCE	275,231	275,231
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	7,819	7,819
300	BASE OPERATING SUPPORT	61,422	61,422
	SUBTOTAL OPERATING FORCES	4,738,328	4,758,628
	MOBILIZATION		
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	5,307	5,307
360	COAST GUARD SUPPORT	160,002	160,002
	SUBTOTAL MOBILIZATION	165,309	165,309
	TRAINING AND RECRUITING		
400	SPECIALIZED SKILL TRAINING	44,845	44,845
	SUBTOTAL TRAINING AND RECRUITING	44,845	44,845
	ADMIN & SRVWD ACTIVITIES		
480	ADMINISTRATION	2,513	2,513
490	EXTERNAL RELATIONS	500	500
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	5,309	5,309
520	OTHER PERSONNEL SUPPORT	1,469	1,469
550	SERVICEWIDE TRANSPORTATION	156,671	156,671
580	ACQUISITION AND PROGRAM MANAGEMENT	8,834	8,834
620	NAVAL INVESTIGATIVE SERVICE	1,490	1,490
710	CLASSIFIED PROGRAMS	6,320	6,320
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	183,106	183,106
	TOTAL OPERATION & MAINTENANCE, NAVY	5,131,588	5,151,888
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	353,133	353,133
020	FIELD LOGISTICS	259,676	259,676
030	DEPOT MAINTENANCE	240,000	240,000
060	BASE OPERATING SUPPORT	16,026	16,026
	SUBTOTAL OPERATING FORCES	868,835	868,835
	TRAINING AND RECRUITING		
110	TRAINING SUPPORT	37,862	37,862
	SUBTOTAL TRAINING AND RECRUITING	37,862	37,862
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	43,767	43,767
200	CLASSIFIED PROGRAMS	2,070	2,070
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	45,837	45,837
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	952,534	952,534
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	4,033	4,033
020	INTERMEDIATE MAINTENANCE	60	60
030	AIRCRAFT DEPOT MAINTENANCE	20,300	20,300
100	COMBAT SUPPORT FORCES	7,250	7,250
	SUBTOTAL OPERATING FORCES	31,643	31,643
	TOTAL OPERATION & MAINTENANCE, NAVY RES	31,643	31,643
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	2,500	2,500
040	BASE OPERATING SUPPORT	955	955
	SUBTOTAL OPERATING FORCES	3,455	3,455
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	3,455	3,455

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
OPERATION & MAINTENANCE, AIR FORCE			
OPERATING FORCES			
010	PRIMARY COMBAT FORCES	1,505,738	1,546,388
	Air Force expenses related to Syria Train and Equip program		[42,750]
	Unjustified Increase		[-2,100]
020	COMBAT ENHANCEMENT FORCES	914,973	905,273
	Readiness funding increase		[4,300]
	Unjustified Increase		[-14,000]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	31,978	31,978
040	DEPOT MAINTENANCE	1,192,765	1,192,765
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	85,625	85,625
060	BASE SUPPORT	917,269	917,269
070	GLOBAL C3I AND EARLY WARNING	30,219	30,219
080	OTHER COMBAT OPS SPT PROGRAMS	174,734	174,734
100	LAUNCH FACILITIES	869	869
110	SPACE CONTROL SYSTEMS	5,008	5,008
120	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	100,190	100,190
135	CLASSIFIED PROGRAMS	22,893	22,893
	SUBTOTAL OPERATING FORCES	4,982,261	5,013,211
MOBILIZATION			
140	AIRLIFT OPERATIONS	2,995,703	2,995,703
150	MOBILIZATION PREPAREDNESS	108,163	108,163
160	DEPOT MAINTENANCE	511,059	511,059
180	BASE SUPPORT	4,642	4,642
	SUBTOTAL MOBILIZATION	3,619,567	3,619,567
TRAINING AND RECRUITING			
190	OFFICER ACQUISITION	92	92
240	SPECIALIZED SKILL TRAINING	11,986	11,986
	SUBTOTAL TRAINING AND RECRUITING	12,078	12,078
ADMIN & SRVWD ACTIVITIES			
340	LOGISTICS OPERATIONS	86,716	86,716
380	BASE SUPPORT	3,836	3,836
400	SERVICEWIDE COMMUNICATIONS	165,348	165,348
410	OTHER SERVICEWIDE ACTIVITIES	204,683	141,683
	Reduction to the Office of Security Cooperation in Iraq		[-63,000]
450	INTERNATIONAL SUPPORT	61	61
460	CLASSIFIED PROGRAMS	15,463	15,463
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	476,107	413,107
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	9,090,013	9,057,963
OPERATION & MAINTENANCE, AF RESERVE			
OPERATING FORCES			
030	DEPOT MAINTENANCE	51,086	51,086
050	BASE SUPPORT	7,020	7,020
	SUBTOTAL OPERATING FORCES	58,106	58,106
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	58,106	58,106
OPERATION & MAINTENANCE, ANG			
OPERATING FORCES			
020	MISSION SUPPORT OPERATIONS	19,900	19,900
	SUBTOTAL OPERATING FORCES	19,900	19,900
	TOTAL OPERATION & MAINTENANCE, ANG	19,900	19,900
OPERATION & MAINTENANCE, DEFENSE-WIDE			
OPERATING FORCES			
010	JOINT CHIEFS OF STAFF	9,900	9,900
030	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	2,345,835	2,345,835
	SUBTOTAL OPERATING FORCES	2,355,735	2,355,735
ADMINISTRATION AND SERVICEWIDE ACTIVITIES			
090	DEFENSE CONTRACT AUDIT AGENCY	18,474	18,474
120	DEFENSE INFORMATION SYSTEMS AGENCY	29,579	29,579
140	DEFENSE LEGAL SERVICES AGENCY	110,000	110,000
160	DEFENSE MEDIA ACTIVITY	5,960	5,960
190	DEFENSE SECURITY COOPERATION AGENCY	1,677,000	1,477,000
	Reduction from Coalition Support Funds		[-200,000]
260	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	73,000	73,000
300	OFFICE OF THE SECRETARY OF DEFENSE	106,709	106,709
320	WASHINGTON HEADQUARTERS SERVICES	2,102	2,102
330	CLASSIFIED PROGRAMS	1,427,074	1,427,074
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	3,449,898	3,249,898
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	5,805,633	5,605,633

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
	TOTAL OPERATION & MAINTENANCE	37,638,283	37,243,783

SEC. 4303. OPERATION AND MAINTENANCE BASE REQUIREMENTS.

SEC. 4303. OPERATION AND MAINTENANCE BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
	OPERATION & MAINTENANCE, ARMY OPERATING FORCES		
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS		421,269
	Transfer base requirement from Title III		[421,269]
130	COMBATANT COMMANDERS CORE OPERATIONS		164,743
	Transfer base requirement from Title III		[164,743]
	SUBTOTAL OPERATING FORCES		586,012
	MOBILIZATION		
180	STRATEGIC MOBILITY		401,638
	Transfer base requirement from Title III		[401,638]
190	ARMY PREPOSITIONED STOCKS		261,683
	Transfer base requirement from Title III		[261,683]
200	INDUSTRIAL PREPAREDNESS		6,532
	Transfer base requirement from Title III		[6,532]
	SUBTOTAL MOBILIZATION		669,853
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION		485,778
	Transfer base requirement from Title III		[485,778]
480	MISC. SUPPORT OF OTHER NATIONS		40,521
	Transfer base requirement from Title III		[40,521]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES		526,299
	TOTAL OPERATION & MAINTENANCE, ARMY		1,782,164
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION		10,665
	Transfer base requirement from Title III		[10,665]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES		10,665
	TOTAL OPERATION & MAINTENANCE, ARMY RES		10,665
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION		6,570
	Transfer base requirement from Title III		[6,570]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES		6,570
	TOTAL OPERATION & MAINTENANCE, ARNG		6,570
	OPERATION & MAINTENANCE, NAVY OPERATING FORCES		
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES		37,225
	Transfer base requirement from Title III		[37,225]
120	SHIP DEPOT OPERATIONS SUPPORT		1,554,863
	Transfer base requirement from Title III		[1,554,863]
	SUBTOTAL OPERATING FORCES		1,592,088
	MOBILIZATION		
310	SHIP PREPOSITIONING AND SURGE		422,846
	Transfer base requirement from Title III		[422,846]
330	SHIP ACTIVATIONS/INACTIVATIONS		361,764
	Transfer base requirement from Title III		[361,764]
350	INDUSTRIAL READINESS		2,237
	Transfer base requirement from Title III		[2,237]
360	COAST GUARD SUPPORT		21,823
	Transfer base requirement from Title III		[21,823]
	SUBTOTAL MOBILIZATION		808,670
	ADMIN & SRVWD ACTIVITIES		
550	SERVICEWIDE TRANSPORTATION		197,724
	Transfer base requirement from Title III		[197,724]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES		197,724
	TOTAL OPERATION & MAINTENANCE, NAVY		2,598,482

SEC. 4303. OPERATION AND MAINTENANCE BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	Agreement Authorized
ADMIN & SRVWD ACTIVITIES			
150	SERVICEWIDE TRANSPORTATION		37,386
	Transfer base requirement from Title III		[37,386]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES		37,386
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS		37,386
OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES			
040	AIRCRAFT DEPOT OPERATIONS SUPPORT		326
	Transfer base requirement from Title III		[326]
	SUBTOTAL OPERATING FORCES		326
	TOTAL OPERATION & MAINTENANCE, NAVY RES		326
MOBILIZATION			
150	MOBILIZATION PREPAREDNESS		148,318
	Transfer base requirement from Title III		[148,318]
160	DEPOT MAINTENANCE		1,617,571
	Transfer base requirement from Title III		[1,617,571]
170	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		259,956
	Transfer base requirement from Title III		[259,956]
180	BASE SUPPORT		708,799
	Transfer base requirement from Title III		[708,799]
	SUBTOTAL MOBILIZATION		2,734,644
TRAINING AND RECRUITING			
280	DEPOT MAINTENANCE		375,513
	Transfer base requirement from Title III		[375,513]
	SUBTOTAL TRAINING AND RECRUITING		375,513
ADMIN & SRVWD ACTIVITIES			
360	DEPOT MAINTENANCE		61,745
	Transfer base requirement from Title III		[61,745]
450	INTERNATIONAL SUPPORT		89,148
	Transfer base requirement from Title III		[89,148]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES		150,893
	TOTAL OPERATION & MAINTENANCE, AIR FORCE		3,261,050
OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES			
030	DEPOT MAINTENANCE		487,036
	Transfer base requirement from Title III		[487,036]
	SUBTOTAL OPERATING FORCES		487,036
	TOTAL OPERATION & MAINTENANCE, AF RESERVE		487,036
ADMINISTRATION AND SERVICEWIDE ACTIVITIES			
200	DEFENSE SECURITY SERVICE		508,396
	Transfer base requirement from Title III		[508,396]
240	DEFENSE THREAT REDUCTION AGENCY		415,696
	Transfer base requirement from Title III		[415,696]
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES		924,092
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE		924,092
	TOTAL OPERATION & MAINTENANCE		9,107,771

TITLE XLIV—MILITARY PERSONNEL**SEC. 4401. MILITARY PERSONNEL.**

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2016 Request	Agreement Authorized
Military Personnel Appropriations	130,491,227	129,316,488
Additional support for the National Guard's Operation Phalanx		[21,700]
Basic Housing Allowance		[300,000]
Financial Literacy Training		[85,000]
Foreign Currency adjustments		[-480,500]
National Guard State Partnership Program increase		[2,100]
Projected understrength		[-115,839]
Unobligated balances		[-987,200]

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2016 Request	Agreement Authorized
Medicare-Eligible Retiree Health Fund Contributions	6,243,449	6,243,449
Total, Military Personnel	136,734,676	135,559,937

**SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS
CONTINGENCY OPERATIONS.**

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2016 Request	Agreement Authorized
Military Personnel Appropriations	3,204,758	3,204,758
Total, Military Personnel Appropriations	3,204,758	3,204,758

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Program Title	FY 2016 Request	Agreement Authorized
WORKING CAPITAL FUND, ARMY		
INDUSTRIAL OPERATIONS		
SUPPLY MANAGEMENT—ARMY	50,432	50,432
TOTAL WORKING CAPITAL FUND, ARMY	50,432	50,432
WORKING CAPITAL FUND, AIR FORCE		
SUPPLIES AND MATERIALS	62,898	62,898
TOTAL WORKING CAPITAL FUND, AIR FORCE	62,898	62,898
WORKING CAPITAL FUND, DEFENSE-WIDE		
SUPPLY CHAIN MANAGEMENT—DEF		
DEFENSE LOGISTICS AGENCY (DLA)	45,084	45,084
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	45,084	45,084
WORKING CAPITAL FUND, DECA		
COMMISSARY RESALE STOCKS		
COMMISSARY OPERATIONS	1,154,154	1,435,354
Restoration of Proposed Efficiencies		[142,200]
Restoration of Savings from Legislative Proposals		[139,000]
TOTAL WORKING CAPITAL FUND, DECA	1,154,154	1,435,354
NATIONAL DEFENSE SEALIFT FUND		
MPF MLP		
POST DELIVERY AND OUTFITTING	15,456	15,456
NATIONAL DEF SEALIFT VESSEL		
LG MED SPD RO/RO MAINTENANCE	124,493	124,493
DOD MOBILIZATION ALTERATIONS	8,243	8,243
TAH MAINTENANCE	27,784	27,784
RESEARCH AND DEVELOPMENT	25,197	25,197
READY RESERVE FORCE	272,991	272,991
TOTAL NATIONAL DEFENSE SEALIFT FUND	474,164	474,164
CHEM AGENTS & MUNITIONS DESTRUCTION		
OPERATION & MAINTENANCE	139,098	139,098
RDT&E	579,342	579,342
PROCUREMENT	2,281	2,281
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	720,721	720,721
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	739,009	761,009
SOUTHCOM Operational Support for Central America		[30,000]
Transfer to Demand Reduction Program		[-8,000]
DRUG DEMAND REDUCTION PROGRAM	111,589	119,589
Expanded drug testing		[8,000]
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	850,598	880,598
OFFICE OF THE INSPECTOR GENERAL		
OPERATION AND MAINTENANCE	310,459	310,459
RDT&E	4,700	2,100
Funding ahead of need		[-2,600]
PROCUREMENT	1,000	0
Program decrease		[-1,000]

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Program Title	FY 2016 Request	Agreement Authorized
TOTAL OFFICE OF THE INSPECTOR GENERAL	316,159	312,559
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	9,082,298	8,962,926
Consolidated health plan unauthorized		[-29,719]
Pharmacy benefit reform unauthorized		[-30,528]
Removal of one-time fiscal year 2016 increases		[-59,125]
PRIVATE SECTOR CARE	14,892,683	14,886,930
Access to TRICARE Prime for certain beneficiaries		[4,000]
TRICARE consolidation not authorized		[-9,753]
CONSOLIDATED HEALTH SUPPORT	2,415,658	2,289,874
Reduction of funds related to Combating Antibiotic Resistant Bacteria (CARB) project		[-10,290]
Removal of one-time fiscal year 2016 increases		[-115,494]
INFORMATION MANAGEMENT	1,677,827	1,654,814
Removal of one-time fiscal year 2016 increases		[-23,013]
MANAGEMENT ACTIVITIES	327,967	325,908
Removal of one-time fiscal year 2016 increases		[-2,059]
EDUCATION AND TRAINING	750,614	750,614
BASE OPERATIONS/COMMUNICATIONS	1,742,893	1,741,690
Removal of one-time fiscal year 2016 increase		[-1,203]
RESEARCH	10,996	10,996
EXPLORATORY DEVELOPMENT	59,473	56,323
Reduction of funds related to Combating Antibiotic Resistant Bacteria (CARB) project		[-3,150]
ADVANCED DEVELOPMENT	231,356	228,256
Reduction of funds related to Combating Antibiotic Resistant Bacteria (CARB) project		[-3,100]
DEMONSTRATION/VALIDATION	103,443	103,443
ENGINEERING DEVELOPMENT	515,910	515,910
MANAGEMENT AND SUPPORT	41,567	41,567
CAPABILITIES ENHANCEMENT	17,356	17,356
INITIAL OUTFITTING	33,392	33,392
REPLACEMENT & MODERNIZATION	330,504	330,504
THEATER MEDICAL INFORMATION PROGRAM	1,494	1,494
IEHR	7,897	7,897
UNDISTRIBUTED		-433,300
Foreign Currency adjustments		[-54,700]
Unobligated balances		[-378,600]
TOTAL DEFENSE HEALTH PROGRAM	32,243,328	31,526,594
TOTAL OTHER AUTHORIZATIONS	35,917,538	35,508,404

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Program Title	FY 2016 Request	Agreement Authorized
WORKING CAPITAL FUND, AIR FORCE		
SUPPLIES AND MATERIALS		
TRANSPORTATION OF FALLEN HEROES	2,500	2,500
TOTAL WORKING CAPITAL FUND, AIR FORCE	2,500	2,500
WORKING CAPITAL FUND, DEFENSE-WIDE		
SUPPLY CHAIN MANAGEMENT—DEF		
DEFENSE LOGISTICS AGENCY (DLA)	86,350	86,350
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	86,350	86,350
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	186,000	186,000
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	186,000	186,000
OFFICE OF THE INSPECTOR GENERAL		
OPERATION AND MAINTENANCE	10,262	10,262
TOTAL OFFICE OF THE INSPECTOR GENERAL	10,262	10,262
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	65,149	65,149
PRIVATE SECTOR CARE	192,210	192,210
CONSOLIDATED HEALTH SUPPORT	9,460	9,460
EDUCATION AND TRAINING	5,885	5,885
TOTAL DEFENSE HEALTH PROGRAM	272,704	272,704
UKRAINE SECURITY ASSISTANCE		
UKRAINE SECURITY ASSISTANCE		300,000
Provides assistance to Ukraine		[300,000]
TOTAL UKRAINE SECURITY ASSISTANCE		300,000

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Program Title	FY 2016 Request	Agreement Authorized
COUNTERTERRORISM PARTNERSHIPS FUND		
COUNTERTERRORISM PARTNERSHIPS FUND	2,100,000	750,000
Program decrease		[-1,350,000]
TOTAL COUNTERTERRORISM PARTNERSHIPS FUND	2,100,000	750,000
TOTAL OTHER AUTHORIZATIONS	2,657,816	1,607,816

TITLE XLVI—MILITARY CONSTRUCTION
SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2016 Request	Agreement Authorized
Army	Alaska			
	Fort Greely	Physical Readiness Training Facility	7,800	7,800
Army	California			
	Concord	Pier	98,000	98,000
Army	Colorado			
	Fort Carson	Rotary Wing Taxiway	5,800	5,800
Army	Cuba			
	Guantanamo Bay	Unaccompanied Personnel Housing	0	0
Army	Georgia			
	Fort Gordon	Command and Control Facility	90,000	90,000
Army	Germany			
	Grafenwoehr	Vehicle Maintenance Shop	51,000	51,000
Army	Maryland			
	Fort Meade	Access Control Point—Mapes Road	0	15,000
Army		Access Control Point—Reece Road	0	19,500
Army	New York			
	Fort Drum	NCO Academy Complex	19,000	19,000
Army		U.S. Military Academy	70,000	70,000
Army	Oklahoma			
	Fort Sill	Reception Barracks Complex Ph2	56,000	56,000
Army		Fort Sill	13,400	13,400
Army	Texas			
	Corpus Christi	Powertrain Facility (Infrastructure/Metal)	85,000	85,000
Army		Joint Base San Antonio	43,000	0
Army	Virginia			
	Arlington National Cemetery	Arlington Cemetery Southern Expansion (DAR)	0	30,000
Army		Fort Lee	33,000	33,000
Army		Joint Base Myer-Henderson	37,000	0
Army	Worldwide Unspecified			
	Unspecified Worldwide Loca-	Host Nation Support	36,000	36,000
Army	tions			
	Unspecified Worldwide Loca-	Minor Construction	25,000	25,000
Army	tions			
	Unspecified Worldwide Loca-	Planning and Design	73,245	73,245
Army	tions			
Military Construction, Army Total			743,245	727,745
Navy	Arizona			
	Yuma	Aircraft Maint. Facilities & Apron (So. CALA)	50,635	50,635
Navy	Bahrain Island			
	SW Asia	Mina Salman Pier Replacement	37,700	37,700
Navy		SW Asia	52,091	52,091
Navy	California			
	Camp Pendleton	Pendleton Ops Center	0	0
Navy		Camp Pendleton	44,540	44,540
Navy		Coronado	4,856	4,856
Navy		Lemoore	56,497	56,497
Navy		Lemoore	8,187	8,187
Navy		Lemoore	7,146	7,146
Navy		Miramar	0	11,200
Navy		Point Mugu	19,453	19,453
Navy		Point Mugu	2,974	2,974
Navy		San Diego	37,366	37,366
Navy		Twentynine Palms	9,160	9,160
Navy	Florida			
	Jacksonville	Fleet Support Facility Addition	8,455	8,455
Navy		Jacksonville	8,296	8,296
Navy		Mayport	16,159	16,159
Navy		Pensacola	18,347	18,347
Navy		Whiting Field	10,421	10,421

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2016 Request	Agreement Authorized
	Georgia			
Navy	Albany	Ground Source Heat Pumps	7,851	7,851
Navy	Kings Bay	Industrial Control System Infrastructure	8,099	8,099
Navy	Townsend	Townsend Bombing Range Expansion Phase 2	48,279	43,279
	Guam			
Navy	Joint Region Marianas	Live-Fire Training Range Complex (NW Field)	125,677	125,677
Navy	Joint Region Marianas	Municipal Solid Waste Landfill Closure	10,777	10,777
Navy	Joint Region Marianas	Sanitary Sewer System Recapitalization	45,314	45,314
	Hawaii			
Navy	Barking Sands	PMRF Power Grid Consolidation	30,623	30,623
Navy	Joint Base Pearl Harbor-Hickam	UEM Interconnect Sta C to Hickam	6,335	6,335
Navy	Joint Base Pearl Harbor-Hickam	Welding School Shop Consolidation	8,546	8,546
Navy	Kaneohe Bay	Airfield Lighting Modernization	26,097	26,097
Navy	Kaneohe Bay	Bachelor Enlisted Quarters	68,092	68,092
Navy	Kaneohe Bay	P-8A Detachment Support Facilities	12,429	12,429
Navy	MCB Hawaii	LHD Pad Conversions MV-22 Landing Pads	0	0
	Italy			
Navy	Sigonella	P-8A Hangar and Fleet Support Facility	62,302	62,302
Navy	Sigonella	Triton Hangar and Operation Facility	40,641	40,641
	Japan			
Navy	Camp Butler	Military Working Dog Facilities (Camp Hansen)	11,697	11,697
Navy	Iwakuni	E-2D Operational Trainer Complex	8,716	8,716
Navy	Iwakuni	Security Modifications—CVW5/MAG12 HQ	9,207	9,207
Navy	Kadena AB	Aircraft Maint. Shelters & Apron	23,310	23,310
Navy	Yokosuka	Child Development Center	13,846	13,846
	Maryland			
Navy	Patuxent River	Unaccompanied Housing	40,935	40,935
	North Carolina			
Navy	Camp Lejeune	2nd Radio BN Complex Operations Consolidation	0	0
Navy	Camp Lejeune	Range Safety Improvements	0	0
Navy	Camp Lejeune	Simulator Integration/Range Control Facility	54,849	54,849
Navy	Cherry Point Marine Corps Air Station	Airfield Security Improvements	0	23,300
Navy	Cherry Point Marine Corps Air Station	KC-130J Enlsited Air Crew Trainer Facility	4,769	4,769
Navy	Cherry Point Marine Corps Air Station	Unmanned Aircraft System Facilities	29,657	29,657
Navy	New River	Operational Trainer Facility	3,312	3,312
Navy	New River	Radar Air Traffic Control Facility Addition	4,918	4,918
	Poland			
Navy	RedziKowo Base	AEGIS Ashore Missile Defense Complex	51,270	51,270
	South Carolina			
Navy	Parris Island	Range Safety Improvements & Modernization	27,075	27,075
	Virginia			
Navy	Dam Neck	Maritime Surveillance System Facility	23,066	23,066
Navy	Norfolk	Communications Center	75,289	75,289
Navy	Norfolk	Electrical Repairs to Piers 2,6,7, and 11	44,254	44,254
Navy	Norfolk	MH-60 Helicopter Training Facility	7,134	7,134
Navy	Portsmouth	Waterfront Utilities	45,513	45,513
Navy	Quantico	ATFP Gate	5,840	5,840
Navy	Quantico	Electrical Distribution Upgrade	8,418	8,418
Navy	Quantico	Embassy Security Guard BEQ & Ops Facility	43,941	43,941
Navy	Quantico	TBS Fire Station Replacement	0	0
	Washington			
Navy	Bangor	Regional Ship Maintenance Support Facility	0	0
Navy	Bangor	WRA Land/Water Interface	34,177	34,177
Navy	Bremerton	Dry Dock 6 Modernization & Utility Improve.	22,680	22,680
Navy	Indian Island	Shore Power to Ammunition Pier	4,472	4,472
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	MCON Design Funds	91,649	91,649
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	22,590	22,590
Military Construction, Navy Total			1,605,929	1,635,429
	Alaska			
AF	Eielson AFB	F-35A Flight Sim/Alter Squad Ops/AMU Facility	37,000	37,000
AF	Eielson AFB	Rpr Central Heat & Power Plant Boiler Ph3	34,400	34,400
	Arizona			
AF	Davis-Monthan AFB	HC-130J Age Covered Storage	4,700	4,700
AF	Davis-Monthan AFB	HC-130J Wash Rack	12,200	12,200
AF	Luke AFB	Communications Facility	0	21,000
AF	Luke AFB	F-35A ADAL Fuel Offload Facility	5,000	5,000
AF	Luke AFB	F-35A Aircraft Maintenance Hangar/Sq 3	13,200	13,200
AF	Luke AFB	F-35A Bomb Build-up Facility	5,500	5,500
AF	Luke AFB	F-35A Sq Ops/AMU/Hangar/Sq 4	33,000	33,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2016 Request	Agreement Authorized
AF	Colorado			
	U.S. Air Force Academy	Front Gates Force Protection Enhancements	10,000	10,000
	Florida			
AF	Cape Canaveral AFS	Range Communications Facility	21,000	21,000
AF	Eglin AFB	F-35A Consolidated HQ Facility	8,700	8,700
AF	Hurlburt Field	ADAL 39 Information Operations Squad Facility	14,200	14,200
	Greenland			
AF	Thule AB	Thule Consolidation PH 1	41,965	41,965
	Guam			
AF	Joint Region Marianas	APR—Dispersed Maint Spares & SE Storage Fac	19,000	19,000
AF	Joint Region Marianas	APR—Installation Control Center	22,200	22,200
AF	Joint Region Marianas	APR—South Ramp Utilities Phase 2	7,100	7,100
AF	Joint Region Marianas	PAR—Lo/Corrosion Cntrl/Composite Repair	0	0
AF	Joint Region Marianas	PRTC Roads	2,500	2,500
	Hawaii			
AF	Joint Base Pearl Harbor-Hickam	F-22 Fighter Alert Facility	46,000	46,000
	Japan			
AF	Yokota AB	C-130J Flight Simulator Facility	8,461	8,461
	Kansas			
AF	McConnell AFB	Air Traffic Control Tower	0	0
AF	McConnell AFB	KC-46A ADAL Deicing Pads	4,300	4,300
	Louisiana			
AF	Barksdale AFB	Consolidated Communications Facility	0	0
	Maryland			
AF	Fort Meade	CYBERCOM Joint Operations Center, Increment 3	86,000	86,000
	Missouri			
AF	Whiteman AFB	Consolidated Stealth Ops & Nuclear Alert Fac	29,500	29,500
	Montana			
AF	Malmstrom AFB	Tactical Response Force Alert Facility	19,700	19,700
	Nebraska			
AF	Offutt AFB	Dormitory (144 Rm)	21,000	21,000
	Nevada			
AF	Nellis AFB	F-35A Airfield Pavements	31,000	31,000
AF	Nellis AFB	F-35A Live Ordnance Loading Area	34,500	34,500
AF	Nellis AFB	F-35A Munitions Maintenance Facilities	3,450	3,450
	New Mexico			
AF	Cannon AFB	Construct AT/FP Gate—Portales	7,800	7,800
AF	Holloman AFB	Fixed Ground Control	0	0
AF	Holloman AFB	Marshalling Area ARM/DE—ARM Pad D	3,000	3,000
AF	Kirtland AFB	Space Vehicles Component Development Lab	12,800	12,800
	New York			
AF	Fort Drum	ASOS Expansion	0	0
	Niger			
AF	Agadez	Construct Airfield and Base Camp	50,000	50,000
	North Carolina			
AF	Seymour Johnson AFB	Air Traffic Control Tower/Base Ops Facility	17,100	17,100
	Oklahoma			
AF	Altus AFB	Dormitory (120 Rm)	18,000	18,000
AF	Altus AFB	KC-46A FTU ADAL Fuel Cell Maint Hangar	10,400	10,400
AF	Tinker AFB	Air Traffic Control Tower	12,900	12,900
AF	Tinker AFB	KC-46A Depot Maintenance Dock	37,000	37,000
	Oman			
AF	Al Musannah AB	Airlift Apron	25,000	25,000
	South Dakota			
AF	Ellsworth AFB	Dormitory (168 Rm)	23,000	23,000
	Texas			
AF	Joint Base San Antonio	BMT Classrooms/Dining Facility 3	35,000	35,000
AF	Joint Base San Antonio	BMT Recruit Dormitory 5	71,000	71,000
	United Kingdom			
AF	RAF Croughton	Consolidated SATCOM/Tech Control Facility	36,424	36,424
AF	RAF Croughton	JIAC Consolidation—PH 2	94,191	94,191
	Utah			
AF	Hill AFB	F-35A Flight Simulator Addition Phase 2	5,900	5,900
AF	Hill AFB	F-35A Hangar 40/42 Additions and AMU	21,000	21,000
AF	Hill AFB	Hayman Igloos	11,500	11,500
	Worldwide Classified			
AF	Classified Location	Long Range Strike Bomber	77,130	77,130
AF	Classified Location	Munitions Storage	3,000	3,000
	Worldwide Unspecified			
AF	Various Worldwide Locations	Planning and Design	89,164	89,164
AF	Various Worldwide Locations	Unspecified Minor Military Construction	22,900	22,900
	Wyoming			
AF	F. E. Warren AFB	Weapon Storage Facility	95,000	95,000
Military Construction, Air Force Total			1,354,785	1,375,785
	Alabama			
Def-Wide	Fort Rucker	Fort Rucker ES/PS Consolidation/Replacement	46,787	46,787

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(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2016 Request	Agreement Authorized
Def-Wide	Maxwell AFB	Maxwell ES/MS Replacement/Renovation	32,968	32,968
Def-Wide	Arizona			
Def-Wide	Fort Huachuca	JITC Buildings 52101/52111 Renovations	3,884	3,884
Def-Wide	California			
Def-Wide	Camp Pendleton	SOF Combat Service Support Facility	10,181	10,181
Def-Wide	Camp Pendleton	SOF Performance Resiliency Center-West	10,371	10,371
Def-Wide	Coronado	SOF Logistics Support Unit One Ops Fac. #2	47,218	47,218
Def-Wide	Fresno Yosemite IAP ANG	Replace Fuel Storage and Distrib. Facilities	10,700	10,700
Def-Wide	Colorado			
Def-Wide	Fort Carson	SOF Language Training Facility	8,243	8,243
Def-Wide	CONUS Classified			
Def-Wide	Classified Location	Operations Support Facility	20,065	20,065
Def-Wide	Delaware			
Def-Wide	Dover AFB	Construct Hydrant Fuel System	21,600	21,600
Def-Wide	Djibouti			
Def-Wide	Camp Lemonnier	Construct Fuel Storage & Distrib. Facilities	43,700	43,700
Def-Wide	Florida			
Def-Wide	Hurlburt Field	SOF Fuel Cell Maintenance Hangar	17,989	17,989
Def-Wide	MacDill AFB	SOF Operational Support Facility	39,142	39,142
Def-Wide	Georgia			
Def-Wide	Moody AFB	Replace Pumphouse and Truck Fillstands	10,900	10,900
Def-Wide	Germany			
Def-Wide	Garmisch	Garmisch E/MS-Addition/Modernization	14,676	14,676
Def-Wide	Grafenwoehr	Grafenwoehr Elementary School Replacement	38,138	38,138
Def-Wide	Rhine Ordnance Barracks	Medical Center Replacement Incr 5	85,034	85,034
Def-Wide	Spangdahlem AB	Construct Fuel Pipeline	5,500	5,500
Def-Wide	Spangdahlem AB	Medical/Dental Clinic Addition	34,071	34,071
Def-Wide	Stuttgart-Patch Barracks	Patch Elementary School Replacement	49,413	49,413
Def-Wide	Hawaii			
Def-Wide	Kaneohe Bay	Medical/Dental Clinic Replacement	122,071	122,071
Def-Wide	Schofield Barracks	Behavioral Health/Dental Clinic Addition	123,838	123,838
Def-Wide	Japan			
Def-Wide	Kadena AB	Airfield Pavements	37,485	37,485
Def-Wide	Kentucky			
Def-Wide	Fort Campbell	SOF Company HQ/Classrooms	12,553	12,553
Def-Wide	Fort Knox	Fort Knox HS Renovation/MS Addition	23,279	23,279
Def-Wide	Maryland			
Def-Wide	Fort Meade	NSAW Campus Feeders Phase 2	33,745	33,745
Def-Wide	Fort Meade	NSAW Recapitalize Building #2 Incr 1	34,897	34,897
Def-Wide	Nevada			
Def-Wide	Nellis AFB	Replace Hydrant Fuel System	39,900	39,900
Def-Wide	New Mexico			
Def-Wide	Cannon AFB	Construct Pumphouse and Fuel Storage	20,400	20,400
Def-Wide	Cannon AFB	SOF Squadron Operations Facility	11,565	11,565
Def-Wide	Cannon AFB	SOF ST Operational Training Facilities	13,146	13,146
Def-Wide	New York			
Def-Wide	West Point	West Point Elementary School Replacement	55,778	55,778
Def-Wide	North Carolina			
Def-Wide	Camp Lejeune	SOF Combat Service Support Facility	14,036	14,036
Def-Wide	Camp Lejeune	SOF Marine Battalion Company/Team Facilities	54,970	54,970
Def-Wide	Fort Bragg	Butner Elementary School Replacement	32,944	32,944
Def-Wide	Fort Bragg	SOF 21 STS Operations Facility	16,863	16,863
Def-Wide	Fort Bragg	SOF Battalion Operations Facility	38,549	38,549
Def-Wide	Fort Bragg	SOF Indoor Range	8,303	8,303
Def-Wide	Fort Bragg	SOF Intelligence Training Center	28,265	28,265
Def-Wide	Fort Bragg	SOF Special Tactics Facility (PH 2)	43,887	43,887
Def-Wide	Ohio			
Def-Wide	Wright-Patterson AFB	Satellite Pharmacy Replacement	6,623	6,623
Def-Wide	Oregon			
Def-Wide	Klamath Falls IAP	Replace Fuel Facilities	2,500	2,500
Def-Wide	Pennsylvania			
Def-Wide	Philadelphia	Replace Headquarters	49,700	49,700
Def-Wide	Poland			
Def-Wide	RedziKowo Base	AEGIS Ashore Missile Defense System Complex	169,153	169,153
Def-Wide	South Carolina			
Def-Wide	Fort Jackson	Pierce Terrace Elementary School Replacement	26,157	26,157
Def-Wide	Spain			
Def-Wide	Rota	Rota ES and HS Additions	13,737	13,737
Def-Wide	Texas			
Def-Wide	Fort Bliss	Hospital Replacement Incr 7	239,884	189,884
Def-Wide	Joint Base San Antonio	Ambulatory Care Center Phase 4	61,776	61,776
Def-Wide	Virginia			
Def-Wide	Fort Belvoir	Construct Visitor Control Center	5,000	5,000
Def-Wide	Fort Belvoir	Replace Ground Vehicle Fueling Facility	4,500	4,500
Def-Wide	Joint Base Langley-Eustis	Replace Fuel Pier and Distribution Facility	28,000	28,000
Def-Wide	Joint Expeditionary Base Little Creek—Story	SOF Applied Instruction Facility	23,916	23,916
Def-Wide	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	Contingency Construction	10,000	0

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(In Thousands of Dollars)

Account	State/Country and Installation			Project Title	FY 2016 Request	Agreement Authorized
Def-Wide	Unspecified tions	Worldwide	Loca-	ECIP Design	10,000	10,000
Def-Wide	Unspecified tions	Worldwide	Loca-	Energy Conservation Investment Program	150,000	150,000
Def-Wide	Unspecified tions	Worldwide	Loca-	Exercise Related Minor Construction	8,687	8,687
Def-Wide	Unspecified tions	Worldwide	Loca-	Planning and Design	31,628	31,628
Def-Wide	Unspecified tions	Worldwide	Loca-	Planning and Design	3,041	3,041
Def-Wide	Unspecified tions	Worldwide	Loca-	Planning and Design	1,078	1,078
Def-Wide	Unspecified tions	Worldwide	Loca-	Planning and Design	27,202	27,202
Def-Wide	Unspecified tions	Worldwide	Loca-	Planning and Design	42,183	42,183
Def-Wide	Unspecified tions	Worldwide	Loca-	Planning and Design	13,500	13,500
Def-Wide	Unspecified tions	Worldwide	Loca-	Unspecified Minor Construction	15,676	15,676
Def-Wide	Unspecified tions	Worldwide	Loca-	Unspecified Minor Construction	5,000	5,000
Def-Wide	Unspecified tions	Worldwide	Loca-	Unspecified Minor Construction	3,000	3,000
Def-Wide	Various Worldwide Locations			East Coast Missile Site Planning and Design	0	30,000
Def-Wide	Various Worldwide Locations			Planning & Design	31,772	31,772
Military Construction, Defense-Wide Total					2,300,767	2,270,767
NATO	Worldwide Unspecified NATO Security Investment Program			NATO Security Investment Program	120,000	120,000
NATO Security Investment Program Total					120,000	120,000
Army NG	Alabama Camp Foley			Vehicle Maintenance Shop	0	4,500
Army NG	Connecticut Camp Hartell			Ready Building (CST-WMD)	11,000	11,000
Army NG	Delaware Dagsboro			National Guard Vehicle Maintenance Shop	10,800	10,800
Army NG	Florida Palm Coast			National Guard Readiness Center	18,000	18,000
Army NG	Georgia Fort Stewart			Tactical Aerial Unmanned Systems	0	6,800
Army NG	Illinois Sparta			Basic 10M-25M Firing Range (Zero)	1,900	1,900
Army NG	Kansas Salina			Automated Combat Pistol/MP Firearms Qual Course	2,400	2,400
Army NG	Salina			Modified Record Fire Range	4,300	4,300
Army NG	Maryland Easton			National Guard Readiness Center	13,800	13,800
Army NG	Mississippi Gulfport			Aviation Classification and Repair	0	40,000
Army NG	Nevada Reno			National Guard Vehicle Maintenance Shop Add/Alt	8,000	8,000
Army NG	Ohio Camp Ravenna			Modified Record Fire Range	3,300	3,300
Army NG	Oregon Salem			National Guard/Reserve Center Bldg Add/Alt (JFHQ)	16,500	16,500
Army NG	Pennsylvania Fort Indiantown Gap			Training Aids Center	16,000	16,000
Army NG	Vermont North Hyde Park			National Guard Vehicle Maintenance Shop Addition	7,900	7,900
Army NG	Virginia Richmond			National Guard/Reserve Center Building (JFHQ)	29,000	29,000
Army NG	Washington Yakima			Enlisted Barracks, Transient Training	19,000	19,000
Army NG	Worldwide Unspecified tions	Worldwide	Loca-	Planning and Design	20,337	20,337
Army NG	Unspecified tions	Worldwide	Loca-	Unspecified Minor Construction	15,000	15,000
Military Construction, Army National Guard Total					197,237	248,537
Army Res	California Miramar			Army Reserve Center	24,000	24,000
	Florida					

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Account	State/Country and Installation	Project Title	FY 2016 Request	Agreement Authorized
Army Res	MacDill AFB	AR Center/AS Facility	55,000	55,000
Army Res	Mississippi			
Army Res	Starkville	Army Reserve Center	9,300	9,300
Army Res	New York			
Army Res	Orangeburg	Organizational Maintenance Shop	4,200	4,200
Army Res	Pennsylvania			
Army Res	Conneaut Lake	DAR Highway Improvement	5,000	5,000
Army Res	Puerto Rico			
Army Res	Fort Buchanan	Access Control Point	0	10,200
Army Res	Virginia			
Army Res	Fort AP Hill	Equipment Concentration	0	24,000
Army Res	Worldwide Unspecified			
Army Res	Unspecified Worldwide Loca- tions	Planning and Design	9,318	9,318
Army Res	Unspecified Worldwide Loca- tions	Unspecified Minor Construction	6,777	6,777
Military Construction, Army Reserve Total			113,595	147,795
N/MC Res	Nevada			
N/MC Res	Fallon	NAVOPSPTCEN Fallon	11,480	11,480
N/MC Res	New York			
N/MC Res	Brooklyn	Reserve Center Storage Facility	2,479	2,479
N/MC Res	Virginia			
N/MC Res	Dam Neck	Reserve Training Center Complex	18,443	18,443
N/MC Res	Worldwide Unspecified			
N/MC Res	Unspecified Worldwide Loca- tions	MCNR Planning & Design	2,208	2,208
N/MC Res	Unspecified Worldwide Loca- tions	MCNR Unspecified Minor Construction	1,468	1,468
Military Construction, Naval Reserve Total			36,078	36,078
Air NG	Alabama			
Air NG	Dannelly Field	TFI—Replace Squadron Operations Facility	7,600	7,600
Air NG	Arkansas			
Air NG	Fort Smith MAP	Consolidated SCIF	0	0
Air NG	California			
Air NG	Moffett Field	Replace Vehicle Maintenance Facility	6,500	6,500
Air NG	Colorado			
Air NG	Buckley AFB	ASE Maintenance and Storage Facility	5,100	5,100
Air NG	Connecticut			
Air NG	Bradley	Ops and Deployment Facility	0	0
Air NG	Florida			
Air NG	Cape Canaveral AFS	Space Control Facility	0	6,100
Air NG	Georgia			
Air NG	Savannah/Hilton Head IAP	C-130 Squadron Operations Facility	9,000	9,000
Air NG	Hawaii			
Air NG	Joint Base Pearl Harbor- Hickam	F-22 Composite Repair Facility	0	0
Air NG	Iowa			
Air NG	Des Moines MAP	Air Operations Grp/CYBER Beddown-Reno Bldg 430	6,700	6,700
Air NG	Kansas			
Air NG	Smokey Hill ANG Range	Range Training Support Facilities	2,900	2,900
Air NG	Louisiana			
Air NG	New Orleans	Replace Squadron Operations Facility	10,000	10,000
Air NG	Maine			
Air NG	Bangor IAP	Add to and Alter Fire Crash/Rescue Station	7,200	7,200
Air NG	New Hampshire			
Air NG	Pease International Trade Port	Bldg Mod KC-46 Fuselage Trainer	0	0
Air NG	Pease International Trade Port	KC-46A ADAL Flight Simulator Bldg 156	2,800	2,800
Air NG	New Jersey			
Air NG	Atlantic City IAP	Fuel Cell and Corrosion Control Hangar	10,200	10,200
Air NG	New York			
Air NG	Niagara Falls IAP	Remotely Piloted Aircraft Beddown Bldg 912	7,700	7,700
Air NG	North Carolina			
Air NG	Charlotte/Douglas IAP	Replace C-130 Squadron Operations Facility	9,000	9,000
Air NG	North Dakota			
Air NG	Hector IAP	Intel Targeting Facilities	7,300	7,300
Air NG	Oklahoma			
Air NG	Will Rogers World Airport	Medium Altitude Manned ISR Beddown	7,600	7,600
Air NG	Oregon			
Air NG	Klamath Falls IAP	Replace Fire Crash/Rescue Station	7,200	7,200
Air NG	West Virginia			
Air NG	Yeager Airport	Force Protection—Relocate Coonskin Road	3,900	3,900
Air NG	Worldwide Unspecified			
Air NG	Various Worldwide Locations	Planning and Design	5,104	5,104
Air NG	Various Worldwide Locations	Unspecified Minor Construction	7,734	7,734

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Account	State/Country and Installation				Project Title	FY 2016 Request	Agreement Authorized
Military Construction, Air National Guard Total						123,538	129,638
AF Res	Arizona				Guardian Angel Operations	0	0
	Davis-Monthan AFB						
AF Res	California				Satellite Fire Station	4,600	4,600
	March AFB						
AF Res	Florida				Aircrew Life Support Facility	3,400	3,400
	Patrick AFB						
AF Res	Georgia				Fire Station/Security Complex	0	10,400
	Dobbins						
AF Res	Ohio				Indoor Firing Range	9,400	9,400
	Youngstown						
AF Res	Texas				Consolidate 433 Medical Facility	9,900	9,900
	Joint Base San Antonio						
AF Res	Worldwide Unspecified				Planning and Design	13,400	13,400
	Various Worldwide Locations						
AF Res	Various Worldwide Locations				Unspecified Minor Military Construction	6,121	6,121
Military Construction, Air Force Reserve Total						46,821	57,221
FH Con	Florida				Family Housing Replacement Construction	8,000	8,000
Army	Camp Rudder						
FH Con	Germany				Family Housing Improvements	3,500	3,500
Army	Wiesbaden Army Airfield						
FH Con	Illinois				Family Housing Replacement Construction	20,000	29,000
Army	Rock Island						
FH Con	Korea				Family Housing New Construction	61,000	61,000
Army	Camp Walker						
FH Con	Worldwide Unspecified				Family Housing P & D	7,195	7,195
Army	Unspecified Worldwide Loca- tions						
Family Housing Construction, Army Total						99,695	108,695
FH Ops	Worldwide Unspecified				Furnishings	25,552	18,552
Army	Unspecified Worldwide Loca- tions						
FH Ops	Unspecified Worldwide Loca- tions				Leased Housing	144,879	141,879
Army	Unspecified Worldwide Loca- tions						
FH Ops	Unspecified Worldwide Loca- tions				Maintenance of Real Property Facilities	75,197	75,197
Army	Unspecified Worldwide Loca- tions						
FH Ops	Unspecified Worldwide Loca- tions				Management Account	45,468	42,568
Army	Unspecified Worldwide Loca- tions						
FH Ops	Unspecified Worldwide Loca- tions				Management Account	3,047	3,047
Army	Unspecified Worldwide Loca- tions						
FH Ops	Unspecified Worldwide Loca- tions				Military Housing Privatization Initiative	22,000	22,000
Army	Unspecified Worldwide Loca- tions						
FH Ops	Unspecified Worldwide Loca- tions				Miscellaneous	840	840
Army	Unspecified Worldwide Loca- tions						
FH Ops	Unspecified Worldwide Loca- tions				Services	10,928	10,928
Army	Unspecified Worldwide Loca- tions						
FH Ops	Unspecified Worldwide Loca- tions				Utilities	65,600	60,600
Army	Unspecified Worldwide Loca- tions						
Family Housing Operation And Maintenance, Army Total						393,511	375,611
FH Con	Virginia				Construct Housing Welcome Center	438	438
Navy	Wallops Island						
FH Con	Worldwide Unspecified				Design	4,588	4,588
Navy	Unspecified Worldwide Loca- tions						
FH Con	Unspecified Worldwide Loca- tions				Improvements	11,515	11,515
Navy	Unspecified Worldwide Loca- tions						
Family Housing Construction, Navy And Marine Corps Total						16,541	16,541
FH Ops	Worldwide Unspecified				Furnishings Account	17,534	17,534
Navy	Unspecified Worldwide Loca- tions						
FH Ops	Unspecified Worldwide Loca- tions				Leasing	64,108	64,108
Navy	Unspecified Worldwide Loca- tions						
FH Ops	Unspecified Worldwide Loca- tions				Maintenance of Real Property	99,323	99,323
Navy	Unspecified Worldwide Loca- tions						

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Account	State/Country and Installation			Project Title	FY 2016 Request	Agreement Authorized
FH Ops Navy	Unspecified	Worldwide	Loca-	Management Account	56,189	56,189
FH Ops Navy	Unspecified	Worldwide	Loca-	Miscellaneous Account	373	373
FH Ops Navy	Unspecified	Worldwide	Loca-	Privatization Support Costs	28,668	28,668
FH Ops Navy	Unspecified	Worldwide	Loca-	Services Account	19,149	19,149
FH Ops Navy	Unspecified	Worldwide	Loca-	Utilities Account	67,692	67,692
Family Housing Operation And Maintenance, Navy And Marine Corps Total					353,036	353,036
FH Con AF	Worldwide Unspecified					
	Unspecified	Worldwide	Loca-	Improvements	150,649	150,649
FH Con AF	Unspecified	Worldwide	Loca-	Planning and Design	9,849	9,849
Family Housing Construction, Air Force Total					160,498	160,498
FH Ops AF	Worldwide Unspecified					
	Unspecified	Worldwide	Loca-	Furnishings Account	38,746	38,746
FH Ops AF	Unspecified	Worldwide	Loca-	Housing Privatization	41,554	41,554
FH Ops AF	Unspecified	Worldwide	Loca-	Leasing	28,867	28,867
FH Ops AF	Unspecified	Worldwide	Loca-	Maintenance	114,129	114,129
FH Ops AF	Unspecified	Worldwide	Loca-	Management Account	52,153	52,153
FH Ops AF	Unspecified	Worldwide	Loca-	Miscellaneous Account	2,032	2,032
FH Ops AF	Unspecified	Worldwide	Loca-	Services Account	12,940	12,940
FH Ops AF	Unspecified	Worldwide	Loca-	Utilities Account	40,811	40,811
Family Housing Operation And Maintenance, Air Force Total					331,232	331,232
FH Ops DW	Worldwide Unspecified					
	Unspecified	Worldwide	Loca-	Furnishings Account	20	20
FH Ops DW	Unspecified	Worldwide	Loca-	Furnishings Account	3,402	3,402
FH Ops DW	Unspecified	Worldwide	Loca-	Furnishings Account	781	781
FH Ops DW	Unspecified	Worldwide	Loca-	Leasing	41,273	41,273
FH Ops DW	Unspecified	Worldwide	Loca-	Leasing	10,679	10,679
FH Ops DW	Unspecified	Worldwide	Loca-	Maintenance of Real Property	1,104	1,104
FH Ops DW	Unspecified	Worldwide	Loca-	Maintenance of Real Property	344	344
FH Ops DW	Unspecified	Worldwide	Loca-	Management Account	388	388
FH Ops DW	Unspecified	Worldwide	Loca-	Services Account	31	31
FH Ops DW	Unspecified	Worldwide	Loca-	Utilities Account	474	474
FH Ops DW	Unspecified	Worldwide	Loca-	Utilities Account	172	172
Family Housing Operation And Maintenance, Defense-Wide Total					58,668	58,668
BRAC	Worldwide Unspecified					
	Unspecified	Worldwide	Loca-	Base Realignment and Closure	29,691	29,691
Base Realignment and Closure—Army Total					29,691	29,691
BRAC	Worldwide Unspecified					
	Unspecified	Worldwide	Loca-	Base Realignment & Closure	118,906	118,906
BRAC	Unspecified	Worldwide	Loca-	DON-100: Planing, Design and Management	7,787	7,787

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Account	State/Country and Installation			Project Title	FY 2016 Request	Agreement Authorized
BRAC	Unspecified	Worldwide	Loca-	DON-101: Various Locations	20,871	20,871
BRAC	Unspecified	Worldwide	Loca-	DON-138: NAS Brunswick, ME	803	803
BRAC	Unspecified	Worldwide	Loca-	DON-157: MCSA Kansas City, MO	41	41
BRAC	Unspecified	Worldwide	Loca-	DON-172: NWS Seal Beach, Concord, CA	4,872	4,872
BRAC	Unspecified	Worldwide	Loca-	DON-84: JRB Willow Grove & Cambria Reg AP	3,808	3,808
Base Realignment and Closure—Navy Total					157,088	157,088
BRAC	Worldwide Unspecified	Unspecified	Worldwide	Loca- DOD BRAC Activities—Air Force	64,555	64,555
Base Realignment and Closure—Air Force Total					64,555	64,555
PYS	Worldwide Unspecified	Unspecified	Worldwide	Loca- Air Force	0	–34,400
PYS	Unspecified	Worldwide	Loca-	Army	0	–47,700
PYS	Unspecified	Worldwide	Loca-	Defense-Wide	0	–134,000
PYS	Unspecified	Worldwide	Loca-	Housing Assistance Program	0	–110,000
Prior Year Savings Total					0	–326,100
Total, Military Construction					8,306,510	8,078,510

**TITLE XLVII—DEPARTMENT OF ENERGY
NATIONAL SECURITY PROGRAMS**

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL
SECURITY PROGRAMS.**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program				FY 2016 Request	Agreement Authorized
Discretionary Summary By Appropriation					
Energy And Water Development, And Related Agencies					
Appropriation Summary:					
Energy Programs					
Nuclear Energy				135,161	135,161
Atomic Energy Defense Activities					
National nuclear security administration:					
Weapons activities				8,846,948	8,802,797
Defense nuclear nonproliferation				1,940,302	1,941,500
Naval reactors				1,375,496	1,359,996
Federal salaries and expenses				402,654	388,000
Total, National nuclear security administration				12,565,400	12,492,293
Environmental and other defense activities:					
Defense environmental cleanup				5,527,347	5,130,550
Other defense activities				774,425	770,522
Total, Environmental & other defense activities				6,301,772	5,901,072
Total, Atomic Energy Defense Activities				18,867,172	18,393,365
Total, Discretionary Funding				19,002,333	18,528,526
Nuclear Energy					
Idaho sitewide safeguards and security				126,161	126,161
Used nuclear fuel disposition				9,000	9,000
Total, Nuclear Energy				135,161	135,161
Weapons Activities					
Directed stockpile work					
Life extension programs					
B61 Life extension program				643,300	643,300
W76 Life extension program				244,019	244,019
W88 Alt 370				220,176	220,176
W80-4 Life extension program				195,037	195,037
Total, Life extension programs				1,302,532	1,302,532

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2016 Request	Agreement Authorized
Stockpile systems		
B61 Stockpile systems	52,247	52,247
W76 Stockpile systems	50,921	50,921
W78 Stockpile systems	64,092	64,092
W80 Stockpile systems	68,005	68,005
B83 Stockpile systems	42,177	42,177
W87 Stockpile systems	89,299	89,299
W88 Stockpile systems	115,685	115,685
Total, Stockpile systems	482,426	482,426
Weapons dismantlement and disposition		
Operations and maintenance	48,049	48,049
Stockpile services		
Production support	447,527	447,527
Research and development support	34,159	34,159
R&D certification and safety	192,613	185,000
Management, technology, and production	264,994	258,527
Total, Stockpile services	939,293	925,213
Nuclear material commodities		
Uranium sustainment	32,916	32,916
Plutonium sustainment	174,698	174,698
Tritium sustainment	107,345	107,345
Domestic uranium enrichment	100,000	50,000
Total, Nuclear material commodities	414,959	364,959
Total, Directed stockpile work	3,187,259	3,123,179
Research, development, test and evaluation (RDT&E)		
Science		
Advanced certification	50,714	50,714
Primary assessment technologies	98,500	104,100
Dynamic materials properties	109,000	109,000
Advanced radiography	47,000	47,000
Secondary assessment technologies	84,400	84,400
Total, Science	389,614	395,214
Engineering		
Enhanced surety	50,821	50,821
Weapon systems engineering assessment technology	17,371	17,371
Nuclear survivability	24,461	24,461
Enhanced surveillance	38,724	38,724
Total, Engineering	131,377	131,377
Inertial confinement fusion ignition and high yield		
Ignition	73,334	73,334
Support of other stockpile programs	22,843	22,843
Diagnostics, cryogenics and experimental support	58,587	58,587
Pulsed power inertial confinement fusion	4,963	4,963
Joint program in high energy density laboratory plasmas	8,900	8,900
Facility operations and target production	333,823	333,823
Total, Inertial confinement fusion and high yield	502,450	502,450
Advanced simulation and computing	623,006	617,006
Responsive Capabilities Program	0	0
Advanced manufacturing		
Component manufacturing development	112,256	93,448
Processing technology development	17,800	17,800
Total, Advanced manufacturing	130,056	111,248
Total, RDT&E	1,776,503	1,757,295
Readiness in technical base and facilities (RTBF)		
Operating		
Program readiness	75,185	60,000
Material recycle and recovery	173,859	160,000
Storage	40,920	40,920
Recapitalization	104,327	100,000
Total, Operating	394,291	360,920
Construction:		
15-D-302 TA-55 Reinvestment project, Phase 3, LANL	18,195	18,195
11-D-801 TA-55 Reinvestment project Phase 2, LANL	3,903	3,903
07-D-220 Radioactive liquid waste treatment facility upgrade project, LANL	11,533	11,533
07-D-220-04 Transuranic liquid waste facility, LANL	40,949	40,949
06-D-141 PED/Construction, Uranium Capabilities Replacement Project Y-12	430,000	430,000
04-D-125 Chemistry and metallurgy replacement project, LANL	155,610	155,610

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2016 Request	Agreement Authorized
Total, Construction	660,190	660,190
Total, Readiness in technical base and facilities	1,054,481	1,021,110
Secure transportation asset		
Operations and equipment	146,272	140,000
Program direction	105,338	97,118
Total, Secure transportation asset	251,610	237,118
Infrastructure and safety		
Operations of facilities		
Kansas City Plant	100,250	100,250
Lawrence Livermore National Laboratory	70,671	70,671
Los Alamos National Laboratory	196,460	196,460
Nevada National Security Site	89,000	89,000
Pantex	58,021	58,021
Sandia National Laboratory	115,300	115,300
Savannah River Site	80,463	80,463
Y-12 National security complex	120,625	120,625
Total, Operations of facilities	830,790	830,790
Safety operations	107,701	107,701
Maintenance	227,000	252,000
Recapitalization	257,724	307,724
Construction:		
16-D-621 Substation replacement at TA-3, LANL	25,000	25,000
15-D-613 Emergency Operations Center, Y-12	17,919	17,919
Total, Construction	42,919	42,919
Total, Infrastructure and safety	1,466,134	1,541,134
Site stewardship		
Nuclear materials integration	17,510	17,510
Minority serving institution partnerships program	19,085	19,085
Total, Site stewardship	36,595	36,595
Defense nuclear security		
Operations and maintenance	619,891	631,891
Construction:		
14-D-710 Device assembly facility argus installation project, NV	13,000	13,000
Total, Defense nuclear security	632,891	644,891
Information technology and cybersecurity	157,588	157,588
Legacy contractor pensions	283,887	283,887
Total, Weapons Activities	8,846,948	8,802,797
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Defense Nuclear Nonproliferation R&D		
Global material security	426,751	422,949
Material management and minimization	311,584	311,584
Nonproliferation and arms control	126,703	126,703
Defense Nuclear Nonproliferation R&D	419,333	419,333
Nonproliferation Construction:		
99-D-143 Mixed Oxide (MOX) Fuel Fabrication Facility, SRS	345,000	345,000
Analysis of Alternatives	0	5,000
Total, Nonproliferation construction	345,000	350,000
Total, Defense Nuclear Nonproliferation Programs	1,629,371	1,630,569
Legacy contractor pensions	94,617	94,617
Nuclear counterterrorism and incident response program	234,390	234,390
Use of prior-year balances	-18,076	-18,076
Total, Defense Nuclear Nonproliferation	1,940,302	1,941,500
Naval Reactors		
Naval reactors operations and infrastructure	445,196	445,196
Naval reactors development	444,400	430,400
Ohio replacement reactor systems development	186,800	186,800
S8G Prototype refueling	133,000	133,000
Program direction	45,000	43,500
Construction:		
15-D-904 NRF Overpack Storage Expansion 3	900	900
15-D-903 KL Fire System Upgrade	600	600
15-D-902 KS Engineer room team trainer facility	3,100	3,100
14-D-902 KL Materials characterization laboratory expansion, KAPL	30,000	30,000
14-D-901 Spent fuel handling recapitalization project, NRF	86,000	86,000
10-D-903, Security upgrades, KAPL	500	500
Total, Construction	121,100	121,100

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2016 Request	Agreement Authorized
Total, Naval Reactors	1,375,496	1,359,996
Federal Salaries And Expenses		
Program direction	402,654	388,000
Total, Office Of The Administrator	402,654	388,000
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	4,889	4,889
Hanford site:		
River corridor and other cleanup operations:		
River corridor and other cleanup operations	196,957	268,957
Central plateau remediation:		
Central plateau remediation	555,163	555,163
Richland community and regulatory support	14,701	14,701
Construction:		
15-D-401 Containerized sludge removal annex, RL	77,016	77,016
Total, Hanford site	843,837	915,837
Idaho National Laboratory:		
Idaho cleanup and waste disposition	357,783	357,783
Idaho community and regulatory support	3,000	3,000
Total, Idaho National Laboratory	360,783	360,783
NNSA sites		
Lawrence Livermore National Laboratory	1,366	1,366
Nevada	62,385	62,385
Sandia National Laboratories	2,500	2,500
Los Alamos National Laboratory	188,625	188,625
Total, NNSA sites and Nevada off-sites	254,876	254,876
Oak Ridge Reservation:		
OR Nuclear facility D & D		
OR Nuclear facility D & D	75,958	75,958
Construction:		
14-D-403 Outfall 200 Mercury Treatment Facility	6,800	6,800
Total, OR Nuclear facility D & D	82,758	82,758
U233 Disposition Program	26,895	26,895
OR cleanup and disposition:		
OR cleanup and disposition	60,500	60,500
Total, OR cleanup and disposition	60,500	60,500
OR reservation community and regulatory support	4,400	4,400
Solid waste stabilization and disposition		
Oak Ridge technology development	2,800	2,800
Total, Oak Ridge Reservation	177,353	177,353
Office of River Protection:		
Waste treatment and immobilization plant		
01-D-416 A-D/ORP-0060 / Major construction	595,000	595,000
01-D-16E Pretreatment facility	95,000	95,000
Total, Waste treatment and immobilization plant	690,000	690,000
Tank farm activities		
Rad liquid tank waste stabilization and disposition	649,000	649,000
Construction:		
15-D-409 Low Activity Waste Pretreatment System, Hanford	75,000	75,000
Total, Tank farm activities	724,000	724,000
Total, Office of River protection	1,414,000	1,414,000
Savannah River sites:		
Savannah River risk management operations	386,652	389,652
SR community and regulatory support	11,249	11,249
Radioactive liquid tank waste:		
Radioactive liquid tank waste stabilization and disposition	581,878	581,878
Construction:		
15-D-402—Saltstone Disposal Unit #6	34,642	34,642
05-D-405 Salt waste processing facility, Savannah River	194,000	194,000
Total, Construction	228,642	228,642
Total, Radioactive liquid tank waste	810,520	810,520
Total, Savannah River site	1,208,421	1,211,421

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2016 Request	Agreement Authorized
Waste Isolation Pilot Plant		
Waste isolation pilot plant	212,600	212,600
Construction:		
15-D-411 Safety significant confinement ventilation system, WIPP	23,218	23,218
15-D-412 Exhaust shaft, WIPP	7,500	7,500
Total, Construction	30,718	30,718
Total, Waste Isolation Pilot Plant	243,318	243,318
Program direction	281,951	281,951
Program support	14,979	14,979
Safeguards and Security:		
Oak Ridge Reservation	17,228	17,228
Paducah	8,216	8,216
Portsmouth	8,492	8,492
Richland/Hanford Site	67,601	67,601
Savannah River Site	128,345	128,345
Waste Isolation Pilot Project	4,860	4,860
West Valley	1,891	1,891
Technology development	14,510	14,510
Subtotal, Defense environmental cleanup	5,055,550	5,130,550
Uranium enrichment D&D fund contribution (Legislative proposal)	471,797	0
Total, Defense Environmental Cleanup	5,527,347	5,130,550
Other Defense Activities		
Specialized security activities	221,855	217,952
Environment, health, safety and security		
Environment, health, safety and security	120,693	120,693
Program direction	63,105	63,105
Total, Environment, Health, safety and security	183,798	183,798
Enterprise assessments		
Enterprise assessments	24,068	24,068
Program direction	49,466	49,466
Total, Enterprise assessments	73,534	73,534
Office of Legacy Management		
Legacy management	154,080	154,080
Program direction	13,100	13,100
Total, Office of Legacy Management	167,180	167,180
Defense-related activities		
Defense related administrative support		
Chief financial officer	35,758	35,758
Chief information officer	83,800	83,800
Management	3,000	3,000
Total, Defense related administrative support	122,558	122,558
Office of hearings and appeals	5,500	5,500
Subtotal, Other defense activities	774,425	770,522
Total, Other Defense Activities	774,425	770,522

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THORNBERRY. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, first let me say I very much value and appreciate the partnership that I have on the Committee on Armed Services with the gentleman from Washington (Mr. SMITH). I also very much value and appreciate the work of our staff on both sides of the aisle during what has been something of a roller coaster year.

Let me take just a moment to review where we are and how we got here. Mr. Speaker, the Committee on Armed Services reported out the fiscal year 2016 Defense Authorization Act on April 29, 2015, by a vote of 60-2.

During full committee markup, 211 amendments were adopted, about even-

ly divided between Republicans and Democrats. Then on the floor, 131 amendments were adopted, again, from both sides of the aisle. After weeks of conference with the Senate, a conference report containing 647 provisions was reported out.

Now, that conference report was the result of bipartisan effort and bipartisan input every step of the way. The conference report passed this House 270-156, and then it passed the Senate by a vote of 70-27. Then, on October 22, the President vetoed the bill to try to force Congress to increase spending in other areas. As The Washington Post wrote: "It was historic, but not in a good way."

Well, last week the Congress passed and the President signed the Bipartisan Budget Act of 2015 not because of the President's veto of the defense bill, but because we were up against the debt limit and because Speaker Boehner was on the way out and was trying to get some things resolved. So what we have before us now is the same bill as the conference report, with funding adjustments to reflect the bill we passed last week. Otherwise, it is the same bill.

Now, I understand the White House press secretary has said the President will not veto the bill this time. So I hope, Mr. Speaker, that this year has been an anomaly, that never again does the bill that supports our troops become a political bargaining chip in a political game. I would just say, our troops deserve better than that.

This bill has a lot of important provisions, and we have talked about them on this floor before: acquisition reform; a new retirement system for the military that allows the 83 percent of the people who serve who leave with no retirement to put aside a nest egg and save for retirement; and changes to the formula so that, if someone is on a particular drug for post-traumatic stress when they are in the military, they can stay on that drug when they move to the VA.

This bill takes additional steps for sexual assault, authorizes defensive weapons for the Ukraine, gives the President more options to assist the Kurds, the Sunnis, and others who are fighting ISIS. We take steps to help protect the country against missile attacks.

It increases support for Israeli missile defense by about \$300 billion over what the President requested. It allows commanders the discretion to determine when and where folks on their military base can carry personal firearms. It sunsets a number of reports. The list could go on and on.

Bottom line, Mr. Speaker, is this bill is good for the troops and good for the country. Hopefully all of the political maneuvering is behind us and, as we move into Veterans Day, we can do the right thing and pass this bill with a very, very strong vote.

Mr. Speaker, I reserve the balance of my time.

JOINT EXPLANATORY STATEMENT TO ACCOMPANY S. 1356, THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

The following consists of the explanatory material to accompany S. 1356, the National Defense Authorization Act for Fiscal Year 2016.

Section 5 of the Act specifies that this explanatory statement shall have the same effect with respect to the implementation of this legislation as if it were a joint explanatory statement of a committee of conference.

In this joint explanatory statement, the provisions of H.R. 1735, the National Defense

Authorization Act for Fiscal Year 2016 as passed by the House of Representatives on May 15, 2015, are generally referred to as "the House bill." The provisions of the Senate amendment to H.R. 1735, the National Defense Authorization Act for Fiscal Year 2016 as passed by the Senate on June 18, 2015, are generally referred to as "the Senate amendment." The final form of the agreements reached during negotiations between the House and the Senate are referred to as "the agreement." References in the joint explanatory statement that "the House recedes" or "the Senate recedes" on a particular provision reflects the outcome from the conference agreement on H.R. 1735.

On October 1, 2015, the Conference Report to accompany H.R. 1735 was agreed to in the House by the Yeas and Nays [270–156]. On October 7, 2015, the Conference Report was agreed to in the Senate by the Yeas and Nays [70–27]. On October 22, 2015, H.R. 1735 was vetoed by the President and was returned to the House.

On October 28, 2015, the House passed H.R. 1314, the Bipartisan Budget Act of 2015, by the Yeas and Nays [266–167], and on October 30, 2015, the Senate also passed H.R. 1314 by Yea-Nay vote [64–35]. The President signed the bill on November 2, 2015. The Bipartisan Budget Act of 2015 (Public Law 114–74) did not fully fund account 050 to the level requested by the President in his budget submission, and as agreed to by the conferees and authorized in H.R. 1735. As a result, the agreement includes a reduction of \$5.0 billion from the level authorized in H.R. 1735 to conform to Public Law 114–74. The agreement between the two Houses addressed, in part, the concerns regarding the budget impact of H.R. 1735 expressed by the President in his veto message returning H.R. 1735 to the House. The resulting agreement was incorporated S. 1356, the National Defense Authorization Act for Fiscal Year 2016.

Compliance with rules of the House of Representatives and Senate regarding earmarks and congressionally directed spending items

Consistent with the intent of clause 9 of rule XXI of the Rules of the House of Representatives and Rule XLIV of the Standing Rules of the Senate, neither the bill text reflected in the agreement nor the accompanying joint explanatory statement contains any congressional earmarks, congressionally directed spending items, limited tax benefits, or limited tariff benefits, as defined in such rules.

Summary of discretionary authorizations and budget implication

The budget request for national defense discretionary programs within the jurisdiction of the Committees on Armed Services of the Senate and the House of Representatives for fiscal year 2016 was \$604.2 billion. Of this amount, \$534.2 billion was requested for base Department of Defense programs, \$50.9 billion was requested for overseas contingency operations, and \$19.0 billion was requested for national security programs in the Department of Energy and the Defense Nuclear Facilities Safety Board.

The agreement would authorize \$599.2 billion in fiscal year 2016, including \$521.9 billion for base Department of Defense programs, \$58.8 billion for overseas contingency operations, and \$18.6 billion for national security programs in the Department of Energy and the Defense Nuclear Facilities Safety Board. The agreement reflects the \$5.0 billion reduction to the President's budget request for national security (050) in order to conform to the revised budget caps contained

in the Bipartisan Budget Act of 2015 (Public Law 114–74). It further reflects a realignment of some funds from the accounts for overseas contingency operations to the base budget.

The two tables preceding the detailed program adjustments in Division D of the accompanying joint statement of managers summarize the discretionary authorizations in the agreement and the equivalent budget authority levels for fiscal year 2016 defense programs.

Budgetary effects of this Act (sec. 4)

The Senate amendment contained a provision (sec. 4) that would require the budgetary effects of this Act be determined in accordance with the procedures established in title I of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139).

The House bill contained no similar provision.

The agreement includes the Senate provision.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

BUDGET ITEMS

ARMY

Stryker vehicle lethality upgrades

The House bill contained an increase in funding for Stryker vehicle lethality upgrades of \$35.0 million in Research, Development, Test & Evaluation, Army and \$44.5 million in Procurement of Weapons and Tracked Combat Vehicles, Army respectively.

The Senate amendment contained an increase in these same funding areas of \$97.0 million and \$314.0 million, respectively.

The agreement, in Sections 4101 and 4102, includes increased funding in line with the Senate amendment.

We support the Army's plan to upgrade 81 Stryker vehicles with increased lethality as requested by the U.S. Army Europe in a recent Operational Need Statement. We understand the urgency for this requirement given heightened security concerns of our NATO partners due to Russian aggression in Ukraine. As such, we expect the rapid production of fully serviceable, upgraded Strykers. In order to meet the compressed timeline for fielding upgraded Strykers to the 2nd Cavalry Regiment, we expect the Army to manage this program with dispatch and efficiency. Identified risks associated with cost, schedule, and performance are to be managed with focused controls and leadership. We view this initiative, which is intended to increase the combat power of a forward deployed unit, as an opportunity to succeed in accordance with significant acquisition reforms illustrated in many provisions within this bill.

With regard to cost, we note the Army currently plans on starting with existing chassis of Stryker vehicles discarded during the upgrade to Double V Hull (DVH) Strykers. This approach appears to add significantly to the unit cost for the lethality upgrades which the Army has informed the defense committees may be approximately \$4.5 million per vehicle. We note that the Army already has extensive upgrade programs for the Stryker vehicle to include additional DVH Strykers and the Engineering Change Proposal modernization program. It is unclear if the Army ultimately plans on adding the lethality initiative to DVH Strykers, including those equipped with the Engineering Change Proposal upgrade. We are concerned that simply adding a broad Stryker lethality package for the Army's Stryker Brigade

Combat Teams could add billions of dollars to the already stressed resources of the combat vehicle portfolio. Therefore, the committee encourages the Army to reduce the unit cost of the Stryker lethality upgrade program and evaluate ways to more efficiently pursue upgrades to the Stryker vehicle fleet and Stryker Brigade Combat Teams.

AIR FORCE

C-130H Modifications

The base budget request included \$7.0 million in Aircraft Procurement, Air Force, Line 44 for C-130.

The House bill authorized a funding increase in that line item of \$73.2 million for the restructured C-130 Avionics Modernization Program (AMP) Increments I and II (\$10.0 million), T-56 3.5 Engine Modification (\$33.2 million), and Eight-bladed Propeller (\$30.0 million).

The Senate amendment would authorize an increase in that line item by \$123.2 million for the restructured C-130 AMP Increments I and II (\$75.0 million), T-56 3.5 Engine Modification (\$33.2 million), Electronic Propeller Control System (\$13.5 million), and In-flight Propeller Balancing System certification (\$1.5 million).

The agreement authorizes a total funding increase for Aircraft Procurement, Air Force, Line 44 of \$139.2 million for the restructured C-130 AMP Increments I and II (\$75.0 million), T-56 3.5 Engine Modification (\$33.2 million), Eight-Bladed Propeller (\$16.0 million), Electronic Propeller Control System (\$13.5 million), and In-flight Propeller Balancing System certification (\$1.5 million).

SUBTITLE A—AUTHORIZATION OF APPROPRIATIONS

Authorization of appropriations (sec. 101)

The House bill contained a provision (sec. 101) that would authorize the appropriations for procurement activities at the levels identified in section 4101 of division D of this Act.

The Senate bill contained an identical provision (sec. 101).

The agreement includes this provision.

SUBTITLE B—ARMY PROGRAMS

Prioritization of upgraded UH-60 Blackhawk helicopters within Army National Guard (sec. 111)

The House bill contained a provision (sec. 112) that would require the Chief of the National Guard Bureau to issue guidance that prioritizes UH-60 helicopter upgrades within the Army National Guard to those units with the highest flight hour aircraft and highest utilization rates, as well as require the Chief to submit a report to the congressional defense committees within 30 days after issuing such guidance, that describes such guidance.

The Senate amendment contained no similar provision.

The Senate recedes.

Roadmap for replacement of A/MH-6 Mission Enhanced Little Bird aircraft to meet special operations requirements (sec. 112)

The House bill contained a provision (sec. 142) that would direct the Secretary of Defense to submit to the congressional defense committees a strategy for the replacement of the A/MH-6 Mission Enhanced Little Bird aircraft to meet requirements particular to special operations for future rotary-wing, light attack, and reconnaissance requirements.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Report on Options to Accelerate Replacement of UH-60A Blackhawk Helicopters of Army National Guard (sec. 113)

The House bill contained a provision (sec. 113) that would require the Secretary of the Army to submit a report to the congressional defense committees by March 1, 2016, containing detailed options for the potential acceleration of the replacement of all UH-60A helicopters of the Army National Guard.

The Senate amendment contained no similar provision.

The Senate recedes.

Sense of Congress on Tactical Wheeled Vehicle Protection Kits (sec. 114)

The House bill contained a provision (sec. 114) that would express the sense of Congress regarding the survivability and operational performance benefits provided by tactical wheeled vehicle add-on armor protection kits for the Army's heavy tactical wheeled vehicle fleet.

The Senate amendment contained no similar provision.

The Senate recedes.

SUBTITLE C—NAVY PROGRAMS

Modification of CVN-78 class aircraft carrier program (sec. 121)

The Senate amendment contained a provision (sec. 114) that would amend subsection (f) of section 122 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2104), as added by section 121(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 692), by adding a reporting requirement to the USS *John F. Kennedy* (CVN-79) quarterly report. Beginning January 1, 2016, the Secretary of the Navy would be required to submit, as part of the CVN-79 quarterly report, a description of new design and engineering changes to CVN-78 class aircraft carriers that exceed \$5.0 million and occurred during the reporting period. The provision would require the report to include program or ship cost increases for each design or engineering change and any cost reduction achieved. The Secretary of the Navy and Chief of Naval Operations would each be required to sign this additional reporting requirement and would be precluded from delegating the certification. The required certification would have to include a determination that each change serves the national security interests of the United States; cannot be deferred to a future ship due to operational necessity, safety, or substantial cost reduction; and was reviewed and endorsed by the Secretary of the Navy and Chief of Naval Operations.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Amendment to cost limitation baseline for CVN-78 class aircraft carrier program (sec. 122)

The Senate amendment contained a provision (sec. 111) that would further amend section 122 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364) as amended by section 121(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66) by adjusting the procurement cost cap for USS *John F. Kennedy* (CVN-79) and subsequent CVN-78 class aircraft carriers from \$11,498,000,000 to \$11,398,000,000.

The House bill contained no similar provision.

The House recedes with an amendment that would add an additional amendment to section 121(b) of the John Warner National

Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364), as amended by section 121(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66). We recognize that the Department of the Navy has made considerable gains in controlling the cost of CVN-78 class aircraft carriers and believe further efforts at cost reduction are warranted. The current cost cap and cost estimate for CVN-79 is \$11.5 billion, which includes only limited program management reserve for unforeseeable issues during CVN-79 construction. We expect the Department to continue to employ efforts to reduce costs on this ship class and accordingly are lowering the Congressional cap to \$11.4 billion. However, if during construction of CVN-79 the Chief of Naval Operations determines that measures required to complete the ship within the revised cost cap shall result in an unacceptable reduction to the ship's operational capability, the Secretary of the Navy may increase the CVN-79 cost cap up to \$11.5 billion. If such action is taken, the Secretary of the Navy shall adhere to the notification requirements specified in section 121(d) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364).

We note that section 122 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364) set the cost cap for the lead ship at \$10.5 billion, plus adjustments for inflation and other factors, and at \$8.1 billion for subsequent CVN-78 class carriers, plus adjustments for inflation and other factors. Section 122 was amended by section 121(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66), which revised the cost cap for the lead ship to \$12.9 billion, plus adjustments for inflation and other factors, and to \$11.5 billion for subsequent CVN-78 class carriers, plus adjustments for inflation and other factors. We understand 90 percent or \$3.1 billion of the \$3.4 billion increase in the cost cap for follow-on ships is attributable to economic inflation, which includes actual inflation realized and updated projections of future inflation based on Navy shipbuilding inflation indices. In view of this significant cost growth attributed to inflation, the Congressional Budget Office is directed to provide a report to the congressional defense committees no later than December 1, 2015 that includes the following elements:

(1) Explanation of how inflation was calculated and projected in the cost estimates for CVN-78 class aircraft carriers in each annual budget from fiscal year 2007 to fiscal year 2015;

(2) Description of inflation rates for CVN-78, CVN-79, and CVN-80, by fiscal year, from fiscal year 2007 until the obligation work limiting date for each ship;

(3) Comparison of projected inflation rates vs. actual inflation rates for CVN-78 class aircraft carriers, by fiscal year, from fiscal year 2007 to fiscal year 2015;

(4) Explanation of the key factors that are used to plan for and calculate current and projected inflation rates for CVN-78 class aircraft carrier cost estimates;

(5) Explanation of root causes of inflation escalation above the planned inflation assumed in CVN-78 class aircraft carrier cost estimates; and

(6) Component-level explanation of the \$3.1 billion increase in the cost estimate for CVN-79 and following aircraft carriers attributable to economic inflation.

Extension and modification of limitation on availability of funds for Littoral Combat Ship (sec. 123)

The Senate amendment contained a provision (sec. 116) that would amend section 123 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) by extending the limitation on funds for LCS-25 and LCS-26 until pre-existing requirements are met and would additionally require the Navy to provide to the congressional defense committees the following: an acquisition strategy for LCS-25 through LCS-32; a LCS mission module acquisition strategy; a plan to outfit Flight 0 and Flight 0+ Littoral Combat Ships with capabilities identified for the upgraded Littoral Combat Ship; and a current test and evaluation master plan for the Littoral Combat Ship mission modules.

The House bill contained no similar provision.

The House recedes.

Modification to multiyear procurement authority for Arleigh Burke-class destroyers and associated systems (sec. 124)

The House bill contained a provision (sec. 121) that would amend section 123(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to clarify that the Secretary of the Navy has the authority to procure Flight III destroyers as part of the existing Arleigh Burke-class multiyear procurement authority.

The Senate amendment contained no similar provision.

The House recedes.

The Senate report accompanying S. 3254 (S. Rept. 112-173) of the National Defense Authorization Act for Fiscal Year 2013 described Senate intent regarding the current multiyear procurement authority for Arleigh Burke-class destroyers and associated systems. The Senate report supported the change to buying Flight III destroyers through an engineering change proposal and the inclusion of such ships in the multiyear procurement authority, following submission of a specified report. The House report accompanying H.R. 1960 (H. Rept. 113-102) of the National Defense Authorization Act for Fiscal Year 2014 expressed concern about the physical limitations associated with the integration of the Air and Missile Defense Radar on the Flight III version of the Arleigh Burke-class destroyer and requested a report to assess this integration process. Having received the required reports, we support the changes proposed by the Secretary of the Navy to integrate the Air and Missile Defense Radar into the Arleigh Burke-class destroyers and the addition of these Flight III ships to the current Arleigh Burke-class multiyear procurement contract.

Procurement of additional Arleigh Burke class destroyer (sec. 125)

The Senate amendment contained a provision (sec. 117) that would allow the Secretary of the Navy to enter into a contract beginning with the fiscal year 2016 program year for the procurement of 1 Arleigh Burke-class destroyer in addition to the 10 DDG-51s in the fiscal year 2013 through 2017 multiyear procurement contract or for 1 DDG-51 in fiscal year 2018. The Secretary may employ incremental funding for such procurement.

The House bill contained no similar provision.

The House recedes.

Refueling and complex overhaul of the USS George Washington (sec. 126)

The House bill contained a provision (sec. 122) that would provide economic order quan-

tity authority for the construction of two Ford-class aircraft carriers and incremental funding authority for the nuclear refueling and complex overhaul of five Nimitz-class aircraft carriers.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would limit new aircraft carrier program procurement authority to the nuclear refueling and complex overhaul of USS *George Washington* (CVN-73).

The Department of the Navy awarded a detail design and construction contract for the USS *John F. Kennedy* (CVN-79) on June 5, 2015. At the time of award, Program Executive Officer (PEO), Aircraft Carriers, Rear Admiral Thomas Moore, indicated “. . . with a stable design, mature requirements and an improved build process, we will reduce construction hours by 18 percent, lower the cost to build the ship by almost \$1 billion in real terms compared to CVN-78 . . .”. Following \$2.4 billion in cost growth on the lead ship, CVN-78, we are encouraged by the ongoing collaboration between the Department of the Navy and industry to achieve cost reductions. We note that other ship construction programs have been able to reduce costs through acquisition efficiencies and economic order decisions. Therefore, to better assess acquisition options, we direct the Secretary of the Navy to submit a report to the congressional defense committees by March 1, 2016, that provides an assessment of the merits associated with using economic order quantity procurement with CVN-80 and CVN-81. This report should assess the specific aircraft carrier components that would be best suited to include in a potential economic order quantity contract, and the estimated cost savings that could be achieved using this procurement authority.

Fleet replenishment oiler program (sec. 127)

The Senate amendment contained a provision (sec. 118) that would grant the Secretary of the Navy contracting authority to procure up to six fleet replenishment oilers (T-AO(X)). This new ship class is a non-developmental recapitalization program based on existing commercial technology and standards. The ship design is considered to be low risk by the Navy, with the design scheduled to be complete prior to the start of construction on the lead ship. This provision would enable an estimated \$45.0 million in savings per ship, for ships 2-6, for a total of \$225.0 million in savings compared to current annual procurement cost estimates.

The House bill contained no similar provision.

The House recedes.

Limitation on availability of funds for USS John F. Kennedy (CVN-79) (sec. 128)

The Senate amendment contained a provision (sec. 112) that would limit \$100.0 million in Shipbuilding and Conversion, Navy procurement funds for USS *John F. Kennedy* (CVN-79) subject to the submission of a certification regarding full ship shock trials and two reports.

The House bill contained no similar provision.

The House recedes with an amendment that would provide the Secretary of Defense with waiver authority to delay full ship shock trials on the USS *Gerald R. Ford* (CVN-78) until after the ship's first deployment but prior to the first major maintenance availability.

Limitation on availability of funds for USS Enterprise (CVN-80) (sec. 129)

The Senate amendment contained a provision (sec. 113) that would limit \$191.4 million

in advance procurement funds for USS *Enterprise* (CVN-80), until the Secretary of the Navy submits a certification and report to the Committees on Armed Services of the Senate and of the House of Representatives. \$191.4 million is the sum of funding requested for plans (detailed) and basic construction for CVN-80.

The House bill contained no similar provision.

The House recedes with an amendment that would require submission of the certification and report to all four congressional defense committees, as well as require the certification be provided within 90 days of enactment of this Act.

Limitation on availability of funds for Littoral Combat Ship (sec. 130)

The Senate amendment contained a provision (sec. 115) that would limit 75 percent of fiscal year 2016 funds for research and development, design, construction, procurement or advance procurement of materials for the upgraded Littoral Combat Ships (LCS), designated as LCS-33 and subsequent, until the Secretary of the Navy submits to the Committees on Armed Services of the Senate and of the House of Representatives: a capabilities-based assessment to assess capability gaps and associated capability requirements and risks for the upgraded LCS, an updated capabilities development document for the upgraded LCS, and a report describing the upgraded LCS modernization.

The House bill contained no similar provision.

The House recedes with an amendment that changes the limitation to 50 percent of fiscal year 2016 funds and allows for a capabilities-based assessment or equivalent report.

Reporting requirement for Ohio-class replacement submarine program (sec. 131)

The Senate amendment contained a provision (sec. 119) that would require the Secretary of Defense to submit Ohio-class replacement submarine cost tracking information, together with annual budget justification materials. While the first Ohio-class replacement submarine is not planned to be authorized until fiscal year 2021, the national importance of this program and significant cost will continue to merit close oversight by the congressional defense committees.

The House bill contained no similar provision.

The House recedes.

SUBTITLE D—AIR FORCE PROGRAMS

Backup inventory status of A-10 aircraft (sec. 141)

The House bill contained a provision (sec. 132) that would amend section 133(b)(2)(A) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3316) to where the Secretary of the Air Force may not move more than 18 A-10 aircraft in the active component to backup flying status pursuant to an authorization made by the Secretary of Defense under such section.

The Senate amendment contained no similar provision.

The Senate recedes.

Prohibition on availability of funds for retirement of A-10 aircraft. (sec. 142)

The House bill contained a provision (sec. 133) that would prohibit the use of any funds during fiscal year 2016 to retire, prepare to retire, or place in storage any A-10 aircraft. The provision would also require the Secretary of the Air Force to maintain a minimum of 171 A-10 aircraft in primary mission

aircraft inventory (combat-coded) status. The provision would also direct the Secretary of the Air Force to commission an independent entity outside the Department of Defense to conduct an assessment of the required capabilities and mission platform to replace the A-10 aircraft.

The Senate amendment contained a similar provision (sec. 134).

The Senate recedes with an amendment that aligns technical provisions of both versions and refers to sec. 141 regarding moving A-10 aircraft to backup inventory status. *Prohibition on availability of funds for retirement of EC-130H Compass Call aircraft (sec. 143)*

The House bill contained a provision (sec. 134) that would prohibit funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of the Air Force to be obligated or expended to retire, prepare to retire, or place in storage or on back up flying status any EC-130H aircraft. The provision would also require the Secretary of the Air Force to commission an assessment of the required capabilities or mission platform to replace the EC-130H aircraft, and to submit a report on that assessment to the congressional defense committees not later than September 30, 2016, and would also prohibit the Secretary of the Air Force from retiring, preparing to retire, placing in storage or placing on back up flying status any EC-130H aircraft until 60 days after the Secretary submits the specified report.

The Senate bill contained a similar provision (sec. 135).

The Senate recedes with an amendment changing the prohibition limitation date to December 31, 2016, and combining the report requirements from the House and Senate versions.

Prohibition on availability of funds for retirement of Joint Surveillance Target Attack Radar System, EC-130H Compass Call, and Airborne Warning and Control System aircraft (sec. 144)

The Senate amendment contained a provision (sec. 138) that would limit the retirement of Joint Surveillance Target Attack Radar System (JSTARS), EC-130H Compass Call, and Airborne Early Warning and Control System (AWACS) aircraft until the follow-on replacement aircraft program enters low-rate initial production.

The House bill contained no similar provision.

The House recedes with an amendment to change the provision to apply only in fiscal years 2016 or 2017, and other technical clarifications. The provision would not apply to individual aircraft if the Secretary of the Air Force, on a case-by-case basis, determines an individual aircraft to be non-operational because of mishaps, other damage, or being uneconomical to repair.

Limitation on availability of funds for F-35A aircraft procurement (sec. 145)

The Senate amendment contained a provision (sec. 133) that would limit the availability of fiscal year 2016 funds for F-35A procurement to not more than \$4.3 billion until the Secretary of Defense certifies to the congressional defense committees that F-35A aircraft delivered in fiscal year 2018 will have full combat capability with currently planned Block 3F hardware, software, and weapons carriage.

The House bill contained no similar provision.

The House recedes with an amendment to amend the certification level from the Sec-

retary of Defense to the Secretary of the Air Force, and to amend the effective date of certification criteria from "full combat capability as currently planned . . ." to "full combat capability, as determined on the date of enactment of this Act . . ."

Prohibition on availability of funds for retirement of KC-10 aircraft (sec. 146)

The House bill contained a provision (sec. 135) that would prohibit any funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force to be obligated or expended during such fiscal year to divest or transfer, or prepare to divest or transfer, KC-10 aircraft.

The Senate bill contained no similar provision.

The Senate recedes with an amendment to change the provision to apply only in fiscal years 2016 or 2017. The provision would not include the prohibition on transfer of aircraft, and would not apply to an individual KC-10 aircraft if the Secretary of the Air Force, on a case-by-case basis, determines the aircraft to be non-operational because of mishaps, other damage, or being uneconomical to repair.

Limitation on availability of funds for transfer of C-130 aircraft (sec. 147)

The Senate amendment contained a provision (sec. 136) that would limit the availability of all funds authorized to be appropriated for the transfer from one facility of the Department of Defense to another any C-130H aircraft, initiate any C-130 manpower authorization adjustments, retire or prepare to retire any C-130H aircraft, or close any C-130H unit until 90 days after the date on which the Secretary of the Air Force, in consultation with the Secretary of the Army, and after certification by the commanders of the XVIII Airborne Corps, 82nd Airborne Division, and United States Army Special Operations Command, certified that the Air Force would maintain dedicated C-130 wings to support the daily training of Army airborne and special operations units, and the failure to maintain such Air Force operations would not adversely impact the daily training requirement of those airborne and special operations units.

The House bill contained a similar provision (sec. 1060c).

The House recedes with an amendment that would change the required certification to be made by the Secretaries and Chiefs of Staff of the Army and the Air Force, in consultation with the commanders of the XVIIIth Airborne Corps, 82d Airborne Division, and Army Special Operations Command. The amendment also contains other minor technical clarifications.

Limitation on availability of funds for executive communications upgrades for C-20 and C-37 aircraft (sec. 148)

The House bill contained a provision (Sec. 131) that would limit availability of funds to upgrade the executive communications of C-20 and C-37 aircraft until the Secretary of the Air Force certifies to certain specified criteria.

The Senate bill contained no similar provision.

The Senate recedes.

Limitation on use of funds for T-1A Jayhawk aircraft (sec. 149)

The Senate amendment contained a provision (sec. 137) that would limit all the funds authorized or appropriated by this Act or that otherwise may be obligated or expended for fiscal year 2016 for avionics modifications

to the T-1A Jayhawk aircraft until 30 days after the Secretary of the Air Force submits to the congressional defense committees the report required under section 142 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291).

The House bill contained no similar provision.

The House recedes with an amendment to amend the provision to state: "Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 Aircraft Procurement, Air Force, for avionics modification to the T-1A Jayhawk aircraft, not more than 85 percent may be obligated or expended until a period of 30 days has elapsed following the date on which the Secretary of the Air Force submits to the congressional defense committees the report required under section 142 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3320)."

Notification of retirement of B-1, B-2, and B-52 bomber aircraft (sec. 150)

The Senate amendment contained a provision (sec. 131) that would limit the retirement of B-1, B-2, or B-52 bomber aircraft during a fiscal year prior to initial operational capability of the Long Range Strike Bomber unless the Secretary of Defense certified to specified criteria in the materials submitted in support of the budget of the President for that fiscal year as submitted to Congress.

The House bill contained no similar provision.

The House recedes with an amendment that would change the limitation to a notification requiring that in the period before the date of initial operational capability of the long-range strike bomber aircraft, before retiring or preparing to retire any B-1, B-2, or B-52 bomber aircraft the Secretary of the Air Force includes in the defense budget materials a notification of the proposed retirement including the rationale for the retirement, the effects of the retirement, and how the Secretary will mitigate any risks relating to the retirement. The provision would not apply to individual B-1, B-2, or B-52 aircraft if the Secretary of the Air Force, on a case-by-case basis, determines the aircraft to be non-operational because of mishaps, other damage, or being uneconomical to repair.

Inventory requirement for fighter aircraft of the Air Force (sec. 151)

The Senate amendment included a provision (sec. 132) that would amend section 8062 of title 10, United States Code, by adding a new subsection requiring the Secretary of the Air Force to maintain a minimum total active inventory of 1,950 fighter aircraft, within which the Secretary would also be required to maintain a minimum of 1,116 fighter aircraft as primary mission aircraft inventory (combat-coded). The provision would also provide additional limitations on fighter retirements by requiring the Secretary of the Air Force to certify to certain specified criteria, and also require a detailed report in advance of retiring fighter aircraft.

The House bill contained no similar provision.

The House recedes with an amendment to strike the amendment to section 8062 of title 10, change the limitation period to a 2-year period beginning on October 1, 2015, and reduce the minimum numbers of fighters required to be maintained by the Air Force to 1,900 total aircraft inventory and 1,100 primary mission aircraft inventory (combat-

coded). The amendment would also eliminate the certification and detailed report requirements, and require specified information in a report to be included in the material submitted in support of the budget for a particular fiscal year, if proposing the retirement of fighter aircraft in that fiscal year's budget. The report would not apply to individual fighter aircraft if the Secretary of the Air Force, on a case-by-case basis, determines the aircraft to be non-operational because of mishaps, other damage, or being uneconomical to repair.

We recognize that based on the 2010 Quadrennial Defense Review, the Air Force determined through extensive analysis that a force structure of 1,200 primary mission aircraft and 2,000 total aircraft is required to execute the National Defense Strategy with increased operational risk. Subsequently, based on the 2012 Defense Strategic Guidance and fiscal constraints, analysis showed the Air Force could decrease fighter force structure capacity by approximately 100 additional aircraft; however, at an even higher level of risk.

We agree reductions in fighter force capacity below the 1,900 total and 1,100 combat-coded inventory levels, in light of ongoing and anticipated operations in Iraq and Syria against the Islamic State of Iraq and the Levant, coupled with a potential delay of force withdrawals from Afghanistan and a revanchist Russia, poses excessive risk to the Air Force's ability to execute the National Defense Strategy, causes remaining fighter squadrons to deploy more frequently, and drives even lower readiness rates across the combat air forces.

Sense of Congress regarding the OCONUS basing of F-35A aircraft (sec. 152)

The Senate amendment contained a provision (sec. 139) that would express the sense of Congress regarding basing of the F-35A aircraft outside of the continental United States.

The House bill contained a similar provision (sec. 136).

The House recedes with an amendment to make technical and clarifying corrections.

SUBTITLE E—DEFENSE-WIDE, JOINT, AND MULTISERVICE MATTERS

Limitation on availability of funds for Joint Battle Command-Platform (sec. 161)

The House bill contained a provision (sec. 141) that would require the Assistant Secretary of the Army for Acquisition, Logistics, and Technology to submit a report by March 1, 2016, to the congressional defense committees that addresses the effectiveness, suitability, and survivability shortfalls of the joint battle command-platform equipment identified by the Director of Operational Test and Evaluation in the Director's fiscal year 2014 annual report to Congress. This section would also further limit the obligation or expenditure of 25 percent of the funds for the joint battle command-platform until 30 days after the Assistant Secretary submits such a report.

The Senate amendment contained no similar provision.

The Senate recedes.

Report on Army and Marine Corps modernization plan for small arms (sec. 162)

The Senate amendment contained a provision (sec. 151) that would require the Secretaries of the Army and Navy to jointly submit to the Committees on Armed Services of the Senate and House of Representatives a report on the plan of the Army and Marine Corps to modernize small arms.

The House bill contained no similar provision.

The House recedes.

Study on use of different types of enhanced 5.56mm ammunition by the Army and the Marine Corps (sec. 163)

The House bill contained a provision (sec. 144) that would require the Secretary of Defense to submit a report to the congressional defense committees on the use of two different types of 5.56mm ammunition by the Army and the Marine Corps.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that requires the Secretary of Defense to enter into a contract with a federally funded research and development center (FFRDC) such as the Center for Naval Analyses (CNA) to conduct a study on the use of two different types of enhanced 5.56mm ammunition by the Army and the Marine Corps. We note that the CNA has conducted similar studies on small arms and small caliber ammunition and believe the CNA could meet the requirements of this study.

LEGISLATIVE PROVISIONS NOT ADOPTED

Limitation on Availability of Funds for AN/TPQ-53 Radar Systems

The House bill contained a provision (sec. 111) that would limit the obligation or expenditure of 25 percent of the funds for AN/TPQ-53 radar systems until 30 days after the date on which the Assistant Secretary of the Army for Acquisition, Logistics, and Technology submits to the congressional defense committees a review of the current delegation of acquisition authority to the Program Executive Officer for Missiles and Space.

The Senate amendment contained no similar provision.

The House recedes.

Stationing of C-130 H aircraft avionics previously modified by the Avionics Modernization Program (AMP) in support of daily training and contingency requirements for Airborne and Special Operations Forces

The Senate amendment contained a provision (sec. 120) that would require the Secretary of the Air Force to station aircraft previously modified by the C-130 Avionics Modernization Program (AMP) to support United States Army Airborne and United States Army Special Operations Command unit daily training and contingency requirements in fiscal year 2017, and not require the aircraft to deploy in the normal rotation of C-130H units. The provision would also require the Secretary to provide such personnel as required to maintain and operate the aircraft.

The House bill contained no similar provision.

The Senate recedes.

We agree the Air Force must develop a plan that incorporates the five C-130H aircraft previously modified by the AMP upgrade, the four purchased AMP installation kits, the associated simulator equipment, and sustainment and training software into the restructured AMP Increments I and II effort. We also direct the Air Force to provide a briefing on this plan to the congressional defense committees not later than 60 days after enactment of this Act. We agree the American taxpayers to date have expended considerable funds on the C-130 AMP and deserve to receive maximum value for that expenditure.

Sense of Congress on F-16 Active Electronically Scanned Array (AESA) radar upgrade

The Senate amendment contained a provision (sec. 140) that would express the sense of Congress on F-16 Active Electronically

Scanned Array (AESA) radar upgrades that it is essential to our Nation's defense that: (1) Air Force aircraft modification funding be made available to purchase AESA radars as the Air Force bridges the gap between 4th- and 5th-generation fighters; (2) The U.S. Government must invest in radar upgrades to ensure 4th-generation aircraft succeed at zero-fail missions; and (3) The First Air Force Joint Urgent Operational Needs request should be met as soon as possible.

The House bill contained no similar provisions.

The Senate recedes.

We agree on the importance that should be accorded to funding AESA radar upgrades for existing aircraft.

Stryker Lethality Upgrades

The Senate amendment contained a provision (sec. 161) that would authorize an increase in funding for Stryker vehicle lethality upgrades of \$97.0 million in Research, Development, Test & Evaluation, Army and \$314.0 million in Procurement of Weapons and Tracked Combat Vehicles, Army respectively.

The House bill contained no similar provision.

The Senate recedes.

The outcome is reflected in the tables of this report in Sections 4101 and 4201 and includes additional funding in line with the Senate amendment.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION BUDGET ITEMS

Unmanned Carrier-Launched Airborne Surveillance and Strike System

The budget request included \$134.7 million in PE 64501N for the Unmanned Carrier-Launched Airborne Surveillance and Strike (UCLASS) system.

The House bill would authorize the budget request.

The Senate amendment would not approve the request in PE 64501N due to contracting delays caused by waiting on the results of the Department of Defense Intelligence Surveillance, and Reconnaissance Strategic Portfolio Review. These delays resulted in the Navy's having excess fiscal year 2015 funds in the program. The Senate amendment would instead provide an additional \$725.0 million in Research, Development, Test and Evaluation, Defense-wide, including \$350.0 million for continued development and risk reduction activities of the Unmanned Combat Air System Demonstration (UCAS-D) aircraft that would benefit the overall UCLASS program, and \$375.0 million to be used for a competitive prototyping of at least two follow-on air systems that move the Department toward a UCLASS program capable of long-range strike in a contested environment.

We believe that the Navy should develop a penetrating, air-refuelable, unmanned carrier-launched aircraft capable of performing a broad range of missions in a non-permissive environment. We believe that such an aircraft should be designed for full integration into carrier air wing operations—including strike operations—and possess the range, payload, and survivability attributes as necessary to complement such integration. Although the Defense Department could develop land-based unmanned aircraft with attributes to support the air wing, we believe that the United States would derive substantial strategic and operational benefits from operating such aircraft from a mobile seabase that is self-deployable and not subject to the caveats of a host nation.

Therefore, we recommend an increase of \$350.0 million to the UCLASS program and direct the Secretary of Defense to use these funds to conduct competitive air vehicle risk reduction activities that would lead to fielding penetrating, air-refuelable, UCLASS air vehicles capable of performing a broad range of missions in a non-permissive environment.

We direct the Navy to leverage both the lessons learned from the UCAS-D program and the existence of two operational UCAS-D demonstrator aircraft in support of these efforts. We also encourage the Secretaries of Defense and the Navy to consider all appropriate flexible acquisition authorities granted in law and in this Act, including those for rapid prototyping. Finally, we recommend that any contractual arrangements executed with this funding provide the Navy with sufficient technical data rights to support a subsequent competitive prototyping, follow-on development, or future multiple-sourced production efforts.

We look forward to reviewing the results of the Department of Defense Intelligence Surveillance, and Reconnaissance Strategic Portfolio Review and also the report directed in section 217 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015.

Integrated personnel and pay system for Army

The budget request included \$136.0 million in PE 65018A for the Integrated Personnel and Pay System—Army (IPPS-A).

The House bill included the full requested amount.

The Senate amendment included \$86.0 million for IPPS-A, a reduction of \$50.0 million.

The agreement authorizes \$121.0 million in PE 65018A for the Integrated Personnel and Pay System—Army (IPPS-A). Elsewhere in this Act, we include a legislative provision that limits obligation of funds for the program, until provision of a required report to Congress on program plans.

SUBTITLE A—AUTHORIZATION OF APPROPRIATIONS

Authorization of appropriations (sec. 201)

The House bill contained a provision (sec. 201) that would authorize the appropriations for research, development, test, and evaluation activities at the levels identified in section 4201 of division D of this Act.

The Senate bill contained an identical provision (sec. 201).

The agreement includes this provision.

SUBTITLE B—PROGRAM REQUIREMENTS, RESTRICTIONS, AND LIMITATIONS

Centers for Science, Technology, and Engineering Partnership (sec. 211)

The Senate amendment contained a provision (sec. 211) that would authorize a program to enhance the Department of Defense laboratories with innovative academic and industry partners in research and development activities.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Expansion of eligibility for financial assistance under Department of Defense Science, Mathematics, and Research for Transformation program to include citizens of countries participating in The Technical Cooperation Program (sec. 212)

The Senate amendment contained a provision (sec. 212) that would expand the Department of Defense’s Science, Mathematics, and Research for Transformation (SMART) program to include students from the United

Kingdom, Australia, New Zealand, and Canada.

The House bill contained no similar provision.

The agreement includes the provision with an amendment to cap the number of new foreign students entering the program at five per year. We believe that this cap will help to ensure that the majority of the students in the program are U.S. citizens, while also giving the Department the flexibility to include foreign students on a trial basis. We also believe that this cap will allow the Department the opportunity to work out procedures and processes for the potential expansion to include other kinds of foreign students, should the Secretary of Defense determine that is in the national security interest.

Expansion of education partnerships to support technology transfer and transition (sec. 213)

The House bill contained a provision (sec. 221) that would allow institutions that support technology transition or transfer activities, such as business schools or law schools with technology management programs, to participate in education partnerships with Defense laboratories, as authorized in Section 2194 of title 10, United States Code.

The Senate amendment contained no similar provision.

The agreement includes the provision with amendments that would clarify to which institutions such authorities would extend, authorize a sabbatical and internship program for university faculty and students to work in Defense laboratories, and provide additional emphasis on technology transfer and transition projects. We believe that these amendments, taken together, would strengthen the purpose of the provision, which is to ensure that education partnerships are available for those wishing to engage in technology transfer or transition, in addition to traditional research projects.

Improvement to coordination and communication of Defense research activities (sec. 214)

The House bill contained a provision (sec. 231) that would improve the coordination and communication of defense research activities and technology domain awareness. The House bill directs the Secretary of Defense to promote, monitor, and evaluate programs not only among Defense research facilities, but also among other government facilities, as well as commercial and university entities. The House bill would also encourage the Department to achieve full awareness of scientific and technological advancement and innovation throughout the technology domain.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would add additional direction to the Secretary of Defense to develop and distribute clear technical communications to all internal and external entities. We believe it is important that the Department more completely and robustly convey successes of Defense research and engineering activities.

The Senate amendment would also direct the Secretary of Defense to ensure that publicly-funded Defense research facilities support national technological development goals and technological missions of other federal agencies, as appropriate. We believe that taxpayer funds used for scientific research should be used in support of the best interests of the U.S. government as a whole.

Reauthorization of Global Research Watch program (sec. 215)

The Senate amendment contained a provision (sec. 214) that would reauthorize the

Global Research Watch program for an additional 10 years. The Senate provision would also expand the responsibilities of the program to include private sector entities, in addition to foreign governments.

The House bill contained no similar provision.

The agreement includes this provision.

Reauthorization of Defense research and development Rapid Innovation Program (sec. 216)

The House bill contained a provision (sec. 211) that would extend the authorization for the Department of Defense to execute activities for the Rapid Innovation Program through 2020.

The Senate amendment contained a similar provision (sec. 213) that would reauthorize the Rapid Innovation Program for 5 years. The Senate provision would also make technical changes to the program’s guidelines and reporting requirements.

The agreement contains the Senate provision with a technical edit from the House to extend the program through 2023. We believe that it would be more effective to extend the program in a manner consistent with the end of the next program objective memorandum.

Science and technology activities to support business systems information technology acquisition programs (sec. 217)

The Senate amendment contained a provision (sec. 215) that would mandate the establishment of science and technology activities that would help reduce the technical risk and life cycle costs of major information technology acquisition programs. The provision would require the Department to fund appropriate research, development, and capability-building activities to make it a “smarter buyer” of these programs.

The House bill contained no similar provision.

The agreement includes the provision with an amendment directing the Department to conduct a gap analysis to identify relevant activities that are not being pursued in the current science and technology program.

We recognize and appreciate that the Department does currently engage in some activities that address those described in this provision and the original report language from the Senate Armed Services Committee. However, we note with dismay the significant gaps in activities and technologies continue to exist. Examples of these gaps include lack of support for business process re-engineering, for lowering costs of customization of commercial software, for lowering maintenance costs, for open architectures, for engagement with management schools and small businesses, and for the conversion of legacy software to modern systems. We remain concerned that such gaps in science and technology activities related to business systems information technology acquisition, if left unaddressed, have the potential to severely hamper the Department’s ability to field a modern and efficient information technology enterprise that meets the current and future needs of the Department.

Department of Defense technology offset program to build and maintain the technological superiority of the United States (sec. 218)

The Senate amendment contained a provision (sec. 212) that would establish and initiate within the Department of Defense to maintain and enhance the military technological superiority of the United States. The provision would establish a program to accelerate the fielding of offset technologies,

including, but not limited to, directed energy, low-cost high-speed munitions, autonomous systems, undersea warfare, cyber technology, and intelligence data analytics, developed by the department and to accelerate the commercialization of such technologies. The provision would also direct the Secretary to establish updated policies and new acquisition and management practices that would speed delivery of offset technologies into operational use. The provision would authorize \$300.0 million for fiscal year 2016 for initiative, of which \$150.0 million would be authorized specifically for directed energy.

The House bill contained no similar provision.

The agreement includes this provision with an amendment to remove the requirement for a strategy on the development of directed energy technologies.

We are aware of the challenges facing the Department in maintaining technological superiority with regards to potential future adversaries. In authorizing the technology offset program in this provision, we recognize the need for the Department to have sufficient flexibility and resources to make sound strategic decisions for technology investment to respond to a more dire future security environment. We note that the Department has a number of initiatives, such as the Defense Innovation Initiative, and the Long-Range Research and Development Plan, to help guide those investments.

In particular, the Armed Services Committees of the Senate and the House of Representatives have been focused on the role directed energy weapons will have in our future security environment, and have been proponents of maturing directed energy technologies to transition them to the warfighting community as quickly as possible. We are aware that the Department and the military services have various roadmaps for deploying these technologies, and consider this fund a major forcing function to drive accelerated development and transition.

To better understand how the funds authorized in this section, in combination with other funds for directed energy programs, will be used to identify and transition promising directed energy technologies to the warfighting community, we direct the Secretary of Defense to provide a briefing to the Armed Services Committees of the Senate and the House of Representatives no later than 180 days after the enactment of this Act. This briefing should include:

- 1) A description of a program management process for the identification of directed energy efforts, including prototyping or exercise opportunities, where additional funding may support accelerated transition to urgent operational needs or programs of record;

- 2) A description of coordination mechanisms between services and agencies undertaking directed energy activities, including coordination of science and technology prototyping, and programs of record;

- 3) An identification of challenges from the warfighting community currently impeding the adoption of or confidence in directed energy weapons systems.

- 4) An identification of policy, regulatory, or legislative impediments or challenges that currently constrain accelerated transition to the warfighting community; and

- 5) Recommendations for how to improve the department's ability to transition promising directed energy technology initiatives to the warfighting community.

Limitation on availability of funds for F-15 infrared search and track capability development (sec. 219)

The House bill contained a provision (Sec. 213) that would limit the availability of funds for fiscal year 2016 for the research, development, test, and evaluation of F-15 infrared search and track capabilities until 30 days after the Secretary of Defense submits a specified report.

The Senate bill contained no similar provision.

The Senate recedes.

Limitation on availability of funds for development of the shallow water combat submersible (sec. 220)

The House bill contained a provision (sec. 225) that would require a briefing to the congressional defense committees on the U.S. Special Operations Command (SOCOM) Shallow Water Combat Submersible (SWCS) program.

The Senate amendment contained a provision (sec. 218) that would prohibit the expenditure of more than 25 percent of the funds available for the SWCS program for fiscal year 2016 until the Under Secretary of Defense for Acquisition, Technology and Logistics designates a civilian official within his office responsible for providing oversight and assistance to SOCOM for all undersea mobility programs and, in coordination with the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict, provides the congressional defense committees a report on the SWCS program.

The House recedes with an amendment that would modify to 50 percent the amounts available for the SWCS program and modify associated reporting requirements.

Limitation on availability of funds for Medical Countermeasures Program (sec. 221)

The House bill contained a provision (sec. 212) that would limit the obligation and expenditure of 50 percent of the funds made available for the Department of Defense Medical Countermeasures program within the Chemical-Biological Defense Program until the Secretary of Defense provides a report to the congressional defense committees that validates the requirements and conducts an independent cost-benefit analysis to justify funding and efficiencies. This section would also require the Comptroller General of the United States to submit a review of the certification to the congressional defense committees within 60 days after the date on which the Secretary submits his report.

The Senate amendment contained no similar provision.

The agreement contains the House provision with an amendment that would decrease the limitation from 50 percent to 25 percent pertaining only to those funds used for research development test and evaluation (RDT&E) activities in the Advanced Development and Manufacturing facility per se and not all the RDT&E activities associated with the Medical Countermeasures Program.

We further note that Consistent with GAO report 15-257 (June 2015), the Secretary shall report to the congressional defense committees no later than February 28, 2016 on the designation of an individual responsible for managing infrastructure for the Department of Defense Chemical and Biological defense programs, to include shared-use facilities such as those within the Advanced Development and Manufacturing program, in order to minimize duplication of effort within the Department of Defense and other agencies of the federal government. The Secretary of de-

fense shall notify the congressional defense committees of the appointment of such individual no later than 15 days after such designation. Further, we direct the Comptroller General to review the roles and responsibilities of the official designated to be responsible for infrastructure management, and to brief the congressional defense committees no later than March 31, 2016.

Limitation on availability of funds for distributed common ground system of the Army (sec. 222)

The Senate amendment contained a provision (sec. 219) that would limit the amount of funds available to be obligated or expended by the Secretary of the Army to not more than 75 percent of the amounts authorized to be obligated for fiscal year 2016 until a review of the program planning for the distributed common ground system of the Army is submitted to the congressional defense and intelligence committees.

The House bill contained a similar provision (sec. 1624).

The House recedes with a clarifying amendment.

Limitation on availability of funds for distributed common ground system of the United States Special Operations Command (sec. 223)

The House bill contained a provision (sec. 1625) that would limit the availability of funds for the Special Operations Command's Distributed Common Ground System to 75 percent of the funds authorized to be obligated by the program until the Commander of U.S. Special Operations Command conducts a review of the program planning and submits the findings of such review to the congressional defense committees and the congressional intelligence committees and the House Permanent Select Committee on Intelligence.

The Senate amendment contained a similar provision (sec. 220) that would limit the availability of research, development, test, and evaluation funds for the distributed common ground system of the U.S. Special Operations Command (SOCOM) until the Commander of SOCOM submits a report to the congressional defense committees.

The House recedes.

Integrated personnel and pay system for Army (sec. 224)

The agreement includes a provision (sec. 224) that would limit the ability of the Secretary of the Army to obligate more than 75 percent of the total authorized amount of fiscal year 2016 program funds for Integrated Personnel and Pay System-Army (IPPS-A) program until the Secretary of the Army provides a report to the congressional defense committees on the performance of legacy systems, changes in human resources organization and financial system capabilities, and alternatives to the current cost of IPPS-A.

SUBTITLE C—REPORTS AND OTHER MATTERS

Streamlining the Joint Federated Assurance Center (sec. 231)

The Senate amendment contained a provision (sec. 217) that would streamline the Department of Defense's Joint Federated Assurance Center by eliminating an unnecessary layer of bureaucracy between the Center's steering group and its working groups. The House bill contained no similar provision.

The agreement includes this provision.

Demonstration of persistent close air support capabilities (sec. 232)

The Senate amendment contained a provision (sec. 233) that would require the Secretary of the Air Force, the Secretary of the

Army, and the Director of the Defense Advanced Research Projects Agency (DARPA) to jointly conduct a demonstration of the Persistent Close Air Support (PCAS) capability in fiscal year 2016.

The House bill contained no similar provision.

The House recedes with an amendment to strike the phrase “as identified by the United States Air Force Close Air Support Forum” from subparagraph (b)(1). The amendment would also replace all occurrences of the word “shall” with “may,” and add a paragraph directing a briefing to the congressional defense committees by December 1, 2016 on the assessment of demonstration results and cost estimates for transition of any desired technologies.

We strongly encourage the three parties to conduct the PCAS demonstration, as the benefits would likely provide a large payoff in increased capability for what is estimated to be minimal resource investment. In response to the challenge of diverse platforms and user populations of the close air support mission, the Joint Requirements Oversight Council, in 2009, in its Close Air Support Capabilities-Based Assessment, recommended that “Platforms should field flexible systems that utilize an improved architecture which migrates the processing of digital messages to a Commercial-off-the-Shelf (COTS) based processor and away from the [aircraft] operational flight programs.”

We observe that with repeated Air Force proposals to retire their fleet of A-10 aircraft, the integration of game-changing and relatively inexpensive technologies to improve close air support mission operations and results on other platforms could be beneficial in assuaging concerns of divesting a particular aircraft, even a type with close air support as its primary mission.

We also agree that the Director of DARPA should provide resources to the maximum extent practical to minimize costs borne by the participating Services to accomplish the demonstration activities.

Strategies for engagement with historically black colleges and universities and minority-serving institutions of higher education (sec. 233)

The House bill contained a provision (sec. 222) that would require the Secretaries of the military departments to each develop a strategy for engagement with and support of the development of scientific, technical, engineering, and mathematics capabilities with historically black colleges and universities and minority-serving institutions. The provision would also require the Secretary of Defense to develop a strategy that encompasses the strategies developed by the military departments.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that ensures that such strategies are developed by all organizations within the Department of Defense that are engaged in basic research, thereby broadening the provision to cover all appropriate Defense entities.

We note that in implementing the requirements of this provision, the Secretary of Defense may seek information from the directorates of the Louis Stokes Alliances for Minority Participation program (LSAMP) and Historically Black Colleges and Universities Undergraduate Program (HBCU-UP) of the National Science Foundation; the American Association for the Advancement of Science; the Emerging Researchers National Conference in Science, Technology, Engineering, and Mathematics; the University of Florida

Institute for African-American Mentoring in Computing Sciences (IAAMCS); the Hispanic Association of Colleges and Universities; the National Indian Education Association; and such other institutions, organizations, or associations as the Secretary deems useful.

Report on commercial-off-the-shelf wide-area surveillance systems for Army tactical unmanned aerial systems (sec. 234)

The House bill contained a provision (sec. 229) that would express the Sense of Congress on the capabilities provided by unmanned aerial systems that use wide area surveillance sensors. The provision would also require the Secretary of the Army to conduct a market survey and flight assessment of commercial-off-the-shelf wide area surveillance sensors suitable for insertion on Army tactical unmanned aerial systems.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would remove the sense of Congress, modify the reporting requirements for the market survey, require an assessment of current wide area surveillance systems that are currently used or could be used on Army tactical unmanned aerial systems, as well as require the Secretary of the Army to assess the advisability and feasibility of upgrading wide area surveillance systems for Army tactical unmanned aerial systems.

Report on Tactical Combat Training System Increment II (sec. 235)

The House bill contained a provision (sec. 230) that would direct the Secretary of the Navy and the Secretary of the Air Force to submit a report to the congressional defense committees, not later than January 29, 2016, on the baseline and alternatives to the Navy's Tactical Air Combat Training System Increment II. The provision would also limit the Navy from approving or designating a contract award for the specified system until 15 days after the date of the submittal of the report.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment striking subparagraph (c) to remove the limitation.

Report on technology readiness levels of the technologies and capabilities critical to the long range strike bomber aircraft (sec. 236)

The Senate amendment contained a provision (sec. 235) that would require the Secretary of Defense to submit to Congress, not later than 180 days after enactment of this Act, a report on the Technology Readiness Levels and capabilities critical to the Long Range Strike Bomber aircraft. The provision would also require the Comptroller General of the United States to review the Secretary's report and submit an assessment to the congressional defense committees.

The House bill contained no similar provision.

The House recedes with an amendment to have the Secretary report to the congressional defense committees.

Assessment of Air-Land Mobile Tactical Communications and Data Network Requirements and Capabilities (sec. 237)

The Senate amendment contained a provision (sec. 231) that would require the Director of Cost Assessment and Program Evaluation (CAPE) to contract with an independent entity to conduct a comprehensive assessment of current and future requirements and capabilities to determine the technological feasibility, achievability, suitability, and survivability of a tactical communications

and data network. The provision would also prohibit the Secretary of the Army from obligating more than 50 percent of funds available in Other Procurement, Army for the Warfighter Information Network-Tactical, Increment 2 program subject to the submission of the independent entity's report.

The House bill contained no similar provision.

The House recedes with an amendment that would strike the limitation of funds, and require the Director of CAPE to seek to enter into a contract with a federally funded research and development center to conduct a comprehensive assessment of current and future requirements and capabilities of the Army with respect to air-land ad hoc, mobile tactical communications and data networks, including the technological feasibility, suitability, and survivability of such networks.

We believe the Director of CAPE shall select a federally funded research and development center with direct, long-standing, and demonstrated experience and expertise in program test and evaluation of concepts, requirements, and technologies for joint tactical communications and data networking to perform the assessment. The Institute for Defense Analysis may be such an entity with expertise needed for such a detailed assessment.

Study of field failures involving counterfeit electronic parts (sec. 238)

The Senate amendment contained a provision (sec. 232) that would require the Secretary of Defense to task the Joint Federated Assurance Center (JFAC) to conduct a hardware assurance study to assess the presence, scope, and effect on Department of Defense operations of counterfeit electronic parts that have passed through the Department of Defense supply chain and into fielded systems.

The House bill contained no similar provision.

The agreement includes the provision with an amendment to assign responsibility for the study to the executive agent for printed circuit board technology. We believe that the executive agent is the most appropriate official to conduct such a study. The amendment would also require JFAC to conduct a technical assessment for indications of malicious tampering on any parts assessed that demonstrate unusual or suspicious failure mechanisms. We believe that such follow-up is critical for ensuring maximum impact and benefit of the study.

Airborne data link plan (sec. 239)

The Senate amendment contained a provision (sec. 234) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Vice Chairman of the Joint Chiefs of Staff to jointly, in consultation with the Secretary of the Air Force and the Secretary of the Navy, to develop a plan on airborne data links between fifth-to-fifth, and fifth-to-fourth generation aircraft. The provision would also limit funding for the TALON HATE and Multi-Domain Adaptable Processing System programs until the plan was briefed to the congressional defense committees.

The House bill contained no similar provision.

The House recedes with an amendment to add a date of February 15, 2016 for the plan briefing, and to strike subsection (c).

Plan for advanced weapons technology war games (sec. 240)

The House bill contained a provision (sec. 223) that would require the Secretary of Defense, in coordination with the Chairman of

the Joint Chiefs of Staff, to develop a plan for integrating advanced technologies, such as directed energy weapons, hypersonic strike systems, and autonomous systems into broader title 10 war games to improve socialization with the warfighter and the development and experimentation of various concepts for employment by the Armed Forces.

The Senate amendment contained no similar provision.

The Senate recedes with some technical amendments.

Independent assessment of F135 engine program (sec. 241)

The House bill contained a provision (sec. 214) that would require the Secretary of Defense to enter into a contract with a federally funded research and development center to conduct an assessment of the F135 engine program, and submit a report to the congressional defense committees not later than March 15, 2016.

The Senate amendment contained no similar provision.

The Senate recedes.

Comptroller General Review of autonomic logistics information system for F-35 Lightning II aircraft (sec. 242)

The House bill contained a provision (sec. 224) that would direct the Comptroller General of the United States to conduct a review and submit a report to the congressional defense committees on the autonomic logistics information system for the F-35 Lightning II aircraft program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment to make technical corrections to correct typographical errors.

Sense of Congress regarding facilitation of a high quality technical workforce (sec. 243)

The House bill contained a provision (sec. 227) that would express a sense of Congress that the Department of Defense should explore using existing authorities for all Federally Funded Research and Development Centers to help facilitate and shape a high quality scientific and technical workforce that can support the Department's needs. In addition, the provision would make a number of findings, including that the country's scientific and technical workforce is a matter of national security, that the Department's support for technical education programs facilitates the training of the future workforce, and that the highly skilled workforce already employed is qualified to facilitate training of a future workforce.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would expand the provision to include all defense laboratories. We believe that the paragraphs of the provision apply to all Defense laboratories, not only the Federally Funded Research and Development Centers, and that all should be recognized as such.

We find that:

(1) The quality of the future scientific and technical workforce of the United States and the access of the Department of Defense to a high quality scientific and technical workforce are matters of national security concern;

(2) The support of the Department of Defense for science, technology, engineering, and mathematics education programs facilitates the training of a future scientific and technical workforce that will contribute significantly to the research, development, test, and evaluation functions of the Department

of Defense and the readiness of the future Armed Forces;

(3) Defense laboratories and federally funded research and development centers sponsored by the Department of Defense employ a highly skilled workforce that is qualified to support science, technology, engineering, and mathematics education initiatives, including through meaningful volunteer opportunities in primary and secondary educational settings and cooperative relationships and arrangements with private sector organizations and State and local governments, and to facilitate the training of a future scientific and technical workforce;

(4) Robust participation in scientific and technical conferences, including industry and international conferences, will strengthen the national security scientific and technical workforce.

LEGISLATIVE PROVISIONS NOT ADOPTED

Report on graduate fellowships in support of science, mathematics, and engineering education

The House bill contained a provision (sec. 226) that would require the Secretary of Defense to submit a report on graduate fellowships in support of science, mathematics, and engineering education.

The Senate amendment contained no similar provision.

The agreement does not include this provision.

Funding for MV-22A Digital Interoperability Program

The House bill contained a provision (sec. 228) that would authorize an increase in funding for MV-22A Digital Interoperability Program of \$75.0 million which included \$64.3 million for Aircraft Procurement, Navy, and \$10.7 million for Research, Development, Test & Evaluation, Navy.

The Senate amendment contained no similar provision, but would increase funding for the MV-22A, based upon the unfunded priority list of the Commandant of the Marine Corps. The Senate amendment would increase funding by a total of \$23.0 million including \$15.0 million for integrated aircraft survivability and \$8.0 million for ballistic protection.

The agreement does not include this provision.

The outcome is reflected in section 4101 and 4201 of this Act, and includes funding in line with the Senate amendment.

ITEMS OF SPECIAL INTEREST

Apportionment of small business funds under continuing resolutions

We believe that under a continuing budget resolution (CR), federal agencies remain responsible for assessing the Small Business Innovative Research (SBIR) and Small Business Technology Transition (STTR) set-asides, and executing program support for small business technology innovation. To support Department of Defense access to small business innovation, we believe that Department comptrollers should move expeditiously to calculate the SBIR/STTR assessments, and make those funds available to military services and agency SBIR/STTR programs commensurate with those assessments, on a timeline that supports program effectiveness.

Expedited approval for attendance at conferences in support of science and innovation activities of Department of Defense and the National Nuclear Security Administration

We note with concern that since the Departments of Defense and Energy have im-

plemented updated conference policies, in response to requirements from the Office of Management and Budget, attendance at science and technology conferences by department personnel has reduced dramatically. According to a report from the Government Accountability Office in March 2015, conference attendance from the Army Research Laboratory declined from about 1300 attendees in 2011 to about 100 attendees in 2013. A similar drop in attendance was reported from Sandia National Laboratories. The report highlights that such a drop in attendance risks a decline in the quality of scientific research, difficulty in recruiting and retaining qualified scientists and engineers, and a diminished leadership role for the two departments within the global science and technology community. The report also notes that the new departmental policies are not meeting the needs of personnel requesting approval to travel to conferences.

Given the importance of conference attendance for an active exchange of scientific information and for recruiting and retaining high-quality technical talent, and therefore maintaining technological superiority, we are concerned that the conference attendance approval policies are undermining and eroding the science and technology missions of both departments as well as the ability of personnel to engage in cutting-edge research, development, testing, and evaluation. We believe that technical conference participation is especially important to keep program managers aware of new trends in technology, so that they may make better informed decisions on behalf of taxpayers.

To maintain global technology awareness and to support retention of technical staff, we believe that the Departments should strive to follow the best practices of the innovative private and academic institutions in developing management and oversight practices for conference participation. We are concerned that in specific technical fields of interest to defense, such as hypersonics and cybersecurity, the lack of participation in conferences is ceding U.S. leadership to competitor nations.

In response to these findings and concerns, we direct the Secretaries of Defense and Energy to revise current policies within the Department of Defense and National Nuclear Security Administration, respectively, whereby requests for scientific conference attendance are adjudicated within one month, and approvals are granted as appropriate within one month. Further, we direct the Secretaries of Defense and Energy to ensure that any decisions to disapprove conference attendance through these revised policies are made if and only if the appropriate officials determine that the disapproval would have a net positive impact on research and development and on program management quality, and not simply default disapprovals necessitated by a bureaucratic inability to make a timely decision. In addition, we direct that these new policies be implemented no later than 90 days after the enactment of this act.

We recommend that, through these revised policies, laboratory and test center directors be given the authority to approve conference attendance, provided that the attendance would meet the mission of the laboratory or test center and that sufficient laboratory or test center funds are available.

We direct the Secretaries of Defense and Energy each to report to the Senate Armed Services Committee and the House Armed Services Committee on the revised policies from their respective agencies, as well as an

assessment of their benefits and drawbacks, along with measures for tracking the effectiveness of the new policies. We further direct that this report be submitted no later than one year after the enactment of this act.

Protection of advanced technologies

We have concerns that the Department of Defense, while taking necessary steps to pursue and create innovative technologies and to access global sources of innovation, also needs to better protect such technologies against unauthorized disclosure to or theft by potential adversaries. We are concerned that some adversaries have clear strategies (1) to overcome our general technology protection efforts and specific program protection measures, and (2) to mitigate our efforts to increase our technological superiority. For this reason, we believe that the Department would benefit from better technology and program protection planning and more effective cybersecurity measures.

Therefore, we direct the Secretary of Defense to conduct a review of methodologies that potential adversaries are exploiting to gain unauthorized access to technologies and intellectual property, and to circumvent current export control and other technology protection regimes. Additionally, the Department should review structures of business relationships, such as partnerships, mergers and acquisitions, joint ventures, and consortia, to assess the potential that these types of relationships present additional opportunities for exploitation by adversaries. Further, we direct the Secretary to brief the results of the review to the Committees on Armed Services of the Senate and House of Representatives by March 15, 2016, including any recommendations that may necessitate legislative action.

TITLE III—OPERATION AND MAINTENANCE SUBTITLE A—AUTHORIZATION OF APPROPRIATIONS

Authorization of appropriations (sec. 301)

The House bill contained a provision (sec. 301) that would authorize the appropriations for operation and maintenance activities at the levels identified in section 4301 of division D of this Act.

The Senate bill contained an identical provision (sec. 301).

The agreement includes this provision.

SUBTITLE B—ENERGY AND THE ENVIRONMENT *Limitation on procurement of drop-in fuels (sec. 311)*

The House bill contained a provision (sec. 311) that would amend subchapter II of chapter 173 of title 10, United States Code, to prohibit Department of Defense funds to be used for bulk purchases of drop-in fuel for operational purposes, unless the cost of that drop-in fuel is cost-competitive with traditional fuel, subject to a national security waiver.

The Senate amendment contained no similar provision.

The Senate recedes.

Southern Sea Otter Military Readiness Areas (sec. 312)

The House bill contained a provision (sec. 312) that would amend chapter 631 of title 10, United States Code, by adding a new section directing the Secretary of the Navy to establish “Southern Sea Otter Military Readiness Areas” for national defense purposes. The provision would also repeal section 1 of Public Law 99–625 (16 U.S.C. 1536 note).

The Senate amendment contained a similar provision (sec. 313).

The Senate recedes with an amendment that excludes the repeal of section 1 of Public Law 99–625 (16 U.S.C. 1536 note).

Modification of energy management reporting requirements (sec. 313)

The Senate amendment contained a provision (sec. 311) that would amend section 2925(a) of title 10, United States Code, by striking a subsection listing renewable energy credits (RECs) and clarifying and strengthening the reporting requirements on commercial and non-commercial utility outages.

The House bill contained no similar provision.

The House recedes.

Revision to scope of statutorily required review of projects relating to potential obstructions to aviation so as to apply only to energy projects (sec. 314)

The House bill contained a provision (sec. 313) that would amend section 358 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) to expand coverage of the Siting Clearinghouse to requests for informal reviews by Indian tribes and landowners, clarify that information received from private entities is not publicly releasable, eliminate categories of adverse risk, and limit applicability of section to only energy projects.

The Senate amendment contained a similar provision (sec. 353) that would amend section 358 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 to expand the coverage of the Department of Defense (DOD) Siting Clearinghouse to requests for informal reviews from Indian tribes and landowners, clarify that information received from private entities is not publicly releasable, eliminate categories of adverse risk. The Senate provision would maintain the coverage of the Department of Defense (DOD) Siting Clearinghouse for non-energy projects.

The Senate recedes with a clarifying amendment.

Exclusions from definition of “chemical substance” under Toxic Substances Control Act (sec. 315)

The House bill contained a provision (sec. 314) that would modify section 2602(2)(B) of title 15, United States Code, to add to the exclusions any component of any article, including shot, bullets and other projectiles, propellants when manufactured for or used in such an article, and primers.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment limiting the provision to shot shells, cartridges, and components of shot shells and cartridges.

SUBTITLE C—LOGISTICS AND SUSTAINMENT

Repeal of limitation on authority to enter into a contract for the sustainment, maintenance, repair, or overhaul of the F117 engine (sec. 322)

The House bill contained a provision (sec. 323) that would amend Section 341 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291).

The Senate amendment contained a similar provision (sec. 321) that would repeal Section 341 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291).

The House recedes.

Pilot programs for availability of working capital funds for product improvements (sec. 323)

The House bill contained a provision (sec. 324) that would require the Assistant Sec-

retary of the Army for Acquisition, Logistics, and Technology, the Assistant Secretary of the Navy for Research, Development, and Acquisition, and the Assistant Secretary of the Air Force for Acquisition to each initiate a pilot program pursuant to section 330 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 68), as amended by section 332 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1697).

The Senate amendment contained no similar provision.

The Senate recedes.

SUBTITLE D—REPORTS

Modification of annual report on prepositioned materiel and equipment (sec. 331)

The Senate amendment contained a provision (sec. 331) that would amend Section 2229a(a)(8) of title 10, United States Code.

The House bill contained no similar provision.

The House recedes.

Report on merger of Office of Assistant Secretary for Operational Energy Plans and Deputy Under Secretary for Installations and Environment (sec. 332)

The House bill contained a provision (sec. 318) that would require the Secretary of Defense to submit to Congress a report on the merger of the Office of the Assistant Secretary of Defense for Operational Energy Plans and the Office of the Deputy Under Secretary of Defense for Installations and Environment.

The Senate amendment contained no similar provision.

The Senate recedes.

Report on equipment purchased noncompetitively from foreign entities (sec. 333)

The House bill contained a provision (sec. 325) that would require the Secretary of Defense to submit a report to the congressional defense committees on contracts awarded to foreign entities.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

SUBTITLE E—OTHER MATTERS

Prohibition on contracts making payments for honoring members of the Armed Forces at sporting events (sec. 341)

The House bill contained a provision (sec. 1098) that provided a sense of the Congress in regard to a private organization utilizing funds from the Department of Defense for the purpose of promoting or honoring the military.

The Senate amendment contained a similar provision (sec. 342a) and included a prohibition on the Department of Defense from entering into any such contracts.

The House recedes with a clarifying amendment.

We urge any organization, including the National Football League and other professional sports leagues, that has accepted taxpayer funds to honor members of the Armed Forces to consider directing an equivalent amount of funding in the form of a donation to a charitable organization that supports members of the Armed Forces, veterans, and their families. We also urge the Department of Defense to redirect any funds that would have been used for the aforementioned purposes to the post-traumatic stress disorder research and treatment for members of the Armed Forces.

Military animals: transfer and adoption (sec. 342)

The House bill contained a provision (sec. 594) that would amend Section 2583 of title

10, United States Code, in regard to military working dogs.

The Senate amendment contained a similar provision (sec. 352).

The Senate recedes with a clarifying amendment.

Temporary authority to extend contracts and leases under the ARMS Initiative (sec. 343)

The House bill contained a provision (sec. 335) that would allow contracts or subcontracts entered into pursuant to section 4554(a)(3)(A) of title 10, United States Code, on or before the date that is 5 years after the date of the enactment of this Act to include an option to extend the term of the contract or subcontract for an additional 25 years.

The Senate amendment contained an identical provision (sec. 343).

The agreement includes this provision.

Improvements to Department of Defense excess property disposal (sec. 344)

The House bill contained a provision (sec. 333) that would require the Secretary of Defense to submit to the congressional defense committees a plan for the improved management and oversight of the systems, processes, and controls involved in the disposition of excess non-mission essential equipment and materiel by the Defense Logistics Agency Disposition Services.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Limitation on use of funds for Department of Defense sponsorships, advertising, or marketing associated with sports-related organizations or sporting events (sec. 345)

The Senate amendment contained a provision (sec. 342) that would prohibit the Department of Defense from using any funds authorized to be appropriated for sponsorship, advertising, or marketing associated with a sports-related organization or sporting event until a review of current contracts and task orders for such events was completed.

The House bill contained no similar provision.

The House recedes with a technical amendment.

We are concerned with the Department's level of oversight of the sponsorship, advertising, and marketing associated with sports-related organizations and events executed by each of the military services, especially with the National Guard. Therefore, we direct the Secretary of Defense and the service secretaries to ensure the proper oversight mechanisms are in place to provide proper oversight and approval of these programs.

Additional requirements for streamlining of Department of Defense management headquarters (sec. 346)

The House bill contained a provision (sec. 905) that would express a series of findings and the sense of Congress on the commitment of the Department of Defense to reduce its headquarters budgets and personnel by 20 percent and to achieve \$10.0 billion in cost savings over 5 years. It would also amend section 904 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66), which requires the Secretary of Defense to develop a plan for streamlining Department of Defense management headquarters, by requiring an accurate baseline accounting of defense headquarters budgets and personnel, and more specific information on actual and planned reductions in management headquarters. In addition, this section

would further modify section 904 of Public Law 113-66 to require the Department to implement its planned reduction in management headquarters budgets and personnel for certain organizations in the National Capital Region. Lastly, it would clarify that civilian employees funded from working-capital funds are not subject to the reduction requirement.

The Senate amendment contained a similar provision (sec. 351) that would cut 30 percent from the budgets of headquarters activities over the next 4 years and require the Secretary of Defense to perform a comprehensive review of these activities and consider elimination, consolidation, and downsizing where appropriate.

The Senate recedes with an amendment that would require the Department to plan and budget for \$10.0 billion in cost savings in its headquarters, administrative and support activities between fiscal year 2015 and 2019. The amendment would also require at least a 25 percent reduction to headquarters activities, which would count towards the \$10.0 billion savings. Finally, the amendment would require a comprehensive review of headquarters, administrative and support functions with an eye towards streamlining and consolidating these functions across the Department of Defense.

We believe that the Secretary must credit the reductions, as having been accomplished in earlier fiscal years in accordance with the December 2013 Directive, as part of the baseline amount under this section for all of the Department of Defense headquarters and the specific baseline amounts for each such headquarters activity.

LEGISLATIVE PROVISIONS NOT ADOPTED

Additional authorization of appropriations for the Office of Economic Adjustment

The House bill contained a provision (sec. 302) that would authorize \$25.0 million for transportation projects on local roads that would help mitigate traffic congestion associated with the military facility.

The Senate amendment contained no similar provision.

The House recedes.

We note that the Defense Access Road program provides such funds around military installations where warranted.

Report on efforts to reduce high energy costs at military installations

The Senate amendment contained a provision (sec. 312) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the assistant secretaries responsible for energy installations and environment for the military services and the Defense Logistics Agency, to conduct an assessment of the efforts to achieve cost savings at military installations with high energy costs.

The House bill contained no similar provision.

The Senate recedes.

We encourage the Assistant Secretary of Defense for Energy, Installations, and Environment to include in the Department's Annual Energy Management Report an assessment of cost reduction efforts by military installations with high energy costs to include state and local partnership opportunities.

Exemption of Department of Defense from alternative fuel procurement

The House bill contained a provision (sec. 315) that would amend section 526 of the Energy Independence and Security Act of 2007 (Public Law 110-140) to exempt the Department of Defense from the requirements re-

lated to contracts for alternative or synthetic fuel in that section.

The Senate amendment contained no similar provision.

The House recedes.

Limitation on plan, design, refurbishing, or construction of biofuels refineries

The House bill contained a provision (sec. 316) that would require the Department of Defense to obtain a congressional authorization before entering into a contract for the planning, design, refurbishing, or construction of a biofuels refinery.

The Senate amendment contained no similar provision.

The House recedes.

Comprehensive study on impact of proposed ozone rule

The House bill contained a provision (sec. 317) that would require the Department of Defense to conduct a comprehensive study on the impact of any final rule to the National Ambient Air Quality Standards for Ozone on military readiness.

The Senate amendment contained no similar provision.

The House recedes.

Assignment of certain new requirements based on determinations of cost-efficiency

The House bill contained a provision (sec. 321) that would assign certain new work requirements based on determinations of cost-efficiency.

The Senate amendment contained no similar provision.

The House recedes.

We note that sec. 321 is one of three provisions, along with sections 717 and 907, that we considered that cited Department of Defense Instruction (DODI) 7041.04, "Estimating and Comparing the Full Costs of Civilian and Active-Duty Military Manpower and Contract Support," as the prescribed methodology for making cost comparisons between DOD workforce sectors if the work is not inherently governmental or otherwise exempt from private-sector performance. We also note that the Senate Committee on Armed Services included in Senate Report 114-49 language directing the Secretary of Defense to submit a report setting forth the results of a study comparing the fully burdened cost of performance by Department of Defense (DOD) civilians and contractors.

We recognize that the costing methodology in DODI 7041.04, while validated by the DOD Office of Cost Assessment and Program Evaluation (CAPE), "continues to have certain limitations," as reported by the Government Accountability Office in GAO-13-792, "Opportunities Exist to Further Improve DOD's Methodology for Estimating the Costs of Its Workforces." In the same report, GAO raised questions "about the extent to which . . . officials throughout DOD are aware of a requirement to use the methodology for decisions other than in-sourcing."

In light of these findings, we direct the Secretary of Defense, in responding to the reporting requirement in Senate Report 114-49 referenced above, to address the following additional items: (1) What steps has the Department taken to comply with the recommendations in GAO-13-792 for improving the costing methodology in DODI 7041.04; (2) What guidance has the Office of the Secretary of Defense issued to military components and defense agencies regarding the use of the cost-comparison process to make workforce mix decisions; (3) What roles do CAPE and the Office of the DOD Comptroller play in the cost-comparison process, both prior to workforce sourcing decisions being

made and in tracking workforce sourcing outcomes; (4) What is the Office of the Secretary of Defense doing to ensure the skills, training, or experience needed to effectively perform manpower cost comparisons are available in the DOD workforce, including completion of the competency gap assessments cited in GAO-13-188, “Critical Skills and Competency Assessments Should Help Guide DOD Civilian Workforce Decisions”; and (5) How will the findings in the report required in Senate Report 114-49 be used to improve and correct current limitations of the cost-comparison process outlined in DODI 7041.04?

Access to wireless high-speed Internet and network connections for certain members of the Armed Forces deployed overseas

The House bill contained a provision (sec. 334) that would require the Secretary of Defense to enter into contracts with third-party vendors to provide wireless high-speed Internet and network connections for certain members of the Armed Forces deployed overseas.

The Senate amendment contained no similar provision.

The House recedes.

Assessment of outreach for small business concerns owned and controlled by women and minorities required before conversion of certain functions to contractor performance

The House bill contained a provision (sec. 336) that would limit the conversion of a function to performance by a contractor until an assessment has been made as to whether the Department has carried out suf-

ficient outreach programs to assist small business concerns owned and controlled by women (as such term is defined in section 8(d)(3)(D) of the Small Business Act (15 U.S.C. 637(d)(3)(D))) and small business concerns owned and controlled by socially and economically disadvantaged individuals (as such term is defined in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C))) that are located in the geographic area near the military base.

The Senate amendment contained no similar provision.

The House recedes.

Pilot program on intensive instruction in certain Asian languages

The Senate amendment contained a provision (sec. 354) authorizing the Secretary of Defense, in consultation with the National Education Board, to carry out a pilot program to assess the feasibility and advisability of providing scholarships in accordance with the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1901 et seq.) to individuals for intensive language instruction in a covered Asian language where deficiencies exist.

The House bill contained no similar provision.

The Senate recedes.

We note the need for intensive Asian language training, and direct the Secretary of Defense to provide the defense committees with a briefing no later than April 15, 2016, on the steps Department of Defense is taking to meet that need within the context of the Administration’s policy to rebalance to the Asia-Pacific region.

Sense of Senate on finding efficiencies within the working-capital fund activities of the Department of Defense

The Senate amendment contained a provision (sec. 1005) that would provide a sense of the Senate for the Secretary of Defense to ensure a strong organic industrial base workforce.

The House bill contained no similar provision.

The agreement does not include this provision.

We note that the Secretary of Defense should continue to optimize existing workload plans to ensure a strong organic industrial base workforce.

**TITLE IV—MILITARY PERSONNEL
AUTHORIZATIONS**

SUBTITLE A—ACTIVE FORCES

End strengths for active forces (sec. 401)

The House bill contained a provision (sec. 401) that would authorize the following end strengths for active-duty personnel of the Armed Forces as of September 30, 2016: Army, 475,000; Navy, 329,200; Marine Corps, 184,000; and Air Force, 320,715.

The Senate amendment contained a similar provision (sec. 401) that would authorize active-duty end strength for the Air Force of 317,000.

The agreement includes the House provision.

End strength levels for the active forces for fiscal year 2016 are set forth in the following table:

Service	FY 2015 Authorized	FY 2016		Change from	
		Request	Recommendation	FY 2016 Request	FY 2015 Authorized
Army	490,000	475,000	475,000	0	–15,000
Navy	323,600	329,200	329,200	0	+5,600
Marine Corps	184,100	184,000	184,000	0	–100
Air Force	312,980	317,000	320,715	+3,715	+7,735
DOD Total	1,310,680	1,305,200	1,308,915	0	–1,765

Revisions in permanent active duty end strength minimum levels (sec. 402)

The House bill contained a provision (sec. 402) that would revise the permanent Active-Duty end strength minimum levels contained in Section 691(b) of title 10, United States Code.

The Senate amendment contained a provision (sec. 402) that would repeal section 691 of title 10, United States Code. The provision would also amend section 115 of title 10, United States Code, to provide the Secretary of Defense and the service secretaries authority to vary military personnel end

strengths below those authorized in title IV of this Act.

The Senate recedes with an amendment that would amend subsection (e) of section 691 of title 10, United States Code, to increase the variance authority of the Secretary of Defense contained in that section from 0.5 percent to 2 percent.

SUBTITLE B—RESERVE FORCES

End strengths for Selected Reserve (sec. 411)

The House bill contained a provision (sec. 411) that would authorize the following end strengths for Selected Reserve personnel of

the Armed Forces as of September 30, 2016: the Army National Guard, 342,000; the Army Reserve, 198,000; the Navy Reserve, 57,400; the Marine Corps Reserve, 38,900; the Air National Guard of the United States, 105,500; the Air Force Reserve, 69,200; and the Coast Guard Reserve, 7,000.

The Senate amendment contained an identical provision (sec. 411).

The agreement includes this provision.

End strength levels for the Selected Reserve for fiscal year 2016 are set forth in the following table:

Service	FY 2015 Authorized	FY 2016		Change from	
		Request	Recommendation	FY 2016 Request	FY 2015 Authorized
Army National Guard	350,200	342,000	342,000	0	–8,200
Army Reserve	202,000	198,000	198,000	0	–4,000
Navy Reserve	57,300	57,400	57,400	0	+100
Marine Corps Reserve	39,200	38,900	38,900	0	–300
Air National Guard	105,000	105,500	105,500	0	+500
Air Force Reserve	67,100	69,200	69,200	0	+2,100
DOD Total	820,800	811,000	811,000	0	–9,800
Coast Guard Reserve	9,000	7,000	7,000	0	–2,000

End strengths for reserves on active duty in support of the reserves (sec. 412)

The House bill contained a provision (sec. 412) that would authorize the following end strengths for Reserves on Active Duty in support of the reserve components as of September 30, 2016: the Army National Guard of

the United States, 30,770; the Army Reserve, 16,261; The Navy Reserve, 9,934; the Marine Corps Reserve, 2,260; the Air National Guard of the United States, 14,748; and the Air Force Reserve, 3,032.

The Senate amendment contained a provision (sec. 412) that would authorize the end strengths for the Reserves on Active Duty in

support of the reserve components by the same amounts as the House bill and further required the Chief of the National Guard Bureau to take into account the actual number of members of the Army National Guard of the United States serving in each state as of September 30 each year when allocating full-

time duty personnel in the Army National Guard of the United States.

The Senate recedes.

We note that the Senate amendment expressed the Sense of the Senate that the Na-

tional Guard Bureau should account for states that routinely recruit and retain members in excess of state authorizations when allocating full-time operational support duty personnel. We encourage the Na-

tional Guard Bureau to consider this when allocating full-time duty support personnel.

End strength levels for the reserves on active duty in support of the reserves for fiscal year 2016 are set forth in the following table:

Service	FY 2015 Authorized	FY 2016		Change from	
		Request	Recommendation	FY 2016 Request	FY 2015 Authorized
Army National Guard	31,385	30,770	30,770	0	-615
Army Reserve	16,261	16,261	16,261	0	0
Navy Reserve	9,973	9,934	9,934	0	-39
Marine Corps Reserve	2,261	2,260	2,260	0	-1
Air National Guard	14,704	14,748	14,748	0	+44
Air Force Reserve	2,830	3,032	3,032	0	+202
DOD Total	77,414	77,005	77,005	0	-409

End strengths for military technicians (dual status) (sec. 413)

The House bill contained a provision (sec. 413) that would authorize the following end strengths for military technicians (dual status) as of September 30, 2016: the Army Na-

tional Guard of the United States, 26,099; the Army Reserve, 7,395; the Air National Guard of the United States, 22,104; and the Air Force Reserve, 9,814.

The Senate amendment contained an identical provision (sec. 413).

The agreement includes this provision.

End strength levels for military technicians (dual status) for fiscal year 2016 are set forth in the following table:

Service	FY 2015 Authorized	FY 2016		Change from	
		Request	Recommendation	FY 2016 Request	FY 2015 Authorized
Army National Guard	27,210	26,099	26,099	0	-1,111
Army Reserve	7,895	7,395	7,395	0	-500
Air National Guard	21,792	22,104	22,104	0	+312
Air Force Reserve	9,789	9,814	9,814	0	+25
DOD Total	66,686	65,412	65,412	0	-1,274

Fiscal year 2016 limitation on number of non-dual status technicians (sec. 414)

The House bill contained a provision (sec. 414) that would authorize the following personnel limits for the reserve components of the Army and Air Force for non-dual status

technicians as of September 30, 2016: the Army National Guard of the United States, 1,600; the Air National Guard of the United States, 350; the Army Reserve, 595; and the Air Force Reserve, 90.

The Senate amendment contained an identical provision (sec. 414).

The agreement includes this provision.

End strength levels for the non-dual status technicians for fiscal year 2016 are set forth in the following table:

Service	FY 2015 Authorized	FY 2016		Change from	
		Request	Recommendation	FY 2016 Request	FY 2015 Authorized
Army National Guard	1,600	1,600	1,600	0	0
Air National Guard	350	350	350	0	0
Army Reserve	595	595	595	0	0
Air Force Reserve	90	90	90	0	0
DOD Total	2,635	2,635	2,635	0	0

Maximum number of reserve personnel authorized to be on active duty for operational support (sec. 415)

The House bill contained a provision (sec. 415) that would authorize the maximum number of reserve component personnel who

may be on Active Duty or full-time National Guard duty under section 115(b) of title 10, United States Code, during fiscal year 2016 to provide operational support.

The Senate amendment contained an identical provision (sec. 415).

The agreement includes this provision.

End strength levels for reserve personnel authorized to be on Active Duty for operational support for fiscal year 2016 are set forth in the following table:

Service	FY 2015 Authorized	FY 2016		Change from	
		Request	Recommendation	FY 2016 Request	FY 2015 Authorized
Army National Guard	17,000	17,000	17,000	0	0
Army Reserve	13,000	13,000	13,000	0	0
Navy Reserve	6,200	6,200	6,200	0	0
Marine Corps Reserve	3,000	3,000	3,000	0	0
Air National Guard	16,000	16,000	16,000	0	0
Air Force Reserve	14,000	14,000	14,000	0	0
DOD Total	69,200	69,200	69,200	0	0

SUBTITLE C—AUTHORIZATION OF
APPROPRIATIONS

Military personnel (sec. 421)

The House bill contained a provision (sec. 421) that would authorize appropriations for military personnel at the levels identified in the funding table in section 4401 of this Act.

The Senate amendment contained an identical provision (sec. 421).

The agreement includes this provision.

Report on force structure of the Army (sec. 422)

The House bill contained a provision (sec. 422) that would require a report on the force structure of the Army.

The Senate amendment contained no similar provision.

The Senate recedes.

LEGISLATIVE PROVISIONS NOT
ADOPTED

Chief of the National Guard Bureau authority to increase certain end strengths applicable to the Army National Guard

The Senate amendment contained a provision (sec. 416) that would provide the Chief of the National Guard Bureau with the authority to increase the fiscal year 2016 end strength of the Selected Reserve personnel of the Army National Guard as specified in section 411(a)(1) by up to 3,000 members, the end

strength of the Reserves serving on full-time duty for the Army National Guard as specified in section 412(1) by 615 Reserves, and military technicians (dual status) for the Army National Guard as specified in section 413(1) by 1,111. The provision contains a limitation stating that the Chief of the National Guard Bureau may only increase an end strength using the authority contained in this section if such increase is paid for entirely out of the readiness funds appropriated for fiscal year 2016 for Operation and Maintenance, Army National Guard.

The House bill contained no similar provision.

The Senate recedes.

TITLE V—MILITARY PERSONNEL POLICY

SUBTITLE A—OFFICER PERSONNEL POLICY

Reinstatement of enhanced authority for selective early discharge of warrant officers (sec. 501)

The Senate amendment contained a provision (sec. 506) that would amend section 508a of title 10, United States Code, to reinstate authority for service secretaries to convene selection boards to consider regular warrant officers on the Active-Duty list for involuntary discharge during the period October 1, 2015, through September 30, 2019.

The House bill contained no similar provision.

The House recedes.

Equitable treatment of junior officers excluded from an all-fully-qualified officers list because of administrative error (sec. 502)

The House bill contained a provision (sec. 501) that would amend section 624(a)(3) of title 10, United States Code, to authorize a service secretary to prepare a supplemental list of officers considered all-fully-qualified when one or more officers or former officers are not placed on an all-fully-qualified list due to administrative error. The House provision would also amend section 14308(b)(4) of title 10, United States Code, to authorize a service secretary to prepare a similar supplemental list for officers on Reserve active-status who are not placed on an all-fully-qualified list due to administrative error.

The Senate amendment contained no similar provision.

The Senate recedes.

Enhanced flexibility for determination of officers to continue on active duty and for selective early retirement and early discharge (sec. 503)

The Senate amendment contained a provision (sec. 504) that would amend section 638(a) of title 10, United States Code, relating to the authority for selective early retirement and early discharges to eliminate the restriction that the number of officers recommended for discharge by a selection board may not be more than 30 percent of the number of officers in each grade, year group, or specialty (or combination thereof) in each competitive category. The provision would impose the same restriction that applies to boards to select officers for early retirement, which provides that the number of officers recommended for retirement may not be more than 30 percent of the number of officers considered.

The House bill contained no similar provision.

The House recedes.

Authority to defer until age 68 mandatory retirement for age of a general or flag officer serving as Chief or Deputy Chief of Chaplains of the Army, Navy or Air Force (sec. 504)

The House bill contained a provision (sec. 502) that would amend section 1253 of title 10,

United States Code, to authorize service secretaries to defer the retirement of general and flag officers serving as the Chief or Deputy Chief of Chaplains in their respective Services to age 68.

The Senate amendment contained a similar provision (sec. 505).

The Senate recedes.

General rule for warrant officer retirement in highest grade held satisfactorily (sec. 505)

The Senate amendment contained a provision (sec. 507) that would amend section 1371 of title 10, United States Code, to authorize a service secretary to retire warrant officers in the highest grade in which they served satisfactorily before retirement.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Implementation of Comptroller General recommendation on the definition and availability of costs associated with general and flag officers and their aides (sec. 506)

The House bill contained a provision (sec. 503) that would require the Secretary of Defense to direct the Director, Cost Assessment and Program Evaluation, to define certain costs associated with general and flag officers for the purpose of estimating and managing the full costs associated with these officers and aides.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

SUBTITLE B—RESERVE COMPONENT MANAGEMENT

Continued service in the Ready Reserve by Members of Congress who are also members of the Ready Reserve (sec. 511)

The House bill contained a provision (sec. 512) that would amend section 10149 of title 10, United States Code, to require that members of the Ready Reserve who occupy certain federal key positions whose mobilization in an emergency would seriously impair the capability of a federal agency or office to function effectively are not retained in the Ready Reserve.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would amend section 10149 of title 10, United States Code, to provide that a member of the Ready Reserve who is also a member of Congress may not be transferred to the Standby Reserve or discharged on account of the individual's position as a Member of Congress unless the Secretary of Defense, or in the Coast Guard Reserve, the Secretary of the Department in which the Coast Guard is operating, determines that transfer or discharge is based on the needs of the service.

Clarification of purpose of reserve component special selection boards as limited to correction of error at a mandatory promotion board (sec. 512)

The House bill contained a provision (sec. 511) that would modify section 14502(b) of title 10, United States Code, to conform the authority for convening special selection boards for Reserve officers with the authority for Active-Duty officers in cases in which an officer is considered by a mandatory promotion board, but is not selected due to a material error of fact, material administrative error, or the board did not have before it material information for its consideration.

The Senate amendment contained a similar provision (sec. 512).

The Senate recedes.

Increase in number of days of Active Duty required to be performed by reserve component members for duty to be considered Federal service for purposes of unemployment compensation for ex-servicemembers (sec. 513)

The Senate amendment contained a provision (sec. 592) that would increase from 90 to 180 days the number of continuous days of Active Duty required to be performed by reserve component members for that duty to be considered satisfactory federal service for purposes of unemployment compensation for ex-servicemembers.

The House bill contained no similar provision.

The House recedes.

Temporary authority to use Air Force reserve component personnel to provide training and instruction regarding pilot training (sec. 514)

The Senate amendment contained a provision (sec. 514) that would authorize the Secretary of the Air Force to utilize, during fiscal year 2016, up to 50 Active, Guard, and Reserve (AGR) members and dual-status military technicians to provide training and instruction to active duty and foreign military personnel in excess of what is currently authorized by the AGR and military technician statutes. The provision would also require the Secretary, by no later than 180 days after the date of enactment of this Act, to provide the Committees on Armed Services of the Senate and House of Representatives a report setting forth a plan to eliminate pilot training shortages within the Air Force using authorities available to the Secretary under current law.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Assessment of Military Compensation and Retirement Modernization Commission recommendation regarding consolidation of authorities to order members of Reserve components to perform duty (sec. 515)

The House bill contained a provision (sec. 521) that would require the Secretary of Defense and the Secretary of Homeland Security to prescribe policies and procedures for the Armed Forces when members of the Ready Reserve are ordered to active duty.

The House bill contained a provision (sec. 522) that would amend chapter 1209 of title 10, United States Code, to redesignate inactive duty of the Reserve component to encompass operational and other duties performed while in an active duty status.

The House bill contained a provision (sec. 523) that would amend chapter 1209 of title 10, United States Code, to add a new subchapter on the purpose of Reserve duty.

The House bill contained a provision (sec. 524) that would amend chapter 5 of title 32, United States Code, and insert a new section on training and other duty performed by members of the National Guard.

The House bill contained a provision (sec. 525) that would make certain conforming and clerical amendments related to the authorities to be added or modified by sections 521, 522, 523 and 524 of the House bill.

The House bill contained a provision (sec. 526) that would require the Secretary of Defense and the Secretary of the Homeland Security to submit a plan to the Committees on Armed Services of the Senate and of the House of Representatives, to implement the authorities to be added or modified by sections 521, 522, 523, 524 and 525 of the House bill.

The Senate amendment contained no similar provisions.

The Senate recedes with an amendment that would require the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives, not later than 180 days after the date of enactment of this Act, containing the Secretary's assessment of the Military Compensation and Retirement Modernization Commission's recommendation to consolidate the statutory authorities by which members of the reserve components may be ordered to perform duty. The report shall include the Secretary's assessment of the Commission's recommendation to consolidate 30 Reserve Component duty statuses into 6 broader statuses, with an analysis of each of the statuses recommended by the Commission. If the Secretary determines that a different consolidation is preferable, the report should clearly articulate why the Secretary's recommendation is preferable to the specific recommendation of the Commission. The report should include draft legislation to implement the recommendations of the Secretary not later than 1 October 2018.

SUBTITLE C—GENERAL SERVICE AUTHORITIES

Limited authority for Secretary concerned to initiate applications for correction of military records (sec. 521)

The Senate amendment contained a provision (sec. 586) that would amend section 1552(b) of title 10, United States Code, to authorize the service secretaries to apply for a correction to military records on behalf of an individual.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the service secretaries to initiate an application on behalf of a group of members or former members who were similarly harmed by the same error or injustice.

Temporary authority to develop and provide additional recruitment incentives (sec. 522)

The House bill contained a provision (sec. 531) that would authorize the service secretaries to develop new incentives to encourage recruitment into the Armed Forces. If a service secretary utilizes the authority provided, they shall submit a report to the congressional defense committees.

The Senate amendment contained no similar provision.

The agreement includes this provision.

Expansion of authority to conduct pilot programs on career flexibility to enhance retention of members of the Armed Forces (sec. 523)

The House bill contained a provision (sec. 532) that would modify section 533 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417) to remove the prohibition for participation by members of the Armed Forces serving under an agreement upon entry, or members receiving a critical military skill retention bonus under section 355 of title 37, United States Code, from participating in pilot programs on career flexibility to enhance retention. The provision would also remove the restriction that limits the number of participants in the program to 20 officers and 20 enlisted members who may be selected to participate in the pilot program during a calendar year.

The Senate amendment contained a similar provision (sec. 522).

The Senate recedes.

Modification of notice and wait requirements for change in ground combat exclusion policy for female members of the Armed Forces (sec. 524)

The House bill contained a provision (sec. 533) that would amend section 652(a) of title 10, United States Code, to prescribe a notice requirement of not less than 30 calendar days before certain changes in assignment policies for women are implemented.

The Senate amendment contained no similar provision.

The Senate recedes.

Role of Secretary of Defense in development of gender-neutral occupational standards (sec. 525)

The House bill contained a provision (sec. 534) that would require the Secretary of Defense to include measuring the combat readiness of combat units, including special operations forces, when developing gender-neutral occupational standards.

The Senate amendment contained a similar provision (sec. 523).

The Senate recedes.

We note that the development of gender-neutral occupational standards is vital in determining the occupational assignments of all members of the Armed Forces. We believe that studies being conducted by the Armed Forces are important to the development of these standards and should incorporate the best scientific practices available and that the Armed Forces should consider these studies carefully to ensure they do not result in unnecessary barriers to service and that decisions on occupational assignments be based on objective analysis and not negatively impact combat effectiveness, including units whose primary mission is to engage in direct ground combat at the tactical level.

Establishment of process by which members of the Armed Forces may carry an appropriate firearm on a military installation (sec. 526)

The House bill contained a provision (sec. 539) that would require the Secretary of Defense to establish a process by which the commander of a military installation in the United States may authorize a member of the Armed Forces who is assigned to duty at the installation to carry a concealed personal firearm on the installation.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to establish a process by which the commander of a military installation in the United States, reserve center, recruiting center, or other defense facility may authorize a member of the Armed Forces who is assigned to the installation or facility to carry an appropriate firearm on the installation if the commander determines it necessary as a personal or force-protection measure. The amendment requires the Secretary of Defense to consider the views of senior leadership of military installations in establishing the process.

We remain concerned about the response times to active shooter attacks on U.S. military installations and facilities. We believe that such response times should be diminished in order to protect U.S. service-members and their families. We believe that commanders of U.S. military installations and facilities should take steps to arm additional personnel in order to diminish response times to active shooter attacks if they believe that arming those personnel will contribute to that goal.

Establishment of breastfeeding policy for the Department of the Army (sec. 527)

The House bill contained a provision (sec. 537) that would require the Secretary of the

Army to establish a comprehensive policy on breastfeeding by female servicemembers of the Army.

The Senate amendment contained no similar provision.

The Senate recedes.

Sense of Congress recognizing the diversity of the members of the Armed Forces (sec. 528)

The House bill contained a provision (sec. 538) that would express the sense of Congress that the United States should recognize and promote diversity in the Armed Forces and honor those from all diverse backgrounds and religious traditions serving in the Armed Forces.

The Senate amendment contained a similar provision (sec. 524).

The House recedes.

SUBTITLE D—MILITARY JUSTICE, INCLUDING SEXUAL ASSAULT AND DOMESTIC PREVENTION AND RESPONSE

Enforcement of certain crime victim rights by the Court of Criminal Appeals (sec. 531)

The Senate amendment contained a provision (sec. 549) that would amend section 806b of title 10, United States Code, (Article 6b, Uniform Code of Military Justice (UCMJ)), to authorize an interlocutory appeal to the Court of Criminal Appeals by a victim based on an assertion that the victim's rights at an Article 32, UCMJ, investigation were violated or that the victim is subject to an order to submit to a deposition notwithstanding the fact that the victim is available to testify at a court-martial.

The House bill contained no similar provision.

The House recedes with an amendment authorizing a victim to petition the Court of Criminal Appeals for a writ of mandamus based on an assertion that the victim's rights at an Article 32, UCMJ, investigation were violated or that the victim is subject to an order to submit to a deposition notwithstanding the fact that the victim is available to testify at a court-martial.

Department of Defense civilian employee access to Special Victims' Counsel (sec. 532)

The House bill contained a provision (sec. 542) that would amend section 1044e(a)(2) of title 10, United States Code, to offer Special Victims' Counsel services to a civilian employee of the Department of Defense who is a victim of a sex-related offense, when authorized by the Secretary of Defense or the secretary of the military department concerned.

The Senate amendment contained no similar provision.

The Senate recedes.

Authority of Special Victims' Counsel to provide legal consultation and assistance in connection with various government proceedings (sec. 533)

The House bill contained a provision (sec. 544) that would amend section 1044e(b) of title 10, United States Code, to authorize Special Victims' Counsel to represent and assist clients in actions or proceedings that, in the judgment of the Special Victims' Counsel, may have been undertaken in retaliation for the victim's report of an alleged sex-related offense or for the victim's involvement in related military justice proceedings.

The Senate amendment contained a similar provision (sec. 552).

The House recedes.

Timely notification to victims of sex-related offenses of the availability of assistance from Special Victims' Counsel (sec. 534)

The House bill contained a provision (sec. 545) that would amend section 1044e(f)(1) of

title 10, United States Code, to require the victim to be provided notice of the availability of Special Victims' Counsel before being interviewed by a person identified or designated by the Secretary concerned concerning the alleged sex-related offense, or before being requested to provide a statement.

The Senate amendment contained a similar provision (sec. 551).

The Senate recedes with an amendment that would require that a victim of a sex-related offense be provided notice of the availability of a Special Victims' Counsel before any military criminal investigator or trial counsel interviews, or requests any statement from, the individual regarding the alleged sex-related offense, subject to such exceptions for exigent circumstances as the Secretary may prescribe.

Additional improvements to Special Victims' Counsel program (sec. 535)

The House bill contained a provision (sec. 541) that would amend section 1044e(d) of title 10, United States Code, to require the Secretary of Defense to direct the military departments to implement additional selection requirements requiring adequate criminal justice experience before they are assigned as Special Victims' Counsel and to prescribe standardized training requirements. The House provision would also amend section 1044e(e) of title 10, United States Code, to require the Secretary of Defense to establish program performance measures and standards to provide centralized, standardized oversight and assessment of Special Victims' Counsel program effectiveness and client satisfaction. The amendment would also require the Secretary of Defense to require the military departments to conduct regular evaluations to ensure Special Victims' Counsel are assigned to locations that maximize the opportunity for face-to-face interactions between counsel and clients, and to develop effective means for interaction between counsel and clients when face-to-face communication is not feasible.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that does not include the requirement for "adequate" military justice experience. We note that there is no similar requirement for adequate military justice experience for trial counsel or defense counsel. We expect the Judge Advocates General and the Staff Judge Advocate to the Commandant of the Marine Corps to carefully select and train the optimal candidates to effectively and zealously perform Special Victims' Counsel duties.

Enhancement of confidentiality of restricted reporting of sexual assault in the military (sec. 536)

The Senate amendment contained a provision (sec. 553) that would amend subsection (b) of section 1565b of title 10, United States Code, to provide that federal law protecting the privacy of victims who are service-members or adult military dependents and who file restricted reports of sexual assault would preempt any state laws that require mandatory reporting made to a sexual assault response coordinator, a sexual assault victim advocate, or healthcare personnel providing assistance to a military sexual assault victim under section 1525b of title 10, United States Code, except when reporting is necessary to prevent or mitigate a serious and imminent threat to the health or safety of an individual.

The House bill contained no similar provision.

The House recedes with a technical amendment.

We expect that the Department of Defense will take all necessary action to ensure that Department personnel are fully supported and vigorously represented in response to any actions by a state licensing authority considering potentially adverse licensing or similar credentialing action based on actions of an officer or employee of the Department who acts in an official professional capacity in reliance on this authority.

Modification of deadline for establishment of Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces (sec. 537)

The Senate amendment contained a provision (sec. 555) that would amend section 546(a)(2) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) to require the Secretary of Defense to establish the Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces not later than 90 days after enactment of this Act.

The House bill contained no similar provision.

The House recedes.

We note that the Judicial Proceedings Panel (JPP) has already gathered a significant number of documents provided by the Department of Defense, and encourage the Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces to make full use of the information already gathered by and for the JPP.

Improved Department of Defense prevention and response to sexual assaults in which the victim is a male member of the Armed Forces (sec. 538)

The House bill contained a provision (sec. 550) that would require the Secretary of Defense to develop a plan to improve prevention and response to sexual assaults in which the victim is a male member of the Armed Forces.

The Senate amendment contained no similar provision.

The Senate recedes.

Preventing retaliation against members of the Armed Forces who report or intervene on behalf of the victim of an alleged sex-related offense (sec. 539)

The House bill contained a provision (sec. 549) that would require the Secretary of Defense to establish a comprehensive strategy to prevent retaliation carried out by members of the Armed Forces against other members who report or otherwise intervene on behalf of the victim in instances of sexual assault.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require a briefing on the strategy to prevent retaliation be provided to the Committees on Armed Services of the Senate and of the House of Representatives not later than 180 days from enactment of this Act.

Sexual assault prevention and response training for administrators and instructors of Senior Reserve Officers' Training Corps (sec. 540)

The House bill contained a provision (sec. 551) that would require the secretary of a military department to ensure that commanders of each unit of the Junior and Senior Reserve Officers' Training Corps, all Professors of Military Science, senior military instructors and civilians detailed, assigned

or employed as administrators and instructors of the Reserve Officers' Training Corps receive regular sexual assault prevention and response training and education. The provision also required that secretaries of the military departments ensure information regarding legal assistance and the sexual assault and prevention program is made available to such personnel.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require service secretaries to ensure that the commander of each unit of the Senior Reserve Officers' Training Corps and all Professors of Military Science, senior military instructors, and civilian employees detailed, assigned, or employed as administrators and instructors of the Senior Reserve Officers' Training Corps receive regular sexual assault prevention and response training and education.

Retention of case notes in investigations of sex-related offenses involving members of the Army, Navy, Air Force, or Marine Corps (sec. 541)

The House bill contained a provision (sec. 554) that would require the Secretary of Defense to update records retention policies, not later than 180 days after the date of enactment of this Act, to ensure that all elements of the case file related to an alleged sex-related offense be retained as part of the investigative records retained in accordance with section 3500 of title 18, United States Code, and section 586 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81).

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Comptroller General of the United States reports on prevention and response to sexual assault by the Army National Guard and the Army Reserve (sec. 542)

The Senate amendment contained a provision (sec. 556) that would require the Comptroller General of the United States to submit a report of the extent to which the Army National Guard and Army Reserve have in place policies and programs to prevent and respond to incidents of sexual assault involving members of the Army National Guard and Army Reserve, and provide medical and mental health services to members of the Army National Guard and Army Reserve following a sexual assault, and to identify whether service in the Army National Guard or Army Reserve pose challenges to the prevention of or response to sexual assault. The Comptroller General will provide the initial report to Congress not later than April 1, 2016.

The House bill contained no similar provision.

The House recedes.

Improved implementation of changes to Uniform Code of Military Justice (sec. 543)

The House bill contained a provision (sec. 558) that would require the Secretary of Defense to examine the Department of Defense and interagency review process for implementing statutory changes to the Uniform Code of Military Justice (UCMJ), and to adopt such changes as required to streamline the process and to ensure that legal guidance is published at the same time as statutory changes to the UCMJ are implemented.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would limit the scope of the Secretary

of Defense review to the process within the Department of Defense, and to require that legal guidance is issued as soon as practicable after statutory changes to the UCMJ are implemented.

Modification of Rule 104 of the Rules for Courts-Martial to establish certain prohibitions concerning evaluations of Special Victims' Counsel (sec. 544)

The Senate amendment contained a provision (sec. 547) that would require that Rule 104(b) of the Rules for Courts-Martial be modified within 180 days after the date of enactment of this Act to prohibit giving a less favorable rating to any member of the Armed Forces serving as a Special Victims' Counsel because of the zeal with which such counsel represented a victim.

The House bill contained no similar provision.

The House recedes.

Modification of Rule 304 of the Military Rules of Evidence relating to the corroboration of a confession or admission (sec. 545)

The Senate amendment contained a provision (sec. 546) that would amend Rule 304(c) of the Military Rules of Evidence to provide that a confession by an accused may be considered as evidence against the accused only if independent evidence, direct or circumstantial, has been admitted into evidence that would tend to establish the trustworthiness of the confession.

The House bill contained no similar provision.

The House recedes with an amendment that would, to the extent the President considers practicable, authorize the President to modify Rule 304(c) of the Military Rules of Evidence to conform to the rules governing the corroboration of admissions and confessions in the trial of criminal cases in the United States district courts.

SUBTITLE E—MEMBER EDUCATION, TRAINING, AND TRANSITION

Enhancements to Yellow Ribbon Reintegration Program (sec. 551)

The House bill contained a provision (sec. 563) that would: (1) expand eligibility for the Yellow Ribbon Reintegration Program; (2) authorize the Secretary of Defense to enter into partnerships or offer grants for the provision of quality-of-life services under the program; (3) provide flexibility in the number of events and activities provided under the program; and (4) require the Office of Reintegration Programs to collect and analyze best practices in suicide prevention.

The Senate amendment contained a similar provision (sec. 588).

The Senate recedes.

Availability of pre-separation counseling for members of the Armed Forces discharged or released after limited Active Duty (sec. 552)

The House bill contained a provision (sec. 561) that would exclude any day on which a member performed full-time training or annual training duty and attendance designated as a service school from the calculation of continuous days of Active Duty for the purposes of pre-separation counseling.

The Senate amendment contained a similar provision (sec. 521).

The Senate recedes.

Availability of additional training opportunities under Transition Assistance Program (sec. 553)

The House bill contained a provision (sec. 562) that would require the Secretaries of Defense and Homeland Security to permit a member of the Armed Forces to receive additional training under the Transition Assist-

ance Program in preparation for higher education or training, career or technical training, or entrepreneurship.

The Senate amendment contained no similar provision.

The Senate recedes.

Modification of requirement for in-resident instruction for courses of instruction offered as part of Phase II Joint Professional Military Education (sec. 554)

The Senate amendment contained a provision (sec. 536) that would amend section 2154 of title 10, United States Code, to remove the statutory minimum residency requirements for Joint Professional Military Education Phase II courses taught at the Joint Forces Staff College. The provision would also repeal section 2156 of title 10, United States Code, to repeal the requirement that the duration of the principal course of instruction offered at the Joint Forces Staff College may not be less than 10 weeks of resident instruction, and allow the Secretary of Defense or the Chairman of the Joint Chiefs of Staff to designate and certify various curricula and delivery methods that adhere to joint curricula content, student acculturation, and faculty requirements.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize Joint Professional Military Education Phase II courses to be taught in residence at or offered through the Joint Forces Staff College or senior level service school designated as a joint professional military education institution.

Termination of program of educational assistance for reserve component members supporting contingency operations and other operations (sec. 555)

The Senate amendment contained a provision (sec. 532) that would sunset the program of educational assistance for reserve component members supporting contingency operations and other operations 4 years after the date of enactment of this Act.

The House bill contained no similar provision.

The House recedes.

Appointments to military service academies from nominations made by Delegates in Congress from the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands (sec. 556)

The House bill contained a provision (sec. 564) that would increase the number of nominations to the military service academies that may be nominated by Delegates in Congress from the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

The Senate amendment contained no similar provision.

The Senate recedes.

Support for athletic programs of the United States Military Academy (sec. 557)

The Senate amendment contained a provision (sec. 538) that would add a new section 4362 to title 10, United States Code, that would authorize the Secretary of the Army to:

(1) Enter into contracts and cooperative agreements with the Army West Point Athletic Association (Association) for the purpose of supporting the athletic and physical fitness programs of the United States Military Academy (Academy);

(2) Establish financial controls to account for resources of the Academy and the Association, in accordance with accepted accounting principles;

(3) Enter into leases or licenses for the purpose of supporting the athletic and physical fitness programs of the Academy;

(4) Provide support services to the Association;

(5) Accept from the Association funds, supplies, and services to support the athletic and physical fitness programs of the Academy; and

(6) Enter into contracts and cooperative agreements with the Association.

The provision would also authorize the Association to enter into licensing, marketing, and sponsorship agreements relating to trademark and service marks identifying the Academy, subject to the approval of the Secretary of the Army.

The House bill contained no similar provision.

The House recedes with an amendment clarifying that the authority granted in this provision is limited to athletic programs and not to physical fitness programs. We note this limitation is consistent with the authorities granted for the other service academies.

Condition on admission of defense industrial civilians to attend the United States Air Force Institute of Technology (sec. 558)

The House bill contained a provision (sec. 591) that would amend Section 9314a(c)(2) of title 10, United States Code, to provide conditions on admission of defense industry civilians who attend the United States Air Force Institute of Technology.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would remove the requirement that admission of defense industry civilians to the United States Air Force Institute of Technology be on a space-available basis as long as such attendance does not require an increase in the size of the faculty, course offerings, or laboratory facilities of the school.

Quality assurance of certification programs and standards for professional credentials obtained by members of the Armed Forces (sec. 559)

The Senate amendment contained a provision (sec. 537) that would amend section 2015 of title 10, United States Code, as amended by section 551 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) to require the secretaries of the military departments to ensure the accreditation provided for servicemembers meet recognized national and international standards.

The House bill contained no similar provision.

The House recedes.

Prohibition on receipt of unemployment insurance while receiving post-9/11 educational assistance (sec. 560)

The Senate amendment contained a provision (sec. 535) that would clarify that individuals receiving Post-9/11 Education Assistance may not also receive unemployment insurance while receiving the post-9/11 education benefit.

The House bill contained no similar provision.

The House recedes with a technical amendment that would exempt individuals who were involuntarily separated from service under honorable conditions.

Job training and post-service placement executive committee (sec. 561)

The House bill contained a provision (sec. 566) that would amend section 320 of title 38, United States Code, to establish a Job Training and Post-Service Placement Executive

Committee under the Department of Veterans Affairs—Department of Defense Joint Executive Committee, to review existing job training and post-service placement programs and to identify changes to improve job training and post-service placement.

The Senate amendment contained no similar provision.

The Senate recedes.

Recognition of additional involuntary mobilization duty authorities exempt from five-year limit on reemployment rights of persons who serve in the uniformed services (sec. 562)

The House bill contained a provision (sec. 565) that would amend section 4312(c)(4)(A) of title 38, United States Code, to insert additional involuntary mobilization authorities as exempt from the 5-year limit on reemployment rights of persons who serve in the uniformed services.

The Senate amendment contained no similar provision.

The Senate recedes.

Expansion of outreach for veterans transitioning from serving on Active Duty (sec. 563)

The Senate amendment contained a provision (sec. 1083) that would amend the Clay Hunt Suicide Prevention for American Veterans Act (Public Law 114-2) to expand outreach for veterans transitioning from Active Duty to inform those individuals of community oriented veteran peer support networks and other support programs available to them.

The House bill contained no similar provision.

The House recedes with a technical amendment.

SUBTITLE F—DEFENSE DEPENDENTS' EDUCATION AND MILITARY FAMILY READINESS MATTERS

Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees (sec. 571)

The House bill contained a provision (sec. 571) that would authorize \$30.0 million in impact aid to assist local education agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.

The Senate amendment contained a provision (sec. 561) that would authorize \$25.0 million in impact aid to assist local education agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees. The agreement includes the Senate provision.

Impact aid for children with severe disabilities (sec. 572)

The Senate amendment contained a provision (sec. 562) that would authorize \$5.0 million in impact-aid for children with severe disabilities.

The House bill contained no similar provision.

The House recedes.

Authority to use appropriated funds to support Department of Defense student meal programs in domestic dependent elementary and secondary schools located outside the United States (sec. 573)

The Senate amendment contained a provision (sec. 563) that would amend section 2243 of title 10, United States Code, to include overseas defense dependents' school located in a territory, commonwealth, or possession of the United States.

The House bill contained no similar provision.

The House recedes.

Family support programs for immediate family members of members of the Armed Forces assigned to special operations forces (sec. 574)

The House bill contained a provision (sec. 572) that would extend the family support program authority provided for immediate family members of members of the Armed Forces assigned to Special Operations Forces in section 554 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66) by 2 years, from 2016 to 2018.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

SUBTITLE G—DECORATIONS AND AWARDS

Authorization for award of the Distinguished Service Cross for acts of extraordinary heroism during the Korean war (sec. 581)

The House bill contained a provision (sec. 581) that would waive the time limitations specified in section 3744 of title 10, United States Code, to authorize the Secretary of the Army to award the Distinguished Service Cross under section 3742 of such title to Edward Halcomb, who distinguished himself by acts of exceptional heroism while serving in Korea during the Korean War as a member of the United States Army in the grade of Private First Class, in Company B, 1st Battalion, 29th Infantry Regiment, 24th Infantry Division from August 20, 1950 to October 19, 1950.

The Senate amendment contained no similar provision.

The Senate recedes.

SUBTITLE H—MISCELLANEOUS REPORTS AND OTHER MATTERS

Coordination with non-government suicide prevention organizations and agencies to assist in reducing suicides by members of the Armed Forces (sec. 591)

The House bill contained a provision (sec. 595) that would require the Secretary of Defense to develop a policy to coordinate the efforts of the Department of Defense and non-governmental suicide prevention organizations and to submit that policy to the Committees on Armed Services of the Senate and the House of Representatives.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize the Secretary of Defense, in consultation with the service secretaries, to develop a policy to coordinate the efforts of the Department of Defense and non-government suicide prevention organizations.

Extension of semiannual reports on the involuntary separation of members of the Armed Forces (sec. 592)

The Senate amendment contained a provision (sec. 571) that would amend section 525(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to extend the requirement for semiannual reports on involuntary separation of members of the Armed Forces through calendar year 2017.

The House bill contained no similar provision.

The House recedes.

Report on preliminary mental health screenings for individuals becoming members of the Armed Forces (sec. 593)

The House bill contained a provision (sec. 598) that would require the Secretary of Defense to provide a mental health screening to individuals prior to enlisting or commissioning in the Armed Forces.

The Senate amendment contained a provision (sec. 736) that would require the Sec-

retary of Defense to provide a report, not later than 180 days after enactment of this Act, to the Committees on Armed Services of the Senate and the House of Representatives on mental health screenings of individuals enlisting or accessioning into the Armed Forces.

The House recedes with an amendment that would require the Secretary to submit a report to the Committees on Armed Services of the Senate and the House of Representatives on the feasibility of conducting a mental health screening before the enlistment or accession of an individual into the Armed Forces.

Report regarding new rulemaking under the Military Lending Act and Defense Manpower Data Center reports and meetings (sec. 594)

The House bill contained a provision (sec. 599) that would require the Secretary of Defense to submit to Congress a report that discusses the ability and reliability of the Defense Manpower Data Center (DMDC) to meet real-time requests for accurate information needed for lenders to make a determination whether a borrower is covered by the Military Lending Act. Beginning 6 months after the date of enactment of this Act, and continuing every 6 months thereafter, the Director of DMDC will report on the accuracy and reliability of DMDC systems. The Director of DMDC would be further required to provide a report on plans to strengthen the capabilities of the DMDC to improve identification of covered borrowers and policyholders under military consumer protection laws. The Director of DMDC would be required to meet regularly with private sector users of DMDC systems concerning issues with DMDC systems facing such users with the first meeting to take place 3 months after enactment of this Act.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Remotely piloted aircraft career field manning shortfalls (sec. 595)

The Senate amendment contained a provision (sec. 572) that would require the Secretary of the Air Force to submit a report to the congressional defense committees on remotely piloted aircraft career field manning levels and actions the Air Force will take to rectify personnel shortfalls. The provision would also limit the availability of not more than 85 percent of the fiscal year 2016 operation and maintenance funding for the Office of the Secretary of the Air Force until 15 days following the submission of the required report.

The House bill contained no similar provision.

The House recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Authority of promotion boards to recommend officers of particular merit be placed at the top of the promotion list

The Senate amendment contained a provision (sec. 501) that would amend section 616 of title 10, United States Code, to authorize an officer promotion board to recommend officers of particular merit to be placed at the top of the promotion list.

The House bill contained no similar provision.

The Senate recedes.

We agree there is a need to review and modernize procedures to select officers for promotion. They encourage the Department of Defense to develop recommendations to

enhance the flexibility of service officer promotion boards to identify and select officers of particular merit for early promotion. The services and career-oriented officers will both benefit if the procedures that result are viewed by all stakeholders as objective and fair.

Minimum grades for certain corps and related positions in the Army, Navy, and Air Force

The Senate amendment contained a provision (sec. 502) that would amend various provisions of title 10, United States Code, to revise general or flag officer grades in the Army, Navy and Air Force.

The provision would amend section 3023(a) of title 10, United States Code, to require that the Army Chief of Legislative Liaison be an officer in a grade above the grade of colonel.

The provision would amend section 3039(b) of title 10, United States Code, to require that the Army Assistant Surgeon General be an officer in a grade above the grade of colonel.

The provision would amend section 3069(b) of title 10, United States Code, to require that the Chief of the Army Nurse Corps be an officer in a grade above the grade of colonel.

The provision would amend section 3084 of title 10, United States Code, to require that the Army Chief of the Veterinary Corps be an officer in a grade above the grade of lieutenant colonel.

The provision would amend section 5027(a) of title 10, United States Code, to require that the Navy Chief of Legislative Affairs be an officer in a grade above the grade of captain.

The provision would amend section 5138 of title 10, United States Code, to require that the Navy Chief of the Dental Corps be an officer in a grade above the grade of captain. The provision would also remove the authority in section 5138(b) that entitles the Navy Chief of the Dental Corps to the same privileges of retirement as provided for chiefs of bureaus in section 5133 of title 10, United States Code.

The provision would amend section 5150(c) of title 10, United States Code, to require that the Navy Directors of Medical Corps be officers in a grade above the grade of captain.

The provision would amend section 8023(a) of title 10, United States Code, to require that the Air Force Chief of Legislative Liaison be an officer in a grade above the grade of colonel.

The provision would amend section 8069(b) of title 10, United States Code, to require that the Chief of the Air Force Nurse Corps be an officer in a grade above the grade of colonel.

The provision would amend section 8081 of title 10, United States Code, to require that the Air Force Assistant Surgeon General for Dental Services be an officer in a grade above the grade of colonel.

The provision would provide that in the case of an officer who on the date of enactment of the Act is serving in a position that is covered by this provision, the continued service of that officer in such position after the date of enactment of the Act shall not be affected by the provision.

The House bill contained no similar provision.

The Senate recedes.

Authority to designate certain Reserve officers as not to be considered for selection for promotion

The Senate amendment contained a provision (sec. 511) that would modify section

14301 of title 10, United States Code, to authorize the secretaries of the military departments to defer promotion consideration for reserve component officers in a non-participatory (membership points only) status.

The House bill contained no similar provision.

The Senate recedes.

Exemption of military technicians (dual status) from civilian employee furloughs

The House bill contained a provision (sec. 513) that would exempt military technicians (dual status) from civilian employee furloughs.

The Senate amendment contained no similar provision.

The House recedes.

Reconciliation of contradictory provisions relating to citizenship qualifications for enlistment in the reserve components of the Armed Forces

The Senate amendment contained a provision (sec. 513) that would amend section 12102(b) of title 10, United States Code, to align the citizenship or residency requirements for enlistment in the reserve components of the Armed Forces with the citizenship requirements for the active components.

The House bill contained no similar provision.

The Senate recedes.

Annual report on personnel, training, and equipment requirements for the non-federalized National Guard to support civilian authorities in prevention and response to non-catastrophic domestic disasters

The House bill contained a provision (sec. 514) that would amend section 10504 of title 10, United States Code, to require the Chief of the National Guard Bureau to submit to the congressional defense committees and a list of other officials an annual report on the personnel, training, and equipment requirements for the non-federalized National Guard to support civilian authorities in the prevention and response to non-catastrophic domestic disasters.

The Senate amendment contained a similar provision (sec. 1066) that would amend section 10504 of title 10, United States Code, to require the Chief of the National Guard Bureau to submit to the congressional defense committees and a list of other officials an annual report on the ability of the National Guard to carry out its federal missions and its ability to carry out emergency support functions of the National Response Framework.

The House recedes.

The Senate recedes.

The agreement does not include this provision.

National Guard civil and defense support activities and related matters

The House bill contained a provision (sec. 515) that would amend chapter 1 of title 32, United States Code, related to the National Guard's conduct of the Modular Airborne Fire Fighting System mission.

The Senate amendment contained no similar provision.

The House recedes.

Electronic tracking of operational active-duty service performed by members of the Ready Reserve of the Armed Forces

The House bill contained a provision (sec. 516) that would require the Secretary of Defense to establish an electronic tracking system for members of the Ready Reserve of the Armed Forces to track their operational Active-Duty service performed after January 28, 2008.

The Senate amendment contained no similar provision.

The House recedes.

We direct the Secretary of Defense to submit to the congressional defense committees a report within 90 days of enactment, on the implementation of section 632 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66), which requires the Secretary of Defense to periodically notify each member of the Ready Reserve of reduced eligibility age.

Limitation on tuition assistance for off-duty training or education

The Senate amendment contained a provision (sec. 531) that would require the Secretary of Defense to certify that assistance for off-duty training or education was related to a servicemember's professional development.

The House bill contained no similar provision.

The Senate recedes.

We note that the Secretary of Defense should ensure that servicemembers are utilizing the tuition assistance benefit to further their professional goals through education by encouraging counseling and advising to assist with establishing a plan unique to each servicemember's professional development.

Reports on educational levels attained by certain members of the Armed Forces at time of separation from the Armed Forces

The Senate amendment contained a provision (sec. 533) that would require a report on the educational levels attained by certain members of the Armed Forces at the time they separate from the Armed Forces.

The House bill contained no similar provision.

The Senate recedes.

Sense of Congress on transferability of unused education benefits to family members

The Senate amendment contained a provision (sec. 534) that would express the sense of Congress that each Secretary concerned should exercise the authority to be more selective in permitting the transferability of unused education benefits to family members in a manner that encourages the retention of individuals in the Armed Forces.

The House bill contained no similar provision.

The agreement does not include this provision.

Burdens of proof applicable to investigations and reviews related to protected communications of members of the Armed Forces and prohibited retaliatory actions

The House bill contained a provision (sec. 535) that would amend section 1034 of title 10, United States Code, to require the burdens of proof specified in section 1221(e) of title 5, United States Code, to apply in any investigation conducted by an inspector general under section 1034, any reviews by boards for correction of military records under sections 1034(c) or (d), and by the Secretary of Defense under section 1034(h).

The Senate amendment contained no similar provision.

The House recedes.

Revision of name on military service record to reflect change in gender identity after separation from the Armed Forces

The House bill contained a provision (sec. 536) that would amend section 1551 of title 10, United States Code, to require a service secretary to reissue a certificate of discharge of any person who, after separation from the Armed Forces, undergoes a change in gender identity and assumes a different name.

The Senate amendment contained no similar provision.

The House recedes.

Online access to the higher education component of the Transition Assistance Program

The Senate amendment contained a provision (sec. 539) that would authorize the Secretary of Veterans Affairs to notify servicemembers, veterans, or dependents of the availability of the higher education component of the Transition Assistance Program on the Transition GPS Standalone Training Internet web site of the Department of Defense. The provision would also direct the Secretary of Defense, in collaboration with the Secretary of Veterans Affairs, to assess the feasibility of providing access for veterans and dependents to the higher education component of the Transition Assistance Program on the eBenefits Internet website of the Department of Veterans Affairs and tracking the completion of that component through that Internet web site.

The House bill contained no similar provision.

The Senate recedes.

Access to Special Victims' Counsel for former dependents of members and former members of the Armed Forces

The House bill contained a provision (sec. 543) that would amend section 1044e(a)(2) of title 10, United States Code, to authorize a person who is a former dependent of a member or former member of the Armed Forces to be offered Special Victims' Counsel services if the alleged sex-related offense was perpetrated by a person who is, or is reasonably believed to be, a person subject to the jurisdiction of the Uniform Code of Military Justice and occurred while the individual was a dependent of the member or former member.

The Senate amendment contained no similar provision.

The House recedes.

Participation by victim in punitive proceedings and access to records

The House bill contained a provision (sec. 546) that would require the victim of any offense that involves a victim to be provided an opportunity to submit matters for consideration in nonjudicial punishment proceedings, and to receive copies of prepared records of the proceedings without charge as soon as a decision is finalized. The provision would also amend chapter 59 of title 10, United States Code, to require the Secretary of Defense to prescribe regulations to provide victims an opportunity to submit matters concerning the impact of the offense on the victim for consideration by the person or board authorized to provide recommendations and act on administrative separation of enlisted members, and for boards of inquiry administrative separation proceedings for officers.

The Senate amendment contained no similar provision.

The House recedes.

Victim access to report of results of preliminary hearing under Article 32 of the Uniform Code of Military Justice

The House bill contained a provision (sec. 547) that would amend section 832(c) of title 10, United States Code (Article 32(c), Uniform Code of Military Justice), to require the preliminary hearing report prepared under this section to be provided to the victim, without charge, at the same time as the report is delivered to the accused.

The Senate amendment contained no similar provision.

The House recedes.

Minimum confinement period required for conviction of certain sex-related offenses committed by members of the Armed Forces

The House bill contained a provision (sec. 548) that would amend section 856(b)(1) of title 10, United States Code (Article 56(b)(1), Uniform Code of Military Justice) to require a minimum punishment of a dismissal or dishonorable discharge and confinement for 2 years for servicemembers convicted of certain sex-related offenses.

The Senate amendment contained no similar provision.

The House recedes.

Right of victims of offenses under the Uniform Code of Military Justice to timely disclosure of certain materials and information in connection with prosecution of offenses

The Senate amendment contained a provision (sec. 548) that would amend section 806b(a) of title 10, United States Code, (Article 6b(a), UCMJ) to require timely disclosure by the trial counsel to a Special Victims' Counsel, if the victim is so represented, to charges and specifications related to any offenses, motions filed by trial or defense counsel, statements of the accused, statements of the victim in connection with the offense, portions of the government investigation relating to the victim, and the advice, if any, by a staff judge advocate recommending any charge or specification not be referred to trial.

The House bill contained no similar provision.

The Senate recedes.

We encourage the Secretary of Defense to adopt an electronic system with capabilities similar to those of the Public Access to Court Electronic Records (PACER) system to provide Special Victims' Counsel, victims, and the general public with court-martial docketing information and case filings.

Release to victims upon request of complete record of proceedings and testimony of courts-martial in cases in which sentences adjudged could include punitive discharge

The Senate amendment contained a provision (sec. 550) that would amend section 854(e) of title 10, United States Code (article 54(e), UCMJ), to expand the circumstances under which an alleged victim must be provided a copy of all prepared records of the proceedings of a court-martial.

The House bill contained no similar provision.

The Senate recedes.

Executive Order 13669, June 13, 2014, amended Rule for Courts-Martial 1103 to require that a free record of trial be provided to any victim named in a specification alleging a sex offense.

Modification of Manual for Courts-Martial to require consistent preparation of the full record of trial

The House bill contained a provision (sec. 552) that would require the amendment of Rule 1103 of the Manual for Courts-Martial relating to the preparation of the record of trial to require the trial counsel to prepare a complete record of trial for any general or special court-martial and that no content may be exempted from the record of trial based on the outcome of the court-martial proceeding.

The Senate amendment contained no similar provision.

The House recedes.

Inclusion of additional information in annual reports regarding Department of Defense sexual assault prevention and response

The House bill contained a provision (sec. 553) that would amend section 1631(b) of the

Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) to require information on cases under the Family Advocacy Program, sexual harassment involving members of the Armed Forces, and reports of retaliation against victims of sexual assault to be included in reports required to be submitted under section 1631 of that Act by March 1, 2016.

The Senate amendment contained no similar provision.

The House recedes.

Establishment of Office of Complex Investigations within the National Guard Bureau

The Senate amendment contained a provision (sec. 554) that would add a new section to Chapter 1101 of title 10, United States Code, that would establish an Office of Complex Investigations within the National Guard Bureau (NGB), with authority to assist the States in administrative investigations of sexual assault involving members of the National Guard, and circumstances involving members of the Guard where States have limited jurisdiction or authority and such other circumstances as the Chief of the NGB directs.

The House bill contained no similar provision.

The Senate recedes.

We believe that this legislation is unnecessary as the Office of Complex Investigations has already been established in the National Guard Bureau.

Additional guidance regarding release of mental health records of Department of Defense medical treatment facilities in cases involving any sex-related offense

The House bill contained a provision (sec. 555) that would require the Secretary of Defense to issue uniform guidance with respect to mental health records of the alleged victim in any case involving any sex-related offense to require that such records are neither sought by investigators or military justice practitioners nor acknowledged or released by the medical treatment facility except as ordered by a military judge or hearing officer described in section 832(b) of title 10, United States Code, (Article 32(b), Uniform Code of Military Justice).

The Senate amendment contained no similar provision.

The House recedes.

We understand that the release of mental health records can constitute an invasion of privacy. We are also aware that overly broad restrictions on release of mental health records could adversely impact necessary law enforcement investigations such as when the alleged victim is deceased. We direct the Secretary of Defense to issue specific, uniform guidance regarding release of mental health records to ensure an appropriate balance between the interests of law enforcement and victim privacy.

Public availability of records of certain proceedings under the Uniform Code of Military Justice

The House bill contained a provision (sec. 556) that would require the Secretary of Defense to make available to the public, electronically through a website of the Department of Defense, specified information for all proceedings under the Uniform Code of Military Justice (UCMJ) including special and general courts-martial, actions by a convening authority under section 860 of title 10, United States Code (Article 60, UCMJ), reviews conducted by the Courts of Criminal Appeals under section 866 (Article 66, UCMJ) and reviews conducted by the Court of Appeals for the Armed Forces under section 867 (Article 67, UCMJ).

The Senate amendment contained no similar provision.

The House recedes.

We encourage the Secretary of Defense to adopt an electronic system with capabilities similar to those of the Public Access to Court Electronic Records (PACER) system to provide Special Victims' Counsel, victims, and the general public with court-martial docketing information and case filings.

Revision of Department of Defense Directive-Type memorandum 15-003, relating to registered sex offender identification, notification, and monitoring in the Department of Defense

The House bill contained a provision (sec. 557) that would require the Secretary of Defense to revise the Department of Defense Directive-Type memorandum 15-003, relating to registered sex offender identification, notification, and monitoring in the Department of Defense.

The Senate amendment contained no similar provision.

The House recedes.

This provision is no longer necessary as section 502 of the Justice for Victims of Trafficking Act of 2015 (Public Law 114-22), enacted on May 29, 2015, amends the Sex Offender Registration and Notification Act to require the Secretary of Defense to provide to the Attorney General information to be included in the National Sex Offender Registry and the Dru Sjodin National Sex Offender Public Website regarding certain sex offenders.

Sense of Congress on the service of military families and on sentencing retirement-eligible members of the Armed Forces

The Senate amendment contained a provision (sec. 557) that would express the sense of Congress that military juries should not face the difficult choice between imposing a fair sentence or protecting the benefits of a member of the Armed Forces for the sake of family members, that family members of retirement-eligible members should not be adversely affected by the loss of the member's military benefits as a result of a court-martial conviction, and welcoming the opportunity to work with the Department of Defense to develop authorities to improve the military justice system and protect benefits that military families have helped earn.

The House bill contained no similar provision.

The Senate recedes.

Biennial surveys of military dependents on military family readiness matters

The Senate amendment contained a provision (sec. 564) that would require the Director of the Office of Family Policy of the Department of Defense to conduct biennial surveys of adult dependents of members of the Armed Forces on military family readiness matters.

The House bill contained no similar provision.

The Senate recedes.

Direct employment pilot program for members of the National Guard and Reserve

The House bill contained a provision (sec. 567) that would authorize a direct employment pilot program for members of the National Guard and Reserve in the amount of up to \$20.0 million per fiscal year.

The Senate amendment contained no similar provision.

The House recedes.

Program regarding civilian credentialing for skills required for certain military occupational specialties

The House bill contained a provision (sec. 568) that would amend section 558 of the Na-

tional Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) by adding additional military occupational specialties to the pilot program required under that section.

The Senate amendment contained no similar provision.

The House recedes.

Mariner training

The House bill contained a provision (sec. 569) that would amend section 2015 of title 10, United States Code, to require members of the Armed Forces whose duties are primarily as a mariner to receive training necessary to meet requirements for licenses and certificates for merchant mariners.

The Senate amendment contained no similar provision.

The House recedes.

Report on civilian and military education to respond to future threats

The House bill contained a provision (sec. 570) that would require a report from the Secretary of Defense on civilian and military educational activities aimed at addressing future threats.

The Senate amendment contained no similar provision.

The House recedes.

Availability of cyber security and IT certifications for Department of Defense personnel critical to network defense

The House bill contained a provision (sec. 570a) that would authorize the Department of Defense to utilize funds to obtain cyber security and IT certifications for Department of Defense personnel critical to network defense.

The Senate amendment contained no similar provision.

The House recedes.

We recognize that industry cyber security and IT certifications may be helpful to a certain category of network operators and maintainers, but may not be comparable to the training required for more advanced network defense skills needed by critical personnel at the Department of Defense. We are concerned that the full scope of needs in this area as compared to the funding available are not yet well understood, nor is the contribution of these industry certifications to the training needed of the cyber mission forces. We believe that until those requirements are better understood, the current scope of funded certification activities should remain stable until there is a better established connection between cyber security and IT certifications and the skills required for specific positions with the Department of Defense. However, we note industry recognized cyber security and IT certifications may be beneficial for some Department of Defense personnel critical to network defense. Therefore, we encourage the Secretary of Defense to examine the needs of the Department and determine the extent and role industry cyber security and IT certifications should play in workforce management.

Support for efforts to improve academic achievement and transition of military dependent students

The House bill contained a provision (sec. 573) that would authorize the Secretary of Defense to make grants to non-profit organizations that provide services to military dependent students.

The Senate amendment contained no similar provision.

The agreement does not include this provision.

We encourage the Secretary of Defense to use existing authority to work with non-profit organizations to provide services to military dependent students to improve academic achievement and civic responsibility.

Study regarding feasibility of using DEERS to track dependents of members of the Armed Forces and Department of Defense civilian employees who are elementary or secondary education students

The House bill contained a provision (sec. 574) that would require a study by the Secretary of Defense on the feasibility of using DEERS, the Defense Enrollment Eligibility Reporting System, to track dependents of members of the Armed Forces and Department of Defense civilian employees who are elementary or secondary education students.

The Senate amendment contained no similar provision.

The House recedes.

Sense of Congress regarding support for dependents of members of the Armed Forces attending specialized camps

The House bill contained a provision (sec. 575) that expressed the sense of the Congress regarding support for dependents of members of the Armed Forces attending specialized camps.

The Senate amendment contained no similar provision.

The House recedes.

Limitation on authority of secretaries of the military departments regarding revocation of combat valor awards

The House bill contained a provision (sec. 582) that would limit the authority of secretaries of the military departments to revoke a combat valor award for conduct that was not honorable to conduct that occurred during the period for which the award was awarded.

The Senate amendment contained no similar provision.

The House recedes.

We expect the service secretaries to conduct a thorough and objective review of the facts and evidence before deciding to revoke a combat valor award.

Award of Purple Heart to members of the Armed Forces who were victims of the Oklahoma City, Oklahoma, bombing

The House bill contained a provision (sec. 583) that would require the secretary of the military service concerned to award the Purple Heart to certain named members who were killed in the bombing that occurred at the Murrah Federal Building in Oklahoma City, Oklahoma on April 19, 1995.

The Senate amendment contained no similar provision.

The House recedes.

Atomic Veterans Service Medal

The House bill contained a provision (sec. 584) that would require the Secretary of Defense to design, produce, and distribute a military service medal to honor retired and former members of the Armed Forces who are radiation-exposed veterans.

The Senate amendment contained no similar provision.

The House recedes.

Posthumous commission as a captain in the regular Army for Milton Holland

The House bill contained a provision (sec. 585) that would posthumously promote to captain in the regular Army, Milton Holland, who, while serving as sergeant major of the 5th Regiment, United States Colored Infantry, was awarded the Medal of Honor in recognition of his action on September 29, 1864, at the Battle of Chapin's Farm, Virginia.

The Senate amendment contained no similar provision.

The House recedes.

Sense of Congress supporting the decision of the Army to posthumously promote Master Sergeant (retired) Naomi Horwitz to sergeant major

The House bill contained a provision (sec. 586) that would express a sense of Congress supporting the decision of the Army to posthumously promote Master Sergeant (retired) Naomi Horwitz to sergeant major.

The Senate amendment contained no similar provision.

The House recedes.

We note the Secretary of the Army approved the posthumous promotion in March 2015.

Priority processing of applications for Transportation Worker Identification Credentials for members undergoing discharge or release from the Armed Forces

The Senate amendment contained a provision (sec. 589) that would require the Secretary of Defense to consult with the Secretary of Homeland Security to afford a priority in the processing of applications for a Transportation Worker Identification Credential (TWIC) submitted by members of the Armed Forces who are undergoing separation, discharge, or release from the Armed Forces under honorable conditions. The provision would also require the Secretary of Defense and the Secretary of Homeland Security to jointly submit a report on the implementation requirements of this provision not later than 1 year after the date of enactment of this Act.

The House bill contained no similar provision.

The Senate recedes.

We consider it unacceptable that servicemembers transitioning from Active Duty, and recent honorably discharged veterans, continue to report significant delays in processing time to be issued Transportation Workers Identification Credentials (TWIC). Further, the Transportation Security Administration requires Active-Duty personnel as well as veterans who recently transitioned from Active Duty to undergo and pay for a separate security review before issuing TWIC. Because many transitioning servicemembers are qualified and motivated to serve in the maritime industry, we expect the Department of Defense and the Department of Homeland Security to consult to eliminate processing delays and waive fees for transitioning servicemembers and for honorably discharged veterans.

Issuance of Recognition of Service ID Cards to certain members separating from the Armed Forces

The Senate amendment contained a provision (sec. 590) that would require the Secretary of Defense to issue an identification card that identifies individuals as veterans, personalized with name and photo of the individual. The Secretary of Defense would be authorized to work with retailers for reduced prices on services, consumer products, and pharmaceuticals for individuals possessing a Recognition of Service ID Card.

The House bill contained no similar provision.

The Senate recedes.

We note that an alternative option exists for honorably discharged veterans to utilize state-issued ID cards that designate veteran status. Veterans in 44 states and the District of Columbia may apply for a driver's license or State-issued ID card that designates veteran status. The remaining states (Califor-

nia, Hawaii, Illinois, Minnesota, New Jersey, and Washington) are either pending legislation or have legislation that has been signed into law but is not yet effective. Additionally, since January 2014, honorably separated members of the Uniformed Services are able to obtain an ID card providing proof of military service through the joint DOD-VA eBenefits web portal.

Revised policy on network services for military services

The Senate amendment contained a provision (sec. 591) that would generally limit the use of uniformed military personnel in the provision of network services for military installations in the continental United States.

The House bill contained no similar provision.

The Senate recedes.

We are concerned that the military services, particularly the Air Force, are devoting more resources and uniformed military personnel for the provision of network services than are necessary, considering the commercial network services capabilities that may be available at lower costs. While we believe the use of uniformed military personnel for network services is necessary in some cases, for example aboard ships or at expeditionary bases, there is less rationale for this use of uniform military personnel at permanent military installations within the continental United States.

Therefore, we direct the Director of Cost Assessment and Program Evaluation (CAPE) to evaluate the potential savings for the Department of Defense in both resources and military end strength that could be achieved by increasing the use of commercial network services capabilities within the continental United States. CAPE shall provide a briefing on their findings, including any recommendations, to the congressional defense committees no later than March 1, 2016.

Honoring certain members of the Reserve components as veterans

The House bill contained a provision (sec. 592) that would amend chapter 1 of title 38, United States Code, to require certain members of the reserve components be honored as veterans, provided that such members would not be authorized to receive any benefit administered by the Secretary of Veterans Affairs solely by reason of honorary veteran status.

The Senate amendment contained no similar provision.

The House recedes.

Improved enumeration of members of the Armed Forces in any tabulation of total population by Secretary of Commerce

The Senate amendment contained a provision (sec. 593) that would amend section 1141 of title 13, United States Code, to require that the Secretary of Commerce, beginning with the 2020 Decennial census of population, in taking any tabulation of total population by States, to take appropriate measures to ensure, to the maximum extent practicable, that all members of the Armed Forces deployed abroad on the date of taking such tabulation are (1) fully and accurately counted; and (2) properly attributed to the state in which their permanent duty station or homeport is located on such date.

The House bill contained no similar provision.

The Senate recedes.

Sense of Congress regarding support for military divers

The House bill contained a provision (sec. 593) that would express the sense of Congress regarding support for military divers.

The Senate amendment contained no similar provision.

The House recedes.

Sense of Congress on desirability of service-wide adoption of Gold Star Installation Access Card

The House bill contained a provision (sec. 596) that would express the sense of Congress that the secretaries of the military departments should provide for the issuance of a Gold Star Installation Access Card to family members of deceased members of the Armed Forces in order to expedite access to installations for the purpose of obtaining on-base services and military benefits for which a Gold Star family member is eligible.

The Senate amendment contained no similar provision.

The House recedes.

We note that the Department of the Army has initiated a program to provide Gold Star Installation Access Cards to Gold Star family members and encourage the other military departments to do the same.

Annual report on performance of regional offices of the Department of Veterans Affairs

The House bill contained a provision (sec. 597) that would amend section 7734 of title 38, United States Code, to require the individual serving as director of a regional office of the Department of Veterans Affairs to provide an annual report on the performance of any regional office that fails to meet its administrative goals.

The Senate amendment contained no similar provision.

The House recedes.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

SUBTITLE A—PAY AND ALLOWANCES

No fiscal year 2016 increase in basic pay for general and flag officers (sec. 601)

The Senate amendment contained a provision (sec. 601) that would authorize a pay raise of 1.3 percent for all members of the uniformed services in pay grades O-6 and below effective January 1, 2016, and that would freeze the monthly basic pay for all general and flag officers, including for those whose monthly basic pay is limited to the rate of pay for level II of the Executive Schedule.

The House bill contained no similar provision.

The House recedes with an amendment that would remove reference to the pay raise for grades O-6 and below.

We note that the President has authority under section 1009(e) of title 37, United States Code, to implement the 1.3 percent pay raise for pay grades O-6 and below in the absence of a provision specifically setting a different pay raise.

Limitation on eligibility for supplemental subsistence allowances to members serving outside the United States and associated territory (sec. 602)

The Senate amendment contained a provision (sec. 606) that would sunset on September 30, 2016, the supplemental subsistence allowance for servicemembers serving inside the United States. Servicemembers serving outside the United States, the Commonwealth of Puerto Rico, the United States Virgin Islands, or Guam would still be eligible to receive the supplemental subsistence allowance from the Department of Defense. The provision is based on the final report of the Military Compensation and Retirement Modernization Commission.

The House bill contained no similar provision.

The House recedes.

Phased-in modification of percentage of national average monthly cost of housing usable in computation of basic allowance for housing inside the United States (sec. 603)

The Senate amendment contained a provision (sec. 602) that would amend section 403(b) of title 37, United States Code, to authorize the Secretary of Defense to reduce the monthly amount of the basic allowance for housing (BAH) by up to 5 percent of the national average for housing for a given pay grade and dependency status. Servicemembers will not see this modification of their BAH until they change duty stations.

The House bill contained no similar provision.

The agreement contains the Senate provision with an amendment that would reduce the monthly amount of the BAH through a tiered system with 1 percent in 2015, 2 percent in 2016, 3 percent in 2017, 4 percent in 2018, and 5 percent in 2019 and each fiscal year thereafter. We strongly believe that this change to the calculation of BAH should not be used to justify the collection of out-of-pocket housing expenses, in excess of BAH, from servicemembers assigned to a housing unit acquired or constructed using the authority in subchapter IV of chapter 169 of title 10, United States Code.

Extension of authority to provide temporary increase in rates of basic allowance for housing under certain circumstances (sec. 604)

The House bill contained a provision (sec. 601) that would extend for 1 year the authority of the Secretary of Defense to temporarily increase the rate of basic allowance for housing in areas impacted by natural disasters or experiencing a sudden influx of personnel.

The Senate amendment contained a similar provision (sec. 603).

The House recedes.

Availability of information under the Food and Nutrition Act of 2008 (sec. 605)

The Senate amendment contained a provision (sec. 607) that would allow for the Secretary of Defense to obtain from the Secretary of Agriculture information for the purposes of determining the number of Supplemental Nutrition Assistance Program applicant households that contain one or more members of a regular or reserve component of the Armed Forces.

The House bill contained no similar provision.

The House recedes.

SUBTITLE B—BONUSES AND SPECIAL AND INCENTIVE PAYS

One-year extension of certain bonus and special pay authorities for reserve forces (sec. 611)

The House bill contained a provision (sec. 611) that would extend for 1 year the authority to pay the Selected Reserve reenlistment bonus, the Selected Reserve affiliation or enlistment bonus, special pay for enlisted members assigned to certain high-priority units, the Ready Reserve enlistment bonus for persons without prior service, the Ready Reserve enlistment and reenlistment bonus for persons with prior service, the Selected Reserve enlistment and reenlistment bonus for persons with prior service, travel expenses for certain inactive-duty training, and income replacement for reserve component members experiencing extended and frequent mobilization for active duty service.

The Senate amendment contained an identical provision (sec. 611).

The agreement includes this provision.

One-year extension of certain bonus and special pay authorities for health care professionals (sec. 612)

The House bill contained a provision (sec. 612) that would extend for 1 year the authority to pay the nurse officer candidate accession bonus, education loan repayment for certain health professionals who serve in the Selected Reserve, accession and retention bonuses for psychologists, the accession bonus for registered nurses, incentive special pay for nurse anesthetists, special pay for Selected Reserve health professionals in critically short wartime specialties, the accession bonus for pharmacy officers, the accession bonus for medical officers in critically short wartime specialties, and the accession bonus for dental specialist officers in critically short wartime specialties.

The Senate amendment contained an identical provision (sec. 612).

The agreement includes this provision.

One-year extension of special pay and bonus authorities for nuclear officers (sec. 613)

The House bill contained a provision (sec. 613) that would extend for 1 year the authority to pay the special pay for nuclear-qualified officers extending period of active service, the nuclear career accession bonus, and the nuclear career annual incentive bonus.

The Senate amendment contained an identical provision (sec. 613).

The agreement includes this provision.

One-year extension of authorities relating to title 37 consolidated special pay, incentive pay, and bonus authorities (sec. 614)

The House bill contained a provision (sec. 614) that would extend for 1 year the general bonus authority for enlisted members, the general bonus authority for officers, special bonus and incentive pay authorities for nuclear officers, special aviation incentive pay and bonus authorities for officers, and special bonus and incentive pay authorities for officers in health professions, and contracting bonus for cadets and midshipmen enrolled in the Senior Officers' Training Corps. The provision would also extend for 1 year the authority to pay hazardous duty pay, assignment or special duty pay, skill incentive pay or proficiency bonus, and retention incentives for members qualified in critical military skills or assigned to high priority units.

The Senate amendment contained an identical provision (sec. 614).

The agreement includes this provision.

One-year extension of authorities relating to payment of other title 37 bonuses and special pays (sec. 615)

The House bill contained a provision (sec. 615) that would extend for 1 year the authority to pay the aviation officer retention bonus, assignment incentive pay, the reenlistment bonus for active members, the enlistment bonus, precommissioning incentive pay for foreign language proficiency, the accession bonus for new officers in critical skills, the incentive bonus for conversion to military occupational specialty to ease personnel shortage, the incentive bonus for transfer between Armed Forces, and the accession bonus for officer candidates.

The Senate amendment contained an identical provision (sec. 615).

The agreement includes this provision.

Increase in maximum annual amount of nuclear officer bonus pay (sec. 616)

The House bill contained a provision (sec. 616) that would increase the maximum annual amount of nuclear officer bonus pay to \$50,000 for retention purposes.

The Senate amendment contained a similar provision (sec. 616).

The House recedes.

Modification to special aviation incentive pay and bonus authority for officers (sec. 617)

The House bill contained a provision (sec. 617) that would increase special aviation incentive pay from \$25,000 to \$35,000 and make technical amendments to the aviation pay and bonus authorities.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would increase aviation incentive pay from \$25,000 to \$35,000 for officers performing qualifying flying duty relating to remotely piloted aircraft.

Repeal of obsolete authority to pay bonus to encourage Army personnel to refer persons for enlistment in the Army (sec. 618)

The Senate amendment contained a provision (sec. 617) that would repeal section 3252 of title 10, United States Code. This section authorized the Secretary of the Army to pay bonuses to encourage Army personnel to refer persons for enlistment in the Army.

The House bill contained no similar provision.

The House recedes.

SUBTITLE C—TRAVEL AND TRANSPORTATION ALLOWANCES

Transportation to transfer ceremonies for family and next of kin of members of the Armed Forces who die overseas during humanitarian operations (sec. 621)

The Senate amendment contained a provision (sec. 623) that would authorize transportation to transfer ceremonies for the family and next of kin of members of the Armed Forces who die overseas during humanitarian relief operations.

The House bill contained no similar provision.

The House recedes.

Repeal of obsolete special travel and transportation allowance for survivors of deceased members of the Armed Forces from the Vietnam conflict (sec. 622)

The House bill contained a provision (sec. 618) that would repeal section 481f(d) of title 37, United States Code.

The Senate amendment contained a similar provision (sec. 621).

The Senate recedes.

Study and report on policy changes to the Joint Travel Regulations (sec. 623)

The Senate amendment contained a provision (sec. 622) that would require the Comptroller General to study the impact of recent policy changes to the Joint Travel Regulations for servicemembers and civilian employees regarding flat rate per diem.

The House bill contained no similar provision.

The House recedes.

SUBTITLE D—DISABILITY PAY, RETIRED PAY, AND SURVIVOR BENEFITS

PART I—RETIRED PAY REFORM

Modernized retirement system for members of the uniformed services (sec. 631)

The House bill contained a provision (sec. 632) that would establish a new military retirement defined benefit that, when combined with the government-matching Thrift Savings Plan, as described elsewhere in this Act, would comprise a new hybrid retirement system. This new system would apply to new entrants after January 1, 2018, and to those already serving members who choose to opt-in. The new defined benefit would continue to apply only to those members who reach 20

years of service, with a multiplier rate of 2.0 times years of service rather than the current rate of 2.5 times years of service.

The Senate amendment contained a similar provision (sec. 632).

The agreement includes the House provision with an amendment that would limit service members who may opt-in to the new retirement system to those with less than 12 years of service. The agreement also includes an amendment that would repeal the modified cost-of-living adjustment for members under the age of 62 made by section 403 of the Bipartisan Budget Act of 2013 (Public Law 113-67; 127 Stat. 1186), as amended by section 10001(a) of the Department of Defense Appropriations Act, 2014 (division C of Public Law 113-76; 128 Stat. 151), section 2 of Public Law 113-82 (128 Stat. 1009), and section 623 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3403).

Full participation for members of the uniformed services in the Thrift Savings Plan (sec. 632)

The House bill contained a provision (sec. 631) that would provide a government-matching Thrift Savings Plan (TSP) benefit for those who would enter uniformed service on or after October 1, 2017, or a member serving before that date who makes a voluntary election to opt-in to the new plan. The TSP element would provide a 1 percent automatic agency contribution to all uniformed service members upon reaching 60 days of service and continue until they would reach their second year of service. At 2 years of service, a member's TSP would vest and the Secretary concerned would begin matching TSP contributions up to 5 percent of that servicemember's base pay for a maximum government contribution totaling 6 percent of basic pay. Uniformed service members would be automatically enrolled at 3 percent matching contributions with the option to raise or lower their contribution level. TSP government-funded matching contributions would continue until a uniformed service member leaves or retires from the uniformed service.

The Senate amendment contained a similar provision (sec. 631) that would set the applicable initial entry date at January 1, 2018, provide a maximum government contribution of 5 percent (with the first one percent being an automatic agency contribution), and stop the government match at 20 years of service.

The agreement includes the Senate provision with an amendment to provide government matching contributions in the TSP through 26 years of service. We note that all uniformed service members who would enter and serve prior to the date of implementation of the modernized retirement system would be grandfathered into the old retirement system.

Lump sum payments of certain retired pay (sec. 633)

The Senate amendment contained a provision (sec. 633) that would allow the voluntary election of lump sum payments of retired pay for those under the modernized retirement system who serve 20 or more years of service. Members who elect to take the lump sum may choose to take 100 percent or 50 percent of the discounted present value of their defined retirement benefit that would be due to them prior to becoming fully eligible for Social Security.

The House bill contained no similar provision.

The House recedes with an amendment that would allow members who elect to take

the lump sum an option of choosing to take 50 percent or 25 percent of the discounted present value of their defined retirement benefit that would be due to them prior to becoming fully eligible for Social Security.

We strongly urge the Secretaries concerned to coordinate with the Secretary of Veterans Affairs on counseling, or otherwise informing, new retirees on the impact this election may have on their eligibility for certain benefits administered by the Secretary of Veterans Affairs.

Continuation pay after 12 years of service for members of the uniformed services participating in the modernized retirement systems (sec. 634)

The House bill contained a provision (sec. 633) that would direct the Secretary concerned to provide continuation pay to servicemembers serving under the new military retirement system described above who reach 12 years of service, contingent upon such members agreeing to serve another 4 years of service.

The Senate amendment contained a similar provision (sec. 634).

The Senate recedes.

Effective date and implementation (sec. 635)

The House bill contained a provision (sec. 634) that would provide for an effective date of January 1, 2018 for the modernized military retirement system. The provision also requires an implementation plan due to the appropriate committees of Congress on March 1, 2016.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

PART II—OTHER MATTERS

Death of former spouse beneficiaries and subsequent remarriages under Survivor Benefit Plan (sec. 641)

The Senate amendment contained a provision (sec. 641) that would amend section 1448(b) of title 10, United States Code, to allow for the election of a new spouse beneficiary after the death of a former spouse beneficiary.

The House bill contained no similar provision.

The House recedes.

SUBTITLE E—COMMISSARY AND NON-APPROPRIATED FUND INSTRUMENTALITY BENEFITS AND OPERATIONS

Plan to obtain budget-neutrality for the defense commissary system and the military exchange system (sec. 651)

The Senate amendment contained a provision (sec. 652) that would require the Secretary of Defense to submit a report, not later than March 1, 2016, to the Committees on Armed Services of the Senate and the House of Representatives, setting forth a plan to privatize the Defense Commissary System, in whole or in part. The provision would also require the Comptroller General of the United States to provide a report that assesses the plan of the Department to privatize the Defense Commissary System to the Committees on Armed Services of the Senate and the House of Representatives within 120 days following submission of the report by the Secretary of Defense. Following submission of the Comptroller General's assessment of the Department's commissary privatization plan, the Department would be required to carry out a 2-year pilot program at no fewer than five commissaries in the largest markets of the commissary system to assess the feasibility and advisability of the plan. Within 180 days after

completion of the pilot program, the Secretary of Defense would submit a report to the Committees on Armed Services of the Senate and the House of Representatives that provides an assessment of the commissary privatization plan.

The Senate amendment contained another provision (sec. 1025) that would require the Secretary of Defense to submit a report, not later than February 1, 2016, to the Committees on Armed Services of the Senate and the House of Representatives, assessing the viability of privatizing the commissary system, in part or in whole. The Secretary would submit the report prior to development of any plans or pilot program to privatize commissaries or the commissary system. The provision would also require the Comptroller General of the United States to provide a report that assesses the plan of the Department to privatize the Defense Commissary System to the committees on Armed Services of the Senate and the House of Representatives, not later than May 1, 2016. The provision would make Section 652 of the Senate amendment null and void.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives, not later than March 1, 2016, that provides a comprehensive plan to make delivery of commissary and exchange benefits budget neutral by October 1, 2018. The amendment would also require the Comptroller General of the United States to provide a report that assesses the Department's plan to make the commissary and exchange benefit budget neutral to the Committees on Armed Services of the Senate and the House of Representatives within 120 days following submission of the report by the Secretary of Defense. The amendment would authorize the Secretary of Defense to conduct one or more pilot programs to evaluate processes and methods for achieving budget neutral commissary and exchange benefits.

Comptroller General of the United States report on the Commissary Surcharge, Non-appropriated Fund, and Privately-financed Major Construction Program (sec. 652)

The Senate amendment contained a provision (sec. 653) that would require the Comptroller General of the United States to examine the policies and procedures of the Secretary of Defense to ensure timely notification of construction projects proposed to be funded through the Commissary Surcharge, Non-appropriated Fund, and Privately-financed Major Construction Program of the Department of Defense and to submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing an assessment of this program no later than 180 days after enactment of this Act.

The House bill contained no similar provision.

The House recedes.

SUBTITLE F—OTHER MATTERS

Improvement of financial literacy and preparedness of members of the Armed Forces (sec. 661)

The House bill contained provision (sec. 651) that would require financial literacy training for servicemembers upon arrival at the first duty station and upon arrival at each subsequent duty station for servicemembers below the pay grade of E-5 in the case of enlisted personnel and below the pay grade of O-4 in the case of officers.

The provision would further require financial literacy training for each servicemember at various career and life milestones. The provision would also direct the Department of Defense to include a financial literacy and preparedness survey in the status of forces survey. The provision would also express the sense of the Congress that the Secretary of Defense should work with other departments, agencies, and nonprofit organizations to improve financial literacy and preparedness with support from the service secretaries. This provision was recommended by the Military Compensation and Retirement Modernization Commission.

The Senate amendment contained similar provisions (secs. 581, 582, and 583).

The agreement includes the House provision with a technical amendment.

Recordation of obligations for installment payments of incentive pays, allowances, and similar benefits when payment is due (sec. 662)

The Senate amendment contained a provision (sec. 587) that would provide express authority for the long-established practice of the Department of Defense of obligating bonus and special and incentive pay installment payments at the time payment is due and payable. This provision is in response to a recent U.S. Government Accountability Office opinion, Comp. Gen. B-325526—Obligation of Bonuses under Military Service Agreements, July 16, 2014, which concluded that the Department of Defense cedes fiscal exposure to servicemembers when it enters into such agreements and should change its obligational practices to obligate the entire bonus amount when the agreement is signed.

The House bill contained no similar provision.

The House recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Prohibition on per diem allowance reductions based on the duration of temporary duty assignment or civilian travel

The House bill contained a provision (sec. 602) that would prohibit per diem allowance reductions based on the duration of temporary duty assignment or civilian travel.

The Senate amendment contained no similar provision.

The House recedes.

Basic allowance for housing for members of the Uniformed Services who live together

The Senate amendment contained a provision (sec. 604) that would amend section 403 of title 37, United States Code, to limit the basic allowance for housing (BAH) for dual military married couples who are assigned within normal commuting distance from each other to one allowance at the with dependent rate, for the member with the higher pay grade. The provision would also limit BAH for uniformed service members above E-3 residing with other uniformed service members to 75 percent of their otherwise prevailing rate, or the E-4 without dependents rate, whichever is greater. Affected members would see no reduction in their BAH as a result of this provision so long as they maintain uninterrupted eligibility to receive BAH within a particular housing area.

The House bill contained no similar provision.

The Senate recedes.

We intend to reform this policy next year. We direct the Secretary of Defense to submit a report no later than March 1, 2016, to the Senate and House Committees on Armed Services containing an assessment and recommendations of the Secretary on how to

amend the current BAH system to most accurately capture actual housing costs as a limiting element of the basic allowance for housing, to include an assessment of BAH as applied in particular circumstances where the current benefit may over- or under-compensate individuals based on their actual housing costs, to include single members of the armed forces and those who share accommodations with other members receiving the benefit. In developing these recommendations, the Secretary shall consider the primary purpose of the benefit to offset housing costs of uniformed members incurred by virtue of their service.

Repeal of inapplicability of modification of basic allowance for housing to benefits under the laws administered by the Secretary of Veterans Affairs

The Senate amendment contained a provision (sec. 605) that would repeal subsection (b) of section 604 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) effective January 1, 2016.

The House bill contained no similar amendment.

The Senate recedes.

We note that the Senate and House Veterans Affairs Committees intend to take up this matter. If it is not addressed by May 2016, it will be re-considered for the National Defense Authorization Act for Fiscal Year 2017.

Policies of the Department of Defense on travel of next of kin to participate in the dignified transfer of remains of members of the Armed Forces and civilian employees of the Department of Defense who die overseas

The Senate amendment contained a provision (sec. 624) that would require the Secretary of Defense to review the current policies of the Department of Defense regarding travel authorization for family and next of kin of service members and civilian employees of the Department of Defense.

The House bill contained no similar provision.

The Senate recedes.

We note that the Department of Defense has notified the congressional defense committees it is already conducting the review described in this provision. Further, the agreement includes a separate provision to make the necessary changes in law for the authorization for travel to the dignified transfer ceremony for family and next of kin of members of the Armed Forces who die overseas in support of humanitarian operations. We expect the Secretary, upon conclusion of the aforementioned review, to make regulatory changes in order to address inequities within the system, as the Secretary determines are appropriate.

Authority for retirement flexibility for members of the uniformed services

The Senate amendment contained a provision (sec. 635) that would give the Secretary concerned the flexibility to modify the years of service required for non-disability retirement under the new military retirement system for particular occupational specialties or other groupings in order to facilitate force shaping or to correct manpower shortages within an occupational specialty.

The House bill contained no similar amendment.

The Senate recedes.

Preserving assured commissary supply to Asia and the Pacific

The House bill contained a provision (sec. 641) that would prohibit changes to second

destination transportation policy that applies to shipment of fresh fruits and vegetables to Asia and the Pacific theater until the Defense Commissary Agency conducts a comprehensive study on the fresh fruit and vegetable supply for the region and submits a report on the study to Congress.

The Senate amendment contained no similar provision.

The House recedes.

Prohibition on replacement or consolidation of defense commissary and exchange systems pending submission of required report on Defense Commissary System

The House bill contained a provision (sec. 642) that would prohibit the Secretary of Defense from taking action to replace or consolidate the defense commissary and exchange systems before submission of the report on the defense commissary system required by section 634 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291).

The Senate amendment contained no similar provision.

The House recedes.

Transitional compensation and other benefits for dependents of members of the Armed Forces ineligible to receive retired pay as a result of court-martial sentence

The Senate amendment contained a provision (sec. 642) that would add a new section 1059a to title 10, United States Code, to authorize the Secretary of Defense and the Secretary of Homeland Security to carry out a program that would authorize monthly transitional compensation, including commissary and exchange store access, to dependents or former dependents of a member of the Armed Forces who is ineligible to receive retired pay as a result of a court-martial sentence. The provision would allow the secretary concerned to determine that a dependent or former dependent would not be eligible for transitional compensation if that person was an active participant in the conduct constituting the offense under chapter 47 of title 10.

The House bill contained no similar provision.

The Senate recedes.

Commissary system matters

The Senate amendment contained a provision (sec. 651) that would authorize the Department of Defense to treat second destination transportation costs for commissary goods and supplies overseas like transportation costs within the United States by transferring those costs to the commissary patron in the price of goods. In addition, the provision would authorize the Department to transfer the cost of obtaining supplies required for the daily operations of commissaries and store-level offices dedicated to supporting commissary operations from the defense working capital fund to the surcharge fund. The provision would also authorize the Defense Commissary Agency to establish the sales price of merchandise sold in commissary stores in amounts sufficient to finance the purchase of operating supplies and replenishment of merchandise inventories.

The House bill contained no similar provision.

The Senate recedes.

Availability for purchase of Department of Veterans Affairs memorial headstones and markers for members of reserve components who performed certain training

The House bill contained a provision (sec. 652) that would amend section 2306 of title 38,

United States Code, to require the Secretary of Veterans Affairs to make available for purchase a memorial headstone or marker for the marked or unmarked grave of an individual who, as a member of the National Guard or reserve component, performed inactive duty training or Active Duty for training for at least 6 years. The individual must not have served on Active Duty and must otherwise be eligible on account of the nature of the individual's separation from the Armed Forces or other causes.

The Senate amendment contained no similar provision.

The House recedes.

We understand that members of the reserve component who wish to purchase a memorial headstone or marker can purchase a nearly identical headstone or marker from private vendors.

TITLE VII—HEALTH CARE PROVISIONS

SUBTITLE A—TRICARE AND OTHER HEALTH CARE BENEFITS

Access to TRICARE Prime for certain beneficiaries (sec. 701)

The House bill contained a provision (sec. 705) that would amend section 732(c)(3) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to authorize an eligible TRICARE beneficiary to make a one-time election for TRICARE Prime if the beneficiary: 1) resides in a location in which TRICARE Prime is no longer available because of the location in which the beneficiary resides; and 2) the beneficiary resided within 100 miles of a military medical treatment facility as of December 25, 2013. This provision would not apply to an affected eligible beneficiary who resides, as of December 25, 2013, greater than 100 miles from a military medical treatment facility and is an eligible beneficiary by reason of service in the Army, Navy, Air Force, or Marine Corps.

The Senate amendment contained no similar provision.

The House recedes with a technical amendment.

Modifications of cost-sharing for the TRICARE pharmacy benefits program (sec. 702)

The Senate amendment contained a provision (sec. 702) that would require modifications of prescription drug co-pays for the TRICARE pharmacy benefits program for years 2016 through 2025. After 2025, the Department of Defense (DOD) would establish co-pay amounts equal to the co-pay amounts for the previous year adjusted by an amount, if any, to reflect increases in costs of pharmaceutical agents and prescription dispensing fees. With this provision, beneficiaries would continue to receive prescription drugs at no cost in military medical treatment facilities, and there would be no changes to co-pays for survivors of members who died on Active Duty or for a disabled member retired under chapter 61 of title 10, United States Code, and their family members.

The House bill contained no similar provision.

The House recedes with an amendment that would modify prescription drug co-pays beginning in 2016.

We agree that comprehensive reform of the military health care system is essential and commit to working with the Department of Defense in fiscal year 2017 to begin reforming the military healthcare system. This reform must improve access, quality and the experience of care for all beneficiaries; maintain medical readiness of the military health professionals; and ensure the long-term viability and cost effectiveness of the military

health care system. The current system has not kept pace with the best practices and latest innovations in the commercial healthcare market and will not meet the future needs of the DOD, the servicemembers, families, or retirees. In order to modernize and improve the military healthcare system, we agree that all elements of the current system must be re-evaluated, and that increases to fees and co-pays will be a necessary part of such a comprehensive reform effort.

Expansion of continued health benefits coverage to include discharged and released members of the Selected Reserve (sec. 703)

The Senate amendment contained a provision (sec. 703) that would amend section 1078a of title 10, United States Code, to authorize a member of the Selected Reserve, who is discharged or released under other than adverse conditions from service in the Selected Reserve, to be eligible to enroll, for a period of 18 months, in the Department of Defense program of continued health benefits coverage.

The House bill contained no similar provision.

The House recedes with an amendment that would require the member of the Selected Reserve to be enrolled in TRICARE Reserve Select immediately preceding the discharge of the member.

Access to health care under the TRICARE program for beneficiaries of TRICARE Prime (sec. 704)

The Senate amendment contained a provision (sec. 711) that would require the Secretary of Defense to ensure that covered TRICARE beneficiaries obtain health care appointments within access standards and wait-time goals established by the Department of Defense for primary care and specialty care or, if the beneficiary is unable to obtain an appointment within the wait-time goals, to offer the beneficiary an appointment with a contracted health care provider. The provision would also require the Secretary to publish health care access standards in the Federal Register and on a publicly accessible Internet web site of the Department of Defense and to publish appointment wait-times for primary and specialty care on the publicly accessible Internet web site of each military medical treatment facility.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to ensure that TRICARE Prime beneficiaries obtain health care appointments within health care access standards established by the Secretary, including through health care providers in the TRICARE preferred provider network. The amendment would also require the Secretary to publish health care access standards in the Federal Register and on a publicly accessible Internet web site of the Department of Defense.

Expansion of reimbursement for smoking cessation services for certain TRICARE beneficiaries (sec. 705)

The Senate amendment contained a provision (sec. 704) that would amend section 713(f) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417) to expand reimbursement for smoking cessation services for certain TRICARE beneficiaries.

The House bill contained no similar provision.

The House recedes with a technical amendment.

SUBTITLE B—HEALTH CARE ADMINISTRATION

Waiver of recoupment of erroneous payments caused by administrative error under the TRICARE program (sec. 711)

The Senate amendment contained a provision (sec. 715) that would amend chapter 55 of title 10, United States Code, to authorize the Secretary of Defense to waive recoupment of payment from a covered TRICARE beneficiary who has benefited from an erroneous TRICARE payment in which all of the following apply: (1) the payment was made due to an administrative error by an employee of the Department of Defense or a TRICARE program contractor; (2) the covered beneficiary, or in the case of a minor, the parent or guardian of the covered beneficiary, reasonably believed the covered beneficiary was entitled to the benefit of such payment; (3) the covered beneficiary relied on the expectation of benefit entitlement; and (4) the Secretary determines that a waiver of recoupment of such payment is necessary to prevent an injustice. In the case of administrative error on the part of a TRICARE contractor, the provision would require the Secretary to impose financial responsibility on the contractor for the erroneous payment.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Publication of data on patient safety, quality of care, satisfaction, and health outcome measures under the TRICARE program (sec. 712)

The Senate amendment contained a provision (sec. 732) that would require the Secretary of Defense to publish public data on measures used to assess patient safety, quality of care, patient satisfaction, and health outcomes on the primary Internet web site of the Department of Defense and on the primary Internet web site of that facility that provided the health care.

The House bill contained no similar provision.

The House recedes with an amendment that would amend section 1073b of title 10, United States Code, to require the Secretary of Defense to publish appropriate data on measures used to assess patient safety, quality of care, patient satisfaction, and health outcomes of each military medical treatment facility on a publicly available Internet web site of the Department of Defense. The provision would also require data for health care provided by a military medical treatment facility to be accessible on the primary Internet web site of that facility. The provision would prohibit the Department publishing any data related to risk management activities of the Department.

Expansion of evaluation of effectiveness of the TRICARE program to include information on patient safety, quality of care, and access to care at military medical treatment facilities (sec. 713)

The Senate amendment contained a provision (sec. 733) that would require the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives, not later than March 1, 2016, and each year thereafter, a comprehensive report on patient safety, quality of care, and access to care at military medical treatment facilities.

The House bill contained no similar provision.

The House recedes with an amendment that would amend section 717(a) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104-106) to require the Department of Defense to include data on patient safety, quality of care, and access to

care at each military medical treatment facility in the annual report to Congress on TRICARE program effectiveness.

Portability of health plans under the TRICARE program (sec. 714)

The Senate amendment contained a provision (sec. 712) that would require the Secretary of Defense to ensure that beneficiaries who are covered under a TRICARE health plan can seamlessly access health care under that health plan in each TRICARE program region.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Joint uniform formulary for transition of care (sec. 715)

The House bill contained a provision (sec. 701) that would require the Secretary of Defense and the Secretary of Veterans Affairs to establish a joint uniform formulary that would include pain, sleep disorder, psychiatric drugs, and drugs for other conditions critical for transition of a servicemember from treatment furnished by the Department of Defense to treatment furnished by the Department of Veterans Affairs.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Licensure of mental health professionals in TRICARE program (sec. 716)

The House bill contained a provision (sec. 712) that would require the Secretary of Defense to ensure that a qualified mental health professional is eligible for reimbursement under the TRICARE program as a certified mental health counselor by meeting certain qualification criteria. The provision would also establish a special rule for certain practicing mental health professionals to deem them to be qualified mental health professionals during the period preceding January 1, 2027, even though those professionals do not meet the established qualification criteria in the provision. The House bill also contained a provision (sec. 725) that would express a sense of Congress that the Department of Defense should continue to support members of the Armed Forces and their families by providing family counseling and individual counseling services that reduce the symptoms of post-traumatic stress and other behavioral health disorders and empowers members to be emotionally available to their spouses and children.

The Senate amendment contained no similar provisions.

The Senate recedes with an amendment that would deem certain mental health professionals eligible for reimbursement under the TRICARE program during the period preceding January 1, 2021.

We note that the Department of Defense published a final rule to implement the TRICARE Certified Mental Health Counselor provider as a qualified mental health provider authorized to independently diagnose and treat TRICARE beneficiaries and receive reimbursement for services. Counselors must possess a master's or higher-level degree from a Council for Accreditation of Counseling and Related Educational Programs accredited mental health counseling program of education and pass the National Clinical Mental Health Counseling Examination. We consider these reasonable criteria to help ensure TRICARE beneficiaries obtain mental health care from qualified counselors and do not believe another extension of the transition for qualification as a TRICARE Cer-

tified Mental Health Counselor beyond the extension in this provision would be advisable.

Additionally, we agree that the Department of Defense should continue to support members of the Armed Forces and their families by providing readily available family and individual counseling services that reduce the symptoms of post-traumatic stress and other behavioral health disorders and empower members to be available emotionally to their spouses and children. We believe the Department should consider industry standards established by the medical community when developing standards for family and individual counseling services at military installations.

Designation of certain non-Department mental health care providers with knowledge relating to treatment of members of the Armed Forces (sec. 717)

The Senate amendment contained a provision (sec. 716) that would require the Secretary of Defense, not later than 1 year after enactment of this Act, to develop a system by which any non-Department mental health care provider that meets eligibility criteria relating to knowledge and understanding of military culture and knowledge of evidence-based mental health treatments approved by the Secretary, would receive a mental health provider readiness designation from the Department. The provision would also require the Secretary to establish and update a provider list and maintain a publicly available registry of mental health providers receiving such designation.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Comprehensive standards and access to contraception counseling for members of the Armed Forces (sec. 718)

The Senate amendment contained a provision (sec. 714) that would require the Department of Defense to provide, through clinical practice guidelines, current and evidence-based standards of care regarding contraception methods and counseling to all health care providers employed by the Department and to ensure service women have access to comprehensive contraception counseling prior to deployment and throughout their military careers. The provision would also require the Secretary of Defense to establish a uniform, standard curriculum to be used in family planning education programs for all members of the Armed Forces.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

SUBTITLE C—REPORTS AND OTHER MATTERS

Provision of transportation of dependent patients relating to obstetrical anesthesia services (sec. 721)

The House bill contained a provision (sec. 726) that would amend section 1040(a)(2) of title 10, United States Code, to strike the expiration date regarding the authority to transport dependent patients relating to obstetrical anesthesia services.

The Senate amendment contained no similar provision.

The Senate recedes.

Extension of authority for DOD-VA Health Care Sharing Incentive Fund (sec. 722)

The House bill contained a provision (sec. 721) that would amend section 8111 of title 38, United States Code, to extend the authority for the DOD-VA Health Care Sharing Incentive Fund through September 30, 2020.

The Senate amendment contained an identical provision (sec. 719).

The agreement includes this provision.

Extension of authority for Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund (sec. 723)

The House bill contained a provision (sec. 722) that would amend section 1704(e) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84), as amended by section 722 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), to extend the authority for the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund from September 30, 2016, to September 30, 2017.

The Senate amendment contained a similar provision (sec. 718).

The House recedes.

Limitation on availability of funds for Office of the Secretary of Defense (sec. 724)

The House bill contained a provision (sec. 713) that would amend chapter 55 of title 10, United States Code, by inserting a new section after section 1073b, to prohibit the Secretary of Defense from realigning or restructuring a military medical treatment facility (MTF) until 90 days following the date the Secretary submits a report to the congressional defense committees on the proposed restructuring or realignment of the MTF.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would limit to 75 percent the obligation or expenditure of funds available for fiscal year 2016 for the office of the Secretary of Defense until the date on which the Secretary of Defense submits to the congressional defense committees the report required by section 713(a)(2) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291). Without that report and the subsequent required assessment of the report by the Comptroller General of the United States, we remain concerned that the Department has not fully considered all relevant factors that may impact the availability and delivery of health care services to eligible beneficiaries in its study of military health system modernization. We expect the Department to make available, upon request, all available data regarding any decisions to eliminate health care services and to relocate health care personnel from military medical treatment facilities in the future.

Pilot program on urgent care under TRICARE program (sec. 725)

The Senate amendment contained a provision (sec. 701) that would authorize a covered beneficiary under the TRICARE program to access up to four urgent care visits per year without the need to obtain pre-authorization for such visits.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to carry out a 3-year pilot program to allow covered beneficiaries under the TRICARE program to access urgent care visits without the need to obtain pre-authorization for those visits. The amendment would require the Secretary to submit two interim reports and one final report on the pilot program to the Committees on Armed Services of the Senate and the House of Representatives.

We note that current TRICARE policy requires TRICARE Prime beneficiaries to obtain pre-authorization for urgent care visits.

This administrative burden encourages beneficiaries to utilize emergency departments inappropriately for urgent care needs. We believe this pilot program would help beneficiaries choose the most appropriate source for the health care they need and potentially lower health care costs for the Department of Defense.

Pilot program on incentive programs to improve health care provided under the TRICARE program (sec. 726)

The Senate amendment contained a provision (sec. 720) that would require the Secretary of Defense to conduct a pilot program to assess value-based incentive programs to encourage institutional and individual health care providers under the TRICARE program to improve quality of care, experience of care, and health of beneficiaries.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to submit interim reports on the pilot program at 1-year intervals following implementation of the program and a final report on the program by September 30, 2019.

Limitation on availability of funds for Department of Defense Healthcare Management Systems Modernization (sec. 727)

The House bill contained a provision (sec. 723) that would limit obligation or expenditure of funds for fiscal year 2016 for the Department of Defense Healthcare Management Systems Modernization until the date on which the Secretary of Defense makes the certification required by section 713(g)(2) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66).

The Senate amendment contained a provision (sec. 738) that would require the Secretary of Defense and the Secretary of Veterans Affairs to submit a report to Congress on interoperability between electronic health records of their Departments.

The Senate recedes.

Submittal of information to Secretary of Veterans Affairs relating to exposure to airborne hazards and open burn pits (sec. 728)

The Senate amendment contained a provision (sec. 739) that would require the Secretary of Defense to submit to the Secretary of Veterans Affairs, not later than 180 days after the date of enactment of this Act and periodically thereafter, information available to the Secretary of Defense to supplement and support information in the Airborne Hazards and Open Burn Pit Registry established by the Secretary of Veterans Affairs. The provision would also require the Secretary of Defense to include information on any research and surveillance activities conducted by the Department of Defense to evaluate incidence and prevalence of respiratory illnesses to servicemembers exposed to open burn pits during deployments.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Plan for development of procedures to measure data on mental health care provided by the Department of Defense (sec. 729)

The Senate amendment contained a provision (sec. 713) that would require the Secretary of Defense to ensure that all primary care and mental health care providers of the Department of Defense receive, or have already received, initial evidence-based training on the recognition, assessment, and management of individuals at risk for suicide and any additional training that may be re-

quired based on evidence-based changes in mental health practice. Within 1 year of the date of enactment of this Act, the Secretary would be required to provide a report to the Committees on Armed Services of the Senate and the House of Representatives that assesses the mental health workforce of the Department and the long-term mental health care needs of servicemembers and their dependents. The provision would also require the Secretary to develop procedures to measure mental health data relating to outcomes, variations in outcomes among military medical treatment facilities, and barriers to implementation of clinical practice guidelines and other evidence-based treatments by mental health providers of the Department of Defense.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives a plan for the Department of Defense to develop procedures to compile and assess data relating to: (1) outcomes for mental health care provided by the Department; (2) variations in such outcomes among different medical facilities of the Department; and (3) barriers, if any, to the implementation by mental health care providers of the clinical practice guidelines and other evidence-based treatments and approaches recommended for such providers.

We are aware that the Department has policies and procedures in place that require primary care providers to receive annual training on suicide prevention, and that the Department of Defense and the Department of Veterans Affairs submitted a report to the Committees on Armed Services of the Senate and the House of Representatives in April 2015, on a coordinated, unified plan to ensure adequate mental health counseling resources to address the long-term needs of all members of the Armed Forces, veterans, and their families.

Report on plans to improve experience with and eliminate performance variability of health care provided by the Department of Defense (sec. 730)

The Senate amendment contained a provision (sec. 734) that would require the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives, not later than 180 days after the date of enactment of this Act, a comprehensive report describing the current and future plans, with estimated completion dates, of the Department of Defense to improve the experience of care of beneficiaries and to eliminate performance variability for health care provided in military medical treatment facilities and in the TRICARE purchased care network. This provision would also require the Comptroller General of the United States to submit, not later than 180 days after the Secretary submits the comprehensive report, a report to the Committees on Armed Services of the Senate and the House of Representatives that assesses the report of the Secretary of Defense.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Comptroller General study on gambling and problem gambling behavior among members of the Armed Forces (sec. 731)

The Senate amendment contained a provision (sec. 740) that would require the Com-

troller General of the United States to conduct a study on gaming facilities at military installations and problem gambling among members of the Armed Forces, and to submit a report, within 1 year of the date of enactment of this Act, to the congressional defense committees.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

Access to broad range of methods of contraception approved by the Food and Drug Administration for members of the Armed Forces and military dependents at military treatment facilities

The House bill contained a provision (sec. 702) that would require the Secretary of Defense to ensure that every military medical treatment facility has a sufficient stock of a broad range of contraceptive methods approved by the Food and Drug Administration to be able to dispense any contraceptive method to service women and other female beneficiaries eligible for healthcare in those facilities.

The Senate amendment contained no similar provision.

The House recedes.

We note that military medical treatment facilities stock and dispense a broad range of contraceptive methods approved by the Food and Drug Administration to service women and other eligible female beneficiaries. We encourage the Department of Defense to ensure that deployed service women have access to prescription contraceptives throughout the duration of their deployments.

Access to contraceptive method for duration of deployment

The House bill contained a provision (sec. 703) that would require the Secretary of Defense to ensure that service women who use prescription contraceptives receive, prior to deployment, a sufficient supply of those contraceptives for the duration of their deployments.

The Senate amendment contained no similar provision.

The House recedes.

We expect the Secretary of Defense to ensure that service women who use contraceptives have contraceptives available throughout their deployment. This can be accomplished by use of the TRICARE Mail Order Pharmacy program or other means.

Access to infertility treatment for members of the Armed Forces and dependents

The House bill contained a provision (sec. 704) that would require the Secretary of Defense, in coordination with the service secretaries, to provide reproductive counseling and infertility treatments, including continuation of infertility services during a change of duty station relocation, to members and dependents of members of the Armed Forces.

The Senate amendment contained no similar provision.

The House recedes.

We note that section 729 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) requires the Secretary of Defense to submit a report to the congressional defense committees assessing the access of members of the Armed Forces and their dependents to reproductive counseling and infertility treatments. The Department of Defense has not yet provided this report to the committees. We believe that a thorough study of this report must be done prior to enacting legislation on this issue.

Pilot program on treatment of members of the Armed Forces for post-traumatic stress disorder related to military sexual trauma

The Senate amendment contained a provision (sec. 705) that would authorize the Secretary of Defense to conduct a pilot program to award grants to community partners to provide intensive outpatient programs to treat members of the Armed Forces suffering from post-traumatic stress disorder resulting from military sexual trauma, including treatment for substance abuse, depression, and other issues related to those conditions. The House bill contained no similar provision.

The Senate recedes.

We note that the Services already have capabilities to provide intensive outpatient services for substance abuse rehabilitation and behavioral health disorders. The Navy has 12 substance abuse rehabilitation programs located at intensive outpatient program sites in the United States and overseas, and the Air Force has one program. The Army is establishing intensive outpatient programs at 17 military medical treatment facilities by fiscal year 2016, and these programs will offer multi-week intensive behavioral health services to treat patients with severe behavioral health conditions like post-traumatic stress disorder.

Unified medical command

The House bill contained a provision (sec. 711) that would amend chapter 6 of Title 10, United States Code, to require the President, through the Secretary of Defense and with the advice and consent of the Chairman of the Joint Chiefs of Staff, to establish a unified command for medical operations to provide medical services to the Armed Forces and other eligible health care beneficiaries.

The Senate amendment contained no similar provision.

The House recedes.

Pilot program for operation of network of retail pharmacies under TRICARE pharmacy benefits program

The House bill contained a provision (sec. 714) that would authorize the Secretary of Defense to conduct a pilot program to evaluate whether a preferred retail pharmacy network will generate cost savings for the Department of Defense.

The Senate amendment contained no similar provision.

The House recedes.

We observe that the Department of Defense (DOD) already operates a large preferred retail pharmacy network and prescriptions filled in those pharmacies are subject to the federal ceiling price policy established under section 1074g(f) of title 10, United States Code.

We note with concern that DOD did not proactively monitor the effects of the transition of maintenance medications specific to affected beneficiaries from retail pharmacies to mail order and military medical treatment facility (MTF) pharmacies, including important effects such as availability of medications, timeliness and accuracy of prescriptions filled, and satisfaction for the TRICARE for Life pharmacy pilot established by section 716 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239). Accordingly, for the first 12 months following the expansion of the pilot program requirements to additional TRICARE beneficiaries as of October 1, 2015, we direct the DOD to provide to the Committees on Armed Services of the Senate and the House of Representatives a quarterly report detailing the results of monitoring the ef-

fects of the transition from retail pharmacies to mail order and MTF pharmacies on affected beneficiaries, including actions taken to address any issues identified as a result of these monitoring efforts. Each quarterly report shall be submitted no later than 30 days after the end of the respective quarter of the fiscal year.

Limitation on conversion of military medical and dental positions to civilian medical and dental positions

The Senate amendment contained a provision (sec. 717) that would amend chapter 49 of title 10, United States Code, to provide that a medical or dental position within the Department of Defense may not be converted to a civilian medical or dental position unless the Secretary of Defense determines that: (1) the position is not a military essential position; (2) conversion of the position would not result in the degradation of medical or dental care or the medical or dental readiness of the Armed Forces; and (3) conversion of the position to a civilian medical or dental position is more cost effective than retaining the position as a military medical or dental position, consistent with Department of Defense Instruction 7041.04.

The House bill contained no similar provision.

The Senate recedes.

Primary blast injury research

The House bill contained a provision (sec. 724) that would require the peer-reviewed Psychological Health and Traumatic Brain Injury Research Program of the Department of Defense to conduct a study on blast injury mechanics covering a broad range of blast injury conditions, including traumatic brain injury.

The Senate amendment contained no similar provision.

The House recedes.

Publication of certain information on health care provided by the Department of Defense through the Hospital Compare website of the Department of Health and Human Services

The Senate amendment contained a provision (sec. 731) that would require the Secretary of Defense to enter into a memorandum of understanding with the Secretary of Health and Human Services to report, and make publicly available through the Hospital Compare Internet web site of the Department of Health and Human Services, information on quality of care and health outcomes regarding patients treated at military medical treatment facilities.

The House bill contained no similar provision.

The Senate recedes.

We strongly encourage the Department of Defense to demonstrate greater transparency of quality of care and health outcomes data by making such data available on the Hospital Compare web site of the Department of Health and Human Services.

Report on plan to improve pediatric care and related services for children of members of the Armed Forces

The Senate amendment contained a provision (sec. 735) that would require the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives, not later than 180 days after the date of enactment of this Act, a report setting forth the plan of the Department to improve pediatric care and related services for children of members of the Armed Forces.

The House bill contained no similar provision.

The Senate recedes.

We encourage the Department of Defense to continue improvement in the delivery of healthcare services to pediatric patients, especially those patients with severe disabilities, and to correct deficiencies noted in the report from the Secretary of Defense required by Section 735 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239). We direct the Department of Defense to include pediatric health outcome measures in the annual report to Congress on TRICARE program effectiveness.

Comptroller General report on use of quality of care metrics at military treatment facilities

The Senate amendment contained a provision (sec. 737) that would require the Comptroller General of the United States to submit a report, not later than 1 year after the date of enactment of this Act, to the Committees on Armed Services of the Senate and the House of Representatives on the Department of Defense's use of quality of care metrics in military medical treatment facilities.

The House bill contained no similar provision.

The Senate recedes.

We note a requirement, in a separate section of this bill, for the Comptroller General of United States to submit a report assessing the Department's plans to improve health outcomes, to create health value, and to ensure the provision of quality health care in military medical treatment facilities and through purchased care.

Report on implementation of data security and transmission standards for electronic health records

The Senate amendment contained a provision (sec. 741) that would require the Secretary of Defense and the Secretary of Veterans Affairs to submit a joint report to Congress by June 1, 2016, on the implementation of security and data transmission standards by the Departments in the deployment of new or updated electronic health records.

The House bill contained no similar provision.

The Senate recedes.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

SUBTITLE A—ACQUISITION POLICY AND MANAGEMENT

Required review of acquisition-related functions of the Chiefs of Staff of the Armed Forces (sec. 801)

The House bill contained a provision (sec. 802) that would require the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps to review their current authorities provided in sections 3033, 5033, 5043, and 8033 of title 10, United States Code, and other relevant statutes and regulations related to defense acquisitions for the purpose of developing such recommendations that the Chief concerned or the Commandant considers necessary to further or strengthen the role of the Chief concerned or the Commandant in the development of requirements, acquisition processes, and the associated budget practices of the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes.

Role of Chiefs of Staff in the acquisition process (sec. 802)

The Senate amendment contained a provision (sec. 801) that would amend section 2547 of title 10, United States Code, to enhance

the role of Chiefs of Staff in the defense acquisition process. This provision would reinforce the role and responsibilities of the Chiefs of Staff in decisions regarding the balancing of resources and priorities, and associated tradeoffs among cost, schedule, technical feasibility, and performance on major defense acquisition programs.

The House bill had no similar provision.

The House recedes.

Expansion of rapid acquisition authority (sec. 803)

The Senate amendment contained a provision (sec. 802) that would amend section 806(c) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (10 U.S.C. 2302 note), as amended by section 811 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375). This provision would enhance the rapid acquisition authority currently provided to the Secretary of Defense by allowing the Secretary to use this authority for two new categories of supplies and associated support services that the Secretary determines: (1) are urgently needed and impact an ongoing or anticipated contingency operation that, if left unfulfilled, could potentially result in loss of life or critical mission failure; or (2) are urgently needed to eliminate a deficiency that as the result of a cyber attack has resulted in critical mission failure, the loss of life, property destruction, or economic effects, or is likely to result in critical mission failure, the significant loss of life, property destruction, or economic effects.

The House bill contained no similar provision.

The House recedes.

Middle tier of acquisition for rapid prototyping and rapid fielding (sec. 804)

The Senate amendment contained a provision (sec. 803) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics to issue guidance for an expedited and streamlined “middle tier” of acquisition programs that are intended to be completed within 5 years. These programs would be distinctive from “rapid acquisitions” that are generally completed within 6 months to 2 years and “traditional” acquisitions that last much longer than 5 years.

The House bill contained no similar provision.

The House recedes.

Use of alternative acquisition paths to acquire critical national security capabilities (sec. 805)

The Senate amendment contained a provision (sec. 805) that would require the Secretary of Defense to establish procedures and guidelines for alternative acquisition pathways to acquire capital assets and services that meet critical national security needs.

The House bill contained no similar provision.

The House recedes with an amendment that would require procedures to be developed within 180 days.

Secretary of Defense waiver of acquisition laws to acquire vital national security capabilities (sec. 806)

The Senate amendment contained a provision (sec. 806) that would allow the Secretary of Defense to waive acquisition law or regulation for the purpose of acquiring a capability that is in the vital interest of the United States and is not otherwise available to the Armed Forces of the United States. The Secretary shall notify the congressional defense committees at least 30 days before

exercising the waiver authority and designate a senior official who shall be personally responsible and accountable for the rapid and effective acquisition and deployment of the needed capability.

The House bill contained no similar provision.

The House recedes.

Acquisition authority of the Commander of United States Cyber Command (sec. 807)

The Senate amendment contained a provision (sec. 807) that would authorize limited acquisition authority for the Commander of United States Cyber Command (CYBERCOM).

The House bill contained no similar provision.

The House recedes with an amendment that would clarify that the Commander of CYBERCOM may obligate and expend up to \$75.0 million of the funds made available for each fiscal year from 2016 through 2021. The amendment would add a requirement for an implementation plan, the review of programs being acquired under this authority by the Cyber Investment Management Board, and an annual end of year assessment. The amendment would also make a number of technical and conforming edits.

We believe the Commander of CYBERCOM should utilize this limited acquisition authority to fulfill cyber operations-peculiar and cyber capability-peculiar requirements the services are unable to meet to ensure the Department of Defense is adequately postured to defend and respond to cyber threats. We maintain that this limited authority should not be construed to replace the acquisition responsibilities of the military services to fulfill their man, train and equip requirements. We believe successful demonstration of these acquisition authorities will require implementation of memoranda of agreement with the military services to define enduring responsibilities and more explicit definition cyber operations-peculiar and cyber capability-peculiar requirements.

Report on linking and streamlining requirements, acquisition, and budget processes within Armed Forces (sec. 808)

The House bill contained a provision (sec. 801) that would require the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps to each submit a report to the congressional defense committees on their efforts to leverage their existing statutory authorities in a manner that links and streamlines their services' requirements, acquisition, and budget processes in order to foster improved outcomes.

The Senate amendment contained no similar provision.

The Senate recedes.

Advisory panel on streamlining and codifying acquisition regulations (sec. 809)

The Senate amendment contained a provision (sec. 808) that would require the Under Secretary of Defense for Acquisition, Technology and Logistics to establish an advisory panel on streamlining acquisition regulations.

The House bill contained no similar provision.

The House recedes.

Review of time-based requirements process and budgeting and acquisition systems (sec. 810)

The Senate amendment contained a provision (sec. 809) that would require the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to review the requirements process to provide for a time-based or

phased distinction between capabilities needed to be deployed urgently, within 2 years, within 5 years, and longer than 5 years.

The House bill contained no similar provision.

The House recedes with an amendment to clarify the scope of the review.

SUBTITLE B—AMENDMENTS TO GENERAL CONTRACTING AUTHORITIES, PROCEDURES, AND LIMITATIONS

Amendment relating to multiyear contract authority for acquisition of property (sec. 811)

The House bill contained a provision (sec. 806) that would strike the existing requirement that the head of an agency must determine that substantial savings would be achieved before entering into a multiyear contract.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require that significant savings would be achieved before entering into a multiyear contract.

We agree that the government should seek to maximize savings whenever it pursues multiyear procurement. However, we also agree that significant savings (estimated to be greater than \$250.0 million), and other benefits, may be achieved even if it does not equate to a minimum of 10 percent savings over the cost of an annual contract. We expect a request for authority to enter into a multiyear contract will include (1) the estimated cost savings, (2) the minimum quantity needed, (3) confirmation that the design is stable and the technical risks are not excessive, and (4) any other rationale for entering into such a contract.

Applicability of cost and pricing data and certification requirements (sec. 812)

The Senate amendment contained a provision (sec. 822) that would limit the applicability of the Truth in Negotiations Act (Public Law 87-653; 10 U.S.C. section 2306a) to off-set agreements.

The House bill contained no similar provision.

The House recedes with an amendment that would provide for an exception to this limitation for subcontracts and contracts under the offset agreement for work performed in a foreign country that are directly related to the weapon systems of defense-related item being purchased under the contract.

Rights in technical data (sec. 813)

The Senate amendment contained a provision (sec. 825) that would clarify procedures for the validation of rights in technical data for subsystems and components of major weapon systems; and establish a government-industry advisory panel to review sections 2320 and 2321 of title 10, United States Code.

The House bill contained no similar provision.

The House recedes.

Procurement of supplies for experimental purposes (sec. 814)

The Senate amendment contained a provision (sec. 826) that would update the experimental acquisition authority in section 2373 of title 10, United States Code, to apply to transportation, energy, medical, and space flight and to clarify when provisions of Chapter 137 of title 10 apply to such procurements.

The House bill contained no similar provision.

The House recedes.

Amendments to other transaction authority (sec. 815)

The House bill contained a provision (sec. 853) would make permanent the other transactions authority (OTA) for contracting established in section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160), as modified most recently by section 812 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291). The provision would also make changes to the authority to use such mechanisms.

The Senate amendment contained a similar provision (section 804) that modified the authority, as well as modifying the definition of a "non-traditional" defense contractor.

The House recedes with an amendment that would: (1) make section 845 authority permanent; (2) clarify the authority to use section 845 authority to acquire prototypes or follow-on production items to be provided to contractors as government-furnished equipment; (3) ensure that innovative small business firms are authorized to participate in other transactions under section 845 without the requirement for a cost-share (except where the small business is partnered with a large business in a transaction); and (4) clarify the use of follow-on production contracts or other transactions authority. The provision further requires the Department of Defense to study the benefits of permitting not-for-profit entities to enter into other transactions agreements without the requirement for cost sharing.

We believe that the flexibility of the OTA authorities of section 2371 of title 10, United States Code, and the related and dependent authorities of section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160) as modified and codified in this provision, can make them attractive to firms and organizations that do not usually participate in government contracting due to the typical overhead burden and "one size fits all" rules. We believe that expanded use of OTAs will support Department of Defense efforts to access new source of technical innovation, such as Silicon Valley startup companies and small commercial firms.

Amendment to acquisition threshold for special emergency procurement authority (sec. 816)

The House bill contained a provision (sec. 854) that would raise the simplified acquisition threshold from \$100,000 to \$500,000, the micro-purchase threshold from \$3,000 to \$5,000, and the special emergency procurement authority threshold for purchases inside the United States from \$250,000 to \$750,000 and for purchases outside the United States from \$1.0 million to \$1.5 million, and the small business reservation threshold from \$100,000 to \$500,000.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would amend section 1903 of title 41, United States Code to raise the special emergency procurement authority threshold.

Revision of method of rounding when making inflation adjustment of acquisition-related dollar thresholds (sec. 817)

The House bill contained a provision (sec. 855) that would amend section 1908(e)(2) of title 41, United States Code, to change the rounding method that is used when scheduled adjustments are made to certain acquisition-related dollar thresholds.

The Senate amendment contained no similar provision.

The Senate recedes.

SUBTITLE C—PROVISIONS RELATING TO MAJOR DEFENSE ACQUISITION PROGRAMS

Acquisition strategy required for each major defense acquisition program, major automated information system, and major system (sec. 821)

The House bill contained a provision (sec. 822) that would establish a new section in chapter 144 of title 10, United States Code, that requires an acquisition strategy for each major defense acquisition program and each major system approved by a Milestone Decision Authority (MDA).

The Senate amendment contained a similar provision (sec. 841).

The agreement includes a provision that combines these two provisions. The provision would mandate that the Department of Defense create an acquisition strategy for each major defense acquisition program, each major automated information system, and each major system approved by an MDA. The provision further outlines key areas that should be considered in the strategies, as well as a process for the periodic review of the strategy by the MDA.

Revision to requirements relating to risk management in development of major defense acquisition programs and major systems (sec. 822)

The House bill contained a provision (sec. 823) that would establish a new section in chapter 144 of title 10, United States Code that requires the program acquisition strategy for each major defense acquisition program or major system to include an identification of major program risks and a risk management and mitigation strategy.

The Senate amendment contained a similar provision (sec. 842).

The agreement includes a provision that combines these two provisions designed to reduce programmatic risk. The provision mandates that the program acquisition strategy specifically address approaches to manage and mitigate risks, and highlights a number of techniques that support such mitigation. The provision further highlights the importance of prototyping as a risk mitigation approach.

We expect that the risk mitigation aspects of a program acquisition strategy should be addressed with each increment of a program. Further, we expect that the comprehensive approach to risk mitigation should identify: each individual risk to the program; risk management and mitigation activities developed to address the risks; and resources to support those mitigation activities.

Revision of Milestone A decision authority responsibilities for major defense acquisition programs (sec. 823)

The House bill contained a provision (sec. 825) that would amend section 2366a of title 10, United States Code, to require the Milestone Decision Authority to make a written determination, in lieu of a certification, before approving milestone A.

The Senate amendment contained a similar provision (sec. 844).

The Senate recedes with an amendment that combines these two provisions. The provision establishes the Milestone Decision Authority's responsibility to ensure that an acquisition program has demonstrated sufficient knowledge to enter into a risk reduction phase following Milestone A and has sound plans to progress to the development phase before granting milestone approval. It specifies the considerations the milestone decision authority must take into account, thereby addressing the critical activities

that need to precede and occur during the succeeding risk reduction phase.

Revision of Milestone B decision authority responsibilities for major defense acquisition programs (sec. 824)

The House bill contained a provision (sec. 826) that would amend section 2366b of title 10, United States Code, to require the Milestone Decision Authority (MDA) to make a written determination, instead of a certification, for some of the existing certification requirements before approving milestone B.

The Senate amendment contained a similar provision (sec. 845).

The Senate recedes with an amendment that combines these two provisions.

The provision establishes the MDA's responsibility to ensure that an acquisition program has demonstrated sufficient knowledge to enter a development phase and has sound plans in place to deliver the required capability, before granting milestone approval. It specifies the considerations the MDA must take into account, thereby addressing the critical activities that need to precede and occur during the development phase. It further specifies that the MDA must certify that the program has a high likelihood of accomplishing its intended mission based on a formal post-preliminary design review assessment, and that the technology in the program has been demonstrated in a relevant environment based on an independent review and assessment.

Designation of milestone decision authority (sec. 825)

The Senate amendment contained a provision (sec. 843) that would amend section 2430 of title 10, United States Code, to designate the service acquisition executives as the milestone decision authority for major acquisition programs managed by the military services; require that if a program managed by the services breaches thresholds in the Nunn-McCurdy Act, section 2433 of title 10, United States Code, the Secretary of Defense shall revoke service milestone decision authority for the program; clarify that for service programs where the service acquisition executive is the milestone decision authority the Under Secretary of Defense for Acquisition, Technology, and Logistics would exercise advisory authority; require that the service secretaries and service chiefs certify in each Selected Acquisition Report that program requirements are stable and funding is adequate to meet cost, schedule, and performance objectives for each major defense acquisition program; require the Deputy Chief Management Officer to issue guidance to ensure that acquisition policy, guidance, and practices support a streamlined decision making and approval process that minimizes information requests on service managed programs; and require not later than 180 days after the enactment of this Act, the Secretary of Defense to submit to the congressional defense committees a plan to implement the Under Secretary of Defense for Acquisition, Technology, and Logistics advisory authority for service acquisition programs. The provision mandated implementation of the changes within 1 year of the date of enactment of the Act.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify that the provision would apply to new programs reaching milestone A after October 1, 2016; modify certain certification requirements; and require the Secretary of Defense to review the acquisition oversight process for major defense acquisition programs and limit outside requirements for documentation to an absolute

minimum on those service managed programs. We note that the Under Secretary of Defense for Acquisition, Technology, and Logistics should only exercise advisory authority, subject to the overall authority, direction, and control of the Secretary of Defense, over service acquisition programs for which the service acquisition executive is the milestone decision authority.

Tenure and accountability of program managers for program definition periods (sec. 826)

The Senate amendment contained a provision (sec. 846) that would require the Secretary of Defense to revise Department of Defense guidance for defense acquisition programs to address the tenure and accountability of program managers for the program definition period of defense acquisition programs.

The House bill contained no similar a provision.

The House recedes with an amendment to clarify the period of time to which the required guidance applies, and to include authority for the Secretary of Defense to adjust program management assignment tenures, under certain circumstances.

Tenure and accountability of program managers for program execution periods (sec. 827)

The Senate amendment contained a provision (sec. 847) that would address the tenure and accountability of program managers for the program execution period of defense acquisition programs.

The House bill contained no similar a provision.

The House recedes with an amendment to clarify the elements of the guidance to be issued as a result of the provision.

Penalty for cost overruns (sec. 828)

The Senate amendment contained a provision (sec. 849) under which each military department would pay an annual penalty in the amount of 3 percent of the cumulative cost overrun on all of its major defense acquisition programs (MDAPs).

The House bill contained no similar provision.

The House recedes.

Streamlining of reporting requirements applicable to Assistant Secretary of Defense for Research and Engineering regarding major defense acquisition programs (sec. 829)

The Senate amendment contained a provision (sec. 850) that would amend section 138(b) of title 10, United States Code, to change the scope of periodic reports the Assistant Secretary of Defense for Research and Engineering is required to deliver to the congressional defense committees, the Secretary of Defense, and the Undersecretary of Defense for Acquisition, Technology and Logistics.

The House bill contained no similar provision.

The House recedes.

Configuration Steering Boards for cost control under major defense acquisition programs (sec. 830)

The Senate amendment contained a provision (sec. 851) that would amend section 814 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417) to require each Configuration Steering Board to track any changes in program requirements for a major defense acquisition program and that all such changes must receive approval by the service chief in consultation with the service secretary.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify the types of changes required to be approved by the service chief.

Repeal of requirement for stand-alone manpower estimates for major defense acquisition programs (sec. 831)

The House bill contained a provision (sec. 856) that would consolidate the statutory requirement for a detailed manpower estimate prior to approval of development or production and deployment of a major defense acquisition program as established by section 2434 of title 10, United States Code, with the independent estimate of the full life-cycle cost of the program also required by section 2434.

The Senate amendment contained a similar provision (sec. 848).

The Senate recedes with an amendment that would require that the independent estimate of the full-life cycle costs of a program include the costs of training.

Revision to duties of the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation and the Deputy Assistant Secretary of Defense for Systems Engineering (sec. 832)

The House bill contained a provision (sec. 862) that would amend section 139b of title 10, United States Code, to clarify that the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation and the Deputy Assistant Secretary of Defense for Systems Engineering advise the Milestone Decision Authority regarding review and approval of developmental test plans and systems engineering plans.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize the Deputy Assistant Secretary of Defense for Developmental Test and Evaluation and the Deputy Assistant Secretary of Defense for Systems Engineering to review developmental test and evaluation and systems engineering master plans for major defense acquisition programs, respectively, and advise relevant technical authorities on the incorporation of best practices for programs under consideration.

SUBTITLE D—PROVISIONS RELATING TO ACQUISITION WORKFORCE

Amendments relating to Defense Acquisition Workforce Development Fund (sec. 841)

The House bill contained a provision (sec. 811) that would amend section 1705 of title 10, United States Code, to make permanent the authority for both the Defense Acquisition Workforce Development Fund and the associated expedited hiring authority.

The Senate amendment contained a provision (sec. 872) that would extend the Defense Acquisition Workforce Development Fund for 5 additional years and modify the requirements of the biennial strategic workforce plan to assess any new or expanded critical skills or competencies needed by the acquisition workforce. The Senate amendment also contained a provision (sec. 1106) that would extend the expedited hiring authority for designated defense acquisition workforce positions for 5 years.

The House recedes with an amendment that would combine the provisions. The provision would make permanent the authority for both the Defense Acquisition Workforce Development Fund and the associated expedited hiring authority, as well as making technical revisions to the administration of the Fund and to the biennial strategic workforce plan.

Dual-track military professionals in operational and acquisition specialties (sec. 842)

The House bill contained a provision (sec. 812) that would amend section 1722a of title

10, United States Code, by reinstituting a dual-tracking system of primary and functional secondary career fields for officers and noncommissioned officers serving in acquisition positions by dual-tracking such personnel in operational and acquisition career fields under the shared accountability and responsibility of the military service chiefs and component acquisition executives for career path management and selections.

The Senate amendment contained a similar provision (sec. 503) that would provide for an enhanced dual track career path in combat arms and a functional secondary career in acquisition to more closely align military operational requirements and acquisition and include business and commercial training as joint professional military education.

The Senate recedes.

We encourage the Secretary to ensure that the curriculum for Phase II joint professional military education includes matters in acquisition to ensure the successful performance in the acquisition or acquisition related fields.

Provision of joint duty assignment credit for acquisition duty (sec. 843)

The House bill contained a provision (sec. 813) that would amend section 668 of title 10, United States Code, by adding to the term “joint matters” the inclusion of acquisition matters addressed by military personnel.

The Senate amendment contained a similar provision (sec. 503) that would provide for credit for joint duty assignments for acquisition related assignments in order to broaden the promotion preference and career opportunities of military acquisition professionals.

The Senate recedes.

Mandatory requirement for training related to the conduct of market research (sec. 844)

The House bill contained a provision (sec. 815) that would amend section 2377 of title 10, United States Code, by adding a requirement that the Secretary of Defense shall provide mandatory training for members of the Armed Forces and employees of the Department of Defense responsible for the conduct of market research required under subsection (c) of section 2377 of title 10, United States Code.

The Senate amendment contained no similar provision.

The Senate recedes.

We note that the Department should consider using the Defense Acquisition Workforce Development Fund for training in market research and other training needed to improve the Department’s use of commercial contracting and pricing methods to better access commercial industry sources.

Independent study of implementation of defense acquisition workforce improvement efforts (sec. 845)

The House bill contained a provision (sec. 816) that would require the Secretary of Defense, within 30 days after the date of the enactment of this Act, to enter into a contract with an independent research entity that is a not-for-profit entity or a federally funded research and development center with appropriate expertise and analytical capability to carry out a comprehensive study of the Department of Defense’s strategic planning related to the defense acquisition workforce.

The Senate amendment contained no similar provision.

The Senate recedes.

Extension of authority for the civilian acquisition workforce personnel demonstration project (sec. 846)

The House bill contained a provision (sec. 817) that would amend section 1762 of title 10,

United States Code, by extending the demonstration project relating to certain acquisition personnel management policies and procedures through 2020.

The Senate amendment contained a similar provision (sec. 1110) that would amend section 1762, title 10, United States Code, to extend the Civilian Acquisition Workforce Personnel Demonstration Project under that section through December 31, 2020.

The House recedes.

SUBTITLE E—PROVISIONS RELATING TO
COMMERCIAL ITEMS

Procurement of commercial items (sec. 851)

The House bill contained a provision (sec. 804) that would: 1) amend chapter 140 of title 10, United States Code, by adding a new section that would require the Secretary of Defense to establish and maintain a centralized capability with the resources and expertise to oversee the making of commercial item determinations for Department of Defense procurements and to provide public access to Department of Defense commercial item determinations; and 2) would amend section 2306a (b) of title 10, United States Code, to allow the contracting officer to presume that a prior commercial item determination made by a military department, Defense Agency, or other component of the Department of Defense shall serve as a determination for subsequent procurements of such items.

The Senate amendment contained a similar provision (sec. 863) that would require the modification to the Defense Federal Acquisition Regulation Supplement to address the continuing validity of commercial item determinations for multiple procurements.

The Senate recedes with an amendment that would combine both provisions and make technical and conforming changes.

Modification to information required to be submitted by offeror in procurement of major weapon systems as commercial items (sec. 852)

The House bill contained a provision (sec. 805) that would amend section 2379 of title 10, United States Code, by striking the requirement that in making a determination that an item is a commercial item, the contracting officer shall determine in writing that the offeror of the item has submitted sufficient information to evaluate, through price analysis, the reasonableness of the price for such item.

The Senate amendment contained a similar provision (sec. 864).

The Senate recedes with an amendment that would clarify the hierarchy of information that can be requested by the Department of Defense to be submitted by a contractor to support a price reasonableness determination.

Use of recent prices paid by the Government in the determination of price reasonableness (sec. 853)

The House bill contained a provision (sec. 852) that would amend section 2306a of title 10, United States Code, by adding a new paragraph that would require a contracting officer to consider evidence provided by an offeror of recent purchase prices paid by the Government for the same or similar commercial items in establishing price reasonableness.

The Senate amendment contained no similar provision.

The House recedes.

Report on defense-unique laws applicable to the procurement of commercial items and commercially available off-the-shelf items (sec. 854)

The Senate amendment contained a provision (sec. 861) that would amend section 2375

of title 10, United States Code, to require the establishment of a list in the Defense Federal Acquisition Regulation Supplement of inapplicable defense-unique statutes to contracts for commercial items and commercial available off-the-shelf items.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Department of Defense to report to the congressional defense committees identifying the defense-unique provisions of law that are applicable for the procurement of commercial items or commercial-off-the shelf items, both at the prime and subcontract level.

Market research and preference for commercial items (sec. 855)

The Senate amendment contained a provision (sec. 862) that would require the Under Secretary of Defense for Acquisition, Technology and Logistics to issue guidance to ensure that defense acquisition officials fully comply with the requirements of section 2377 of title 10, United States Code.

The House bill contained no similar provision.

The House recedes.

Limitation on conversion of procurements from commercial acquisition procedures (sec. 856)

The Senate amendment contained a provision (sec. 865) that would limit the conversion of the procurement of a commercial item or commercial service to a non-commercial acquisition procedure unless the Secretary of Defense certifies to the congressional defense committees that the Department of Defense will realize a significant cost savings as compared to the cost of procuring a similar quantity of such item or level of service using commercial acquisition procedures.

The House bill contained no similar provision.

The House recedes with an amendment that would require a written determination to be made prior to any conversion of the procurement of commercial items to a non-commercial acquisition procedure. We also require the Secretary of Defense to establish procedures to track conversions of future contracts and subcontracts for improved analysis and reporting.

Treatment of goods and services provided by nontraditional defense contractors as commercial items (sec. 857)

The Senate amendment contained a provision (sec. 866) that would amend chapter 140 of title 10, United States Code, to include a new provision that would authorize the Department of Defense to treat goods and services provided by a non-traditional contractor as defined in section 2302(9) of title 10, United States Code, as a commercial item.

The House bill contained no similar provision.

The House recedes.

SUBTITLE F—INDUSTRIAL BASE MATTERS
Amendment to Mentor-Protégé Program (sec. 861)

The House bill contained a provision (sec. 831) that would codify the Department of Defense Mentor-Protégé Pilot Program in Title 10 United States Code as a permanent program.

The Senate amendment contained a provision (sec. 877) that would extend the authorization for Department of Defense Mentor-Protégé Pilot Program by 1 year.

The House recedes with an amendment that would clarify the eligibility requirements, forms of assistance, extension of the authorization and reporting requirements.

We note that the Congressionally-man-dated Mentor Protégé program is intended to support efforts of small and disadvantaged businesses to partner with established defense suppliers to improve their ability to deliver needed technologies and services to the Department of Defense. The committee is concerned that the program may not always be executed to most effectively achieve mandated goals. Analysis of this program indicates that in some cases, protégé firms participating in this program had received millions of dollars in federal prime contract awards prior to the establishment of their Mentor-Protégé agreements, indicating they may have possessed sufficient ability to market their goods and services to federal customers without the need for additional developmental assistance.

We direct the Secretary of Defense to report to the House Committee on Armed Services and the Senate Committee on Armed Services, within 90 days of the enactment of this Act, on changes to program policy and metrics that would ensure the program meets the goal of enhancing the defense supplier base in the most effective and efficient manner. The report shall include recommendations to better direct the developmental assistance to the most appropriate disadvantaged small business concerns, including nontraditional defense contractors currently providing goods or services in the private sector that are most critical to enhancing the capabilities of the defense supplier base and fulfilling key Department needs. The report shall describe how the Department will strengthen the review processes of program investments to ensure activities proposed in developmental plans are necessary for the protégé's development, taking into account the protégé's reported prime contract and subcontract awards, and that mentors are obtaining the best value for all reimbursed activities. The report shall also assess alternate models for incentives for participation by mentor companies in the program other than direct reimbursement, and shall detail program metrics that would enable the Department evaluate the program's return on investment and the actual impact of the development assistance on the protégé's ability to support DOD needs. We recommend that the Secretary ensure that the annual reports generated by the Defense Contract Management Agency are sufficient to be used to evaluate team performance and mentor reimbursement.

Further, we direct the U.S. Comptroller General of the United States, within 1 year of enactment of this Act, report to the House Committee on Armed Services and the Senate Committee on Armed Services, with an assessment of the efficacy of the DOD Mentor-Protégé pilot program, recommend ways to harmonize the DOD Mentor-Protégé pilot program with the Small Business Administration's Mentor-Protégé program, and discuss whether the reimbursement mechanism for the DOD Mentor-Protégé pilot program should be maintained.

Amendments to data quality improvement plan (sec. 862)

The House bill contained a provision (sec. 832) that would amend section 15(s) of the Small Business Act (15 U.S.C. 644(s)) to require the Administrator of the Small Business Administration to annually provide to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate certification of the accuracy and completeness of data reported on bundled and consolidated contracts. This section

would also require the Comptroller General of the United States to provide a report to the aforementioned committees not later than the first day of fiscal year 2019 on the effectiveness of the certification process and an assessment of whether contracts were accurately labeled as bundled or consolidated.

The Senate amendment contained no similar provision.

The Senate recedes.

Notice of contract consolidation for acquisition strategies (sec. 863)

The House bill contained a provision (sec. 833) that would amend section 44(c)(2) of the Small Business Act (15 U.S.C. 657q(c)(2)) to require the senior procurement executive or chief acquisition officer to announce through a public website that a determination has been made to bundle or consolidate contracts within 1 week of making the determination, but no later than 1 week prior to the issuance of a solicitation.

The Senate amendment contained no similar provision.

The Senate recedes.

Clarification of requirements related to small business contracts for services (sec. 864)

The House bill contained a provision (sec. 834) that would amend section 8(a)(17) of the Small Business Act (15 U.S.C. 637(a)(17)) to clarify that the statute applies to contracts for goods, but not services or construction. We note that the non-manufacturer rule (NMR) was established to ensure that, when competition for a contract for goods is restricted to small businesses, the goods ultimately purchased were indeed the product of a small business. However, we are concerned that the NMR is being applied to services and construction contracts and could limit small business participants contracting for services and construction to the Federal Government. Therefore, we believe this clarification to section 8(a)(17) is necessary.

The Senate amendment contained no similar provision.

The Senate recedes.

Certification requirements for Business Opportunity Specialists, commercial market representatives, and procurement center representatives (sec. 865)

The House bill contained a provision (sec. 840) that would amend section 15 and section 4 of the Small Business Act (15 U.S.C. 644 and 633, respectively) to set certification requirements for commercial market representatives and to modify the current certification requirements for procurement center representatives and Business Opportunity Specialists.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Modifications to requirements for qualified HUBZone small business concerns located in a base closure area (sec. 866)

The House bill contained a provision (sec. 842) that would amend section 152(a)(2) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note) to extend the length of time covered base closure areas may participate in the Historically Underutilized Business Zone (HUBZone) program to either 8 years or until the Small Business Administration announces which areas will qualify for the HUBZone program after the next decennial census data is released. This section would also amend section 3(p)(5)(A)(i)(1) of the Small Business Act (15 U.S.C. 632(p)(5)(A)(i)(I)) to include allowed covered

base closure area HUBZone participants to meet the program's employment requirements by hiring 35 percent of their employees from any qualified HUBZone, and would amend section 3(p)(4)(D) of the Small Business Act (15 U.S.C. 632(p)(4)(D)) to extend physical boundaries of the covered base closure area, for purpose of the HUBZone program, to include lands within a 25-mile radius of the base.

The Senate amendment contained two similar provisions (sec. 882 and 883) that would amend the Small Business Act, title 15, United States Code to authorize the inclusion of qualified disaster areas to the Historically Underutilized Business Zone program administered by the Small Business Administration and to authorize the inclusion of base closure areas to the Historically Underutilized Business Zone program administered by the Small Business Administration.

The Senate recedes with an amendment that would combine both provisions.

Joint venturing and teaming (sec. 867)

The House bill contained a provision (sec. 843) that would amend section 15(e)(4) and 15(q)(1) of the Small Business Act (15 U.S.C. 644(e)(4) and 15 U.S.C. 644(q)(1)), respectively, by requiring agencies to give due consideration to the capabilities and past performances of the small businesses that submit offers as teams or joint ventures when the contract is bundled, consolidated, or for a multiple-award contract.

The Senate amendment contained no similar provision.

The Senate recedes.

Modification to and scorecard program for small business contracting goals (sec. 868)

The House bill contained a provision (sec. 844) that would codify a requirement to publish a scorecard on agency achievements regarding contract awards to small businesses and require a Government Accountability Office report on the effectiveness of the scorecard methodology.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment to remove the requirement for the establishment and execution of the program before the end of fiscal year 2017.

Establishment of an Office of Hearings and Appeals in the Small Business Administration; petitions for reconsideration of size standards (sec. 869)

The House bill contained a provision (sec. 845) that would amend section 5 of the Small Business Act (15 U.S.C. 634) that would establish an Office of Hearings and Appeals in the Small Business Administration that would review petitions for the revision of small business size standards.

The Senate amendment contained no similar provision.

The Senate recedes.

Additional duties of the Director of Small and Disadvantaged Business Utilization (sec. 870)

The Senate amendment contained a provision (sec. 885) that would require the small business offices in the Office of the Secretary of Defense and the military departments to serve as intermediaries between small businesses and contracting officials prior to the award of contracts in cases where a small business prospective contractor notifies the small business office that it has reason to believe that the contracting process has been modified to preclude a small business from bidding on the contract or would give an-

other contractor an unfair competitive advantage.

The House bill contained no similar provision.

The House recedes with an amendment that would amend section 15(k) of the Small Business Act (title 15, United States Code, section 644) to describe the responsibilities of federal agency Office of Small and Disadvantaged Business Utilization offices in cases where a small business concern prior to the award of a contract believes that a solicitation, request for proposal, or request for quotation might unduly restrict the ability of the small business concern to compete for the award.

Including subcontracting goals in agency responsibilities (sec. 871)

The House bill contained a provision (sec. 841) that would amend section 1633(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to include consideration of success in attainment of small business subcontracting goals as part of agency responsibilities.

The Senate amendment contained no similar provision.

The Senate recedes.

Reporting related to failure of contractors to meet goals under negotiated comprehensive small business subcontracting plans (sec. 872)

The Senate amendment contained a provision (sec. 828) that would amend section 834(d) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101-189) to require the Secretary of Defense to report to Congress on any negotiated comprehensive subcontracting plan that the Secretary determines did not meet the subcontracting goals negotiated in the plan for the prior fiscal year.

The House bill contained no similar provision.

The House recedes.

Pilot program for streamlining awards for innovative technology projects (sec. 873)

The Senate amendment contained a provision (sec. 831) that would establish a pilot program to provide an exception from the requirements under sections 2306a(1) and 2313 of title 10, United States Code, for contracts or subcontracts valued at less than \$7.5 million that are awarded based on a technical merit based selection procedure.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Surety bond requirements and amount of guarantee (sec. 874)

The House bill contained a provision (sec. 839) that would: (1) amend section 411 of the Small Business Investment Act of 1958 (15 U.S.C. 694b(c)(1)) to increase the guarantee rate for surety bonds issued pursuant to the Small Business Administration's (SBA) Preferred Program to 90 percent; (2) amend chapter 93 of title 31, United States Code, to require that individual sureties have sufficient assets to redeem the bonds; and (3) provide for a study by the Comptroller General of the effects of these changes on small and disadvantaged business enterprises.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would retain the provision addressing the SBA program and the provision governing the use of individual sureties. However, each provision will be subject to a 1-year delay in implementation to allow for

the necessary rulemaking. The agreement does not retain the provisions amending the SBA surety bond program, nor does it provide for a study by the Comptroller General.

We believe the compromise will allow for greater protection of federal agencies and subcontractors protected by surety bonds, while allowing the SBA more time to document the effects of changes to the surety bond program made by section 1695 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239).

Review of Government access to intellectual property rights of private sector firms (sec. 875)

The House bill contained a provision (sec. 835) that would require the Secretary of Defense to enter into a contract with an independent entity with appropriate expertise to conduct a review of Department of Defense regulations and practices related to Government access to and use of intellectual property rights of private sector firms.

The Senate amendment contained no similar provision.

The Senate recedes.

Inclusion in annual technology and industrial capability assessments of a determination about defense acquisition program requirements (sec. 876)

The House bill contained a provision (sec. 322) that would amend section 2505 of title 10, United States Code, to include in the required periodic assessment of defense capability an additional requirement for the Secretary of Defense to also determine the extent to which the requirements associated with defense acquisition programs can be satisfied by the present and projected performance capacities of industries supporting the sectors or capabilities in the assessment and evaluate the reasons for any variance from applicable preceding determinations.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the review of the number of industry sources and whether requirements could be satisfied by industries not actively supporting the Department of Defense.

SUBTITLE G—OTHER MATTERS

Consideration of potential program cost increases and schedule delays resulting from oversight of defense acquisition programs (sec. 881)

The House bill contained a provision (sec. 851) that would amend section 139 of title 10, United States Code, by including a new subsection that would require the Director of Operational Test and Evaluation to consider the potential for increases in program cost estimates or delays in schedule estimates in the implementation of policies, procedures, and activities related to operational test and evaluation, and to take appropriate action to ensure that the conduct of operational test and evaluation activities do not unnecessarily impede program schedules or increase program costs.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require that all relevant Department of Defense acquisition, management and oversight agencies consider the potential for increases in program costs or cost estimates or delays resulting from their office's oversight efforts with regards to defense acquisition.

Examination and guidance relating to oversight and approval of services contracts (sec. 882)

The House bill contained a provision (sec. 857) that would require the Under Secretary

of Defense for Acquisition, Technology, and Logistics to complete an examination by March 1, 2016, of the decision authority related to acquisition of services and to develop and promulgate guidance to improve capabilities related to services contracts requirements development, source selection, and contract oversight and management.

The Senate amendment contained no similar provision.

The Senate recedes.

Streamlining of requirements relating to defense business systems (sec. 883)

The House bill contained a provision (sec. 858) that would revise section 2222 of title 10, United States Code, to clarify responsibilities for the management of defense business information technology systems. As a result, this section would repeal the current reporting requirement contained in section 2222 of title 10, United States Code, and insert a new annual reporting requirement through the year 2020 on the revised requirements of section 2222.

The Senate amendment contained a similar provision (section 871).

The agreement includes a provision that would combine the two provisions. The revised section 2222 of title 10, United States Code, streamlines the requirements for development and management of business systems, as well as associated reporting requirements; mandates elements of guidance to be issued by the Secretary of Defense on investments in and acquisition of business systems; clarifies the responsibilities of senior officials in the acquisition and management of business systems; and emphasizes the need for robust business process engineering prior to investment in commercial technology or the modification of commercial systems for use by the Department of Defense.

Procurement of personal protective equipment (sec. 884)

The House bill contained a provision (sec. 860) that would ensure the Secretary of Defense uses best value contracting methods to the maximum extent practicable when procuring an item of personal protective equipment.

The Senate amendment contained a similar provision (sec. 824) that would: (1) prohibit the use of reverse auctions and lowest priced technically acceptable (LPTA) contracting methods for the procurement of personal protective equipment where the level of quality needed or the failure of the item could result in combat casualties; and (2) establish a preference for best value contracting methods when procuring such equipment.

The Senate recedes with an amendment to combine the two provisions to ensure that the Department of Defense to the maximum extent practicable uses best value criteria for the procurement of these items.

We are concerned that an overarching bias towards reducing prices paid by the Department of Defense (DOD) to the exclusion of other factors could result in DOD buying low cost products that have the potential to negatively impact the safety of U.S. military personnel. We believe this could be a particular problem with the quality of personal protective equipment such as combat helmets, body armor, ballistic eye protection, and other similar individual equipment issued to U.S. military personnel.

Amendments concerning detection and avoidance of counterfeit electronic parts (sec. 885)

The House bill contained a provision (sec. 861) that would amend section 818(c)(2)(B) of the National Defense Authorization Act for

Fiscal Year 2012 (Public Law 112—81) to expand the eligibility for covered contractors to include costs associated with rework and corrective action related to counterfeit electronic parts as allowable costs under Department of Defense contracts.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would allow the Department of Defense to approve of industry-selected trusted suppliers.

Exception for AbilityOne products from authority to acquire goods and services manufactured in Afghanistan, Central Asian States, and Djibouti (sec. 886)

The House bill contained a provision (sec. 865) that would amend Section 886 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note) and Section 1263 of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) to exclude items that can be procured under the AbilityOne procurement list outlined in section 8503(a) of title 41, United States Code from preferred local procurement in Afghanistan, Iraq, Central Asia, and Djibouti.

The Senate amendment contained a similar provision (sec. 884) that would amend section 886 National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note) and section 801 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84) to exclude items in the procurement list described in section 8503(a) of title 41 from preferred local procurement in Afghanistan and Central Asia, if such a good can be produced and delivered by a qualified non-profit agency for the blind or a non-profit agency for other severely disabled in a timely fashion to support mission requirements.

The House recedes with a technical amendment.

Effective communication between government and industry (sec. 887)

The House bill contained a provision (sec. 866) that would require the Federal Acquisition Regulatory Council to prescribe a regulation making clear that agency acquisition personnel are permitted and encouraged to engage in responsible and constructive exchanges with industry, so long as those exchanges are consistent with existing law and regulation and do not promote an unfair competitive advantage to particular firms.

The Senate amendment contained no similar provision.

The Senate recedes.

Standards for procurement of secure information technology and cyber security systems (sec. 888)

The House bill contained a provision (sec. 870) that would require the Secretary of Defense to conduct an assessment of the application of the Open Trusted Technology Provider Standard to Department of Defense procurements for information technology and cyber security acquisitions.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would expand on the types of open technology standards to be assessed.

Unified information technology services (sec. 889)

The Senate amendment contained a provision (sec. 873) that would require the Department of Defense to conduct a business case analysis to determine the most effective and efficient way to acquire common services across Department of Defense (DOD) networks and ensure interoperability and competition.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Cloud strategy for Department of Defense (sec. 890)

The Senate amendment contained a provision (sec. 874) that would require the Chief Information Officer (CIO) of the Department of Defense to develop a cloud strategy for the secret level of classified data and the Secret Internet Protocol network (SIPRnet). The provision would also require the CIO to develop a consistent pricing and cost recovery process for the use by Department of Defense components of the Intelligence Community's cloud services. The provision would also require the CIO to assess the feasibility and advisability of imposing a minimum set of open standards for cloud infrastructure, middle-ware, metadata, and application programming interfaces to promote interoperability, information sharing, access to data, and competition.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Development period for Department of Defense information technology systems (sec. 891)

The Senate amendment contained a provision (sec. 875) that would amend section 2445b of title 10, United States Code, to modify requirements applicable to a major automated information system program that fails to achieve a full deployment decision within 5 years after the initiation of the program.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Revisions to pilot program on acquisition of military purpose nondevelopmental items (sec. 892)

The Senate amendment contained a provision (sec. 876) that would amend section 866 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) to expand the applicability of the pilot program on the acquisition of military purpose nondevelopmental items to additional classes of contractors and apply the standards of the Competition in Contracting Act of 1984 (10 U.S.C. 2304) to these contracts.

The House bill contained no similar provision.

The House recedes.

Improved auditing of contracts (sec. 893)

The Senate amendment contained a provision (sec. 878) that would authorize the Defense Contract Audit Agency (DCAA) to provide outside audit support to non-Defense Agencies upon certification that the backlog for incurred cost audits is less than 12 months of incurred cost inventory.

The House bill contained no similar provision.

The House recedes with an amendment that would prohibit the DCAA from providing outside audit support to non-Defense Agencies until DCAA certifies that the backlog for incurred costs is less than 18 months of incurred-cost inventory, not require the Secretary of Defense to use outside auditing staff to help address DCAA's audit backlog, and streamline reporting requirements.

Sense of Congress on evaluation method for procurement of audit or audit readiness services (sec. 894)

The House bill contained a provision (sec. 864) that would require the Secretary of De-

fense to establish values and metrics for the procurement of audit or audit readiness services and review the offeror's past performance before using a lowest price, technically acceptable evaluation method for the procurement of such services.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment stating that before using the lowest price, technically acceptable evaluation method for the procurement of audit or audit readiness services, the Secretary of Defense should establish the values and metrics for evaluating companies offering audit services, including financial management and audit expertise and experience, personnel qualifications and certifications, past performance, technology, tools, and size.

Mitigating potential unfair competitive advantage of technical advisors to acquisition programs (sec. 895)

The Senate amendment contained a provision (sec. 881) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics to issue guidance on identifying and addressing potential unfair competitive advantage of technical advisors to acquisition officials.

The House bill contained no similar provision.

The House recedes with an amendment to revise the guidance required under the provision.

We believe that the technical advisors described in the provision include contractors, federally funded research and development centers, university-affiliated research centers, non-profit entities, and federal laboratories that provide systems engineering and technical direction, participate in technical evaluations, support preparation of specifications or work statements, or otherwise provide technical advice to acquisition officials on the conduct of defense acquisition programs. We further believe that "potentially unfair competitive advantage" includes unequal access to acquisition officials responsible for award decisions or allocation of resources, or to acquisition information relevant to award decisions or allocation of resources.

In responding to this provision, we expect the Secretary to review these definitions, as well as the efficacy of current conflict-of-interest policies, the use of non-disclosure agreements, the application of appropriate regulations, and decisions to allocate resources through direct award of funds to intramural programs or sole-source task orders to entities that provide technical advice on defense programs versus open and competitive extramural solicitations. Based on the results of this review, we expect the Secretary to review and revise guidance to clarify these issues if necessary.

We also expect the Secretary to develop metrics and processes for collecting and evaluating complaints and concerns relating to examples of the exploitation of unfair competitive advantage by technical advisors.

Survey on the costs of regulatory compliance (sec. 896)

The Senate amendment contained a provision (sec. 879) that would require the Secretary of Defense to conduct a survey of defense contractors with the highest level of reimbursements for cost-type contracts and identify the cost to industry of regulatory compliance with government unique acquisition regulations and requirements that are not imposed on commercial item contracts.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Treatment of interagency and State and local purchases when the Department of Defense acts as contract intermediary for the General Services Administration (sec. 897)

The House bill contained a provision (sec. 847) on the sense of Congress on the treatment of the procurement of fire hoses.

The Senate amendment contained a similar provision (sec. 830) that would clarify that the requirements under chapter 148 of title 10, United States Code would not apply to a contract executed by the Department of Defense where the Department is acting as an intermediary for the General Services Administration (GSA) for purchase of products by other federal agencies or state and local governments.

The House recedes.

We note that the chapter 148 process of obtaining a domestic non-availability determination of certain products, such as fire hoses, could have a significant effect on the ability of Federal agencies to respond to natural disasters or other emergencies.

Competition for religious services contracts (sec. 898)

The Senate amendment contained a provision (sec. 829) that would ensure that non-profit organizations can compete for contracts for religious related services on a United States military installation.

The House bill contained no similar provision.

The House recedes.

Pilot program regarding risk-based contracting for smaller contract actions under the Truth In Negotiations Act (sec. 899)

The Senate amendment contained a provision (sec. 823) that would amend the Truth in Negotiations Act (Public Law 87-653; 10 U.S.C. section 2306a) to raise the threshold for the requirement to provide certified cost or pricing data in non-price competitive procurements on non-commercial items from the current \$750,000 to \$5.0 million and require the Department of Defense (DOD) to establish a risk-based contracting approach, under which certified cost or pricing data would be required for a risk-based sample of contracts, to ensure that DOD is getting fair and reasonable prices for such contracts.

The House bill contained no similar provision.

The House recedes with an amendment that would establish a pilot program to test this authority.

LEGISLATIVE PROVISIONS NOT ADOPTED

Sense of Congress on the desired tenets of the defense acquisition system

The House bill contained provisions (sec. 800 and sec. 821) that express the sense of Congress that acquisition reform efforts and weapon system acquisitions require improvement.

The Senate amendment contained no similar provision.

The House recedes.

We note the concern that the incentives of the current acquisition system lead to too many defense acquisitions concurrently chasing finite dollars. We are concerned that the Nation often endures weapons delivered late, at too high of a cost, with performance that falls short, and that are difficult and costly to maintain. Furthermore, the conventional acquisition process is not sufficiently agile to support warfighter demands.

We express the need for reform for national security reasons to maintain technological

and military dominance. We are concerned that the current process is so rigid and time-consuming that the Department is often unable to effectively tap into the innovation occurring in the commercial marketplace. We note that commercial research and development (R&D) now represents 75 percent of the national total, and global R&D is now more than twice that of the United States. We suggest that removing unnecessary legislative, regulatory, and cultural barriers to new commercial competitions is necessary to create better incentives for and increased access to innovation beyond the Department. We believe these steps are critical for national security in the future, especially in areas such as cyber security, robotics, data analytics, miniaturization, and autonomy.

We are concerned that the Department of Defense currently lacks effective oversight over a contracted services portfolio that has grown in magnitude over the last decade. The military departments and defense agencies have failed to adopt leading private sector best practices in the acquisition and management of commercially available services and information technologies. Departmental leadership has limited insight into the services being acquired and even less awareness of the services that may be needed in the future.

We believe that the acquisition reform provisions in this bill are a first start in addressing these challenges but it will require all stakeholders in the acquisition system—the Department of Defense, Congress, and industry—to work together to achieve success. Success will be measured by the timely delivery of affordable and effective military equipment and services. We will continue to work for an acquisition system that is more proactive, agile, transparent, and innovative.

Independent study of matters related to bid protests

The House bill contained a provision (sec. 803) that would require the Secretary of Defense to enter into a contract, within 180 days after the date of the enactment of this Act, with an independent research entity that is a not-for-profit entity or a federally funded research and development center with appropriate expertise and analytical capability to carry out a comprehensive study of factors leading to bid protests.

The Senate amendment contained a similar provision (sec. 880) that would require a report by the Government Accountability Office on bid protests.

The agreement does not include either of these provisions.

Compliance with inventory of contracts for services

The House bill contained a provision (sec. 807) that would limit the expenditure of funds authorized for the operation of the Office of the Under Secretary of Defense for Personnel and Readiness until certain conditions are met regarding the Department of Defense's compliance with the requirement for an inventory of contracts for services.

The Senate amendment contained no similar provision.

The House recedes.

We continue to recognize the value of obtaining better visibility over the use of services contracts by defense components and agencies to better understand how contracted services are being used to support Department of Defense missions. We note a distinction between services contracts which are measured in the same manner as staff augmentation contracts of contractor full-time equivalents and performance-based

services contracts and other services contracts which rely on a high degree of embedded capital equipment and business process re-engineering. We direct the Secretary of Defense to examine the approach the Department is taking to comply with section 2330a, United States Code, and determine whether it is or is not producing a product that enhances the oversight of service contracting activities and submit a report explaining the results of that examination to the congressional defense committees no later than March 1, 2016, including efforts to better manage contractor and civilian personnel costs within the Department. We recognize the information technology aspects of the inventory present technical challenges and encourage the Secretary of Defense to investigate and pursue existing Department of Defense and service component information technology systems which could present a timely solution and provide data relevant to strategic workforce planning. To the extent that the Secretary identifies that the process and technology are not producing an oversight-enhancing product, we expect the Secretary to propose an alternative method of inventory.

Requirement for acquisition skills assessment biennial strategic workforce plan

The House bill contained a provision (sec. 814) that would amend section 115b of title 10, United States Code, which requires the Secretary of Defense to submit a biennial strategic workforce plan on critical skills and competencies of the civilian employee workforce of the Department of Defense, to include an additional assessment of new or expanded critical skills and competencies needed by the civilian employee workforce to address new acquisition process requirements established by law or policy.

The Senate amendment contained no similar provision.

The House recedes.

Modification to requirements relating to determination of contract type for major defense acquisition programs and major systems

The House bill contained a provision (sec. 824) that would amend section 2306 of title 10, United States Code, by adding a new subsection, and repealing the requirements in certain subsections of section 818 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364), relating to the modification of Department of Defense regulations.

The Senate amendment contained a related provision (sec. 821) that would require the Defense Federal Acquisition Regulation Supplement to be revised to establish a preference for fixed-price contracts, including fixed-price incentive contracts, in the determination of contract type for development programs.

The agreement does not include either provision.

Requirement that certain ship components be manufactured in the national technology and industrial base

The House bill contained a provision (sec. 836) that would amend section 2534(a) of title 10, United States Code, and would require certain auxiliary ship components to be procured from a manufacturer in the national technology and industrial base.

The Senate amendment contained no similar provision.

The House recedes.

Policy regarding solid rocket motors used in tactical missiles

The House bill contained a provision (sec. 837) that would require the Secretary of De-

fense to ensure that every tactical missile program of the Department of Defense that uses solid propellant as the primary propulsion system shall have at least one rocket motor supplier within the national technology and industrial base and would allow the Secretary to waive this requirement in the case of compelling national security reasons.

The Senate amendment contained no similar provision.

The House recedes.

We agree on the importance of sustaining rocket motor production options to ensure a healthy tactical missile industrial base.

FAR Council membership for administrator of Small Business Administration

The House bill contained a provision (sec. 838) that would amend section 1302 of title 41, United States Code, by adding the Administrator of the Small Business Administration to the Federal Acquisition Regulatory (FAR) Council.

The Senate amendment contained no similar provision.

The House recedes.

We believe that the FAR Council should work closely with the Small Business Administration to ensure that consistent regulations are issued from both organizations, to the benefit of both Federal agencies and their small business contractors.

Limitations on reverse auctions

The House bill contained a provision (sec. 846) that would amend the Small Business Act (15 U.S.C. §631 et. seq.) to prohibit the use of reverse auctions for the purchase of construction services; goods purchased to protect Federal employees, members of the Armed Forces, or civilians from bodily harm; and goods or services awarded based on factors other than price and technical responsibility if the contract is awarded using a Small Business Act procurement authority. For all other reverse auctions conducted using a Small Business Act procurement authority, the provision required training of contracting officers, restricted the activities that could be undertaken by third-party agents, required honesty in price rankings, and required that revisions to offers be permitted throughout the course of the auction.

The Senate amendment contained no similar provision.

The House recedes.

We note that similar language independent of the Small Business Act and applicable only to the Department of Defense was adopted as section 824 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291). Recognizing that two-thirds of reverse auctions are conducted outside of the Department of Defense, we see value in addressing the use of this procurement method in civilian agencies but believe it is premature to place additional restrictions upon the Department until section 824 of last year's authorization is implemented.

Extension of limitation on aggregate annual amount available for contract services

The House bill contained a provision (sec. 863) that would extend the limitation on the aggregate annual amount available for contract services.

The Senate amendment contained no similar provision.

The House recedes.

Strengthening program and project management performance by the Department of Defense

The House bill contained a provision (sec. 867) that would require the Director of the

Office of Management and Budget to develop a plan to strengthen program and project management performance for improving management of IT programs and projects.

The Senate amendment contained a similar provision (sec. 810) that would outline Department of Defense responsibilities under chapter 87 of title 10, United States Code for improving program and project management.

The agreement does not include either provision.

Synchronization of defense acquisition curricula

The House bill contained a provision (sec. 868) that would require that the President of the Defense Acquisition University convene an annual review board to synchronize defense acquisition curricula across the Department of Defense.

The Senate amendment contained no similar provision.

The House recedes.

We note that the Defense Acquisition University (DAU) plays an important role in enhancing the quality and innovative capacity of the defense acquisition workforce. DAU training and education will be critical to enable the workforce to better position DOD to access global and commercial technologies and services, as well as to put the tenets of acquisition reform into actual practice. We urge DAU to work with other educational institutions within and outside DOD to leverage a wide array of available expertise and synchronize acquisition educational activities, best practices and curricula. Further, in order to enhance education and training of the acquisition workforce and support effective acquisition reform, we direct DAU to engage with leading educational and research experts on procurement and acquisition issues from both within and outside the Federal Government, including through personal exchanges, joint studies and analyses, and other interactions.

Research and analysis of defense acquisition policy

The House bill contained a provision (sec. 869) that would amend section 1746(a) of title 10, United States Code to add examples of academic institutions that could be used for the research and analysis of defense acquisition policy issues.

The Senate amendment contained no similar provision.

The House recedes.

Modifications to the justification and approval process for certain sole-source contracts for small business concerns

The House bill contained a provision (sec. 871) that would repeal the requirement for the simplified justification and approval process established in section 811 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2405; 41 U.S.C. 3304 note).

The Senate amendment contained no similar provision.

The House recedes.

Annual report on foreign procurements

The Senate amendment contained a provision (sec. 886) that would require the Secretary of Defense to provide a report relating to specific foreign procurements by the Department of Defense that result from waivers to the Buy America Act.

The House bill had no similar provision.

The Senate recedes.

We note that the Department's Report to Congress on Fiscal Year 2014 Purchases from Foreign Entities identified approximately \$5.4 billion in spending on nearly 23,000 pur-

chases for which the restrictions of the Buy America Act are not applicable because they are for items that are manufactured and used outside the United States.

We direct the Secretary of Defense to submit to the appropriate congressional defense committees a report listing specific procurements by the Department of Defense in fiscal year 2016 of articles, materials, or supplies valued greater than \$5.0 million, using the exception under section 8302(a)(2)(A) of title 41, United States Code, relating to articles, materials, and supplies for use outside the United States. We note that this report may be submitted as part of the report required under section 8305 of such title.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

LEGISLATIVE PROVISIONS ADOPTED

Update of statutory functions of the Chairman of the Joint Chiefs of Staff relating to joint force development activities (sec. 901)

The House bill contained a provision (sec. 903) that would amend section 153(a)(5), title 10, United States Code, by adding a new subsection that would require the Chairman of the Joint Chiefs of Staff to advise the Secretary of Defense on development of joint command, control, communications and cyber capability, including integration and interoperability of such capability through requirements, integrated architectures, data standards and assessments.

The Senate amendment contained a similar provision (sec. 901).

The Senate recedes.

Sense of Congress on the United States Marine Corps (sec. 902)

The House bill contained a provision (sec. 904) that would express the sense of Congress that the United States Marine Corps, within the Department of the Navy, should remain the Nation's expeditionary crisis response force and that the Marine Corps should be organized, trained, and equipped in the manner and for such purposes specified in section 5063 of title 10, United States Code.

The Senate amendment contained a similar provision (sec. 1048).

The Senate recedes with a clarifying amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

Redesignation of the Department of the Navy as the Department of the Navy and Marine Corps

The House bill contained a provision (sec. 901) that would redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

The Senate amendment contained no similar provision.

The House recedes.

Change of period for Chairman of the Joint Chiefs of Staff review of the Unified Command Plan

The House bill contained a provision (sec. 902) that would amend section 161(b)(1) of title 10, United States Code, to change the period for Chairman of the Joint Chiefs of Staff review of the Unified Command Plan from 2 years to 4 years.

The Senate amendment contained no similar provision.

The House recedes.

Reorganization and redesignation of Office of Family Policy and Office of Community Support for Military Families with Special Needs

The Senate amendment contained a provision (sec. 902) that would amend sections

1781, 1781(a), 1781c, and 131 of title 10, United States Code, to reorganize and redesignate the Office of Community Support for Military Families with Special Needs and the Office of Family Policy into the Office of Military Family Readiness Policy. The provision would also require the director of the Office of Military Family Readiness Policy to be a member of the Senior Executive Service or a general or flag officer.

The House bill contained no similar provision.

The Senate recedes.

Guidelines for conversion of functions performed by civilian or contractor personnel to performance by military personnel

The House bill contained a provision (sec. 907) that would provide guidelines for the conversion of functions performed by civilian or contractor personnel to performance by military personnel.

The Senate amendment contained no similar provision.

The House recedes.

We have included in the outcome for sec. 321 of the House bill an additional reporting requirement related to the methodology for making cost comparisons between Department of Defense workforce sectors.

TITLE X—GENERAL PROVISIONS

SUBTITLE A—FINANCIAL MATTERS

General transfer authority (sec. 1001)

The House bill contained a provision (sec. 1001) that would allow the Secretary of Defense to transfer up to \$5.0 billion of fiscal year 2016 funds authorized in division A of this Act to unforeseen higher priority needs.

The Senate bill contained a provision (sec. 1001) that would allow the Secretary of Defense to transfer up to \$4.5 billion of fiscal year 2016 funds authorized in division A of this Act to unforeseen higher priority needs.

The House recedes.

Accounting standards to value certain property, plant, and equipment items (sec. 1002)

The House bill contained a provision (sec. 1003) that would require the Secretary of Defense to coordinate with the Federal Accounting Standards Advisory Board to establish accounting standards for large and unordinary general property, plant, and equipment items.

The Senate amendment contained no similar provision.

The agreement includes this provision.

Report on auditable financial statements (sec. 1003)

The House bill contained a provision (sec. 1004) that would require the Department of Defense to develop a report ranking organizations according to their advancement in the achievement of auditable financial statements.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would modify the reporting requirement.

We note that 2015 marks 10 years implementing audit and financial management improvement efforts under the Department's Financial Improvement and Audit Readiness (FIAR) plan. We are concerned that recent setbacks could affect the long term goals of the Department. For fiscal year 2014, the Department significantly scaled back its effort to audit the one-year Statement of Budgetary Activity (SBA) instead of the multi-year Statement of Budgetary Resources (SBR) required by the 2014 statutory deadline. In 2015, the Department withdrew its clean opinion on the Marine Corps' fiscal

year 2012 SBA. Despite substantial and unquantified resources being invested in IT systems, personnel, training, and consulting services over the last decade, progress remains limited.

The Department's 2017 deadline to declare audit readiness for its full complement of financial statements is fast approaching. Well-known and well-documented material weaknesses that are supposed to be addressed under the FIAR plan remain in place. We look forward to continued discussions with the Department on how these weaknesses will be resolved in time for the full audit of the Department's fiscal year 2018 financial statements.

Further, we believe that the Department should better understand best practices of private and public sector organizations who have obtained and maintained clean audits, including many who are large, multinational corporations, deal with emergency operations, and work with classified materials and activities. We expect that the implementation of some of these practices, especially the use of organizational incentives to drive change, development of milestones to measure progress towards auditability, and more strategic and rigorous business process re-engineering and IT modernization, will support DOD's efforts to obtain clean audits in a more effective and efficient manner.

Sense of Senate on sequestration (sec. 1004)

The Senate bill contained a provision (sec. 1004) that stated sequestration is an inadequate budgeting tool to address the nation's deficits and debt and that relief must be accomplished for fiscal year 2016 and 2017. Furthermore relief should include equal defense and non-defense relief and be offset through changes in mandatory and discretionary categories, and revenues.

The House bill contained no similar provision.

The House recedes with an amendment that states budget caps imposed by the Budget Control Act of 2011 must be modified or eliminated through a bipartisan legislative agreement.

Annual audit of financial statements of Department of Defense components by independent external auditors (sec. 1005)

The Senate amendment contained a provision (sec. 1002) that would require the Department of Defense Inspector General to fulfill its statutory audit responsibilities to perform financial statement audits for the military departments and other designated components of the Department by contracting with independent external auditors.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify the selection and reporting requirements.

SUBTITLE B—COUNTER-DRUG ACTIVITIES

Extension of authority to support unified counterdrug and counterterrorism campaign in Colombia (sec. 1011)

The Senate amendment contained a provision (sec. 1011) that would extend for 2 fiscal years the authority of the Secretary of Defense to provide assistance to support the unified counterdrug and counterterrorism campaign of the Government of Colombia (Section 1021 of the National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375), as most recently amended by section 1011 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291)).

The House bill contained no similar provisions.

The House recedes.

Extension and expansion of authority to provide additional support for counter-drug activities of certain foreign governments (sec. 1012)

The House bill contained a provision (sec. 1011) that would extend, by 1 year, the authority to provide support for counterdrug activities of certain foreign governments originally authorized by subsection (a)(2) of section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85), and most recently amended by section 1013 of the National Defense Authorization Act for Fiscal Year 201 (Public Law 113–291).

The Senate amendment contained a provision (sec. 1012) that would amend section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85), as most recently amended by section 1013 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291). Specifically, the provision would extend the Department of Defense's (DOD) authority to provide additional support for counterdrug activities of certain foreign governments through fiscal year 2017, as well as add Kenya, Tanzania, and Somalia as countries eligible to receive assistance under this authority.

The House recedes with an amendment that would add the Governments of Kenya and Tanzania to the list of governments eligible to receive support under this authority as well as require the Secretary of Defense to submit a report to congressional defense committees on the Department's planned use of this authority in the future.

We believe that the growing nexus between terrorism and transnational organized crime in East Africa warrants increased attention by the Department of Defense. Therefore, we direct the Secretary of Defense to develop and submit not later than December 31, 2015 a plan for building the capacity of the Government of Somalia to combat the threat posed by illicit trafficking.

Sense of the Congress on Central America (sec. 1013)

The House bill contained a provision (sec. 1012) that would express a series of findings and a statement of policy on a Plan Central America to address violence, instability, illicit trafficking, and transnational organized crime in the region.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would express the Sense of Congress that the United States should, to the extent practicable, prioritize efforts to address the challenges to regional security in Central America.

SUBTITLE C—NAVAL VESSELS AND SHIPYARDS

Additional information supporting long-range plans for construction of naval vessels (sec. 1021)

The Senate amendment contained a provision (sec. 1024) that would require the Secretary of the Defense to provide additional information in the annual naval vessel construction plan required by section 231 of title 10, United States Code.

The House bill contained no similar provision.

The House recedes.

National Sea-Based Deterrence Fund (sec. 1022)

The House bill contained a provision (sec. 1051) that would amend section 1022 of the Carl Levin and Howard P. “Buck” McKeon

National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) by expanding the transfer authority provided to the National Sea-Based Deterrence Fund from the Department of the Navy to the Department of Defense; providing authority to enter into economic order quantity contracts for ballistic missile submarines and other nuclear powered vessels; and providing incremental funding and facilities funding authority. This section further requires the Secretary of the Navy to submit a report on the Fund to the congressional defense committees by March 1, 2016, and annually through the year 2025.

The Senate amendment contained a provision that would expand the transfer authority provided to the National Sea-Based Deterrence Fund from the Department of the Navy to the Department of Defense (sec. 1022).

The Senate recedes with an amendment that would expand the Fund to include the authorization of incremental funding authority, economic order quantity contract authority, advance construction authority, and transfer authority from any Department of Defense appropriation. In addition, the Senate amendment would add the authorization to transfer unobligated fiscal year 2017 funds into the Fund.

Because the *Ohio*-class replacement program is scheduled to carry 70 percent of our nation's strategic weapons and the fiscal investments will make this program one of the largest acquisition efforts in the Department of Defense, we believe that the Secretary should have the authority to implement streamlined financial management and acquisition strategies for the program, including appropriate use of incremental funding and economic order quantity authority. We believe that the National Sea-Based Deterrence Fund could provide the Secretary with that flexibility, while ensuring that Congress has the correct visibility into the program. To that end, we expect that a budget request for the Fund would be accompanied by information sufficient for Congress to exercise adequate oversight of the Fund and urge the Secretary of Defense to develop a fiscal strategy that supports this strategic investment.

To better assess the most efficient method of procuring the *Ohio*-class replacement program and providing the oversight necessary for this unique investment, we direct the Secretary of Defense to submit a report to the congressional defense committees with the fiscal year 2017 budget request that includes the following elements:

(1) The acquisition strategy to build *Ohio*-class replacement submarines that will leverage the enhanced procurement authorities provided in the Fund, including allocation, facility, and vendor base considerations;

(2) An identification of any additional authorities the Secretary may need to make management of the *Ohio*-class replacement more efficient;

(3) An assessment of the acquisition strategy developed in paragraph (1) with a conventional acquisition strategy to include a cost assessment and overall impacts to the submarine industrial base;

(4) A description of how funds would be requested in and obligated from the National Sea-Based Deterrence Fund, including what, if any, connection the Fund will have with other appropriations accounts (e.g., Shipbuilding and Conversion, Navy);

(5) An explanation of how financial management accountability and transparency

would be maintained related to funds moving in to and out of the National Sea-Based Deterrence Fund; and

(6) *Ohio*-class replacement construction elements that have been included in Research, Development, Testing and Evaluation, Navy budget request, including nuclear components and common missile compartment construction efforts, listed by program element title and number with requested funding.

We look forward to reviewing the Secretary's report, including options to better support an efficient acquisition strategy that could include coordinating with the *Virginia*-class submarine program, which will continue during the *Ohio*-class replacement submarine construction period. According to the Navy, it is likely that these programs will share some common components. The Navy may be able to coordinate component procurement across both submarine programs to achieve better efficiency and cost savings. Such coordination might be managed within the normal appropriations accounts, or could be facilitated by providing additional flexibility within the Fund.

Extension of authority for reimbursement of expenses for certain Navy mess operations afloat (sec. 1023)

The House bill contained a provision (sec. 1022) that would extend the authority for reimbursement of expenses for certain Navy mess operations afloat authorized in section 1014 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417), as amended by section 1021 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383), from September 30, 2015 to September 30, 2020, and certain technical and clarifying amendments.

The Senate amendment contained a similar provision (sec. 1023).

The Senate recedes.

Availability of funds for retirement or inactivation of Ticonderoga class cruisers or dock landing ships (sec. 1024)

The House bill contained a provision (sec. 1023) that would limit the obligation and expenditure of funds authorized to be appropriated or otherwise made available for fiscal year 2016 for the retirement, inactivation, or storage of *Ticonderoga*-class cruisers and *Whidbey Island*-class amphibious ships. The provision would also require the modernization of two *Ticonderoga*-class cruisers to begin in fiscal year 2016 only after sufficient materials are available to begin the modernization period. Finally, the modernization period would be limited to 2 years with the ability of the Secretary of the Navy to extend the period for another 6 months.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would only prohibit the retirement, preparation for retirement, inactivation, or placement in storage of any *Ticonderoga*-class cruisers or *Whidbey Island*-class amphibious ships, except to allow the modernization and upgrades for those ships to continue in accordance with the plan required by section 1026 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291).

The Navy is inducting two cruisers into modernization status in fiscal year 2015 and plans to induct two additional cruisers into this status in fiscal year 2016. However, we understand the Navy has not programmed the manpower and operations funding for the

remaining seven cruisers in the future years defense program (FYDP) beyond fiscal year 2016. We also understand that the FYDP does not support the long-term plan for modernization of these cruisers and dock landing ships beyond fiscal year 2018.

This is at odds with statements by Secretary of the Navy Ray Mabus that he is "100-percent" committed to ensuring the ships are modernized and returned back to sea and similar statements by other administration officials.

The lack of fiscal support in the fiscal year 2016 FYDP and previous requests for the early retirement of some of these cruisers has led us to question the administration's resolve to retain all of these cruisers through the end of their service lives. In order to demonstrate the administration's commitment to the plan, it is incumbent on the administration to close this gap in force structure statements and fiscal decisions. Continued congressional acceptance of the Navy's plan will be predicated on the administration's decision to fully program across the FYDP for manpower, readiness, and modernization for all cruisers and dock landing ships.

Limitation on the use of funds for removal of ballistic missile defense capabilities from Ticonderoga class cruisers (sec. 1025)

The House bill contained a provision (sec. 1024) that would prohibit the removal of ballistic missile capabilities from any of the *Ticonderoga*-class cruisers until the Secretary of the Navy certifies to the congressional defense committees that the Navy has obtained the ballistic missile capabilities required by the most recent Navy Force Structure Assessment or determined to upgrade such cruisers with an equal or improved ballistic missile defense capability.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that adds the following third option to the Secretary of the Navy's certification—obtaining at least 40 large surface combatants with ballistic missile defense capability.

Independent assessment of United States Combat Logistic Force requirements (sec. 1026)

The House bill contained a provision (sec. 143) that would require the Secretary of Defense to enter into an agreement with a federally funded research and development center to conduct an assessment of the anticipated future demands of the combat logistics force ships of the Navy and the challenges these ships may face when conducting and supporting future naval operations in contested maritime environments. This section would also require the Secretary of Defense to submit the assessment to the congressional defense committees by April 1, 2016.

The Senate amendment contained no similar provision.

The Senate recedes.

SUBTITLE D—COUNTERTERRORISM

Prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba (sec. 1031)

The House bill contained a provision (sec. 1036) that would prohibit the use of funds provided to any department or agency of the United States Government for the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba to or within the United States for two years after enactment of the Act.

The Senate amendment contained a similar provision (sec. 1032) that would prohibit the use of funds provided to the Department

of Defense for the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba to or within the United States. This provision would allow transfers to the United States for trial or continued detention pursuant to the Authorization for the Use of Military Force (Public Law 107-40) after the Secretary of Defense submits to the appropriate committees a plan for the disposition of all detainees held at Guantanamo, and the Congress approves of the plan through a joint resolution of Congress.

The Senate recedes with an amendment that the prohibition would apply to the Department of Defense and would expire on December 31, 2016.

Prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba (sec. 1032)

The House bill contained a provision (sec. 1037) that would prohibit the use of funds provided to any department or agency of the United States Government to construct or modify the facilities in the United States to house individuals detained at the United States Naval Station, Guantanamo Bay, Cuba, for two years after enactment of the Act.

The Senate amendment contained a similar provision (sec. 1032) that would expire after the Secretary of Defense submits to the appropriate committees a plan for the disposition of all detainees held at Guantanamo, and the Congress approves of the plan through a joint resolution of Congress as provided by another section in this title.

The Senate recedes with an amendment that the prohibition would apply to the Department of Defense and would expire on December 31, 2016.

Prohibition on use of funds for transfer or release to certain countries of individuals detained at United States Naval Station, Guantanamo Bay, Cuba (sec. 1033)

The House bill contained a provision (sec. 1042) that would prohibit the use of funds provided to any department or agency of the United States Government to transfer or release individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to Yemen for a period of two years.

The Senate amendment contained a similar provision (sec. 1035) that would prohibit the use of funds provided to the Department of Defense to transfer or release individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to Yemen until December 31, 2016.

The House recedes with an amendment to terminate the prohibition on December 31, 2016 and clarify the list of countries to which a detainee from Guantanamo cannot be transferred.

Reenactment and modification of certain prior requirements for certifications relating to transfer of detainees at United States Naval Station, Guantanamo Bay, Cuba, to foreign countries and other foreign entities (sec. 1034)

The House bill contained a provision (sec. 1039) that would require the Secretary of Defense to certify that the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba, to a foreign country met certain requirements.

The Senate amendment contained a similar amendment (sec. 1033) that would expire upon Congress passing a joint resolution approving of a plan submitted by the Secretary of Defense on the disposition of all GTMO detainees, as provided for in another section of this title.

The House recedes with an amendment clarifying the scope of the certification.

Comprehensive detention strategy (sec. 1035)

The Senate amendment contained a provision (sec. 1032) that would prohibit the use of funds provided to the Department of Defense for the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba to or within the United States. This provision would allow transfers to the United States for trial or continued detention pursuant to the Authorization for the Use of Military Force (Public Law 107-40) after the Secretary of Defense submits to the appropriate committees a plan for the disposition of all detainees held at Guantanamo, and Congress passes a joint resolution approving that plan.

The House bill contained no similar provision.

The House recedes with an amendment that would require a comprehensive detention strategy to be provided to the congressional defense committees setting forth the details of such a detention strategy for current and future individuals captured and held pursuant to the Authorization for Use of Military Force pending the end of hostilities. We expect that discussion to include an explanation of the Department's plan for the disposition of all detainees held at Guantanamo, on a case-by-case basis, and the costs associated with each element of that plan.

Prohibition on use of funds for realignment of forces or closure of United States Naval Station, Guantanamo Bay, Cuba (sec. 1036)

The House bill contained a provision (sec. 1060) that prohibited the use of funds made available to the Department of Defense up until December 31, 2016, to close or abandon the United States Naval Station, Guantanamo Bay, Cuba, relinquish control of Guantanamo Bay to Cuba, or modify the Treaty Between the United States and Cuba signed on May 29, 1934.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment that would make technical modifications and incorporate a requirement for the Secretary of Defense to submit a report regarding the military value of United States Naval Station, Guantanamo Bay, Cuba.

Report on current detainees at United States Naval Station, Guantanamo Bay, Cuba, determined or assessed to be high risk or medium risk (sec. 1037)

The Senate amendment contained an amendment (sec. 1036) that would require the Secretary of Defense to provide a report to appropriate committees on the individuals detained at Guantanamo Bay previously assessed to be high or medium risk, whether the assessments on those individuals has changed, and the information supporting those assessments.

The House bill contained no similar provision.

The House recedes with an amendment clarifying the scope of information requested in the report.

Reports to Congress on contact between terrorists and individuals formerly detained at United States Naval Station, Guantanamo Bay, Cuba (sec. 1038)

The House bill contained a provision (sec. 1034) that would include in the report required by Section 319(c) of the Supplemental Appropriations Act, 2009 (Public Law 111-32) a summary of all known contact between any individual formerly detained at Naval

Station, Guantanamo Bay, Cuba, and any individual known or suspected to be associated with a foreign terrorist group, and a description of whether any of the contact described in the summary included any information or discussion about hostilities against the United States or its allies or partners.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment clarifying that the summary should include a description of any information or discussion about planning for or conducting hostilities against the United States or its allies or partners, or information on the organizational, logistical, or resource needs or activities of any terrorist group.

Inclusion in reports to Congress of information about recidivism of individuals formerly detained at United States Naval Station, Guantanamo Bay, Cuba (sec. 1039)

The House bill contained a provision (sec. 1035) that would include in the report required by Section 319(c) of the Supplemental Appropriations Act, 2009 (Public Law 111-32) information on each individual found to have reengaged in terrorism. Specifically, the provision would require information on the period of time between release of such individual from Guantanamo Bay, Cuba, and the date at which the individual was confirmed to have reengaged in terrorist activities.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment clarifying that the report would include information on the dates of release and the dates of confirmation of reengagement for all such individuals.

Report to Congress on terms of written agreements with foreign countries regarding transfer of detainees at United States Naval Station, Guantanamo Bay, Cuba (sec. 1040)

The Senate amendment contained a provision (sec. 1037) that would require the Secretary of Defense to provide to appropriate committees a report on any written agreement entered into between the United States and any foreign country regarding an individual detained at Guantanamo who was transferred to a foreign country.

The House bill contained no similar provision.

The House recedes with an amendment clarifying the information requested for the report.

Report on use of United States Naval Station, Guantanamo Bay, Cuba, and other Department of Defense or Bureau of Prisons prisons or detention or disciplinary facilities in recruitment or other propaganda of terrorist organizations (sec. 1041)

The Senate amendment contained a provision (sec. 1038) that would require the Secretary of Defense to report to Congress on the propaganda and recruitment value for terrorist organizations of the United States Naval Station, Guantanamo Bay, Cuba, and any other Department of Defense or Bureau of Prisons prison or other detention or disciplinary facility.

The House bill contained no such provision.

The House recedes with an amendment requiring the Department of Defense to provide a one-time report to the appropriate committees that covers the entire period after September 11, 2001.

Permanent authority to provide rewards through Government personnel of allied forces and certain other modifications to Department of Defense program to provide rewards (sec. 1042)

The House bill contained a provision (sec. 1031) that would modify section 127b of title

10, United States Code, to make permanent the authority to make rewards to a person providing information or non-lethal assistance to U.S. Government personnel or government personnel of allied forces participating in a combined operation with U.S. Armed Forces conducted outside the United States against terrorism, or providing such information or assistance that is beneficial to force protection associated with such an operation.

The Senate amendment contained a similar provision (sec. 1039) that would modify and extend section 127b of title 10, United States Code through December 31, 2016, as well as create a notification requirement for when the Secretary of Defense designates a country as a country in which an operation is occurring in connection with which rewards may be paid by this section.

The House recedes with an amendment that would make the authority permanent and incorporate the notification requirement from the Senate provision.

Sunset on exception to congressional notification of sensitive military operations (sec. 1043)

The House bill contained a provision (sec. 1031) that would modify section 130f of title 10, United States Code, by striking the exception to the notification requirement for a sensitive military operation executed within the territory of the Islamic Republic of Afghanistan pursuant to the Authorization for Use of Military Force (Public Law 107-40).

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would repeal the exception for sensitive military operations conducted within the territory of the Islamic Republic of Afghanistan on December 31, 2017.

In the classified annex that accompanies this report, we direct periodic reporting on Afghanistan to the congressional defense committees.

Repeal of semiannual reports on obligation and expenditure of funds for the combating terrorism program (sec. 1044)

The House bill contained a provision (sec. 1033) that would modify reporting requirements for budget information related to program for combating terrorism as required by section 229 of title 10, United States Code. This section would specifically eliminate subsection (d) of section 229, regarding semiannual reports on obligations and expenditures.

The Senate amendment contained no similar provision.

The Senate recedes.

Limitation on interrogation techniques (sec. 1045)

The Senate amendment contained a provision (sec. 1040) that would limit interrogation techniques to those in the Army Field Manual for individuals in the custody or under the effective control of an officer, employee, or agent of the United States Government, or detained within a facility owned, operated, or controlled by a department or agency of the United States, in any armed conflict.

The House bill contained no similar provision.

The House recedes with an amendment that would make the limitation on interrogation techniques inapplicable to law enforcement and requires an update to the Army Field Manual no sooner than three years after the date of enactment. We recognize that law enforcement personnel may continue to use authorized non-coercive

techniques of interrogation, and that Army Field Manual 2-22.3 is designed to reflect best practices for interrogation to elicit reliable statements.

SUBTITLE E—MISCELLANEOUS AUTHORITIES AND LIMITATIONS

Department of Defense excess property program (sec. 1051)

The House bill contained a provision (sec. 1052) that would make changes to excess defense article donations authorized under section 2576a of title 10, United States Code. Specifically, the provision would require the establishment of a public website containing information on certain transfers made under the program, establish specific criteria for State program managers to be met before the Defense Logistics Agency may transfer certain types of equipment, and mandate several reviews of program objectives and efficacy, to include training recommendations, by a federally funded research and development center, the Comptroller General of the United States, and the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment to include additional requirements on transfer of controlled property, a study on controlled property transfers, the incidence of controlled property that is lost or unaccounted for, and procedures governing the return of controlled property to the Department of Defense.

Sale or donation of excess personal property for border security activities (sec. 1052)

The House bill contained a provision (sec. 1060b) that would amend Section 2576a of title 10, United States Code, to include border security activities as a specific category eligible for the transfer of excess personal property of the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes.

We note that any controlled equipment, as designated in Department of Defense Instruction 4160.28, Volume 2, or any succeeding instruction, transferred to the Department of Homeland Security through the "1033 program" as amended by this section remains the property of the Department of Defense, and this section does not authorize the Department of Homeland Security to transfer controlled DOD equipment to any non-federal entity. We expect the Department of Defense and the Department of Homeland Security to use memoranda of agreement similar to those used for the transfer of equipment to law enforcement agencies to state the conditions of transfer and compliance, including that non-compliance requires the return of all equipment to DOD.

Management of military technicians (sec. 1053)

The Senate amendment contained a provision (sec. 1046) that would convert not less than 20 percent of the general administration, clerical, financial, and office service occupation positions identified in the report of the Secretary of Defense under section 519 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 112-81; 125 Stat. 1397) from military technician (dual status) positions to positions filled by individuals who are employed under section 3103 of title 5, United States Code, by no later than January 1, 2017. The provision also requires the phased-in termination of military technicians (non-dual status) to begin on January 1, 2017.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Limitation on transfer of certain AH-64 Apache helicopters from Army National Guard to regular Army and related personnel levels (sec. 1054)

The House bill contained a provision (sec. 1053) that would change section 1712 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015.

The Senate amendment contained a similar provision.

The Senate recedes.

Authority to provide training and support to personnel of foreign ministries of defense (sec. 1055)

The Senate amendment contained a provision (1082) that would authorize the Secretary of Defense to provide training to personnel of foreign ministries of defense (or ministries with security force oversight), or regional organizations with security missions for the purpose of: (1) enhancing civilian oversight of foreign security forces; (2) establishing responsible defense governance and internal controls in order to help build effective, transparent, and accountable defense institutions; (3) assessing organizational weaknesses and establishing a roadmap for addressing shortfalls; and (4) enhancing ministerial, general or joint staff, service level core competencies such as personnel and readiness, acquisition and logistics, strategy and policy, and financial management.

The House bill contained no similar provision.

The House recedes with an amendment that would sunset the authority on December 31, 2017.

Information operations and engagement technology demonstrations (sec. 1056)

The House bill contained a provision (sec. 1055) that would authorize the Secretary of Defense to carry out a pilot program or multiple pilot programs related to information and strategic communications capabilities to support the geographic and functional combatant commanders.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to carry out a series of technology demonstrations, subject to the availability of funds for such purpose or to a prior approval reprogramming, related to information operations and information engagement to support the geographic and functional combatant commanders, with associated notification requirements.

Prohibition on the use of funds for the retirement of helicopter sea combat squadron 84 and 85 aircraft (sec. 1057)

The House bill contained a provision (sec. 1056) that would prohibited the obligation of appropriated funds to retire, prepare to retire, transfer or place in stowage any aircraft in Helicopter Sea Squadrons 84 and 85 until the Secretary of the Navy certifies to Congress that the Navy has conducted a cost-benefit analysis, identified a replacement capability and deployed the capability.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

We expect the directed cost-benefit analysis to include any cost-sharing arrangements between the combatant commanders, including U.S. Special Operations Command,

and the Navy, as well as a long term plan for recapitalization of the deployed capability.

Limitation on availability of funds for destruction of certain landmines (sec. 1058)

The House bill contained a provision (sec. 1057) that limits the Department of Defense's ability to destroy any anti-personnel landmines (APL) until the Secretary of Defense provides a comprehensive study on the tactical and operational impacts of a ban on APL, a strategy for replacing current APL systems that are compliant with current DOD policy, and a certification that alternative systems will not endanger members of the Armed Forces. The provision provides an exception for landmines certified as unsafe by the Secretary.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would remove the required certification and would link the limitation on the obligation or expenditure of funds for the destruction of anti-personnel landmine munitions, with the exception included in the House provision, to the delivery of a new report to be delivered to Congress within 180 days after the enactment of this Act.

We understand the Secretary of Defense is conducting an Analysis of Alternatives (AOA) on Area Denial Capability Development to include next generation anti-personnel landmines, and that the AOA is expected to be complete in the fourth quarter of fiscal year 2016. We expect this AOA to inform the report required in this provision. We further direct the Secretary of Defense to provide the AOA to the congressional defense committees on its completion.

Department of Defense authority to provide assistance to secure the southern land border of the United States (sec. 1059)

The Senate amendment contained a provision (sec. 1041) that would authorize the Secretary of Defense, with concurrence of the Secretary of Homeland Security, to provide assistance to U.S. Customs and Border Protection for the purpose of increasing the ongoing efforts to secure the southern land border of the United States.

The House bill contained no similar provision.

The House recedes with a clarifying amendment and additional reporting requirements.

SUBTITLE F—STUDIES AND REPORTS

Provision of defense planning guidance and contingency planning guidance information to Congress (sec. 1060)

The House bill contained a provision (sec. 1061) that would require the Secretary of Defense to provide to the congressional committees, not later than 120 days after the enactment of this Act, a report containing summaries of the defense planning guidance and contingency planning guidance developed in accordance with the requirements of such section, and to include those summaries in the annual budget documents submitted to Congress. Additionally, this section would provide a limitation on the obligation or expenditure of 25 percent of the funds authorized to be appropriated by this Act for Operation and Maintenance, Defense-wide, for the Office of the Secretary of Defense, until 15 days after the date on which the Secretary of Defense submits the first report required by this section.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would remove the funding limitation for the Office of the Secretary of Defense.

Expedited meetings of the National Commission on the Future of the Army (sec. 1061)

The House bill contained a provision (sec. 1069) that would amend section 1702(f) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act of Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3665). The section would be amended by adding at the end the following new sentence: “Section 10 of Federal Advisory Committee Act (5 U.S.C. App. I) shall not apply to a meeting of the Commission unless the meeting is attended by 5 or more members of the Commission.”

The Senate amendment contained no similar provision.

The Senate recedes.

Modification of certain reports submitted by Comptroller General of the United States (sec. 1062)

The House bill contained a provision (sec. 1062) that would amend section 3255(a)(2) of the National Nuclear Security Administration Act (50 U.S.C. 2455), to provide the Comptroller General of the United States, in any odd-numbered year, 150 days to submit the report required by such section. This provision would also amend section 3134 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) to eliminate a requirement for the Comptroller General to conduct a final review of all projects carried out by the Department of Energy’s Office of Environmental Management using American Recovery and Reinvestment Act of 2009 Public Law 111–5 funds.

The Senate amendment contained two similar provisions (sec. 3120 and 3121) that would extend the Government Accountability Office’s annual reporting deadline for reviewing the budget of the National Nuclear Security Administration weapons program from 90 days to 150 days in odd-numbered years when NNSA is required to submit a detailed Stockpile Stewardship Management Plan (SSMP). Additionally, section 3121 would repeal phase three of section 3134 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) related to defense environmental cleanup projects, as the Government Accountability Office has reported on all phases of this project.

The Senate recedes. We emphasize that, to support the legislative calendar in odd-numbered years, the Comptroller General should still provide the congressional defense committees interim briefings on the SSMP.

Report on implementation of the geographically distributed force laydown in the area of responsibility of United States Pacific Command (sec. 1063)

The House bill contained a provision (sec. 1063) that would require the Secretary of Defense, in consultation with the Commander of U.S. Pacific Command (PACOM), to submit a report to congressional defense committees no later than March 1, 2016 on the Department of Defense’s plans for implementing the geographically distributed force laydown in the area of responsibility of U.S. Pacific Command.

The Senate amendment contained no similar provision.

The Senate recedes.

Independent study of national security strategy formulation process (sec. 1064)

The House bill contained a provision (sec. 1064) that would require the Secretary of Defense to contract with an independent research entity to carry out a study of the Department of Defense role in, and process for, the formulation of national security strategy. This study would include several case

studies on the role of the Department of Defense in the formulation of previous national security strategies and issues related to the formulation process throughout the history of the United States and a complete review and analysis of the current national security strategy formulation process as it relates to the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would also require the report to include recommendations for the executive and legislative branches on the best practices for enabling the Department of Defense to formulate long-term strategy. We believe the Secretary of Defense should continue to make every effort to recruit, cultivate, and further strategic thinking within the Department.

Report on the status of detection, identification, and disablement capabilities related to remotely piloted aircraft (sec. 1065)

The House bill contained a provision (sec. 1067) that would require the Secretary of Defense to submit, not later than 60 days after the date of enactment of this Act, a report to the congressional defense committees addressing the suitability of existing capabilities to detect, identify, and disable remotely piloted aircraft operating within special use and restricted airspace.

The Senate amendment contained no similar provision.

The Senate recedes.

Report on options to accelerate the training of remotely piloted aircraft pilots (sec. 1066)

The House bill contained a provision (sec. 1067) that would require the Secretary of the Air Force to submit, not later than February 1, 2016, a report to the congressional defense committees addressing the immediate and critical training and operational needs of the remotely piloted aircraft community.

The Senate amendment contained no similar provision.

The Senate recedes.

Studies of fleet platform architectures for the Navy (sec. 1067)

The Senate amendment contained a provision (sec. 1021) that would direct the Secretary of Defense to commission three studies to be submitted to the congressional defense committees in unclassified, and to the extent necessary, in classified versions to recommend potential future fleet architectures. These studies would provide competing visions and alternatives for future fleet architectures. One study would be performed by the Department of the Navy, with input from the Naval Surface Warfare Center Dahlgren Division. The second study would be performed by a federally funded research and development center. The third study would be conducted by a qualified independent, non-governmental institute, as selected by the Secretary of Defense.

The House bill contained no similar provision.

The House recedes with an amendment that would modify the required submission date of the reports to April 1, 2016.

We note that the majority of the total ownership costs for Navy surface ships, almost 70 percent, is comprised of operating and support costs incurred over the life of a ship. Personnel costs are the largest contributor to operating and support costs incurred over a ship’s life cycle. As such, transitioning from the personnel- and workload-intensive ships of the past to optimally crewed ships with reduced workloads has potential to free up resources for the Navy to

use in recapitalizing the fleet. However, previous studies have found that reduced and optimal manning initiatives were implemented without complete analysis and may have had detrimental effects on crew training and the material condition of some legacy class ships. In addition, reductions in crew size are frequently offset by increases in shore support and contractor personnel to address shipboard workload.

The Navy’s newest surface ship classes, the *Ford*-class aircraft carrier, the *Littoral Combat Ship* and the *Zumwalt*-class destroyer, have been designed to leverage technology and optimal manning concepts to reduce the total crew sizes aboard these ships, but the impact of these efforts on reducing total ownership costs have not been fully demonstrated. Therefore, we direct the Comptroller General of the United States to prepare a report to the congressional defense committees by July 1, 2016 as to the following elements:

1. To what extent has the Navy implemented reduced manning initiatives in the surface fleet?

2. To what extent has the Navy identified total manpower requirements, including both shipboard and shore-based, to support optimally manned ships over their life cycle?

3. To what extent have manning reductions on Navy surface ships resulted in reductions to total ownership costs and to what extent has the Navy realized its projected manpower reductions and cost savings?

4. How have reduced manning initiatives impacted the Navy’s plans to operate and support ship classes in the areas of personnel, training, and maintenance (e.g., training qualification times, contractor support for shipboard maintenance, shipboard system casualties)?

5. To what extent does the Navy rely on technological innovations and design features to enable manning reductions in new ship construction, and to what extent have these reductions been realized after the ships have entered service?

Report on strategy to protect United States national security interests in the Arctic region (sec. 1068)

The Senate amendment contained a provision (sec. 1043) that would direct the Secretary of Defense to submit not later than 1 year after the date of enactment of this Act a report that sets forth an updated military strategy for the protection of United States national security interests in the Arctic region.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Comptroller General briefing and report on major medical facility projects of Department of Veterans Affairs (sec. 1069)

The Senate amendment contained a provision (sec. 1085) that would require the Comptroller General of the United States to provide a briefing 270 days after the enactment of this Act and a report not later than 1 year after the date of enactment of this Act on the administration and oversight Department of Veterans Affairs of contracts for the design and construction of major medical facility projects, as defined in section 8104(a)(3)(A) of title 38, United States Code.

The House bill contained no similar provision.

The House recedes.

Submission to Congress of munitions assessments (sec. 1070)

The Senate amendment contained a provision (sec. 1063) that would require the Secretary of Defense to provide the Committees

on Armed Services of the Senate and House of Representatives not later than March 1, 2016, and each year thereafter, the most current Department of Defense Munitions and Munitions Sufficiency Assessments, as defined in Department of Defense Instruction 3000.04. The provision would also require the Department of Defense to provide the committees the most recently approved Joint Requirements Oversight Council memo resulting from the annual Munitions Requirements Process.

The House bill contained no similar provision.

The House recedes with an amendment that would sunset the requirement to submit reports and assessments in the provision 2 years after the date of the enactment of this Act.

Potential role for United States ground forces in the Pacific theater (sec. 1071)

The Senate amendment contained a provision (sec. 1064) that would require the Secretary of Defense and Chairman of the Joint Chiefs of Staff to conduct a comprehensive operational assessment of a potential future role for U.S. ground forces in the island chains of the western Pacific in creating anti-access/area denial (A2/AD) capabilities in cooperation with host nations to deter and defeat aggression in the region.

The House bill contained no similar provision.

The House recedes with amendments.

We direct the Secretary and the Chairman to conduct the assessment required by subsection (a) using operations research methods and wargaming, in addition to historical analysis of the use of ground forces by the United States and Japan in the Pacific theater during World War II, technical analysis, analysis of force structure impacts, and any other analysis they deem appropriate. Further, in making this assessment, the Secretary should consider the potential geopolitical impact on the United States posture in the Pacific theater associated with a strategy of long-term engagement by United States ground forces.

We also direct the Secretary and the Chairman to confer with U.S. Pacific Command; the Joint Requirements and Analysis Division and the wargaming resources of the Warfighting Analysis Division of the Force Structure, Resources, and Assessment Directorate of the Joint Staff, augmented as necessary and appropriate from the war colleges of the military departments; the Office of Net Assessment; any appropriate federally funded research and development centers (FFRDCs); and any other organizations or divisions as they deem appropriate.

Additionally, we note that the term "ground forces" in this section is inclusive of all U.S. military services, including both the U.S. Army and U.S. Marine Corps.

Repeal or revision of reporting requirements related to military personnel issues (sec. 1072)

The House bill contained a provision (sec. 1071) that would repeal or revise certain reporting requirements related to military personnel authorities.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would restore several report requirements.

Repeal or revision of reporting requirements relating to readiness (sec. 1073)

The House bill contained a provision (sec. 1072) that would repeal or revise Department of Defense reporting requirements relating to readiness.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Repeal or revision of reporting requirements related to naval vessels and Merchant Marine (sec. 1074)

The House bill contained a provision (sec. 1073) that would repeal or revise certain reporting requirements that are overly burdensome, duplicative, or outdated.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would remove the following language from the House provision: "(c) Amending section 126 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to delete a requirement for a quarterly report on Mission Modules of the Littoral Combat Ship;" and "(d) Deleting section 124 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181) that required an assessment prior to the start of construction on the first ship of a shipbuilding program;" and "(e) Amending section 122 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364) to delete a quarterly reporting requirement associated with the Ford-class carrier;"

Repeal or revision of reporting requirements related to civilian personnel (sec. 1075)

The House bill contained a provision (sec. 1077) that would repeal or revise certain reporting requirements to include:

(a) Amending section 1110(i) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84), by striking a report on the pilot program for the temporary exchange of information technology personnel.

(b) Amending section 1001(g) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261) by striking the annual report on extension and modification of experimental personnel management program for scientific and technical personnel.

The Senate amendment contained no similar provision.

The Senate recedes.

Repeal or revision of reporting requirements related to nuclear, proliferation, and related matters (sec. 1076)

The House bill contained a provision (sec. 1074) that would amend certain reporting requirements related to nuclear, proliferation, and related matters. This provision would remove an annual report by the Chairman of the Nuclear Weapons Council; remove a biannual reporting requirement on the Proliferation of Security Initiative; remove briefings on dialogue between the United States and the Russian Federation on nuclear arms; and remove a reporting requirement regarding annual updates to an implementation plan for the whole-of-government vision prescribed in the National Security Strategy.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Repeal or revision of reporting requirements related to acquisition (sec. 1077)

The House bill contained a provision (sec. 1076) that would repeal or revise certain reporting requirements related to acquisition that are overly burdensome on the Department of Defense, duplicative, or outdated.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would retain the section 8305 of title 41, United States Code, report on purchases from foreign entities.

Repeal or revision of miscellaneous reporting requirements (sec. 1078)

The House bill contained a provision (sec. 1078) that would repeal or revise certain miscellaneous reporting requirements for the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would retain the following reports repealed in the House provision: report on regional defense counterterrorism fellowship program, report on airlift requirements, and report on airborne signals intelligence, surveillance, and reconnaissance capabilities.

Repeal of reporting requirements (sec. 1079)

The Senate amendment contained a provision (sec. 1061) that would repeal a number of reporting requirements for the Department of Defense that have been included in law in past years.

The House bill contained a similar provision.

The House recedes with an amendment that would strike a number of reports repealed from the Senate amendment.

Termination of requirement for submittal to Congress of reports required of the Department of Defense by statute (sec. 1080)

The Senate amendment contained a provision (sec. 1062) that would, 2 years after the date of enactment of the Act, repeal requirements for recurring reports due to Congress. This would include only report requirements in effect on April 1, 2015.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the repeal of reports to those reports enacted by a National Defense Authorization Act. The amendment also requires the Department of Defense to provide the congressional defense committees a list of all reports still required, the citation for each report, and a draft legislative provision for the repeal of such reports.

We note the importance and value of reports from the Department of Defense as a key enabler of effective oversight. However, we also note the burden excessive reporting places on the Department and we are eager to strike a balance in the coming years.

SUBTITLE G—OTHER MATTERS

Technical and clerical amendments (sec. 1081)

The House bill contained a provision (sec. 1081) that would make technical and clerical corrections to title 10, United States Code, and various National Defense Authorization Acts.

The Senate amendment contained a similar provision (sec. 1081).

The Senate recedes with an amendment making additional technical and clerical amendments.

Situations involving bombings of places of public use, Government facilities, public transportation systems, and infrastructure facilities (sec. 1082)

The House bill contained a provision (sec. 1093) that would amend chapter 18 of title 10, United States Code, to authorize the Secretary of Defense, upon the request of the Attorney General, to provide assistance in Department of Justice activities related to the enforcement of section 2332f of title 18, United States Code, during situations involving bombings of places of public use, Government facilities, public transportation systems, and infrastructure facilities.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Executive agent for the oversight and management of alternative compensatory control measures (sec. 1083)

The House bill contained a provision (sec. 1082) that would direct the Secretary of Defense to establish an executive agent for the oversight and management of alternative compensatory control measures. This section would also require the Secretary of Defense to submit a report to the congressional defense committees not later than 30 days after the close of each of the fiscal years 2016 through 2020, on the oversight and management of alternative compensatory control measures.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would add a requirement that the report required include a brief description of each alternative compensatory control measures program and the number of individuals with access to such program.

Navy support of Ocean Research Advisory Panel (sec. 1084)

The House bill contained a provision (sec. 1083) that would repeal the requirement for the Department of the Navy to fund the Ocean Research Advisory Panel.

The Senate amendment contained an identical provision (sec. 903).

The agreement includes this provision.

We are aware that the Ocean Research Advisory Panel plays an important role in setting the civilian agenda for ocean research. We encourage the Navy and the Executive Office of the President to engage in discussions with appropriate federal science and technology agencies to ensure the transfer of funding and responsibilities do not impair the Panel's activities.

Level of readiness of Civil Reserve Air Fleet carriers (sec. 1085)

The House bill contained a provision (sec. 1084) that would amend Chapter 931 of title 10, United States Code, by creating a new subsection addressing the readiness of the Civil Reserve Air Fleet (CRAF). Specifically, this new section would codify the importance of the CRAF and the need to provide appropriate levels of commercial airlift augmentation to maintain networks and infrastructure, exercise the system, and interface effectively within the military airlift system. This section also would require the Secretary of Defense to provide, concurrent with the submission of the President's request, an assessment of the number of block hours necessary to achieve sufficient levels of commercial airlift augmentation, a strategic plan for achieving necessary levels of commercial airlift augmentation, and an explanation of any difference from the previous fiscal year's assessment.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would sunset the report requirement provision in 2 years.

Reform and improvement of personnel security, insider threat detection and prevention, and physical security (sec. 1086)

The Senate amendment contained a provision (sec. 1090) that would mandate the implementation of reforms in the personnel security clearance process, insider threat detection and prevention, and physical security in the Department of Defense (DOD) and elsewhere in the Federal Government.

The House bill contained no similar provision.

The House recedes with technical and clarifying amendments.

The provision would:

(1) Require the Secretary of Defense to develop a plan to implement Continuous Evaluation ("CE") for Department of Defense employees to reduce critical gaps in background investigations; to develop and implement an Insider Threat strategy detailing the Department's plan to provide a centralized capability that can quickly analyze the results of automated records checks and reports of behavior of concern and recommend action as appropriate; to centralize the programmatic authority of such activities under one official (the Under Secretary of Defense for Intelligence); to provide resources for the expedited deployment of identity management systems for access to DOD facilities which was a critical gap identified in the aftermath of the Fort Hood and Washington Navy Yard shootings; and to centralize control of requests for security clearances from the Office of Personnel Management (OPM) to achieve efficiencies, as well as other key recommendations resulting from the study by the Director of Cost Analysis and Program Evaluation mandated by section 907 of the National Defense Authorization Act for Fiscal Year 2014.

(2) Require the Secretary of Defense to develop standards for physical and logical access to secured facilities and information systems, and requires the Secretary, in coordination with the Office of Management and Budget (OMB), the Chair of the Performance Accountability Council (PAC), and the Administrator of the Government Services Administration, to develop a capability to share and apply electronic identity information across the government.

(3) Require OMB to formalize the Security, Suitability and Credentialing Line of Business to ensure adequate oversight and efficient investments are made across the enterprise.

(4) Require the PAC Chair to develop a plan to ensure reciprocity management systems function effectively and securely. The intent is also for agencies to formulate a plan to address how an automated and continuous background check for national security personnel will travel with that individual as long as they hold a clearance, regardless of changes in employer and program or contract support.

(5) Require the PAC Chair, along with the Security and Suitability Executive Agents and the Secretary of Defense, to jointly develop a plan to ensure implementation of uniform self-reporting requirements for all personnel who hold a clearance, including contractors. The provision mandates that reported information be shared with those who have a need to know, to ensure that individuals with derogatory information are not allowed to move around the government without the negative information being known.

The second part of the provision would:

(1) Clarify and update the agencies covered under section 9101. This section has not been updated since 2000—before the creation of the Department of Homeland Security and the Office of the Director of National Intelligence. This revision also includes agencies that are delegated authority by the Security and Suitability Executive Agents and expands the "covered agency" definition to explicitly include contractor background investigators working on behalf of covered agencies.

(2) Clarify and update the applicable purposes of investigation to expressly include

basic suitability or fitness assessments, credentialing under Homeland Security Presidential Directive 12, Transportation Security Administration Security Threat Assessment Programs, and Federal Aviation Administration checks required by Federal Statute.

(3) Permit investigative agencies to conduct both biometric (fingerprint) and biographic checks for criminal history records information, as appropriate. The investigative agencies are to determine what is appropriate. Nothing under this section prohibits the Federal Bureau of Investigation from requiring a request for criminal history record information.

(4) Amend section 9101 to indicate that when more than one automated system can provide the same information, the most cost-effective system to the Federal Government shall be used.

(5) Require that the Department of State, Bureau of Consular Affairs, American Citizen Services (ACS), release information about an individual's interaction with law enforcement or intelligence organizations abroad if that individual has contacted ACS for assistance after they have been arrested or has been in contact with intelligence agencies of a foreign country while abroad.

(6) Require contractors who conduct background investigations on behalf of a covered agency to comply with necessary security requirements when accessing an automated information delivery system to request criminal history record information.

(7) Clarify Title 5 U.S.C. section 7512 to strengthen the Federal Government's ability to take action against individuals who falsify background investigation information.

(8) Require an annual report from the PAC to describe and analyze the extent and effectiveness of federal, state, and local systems for sharing criminal history record information; analyze the extent and effectiveness of education programs regarding criminal history record information sharing; provide updates on the implementation of best practices for sharing criminal history record information, including ongoing limitations experienced by investigators; and provide descriptions of other limitations to investigators and State and local law enforcement agencies.

(9) Request a Government Accountability Office report summarizing the major characteristics of federal critical infrastructure protection access controls, as well as background check and credentialing standards for the protection of critical infrastructure and key resources.

Transfer of surplus firearms to Corporation for the Promotion of Rifle Practice and Firearms Safety (sec. 1087)

The House bill contained a provision (sec. 1085) that would authorize the transfer of surplus firearms to the Civilian Marksmanship Program (CMP).

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment that establishes a pilot program limited to .45 caliber handguns and restricts the amount of handguns that can be transferred to the CMP to no more than 10,000 units annually. Additionally, it requires the CMP to provide a report to Congress after the conclusion of the pilot program, obtain a federal firearm license to conduct any and all handgun sales, and adhere to all local, state, and federal laws in respect to handgun sales.

Modification of requirements for transferring aircraft within the Air Force inventory (sec. 1088)

The House bill contained a provision (sec. 1086) that would amend section 345 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) to ease administrative burdens and facilitate non-contentious transfers of aircraft from the Air Reserve Components to the regular component of the Air Force.

The Senate amendment contained a similar provision (sec. 341).

The Senate recedes with an amendment specifying technical clarifications.

Reestablishment of Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack (sec. 1089)

The House bill contained a provision (sec. 1087) that would reinstate the Commission to Assess the Threat to the United States from Electromagnetic Pulse Attacks. This provision also provides updated guidance on the membership and duties of that commission.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Mine countermeasures master plan (sec. 1090)

The House bill contained a provision (sec. 1089) that would require the Secretary of the Navy to submit a mine countermeasures master plan to the congressional defense committees along with the annual budget request of each fiscal year from 2018 through 2023. This provision would also require the Secretary of the Navy to submit a one-time report to the congressional defense committees within 1 year of enactment of this Act as to current and future mine countermeasure force structure based on current mine countermeasure capabilities, including an assessment as to whether certain decommissioned ships should be retained in reserve operating status.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require, as part of the one-time report, an assessment of the Littoral Combat Ship (LCS) mine countermeasures mission package increment one performance against the initial operational test and evaluation criteria, as well as an assessment of other commercially available mine countermeasures systems that could supplement or supplant LCS mine countermeasures mission package systems.

Congressional notification and briefing requirement on ordered evacuations of United States embassies and consulates involving the use of United States Armed Forces (sec. 1091)

The House bill contained a provision (sec. 1090) that would express a sense of Congress on the importance of ensuring the safety and security of members of the Armed Forces of the United States overseas pending an ordered evacuation of a United States embassy or consulate and require the Secretary of Defense and the Secretary of State to notify and brief appropriate congressional committees as soon as practicable after the initiation of an ordered evacuation.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

We believe that it is critical to ensure the safety and security of all U.S. personnel stationed overseas, including members of the Department of Defense ordered to assist in an ordered evacuation of a U.S. embassy or

consulate. We expect the notification required by this provision should include, to the extent practicable: (1) an overview of the ordered evacuation, (2) an overview of the manner and location from which the Department of State will continue to conduct the duties and responsibilities of the embassy or consulate, (3) a description of the disposition of embassy or consulate property, and (4) any other matters the Secretary of Defense and Secretary of State determine relevant.

Interagency Hostage Recovery Coordinator (sec. 1092)

The House bill contained a provision (sec. 1092) that would require the President to designate an existing federal official to serve as the Interagency Hostage Recovery Coordinator responsible coordinating the government's efforts to secure the release of any United States hostage, chair a fusion cell of appropriate government personnel, and keep informed family members of any hostage.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying technical amendment that would modify the Coordinator's duties and scope of authority.

Sense of Senate on the inadvertent shipment of live Bacillus anthracis (sec. 1093)

The Senate amendment contained a provision (section 1086) that expressed a sense of the Senate on the inadvertent transfer of live Bacillus anthracis from Army laboratories, that the Center for Disease Control and Prevention and the Federal Bureau of Investigation should investigate the cause of the transfer and that the Department of Defense should reassess of standards on a regular basis to prevent a re-occurrence.

The House bill contained no similar provision.

The House recedes with an amendment that accounts for the number of affected sites that received the live Bacillus anthracis over time.

Modification of certain requirements applicable to major medical facility lease for a Department of Veterans Affairs outpatient clinic in Tulsa, Oklahoma (sec. 1094)

The Senate amendment contained a provision (sec. 1084) that would make modifications to the requirements associated with the amount of usable space, and the length of the lease, for a major veteran's medical facility in Tulsa, Oklahoma before entering into such a lease.

The House bill contained no similar provision.

The House recedes.

Authorization of certain major medical facility projects of the Department of Veterans Affairs for which amounts have been appropriated (sec. 1095)

The Senate amendment contained a provision (sec. 1089) that would authorize the Secretary of Veterans Affairs to carry out certain projects contained in the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113-235) appropriated to the Department of Veterans Affairs, including:

(A) \$35,000,000 to make seismic corrections to Building 205 in the West Los Angeles Medical Center of the Department in Los Angeles, California, which, according to the Department, is a building that is designated as having an exceptionally high risk of sustaining substantial damage or collapsing during an earthquake;

(B) \$101,900,000 to replace the community living center and mental health facilities of the Department in Long Beach, California, which, according to the Department, are des-

ignated as having an exceptionally high risk of sustaining substantial damage or collapsing during an earthquake;

(C) \$187,500,000 to replace the existing spinal cord injury clinic of the Department in San Diego, California, which, according to the Department, is designated as having an extremely high risk of sustaining major damage during an earthquake; and

(D) \$122,400,000 to make renovations to address substantial safety and compliance issues at the medical center of the Department in Canandaigua, New York, and for the construction of a new clinic and community living center at such medical center.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Designation of construction agent for certain construction projects by Department of Veterans Affairs (sec. 1096)

The Senate amendment contained a provision (sec. 1091) that would require the Secretary of Veterans Affairs to enter into an agreement with the Army Corps of Engineers or another entity of the Federal Government to serve, on a reimbursable basis, as the construction agent on all construction projects of the Department of Veterans Affairs specifically authorized by Congress after the date of the enactment of the National Defense Authorization Act for Fiscal Years 2016 that involve a total expenditure of more than \$100.0 million, excluding any acquisition by exchange.

The House bill contained no similar provision.

The House recedes with an amendment that would apply this to major medical facilities of the Department of Veterans Affairs.

Department of Defense strategy for countering unconventional warfare (sec. 1097)

The House bill contained a provision (sec. 1088) that would require the Secretary of Defense, in consultation with the President and the Chairman of the Joint Chiefs of Staff, to develop a strategy for the Department of Defense to counter unconventional warfare threats posed by adversarial state and non-state actors. This section would require the Secretary of Defense to submit the strategy to the congressional defense committees within 180 days after the date of the enactment of this Act.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

Sustainment enhancement

The Senate amendment contained a provision (sec. 852) that would express the sense of Congress that the Department of Defense does not place sufficient emphasis on sustainment of weapon systems and would require the Secretary of Defense to assess of the feasibility and advisability of assigning additional functions regarding sustainment, manufacturing, and industrial base policy to the Assistant Secretary of Defense for Logistics and Materiel Readiness.

The House bill contained no similar provision.

The Senate recedes.

We direct the Secretary of Defense to submit a report to the congressional defense committees by February 1, 2016, on recommendations concerning the feasibility and advisability of assigning additional functions regarding sustainment, manufacturing,

and industrial base policy to the Assistant Secretary of Defense for Logistics and Materiel Readiness.

Consideration of strategic materials in preliminary design review

The House bill contained a provision (sec. 859) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics to ensure that Department of Defense Instruction 5000.02 and other applicable guidance receive full consideration during preliminary design review for strategic materials requirements over the life cycle of the product.

The Senate amendment contained no similar provision.

The House recedes.

Authority to transfer funds to the National Nuclear Security Administration to sustain nuclear weapons modernization and Naval Reactors

The House bill contained a provision (sec. 1002) that would provide the Secretary of Defense the authority to transfer up to \$150.0 million to the nuclear weapons and naval reactor programs of the National Nuclear Security Administration (NNSA) if the amount authorized to be appropriated or otherwise made available for fiscal year 2016 for the weapons activities of the NNSA is less than \$8.9 billion (the amount specified for fiscal year 2016 in the report required by section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84)).

The Senate amendment contained no similar provision.

The House recedes.

Restrictions on the overhaul and repair of vessels in foreign shipyards

The House bill contained a provision (sec. 1021) that would amend section 7310 of title 10, United States Code, to prohibit the Secretary of the Navy from beginning in a shipyard outside the United States or outside a territory of the United States any work that is scheduled to be for a period of more than 6 months for the overhaul, repair, or maintenance of a naval vessel whose homeport is not in the United States or Guam.

The Senate amendment contained no similar provision.

The House recedes.

Report on Department of Defense definition of and policy regarding software sustainment

The Senate amendment contained a provision (sec. 1026) that would require the Secretary of Defense to submit a report on the definition and policy of software sustainment used by the Department of Defense. The study would be performed by a federally funded research and development center.

The House bill contained no similar provision.

The Senate recedes.

We note that weapon systems are increasingly reliant on software and the sustainment of these systems presents new issues and challenges. Weapon systems may include proprietary data and unique software that could limit sustainment to a single entity and may result in cost increases and increased risk to operations and readiness.

We recommend the Department examine private sector and government best practices to inform its software sustainment strategy. Additionally, we encourage the Secretary of Defense to determine if the current definitions and policies regarding software sustainment provides adequate guidance for program managers to ensure software system sustainment planning include assessments of both public and private capabilities, costs, and operational risks.

Sense of Congress regarding technical correction

The House bill contained a provision (sec. 1026) that would express the sense of Congress that a technical correction to the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act of Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3881) should be enacted in order to expeditiously carry out the intent of such section 3095.

The Senate amendment contained no similar provision.

The House recedes.

Authority to temporarily transfer individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States for emergency or critical medical treatment

The Senate amendment contained a provision (sec. 1034) that would provide limited authority to the Department of Defense to transfer detainees to the United States for emergency or critical medical treatment.

The House bill contained no similar provision.

The Senate recedes.

Prohibition on use of funds to transfer or release individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to combat zones

The House bill contained a provision (sec. 1038) that would prohibit the use of funds provided to the Department of Defense to transfer individuals detained at United States Naval Station, Guantanamo Bay, Cuba to combat zones, as defined by IRS code, for a period of two years.

The Senate amendment contained no similar provision.

The House recedes.

Submission to Congress of certain documents relating to transfer of individuals detained at Guantanamo to Qatar

The House bill contained a provision (sec. 1040) that would require the Secretary of Defense to provide appropriate congressional committees copies of correspondence within the executive branch concerning the decision to transfer individuals detained at Guantanamo to Qatar.

The Senate amendment contained no similar provision.

The House recedes.

We note that the House Committee on Armed Services and the Department of Defense have reached an agreement regarding documents related to the transfer of individuals detained at Guantanamo to Qatar.

Submission of unredacted copies of documents relating to the transfer of certain individuals detained at Guantanamo to Qatar

The House bill contained a provision (sec. 1041) that would require the Secretary of Defense to provide unredacted copies of materials concerning the decision to transfer individuals detained at Guantanamo to Qatar.

The Senate amendment contained no similar amendment.

The House recedes.

We note that the House Committee on Armed Services and the Department of Defense have reached an agreement regarding documents relating to the transfer of individuals detained at Guantanamo to Qatar.

Treatment of certain previously transferred Army National Guard helicopters as counting against number transferable under exception to limitation on transfer of Army National Guard helicopters

The Senate amendment contained a provision (sec. 1045) that would require the Secretary of the Army to report to Congress the number of Army National Guard AH-64 heli-

copters that have been transferred to the original equipment manufacturer for remanufacture. The provision would also treat that number as counting against the number required to be transferred from the Army National Guard to the regular Army pursuant to section 1712 of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015.

The House bill contained no similar provision.

The Senate recedes.

Sense of Congress on consideration of the full range of Department of Defense manpower worldwide in decisions on the proper mix of military, civilian, and contractor personnel to accomplish the National Defense Strategy

The Senate amendment contained a provision (sec. 1047) that expressed the sense of Congress that the Secretary of Defense should consider the full range of Department of Defense manpower available worldwide in making decisions on the proper mix of military, civilian, and contractor personnel to accomplish the National Defense Strategy.

The House bill contained no similar provision.

The Senate recedes.

Space available travel for environmental morale leave by certain spouses and children of deployed members of the Armed Forces

The House bill contained a provision (sec. 1054) that would require the Secretary of Defense to authorize space-available travel for environmental morale leave by certain unaccompanied spouses and dependent children of deployed members of the Armed Forces.

The Senate amendment contained no similar provision.

The House recedes.

We note that that effective June 9, 2015 the Department of Defense (DOD) policy on space-available travel for dependents of deployed members was updated to authorize dependents of military members deployed for thirty or more consecutive days to travel space-available on DOD aircraft.

Limitation on availability of funds for modifying command and control of United States Pacific Fleet

The House bill contained a provision (sec. 1058) that would limit the availability of fiscal year 2016 funds to modify command and control relationships to give Fleet Forces Command operational and administrative control of Navy forces assigned to the Pacific Fleet.

The Senate amendment contained no similar provision.

The House recedes.

Prohibition on closure of United States Naval Station, Guantanamo Bay, Cuba

The House bill contained a provision (sec. 1059) that prohibited the President from closing or abandoning the United States Naval Station, Guantanamo Bay, Cuba, and required that the obligations of the United States under Article III of the Treaty Between the United States and Cuba signed on May 29, 1934 are met.

The Senate amendment contained no similar provision.

The House recedes.

Civilian Aviation Asset Military Partnership Pilot Program

The House bill contained a provision (sec. 1060a) that would establish a pilot program that would grant authority to the Secretary of Defense, in coordination with the Federal Aviation Administration. The aim of the Civilian Aviation Asset Military Partnership Pilot Program would be to award competitive grants of no more than \$2.5 million for

infrastructure or tower improvements and repairs at up to three eligible airports that support military and civilian operations per fiscal year.

The Senate amendment contained no similar provision.

The House recedes.

Limitation on use of funds to deactivate the 440th Airlift Wing

The House bill contained a provision (sec. 1060c) that would limit the availability of funds authorized to be appropriated for the deactivation of the 440th Airlift Wing until the Secretary of Defense certified the deactivation of the wing would not affect the military readiness of the airborne and special operations units stationed at Fort Bragg, North Carolina.

The Senate amendment contained a similar provision (sec. 136).

The House recedes.

We agree to include the Senate provision elsewhere in this Act because it would require sufficient certification by the Secretaries and Chiefs of Staff of the Army and the Air Force as to the military readiness of Army airborne and special operations units regarding support from Air Force airlift operations.

Study and report on role of Department of Defense in formulation of long-term strategy

The House bill contained a provision (sec. 1065) that requires the Secretary of Defense to direct the Office of Net Assessment (ONA) to conduct a study on the role of the Department of Defense in the formulation of long-term strategy, and to submit a report to the congressional defense committees on the results of the study not later than 2 years after the date of the enactment of this Act.

The Senate amendment contained no similar provision.

The House recedes.

We note our continued support for the work of the Office of Net Assessment and applaud senior Department leadership for their engagement with ONA.

Report on plans for the use of domestic airfields for homeland defense and disaster response

The Senate amendment contained a provision (sec. 1065) that would require, not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Homeland Security and the Secretary of Transportation, to submit to the appropriate committees of Congress a report setting forth an assessment of the plans for airfields in the United States that are required to support homeland defense and local disaster response missions.

The House bill contained no similar provision.

The Senate recedes.

We direct the Secretary of Defense, in consultation with the Secretary of Homeland Security and the Secretary of Transportation, to submit to the Committee on Armed Services, the Committee on Homeland Security and Government Affairs, and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Armed Services, the Committee on Homeland Security, and the Committee on Transportation and Infrastructure of the House of Representatives a report that contains an assessment of the plans for airfields in the United States that are required to support homeland defense and disaster response missions. The report shall include:

(1) A description of the criteria used to determine the capabilities and locations of airfields in the United States needed to support

safe operations of military aircraft in the execution of homeland defense and local disaster response missions;

(2) A description of the processes and procedures in place to ensure that contingency plans for the use of airfields in the United States that support both military and civilian air operations are coordinated among the Department of Defense and other Federal agencies with jurisdiction over those airfields;

(3) An assessment of the impact, if any, to logistics and resource planning as a result of the reduction of certain capabilities of airfields in the United States that support both military and civilian air operations; and

(4) A review of the existing agreements and authorities between the Commander of the United States Northern Command and the Administrator of the Federal Aviation Administration that allow for consultation on decisions that impact the capabilities of airfields in the United States that support both military and civilian air operations.

The report shall be submitted in unclassified form, but may include a classified annex.

Report on potential threats to members of the Armed Forces of United States Naval Forces Central Command and United States Fifth Fleet in Bahrain

The House bill contained a provision (Sec. 1066) that would require a report on potential threats to members of the Armed Forces of the United States Naval Forces Central Command and the United States Fifth Fleet in Bahrain.

The Senate amendment contained no similar provision.

The House recedes.

We direct the Secretary of Defense to provide a report to the Armed Services Committees of the House of Representatives and the Senate, not later than 120 days after the date of enactment of this Act, on threats posed to Department of Defense personnel and operations associated with United States military installations in Bahrain. The report should, at a minimum, include an assessment of the current security situation in Bahrain, the safety and security of Department of Defense personnel and dependents, and appropriate measures to mitigate the threat to U.S. operations and personnel including potential alternative facilities should U.S. personnel require temporary relocation.

Conflict of interest certification for investigations relating to whistleblower retaliation

The Senate amendment contained a provision (sec. 1088) that would require each investigator involved in a covered investigation to submit to the Inspector General of the Department of Defense or the Inspector General of the military department, as applicable, a certification that there was no conflict of interest between the investigator, any witness involved in the covered investigation, and the covered employee or member of the Armed Forces, as applicable, during the conduct of the covered investigation.

The House bill contained no similar provision.

The Senate recedes.

We expect that the Department of Defense and the military services will establish uniform procedures to ensure there are no conflicts of interest for persons investigating whistleblower complaints.

Determination and disclosure of transportation costs incurred by Secretary of Defense for congressional trips outside the United States

The House bill contained a provision (sec. 1091) that would require the Secretary of De-

fense to determine the cost of transportation provided in the case of a trip taken by a Member, officer, or employee of the Senate or the House of Representatives in carrying out official duties outside the United States and to report that cost not later than 10 days after completion of the trip to the Committees on Armed Services of the Senate or the House of Representatives, and to make the information available on the Secretary's official public website until the expiration of the 4 year period which begins on the final day of the trip involved.

The Senate amendment contained no similar provision.

The House recedes.

We support public disclosure of official travel by Members, officers, and employees of the Senate and the House of Representatives. To this end, we note that section 1754(b) of title 22, United States Code, contains reporting and disclosure requirements for congressional travel outside the United States, including a requirement for reports to be open to public inspection and published in the Congressional Record. We recognize that there are circumstances under which transportation provided by the Department of Defense best meets the needs of congressional delegations, ranging from protecting the safety and security of the delegations, expediency, and accessing destinations that have little or no commercial air service. We further note that the Committees on Armed Services of the Senate and the House of Representatives each maintain policies and processes to provide further oversight of travel requests by members and employees of the committees.

Observance of Veterans Day

The House bill contained a provision (sec. 1095) that would amend chapter 1 of title 36, United States Code, to add a new section that would require the President to issue a proclamation each year calling on the people of the United States to observe 2 minutes of silence on Veterans Day in honor of the service and sacrifice of veterans throughout the history of the Nation.

The Senate amendment contained no similar provision.

The House recedes.

Business case analysis of decision to maintain C-130J aircraft at Keesler Air Force Base, Mississippi

The House bill contained a provision (sec. 1096) that would require the Secretary of the Air Force to conduct, not later than 60 days after the date of enactment of this Act, a business case analysis of the decision to maintain 10 C-130J aircraft at Keesler Air Force Base, Mississippi.

The Senate amendment contained no similar provision.

The House recedes.

We recognize that the report provided to the committees by the Secretary of the Air Force in April 2015 in response to as required by section 138 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291), included information on the business case for maintaining 10 C-130J aircraft at Keesler Air Force Base, Mississippi.

Sense of Congress regarding cyber resiliency of National Guard networks and communications systems

The House bill contained a provision (sec. 1097) that would express a sense of Congress that the National Guard personnel need to have situational awareness and reliable communications in the event of an emergency, terrorist attack, or natural or man-made disaster, and that the current communications

and networking systems for the National Guard, including commercial wireless solutions, are interoperable with the systems of civilian first responders.

The Senate amendment contained no similar provision.

The House recedes.

We note the importance of National Guard personnel having robust situational awareness and reliable communications in the event of a natural or man-made disaster that are interoperable with the systems of civilian first responders. In disaster situations, the National Guard serves as a critical bridge linking military and civilian response capabilities, and thus has the requirement to maintain a broad range of communications equipment. We encourage the National Guard to constantly explore ways to improve and expand its communications and networking capabilities to provide for enhanced performance and resilience in the face of cyber attacks or disruptions, as well as other instances of degradation.

TITLE XI—CIVILIAN PERSONNEL MATTERS

LEGISLATIVE PROVISIONS ADOPTED

Procedures for reduction in force of Department of Defense civilian personnel (sec. 1101)

The House bill contained a provision (sec. 906) that would express the sense of the Congress that the Secretary of Defense should proceed with the collaborative work with employee representatives on the “New Beginnings” performance management and workforce incentive system and begin implementation of the new system at the earliest possible date.

The Senate amendment contained a provision (sec. 1103) that would provide the Secretary of Defense with the authority to establish procedures to provide that, in implementing any reduction in force for civilian positions in the Department of Defense in the competitive service or the excepted service, the determination of which employees shall be separated from employment in the Department of Defense shall be made primarily on the basis of performance.

The agreement includes the Senate provision with an amendment that would express the sense of the Congress contained in the House provision.

One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone (sec. 1102)

The House bill contained a provision (sec. 1101) that would extend by 1 year the discretionary authority of the head of a federal agency to provide allowances, benefits, and gratuities comparable to those provided to members of the Foreign Service to an agency's civilian employees on official duty in a combat zone.

The Senate amendment contained a similar provision (sec. 1107).

The Senate recedes.

Extension of rate of overtime pay for Department of the Navy employees performing work aboard or dockside in support of the nuclear-powered aircraft carrier forward deployed in Japan (sec. 1103)

The House bill contained a provision (sec. 1103) that would amend section 5542(a)(6)(B) of title 5, United States Code, to extend for 1 year the authority for a civilian employee of the Department of the Navy who is assigned to temporary duty to perform work aboard, or dockside in direct support of, the nuclear aircraft carrier that is forward deployed in Japan to receive overtime pay.

The Senate amendment contained an identical provision (sec. 1108).

The agreement includes this provision.

Modification to temporary authorities for certain positions at Department of Defense research and engineering facilities (sec. 1104)

The House bill contained a provision (sec. 1104) that would modify section 1107 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66) to allow for the noncompetitive conversion of students that have graduated from an applicable institution of higher learning to a permanent appointee. In addition, the House provision would change the percentages of the work force that would be eligible for certain direct hiring authorities.

The Senate amendment contained a similar provision (sec. 1109) that would change the percentage of the work force that would be eligible for bachelor's degree holder direct hiring authority.

The Senate recedes with a technical amendment.

Required probationary period for new employees of the Department of Defense (sec. 1105)

The Senate amendment contained a provision (sec. 1101) that would set the required probationary period for new employees of the Department of Defense at 2 years. The provision would also give discretionary authority to the service secretary concerned to extend a probationary period of a new employee of the Department of Defense.

The House bill contained no similar provision.

The agreement contains the Senate provision with a technical amendment.

In extending the probationary period for new employees of the Department of Defense (DOD), we expect the Secretary of Defense to ensure that supervisors optimize the additional probationary time by educating supervisors on the importance of tracking when an individual's probationary period is ending and directing the supervisor to make an affirmative decision or otherwise take appropriate action. The Secretary should take steps to ensure DOD supervisors are aware of the range of tools and guidance available through the Office of Personnel Management, including on-line and in-person training and guidebooks. We note that the probationary period extension will be beneficial only if an agency has effective performance management practices in place and uses the extra time for the purpose intended. We expect the Secretary of Defense to assess the adequacy of leadership training provided to supervisors in DOD components and Defense agencies in order to ensure supervisors obtain the skills needed to effectively conduct performance management responsibilities.

Delay of periodic step increase for civilian employees of the Department of Defense based upon unacceptable performance (sec. 1106)

The Senate amendment contained a provision (sec. 1102) that would provide the Secretary of Defense with the authority to require satisfactory performance by civilian employees in order to qualify for periodic step increases based on that service.

The House bill contained no similar provision.

The House recedes.

United States Cyber Command workforce (sec. 1107)

The Senate amendment contained a provision (sec. 1104) that would provide enhanced hiring and retention authorities to the Secretary of Defense for civilians on the staff of the United States Cyber Command (CYBERCOM) and the elements of the CYBERCOM components of the Armed

Forces. These enhanced authorities are modeled after the personnel authorities in title 10 provided for the staff of the intelligence components of the Department of Defense. These authorities are also similar to those that Congress provided in 2014 for the cyber workforce at the Department of Homeland Security. The provision also would require the Secretary of Defense to provide a plan to Congress on implementation of these authorities.

The House bill contained no similar provision.

The House recedes with technical and clarifying amendments, including an amendment that would delay the effective date of the authority granted under this section until 30 days after receipt of an implementation plan submitted by the Secretary of Defense to the congressional defense committees.

One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas (sec. 1108)

The Senate bill contained a provision (sec. 1105) that would authorize the head of an executive agency to waive limitation on the aggregate of basic and premium pay payable through calendar year 2016 to an employee who performs work in an overseas location that is in the area of responsibility of the Commander, U.S. Central Command (CENTCOM), or a location that was formerly in the CENTCOM but has been moved to an area of responsibility of the Commander, U.S. Africa Command, in support of a contingency operation or an operation in response to a declared emergency. The amount payable may not exceed the total annual compensation payable to the Vice President under section 104 of title 3, United States Code.

The House bill contained no similar provision.

The House recedes.

Pilot program on dynamic shaping of the workforce to improve the technical skills and expertise at certain Department of Defense laboratories (sec. 1109)

The Senate amendment contained a provision (sec. 1111) that would authorize Department of Defense laboratories to conduct a pilot program to use specific new authorities to improve the dynamic shaping of their technical workforces, including the ability to hire technical experts into flexible length and renewable term appointments, exercise flexibility in applying existing authorities for accessing the expertise of recently retired technical personnel and offer voluntary early retirement and voluntary separation incentives.

The House bill contained no similar provision.

The agreement contains the Senate provision with the inclusion of a few technical clarifying amendments.

We believe that the ability of the Department of Defense laboratories to be flexible in both hiring and shaping their workforce is critical to maintaining a world-class research workforce that can adapt over time to new and emerging areas of technical need. The Senate and House Armed Services Committees, in coordination with the Oversight and Government Reform Committee of the House of Representatives and the Homeland Security and Government Affairs Committee of the Senate, have been active in modifying and seeking new authorities to make the Defense laboratories agile and attractive places for civilian researchers and engineers.

We believe that taking stock of the authorities granted over the past 10 years and understanding their effects on attracting, recruiting and retaining a skilled workforce are important. Therefore, we direct the Assistant Secretary of Defense for Research and Engineering, in coordination with the military departments and laboratory directors, to brief the Committees on Armed Services of the Senate and House of Representatives, the Oversight and Government Reform Committee of the House of Representatives and the Homeland Security and Government Affairs Committee of the Senate no later than 90 days of the enactment of this Act. This briefing should include how the military departments, the laboratories, and the Office of the Secretary of Defense are using these authorities, metrics for understanding the effectiveness of these authorities, and any recommendations for legislative or regulatory action to improve the functioning of these authorities.

Pilot program on temporary exchange of financial management and acquisition personnel (sec. 1110)

The Senate amendment contained a provision (sec. 1112) that would authorize a pilot program to assess the feasibility and advisability of the temporary assignment of financial management and acquisition personnel to nontraditional defense contractors as defined by section 2303(9) of title 10, United States Code, and of covered employees of such contractors to the Department of Defense. Nontraditional defense contractors are commercial companies who either do not do business with the Department of Defense or do so exclusively through commercial terms and conditions. This authority would expire on September 30, 2019.

The House bill contained no similar provision.

The House recedes with an amendment that would make the authority permissive rather than mandatory and would modify the terms and conditions of participation in the pilot program by the private-sector employees.

We believe that any exchange of government personnel with industry designed to improve skills and knowledge of finance and acquisition should be with those types of firms that do not traditionally do business with the Department of Defense and as such may offer different business management approaches to address similar problems. These firms also do not pose the same potential conflict of interest concerns that any exchange with a traditional defense contractor would pose.

Pilot program on enhanced pay authority for certain acquisition and technology positions in the Department of Defense (sec. 1111)

The Senate amendment contained a provision (sec. 1113) that would authorize a pilot program to assess the feasibility and advisability of using a higher-level pay authority to attract and retain high-quality acquisition and technology experts in positions responsible for management and developing complex, high-cost, technological acquisition efforts of the Department of Defense. We are concerned that in some cases the Department of Defense cannot competitively compensate the senior-level government program managers and engineers required for the government to oversee major defense acquisition programs. This provision would allow, in select cases, for the Department of Defense to pay a higher rate of compensation to recruit and retain senior acquisition officials who are exceptionally well qualified.

These officials would be limited to a 5-year term. This authority would expire on October 1, 2020.

The House bill contained no similar amendment.

The House recedes.

Pilot program on direct hire authority for veteran technical experts into the defense acquisition workforce (sec. 1112)

The Senate amendment contained a provision (sec. 1114) that would authorize a 5-year pilot program for the service acquisition executives of each military department to directly appoint qualified veteran candidates for scientific, technical, engineering, and mathematics positions in the defense acquisition activities. This direct hire authority would be limited to no more than 1 percent of the total number of positions in the acquisition workforce in each military department that are filled as of the close of the previous fiscal year.

The House bill contained no similar amendment.

The House recedes.

We direct the Secretary of Defense to provide a report to the congressional defense committees on the use of this authority no later than 2 years after the date of enactment of the Act.

Direct hire authority for technical experts into the defense acquisition workforce (sec. 1113)

The Senate amendment contained a provision (sec. 1115) that would authorize the service secretaries of each military department to directly appoint qualified candidates possessing a scientific or engineering degree to positions in the defense acquisition activities. This direct hire authority would be limited to no more than 5 percent of the total number of scientific and engineering positions in the acquisition workforce in each military department that are filled as of the close of the previous fiscal year. This authority would expire December 31, 2020.

The House bill contained no similar provision.

The House recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Authority to provide additional allowances and benefits for Defense Clandestine Service employees

The House bill contained a provision (sec. 1102) that would grant the Secretary of Defense the authority to provide additional allowances and benefits for Defense Clandestine Service employees.

The Senate amendment contained no similar provision.

The House recedes.

Preference eligibility for members of reserve components of the Armed Forces appointed to competitive service; clarification of appeal rights

The House bill contained a provision (sec. 1105) that would create a hiring preference for certain members of the reserve components of the Armed Forces for the competitive service and would clarify the appeals rights of individuals hired under section 3330a of title 5, United States Code.

The Senate amendment contained no similar provision.

The House recedes.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

SUBTITLE A—TRAINING AND ASSISTANCE

One-year extension of logistical support for coalition forces supporting certain United States military operations (sec. 1201)

The House bill contained a provision (sec. 1201) that would amend section 1234 of the

National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181), as most recently amended by section 1223 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291), by authorizing the Secretary of Defense to provide supplies, services, transportation, and other logistical support to coalition forces supporting U.S. operations in Iraq and Afghanistan during fiscal year 2016.

The Senate amendment contained no similar provision.

The Senate recedes.

Strategic framework for Department of Defense security cooperation (sec. 1202)

The House bill contained a provision (sec. 1202) that would require the Secretary of Defense, in coordination with the Secretary of State, to develop a strategic framework for Department of Defense security cooperation to guide prioritization of resources and activities. This section would also require the Secretary of Defense, in coordination with the Secretary of State, to submit a report on the strategic framework for security cooperation to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives, not later than 90 days after enactment of this Act.

The Senate amendment contained no similar provisions.

The Senate recedes with an amendment that would make clarifying changes and require the Secretary of Defense to submit the required report not later than 180 days after enactment of this Act.

Redesignation, modification, and extension of National Guard State Partnership Program (sec. 1203)

The House bill contained a provision (sec. 1203) that would amend section 1205 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66) by modifying and extending the authorization for the National Guard State Partnership Program (SPP) by 2 years, would require the Chief of the National Guard Bureau to establish and submit a list of core competencies to support SPP activities to the Secretary of Defense for approval, and would require the Secretary of Defense to establish a fund to administer and execute the funds authorized and appropriated for SPP.

The Senate amendment contained a similar provision (sec. 1204) that would amend section 1205 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 114-66) to provide for the extension of the Department of Defense (DOD) State Partnership Program and direct the Under Secretary of Defense (Comptroller) and Under Secretary of Defense (Policy) to conduct an advisability and feasibility study as to whether a central fund should be created to support the activities associated with the State Partnership Program.

The House recedes with an amendment that would make clarifying changes, would require the Secretary of Defense to submit a legislative proposal if it is found to be advisable and feasible to establish a central fund for the program, and would extend the underlying authority for the program for 5 years.

We encourage DOD to consider if it would be useful to establish a list of core competencies of the National Guard to be used to better educate security assistance officers and countries participating in the State Partnership Program about the capabilities that can be brought to bear by the Guard.

The Secretary should inform the Armed Services Committees of the House of Representatives and the Senate if such a step is considered to be useful.

Extension of authority for non-reciprocal exchanges of defense personnel between the United States and foreign countries (sec. 1204)

The House bill contained a provision (sec. 1204) that would amend section 1207(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84) by extending the authorization for non-reciprocal exchanges of defense personnel between the United States and foreign countries through December 31, 2017.

The Senate amendment contained no similar provision.

The House recedes with an amendment that would extend the authority through December 31, 2021.

Monitoring and evaluation of overseas humanitarian, disaster, and civic aid programs of the Department of Defense (sec. 1205)

The House bill contained a provision (sec. 1205) that would allow up to 5 percent of the amounts authorized to be appropriated by this act for sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code be used to conduct monitoring and evaluation of these programs.

The Senate amendment contained no similar provision.

The House recedes with a clarifying amendment.

We further note that the briefing shall include a description of how the Department of Defense evaluates program and project outcomes and impact, including cost effectiveness and extent to which programs meet designated goals.

One-year extension of funding limitations for authority to build the capacity of foreign security forces (sec. 1206)

The Senate amendment contained a provision (sec. 1201) that would extend for 1 year the funding limitations for the Department of Defense to build the capacity of foreign security forces under section 2282, title 10, United States Code.

The House bill contained no similar provisions.

The House recedes.

Authority to provide support to national military forces of allied countries for counterterrorism operations in Africa (sec. 1207)

The Senate amendment contained a provision (sec. 1205) that would authorize through September 30, 2018, the Secretary of Defense, in coordination with the Secretary of State, to provide, on a non-reimbursable basis, logistic support, supplies, and services to the national military forces of an allied country conducting counterterrorism operations in Africa if the Secretary of Defense determines that the provision of such support is (1) in the national security interests of the United States; and (2) critical to the timely and effective participation of such national military forces in such operations.

The House bill contained no similar provision.

The House recedes.

We note that, in this section, the term allied country has the meaning given to that term in section 2350c of title 10, United States Code.

Reports on training of foreign military intelligence units provided by the Department of Defense (sec. 1208)

The Senate amendment contained a provision (sec. 1206) that would authorize the Sec-

retary of Defense to provide intelligence training to foreign military intelligence units to increase partner capacity.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Under Secretary of Defense for Intelligence to provide semi-annual reports to the congressional defense committees on the military intelligence training performed by Department of Defense of foreign military intelligence personnel and the authorities under which such activities are conducted.

We believe that the current matrix of capacity building authorities may not sufficiently cover sustained intelligence training for foreign military forces for purposes other than counterterrorism operations and stability operations with whom the United States partners or may need to partner in the future. Based on the reports and any potential gaps in authorities, we will evaluate whether further authorities should be included in the 2017 authorizing legislation.

Prohibition on assistance to entities in Yemen controlled by the Houthi movement (sec. 1209)

The Senate amendment contained a provision (sec. 1207) that would prohibit assistance to an entity in Yemen controlled by members of the Houthi movement unless the Secretary of Defense determines the provision of such assistance is important to the national security interests of the United States.

The House bill did not contain a similar provision.

The House recedes with an amendment requiring the Secretary of Defense to submit a notification to certain congressional committees should the national security exception be exercised.

SUBTITLE B—MATTERS RELATING TO
AFGHANISTAN AND PAKISTAN

Extension and modification of Commanders' Emergency Response Program (sec. 1211)

The House bill contained a provision (sec. 1211) that would amend section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81), as most recently amended by section 1221 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291), by extending for 1 year the Commanders' Emergency Response Program (CERP) in Afghanistan and authorizing \$5.0 million for fiscal year 2016.

The Senate amendment contained a similar provision (sec. 1222) that would make up to \$10.0 million available during fiscal year 2016 for CERP in Afghanistan, and would authorize certain payments to redress injury and loss in Iraq.

The House recedes with an amendment that would limit amounts available during Fiscal Year 2016 to not exceed \$5.0 million, require the Secretary of Defense to submit revised guidance to take into account the modifications to CERP made by this provision and would allow the Secretary to begin payments to redress injury and loss in Iraq 30 days after the submission of a report related to the conditions for which payment would be made and the manner in which claims for payments shall be verified.

Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations (sec. 1212)

The House bill contained a provision (sec. 1212) that would extend the authority for reimbursement of coalition nations for support provided to the U.S. for military operations

in Afghanistan through fiscal year 2016 and would authorize \$1.3 billion. Of the \$1.0 billion in reimbursement authorized for Pakistan during fiscal year 2016, \$400.0 million would not be eligible for a waiver unless the Secretary of Defense certifies that Pakistan is conducting military operations against the Haqqani Network and is actively coordinating with the Government of Afghanistan to restrict the movement of militants along the Afghanistan-Pakistan border.

The Senate amendment contained a similar provision (sec. 1224) that would extend the authority to make Coalition Support Fund (CSF) payments to reimburse certain nations for support provided to U.S. military operations in Afghanistan and would authorize to \$1.2 billion, of which \$900.0 million would be provided to Pakistan. Of the \$900.0 million, \$100.0 million would be authorized for a pilot program.

The Senate recedes with an amendment that would authorize \$1.2 billion and would limit the authorization for reimbursement to Pakistan to \$900.0 million. Of the \$900.0 million, \$350.0 million would not be eligible for a waiver unless the Secretary of Defense certifies that Pakistan has met certain conditions. An additional \$100.0 million of CSF would be made available for Pakistan for direct assistance for a pilot program for stability activities undertaken in the Federally Administered Tribal Areas, including the provision of funds to the Pakistan military and the Pakistan Frontier Corps Khyber Pakhtunkhwa.

We encourage the continuation of military operations undertaken by the Pakistan Military in the Federally Administered Tribal Area but note the need for further action against terrorist organizations such as the Haqqani Network.

Additional matter in semiannual report on enhancing security and stability in Afghanistan (sec. 1213)

The House bill contained a provision (sec. 1213) that would state the sense of Congress that the President's decision to maintain 9,800 U.S. troops through 2015 is appropriate, that the President should withdraw U.S. troops only on a pace that is consistent with the ability of the Afghan National Security Forces to sustain itself and secure Afghanistan, and that the U.S. President should review maintaining the U.S. advisory mission beyond 2016.

The Senate amendment contained a similar provision (sec. 1221) that would require a certification by the President to the congressional defense committees that the reduction of U.S. forces in Afghanistan will result in an acceptable level of risk to U.S. national security objectives.

The House recedes with an amendment that adds an assessment of risks associated with the drawdown of U.S. forces to the semiannual report required by section 1225 of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291).

Extension of authority to acquire products and services produced in countries along a major route of supply to Afghanistan (sec. 1214)

The House bill contained a provision (sec. 1214) that would extend section 801 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84), as most recently amended by section 832 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66), through December 31, 2016, for limiting competition for products or services that are from one or more countries along a major route of supply

to Afghanistan or providing a preference for such a product or service, under certain circumstances.

The Senate amendment contained a similar provision (sec. 827) that would extend by 1 year the authority in section 801(f) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84).

The House recedes.

Extension of authority to transfer defense articles and provide defense services to the military and security forces of Afghanistan (sec. 1215)

The House bill contained a provision (sec. 1215) that would extend section 1222 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239), as amended by section 1231 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291), for 1 year and would extend the quarterly reporting requirement through March 31, 2017. This section would authorize that, during fiscal years 2015–16, the excess defense articles transferred from the stocks of the Department of Defense to the military and security forces of Afghanistan will not be subject to the authorities and limitations in section 561 of the Foreign Assistance Act of 1961 (Public Law 87-195).

The Senate amendment contained a similar provision (sec. 1223).

The Senate recedes.

Modification of protection for Afghan allies (sec. 1216)

The House bill contained a provision (sec. 1216) that would express the sense of Congress that it is in the interest of the United States to continue to assist Afghan partners, and their immediate families, who have served as translators or interpreters and those who have performed sensitive and trusted activities for U.S. Armed Forces.

The Senate amendment contained a provision (sec. 1227) that would modify the Afghan Special Immigrant Visa program to require not less than 2 years of service if submitting a petition after September 30, 2015, would express the sense of Congress that the necessity of providing special immigrant status should be assessed at regular intervals by the Committee on Armed Services of the Senate and the House of Representatives taking into account the scope of the current and planned presence of U.S. troops in Afghanistan, and would make technical amendments.

The House recedes with a technical amendment.

SUBTITLE C—MATTERS RELATING TO SYRIA AND IRAQ

Extension of authority to support operations and activities of the Office of Security Cooperation in Iraq (sec. 1221)

The House bill contained a provision (sec. 1221) that would extend the authority for the Office of Security Cooperation in Iraq (OSC-I) for 1 year. This authority would allow the Secretary of Defense, with the concurrence of the Secretary of State, to authorize OSC-I to conduct training activities in support of the Iraqi Ministry of Defense and Counter Terrorism Service personnel at a base or facility of the Government of Iraq. This section would limit the total authorized funding for operations and activities for OSC-I to \$143.0 million in fiscal year 2016 and would require the Secretary of Defense and the Secretary of State to submit a report assessing how OSC-I integrates into Operation Inherent Resolve in Iraq.

The Senate amendment contained a similar provision (sec. 1228) that would authorize the use of up to \$80.0 million in fiscal year

2016 to support OSC-I operations and activities.

The House recedes.

Strategy for the Middle East and to counter violent extremism (sec. 1222)

The House bill contained a provision (sec. 1222) that would express a sense of Congress on U.S. strategy in the Middle East and would require the Secretary of Defense to submit to the congressional defense committees a comprehensive strategy for the Middle East.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense and the Secretary of State, not later than February 15, 2016, to jointly submit to certain congressional committees a strategy for the Middle East and to counter violent extremism.

Modification of authority to provide assistance to counter the Islamic State of Iraq and the Levant (sec. 1223)

The House bill contained a provision (sec. 1223) that would authorize \$715.0 million in fiscal year 2016 for assistance to the military and security forces associated with the Government of Iraq, of which not less than 25 percent of such funds would be obligated to such groups as Kurdish and tribal security forces with a national security mission. This section would require an assessment by the Secretary of Defense and Secretary of State of the conditions of the Government of Iraq relating to political inclusiveness, minority integration, and efforts to address grievances of ethnic and sectarian minorities. If the assessment is not submitted or Iraq has not substantially achieved the conditions contained in the assessment, the Secretaries would be required to withhold the provision of assistance pursuant to the “Iraq Train and Equip Authority” under section 1236 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) and 60 percent of such assistance would go directly to certain groups.

The Senate amendment contained provisions (sec. 1225, 1229, 1271) that would require the Secretary of Defense to submit a report to the congressional defense committees within 30 days if the Secretary determines that equipment provided by the United States to Iraq has been transferred to or acquired by a violent extremist organization and would add an additional element to the quarterly report under the Iraq Train and Equip authority to include a list of units restricted from receiving assistance under that authority as a result of vetting.

The Senate recedes with an amendment that would express the sense of Congress that: (1) the Islamic State of Iraq and the Levant poses an acute threat to the people and territorial integrity of Iraq (ISIL), (2) defeating ISIL is critical to maintaining a unified Iraq, and (3) the United States in coordination with coalition partners should provide security assistance in an expeditious and responsive manner to the national security forces associated with the Government of Iraq including Kurdish and tribal security forces or other security forces with a national security mission. The amendment would also require the Secretary of Defense and the Secretary of State to jointly submit an assessment, to certain congressional committees on the extent to which the Government of Iraq is increasing political inclusiveness, addressing grievances of ethnic and sectarian minorities, and enhancing minority integration in the political and military

structures in Iraq. Taking into account such an assessment, in the event the President determines that the Government of Iraq has failed to take substantial action to: (1) increase political inclusiveness, (2) address the grievances of ethnic and sectarian minorities, and (3) enhance minority integration in the political and military structures in Iraq; the Secretary of Defense, in coordination with the Secretary of State, would be authorized to provide, in coordination to the extent practicable with the Government of Iraq, assistance pursuant to the Iraq Train and Equip authority directly to the Kurdish Peshmarga, Sunni tribal security forces, or other local security forces with a national security mission for the purpose of supporting international coalition efforts against ISIL. We note that local security forces with a national security mission may include, in addition to Sunni tribal elements, local security forces that are committed to protecting highly vulnerable ethnic and religious minority communities, such as Yazidi, Christian, Assyrian and Turkoman communities, against the ISIL threat. Additionally, this section would prohibit assistance pursuant to the Iraq Train and Equip authority from being provided to the Government of Iraq unless the Secretary of Defense certifies that the Government of Iraq has taken actions as may be reasonably necessary to safeguard against such assistance being transferred to, or acquired by violent extremist organizations, including designated Foreign Terrorist Organizations (FTOs) or an organization that is known to be under the command and control of, or is associated with the Government of Iran.

Reports on United States Armed Forces deployed in support of Operation Inherent Resolve (sec. 1224)

The House bill contained a provision (sec. 1224) that would express the sense of the Congress that Operation Inherent Resolve and the force protection and combat search and rescue requirements be continuously evaluated, and would require the Secretary of Defense to submit to the congressional defense committees a report on the U.S. Armed Forces deployed in support of OIR.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require a report to the congressional defense committees, not later than 30 days after the date of the enactment of this Act and every 90 days thereafter, on United States Armed Forces deployed in support of Operation Inherent Resolve.

Matters relating to support for the vetted Syrian opposition (sec. 1225)

The House bill contained a provision (sec. 1225) that would require a strategy and authorize \$600.0 million for the overall Syria Train and Equip program, which includes \$531.5 million for the Syria Train and Equip Fund, \$25.8 million for costs that would be incurred by the Army for such program, and \$42.8 million for costs that would be incurred by the Air Force for such program.

The Senate amendment contained a provision (sec. 1208) that would require the Secretary of Defense to submit a report on the military support the Secretary considers necessary to provide to recipients of assistance upon their return to Syria.

The Senate recedes with an amendment that would: (1) require the Secretary of Defense to submit a report on what support is determined to be necessary to provide recipients of assistance upon their return to Syria; (2) modify quarterly reporting matters; and

(3) require certain information to accompany reprogramming requests.

Support to the Government of Jordan and the Government of Lebanon for border security operations (sec. 1226)

The House bill contained a provision (sec. 1226) that would authorize \$300.0 million in assistance on a reimbursement basis to enhance and support the efforts of Jordan's Armed Forces to sustain security along its border with Syria and Iraq.

The Senate amendment contained a similar provision (sec. 1202) that would authorize assistance to Jordan and Lebanon in any fiscal year through fiscal year 2020 for the purposes of sustaining security along their borders with Syria and/or Iraq. Regarding assistance to the Government of Lebanon, the provision would prohibit reimbursement of Hezbollah or any forces other than the armed forces of Lebanon.

The Senate recedes with an amendment that would make available to Jordan and Lebanon funds not to exceed \$150.0 million for each country in any 1 fiscal year for reimbursement from amounts authorized pursuant to section 1233 of the National Defense Authorization Act for fiscal year 2008 (P.L. 110-181) and section 1534 of the National Defense Authorization Act for fiscal year 2015 (P.L. 113-291), the Counterterrorism Partnership Fund, and would make other clarifying modifications.

Sense of Congress on the security and protection of Iranian dissidents living in Camp Liberty, Iraq (sec. 1227)

The Senate amendment contained a provision (sec. 1230) that would express the sense of Congress regarding the security and disposition of Camp Liberty residents while encouraging cooperation with the United Nations High Commissioner for Refugees in expediting the resettlement of Camp Liberty resident to safe locations outside Iraq.

The House bill did not contain a similar provision.

The House recedes with a clarifying amendment.

SUBTITLE D—MATTERS RELATING TO IRAN

Modification and extension of annual report on the military power of Iran (sec. 1231)

The House bill contained a provision (sec. 1231) that would extend the annual report on the military power of Iran to December 31, 2025, and add a reporting requirement that provides an assessment of transfers of military equipment, technology, and training to Iran from non-Iranian sources.

The Senate amendment contained a similar provision (sec. 1241).

The Senate recedes with an amendment that would create an additional element of the underlying report to require information on Iran's cyber capabilities.

Sense of Congress on the Government of Iran's malign activities (sec. 1232)

The House bill contained a provision (sec. 1232) that would express the sense of the Congress that Iran's illicit pursuit, development, or acquisition of a nuclear weapons capability and its malign military activities constitute a grave threat to regional stability and the national security interests of the U.S. and its allies.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would express the sense of Congress that Iran continues to conduct malign activities and sponsorship of terrorism, and that the United States should continue to enhance the region's security architecture,

build partner capacity to respond to external aggression, and increase interoperability with regional security forces.

Report on military-to-military engagements with Iran (sec. 1233)

The House bill contained a provision (sec. 1234) that would restrict the Secretary of Defense from authorizing any military-to-military exchange or contact by the Armed Forces or Department of Defense civilians with Iran with certain exceptions.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to submit a report to certain congressional committees on military-to-military engagements with Iran.

Security guarantees to countries in the Middle East (sec. 1234)

The House bill contained a provision (sec. 1235) that would require the Secretary of Defense, in coordination with the Secretary of State, to provide the appropriate congressional committees a copy of any security agreement by the U.S. to any country in the Middle East associated with Iran's nuclear weapons program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense and Secretary of State to submit a report to certain congressional committees that summarizes any agreement on security commitments by the United States to any country in the Middle East in effect as of 15 days prior to the submittal of the report. Additionally, this section would require the Chairman of the Joint Chiefs of Staff to provide the Secretary of Defense with an analysis of the United States military force structure and posture required to meet any current agreement that provides security commitments in the Middle East.

Rule of construction (sec. 1235)

The House bill contained a provision (sec. 1236) that states that nothing in this Act shall be construed as authorizing the use of force against Iran.

The Senate amendment contained no similar provision.

The Senate recedes.

SUBTITLE E—MATTERS RELATING TO THE RUSSIAN FEDERATION

Notifications relating to testing, production, deployment, and sale or transfer to other states or non-state actors of the Club-K cruise missile system by the Russian Federation (sec. 1241)

The House bill contained a provision (sec. 1241) that would require the Secretary of Defense to submit to the appropriate committees of Congress quarterly notifications and updates relating to testing, production, deployment, sale or transfer to other states or non-state actors of the Club-K cruise missile system by the Russian Federation. This provision would also require the Secretary of Defense to notify the congressional defense committees no later than 7 days after the Secretary determines that there is reasonable belief that Russia has deployed, sold, or transferred the Club-K cruise missile system to other states or non-state actors. Additionally, the Chairman of the Joint Chiefs of Staff is required to develop a strategy to detect, defend against and defeat the Club-K cruise missile system, and will submit to the appropriate committees of Congress the strategy no later than September 30, 2016.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment requiring the Secretary of Defense to notify the appropriate committees of Congress not later than 7 days after the Secretary determines there is reasonable grounds to believe the Russian Federation has tested, initially deployed, or sold or transferred to another state or non-state actor the Club-K cruise missile system. The Chairman of the Joint Chiefs of Staff shall include options for responding to the Club-K cruise missile threat in current military planning. The reporting requirement contained in the House provision is carried in another section of the Act.

Notifications of deployment of nuclear weapons by Russian Federation to territory of Ukrainian Republic or Russian territory of Kaliningrad (sec. 1242)

The House bill contained a provision (sec. 1242) that would require the Secretary of Defense to submit to the appropriate congressional committees quarterly notifications on the status of the Russian Federation conducting exercises with, planning or preparing to deploy, or deploying certain weapons systems, onto the territory of the Ukrainian Republic. This provision would also require prompt notification, no more than seven days, after the Secretary of Defense determines that there exists reasonable grounds to believe that Russia has deployed certain weapon systems onto the territory of Ukraine. Further, the Chairman of the Joint Chiefs of Staff shall submit to the congressional defense committees, no later than June 30, 2016, a strategy to respond to the military threat posed by the Russian Federation deploying covered weapons systems onto the territory of the Ukrainian Republic.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would expand the notification to include the deployment of covered weapon systems into the Russian territory of Kaliningrad, and would require the Chairman of the Joint Chiefs of Staff to include in current planning options for responding to the military threat posed by the Russian Federation deploying covered weapons into the territory of Ukraine and Kaliningrad, including opportunities for allied cooperation. The agreement also addresses the requirement to report on the status of exercises with, planning or preparing to deploy, or deploying certain weapons systems, onto the territory of the Ukrainian Republic in another section of this Act, and includes reporting on deployment of such weapons systems in the Russian territory of Kaliningrad in that section. The provision would terminate after 5 years.

Measures in response to non-compliance by the Russian Federation with its obligations under the INF Treaty (sec. 1243)

The House bill contained a provision (sec. 1243) that would require the President to submit to the appropriate congressional committees a notification of whether the Russian Federation has flight-tested, deployed, or possessed a military system that has achieved an initial operation capability of a covered missile system, and whether the Russian Federation has begun steps to return to full compliance with the Intermediate-Range Nuclear Forces (INF) Treaty, including by agreeing to inspections and verification measures necessary to achieve high confidence that any covered missile system will be eliminated, as required by the INF Treaty upon its entry into force.

The Senate amendment contained a similar provision (sec. 1671) that would require

the President to notify the appropriate congressional committees with respect to whether the Russian Federation has flight-tested, deployed, or possessed a military system that has achieved an initial operating capability that is in violation of the INF Treaty or has begun taking measures to return to full compliance with the INF Treaty. The provision would also require the Secretary of Defense to submit a report to the appropriate congressional committees on the status of updates provided to the North Atlantic Treaty Organization (NATO) and other allies of the United States on the Russian Federation's flight testing, operational capability, and deployment of ground-launched ballistic missiles in violation of the INF Treaty. If the Russian Federation fails compliance measures by the date of the enactment of this Act, the Secretary of Defense will also submit to Congress, a plan outlining the development of military capabilities, including counterforce capabilities, countervailing strike capabilities, and active defense to defend against intermediate-range ground-launched cruise missile attacks.

The House recedes with a clarifying amendment.

Modification of notification and assessment of proposal to modify or introduce new aircraft or sensors for flight by the Russian Federation under the open skies treaty (sec. 1244)

The House bill contained two provisions (sec. 1244 and 1265) that would amend section 1242 (b)(1) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3564) to extend reporting requirements from 30 days to 90 days and extend oversight to include the commander of each relevant combatant command as well as the Joint Chiefs of Staff. Additionally, the Secretary of Defense, in coordination with the Secretary of State this provision limits obligated funds to less than 50 percent until a report on any meetings of the Open Skies Consultative Commission during the prior year is delivered to Congress to the appropriate committees.

The Senate amendment contained a similar provision (sec. 1672) that would modify Section 1242(b) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) by adding a requirement to include an assessment by the commander of each combatant command potentially affected by a proposal of the Russian Federation to modify or introduce a new aircraft or sensor for flight under the Open Skies Treaty, including an assessment of the potential effects of the proposal on operations and any potential vulnerabilities. The provision would also require that not later than 30 days after the date of any meeting of the Open Skies Consultative Commission, the Secretary of Defense submit to the defense committees of Congress a report on such meeting, including a description of any agreements entered into during such meeting, and whether any such agreement will result in a modification to the aircraft or sensors that will be subject to the Open Skies Treaty.

The House recedes with an amendment that would combine the three similar provisions and limit the availability of funds made available for fiscal year 2016 for arms control implementation (PE 0305145F) to not more than 75 percent until the Secretary of Defense, in coordination with the Secretary of State, submits a report to Congress describing any meetings of the Open Skies Consultative Commission during the prior year, a description of any agreements entered into during such meetings, and a description of

future year proposals for modification to aircraft sensors that will be subject to the Open Skies Treaty.

Prohibition on availability of funds relating to sovereignty of the Russian Federation over Crimea (sec. 1245)

The House bill contained a provision (sec. 1247) that would prohibit funds authorized to be appropriated or made available by this Act through fiscal year 2016 for the Department of Defense to implement any action or policy that recognizes the de facto sovereignty of Russia over Crimea, or any country whose central government has taken steps to recognize or support Russia's illegal occupation of Crimea. The provision included a waiver if the Secretary of Defense certifies and reports that doing so would be in the national security interest of the United States.

The Senate amendment contained no similar provision.

The Senate recedes with a technical and clarifying amendment.

Limitation on military contact and cooperation between the United States and the Russian Federation (sec. 1246)

The House bill contained a provision (sec. 1248) that would prohibit funds authorized to be appropriated or otherwise made available for fiscal year 2016 to be used for bilateral military-to-military contact or cooperation between the United States and the Russian Federation without certain certifications by the Secretary of Defense, in consultation with the Secretary of State, or unless certain waiver conditions are met.

The Senate bill did not contain a similar provision.

The Senate recedes with a technical and clarifying amendment.

Limitation on funds for implementation on the New START Treaty (sec. 1247)

The House bill contained a provision (sec. 1249) that would limit all authorized funds that would be used for implementation of the New START Treaty until the President certifies to the appropriate congressional committees that the armed forces of the Russian Federation are no longer illegally occupying Ukrainian territory; the Russian Federation is respecting the sovereignty of all Ukrainian territory; the Russian Federation is no longer taking actions that are inconsistent with the INF Treaty; the Russian Federation is in compliance with the Conventional Forces in Europe (CFE) Treaty and has lifted its suspension of Russian observance of its treaty obligations; and there have been no inconsistencies by the Russian Federation with the New START Treaty requirements.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that changes the limitation to a reporting requirement on the reasons continued implementation of the New START treaty is in the national security interests of the United States, for any year in which the New START Treaty is in effect and the following conditions apply (and steps taken to remedy the conditions), the Russian Federation (i) continues to occupy Ukraine territory, (ii) disrespects the sovereignty of Ukraine territory, (iii) is not in fully compliance with the Intermediate Nuclear Forces Treaty, (iv) is not in compliance with the CFE Treaty and has not lifted its suspension of observing the Treaty, and (v) is not reducing its deployed strategic delivery vehicles, which are under the central limits of the New START Treaty. We are concerned about the impact of Russia increasing its number of deployed strategic

delivery vehicles, but notes that this increase is occurring within the legally-binding New START Treaty caps.

Additional matters in annual report on military and security developments involving the Russian Federation (sec. 1248)

The Senate amendment contained a provision (sec. 1255) that would add a reporting requirement to section 1245 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) requiring an assessment of the force structure and capabilities of Russian military forces stationed in the Arctic region, Kaliningrad, and Crimea, as well as an assessment of the Russian military strategy in the Arctic region.

The House bill did not contain a similar provision.

The House recedes with an amendment that would create an additional element to require a description of the testing, production, deployment, and sale or transfer of the Club-K cruise missile system by the Russian Federation.

Report on alternative capabilities to procure and sustain nonstandard rotary wing aircraft historically procured through Rosoboronexport (sec. 1249)

The Senate amendment contained a provision (sec. 1256) that would require an independent assessment on the feasibility and advisability of using alternative industrial base capabilities to procure and sustain non-standard rotary wing aircraft historically acquired through the Russian state corporation Rosoboronexport as well as an analysis of alterations that may be required for waivers of foreign military sales requirements and procedures for approval of airworthiness certificates associated with such alternative capabilities.

The House bill did not contain a similar provision.

The House recedes with technical and clarifying amendments.

We direct the Under Secretary of Defense for Acquisition, Technology, and Logistics, not later than 180 days after date of the enactment of this Act and in consultation with the Chairman of the Joint Chiefs of Staff, to provide an interim brief to the Committees on Armed Services of the House of Representatives and the Senate on the initial findings, conclusions, and recommendations of the independent assessment required by this section.

Ukraine Security Assistance Initiative (sec. 1250)

The House bill contained a provision (sec. 1532) that would authorize \$200.0 million for the Secretary of Defense, in concurrence with the Secretary of State, to provide assistance and sustainment to the military and national security forces of Ukraine. This assistance would include the explicit authority to provide lethal weapons of a defensive nature to the security forces of Ukraine.

The Senate amendment contained a similar provision (sec. 1251) that would authorize \$300.0 million for the Secretary of Defense, in coordination with the Secretary of State, to provide security assistance and intelligence support to military and other security forces of Ukraine.

The House recedes with an amendment that would require \$50.0 million of the funds authorized to be available only for lethal assistance and counterartillery radars unless the Secretary of Defense, with the concurrence of the Secretary of State, certifies that use of such funds for lethal assistance is not in the U.S. national security interest. If the certification is made, such funds could be

used for assistance or support to Partnership for Peace (PfP) nations, or for exercises and training for the security forces of PfP nations or the Government of Ukraine to assist in preserving their sovereignty and territorial integrity against Russian aggression.

We emphasize the importance of providing support to the Government of Ukraine in defending itself against actions by Russia and Russian-backed separatists that continue to violate ceasefire agreements. We note the success of current training of Ukrainian security forces by U.S. forces and encourage expansion of such training efforts as provided for in this section. We further note the growing threat to the sovereignty and territorial integrity of other nations in the region and stress the importance of assisting such nations in developing the capability to defend against Russian aggression.

Training for Eastern European national military forces in the course of multilateral exercises (sec. 1251)

The Senate amendment contained a provision (sec. 1252) that would authorize the Secretary of Defense, with the concurrence of the Secretary of State, to provide multilateral or regional training, and pay the incremental expenses of participating in such training, for the national military forces of countries in Eastern Europe that are a signatory to the Partnership for Peace Framework Documents but not a member of the North Atlantic Treaty Organization (NATO) or that became a NATO member after January 1, 1999.

The House bill did not contain a similar provision.

The House recedes with a technical and clarifying amendment that further refines the types of training authorized under this section to training provided in the course of the conduct of a multilateral exercise in which the U.S. Armed Forces are a participant and that is comparable to or complementary of training the U.S. Armed Forces receive in the course of such multilateral exercises. Training authorized under this section would be for certain specified purposes, including enhancing the interoperability of the trained forces to be able to participate in NATO or coalition operations, or to increase the capacity of those forces to respond to external threats or hybrid warfare.

SUBTITLE F—MATTERS RELATING TO THE ASIA-PACIFIC REGION

Strategy to promote United States interests in the Indo-Asia-Pacific region (sec. 1261)

The House bill contained a provision (sec. 1253) that would require the President to develop an overall strategy to promote U.S. interests in the Indo-Asia-Pacific region and to provide policy directives and priority goals to relevant U.S. Government departments and agencies.

The Senate amendment contained a similar provision (sec. 1265) that would require the report to be completed within 120 days of enactment.

The Senate recedes with an amendment that would delay the date the strategy is due to March 1, 2017.

The Senate bill contained a provision (sec. 1262) that would express the sense of the Congress to reaffirm the importance of the rebalance to the Asia-Pacific region. In order to maintain the credibility of the U.S. policy to rebalance towards the Indo-Asia-Pacific theater, we believe it is vital that the United States continue to shift forces to the region to strengthen the ability of the United States Armed Forces to project power to shape the choices of regional states. Any re-

duction or failure to adequately resource U.S. force structure in the U.S. Pacific Command would diminish the rebalance policy.

The House bill included a number of provisions that would express the sense of the Congress regarding the various contributions of different allies and partner nations (sec. 1251, sec. 1252, sec. 1254, sec. 1255, and sec. 1272).

We note the 70th Anniversary of the end of Allied military engagement in the Pacific theater, marking the end of the Second World War and join with a grateful nation in expressing respect and appreciation to the members of the U.S. Armed Forces who served in the Pacific theater during the Second World War.

Further, we believe any long-term strategy for the Indo-Asia-Pacific region must include continued engagement with allies and partners in the region.

The United States values its alliance with the Government of Japan as a cornerstone of peace and security in the region. The United States welcomes Japan's decision to contribute more proactively to regional and global peace and security. Furthermore, we note that the Senkaku Islands are under the administrative control of Japan. We oppose any unilateral actions by a third party that would seek to undermine such administration, and remain committed under the Treaty of Mutual Cooperation and Security to respond to any armed attack in the territories under the administration of Japan. Finally, we acknowledge the significant and unprecedented financial contributions the Government of Japan has made to facilitate U.S. military access in both Japan and Guam.

We also note that the alliance between the United States and the Republic of Korea has served as an anchor for stability, security, and prosperity on the Korean Peninsula, in the Asia-Pacific region, and around the world. The United States and the Republic of Korea should continue further cooperation by strengthening the combined defense posture on the Korean Peninsula and enhancing mutual security based on the Republic of Korea-United States Mutual Defense Treaty. We support the vision of a Korean Peninsula free of nuclear weapons, free from the fear of war, and peacefully reunited on the basis of democratic and free market principles. Finally, we acknowledge the significant financial contributions the Republic of Korea has made to facilitate U.S. military access on the Korean Peninsula.

We note that United States has an upgraded, strategic-plus relationship with India based on regional cooperation, space science cooperation, and defense cooperation. We believe that the defense relationship between the United States and the Republic of India is strengthened by the common commitment of both countries to liberal democracy should continue to expand. Further, we welcome the role of the Republic of India in providing security and stability in the Indo-Pacific region and beyond, and we support the implementation of the United States-India Defense Framework Agreement and the India Defense Trade and Technology Initiative (DTTI).

Requirement to submit Department of Defense policy regarding foreign disclosure or technology release of Aegis Ashore capability to Japan (sec. 1262)

The House bill contained a provision (sec. 1256) that would express the sense of Congress that a decision by the Government of Japan to purchase Aegis Ashore for its self-defense could create a significant opportunity for promoting interoperability and in-

tegration of air- and missile defense capability with close allies, could provide for force multiplication benefits, and could potentially alleviate force posture requirements on multi-mission assets. This provision would also require the Secretary of Defense to submit to the appropriate congressional committees, a copy of the Department of Defense policy regarding foreign disclosure or technology release of Aegis Ashore capability to allies, including Japan, that possess sea-based Aegis weapons system-equipped naval vessels.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would remove the references to other allies and would edit the title of the provision to directly reference the Government of Japan.

South China Sea Initiative (sec. 1263)

The Senate amendment contained a provision (sec. 1261) that would authorize the Secretary of Defense, with the concurrence of the Secretary of State, to provide assistance and training for the purposes of increasing maritime security and the maritime domain awareness of foreign countries in the South China Sea. The provision would authorize \$50.0 million from amounts authorized to be appropriated for the Department of Defense Operation and Maintenance, Defense-wide (OMDW) account for fiscal year 2016, with increases in funding levels in subsequent fiscal years, to provide assistance to the recipient countries, which include Indonesia, Malaysia, the Philippines, Thailand, and Vietnam. The provision would require that the Secretary of Defense provide prior notification to the congressional defense committees not later than 15 days before exercising this authority.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize \$50.0 million from amounts authorized to be appropriated for the Department of Defense for fiscal year 2016 only and, if the Secretary uses these funds to provide assistance and training under this authority during the first half-year of fiscal year 2016, the Secretary must submit a report to the congressional defense committees on the account or accounts that were used to provide the funds. The authority to provide assistance and training cannot be exercised after September 30, 2020. We expect the Department to request additional funding for the South China Sea Initiative in fiscal years 2017 through 2020 as part of the annual budget request.

SUBTITLE G—OTHER MATTERS

Two-year extension and modification of authorization for non-conventional assisted recovery capabilities (sec. 1271)

The House bill contained a provision (sec. 1261) that would extend, for 1 year, the authority of the Department of Defense to continue to develop, manage, and execute a Non-Conventional Assisted Recovery (NAR) personnel recovery program for isolated Department of Defense (DOD), U.S. Government, and other designated personnel supporting U.S. national interests worldwide. This section would allow the Secretary of Defense to use up to \$25.0 million in funds authorized to be appropriated for the Department of Defense for operation and maintenance for such recovery programs through fiscal year 2017.

The Senate amendment contained a similar provision (sec. 1282) that would extend the authority of the Department of Defense

to establish, develop, and maintain NAR capabilities for 2 additional years. The provision would also designate the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict (ASD SOLIC) as the primary civilian within DOD with programmatic and policy oversight responsibilities for such activities.

The House recedes with an amendment that would authorize the Secretary of Defense to use up to \$25.0 million in funds authorized for operation and maintenance for NAR.

We note that the agreement would designate the ASD SOLIC as the primary civilian within DOD with programmatic and policy oversight responsibilities for such activities. Given the sensitive nature of NAR activities, including the authorized use of irregular forces, groups, and individuals, the committee believes that ASD SOLIC is the most appropriate civilian office within the Department to exercise oversight of such activities and associated policies.

Amendment to the annual report under Arms Control and Disarmament Act (sec. 1272)

The House bill contained a provision (sec. 1262) that would amend subsection (e) of section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a) and would require the Director of National Intelligence to submit to the appropriate congressional committees a report that details each instance of inconsistent behavior by a state party of an arms control treaty or related agreement to which the United States is a party.

The Senate amendment contained no similar provision.

The Senate recedes.

Extension of authorization to conduct activities to enhance the capability of foreign countries to respond to incidents involving weapons of mass destruction (sec. 1273)

The House bill contained a provision (sec. 1264) that would extend the authority to conduct activities to enhance the capability of foreign countries to respond to incidents involving weapons of mass destruction from section 1204 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 11366) through September 30, 2020.

The Senate amendment contained a similar provision (sec. 1203) that would extend the authority for the Secretary of Defense to provide Weapons of Mass Destruction incident response training and basic equipment to foreign first responders until September 30, 2018.

The Senate recedes with an amendment that would extend the authority through September 30, 2019.

Modification of authority for support of special operations to combat terrorism (sec. 1274)

The House bill contained a provision that would amend the authority for support of special operations to combat terrorism contained in section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375), as amended, by increasing the annual cap on the authority from \$75.0 million to \$100.0 million.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would increase the annual cap on the authority from \$75.0 million to \$85.0 million and would require the Secretary of Defense to notify the congressional defense committees not later than 15-days prior to initiating the authority.

We direct the Secretary of Defense to notify the congressional defense committees of

funding changes to Section 1208 programs when such a proposed increase exceeds 20 percent of the current approved total for that particular program or \$500,000, whichever amount is less.

Limitation on availability of funds to implement the Arms Trade Treaty (sec. 1275)

The House bill contained a provision (sec. 1270) that would limit the Department of Defense's ability to implement the Arms Trade Treaty while also permitting the Department to assist foreign governments in bringing their laws and regulations to a level equal to that of the United States.

The Senate amendment contained no similar provision.

The House recedes with a technical amendment.

We note that a substantively identical provision was included in the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for fiscal year 2015 (Public Law 113-291).

Report on the security relationship between the United States and the Republic of Cyprus (sec. 1276)

The House bill contained a provision (sec. 1271) that would require, not later than 90 days after the enactment of this Act, the Secretary of Defense and Secretary of State to jointly submit an assessment of the military capability of Cyprus to defend against threats to its national security.

The Senate amendment contained a similar provision (sec. 1274), requiring an assessment of the U.S.-Cyprus bilateral security relationship not later than 120 days after the enactment of this Act.

The House recedes.

Sense of Congress on European defense and the North Atlantic Treaty Organization (sec. 1277)

The House bill contained a provision (sec. 1280) that would express the sense of the Congress that the U.S. should continue to work with aspirant countries for entry into the North Atlantic Treaty Organization (NATO) and work with NATO members to identify current and future security threats as well as ensuring sufficient funding is obligated to meet NATO responsibilities.

The Senate amendment contained a provision (sec. 1254) that would express the sense of Congress urging the United States to encourage NATO allies to meet defense budget commitments made at the Wales Summit in September 2014 and to continue to coordinate defense investments to improve deterrence against Russian aggression and terrorist organizations as well as more appropriately balancing defense spending across the alliance.

The House recedes with an amendment that expresses the sense of Congress that the United States should continue NATO's open-door policy for nations that share Alliance values, are willing to assume the responsibilities and obligations of membership, and are in a position to contribute to the security of the North Atlantic area, as well as encouraging continued work with aspirant countries to prepare for entry into NATO.

Briefing on the sale of certain fighter aircraft to Qatar (sec. 1278)

The Senate amendment contained a provision (sec. 1273) that would express the sense of the Senate that the United States should promptly consider the sale of fighter aircraft to the Government of Qatar and requires a report describing the risks and benefits as they relate to such a sale.

The House bill did not contain a similar provision.

The House recedes with an amendment that would require a briefing to certain congressional committees on the risks and benefits of the sale of fighter aircraft to Qatar.

United States-Israel anti-tunnel cooperation (sec. 1279)

The House bill contained a provision (sec. 1267) that would establish a cooperative research and development program with Israel to develop anti-tunneling defense capabilities to detect, map, and neutralize underground tunnels.

The Senate amendment contained a similar provision (sec. 1272).

The House recedes with an amendment that requires the Secretary of Defense to designate an appropriate research and development entity of a military department as the lead agency of the Department of Defense to carry out this section, establishes an annual limit on the amount that can be provided, and requires matching contributions from the Government of Israel.

We direct the Secretary of Defense, not later than 1 year after the date of the enactment of this Act, to submit to congressional defense committees a report that includes: (1) instances of tunnels being used to attack installations of the United States or allies of the United States; (2) trends or developments in tunnel attacks throughout the world; (3) key technologies employed by potential adversaries and challenges faced when using tunnels; (4) the capabilities of the Department of Defense for defending fixed or forward locations from tunnel attacks; (5) the plans, including with respect to funding, of the Secretary for countering threats posed by tunnels.

NATO Special Operations Headquarters (sec. 1280)

The House bill contained a provision (sec. 1263) that would make permanent the authority for the North Atlantic Treaty Organization Special Operations Headquarters, as first authorized in section 1244(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84).

The Senate amendment contained a similar provision (sec. 1281) that would extend, for 3 years, the authority under section 1244(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2541), as most recently amended by section 1272(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2023).

The Senate recedes with an amendment that would extend, for 5 years, the authority for the North Atlantic Treaty Organization Special Operations Headquarters.

Increased presence of United States ground forces in Eastern Europe to deter aggression on the border of the North Atlantic Treaty Organization (sec. 1281)

The House bill contained a provision (sec. 1274) that would require the Secretary of Defense to submit a report on the impact of any significant reduction in United States troop levels or materiel in Europe on the North Atlantic Treaty Organization's ability to credibly deter, resist, or repel external threats, not later than 30 days prior to the date of such reduction.

The Senate amendment contained a provision (sec. 1253) that would require, not later than 120 days after the enactment of this Act, that the Secretary of Defense, in consultation with the Secretary of State, submit to the congressional defense committees an assessment of options for expanding the presence of U.S. ground forces in Eastern Europe to respond, with European allies and

partners, to the security challenges posed by Russia with a report that would include an evaluation of the optimal location(s) of the enhanced ground force presence and a description of any initiatives by other members of NATO, or other European allies and partners.

The House recedes with an amendment that would create an additional element of the report required by this section to assess the impact of any significant reduction in U.S. troop levels or material in Europe on U.S. national security interests in Europe.

LEGISLATIVE PROVISIONS NOT ADOPTED

Report on efforts to engage United States manufacturers in procurement opportunities related to equipping the Afghan National Security Forces

The House bill contained a provision (sec. 1217) that would require, not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State to submit a report on efforts of the Secretaries to engage United States manufacturers in procurement opportunities related to equipping the Afghan National Security Forces.

The Senate amendment contained no similar provision.

The House recedes.

We direct the Secretary of Defense, with the concurrence of the Secretary of State, to provide a report to the congressional defense committees, within 180 days of the enactment of this Act, on efforts of the Secretaries to engage United States manufacturers and service providers in procurement and service provision opportunities related to equipping and supporting the Afghan National Defense Security Forces.

Report on access to financial records of the Government of Afghanistan to audit the use of funds for assistance for Afghanistan

The House bill contained a provision (sec. 1218) that would require the Special Inspector General for Afghanistan Reconstruction (SIGAR) to submit to Congress, not later than December 31, 2016, a report on the extent to which the Office of SIGAR has adequate access to financial records of the Government of Afghanistan to audit the use of funds authorized by this Act or otherwise made available for fiscal year 2016.

The Senate amendment contained no similar provision.

The House recedes.

We direct the Lead Inspector General for Operation Freedom's Sentinel to brief the congressional defense committees on the extent to which the Inspector General has access to financial records of the Government of Afghanistan to audit the use of funds authorized to be appropriated by this Act.

Sense of Congress relating to Dr. Shakil Afridi

The House bill contained a provision (sec. 1219) that would express the sense of Congress that Dr. Shakil Afridi, a Pakistani physician who helped the United States locate Osama bin Laden, is an international hero and that the Government of Pakistan should release him immediately from prison.

The Senate amendment contained no similar provision.

The House recedes.

We note the contributions of Dr. Afridi to efforts to locate Osama bin Laden, remain concerned about Dr. Afridi's continuing incarceration, and urge the Government of Pakistan to release him immediately.

Report on lines of communication of Islamic State of Iraq and the Levant and other foreign terrorist organizations

The Senate amendment contained a provision (sec. 1226) that would require the Sec-

retary of Defense to submit a report on the lines of communication that enable the Islamic State of Iraq and the Levant, Jabhat al-Nusra, and other foreign terrorist organizations that facilitate assistance through countries bordering on Syria.

The House bill did not contain a similar provision.

The Senate recedes.

We are concerned with the lines of communication that enable the Islamic State of Iraq and the Levant and other terrorist organizations in Syria and Iraq and urge the administration to address such lines of communication in its campaign strategy.

Report on efforts of Turkey to fight terrorism

The House bill contained a provision (sec. 1227) that would require the Secretary of Defense to submit a report to Congress, not later than 180 days after the date of the enactment of this Act, on: Turkey's bilateral and multilateral efforts to combat the flow of foreign fighters through its country to Syria; relationship with Hamas, including its harboring of leaders of Hamas; and efforts to fight terrorism, including its military and humanitarian role in the coalition to combat the Islamic State of Iraq and the Levant.

The Senate amendment contained no similar provision.

The House recedes.

We note the requirement for an assessment of efforts to combat the flow of foreign fighters to and from Syria and Iraq is included in another provision of this Act.

Report to assess the potential effectiveness of and requirements for the establishment of safe zones or a no-fly zone in Syria

The House bill contained a provision (sec. 1228) that would require, not later than 90 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, to submit a report that would assess the potential effectiveness, risks, and operational requirements of the establishment and maintenance of a no-fly zone over part or all of Syria, as well as such effectiveness, risks, and operational requirements for internally displaced people or for the facilitation of humanitarian assistance.

The Senate amendment contained no similar provision.

The House recedes.

We direct the Secretary of Defense, in consultation with the Secretary of State, to provide a report to the Committees on Armed Services of the House of Representatives and the Senate, the Senate Foreign Relations Committee and the House Foreign Affairs Committee, not later than 180 days after the enactment of this Act, that assesses the potential effectiveness, risks and operational requirements, including legal requirements, to establish and maintain: (1) a no-fly zone over a significant portion or all of Syria; and (2) one or more safe zones in Syria for internally displaced people or for the facilitation of humanitarian assistance.

Report on military posture required in the Middle East to deter Iran from developing a nuclear weapon

The House bill contained a provision (sec. 1233) that would require the Secretary of Defense to submit a report to Congress, not later than 90 days after this Act, regarding the military posture required in the Middle East to deter Iran from developing a nuclear weapon.

The Senate amendment contained no similar provision.

The House recedes.

We direct the Secretary of Defense to provide a briefing not later than 120 days after

the enactment of this Act to the Committees on Armed Services of the House of Representatives and the Senate on the U.S. force posture required to protect U.S. national interests and deter Iranian aggression in the Middle East.

Sense of Congress on support for Estonia, Latvia, and Lithuania

The House bill contained a provision (sec. 1245) that would express the sense of Congress on U.S. support for Estonia, Latvia, and Lithuania, including support for their sovereignty, concern over aggressive military actions of the Russian Federation against these nations, and encouragement for further defense cooperation between the United States and these nations.

The Senate amendment contained no similar provision.

The House recedes.

We note Estonia, Latvia, Lithuania and Georgia are highly valued allies and friends of the United States that have repeatedly demonstrated commitment to advancing our mutual interests and those of NATO. We reaffirm United States support for the sovereignty, independence, and territorial integrity along internationally recognized borders of these nations and express concern over increasingly aggressive military maneuvering by Russia near or within their borders or airspace. We also emphasize our support for the U.S. policy of not recognizing the Russia-occupied regions of Abkhazia and South Ossetia as independent states. Additionally, we encourage the Administration to further enhance defensive security cooperation with these valued security allies and partners and support the efforts of their respective governments to provide for the defense of their people and sovereign territory.

Sense of Congress on support for Georgia

The House bill contained a provision (sec. 1246) that would express the sense of Congress on U.S. support for Georgia's sovereignty and territorial integrity as well as support for continued cooperation between the United States and Georgia.

The Senate amendment contained no similar provision.

The House recedes.

We note the continued support for a North Atlantic Treaty Organization Membership Action Plan for Georgia is included in another provision of this Act and concerns regarding Russian aggression against the sovereignty and territorial integrity of Georgia appear elsewhere in this report.

Sense of Congress recognizing the 70th anniversary of the end of Allied military engagement in the Pacific theater

The House bill contained a provision (sec. 1251) that would express the sense of the Congress to remember and honor those Americans who made the ultimate sacrifice and gave their lives for their country during the campaigns in the Pacific theater during the Second World War.

The Senate amendment contained no similar provision.

The agreement does not include this provision.

We note that this provision is discussed elsewhere in this report.

Sense of Congress regarding consolidation of United States military facilities in Okinawa, Japan

The House bill contained a provision (sec. 1252) that would express the sense of Congress regarding the progress to fulfill the April 27, 2012 agreement of the United

States-Japan Security Consultative Committee on the realignment of U.S. facilities in Okinawa, Japan.

The Senate amendment contained no similar provision.

The House recedes.

We note the significant progress that has been made towards implementing the Okinawa Consolidation Plan, to include the approval of the landfill permit on December 27, 2013, which cleared the way for the construction of the Futenma Replacement Facility. We encourage continued progress towards implementation of the “2+2 agreement,” as restated in the April 27, 2015 Joint Statement, which is critical to the bilateral security interests of the United States and Japan.

Sense of Congress on the United States alliance with Japan

The House bill contained a provision (sec. 1254) that would express the sense of Congress on the U.S. alliance with Japan, including that the United States highly values the alliance with the Government of Japan, supports recent changes in Japanese defense policy and the new bilateral guidelines for U.S.-Japan defense cooperation, and reaffirms the U.S. commitment to the alliance.

The Senate amendment contained no similar provision.

The House recedes.

We note the matters addressed in the House provision are addressed elsewhere in the agreement.

Sense of Congress on opportunities to enhance the United States alliance with the Republic of Korea

The House bill contained a provision (sec. 1255) that would express the sense of Congress on opportunities to deepen and broaden the scope of alliance cooperation between the United States and the Republic of Korea based on the alliance's role as an anchor for stability, security, and prosperity on the Korean Peninsula, Asia-Pacific region, and around the world.

The Senate amendment contained no similar provision.

The House recedes.

We note the matters addressed in the House provision are addressed elsewhere in the agreement.

Requirement to invite the military forces of Taiwan to participate in RIMPAC exercises

The House bill contained a provision (sec. 1257) requiring the Secretary of Defense to invite the military forces of Taiwan to participate in the Rim of the Pacific Exercise if the Secretary has invited the military forces of the People's Republic of China to participate in such maritime exercise.

The Senate amendment contained no similar provision.

The House recedes.

We note the matters addressed in the House provision are addressed elsewhere in the agreement.

Sense of Congress reaffirming the importance of implementing the rebalance to the Asia-Pacific region

The Senate amendment contained a provision (sec. 1262) that would express the sense of Congress that the United States continue to implement the rebalance of U.S. forces to the Asia-Pacific region and that forces should be increased consistent with commitments already made by the Department of Defense.

The House bill contained no similar provision.

The Senate recedes.

We note the matters addressed in the Senate provision are addressed elsewhere in the agreement.

Sense of Senate on Taiwan asymmetric military capabilities and bilateral training activities

The Senate amendment contained a provision (sec. 1263) that would express the sense of the Senate on Taiwan's asymmetric military capabilities and bilateral training activities.

The House bill did not contain a similar provision.

The Senate recedes.

The Senate amendment contained a provision (sec. 1264) that would encourage the Secretary of Defense to carry out a program of exchanges of senior military officers and senior officials between the United States and Taiwan to improve military to military relations between the United States and Taiwan.

The House bill contained a provision (sec. 1257) that would require the Secretary of Defense to invite the military forces of Taiwan to participate in the Rim of the Pacific Exercise if the Secretary has invited the military forces of the People's Republic of China.

The Senate amendment also contained a provision (sec. 1263) that would express the sense of the Senate on Taiwan's asymmetric military capabilities and bilateral training activities.

We believe that the United States, in accordance with the Taiwan Relations Act (Public Law 96-8), should continue to make available to Taiwan such defense articles and services as may be necessary to enable Taiwan to maintain a sufficient self-defense. The United States should continue to support the efforts of Taiwan to integrate innovative and asymmetric capabilities to balance the growing military capabilities of the People's Republic of China, including fast-attack craft, coastal-defense cruise missiles, rapid-runway repair systems, offensive mines, and submarines optimized for defense of the Taiwan straits. With regards to training, we believe the military forces of Taiwan should be permitted to participate in bilateral training activities hosted by the United States that increase credible deterrent capabilities of Taiwan, particularly those that emphasize the defense of Taiwan Island from missile attack, maritime blockade, and amphibious invasion by the People's Republic of China. Toward this end, we believe that Taiwan should be encouraged to participate in exercises that include realistic air-to-air combat training, including the exercise conducted at Eielson Air Force Base, Alaska, and Nellis Air Force Base, Nevada, commonly referred to as “Red Flag.”

We recommend that the Secretary of Defense carry out a program of exchanges of military officers between the United States and Taiwan designed to improve military-to-military relations between the United States and Taiwan. The officer exchanges should include field-grade officers, particularly officers with combat and specialized experience, and general officers, who can provide support to Taiwan to develop and improve its joint warfighting capabilities.

We also note that section 1259A of the Fiscal Year 2015 National Defense Authorization Act (P.L. 113-291) includes the recommendation on inviting Taiwan to the humanitarian assistance and disaster relief portions of multilateral exercises.

Military exchanges between senior officers and officials of the United States and Taiwan

The Senate amendment contained a provision (sec. 1264) authorizing the Department

of Defense to conduct exchanges between senior military officers and senior officials focused on a variety of subjects between the United States and Taiwan designed to improve military-to-military relations between those two countries.

The House bill contained no similar provision.

The Senate recedes.

We note the matters addressed in the House provision are addressed elsewhere in the agreement.

Efforts of the Department of Defense to prevent and respond to gender-based violence globally

The House bill contained a provision (sec. 1268) that would express a series of findings and a statement of policy on preventing and responding to gender-based violence globally, and require the Secretary of Defense to submit a report to certain congressional committees on the Department of Defense's implementation efforts of the U.S. Strategy to Prevent and Respond to Gender-Based Violence Globally.

The Senate amendment contained no similar provision.

The House recedes.

We believe that gender-based violence undermines the health, economic stability, and security of nations which, in turn, has an impact on United States interests. The committee notes that the United States Global Strategy on Gender-based Violence Prevention and Response requires the participation of the Department of Defense (DOD) in efforts to implement the strategy. We encourage the continued efforts of the DOD in support of the United States Global Strategy on Gender-based Violence Prevention and Response.

Additionally, we direct the Secretary of Defense, not later than 180 days after the enactment of this Act, to provide to the Committee on Armed Services of the Senate and House of Representatives and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, a report on efforts to prevent and respond to gender-based violence globally in support of the United States' strategy, including a description of the efforts of DOD in the Interagency Working Group to implement the international gender-based violence prevention and response strategy and an assessment of the human and financial resources necessary to fulfill the purpose and duties of such strategy.

Combating crime through intelligence capabilities

The House bill contained a provision (sec. 1269) that would authorize the Secretary of Defense to deploy assets, personnel, and resources to United States Southern Command to combat transnational criminal organizations by supplying sufficient intelligence, surveillance, and reconnaissance capabilities.

The Senate amendment contained no similar provision.

The House recedes.

We note that JIATF-S continues to contribute to United States Southern Command's detection and monitoring and countering-transnational organized crime mission. We encourage the Department ensure Joint Interagency Task Force-South has sufficient assets, personnel, and resources to fulfill its mandate.

Sense of Congress on the defense relationship between the United States and the Republic of India

The House bill contained a provision (sec. 1272) that would express the sense of Congress on the defense relationship between the

United States and the Republic of India based on both countries' common interests and commitments to stability, security, and democracy.

The Senate amendment contained no similar provision.

The House recedes.

We note the matters addressed in the House provision are addressed elsewhere in the agreement.

Sense of Congress on evacuation of United States citizens and nationals from Yemen

The House bill contained a provision (sec. 1273) that would express the sense of Congress that the President should exercise all available authorities as expeditiously as possible to evacuate United States citizens and nationals from Yemen.

The Senate amendment contained no similar provision.

The House recedes.

We encourage the President to work with international partners, to the extent practicable, to protect non-combatants and assist in the evacuation of U.S. Citizens and nationals as well as the citizens and nationals of other states from Yemen.

Report on violence and cartel activity in Mexico

The House bill contained a provision (sec. 1275) that would require the Secretary of Defense to submit a report on violence and cartel activity in Mexico and the impact of such on United States national security.

The Senate amendment contained no similar provision.

The House recedes.

We note that ongoing violence associated with transnational organized crime poses a threat to the security interests of Mexico and the United States. We recognize the shared commitment of the United States and Mexico to combat this threat and expect the Secretary of Defense to update periodically the Committees Armed Services of the House of Representatives and the Senate on the Department's security cooperation activities with the Government of Mexico.

Report on actions to ensure Qatar is preventing terrorist leaders and financiers from operating in its country

The House bill contained a provision (sec. 1276) that would express the sense of Congress that Qatar is an important partner in the region, has played a significant role in fighting the Islamic State of Iraq and the Levant (ISIL) and that the United States should do everything in its power to encourage Qatar to crack down on terrorist leaders and financiers who are operating in its country. The provision would require that, not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress a report on actions taken by the United States Government to ensure that Qatar is preventing terrorist leaders and financiers from operating in its country.

The Senate amendment contained no similar provision.

The House recedes.

We direct the President or appropriate department or agency head(s), not later than 180 days after the date of the enactment of this Act, to provide to the Committees on Armed Services of the House of Representatives and the Senate, a briefing on actions taken by the United States Government to urge the government of Qatar to ensure that it is working to ensure that no foreign terrorist organizations or their leaders are operating in Qatar.

United States support for Jordan

The House bill contained a provision (sec. 1277) that would express the sense of Con-

gress that the United States should continue to support Jordan's military efforts to counter violent extremism and enhance regional stability.

The Senate amendment contained no similar provision.

The House recedes.

We note the authorization of reimbursable assistance to Jordan for border security elsewhere in this Act.

Report on United States efforts to combat Boko Haram and support regional allies and other partners

The House bill contained a provision (sec. 1278) that would require, not later than 90 days after enactment of this Act, the Secretary of Defense and the Secretary of State to jointly submit a report on the assessment of the threat of Boko Haram to United States national security, as well as a description of U.S. efforts to combat Boko Haram.

The Senate amendment contained no similar provision.

The House recedes.

We direct the Secretary of Defense and the Secretary of State not later than 180 days after enactment to submit to the appropriate congressional committees a report that includes the following:

(1) An assessment of the threat posed by Boko Haram to United States national security interests in Nigeria, the region, and homeland;

(2) A description of United States efforts to combat Boko Haram, including the authorities to carry out such efforts and the roles and missions of the Department of Defense and Department of State;

(3) A description of United States humanitarian support to civilian populations impacted by Boko Haram's activity;

(4) A description of United States activities to enhance the capacity of supported regional partners to investigate and prosecute human rights violations and promote respect for the rule of law;

(5) A description of military equipment, supplies, training, and other defense articles and services, including by type, quantity, and prioritization of such items, required to combat Boko Haram effectively and the gaps within regional allies to engage in the mission to combat Boko Haram;

(6) A description of military equipment, supplies, training, and other defense articles and services, including by type, quantity, and actual or estimated delivery date, that the United States Government has provided, is providing, and plans to provide to regional allies and other partners to combat Boko Haram as well as a description of associated plans to sustain United States provided equipment and capabilities; and

(7) A description of support received by the Nigerian military from other foreign governments.

The report required shall be, to the extent practicable, submitted in unclassified form, but may contain a classified annex.

Sense of Congress on United States support for Tunisia

The House bill contained a provision (sec. 1279) that would express a sense of the Congress that it is a national security priority of the United States to support and cooperate with Tunisia by providing assistance to combat the growing terrorist threat from the Islamic State of Iraq and the Levant (ISIL) or other terrorist organizations.

The Senate amendment contained no similar provisions.

The House recedes.

We note the importance of a secure and stable Tunisia to counter the threat posed by the Islamic State of Iraq and the Levant and other terrorist organizations in North Africa and encourages the provision of United States assistance to Tunisia.

TITLE XIII—COOPERATIVE THREAT REDUCTION
SUBTITLE A—FUNDING ALLOCATIONS

Specification of Cooperative Threat Reduction funds (sec. 1301)

The House bill contained a provision (sec. 1301) that would define Cooperative Threat Reduction programs and funds and make funds appropriated for the Department of Defense Cooperative Threat Reduction Program available for fiscal years 2016, 2017, and 2018.

The Senate amendment contained an almost identical provision, with a technical difference (sec. 1301).

The House recedes.

Funding allocations (sec. 1302)

The House bill contained a provision (sec. 1302) that would specify funding allocations for each program under the Department of Defense Cooperative Threat Reduction program.

The Senate amendment contained a similar provision (sec. 1302).

The Senate recedes with a technical amendment.

TITLE XIV—OTHER AUTHORIZATIONS

SUBTITLE A—MILITARY PROGRAMS

Working Capital Funds (sec. 1401)

The House bill contained a provision (sec. 1401) that would authorize the appropriations for the defense working capital and revolving funds at the levels identified in section 4501 of division D of this Act.

The Senate bill contained an identical provision (sec. 1401).

The agreement includes this provision.

National Defense Sealift Fund (sec. 1402)

The House bill contained a provision (sec. 1402) that would authorize the appropriations for the National Defense Sealift Fund in section 4501 of division D of this Act.

The Senate bill contained an identical provision (sec. 1402).

The agreement includes this provision.

Chemical Agents and Munitions Destruction, Defense (sec. 1403)

The House bill contained a provision (sec. 1403) that would authorize the appropriations for Chemical Agents and Munitions Destruction, Defense, at levels identified in section 4501 of division D of this Act.

The Senate bill contained an identical provision (sec. 1403).

The agreement includes this provision.

Drug Interdiction and Counter-Drug Activities, Defense-Wide (sec. 1404)

The House bill contained a provision (sec. 1404) that would authorize the appropriations for Drug Interdiction and Counter-Drug Activities, Defense-Wide, at the levels identified in section 4501 of division D of this Act.

The Senate bill contained an identical provision (sec. 1404).

The agreement includes this provision.

Defense Inspector General (sec. 1405)

The House bill contained a provision (sec. 1405) that would authorize the appropriations for the Office of the Inspector General of the Department of Defense at the levels identified in section 4501 of division D of this Act.

The Senate bill contained an identical provision (sec. 1405).

The agreement includes this provision.

Defense Health Program (sec. 1406)

The House bill contained a provision (sec. 1406) that would authorize appropriations for

the Defense Health Program activities at the levels identified in section 4501 of division D of this Act.

The Senate bill contained an identical provision (sec. 1406).

The agreement includes this provision.

National Sea-Based Deterrence Fund (sec. 1407)

The House bill contained a provision (sec. 1407) that would authorize appropriations for the National Sea-Based Deterrence Fund activities at the levels identified in section 4501 of division D of this Act.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would authorize to be appropriated sums as may be necessary for fiscal year 2017.

SUBTITLE B—NATIONAL DEFENSE STOCKPILE

Extension of date for completion of destruction of existing stockpile of lethal chemical agents and munitions (sec. 1411)

The House contained a provision to extend the completion date for the destruction of the existing stockpile of lethal chemical agents and munitions from December 31, 2017 to December 31, 2023.

The Senate contained no similar provision.

The Senate recedes.

SUBTITLE C—WORKING CAPITAL FUNDS

Limitation on cessation or suspension of distribution of funds from Department of Defense working capital funds (sec. 1421)

The House bill contained a provision (sec. 1421) that would prohibit the Secretary of Defense or Secretary of any military department from furloughing any employee of the Department of Defense whose salary is funded by working capital funds with certain exceptions.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would specify that the Secretary of Defense may not cease funding current projects being completed by indirectly funded government employees of the Department of Defense who are paid out of working-capital funds. We note that this provision shall not be construed to provide for the exclusion of any particular category of employees of the Department of Defense from furlough.

Working capital fund reserve account for petroleum market price fluctuations (sec. 1422)

The House bill contained a provision (sec. 1422) that would amend Section 2208 of title 10, United States Code, by including a market fluctuation account for the purchase of petroleum.

The Senate amendment contained no similar provision.

The Senate recedes.

SUBTITLE D—OTHER MATTERS

Authority for transfer of funds to Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois (sec. 1431)

The House bill contained a provision (sec. 1431) that would authorize the Secretary of Defense to transfer \$120.4 million to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities.

The Senate amendment contained a similar provision (sec. 1411).

The Senate recedes.

Authorization of appropriations for Armed Forces Retirement Home (sec. 1432)

The House bill contained a provision (sec. 1432) that would authorize appropriations of \$64.3 million for the Armed Forces Retirement Home for fiscal year 2016.

The Senate amendment contained an identical provision (sec. 1412).

The agreement includes this provision.

LEGISLATIVE PROVISIONS NOT ADOPTED

Inspections of the Armed Forces Retirement Home by the Inspector General of the Department of Defense

The Senate amendment contained a provision (sec. 1413) that would amend section 1518 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 418) to require the Inspector General of the Department of Defense to conduct an inspection of the Armed Forces Retirement Home not less than once every 3 years and to authorize the Inspector General to determine the scope of the inspection through a risk-based analysis of the operations of the home.

The House bill contained no similar provision.

The Senate recedes.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

SUBTITLE A—AUTHORIZATION OF APPROPRIATIONS

Purpose and treatment of certain authorizations of appropriations (sec. 1501)

The House bill contained a provision (sec. 1501) that would establish the purpose of this title and make authorization of appropriations available upon enactment of this Act for the Department of Defense, in addition to amounts otherwise authorized in this Act, to provide for additional costs due to overseas contingency operations and other additional funding requirements. The provision also includes clarification on the treatment of these funds.

The Senate bill contained a similar provision that would establish this title and make authorization of appropriations available upon enactment of this Act for the Department of Defense, in addition to amounts otherwise authorized in this Act.

The Senate recedes with an amendment.

Procurement (sec. 1502)

The House bill contained a provision (sec. 1502) that would authorize the additional appropriation for procurement activities at the levels identified in section 4102 of division D of this Act.

The Senate bill contained an identical provision (sec. 1503).

The agreement includes this provision.

Research, development, test, and evaluation (sec. 1503)

The House bill contained a provision (sec. 1503) that would authorize the additional appropriation for research, development, test, and evaluation activities at the levels identified in section 4202 of division D of this Act.

The Senate bill contained an identical provision (sec. 1504).

The agreement includes this provision.

Operation and maintenance (sec. 1504)

The House bill contained a provision (sec. 1504) that would authorize additional appropriations for operation and maintenance programs at the levels identified in sections 4302 and 4303 of division D of this Act.

The Senate amendment contained a provision (sec. 1505) that would authorize the additional appropriations for operation and

maintenance activities at the levels identified in section 4302 of division D of this Act.

The Senate recedes with an amendment.

Military personnel (sec. 1505)

The House bill contained a provision (sec. 1505) that would authorize the additional appropriations for military personnel activities at the levels identified in section 4402 of division D of this Act.

The Senate bill contained an identical provision (sec. 1506).

The agreement includes this provision.

Working capital funds (sec. 1506)

The House bill contained a provision (sec. 1506) that would authorize the additional appropriations for defense working capital and revolving funds at the levels identified in section 4502 of division D of this Act.

The Senate bill contained an identical provision (sec. 1507).

The agreement includes this provision.

Drug Interdiction and Counter-Drug Activities, Defense-Wide (sec. 1507)

The House bill contained a provision (sec. 1507) that would authorize the additional appropriations for the Drug Interdiction and Counter-Drug Activities, Defense-Wide at the levels identified in section 4502 of division D of this Act.

The Senate bill contained an identical provision (sec. 1508).

The agreement includes this provision.

Defense Inspector General (sec. 1508)

The House bill contained a provision (sec. 1508) that would authorize the additional appropriations for the Office of the Inspector General of the Department of Defense identified in section 4502 of division D of this Act.

The Senate bill contained an identical provision (sec. 1509).

The agreement includes this provision.

Defense Health Program (sec. 1509)

The House bill contained a provision (sec. 1509) that would authorize the additional appropriations for the Defense Health Program activities identified in section 4502 of division D of this Act.

The Senate bill contained an identical provision (sec. 1510).

The agreement includes this provision.

Counterterrorism Partnership Fund (sec. 1510)

The Senate bill contained a provision (sec. 1511) that would authorize the additional appropriations for the Counterterrorism Partnership Fund at the levels identified in section 4502 of division D of this Act. Amounts authorized in this fund will be available for obligations for 2 fiscal years.

The House bill contained no similar provision.

The House recedes.

SUBTITLE B—FINANCIAL MATTERS

Treatment as additional authorizations (sec. 1521)

The House bill contained a provision (sec. 1521) that would state that the amounts authorized to be appropriated in this title are in addition to amounts otherwise authorized to be appropriated by this Act.

The Senate bill contained an identical provision (sec. 1521).

The agreement includes this provision.

Special transfer authority (sec. 1522)

The House bill contained a provision (sec. 1522) that would allow the Secretary of Defense to transfer up to \$3.5 billion of additional war-related funding authorizations in this title among the accounts in this title.

The Senate bill contained a provision (sec. 1522) that would allow the Secretary of Defense to transfer up to \$4.0 billion of additional war-related funding authorizations in this title among the accounts in this title.

The Senate recedes.

SUBTITLE C—LIMITATIONS, REPORTS, AND
OTHER MATTERS

Afghanistan Security Forces Fund (sec. 1531)

The House bill contained a provision (sec. 1541) that would continue the existing limitation on the use of the Afghanistan Security Forces Fund (ASFF) for fiscal year 2016, would require \$50.0 million to be used for the recruitment and retention of women in the Afghanistan National Security Forces (ANSF), and would require reporting on inventory of facilities and services that are lacking adequate resources for Afghan female service members and police, as well as a plan to address the shortcomings of facilities and services.

The Senate amendment contained similar provisions (sec. 1209, 1531) that would require \$10.0 million of the ASFF be used for recruitment and retention of women in the ANSF.

The House recedes with an amendment that would continue the existing limitation on the use of ASFF for fiscal year 2016, and would require that of the funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2016, the Secretary shall use not less than \$10.0 million, with the goal of using \$25.0 million, to support, to the extent practicable, the efforts of the Government of Afghanistan to promote the security of Afghan women and girls. This section also would require the Secretary of Defense, with the concurrence of the Secretary of State, to report on a plan to promote the security of Afghan women.

Joint Improvised Explosive Device Defeat Fund (sec. 1532)

The House bill contained a provision (sec. 1542) that would authorize various transfer authorities, reporting requirements, and other associated activities for the Joint Improvised Explosive Device (IED) Defeat Fund during fiscal year 2016, and would modify the implementation requirements associated with the plan for consolidation and alignment of rapid acquisition organizations.

The Senate amendment contained a similar provision (sec. 1532) that would authorize the Joint IED Defeat Fund and provide the Secretary of Defense with the authority to investigate, develop and provide equipment, supplies, services, training, facilities, personnel, and funds to assist in the defeat of improvised explosive devices for operations in Afghanistan, Iraq, Syria, and other operations or military missions designated by the Secretary.

The House recedes with an amendment that would prohibit the transition of the Joint IED Defeat Organization to a combat support agency, require the Secretary of Defense to provide a plan by January 31, 2016 for the activities, functions, and resources of Joint IED Defeat Organization to be fully and completely transitioned to an office under the authority, direction, and control of an executive agent by September 30, 2016. Additionally, if the full transition is not complete by September 30, 2016 none of the funds in the Joint IED Defeat Fund would be available to the Department of Defense after September 30, 2016.

We urge the Secretary of Defense to provide information to the Committee on Foreign Affairs of the House of Representatives and Senate Committee on Foreign Relations for any activities conducted pursuant to subsection (b).

We understand that as of March 11, 2015, the Deputy Secretary of Defense formally initiated the transition of the Joint IED Defeat Organization to a new combat support

agency named the Joint Improvised-Threat Agency (JIDA) with the Under Secretary of Defense for Acquisition, Technology, and Logistics as the component lead. We have concerns regarding this current transition and believe a new strategy and implementation plan is required that would provide for a more streamlined approach to integrating the roles, missions, and activities of the JIDA into an existing military department, rather than establishing a new combat support agency within the Office of the Secretary of Defense. This would create reduced overhead management costs while maintaining institutional core knowledge for counter defeat and detection capabilities for IEDs and other improvised threats. The intent of this required new transition so not to disrupt ongoing, near-term counter-IED activities in support of overseas contingency operations.

Availability of improvised explosive device defeat funds for training of foreign security forces to defeat improvised explosive devices (sec. 1533)

The Senate amendment contained a provision (sec. 1533) that would authorize up to \$30.0 million of the amounts authorized to be appropriated for fiscal year 2016 for the Joint Improvised Explosive Device Defeat Fund to provide training for foreign security forces to increase effectiveness in defeating improvised explosive devices. The provision would require training be provided only pursuant to other provisions of law.

The House bill contained no similar provision.

The House recedes with a clarifying amendment that would conform the provision to a related provision concerning the Joint Improvised Explosive Device Defeat Organization included elsewhere in this Act. *Comptroller General report on use of certain funds provided for Operation and Maintenance (sec. 1534)*

The House bill contained a provision (sec. 1543) that would require the Comptroller General to submit a report specifying how funds for overseas contingency operations were ultimately used.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would limit the report to funds authorized in section 4303.

LEGISLATIVE PROVISIONS NOT ADOPTED

Statement of policy regarding European Reassurance Initiative

The House bill contained a provision (sec. 1531) that would express a series of findings highlighting continued aggression and intimidation by Russia against United States allies and partners in Europe, in particular, and include a statement of policy on efforts by the United States to continue and expand initiatives to reassure allies and partners and to deter aggression and intimidation by Russian, in order to enhance security and stability in the region.

The Senate amendment did not contain a similar provision.

The House recedes.

We urge the Department of Defense to enhance efforts in Europe to reassure allies and partners and deter further aggression and intimidation by the Russian Government to enhance security and stability in the region through: (1) increased U.S. military presence, exercises, training, prepositioning of equipment and infrastructure; (2) increased emphasis on countering unconventional warfare methods in areas such as cyber warfare, information operations, and intelligence operations; and (3) increased security assistance to allies and partners in Europe.

TITLE XVI—STRATEGIC PROGRAMS, CYBER,
AND INTELLIGENCE MATTERS

SUBTITLE A—SPACE ACTIVITIES

Major force program and budget for national security space (sec. 1601)

The House bill contained a provision (sec. 1601) that would amend chapter 9 of title 10, U.S.C., to establish a unified major force program for national security space programs to prioritize national security space activities in accordance with the requirement of the Department of Defense and national security. Additionally, this section would require a report from the Secretary of Defense that assesses the budget from fiscal years 2017–20 that includes a comparison between the current budget and the previous year's budget, as well as the current future years defense program, and the previous one with specific budget line identification. The provision would also require a plan be provided to the congressional defense committees for carrying out the unified major force program for national security space programs within 180 days of the date of enactment.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would remove the findings.

Principal advisor on space control (sec. 1602)

The Senate amendment contained a provision (sec. 1602) that would require the Secretary of Defense to designate an individual who is already a full time equivalent of the Department of Defense to serve as the Principal Space Control Advisor, who shall act as the principal advisor to the Secretary on space control activities.

The House bill contained no similar provision.

The House recedes with an amendment clarifying the roles and responsibilities of the cross-functional team.

We direct the Secretary of Defense to provide a briefing to the congressional defense committees within 180 days on the roles and responsibilities for space control activities within the Department of Defense; efforts underway to streamline decision making and limit bureaucracy for space control within the Department; and a description of how the Space Security and Defense Program will be appropriately integrated and aligned in the space control activities.

Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise (sec. 1603)

The Senate amendment contained a provision (sec. 1610) that would establish a council to review and be responsible for the Department of Defense positioning, navigation, and timing enterprise, including positioning, navigation, and timing services provided to civil, commercial, scientific and international users. This council would terminate 10 years after the date of enactment.

The House bill contained no similar provision.

The House recedes with an amendment that would add the Secretaries of the military departments as ex officio members of the council.

Modification to development of space science and technology strategy (sec. 1604)

The House bill contained a provision (sec. 1602) that would modify and streamline section 2271 of title 10, U.S.C., by removing specific direction on elements of the strategy, coordination, and reporting requirements to Congress.

The Senate amendment contained no similar provision.

The Senate recedes.

Delegation of authority regarding purchase of Global Positioning System user equipment (sec. 1605)

The House bill contained a provision (sec. 1605) that would modify section 913 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) by limiting the delegation of waiver authority to a level no lower than the Under Secretary of Defense for Acquisition, Technology, and Logistics.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would add the secretaries of the military departments to the waiver authority delegation limitation.

Rocket propulsion system development program (sec. 1606)

The House bill contained a provision (sec. 1603) that would amend section 1604 of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) by inserting a section on streamlined acquisition; a clarification that, of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the rocket propulsion system required by section 1604 of Public Law 113-291, the Secretary of Defense would be permitted to obligate or expend such funds only for the development of such rocket propulsion system, and the necessary interfaces to the launch vehicle, to replace non-allied space launch engines by 2019 as required by such section; and a requirement for the Secretary of Defense to provide a briefing on the streamlined acquisition approach, requirements, and acquisition strategy.

The Senate amendment also contained a provision (sec. 1606) that would amend section 1604 of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) to include a plan for the development and fielding of a full-up engine.

The Senate recedes with an amendment that would limit the availability of funds only for the development of a rocket propulsion system and the necessary interfaces to, or integration of, the launch vehicle, to replace non-allied space launch engines by 2019 as required by section 1604 of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291).

The amendment would specify that funds may be used for the integration of a rocket propulsion system on a new or existing launch vehicle. Funds may not be used to develop or procure a new launch vehicle or infrastructure.

The agreement would also direct the Secretary of the Air Force to provide the congressional defense committees a briefing no later than 90 days from the date of enactment on a plan for the development and fielding of a full-up rocket propulsion system.

Exception to the prohibition on contracting with Russian suppliers of rocket engines for the evolved expendable launch vehicle program (sec. 1607)

The House bill contained a provision (sec. 1604) that would amend section 1608 of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3626; 10 U.S.C. 2271 note).

The Senate amendment also contained a provision (sec. 1603) that would amend sec-

tion 1608 of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3626; 10 U.S.C. 2271 note).

The House recedes with an amendment that would amend section 1608 of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) by modifying the exception to the prohibition. The amendment would except contracts awarded for the procurement of property or services for space launch activities that includes the use of not more than a total of five rocket engines designed or manufactured in the Russian Federation that prior to February 1, 2014, were either fully paid for by the contractor or covered by a legally binding commitment of the contractor to fully pay for such rocket engines. The amendment would also add an additional exception which would allow contracts, not covered under the other exceptions, that are awarded for the procurement of property or services for space launch activities that include the use of not more than a total of four additional rocket engines designed or manufactured in the Russian Federation. Therefore, the agreement allows for a total of nine Russian rocket engines, aside from the waiver authority and the existing contract number FA8811-13-C-0003 awarded on December 18, 2013. Of those nine engines, not more than four additional rocket engines can be procured from the Russian Federation as five of the nine allowed under the (c)(1)(B) exception would have already been fully paid for as of February 1, 2014.

The existing exception on the placement of orders or the exercise of options under the contract number FA8811-13-C-0003 and awarded on December 18, 2013 and the existing waiver remain unchanged and unaffected.

We believe that the continued reliance on Russian rocket engines represents a significant risk to our national security and that their use should be minimized to the greatest extent practicable while maintaining assured access to space and competition.

Consistent with the limitations established by this provision, we direct the Secretary of Defense, in coordination with the Director of National Intelligence, to evaluate options for an executable backup plan for assured access to space that maintains competition as feasible. We expect the report to consider options in the event of a national emergency including using a Delta launch vehicle, relying on the National Aeronautics and Space Administration's launch capability, acquiring or leveraging space launch services provided by international partners consistent with the National Space Transportation Policy, or any other options that the Secretary deems feasible. The report shall include identification of requirements, feasibility, costs, infrastructure, security, timelines, required authorities and risks and benefits associated with each option considered. The Secretary shall submit the results in the form of a briefing to the appropriate congressional committees no later than April 15, 2016.

Acquisition strategy for evolved expendable launch vehicle program (sec. 1608)

The House bill contained a provision (sec. 1606) that would express the sense of Congress concerning the need for an updated, phased acquisition strategy and contracting plan for the Evolved Expendable Launch Vehicle (EELV) program and that the acquisition strategy and contracting plan should eliminate the currently structured EELV launch capability (ELC) arrangement after the current contractual obligations, among

other statements. The provision would require the Secretary of the Air Force to discontinue the current ELC arrangement by the latter of either the date on which the Secretary determines that the obligations of the contracts relating to such arrangement have been met, or by December 31, 2020. The provision would also require the Secretary to apply consistent and appropriate standards to certified EELV providers with respect to certified cost and pricing data, and audits, in accordance with section 2306a of title 10, United States Code; would require the Secretary to develop and carry out a 10-year acquisition strategy for the EELV program, in accordance with section 2273 of title 10, United States Code, and other elements of the provision; would require any contract for launch services to account for the value of the ELC arrangement per contract line item numbers in the bid price of the offeror as appropriate per launch; and would require a report on the acquisition strategy.

The Senate amendment contained a provision (sec. 1604) that would prohibit the Secretary of Defense from awarding a contract, renewing a contract, or maintaining a separate contract line item for the procurement of property or services for space launch capabilities under the Evolved Expendable Launch Vehicle (EELV) program. The provision would allow for the Secretary to waive the requirement if the Secretary determines that: (1) awarding or renewing, or maintaining a separate contract line item for launch capabilities is necessary for the national security interests of the United States and the contract or contract line item does not support space launch activities using rocket engines designed or manufactured in the Russian Federation; and (2) failing to award or renew such a contract or maintain such a contract line item would have significant consequences to national security and result in the significant loss of life or property or economic harm. The provision would not apply to the placement of orders or the exercise of options under the contract numbered FA8811-13-C-003 and awarded on December 18, 2013. That exception would expire on September 30, 2019.

The Senate recedes with an amendment that would strike the sense of Congress language; revise the date for discontinuing the current ELC arrangement to not later than December 31, 2019 for existing contracts using rocket engines designed or manufactured in the Russian Federation and not later than December 31, 2020 for existing contracts using domestic rocket engines; and clarify language concerning the acquisition strategy required.

Allocation of funding for evolved expendable launch vehicle program (sec. 1609)

The Senate amendment contained a provision (sec. 1605) that would realign the cost share of the Evolved Expendable Launch Vehicle (EELV) Launch Capabilities (ELC) between the Air Force and the National Reconnaissance Office (NRO). The provision would require, for fiscal years 2017, 2018, or 2019, that the Air Force request for ELC funding bear the same ratio to the total number of Air Force cores to be procured under the Evolved Expendable Launch Vehicle Launch Services (ELS).

The House bill contained no similar provision.

The House recedes with an amendment that would direct the Director of the Office of Management and Budget to submit a certification with the budgets for fiscal years 2017, 2018, and 2019 that the cost share between the Air Force and the National Reconnaissance Office for the evolved expendable

launch vehicle launch capability program equitably reflects the appropriate allocation of funding for the Air Force and the National Reconnaissance Office, respectively, based on the launch schedule and national mission forecast. The amendment would also require sufficient rationale to justify such cost share.

Procurement of wideband satellite communications (sec. 1610)

The House bill contained a provision (sec. 1607) that would require the Secretary of Defense to designate a senior Department of Defense official to procure wideband satellite communications, both military and commercial, to meet the requirements of the Department. Additionally, this section would require the Secretary of Defense to submit to the congressional defense committees, a plan to meet the requirements of the Department for satellite communications, including identification of roles and responsibilities, no later than 180 days after the date of the enactment of this Act.

The Senate amendment contained a similar provision (sec. 1609) that would require the Department of Defense Executive Agent for Space to submit by January 31, 2016 a plan to the congressional defense committees for consolidating the acquisition of commercial satellite communications (COMSATCOM) services from across the Department of Defense into a program office in the Air Force Space and Missile Systems Center. The plan would require consolidation to take place within a 3-year period. It would also require an assessment of the current management and overhead costs, a projection of the consolidated management and overhead costs, and an estimate of the cost of consolidation. The provision would require the Director of Cost Assessment and Program Evaluation to review and validate each of the estimates.

The Senate recedes with an amendment that would require the Secretary of Defense to submit a plan for the consolidation of the acquisition of wideband satellite communications. The amendment would require the Secretary to identify and designate a single acquisition agent and implementation of the consolidation plan. The amendment would also allow the Secretary to forgo implementation if the Secretary determines that the implementation will require significant additional funding or is not in the interests of national security.

Analysis of alternatives for wide-band communications (sec. 1611)

The Senate amendment contained a provision (sec. 1611) that would require an analysis of alternatives for the replacement of the Wideband Global Satellite System with a report due to the congressional defense committees by March 31, 2017. The analysis required shall take into account future bandwidth of space, air, and ground communications systems.

The House bill contained no similar provision.

The House recedes.

Modification of pilot program for acquisition of commercial satellite communication services (sec. 1612)

The House bill contained a provision (sec. 1609) that would modify an existing pilot program for acquisition of commercial satellite communications services by removing the requirement to use the working capital fund and authorize multiple methods or pathfinder efforts to be used within the pilot program. Additionally, the Secretary would have to establish metrics to track the

progress of meeting the objectives of the program and provide annual briefings on the progress of the pilot program, concurrent with the submission of the budget request in each year from fiscal year 2017 through fiscal year 2020.

The Senate amendment contained a similar provision (sec. 1612) that would direct the Department of Defense to seek to achieve order-of-magnitude improvements in communications capability as a goal of pilot programs for commercial satellite communications.

The House recedes with an amendment that would require the Secretary of Defense to conduct the pilot program, remove the requirement to use the working capital fund for the pilot program and authorize multiple methods or pathfinder efforts to be used within the pilot program. The amendment would also direct the Department to seek to achieve order-of-magnitude improvements in communications capability as a goal of pilot programs for commercial satellite communications. We believe that Department of Defense should use this program to explore new and innovative ways to acquire commercial satellite communications for the benefit of the warfighter and the taxpayers. This should include new activities to meet the goals established in the pilot program while also leveraging the Department's pathfinder efforts.

Integrated policy to deter adversaries in space (sec. 1613)

The House bill contained a provision (sec. 1614) that would state a sense of Congress regarding space defense, as outlined in the National Space Policy of 2010.

The Senate amendment contained a similar provision (sec. 1601) that would require the President to establish an interagency process to develop a policy to deter adversaries in space. This integrated deterrence policy would be developed with the objectives of (1) reducing risks to the United States and its allies in space; and (2) protecting and preserving the rights, access, capabilities, use, and freedom of action of the United States in space and the right of the United States to respond to an attack in space and, if necessary, deny adversaries the use of space capabilities hostile to the national interests of the United States. The provision would require the President to provide a report setting forth the deterrence policy and the answers to Enclosure 1, regarding offensive space control policy, of the classified annex to this Act, to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives within 180 days of the date of enactment. If the report required and the answers to Enclosure 1 are not provided within 180 days of the date of enactment, the provision would prohibit, until provided, the obligation or expenditure of \$10.0 million of the amounts authorized to be appropriated or otherwise made available to the Department of Defense for fiscal year 2016 to provide support services to the Executive Office of the President.

The House recedes with a technical amendment.

Prohibition on reliance on China and Russia for space-based weather data (sec. 1614)

The House bill contained a provision (sec. 1610) that would prohibit reliance on space-based weather data from the Government of the People's Republic of China or the Government of the Russian Federation, and would require the Secretary of Defense to certify that the Department of Defense does

not rely on, or in the future does not plan to rely on, space-based weather data for national security purposes, that is provided by the Government of the People's Republic of China, the Government of the Russian Federation, or an entity owned or controlled by the Government of China or the Government of Russia.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Limitation on availability of funds for weather satellite follow-on system (sec. 1615)

The House bill contained a provision (sec. 1608) that would limit any funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the weather satellite follow-on system until the Secretary of Defense provides a briefing to the congressional defense committees on a plan to address the requirements of the Department of Defense for cloud characterization and theater weather imagery, and that such plan will not negatively affect the commanders of the combatant commands and will meet the requirements of the Department for cloud characterization and theater weather imagery.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would change the limitation of funds from a full limitation to a limitation on half of the funds.

We are aware and supportive of the efforts to reassess the appropriate portions of the analysis of alternatives (AoA) for space-based environmental monitoring in consideration of the changes that have occurred since the original AoA that was completed.

Limitations on availability of funds for the Defense Meteorological Satellite program (sec. 1616)

The Senate amendment contained a provision (sec. 1607) that would prohibit the use of funds authorized to be appropriated in fiscal year 2016 and any unobligated funds made available for appropriation in fiscal year 2015 for the Defense Meteorological Satellite Program (DMSP) or the launch of Defense Meteorological Satellite Program satellite #20 (DMSP-20) until the Secretary of Defense and the Chairman of the Joint Chiefs of Staff jointly certify to the congressional defense committees that: (1) relying on civil and international contributions to meet space-based environmental monitoring requirements is insufficient or is a risk to national security and launching DMSP-20 will meet those requirements; (2) launching DMSP-20 is the most affordable solution to meeting requirements validated by the Joint Requirements Oversight Council; and (3) nonmaterial solutions within the Department of Defense, the National Oceanic and Atmospheric Administration (NOAA), or National Aeronautics and Space Administration (NASA) are incapable of providing a solution for cloud characterization and theater weather requirements as validated by the Joint Requirements Oversight Council.

The House bill contained no similar provision.

The House recedes with an amendment that reduces the fence in fiscal year 2015 to half of any unobligated funds made available for appropriation and clarifies the elements of the certification.

Streamline commercial space launch activities (sec. 1617)

The Senate amendment contained a provision (sec. 1613) that would direct the Secretary of Transportation, in consultation

with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, the commercial space sector, and the heads of other executive agencies as appropriate to report annually on actions taken to remove duplication and minimize inconsistencies across the federal government for commercial space launch requirements and approval. The report shall be submitted to the congressional defense committees, the Senate Committee on Commerce, Science and Transportation and the House Committee on Science, Space and Technology.

The House bill contained no similar provision.

The House recedes with a technical amendment that would add the House Committee on Transportation and Infrastructure as a recipient of the required reports. We note the importance of efforts to eliminate duplicative requirements and approvals to streamline commercial space launch activities.

Plan on full integration and exploitation of overhead persistent infrared capability (sec. 1618)

The House bill contained a provision (sec. 1612) that would require the Commander, U.S. Strategic Command and the Director, Cost Assessment and Program Evaluation jointly submit to the appropriate congressional committees a plan for the integration of overhead persistent infrared (OPIR) capabilities to support specified mission capabilities of the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Options for rapid space reconstitution (sec. 1619)

The House bill contained a provision (sec. 1613) that would state the sense of Congress regarding rapid reconstitution of critical space capabilities. It would also direct the Secretary of Defense to evaluate options for the use of current assets of the Department of Defense for the purpose of rapid reconstitution of critical space-based warfighter enabling capabilities and provide a briefing to the congressional defense committees not later than March 31, 2016.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would strike the sense of Congress.

Evaluation of exploitation of space-based infrared system against additional threats (sec. 1620)

The House bill contained a provision (sec. 1611) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics, in cooperation with the Secretary of the Navy, the Secretary of the Air Force, and the Director of National Intelligence, to conduct an evaluation of the Space-based Infrared System to detect, track, and target, or develop the capability to do the detect, track and target, against the full-range of threats to the United States, deployed members of the Armed Forces, and the allies of the United States, and provide the results of such evaluation to the congressional defense committees not later than December 31, 2016.

The Senate bill contained no similar provision.

The Senate recedes with an amendment replacing the Under Secretary of Defense for Acquisition, Technology, and Logistics with the Commander, U.S. Strategic Command and adding the Commander, U.S. Northern Command.

We note that the classified annex accompanying the House bill includes further discussion related to this section.

Quarterly reports on Global Positioning System III space segment, Global Positioning System operational control segment, and Military Global Positioning System user equipment acquisition programs (sec. 1621)

The Senate amendment contained a provision (sec. 1608) that would require the Secretary of the Air Force to provide quarterly reports to the Comptroller General of the United States on the Global Positioning System III (GPS III) space segment, the Global Positioning System Operational Control Segment (GPS OCX), and the Military Global Positioning System User Equipment (MGUE) acquisition programs. The reporting requirement would sunset on the date at which GPS III, GPS OCX, and MGUE reach their full operational capabilities.

The House bill contained no similar amendment.

The House recedes with an amendment that would add a requirement to provide supporting documents and modify the date of termination of the reporting requirement from full operational capability to initial operational capability.

Sense of Congress on missile defense sensors in space (sec. 1622)

The House bill contained a provision (sec. 1615) that would express the sense of Congress that a robust multi-mission space sensor network will be vital to ensuring a strong missile defense system.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would strike the findings.

SUBTITLE B—DEFENSE INTELLIGENCE AND INTELLIGENCE-RELATED ACTIVITIES

Executive agent for open-source intelligence tools (sec. 1631)

The House bill contained a provision (sec. 1621) that would require the Secretary of Defense to designate a senior official of the Department of Defense to serve as the executive agent for the Department for open-source intelligence tools.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Waiver and congressional notification requirements related to facilities for intelligence collection or for special operations abroad (sec. 1632)

The House bill contained a provision (sec. 1622) that would modify section 2682(c) of title 10, United States Code, regarding facilities for intelligence collection and for special operations abroad to include a notification requirement for the Secretary of Defense to specified congressional committees and sunset the waiver authority of the Secretary of Defense on December 31, 2017.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Prohibition on National Intelligence Program consolidation (sec. 1633)

The House bill contained a provision (sec. 1623) that would prohibit the Secretary of Defense from using any of the funds authorized to be appropriated or otherwise made available to the Department of Defense during the period beginning on the date of the enactment of this Act and ending on December 31, 2016, to execute: the separation of the portion of the Department of Defense budget designated as part of the National Intelligence Program from the rest of the Department of Defense budget; the consolidation of

the portion of the Department of Defense budget designated as part of the National Intelligence Program within the Department of Defense budget; or the establishment of a new appropriations account or appropriations account structure for such funds.

The Senate amendment contained no similar provision.

The Senate recedes.

Limitation on availability of funds for Office of the Under Secretary of Defense for Intelligence (sec. 1634)

The House bill contained a provision (sec. 1626) that would prohibit the obligation or expenditure of 25 percent of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Office of the Under Secretary of Defense for Intelligence (OUSD(I)) until the Secretary of Defense establishes the policy required by section 922 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66). Section 922 required the Secretary to develop a written policy by June 24, 2014, governing the internal coordination and prioritization of intelligence priorities of the Office of the Secretary of Defense, the Joint Staff, the combatant commands, and the military departments to improve identification of the intelligence needs of the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes.

Department of Defense intelligence needs (sec. 1635)

The House bill contained a provision (sec. 1628) that would require the Director of National Intelligence to provide a report to the congressional defense committees and the congressional intelligence committees on how the Director ensures that the National Intelligence Program budgets for the elements of the Intelligence Community that are within the Department of Defense are adequate to satisfy the national intelligence needs of the Department, as required by section 102A(p) of the National Security Act of 1947 (50 U.S.C. 3024(p)). The report would specifically include a description of how the Director incorporates the needs of the Chairman of the Joint Chiefs of Staff and the commanders of the unified and specified commands into the metrics used to evaluate the performance of the elements of the Intelligence Community that are within the Department of Defense in conducting intelligence activities funded under the National Intelligence Program.

The Senate amendment contained no similar provision.

The Senate recedes.

Report on management of certain programs of Defense intelligence elements (sec. 1636)

The House bill contained a provision (sec. 1629) that would require the Under Secretary of Defense for Intelligence to review the Science and Technology Research and Foreign Material Exploitation work being conducted by the intelligence elements of the Department of Defense and recommend any changes and realignment of organizations that should take place.

The Senate amendment contained no similar provision.

The Senate recedes.

We continue to have concerns about the activities of the Intelligence Systems Support Office which was transferred from the office of the Under Secretary of Defense for Intelligence to the Air Force in fiscal year 2015 and believes that there are significant synergies and potential savings to be gained

through consolidation of these activities with other intelligence elements of the Department of Defense. The committees are also concerned about the Foreign Material Exploitation activities which were transferred in fiscal year 2015 as well and believe that these elements could also be consolidated with organizations elsewhere in the Defense Intelligence Enterprise.

Report on Air National Guard contributions to the RQ-4 Global Hawk mission (sec. 1637)

The Senate amendment contained a provision (sec. 1621) that would require the Secretary of the Air Force, in coordination with the Chief of Staff of the Air Force and the Chief of the National Guard Bureau, to submit, not later than 180 days after the date of enactment of this Act, a report to Congress on the feasibility of using the Air National Guard in association with the Active-Duty Air Force to operate and maintain the RQ-4 Global Hawk aircraft.

The House bill contained no similar provision.

The House recedes.

Government Accountability Office review of intelligence input to the defense acquisition process (sec. 1638)

The House bill contained a provision (sec. 1630) that would require the Comptroller General of the United States to carry out a comprehensive review of the processes and procedures for the integration of intelligence into the Department of Defense acquisition process. The review would include the integration of intelligence on foreign capabilities into the acquisition process from initial requirement through deployment, including staffing and training of intelligence personnel assigned to the program offices, as well as the procedures for identifying opportunities for weapon systems to collect intelligence, and accounting for the support requirements the weapon systems will place on the Defense Intelligence Enterprise once fielded.

The Senate amendment contained no similar provision.

The Senate recedes.

We believe it is important to ensure that the Department is taking into consideration both intelligence assessments of potential adversaries, as well as the exquisite intelligence required to make new weapon systems work to their fullest potential.

SUBTITLE C—CYBERSPACE-RELATED MATTERS

Codification and addition of liability protections relating to reporting on cyber incidents or penetrations of networks and information systems of certain contractors (sec. 1641)

The House bill contained a provision (sec. 1641) that would amend section 941 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) as a new section 393 of title 10, United States Code, and also amend section 391 of such title, to provide for liability protection for covered contractors reporting cyber incidents to the Department of Defense through these two statutorily required mechanisms.

The Senate amendment contained no similar provision.

The Senate recedes.

Authorization of military cyber operations (sec. 1642)

The Senate amendment contained a provision (sec. 1631) that would authorize the Secretary of Defense to develop, prepare, coordinate, and (when authorized by the President to do so) to conduct a military cyber operation in response to malicious cyber activity carried out against the United States or a

United States person by a foreign power (as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801)).

The House bill contained no similar provision.

The House recedes with an amendment that would clarify that the authority to conduct cyber operations shall be exercised when appropriately authorized.

We note that nothing in this provision shall be construed to limit existing presidential or congressional power to authorize action.

Limitation on availability of funds pending the submittal of integrated policy to deter adversaries in cyberspace (sec. 1643)

The Senate amendment contained a provision (sec. 1633) that would prohibit the obligation or expenditure of \$10.0 million of the unobligated balance of the amounts appropriated or otherwise made available to the Department of Defense to provide support services to the Executive Office of the President, until the President submits to the congressional defense committees the integrated policy to deter adversaries in cyberspace required by section 941 of the National Defense Authorization Act for Fiscal Year 2014.

The House bill contained no similar provision.

The House recedes with a technical amendment.

We note that section 941 of the National Defense Authorization Act for Fiscal Year 2014 (127 Stat. 837; Public Law 113-66), required the President to establish an interagency process to provide for the development of an integrated policy to deter adversaries in cyberspace. The provision required the President, not later than 270 days after the date of enactment, which occurred on December 26, 2013, to submit to the congressional defense committees a report setting forth that integrated policy to deter adversaries in cyberspace. The report required has not been provided. We believe that an integrated policy to deter adversaries in cyberspace is essential to ensuring the national security of the United States and countering the cyber threats posed by our adversaries. We remain concerned that the failure to establish a well-articulated strategy for deterring potential adversaries from conducting cyber attacks, emboldens our adversaries and increases the likelihood of cyber attacks in the near future.

Authorization for procurement of relocatable Sensitive Compartmented Information Facility (sec. 1644)

The Senate amendment contained a provision (sec. 1634) that would authorize \$10.6 million of the unobligated amounts made available in fiscal years 2014 and 2015 for the Army for the procurement of a relocatable Sensitive Compartmented Information Facility (SCIF) for the Cyber Center of Excellence at Fort Gordon, Georgia.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Designation of military department entity responsible for acquisition of critical cyber capabilities (sec. 1645)

The Senate amendment contained a provision (sec. 1631) that would direct the Secretary of Defense to designate within 90 days of the date of enactment an entity of the Department of Defense (DOD) to be responsible for the acquisition of critical cyber capabilities to include: (1) the unified platform, (2) a

persistent cyber training environment, and (3) a cyber situational awareness and battle management system.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify that the Secretary of Defense shall designate an entity within a military department to be responsible for the critical cyber capabilities identified in the provision.

Assessment of capabilities of United States Cyber Command to defend the United States from cyber attack (sec. 1646)

The Senate amendment contained a provision (sec. 1636) that would require the Principal Cyber Advisor (PCA) to sponsor an independent panel to assess the ability of the National Mission Forces of the U.S. Cyber Command (CYBERCOM) to reliably prevent or block large-scale attacks on the United States by foreign powers with capabilities comparable to those of countries like China, Iran, North Korea, and Russia in the 2020 and 2025 timeframes.

The House bill contained no similar provision.

The House recedes with an amendment that would remove the requirement for an independent assessment.

Evaluation of cyber vulnerabilities of major weapon systems of the Department of Defense (sec. 1647)

The Senate amendment contained a provision (sec. 1635) that would require the Secretary of Defense to evaluate the cyber vulnerabilities of every major Department of Defense weapons system by not later than December 31, 2019.

The House bill contained no similar provision.

The House recedes with an amendment that would require the updates to the congressional defense committees on activities undertaken in the evaluation of major weapon systems occur as part of the quarterly cyber operations briefings required under section 484 of title 10, United States Code.

Comprehensive plan and biennial exercises on responding to cyber attacks (sec. 1648)

The Senate amendment contained a provision (sec. 1637) that would require the Secretary of Defense to conduct national-level cyber exercises not less frequently than once every 2 years for a period of 6 years. In preparing and executing these exercises, the Secretary would be required to coordinate with the Secretary of Homeland Security, the Director of National Intelligence, the Director of the FBI, and the heads of the critical infrastructure sector-specific agencies designated under Presidential Policy Directive 21. The Secretary also would be required to consult with governors of the States and the owners and operators of critical infrastructure. The exercises would be based on scenarios in which critical infrastructure is attacked through cyberspace and the President directs the Secretary to defend the Nation and to provide support to civil authorities in responding and recovering from the attacks.

The Senate amendment also contained a provision (sec. 1638) that would require the Secretary of Defense to develop a comprehensive plan for the United States Cyber Command to support civil authorities in responding to cyber attacks by foreign powers against the United States or a United States person.

The House bill contained no similar provisions.

The House recedes with an amendment that would combine both Senate provisions.

In carrying out the requirements of this section concerning national-level cyber exercises, we encourage the Department to coordinate activities with the Secretary of Homeland Security, consistent with section 227 of the Homeland Security Act of 2002 (6 U.S.C. 149), to the maximum extent practicable. We believe such exercises should include opportunities to address the full spectrum of cyber defense and mitigation capabilities available to the Federal Government, and when appropriate should leverage existing National Cyber Exercise programs, such as the Department of Homeland Security Biennial Cyber Storm Program.

Sense of Congress on reviewing and considering findings and recommendations of Council of Governors on cyber capabilities of the Armed Forces (sec. 1649)

The Senate amendment contained a provision (sec. 1639) that would express that it is the sense of Congress that the Secretary of Defense should review and consider any findings and recommendations of the Council of Governors pertaining to cyber mission force requirements and any proposed reductions in and synchronization of the cyber capabilities of active or reserve components of the Armed Forces.

The House bill contained no similar provision.

The House recedes with a technical amendment.

SUBTITLE D—NUCLEAR FORCES

Assessment of threats to national leadership command, control, and communications system (sec. 1651)

The House bill contained a provision (sec. 1652) that would require the Council on Oversight of the National Leadership Command, Control, and Communications System to collect and assess all reports and assessments conducted by the Intelligence Community regarding foreign threats, including cyber threats, to the command, control, and communications system for the national leadership of the United States and the vulnerabilities of such system to the threats.

The Senate amendment contained no similar provision.

The Senate recedes.

Organization of nuclear deterrence functions of the Air Force (sec. 1652)

The House bill contained a provision (sec. 1651) that would require that, subject to the authority, direction, and control of the Secretary of the Air Force, the Chief of Staff of the Air Force shall be responsible for overseeing the safety, security, effectiveness, and credibility of the nuclear deterrence mission of the Air Force. This section would also require that, by March 1, 2016, the Chief of Staff designate a Deputy Chief of Staff to carry out the following duties: (1) provide direction, guidance, integration, and advocacy regarding the nuclear deterrence mission; (2) conduct monitoring and oversight activities regarding the safety, security, reliability, effectiveness, and credibility of the nuclear deterrence mission; and (3) conduct periodic comprehensive assessments of all aspects of the nuclear deterrence mission and provide such assessments to the Secretary and the Chief of Staff. This section would also require that, by March 30, 2016, the Secretary shall consolidate, to the extent the Secretary determines appropriate, under a major command commanded by a single general officer, the responsibility, authority, accountability, and resources for carrying out the nuclear deterrence mission. The major command would be made responsible, to the extent the Secretary determines appro-

priate, for carrying out all elements and activities related to nuclear deterrence, including nuclear weapons, nuclear weapon delivery systems, and the nuclear command, control, and communication system. The activities would include planning and execution of modernization programs; procurement and acquisition; research, development, test, and evaluation; sustainment; operations; training; safety and security; research, education, and applied science relating to nuclear deterrence and assurance; and such other functions of the nuclear deterrence mission as the Secretary determines appropriate.

The Senate amendment contained a provision (sec. 1641) that would require the Secretary of the Air Force to designate a senior acquisition official responsible for ensuring the procurement and integration of Air Force Nuclear, Command and Control (NC3) Systems.

The House recedes with an amendment that would retain the requirement that the Chief of Staff of the Air Force be responsible for overseeing the safety, security, effectiveness, and credibility of the nuclear deterrence mission of the Air Force as well as requiring the designation of a Deputy Chief of Staff to carry out the duties as listed in section 1651 of the House bill. The amendment contains a sense of Congress that the Secretary of the Air Force should consolidate, to the extent the Secretary determines appropriate, under a major command commanded by a single general officer the responsibility, authority, accountability, and resources for carrying out all aspects of the nuclear deterrence mission of the Air Force and that this should be memorialized through a series of enduring directives and orders. The amendment further requires the Secretary of the Air Force to submit to the congressional defense committees a report no later than February 28, 2016 on what actions have been taken or are planned to reorganize, streamline, and clarify responsibilities, authorities, accountability, and resources within the Air Force for the nuclear deterrence mission. This report must include what guidance, directives, and orders have been or will be issued to institutionalize these changes.

Procurement authority for certain parts of intercontinental ballistic missile fuzes (sec. 1653)

The House bill contained a provision (sec. 1653) that would authorize \$13.7 million of the funds made available by this Act for Missile Procurement, Air Force, for the procurement of certain commercially available parts for intercontinental ballistic missile fuzes, notwithstanding section 1502(a) of title 31, United States Code, under contracts entered into under section 1645(a) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291).

The Senate amendment contained a similar provision (sec. 1645).

The Senate recedes.

Prohibition on availability of funds for de-alerting intercontinental ballistic missiles (sec. 1654)

The House bill contained a provision (sec. 1657) that included a sense of Congress on the responsiveness and alert levels of intercontinental ballistic missiles and would prohibit authorized funds for reducing, or preparing to reduce, the responsiveness or alert level of United States intercontinental ballistic missiles.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would strike the sense of Congress and

include a clarification that the prohibition does not apply to reductions carried out to comply with the New START treaty as long as such reductions are in compliance with Section 1644 of the National Defense Authorization Act for Fiscal Year 2015.

Assessment of global nuclear environment (sec. 1655)

The Senate amendment contained a provision (sec. 1643) that would direct the Department of Defense Director of Net Assessment, in coordination with the Commander of U.S. Strategic Command, to conduct an assessment of the global security environment with respect to nuclear weapons and the role of United States nuclear forces, policy, and strategy in that environment. Not later than November 15, 2016, the Director of Net Assessment shall submit to the congressional defense committees a report on its findings. The assessment should include experts outside the Department of Defense with particular emphasis on those individuals and independent institutions with demonstrated expertise in strategy and net assessment methodology.

The House bill contained no similar provision.

The House recedes with an amendment that would strike the findings and adjust the time period covered by the assessment to be 10 to 20 years.

Annual briefing on the costs of forward deploying nuclear weapons in Europe (sec. 1656)

The House bill contained a provision (sec. 1654) that would require the Secretary of Defense to provide the congressional defense committees a briefing on specific costs related to forward-deploying nuclear weapons in Europe no later than 30 days after the President submits to Congress the budget for each of fiscal years 2017 through 2021.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Report on the number of planned long-range standoff weapons (sec. 1657)

The House bill contained a provision (sec. 1659) that would require the Secretary of Defense to submit a report to Congress on the justification of the number of planned nuclear-armed cruise missiles, known as the Long Range Standoff Weapon, to the U.S. arsenal.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Review of Comptroller General of the United States on recommendations relating to nuclear enterprise of the Department of Defense (sec. 1658)

The Senate amendment contained a provision (sec. 1642) that would require the Comptroller General of the United States to review the Department of Defense's process for addressing the recommendations of the Nuclear Enterprise Review and the Nuclear Deterrence Enterprise Review Group.

The House bill contained no similar provision.

The House recedes with an amendment that would strike the requirement for a report and substitute a requirement for a briefing to the congressional defense committees.

Sense of Congress on organization of Navy for nuclear deterrence mission (sec. 1659)

The House bill contained a provision (sec. 1656) that would express the sense of Congress that the safety, security, reliability, and credibility of the nuclear deterrent of

the United States is a vital national security priority and that nuclear weapons require special consideration because of the political and military importance of the weapons. This provision also expresses that the Navy has repeatedly demonstrated its commitment to and prioritization of the nuclear deterrence mission of the Navy and has put an emphasis on ensuring its nuclear weapons are safe, secure, reliable, and credible both ashore and at sea.

The Senate amendment contained no similar provision.

The Senate recedes.

Sense of Congress on the nuclear force improvement program of the Air Force (sec. 1660)

The Senate amendment contained a provision (sec. 1647) that would express the sense of the Senate that the Air Force should regularly inform Congress on the progress being made under the nuclear force improvement program and its efforts to strengthen the nuclear enterprise and make Congress aware of any additional actions that should be taken to optimize performance of the nuclear mission of the Air Force and maximize the strength of the United States strategic deterrent.

The House bill contained no similar provision.

The House recedes with an amendment that would change the sense of the Senate to a sense of the Congress and make technical and clarifying changes.

Senses of Congress on importance of cooperation and collaboration between United States and United Kingdom on nuclear issues and on 60th anniversary of strategic systems programs (sec. 1661)

The House bill contained a provision (sec. 1655) that would express the sense of Congress that co-operation and collaboration under the 1958 Mutual Defense Agreement and the 1963 Polaris Sales Agreement are fundamental elements of the security of the United States and the United Kingdom, as well as international stability. Additionally, the recent renewal of these agreements are critical to sustaining and enhancing the capabilities and knowledge base of both countries regarding nuclear deterrence, nuclear nonproliferation and counterproliferation, and naval nuclear propulsion.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would add a sense of Congress commemorating the 60th anniversary of the Navy's Fleet Ballistic Missile Program.

Sense of Congress on plan for implementation of nuclear enterprise reviews (sec. 1662)

The House bill contained a provision (sec. 1658) that would express the sense of Congress that the Secretary of Defense should submit to Congress a plan on how the Secretary plans to implement the full recommendations of the two nuclear enterprise reviews.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Sense of Congress and report on milestone A decision on long-range standoff weapon (sec. 1663)

The Senate amendment contained a provision (sec. 1644) that would require the Secretary of Defense to make a Milestone A decision on the Long-Range Standoff Weapon no later than May 31, 2016.

The House bill contained no similar provision.

The House recedes with an amendment that would transform the provision into a Sense of Congress with a reporting requirement.

Sense of Congress on policy on the nuclear triad (sec. 1664)

The Senate amendment contained a provision (sec. 1646) that would express the sense of Congress that retaining all three legs of the nuclear triad is the highest priority mission of the Department of Defense and will best maintain strategic stability at a reasonable cost, while hedging against potential technical problems and vulnerabilities. The provision states that it is the policy of the United States to sustain and modernize or replace the triad of strategic nuclear delivery systems and that it is the policy of the United States to operate, sustain, and modernize or replace a capability to forward-deploy nuclear weapons and dual capable fighter-bomber aircraft.

The House bill contained no similar provision.

The House recedes.

Report relating to the costs associated with extending the life of the Minuteman III intercontinental ballistic missile (sec. 1665)

The House bill contained a provision (sec. 1679) that would require the Secretary of the Air Force to submit to Congress a report examining the costs associated with extending the life of the Minuteman III intercontinental ballistic missile compared to the costs associated with procuring a new ground-based strategic deterrent.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment changing the submission of the report from "Congress" to "congressional defense committees."

SUBTITLE E—MISSILE DEFENSE PROGRAMS AND OTHER MATTERS

Prohibitions on providing certain missile defense information to Russian Federation (sec. 1671)

The House bill contained a provision (sec. 1661) that would prohibit the use of funds authorized to be appropriated for the Department of Defense to provide the Russian Federation with "hit-to-kill" technology and telemetry data for missile defense interceptors or target vehicles and information relating to the velocity at burnout of missile defense interceptors or targets of the United States. This provision would also provide the President with a single use waiver to provide Russia with information regarding ballistic missile early warning in the event the Chairman of the Joint Chiefs of Staff, the Commander of U.S. Strategic Command, and the Commander of U.S. European Command jointly certify to the President and the congressional defense committees that the provision of such information is required because of a failure of the early warning system of Russia. The provision would allow the prohibitions to expire on January 1, 2031.

The Senate amendment contained a similar provision (sec. 1659) that would amend Section 1246(c)(2) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 923), as amended by Section 1243(2)(A) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3564) to extend the limitation on providing certain sensitive missile defense information to the Russian Federation through fiscal year 2017.

The Senate recedes with an amendment that removes the President's single use waiv-

er, clarifies that the provision does not prohibit the United States from providing early warning data to the Russian Federation, and allows the provision to expire on January 1, 2017.

Prohibition on integration of missile defense systems of Russian Federation into missile defense systems of United States (sec. 1672)

The House bill contained a provision (sec. 1663) that would prohibit the use of any authorized funds by this Act for fiscal years 2016 through 2031 for the Department of Defense or for the contributions of the United States to the North Atlantic Treaty Organization (NATO) to integrate a missile defense system of the Russian Federation into any missile defense system of the United States or NATO.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would prohibit the use of funds authorized for fiscal years 2016 and 2017 for the Department of Defense to integrate a missile defense system of the Russian Federation into any missile defense system of the United States.

Prohibition on integration of missile defense systems of China into missile defense systems of United States (sec. 1673)

The House bill contained a provision (sec. 1662) that would prohibit any authorized funds by this Act for fiscal year 2016 to be obligated or expended for the integration of a missile defense system of the People's Republic of China into any missile defense system of the United States.

The Senate amendment contained no similar provision.

The Senate recedes.

Limitations on availability of funds for Patriot lower tier air and missile defense capability of the Army (sec. 1674)

The House bill contained a provision (sec. 1665) that would provide that none of the funds authorized to be appropriated for programs related to the Patriot lower tier air and missile defense capability that depend specifically on the results of the analysis of alternatives (AOA) regarding the Patriot lower tier air and missile defense capability of the Army, may be obligated or expended until the results of the AOA are submitted to the congressional defense committees.

This section would also provide that the Under Secretary of Defense for Acquisition, Technology, and Logistics could waive the application of the limitation in this section if the Under Secretary determines that it is necessary to prevent an unacceptable risk to mission performance of the Patriot system and notifies the congressional defense committees of the decision to use such waiver authority.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would reduce the limitation to 30 days after the submission of the AOA to the congressional defense committees.

The committees understand that the AOA will be completed by August 2015, prior to the beginning of fiscal year 2016. The committees do not intend to limit funding for programs or technology that could support Patriot modernization regardless of the options chosen based on the AOA. The committees believe a modernized Patriot capability is vital to a robust air and missile defense capability of the Army, and that such capability is further required for the protection of deployed U.S. Armed Forces and allied forces. The committees are committed to the

modernization of Patriot and, elsewhere in this Act, recommend full funding of the budget request for these activities.

Integration and interoperability of air and missile defense capabilities of the United States (sec. 1675)

The House bill contained a provision (sec. 1666) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Vice Chairman of the Joint Chiefs of Staff to ensure the interoperability and integration of certain U.S. air and missile defense systems. Additionally, it would require the Director of the Missile Defense Agency and the Secretary of the Army to conduct at least one intercept or flight test per year that demonstrates interoperability and integration among the covered air and missile defense capabilities, and would provide waiver authority.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Integration and interoperability of allied missile defense capabilities (sec. 1676)

The House bill contained a provision (sec. 1667) that would require the Commander of U.S. European Command, the Commander of U.S. Central Command, and the Commander of U.S. Pacific Command to submit to the Secretary of Defense and the Joint Chiefs of Staff an assessment of the opportunities for integration and interoperability of air and missile defense capabilities of the United States with those capabilities of allies of the United States, including carrying out the planning, risk assessments, policy development and concept of operations development necessary to assure the integration and interoperability of U.S. and allied air and missile defense capabilities by December 31, 2017.

The Senate amendment contained no similar amendment.

The Senate recedes with an amendment that would include interoperability in the title and that would make it clear that such integration and interoperability should be ensured to the extent that specific integration arrangements are agreeable to the partner nation or among the partner nations involved in those arrangements.

Missile defense capability in Europe (sec. 1677)

The House bill contained a provision (sec. 1668) that would ensure the Aegis Ashore site to be deployed in the Republic of Poland has anti-air warfare (AAW) capability upon the site achieving full operating capability. It would also require that the Aegis Ashore site in Romania be retrofitted with AAW capability no later than December 31, 2018. It would also require the Secretary to evaluate the feasibility, benefit, and cost of using the Evolved Sea Sparrow Missile or the Standard Missile-2 in providing the anti-air warfare capability. Additionally, it would require the Secretary of Defense to study no less than three sites in the U.S. European Command (EUCOM) area of responsibility for the deployment of the Terminal High Altitude Area Defense (THAAD) battery; ensure that the THAAD battery is available for rotational deployment to the EUCOM area of responsibility; and to examine sites to pre-position such THAAD battery if such pre-position is necessary for military requirements.

The Senate amendment contained a similar provision (sec. 1653) that would express the sense of the Congress that the Secretary of Defense, in consultation with the relevant combatant command, should ensure that arrangements are in place, including support

from North Atlantic Treaty Organization (NATO) allies, to provide anti-air defense capability at all NATO missile defense sites in support of phases 2 and 3 of the European Phased Adaptive Approach. Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing the plan of the Secretary to provide anti-air defense capability at the sites and the contributions being made by NATO to support the provision of the anti-air defense capability.

The Senate recedes with an amendment that would state the sense of the Congress that the Secretary of Defense should ensure that arrangements are in place, including support from other members of NATO and the host nations, to provide air defense capabilities at the Aegis Ashore sites in Romania and Poland by not later than June 1, 2019. The agreement would require the Secretary of Defense, in coordination with the Secretary of State, to submit a request to NATO to support an air defense capability at the Aegis Ashore sites in Romania and Poland. The Secretary shall submit a notification to the appropriate congressional committees by not later than April 1, 2016, as to whether NATO has agreed in principle to provide such capability. Not later than 180 days after the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing the plan and budget profile to provide an air defense capability to the Aegis Ashore sites in Romania and Poland and an assessment of the air and ballistic missile threat to United States military installations in Europe, including the Naval Shore Facility in Devesulu, Romania and the planned site in Redzikowo, Poland. We also direct the Secretary of Defense to ensure, not later than 180 days after enactment, that a terminal high altitude area defense battery is available for rotational deployment to the area of responsibility of the United States European Command unless the Secretary notifies the congressional defense committees that such a battery is needed in another combatant command's area of responsibility. The Secretary of Defense shall also implement the direction contained in the classified annex of this Act bearing on this matter.

Availability of funds for Iron Dome short-range rocket defense system (sec. 1678)

The House bill contained a provision (sec. 1669) that would make available \$41.4 million for the Government of Israel to procure radars for the Iron Dome short-range rocket defense system, subject to the terms and conditions of the "Agreement Between the Department of Defense and the United States of America and the Ministry of Defense of the State of Israel Concerning Iron Dome Defense System Procurement" and an amended agreement for co-production of radar components.

The Senate amendment included a similar amendment (sec. 1654) that would authorize \$41.4 million for the Department of Defense to provide to the Government of Israel to procure the Iron Dome short-range rocket defense system, including for co-production of Iron Dome parts and components in the United States by United States industry. The provision would also provide that these funds shall be available subject to the terms and conditions in the "Agreement Between the Department of Defense and the Ministry of Defense of the State of Israel Concerning Iron Dome Defense System Procurement," signed on March 5, 2014, including any negotiated amendment to that agreement for co-production of Iron Dome radar components.

The Senate recedes with a technical amendment.

Israeli cooperative missile defense program co-development and co-production (sec. 1679)

The House bill contained a provision (sec. 1670) that would authorize \$165.0 million for procurement and co-production of the David's Sling Weapon System and the Arrow 3 Upper Tier missile defense system. This provision would further specify the terms and conditions that shall be achieved by the Director of the Missile Defense Agency and the Under Secretary of Defense for Acquisition, Technology, and Logistics prior to the disbursement of the authorized funds.

The Senate amendment contained a similar provision (sec. 1655) that would authorize \$165.0 million for the Missile Defense Agency to provide to the Government of Israel to procure the David's Sling Weapon System and the Arrow 3 Upper Tier Interceptor program, including for co-production of parts and components in the United States by United States industry. The funds may be disbursed after certain conditions, which include a certification by the Director of the Missile Defense Agency and the Under Secretary of Defense for Acquisition, Technology, and Logistics that in the case of co-production for the David's Sling Weapon System, not less than half of such co-production is carried out by United States industry.

The House recedes to the Senate with an amendment that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics to certify that the Government of Israel has demonstrated the successful completion of key knowledge points; that such funds will be provided on the basis of a one-for-one cash match made by Israel or in another mutually agreed matching amount; that the United States has entered into a bilateral agreement with Israel; that there is complete transparency on the requirement of Israel for the number of interceptors and batteries to be procured; that technical milestones are established for co-production; that there is a joint approval process for third party sales; and that the level of co-production for the David's Sling Weapon System is equal to or greater than 50 percent for U.S. industry. The Under Secretary may waive the certification if the funds are provided to Israel solely for funding the procurement of long-lead components and that the long-lead procurement will be conducted in a manner that maximizes co-production in the United States without incurring additional non-recurring engineering activity or cost. The Director of the Missile Defense Agency would also be required to submit to the Congress, at the same time the President submits to Congress the budget request for fiscal year 2017, a plan to achieve a rate of co-production by United States industry of parts and components of the David's Sling Weapon System at a rate that is not less than 50 percent.

Boost phase defense system (sec. 1680)

The House bill contained a provision (sec. 1672) that would require the Secretary of Defense to prioritize technology investments to develop and field a boost phase missile defense system by fiscal year 2022 and ensure it can benefit multiple warfighter requirements. It would also require the Director of the Missile Defense Agency establish a senior level advisory group to recommend to the Director promising technologies that the Director can evaluate for use as a boost phase missile defense layer and then provide a briefing to the congressional defense committees no later than May 1, 2016 on the recommendations of the advisory group.

The Senate amendment contained a similar provision (sec. 1658) that would prioritize technology investments in the Department of Defense to support efforts by the Missile Defense Agency (MDA) to develop and deploy a boost phase airborne laser weapon system by fiscal year 2025. The provision encourages collaboration and cooperation between MDA and other Department of Defense components, and directs the Secretary of Defense to provide the congressional defense committees with a report, within 120 days of enactment of this Act, of Department of Defense efforts to develop and deploy a boost phase airborne laser weapon system for missile defense.

The Senate recedes with an amendment that would prioritize feasible and cost-effective efforts, would eliminate the requirement for a senior level advisory group and require a report on the efforts of the Department of Defense to develop and deploy an airborne or other boost phase defense system by fiscal year 2025. The report should also include recommendations from industry on emerging technologies that could be applied for boost phase missile defense, and an evaluation by MDA of those recommendations. We also encourage the Department of Defense to develop concept of operations for those boost phase missile defense systems for which it intends to develop prototypes to accompany its fiscal year 2017 budget request.

Development and deployment of multiple-object kill vehicle for missile defense of the United States homeland (sec. 1681)

The House bill contained a provision (sec. 1671) that would express the sense of Congress that the ballistic missile defense of the United States homeland is the highest priority of the Missile Defense Agency; that the Missile Defense Agency is appropriately prioritizing the design, development, and deployment of the redesigned kill vehicle; and, the multiple-object kill vehicle is critical to the future of the ballistic missile defense of the U.S. homeland. This section would require that the Director of the Missile Defense Agency develop a highly reliable multiple-object kill vehicle for the Ground-Based Midcourse Defense system, with rigorous flight testing to occur no later than 2020, and the deployment of such vehicle as soon as practicable thereafter. This section would also require that the management of the multiple-object kill vehicle program be undertaken by the Deputy Director of the Missile Defense Agency and would require the Director of the Missile Defense Agency to provide the funding profile required for the multiple-object kill vehicle program to the congressional defense committees no later than 30 days after the date of the enactment of this Act.

The Senate bill contained a similar provision (sec. 1656) that would require the Director of the Missile Defense Agency to conduct flight testing of the multi-object kill vehicle by not later than 2020 and field such vehicle as soon as technically practicable. The provision would also direct that the management of the multi-object kill vehicle program shall report directly to the Deputy Director of the Missile Defense Agency.

The Senate recedes with an amendment that would require the deployment of the multi-object kill vehicle as early as practicable after rigorous flight testing is completed and would require the fiscal year 2017 budget submission to reflect the funding profile necessary to meet the objectives of the multiple object kill vehicle program.

Requirement to replace capability enhancement I exoatmospheric kill vehicles (sec. 1682)

The Senate amendment contained a provision (sec. 1657) that would require the Director of the Missile Defense Agency to ensure, to the maximum extent practicable, that all remaining ground-based interceptors of the Ground-Based Midcourse Defense system that are armed with the capability enhancement I exoatmospheric kill vehicle are replaced with the redesigned exoatmospheric kill vehicle before September 30, 2022.

The House bill contained no similar provision.

The House recedes.

Designation of preferred location of additional missile defense site in the United States and plan for expediting deployment time of such site (sec. 1683)

The House bill contained a provision (sec. 1678) that would require the Director of the Missile Defense Agency, in consultation with the Commander of the United States Northern Command, to designate the preferred location in the United States for the potential future deployment of a missile defense site not later than 30 days after the Secretary of Defense publishes the draft environmental impact statements (EIS) being conducted for the candidate sites.

The Senate amendment contained a provision (sec. 1651) that would require the Secretary of Defense to develop a plan for expediting the deployment time for a potential future continental United States interceptor site by at least 2 years, and submit to the congressional defense committees a report on such plan not later than 30 days after the transmittal of the EIS required by the National Defense Authorization Act for Fiscal Year 2013. The provision would require the Comptroller General to assess the Department's report on the deployment plan and submit a report to the congressional defense committees with findings and recommendations.

The Senate recedes with an amendment that would require the Director of the Missile Defense Agency, in consultation with the Commander of United States Northern Command, to designate the preferred location in the United States for the potential future deployment of a missile defense site not later than 30 days after the Secretary of Defense publishes the draft EIS pursuant to the National Defense Authorization Act for Fiscal Year 2013. The determination of such site should be based on operational effectiveness and cost effectiveness in addition to the results of the EIS. The Secretary would be permitted to submit any updates to the designation that he finds appropriate after the final EIS is submitted. According to the Missile Defense Agency, the draft EIS is anticipated to be completed and published in the Federal Register by January 2016 and the EIS is anticipated to be finalized between April and July of 2016.

Not later than 30 days after the Secretary of Defense completes the final designation of the missile defense site, the Secretary of Defense shall develop and submit to the congressional defense committees a plan for expediting the deployment time for a potential future continental interceptor site by at least 2 years, in the case that the decision is made to proceed with such deployment. Not later than 90 days after the Secretary of Defense submits the plan to Congress, the Comptroller General of the United States is to provide its assessment of that plan. The Secretary of Defense may not obligate or expend such planning and design funds for military construction as are authorized in this

Act until such date as the final EIS is published.

Additional missile defense sensor coverage for the protection of United States homeland (sec. 1684)

The House bill contained a provision (sec. 1673) that would require the sea-based X-band (SBX) radar to be relocated to a new homeport on the East Coast of the United States no later than December 31, 2020, and shall have an at-sea capability of not less than 120 days per year. Prior to relocating the sea-based X-band radar, the Director of the Missile Defense Agency (MDA) would be required to certify that the relocation would not impact the missile defense of Hawaii. Additionally, this provision would require the Director of MDA to begin siting studies, environmental impact surveys, and any other appropriate studies and evaluations to base the sea-based X-band radar at a site on the East Coast.

The Senate bill contained a similar provision (sec. 1652) that would require the Director of MDA, in cooperation with the relevant combatant command, to deploy by not later than December 31, 2020, a long-range discrimination radar or other appropriate tracking and discrimination sensor capabilities in a location optimized to support the defense of the homeland of the United States against emerging long-range ballistic missile threats from Iran.

The Senate recedes with an amendment that would express the sense of the Congress that additional missile defense sensor discrimination capabilities are needed to enhance the protection of the United States homeland against potential long-range ballistic missiles from Iran. Accordingly, the Director of MDA shall, in cooperation with the relevant combatant command, deploy by not later than December 31, 2020, a long-range discrimination radar or other appropriate sensor capability in a location optimized to support the defense of the homeland of the United States from emerging long-range ballistic missile threats from Iran. The Director of MDA shall commence any siting studies and other required evaluations necessary to carry out the homeport reassignment of the SBX to the east coast. The Director of MDA shall commence a study to evaluate at least three possible additional locations, selected by the Director of MDA, that would be best suited for future deployment of an advanced missile defense sensor site at a location, whether in the United States or not, optimized against threats from Iran. In the event that the Department of Defense determines to move the SBX to the east coast, such a relocation may not be carried out until the date on which the Director of MDA certifies to the congressional defense committees that Hawaii will have adequate missile defense coverage prior to any reassignment of the homeport of the SBX. The Director of MDA shall include in the budget request for each fiscal year until December 31, 2020 an update on his progress in implementing this provision.

Concept development of space-based missile defense layer (sec. 1685)

The House bill contained a provision (sec. 1675) that would require the Director of the Missile Defense Agency (MDA), no later than 30 days after the date of the enactment of this Act, to commence a concept definition, design, research, development, and engineering evaluation of a space-based ballistic missile intercept and defeat layer to the ballistic missile defense system, and submit a

report to the congressional defense committees on the findings of such concept development no later than 1 year after the date of the enactment of this Act.

The Senate bill contained no similar provision, but included language in the report accompanying its bill, that would request a report from the Missile Defense Agency on the need for a space-based interceptor layer, assessment of the maturity of necessary technology, and an estimate of the effectiveness and cost of such a space-based missile defense layer.

The Senate recedes with an amendment that would require the Director of the Missile Defense Agency, in coordination with the Director of the Defense Advanced Research Project Agency and the Secretary of the Air Force, to commence the concept definition of a space-based ballistic missile intercept layer and report its findings to the defense committees not later than 1 year after the date of enactment of this Act. The agreement does not include the language in the original House provision that would direct MDA to begin design, engineering evaluations, or research and development on a space-based layer. Not later than March 31, 2016, the Director of the Missile Defense Agency shall provide to the congressional defense committees an interim briefing on the plan described in subsection (c) (2). In light of this agreement, the Missile Defense Agency does not have to submit to the congressional defense committees the report on a space-based missile defense interceptor as directed in the Senate Report 114-49 accompanying the Senate bill.

Aegis ashore capability development (sec. 1686)

The House bill contained a provision (sec. 1676) that would require the Director of the Missile Defense Agency, in coordination with the chief of Naval Operations and the Chief of Staff of the Army, to evaluate the role, feasibility, cost, and cost benefit of additional Aegis Ashore sites and upgrades to current ballistic missile defense system sensors to offset capacity demands on current Aegis ships, Aegis Ashore sites, and Patriot and Terminal High Altitude Area Defense capability and to meet the requirements of the combatant commanders. Such review would be further reviewed and evaluated by the Secretary of Defense and the Chairman of the Joint Chiefs of Staff. It would further require that the Under Secretary of Defense for Policy and the Secretary of State to jointly identify any obstacles to foreign military sales of Aegis Ashore or co-financing of additional Aegis Ashore sites.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that includes certain technical changes that would eliminate the requirement for the President to enter into negotiations on host nation agreements for Aegis Ashore sites. We also add direction that the Secretary of Defense and Chairman of the Joint Chiefs include in their evaluation recommendations for potential future locations of Aegis Ashore sites.

Development of requirements to support integrated air and missile defense capabilities (sec. 1687)

The House bill contained a provision (sec. 1677) that would require the Chairman of the Joint Chiefs of Staff to provide the appropriate congressional committees a briefing on the military requirement for left-of-launch capability and any current capability gaps in meeting such requirement.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would direct the Vice Chairman of the Joint Chiefs of Staff to oversee the development of warfighter requirements for persistent and survivable capabilities to detect, identify, determine the status, track, and support engagement of strategically important mobile or relocatable assets. The requirements shall be used for the purpose of informing applicable acquisition programs (including those involving systems-of-systems required to integrate multiple inputs and outputs of related left-of-launch information) and architecture planning funded through the Military Intelligence Program, the National Intelligence Program, and non-intelligence programs. The Vice Chairman shall also oversee the development of the enabling framework for intelligence support to integrated air and missile defense and, as appropriate, the development of requirements for capabilities to be acquired to achieve integrated operation.

Extension of requirement for Comptroller General of the United States review and assessment of missile defense acquisition programs (sec. 1688)

The House bill contained a provision (sec. 1075) that would repeal or revise reporting requirements related to missile defense. These requirements include removing annual reports on the Missile Defense Executive Board, and removing a required report on the Ground-based Midcourse Defense system.

The Senate amendment contained a provision (sec. 1660) that would amend section 232 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) and would extend various reporting requirements by an additional 5 years to Comptroller General of the United States reviews and assessments of missile defense acquisition programs.

The House recedes with a clarifying amendment. We note that several annual reporting requirements directed toward the Missile Defense Agency have expired and urge the Department to update its report database accordingly.

Plan for medium range ballistic missile defense sensor alternatives for enhanced defense of Hawaii (sec. 1689)

The House bill contained a provision (sec. 1674) that would express the sense of Congress regarding ballistic missile defense sensor and sensor discrimination capability. This provision would further require the Director of the Missile Defense Agency to conduct an evaluation of potential options for fielding a medium range ballistic missile defense sensor for the defense of Hawaii. Such evaluation would have to be submitted to the congressional defense committees no later than 60 days after the date of the enactment of this Act.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would change the required plan to a required report on options for augmenting the missile defense of Hawaii.

Milestone A decision for the Conventional Prompt Global Strike Weapons System (sec. 1690)

The Senate amendment contained a provision (sec. 1673) that would require the Secretary of Defense to make a Milestone A decision for the conventional prompt global strike program no later than September 30, 2020, or 8 months after the successful completion of the Intermediate Range Flight 2 test.

The House bill contained no similar provision.

The House recedes with an amendment that would transform the provision into a sense of Congress with a reporting requirement. We expect the Department to include in the required report whether there are any potential ambiguity problems created by conventional prompt global strike capability, including any involving the launch of a conventionally-armed ballistic missile from a submarine platform, that it is aware of as of the date of the Milestone A acquisition decision, and if so, to also include in the required report what specific measures he is recommending to address those problems. Additionally, such report should include whether there are any appropriate bilateral cooperative or verification measures he recommends and the timeline for decision and implementation of such measures and their cost.

LEGISLATIVE PROVISIONS NOT ADOPTED

Clarification of annual briefing on the intelligence, surveillance, and reconnaissance requirements of the combatant commands

The House bill contained a provision (sec. 1627) that would include the United States Special Operations Command in the annual briefing required under section 1626 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291).

The Senate amendment contained no similar provision.

The House recedes.

We expect any U.S. Special Operations Command ISR requirements to be briefed to the defense committees within the existing combatant command briefing structure as defined under section 1626 of the National Defense Authorization Act for Fiscal Year 2015.

Comprehensive plan of Department of Defense to support civil authorities in response to cyber attacks by foreign powers

The Senate amendment contained a provision (sec. 1638) that would require the Secretary of Defense to develop a comprehensive plan for the United States Cyber Command to support civil authorities in responding to cyber attacks by foreign powers against the United States or a United States person.

The House bill contained no similar provision.

The Senate recedes.

We note that elsewhere in the agreement a comprehensive plan on Department of Defense support to civil authorities is required as part of a provision requiring the Secretary of Defense to conduct national-level cyber exercises.

Limitation on availability of funds for long-range discriminating radar

The House bill contained a provision (sec. 1664) that would prohibit any authorized funds by this Act for fiscal year 2016 for military construction of the Long-Range Discriminating Radar (LRDR) until the Director of Cost Assessment and Program Evaluation submits an assessment, no later than 60 days after the enactment of this Act, to the congressional defense committees concerning the cost of the sensor architecture required, and that the Commander, U.S. Strategic Command and the Commander, U.S. Northern Command jointly certify the proposed site for the LRDR best supports missile defense and space situational awareness.

The Senate amendment contained no similar provision.

The House recedes. We direct the Commander of U.S. Northern Command, jointly with the Commander of U.S. Air Force Space

Command, the Director, Missile Defense Agency, and the Director of National Intelligence, to provide a briefing to the congressional defense committees not later than April 1, 2016 concerning the plan for the Cobra Dane radar capability at Shemya, Alaska, including the military requirements it currently serves and whether those requirements will continue to require a material capability solution, including those requirements not related to missile defense; and any sustainment and modernization decision timelines and costs.

Sense of Congress on maintaining and enhancing military intelligence support to force protection for installations, facilities, and personnel of the Department of Defense

The Senate bill contained a provision (sec. 1674) that would provide a sense of Congress on the importance of military intelligence for force protection.

The House-reported bill contained no similar provision.

The Senate recedes.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

Summary and explanation of funding tables

Division B of this Act would authorize funding for military construction projects of the Department of Defense (DOD). It includes funding authorizations for the construction and operation of military family housing as well as military construction for the reserve components, the defense agencies, and the North Atlantic Treaty Organization (NATO) Security Investment Program. It would also provide authorization for the base closure accounts that fund military construction, environmental cleanup, and other activities required to implement the decisions in base closure rounds.

Short title (sec. 2001)

The House bill contained a provision (sec. 2001) that would designate division B of this Act as the Military Construction Authorization Act for Fiscal Year 2016.

The Senate amendment contained an identical provision (sec. 2001).

The agreement includes this provision.

Expiration of authorizations and amounts required to be specified by law (sec. 2002)

The House bill contained a provision (sec. 2002) that would ensure that the authorizations provided in titles XXI through XXVII and title XXIX of this Act shall expire on October 1, 2018, or the date of enactment of an act authorizing funds for military construction for fiscal year 2019, whichever is later.

The Senate amendment contained a similar provision (sec. 2002).

The House recedes.

Effective date (sec. 2003)

The House bill contained a provision (sec. 2003) that would provide that titles XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, and XXIX of this Act shall take effect on October 1, 2015, or the date of enactment of this Act, whichever is later.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would not include title XXIX for Overseas Contingency Operations funding.

TITLE XXI—ARMY MILITARY CONSTRUCTION

Summary

The budget request included authorization of appropriations of \$743.3 million for military construction and \$493.2 million for family housing for the Army for fiscal year 2016.

The agreement includes authorization of appropriations of \$727.7 million for military

construction and \$484.3 million for family housing for the Army for fiscal year 2016.

Both the House bill and the Senate amendment cut \$43.0 million operations center in San Antonio and the \$37.0 million instruction building at Joint Base Meyer-Henderson Hall from the President's budget request. Therefore, funding was not included for these projects.

The agreement includes funding for two access control point projects at Fort Meade and \$30.0 million for an Arlington National Cemetery Defense Access Road project in accordance with the unfunded priorities of the Army.

The agreement reflects an increase in funding for the construction of family housing at Rock Island Illinois from a rebalance of housing operations per request by the Department of the Army, which yields a savings of \$8.9 million.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Army construction and land acquisition projects (sec. 2101)

The House bill contained a provision (sec. 2101) that would contain the list of authorized Army construction projects for fiscal year 2016. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

The Senate amendment contained a similar provision (sec. 2101).

The House recedes with a technical amendment.

Family housing (sec. 2102)

The House bill contained a provision (sec. 2102) that would authorize new construction and planning and design of family housing units for the Army for fiscal year 2016.

The Senate amendment contained an identical provision (sec. 2102).

The agreement includes the provision.

Improvements to military family housing units (sec. 2103)

The House bill contained a provision (sec. 2103) that would authorize the Secretary of the Army to make improvements to existing units of family housing for fiscal year 2016.

The Senate amendment contained an identical provision (sec. 2103).

The agreement includes the provision.

Authorization of appropriations, Army (sec. 2104)

The House bill contained a provision (sec. 2104) that would authorize appropriations for Army military construction at the levels identified in section 4601 of division D of this Act.

The Senate amendment contained a similar provision (sec. 2104).

The Senate recedes.

We note that the amounts associated with the following projects remain available under the original project authorization:

(1) \$226.4 million (the balance of the amount authorized under section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291) for a Command and Control Facility at Fort Shafter, Hawaii);

(2) \$6.0 million (the balance of the amount authorized under section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2119) for cadet barracks at the United States Military Academy, New York); and

(3) \$78.0 million (the balance of the amount authorized under section 2101(a) of the Military Construction Authorization Act for Fis-

cal Year 2013 (division B of Public Law 112-239; 126 Stat. 2119), as amended by section 2105(d) of this Act, for a Secure Administration/Operations Facility at Fort Belvoir, Virginia).

Modification of authority to carry out certain fiscal year 2013 project (sec. 2105)

The House bill contained a provision (sec. 2105) that would modify the authority provided by section 2101 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239) and authorize the Secretary of the Army to make certain modifications to the scope of a previously authorized construction project.

The Senate amendment contained an identical provision (sec. 2105).

The agreement includes the provision.

Extension of authorizations of certain fiscal year 2012 projects (sec. 2106)

The House bill contained a provision (sec. 2106) that would extend the authorization of a certain projects originally authorized in section 2101 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81) until October 1, 2016, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2017, whichever is later.

The Senate amendment contained a similar provision (sec. 2106).

The Senate recedes.

Extension of authorizations of certain fiscal year 2013 projects (sec. 2107)

The House bill contained a provision (sec. 2107) that would extend the authorization of certain projects originally authorized by section 2101 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239) until October 1, 2016, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2017, whichever is later.

The Senate amendment contained a similar provision (sec. 2107).

The House recedes.

Additional authority to carry out certain fiscal year 2016 projects (sec. 2108)

The House bill contained a provision (sec. 2108) that would authorize a military construction project in the amount of \$6.0 million to construct a multi-sport athletic field and track and perimeter road and fencing and acquire approximately 5 acres of land adjacent to the existing Sterrebeek Dependent School site in Brussels, Belgium, to allow relocation of Army functions to the site in support of the European Infrastructure Consolidation effort. In addition, this section would authorize a payment-in-kind project in the amount of \$12.4 million to construct a vehicle bridge and traffic circle to facilitate traffic flow to and from the Medical Center at Rhine Ordnance Barracks, Germany.

The Senate amendment contained a provision that would authorize the payment-in-kind project but not the project related to the Sterrebeek Dependent School (sec. 2108).

The House recedes.

We have included another provision elsewhere in the bill to amend a prior year authorization for the Sterrebeek Dependent School to allow the additional land purchase and improvements.

LEGISLATIVE PROVISIONS NOT ADOPTED

Limitation on construction of new facilities at Guantanamo Bay, Cuba

The Senate amendment contained a provision (sec. 2109) that would limit funding authorized by the bill for new facilities at Guantanamo Bay, Cuba, until the Secretary

of Defense certifies to the congressional defense committees that any new construction of facilities at Guantanamo Bay, Cuba, have enduring military value independent of a high-value detention mission.

The House bill contained no similar provision.

The Senate recedes.

TITLE XXII—NAVY MILITARY CONSTRUCTION

Summary

The budget request included authorization of appropriations of \$1.6 billion for military construction and \$369.6 million for family housing for the Navy for fiscal year 2016.

The agreement includes authorization of appropriations of \$1.6 billion for military construction and \$369.6 million for family housing for the Navy for fiscal year 2016.

We are concerned with the Navy's proposal to construct civilian infrastructure not directly related to military activities at Townsend Range, Georgia. Therefore, the agreement does not include \$5.0 million for the two civilian fire stations included within the project request for the Townsend Range expansion.

The agreement includes funding for two projects from the Marine Corps unfunded requirements list—\$11.2 million for the KC-130J Enlisted Air Crew Trainer at Miramar, California, and \$23.3 million for Air Field Security Improvements at Cherry Point Marine Corps Air Station, North Carolina.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Navy construction and land acquisition projects (sec. 2201)

The House bill contained a provision (sec. 2201) that would contain the list of authorized Navy construction projects for fiscal year 2016. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

The Senate amendment contained a similar provision (sec. 2201).

The Senate recedes with a technical amendment.

Family housing (sec. 2202)

The House bill contained a provision (sec. 2202) that would authorize new construction and planning and design of family housing units for the Department of the Navy for fiscal year 2016.

The Senate amendment contained an identical provision (sec. 2202).

The agreement includes this provision.

Improvements to military family housing units (sec. 2203)

The House bill contained a provision (sec. 2203) that would authorize the Secretary of the Navy to make improvements to existing units of family housing for fiscal year 2016.

The Senate amendment contained an identical provision (sec. 2203).

The agreement includes this provision.

Authorization of appropriations, Navy (sec. 2204)

The House bill contained a provision (sec. 2204) that would authorize appropriations for Navy military construction at the levels identified in section 4601 of division D of this Act.

The Senate amendment contained a similar provision (sec. 2204).

The Senate recedes.

We note that the amounts associated with the following projects remain available under the original project authorization:

(1) \$274,099,000 (the balance of the amount authorized under section 2201(a) of the Mil-

tary Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1666) for an explosive handling wharf at Kitsap, Washington); and

(2) \$68,196,000 (the balance of the amount authorized under section 2201(b) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2633) for ramp parking at Joint Region Marianas, Guam).

Extension of authorizations of certain fiscal year 2012 projects (sec. 2205)

The House bill contained a provision (sec. 2205) that would extend the authorizations listed, and originally included in section 2201 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81), until October 1, 2016, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2017, whichever is later.

The Senate amendment contained an identical provision (sec. 2205).

The agreement includes this provision.

Extension of authorizations of certain fiscal year 2013 projects (sec. 2206)

The House bill contained a provision (sec. 2206) that would extend the authorizations listed until October 1, 2016, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2017, whichever is later.

The Senate amendment contained an identical provision (sec. 2206).

The agreement includes this provision.

LEGISLATIVE PROVISIONS NOT ADOPTED

Townsend Bombing Range expansion, Phase 2

The House bill contained a provision (sec. 2207) that would provide special conveyance authority to the Secretary of the Navy for two fire and emergency response stations as part of the land acquisition agreement to support emergency services for Townsend Bombing Range Expansion, Phase 2, Marine Corps Air Station Beaufort, Townsend, Georgia.

The Senate amendment contained no similar provision.

The House recedes.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

Summary

The budget request included authorization of appropriations of \$1.4 billion for military construction and \$491.7 million for family housing for the Air Force in fiscal year 2016.

The agreement includes authorization of appropriations of \$1.4 billion for military construction and \$491.7 million for family housing for the Air Force in fiscal year 2016.

The agreement includes \$21.0 million for a Communications Facility at Luke Air Force Base, Arizona, in accordance with the unfunded priorities of the Air Force.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Air Force construction and land acquisition projects (sec. 2301)

The House bill contained a provision (sec. 2301) that would contain the list of authorized Air Force construction projects for fiscal year 2016. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

The Senate amendment contained a similar provision (sec. 2301).

The Senate recedes with a technical amendment.

Family housing (sec. 2302)

The House bill contained a provision (sec. 2302) that would authorize new construction

and planning and design of family housing units for the Air Force for fiscal year 2016.

The Senate amendment contained an identical provision (sec. 2302).

The agreement includes this provision.

Improvements to military family housing units (sec. 2303)

The House bill contained a provision (sec. 2303) that would authorize the Secretary of the Air Force to make improvements to existing units of family housing for fiscal year 2016.

The Senate amendment contained an identical provision (sec. 2303).

The agreement includes this provision.

Authorization of appropriations, Air Force (sec. 2304)

The House bill contained a provision (sec. 2304) that would authorize appropriations for Air Force military construction at the levels identified in section 4601 of division D of this Act.

The Senate amendment contained a similar provision (sec. 2304).

The House recedes.

Modification of authority to carry out certain fiscal year 2010 project (sec. 2305)

The House bill contained a provision (sec. 2305) that would modify the authority provided by section 2301 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84) and authorize the Secretary of the Air Force to make certain modifications to the scope of a previously authorized construction project.

The Senate amendment contained an identical provision (sec. 2305).

The agreement includes this provision.

Modification of authority to carry out certain fiscal year 2014 project (sec. 2306)

The House bill contained a provision (sec. 2306) that would modify the authority provided by section 2301 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113-66) and authorize the Secretary of the Air Force to make certain modifications to the scope of a previously authorized construction project. This section would also require a notification and 14-day wait period, or 7-day wait period if submitted via electronic medium, to the Committees on Armed Services of the Senate and the House of Representatives on the selected project location before commencing construction.

The Senate amendment contained a similar provision (sec. 2306).

The Senate recedes with an amendment that would include a congressional notification requirement.

Modification of authority to carry out certain fiscal year 2015 project (sec. 2307)

The House bill contained a provision (sec. 2307) that would modify the authority provided by section 2301 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291) to authorize the Secretary of the Air Force to make certain modifications to the scope of a previously authorized construction project.

The Senate amendment contained an identical provision (sec. 2307).

The agreement includes this provision.

Extension of authorization of certain fiscal year 2012 project (sec. 2308)

The House bill contained a provision (sec. 2308) that would extend the authorization listed, originally provided by section 2301 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81), until October 1, 2016, or the date of

the enactment of an act authorizing funds for military construction for fiscal year 2017, whichever is later.

The Senate amendment contained a similar provision (sec. 2308).

The agreement includes the House provision.

Extension of authorization of certain fiscal year 2013 project (sec. 2309)

The House bill contained a provision (sec. 2309) that would extend the authorization listed, originally provided by section 2301 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239), until October 1, 2016, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2017, whichever is later.

The Senate amendment contained an identical provision (sec. 2309).

The agreement includes this provision.

Certification of optimal location for Joint Intelligence Analysis Complex and plan for rotation of forces at Lajes Field, Azores (sec. 2310)

The House bill contained a provision (sec. 2310) that would restrict funding for the construction of the Joint Intelligence Analysis Complex Consolidation, Phase 2, at Royal Air Force Croughton, United Kingdom, until the Secretary of the Air Force, in coordination with the Director of the Defense Intelligence Agency, submits a report to the congressional defense committees and would also limit actions to realign forces at Lajes Air Force Base, Azores, until the Secretary of Defense made certain determinations.

The Senate amendment contained no similar provisions.

The Senate recedes with an amendment that would require the Secretary of Defense to certify to the congressional defense committees that the Secretary has determined that Royal Air Force Croughton, United Kingdom, remains the optimal location for recapitalization of the Joint Intelligence Analysis Complex before amounts may be expended for the construction of the Joint Intelligence Analysis Complex Consolidation, Phase 2, at Royal Air Force Croughton, United Kingdom, as authorized by section 2301(b). The Secretary of Defense would also be required to submit to the congressional defense committees a determination of the operational viability of Lajes Field, Azores, for certain uses. If the Secretary of Defense determines that Lajes Field is a viable option for certain uses, the Secretary would be required to submit to the congressional defense committees a plan for such uses.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

Summary

The budget request included authorization of appropriations of \$2.3 billion for military construction for the defense agencies and \$58.7 million for family housing for the defense agencies for fiscal year 2016.

The agreement includes authorization of appropriations of \$2.3 billion for military construction for the defense agencies and \$58.7 million for family housing for the defense agencies for fiscal year 2016.

The budget request included \$239.9 million for the Hospital Replacement, Increment 7 at Fort Bliss, Texas. We support the authorization for appropriations in an amount equivalent to the ability of the military department to execute in the year of the authorization for appropriations. For this project, we believe that the Department of Defense has exceeded its ability to fully expend the funding requested for fiscal year 2016. As such,

the agreement recommends \$189.9 million, a reduction of \$50.0 million, for this project.

The budget request included \$47.2 million for the SOF Logistics Support Unit One Ops Fac. #2 at Naval Base Coronado, California. We note that the utilities needed to support this facility are not available and are not programmed until fiscal year 2017. Without these utilities, we note that the facility would not be complete and useable. While we support the requirement for this project, and the agreement includes \$47.2 million for this project, we expect the Department of Defense to sequence the construction of this project in a manner that ensures the required supporting utilities are available at the time the construction is complete.

The budget request included \$10.0 million for contingency construction at various world-wide locations. We note that the Department of Defense has not requested a military construction project using funds from this account since 2008. As such, the agreement recommends no funds, a reduction of \$10.0 million, for this program.

In addition, we recommend an increase of funding for a military construction project not included in the budget request, \$30.0 million for the Missile Defense Agency Military Construction Planning and Design activities for an East Coast site for homeland missile defense.

LEGISLATIVE PROVISIONS ADOPTED

Authorized defense agencies construction and land acquisition projects (sec. 2401)

The House bill contained a provision (sec. 2401) that would contain the list of authorized defense agencies' construction projects for fiscal year 2016. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

The Senate amendment contained a similar provision (sec. 2401).

The House recedes with a technical amendment.

Authorized energy conservation projects (sec. 2402)

The House bill contained a provision (sec. 2402) that would authorize the Secretary of Defense to carry out energy conservation projects valued at a cost greater than \$3.0 million at the amounts authorized for each project at a specific location. This section would also authorize the sum total of projects across various locations, each project of which is less than \$3.0 million. This section would also preclude the ability to set-aside operation and maintenance facilities restoration and modernization funds for the exclusive purpose of funding energy projects. It would require installation energy projects to compete in the normal process of determining installation requirements.

The Senate amendment contained a similar provision (sec. 2402).

The House recedes with a technical amendment.

Authorization of appropriations, defense agencies (sec. 2403)

The House bill contained a provision (sec. 2403) that would authorize appropriations for defense agencies' military construction at the levels identified in section 4601 of division D of this Act.

The Senate amendment contained a similar provision (sec. 2403).

The House recedes with a technical amendment.

We note that the amounts associated with the following projects remain available under the original project authorization:

(1) \$20,800,000 (the balance of the amount authorized under section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2129) for the Aegis Ashore Missile Defense System Complex at Deveselu, Romania);

(2) \$141,039,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1672), as amended by section 2404(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2131), for a data center at Fort Meade, Maryland);

(3) \$50,500,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1672) for an Ambulatory Care Center at Joint Base Andrews, Maryland);

(4) \$54,300,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1672) for an Ambulatory Care Center at Joint Base San Antonio, Texas); and

(5) \$123,827,000 (the balance of the amount authorized as a Military Construction, Defense-Wide project by title X of the Supplemental Appropriations Act, 2009 (Public Law 111-32; 123 Stat. 1888) for a data center at Camp Williams, Utah).

We also note that overlapping statutory authorities between title 10, United States Code, and title 50, United States Code, have resulted in challenges and delays in executing a recent emergency military construction project. Specifically, the overlap found in section 2803 of title 10, United States Code, and section 3304 of title 50, United States Code, resulted in a significant delay in a request for emergency funds. Therefore, we direct the Secretary of Defense, in consultation with the Director of National Intelligence, to provide a briefing to the congressional defense committees and the congressional intelligence committees not later than March 1, 2016, on the statutory authorities for infrastructure investments that support both the Department of Defense and the Intelligence Community. The briefing should include a comparison of authorities found in both titles for infrastructure investments, a discussion of any discrepancies between the authorities, the impact that identified discrepancies may have on the timely execution of an infrastructure investment, and, if necessary, recommendations for legislation to clarify or streamline the statutory authorities to ensure the timely and effective execution of an infrastructure investment.

Furthermore, we expect supporting classified material for any ongoing or future classified projects to be delivered to the congressional defense committees in a more timely fashion, to ensure proper oversight and consideration is given to these projects.

Modification of authority to carry out certain fiscal year 2012 project (sec. 2404)

The House bill contained a provision (sec. 2404) that would modify the authority provided by section 2401 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81), as amended, to authorize the Secretary of Defense to make certain modifications to the scope of a previously authorized construction project.

The Senate amendment contained a similar provision (sec. 2404).

The House recedes.

Extension of authorizations of certain fiscal year 2012 projects (sec. 2405)

The House bill contained a provision (sec. 2405) that would extend the authorizations listed, originally authorized by section 2401 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81), until October 1, 2016, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2017, whichever is later.

The Senate amendment contained an identical provision (sec. 2405).

The agreement includes this provision.

Extension of authorizations of certain fiscal year 2013 projects (sec. 2406)

The House bill contained a provision (sec. 2406) that would extend the authorizations listed, originally authorized by section 2401 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239), until October 1, 2016, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2017, whichever is later.

The Senate amendment contained a similar provision (sec. 2406).

The House recedes.

Modification and extension of authority to carry out fiscal year 2014 project (sec. 2407)

The House bill contained a provision (sec. 2407) that would modify the authority provided by section 2401 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66), to authorize the Secretary of Defense to make certain modifications to the scope of a previously authorized construction project. This provision would also extend the authorization authority of the project through October 1, 2018, or the date of enactment of an Act authorizing funds for military construction for fiscal year 2019.

The Senate amendment contained a similar provision (sec. 2407).

The House recedes.

Modification of authority carry out certain fiscal year 2015 projects (sec. 2408)

The House bill contained a provision (sec. 2108) that would authorize a military construction project in the amount of \$6.0 million to construct a multi-sport athletic field and track and perimeter road and fencing and acquire approximately 5 acres of land adjacent to the existing Sterrebeek Dependent School site in Brussels, Belgium, to allow relocation of Army functions to the site in support of the European Infrastructure Consolidation effort. In addition, this section would authorize a payment-in-kind project in the amount of \$12.4 million to construct a vehicle bridge and traffic circle to facilitate traffic flow to and from the Medical Center at Rhine Ordnance Barracks, Germany.

The Senate amendment contained a provision that would authorize the payment-in-kind project but not the project related to the Sterrebeek Dependent School (sec. 2108).

The agreement includes a new provision, which would amend the authorization contained in section 2401 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of P.L. 113–291) for the Sterrebeek Dependent School to allow the additional land purchase and improvements.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

Summary

The Department of Defense requested authorization of appropriations of \$120.0 mil-

lion for military construction in fiscal year 2016 for the North Atlantic Treaty Organization (NATO) Security Investment Program. The agreement includes this amount.

LEGISLATIVE PROVISIONS ADOPTED

Authorized NATO construction and land acquisition projects (sec. 2501)

The House bill contained a provision (sec. 2501) that would authorize the Secretary of Defense to make contributions to the North Atlantic Treaty Organization Security Investment Program in an amount equal to the sum of the amount specifically authorized in section 2502 of this Act and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

The Senate amendment contained an identical provision (sec. 2501).

The agreement includes this provision.

Authorization of appropriations, NATO (sec. 2502)

The House bill contained a provision (sec. 2502) that would authorize appropriations for the North Atlantic Treaty Organization Security Investment Program at the levels identified in section 4601 of division D of this Act.

The Senate amendment contained an identical provision (sec. 2502).

The agreement includes this provision.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Summary

The Department of Defense requested authorization of appropriations of \$517.3 million for military construction in fiscal year 2016 for facilities for the National Guard and reserve components.

The agreement includes authorization of appropriations of \$619.3 million for military construction in fiscal year 2016 for facilities for the National Guard and reserve components.

The agreement includes three Army National Guard projects from the unfunded priority list—a \$4.5 million vehicle maintenance shop at Camp Foley, Alabama, a \$6.8 million tactical aerial unmanned systems facility at Fort Stewart, Georgia, and a \$40.0 million aviation classification and repair facility at Gulfport, Mississippi.

The agreement includes two Army Reserve projects from the unfunded priority list—a \$10.2 million access control point at Fort Buchanan, Puerto Rico, and a \$24.0 million equipment concentration facility at Fort A.P. Hill, Virginia.

The agreement includes one Air National Guard project from the unfunded priority list—a \$6.1 million Space Control Facility at Cape Canaveral Air Force Station, Florida.

The Agreement includes one Air Force Reserve project from the unfunded priority list—a \$10.4 million Fire Station/Security Complex at Dobbins Air Reserve Base, Georgia.

SUBTITLE A—PROJECT AUTHORIZATIONS AND AUTHORIZATIONS OF APPROPRIATIONS

Authorized Army National Guard construction and land acquisition projects (sec. 2601)

The House bill contained a provision (sec. 2601) that would contain the list of authorized Army National Guard construction projects for fiscal year 2016. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

The Senate amendment contained a similar provision (sec. 2601).

The House recedes.

Authorized Army Reserve construction and land acquisition projects (sec. 2602)

The House bill contained a provision (sec. 2602) that would contain the list of authorized Army Reserve construction projects for fiscal year 2016. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

The Senate amendment contained a similar provision (sec. 2602).

The House recedes with a technical amendment.

Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects (sec. 2603)

The House bill contained a provision (sec. 2603) that would contain the list of authorized Navy Reserve and Marine Corps Reserve construction projects for fiscal year 2016. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

The Senate amendment contained a similar provision (sec. 2603).

The Senate recedes.

Authorized Air National Guard construction and land acquisition projects (sec. 2604)

The House bill contained a provision (sec. 2604) that would contain the list of authorized Air National Guard construction projects for fiscal year 2016. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

The Senate amendment contained a similar provision (sec. 2604).

The Senate recedes with a technical amendment.

Authorized Air Force Reserve construction and land acquisition projects (sec. 2605)

The House bill contained a provision (sec. 2605) that would contain the list of authorized Air Force Reserve construction projects for fiscal year 2016. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this Act is intended to be the binding list of the specific projects authorized at each location.

The Senate amendment contained a similar provision (sec. 2605).

The House recedes.

Authorization of appropriations, National Guard and Reserve (sec. 2606)

The House bill contained a provision (sec. 2606) that would authorize appropriations for the National Guard and Reserve military construction at the levels identified in section 4601 of division D of this Act.

The Senate amendment contained a similar provision (sec. 2606).

The House recedes.

SUBTITLE B—OTHER MATTERS

Modification and extension of authority to carry out certain fiscal year 2013 project (sec. 2611)

The House bill contained a provision (sec. 2611) that would modify the authority provided by section 2602 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239) to authorize the Secretary of the Army to make certain modifications to the scope of a previously authorized construction project. This section would also extend the authorization

listed until October 1, 2016, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2017, whichever is later.

The Senate amendment contained an identical provision (sec. 2611).

The agreement includes this provision.

Modification of authority to carry out certain fiscal year 2015 projects (sec. 2612)

The Senate amendment contained a provision (sec. 2612) that would modify the authorizations contained in section 2604 and 2605 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291), for construction of a Guardian Angel Operations facility at Davis Monthan Air Force Base, Arizona, and construction of a consolidated Secure Compartmented Information Facility at Fort Smith Municipal Airport, Arkansas to provide for increased costs associated with these projects.

The House bill contained no similar provision.

The House recedes.

Extension of authorizations of certain fiscal year 2012 projects (sec. 2613)

The House bill contained a provision (sec. 2612) that would extend the authorizations listed, originally provided by section 2602 the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81) until October 1, 2016, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2017, whichever is later.

The Senate amendment contained a similar provision (sec. 2613).

The Senate recedes.

Extension of authorizations of certain fiscal year 2013 projects (sec. 2614)

The House bill contained a provision (sec. 2613) that would extend the authorizations listed, originally provided by sections 2601, 2602, and 2603 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239) until October 1, 2016, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2017, whichever is later.

The Senate amendment contained a similar provision (sec. 2614).

The Senate recedes.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

Summary

The budget request included \$251.3 million for the ongoing cost of environmental remediation and other activities necessary to continue implementation of the 1988, 1991, 1993, 1995, and 2005 Base Realignment and Closure rounds.

The agreement includes this amount.

LEGISLATIVE PROVISIONS ADOPTED

Authorization of appropriations for Base Realignment and Closure activities funded through Department of Defense Base Closure Account (sec. 2701)

The House bill contained a provision (sec. 2701) that would authorize appropriations for ongoing activities that are required to implement the Base Realignment and Closure activities authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510), at the levels identified in section 4601 of division D of this Act.

The Senate amendment contained an identical provision (sec. 2701).

The agreement includes this provision.

Prohibition on conducting additional Base Realignment and Closure (BRAC) round (sec. 2702)

The House bill contained a provision (sec. 2702) that would state that nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round, affirming congressional intent to reject the budget request to authorize another BRAC round in 2017.

The Senate amendment contained a similar provision (sec. 2702).

The Senate recedes.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

SUBTITLE A—MILITARY CONSTRUCTION PROGRAM AND MILITARY FAMILY HOUSING CHANGES

Revision of congressional notification thresholds for Reserve facility expenditures and contributions to reflect congressional notification thresholds for minor construction and repair projects (sec. 2801)

The House bill contained a provision (sec. 2801) that would align reserve component minor construction and repair thresholds with the threshold specified in chapter 169 of title 10, United States Code.

The Senate amendment contained a similar provision (sec. 2814).

The Senate recedes.

Extension of temporary, limited authority to use operation and maintenance funds for construction projects in certain areas outside the United States (sec. 2802)

The Senate amendment contained a provision (sec. 2803) that would reauthorize contingency construction authority in certain areas outside the United States for an additional year.

The House bill contained no similar provision.

The House recedes.

Defense laboratory modernization pilot program (sec. 2803)

The House bill contained a provision (sec. 2803) that would authorize the Secretary of Defense to carry out a pilot program, using amounts authorized to be appropriated to the Department of Defense for Research, Development, Test, and Evaluation, such military construction projects for any Department of Defense Science and Technology Re-invention Laboratory or Department of Defense federally funded research and development center as are authorized in the Military Construction Authorization Act. This section would also limit the maximum amount that may be obligated in any fiscal year under this authority at \$150.0 million and would expire on October 1, 2020.

The Senate amendment contained a similar provision (sec. 2805).

The Senate recedes with a clarifying amendment.

Temporary authority for acceptance and use of contributions from Kuwait for construction, maintenance, and repair projects mutually beneficial to the Department of Defense and Kuwait Military Forces (sec. 2804)

The House bill contained a provision (sec. 2802) that would authorize the Secretary of Defense, after consultation with the Secretary of State, to accept contributions from the Government of the State of Kuwait in support of construction, maintenance, and repair projects within Kuwait that are mutually beneficial to the Department of Defense and the Kuwait military forces. The section would also limit the maximum amount the Secretary of Defense may obligate to \$50.0 million annually, require a congressional no-

tification with 21-day wait period, 14-day period if notification is provided in electronic medium, for projects exceeding the thresholds prescribed by section 2805, title 10, United States Code, and expire on September 30, 2020.

The Senate amendment contained a similar provision (sec. 2801) that would amend subchapter II of Chapter 138 of title 10, United States Code, to authorize the Secretary of Defense, in consultation with the Secretary of State, to accept cash contributions from partner countries for the purpose of the payment of costs in connection with mutually beneficial construction, maintenance, and repair projects. Such projects would be required to support bilateral defense cooperation agreement, or otherwise benefit the United States, as determined by the Secretary of Defense.

The House recedes with an amendment that would limit the authorization to Kuwait, provide a temporary authority through September 30, 2020, and require a congressional notification.

Conveyance to Indian tribes of relocatable military housing units at military installations in the United States (sec. 2805)

The Senate amendment contained a provision (sec. 2806) that would permit service secretaries to convey excess relocatable military housing units to certain Indian tribes, at no cost, and without consideration.

The House bill contained no similar provision.

The House recedes.

SUBTITLE B—REAL PROPERTY AND FACILITIES ADMINISTRATION

Protection of Department of Defense installations (sec. 2811)

The Senate amendment contained a provision (sec. 1042) that would authorize the Secretary of Defense to protect the buildings, grounds, and property that are under the jurisdiction, custody, or control of the Department of Defense (DOD) and persons on that property. The provision provides that the Secretary may designate personnel to: (1) enforce federal laws and regulations for the protection of persons and property; (2) carry firearms; (3) make arrests; and (4) conduct investigations of offenses against the property of the DOD. This new authority would not apply in those locations currently under the protection of the Federal Protective Service, for example, office buildings provided by the General Services Administration in which DOD organizations are tenants.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Enhancement of authority to accept conditional gifts of real property on behalf of military service academies (sec. 2812)

The House bill contained a provision (sec. 2811) that would provide consistency across the military service academies on the acceptance of a gift of real property, if the gift of such real property is conditioned upon the property bearing a specified name. This section would authorize the military service academies to accept such a gift if the acceptance and naming would not reflect unfavorably on the United States, and the real property has not otherwise been named by an act of Congress. This section would also require the secretaries of the military departments to issue uniform regulations governing circumstances under which gifts conditioned on naming rights may be accepted.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would restrict the ability to delegate this authority to only individuals appointed by the President and confirmed by the Senate.

Utility systems conveyance authority (sec. 2813)

The Senate amendment contained a provision (sec. 2811) that would clarify section 2688(j) of title 10, United States Code, to allow for conveyance of additional utility systems to an entity already operating other utility systems on a joint base if doing so would be in the best interest of the government and is supported by an independent cost estimate.

The House bill contained no similar provision.

The House recedes with a technical amendment.

We note that there has been confusion about whether the definition of a utility system for the treatment of wastewater includes the treatment of stormwater. We believe, consistent with the Department of Defense's interpretation, that wastewater includes stormwater.

Leasing of non-excess property of military departments and Defense Agencies; treatment of value provided by local education agencies and elementary and secondary schools (sec. 2814)

The Senate amendment contained a provision (sec. 2812) that would amend section 2667 of title 10, United States Code, by authorizing the secretary concerned to lease non-excess property for consideration in an amount below fair market value if the lease is to a local education agency or an elementary or secondary school. This provision is intended to help local education agencies and schools that are providing support for military families.

The House bill contained no similar provision.

The House recedes.

Force-structure plan and infrastructure inventory and assessment of infrastructure necessary to support the force structure (sec. 2815)

The House bill contained a provision (sec. 2814) that would require the Secretary of Defense to submit a report, as part of the budget justification documents accompanying the President's budget request for fiscal year 2017, that details a 20-year force structure plan for each of the military services and a comprehensive inventory of worldwide infrastructure. The report would also compare these two items to determine the infrastructure necessary to support the force structure, discuss the categories of excess infrastructure and infrastructure capacity, and assess the value of retaining certain excess infrastructure to accommodate contingency, mobilization, or surge requirements. In addition, this provision would require the Comptroller General of the United States to prepare an evaluation of such force-structure plans and infrastructure inventory not later than 60 days after the date on which the plans and inventory are submitted to Congress. The committee encourages the Secretary of Defense and the Comptroller General to also take into consideration, as appropriate, the recommendations regarding force structure and force sizing provided by the July 31, 2014, assessment of the 2014 Quadrennial Defense Review by the National Defense Panel.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would remove certain elements of the

proposed review including a review of efficiencies from joint tenancy of military installations and potential restrictions on facilities outside the United States.

Temporary reporting requirements related to main operating bases, forward operating sites, and cooperative security locations (sec. 2816)

The House bill contained a provision (sec. 2813) that would amend section 2687a(a) of title 10, United States Code, by adding a requirement for the Secretary of Defense to include with the existing overseas basing report a strategic summary for each main operating base, forward operating site, or cooperative security location within the U.S. Central Command and U.S. Africa Command area of responsibility. This provision would sunset in fiscal year 2020.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would make the requirements applicable to operating locations that have been newly designated, or had a change in its designation as a main operating base, forward operating site, or cooperative security location since the previous fiscal year's report.

Exemption of Army off-site use and off-site removal only non-mobile properties from certain excess property disposal requirements (sec. 2817)

The Senate amendment contained a provision (sec. 2816) that would exempt from the requirements of title V of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411 et seq.) certain non-mobile properties that are not feasible for transfer and use for the purposes of that act.

The House bill contained no similar provision.

The House recedes.

SUBTITLE C—PROVISIONS RELATED TO ASIA-PACIFIC MILITARY REALIGNMENT

Limited exception to restriction on development of public infrastructure in connection with realignment of Marine Corps forces in Asia-Pacific region (sec. 2821)

The House bill contained a provision (sec. 2821) that would amend restrictions placed on the development of civilian infrastructure on Guam to support the realignment of Marine Corps Forces in the Asia-Pacific region to allow the use of funds for infrastructure projects that are identified in the report of the Economic Adjustment Committee required by section 2831(d) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66). This section would also permit the use of funding for the planning and design of such projects.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize the Secretary of Defense to proceed only with projects intended to improve water and wastewater systems that are identified in the report prepared by the Secretary of Defense under section 2822(d)(2) of the Military Construction Authorization Act for Fiscal Year 2014 (P.L. 113-66).

We believe that projects which are directly connected to the Department of Defense's actions, and are fiscally responsible, are appropriate investments for the Department of Defense, but projects without a direct military connection should be funded through local or other non-defense federal funding.

Annual report on Government of Japan contributions toward realignment of Marine Corps forces in Asia-Pacific region (sec. 2822)

The House bill contained a provision (sec. 2822) that would require the Secretary of Defense to submit an annual report to the congressional defense committees for each of fiscal years 2017-26 that addresses the total amount contributed from the Government of Japan to the Support for United States Relocation to Guam Account during the most recent year, as well as the anticipated contributions to be made during the current and next Japanese fiscal years. The report would also cover the infrastructure projects carried out on Guam or the Commonwealth of the Northern Mariana Islands in the previous fiscal year using funds from the Support for United States Relocation to Guam Account, as well as the projects anticipated to be carried out during the next fiscal year. This section would also repeal a reporting requirement from the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417).

The Senate amendment contained no similar provision.

The Senate recedes with technical amendment.

SUBTITLE D—LAND CONVEYANCES

Release of reversionary interest retained as part of the conveyance to the Economic Development Alliance of Jefferson County, Arkansas (sec. 2831)

The Senate amendment contained a provision (sec. 2821) that would amend the terms of conveyance contained in section 2827 of the National Defense Authorization Act for Fiscal Year 2009 (Public Law 104-201) to allow the conveyance for other than the conditions contained in the section 2827, if the Economic Development Alliance pays fair market value for the property and the costs associated with conveyance are born by the Economic Development Alliance.

The House bill contained no similar provision.

The House recedes.

Land exchange authority, Mare Island Army Reserve Center, Vallejo, California (sec. 2832)

The House bill contained a provision (sec. 2831) that would authorize a land exchange involving a parcel of real property under the jurisdiction of the Secretary of the Army on the site of the former Mare Island Naval Shipyard, Vallejo, California, in the event that a current real property exchange process is unsuccessful.

The Senate amendment contained no similar provision.

The Senate recedes.

Land exchange, Navy Outlying Landing Field, Naval Air Station, Whiting Field, Florida (sec. 2833)

The House bill contained a provision (sec. 2832) that would authorize the Secretary of the Navy to convey a parcel of real property, including any improvements thereon, containing Navy Outlying Landing Field Site 8 in Escambia County, Florida, to Escambia County. In exchange, this section would require Escambia County to convey to the Secretary of the Navy a parcel of property that is suitable for use as a Navy outlying landing field to replace Navy Outlying Landing Field Site 8.

The Senate amendment contained a similar provision (sec. 2822).

The Senate recedes.

Release of property interests retained in connection with conveyance, Camp Villere, Louisiana (sec. 2834)

The House bill contained a provision (sec. 2834) that would authorize the Secretary of the Army to release the rights and the reversionary interests reserved by the United States for a parcel of land at Camp Villere, Louisiana, to the State of Louisiana to transfer the parcel to the Louisiana Agricultural Finance Authority and make available real property to the Louisiana Military Department that is suitable for use for National Guard training and operational support.

The Senate amendment contained no similar provision.

The Senate recedes.

Release of property interests retained in connection with land conveyance, Fort Bliss Military Reservation, Texas (sec. 2835)

The House bill contained a provision (sec. 2835) that would authorize the Secretary of the Army to release the rights and the reversionary interests reserved by the United States for a parcel of land in El Paso, Texas, to authorize the State of Texas to sell a portion of the property and use all proceeds from the sale to fund improvements or repairs for the National Guard facilities on the remainder of the property.

The Senate amendment contained no similar provision.

The Senate recedes.

SUBTITLE E—MILITARY LAND WITHDRAWALS

Additional withdrawal and reservation of public land, Naval Air Station China Lake, California (sec. 2841)

The House bill contained a provision (sec. 2841) that would amend section 2971(b) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113-66; 27 Stat. 1044) to provide for an additional public land withdrawal in San Bernardino County, California, to support operations at Naval Air Weapons Station China Lake, California. The provision would also amend Section 2979 of the same Act to convert both land withdrawals from 25-year withdrawals into permanent withdrawals.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would include only the additional land withdrawal, leaving the original withdrawal period through March 31, 2039.

SUBTITLE F—OTHER MATTERS

Modification of Department of Defense guidance on use of pavement markings (sec. 2851)

The House bill contained a provision (sec. 2861) that would require the Secretary of Defense to modify the Unified Facilities Guide Specifications for pavement markings, an Air Force engineering technical letter, and any other Department of Defense guidance on airfield pavement markings as necessary to permit the use of Type III category of retro-reflective beads. In addition, the Secretary shall develop appropriate policy to ensure that determination of the category of retro-reflective beads used on airfields is determined on an installation-by-installation basis based on local conditions and the life-cycle maintenance costs of the pavement markings.

The Senate amendment contained no similar provision.

The Senate recedes.

Extension of authority for establishment of commemorative work in honor of Brigadier General Francis Marion (sec. 2852)

The House bill contained a provision (sec. 2852) that would extend the authority to es-

tablish a commemorative work on federal land in the District of Columbia and its environs to honor Brigadier General Francis Marion and his service, originally provided by section 331 of the Consolidated Natural Resources Act of 2008 (Public Law 110-229), through May 8, 2018.

The Senate amendment contained no similar provision.

The Senate recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Change in authorities relating to scope of work variations for military construction projects

The Senate amendment contained a provision (sec. 2802) that would amend section 2853 of title 10, United States Code, to authorize a military service to increase the scope of a military construction project by up to 10 percent once the service secretary involved approves the increase and notifies the congressional defense committees of the increase and the reasons for it.

The House bill contained no similar provision.

The Senate recedes.

Special authority for minor military construction projects for child development program facilities

The House bill contained a provision (sec. 2804) that would amend section 2805 of title 10, United States Code, to allow the appropriate Secretary to carry out an unspecified minor military construction project with an approved cost equal to or less than \$15.0 million to create, expand, or modify a child development program facility serving children under 13 years of age.

The Senate amendment contained no similar provision.

The House recedes.

Sense of the Congress regarding base housing projects

The House bill contained a provision (sec. 2805) that would express the sense of the Congress regarding how the Department of Defense should consider commuting times and available land on base when prioritizing base housing projects.

The Senate amendment contained no similar provision.

The House recedes.

We note that the Department already considers commute times and available land, among other issues, when making base housing decisions and encourage the Department to continue to do so.

Consultation requirement in connection with Department of Defense major land acquisitions

The House bill contained a provision (sec. 2812) that would modify section 2664(a) of title 10, United States Code, to require consultation by the Secretary concerned with the chief executive officer of the state, district, or territory as to options for completing the real property acquisition.

The Senate amendment contained no similar provision.

The House recedes.

We note that the Secretary concerned is already required to obtain a specific military construction authorization in accordance with section 2802 of title 10, United States Code, and comply with National Environmental Policy Act of 1969 (42 U.S.C. 4321) before any major land acquisition can be implemented.

Modification of facility repair notification requirement

The Senate amendment contained a provision (sec. 2813) that would modify section

2811 of title 10, United States Code, by adding new congressional notifications for facility repair projects that are expected to cost more than 75 percent of the estimated cost of a military construction project to replace the facility or the facility is located at an overseas location that has not been designated a main operating base or forward operating site. These new reporting requirements would only apply to facility repair projects that are expected to cost more than \$1.0 million.

The House bill contained no similar provision.

The Senate recedes.

We believe that, as a matter of practice, the Department of Defense should notify the congressional defense committees of the expenditure of significant funding for repairs at overseas locations that have not been designated as a main operating base or forward operating site even if such expenditures do not meet the thresholds specified in section 2811 of title 10, United States Code.

Arsenal installation reutilization authority

The House bill contained a provision (sec. 2815) that would allow the Secretary with authority over a military manufacturing arsenal to delegate leasing authority to the commander of the military manufacturing arsenal.

The Senate amendment contained no similar provision.

The House recedes.

We note that section 2667 of title 10, United States Code, provides the Secretary concerned the authority to lease non-excess property and that the Secretary has the ability to delegate authority to approve such leases. Therefore, we encourage the Secretary concerned to consider delegating authority to lease non-excess property at military manufacturing arsenals if the Secretary concerned believes such delegation of authority would be in the best interest of the Department.

Sense of Congress on coordination of hunting, fishing, and other recreational activities on military land

The Senate amendment contained a provision (sec. 2815) that would express the sense of Congress on the coordination between the Department of Defense and state fish and wildlife managers, tribes, and local governments to facilitate communication with hunting, fishing, and recreational use groups prior to traditional hunting, fishing, and recreational use seasons.

The House bill contained no similar provision.

The Senate recedes.

We note the extensive process that base commanders go through in coordinating with appropriate state and local groups when opening the base for hunting, fishing, and other recreational activities.

Land conveyance, Campion Air Force Radar Station, Galena, Alaska

The House bill contained a provision (sec. 2835) that would authorize the Secretary of the Interior to convey all right, title, and interest of the United States in the former Campion Air Force Station, Alaska, to the Town of Galena, Alaska, for public purposes.

The Senate amendment contained no similar provision.

The House recedes.

Bureau of Land Management withdrawn military lands efficiency and savings

The House bill contained a provision (sec. 2842) that would extend the public lands withdrawn for military purposes listed in the

Military Lands Withdrawal Act of 1999 (title 30 of Public Law 106-65) until the Secretary of the military department determines a military purpose does not exist, or the Secretary of Interior permanently transfers the administrative jurisdiction to the Secretary of the military department concerned.

The Senate amendment contained no similar provision.

The House recedes.

Renaming site of the Dayton Aviation Heritage National Historical Park, Ohio

The House bill contained a provision (sec. 2851) that would modify the name of the John W. Berry, Sr. Wright Brothers Aviation Center, Dayton, Ohio, to the John W. Berry, Sr. Wright Brothers National Museum, Dayton, Ohio.

The Senate amendment contained no similar provision.

The House recedes.

Amendments to the National Historic Preservation Act

The House bill contained a provision (sec. 2853) that would prohibit the designation of federal property as a National Historic Landmark or for nomination to the World Heritage List if the head of the agency managing the federal property objects to such inclusion or designation for reasons of national security. This section would also authorize the expedited removal of federal property listed on the National Register of Historic Places if the managing agency of that federal property submits a request to the Secretary of Interior for such removal for reasons of national security.

The Senate amendment contained no similar provision.

The House recedes.

Protection and recovery of greater sage grouse

The House bill contained a provision (sec. 2862) that would delay any finding by the Secretary of the Interior with respect to the Greater Sage Grouse under clause (i), (ii), or (iii) of section 4(b)(3)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1533(b)(3)(B)) through September 30, 2025. This section would prohibit the Secretary of the Interior and the Secretary of Agriculture from amending any Federal resource management plan applicable to Federal lands in a State in which the Governor of the State has notified the Secretaries concerned that the State has a State management plan in place. Lastly, this section would also require the Secretary of the Interior and the Secretary of Agriculture to jointly submit an annual report to the Committee on Natural Resources of the House of Representatives on the effectiveness of the systems to monitor the status of Greater Sage Grouse on Federal lands under their jurisdiction through 2021.

The Senate amendment contained no similar provision.

The House recedes.

Use of Military Operations Areas for national security activities

The House bill contained a provision (sec. 2863) that would ensure the expansion or establishment of a national monument by the President under the authority of chapter 3203 of title 54, United States Code (commonly known as the Antiquities Act of 1906; 54 U.S.C. 320301 et seq.), after the date of the enactment of this Act on land located beneath or associated with a Military Operations Area (MOA) shall not be construed to prohibit or constrain any activities on or above the land conducted by the Department of Defense or other federal agencies for national security purposes, including training and readiness activities.

The Senate amendment contained no similar provision.

The House recedes.

Renaming of the Captain William Wylie Galt Great Falls Armed Forces Readiness Center in honor of Captain John E. Moran, a recipient of the Medal of Honor

The House bill contained a provision (sec. 2864) that would rename the Captain William Wylie Galt Great Falls Armed Forces Readiness Center in Great Falls, Montana to be known and designated as the "Captain John E. Moran and Captain William Wylie Galt Armed Forces Reserve Center", to honor the Medal of Honor recipient.

The Senate amendment contained no similar provision.

The House recedes.

We note that the military services have existing authority to name facilities.

Implementation of Lesser Prairie Chicken Range-Wide Conservation Plan and other conservation measures

The House bill contained a provision (sec. 2865) that would prohibit the Secretary of the Interior from listing the lesser prairie chicken as a threatened or endangered species under the Endangered Species Act until January 31, 2021.

The Senate amendment contained no similar provision.

The House recedes.

Removal of endangered species status for American burying beetle

The House bill contained a provision (sec. 2866) that would remove the endangered species status for the American burying beetle.

The Senate amendment contained no similar provision.

The House recedes.

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION
LEGISLATIVE PROVISIONS NOT ADOPTED

Authorized Army construction and land acquisition project

The House bill contained a provision (sec. 2901) that would contain the list of a certain authorized Army construction project for fiscal year 2016. This project represents a binding list of the specific projects authorized at this location.

The Senate amendment contained no similar provision.

The House recedes.

Authorized Navy construction and land acquisition projects

The House bill contained a provision (sec. 2902) that would contain the list of certain authorized Navy construction projects for fiscal year 2016. These projects represent a binding list of the specific projects authorized at these locations.

The Senate amendment contained no similar provision.

The House recedes.

Authorized Air Force construction and land acquisition projects

The House bill contained a provision (sec. 2903) that would contain the list of certain authorized Air Force construction projects for fiscal year 2016. These projects represent a binding list of the specific projects authorized at these locations.

The Senate amendment contained no similar provision.

The House recedes.

Authorized Defense Agencies construction and land acquisition projects

The House bill contained a provision (sec. 2904) that would contain the list of certain

authorized defense-wide construction projects for fiscal year 2016. These projects represent a binding list of the specific projects authorized at these locations.

The Senate amendment contained no similar provision.

The House recedes.

Authorization of appropriations

The House bill contained a provision (sec. 2905) that would authorize appropriations for overseas contingency operations military construction at the levels identified in section 4602 of division D of this Act.

The Senate amendment contained no similar provision.

The House recedes.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SUBTITLE A—NATIONAL SECURITY PROGRAMS AUTHORIZATIONS

National Nuclear Security Administration (sec. 3101)

The House bill contained a provision (sec. 3101) that would authorize appropriations for the National Nuclear Security Administration for fiscal year 2016 and would also authorize a new plant project for the National Nuclear Security Administration.

The Senate amendment contained a similar provision (sec. 3101) that would authorize a total of \$12.8 billion for the Department of Energy in fiscal year 2016 for the National Nuclear Security Administration to carry out programs necessary to national security.

The House recedes.

Defense environmental cleanup (sec. 3102)

The House bill contained a provision (sec. 3102) that would authorize appropriations for defense environmental cleanup activities for fiscal year 2016.

The Senate amendment contained an identical provision (sec. 3102).

The agreement includes this provision.

Other defense activities (sec. 3103)

The House bill contained a provision (sec. 3103) that would authorize appropriations for other defense activities for the Department of Energy for fiscal year 2016.

The Senate amendment contained an identical provision (sec. 3103).

The agreement includes this provision.

Nuclear energy (sec. 3104)

The House bill contained a provision (sec. 3104) that would authorize appropriations for the Department of Energy for fiscal year 2016 for nuclear energy.

The Senate amendment contained no similar provision.

The Senate recedes.

SUBTITLE B—PROGRAM AUTHORIZATIONS, RESTRICTIONS, AND LIMITATIONS

Improvement to accountability of Department of Energy employees and projects (sec. 3111)

The House bill contained a provision (sec. 3113) that would amend subtitle C of the National Nuclear Security Administration Act (50 U.S.C. 2442) to add a new section requiring the Secretary of Energy and the Administrator for Nuclear Security to jointly notify the specified congressional committees the number of covered employees whose security clearance was revoked during the previous year and the length of time such employees were employed by the Department of Energy or NNSA since such revocation. This provision would also require that the Secretary of the Administrator may not pay to

a covered employee a salary bonus during the one-year period beginning on the date on which the Secretary of the Administrator determines that the covered employee committed improper program management or whose actions undermined health, safety or security, while providing the authority to waive the denial of a salary bonus. Additionally, the provision would require the Secretary or Administrator to notify the specified congressional committees of the actions being taken against DOE or NNSA contractors, pursuant to contractual terms, whose actions lead to project or program delays or cost-growth.

The Senate amendment contained a similar provision (sec. 3118) that would provide authority to the Administrator of the National Nuclear Security Administration to withhold bonus payments to employees who engage in improper program management on the date such a determination is made.

The Senate recedes with an amendment that would reference the terms of exceeding cost, scope and schedule to those established in section 4713 of the Atomic Energy Defense Act (50 U.S.C. 2753) or the terms of critical decision three of Department of Energy Order 413.3B (Program and Project Management for the Acquisition of Capital Assets) as well as, pursuant to a requirement to issue new Departmental or Administration guidance, actions that jeopardize the health, safety, or security of employees or facilities of the Administration or another element of the Department of Energy involved in nuclear security or in carrying out defense nuclear nonproliferation activities. The amendment further provides for a waiver for either program management or health, safety or security with notification to the congressional committees of the waiver and a period of 60 days elapses following the notification. The amendment further requires notifying the congressional defense committees if a contractor of the National Nuclear Security Administration exceeds cost, scope and schedule as defined by section 4713 of the Atomic Energy Defense Act (50 U.S.C. 2753) or by critical decision three of Department of Energy Order 413.3B (Program and Project Management for the Acquisition of Capital Assets), including an explanation as to whether termination of the contract is an appropriate remedy, a description of the terms of the contract regarding award fees and performance, and a description of what options under the contract will be exercised in response. If such information cannot be submitted by reason of a contract enforcement action a notification shall be submitted of the enforcement action and the date on which the required information shall be submitted.

Stockpile responsiveness program (sec. 3112)

The House bill contained a provision (sec. 3115) that would amend the Atomic Energy Defense Act (50 U.S.C. 2521) to establish that it is the policy of the United States to sustain, enhance, and continually exercise all capabilities required to conceptualize, study, design, develop, engineer, certify, produce, and deploy nuclear weapons to ensure the nuclear deterrent of the United States remains safe, secure, reliable, credible, and responsive. The Secretary of Energy, acting through the Administrator for Nuclear Security and in consultation with the Secretary of Defense, would be required to carry out a program in parallel with the stockpile stewardship program and stockpile management program to fulfill this policy. This section would also stipulate a series of objectives for this program. Finally, this section would

amend certain existing annual reporting requirements to ensure robust attention on the program by senior leaders and enable congressional oversight of the status and effectiveness of the program.

The Senate amendment contained a provision (sec. 3111) that would develop a responsive capabilities program to exercise the design capabilities of the weapons complex that would lead to shorter and most cost effective design and engineering tools and manufacturing methods for parts and joint test assemblies that would lead to actual prototype testing as the final exercise, similar to an ongoing effort already underway at the National Nuclear Security Administration.

The Senate recedes with an amendment that adds to the House provision the importance of an integrated design life cycle, to shorten design, certification, and manufacturing timelines in order to minimize the amount of time and costs leading to an engineering prototype and production.

Notification of cost overruns and selected acquisition reports for major alteration projects (sec. 3113)

The House bill contained a provision (sec. 3123) that defined a life extension program as one whose costs exceed \$1.0 billion.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that modifies section 4713(a) (50 U.S.C. 2753(a)) and section 4217 (50 U.S.C. 2537) of the Atomic Energy Defense Act to include major alteration programs whose cost exceeds \$750.0 million.

Root cause analyses for certain cost overruns (sec. 3114)

The House bill contained a provision (sec. 3131) that would amend section 4713(c) of the Atomic Energy Defense Act (50 U.S.C. 2753) to require the Secretary of Energy to conduct and submit to the congressional defense committees a root cause assessment when certain programs experience a significant cost overrun.

The Senate amendment contained no similar provision.

The Senate recedes.

Funding of Laboratory-Directed Research and Development Programs (sec. 3115)

The House bill contained a provision (sec. 3135) that would require the Administrator for Nuclear Security to seek to enter into a contract with the JASON Defense Advisory Panel to conduct a review of the laboratory-directed research and development (LDRD) program authorized under section 4811 of the Atomic Energy Defense Act (50 U.S.C. 2791). The review would be required to include assessments of whether and how the projects within the LDRD program support the mission of the National Nuclear Security Administration (NNSA), whether the science conducted under LDRD underpin the advancement of scientific understanding necessary for NNSA's core programs, the scientific and programmatic opportunities and challenges in the LDRD program, recent significant accomplishments and failures within the LDRD program, and how LDRD projects are selected for funding. This section would require the Administrator to submit to the congressional defense committees, by November 1, 2016, a report containing the review carried out by the JASON Defense Advisory Panel. This House bill would also require a briefing to the congressional defense committees by the Comptroller General of the United States by November 1, 2016. The Comptroller General

would be required to assess: how NNSA LDRD funding limits compare to other Department of Energy and Department of Defense laboratories and federally funded research and development centers; how many NNSA personnel are supported by LDRD funding, including how many receive a majority of their compensation from LDRD; and how many devote the majority of their time to LDRD programs for more than three years.

The Senate amendment contained a provision (sec. 3117) that would amend section 4811(c) of the Atomic Energy Defense Act (50 U.S.C. 2791(c)) to strike the 6 percent upper bound for National Nuclear Security Administration (NNSA) weapons laboratory-directed research and development programs with a floor not to go below 5 percent with an upper bound of 8 percent. A similar provision was recommended for NNSA weapons production facilities and the Nevada Site Office with a ceiling of 4 percent.

The House recedes with an amendment that would strike the plant direct laboratory research and development programs, reduce the ceiling to 7 percent and require a briefing by the Administrator of the National Nuclear Security Administration, no later than February 28, 2016, on all recent or ongoing reviews of the laboratory-directed research and development program, including such reviews initiated by the Secretary of Energy; the costs and accounting practices associated with laboratory-directed research and development; how laboratory-directed research and development projects support the mission of the National Nuclear Security Administration. We direct the Government Accountability Office to assess no later than March 15, 2016, how NNSA LDRD funding limits compare to other Department of Energy and Department of Defense laboratories and federally funded research and development centers; how many NNSA personnel are supported by LDRD funding, including how many receive a majority of their compensation from LDRD; and how many devote the majority of their time to LDRD programs for more than 3 years.

Hanford waste treatment and immobilization plant contract oversight (sec. 3116)

The Senate amendment contained a provision (section 3115) that would require the Secretary of Energy to arrange to have an owner's agent assist the Secretary in carrying out oversight responsibilities associated with Hanford Waste Treatment and Immobilization Plant contract DE-AC27-01RV14136. Since the current contractor for the Waste Treatment Plant is its own design agent, the owner's design agent will act as an independent expert on the project.

The House bill contained no similar provision.

The House recedes with an amendment with clarifying language to ensure that the owner's agent does not assume roles reserved for the federal government, that the owner's agent's role is to advise the Secretary of Energy, and that the owner's agent report would be sent to the Secretary of Energy who would transmit the report with any additional views to the congressional defense committees.

Use of best practices for capital asset projects and nuclear weapon life extension programs (sec. 3117)

The House bill contained a provision (sec. 3122) that would require the Secretary of Energy to ensure that analyses of alternatives are conducted in accordance with best practices for: (1) capital asset projects and life

extension programs of the National Nuclear Security Administration; and (2) capital asset projects relating to defense environmental management.

The Senate amendment contained no similar provision.

The Senate recedes.

Research and development of advanced naval nuclear fuel system based on low-enriched uranium (sec. 3118)

The House bill contained a provision (sec. 3142) that would require that, of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for defense nuclear nonproliferation for material management and minimization, not more than \$5.0 million shall be made available to the Deputy Administrator for Naval Reactors for initial planning and early research and development of an advanced naval nuclear fuel system based on low-enriched uranium. In addition, this section would require that, at the same time the President submits the fiscal year 2017 budget to Congress, the Secretary of Energy, and the Secretary of the Navy shall jointly submit to the congressional defense committees their determination as to whether the United States should continue to pursue research and development of an advanced naval nuclear fuel system based on low-enriched uranium. If the Secretaries determine to continue the research and development, the Secretaries would be required to ensure the budget request for fiscal year 2017 includes funding to carry out the program within the defense nuclear nonproliferation, material management, and minimization budget line. Not later than 30 days after the date of the submission of such determination, the Deputy Administrator for Naval Reactors would be required to submit to the congressional defense committees a plan for such research and development, as well as ensuring that the budget includes amounts for defense nuclear nonproliferation for material management and minimization necessary to carry out the plan. Finally, this section would require that, if the Secretaries determine such research and development should continue, not later than 60 days after the date on which the Deputy Administrator submits the plan, the Deputy Administrator for Naval Reactors would be required to enter into a memorandum of understanding with the Deputy Administrator for Defense Nuclear Nonproliferation regarding the research and development of an advanced naval nuclear fuel system based on low-enriched uranium, including with respect to how funding for such research and development will be requested for the "Defense Nuclear nonproliferation" account for material management and minimization and provided to Naval Reactors to carry out the program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that requires the Deputy Administrator of the National Nuclear Security Administration to submit within 90 days after the date of enactment a conceptual plan for research and development of an advanced naval nuclear fuel system based on low-enriched uranium to meet military requirements to the congressional defense committees. In addition, 60 days after the conceptual plan is submitted, the Secretary of Energy and the Secretary of the Navy shall make a determination as to whether the United States should continue to pursue research and development of an advanced naval nuclear fuel system based on low-enriched uranium. If the Secretaries determine that such research and de-

velopment should continue, they shall include funding necessary in fiscal year 2018, and in fiscal year 2017 if feasible, to carry out such a plan in the budget line item for the Defense Nuclear Nonproliferation account for material management and minimization.

Disposition of weapons usable plutonium (sec. 3119)

The House bill contained a provision (section 3119) that would require the Secretary of Energy to carry out construction and program support activities for the Mixed Oxide (MOX) Fuel Fabrication Facility with any funds authorized to be appropriated or otherwise made available for such purposes for fiscal year 2016 and any prior fiscal years. This section would also require the Secretary to include in the budget justification materials submitted to Congress for fiscal year 2017 an updated performance baseline for construction and project support activities relating to the MOX facility.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that authorizes the Secretary to spend \$5.0 million to conduct an analysis of alternative options for carrying out the plutonium disposition program. We direct that the analysis of alternatives be comprehensive with regard to potentially cost-effective alternatives, and to include as alternatives various options for disposal, including costs and timelines associated with options for down-blending, immobilization, disposal in canisters, and deep borehole disposal. We further direct that as part of the down-blending analysis, that the Department of Energy address the questions pertaining to down-blending as found in Senate Report 114-49 (Report to Accompany S. 1376, "National Defense Authorization Act for Fiscal year 2016"), pages 326-329.

Establishment of microlab pilot program (sec. 3120)

The House bill contained a provision (sec. 3136) that would give the authority to the Secretary to establish a microlab pilot program in close proximity to a national laboratory and is accessible to the public for the purpose of enhancing collaboration with regional research groups, accelerating technology transfer from national laboratories to the marketplace; promoting regional workforce development through science, technology, engineering, and mathematics instruction and training.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would change the definition of microlab to one that is in close proximity to but outside the perimeter of a national security laboratory; an extension of or affiliated with a national security laboratory; and accessible to the public. The amendment also narrows the national laboratory to one that is a national security laboratory as defined in section 3821 of the National Nuclear Security Act (50 U.S.C. 2471). The amendment further uses "consultation" rather than "coordination" with lab directors and adjusts timing of reports.

Prohibition on the availability of funds for the provision of defense nuclear nonproliferation assistance to the Russian Federation (sec. 3121)

The House bill contained a provision (sec. 3118) that would provide that none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for defense nuclear nonprolifera-

tion activities may be obligated or expended to enter into a contract with, or otherwise provide assistance to, the Russian Federation. The Secretary of Energy, without delegation, would be provided the authority to waive this prohibition if the Secretary submits a report to the appropriate congressional committees containing notification that such a waiver is in the national security interest of the United States, a justification for such waiver, and a period of 15 days elapses.

The Senate amendment contains no similar provision.

The Senate recedes.

Prohibition on availability of funds for fixed site radiological portal monitors in foreign countries (sec. 3122)

The House bill contained a provision (sec. 3117) that would prohibit any funds authorized by this Act or otherwise made available for fiscal year 2016 or any fiscal year thereafter for the National Nuclear Security Administration from being obligated or expended for the research and development, installation, or sustainment of fixed site radiological portal monitors or equipment for use in foreign countries. This section would clarify that this prohibition does not apply to such activities for mobile radiological inspection equipment.

The Senate amendment had no similar provision.

The Senate recedes with an amendment that would prohibit fiscal year 2016 funds for installation of fixed site portal monitors in foreign countries after date of enactment until the DNI submits an assessment on whether and the extent to which fixed site and mobile radiological monitors address nuclear nonproliferation and smuggling threats; the contribution of other threat reduction programs and how well such programs address nuclear nonproliferation and smuggling threats; which programs have the greatest impact and cost-benefit for addressing nuclear nonproliferation and smuggling threats; and such other matters as the Director considers appropriate. The amendment also requires the Administrator for Nuclear Security to submit a plan by March 1, 2016 to transition sustainment of existing fixed site monitors, to the greatest extent possible, to host nation.

Limitation on availability of funds for certain arms control and nonproliferation technologies (sec. 3123)

The House bill contained a provision (sec. 3120) that would prohibit any funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the National Nuclear Security Administration's Defense Nuclear Nonproliferation program from being obligated or expended to develop nonproliferation or arms control verification or monitoring technologies beyond Technology Readiness Level 5 (TRL 5) unless the Secretary of Energy certifies that such technologies are being developed to fulfill the rights or obligations of the United States under either: (1) a current arms control or nonproliferation treaty or agreement; or (2) a treaty or agreement that the Secretary expects will enter into force within 2 years. The Secretary would be required to submit this written certification to the appropriate congressional committees and include, for each technology the Secretary certifies for development beyond TRL 5, an identification of the amount of fiscal year 2016 funds that will be used and how such development helps to fulfill the rights or obligations of the United States under the treaty or agreement.

The Senate amendment contained no similar provision.

The Senate recedes to the House with an amendment that would prohibit fiscal year 2016 funds to test or validate technologies in the Office of Nonproliferation and Arms Control designed to be used to verify and monitor obligations under arms control treaties or other agreements to which U.S. is not a signatory until the Administrator submits a review to congressional defense committees. The review would be required to include the technology readiness level of the technology; the obligation under a treaty or other international agreement supported by the technology; and the purpose for which the technology is being developed or produced. We note that, based on information provided by the Administrator, the funding for the activities that would be limited by this provision is approximately \$3.0 million.

Limitations on availability of funds for nuclear weapons dismantlement (sec. 3124)

The House bill contained a provision (sec. 3121) that would provide that, of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2016 through 2020 for the National Nuclear Security Administration (NNSA), not more than \$50.0 million may be obligated or expended in each such fiscal year to carry out nuclear weapons dismantlement and disposition activities. This section would also prohibit any funds authorized to be appropriated by this Act, or otherwise made available for any of fiscal years 2016 through 2020, to be obligated or expended to dismantle a nuclear weapon of the United States unless: (1) the nuclear weapon was retired on or before September 30, 2008; (2) the Administrator for Nuclear Security certifies that the components of the nuclear weapon are directly required for the purposes of a current life extension program; or (3) the President certifies that the nuclear weapon is being dismantled pursuant to a nuclear arms reduction treaty or similar international agreement that has entered into force after the date of enactment of this Act and was approved with the advice and consent of the Senate or by an Act of Congress. This section would also prohibit any funding authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2016 through 2020 from being used to dismantle or dispose of a W84 nuclear weapon.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would limit the \$50.0 million ceiling to fiscal year 2016 and prohibit the use of fiscal year 2016 funds for the dismantlement of the W84 warhead. There is an exception for maintenance and surveillance for weapons safety and reliability.

SUBTITLE C—PLANS AND REPORTS

Long-term plan for meeting national security requirements for unencumbered uranium (sec. 3131)

The Senate amendment contained a provision (sec. 3112) that would require the Secretary of Energy to submit a plan, on even number years, with the President's budget submission, for meeting the national security requirements for unencumbered uranium through 2065.

The House bill contained no similar provision.

The House recedes with an amendment that would change the reporting requirement to terminate in 2026.

Defense nuclear nonproliferation management plan (sec. 3132)

The Senate bill contained a provision (sec. 3113) that required in each odd numbered

year a management plan of defense nuclear nonproliferation programs of the National Nuclear Security Administration.

The House bill contained a similar provision (sec. 3132) amend section 3122(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) by striking the date of 2016 and inserting 2020. This section would also amend such subsection to clarify that, in the Secretary of Energy's annual assessment, the Secretary must (1) identify any highly-enriched uranium around the world that is obligated by the United States and (2) provide a list, by country and by site, of the separated plutonium around the world, identify such plutonium that is obligated by the United States, and provide an assessment of the vulnerability of such plutonium to theft or diversion.

The House recedes with an amendment that would add the House provision to the Senate provision, expand the programmatic definitions of activities of the nuclear nonproliferation program that must be reported on and make technical and clarifying changes.

Plan for deactivation and decommissioning of nonoperational defense nuclear facilities (sec. 3133)

The House bill contained a provision (sec. 3141) that would require the Secretary of Energy to establish and carry out a plan under which the Administrator for Nuclear Security transfers to the Assistant Secretary of Energy for Environmental Management the responsibility for decontaminating and decommissioning facilities of the National Nuclear Security Administration that the Secretary of Energy determines are not operational as of the date of the enactment of this Act and meet the requirements for such transfer.

The Senate amendment contained a provision (sec. 3114) that would that would require the Secretary of Energy to develop a plan that would require a cost-benefit analysis of defense nuclear facilities that require deactivation and decommissioning as to whether they should be kept in cold shut down awaiting demolition or accelerated to save long term storage costs. The plan will be required every even calendar year no later than March 31, 2016 and end after the fifth report submission on March 31, 2026.

The House recedes with an amendment to require within the first report the Secretary to implement a plan under which the Administrator for Nuclear Security to transfer by March 31, 2019 to the Assistant Secretary for Environmental Management the responsibility for decontaminating and decommissioning facilities of the National Nuclear Security Administration that the Secretary of Energy determines are nonoperational as of September 30, 2015 and meet the requirements of the Office of Environmental Management for such transfer.

Assessment of emergency preparedness of defense nuclear facilities (sec. 3134)

The Senate amendment contained a provision (sec. 3116) that would require the Secretary of Energy to include in each award-fee evaluation conducted of a management and operating contract for a Department of Energy defense nuclear facility in 2016, or any even-numbered year thereafter, an assessment of the adequacy of the emergency preparedness of that facility, including an assessment of the seniority level of employees and contractors of the Department of Energy that participate in emergency preparedness exercises at that facility.

The House bill contained no similar provision.

The House recedes with an amendment that would eliminate recurring reports while focusing the assessment on the performance and participation of the management and operating contractor employees and not senior employees of the Department of Energy, since the laboratory award fee is based on performance of the contractor employees. We direct the Secretary of Energy to provide a report to the congressional defense committees no later than October 31, 2016 on the number and level of senior Department of Energy employees that participated in such exercises for fiscal year 2016.

Modifications to cost-benefit analyses for competition of management and operating contracts (sec. 3135)

The House bill contained a provision (sec. 3114) that would amend section 3121 of the National Defense Authorization Act for fiscal year 2013 (Public Law 112-239) to extend the reporting requirement through fiscal year 2019 and require that the report submitted by the Administrator for Nuclear Security must include a description of the factors considered and processes used by the Administrator to determine whether to compete or extend a contract to manage and operate a facility of the nuclear security enterprise, and whether and which activities at the facility should be covered under the management and operating contract.

The Senate amendment contained a similar provision (sec. 3122) that would amend section 3121 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to make technical corrections to increase the utility of reports on competition for management and operating contracts at facilities of the National Nuclear Security Administration and change the timing of the Government Accountability Office's review to assess whether estimated cost savings and other benefits are actually occurring as planned.

The House recedes with an amendment that combines the two provisions, requires the Government Accountability Office to provide a briefing on their initial review 180 days after the required report submitted, and makes certain technical and conforming amendments.

Interagency review of applications for the transfer of United States civil nuclear technology (sec. 3136)

The House bill contained a provision (sec. 3119) that would require that, prior to the approval by the Administrator of the National Nuclear Security Administration (NNSA) of any part 810 authorization (regarding the transfer of certain civil nuclear technology) for a covered country with a nuclear naval propulsion program, the Director of National Intelligence and the Chief of Naval Operations would have to jointly submit an assessment to the appropriate congressional committees on the risks of diversion of such technology and the likely consequences of its diversion to such foreign state's military nuclear program. This section would also require that, not less than 14 days prior to the approval of any part 810 authorization for a covered country, the Administrator of the NNSA would have to certify to the appropriate congressional committees that there is sufficient diversion control and such transfer presents a minimal risk of diversion of such technology to a military program that would degrade the technical advantage of the United States. The provision further required that not later than June 1, 2016, and quinquennially thereafter, the Chief of Naval Operations shall determine the critical civil

nuclear technologies of the United States and notify the appropriate congressional committees of this list of technologies. The provision also requires that not later than 30 days after the date on which the Director of National Intelligence determines that there is credible intelligence that United States civil nuclear technology has been diverted to a foreign country not covered by an authorization under section 57b of the Atomic Energy Act of 1954 as amended (Public Law 83-703, 42 U.S.C. 2077), including an agreement for cooperation made pursuant to section 123 of the Atomic Energy Act of 1954 as amended (Public Law 83-703, 42 U.S.C. 2153), the Director shall notify the appropriate congressional committees of such determination. The House provision also required that the Secretary of Energy shall annually notify the appropriate congressional committees that each covered foreign country is in compliance with its obligations under any authorization made pursuant to section 57b, including an agreement for cooperation made pursuant to section 123 of the Atomic Energy Act, as amended. In addition the provision prohibits the Secretary of Energy from making an authorization under section 57b of the Atomic Energy Act with respect to a covered foreign country if a foreign person of the covered foreign country has been sanctioned under the Iran, North Korea, and Syria Nonproliferation Act (Public Law 106-178; 50 U.S.C. 1701 note) during the 5-year period preceding the date of the transfer being sought unless the President certifies to the appropriate congressional committees that the covered foreign country is taking adequate measures to prevent, or is making significant progress in preventing, transfers or acquisitions covered by section 2(a) of the Iran, North Korea, and Syria Nonproliferation Act (Public Law 106-178; 50 U.S.C. 1701 note). The House provision defined a covered country as one that is a nuclear-weapon state, as defined by Article IX (3) of the Treaty on the Non-Proliferation of Nuclear Weapons, signed at Washington, London, and Moscow on July 1, 1968, but does not include the United Kingdom or France.

The Senate bill contained no similar provision.

The Senate recedes with an amendment that would require that every 90 days, the Secretary of Energy shall submit to the appropriate congressional committees a report that includes a listing and description of the authorizations to transfer United States civil nuclear technology to a covered foreign country (as defined in this provision) issued under section 57b of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b)) during the preceding 90 days and a statement of whether each agency required to be consulted under that section or pursuant to regulation objected or sought condition to each such authorization.

The amendment also would require that not later than 90 days after the date of the enactment of this Act, and every 5 years thereafter, the Secretary of Energy would be required to, in consultation with the Secretary of State, the Secretary of Commerce, the Secretary of Defense, the Director of National Intelligence, and the Nuclear Regulatory Commission, determine the critical United States civil nuclear technologies that should be protected from diversion to a military nuclear program of a covered foreign country (a nuclear weapons state as defined by the Treaty on the Non-Proliferation of Nuclear Weapons other than the United Kingdom or France), including with respect to a naval propulsion or weapons program

and notify the appropriate congressional committees with respect to the technologies covered by the determination. The amendment also would require that not later than 14 days before authorizing the transfer of a technology covered by such determination, the Secretary of Energy would be required to submit to the appropriate congressional committees a report that includes a notification of the intention of the Secretary to authorize the transfer of such technology and a statement of whether any agency required to be consulted under such section 57b or pursuant to regulation objected to or required conditions to such authorization of transfer. The amendment includes a waiver of the 14 day notification for an imminent radiological emergency provided within 7 days the Secretary certifies such a hazard exists, the justification and the information required in the original notification.

The amendment would also require the Secretary of Energy to promptly revise part 810 of title 10, Code of Federal Regulations, to ensure that the Director of National Intelligence (DNI) is consulted with respect to the views of the intelligence community with respect to each authorization issued under section 57b of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b)) for the transfer of United States civil nuclear technology to a covered foreign country before the determination to approve or disapprove the request for the authorization, and that he is provided with an opportunity to present the views of the Director and the Intelligence Community on the national security risks of the transfer, if any. It is expected that as part of developing this consultation process the Secretary of Energy and the DNI shall enter into the necessary inter-agency agreements that ensure consultation with the Intelligence Community occurs but gives the DNI the flexibility to manage its ongoing workload, while ensuring timely reviews of authorizations, and provides for the possibility that the views of the Intelligence Community may not have changed from its initial assessment. The Secretary of Energy shall include the results of consultations conducted with the DNI, on behalf of the Intelligence Community, in each report describing an authorization and each notification with respect to an authorization involving a critical technology.

The amendment would require the Secretary of Energy to annually submit to the appropriate congressional committees a report that includes an assessment of whether each covered foreign country is in compliance with its obligations under any authorization for the transfer of United States civil nuclear technology under section 57b of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b)) and with respect to any covered foreign country that is not in compliance with such obligations, a description of the efforts of the United States to bring the country into compliance with an evaluation of the result of such efforts, and an assessment of the options available to the Secretary as a result of the country not being in compliance. The report also requires an assessment of whether each end-user to which United States civil nuclear technology is transferred pursuant to an authorization under such section 57b is in compliance with the obligations of the end-user under that authorization and a description of any consequences for the end-user or the exporter of the technology if the end-user is not in compliance with such obligations.

The amendment would further require that, concurrent with the submission to Congress of the budget for each fiscal year, the

Secretary of Energy would be required to submit to the appropriate congressional committees a report on the activities of the Department of Energy associated with the review of applications for authorization under section 57b to transfer United States civil nuclear technology to any foreign country. The report would be required to include the number of applications for authorization under section 57b of the Atomic Energy Act to transfer United States civil nuclear technology to a foreign country submitted during the year preceding the submission of the report; the length of time each such application was under review; the number of such applications that were granted; and a description of efforts to streamline the review of such applications, taking into account the proliferation and diversion potential of end-users in the country to which United States civil nuclear technology would be transferred pursuant to such applications.

The Director of National Intelligence would also be required to notify the Department of Energy and the appropriate congressional committees not later than 30 days after the date on which the Director determines there is credible intelligence that United States civil nuclear technology is being or has been diverted to a military program in a foreign country to which the transfer of the technology was authorized under section 57b or to a foreign country to which the transfer of the technology was not so authorized.

The amendment would also require that not later than 60 days after the date of the enactment of this Act, the Secretary of Energy shall issue guidance with respect to the use of authority of under section 234 of the Atomic Energy Act of 1954 (42 U.S.C. 2282) to impose civil penalties, including fines and debarment, and to make referrals to the Attorney General for prosecution, for violations of the terms of authorizations for the transfer of United States civil nuclear technology issued under section 57b. We believe that given the extensive amendments made to section 57b of the Atomic Energy Act of 1954 by section 302 of the Nuclear Nonproliferation Act of 1978 (Public Law 95-242, 42 U.S.C. 2077), which were made after the enactment of the Energy Reorganization Act of 1974 (Public Law 93-438), that the Department of Energy should have justification to utilize section 234 of the Atomic Energy Act of 1954 as a means of civil enforcement.

Finally, the amendment would require that not later than 180 days after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report describing the efforts of covered foreign countries to prevent the transfer of sensitive items, including efforts to improve the prevention of the transfer of such items; and assessing the adequacy of such efforts as defined by section 2(a) of the Iran, North Korea, and Syria Nonproliferation Act (Public Law 106-178; 50 U.S.C. 1701 note).

We expect the Department of Energy shall take all precautions necessary in this section to protect proprietary information.

Governance and management of nuclear security enterprise (sec. 3137)

The House bill contained a provision (sec. 3133) that would require the Secretary of Energy and the Administrator for Nuclear Security to jointly establish a team of senior officials from the Department of Energy and the National Nuclear Security Administration (NNSA) to develop and carry out an implementation plan to reform governance and management to improve the effectiveness

and efficiency of the nuclear security enterprise. Additionally, it would require the Administrator to seek to enter into a joint agreement with the National Academy of Sciences and the National Academy of Public Administration to establish a panel of external, independent experts to evaluate the plan developed by the Department of Energy and NNSA and to evaluate the implementation of such plan.

The Senate amendment contained a similar provision (sec. 3123) that would require the Administrator of the National Nuclear Security Administration to enter into agreements with the National Academy of Sciences and the National Academy of Public Administration to assess implementation of recommendations of the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise that can be carried out without additional legislation. In addition to monitoring implementation, the agreement should specify that the two entities should determine whether the implementation was effective in addressing the problem it was intended to solve. The agreement shall utilize the procedures of the National Academies in reviewing and publishing the joint report.

The Senate recedes with an amendment makes certain technical and conforming amendments, including changing the date of submission of the implementation plan to be March 31, 2016, with a final report by the Implementation Assessment Panel to 2020.

Annual report on the number of full time equivalent employees and contractor employees (sec. 3138)

The House bill contained a provision (sec. 3111) that would amend section 3241A of the National Nuclear Security Administration Act (50 U.S.C. 2441a) to require that, by October 1, 2016, the total number of employees within the Office of the Administrator may not exceed 1,350. This section would also amend section 3241 of the National Nuclear Security Administration Act (50 U.S.C. 2441) by striking “600” and inserting “450” as the number of employees allowed to be appointed under the authority provided by such section.

The Senate amendment contained a provision (sec. 3119) that would that permits the Administrator of the National Nuclear Security Administration (NNSA) to hire above the statutory limit of 1,690 full time positions using up to 100 exempt employees hired under section 3241 of the National Nuclear Security Administration Act (50 United States Code section 2441).

The House bill further contains a provision (sec. 3112) that would amend section 3241A of the National Nuclear Security Administration Act (50 U.S.C. 2441a) to specify that the total number of full-time equivalent employees working under a service support contract of the NNSA may not exceed the number that is 30 percent of the number of employees of the Office of the Administrator authorized under subsection (a)(1) of such section 3241A. The Administrator for Nuclear Security would be required to not exceed this total number of full-time equivalent contractor employees unless, during each fiscal year in which the Administrator exceeds such authorized number, the Administrator submits a report to the congressional defense committees justifying such excess.

The Senate recedes with an amendment that would strike section 3111 of the House bill and modify section 3112 of the House bill to require with each budget submission the National Nuclear Security Administration (NNSA) provide a report that provides the number of full time equivalent employees

under section 3241A of the NNSA Act (50 U.S.C. 2441a), the number of service support contracts and whether the contracts are funded with program funds, the number of full time equivalent employees under each contract and the number in each contract that have been employed for more than 2 years.

Development of strategy on risks to non-proliferation caused by additive manufacturing (sec. 3139)

The House bill (sec. 3145) contained a provision that would require the President to develop and pursue a strategy to address the risks to the goals and policies of the United States regarding nuclear nonproliferation caused by the increased use of additive manufacturing technology (including 3D Printing). This section would require the President to brief the appropriate congressional committees on the development and execution of such strategy not later than March 31, 2016, and every 120 days thereafter until January 1, 2019. Finally, this section would highlight the importance of pursuing such strategy at the Nuclear Security Summit in Chicago in 2016.

The Senate amendment contained no similar provision.

The Senate recedes.

Plutonium pit production capacity (sec. 3140)

The House bill contained a provision (sec. 3143) that would express the sense of Congress that the requirement to create a modern, responsive nuclear infrastructure that includes the capability and capacity to produce, at minimum, 50 to 80 pits per year, is a national security priority and delaying creation of this responsive infrastructure until the 2030s is an unacceptable risk to the national security of the United States. Additionally, it would require the Chairman of the Nuclear Weapons Council to provide a briefing to congressional defense committees by March 1, 2016, on the annual plutonium pit production capacity requirement of the nuclear security enterprise.

The Senate amendment contained no similar provision.

The Senate recedes.

Assessments on nuclear proliferation risks and nuclear nonproliferation opportunities (sec. 3141)

The House bill contained a provision (sec. 3134) that would require the Director of National Intelligence to submit a report to the appropriate congressional committees, by March 1 of each year from 2016 to 2020, containing an assessment and prioritization of international nuclear proliferation risks and nuclear nonproliferation opportunities and an assessment of the effectiveness of various means and programs for addressing such risks and opportunities.

The Senate amendment contained no similar provision.

The Senate recedes.

Analysis of alternatives for Mobile Guardian Transporter program (sec. 3142)

The House bill contained a provision (sec. 3144) that would require the Administrator for Nuclear Security to submit to the congressional defense committees the analysis of alternatives by the Administrator for the Mobile Guardian Transporter program within 60 days after the date of the enactment of this Act. Additionally, it would also require the Secretary of Energy to include in the annual budget request submission, a separate, dedicated program element for the MGT program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would eliminate the requirement for an independent assessment and clarify that the submitted report must contain a full and comprehensive analysis of alternatives. We stress that the analysis of alternatives for the MGT program that is conducted and submitted to Congress should take into account all safety and security scenarios, as well as costs, benefits, and risks of various engineering and policy changes that could affect the program.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Authorization (sec. 3201)

The House bill contained a provision (sec. 3201) that would authorize funds for the Defense Nuclear Facilities Board for fiscal year 2016.

The Senate amendment contained a similar provision (sec. 3201).

The House recedes.

Administration of Defense Nuclear Facilities Safety Board (sec. 3202)

The House bill contained a provision (sec. 3202) that would amend section 311(c) of the Atomic Energy Act of 1954 (42 U.S.C. 2886(c)) to clarify that, in carrying out certain duties, the Chairman of the Defense Nuclear Facilities Board may not withhold from any member of the Board any information that is made available to the Chairman regarding the Board's functions, powers, and mission (including with respect to the management and evaluation of employees of the Board). The provision would also clarify that the Chairman of the Board, subject to the approval of the Board, may appoint and remove certain senior employees of the Board.

The Senate amendment contained no similar provision.

The Senate recedes.

TITLE XXXIV—NAVAL PETROLEUM RESERVES
Authorization of Appropriations (sec. 3401)

The House bill contained a provision (sec. 3401) that would authorize \$17.5 million for fiscal year 2016 for operation and maintenance of the Naval Petroleum Reserves.

The Senate amendment contained no similar provision.

The Senate recedes.

TITLE XXXV—MARITIME ADMINISTRATION
LEGISLATIVE PROVISIONS ADOPTED

Authorization of the Maritime Administration (sec. 3501)

The House bill contained a provision (sec. 3501) that would authorize appropriations for the national security aspects of the Merchant Marine for fiscal year 2016.

The Senate amendment contained a similar provision (sec. 3505) that would authorize appropriations for the national security aspects of the Merchant Marine for fiscal years 2016 and 2017.

The Senate recedes with an amendment that would increase by \$24.0 million to \$210.0 million the amount authorized to be appropriated in subsection (5) for expenses to maintain and preserve a United States-flagged merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code.

Sense of Congress regarding Maritime Security Fleet program (sec. 3502)

The House bill contained a provision (sec. 3502) that would express the sense of Congress that dedicated and enhanced support is necessary to stabilize and preserve the Maritime Security Fleet program.

The Senate amendment contained no similar provision.

The Senate recedes.

Update of references to the Secretary of Transportation regarding unemployment insurance and vessel operators (sec. 3503)

The House bill contained a provision (sec. 3503) that would update sections 3305 and 3306(n) of title 26, United States Code, to reflect the Maritime Administration's transfer from the Department of Commerce to the Department of Transportation that occurred in 1981.

The Senate amendment contained a similar provision (sec. 3503).

The Senate recedes.

Payment for maritime security fleet vessels (sec. 3504)

The House bill contained a provision (sec. 3505) that would increase by \$24.0 million the amount authorized to be appropriated for expenses to maintain and preserve a United States-flagged merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code.

The Senate amendment contained no similar provision.

The Senate recedes.

Melville Hall of United States Merchant Marine Academy (sec. 3505)

The House bill contained a provision (sec. 3506) that would allow the Maritime Administrator to accept a gift from the U.S. Merchant Marine Academy Alumni Association and Foundation for the purpose of renovating Melville Hall on the campus of the U.S. Merchant Marine Academy.

The Senate amendment contained an identical provision (sec. 1087).

The Senate recedes.

Cadet commitment agreements (sec. 3506)

The Senate amendment contained a provision (sec. 3501) that would strengthen requirements for proper performance of reserve service obligations for U.S. Merchant Marine Academy (USMMA) graduates by providing clarity that graduates are required to apply for a position in the reserves of an armed force, maintain a Transportation Worker Identification Credential, and maintain a

U.S. Coast Guard approved medical certificate. This section also would change the reserve service obligations of USMMA graduates from 6 to 8 years to conform with current Department of Defense reserve requirements.

The House bill contained no similar provision.

The House recedes.

Student incentive payment agreements (sec. 3507)

The Senate amendment contained a provision (sec. 3502) that would clarify the requirements for a graduate of the student incentive payment (SIP) program to perform service obligations and facilitate enforcement of the reserve duty component of their service obligation. It would assist in the federal government's recoupment of funds if SIP graduates fail to fully perform their reserve duty service obligation. This section also aligns current U.S. Coast Guard and Department of Defense (DOD) terminology to update references to licensing and the Strategic Sealift Officer Program, as well as bring the Maritime Administration's reserve service obligation requirement in line with DOD requirements for 8 years of reserve duty.

The House bill contained no similar provision.

The House recedes.

Short sea transportation defined (sec. 3508)

The Senate amendment contained a provision (sec. 3504) that would amend the definition of short sea transportation in section 55605 of title 46, United States Code.

The House bill contained no similar provision.

The House recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Reliance on classification society certification for purposes of eligibility for certificate of inspection

The House bill contained a provision (sec. 3504) that would modify section 53102 of title 46, United States Code, and require the U.S. Coast Guard to implement certain class society certification standards.

The Senate amendment contained no similar provision.

The House recedes.

We note the continued need for Maritime Security Program (MSP) vessels to meet national defense sealift needs. Section 53102(e)(3)(A) of title 46, United States Code, establishes a process for the U.S. Coast Guard to rely on classification societies to certify compliance for MSP vessels, both initially for reflag, and subsequently during renewal inspections, based solely on applicable international agreements, associated guidelines, and classification society rules. We encourage the Coast Guard to use that process to the greatest extent practicable. The Service should not set up unnecessary barriers to entry for vessels the Department of Defense has determined it needs to meet national defense sealift requirements.

DIVISION D—FUNDING TABLES

Authorization of amounts in funding tables (sec. 4001)

The House bill contained a provision (sec. 4001) that would provide for the authorization of projects, programs, and activities in accordance with the tables in division D.

The Senate bill contained an identical provision (sec. 4001).

The agreement includes this provision.

Clarification of applicability of undistributed reductions of certain operation and maintenance funding among all operation and maintenance funding (sec. 4002)

The Senate bill contained a provision (sec. 4002) that clarifies that the undistributed reductions in funding for operation and maintenance due to bulk fuel purchases and foreign currency fluctuations, as shown in table 4301, can be applied to all operation and maintenance funding, regardless if funding is available in table 4301 or 4302.

The House bill contained no similar provision.

The House recedes with an amendment that would limit reductions mentioned above to table 4301 and 4303.

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2016

(In Thousands of Dollars)

	FY 2016 Request	Agreement Change	Agreement Authorized
DISCRETIONARY AUTHORIZATIONS WITHIN THE JURISDICTION OF THE ARMED SERVICES COMMITTEE			
National Defense Funding, Base Budget Request			
Function 051, Department of Defense-Military			
Division A: Department of Defense Authorizations			
Title I—Procurement			
Aircraft Procurement, Army	5,689,357	171,000	5,860,357
Missile Procurement, Army	1,419,957	176,000	1,595,957
Weapons & Tracked Combat Vehicles, Army	1,887,073	424,500	2,311,573
Procurement of Ammunition, Army	1,233,378	-10,952	1,222,426
Other Procurement, Army	5,899,028	-358,640	5,540,388
Aircraft Procurement, Navy	16,126,405	1,751,406	17,877,811
Weapons Procurement, Navy	3,154,154	32,968	3,187,122
Procurement of Ammunition, Navy & Marine Corps	723,741		723,741
Shipbuilding & Conversion, Navy	16,597,457	852,093	17,449,550
Other Procurement, Navy	6,614,715	35,450	6,650,165
Procurement, Marine Corps	1,131,418	145,694	1,277,112
Aircraft Procurement, Air Force	15,657,769	261,444	15,919,213
Missile Procurement, Air Force	2,987,045	-30,084	2,956,961
Space Procurement, Air Force	2,584,061	-36,351	2,547,710
Procurement of Ammunition, Air Force	1,758,843	18,500	1,777,343

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2016

(In Thousands of Dollars)

	FY 2016 Request	Agreement Change	Agreement Authorized
Other Procurement, Air Force	18,272,438	23,146	18,295,584
Procurement, Defense-Wide	5,130,853	7,080	5,137,933
Joint Urgent Operational Needs Fund	99,701	-99,701	0
Subtotal, Title I—Procurement	106,967,393	3,363,553	110,330,946
Title II—Research, Development, Test and Evaluation			
Research, Development, Test & Evaluation, Army	6,924,959	168,600	7,093,559
Research, Development, Test & Evaluation, Navy	17,885,916	354,463	18,240,379
Research, Development, Test & Evaluation, Air Force	26,473,669	-928,918	25,544,751
Research, Development, Test & Evaluation, Defense-Wide	18,329,861	626,706	18,956,567
Operational Test & Evaluation, Defense	170,558		170,558
Subtotal, Title II—Research, Development, Test and Evaluation	69,784,963	220,851	70,005,814
Title III—Operation and Maintenance			
Operation & Maintenance, Army	35,107,546	-2,549,564	32,557,982
Operation & Maintenance, Army Reserve	2,665,792	3,135	2,668,927
Operation & Maintenance, Army National Guard	6,717,977	197,120	6,915,097
Operation & Maintenance, Navy	42,200,756	-3,950,463	38,250,293
Operation & Maintenance, Marine Corps	6,228,782	-127,786	6,100,996
Operation & Maintenance, Navy Reserve	1,001,758	-68,126	933,632
Operation & Maintenance, Marine Corps Reserve	277,036	-2,100	274,936
Operation & Maintenance, Air Force	38,191,929	-4,667,230	33,524,699
Operation & Maintenance, Air Force Reserve	3,064,257	-668,936	2,395,321
Operation & Maintenance, Air National Guard	6,956,210	-246,800	6,709,410
Operation & Maintenance, Defense-Wide	32,440,843	-2,062,192	30,378,651
US Court of Appeals for the Armed Forces, Defense	14,078		14,078
Overseas Humanitarian, Disaster and Civic Aid	100,266		100,266
Cooperative Threat Reduction	358,496		358,496
Defense Acquisition Development Workforce Fund	84,140		84,140
Environmental Restoration, Army	234,829		234,829
Environmental Restoration, Navy	292,453		292,453
Environmental Restoration, Air Force	368,131		368,131
Environmental Restoration, Defense	8,232		8,232
Environmental Restoration, Formerly Used Sites	203,717		203,717
Subtotal, Title III—Operation and Maintenance	176,517,228	-14,142,942	162,374,286
Title IV—Military Personnel			
Military Personnel Appropriations	130,491,227	-1,174,739	129,316,488
Medicare-Eligible Retiree Health Fund Contributions	6,243,449		6,243,449
Subtotal, Title IV—Military Personnel	136,734,676	-1,174,739	135,559,937
Title XIV—Other Authorizations			
Working Capital Fund, Army	50,432		50,432
Working Capital Fund, Air Force	62,898		62,898
Working Capital Fund, Defense-Wide	45,084		45,084
Working Capital Fund, DECA	1,154,154	281,200	1,435,354
National Defense Sealift Fund	474,164		474,164
Chemical Agents & Munitions Destruction	720,721		720,721
Drug Interdiction and Counter Drug Activities	850,598	30,000	880,598
Office of the Inspector General	316,159	-3,600	312,559
Defense Health Program	32,243,328	-716,734	31,526,594
Subtotal, Title XIV—Other Authorizations	35,917,538	-409,134	35,508,404
Total, Division A: Department of Defense Authorizations	525,921,798	-12,142,411	513,779,387
Division B: Military Construction Authorizations			
Military Construction			
Army	743,245	-15,500	727,745
Navy	1,605,929	29,500	1,635,429
Air Force	1,354,785	21,000	1,375,785
Defense-Wide	2,300,767	-30,000	2,270,767
NATO Security Investment Program	120,000		120,000
Army National Guard	197,237	51,300	248,537
Army Reserve	113,595	34,200	147,795
Navy and Marine Corps Reserve	36,078		36,078
Air National Guard	123,538	6,100	129,638
Air Force Reserve	46,821	10,400	57,221
Subtotal, Military Construction	6,641,995	107,000	6,748,995

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2016

(In Thousands of Dollars)

	FY 2016 Request	Agreement Change	Agreement Authorized
Family Housing			
Construction, Army	99,695	9,000	108,695
Operation & Maintenance, Army	393,511	-17,900	375,611
Construction, Navy and Marine Corps	16,541		16,541
Operation & Maintenance, Navy and Marine Corps	353,036		353,036
Construction, Air Force	160,498		160,498
Operation & Maintenance, Air Force	331,232		331,232
Operation & Maintenance, Defense-Wide	58,668		58,668
Subtotal, Family Housing	1,413,181	-8,900	1,404,281
Base Realignment and Closure			
Base Realignment and Closure—Army	29,691		29,691
Base Realignment and Closure—Navy	157,088		157,088
Base Realignment and Closure—Air Force	64,555		64,555
Subtotal, Base Realignment and Closure	251,334	0	251,334
Undistributed Adjustments			
Prior Year Savings	0	-326,100	-326,100
Subtotal, Undistributed Adjustments	0	-326,100	-326,100
Total, Division B: Military Construction Authorizations	8,306,510	-228,000	8,078,510
Total, 051, Department of Defense-Military	534,228,308	-12,370,411	521,857,897
Function 053, Atomic Energy Defense Activities			
Division C: Department of Energy National Security Authorization and Other Authorizations			
Environmental and Other Defense Activities			
Nuclear Energy	135,161		135,161
Weapons Activities	8,846,948	-44,151	8,802,797
Defense Nuclear Nonproliferation	1,940,302	1,198	1,941,500
Naval Reactors	1,375,496	-15,500	1,359,996
Federal salaries and expenses	402,654	-14,654	388,000
Defense Environmental Cleanup	5,527,347	-396,797	5,130,550
Other Defense Activities	774,425	-3,903	770,522
Subtotal, Environmental and Other Defense Activities	19,002,333	-473,807	18,528,526
Independent Federal Agency Authorization			
Defense Nuclear Facilities Safety Board	29,150		29,150
Subtotal, Independent Federal Agency Authorization	29,150	0	29,150
Subtotal, Division C: Department of Energy National Security Authorization and Other Authorizations	19,031,483	-473,807	18,557,676
Subtotal, 053, Atomic Energy Defense Activities	19,031,483	-473,807	18,557,676
Total, National Defense Funding, Base Budget Request	553,259,791	-12,844,218	540,415,573
National Defense Funding, Overseas Contingency Operations			
National Defense Funding, Overseas Contingency Operations Budget Request			
Function 051, Department of Defense-Military			
Procurement			
Aircraft Procurement, Army	164,987		164,987
Missile Procurement, Army	37,260		37,260
Weapons & Tracked Combat Vehicles, Army	26,030		26,030
Procurement of Ammunition, Army	192,040		192,040
Other Procurement, Army	1,205,596		1,205,596
Joint Improvised Explosive Device Defeat Fund	493,271	-65,000	428,271
Aircraft Procurement, Navy	217,394		217,394
Weapons Procurement, Navy	3,344		3,344
Procurement of Ammunition, Navy & Marine Corps	136,930		136,930
Other Procurement, Navy	12,186		12,186
Procurement, Marine Corps	48,934		48,934
Aircraft Procurement, Air Force	128,900		128,900

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2016

(In Thousands of Dollars)

	FY 2016 Request	Agreement Change	Agreement Authorized
Missile Procurement, Air Force	289,142		289,142
Procurement of Ammunition, Air Force	228,874		228,874
Other Procurement, Air Force	3,859,964		3,859,964
Procurement, Defense-Wide	212,418		212,418
National Guard & Reserve Equipment	0	250,000	250,000
Subtotal, Procurement	7,257,270	185,000	7,442,270
Research, Development, Test and Evaluation			
Research, Development, Test & Evaluation, Army	1,500		1,500
Research, Development, Test & Evaluation, Navy	35,747		35,747
Research, Development, Test & Evaluation, Air Force	17,100		17,100
Research, Development, Test & Evaluation, Defense-Wide	137,087		137,087
Subtotal, Research, Development, Test and Evaluation	191,434	0	191,434
Operation and Maintenance			
Operation & Maintenance, Army	11,382,750	120,800	11,503,550
Operation & Maintenance, Army Reserve	24,559		24,559
Operation & Maintenance, Army National Guard	60,845		60,845
Afghanistan Security Forces Fund	3,762,257	-110,000	3,652,257
Iraq Train & Equip Fund	715,000		715,000
Syria Train & Equip Fund	600,000	-193,550	406,450
Operation & Maintenance, Navy	5,131,588	20,300	5,151,888
Operation & Maintenance, Marine Corps	952,534		952,534
Operation & Maintenance, Navy Reserve	31,643		31,643
Operation & Maintenance, Marine Corps Reserve	3,455		3,455
Operation & Maintenance, Air Force	9,090,013	-32,050	9,057,963
Operation & Maintenance, Air Force Reserve	58,106		58,106
Operation & Maintenance, Air National Guard	19,900		19,900
Operation & Maintenance, Defense-Wide	5,805,633	-200,000	5,605,633
Subtotal, Operation and Maintenance	37,638,283	-394,500	37,243,783
Military Personnel			
Military Personnel Appropriations	3,204,758		3,204,758
Subtotal, Military Personnel	3,204,758	0	3,204,758
Other Authorizations			
Working Capital Fund, Air Force	2,500		2,500
Working Capital Fund, Defense-Wide	86,350		86,350
Drug Interdiction and Counter Drug Activities	186,000		186,000
Office of the Inspector General	10,262		10,262
Defense Health Program	272,704		272,704
Counterterrorism Partnerships Fund	2,100,000	-1,350,000	750,000
Ukraine Security Assistance	0	300,000	300,000
Subtotal, Other Authorizations	2,657,816	-1,050,000	1,607,816
Total, National Defense Funding, Overseas Contingency Operations Budget Request	50,949,561	-1,259,500	49,690,061
National Defense Funding, Overseas Contingency Operations Funding for Base Requirements			
Function 051, Department of Defense-Military			
Operation and Maintenance			
Operation & Maintenance, Army		1,782,164	1,782,164
Operation & Maintenance, Army Reserve		10,665	10,665
Operation & Maintenance, Army National Guard		6,570	6,570
Operation & Maintenance, Navy		2,598,482	2,598,482
Operation & Maintenance, Marine Corps		37,386	37,386
Operation & Maintenance, Navy Reserve		326	326
Operation & Maintenance, Air Force		3,261,050	3,261,050
Operation & Maintenance, Air Force Reserve		487,036	487,036
Operation & Maintenance, Defense-Wide		924,092	924,092
Total Operation and Maintenance	0	9,107,771	9,107,771
Total, National Defense Funding, Overseas Contingency Operations Funding for Base Requirements	0	9,107,771	9,107,771
Total, National Defense Funding, Overseas Contingency Operations	50,949,561	7,848,271	58,797,832
Total, National Defense	604,209,352	-4,995,947	599,213,405

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2016

(In Thousands of Dollars)

	FY 2016 Request	Agreement Change	Agreement Authorized
MEMORANDUM: NON-DEFENSE AUTHORIZATIONS			
Title XIV—Armed Forces Retirement Home (Function 600)	64,300		64,300
Title XIV—Cemeterial Expenses, Army (Function 700)	70,800		70,800
Title XXXIV—Naval Petroleum and Oil Shale Reserves (Function 270)	17,500		17,500
Title XXXV—Maritime Administration (Function 400)	184,637		184,637
MEMORANDUM: TRANSFER AUTHORITIES (NON-ADD)			
Title X—General Transfer Authority	[5,000,000]	[-500,000]	[4,500,000]
Title XV—Special Transfer Authority	[3,500,000]		[3,500,000]
MEMORANDUM: DEFENSE AUTHORIZATIONS NOT UNDER THE JURISDICTION OF THE ARMED SERVICES COMMITTEE (NON-ADD)			
Defense Production Act	[46,680]		[46,680]

NATIONAL DEFENSE BUDGET AUTHORITY IMPLICATION

(In Thousands of Dollars)

	FY 2016 Request	Agreement Change	Agreement Authorized
Summary, Discretionary Authorizations Within the Jurisdiction of the Armed Services Committee			
SUBTOTAL, DEPARTMENT OF DEFENSE (051)	534,228,308	-12,370,411	521,857,897
SUBTOTAL, ATOMIC ENERGY DEFENSE PROGRAMS (053)	19,031,483	-473,807	18,557,676
TOTAL, NATIONAL DEFENSE (050)—BASE BILL	553,259,791	-12,844,218	540,415,573
TOTAL, OVERSEAS CONTINGENCY OPERATIONS	50,949,561	7,848,271	58,797,832
GRAND TOTAL, NATIONAL DEFENSE	604,209,352	-4,995,947	599,213,405
Base National Defense Discretionary Programs that are Not In the Jurisdiction of the Armed Services Committee or Do Not Require Additional Authorization			
Defense Production Act Purchases	25,000		25,000
Indefinite Account: Disposal Of DOD Real Property	8,000		8,000
Indefinite Account: Lease Of DOD Real Property	33,000		33,000
Subtotal, Budget Sub-Function 051	66,000		66,000
Formerly Utilized Sites Remedial Action Program	104,000		104,000
Subtotal, Budget Sub-Function 053	104,000		104,000
Other Discretionary Programs	7,566,000	-60,500	7,505,500
Subtotal, Budget Sub-Function 054	7,566,000	-60,500	7,505,500
Total Defense Discretionary Adjustments (050)	7,736,000	-60,500	7,675,500
Budget Authority Implication, National Defense Discretionary			
Department of Defense--Military (051)	585,243,869	-4,522,140	580,721,729
Atomic Energy Defense Activities (053)	19,135,483	-473,807	18,661,676
Defense-Related Activities (054)	7,566,000	-60,500	7,505,500
Total BA Implication, National Defense Discretionary	611,945,352	-5,056,447	606,888,905
National Defense Mandatory Programs, Current Law (CBO Estimates)			
Concurrent receipt accrual payments to the Military Retirement Fund	6,932,000		6,932,000
Revolving, trust and other DOD Mandatory	1,135,000		1,135,000
Offsetting receipts	-1,593,000		-1,593,000
Net change of provisions in the FY 2016 NDAA		-66,000	-66,000
Subtotal, Budget Sub-Function 051	6,474,000	-66,000	6,408,000
Energy employees occupational illness compensation programs and other	1,168,000		1,168,000
Subtotal, Budget Sub-Function 053	1,168,000		1,168,000
Radiation exposure compensation trust fund	59,000		59,000
Payment to CIA retirement fund and other	514,000		514,000
Subtotal, Budget Sub-Function 054	573,000		573,000
Total National Defense Mandatory (050)	8,215,000	-66,000	8,149,000
Budget Authority Implication, National Defense Discretionary and Mandatory			
Department of Defense--Military (051)	591,717,869	-4,588,140	587,129,729
Atomic Energy Defense Activities (053)	20,303,483	-473,807	19,829,676
Defense-Related Activities (054)	8,139,000	-60,500	8,078,500
Total BA Implication, National Defense Discretionary and Mandatory	620,160,352	-5,122,447	615,037,905

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	AIRCRAFT PROCUREMENT, ARMY										
	FIXED WING										
002	UTILITY F/W AIRCRAFT		879		879		879				879
004	MQ-1 UAV	15	260,436	15	277,436	15	260,436		17,000	15	277,436
	Extended Range Modifications				[17,000]				[17,000]		
	ROTARY										
006	HELICOPTER, LIGHT UTILITY (LUH)	28	187,177	28	187,177	28	187,177			28	187,177
007	AH-64 APACHE BLOCK IIIA REMAN	64	1,168,461	64	1,168,461	64	1,168,461			64	1,168,461
008	ADVANCE PROCUREMENT (CY)		209,930		209,930		209,930				209,930
011	UH-60 BLACKHAWK M MODEL (MYP)	94	1,435,945	102	1,563,945	94	1,435,945	8	128,000	102	1,563,945
	Additional 8 rotorcraft for Army National Guard ..			[8]	[128,000]			[8]	[128,000]		
012	ADVANCE PROCUREMENT (CY)		127,079		127,079		127,079				127,079
013	UH-60 BLACK HAWK A AND L MODELS	40	46,641	48	55,441	40	46,641			40	46,641
	Additional 8 rotorcraft for Army National Guard ..			[8]	[8,800]						
014	CH-47 HELICOPTER	39	1,024,587	39	1,024,587	39	1,024,587			39	1,024,587
015	ADVANCE PROCUREMENT (CY)		99,344		99,344		99,344				99,344
	MODIFICATION OF AIRCRAFT										
016	MQ-1 PAYLOAD (MIP)		97,543		97,543		97,543				97,543
019	MULTI SENSOR ABN RECON (MIP)		95,725		95,725		95,725				95,725
020	AH-64 MODS		116,153		116,153		116,153				116,153
021	CH-47 CARGO HELICOPTER MODS (MYP)		86,330		86,330		86,330				86,330
022	GRCS SEMA MODS (MIP)		4,019		4,019		4,019				4,019
023	ARL SEMA MODS (MIP)		16,302		16,302		16,302				16,302
024	EMARSS SEMA MODS (MIP)		13,669		13,669		13,669				13,669
025	UTILITY/CARGO AIRPLANE MODS		16,166		16,166		16,166				16,166
026	UTILITY HELICOPTER MODS		13,793		13,793		13,793				13,793
028	NETWORK AND MISSION PLAN		112,807		112,807		112,807				112,807
029	COMMS, NAV SURVEILLANCE		82,904		82,904		82,904				82,904
030	GATM ROLLUP		33,890		33,890		33,890				33,890
031	RQ-7 UAV MODS		81,444		81,444		81,444				81,444
	GROUND SUPPORT AVIONICS										
032	AIRCRAFT SURVIVABILITY EQUIPMENT		56,215		56,215		56,215				56,215
033	SURVIVABILITY CM		8,917		8,917		8,917				8,917
034	CMWS		78,348		104,348		104,348		26,000		104,348
	Apache Survivability Enhancements—Army Unfunded Requirement.				[26,000]		[26,000]		[26,000]		
	OTHER SUPPORT										
035	AVIONICS SUPPORT EQUIPMENT		6,937		6,937		6,937				6,937
036	COMMON GROUND EQUIPMENT		64,867		64,867		64,867				64,867
037	AIRCREW INTEGRATED SYSTEMS		44,085		44,085		44,085				44,085
038	AIR TRAFFIC CONTROL		94,545		94,545		94,545				94,545
039	INDUSTRIAL FACILITIES		1,207		1,207		1,207				1,207
040	LAUNCHER, 2.75 ROCKET		3,012		3,012		3,012				3,012
	TOTAL AIRCRAFT PROCUREMENT, ARMY	280	5,689,357	296	5,869,157	280	5,715,357	8	171,000	288	5,860,357
	MISSILE PROCUREMENT, ARMY										
	SURFACE-TO-AIR MISSILE SYSTEM										
001	LOWER TIER AIR AND MISSILE DEFENSE (AMD)		115,075		115,075		115,075				115,075
002	MSE MISSILE	80	414,946	80	414,946	80	614,946		100,000	80	514,946
	Army UPL for Patriot PAC 3 for improved ballistic missile.						[200,000]		[100,000]		
	AIR-TO-SURFACE MISSILE SYSTEM										
003	HELLFIRE SYS SUMMARY	113	27,975	113	27,975	113	27,975			113	27,975
004	ADVANCE PROCUREMENT (CY)		27,738		27,738		27,738				27,738
	ANTI-TANK/ASSAULT MISSILE SYS										
005	JAVELIN (AAWS-M) SYSTEM SUMMARY	331	77,163	850	168,163	331	77,163	519	91,000	850	168,163
	Program increase to support Unfunded Requirements.			[519]	[91,000]			[519]	[91,000]		
006	TOW 2 SYSTEM SUMMARY	1,704	87,525	1,704	87,525	1,704	87,525			1,704	87,525
008	GUIDED MLRS ROCKET (GMLRS)	1,668	251,060	1,668	251,060	1,668	251,060			1,668	251,060
009	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	3,121	17,428	3,121	17,428	3,121	17,428			3,121	17,428
	MODIFICATIONS										
011	PATRIOT MODS		241,883		241,883		241,883				241,883
012	ATACMS MODS		30,119		15,119		20,119		-15,000		15,119
	Early to need				[-15,000]		[-10,000]		[-15,000]		
013	GMLRS MOD		18,221		18,221		18,221				18,221
014	STINGER MODS		2,216		2,216		2,216				2,216
015	AVENGER MODS		6,171		6,171		6,171				6,171
016	ITAS/TOW MODS		19,576		19,576		19,576				19,576

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Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
017	MLRS MODS		35,970		35,970		35,970				35,970
018	HIMARS MODIFICATIONS		3,148		3,148		3,148				3,148
	SPARES AND REPAIR PARTS										
019	SPARES AND REPAIR PARTS		33,778		33,778		33,778				33,778
	SUPPORT EQUIPMENT & FACILITIES										
020	AIR DEFENSE TARGETS		3,717		3,717		3,717				3,717
021	ITEMS LESS THAN \$5.0M (MISSILES)		1,544		1,544		1,544				1,544
022	PRODUCTION BASE SUPPORT		4,704		4,704		4,704				4,704
	TOTAL MISSILE PROCUREMENT, ARMY	7,017	1,419,957	7,536	1,495,957	7,017	1,609,957	519	176,000	7,536	1,595,957
	PROCUREMENT OF W&TCV, ARMY										
	TRACKED COMBAT VEHICLES										
001	STRYKER VEHICLE		181,245		181,245		181,245				181,245
	MODIFICATION OF TRACKED COMBAT VEHICLES										
002	STRYKER (MOD)		74,085		118,585		388,085		314,000		388,085
	Lethality Upgrades				[44,500]		[314,000]		[314,000]		
003	STRYKER UPGRADE	62	305,743	62	305,743	62	305,743			62	305,743
005	BRADLEY PROGRAM (MOD)		225,042		225,042		225,042				225,042
006	HOWITZER, MED SP FT 155MM M109A6 (MOD)		60,079		60,079		60,079				60,079
007	PALADIN INTEGRATED MANAGEMENT (PIM)	30	273,850	30	273,850	30	273,850			30	273,850
008	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	31	123,629	31	195,629	31	195,629		72,000	31	195,629
	Additional Vehicles — Army Unfunded Require- ment.				[72,000]		[72,000]		[72,000]		
009	ASSAULT BRIDGE (MOD)		2,461		2,461		2,461				2,461
010	ASSAULT BREACHER VEHICLE		2,975		2,975		2,975				2,975
011	M88 FOV MODS		14,878		14,878		14,878				14,878
012	JOINT ASSAULT BRIDGE	4	33,455	4	33,455	4	33,455			4	33,455
013	M1 ABRAMS TANK (MOD)		367,939		407,939		367,939		40,000		407,939
	Program Increase				[40,000]				[40,000]		
	SUPPORT EQUIPMENT & FACILITIES										
015	PRODUCTION BASE SUPPORT (TCV-WTCV)		6,479		6,479		6,479				6,479
	WEAPONS & OTHER COMBAT VEHICLES										
016	MORTAR SYSTEMS		4,991		4,991		4,991				4,991
017	XM320 GRENADE LAUNCHER MODULE (GLM)		26,294		26,294		26,294				26,294
018	PRECISION SNIPER RIFLE		1,984						-1,984		
	Army request — schedule delay				[-1,984]		[-1,984]		[-1,984]		
019	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM		1,488						-1,488		
	Army request — schedule delay				[-1,488]		[-1,488]		[-1,488]		
020	CARBINE		34,460		34,460		34,460				34,460
021	COMMON REMOTELY OPERATED WEAPONS STATION		8,367		8,367		14,767		6,383		14,750
	Army requested adjustment						[6,400]		[6,383]		
022	HANDGUN		5,417						-5,417		
	Army request — early to need and schedule delay				[-5,417]		[-5,417]		[-5,417]		
	MOD OF WEAPONS AND OTHER COMBAT VEH										
023	MK-19 GRENADE MACHINE GUN MODS		2,777		2,777		2,777				2,777
024	M777 MODS		10,070		10,070		10,070				10,070
025	M4 CARBINE MODS		27,566		27,566		27,566				27,566
026	M2 50 CAL MACHINE GUN MODS		44,004		44,004		44,004				44,004
027	M249 SAW MACHINE GUN MODS		1,190		1,190		1,190				1,190
028	M240 MEDIUM MACHINE GUN MODS		1,424		1,424		1,424				1,424
029	SNIPER RIFLES MODIFICATIONS		2,431		980		1,031		-1,451		980
	Army request — schedule delay				[-1,451]		[-1,400]		[-1,451]		
030	M119 MODIFICATIONS		20,599		20,599		20,599				20,599
032	MORTAR MODIFICATION		6,300		6,300		6,300				6,300
033	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV)		3,737		3,737		3,737				3,737
	SUPPORT EQUIPMENT & FACILITIES										
034	ITEMS LESS THAN \$5.0M (WOCV-WTCV)		391		391		2,891		2,457		2,848
	Army requested adjustment						[2,500]		[2,457]		
035	PRODUCTION BASE SUPPORT (WOCV-WTCV)		9,027		11,484		9,027				9,027
	Army requested realignment				[2,457]						
036	INDUSTRIAL PREPAREDNESS		304				304				304
037	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)		2,392		2,392		2,392				2,392
	TOTAL PROCUREMENT OF W&TCV, ARMY	127	1,887,073	127	2,035,690	127	2,271,684		424,500	127	2,311,573
	PROCUREMENT OF AMMUNITION, ARMY										
	SMALL/MEDIUM CAL AMMUNITION										
001	CTG, 5.56MM, ALL TYPES		43,489		43,489		43,489				43,489
002	CTG, 7.62MM, ALL TYPES		40,715		40,715		40,715				40,715
003	CTG, HANDGUN, ALL TYPES		7,753		6,753		6,801		-952		6,801

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Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	Army request – program reduction				[-1,000]		[-952]		[-952]		
004	CTG, .50 CAL, ALL TYPES		24,728		24,728		24,728				24,728
005	CTG, 25MM, ALL TYPES		8,305		8,305		8,305				8,305
006	CTG, 30MM, ALL TYPES		34,330		34,330		34,330				34,330
007	CTG, 40MM, ALL TYPES		79,972		69,972		69,972		-10,000		69,972
	Early to need				[-10,000]		[-10,000]		[-10,000]		
	MORTAR AMMUNITION										
008	60MM MORTAR, ALL TYPES		42,898		42,898		42,898				42,898
009	81MM MORTAR, ALL TYPES		43,500		43,500		43,500				43,500
010	120MM MORTAR, ALL TYPES		64,372		64,372		64,372				64,372
	TANK AMMUNITION										
011	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES ...		105,541		105,541		105,541				105,541
	ARTILLERY AMMUNITION										
012	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES		57,756		57,756		57,756				57,756
013	ARTILLERY PROJECTILE, 155MM, ALL TYPES		77,995		77,995		77,995				77,995
014	PROJ 155MM EXTENDED RANGE M982		45,518		45,518		45,518				45,518
015	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL ...		78,024		78,024		78,024				78,024
	ROCKETS										
016	SHOULDER LAUNCHED MUNITIONS, ALL TYPES		7,500		7,500		7,500				7,500
017	ROCKET, HYDRA 70, ALL TYPES		33,653		33,653		33,653				33,653
	OTHER AMMUNITION										
018	CAD/PAD, ALL TYPES		5,639		5,639		5,639				5,639
019	DEMOLITION MUNITIONS, ALL TYPES		9,751		9,751		9,751				9,751
020	GRENADERS, ALL TYPES		19,993		19,993		19,993				19,993
021	SIGNALS, ALL TYPES		9,761		9,761		9,761				9,761
022	SIMULATORS, ALL TYPES		9,749		9,749		9,749				9,749
	MISCELLANEOUS										
023	AMMO COMPONENTS, ALL TYPES		3,521		3,521		3,521				3,521
024	NON-LETHAL AMMUNITION, ALL TYPES		1,700		1,700		1,700				1,700
025	ITEMS LESS THAN \$5 MILLION (AMMO)		6,181		6,181		6,181				6,181
026	AMMUNITION PECULIAR EQUIPMENT		17,811		17,811		17,811				17,811
027	FIRST DESTINATION TRANSPORTATION (AMMO)		14,695		14,695		14,695				14,695
	PRODUCTION BASE SUPPORT										
029	PROVISION OF INDUSTRIAL FACILITIES		221,703		221,703		221,703				221,703
030	CONVENTIONAL MUNITIONS DEMILITARIZATION		113,250		113,250		113,250				113,250
031	ARMS INITIATIVE		3,575		3,575		3,575				3,575
	TOTAL PROCUREMENT OF AMMUNITION, ARMY		1,233,378		1,222,378		1,222,426		-10,952		1,222,426
	OTHER PROCUREMENT, ARMY										
	TACTICAL VEHICLES										
001	TACTICAL TRAILERS/DOLLY SETS		12,855		12,855		12,855				12,855
002	SEMITRAILERS, FLATBED:		53		53		53				53
004	JOINT LIGHT TACTICAL VEHICLE	450	308,336	450	308,336	450	308,336			450	308,336
005	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	166	90,040	166	90,040	166	90,040			166	90,040
006	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP		8,444		8,444		8,444				8,444
007	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	273	27,549	273	27,549	273	27,549			273	27,549
008	PLS ESP		127,102		127,102		127,102				127,102
010	TACTICAL WHEELED VEHICLE PROTECTION KITS		48,292		48,292		48,292				48,292
011	MODIFICATION OF IN SVC EQUIP		130,993		130,993		130,993		-10,000		120,993
	Program reduction								[-10,000]		
012	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS ..		19,146		19,146		19,146				19,146
	NON-TACTICAL VEHICLES										
014	PASSENGER CARRYING VEHICLES		1,248		1,248		1,248				1,248
015	NONTACTICAL VEHICLES, OTHER		9,614		9,614		9,614				9,614
	COMM—JOINT COMMUNICATIONS										
016	WIN-T—GROUND FORCES TACTICAL NETWORK		783,116		743,116		583,116		-139,746		643,370
	Unobligated balances				[-40,000]		[-200,000]		[-139,746]		
017	SIGNAL MODERNIZATION PROGRAM		49,898		49,898		49,898				49,898
018	JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY		4,062		4,062		4,062				4,062
019	JCSE EQUIPMENT (USREDCOM)		5,008		5,008		5,008				5,008
	COMM—SATELLITE COMMUNICATIONS										
020	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS		196,306		196,306		196,306				196,306
021	TRANSPORTABLE TACTICAL COMMAND COMMUNICA-TIONS.		44,998		34,998		29,998		-15,000		29,998
	Program Reduction				[-10,000]		[-15,000]		[-15,000]		
022	SHF TERM		7,629		7,629		7,629				7,629
023	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)		14,027		14,027		14,027				14,027
024	SMART-T (SPACE)		13,453		13,453		13,453				13,453
025	GLOBAL BRDCST SVC—GBS		6,265		6,265		6,265				6,265

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		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
026	MOD OF IN-SVC EQUIP (TAC SAT)		1,042		1,042		1,042				1,042
027	ENROUTE MISSION COMMAND (EMC)		7,116		7,116		7,116				7,116
	COMM—C3 SYSTEM										
028	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)		10,137		10,137		10,137				10,137
	COMM—COMBAT COMMUNICATIONS										
029	JOINT TACTICAL RADIO SYSTEM		64,640		54,640		64,640		−10,000		54,640
	Unobligated balances				[−10,000]				[−10,000]		
030	MID-TIER NETWORKING VEHICULAR RADIO (MNVN)		27,762		22,762		27,762		−5,894		21,868
	Excess Program Management Costs				[−5,000]				[−5,894]		
031	RADIO TERMINAL SET, MIDS LVT(2)		9,422		9,422		9,422				9,422
032	AMC CRITICAL ITEMS—OPA2		26,020		26,020		26,020				26,020
033	TRACTOR DESK		4,073		4,073		4,073				4,073
034	SPIDER APLA REMOTE CONTROL UNIT		1,403		1,403		1,403				1,403
035	SPIDER FAMILY OF NETWORKED MUNITIONS INCR		9,199		9,199		9,199				9,199
036	SOLDIER ENHANCEMENT PROGRAM COMM/ELEC- TRONICS.		349		349		349				349
037	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM		25,597		25,597		25,597				25,597
038	UNIFIED COMMAND SUITE		21,854		21,854		21,854				21,854
040	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE		24,388		24,388		24,388				24,388
	COMM—INTELLIGENCE COMM										
042	CI AUTOMATION ARCHITECTURE		1,349		1,349		1,349				1,349
043	ARMY CA/MISO GPF EQUIPMENT		3,695		3,695		3,695				3,695
	INFORMATION SECURITY										
045	INFORMATION SYSTEM SECURITY PROGRAM-ISSP		19,920		19,920		19,920				19,920
046	COMMUNICATIONS SECURITY (COMSEC)		72,257		72,257		72,257				72,257
	COMM—LONG HAUL COMMUNICATIONS										
047	BASE SUPPORT COMMUNICATIONS		16,082		16,082		16,082				16,082
	COMM—BASE COMMUNICATIONS										
048	INFORMATION SYSTEMS		86,037		86,037		86,037				86,037
050	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM		8,550		8,550		8,550				8,550
051	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM ..		73,496		73,496		73,496				73,496
	ELECT EQUIP—TACT INT REL ACT (TIARA)										
054	JTT/CIBS-M		881		881		881				881
055	PROPHET GROUND		63,650		48,650		48,650		−15,000		48,650
	Program reduction				[−15,000]		[−15,000]		[−15,000]		
057	DCGS-A (MIP)		260,268		250,268		260,268		−20,000		240,268
	Program reduction				[−10,000]				[−20,000]		
058	JOINT TACTICAL GROUND STATION (JTAGS)		3,906		3,906		3,906				3,906
059	TROJAN (MIP)		13,929		13,929		13,929				13,929
060	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)		3,978		3,978		3,978				3,978
061	CI HUMINT AUTO REPTING AND COLL(CHARCS)		7,542		7,542		7,542				7,542
062	CLOSE ACCESS TARGET RECONNAISSANCE (CATR)		8,010		8,010		8,010				8,010
063	MACHINE FOREIGN LANGUAGE TRANSLATION SYSTEM-M		8,125		8,125		8,125				8,125
	ELECT EQUIP—ELECTRONIC WARFARE (EW)										
064	LIGHTWEIGHT COUNTER MORTAR RADAR		63,472		63,472		63,472				63,472
065	EW PLANNING & MANAGEMENT TOOLS (EWPMT)		2,556		2,556		2,556				2,556
066	AIR VIGILANCE (AV)		8,224		8,224		8,224				8,224
067	CREW		2,960		2,960		2,960				2,960
068	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIES		1,722		1,722		1,722				1,722
069	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES		447		447		447				447
070	CI MODERNIZATION		228		228		228				228
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)										
071	SENTINEL MODS		43,285		43,285		43,285				43,285
072	NIGHT VISION DEVICES		124,216		124,216		124,216				124,216
074	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF		23,216		23,216		23,216				23,216
076	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS		60,679		60,679		60,679				60,679
077	FAMILY OF WEAPON SIGHTS (FWS)		53,453		53,453		53,453				53,453
078	ARTILLERY ACCURACY EQUIP		3,338		3,338		3,338				3,338
079	PROFILER		4,057		4,057		4,057				4,057
081	JOINT BATTLE COMMAND—PLATFORM (JBC-P)		133,339		133,339		133,339				133,339
082	JOINT EFFECTS TARGETING SYSTEM (JETS)		47,212		47,212		47,212				47,212
083	MOD OF IN-SVC EQUIP (LLDR)		22,314		22,314		22,314				22,314
084	COMPUTER BALLISTICS: LHMCB XM32		12,131		12,131		12,131				12,131
085	MORTAR FIRE CONTROL SYSTEM		10,075		10,075		10,075				10,075
086	COUNTERFIRE RADARS		217,379		187,379		142,379		−75,000		142,379
	Unobligated balances				[−30,000]		[−75,000]		[−75,000]		
	ELECT EQUIP—TACTICAL C2 SYSTEMS										
087	FIRE SUPPORT C2 FAMILY		1,190		1,190		1,190				1,190
090	AIR & MSL DEFENSE PLANNING & CONTROL SYS		28,176		28,176		28,176				28,176

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Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
091	IAMD BATTLE COMMAND SYSTEM		20,917		15,917		20,917		–5,000		15,917
	Program Reduction				[–5,000]				[–5,000]		
092	LIFE CYCLE SOFTWARE SUPPORT (LCSS)		5,850		5,850		5,850				5,850
093	NETWORK MANAGEMENT INITIALIZATION AND SERVICE		12,738		12,738		12,738				12,738
094	MANEUVER CONTROL SYSTEM (MCS)		145,405		145,405		145,405		–10,000		135,405
	Unjustified increase								[–10,000]		
095	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)		162,654		162,654		146,654		–16,000		146,654
	Program growth						[–16,000]		[–16,000]		
096	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP)		4,446		4,446		4,446				4,446
098	RECONNAISSANCE AND SURVEYING INSTRUMENT SET ..		16,218		16,218		16,218				16,218
099	MOD OF IN-SVC EQUIPMENT (ENFIRE)		1,138		1,138		1,138				1,138
	ELECT EQUIP—AUTOMATION										
100	ARMY TRAINING MODERNIZATION		12,089		12,089		12,089				12,089
101	AUTOMATED DATA PROCESSING EQUIP		105,775		105,775		93,775		–12,000		93,775
	Reduce IT procurement						[–12,000]		[–12,000]		
102	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM		18,995		18,995		18,995				18,995
103	HIGH PERF COMPUTING MOD PGM (HPCMP)		62,319		62,319		62,319				62,319
104	RESERVE COMPONENT AUTOMATION SYS (RCAS)		17,894		17,894		17,894				17,894
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)										
106	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT)		4,242		4,242		4,242				4,242
	ELECT EQUIP—SUPPORT										
107	PRODUCTION BASE SUPPORT (C-E)		425		425		425				425
108	BCT EMERGING TECHNOLOGIES		7,438		7,438		7,438				7,438
	CLASSIFIED PROGRAMS										
108A	CLASSIFIED PROGRAMS		6,467		6,467		6,467				6,467
	CHEMICAL DEFENSIVE EQUIPMENT										
109	PROTECTIVE SYSTEMS		248		248		248				248
110	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)		1,487		1,487		1,487				1,487
112	CBRN DEFENSE		26,302		26,302		26,302				26,302
	BRIDGING EQUIPMENT										
113	TACTICAL BRIDGING		9,822		9,822		9,822				9,822
114	TACTICAL BRIDGE, FLOAT-RIBBON		21,516		21,516		21,516				21,516
115	BRIDGE SUPPLEMENTAL SET		4,959		4,959		4,959				4,959
116	COMMON BRIDGE TRANSPORTER (CBT) RECAP		52,546		42,546		52,546				52,546
	Program decrease				[–10,000]						
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT										
117	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)		58,682		58,682		58,682				58,682
118	HUSKY MOUNTED DETECTION SYSTEM (HMDS)		13,565		13,565		13,565				13,565
119	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)		2,136		2,136		2,136				2,136
120	EOD ROBOTICS SYSTEMS RECAPITALIZATION		6,960		6,960		6,960				6,960
121	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)		17,424		17,424		17,424				17,424
122	REMOTE DEMOLITION SYSTEMS		8,284		8,284		8,284				8,284
123	< \$5M, COUNTERMINE EQUIPMENT		5,459		5,459		5,459				5,459
124	FAMILY OF BOATS AND MOTORS		8,429		8,429		8,429				8,429
	COMBAT SERVICE SUPPORT EQUIPMENT										
125	HEATERS AND ECU'S		18,876		18,876		18,876				18,876
127	SOLDIER ENHANCEMENT		2,287		2,287		2,287				2,287
128	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)		7,733		7,733		7,733				7,733
129	GROUND SOLDIER SYSTEM		49,798		49,798		49,798				49,798
130	MOBILE SOLDIER POWER		43,639		43,639		43,639				43,639
132	FIELD FEEDING EQUIPMENT		13,118		13,118		13,118				13,118
133	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM		28,278		28,278		28,278				28,278
135	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS ...		34,544		34,544		34,544				34,544
136	ITEMS LESS THAN \$5M (ENG SPT)		595		595		595				595
	PETROLEUM EQUIPMENT										
137	QUALITY SURVEILLANCE EQUIPMENT		5,368		5,368		5,368				5,368
138	DISTRIBUTION SYSTEMS, PETROLEUM & WATER		35,381		35,381		35,381				35,381
	MEDICAL EQUIPMENT										
139	COMBAT SUPPORT MEDICAL		73,828		73,828		73,828				73,828
	MAINTENANCE EQUIPMENT										
140	MOBILE MAINTENANCE EQUIPMENT SYSTEMS		25,270		25,270		25,270				25,270
141	ITEMS LESS THAN \$5.0M (MAINT EQ)		2,760		2,760		2,760				2,760
	CONSTRUCTION EQUIPMENT										
142	GRADER, ROAD MTZD, HVY, 6X4 (CCE)		5,903		5,903		5,903				5,903
143	SCRAPERS, EARTHMOVING		26,125		26,125		26,125				26,125
146	TRACTOR, FULL TRACKED		27,156		27,156		27,156				27,156
147	ALL TERRAIN CRANES		16,750		16,750		16,750				16,750
148	PLANT, ASPHALT MIXING		984		984		984				984
149	HIGH MOBILITY ENGINEER EXCAVATOR (HMEC)		2,656		2,656		2,656				2,656

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
150	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPAP		2,531		2,531		2,531				2,531
151	FAMILY OF DIVER SUPPORT EQUIPMENT		446		446		446				446
152	CONST EQUIP ESP		19,640		19,640		19,640				19,640
153	ITEMS LESS THAN \$5.0M (CONST EQUIP)		5,087		5,087		5,087				5,087
	RAIL FLOAT CONTAINERIZATION EQUIPMENT										
154	ARMY WATERCRAFT ESP		39,772		39,772		39,772				39,772
155	ITEMS LESS THAN \$5.0M (FLOAT/RAIL)		5,835		94,835		5,835				5,835
	Strategic mobility shortfall mitigation – railcar acquisition.				[89,000]						
	GENERATORS										
156	GENERATORS AND ASSOCIATED EQUIP		166,356		146,356		166,356				166,356
	Program decrease				[–20,000]						
157	TACTICAL ELECTRIC POWER RECAPITALIZATION		11,505		11,505		11,505				11,505
	MATERIAL HANDLING EQUIPMENT										
159	FAMILY OF FORKLIFTS		17,496		17,496		17,496				17,496
	TRAINING EQUIPMENT										
160	COMBAT TRAINING CENTERS SUPPORT		74,916		74,916		74,916				74,916
161	TRAINING DEVICES, NONSYSTEM		303,236		278,236		278,236		–25,000		278,236
	Program reduction				[–25,000]		[–25,000]		[–25,000]		
162	CLOSE COMBAT TACTICAL TRAINER		45,210		45,210		45,210				45,210
163	AVIATION COMBINED ARMS TACTICAL TRAINER		30,068		30,068		30,068				30,068
164	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING		9,793		9,793		9,793				9,793
	TEST MEASURE AND DIG EQUIPMENT (TMD)										
165	CALIBRATION SETS EQUIPMENT		4,650		4,650		4,650				4,650
166	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)		34,487		34,487		34,487				34,487
167	TEST EQUIPMENT MODERNIZATION (TEMOD)		11,083		11,083		11,083				11,083
	OTHER SUPPORT EQUIPMENT										
169	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT		17,937		17,937		17,937				17,937
170	PHYSICAL SECURITY SYSTEMS (OPA3)		52,040		52,040		52,040				52,040
171	BASE LEVEL COMMON EQUIPMENT		1,568		1,568		1,568				1,568
172	MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)		64,219		64,219		64,219				64,219
173	PRODUCTION BASE SUPPORT (OTH)		1,525		1,525		1,525				1,525
174	SPECIAL EQUIPMENT FOR USER TESTING		3,268		3,268		3,268				3,268
176	TRACTOR YARD		7,191		7,191		7,191				7,191
	OPA2										
177	INITIAL SPARES—C&E		48,511		48,511		48,511				48,511
	TOTAL OTHER PROCUREMENT, ARMY	889	5,899,028	889	5,808,028	889	5,541,028		–358,640	889	5,540,388
	AIRCRAFT PROCUREMENT, NAVY										
	COMBAT AIRCRAFT										
002	F/A–18E/F (FIGHTER) HORNET			12	1,150,000	12	1,150,000	12	978,750	12	978,750
	Additional 12 Aircraft—Navy Unfunded Requirement.			[12]	[1,150,000]	[12]	[1,150,000]	[12]	[978,750]		
003	JOINT STRIKE FIGHTER CV	4	897,542	4	873,042	4	873,042		–24,500	4	873,042
	Anticipated contract savings				[–7,700]				[–7,700]		
	Cost growth for support equipment				[–16,800]				[–16,800]		
	Efficiencies and excess cost growth						[–24,500]				
004	ADVANCE PROCUREMENT (CY)		48,630		48,630		48,630				48,630
005	JSF STOVL	9	1,483,414	15	2,458,314	15	2,508,314	6	846,000	15	2,329,414
	Additional 6 Aircraft—Marine Corps Unfunded Requirement.			[6]	[1,000,000]	[6]	[1,050,000]	[6]	[846,000]		
	Anticipated contract savings				[–17,600]						
	Cost growth for support equipment				[–7,500]						
	Efficiencies and excess cost growth						[–25,100]				
006	ADVANCE PROCUREMENT (CY)		203,060		203,060		203,060				203,060
007	ADVANCE PROCUREMENT (CY)		41,300		41,300		41,300				41,300
008	V–22 (MEDIUM LIFT)	19	1,436,355	19	1,436,355	19	1,436,355		–15,000	19	1,421,355
	Support funding carryover								[–15,000]		
009	ADVANCE PROCUREMENT (CY)		43,853		43,853		43,853				43,853
010	H–1 UPGRADES (UH–1Y/AH–1Z)	28	800,057	28	800,057	28	800,057		–5,000	28	795,057
	Program reduction								[–5,000]		
011	ADVANCE PROCUREMENT (CY)		56,168		56,168		56,168				56,168
012	MH–60S (MYP)		28,232		28,232		28,232				28,232
014	MH–60R (MYP)	29	969,991	29	969,991	29	969,991		–5,000	29	964,991
	Poor justification of production line shutdown funds.								[–5,000]		
016	P–8A POSEIDON	16	3,008,928	16	3,008,928	16	3,008,928			16	3,008,928
017	ADVANCE PROCUREMENT (CY)		269,568		269,568		269,568		–19,000		250,568
	Advance procurement cost growth								[–19,000]		

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Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
018	E-2D ADV HAWKEYE	5	857,654	5	857,654	5	857,654			5	857,654
019	ADVANCE PROCUREMENT (CY)		195,336		195,336		195,336				195,336
	TRAINER AIRCRAFT										
020	JPATS		8,914		8,914		8,914				8,914
	OTHER AIRCRAFT										
021	KC-130J	2	192,214	2	192,214	2	192,214			2	192,214
022	ADVANCE PROCUREMENT (CY)		24,451		24,451		24,451				24,451
023	MQ-4 TRITON	3	494,259	4	559,259	3	494,259	1	65,000	4	559,259
	Additional Air Vehicle			[1]	[65,000]			[1]	[65,000]		
024	ADVANCE PROCUREMENT (CY)		54,577		72,577		54,577				54,577
	Additional Advance Procurement				[18,000]						
025	MQ-8 UAV	2	120,020	2	156,020	2	120,020		36,000	2	156,020
	MQ-8 UAV-Additional three air vehicles				[36,000]				[36,000]		
026	STUASLO UAV		3,450		3,450		3,450				3,450
	MODIFICATION OF AIRCRAFT										
028	EA-6 SERIES		9,799		9,799		9,799				9,799
029	AEA SYSTEMS		23,151		38,151		23,151		15,000		38,151
	Additional Low Band Transmitter Modifications ...				[15,000]				[15,000]		
030	AV-8 SERIES		41,890		41,890		45,190		3,300		45,190
	AV-8B Link 16 upgrades, unfunded requirement						[3,300]		[3,300]		
031	ADVERSARY		5,816		5,816		5,816				5,816
032	F-18 SERIES		978,756		968,456		1,148,756		-20,300		958,456
	Jamming protection upgrades, unfunded requirement.						[170,000]				
	Unjustified request				[-10,300]				[-20,300]		
034	H-53 SERIES		46,887		46,887		46,887				46,887
035	SH-60 SERIES		107,728		107,728		107,728				107,728
036	H-1 SERIES		42,315		42,315		42,315		-1,750		40,565
	Unjustified growth—installation funding								[-1,750]		
037	EP-3 SERIES		41,784		41,784		41,784				41,784
038	P-3 SERIES		3,067		3,067		3,067				3,067
039	E-2 SERIES		20,741		20,741		20,741				20,741
040	TRAINER A/C SERIES		27,980		27,980		27,980				27,980
041	C-2A		8,157		8,157		8,157				8,157
042	C-130 SERIES		70,335		70,335		70,335		-1,294		69,041
	Unjustified growth—installation funding								[-1,294]		
043	FEWSG		633		633		633				633
044	CARGO/TRANSPORT A/C SERIES		8,916		8,916		8,916				8,916
045	E-6 SERIES		185,253		185,253		185,253				185,253
046	EXECUTIVE HELICOPTERS SERIES		76,138		76,138		76,138		-3,800		72,338
	Unjustified growth—installation funding								[-3,800]		
047	SPECIAL PROJECT AIRCRAFT		23,702		23,702		23,702				23,702
048	T-45 SERIES		105,439		105,439		105,439				105,439
049	POWER PLANT CHANGES		9,917		9,917		9,917				9,917
050	JPATS SERIES		13,537		13,537		13,537				13,537
051	COMMON ECM EQUIPMENT		131,732		131,732		131,732				131,732
052	COMMON AVIONICS CHANGES		202,745		202,745		202,745		-20,000		182,745
	Cost growth								[-20,000]		
053	COMMON DEFENSIVE WEAPON SYSTEM		3,062		3,062		3,062				3,062
054	ID SYSTEMS		48,206		48,206		48,206				48,206
055	P-8 SERIES		28,492		28,492		28,492				28,492
056	MAGTF EW FOR AVIATION		7,680		7,680		7,680				7,680
057	MQ-8 SERIES		22,464		22,464		22,464				22,464
058	RQ-7 SERIES		3,773		3,773		3,773				3,773
059	V-22 (TILT/ROTOR ACFT) OSPREY		121,208		185,508		144,208		23,000		144,208
	Digital interoperability program				[64,300]						
	MV-22 Ballistic Protection						[8,000]		[8,000]		
	MV-22 integrated aircraft survivability—MC UFR						[15,000]		[15,000]		
060	F-35 STOVL SERIES		256,106		256,106		256,106				256,106
061	F-35 CV SERIES		68,527		68,527		68,527				68,527
062	QRC		6,885		6,885		6,885				6,885
	AIRCRAFT SPARES AND REPAIR PARTS										
063	SPARES AND REPAIR PARTS		1,563,515		1,478,515		1,563,515		-85,000		1,478,515
	Program decrease				[-85,000]				[-85,000]		
	AIRCRAFT SUPPORT EQUIP & FACILITIES										
064	COMMON GROUND EQUIPMENT		450,959		450,959		450,959		-15,000		435,959
	Contract delays								[-15,000]		
065	AIRCRAFT INDUSTRIAL FACILITIES		24,010		24,010		24,010				24,010
066	WAR CONSUMABLES		42,012		42,012		42,012				42,012

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Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
067	OTHER PRODUCTION CHARGES		2,455		2,455		2,455				2,455
068	SPECIAL SUPPORT EQUIPMENT		50,859		50,859		50,859				50,859
069	FIRST DESTINATION TRANSPORTATION		1,801		1,801		1,801				1,801
	TOTAL AIRCRAFT PROCUREMENT, NAVY	117	16,126,405	136	18,329,805	135	18,473,105	19	1,751,406	136	17,877,811
	WEAPONS PROCUREMENT, NAVY										
	MODIFICATION OF MISSILES										
001	TRIDENT II MODS		1,099,064		1,099,064		1,099,064		-10,000		1,089,064
	Unjustified program growth								[-10,000]		
	SUPPORT EQUIPMENT & FACILITIES										
002	MISSILE INDUSTRIAL FACILITIES		7,748		7,748		7,748				7,748
	STRATEGIC MISSILES										
003	TOMAHAWK	100	184,814	149	214,814	149	214,814	49	30,000	149	214,814
	Minimum Sustaining Rate Increase			[49]	[30,000]	[49]	[30,000]	[49]	[30,000]		
	TACTICAL MISSILES										
004	AMRAAM	167	192,873	167	192,873	167	207,873		15,000	167	207,873
	Additional captive air training missiles						[15,000]		[15,000]		
005	SIDEWINDER	227	96,427	227	96,427	227	96,427			227	96,427
006	JSOW		21,419	85	69,219		21,419				21,419
	Industrial Base Sustainment			[85]	[47,800]						
007	STANDARD MISSILE	113	435,352	113	435,352	113	435,352			113	435,352
008	RAM	90	80,826	90	80,826	90	80,826			90	80,826
011	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	27	4,265	27	4,265	27	4,265			27	4,265
012	AERIAL TARGETS		40,792		40,792		40,792				40,792
013	OTHER MISSILE SUPPORT		3,335		3,335		3,335				3,335
	MODIFICATION OF MISSILES										
014	ESSM	30	44,440	30	44,440	30	44,440			30	44,440
015	ADVANCE PROCUREMENT (CY)		54,462		54,462		54,462				54,462
016	HARM MODS		122,298		122,298		122,298				122,298
	SUPPORT EQUIPMENT & FACILITIES										
017	WEAPONS INDUSTRIAL FACILITIES		2,397		2,397		2,397				2,397
018	FLEET SATELLITE COMM FOLLOW-ON		39,932		39,932		39,932		-5,700		34,232
	Excess storage								[-5,700]		
	ORDNANCE SUPPORT EQUIPMENT										
019	ORDNANCE SUPPORT EQUIPMENT		57,641		57,641		61,309		3,668		61,309
	Classified Program						[3,668]		[3,668]		
	TORPEDOES AND RELATED EQUIP										
020	SSTD		7,380		7,380		7,380				7,380
021	MK-48 TORPEDO	8	65,611	8	65,611	8	65,611			8	65,611
022	ASW TARGETS		6,912		6,912		6,912				6,912
	MOD OF TORPEDOES AND RELATED EQUIP										
023	MK-54 TORPEDO MODS		113,219		113,219		113,219				113,219
024	MK-48 TORPEDO ADCAP MODS		63,317		63,317		63,317				63,317
025	QUICKSTRIKE MINE		13,254		13,254		13,254				13,254
	SUPPORT EQUIPMENT										
026	TORPEDO SUPPORT EQUIPMENT		67,701		67,701		67,701				67,701
027	ASW RANGE SUPPORT		3,699		3,699		3,699				3,699
	DESTINATION TRANSPORTATION										
028	FIRST DESTINATION TRANSPORTATION		3,342		3,342		3,342				3,342
	GUNS AND GUN MOUNTS										
029	SMALL ARMS AND WEAPONS		11,937		11,937		11,937				11,937
	MODIFICATION OF GUNS AND GUN MOUNTS										
030	CIWS MODS		53,147		53,147		53,147				53,147
031	COAST GUARD WEAPONS		19,022		19,022		19,022				19,022
032	GUN MOUNT MODS		67,980		67,980		67,980				67,980
033	AIRBORNE MINE NEUTRALIZATION SYSTEMS		19,823		19,823		19,823				19,823
	SPARES AND REPAIR PARTS										
035	SPARES AND REPAIR PARTS		149,725		149,725		149,725				149,725
	TOTAL WEAPONS PROCUREMENT, NAVY	762	3,154,154	896	3,231,954	811	3,202,822	49	32,968	811	3,187,122
	PROCUREMENT OF AMMO, NAVY & MC										
	NAVY AMMUNITION										
001	GENERAL PURPOSE BOMBS		101,238		101,238		101,238				101,238
002	AIRBORNE ROCKETS, ALL TYPES		67,289		67,289		67,289				67,289
003	MACHINE GUN AMMUNITION		20,340		20,340		20,340				20,340
004	PRACTICE BOMBS		40,365		40,365		40,365				40,365
005	CARTRIDGES & CART ACTUATED DEVICES		49,377		49,377		49,377				49,377
006	AIR EXPENDABLE COUNTERMEASURES		59,651		59,651		59,651				59,651
007	JATOS		2,806		2,806		2,806				2,806

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		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
008	LRLAP 6" LONG RANGE ATTACK PROJECTILE		11,596		11,596		11,596				11,596
009	5 INCH/54 GUN AMMUNITION		35,994		35,994		35,994				35,994
010	INTERMEDIATE CALIBER GUN AMMUNITION		36,715		36,715		36,715				36,715
011	OTHER SHIP GUN AMMUNITION		45,483		45,483		45,483				45,483
012	SMALL ARMS & LANDING PARTY AMMO		52,080		52,080		52,080				52,080
013	PYROTECHNIC AND DEMOLITION		10,809		10,809		10,809				10,809
014	AMMUNITION LESS THAN \$5 MILLION		4,469		4,469		4,469				4,469
	MARINE CORPS AMMUNITION										
015	SMALL ARMS AMMUNITION		46,848		46,848		46,848				46,848
016	LINEAR CHARGES, ALL TYPES		350		350		350				350
017	40 MM, ALL TYPES		500		500		500				500
018	60MM, ALL TYPES		1,849		1,849		1,849				1,849
019	81MM, ALL TYPES		1,000		1,000		1,000				1,000
020	120MM, ALL TYPES		13,867		13,867		13,867				13,867
022	GRENADES, ALL TYPES		1,390		1,390		1,390				1,390
023	ROCKETS, ALL TYPES		14,967		14,967		14,967				14,967
024	ARTILLERY, ALL TYPES		45,219		45,219		45,219				45,219
026	FUZE, ALL TYPES		29,335		29,335		29,335				29,335
027	NON LETHALS		3,868		3,868		3,868				3,868
028	AMMO MODERNIZATION		15,117		15,117		15,117				15,117
029	ITEMS LESS THAN \$5 MILLION		11,219		11,219		11,219				11,219
	TOTAL PROCUREMENT OF AMMO, NAVY & MC		723,741		723,741		723,741				723,741
	SHIPBUILDING & CONVERSION, NAVY										
	OTHER WARSHIPS										
001	CARRIER REPLACEMENT PROGRAM		1,634,701		1,634,701		1,634,701				1,634,701
002	ADVANCE PROCUREMENT (CY)		874,658		874,658		874,658				874,658
003	VIRGINIA CLASS SUBMARINE	2	3,346,370	2	3,346,370	2	3,346,370			2	3,346,370
004	ADVANCE PROCUREMENT (CY)		1,993,740		1,993,740		2,793,740				1,993,740
	Accelerate shipbuilding funding						[800,000]				
005	CVN REFUELING OVERHAULS	1	678,274	1	678,274	1	678,274			1	678,274
006	ADVANCE PROCUREMENT (CY)		14,951		14,951		14,951				14,951
007	DDG 1000		433,404		433,404		433,404				433,404
008	DDG-51	2	3,149,703	2	3,149,703	2	3,549,703		250,000	2	3,399,703
	Incremental funding for one DDG-51						[400,000]		[250,000]		
010	LITTORAL COMBAT SHIP	3	1,356,991	3	1,356,991	3	1,356,991			3	1,356,991
	AMPHIBIOUS SHIPS										
012	LPD-17	1	550,000	1	550,000	1	550,000			1	550,000
013	AFLOAT FORWARD STAGING BASE						97,000		97,000		97,000
	Accelerate shipbuilding funding						[97,000]		[97,000]		
013A	AFLOAT FORWARD STAGING BASE ADVANCE PROCURE- MENT (CY)				97,000						
	Procurement				[97,000]						
014A	LX(R) ADVANCE PROCURMENT (CY)				250,000		51,000		250,000		250,000
	LX(R) Acceleration				[250,000]		[51,000]		[250,000]		
015	LHA REPLACEMENT ADVANCE PROCUREMENT (CY)		277,543		277,543		476,543		199,000		476,543
	Accelerate LHA-8 advanced procurement						[199,000]		[199,000]		
016A	LCU Replacement						34,000		34,000		34,000
	Accelerate LCU replacement						[34,000]		[34,000]		
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST										
017	TAO FLEET OILER	1	674,190			1	674,190			1	674,190
	Transfer to NDSF—Title XIV			[-1]	[-674,190]						
019	ADVANCE PROCUREMENT (CY)		138,200		138,200		138,200				138,200
020	OUTFITTING		697,207		673,207		697,207		-52,907		644,300
	Program decrease				[-24,000]				[-52,907]		
021	SHIP TO SHORE CONNECTOR	5	255,630	5	255,630	5	255,630			5	255,630
022	SERVICE CRAFT		30,014		30,014		30,014				30,014
023	LCAC SLEP	4	80,738	4	80,738	4	80,738			4	80,738
024	YP CRAFT MAINTENANCE/ROH/SLEP		21,838		21,838		21,838				21,838
025	COMPLETION OF PY SHIPBUILDING PROGRAMS		389,305		389,305		389,305				389,305
025A	T-ATS(X) Fleet Tug						75,000		75,000		75,000
	Accelerate T-ATS(X)						[75,000]		[75,000]		
	TOTAL SHIPBUILDING & CONVERSION, NAVY ...	19	16,597,457	18	16,246,267	19	18,253,457		852,093	19	17,449,550
	OTHER PROCUREMENT, NAVY										
	SHIP PROPULSION EQUIPMENT										
001	LM-2500 GAS TURBINE		4,881		4,881		4,881				4,881
002	ALLISON 501K GAS TURBINE		5,814		5,814		5,814				5,814
003	HYBRID ELECTRIC DRIVE (HED)		32,906		32,906		32,906				32,906

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Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	GENERATORS										
004	SURFACE COMBATANT HM&E		36,860		36,860		36,860				36,860
	NAVIGATION EQUIPMENT										
005	OTHER NAVIGATION EQUIPMENT		87,481		87,481		87,481				87,481
	PERISCOPES										
006	SUB PERISCOPES & IMAGING EQUIP		63,109		63,109		63,109				63,109
	OTHER SHIPBOARD EQUIPMENT										
007	DDG MOD		364,157		424,157		424,157		60,000		424,157
	Additional DDG Modification-Unfunded Require- ment.				[60,000]		[60,000]		[60,000]		
008	FIREFIGHTING EQUIPMENT		16,089		16,089		16,089				16,089
009	COMMAND AND CONTROL SWITCHBOARD		2,255		2,255		2,255				2,255
010	LHA/LHD MIDLIFE		28,571		28,571		28,571				28,571
011	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM		12,313		12,313		12,313				12,313
012	POLLUTION CONTROL EQUIPMENT		16,609		16,609		16,609				16,609
013	SUBMARINE SUPPORT EQUIPMENT		10,498		10,498		10,498				10,498
014	VIRGINIA CLASS SUPPORT EQUIPMENT		35,747		35,747		35,747				35,747
015	LCS CLASS SUPPORT EQUIPMENT		48,399		48,399		48,399				48,399
016	SUBMARINE BATTERIES		23,072		23,072		23,072				23,072
017	LPD CLASS SUPPORT EQUIPMENT		55,283		55,283		55,283				55,283
018	STRATEGIC PLATFORM SUPPORT EQUIP		18,563		18,563		18,563				18,563
019	DSSP EQUIPMENT		7,376		7,376		7,376				7,376
021	LCAC		20,965		20,965		20,965				20,965
022	UNDERWATER EOD PROGRAMS		51,652		51,652		51,652				51,652
023	ITEMS LESS THAN \$5 MILLION		102,498		102,498		102,498				102,498
024	CHEMICAL WARFARE DETECTORS		3,027		3,027		3,027				3,027
025	SUBMARINE LIFE SUPPORT SYSTEM		7,399		7,399		7,399				7,399
	REACTOR PLANT EQUIPMENT										
027	REACTOR COMPONENTS		296,095		296,095		296,095				296,095
	OCEAN ENGINEERING										
028	DIVING AND SALVAGE EQUIPMENT		15,982		15,982		15,982				15,982
	SMALL BOATS										
029	STANDARD BOATS		29,982		29,982		29,982				29,982
	TRAINING EQUIPMENT										
030	OTHER SHIPS TRAINING EQUIPMENT		66,538		66,538		66,538				66,538
	PRODUCTION FACILITIES EQUIPMENT										
031	OPERATING FORCES IPE		71,138		71,138		71,138				71,138
	OTHER SHIP SUPPORT										
032	NUCLEAR ALTERATIONS		132,625		132,625		132,625				132,625
033	LCS COMMON MISSION MODULES EQUIPMENT		23,500		23,500		23,500				23,500
034	LCS MCM MISSION MODULES		85,151		85,151		29,351				85,151
	Procurement in excess of need ahead of satis- factory testing.						[-55,800]				
035	LCS SUW MISSION MODULES		35,228		35,228		35,228				35,228
036	REMOTE MINEHUNTING SYSTEM (RMS)		87,627		87,627		22,027		-34,550		53,077
	Procurement in excess of need ahead of satis- factory testing.						[-65,600]		[-34,550]		
	LOGISTIC SUPPORT										
037	LSD MIDLIFE		2,774		2,774		2,774				2,774
	SHIP SONARS										
038	SPQ-9B RADAR		20,551		20,551		20,551				20,551
039	AN/SQQ-89 SURF ASW COMBAT SYSTEM		103,241		103,241		103,241				103,241
040	SSN ACOUSTICS		214,835		234,835		234,835		20,000		234,835
	Submarine Towed Array-Unfunded Requirement ...				[20,000]		[20,000]		[20,000]		
041	UNDERSEA WARFARE SUPPORT EQUIPMENT		7,331		7,331		7,331				7,331
042	SONAR SWITCHES AND TRANSDUCERS		11,781		11,781		11,781				11,781
	ASW ELECTRONIC EQUIPMENT										
044	SUBMARINE ACOUSTIC WARFARE SYSTEM		21,119		21,119		21,119				21,119
045	SSTD		8,396		8,396		8,396				8,396
046	FIXED SURVEILLANCE SYSTEM		146,968		146,968		146,968				146,968
047	SURTASS		12,953		12,953		12,953				12,953
048	MARITIME PATROL AND RECONNAISSANCE FORCE		13,725		13,725		13,725				13,725
	ELECTRONIC WARFARE EQUIPMENT										
049	AN/SLQ-32		324,726		352,726		352,726				324,726
	SEWIP Block II-Unfunded Requirement				[28,000]		[28,000]				
	RECONNAISSANCE EQUIPMENT										
050	SHIPBOARD IW EXPLOIT		148,221		148,221		148,221				148,221
051	AUTOMATED IDENTIFICATION SYSTEM (AIS)		152		152		152				152
	SUBMARINE SURVEILLANCE EQUIPMENT										

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Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
052	SUBMARINE SUPPORT EQUIPMENT PROG		79,954		79,954		79,954				79,954
	OTHER SHIP ELECTRONIC EQUIPMENT										
053	COOPERATIVE ENGAGEMENT CAPABILITY		25,695		25,695		25,695				25,695
054	TRUSTED INFORMATION SYSTEM (TIS)		284		284		284				284
055	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)		14,416		14,416		14,416				14,416
056	ATDLS		23,069		23,069		23,069				23,069
057	NAVY COMMAND AND CONTROL SYSTEM (NCCS)		4,054		4,054		4,054				4,054
058	MINESWEEPING SYSTEM REPLACEMENT		21,014		21,014		21,014				21,014
059	SHALLOW WATER MCM		18,077		18,077		18,077				18,077
060	NAVSTAR GPS RECEIVERS (SPACE)		12,359		12,359		12,359				12,359
061	AMERICAN FORCES RADIO AND TV SERVICE		4,240		4,240		4,240				4,240
062	STRATEGIC PLATFORM SUPPORT EQUIP		17,440		17,440		17,440				17,440
	TRAINING EQUIPMENT										
063	OTHER TRAINING EQUIPMENT		41,314		41,314		41,314				41,314
	AVIATION ELECTRONIC EQUIPMENT										
064	MATCALS		10,011		10,011		10,011				10,011
065	SHIPBOARD AIR TRAFFIC CONTROL		9,346		9,346		9,346				9,346
066	AUTOMATIC CARRIER LANDING SYSTEM		21,281		21,281		21,281				21,281
067	NATIONAL AIR SPACE SYSTEM		25,621		25,621		25,621				25,621
068	FLEET AIR TRAFFIC CONTROL SYSTEMS		8,249		8,249		8,249				8,249
069	LANDING SYSTEMS		14,715		14,715		14,715				14,715
070	ID SYSTEMS		29,676		29,676		29,676				29,676
071	NAVAL MISSION PLANNING SYSTEMS		13,737		13,737		13,737				13,737
	OTHER SHORE ELECTRONIC EQUIPMENT										
072	DEPLOYABLE JOINT COMMAND & CONTROL		1,314		1,314		1,314				1,314
074	TACTICAL/MOBILE C4I SYSTEMS		13,600		13,600		13,600				13,600
075	DCGS-N		31,809		31,809		31,809				31,809
076	CANES		278,991		278,991		278,991				278,991
077	RADIAC		8,294		8,294		8,294				8,294
078	CANES-INTELL		28,695		28,695		28,695				28,695
079	GPETE		6,962		6,962		6,962				6,962
080	MASF		290		290		290				290
081	INTEG COMBAT SYSTEM TEST FACILITY		14,419		14,419		14,419				14,419
082	EMI CONTROL INSTRUMENTATION		4,175		4,175		4,175				4,175
083	ITEMS LESS THAN \$5 MILLION		44,176		44,176		44,176				44,176
	SHIPBOARD COMMUNICATIONS										
084	SHIPBOARD TACTICAL COMMUNICATIONS		8,722		8,722		8,722				8,722
085	SHIP COMMUNICATIONS AUTOMATION		108,477		108,477		108,477				108,477
086	COMMUNICATIONS ITEMS UNDER \$5M		16,613		16,613		16,613				16,613
	SUBMARINE COMMUNICATIONS										
087	SUBMARINE BROADCAST SUPPORT		20,691		20,691		20,691				20,691
088	SUBMARINE COMMUNICATION EQUIPMENT		60,945		60,945		60,945				60,945
	SATELLITE COMMUNICATIONS										
089	SATELLITE COMMUNICATIONS SYSTEMS		30,892		30,892		30,892				30,892
090	NAVY MULTIBAND TERMINAL (NMT)		118,113		118,113		118,113				118,113
	SHORE COMMUNICATIONS										
091	JCS COMMUNICATIONS EQUIPMENT		4,591		4,591		4,591				4,591
092	ELECTRICAL POWER SYSTEMS		1,403		1,403		1,403				1,403
	CRYPTOGRAPHIC EQUIPMENT										
093	INFO SYSTEMS SECURITY PROGRAM (ISSP)		135,687		135,687		135,687				135,687
094	MIO INTEL EXPLOITATION TEAM		970		970		970				970
	CRYPTOLOGIC EQUIPMENT										
095	CRYPTOLOGIC COMMUNICATIONS EQUIP		11,433		11,433		11,433				11,433
	OTHER ELECTRONIC SUPPORT										
096	COAST GUARD EQUIPMENT		2,529		2,529		2,529				2,529
	SONOBUOYS										
097	SONOBUOYS—ALL TYPES		168,763		168,763		168,763				168,763
	AIRCRAFT SUPPORT EQUIPMENT										
098	WEAPONS RANGE SUPPORT EQUIPMENT		46,979		46,979		46,979				46,979
100	AIRCRAFT SUPPORT EQUIPMENT		123,884		123,884		123,884				123,884
	F-35 Visual/Optical Landing System Training Equipment Unfunded Requirement.				[3,500]						
103	METEOROLOGICAL EQUIPMENT		15,090		15,090		15,090				15,090
104	DCRS/DPL		638		638		638				638
106	AIRBORNE MINE COUNTERMEASURES		14,098		14,098		14,098				14,098
111	AVIATION SUPPORT EQUIPMENT		49,773		49,773		49,773				49,773
	SHIP GUN SYSTEM EQUIPMENT										
112	SHIP GUN SYSTEMS EQUIPMENT		5,300		5,300		5,300				5,300
	SHIP MISSILE SYSTEMS EQUIPMENT										

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Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
115	SHIP MISSILE SUPPORT EQUIPMENT		298,738		298,738		298,738				298,738
120	TOMAHAWK SUPPORT EQUIPMENT		71,245		71,245		71,245				71,245
	FBM SUPPORT EQUIPMENT										
123	STRATEGIC MISSILE SYSTEMS EQUIP		240,694		240,694		240,694				240,694
	ASW SUPPORT EQUIPMENT										
124	SSN COMBAT CONTROL SYSTEMS		96,040		96,040		96,040				96,040
125	ASW SUPPORT EQUIPMENT		30,189		30,189		30,189				30,189
	OTHER ORDNANCE SUPPORT EQUIPMENT										
129	EXPLOSIVE ORDNANCE DISPOSAL EQUIP		22,623		22,623		22,623				22,623
130	ITEMS LESS THAN \$5 MILLION		9,906		9,906		9,906				9,906
	OTHER EXPENDABLE ORDNANCE										
134	TRAINING DEVICE MODS		99,707		99,707		99,707				99,707
	CIVIL ENGINEERING SUPPORT EQUIPMENT										
135	PASSENGER CARRYING VEHICLES		2,252		2,252		2,252				2,252
136	GENERAL PURPOSE TRUCKS		2,191		2,191		2,191				2,191
137	CONSTRUCTION & MAINTENANCE EQUIP		2,164		2,164		2,164				2,164
138	FIRE FIGHTING EQUIPMENT		14,705		14,705		14,705				14,705
139	TACTICAL VEHICLES		2,497		2,497		2,497				2,497
140	AMPHIBIOUS EQUIPMENT		12,517		12,517		12,517				12,517
141	POLLUTION CONTROL EQUIPMENT		3,018		3,018		3,018				3,018
142	ITEMS UNDER \$5 MILLION		14,403		14,403		14,403				14,403
143	PHYSICAL SECURITY VEHICLES		1,186		1,186		1,186				1,186
	SUPPLY SUPPORT EQUIPMENT										
144	MATERIALS HANDLING EQUIPMENT		18,805		18,805		18,805				18,805
145	OTHER SUPPLY SUPPORT EQUIPMENT		10,469		10,469		10,469				10,469
146	FIRST DESTINATION TRANSPORTATION		5,720		5,720		5,720				5,720
147	SPECIAL PURPOSE SUPPLY SYSTEMS		211,714		211,714		211,714				211,714
	TRAINING DEVICES										
148	TRAINING SUPPORT EQUIPMENT		7,468		7,468		7,468				7,468
	COMMAND SUPPORT EQUIPMENT										
149	COMMAND SUPPORT EQUIPMENT		36,433		36,433		36,433				36,433
150	EDUCATION SUPPORT EQUIPMENT		3,180		3,180		3,180				3,180
151	MEDICAL SUPPORT EQUIPMENT		4,790		4,790		4,790				4,790
153	NAVAL MIP SUPPORT EQUIPMENT		4,608		4,608		4,608				4,608
154	OPERATING FORCES SUPPORT EQUIPMENT		5,655		5,655		5,655				5,655
155	C4ISR EQUIPMENT		9,929		9,929		9,929				9,929
156	ENVIRONMENTAL SUPPORT EQUIPMENT		26,795		26,795		26,795				26,795
157	PHYSICAL SECURITY EQUIPMENT		88,453		88,453		88,453				88,453
159	ENTERPRISE INFORMATION TECHNOLOGY		99,094		99,094		99,094				99,094
	OTHER										
160	NEXT GENERATION ENTERPRISE SERVICE		99,014		99,014		99,014				99,014
	CLASSIFIED PROGRAMS										
160A	CLASSIFIED PROGRAMS		21,439		21,439		21,439				21,439
	SPARES AND REPAIR PARTS										
161	SPARES AND REPAIR PARTS		328,043		328,043		328,043		-10,000		318,043
	Excess carryover								[-10,000]		
	TOTAL OTHER PROCUREMENT, NAVY		6,614,715		6,726,215		6,601,315		35,450		6,650,165
	PROCUREMENT, MARINE CORPS										
	TRACKED COMBAT VEHICLES										
001	AAV7A1 PIP		26,744		26,744		26,744				26,744
002	LAV PIP		54,879		54,879		54,879				54,879
	ARTILLERY AND OTHER WEAPONS										
003	EXPEDITIONARY FIRE SUPPORT SYSTEM		2,652		2,652		2,652				2,652
004	155MM LIGHTWEIGHT TOWED HOWITZER		7,482		7,482		7,482				7,482
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM		17,181		17,181		17,181				17,181
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION		8,224		8,224		8,224				8,224
	OTHER SUPPORT										
007	MODIFICATION KITS		14,467		14,467		14,467				14,467
008	WEAPONS ENHANCEMENT PROGRAM		488		488		488				488
	GUIDED MISSILES										
009	GROUND BASED AIR DEFENSE		7,565		7,565		7,565				7,565
010	JAVELIN		1,091	441	78,591		1,091	294	50,000	294	51,091
	Program increase to support Unfunded Requirements.			[441]	[77,500]			[294]	[50,000]		
011	FOLLOW ON TO SMAW		4,872		4,872		4,872				4,872
012	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)		668		668		668				668
	OTHER SUPPORT										
013	MODIFICATION KITS		12,495		12,495		152,495		140,000		152,495

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Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	Additional missiles						[140,000]		[140,000]		
	COMMAND AND CONTROL SYSTEMS										
014	UNIT OPERATIONS CENTER		13,109		13,109		13,109				13,109
015	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C. Procurement early to need		35,147		35,147		35,147		–2,191		32,956
									[–2,191]		
	REPAIR AND TEST EQUIPMENT										
016	REPAIR AND TEST EQUIPMENT		21,210		21,210		21,210				21,210
	OTHER SUPPORT (TEL)										
017	COMBAT SUPPORT SYSTEM		792		792		792				792
	COMMAND AND CONTROL SYSTEM (NON-TEL)										
019	ITEMS UNDER \$5 MILLION (COMM & ELEC)		3,642		3,642		3,642				3,642
020	AIR OPERATIONS C2 SYSTEMS		3,520		3,520		3,520				3,520
	RADAR + EQUIPMENT (NON-TEL)										
021	RADAR SYSTEMS		35,118		35,118		35,118				35,118
022	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	3	130,661	3	90,661	3	98,546		–32,115	3	98,546
	Delay in IOTE				[–40,000]		[–32,115]		[–32,115]		
023	RQ–21 UAS	4	84,916	4	84,916	4	84,916			4	84,916
	INTELL/COMM EQUIPMENT (NON-TEL)										
024	FIRE SUPPORT SYSTEM		9,136		9,136		9,136				9,136
025	INTELLIGENCE SUPPORT EQUIPMENT		29,936		29,936		29,936				29,936
028	DCGS-MC		1,947		1,947		1,947				1,947
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)										
031	NIGHT VISION EQUIPMENT		2,018		2,018		2,018				2,018
	OTHER SUPPORT (NON-TEL)										
032	NEXT GENERATION ENTERPRISE NETWORK (NGEN)		67,295		67,295		67,295				67,295
033	COMMON COMPUTER RESOURCES		43,101		43,101		43,101		–10,000		33,101
	Marine Corps common hardware suite contract delay.								[–10,000]		
034	COMMAND POST SYSTEMS		29,255		29,255		29,255				29,255
035	RADIO SYSTEMS		80,584		80,584		80,584				80,584
036	COMM SWITCHING & CONTROL SYSTEMS		66,123		66,123		66,123				66,123
037	COMM & ELEC INFRASTRUCTURE SUPPORT		79,486		79,486		79,486				79,486
	CLASSIFIED PROGRAMS										
037A	CLASSIFIED PROGRAMS		2,803		2,803		2,803				2,803
	ADMINISTRATIVE VEHICLES										
038	COMMERCIAL PASSENGER VEHICLES		3,538		3,538		3,538				3,538
039	COMMERCIAL CARGO VEHICLES		22,806		22,806		22,806				22,806
	TACTICAL VEHICLES										
041	MOTOR TRANSPORT MODIFICATIONS		7,743		7,743		7,743				7,743
043	JOINT LIGHT TACTICAL VEHICLE	109	79,429	109	79,429	109	79,429			109	79,429
044	FAMILY OF TACTICAL TRAILERS		3,157		3,157		3,157				3,157
	OTHER SUPPORT										
045	ITEMS LESS THAN \$5 MILLION		6,938		6,938		6,938				6,938
	ENGINEER AND OTHER EQUIPMENT										
046	ENVIRONMENTAL CONTROL EQUIP ASSORT		94		94		94				94
047	BULK LIQUID EQUIPMENT		896		896		896				896
048	TACTICAL FUEL SYSTEMS		136		136		136				136
049	POWER EQUIPMENT ASSORTED		10,792		10,792		10,792				10,792
050	AMPHIBIOUS SUPPORT EQUIPMENT		3,235		3,235		3,235				3,235
051	EOD SYSTEMS		7,666		7,666		7,666				7,666
	MATERIALS HANDLING EQUIPMENT										
052	PHYSICAL SECURITY EQUIPMENT		33,145		33,145		33,145				33,145
053	GARRISON MOBILE ENGINEER EQUIPMENT (GMEE)		1,419		1,419		1,419				1,419
	GENERAL PROPERTY										
057	TRAINING DEVICES		24,163		24,163		24,163				24,163
058	CONTAINER FAMILY		962		962		962				962
059	FAMILY OF CONSTRUCTION EQUIPMENT		6,545		6,545		6,545				6,545
060	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)		7,533		7,533		7,533				7,533
	OTHER SUPPORT										
062	ITEMS LESS THAN \$5 MILLION		4,322		4,322		4,322				4,322
	SPARES AND REPAIR PARTS										
063	SPARES AND REPAIR PARTS		8,292		8,292		8,292				8,292
	TOTAL PROCUREMENT, MARINE CORPS	116	1,131,418	557	1,168,918	116	1,239,303	294	145,694	410	1,277,112
	AIRCRAFT PROCUREMENT, AIR FORCE										
	TACTICAL FORCES										
001	F–35	44	5,260,212	44	5,161,112	44	5,161,112		–99,100	44	5,161,112
	Anticipated contract savings				[–75,500]						

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	Cost growth for support equipment				[-23,600]						
	Efficiencies and excess cost growth						[-99,100]		[-99,100]		
002	ADVANCE PROCUREMENT (CY)		460,260		460,260		460,260				460,260
	TACTICAL AIRLIFT										
003	KC-46A TANKER	12	2,350,601	12	2,326,601	12	2,326,601		-24,000	12	2,326,601
	Program Decrease				[-24,000]		[-24,000]		[-24,000]		
	OTHER AIRLIFT										
004	C-130J	14	889,154	15	962,154	14	889,154		-40,800	14	848,354
	Unfunded Requirements			[1]	[73,000]						
	Unit cost growth and contract delays								[-40,800]		
005	ADVANCE PROCUREMENT (CY)		50,000		50,000		50,000				50,000
006	HC-130J	5	463,934	5	463,934	5	463,934		-19,500	5	444,434
	Unit cost growth								[-19,500]		
007	ADVANCE PROCUREMENT (CY)		30,000		30,000		30,000				30,000
008	MC-130J	8	828,472	8	828,472	8	828,472		-37,600	8	790,872
	Program efficiencies								[-37,600]		
009	ADVANCE PROCUREMENT (CY)		60,000		60,000		60,000				60,000
	MISSION SUPPORT AIRCRAFT										
011	CIVIL AIR PATROL A/C	6	2,617	6	2,617	6	2,617			6	2,617
	OTHER AIRCRAFT										
012	TARGET DRONES	75	132,028	75	132,028	75	132,028			75	132,028
014	RQ-4		37,800		37,800		37,800				37,800
015	MQ-9	29	552,528	29	552,528	53	1,032,528	4	70,000	33	622,528
	Accelerating procurement schedule to meet CDDR demand.					[24]	[480,000]	[4]	[80,000]		
	Restrain growth in government costs								[-10,000]		
	STRATEGIC AIRCRAFT										
017	B-2A		32,458		32,458		32,458				32,458
018	B-1B		114,119		114,119		114,119				114,119
019	B-52		148,987		148,987		148,987				148,987
020	LARGE AIRCRAFT INFRARED COUNTERMEASURES		84,335		84,335		84,335				84,335
	TACTICAL AIRCRAFT										
021	A-10				240,000						
	A-10 restoration— wing replacement program ...				[240,000]						
022	F-15		464,367		464,367	30	713,671		217,704		682,071
	ADCP II upgrades						[10,000]				
	EPAWSS upgrade						[11,600]				
	F-15 MIDS JTRS transfer to RDT&E						[-12,796]		[-12,796]		
	F-15C AESA radars					[6]	[48,000]		[48,000]		
	F-15D AESA radars					[24]	[192,500]		[192,500]		
	Milestone C delay								[-10,000]		
023	F-16		17,134		17,134		17,134				17,134
024	F-22A		126,152		126,152		126,152				126,152
025	F-35 MODIFICATIONS		70,167		70,167		70,167				70,167
026	INCREMENT 3.2B		69,325		69,325		69,325				69,325
	AIRLIFT AIRCRAFT										
028	C-5		5,604		5,604		5,604				5,604
030	C-17A		46,997		46,997		46,997				46,997
031	C-21		10,162		10,162		10,162				10,162
032	C-32A		44,464		44,464		44,464				44,464
033	C-37A		10,861		861		10,861				10,861
	Program decrease				[-10,000]						
	TRAINER AIRCRAFT										
034	GLIDER MODS		134		134		134				134
035	T-6		17,968		17,968		17,968				17,968
036	T-1		23,706		23,706		23,706				23,706
037	T-38		30,604		30,604		30,604				30,604
	OTHER AIRCRAFT										
038	U-2 MODS		22,095		22,095		22,095				22,095
039	KC-10A (ATCA)		5,611		5,611		5,611				5,611
040	C-12		1,980		1,980		1,980				1,980
042	VC-25A MOD		98,231		98,231		98,231				98,231
043	C-40		13,171		13,171		13,171				13,171
044	C-130		7,048		80,248		130,248		139,200		146,248
	C-130 AMP increase				[10,000]				[75,000]		
	C-130H Electronic Prop Control System – UPL						[13,500]		[13,500]		
	C-130H In-flight Prop Balancing System – UPL						[1,500]		[1,500]		
	Eight-Bladed Propeller				[30,000]				[16,000]		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	Funds added to comply with Sec 134, FY15 NDAA						[75,000]				
	T-56 3.5 Engine Mod				[33,200]		[33,200]		[33,200]		
045	C-130J MODS		29,713		29,713		29,713				29,713
046	C-135		49,043		49,043		49,043				49,043
047	COMPASS CALL MODS		68,415		97,115		97,115		28,700		97,115
	EC-130H Force Structure Restoration				[28,700]		[28,700]		[28,700]		
048	RC-135		156,165		156,165		156,165				156,165
049	E-3		13,178		13,178		13,178				13,178
050	E-4		23,937		23,937		23,937		-4,000		19,937
	AEHF-PNVC ahead of need								[-4,000]		
051	E-8		18,001		18,001		18,001				18,001
052	AIRBORNE WARNING AND CONTROL SYSTEM		183,308		183,308		183,308				183,308
053	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS		44,163		34,163		44,163				44,163
	Program decrease				[-10,000]						
054	H-1		6,291		6,291		6,291				6,291
055	UH-1N REPLACEMENT		2,456		2,456		2,456				2,456
056	H-60		45,731		45,731		45,731				45,731
057	RQ-4 MODS		50,022		50,022		50,022				50,022
058	HC/MC-130 MODIFICATIONS		21,660		21,660		21,660				21,660
059	OTHER AIRCRAFT		117,767		117,767		115,521		-2,246		115,521
	C2ISR TDL transfer to COMSEC equipment						[-2,246]		[-2,246]		
060	MQ-1 MODS		3,173		3,173		3,173				3,173
061	MQ-9 MODS		115,226		115,226		115,226				115,226
063	CV-22 MODS		58,828		58,828		58,828				58,828
	AIRCRAFT SPARES AND REPAIR PARTS										
064	INITIAL SPARES/REPAIR PARTS		656,242		656,242		656,242		-20,000		636,242
	Excess carryover								[-20,000]		
	COMMON SUPPORT EQUIPMENT										
065	AIRCRAFT REPLACEMENT SUPPORT EQUIP		33,716		33,716		33,716				33,716
	POST PRODUCTION SUPPORT										
067	B-2A		38,837		38,837		38,837				38,837
068	B-52		5,911		5,911		5,911				5,911
069	C-17A		30,108		30,108		30,108				30,108
070	CV-22 POST PRODUCTION SUPPORT		3,353		3,353		3,353				3,353
071	C-135		4,490		4,490		4,490				4,490
072	F-15		3,225		3,225		3,225				3,225
073	F-16		14,969		33,669		14,969		-6,000		8,969
	Additional Mission Trainers				[24,700]						
	Unobligated balances				[-6,000]				[-6,000]		
074	F-22A		971		971		971				971
076	MQ-9		5,000		5,000		5,000				5,000
	INDUSTRIAL PREPAREDNESS										
077	INDUSTRIAL RESPONSIVENESS		18,802		18,802		18,802				18,802
	WAR CONSUMABLES										
078	WAR CONSUMABLES		156,465		156,465		156,465				156,465
	OTHER PRODUCTION CHARGES										
079	OTHER PRODUCTION CHARGES		1,052,814		1,052,814		1,111,900		59,086		1,111,900
	Transfer from RDT&E for NATO AWACS						[59,086]		[59,086]		
	CLASSIFIED PROGRAMS										
079A	CLASSIFIED PROGRAMS		42,503		42,503		42,503				42,503
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	193	15,657,769	194	15,948,269	247	16,472,713	4	261,444	197	15,919,213
	MISSILE PROCUREMENT, AIR FORCE										
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC										
001	MISSILE REPLACEMENT EQ-BALLISTIC		94,040		94,040		94,040				94,040
	TACTICAL										
003	JOINT AIR-SURFACE STANDOFF MISSILE	360	440,578	360	440,578	360	440,578		-20,000	360	420,578
	Unit cost efficiencies								[-20,000]		
004	SIDEWINDER (AIM-9X)	506	200,777	506	200,777	506	200,777			506	200,777
005	AMRAAM	262	390,112	262	390,112	262	390,112		-10,084	262	380,028
	Joint program unit cost variance								[-10,084]		
006	PREDATOR HELLFIRE MISSILE	3,756	423,016	3,756	423,016	3,756	423,016			3,756	423,016
007	SMALL DIAMETER BOMB	1,942	133,697	1,942	133,697	1,942	133,697			1,942	133,697
	INDUSTRIAL FACILITIES										
008	INDUSTR'L PREPAREDNS/POL PREVENTION		397		397		397				397
	CLASS IV										
009	MM III MODIFICATIONS		50,517		50,517		50,517				50,517
010	AGM-65D MAVERICK		9,639		9,639		9,639				9,639

Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
011	AGM-88A HARM		197		197		197				197
012	AIR LAUNCH CRUISE MISSILE (ALCM)		25,019		25,019		25,019				25,019
	MISSILE SPARES AND REPAIR PARTS										
014	INITIAL SPARES/REPAIR PARTS		48,523		48,523		48,523				48,523
	SPECIAL PROGRAMS										
028	SPECIAL UPDATE PROGRAMS		276,562		276,562		276,562				276,562
	CLASSIFIED PROGRAMS										
028A	CLASSIFIED PROGRAMS		893,971		893,971		893,971				893,971
	TOTAL MISSILE PROCUREMENT, AIR FORCE	6,826	2,987,045	6,826	2,987,045	6,826	2,987,045		-30,084	6,826	2,956,961
	SPACE PROCUREMENT, AIR FORCE										
	SPACE PROGRAMS										
001	ADVANCED EHF		333,366		333,366		333,366		-6,000		327,366
	Unjustified support growth								[-6,000]		
002	WIDEBAND GAPFILLER SATELLITES(SPACE)		53,476		79,476		53,476		21,000		74,476
	SATCOM pathfinder				[26,000]				[26,000]		
	Unjustified support growth								[-5,000]		
003	GPS III SPACE SEGMENT	1	199,218	1	199,218					1	199,218
	GPS III SV10 early to need					[-1]	[-199,218]				
004	SPACEBORNE EQUIP (COMSEC)		18,362		18,362						18,362
005	GLOBAL POSITIONING (SPACE)		66,135		66,135		66,135		-2,000		64,135
	Unjustified support growth								[-2,000]		
006	DEF METEOROLOGICAL SAT PROG(SPACE)		89,351		89,351				-49,351		40,000
	Minimum sustainment of DMSP-20 program						[-89,351]		[-49,351]		
007	EVOLVED EXPENDABLE LAUNCH CAPABILITY		571,276		571,276		571,276				571,276
008	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	5	800,201	5	800,201	5	800,201			5	800,201
009	SBIR HIGH (SPACE)		452,676		452,676		452,676				452,676
	TOTAL SPACE PROCUREMENT, AIR FORCE	6	2,584,061	6	2,610,061	5	2,295,492		-36,351	6	2,547,710
	PROCUREMENT OF AMMUNITION, AIR FORCE										
	ROCKETS										
001	ROCKETS		23,788		23,788		23,788				23,788
	CARTRIDGES										
002	CARTRIDGES		131,102		131,102		169,602		38,500		169,602
	Increase to match size of A-10 fleet						[38,500]		[38,500]		
	BOMBS										
003	PRACTICE BOMBS		89,759		89,759		89,759				89,759
004	GENERAL PURPOSE BOMBS		637,181		637,181		637,181				637,181
005	MASSIVE ORDNANCE PENETRATOR (MOP)		39,690		39,690		39,690				39,690
006	JOINT DIRECT ATTACK MUNITION	6,341	374,688	6,341	354,688	6,341	374,688		-20,000	6,341	354,688
	Program reduction										

Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
008	ITEMS LESS THAN \$5 MILLION		23,320		23,320		23,320				23,320
	BASE MAINTENANCE SUPPORT										
009	RUNWAY SNOW REMOV & CLEANING EQUIP		6,215		6,215		6,215				6,215
010	ITEMS LESS THAN \$5 MILLION		87,781		87,781		87,781				87,781
	COMM SECURITY EQUIPMENT(COMSEC)										
011	COMSEC EQUIPMENT		136,998		136,998		139,244		2,246		139,244
	Transfer for Link 16 Upgrades						[2,246]		[2,246]		
012	MODIFICATIONS (COMSEC)		677		677		677				677
	INTELLIGENCE PROGRAMS										
013	INTELLIGENCE TRAINING EQUIPMENT		4,041		4,041		4,041				4,041
014	INTELLIGENCE COMM EQUIPMENT		22,573		22,573		22,573				22,573
015	MISSION PLANNING SYSTEMS		14,456		14,456		14,456				14,456
	ELECTRONICS PROGRAMS										
016	AIR TRAFFIC CONTROL & LANDING SYS		31,823		31,823		31,823				31,823
017	NATIONAL AIRSPACE SYSTEM		5,833		5,833		5,833				5,833
018	BATTLE CONTROL SYSTEM—FIXED		1,687		1,687		1,687				1,687
019	THEATER AIR CONTROL SYS IMPROVEMENTS		22,710		22,710		22,710				22,710
020	WEATHER OBSERVATION FORECAST		21,561		21,561		21,561				21,561
021	STRATEGIC COMMAND AND CONTROL		286,980		286,980		286,980				286,980
022	CHEYENNE MOUNTAIN COMPLEX		36,186		36,186		36,186				36,186
024	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN) ..		9,597		9,597		9,597				9,597
	SPCL COMM-ELECTRONICS PROJECTS										
025	GENERAL INFORMATION TECHNOLOGY		27,403		27,403		27,403				27,403
026	AF GLOBAL COMMAND & CONTROL SYS		7,212		7,212		7,212				7,212
027	MOBILITY COMMAND AND CONTROL		11,062		11,062		30,962		19,900		30,962
	Additional battlefield air operations kits to meet need.						[19,900]		[19,900]		
028	AIR FORCE PHYSICAL SECURITY SYSTEM		131,269		131,269		131,269				131,269
029	COMBAT TRAINING RANGES		33,606		33,606		33,606				33,606
030	MINIMUM ESSENTIAL EMERGENCY COMM N		5,232		5,232		5,232				5,232
031	C3 COUNTERMEASURES		7,453		7,453		7,453				7,453
032	INTEGRATED PERSONNEL AND PAY SYSTEM		3,976		3,976		3,976				3,976
033	GCSS-AF FOS		25,515		25,515		25,515		-10,500		15,015
	LOGIT—prioritize FIAR projects								[-10,500]		
034	DEFENSE ENTERPRISE ACCOUNTING AND MGMT SYS-TEM.		9,255		9,255		9,255				9,255
035	THEATER BATTLE MGT C2 SYSTEM		7,523		7,523		7,523				7,523
036	AIR & SPACE OPERATIONS CTR-WPN SYS		12,043		12,043		12,043				12,043
037	AIR OPERATIONS CENTER (AOC) 10.2		24,246		24,246		24,246		-9,400		14,846
	Fielding funds ahead of need								[-9,400]		
	AIR FORCE COMMUNICATIONS										

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
057	COMM ELECT MODS		71,800		71,800		71,800				71,800
	PERSONAL SAFETY & RESCUE EQUIP										
058	NIGHT VISION GOGGLES		2,370		2,370		2,370				2,370
059	ITEMS LESS THAN \$5 MILLION		79,623		79,623		79,623				79,623
	DEPOT PLANT+MTRLS HANDLING EQ										
060	MECHANIZED MATERIAL HANDLING EQUIP		7,249		7,249		7,249				7,249
	BASE SUPPORT EQUIPMENT										
061	BASE PROCURED EQUIPMENT		9,095		13,095		9,095				9,095
	Additional Equipment				[4,000]						
062	ENGINEERING AND EOD EQUIPMENT		17,866		17,866		17,866				17,866
064	MOBILITY EQUIPMENT		61,850		61,850		61,850				61,850
065	ITEMS LESS THAN \$5 MILLION		30,477		30,477		30,477				30,477
	SPECIAL SUPPORT PROJECTS										
067	DARP RC135		25,072		25,072		25,072				25,072
068	DCGS-AF		183,021		183,021		183,021				183,021
070	SPECIAL UPDATE PROGRAM		629,371		629,371		629,371				629,371
071	DEFENSE SPACE RECONNAISSANCE PROG.		100,663		100,663		100,663				100,663
	CLASSIFIED PROGRAMS										
071A	CLASSIFIED PROGRAMS		15,038,333		15,038,333		15,038,333				15,038,333
	SPARES AND REPAIR PARTS										
073	SPARES AND REPAIR PARTS		59,863		59,863		59,863				59,863
	TOTAL OTHER PROCUREMENT, AIR FORCE		18,272,438		18,295,338		18,313,584		23,146		18,295,584
	PROCUREMENT, DEFENSE-WIDE										
	MAJOR EQUIPMENT, DCAA										
001	ITEMS LESS THAN \$5 MILLION		1,488		1,488		1,488				1,488
	MAJOR EQUIPMENT, DCMA										
002	MAJOR EQUIPMENT		2,494		2,494		2,494				2,494
	MAJOR EQUIPMENT, DHRA										
003	PERSONNEL ADMINISTRATION		9,341		9,341		9,341				9,341
	MAJOR EQUIPMENT, DISA										
007	INFORMATION SYSTEMS SECURITY		8,080		23,080		18,080		3,500		11,580
	SHARKSEER				[15,000]		[10,000]		[3,500]		
008	TELEPORT PROGRAM		62,789		62,789		62,789				62,789
009	ITEMS LESS THAN \$5 MILLION		9,399		9,399		9,399				9,399
010	NET CENTRIC ENTERPRISE SERVICES (NCES)		1,819		1,819		1,819				1,819
011	DEFENSE INFORMATION SYSTEM NETWORK		141,298		141,298		141,298				141,298
012	CYBER SECURITY INITIATIVE		12,732		12,732		12,732				12,732
013	WHITE HOUSE COMMUNICATION AGENCY		64,098		64,098		64,098				64,098
014	SENIOR LEADERSHIP ENTERPRISE		617,910		617,910		617,910				617,910
015	JOINT INFORMATION ENVIRONMENT		84,400		84,400		84,400				84,400
	MAJOR EQUIPMENT, DLA										
016	MAJOR EQUIPMENT		5,644		5,644		5,644				5,644
	MAJOR EQUIPMENT, DMACT										
017	MAJOR EQUIPMENT	4	11,208	4	11,208	4	11,208			4	11,208
	MAJOR EQUIPMENT, DODEA										
018	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS		1,298		1,298		1,298				1,298
	MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY										
	MAJOR EQUIPMENT, DSS										
020	MAJOR EQUIPMENT		1,048		1,048		1,048				1,048
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY										
021	VEHICLES		100		100		100				100
022	OTHER MAJOR EQUIPMENT		5,474		5,474		5,474				5,474
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY										
023	THAAD	30	464,067	30	464,067	30	464,067		-50,000	30	414,067
	Program reduction								[-50,000]		
024	AEGIS BMD	40	558,916	58	679,281	58	706,681	9	90,445	49	649,361
	Increase SM-3 Block IB canisters			[9]	[2,565]	[9]	[2,565]		[2,565]		
	Increase SM-3 Block IB purchase			[9]	[117,800]	[9]	[117,880]	[9]	[117,880]		
	Program reduction								[-30,000]		
	Undifferentiated Block IB test and evaluation costs.						[27,320]				
025	ADVANCE PROCUREMENT (CY)		147,765						-147,765		
	SM-3 Block IB				[-147,765]		[-147,765]		[-147,765]		
026	BMDS AN/TPY-2 RADARS		78,634		78,634		78,634				78,634
027	AEGIS ASHORE PHASE III		30,587		30,587		30,587				30,587
028	IRON DOME	1	55,000	1	55,000	1	41,100		-13,600	1	41,400

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	Request excess of requirement						[−13,900]		[−13,600]		
	MAJOR EQUIPMENT, NSA										
035	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)		37,177		37,177		37,177				37,177
	MAJOR EQUIPMENT, OSD										
036	MAJOR EQUIPMENT, OSD	17	46,939	17	46,939	17	46,939		−15,000	17	31,939
	Mentor Protégé Program								[−15,000]		
	MAJOR EQUIPMENT, TJS										
038	MAJOR EQUIPMENT, TJS		13,027		13,027		13,027				13,027
	MAJOR EQUIPMENT, WHS										
040	MAJOR EQUIPMENT, WHS		27,859		27,859		27,859				27,859
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY										
028A	DAVID SLING			1	150,000		150,000		150,000		150,000
	David's Sling Weapon System Procurement— Subject to Title XVI.			[1]	[150,000]		[150,000]		[150,000]		
028B	ARROW 3			1	15,000		15,000		15,000		15,000
	Arrow 3 Upper Tier Procurement—Subject to Title XVI.			[1]	[15,000]		[15,000]		[15,000]		
	CLASSIFIED PROGRAMS										
040A	CLASSIFIED PROGRAMS		617,757		617,757		617,757				617,757
	AVIATION PROGRAMS										
041	MC-12		63,170		63,170				−63,170		
	SOCOM requested realignment						[−63,170]		[−63,170]		
042	ROTARY WING UPGRADES AND SUSTAINMENT		135,985		135,985		135,985				135,985
044	NON-STANDARD AVIATION		61,275		61,275		61,275				61,275
045	U-28						63,170		63,170		63,170
	SOCOM requested realignment						[63,170]		[63,170]		
047	RQ-11 UNMANNED AERIAL VEHICLE		20,087		20,087		20,087				20,087
048	CV-22 MODIFICATION		18,832		18,832		18,832				18,832
049	MQ-1 UNMANNED AERIAL VEHICLE		1,934		1,934		1,934				1,934
050	MQ-9 UNMANNED AERIAL VEHICLE		11,726		26,926		21,726		10,000		21,726
	MQ-9 capability enhancements				[15,200]		[10,000]		[10,000]		
051	STUASLO		1,514		1,514		1,514				1,514
052	PRECISION STRIKE PACKAGE		204,105		204,105		204,105				204,105
053	AC/MC-130J		61,368		25,968		61,368				61,368
	MC-130 Terrain Following/Terrain Avoidance Radar Program.				[−35,400]						
054	C-130 MODIFICATIONS		66,861		66,861		31,412		−35,500		31,361
	C-130 TF/TA adjustments						[−35,449]		[−35,500]		
	SHIPBUILDING										
055	UNDERWATER SYSTEMS		32,521		32,521		32,521				32,521
	AMMUNITION PROGRAMS										
056	ORDNANCE ITEMS <\$5M		174,734		174,734		174,734				174,734
	OTHER PROCUREMENT PROGRAMS										
057	INTELLIGENCE SYSTEMS		93,009		93,009		93,009				93,009
058	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS		14,964		14,964		14,964				14,964
059	OTHER ITEMS <\$5M		79,149		79,149		79,149				79,149
060	COMBATANT CRAFT SYSTEMS		33,362		33,362		33,362				33,362
061	SPECIAL PROGRAMS		143,533		143,533		143,533				143,533
062	TACTICAL VEHICLES		73,520		73,520		73,520				73,520
063	WARRIOR SYSTEMS <\$5M		186,009		186,009		186,009				186,009
064	COMBAT MISSION REQUIREMENTS		19,693		19,693		19,693				19,693
065	GLOBAL VIDEO SURVEILLANCE ACTIVITIES		3,967		3,967		3,967				3,967
066	OPERATIONAL ENHANCEMENTS INTELLIGENCE		19,225		19,225		19,225				19,225
068	OPERATIONAL ENHANCEMENTS		213,252		213,252		213,252				213,252
	CBDP										
074	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS		141,223		141,223		141,223				141,223
075	CB PROTECTION & HAZARD MITIGATION		137,487		137,487		137,487				137,487
	UNDISTRIBUTED										
076	UNDISTRIBUTED						75,000				
	Cyber capabilities						[75,000]				
	TOTAL PROCUREMENT, DEFENSE-WIDE	92	5,130,853	112	5,263,253	110	5,341,504	9	7,080	101	5,137,933
	JOINT URGENT OPERATIONAL NEEDS FUND										
	JOINT URGENT OPERATIONAL NEEDS FUND										
001	JOINT URGENT OPERATIONAL NEEDS FUND		99,701				99,701		−99,701		
	Program reduction				[−99,701]				[−99,701]		
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND.		99,701				99,701		−99,701		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	TOTAL PROCUREMENT	22,785	106,967,393	23,934	109,700,919	22,923	112,161,577	902	3,363,553	23,687	110,330,946

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	AIRCRAFT PROCUREMENT, ARMY										
	FIXED WING										
003	AERIAL COMMON SENSOR (ACS) (MIP).	5	99,500	5	99,500	5	99,500			5	99,500
004	MQ-1 UAV	2	16,537	2	16,537	2	16,537			2	16,537
	MODIFICATION OF AIRCRAFT										
016	MQ-1 PAYLOAD (MIP)		8,700		8,700		8,700				8,700
023	ARL SEMA MODS (MIP)		32,000		32,000		32,000				32,000
031	RQ-7 UAV MODS		8,250		8,250		8,250				8,250
	TOTAL AIRCRAFT PROCUREMENT, ARMY.	7	164,987	7	164,987	7	164,987			7	164,987
	MISSILE PROCUREMENT, ARMY										
	AIR-TO-SURFACE MISSILE SYSTEM										
003	HELLFIRE SYS SUMMARY ..	270	37,260	270	37,260	270	37,260			270	37,260
	TOTAL MISSILE PROCUREMENT, ARMY.	270	37,260	270	37,260	270	37,260			270	37,260
	PROCUREMENT OF W&TCV, ARMY										
	WEAPONS & OTHER COMBAT VEHICLES										
016	MORTAR SYSTEMS		7,030		7,030		7,030				7,030
021	COMMON REMOTELY OPERATED WEAPONS STATION.		19,000		19,000		19,000				19,000
	TOTAL PROCUREMENT OF W&TCV, ARMY.		26,030		26,030		26,030				26,030
	PROCUREMENT OF AMMUNITION, ARMY										
	SMALL/MEDIUM CAL AMMUNITION										
004	CTG, .50 CAL, ALL TYPES ..		4,000		4,000		4,000				4,000
	MORTAR AMMUNITION										
008	60MM MORTAR, ALL TYPES		11,700		11,700		11,700				11,700
009	81MM MORTAR, ALL TYPES		4,000		4,000		4,000				4,000
010	120MM MORTAR, ALL TYPES.		7,000		7,000		7,000				7,000
	ARTILLERY AMMUNITION										
012	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES.		5,000		5,000		5,000				5,000
013	ARTILLERY PROJECTILE, 155MM, ALL TYPES.		10,000		10,000		10,000				10,000
015	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL.		2,000		2,000		2,000				2,000
	ROCKETS										
017	ROCKET, HYDRA 70, ALL TYPES.		136,340		136,340		136,340				136,340
	OTHER AMMUNITION										
019	DEMOLITION MUNITIONS, ALL TYPES.		4,000		4,000		4,000				4,000

[illegible]

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
169	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT.		8,500		8,500		8,500				8,500
	TOTAL OTHER PROCUREMENT, ARMY.	1,203	1,205,596	1,203	1,205,596	1,203	1,205,596			1,203	1,205,596
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND										
	NETWORK ATTACK										
001	ATTACK THE NETWORK Adjustment due to low execution in prior years.		219,550		219,550		215,086 [–4,464]		–15,000 [–15,000]		204,550
002	JIEDDO DEVICE DEFEAT DEFEAT THE DEVICE		77,600		77,600		77,600				77,600
003	FORCE TRAINING TRAIN THE FORCE		7,850		7,850		7,850				7,850
004	STAFF AND INFRASTRUCTURE OPERATIONS		188,271		137,571		144,464		–50,000		138,271
	Program Reduction ...				[–50,700]		[–43,807]		[–50,000]		
	TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND.		493,271		442,571		445,000		–65,000		428,271
	AIRCRAFT PROCUREMENT, NAVY										
	OTHER AIRCRAFT										
026	STUASLO UAV MODIFICATION OF AIRCRAFT	3	55,000	3	55,000	3	55,000			3	55,000
030	AV–8 SERIES		41,365		41,365		41,365				41,365
032	F–18 SERIES		8,000		8,000		8,000				8,000
037	EP–3 SERIES		6,300		6,300		6,300				6,300
047	SPECIAL PROJECT AIRCRAFT.		14,198		14,198		14,198				14,198
051	COMMON ECM EQUIPMENT		72,700		72,700		72,700				72,700
052	COMMON AVIONICS CHANGES.		13,988		13,988		13,988				13,988
059	V–22 (TILT/ROTOR ACFT) OSPREY.		4,900		4,900		4,900				4,900
	AIRCRAFT SUPPORT EQUIP & FACILITIES										
065	AIRCRAFT INDUSTRIAL FACILITIES.		943		943		943				943
	TOTAL AIRCRAFT PROCUREMENT, NAVY.	3	217,394	3	217,394	3	217,394			3	217,394
	WEAPONS PROCUREMENT, NAVY										
	TACTICAL MISSILES										
010	LASER MAVERICK		3,344		3,344		3,344				3,344
	TOTAL WEAPONS PROCUREMENT, NAVY.		3,344		3,344		3,344				3,344
	PROCUREMENT OF AMMO, NAVY & MC										
	NAVY AMMUNITION										
001	GENERAL PURPOSE BOMBS		9,715		9,715		9,715				9,715
002	AIRBORNE ROCKETS, ALL TYPES.		11,108		11,108		11,108				11,108
003	MACHINE GUN AMMUNITION.		3,603		3,603		3,603				3,603
006	AIR EXPENDABLE COUNTERMEASURES.		11,982		11,982		11,982				11,982
011	OTHER SHIP GUN AMMUNITION.		4,674		4,674		4,674				4,674
012	SMALL ARMS & LANDING PARTY AMMO.		3,456		3,456		3,456				3,456

[illegible]

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

FY 2016 Request											
Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
006	TACTICAL PREDATOR HELLFIRE MISSILE.	1,811	280,902	1,811	280,902	1,811	280,902			1,811	280,902
007	SMALL DIAMETER BOMB ... CLASS IV	63	2,520	63	2,520	63	2,520			63	2,520
010	AGM-65D MAVERICK TOTAL MISSILE PROCUREMENT, AIR FORCE.	1,874	289,142	1,874	289,142	1,874	289,142			1,874	289,142
	PROCUREMENT OF AMMUNITION, AIR FORCE CARTRIDGES										
002	CARTRIDGES		8,371		8,371		8,371				8,371
	BOMBS										
004	GENERAL PURPOSE BOMBS		17,031		17,031		17,031				17,031
006	JOINT DIRECT ATTACK MUNITION.	5,953	184,412	5,953	184,412	5,953	184,412			5,953	184,412
	FLARES										
012	FLARES		11,064		11,064		11,064				11,064
	FUZES										
013	FUZES TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE.	5,953	228,874	5,953	228,874	5,953	228,874			5,953	228,874
	OTHER PROCUREMENT, AIR FORCE										
	SPCL COMM-ELECTRONICS PROJECTS										
025	GENERAL INFORMATION TECHNOLOGY.		3,953		3,953		3,953				3,953
027	MOBILITY COMMAND AND CONTROL.		2,000		2,000		2,000				2,000
	AIR FORCE COMMUNICATIONS										
042	USCENTCOM		10,000		10,000		10,000				10,000
	ORGANIZATION AND BASE										
052	TACTICAL C-E EQUIPMENT		4,065		4,065		4,065				4,065
056	BASE COMM INFRASTRUCTURE.		15,400		15,400		15,400				15,400
	PERSONAL SAFETY & RESCUE EQUIP										
058	NIGHT VISION GOGGLES		3,580		3,580		3,580				3,580
059	ITEMS LESS THAN \$5 MILLION.		3,407		3,407		3,407				3,407
	BASE SUPPORT EQUIPMENT										
062	ENGINEERING AND EOD EQUIPMENT.		46,790		46,790		46,790				46,790
064	MOBILITY EQUIPMENT		400		400		400				400
065	ITEMS LESS THAN \$5 MILLION.		9,800		9,800		9,800				9,800
	SPECIAL SUPPORT PROJECTS										
071	DEFENSE SPACE RECONNAISSANCE PROG..		28,070		28,070		28,070				28,070
	CLASSIFIED PROGRAMS										
071A	CLASSIFIED PROGRAMS TOTAL OTHER PROCUREMENT, AIR FORCE.		3,732,499		3,732,499		3,732,499				3,732,499
	PROCUREMENT, DEFENSE-WIDE										
	MAJOR EQUIPMENT, DISA										
008	TELEPORT PROGRAM		1,940		1,940		1,940				1,940
	CLASSIFIED PROGRAMS										
040A	CLASSIFIED PROGRAMS AVIATION PROGRAMS		35,482		35,482		35,482				35,482

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
041	MC-12		5,000		5,000		5,000				5,000
	AMMUNITION PROGRAMS										
056	ORDNANCE ITEMS \$5M	746,066	35,299	746,066	35,299	746,066	35,299			746,066	35,299
	OTHER PROCUREMENT PROGRAMS										
061	SPECIAL PROGRAMS	1	15,160	1	15,160	1	15,160			1	15,160
063	WARRIOR SYSTEMS \$5M ...	50	15,000	50	15,000	50	15,000			50	15,000
068	OPERATIONAL ENHANCEMENTS.	3	104,537	3	104,537	3	104,537			3	104,537
	TOTAL PROCURE- MENT, DE- FENSE-WIDE.	746,120	212,418	746,120	212,418	746,120	212,418			746,120	212,418
	NATIONAL GUARD AND RE- SERVE EQUIPMENT UNDISTRIBUTED										
007	MISCELLANEOUS EQUIP- MENT.				250,000				250,000		250,000
	NGREA Program In- crease.				[250,000]				[250,000]		
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT.				250,000				250,000		250,000
	TOTAL PROCURE- MENT.	755,430	7,257,270	755,430	7,456,570	755,430	7,208,999		185,000	755,430	7,442,270

**TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND
EVALUATION**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY					
		BASIC RESEARCH					
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	13,018	13,018	13,018		13,018
002	0601102A	DEFENSE RESEARCH SCIENCES	239,118	239,118	279,118	20,000	259,118
		Basic research program increase			[40,000]	[20,000]	
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	72,603	72,603	72,603		72,603
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS ..	100,340	100,340	100,340		100,340
		SUBTOTAL BASIC RESEARCH	425,079	425,079	465,079	20,000	445,079
		APPLIED RESEARCH					
005	0602105A	MATERIALS TECHNOLOGY	28,314	28,314	28,314		28,314
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	38,374	38,374	38,374		38,374
007	0602122A	TRACTOR HIP	6,879	6,879	6,879		6,879
008	0602211A	AVIATION TECHNOLOGY	56,884	56,884	56,884		56,884
009	0602270A	ELECTRONIC WARFARE TECHNOLOGY	19,243	19,243	19,243		19,243
010	0602303A	MISSILE TECHNOLOGY	45,053	53,053	45,053	8,000	53,053
		A2/AD Anti-Ship Missile Study		[8,000]		[8,000]	
011	0602307A	ADVANCED WEAPONS TECHNOLOGY	29,428	29,428	29,428		29,428
012	0602308A	ADVANCED CONCEPTS AND SIMULATION	27,862	27,862	27,862		27,862
013	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	68,839	68,839	68,839		68,839
014	0602618A	BALLISTICS TECHNOLOGY	92,801	92,801	92,801		92,801
015	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY.	3,866	3,866	3,866		3,866
016	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	5,487	5,487	5,487		5,487
017	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	48,340	48,340	48,340		48,340
018	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	55,301	55,301	55,301		55,301
019	0602709A	NIGHT VISION TECHNOLOGY	33,807	33,807	33,807		33,807
020	0602712A	COUNTERMINE SYSTEMS	25,068	25,068	25,068		25,068
021	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	23,681	23,681	23,681		23,681
022	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	20,850	20,850	20,850		20,850
023	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECH- NOLOGY.	36,160	36,160	36,160		36,160

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024	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	12,656	12,656	12,656		12,656
025	0602784A	MILITARY ENGINEERING TECHNOLOGY	63,409	63,409	63,409		63,409
026	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY ...	24,735	19,735	24,735		24,735
		Program decrease		[-5,000]			
027	0602786A	WARFIGHTER TECHNOLOGY	35,795	35,795	35,795		35,795
028	0602787A	MEDICAL TECHNOLOGY	76,853	76,853	76,853		76,853
		SUBTOTAL APPLIED RESEARCH	879,685	882,685	879,685	8,000	887,685
		ADVANCED TECHNOLOGY DEVELOPMENT					
029	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	46,973	46,973	46,973		46,973
030	0603002A	MEDICAL ADVANCED TECHNOLOGY	69,584	69,584	69,584		69,584
031	0603003A	AVIATION ADVANCED TECHNOLOGY	89,736	89,736	89,736		89,736
032	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY.	57,663	57,663	57,663		57,663
033	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY.	113,071	113,071	113,071		113,071
034	0603006A	SPACE APPLICATION ADVANCED TECHNOLOGY	5,554	5,554	5,554		5,554
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY.	12,636	12,636	12,636		12,636
037	0603009A	TRACTOR HIKE	7,502	7,502	7,502		7,502
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS.	17,425	17,425	17,425		17,425
039	0603020A	TRACTOR ROSE	11,912	11,912	11,912		11,912
040	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT.	27,520	27,520	27,520		27,520
041	0603130A	TRACTOR NAIL	2,381	2,381	2,381		2,381
042	0603131A	TRACTOR EGGS	2,431	2,431	2,431		2,431
043	0603270A	ELECTRONIC WARFARE TECHNOLOGY	26,874	26,874	26,874		26,874
044	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	49,449	49,449	49,449		49,449
045	0603322A	TRACTOR CAGE	10,999	10,999	10,999		10,999
046	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.	177,159	177,159	167,159		177,159
		Encourage use of commercial technology			[-10,000]		
047	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY.	13,993	13,993	13,993		13,993
048	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	5,105	5,105	5,105		5,105
049	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	40,929	40,929	40,929		40,929
050	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS.	10,727	10,727	10,727		10,727
051	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	20,145	20,145	20,145		20,145
052	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY.	38,163	38,163	38,163		38,163
053	0603794A	C3 ADVANCED TECHNOLOGY	37,816	37,816	37,816		37,816
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	895,747	895,747	885,747		895,747
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES					
054	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION ...	10,347	10,347	10,347		10,347
055	0603308A	ARMY SPACE SYSTEMS INTEGRATION	25,061	25,061	25,061		25,061
056	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	49,636	49,636	49,636		49,636
057	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYSTEM—ADV DEV.	13,426	13,426	13,426		13,426
058	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	46,749	46,749	46,749		46,749
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	6,258	6,258	6,258		6,258
061	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV.	13,472	13,472	13,472		13,472
062	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	7,292	7,292	7,292		7,292
063	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEMO/VAL.	8,813	8,813	8,813		8,813
065	0603790A	NATO RESEARCH AND DEVELOPMENT	6,075	6,075	6,075		6,075
067	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV ..	21,233	21,233	21,233		21,233
068	0603807A	MEDICAL SYSTEMS—ADV DEV	31,962	31,962	31,962		31,962
069	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	22,194	22,194	22,194		22,194
071	0604100A	ANALYSIS OF ALTERNATIVES	9,805	9,805	9,805		9,805
072	0604115A	TECHNOLOGY MATURATION INITIATIVES	40,917	40,917	40,917		40,917
073	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT).	30,058	30,058	30,058		30,058
074	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2—INTERCEPT (IFPC2).	155,361	155,361	155,361		155,361

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		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	498,659	498,659	498,659		498,659
		SYSTEM DEVELOPMENT & DEMONSTRATION					
076	0604201A	AIRCRAFT AVIONICS	12,939	12,939	12,939		12,939
078	0604270A	ELECTRONIC WARFARE DEVELOPMENT	18,843	18,843	18,843		18,843
079	0604280A	JOINT TACTICAL RADIO	9,861	9,861	9,861		9,861
080	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	8,763	8,763	8,763		8,763
081	0604321A	ALL SOURCE ANALYSIS SYSTEM	4,309	4,309	4,309		4,309
082	0604328A	TRACTOR CAGE	15,138	15,138	15,138		15,138
083	0604601A	INFANTRY SUPPORT WEAPONS	74,128	80,628	76,628	6,500	80,628
		Army requested realignment		[1,500]		[1,500]	
		Soldier Enhancement Program		[5,000]		[5,000]	
		Transfer from WTCV			[2,500]		
085	0604611A	JAVELIN	3,945	3,945	3,945		3,945
087	0604633A	AIR TRAFFIC CONTROL	10,076	10,076	10,076		10,076
088	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)	40,374	40,374	40,374		40,374
089	0604710A	NIGHT VISION SYSTEMS—ENG DEV	67,582	67,582	67,582		67,582
090	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	1,763	1,763	1,763		1,763
091	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	27,155	27,155	27,155		27,155
092	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV.	24,569	24,569	24,569		24,569
093	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT.	23,364	23,364	23,364		23,364
094	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	8,960	8,960	8,960		8,960
095	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV.	9,138	9,138	9,138		9,138
096	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	21,622	21,622	21,622		21,622
097	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION.	99,242	99,242	99,242		99,242
098	0604802A	WEAPONS AND MUNITIONS—ENG DEV	21,379	21,379	21,379		21,379
099	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV ..	48,339	48,339	48,339		48,339
100	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV.	2,726	2,726	2,726		2,726
101	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV.	45,412	45,412	45,412		45,412
102	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	55,215	55,215	55,215		55,215
104	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE.	163,643	163,643	163,643		163,643
105	0604820A	RADAR DEVELOPMENT	12,309	12,309	12,309		12,309
106	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS).	15,700	15,700	15,700		15,700
107	0604823A	FIREFINDER	6,243	6,243	6,243		6,243
108	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	18,776	18,776	18,776		18,776
109	0604854A	ARTILLERY SYSTEMS—EMD	1,953	1,953	1,953		1,953
110	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	67,358	67,358	67,358		67,358
111	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A).	136,011	136,011	86,011	-15,000	121,011
		Restructure program			[-50,000]	[-15,000]	
112	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	230,210	230,210	230,210		230,210
113	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	13,357	13,357	13,357		13,357
114	0605031A	JOINT TACTICAL NETWORK (JTN)	18,055	18,055	18,055		18,055
115	0605032A	TRACTOR TIRE	5,677	5,677	5,677		5,677
116	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM) ..	77,570	101,570	101,570	24,000	101,570
		Apache Survivability Enhancements—Army Unfunded Requirement.		[24,000]	[24,000]	[24,000]	
117	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	18,112	78,112	78,112	60,000	78,112
		Apache Survivability Enhancements—Army Unfunded Requirement.		[60,000]	[60,000]	[60,000]	
118	0605350A	WIN-T INCREMENT 3—FULL NETWORKING	39,700	39,700	39,700		39,700
119	0605380A	AMF JOINT TACTICAL RADIO SYSTEM (JTRS)	12,987	12,987	6,155		12,987
		Only for SALT program			[-6,832]		
120	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	88,866	68,866	88,866	-13,900	74,966
		EMD contract delays		[-20,000]		[-13,900]	
121	0605456A	PAC-3/MSE MISSILE	2,272	2,272	2,272		2,272
122	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD).	214,099	214,099	214,099		214,099
123	0605625A	MANNED GROUND VEHICLE	49,247	39,247	49,247	-10,000	39,247
		Funding ahead of need		[-10,000]		[-10,000]	
124	0605626A	AERIAL COMMON SENSOR	2	2	2		2

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125	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	10,599	10,599	10,599		10,599
126	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	32,486	32,486	32,486		32,486
127	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	8,880	8,880	8,880		8,880
128	0210609A	PALADIN INTEGRATED MANAGEMENT (PIM)	152,288	152,288	152,288		152,288
129	0303032A	TROJAN—RH12	5,022	5,022	5,022		5,022
130	0304270A	ELECTRONIC WARFARE DEVELOPMENT	12,686	12,686	12,686		12,686
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	2,068,950	2,129,450	2,098,618	51,600	2,120,550
		RDT&E MANAGEMENT SUPPORT					
131	0604256A	THREAT SIMULATOR DEVELOPMENT	20,035	20,035	20,035		20,035
132	0604258A	TARGET SYSTEMS DEVELOPMENT	16,684	16,684	16,684		16,684
133	0604759A	MAJOR T&E INVESTMENT	62,580	62,580	62,580		62,580
134	0605103A	RAND ARROYO CENTER	20,853	20,853	20,853		20,853
135	0605301A	ARMY KWAJALEIN ATOLL	205,145	205,145	205,145		205,145
136	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	19,430	19,430	19,430		19,430
138	0605601A	ARMY TEST RANGES AND FACILITIES	277,646	277,646	277,646		277,646
139	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS.	51,550	51,550	51,550		51,550
140	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	33,246	33,246	33,246		33,246
141	0605606A	AIRCRAFT CERTIFICATION	4,760	4,760	4,760		4,760
142	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	8,303	8,303	8,303		8,303
143	0605706A	MATERIEL SYSTEMS ANALYSIS	20,403	20,403	20,403		20,403
144	0605709A	EXPLOITATION OF FOREIGN ITEMS	10,396	10,396	10,396		10,396
145	0605712A	SUPPORT OF OPERATIONAL TESTING	49,337	49,337	49,337		49,337
146	0605716A	ARMY EVALUATION CENTER	52,694	52,694	52,694		52,694
147	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG.	938	938	938		938
148	0605801A	PROGRAMWIDE ACTIVITIES	60,319	60,319	60,319		60,319
149	0605803A	TECHNICAL INFORMATION ACTIVITIES	28,478	28,478	28,478		28,478
150	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY.	32,604	24,604	24,604	-8,000	24,604
		Program reduction		[-8,000]	[-8,000]	[-8,000]	
151	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT.	3,186	3,186	3,186		3,186
152	0605898A	MANAGEMENT HQ—R&D	48,955	48,955	48,955		48,955
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	1,027,542	1,019,542	1,019,542	-8,000	1,019,542
		OPERATIONAL SYSTEMS DEVELOPMENT					
154	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	18,397	18,397	18,397		18,397
155	0603813A	TRACTOR PULL	9,461	9,461	9,461		9,461
156	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS.	4,945	4,945	4,945		4,945
157	0607133A	TRACTOR SMOKE	7,569	7,569	7,569		7,569
158	0607135A	APACHE PRODUCT IMPROVEMENT PROGRAM	69,862	69,862	69,862		69,862
159	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM ...	66,653	66,653	66,653		66,653
160	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	37,407	37,407	37,407		37,407
161	0607138A	FIXED WING PRODUCT IMPROVEMENT PROGRAM	1,151	1,151	1,151		1,151
162	0607139A	IMPROVED TURBINE ENGINE PROGRAM	51,164	51,164	51,164		51,164
163	0607140A	EMERGING TECHNOLOGIES FROM NIE	2,481	2,481	2,481		2,481
164	0607141A	LOGISTICS AUTOMATION	1,673	1,673	1,673		1,673
166	0607665A	FAMILY OF BIOMETRICS	13,237	13,237	13,237		13,237
167	0607865A	PATRIOT PRODUCT IMPROVEMENT	105,816	105,816	105,816		105,816
169	0202429A	AEROSTAT JOINT PROJECT—COCOM EXERCISE	40,565	40,565	40,565		40,565
171	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCs).	35,719	35,719	35,719		35,719
172	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	257,167	292,167	354,167	97,000	354,167
		Stryker Lethality Upgrades		[35,000]	[97,000]	[97,000]	
173	0203740A	MANEUVER CONTROL SYSTEM	15,445	15,445	15,445		15,445
175	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.	364	364	364		364
176	0203758A	DIGITIZATION	4,361	4,361	4,361		4,361
177	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM.	3,154	3,154	3,154		3,154
178	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS.	35,951	35,951	35,951		35,951
179	0203808A	TRACTOR CARD	34,686	34,686	34,686		34,686

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180	0205402A	INTEGRATED BASE DEFENSE—OPERATIONAL SYSTEM DEV.	10,750	10,750	10,750		10,750
181	0205410A	MATERIALS HANDLING EQUIPMENT	402	402	402		402
183	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM.	64,159	64,159	64,159		64,159
184	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS).	17,527	17,527	17,527		17,527
185	0208053A	JOINT TACTICAL GROUND SYSTEM	20,515	20,515	20,515		20,515
187	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	12,368	12,368	12,368		12,368
188	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	31,154	31,154	31,154		31,154
189	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	12,274	12,274	12,274		12,274
190	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	9,355	9,355	9,355		9,355
191	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM.	7,053	7,053	7,053		7,053
193	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	750	750	750		750
194	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	13,225	13,225	13,225		13,225
195	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	22,870	22,870	22,870		22,870
196	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	25,592	25,592	25,592		25,592
199	0305233A	RQ-7 UAV	7,297	7,297	7,297		7,297
201	0310349A	WIN-T INCREMENT 2—INITIAL NETWORKING	3,800	3,800	3,800		3,800
202	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES.	48,442	48,442	48,442		48,442
202A	9999999999	CLASSIFIED PROGRAMS	4,536	4,536	4,536		4,536
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	1,129,297	1,164,297	1,226,297	97,000	1,226,297
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	6,924,959	7,015,459	7,073,627	168,600	7,093,559
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY					
		BASIC RESEARCH					
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	116,196	134,196	116,196	9,000	125,196
		Defense University Research Instrumentation Program increase.		[18,000]		[9,000]	
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,126	19,126	19,126		19,126
003	0601153N	DEFENSE RESEARCH SCIENCES	451,606	451,606	506,606	27,500	479,106
		Basic research program increase			[55,000]	[27,500]	
		SUBTOTAL BASIC RESEARCH	586,928	604,928	641,928	36,500	623,428
		APPLIED RESEARCH					
004	0602114N	POWER PROJECTION APPLIED RESEARCH	68,723	68,723	68,723		68,723
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	154,963	154,963	154,963		154,963
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	49,001	49,001	49,001		49,001
007	0602235N	COMMON PICTURE APPLIED RESEARCH	42,551	42,551	42,551		42,551
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH ..	45,056	45,056	45,056		45,056
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	115,051	115,051	115,051		115,051
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH.	42,252	62,252	42,252	20,000	62,252
		Service Life Extension for the AGOR Ship		[20,000]		[20,000]	
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,119	6,119	6,119		6,119
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	123,750	123,750	142,350	18,600	142,350
		Accelerate undersea warfare research			[18,600]	[18,600]	
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH.	179,686	179,686	179,686		179,686
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH.	37,418	37,418	37,418		37,418
		SUBTOTAL APPLIED RESEARCH	864,570	884,570	883,170	38,600	903,170
		ADVANCED TECHNOLOGY DEVELOPMENT					
015	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	37,093	37,093	37,093		37,093
016	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	38,044	38,044	38,044		38,044
017	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY.	34,899	34,899	34,899		34,899
018	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD).	137,562	137,562	137,562		137,562
019	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT.	12,745	12,745	12,745		12,745
020	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT.	258,860	248,860	248,860		258,860
		Capable manpower, enablers, and sea basing		[-10,000]	[-10,000]		

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021	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	57,074	57,074	57,074		57,074
022	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY.	4,807	4,807	4,807		4,807
023	0603747N	UNDERSEA WARFARE ADVANCED TECHNOLOGY	13,748	13,748	13,748		13,748
024	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS.	66,041	66,041	66,041		66,041
025	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY.	1,991	1,991	1,991		1,991
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	662,864	652,864	652,864		662,864
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES					
026	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	41,832	41,832	41,832		41,832
027	0603216N	AVIATION SURVIVABILITY	5,404	5,404	5,404		5,404
028	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,086	3,086	3,086		3,086
029	0603251N	AIRCRAFT SYSTEMS	11,643	11,643	11,643		11,643
030	0603254N	ASW SYSTEMS DEVELOPMENT	5,555	5,555	5,555		5,555
031	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,087	3,087	3,087		3,087
032	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,636	1,636	1,636		1,636
033	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES.	118,588	118,588	118,588	-5,000	113,588
		LDUUV development growth				[-5,000]	
034	0603506N	SURFACE SHIP TORPEDO DEFENSE	77,385	77,385	77,385		77,385
035	0603512N	CARRIER SYSTEMS DEVELOPMENT	8,348	8,348	8,348		8,348
036	0603525N	PILOT FISH	123,246	123,246	123,246		123,246
037	0603527N	RETRACT LARCH	28,819	28,819	28,819		28,819
038	0603536N	RETRACT JUNIPER	112,678	112,678	112,678		112,678
039	0603542N	RADIOLOGICAL CONTROL	710	710	710		710
040	0603553N	SURFACE ASW	1,096	1,096	1,096		1,096
041	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	87,160	135,160	98,160	6,200	93,360
		Accelerate unmanned underwater vehicle development.		[48,000]	[11,000]	[10,000]	
		Universal launch and recovery module unfunded out-year tail.				[-3,800]	
042	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	10,371	10,371	10,371		10,371
043	0603563N	SHIP CONCEPT ADVANCED DESIGN	11,888	11,888	11,888		11,888
044	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES.	4,332	4,332	4,332		4,332
045	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	482,040	62,740	482,040		482,040
		Transfer to National Sea-Based Deterrence Fund		[-419,300]			
046	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	25,904	25,904	25,904		25,904
047	0603576N	CHALK EAGLE	511,802	511,802	511,802		511,802
048	0603581N	LITTORAL COMBAT SHIP (LCS)	118,416	118,416	118,416		118,416
049	0603582N	COMBAT SYSTEM INTEGRATION	35,901	35,901	35,901		35,901
050	0603595N	OHIO REPLACEMENT	971,393		971,393		971,393
		Transfer to National Sea-Based Deterrence Fund-OR Development.		[-971,393]			
051	0603596N	LCS MISSION MODULES	206,149	206,149	206,149		206,149
052	0603597N	AUTOMATED TEST AND RE-TEST (ATRT)	8,000	8,000	8,000		8,000
053	0603609N	CONVENTIONAL MUNITIONS	7,678	7,678	7,678		7,678
054	0603611M	MARINE CORPS ASSAULT VEHICLES	219,082	219,082	219,082		219,082
055	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM.	623	623	623		623
056	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT.	18,260	18,260	18,260		18,260
057	0603658N	COOPERATIVE ENGAGEMENT	76,247	76,247	76,247		76,247
058	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	4,520	4,520	4,520		4,520
059	0603721N	ENVIRONMENTAL PROTECTION	20,711	20,711	20,711		20,711
060	0603724N	NAVY ENERGY PROGRAM	47,761	47,761	47,761		47,761
061	0603725N	FACILITIES IMPROVEMENT	5,226	5,226	5,226		5,226
062	0603734N	CHALK CORAL	182,771	182,771	182,771		182,771
063	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,866	3,866	3,866		3,866
064	0603746N	RETRACT MAPLE	360,065	360,065	360,065		360,065
065	0603748N	LINK PLUMERIA	237,416	237,416	237,416		237,416
066	0603751N	RETRACT ELM	37,944	37,944	37,944		37,944
067	0603764N	LINK EVERGREEN	47,312	47,312	47,312		47,312
068	0603787N	SPECIAL PROCESSES	17,408	17,408	17,408		17,408
069	0603790N	NATO RESEARCH AND DEVELOPMENT	9,359	9,359	9,359		9,359
070	0603795N	LAND ATTACK TECHNOLOGY	887	10,887	887		887

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		5-Inch Guided Projectile Technology		[10,000]			
071	0603851M	JOINT NON-LETHAL WEAPONS TESTING	29,448	29,448	29,448		29,448
072	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL.	91,479	91,479	91,479		91,479
073	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS.	67,360	67,360	67,360		67,360
074	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80).	48,105	48,105	127,205	79,100	127,205
		Full ship shock trials for CVN-78			[79,100]	[79,100]	
075	0604122N	REMOTE MINEHUNTING SYSTEM (RMS)	20,089	20,089	20,089		20,089
076	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM).	18,969	18,969	18,969		18,969
077	0604279N	ASE SELF-PROTECTION OPTIMIZATION	7,874	7,874	7,874		7,874
078	0604292N	MH-XX	5,298	5,298	5,298		5,298
079	0604454N	LX (R)	46,486	75,486	75,486	29,000	75,486
		LX(R) Acceleration		[29,000]	[29,000]	[29,000]	
080	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW).	3,817	3,817	3,817		3,817
081	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM.	9,595	9,595	9,595		9,595
082	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT.	29,581	29,581	29,581	–4,335	25,246
		Maritime concept generation and development growth.				[–4,335]	
083	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT.	285,849	285,849	285,849		285,849
084	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	36,656	36,656	36,656		36,656
085	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	9,835	9,835	9,835		9,835
086	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	580	580	580		580
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	5,024,626	3,720,933	5,143,726	104,965	5,129,591
		SYSTEM DEVELOPMENT & DEMONSTRATION					
087	0603208N	TRAINING SYSTEM AIRCRAFT	21,708	21,708	21,708		21,708
088	0604212N	OTHER HELO DEVELOPMENT	11,101	11,101	11,101		11,101
089	0604214N	AV-8B AIRCRAFT—ENG DEV	39,878	39,878	39,878		39,878
090	0604215N	STANDARDS DEVELOPMENT	53,059	53,059	53,059		53,059
091	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT.	21,358	21,358	21,358		21,358
092	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	4,515	4,515	4,515		4,515
093	0604221N	P-3 MODERNIZATION PROGRAM	1,514	1,514	1,514		1,514
094	0604230N	WARFARE SUPPORT SYSTEM	5,875	5,875	5,875		5,875
095	0604231N	TACTICAL COMMAND SYSTEM	81,553	81,553	81,553		81,553
096	0604234N	ADVANCED HAWKEYE	272,149	272,149	272,149	–8,000	264,149
		Cost growth				[–8,000]	
097	0604245N	H-1 UPGRADES	27,235	52,235	27,235		27,235
		UH-1Y/AH-1Z Readiness Improvement Unfunded Requirement.		[25,000]			
098	0604261N	ACOUSTIC SEARCH SENSORS	35,763	35,763	35,763		35,763
099	0604262N	V-22A	87,918	98,618	87,918		87,918
		Digital interoperability program		[10,700]			
100	0604264N	AIR CREW SYSTEMS DEVELOPMENT	12,679	12,679	12,679		12,679
101	0604269N	EA-18	56,921	56,921	56,921		56,921
102	0604270N	ELECTRONIC WARFARE DEVELOPMENT	23,685	23,685	23,685		23,685
103	0604273N	EXECUTIVE HELO DEVELOPMENT	507,093	507,093	507,093		507,093
104	0604274N	NEXT GENERATION JAMMER (NGJ)	411,767	411,767	411,767	–8,000	403,767
		Contract delays				[–8,000]	
105	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY).	25,071	25,071	25,071		25,071
106	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING.	443,433	443,433	443,433	–22,300	421,133
		Aegis development support growth				[–22,300]	
107	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	747	747	747		747
108	0604329N	SMALL DIAMETER BOMB (SDB)	97,002	97,002	97,002	–12,358	84,644
		F-18 integration contract delay				[–12,358]	
109	0604366N	STANDARD MISSILE IMPROVEMENTS	129,649	129,649	129,649		129,649
110	0604373N	AIRBORNE MCM	11,647	11,647	11,647		11,647
111	0604376M	MARINE AIR GROUND TASK FORCE (MAGTF) ELECTRONIC WARFARE (EW) FOR AVIATION.	2,778	2,778	2,778		2,778

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112	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING.	23,695	23,695	23,695		23,695
113	0604404N	UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYSTEM. Competitive air vehicle risk reduction activities	134,708	134,708		350,000	484,708
		Excess FY15 funds buy down FY16 requirements			[-134,708]	[300,000]	
		Government and industry source selection preparation.				[50,000]	
114	0604501N	ADVANCED ABOVE WATER SENSORS	43,914	43,914	43,914		43,914
115	0604503N	SSN-688 AND TRIDENT MODERNIZATION	109,908	109,908	109,908		109,908
116	0604504N	AIR CONTROL	57,928	57,928	57,928		57,928
117	0604512N	SHIPBOARD AVIATION SYSTEMS	120,217	120,217	120,217		120,217
118	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM.	241,754	241,754	241,754		241,754
119	0604558N	NEW DESIGN SSN	122,556	122,556	122,556		122,556
120	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	48,213	60,213	60,213	12,000	60,213
		Accelerate submarine combat and weapon system modernization.		[12,000]	[12,000]	[12,000]	
121	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	49,712	49,712	49,712		49,712
122	0604574N	NAVY TACTICAL COMPUTER RESOURCES	4,096	4,096	4,096		4,096
123	0604580N	VIRGINIA PAYLOAD MODULE (VPM)	167,719	167,719	167,719		167,719
124	0604601N	MINE DEVELOPMENT	15,122	15,122	15,122		15,122
125	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	33,738	33,738	33,738		33,738
126	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT.	8,123	8,123	8,123		8,123
127	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS.	7,686	7,686	7,686		7,686
128	0604727N	JOINT STANDOFF WEAPON SYSTEMS	405	405	405		405
129	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	153,836	153,836	153,836		153,836
130	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	99,619	99,619	99,619		99,619
131	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	116,798	116,798	116,798		116,798
132	0604761N	INTELLIGENCE ENGINEERING	4,353	4,353	4,353		4,353
133	0604771N	MEDICAL DEVELOPMENT	9,443	9,443	9,443		9,443
134	0604777N	NAVIGATION/ID SYSTEM	32,469	32,469	32,469		32,469
135	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	537,901	537,901	525,401		537,901
		F-35B Block 4 development early to need			[-12,500]		
136	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	504,736	504,736	492,236		504,736
		F-35C Block 4 development early to need			[-12,500]		
137	0604810M	JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—MARINE CORPS.	59,265	46,765	59,265	-38,465	20,800
		Program delay		[-12,500]		[-38,465]	
138	0604810N	JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—NAVY.	47,579	35,079	47,579	-26,335	21,244
		Program delay		[-12,500]		[-26,335]	
139	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	5,914	5,914	5,914		5,914
140	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	89,711	89,711	89,711		89,711
141	0605212N	CH-53K RDTE	632,092	632,092	632,092		632,092
142	0605220N	SHIP TO SHORE CONNECTOR (SSC)	7,778	7,778	7,778		7,778
143	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	25,898	25,898	25,898		25,898
144	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	247,929	247,929	247,929		247,929
145	0204202N	DDG-1000	103,199	103,199	103,199		103,199
146	0304231N	TACTICAL COMMAND SYSTEM—MIP	998	998	998		998
147	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	17,785	17,785	17,785		17,785
148	0305124N	SPECIAL APPLICATIONS PROGRAM	35,905	35,905	35,905		35,905
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	6,308,800	6,331,500	6,161,092	246,542	6,555,342
MANAGEMENT SUPPORT							
149	0604256N	THREAT SIMULATOR DEVELOPMENT	30,769	30,769	30,769		30,769
150	0604258N	TARGET SYSTEMS DEVELOPMENT	112,606	112,606	112,606		112,606
151	0604759N	MAJOR T&E INVESTMENT	61,234	61,234	61,234		61,234
152	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION.	6,995	6,995	6,995		6,995
153	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	4,011	4,011	4,011		4,011
154	0605154N	CENTER FOR NAVAL ANALYSES	48,563	48,563	48,563		48,563
155	0605285N	NEXT GENERATION FIGHTER	5,000	5,000	5,000		5,000
157	0605804N	TECHNICAL INFORMATION SERVICES	925	925	925		925
158	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT.	78,143	78,143	78,143		78,143
159	0605856N	STRATEGIC TECHNICAL SUPPORT	3,258	3,258	3,258		3,258

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160	0605861N	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	76,948	76,948	76,948		76,948
161	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	132,122	132,122	132,122		132,122
162	0605864N	TEST AND EVALUATION SUPPORT	351,912	351,912	351,912		351,912
163	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY.	17,985	17,985	17,985		17,985
164	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT.	5,316	5,316	5,316		5,316
165	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT ...	6,519	6,519	6,519		6,519
166	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	13,649	13,649	13,649		13,649
		SUBTOTAL MANAGEMENT SUPPORT	955,955	955,955	955,955		955,955
		OPERATIONAL SYSTEMS DEVELOPMENT					
174	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	107,039	107,039	107,039		107,039
175	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	46,506	46,506	46,506		46,506
176	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT ...	3,900	3,900	4,700	800	4,700
		Accelerate combat rapid attack weapon			[800]	[800]	
177	0101402N	NAVY STRATEGIC COMMUNICATIONS	16,569	16,569	16,569		16,569
178	0203761N	RAPID TECHNOLOGY TRANSITION (RTT)	18,632	18,632	18,632	-7,500	11,132
		TIPS program growth				[-7,500]	
179	0204136N	F/A-18 SQUADRONS	133,265	133,265	133,265		133,265
181	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	62,867	62,867	62,867	-11,800	51,067
		Joint aerial layer network growth				[-11,800]	
182	0204228N	SURFACE SUPPORT	36,045	36,045	36,045		36,045
183	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC).	25,228	25,228	25,228		25,228
184	0204311N	INTEGRATED SURVEILLANCE SYSTEM	54,218	54,218	54,218		54,218
185	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT).	11,335	11,335	11,335		11,335
186	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	80,129	80,129	80,129	-14,500	65,629
		Block II test assets early to need				[-14,500]	
187	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT.	39,087	54,087	39,087		39,087
		Anti-Submarine Warfare Underwater Range Instrumentation Upgrade.		[15,000]			
188	0204574N	CRYPTOLOGIC DIRECT SUPPORT	1,915	1,915	1,915		1,915
189	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	46,609	46,609	46,609		46,609
190	0205601N	HARM IMPROVEMENT	52,708	52,708	52,708	-36,544	16,164
		AARGM extended range program growth				[-36,544]	
191	0205604N	TACTICAL DATA LINKS	149,997	149,997	149,997		149,997
192	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	24,460	24,460	24,460		24,460
193	0205632N	MK-48 ADCAP	42,206	42,206	47,706	5,500	47,706
		Accelerate torpedo upgrades			[5,500]	[5,500]	
194	0205633N	AVIATION IMPROVEMENTS	117,759	117,759	117,759		117,759
195	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	101,323	101,323	101,323		101,323
196	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	67,763	67,763	67,763		67,763
197	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S).	13,431	13,431	13,431		13,431
198	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS.	56,769	56,769	56,769	-8,100	48,669
		Project delays				[-8,100]	
199	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	20,729	20,729	20,729		20,729
200	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP).	13,152	13,152	13,152		13,152
201	0206629M	AMPHIBIOUS ASSAULT VEHICLE	48,535	48,535	48,535		48,535
202	0207161N	TACTICAL AIM MISSILES	76,016	76,016	76,016		76,016
203	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).	32,172	32,172	32,172		32,172
208	0303109N	SATELLITE COMMUNICATIONS (SPACE)	53,239	53,239	53,239		53,239
209	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES).	21,677	21,677	21,677		21,677
210	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	28,102	28,102	28,102		28,102
211	0303150M	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM.	294	294	294		294
213	0305160N	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC).	599	599	599		599
214	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES.	6,207	6,207	6,207		6,207
215	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	8,550	8,550	8,550		8,550
216	0305205N	UAS INTEGRATION AND INTEROPERABILITY	41,831	41,831	41,831		41,831

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217	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	1,105	1,105	1,105		1,105
218	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	33,149	33,149	33,149		33,149
219	0305220N	RQ-4 UAV	227,188	227,188	227,188		227,188
220	0305231N	MQ-8 UAV	52,770	52,770	52,770		52,770
221	0305232M	RQ-11 UAV	635	635	635		635
222	0305233N	RQ-7 UAV	688	688	688		688
223	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	4,647	4,647	4,647		4,647
224	0305239M	RQ-21A	6,435	6,435	6,435		6,435
225	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	49,145	49,145	49,145		49,145
226	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP).	9,246	9,246	9,246		9,246
227	0305421N	RQ-4 MODERNIZATION	150,854	150,854	150,854		150,854
228	0308601N	MODELING AND SIMULATION SUPPORT	4,757	4,757	4,757		4,757
229	0702207N	DEPOT MAINTENANCE (NON-IF)	24,185	24,185	24,185		24,185
231	0708730N	MARITIME TECHNOLOGY (MARITECH)	4,321	4,321	4,321		4,321
231A	9999999999	CLASSIFIED PROGRAMS	1,252,185	1,252,185	1,252,185		1,252,185
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	3,482,173	3,497,173	3,488,473	-72,144	3,410,029
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	17,885,916	16,647,923	17,927,208	354,463	18,240,379
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF					
		BASIC RESEARCH					
001	0601102F	DEFENSE RESEARCH SCIENCES	329,721	329,721	374,721	22,500	352,221
		Basic research program increase			[45,000]	[22,500]	
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	141,754	141,754	141,754		141,754
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	13,778	13,778	13,778		13,778
		SUBTOTAL BASIC RESEARCH	485,253	485,253	530,253	22,500	507,753
		APPLIED RESEARCH					
004	0602102F	MATERIALS	125,234	125,234	115,234		125,234
		Nanostructured and biological materials			[-10,000]		
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	123,438	123,438	123,438		123,438
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	100,530	90,530	100,530		100,530
		Program decrease		[-10,000]			
007	0602203F	AEROSPACE PROPULSION	182,326	177,326	182,326		182,326
		Program decrease		[-5,000]			
008	0602204F	AEROSPACE SENSORS	147,291	147,291	147,291		147,291
009	0602601F	SPACE TECHNOLOGY	116,122	116,122	116,122		116,122
010	0602602F	CONVENTIONAL MUNITIONS	99,851	99,851	99,851		99,851
011	0602605F	DIRECTED ENERGY TECHNOLOGY	115,604	115,604	115,604		115,604
012	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	164,909	164,909	164,909		164,909
013	0602890F	HIGH ENERGY LASER RESEARCH	42,037	42,037	42,037		42,037
		SUBTOTAL APPLIED RESEARCH	1,217,342	1,202,342	1,207,342		1,217,342
		ADVANCED TECHNOLOGY DEVELOPMENT					
014	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	37,665	47,665	37,665	10,000	47,665
		Metals Affordability Initiative		[10,000]		[10,000]	
015	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T) ...	18,378	18,378	18,378		18,378
016	0603203F	ADVANCED AEROSPACE SENSORS	42,183	42,183	42,183		42,183
017	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	100,733	100,733	100,733		100,733
018	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY.	168,821	168,821	168,821		168,821
019	0603270F	ELECTRONIC COMBAT TECHNOLOGY	47,032	47,032	47,032		47,032
020	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	54,897	54,897	54,897		54,897
021	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	12,853	12,853	12,853		12,853
022	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT.	25,448	25,448	25,448		25,448
023	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	48,536	48,536	48,536		48,536
024	0603605F	ADVANCED WEAPONS TECHNOLOGY	30,195	30,195	30,195		30,195
025	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	42,630	52,630	42,630	10,000	52,630
		Maturation of advanced manufacturing for low-cost sustainment.		[10,000]		[10,000]	
026	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION.	46,414	46,414	46,414		46,414
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	675,785	695,785	675,785	20,000	695,785

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ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES							
027	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	5,032	5,032	5,032		5,032
029	0603438F	SPACE CONTROL TECHNOLOGY	4,070	4,070	4,070		4,070
030	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	21,790	21,790	21,790		21,790
031	0603790F	NATO RESEARCH AND DEVELOPMENT	4,736	4,736	4,736		4,736
033	0603830F	SPACE SECURITY AND DEFENSE PROGRAM	30,771	30,771	30,771		30,771
034	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL.	39,765	39,765	39,765		39,765
036	0604015F	LONG RANGE STRIKE	1,246,228	786,228	786,228	–690,000	556,228
		Delayed EMD contract award		[–460,000]	[–460,000]	[–690,000]	
037	0604317F	TECHNOLOGY TRANSFER	3,512	13,512	3,512	5,000	8,512
		Technology transfer program increase		[10,000]		[5,000]	
038	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM.	54,637	54,637	54,637		54,637
040	0604422F	WEATHER SYSTEM FOLLOW-ON	76,108	56,108	76,108	–25,000	51,108
		Unjustified increase and analysis of alternatives		[–20,000]		[–25,000]	
044	0604857F	OPERATIONALLY RESPONSIVE SPACE	6,457	20,457	19,957	13,500	19,957
		SSA, Weather, or Launch Activities		[14,000]	[13,500]	[13,500]	
045	0604858F	TECH TRANSITION PROGRAM	246,514	246,514	246,514		246,514
046	0605230F	GROUND BASED STRATEGIC DETERRENT	75,166	75,166	75,166		75,166
049	0207110F	NEXT GENERATION AIR DOMINANCE	8,830	3,930	8,830		8,830
		Program reduction		[–4,900]			
050	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR).	14,939	14,939	14,939		14,939
051	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE).	142,288	142,288	142,288		142,288
052	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	81,732	81,732	96,732	15,000	96,732
		Increase USCC Cyber Operations Technology Development.			[15,000]	[15,000]	
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	2,062,575	1,601,675	1,631,075	–681,500	1,381,075
SYSTEM DEVELOPMENT & DEMONSTRATION							
055	0604270F	ELECTRONIC WARFARE DEVELOPMENT	929	929	929		929
056	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	60,256	60,256	60,256		60,256
057	0604287F	PHYSICAL SECURITY EQUIPMENT	5,973	5,973	5,973		5,973
058	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	32,624	32,624	32,624		32,624
059	0604421F	COUNTERSPACE SYSTEMS	24,208	24,208	24,208		24,208
060	0604425F	SPACE SITUATION AWARENESS SYSTEMS	32,374	32,374	32,374		32,374
061	0604426F	SPACE FENCE	243,909	243,909	243,909		243,909
062	0604429F	AIRBORNE ELECTRONIC ATTACK	8,358	8,358	8,358		8,358
063	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD.	292,235	302,235	292,235		292,235
		Exploitation of SBIRS		[10,000]			
064	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	40,154	40,154	40,154		40,154
065	0604604F	SUBMUNITIONS	2,506	2,506	2,506		2,506
066	0604617F	AGILE COMBAT SUPPORT	57,678	57,678	57,678		57,678
067	0604706F	LIFE SUPPORT SYSTEMS	8,187	8,187	8,187		8,187
068	0604735F	COMBAT TRAINING RANGES	15,795	15,795	15,795		15,795
069	0604800F	F-35—EMD	589,441	589,441	564,441		589,441
		F-35A Block 4 development early to need			[–25,000]		
071	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD.	84,438	184,438	84,438	100,000	184,438
		EELV Program—Launch Vehicle Development		[–84,438]			
		EELV Program—Rocket Propulsion System Development.		[184,438]		[100,000]	
072	0604932F	LONG RANGE STANDOFF WEAPON	36,643	36,643	36,643	–20,500	16,143
		Contract delay				[–20,500]	
073	0604933F	ICBM FUZE MODERNIZATION	142,551	142,551	142,551		142,551
074	0605213F	F-22 MODERNIZATION INCREMENT 3.2B	140,640	140,640	140,640		140,640
075	0605214F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT ..	3,598	3,598	3,598		3,598
076	0605221F	KC-46	602,364	402,364	402,364	–200,000	402,364
		Program decrease		[–200,000]	[–200,000]	[–200,000]	
077	0605223F	ADVANCED PILOT TRAINING	11,395	11,395	11,395		11,395
078	0605229F	CSAR HH-60 RECAPITALIZATION	156,085	156,085	156,085		156,085
080	0605431F	ADVANCED EHF MILSATCOM (SPACE)	228,230	228,230	228,230		228,230
081	0605432F	POLAR MILSATCOM (SPACE)	72,084	72,084	72,084		72,084
082	0605433F	WIDEBAND GLOBAL SATCOM (SPACE)	56,343	52,343	56,343	–4,000	52,343
		Excess to need		[–4,000]		[–4,000]	

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083	0605458F	AIR & SPACE OPS CENTER 10.2 RDT&E	47,629	47,629	47,629		47,629
084	0605931F	B-2 DEFENSIVE MANAGEMENT SYSTEM	271,961	271,961	271,961		271,961
085	0101125F	NUCLEAR WEAPONS MODERNIZATION	212,121	212,121	212,121		212,121
086	0207171F	F-15 EPAWSS	186,481	186,481	215,981		186,481
		Flight test support			[1,500]		
		NRE for ADCPII upgrade			[28,000]		
087	0207701F	FULL COMBAT MISSION TRAINING	18,082	18,082	18,082		18,082
088	0305176F	COMBAT SURVIVOR EVADER LOCATOR	993	993	993		993
089	0307581F	NEXTGEN JSTARS	44,343	44,343	44,343		44,343
091	0401319F	PRESIDENTIAL AIRCRAFT REPLACEMENT (PAR)	102,620	102,620	102,620		102,620
092	0701212F	AUTOMATED TEST SYSTEMS	14,563	14,563	14,563		14,563
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	3,847,791	3,753,791	3,652,291	-124,500	3,723,291
		MANAGEMENT SUPPORT					
093	0604256F	THREAT SIMULATOR DEVELOPMENT	23,844	23,844	23,844		23,844
094	0604759F	MAJOR T&E INVESTMENT	68,302	73,302	68,302	5,000	73,302
		Airborne Sensor Data Correlation Project		[5,000]		[5,000]	
095	0605101F	RAND PROJECT AIR FORCE	34,918	34,918	34,918		34,918
097	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	10,476	10,476	10,476		10,476
098	0605807F	TEST AND EVALUATION SUPPORT	673,908	673,908	673,908		673,908
099	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	21,858	21,858	21,858		21,858
100	0605864F	SPACE TEST PROGRAM (STP)	28,228	28,228	28,228		28,228
101	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	40,518	40,518	40,518		40,518
102	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT.	27,895	27,895	27,895		27,895
103	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	16,507	16,507	16,507		16,507
104	0606116F	SPACE TEST AND TRAINING RANGE DEVELOPMENT	18,997	18,997	18,997		18,997
106	0606392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE.	185,305	185,305	185,305	-8,578	176,727
		Excess to need				[-8,578]	
107	0308602F	ENTERPRISE INFORMATION SERVICES (EIS)	4,841	4,841	4,841		4,841
108	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	15,357	15,357	15,357		15,357
109	0804731F	GENERAL SKILL TRAINING	1,315	1,315	1,315		1,315
111	1001004F	INTERNATIONAL ACTIVITIES	2,315	2,315	2,315		2,315
		SUBTOTAL MANAGEMENT SUPPORT	1,174,584	1,179,584	1,174,584	-3,578	1,171,006
		OPERATIONAL SYSTEMS DEVELOPMENT					
112	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT.	350,232	350,232	350,232		350,232
113	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	10,465	10,465	10,465		10,465
114	0604445F	WIDE AREA SURVEILLANCE	24,577	24,577	24,577		24,577
117	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS).	69,694	69,694	24,294	-59,000	10,694
		Forward financing, excluding funding for audit readiness.			[-45,400]	[-59,000]	
118	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY ..	26,718	26,718	26,718		26,718
119	0605278F	HC/MC-130 RECAP RDT&E	10,807	10,807	10,807		10,807
121	0101113F	B-52 SQUADRONS	74,520	74,520	74,520		74,520
122	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	451	451	451		451
123	0101126F	B-1B SQUADRONS	2,245	2,245	2,245		2,245
124	0101127F	B-2 SQUADRONS	108,183	108,183	108,183		108,183
125	0101213F	MINUTEMAN SQUADRONS	178,929	178,929	178,929		178,929
126	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM	28,481	28,481	28,481		28,481
127	0101314F	NIGHT FIST—USSTRATCOM	87	87	87		87
128	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	5,315	5,315	5,315		5,315
131	0105921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES.	8,090	8,090	8,090		8,090
132	0205219F	MQ-9 UAV	123,439	123,439	123,439		123,439
134	0207131F	A-10 SQUADRONS		16,200	16,200	16,200	16,200
		A-10 restoration: operational flight program development.		[16,200]	[16,200]	[16,200]	
135	0207133F	F-16 SQUADRONS	148,297	188,297	148,297	50,000	198,297
		AESA Radar Integration		[50,000]		[50,000]	
		Unobligated balances		[-10,000]			
136	0207134F	F-15E SQUADRONS	179,283	169,283	192,079	12,796	192,079
		Duplicative effort with the Navy		[-10,000]			
		Transfer from procurement			[12,796]	[12,796]	
137	0207136F	MANNED DESTRUCTIVE SUPPRESSION	14,860	14,860	14,860		14,860

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138	0207138F	F-22A SQUADRONS	262,552	262,552	262,552		262,552
139	0207142F	F-35 SQUADRONS	115,395	90,395	115,395	-61,474	53,921
		Program delay		[-25,000]		[-61,474]	
140	0207161F	TACTICAL AIM MISSILES	43,360	43,360	43,360		43,360
141	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).	46,160	46,160	46,160		46,160
143	0207224F	COMBAT RESCUE AND RECOVERY	412	412	412		412
144	0207227F	COMBAT RESCUE—PARARESCUE	657	657	657		657
145	0207247F	AF TENCAP	31,428	31,428	31,428		31,428
146	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	1,105	1,105	1,105		1,105
147	0207253F	COMPASS CALL	14,249	14,249	14,249		14,249
148	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.	103,942	103,942	103,942		103,942
149	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM).	12,793	12,793	12,793		12,793
150	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	21,193	21,193	21,193		21,193
151	0207412F	CONTROL AND REPORTING CENTER (CRC)	559	559	559		559
152	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS).	161,812	161,812	161,812		161,812
153	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	6,001	6,001	6,001		6,001
155	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES ..	7,793	7,793	7,793		7,793
156	0207444F	TACTICAL AIR CONTROL PARTY-MOD	12,465	12,465	12,465		12,465
157	0207448F	C2ISR TACTICAL DATA LINK	1,681	1,681	1,681		1,681
159	0207452F	DCAPES	16,796	16,796	16,796		16,796
161	0207590F	SEEK EAGLE	21,564	21,564	21,564		21,564
162	0207601F	USAF MODELING AND SIMULATION	24,994	24,994	24,994		24,994
163	0207605F	WARGAMING AND SIMULATION CENTERS	6,035	6,035	6,035		6,035
164	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,358	4,358	4,358		4,358
165	0208006F	MISSION PLANNING SYSTEMS	55,835	55,835	55,835		55,835
167	0208087F	AF OFFENSIVE CYBERSPACE OPERATIONS	12,874	12,874	12,874		12,874
168	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	7,681	7,681	7,681		7,681
171	0301017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	5,974	5,974	5,974		5,974
177	0301400F	SPACE SUPERIORITY INTELLIGENCE	13,815	13,815	13,815		13,815
178	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC).	80,360	80,360	80,360		80,360
179	0303001F	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T) ..	3,907	3,907	3,907		3,907
180	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	75,062	75,062	75,062		75,062
181	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	46,599	46,599	46,599		46,599
183	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE ..	2,470	2,470	2,470		2,470
186	0304260F	AIRBORNE SIGINT ENTERPRISE	112,775	112,775	112,775		112,775
189	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,235	4,235	4,235		4,235
192	0305110F	SATELLITE CONTROL NETWORK (SPACE)	7,879	5,879	7,879	-2,000	5,879
		Unjustified increase in systems engineering		[-2,000]		[-2,000]	
193	0305111F	WEATHER SERVICE	29,955	29,955	29,955		29,955
194	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS).	21,485	21,485	21,485		21,485
195	0305116F	AERIAL TARGETS	2,515	2,515	2,515		2,515
198	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	472	472	472		472
199	0305145F	ARMS CONTROL IMPLEMENTATION	12,137	12,137	12,137		12,137
200	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES.	361	361	361		361
203	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER.	3,162	3,162	3,162		3,162
204	0305174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT.	1,543	1,543	1,543		1,543
205	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	7,860	7,860	7,860		7,860
206	0305182F	SPACELIFT RANGE SYSTEM (SPACE)	6,902	6,902	6,902		6,902
207	0305202F	DRAGON U-2	34,471	34,471	34,471		34,471
209	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	50,154	60,154	50,154	10,000	60,154
		Wide Area Surveillance Capability		[10,000]		[10,000]	
210	0305207F	MANNED RECONNAISSANCE SYSTEMS	13,245	13,245	13,245		13,245
211	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	22,784	22,784	22,784		22,784
212	0305219F	MQ-1 PREDATOR A UAV	716	716	716		716
213	0305220F	RQ-4 UAV	208,053	208,053	208,053	-5,000	203,053
		Program delays				[-5,000]	
214	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING ..	21,587	21,587	21,587		21,587
215	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA) ..	43,986	43,986	43,986		43,986
216	0305238F	NATO AGS	197,486	197,486	138,400	-59,086	138,400

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		Transfer to Procurement for NATO AWACS			[-59,086]	[-59,086]	
217	0305240F	SUPPORT TO DCGS ENTERPRISE	28,434	28,434	28,434		28,434
218	0305265F	GPS III SPACE SEGMENT	180,902	180,902	180,902		180,902
220	0305614F	JSPOC MISSION SYSTEM	81,911	81,911	81,911		81,911
221	0305881F	RAPID CYBER ACQUISITION	3,149	3,149	3,149		3,149
222	0305913F	NUDET DETECTION SYSTEM (SPACE)	14,447	14,447	14,447		14,447
223	0305940F	SPACE SITUATION AWARENESS OPERATIONS	20,077	20,077	20,077		20,077
225	0308699F	SHARED EARLY WARNING (SEW)	853	853	853		853
226	0401115F	C-130 AIRLIFT SQUADRON	33,962	33,962	33,962		33,962
227	0401119F	C-5 AIRLIFT SQUADRONS (IF)	42,864	42,864	42,864	-20,000	22,864
		Forward financing				[-20,000]	
228	0401130F	C-17 AIRCRAFT (IF)	54,807	54,807	54,807		54,807
229	0401132F	C-130J PROGRAM	31,010	31,010	31,010		31,010
230	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRC).	6,802	6,802	6,802		6,802
231	0401219F	KC-10S	1,799	1,799	1,799		1,799
232	0401314F	OPERATIONAL SUPPORT AIRLIFT	48,453	48,453	48,453		48,453
233	0401318F	CV-22	36,576	36,576	36,576		36,576
235	0408011F	SPECIAL TACTICS / COMBAT CONTROL	7,963	7,963	7,963		7,963
236	0702207F	DEPOT MAINTENANCE (NON-IF)	1,525	1,525	1,525		1,525
237	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	112,676	112,676	81,676	-44,276	68,400
		Program growth			[-31,000]	[-44,276]	
238	0708611F	SUPPORT SYSTEMS DEVELOPMENT	12,657	12,657	12,657		12,657
239	0804743F	OTHER FLIGHT TRAINING	1,836	1,836	1,836		1,836
240	0808716F	OTHER PERSONNEL ACTIVITIES	121	121	121		121
241	0901202F	JOINT PERSONNEL RECOVERY AGENCY	5,911	5,911	5,911		5,911
242	0901218F	CIVILIAN COMPENSATION PROGRAM	3,604	3,604	3,604		3,604
243	0901220F	PERSONNEL ADMINISTRATION	4,598	4,598	4,598		4,598
244	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,103	1,103	1,103		1,103
246	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT.	101,840	101,840	101,840		101,840
246A	999999999	CLASSIFIED PROGRAMS	12,780,142	12,780,142	12,945,142		12,780,142
		Three program increases			[165,000]		
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	17,010,339	17,039,539	17,068,849	-161,840	16,848,499
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF.	26,473,669	25,957,969	25,940,179	-928,918	25,544,751
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW					
		BASIC RESEARCH					
001	0601000BR	DTRA BASIC RESEARCH INITIATIVE	38,436	38,436	38,436		38,436
002	0601101E	DEFENSE RESEARCH SCIENCES	333,119	333,119	333,119		333,119
003	0601110D8Z	BASIC RESEARCH INITIATIVES	42,022	42,022	42,022		42,022
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	56,544	56,544	56,544		56,544
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	49,453	59,453	49,453	5,000	54,453
		STEM program increase		[10,000]		[5,000]	
006	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS.	25,834	35,834	25,834	10,000	35,834
		Program increase		[10,000]		[10,000]	
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM ...	46,261	46,261	46,261		46,261
		SUBTOTAL BASIC RESEARCH	591,669	611,669	591,669	15,000	606,669
		APPLIED RESEARCH					
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,352	19,352	19,352		19,352
009	0602115E	BIOMEDICAL TECHNOLOGY	114,262	114,262	114,262		114,262
010	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	51,026	51,026	51,026		51,026
011	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES.	48,226	48,226	33,226		48,226
		General program decrease			[-15,000]		
012	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY ..	356,358	356,358	356,358		356,358
014	0602383E	BIOLOGICAL WARFARE DEFENSE	29,265	29,265	29,265		29,265
015	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM ...	208,111	208,111	208,111		208,111
016	0602668D8Z	CYBER SECURITY RESEARCH	13,727	13,727	13,727		13,727
018	0602702E	TACTICAL TECHNOLOGY	314,582	314,582	309,582	-5,000	309,582
		Multi-azimuth defense fast intercept round engagement system.			[-5,000]	[-5,000]	
019	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	220,115	195,115	210,115	-18,394	201,721
		Program decrease		[-25,000]	[-10,000]	[-18,394]	
020	0602716E	ELECTRONICS TECHNOLOGY	174,798	174,798	174,798		174,798

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021	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES.	155,415	155,415	155,415		155,415
022	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH.	8,824	8,824	8,824		8,824
023	1160401BB	SOF TECHNOLOGY DEVELOPMENT	37,517	37,517	37,517		37,517
		SUBTOTAL APPLIED RESEARCH	1,751,578	1,726,578	1,721,578	-23,394	1,728,184
		ADVANCED TECHNOLOGY DEVELOPMENT					
024	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	25,915	25,915	25,915		25,915
026	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	71,171	136,171	71,171	40,000	111,171
		Increase for Combating Terrorism Technology Activities.		[25,000]			
		Program increase		[40,000]		[40,000]	
027	0603133D8Z	FOREIGN COMPARATIVE TESTING	21,782	21,782	21,782		21,782
028	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT.	290,654	290,654	290,654		290,654
030	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT.	12,139	12,139	12,139		12,139
031	0603177C	DISCRIMINATION SENSOR TECHNOLOGY	28,200	28,200	28,200		28,200
032	0603178C	WEAPONS TECHNOLOGY	45,389	3,131	65,389	-38,022	7,367
		Fiber laser prototype development			[20,000]		
		High Power Directed Energy—Missile Destruct		[-30,291]		[-26,055]	
		Move to support Multiple Object Kill Vehicle		[-11,967]		[-11,967]	
033	0603179C	ADVANCED C4ISR	9,876	9,876	9,876		9,876
034	0603180C	ADVANCED RESEARCH	17,364	17,364	17,364		17,364
035	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT.	18,802	18,802	18,802		18,802
036	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY.	2,679	2,679	2,679		2,679
037	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY	64,708	64,708	64,708	-13,250	51,458
		Unjustified growth				[-13,250]	
038	0603286E	ADVANCED AEROSPACE SYSTEMS	185,043	185,043	185,043		185,043
039	0603287E	SPACE PROGRAMS AND TECHNOLOGY	126,692	126,692	126,692		126,692
040	0603288D8Z	ANALYTIC ASSESSMENTS	14,645	14,645	9,645		14,645
		General program decrease			[-5,000]		
041	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	59,830	49,830	59,830	-10,000	49,830
		Program decrease		[-10,000]		[-10,000]	
042	0603294C	COMMON KILL VEHICLE TECHNOLOGY	46,753	2,195	66,753	-39,558	7,195
		Increase for Multiple Object Kill Vehicle			[20,000]		
		MOKV Concept Development		[-44,558]		[-39,558]	
043	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	140,094	140,094	140,094		140,094
044	0603527D8Z	RETRACT LARCH	118,666	108,666	118,666	-10,000	108,666
		Program decrease		[-10,000]		[-10,000]	
045	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	43,966	30,466	43,966	-20,000	23,966
		Program decrease		[-13,500]		[-20,000]	
046	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS.	141,540	129,540	131,540	-25,000	116,540
		Program decrease		[-12,000]	[-10,000]	[-25,000]	
047	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	6,980	6,980	6,980		6,980
050	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	157,056	142,056	157,056	-15,000	142,056
		Unjustified growth		[-15,000]		[-15,000]	
051	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT.	33,515	43,515	33,515	7,500	41,015
		Efforts to counter-ISIL and Russian aggression		[10,000]		[7,500]	
052	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS.	16,543	16,543	16,543		16,543
053	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY.	29,888	29,888	29,888		29,888
054	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM.	65,836	65,836	65,836		65,836
055	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.	79,037	99,037	79,037	10,000	89,037
		Trusted Source Implementation for Field Programmable Gate Arrays Study.		[20,000]		[10,000]	
056	0603727D8Z	JOINT WARFIGHTING PROGRAM	9,626	9,626	9,626	-4,626	5,000
		Program decrease				[-4,626]	
057	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	79,021	79,021	79,021		79,021
058	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS.	201,335	201,335	201,335		201,335

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059	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	452,861	427,861	432,861	-20,000	432,861
		Excessive program growth		[-25,000]	[-20,000]	[-20,000]	
060	0603767E	SENSOR TECHNOLOGY	257,127	257,127	257,127		257,127
061	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT.	10,771	10,771	10,771		10,771
062	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	15,202	15,202	15,202		15,202
063	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	90,500	70,500	70,500	-25,000	65,500
		Unjustified growth		[-20,000]	[-20,000]	[-25,000]	
066	0603833D8Z	ENGINEERING SCIENCE & TECHNOLOGY	18,377	18,377	18,377		18,377
067	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	82,589	82,589	82,589		82,589
068	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT.	37,420	37,420	37,420		37,420
069	0303310D8Z	CWMD SYSTEMS	42,488	42,488	42,488		42,488
070	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	57,741	57,741	57,741		57,741
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	3,229,821	3,132,505	3,214,821	-162,956	3,066,865
ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES							
071	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	31,710	31,710	31,710		31,710
073	0603600D8Z	WALKOFF	90,567	90,567	90,567		90,567
074	0603714D8Z	ADVANCED SENSORS APPLICATION PROGRAM	15,900	19,900	19,900		15,900
		Advanced Sensors Application Program		[4,000]	[4,000]		
075	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	52,758	52,758	52,758		52,758
076	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT.	228,021	228,021	228,021		228,021
077	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT.	1,284,891	1,284,891	1,284,891		1,284,891
077A	0603XXXX	MULTIPLE-OBJECT KILL VEHICLE		86,525	10,000	81,525	81,525
		Divert attitude control systems technology to support Multi-Object Kill Vehicle.			[10,000]	[10,000]	
		Establish MOKV Program of Record		[86,525]		[71,525]	
078	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL.	172,754	172,754	172,754		172,754
079	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	233,588	233,588	233,588		233,588
080	0603890C	BMD ENABLING PROGRAMS	409,088	409,088	409,088		409,088
080A	0603XXXX	WEAPONS TECHNOLOGY—HIGH POWER DE		30,291		26,055	26,055
		High Power Directed Energy—Missile Destruct		[30,291]		[26,055]	
081	0603891C	SPECIAL PROGRAMS—MDA	400,387	400,387	400,387		400,387
082	0603892C	AEGIS BMD	843,355	870,675	843,355		843,355
		Undifferentiated Block IB costs		[27,320]			
083	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	31,632		31,632		31,632
084	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS.	23,289	23,289	23,289		23,289
085	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	450,085	450,085	450,085	-12,300	437,785
		Future Spirals concurrency with multiple ongoing efforts and excess growth.				[-12,300]	
086	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT.	49,570	49,570	49,570		49,570
087	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC).	49,211	49,211	49,211		49,211
088	0603906C	REGARDING TRENCH	9,583	9,583	9,583		9,583
089	0603907C	SEA BASED X-BAND RADAR (SBX)	72,866	72,866	72,866		72,866
090	0603913C	ISRAELI COOPERATIVE PROGRAMS	102,795	267,595	268,795	164,800	267,595
		Arrow 3		[19,500]		[19,500]	
		Arrow System Improvement Program		[45,500]		[45,500]	
		David's Sling		[99,800]		[99,800]	
		Increase for Arrow/David's Sling			[166,000]		
091	0603914C	BALLISTIC MISSILE DEFENSE TEST	274,323	274,323	274,323		274,323
092	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	513,256	513,256	513,256		513,256
092A	0603XXXX	INF RESPONSE OPTION DEVELOPMENT		25,000			
		Program increase		[25,000]			
093	0603920D8Z	HUMANITARIAN DEMINING	10,129	10,129	10,129		10,129
094	0603923D8Z	COALITION WARFARE	10,350	10,350	10,350		10,350
095	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	1,518	6,518	11,518	10,000	11,518
		Program Increase		[5,000]	[10,000]	[10,000]	
096	0604115C	TECHNOLOGY MATURATION INITIATIVES	96,300	96,300	96,300		96,300

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097	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	469,798	469,798	469,798		469,798
098	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT.	3,129	3,129	3,129		3,129
103	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	25,200	25,200	25,200		25,200
105	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	137,564	137,564	137,564		137,564
106	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS ... Redesigned kill vehicle development	278,944	278,944	298,944 [20,000]	20,000 [20,000]	298,944
107	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST.	26,225	26,225	26,225		26,225
108	0604878C	AEGIS BMD TEST	55,148	55,148	55,148		55,148
109	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	86,764	86,764	86,764		86,764
110	0604880C	LAND-BASED SM-3 (LBSM3)	34,970	34,970	34,970		34,970
111	0604881C	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT	172,645	172,645	172,645		172,645
112	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST.	64,618	64,618	64,618		64,618
114	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM.	2,660	2,660	2,660		2,660
115	0305103C	CYBER SECURITY INITIATIVE	963	963	963		963
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES.	6,816,554	7,159,490	7,026,554	290,080	7,106,634
		SYSTEM DEVELOPMENT AND DEMONSTRATION					
116	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	8,800	8,800	8,800		8,800
117	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT. Concept development by the Army of a CPGS option Concept development by the Navy of a CPGS option CPGS development and flight test	78,817	108,817 [15,000] [15,000]	88,817 [10,000]	10,000 [5,000] [5,000]	88,817
118	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD.	303,647	303,647	303,647		303,647
119	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO).	23,424	23,424	23,424		23,424
120	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS).	14,285	14,285	14,285		14,285
121	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES.	7,156	7,156	7,156		7,156
122	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	12,542	12,542	12,542	-12,500 [-12,500]	42
123	0605021SE	DCMA program decrease					
124	0605022D8Z	HOMELAND PERSONNEL SECURITY INITIATIVE	191	191	191		191
125	0605027D8Z	DEFENSE EXPORTABILITY PROGRAM	3,273	3,273	3,273		3,273
126	0605070S	DOUSD(C) IT DEVELOPMENT INITIATIVES	5,962	5,962	5,962		5,962
127	0605075D8Z	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION.	13,412	13,412	13,412		13,412
128	0605075D8Z	DCMO POLICY AND INTEGRATION	2,223	2,223	2,223		2,223
129	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM.	31,660	31,660	31,660		31,660
129	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS).	13,085	13,085	13,085		13,085
130	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES.	7,209	7,209	7,209		7,209
131	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	15,158	15,158	5,158 [-10,000]	-1,364 [-1,364]	13,794
132	0305304D8Z	Early to need					
132	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM).	4,414	4,414	4,414		4,414
		SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION.	545,258	575,258	545,258	-3,864	541,394
		MANAGEMENT SUPPORT					
133	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	5,581	5,581	5,581		5,581
134	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	3,081	3,081	3,081		3,081
135	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	229,125	229,125	229,125		229,125
136	0604942D8Z	ASSESSMENTS AND EVALUATIONS	28,674	21,674 [-7,000]	28,674	-7,000 [-7,000]	21,674
138	0605100D8Z	Program decrease					
138	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC).	45,235	45,235	45,235		45,235
139	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	24,936	24,936	24,936		24,936
141	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	35,471	35,471	35,471		35,471

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
144	0605142D8Z	SYSTEMS ENGINEERING	37,655	37,655	32,655		37,655
		Reducing reporting and inefficiencies			[-5,000]		
145	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	3,015	3,015	3,015		3,015
146	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	5,287	5,287	5,287		5,287
147	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION.	5,289	5,289	5,289		5,289
148	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	2,120	2,120	2,120		2,120
149	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM ...	102,264	102,264	102,264		102,264
158	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	2,169	2,169	2,169		2,169
159	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	13,960	13,960	13,960		13,960
160	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC).	51,775	51,775	51,775		51,775
161	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	9,533	9,533	9,533		9,533
162	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	17,371	21,371	17,371	4,000	21,371
		Program increase		[4,000]		[4,000]	
163	0605898E	MANAGEMENT HQ—R&D	71,571	71,571	71,571		71,571
164	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,123	4,123	4,123		4,123
165	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI).	1,946	1,946	1,946		1,946
166	0204571J	JOINT STAFF ANALYTICAL SUPPORT	7,673	7,673	7,673		7,673
169	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES.	10,413	10,413	10,413		10,413
170	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO).	971	971	971		971
171	0305193D8Z	CYBER INTELLIGENCE	6,579	6,579	6,579		6,579
173	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—MHA.	43,811	43,811	43,811		43,811
174	0901598C	MANAGEMENT HQ—MDA	35,871	35,871	35,871		35,871
176	0903230D8W	WHS—MISSION OPERATIONS SUPPORT - IT	1,072	1,072	1,072		1,072
177A	9999999999	CLASSIFIED PROGRAMS	49,500	49,500	49,500		49,500
		SUBTOTAL MANAGEMENT SUPPORT	856,071	853,071	851,071	-3,000	853,071
		OPERATIONAL SYSTEM DEVELOPMENT					
178	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	7,929	7,929	7,929		7,929
179	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA.	1,750	1,750	1,750		1,750
180	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHAIS).	294	294	294		294
181	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT.	22,576	22,576	22,576		22,576
182	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT.	1,901	1,901	1,901		1,901
183	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	8,474	8,474	8,474		8,474
184	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT).	33,561	33,561	33,561		33,561
186	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,061	3,061	3,061		3,061
187	0208045K	C4I INTEROPERABILITY	64,921	64,921	64,921		64,921
189	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING	3,645	3,645	3,645		3,645
193	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT.	963	963	963		963
194	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION.	10,186	10,186	10,186		10,186
195	0303126K	LONG-HAUL COMMUNICATIONS—DCS	36,883	36,883	36,883		36,883
196	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	13,735	13,735	13,735		13,735
197	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	6,101	6,101	6,101		6,101
198	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	43,867	43,867	43,867		43,867
199	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	8,957	8,957	8,957		8,957
200	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	146,890	146,890	146,890		146,890
201	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	21,503	21,503	21,503		21,503
202	0303153K	DEFENSE SPECTRUM ORGANIZATION	20,342	20,342	20,342		20,342
203	0303170K	NET-CENTRIC ENTERPRISE SERVICES (NCES)	444	444	444		444
205	0303610K	TELEPORT PROGRAM	1,736	1,736	1,736		1,736
206	0304210BB	SPECIAL APPLICATIONS FOR CONTINGENCIES	65,060	19,460	65,060		65,060
		Ahead of need		[-45,600]			
210	0305103K	CYBER SECURITY INITIATIVE	2,976	2,976	2,976		2,976
215	0305186D8Z	POLICY R&D PROGRAMS	4,182	4,182	4,182		4,182

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
216	0305199D8Z	NET CENTRICITY	18,130	18,130	18,130		18,130
218	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	5,302	5,302	5,302		5,302
221	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS.	3,239	3,239	3,239		3,239
225	0305327V	INSIDER THREAT	11,733	11,733	11,733		11,733
226	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM.	2,119	2,119	2,119		2,119
234	0708011S	INDUSTRIAL PREPAREDNESS	24,605	28,605	24,605	-5,360	19,245
		Casting Solutions for Readiness Program		[4,000]			
		DLA Uniform Research				[-5,360]	
235	0708012S	LOGISTICS SUPPORT ACTIVITIES	1,770	1,770	1,770		1,770
236	0902298J	MANAGEMENT HQ—OJCS	2,978	2,978	2,978		2,978
237	1105219BB	MQ-9 UAV	18,151	23,151	23,151	5,000	23,151
		Medium Altitude Long Endurance Tactical (MALET) MQ-9 Unmanned Aerial Vehicle.		[5,000]	[5,000]	[5,000]	
238	1105232BB	RQ-11 UAV	758	758	758		758
240	1160403BB	AVIATION SYSTEMS	173,934	189,134	191,141	15,200	189,134
		ISR payload technology improvements			[2,000]		
		MC-130 Terrain Following/Terrain Avoidance Radar Program.		[15,200]	[15,207]	[15,200]	
241	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	6,866	6,866	6,866		6,866
242	1160408BB	OPERATIONAL ENHANCEMENTS	63,008	63,008	63,008		63,008
243	1160431BB	WARRIOR SYSTEMS	25,342	25,342	25,342		25,342
244	1160432BB	SPECIAL PROGRAMS	3,401	3,401	3,401		3,401
245	1160480BB	SOF TACTICAL VEHICLES	3,212	3,212	3,212		3,212
246	1160483BB	MARITIME SYSTEMS	63,597	64,597	63,597		63,597
		Combat Diver		[1,000]			
247	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	3,933	3,933	3,933		3,933
248	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	10,623	10,623	10,623		10,623
248A	999999999	CLASSIFIED PROGRAMS	3,564,272	3,564,272	3,564,272		3,564,272
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	4,538,910	4,518,510	4,561,117	14,840	4,553,750
		UNDISTRIBUTED					
249	XXXXXXX	DEFENSE WIDE CYBER VULNERABILITY ASSESSMENT.			200,000	200,000	200,000
		Assess all major weapon systems for cyber vulnerability.			[200,000]	[200,000]	
250	XXXXXXX	UCAS-D DEVELOPMENT AND FOLLOW ON PROTOTYPING.			725,000		
		Supports continued efforts on UCAS-D and follow on prototyping.			[725,000]		
251	XXXXXXX	TECHNOLOGY OFFSET INITIATIVE			400,000	300,000	300,000
		Supports innovative technology development			[400,000]	[300,000]	
		SUBTOTAL UNDISTRIBUTED			1,325,000	500,000	500,000
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.	18,329,861	18,577,081	19,837,068	626,706	18,956,567
		OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT					
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	76,838	76,838	76,838		76,838
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	46,882	46,882	46,882		46,882
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	46,838	46,838	46,838		46,838
		SUBTOTAL MANAGEMENT SUPPORT	170,558	170,558	170,558		170,558
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE ..	170,558	170,558	170,558		170,558
		TOTAL RDT&E	69,784,963	68,368,990	70,948,640	220,851	70,005,814

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES					

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	1,500	1,500	1,500		1,500
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	1,500	1,500	1,500		1,500
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	1,500	1,500	1,500		1,500
		OPERATIONAL SYSTEMS DEVELOPMENT					
231A	999999999	CLASSIFIED PROGRAMS	35,747	35,747	35,747		35,747
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	35,747	35,747	35,747		35,747
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	35,747	35,747	35,747		35,747
		OPERATIONAL SYSTEMS DEVELOPMENT					
133	0205671F	JOINT COUNTER ROICED ELECTRONIC WARFARE	300	300	300		300
246A	999999999	CLASSIFIED PROGRAMS	16,800	16,800	16,800		16,800
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	17,100	17,100	17,100		17,100
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF.	17,100	17,100	17,100		17,100
026	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT Combating Terrorism and Technical Support Office		25,000 [25,000]			
		OPERATIONAL SYSTEM DEVELOPMENT					
248A	999999999	CLASSIFIED PROGRAMS	137,087	137,087	137,087		137,087
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT.	137,087	137,087	137,087		137,087
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.	137,087	162,087	137,087		137,087
		TOTAL RDT&E	191,434	216,434	191,434		191,434

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	OPERATION & MAINTENANCE, ARMY					
	OPERATING FORCES					
010	MANEUVER UNITS	1,094,429	1,594,429	1,094,429	250,000	1,344,429
	Force Readiness Restoration—Operations Tempo		[500,000]		[250,000]	
020	MODULAR SUPPORT BRIGADES	68,873	68,873	68,873		68,873
030	ECHELONS ABOVE BRIGADE	508,008	508,008	508,008		508,008
040	THEATER LEVEL ASSETS	763,300	763,300	763,300		763,300
050	LAND FORCES OPERATIONS SUPPORT	1,054,322	1,054,322	1,054,322		1,054,322
060	AVIATION ASSETS	1,546,129	1,687,829	1,546,129		1,546,129
	Flying Hour Program Restoration Unfunded Requirement		[55,000]			
	H-60 A-L Conversion Acceleration		[86,700]			
070	FORCE READINESS OPERATIONS SUPPORT	3,158,606	3,272,606	3,158,606		3,158,606
	Army Reserve cyber education efforts		[6,000]			
	Insider Threat Unfunded Requirements ...		[80,000]			
	Open Source Intelligence/Human Terrain Systems Unfunded Requirements		[28,000]			
080	LAND FORCES SYSTEMS READINESS	438,909	438,909	438,909		438,909

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
090	LAND FORCES DEPOT MAINTENANCE	1,214,116	1,215,846	1,291,316	77,200	1,291,316
	Gun Tube Depot Maintenance Shortfall Recovery Acceleration		[1,730]			
	Readiness funding increase			[77,200]	[77,200]	
100	BASE OPERATIONS SUPPORT	7,616,008	7,607,508	7,626,508	10,500	7,626,508
	Public Affairs at Local Installations Unjustified Growth		[-8,500]			
	Readiness funding increase			[10,500]	[10,500]	
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,617,169	2,809,869	2,651,169	172,200	2,789,369
	GTMO Critical Building Maintenance		[20,500]			
	Kwajalein facilities restoration			[34,000]		
	Restore Sustainment shortfalls		[172,200]		[172,200]	
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	421,269	421,269	421,269	-421,269	
	Transfer base requirement to Title XV				[-421,269]	
130	COMBATANT COMMANDERS CORE OPERATIONS	164,743	164,743	164,743	-164,743	
	Transfer base requirement to Title XV				[-164,743]	
170	COMBATANT COMMANDS DIRECT MISSION SUPPORT	448,633	469,633	436,276		448,633
	Afloat Forward Staging Base Unfunded Requirement		[21,000]			
	Civilian and services contract reductions to streamline management HQ			[-12,357]		
	SUBTOTAL OPERATING FORCES	21,114,514	22,077,144	21,223,857	-76,112	21,038,402
MOBILIZATION						
180	STRATEGIC MOBILITY	401,638	401,638	401,638	-401,638	
	Transfer base requirement to Title XV				[-401,638]	
190	ARMY PREPOSITIONED STOCKS	261,683	261,683	261,683	-261,683	
	Transfer base requirement to Title XV				[-261,683]	
200	INDUSTRIAL PREPAREDNESS	6,532	6,532	6,532	-6,532	
	Transfer base requirement to Title XV				[-6,532]	
	SUBTOTAL MOBILIZATION	669,853	669,853	669,853	-669,853	
TRAINING AND RECRUITING						
210	OFFICER ACQUISITION	131,536	131,536	131,536		131,536
220	RECRUIT TRAINING	47,843	47,843	47,843		47,843
230	ONE STATION UNIT TRAINING	42,565	42,565	42,565		42,565
240	SENIOR RESERVE OFFICERS TRAINING CORPS	490,378	490,378	490,378		490,378
250	SPECIALIZED SKILL TRAINING	981,000	990,800	1,014,200	8,200	989,200
	Cyber Defender (25D) Series Course		[9,800]			
	Readiness funding increase			[33,200]	[33,200]	
	Unjustified program growth				[-25,000]	
260	FLIGHT TRAINING	940,872	984,472	940,872		940,872
	Cyber Basic Officer Leadership Course		[3,100]			
	Initial Entry Rotary Wing Training Backlog Reduction		[40,500]			
270	PROFESSIONAL DEVELOPMENT EDUCATION	230,324	247,624	230,324	-3,000	227,324
	Advanced Civil Schooling – Civilian Graduate School 10 Percent Reduction		[-3,000]		[-3,000]	
	Unmanned Aircraft Systems Training		[20,300]			
280	TRAINING SUPPORT	603,519	631,519	603,519		603,519
	Intelligence Support for PACOM Unfunded Requirement		[28,000]			

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
290	RECRUITING AND ADVERTISING	491,922	491,922	491,922		491,922
300	EXAMINING	194,079	194,079	194,079		194,079
310	OFF-DUTY AND VOLUNTARY EDUCATION	227,951	227,951	227,951		227,951
320	CIVILIAN EDUCATION AND TRAINING	161,048	161,048	161,048		161,048
330	JUNIOR RESERVE OFFICER TRAINING CORPS	170,118	170,118	170,118		170,118
	SUBTOTAL TRAINING AND RECRUIT- ING	4,713,155	4,811,855	4,746,355	5,200	4,718,355
	ADMIN & SRVWIDE ACTIVITIES					
350	SERVICEWIDE TRANSPORTATION	485,778	485,778	485,778	-485,778	
	Transfer base requirement to Title XV				[-485,778]	
360	CENTRAL SUPPLY ACTIVITIES	813,881	813,881	813,881		813,881
370	LOGISTIC SUPPORT ACTIVITIES	714,781	715,141	714,781	-27,000	687,781
	TRADOC Mobile Training Team (MTT) Support Unfunded Requirement		[360]			
	Unjustified program growth				[-27,000]	
380	AMMUNITION MANAGEMENT	322,127	322,127	322,127		322,127
390	ADMINISTRATION	384,813	376,313	384,813	-8,500	376,313
	Unjustified Growth in Public Affairs		[-8,500]		[-8,500]	
400	SERVICEWIDE COMMUNICATIONS	1,781,350	1,781,350	1,781,350	-33,000	1,748,350
	DISN subscription services pricing re- quested as program growth				[-33,000]	
410	MANPOWER MANAGEMENT	292,532	292,532	292,532		292,532
420	OTHER PERSONNEL SUPPORT	375,122	375,122	375,122		375,122
430	OTHER SERVICE SUPPORT	1,119,848	1,115,348	1,115,348	-4,500	1,115,348
	Spirit of America program growth		[-4,500]	[-4,500]	[-4,500]	
440	ARMY CLAIMS ACTIVITIES	225,358	225,358	225,358		225,358
450	REAL ESTATE MANAGEMENT	239,755	239,755	239,755		239,755
460	FINANCIAL MANAGEMENT AND AUDIT READINESS	223,319	223,319	223,319		223,319
470	INTERNATIONAL MILITARY HEAD- QUARTERS	469,865	469,865	469,865		469,865
480	MISC. SUPPORT OF OTHER NATIONS	40,521	40,521	40,521	-40,521	
	Transfer base requirement to Title XV				[-40,521]	
530	CLASSIFIED PROGRAMS	1,120,974	1,120,974	1,146,474	20,000	1,140,974
	Additional SOUTHCOM ISR and intel support			[20,000]	[20,000]	
	Readiness increase			[5,500]		
	SUBTOTAL ADMIN & SRVWIDE ACTIVI- TIES	8,610,024	8,597,384	8,631,024	-579,299	8,030,725
	UNDISTRIBUTED					
540	UNDISTRIBUTED		-1,112,000	-929,551	-1,229,500	-1,229,500
	Bulk fuel savings			[-260,100]		
	Civilian and services contract reductions to streamline management HQ			[-238,451]	[-245,000]	
	Excessive standard price for fuel		[-83,400]		[-141,000]	
	Foreign Currency adjustments		[-431,000]	[-431,000]	[-431,000]	
	Overestimation of Civilian FTE Targets ..				[-262,500]	
	Program decrease		[-5,000]			
	Prohibition on Per Diem Allowance Re- duction		[3,300]			
	Unobligated balances		[-595,900]			
	WORKING CAPITAL FUND CARRY- OVER ABOVE ALLOWABLE CEILING				[-150,000]	
	SUBTOTAL UNDISTRIBUTED		-1,112,000	-929,551	-1,229,500	-1,229,500

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
TOTAL OPERATION & MAINTENANCE, ARMY						
		35,107,546	35,044,236	34,341,538	-2,549,564	32,557,982
OPERATION & MAINTENANCE, ARMY RES OPERATING FORCES						
020	MODULAR SUPPORT BRIGADES	16,612	16,612	16,612		16,612
030	ECHELONS ABOVE BRIGADE	486,531	486,531	486,531		486,531
040	THEATER LEVEL ASSETS	105,446	105,446	105,446		105,446
050	LAND FORCES OPERATIONS SUPPORT	516,791	516,791	516,791		516,791
060	AVIATION ASSETS	87,587	87,587	87,587		87,587
070	FORCE READINESS OPERATIONS SUP- PORT	348,601	348,601	348,601		348,601
080	LAND FORCES SYSTEMS READINESS	81,350	81,350	81,350		81,350
090	LAND FORCES DEPOT MAINTENANCE	59,574	59,574	91,974	32,400	91,974
	Readiness funding increase			[32,400]	[32,400]	
100	BASE OPERATIONS SUPPORT	570,852	570,852	570,852	-13,000	557,852
	Unjustified program growth				[-13,000]	
110	FACILITIES SUSTAINMENT, RESTORA- TION & MODERNIZATION	245,686	259,286	245,686	13,600	259,286
	Restore Sustainment shortfalls		[13,600]		[13,600]	
120	MANAGEMENT AND OPERATIONAL HEAD- QUARTERS	40,962	40,962	40,962		40,962
	SUBTOTAL OPERATING FORCES	2,559,992	2,573,592	2,592,392	33,000	2,592,992
ADMIN & SRVWD ACTIVITIES						
130	SERVICEWIDE TRANSPORTATION	10,665	10,665	10,665	-10,665	
	Transfer base requirement to Title XV				[-10,665]	
140	ADMINISTRATION	18,390	18,390	18,390		18,390
150	SERVICEWIDE COMMUNICATIONS	14,976	14,976	14,976		14,976
160	MANPOWER MANAGEMENT	8,841	8,841	8,841		8,841
170	RECRUITING AND ADVERTISING	52,928	52,928	52,928		52,928
	SUBTOTAL ADMIN & SRVWD ACTIVI- TIES	105,800	105,800	105,800	-10,665	95,135
UNDISTRIBUTED						
190	UNDISTRIBUTED		-7,600	-13,611	-19,200	-19,200
	Civilian and services contract reductions to streamline management HQ			[-6,011]	[-6,200]	
	Excessive standard price for fuel		[-7,600]	[-7,600]	[-13,000]	
	SUBTOTAL UNDISTRIBUTED		-7,600	-13,611	-19,200	-19,200
TOTAL OPERATION & MAINTENANCE, ARMY RES						
		2,665,792	2,671,792	2,684,581	3,135	2,668,927
OPERATION & MAINTENANCE, ARNG OPERATING FORCES						
010	MANEUVER UNITS	709,433	1,094,533	709,433	192,500	901,933
	Increased Operations Tempo to Meet Readiness Objectives		[385,100]		[192,500]	
020	MODULAR SUPPORT BRIGADES	167,324	167,324	167,324		167,324
030	ECHELONS ABOVE BRIGADE	741,327	741,327	741,327		741,327
040	THEATER LEVEL ASSETS	88,775	88,775	96,475	7,700	96,475
	ARNG border security enhancement			[7,700]	[7,700]	
050	LAND FORCES OPERATIONS SUPPORT	32,130	32,130	32,130		32,130
060	AVIATION ASSETS	943,609	1,063,009	996,209	52,600	996,209
	ARNG border security enhancement			[13,000]	[13,000]	
	C3 High Frequency Radio System Un- funded Requirement		[5,600]			

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	Operational Support and Initial Entry Rotary Wing Training		[69,900]			
	Readiness funding increase			[39,600]	[39,600]	
	Restoration of Flying Hours Unfunded Requirement		[43,900]			
070	FORCE READINESS OPERATIONS SUP- PORT	703,137	703,137	703,137		703,137
080	LAND FORCES SYSTEMS READINESS	84,066	84,066	84,066		84,066
090	LAND FORCES DEPOT MAINTENANCE	166,848	166,848	189,348	22,500	189,348
	Readiness funding increase			[22,500]	[22,500]	
100	BASE OPERATIONS SUPPORT	1,022,970	1,022,970	1,022,970	-24,000	998,970
	Justification does not match summary of price and program changes				[-14,000]	
	Unjustified growth				[-10,000]	
110	FACILITIES SUSTAINMENT, RESTORA- TION & MODERNIZATION	673,680	708,880	673,680	35,200	708,880
	Restore Sustainment shortfalls		[35,200]		[35,200]	
120	MANAGEMENT AND OPERATIONAL HEAD- QUARTERS	954,574	954,574	954,574		954,574
	SUBTOTAL OPERATING FORCES	6,287,873	6,827,573	6,370,673	286,500	6,574,373
	ADMIN & SRVWD ACTIVITIES					
130	SERVICEWIDE TRANSPORTATION	6,570	6,570	6,570	-6,570	
	Transfer base requirement to Title XV				[-6,570]	
140	ADMINISTRATION	59,629	59,219	59,379	-910	58,719
	National Guard State Partnership Pro- gram increase		[1,000]		[500]	
	NGB Heritage Painting Program		[-1,410]		[-1,410]	
	Reduction to National Guard Heritage Paintings			[-250]		
150	SERVICEWIDE COMMUNICATIONS	68,452	68,452	68,452		68,452
160	MANPOWER MANAGEMENT	8,841	8,841	8,841		8,841
170	OTHER PERSONNEL SUPPORT	283,670	283,670	272,170	-11,500	272,170
	Army Marketing Program unjustified program growth			[-11,500]	[-11,500]	
180	REAL ESTATE MANAGEMENT	2,942	2,942	2,942		2,942
	SUBTOTAL ADMIN & SRVWD ACTIVI- TIES	430,104	429,694	418,354	-18,980	411,124
	UNDISTRIBUTED					
200	UNDISTRIBUTED		-25,300	-51,931	-70,400	-70,400
	Civilian and services contract reductions to streamline management HQ			[-26,631]	[-27,400]	
	Excessive standard price for fuel		[-25,300]	[-25,300]	[-43,000]	
	SUBTOTAL UNDISTRIBUTED		-25,300	-51,931	-70,400	-70,400
	TOTAL OPERATION & MAINTENANCE, ARNG	6,717,977	7,231,967	6,737,096	197,120	6,915,097
	OPERATION & MAINTENANCE, NAVY OPERATING FORCES					
010	MISSION AND OTHER FLIGHT OPER- ATIONS	4,940,365	4,943,665	4,940,365		4,940,365
	Aviation Readiness Restoration—CH-53 Contract Maintenance		[3,300]			
020	FLEET AIR TRAINING	1,830,611	1,830,611	1,830,611		1,830,611
030	AVIATION TECHNICAL DATA & ENGI- NEERING SERVICES	37,225	37,225	37,225	-37,225	
	Transfer base requirement to Title XV				[-37,225]	

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
040	AIR OPERATIONS AND SAFETY SUPPORT	103,456	106,256	103,456		103,456
	MV-22 Fleet Engineering Support Un- funded Requirement		[2,800]			
050	AIR SYSTEMS SUPPORT	376,844	390,744	390,744	13,900	390,744
	Aviation Readiness Restoration—AV-8B Program Related Logistics		[4,000]		[4,000]	
	Aviation Readiness Restoration—CH-53 Program Related Logistics		[1,900]		[1,900]	
	Aviation Readiness Restoration—MV-22 Program Related Logistics		[1,200]		[1,200]	
	MV-22 Fleet Engineering Support Un- funded Requirement		[6,800]		[6,800]	
	Readiness funding increase			[13,900]		
060	AIRCRAFT DEPOT MAINTENANCE	897,536	914,536	897,536	15,000	912,536
	Aviation Readiness Restoration—AV-8B Depot Maintenance		[11,200]			
	Aviation Readiness Restoration—CH-53 Depot Maintenance		[1,000]			
	Aviation Readiness Restoration—F-18 Depot Maintenance		[4,800]			
	Program increase				[15,000]	
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	33,201	33,201	33,201		33,201
080	AVIATION LOGISTICS	544,056	555,956	549,356	5,300	549,356
	Aviation Readiness Restoration—MV-22 Aviation Logistics		[5,300]		[5,300]	
	KC-130J Aviation Logistics Unfunded Re- quirement		[6,600]			
	Readiness funding increase			[5,300]		
090	MISSION AND OTHER SHIP OPERATIONS ..	4,287,658	4,287,658	4,287,658		4,287,658
100	SHIP OPERATIONS SUPPORT & TRAINING	787,446	787,446	787,446		787,446
110	SHIP DEPOT MAINTENANCE	5,960,951	5,960,951	5,960,951		5,960,951
120	SHIP DEPOT OPERATIONS SUPPORT	1,554,863	1,554,863	1,554,863	-1,554,863	
	Transfer base requirement to Title XV ...				[-1,554,863]	
130	COMBAT COMMUNICATIONS	704,415	704,415	704,415	-19,600	684,815
	DISA/DISN price growth requested as program growth				[-19,600]	
140	ELECTRONIC WARFARE	96,916	96,916	96,916		96,916
150	SPACE SYSTEMS AND SURVEILLANCE	192,198	192,198	192,198		192,198
160	WARFARE TACTICS	453,942	453,942	453,942		453,942
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	351,871	351,871	351,871	-3,068	348,803
	Civilian FTE Growth				[-3,068]	
180	COMBAT SUPPORT FORCES	1,186,847	1,186,847	1,186,847	-32,360	1,154,487
	Civilian FTE Growth				[-17,360]	
	Unjustified program growth				[-15,000]	
190	EQUIPMENT MAINTENANCE	123,948	123,948	123,948		123,948
200	DEPOT OPERATIONS SUPPORT	2,443	2,443	2,443		2,443
210	COMBATANT COMMANDERS CORE OPER- ATIONS	98,914	98,914	98,914		98,914
220	COMBATANT COMMANDERS DIRECT MIS- SION SUPPORT	73,110	73,110	67,627		73,110
	Civilian and services contract reductions to streamline management HQ				[-5,483]	
230	CRUISE MISSILE	110,734	110,734	110,734		110,734
240	FLEET BALLISTIC MISSILE	1,206,736	1,206,736	1,206,736		1,206,736
250	IN-SERVICE WEAPONS SYSTEMS SUP- PORT	141,664	141,664	141,664		141,664
260	WEAPONS MAINTENANCE	523,122	535,122	523,122	12,000	535,122

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	Ship Self-Defense Systems Maintenance Backlog Reduction		[12,000]		[12,000]	
270	OTHER WEAPON SYSTEMS SUPPORT	371,872	371,872	371,872	-537	371,335
	Civilian FTE Growth				[-537]	
280	ENTERPRISE INFORMATION	896,061	896,061	896,061	-6,612	889,449
	Civilian FTE Growth				[-6,612]	
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	2,220,423	2,245,723	2,220,423	25,300	2,245,723
	Restore Sustainment shortfalls		[25,300]		[25,300]	
300	BASE OPERATING SUPPORT	4,472,468	4,472,468	4,486,468	-3,528	4,468,940
	Civilian FTE Growth				[-3,528]	
	Funding increase for Behavioral Counseling			[14,000]		
	SUBTOTAL OPERATING FORCES	34,581,896	34,668,096	34,609,613	-1,586,293	32,995,603
MOBILIZATION						
310	SHIP PREPOSITIONING AND SURGE	422,846	422,846	422,846	-422,846	
	Transfer base requirement to Title XV				[-422,846]	
320	AIRCRAFT ACTIVATIONS/INACTIVATIONS	6,464	6,964	6,964	500	6,964
	Aviation Readiness Restoration—F-18 Aircraft Activations/Inactivations		[500]	[500]	[500]	
330	SHIP ACTIVATIONS/INACTIVATIONS	361,764	361,764	361,764	-361,764	
	Transfer base requirement to Title XV				[-361,764]	
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	69,530	69,530	69,530	-480	69,050
	Civilian FTE Growth				[-480]	
350	INDUSTRIAL READINESS	2,237	2,237	2,237	-2,237	
	Transfer base requirement to Title XV				[-2,237]	
360	COAST GUARD SUPPORT	21,823	21,823	21,823	-21,823	
	Transfer base requirement to Title XV				[-21,823]	
	SUBTOTAL MOBILIZATION	884,664	885,164	885,164	-808,650	76,014
TRAINING AND RECRUITING						
370	OFFICER ACQUISITION	149,375	149,375	149,375	-861	148,514
	Civilian FTE Growth				[-861]	
380	RECRUIT TRAINING	9,035	9,035	9,035	-219	8,816
	Civilian FTE Growth				[-219]	
390	RESERVE OFFICERS TRAINING CORPS	156,290	156,290	156,290		156,290
400	SPECIALIZED SKILL TRAINING	653,728	653,728	653,728		653,728
410	FLIGHT TRAINING	8,171	8,171	8,171		8,171
420	PROFESSIONAL DEVELOPMENT EDUCATION	168,471	152,971	168,471	-6,910	161,561
	Civilian FTE Growth				[-910]	
	Civilian Institutions Graduate Education Program		[-16,500]		[-6,000]	
	Naval Sea Cadets		[1,000]			
430	TRAINING SUPPORT	196,048	196,048	196,048		196,048
440	RECRUITING AND ADVERTISING	234,233	234,733	234,233	130	234,363
	1-800 US Navy Call Center		[500]			
	Civilian FTE Growth				[-370]	
	Naval Sea Cadet Corps				[500]	
450	OFF-DUTY AND VOLUNTARY EDUCATION	137,855	137,855	137,855		137,855
460	CIVILIAN EDUCATION AND TRAINING	77,257	77,257	77,257	-7,296	69,961
	Civilian FTE Growth				[-7,296]	
470	JUNIOR ROTC	47,653	47,653	47,653		47,653
	SUBTOTAL TRAINING AND RECRUITING	1,838,116	1,823,116	1,838,116	-15,156	1,822,960

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
ADMIN & SRVWD ACTIVITIES						
480	ADMINISTRATION	923,771	914,771	923,771	-11,004	912,767
	Civilian FTE Growth				[-6,004]	
	Navy Fleet Band National Tours		[-5,000]		[-5,000]	
	Unjustified Growth External Relations		[-3,500]			
	Unjustified Growth Navy Call Center		[-500]			
490	EXTERNAL RELATIONS	13,967	10,467	13,967		13,967
	Navy External Relations		[-3,500]			
500	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	120,812	120,812	120,812	-5,060	115,752
	Civilian FTE Growth				[-5,060]	
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	350,983	350,983	350,983	-10,966	340,017
	Civilian FTE Growth				[-6,966]	
	Unjustified growth				[-4,000]	
520	OTHER PERSONNEL SUPPORT	265,948	260,948	265,948	-10,457	255,491
	Civilian FTE Growth				[-5,457]	
	Navy Fleet Band National Tour		[-5,000]		[-5,000]	
530	SERVICEWIDE COMMUNICATIONS	335,482	335,482	335,482	-665	334,817
	Civilian FTE Growth				[-665]	
550	SERVICEWIDE TRANSPORTATION	197,724	197,724	197,724	-197,724	
	Transfer base requirement to Title XV				[-197,724]	
570	PLANNING, ENGINEERING AND DESIGN ...	274,936	274,936	274,936		274,936
580	ACQUISITION AND PROGRAM MANAGE- MENT	1,122,178	1,122,178	1,122,178	-888	1,121,290
	Civilian FTE Growth				[-888]	
590	HULL, MECHANICAL AND ELECTRICAL SUPPORT	48,587	48,587	48,587		48,587
600	COMBAT/WEAPONS SYSTEMS	25,599	25,599	25,599		25,599
610	SPACE AND ELECTRONIC WARFARE SYS- TEMS	72,768	72,768	72,768		72,768
620	NAVAL INVESTIGATIVE SERVICE	577,803	577,803	577,803		577,803
680	INTERNATIONAL HEADQUARTERS AND AGENCIES	4,768	4,768	4,768		4,768
710	CLASSIFIED PROGRAMS	560,754	560,754	560,754		560,754
	SUBTOTAL ADMIN & SRVWD ACTIVI- TIES	4,896,080	4,878,580	4,896,080	-236,764	4,659,316
UNDISTRIBUTED						
720	UNDISTRIBUTED		-892,100	-779,123	-1,303,600	-1,303,600
	Bulk fuel savings			[-482,300]		
	Civilian and services contract reductions to streamline management HQ			[-209,823]	[-215,600]	
	Excessive standard price for fuel		[-591,400]		[-1,001,000]	
	Foreign Currency adjustments		[-87,000]	[-87,000]	[-87,000]	
	Program decrease		[-5,000]			
	Prohibition on Per Diem Allowance Re- duction		[2,300]			
	Unobligated balances		[-211,000]			
	SUBTOTAL UNDISTRIBUTED		-892,100	-779,123	-1,303,600	-1,303,600
	TOTAL OPERATION & MAINTENANCE, NAVY	42,200,756	41,362,856	41,449,850	-3,950,463	38,250,293
OPERATION & MAINTENANCE, MARINE CORPS						
OPERATING FORCES						
010	OPERATIONAL FORCES	931,079	931,079	931,079		931,079

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
020	FIELD LOGISTICS	931,757	931,757	931,757		931,757
030	DEPOT MAINTENANCE	227,583	227,583	227,583		227,583
040	MARITIME PREPOSITIONING	86,259	86,259	86,259		86,259
050	SUSTAINMENT, RESTORATION & MOD- ERNIZATION	746,237	775,037	746,237	28,800	775,037
	Restore Sustainment shortfalls		[28,800]		[28,800]	
060	BASE OPERATING SUPPORT	2,057,362	2,057,362	2,058,562		2,057,362
	Readiness funding increase for Criminal Investigative Equipment			[1,200]		
	SUBTOTAL OPERATING FORCES	4,980,277	5,009,077	4,981,477	28,800	5,009,077
	TRAINING AND RECRUITING					
070	RECRUIT TRAINING	16,460	16,460	16,460		16,460
080	OFFICER ACQUISITION	977	977	977		977
090	SPECIALIZED SKILL TRAINING	97,325	97,325	97,325		97,325
100	PROFESSIONAL DEVELOPMENT EDU- CATION	40,786	40,786	40,786		40,786
110	TRAINING SUPPORT	347,476	347,476	347,476		347,476
120	RECRUITING AND ADVERTISING	164,806	164,806	164,806		164,806
130	OFF-DUTY AND VOLUNTARY EDUCATION	39,963	39,963	39,963		39,963
140	JUNIOR ROTC	23,397	23,397	23,397		23,397
	SUBTOTAL TRAINING AND RECRUIT- ING	731,190	731,190	731,190		731,190
	ADMIN & SRVWD ACTIVITIES					
150	SERVICEWIDE TRANSPORTATION	37,386	37,386	37,386	-37,386	
	Transfer base requirement to Title XV				[-37,386]	
160	ADMINISTRATION	358,395	342,595	358,395	-6,700	351,695
	Unjustified Growth Marine Corps Herit- age Center		[-15,800]		[-6,700]	
180	ACQUISITION AND PROGRAM MANAGE- MENT	76,105	76,105	76,105		76,105
200	CLASSIFIED PROGRAMS	45,429	45,429	45,429		45,429
	SUBTOTAL ADMIN & SRVWD ACTIVI- TIES	517,315	501,515	517,315	-44,086	473,229
	UNDISTRIBUTED					
210	UNDISTRIBUTED		-94,200	-77,588	-112,500	-112,500
	Bulk fuel savings			[-17,000]		
	Civilian and services contract reductions to streamline management HQ			[-32,588]	[-33,500]	
	Excessive standard price for fuel		[-24,600]		[-41,000]	
	Foreign Currency adjustments		[-28,000]	[-28,000]	[-28,000]	
	Program decrease		[-5,000]			
	Prohibition on Per Diem Allowance Re- duction		[800]			
	Unobligated balances		[-37,400]			
	Working Capital Fund carry over above allowable ceiling				[-10,000]	
	SUBTOTAL UNDISTRIBUTED		-94,200	-77,588	-112,500	-112,500
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	6,228,782	6,147,582	6,152,394	-127,786	6,100,996
	OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES					
010	MISSION AND OTHER FLIGHT OPER- ATIONS	563,722	607,222	563,722		563,722

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	Reversing the disestablishment of HSC-84 and HSC-85		[43,500]			
020	INTERMEDIATE MAINTENANCE	6,218	6,218	6,218		6,218
030	AIRCRAFT DEPOT MAINTENANCE	82,712	82,712	82,712		82,712
040	AIRCRAFT DEPOT OPERATIONS SUPPORT Transfer base requirement to Title XV	326	326	326	-326 [-326]	
050	AVIATION LOGISTICS	13,436	13,436	13,436		13,436
070	SHIP OPERATIONS SUPPORT & TRAINING	557	557	557		557
090	COMBAT COMMUNICATIONS	14,499	14,499	14,499		14,499
100	COMBAT SUPPORT FORCES	117,601	117,601	117,601		117,601
120	ENTERPRISE INFORMATION	29,382	29,382	29,382		29,382
130	SUSTAINMENT, RESTORATION AND MOD- ERNIZATION	48,513	49,213	48,513	700	49,213
	Restore Sustainment shortfalls		[700]		[700]	
140	BASE OPERATING SUPPORT	102,858	102,858	102,858		102,858
	SUBTOTAL OPERATING FORCES	979,824	1,024,024	979,824	374	980,198
	ADMIN & SRVWD ACTIVITIES					
150	ADMINISTRATION	1,505	1,505	1,505		1,505
160	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	13,782	13,782	13,782		13,782
170	SERVICEWIDE COMMUNICATIONS	3,437	3,437	3,437		3,437
180	ACQUISITION AND PROGRAM MANAGE- MENT	3,210	3,210	3,210		3,210
	SUBTOTAL ADMIN & SRVWD ACTIVI- TIES	21,934	21,934	21,934		21,934
	UNDISTRIBUTED					
210	UNDISTRIBUTED		-39,700	-41,086	-68,500	-68,500
	Civilian and services contract reductions to streamline management HQ			[-1,386]	[-1,500]	
	Excessive standard price for fuel		[-39,700]	[-39,700]	[-67,000]	
	SUBTOTAL UNDISTRIBUTED		-39,700	-41,086	-68,500	-68,500
	TOTAL OPERATION & MAINTENANCE, NAVY RES	1,001,758	1,006,258	960,672	-68,126	933,632
	OPERATION & MAINTENANCE, MC RE- SERVE					
	OPERATING FORCES					
010	OPERATING FORCES	97,631	97,631	97,631		97,631
020	DEPOT MAINTENANCE	18,254	18,254	18,254		18,254
030	SUSTAINMENT, RESTORATION AND MOD- ERNIZATION	28,653	30,053	28,653	1,400	30,053
	Restore Sustainment shortfalls		[1,400]		[1,400]	
040	BASE OPERATING SUPPORT	111,923	111,923	111,923		111,923
	SUBTOTAL OPERATING FORCES	256,461	257,861	256,461	1,400	257,861
	ADMIN & SRVWD ACTIVITIES					
050	SERVICEWIDE TRANSPORTATION	924	924	924		924
060	ADMINISTRATION	10,866	10,866	10,866		10,866
070	RECRUITING AND ADVERTISING	8,785	8,785	8,785		8,785
	SUBTOTAL ADMIN & SRVWD ACTIVI- TIES	20,575	20,575	20,575		20,575
	UNDISTRIBUTED					
080	UNDISTRIBUTED		-1,000	-2,473	-3,500	-3,500

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	Civilian and services contract reductions to streamline management HQ			[-1,473]	[-1,500]	
	Excessive standard price for fuel		[-1,000]	[-1,000]	[-2,000]	
	SUBTOTAL UNDISTRIBUTED		-1,000	-2,473	-3,500	-3,500
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	277,036	277,436	274,563	-2,100	274,936
	OPERATION & MAINTENANCE, AIR FORCE OPERATING FORCES					
010	PRIMARY COMBAT FORCES	3,336,868	3,612,468	3,336,868	260,500	3,597,368
	A-10 restoration: Force Structure Res- toration		[249,700]		[235,300]	
	A-10 to F-15E Training Transition		[-1,400]			
	Civilian FTE Growth				[-2,100]	
	EC-130H Force Structure Restoration		[27,300]		[27,300]	
020	COMBAT ENHANCEMENT FORCES	1,897,315	1,935,015	1,897,315	3,700	1,901,015
	Civilian FTE Growth				[-14,000]	
	Increase Range Use Support Unfunded Requirement		[37,700]		[37,700]	
	Unjustified growth				[-20,000]	
030	AIR OPERATIONS TRAINING (OJT, MAIN- TAIN SKILLS)	1,797,549	1,719,349	1,757,249	-107,200	1,690,349
	A-10 to F-15E Training Transition		[-78,200]	[-78,000]	[-78,200]	
	Readiness increase			[37,700]		
	Unjustified growth				[-29,000]	
040	DEPOT MAINTENANCE	6,537,127	6,537,127	6,537,127	-40,000	6,497,127
	Remove FY 15 contractor logistics sup- port costs				[-40,000]	
050	FACILITIES SUSTAINMENT, RESTORA- TION & MODERNIZATION	1,997,712	2,132,812	1,997,712	135,100	2,132,812
	Restore Sustainment shortfalls		[135,100]		[135,100]	
060	BASE SUPPORT	2,841,948	2,841,948	2,841,948		2,841,948
070	GLOBAL C3I AND EARLY WARNING	930,341	930,341	930,341		930,341
080	OTHER COMBAT OPS SPT PROGRAMS	924,845	924,845	924,845		924,845
100	LAUNCH FACILITIES	271,177	271,177	271,177		271,177
110	SPACE CONTROL SYSTEMS	382,824	382,824	382,824		382,824
120	COMBATANT COMMANDERS DIRECT MIS- SION SUPPORT	900,965	900,965	885,585	-11,000	889,965
	Civilian and services contract reductions to streamline management HQ			[-15,380]		
	Unjustified growth				[-11,000]	
130	COMBATANT COMMANDERS CORE OPER- ATIONS	205,078	205,078	164,078	-41,000	164,078
	Joint Enabling Capabilities Command			[-41,000]	[-41,000]	
135	CLASSIFIED PROGRAMS	907,496	907,496	924,296	-3,200	904,296
	Civilian FTE Growth				[-3,200]	
	Increase One Program			[20,000]		
	Unjustified increase			[-3,200]		
	SUBTOTAL OPERATING FORCES	22,931,245	23,301,445	22,851,365	196,900	23,128,145
	MOBILIZATION					
140	AIRLIFT OPERATIONS	2,229,196	2,229,196	2,229,196	-77,000	2,152,196
	Excess to need				[-77,000]	
150	MOBILIZATION PREPAREDNESS	148,318	148,318	148,318	-148,318	
	Transfer base requirement to Title XV				[-148,318]	
160	DEPOT MAINTENANCE	1,617,571	1,617,571	1,617,571	-1,617,571	
	Transfer base requirement to Title XV				[-1,617,571]	

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
170	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	259,956	259,956	259,956	-259,956	
	Transfer base requirement to Title XV				[-259,956]	
180	BASE SUPPORT	708,799	708,799	708,799	-708,799	
	Transfer base requirement to Title XV				[-708,799]	
	SUBTOTAL MOBILIZATION	4,963,840	4,963,840	4,963,840	-2,811,644	2,152,196
	TRAINING AND RECRUITING					
190	OFFICER ACQUISITION	92,191	92,191	92,191		92,191
200	RECRUIT TRAINING	21,871	21,871	21,871		21,871
210	RESERVE OFFICERS TRAINING CORPS (ROTC)	77,527	77,527	77,527		77,527
220	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	228,500	228,500	228,500		228,500
230	BASE SUPPORT	772,870	772,870	772,870		772,870
240	SPECIALIZED SKILL TRAINING	359,304	379,304	402,404	20,000	379,304
	Readiness increase for RPA training			[43,100]		
	Remotely Piloted Aircraft Flight Training Acceleration		[20,000]		[20,000]	
250	FLIGHT TRAINING	710,553	726,553	710,553	16,000	726,553
	Consolidation of Air Battle Manager Resources not properly documented				[-4,000]	
	Unmanned Aerial Surveillance (UAS) Training		[16,000]		[20,000]	
260	PROFESSIONAL DEVELOPMENT EDUCATION	228,252	227,322	228,252	-930	227,322
	Air Force Civilian Graduate Education Program Unjustified Growth		[-930]		[-930]	
270	TRAINING SUPPORT	76,464	76,464	76,464		76,464
280	DEPOT MAINTENANCE	375,513	375,513	375,513	-375,513	
	Transfer base requirement to Title XV				[-375,513]	
290	RECRUITING AND ADVERTISING	79,690	79,690	79,690		79,690
300	EXAMINING	3,803	3,803	3,803		3,803
310	OFF-DUTY AND VOLUNTARY EDUCATION	180,807	180,807	180,807		180,807
320	CIVILIAN EDUCATION AND TRAINING	167,478	167,478	167,478		167,478
330	JUNIOR ROTC	59,263	59,263	59,263		59,263
	SUBTOTAL TRAINING AND RECRUITING	3,434,086	3,469,156	3,477,186	-340,443	3,093,643
	ADMIN & SRVWD ACTIVITIES					
340	LOGISTICS OPERATIONS	1,141,491	1,141,491	1,141,491	-17,000	1,124,491
	O&M and IT budget justification inconsistencies				[-17,000]	
350	TECHNICAL SUPPORT ACTIVITIES	862,022	862,022	852,022	-30,000	832,022
	Acquisition Management Adjustment			[-10,000]	[-10,000]	
	Unjustified growth				[-20,000]	
360	DEPOT MAINTENANCE	61,745	61,745	61,745	-61,745	
	Transfer base requirement to Title XV				[-61,745]	
370	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	298,759	298,759	298,759		298,759
380	BASE SUPPORT	1,108,220	1,108,220	1,096,220		1,108,220
	Reduce IT procurement			[-12,000]		
390	ADMINISTRATION	689,797	669,097	669,097	-20,700	669,097
	DEAMS reduction-Funding ahead of need		[-20,700]	[-20,700]	[-20,700]	
400	SERVICEWIDE COMMUNICATIONS	498,053	498,053	498,053	-36,900	461,153
	DISN subscription services pricing requested as program growth				[-36,900]	
410	OTHER SERVICEWIDE ACTIVITIES	900,253	900,253	900,253		900,253

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
420	CIVIL AIR PATROL	25,411	27,911	25,411	1,150	26,561
	Civil Air Patrol		[2,500]		[1,150]	
450	INTERNATIONAL SUPPORT	89,148	89,148	89,148	-89,148	
	Transfer base requirement to Title XV				[-89,148]	
460	CLASSIFIED PROGRAMS	1,187,859	1,187,859	1,182,959	-4,900	1,182,959
	Civilian FTE Growth				[-4,900]	
	Unjustified increase			[-4,900]		
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	6,862,758	6,844,558	6,815,158	-259,243	6,603,515
UNDISTRIBUTED						
470	UNDISTRIBUTED		-1,067,600	-848,903	-1,452,800	-1,452,800
	Bulk fuel savings			[-618,300]		
	Civilian and services contract reductions to streamline management HQ			[-276,203]	[-283,800]	
	Costs associated with preventing divestiture of A-10 fleet			[235,300]		
	Costs associated with preventing divestiture of EC-130			[27,300]		
	Excessive standard price for fuel		[-562,100]		[-952,000]	
	Foreign Currency adjustments		[-217,000]	[-217,000]	[-217,000]	
	Program decrease		[-5,000]			
	Prohibition on Per Diem Allowance Reduction		[2,900]			
	Unobligated balances		[-286,400]			
	SUBTOTAL UNDISTRIBUTED		-1,067,600	-848,903	-1,452,800	-1,452,800
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	38,191,929	37,511,399	37,258,646	-4,667,230	33,524,699
OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES						
010	PRIMARY COMBAT FORCES	1,779,378	1,781,878	1,779,378	2,500	1,781,878
	A-10 restoration: Force Structure Restoration		[2,500]		[2,500]	
020	MISSION SUPPORT OPERATIONS	226,243	226,243	226,243	-6,000	220,243
	Justification does not match summary of price and program changes for civilian pay				[-6,000]	
030	DEPOT MAINTENANCE	487,036	487,036	487,036	-487,036	
	Transfer base requirement to Title XV				[-487,036]	
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	109,342	109,642	109,342	300	109,642
	Restore Sustainment shortfalls		[300]		[300]	
050	BASE SUPPORT	373,707	373,707	373,707	-3,000	370,707
	Air Force Support Standard Correction—transfer to SAG 11G not properly accounted				[-3,000]	
	SUBTOTAL OPERATING FORCES	2,975,706	2,978,506	2,975,706	-493,236	2,482,470
ADMINISTRATION AND SERVICEWIDE ACTIVITIES						
060	ADMINISTRATION	53,921	53,921	53,921		53,921
070	RECRUITING AND ADVERTISING	14,359	14,359	14,359		14,359
080	MILITARY MANPOWER AND PERS MGMT (ARPC)	13,665	13,665	13,665		13,665
090	OTHER PERS SUPPORT (DISABILITY COMP)	6,606	6,606	6,606		6,606

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	88,551	88,551	88,551		88,551
	UNDISTRIBUTED					
110	UNDISTRIBUTED		-101,000	-103,216	-175,700	-175,700
	Civilian and services contract reductions to streamline management HQ			[-4,616]	[-4,700]	
	Costs associated with preventing divesti- ture of A-10 fleet			[2,500]		
	Excessive standard price for fuel		[-101,000]	[-101,100]	[-171,000]	
	SUBTOTAL UNDISTRIBUTED		-101,000	-103,216	-175,700	-175,700
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	3,064,257	2,966,057	2,961,041	-668,936	2,395,321
	OPERATION & MAINTENANCE, ANG OPERATING FORCES					
010	AIRCRAFT OPERATIONS	3,526,471	3,608,671	3,526,471	40,900	3,567,371
	A-10 restoration: Force Structure Res- toration		[42,200]		[42,200]	
	Aircraft Support Equipment Shortfall Restoration		[40,000]			
	DISN pricing requested as program growth				[-1,300]	
020	MISSION SUPPORT OPERATIONS	740,779	740,779	743,379	2,600	743,379
	ARNG border security enhancement			[2,600]	[2,600]	
030	DEPOT MAINTENANCE	1,763,859	1,763,859	1,763,859		1,763,859
040	FACILITIES SUSTAINMENT, RESTORA- TION & MODERNIZATION	288,786	307,586	288,786	18,800	307,586
	Restore Sustainment shortfalls		[18,800]		[18,800]	
050	BASE SUPPORT	582,037	582,037	582,037		582,037
	SUBTOTAL OPERATING FORCES	6,901,932	7,002,932	6,904,532	62,300	6,964,232
	ADMINISTRATION AND SERVICE-WIDE AC- TIVITIES					
060	ADMINISTRATION	23,626	24,626	23,626		23,626
	National Guard State Partnership Pro- gram increase		[1,000]			
070	RECRUITING AND ADVERTISING	30,652	30,652	30,652		30,652
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	54,278	55,278	54,278		54,278
	UNDISTRIBUTED					
080	UNDISTRIBUTED		-162,600	-123,415	-309,100	-309,100
	Civilian and services contract reductions to streamline management HQ			[-3,015]	[-3,100]	
	Excessive standard price for fuel		[-162,600]	[-162,600]	[-276,000]	
	Restore A-10			[42,200]		
	Unjustified growth				[-30,000]	
	SUBTOTAL UNDISTRIBUTED		-162,600	-123,415	-309,100	-309,100
	TOTAL OPERATION & MAINTENANCE, ANG	6,956,210	6,895,610	6,835,395	-246,800	6,709,410
	OPERATION & MAINTENANCE, DEFENSE- WIDE OPERATING FORCES					
010	JOINT CHIEFS OF STAFF	485,888	485,888	505,888	20,000	505,888
	Middle East Assurance Initiative			[20,000]	[20,000]	

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
020	OFFICE OF THE SECRETARY OF DEFENSE DOD Rewards reduction-funding ahead of need	534,795	534,795	530,795		534,795
				[−4,000]		
030	SPECIAL OPERATIONS COMMAND/OPER- ATING FORCES	4,862,368	4,946,968	4,862,368	−21,200	4,841,168
	Global Inform and Influence Activities Increase		[15,000]			
	Increased Support for Counterterrorism Operations		[25,000]			
	Overestimation of civilian FTE				[−21,200]	
	USSOCOM Combat Development Activi- ties		[44,600]			
	SUBTOTAL OPERATING FORCES	5,883,051	5,967,651	5,899,051	−1,200	5,881,851
TRAINING AND RECRUITING						
040	DEFENSE ACQUISITION UNIVERSITY	142,659	142,659	142,659		142,659
050	NATIONAL DEFENSE UNIVERSITY	78,416	78,416	78,416		78,416
060	SPECIAL OPERATIONS COMMAND/TRAIN- ING AND RECRUITING	354,372	354,372	354,372		354,372
	SUBTOTAL TRAINING AND RECRUIT- ING	575,447	575,447	575,447		575,447
ADMINISTRATION AND SERVICEWIDE AC- TIVITIES						
070	CIVIL MILITARY PROGRAMS	160,320	180,320	160,320	10,000	170,320
	STARBASE		[20,000]		[10,000]	
090	DEFENSE CONTRACT AUDIT AGENCY	570,177	570,177	570,177		570,177
100	DEFENSE CONTRACT MANAGEMENT AGENCY	1,374,536	1,374,536	1,374,536		1,374,536
110	DEFENSE HUMAN RESOURCES ACTIVITY Critical Language Training	642,551	643,551	642,551		642,551
			[1,000]			
120	DEFENSE INFORMATION SYSTEMS AGEN- CY	1,282,755	1,292,755	1,292,755	2,500	1,285,255
	SHARKSEER		[10,000]	[10,000]	[2,500]	
140	DEFENSE LEGAL SERVICES AGENCY	26,073	26,073	26,073		26,073
150	DEFENSE LOGISTICS AGENCY	366,429	366,429	366,429		366,429
160	DEFENSE MEDIA ACTIVITY	192,625	192,625	192,625		192,625
180	DEFENSE PERSONNEL ACCOUNTING AGENCY	115,372	115,372	115,372		115,372
190	DEFENSE SECURITY COOPERATION AGENCY	524,723	524,723	517,723	−29,200	495,523
	Global Security Contingency Fund				[−22,200]	
	Reduction to Combating Terrorism Fel- lowship			[−7,000]	[−7,000]	
200	DEFENSE SECURITY SERVICE	508,396	508,396	508,396	−508,396	
	Transfer base requirement to Title XV				[−508,396]	
230	DEFENSE TECHNOLOGY SECURITY AD- MINISTRATION	33,577	33,577	33,577		33,577
240	DEFENSE THREAT REDUCTION AGENCY ..	415,696	415,696	415,696	−415,696	
	Transfer base requirement to Title XV				[−415,696]	
260	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,753,771	2,753,771	2,784,021	30,250	2,784,021
	Impact Aid			[30,000]	[30,000]	
	School lunches for territories			[250]	[250]	
270	MISSILE DEFENSE AGENCY	432,068	432,068	432,068		432,068
290	OFFICE OF ECONOMIC ADJUSTMENT	110,612	135,612	57,512		110,612
	Congestion mitigation in urban areas re- lated to 2005 BRAC		[25,000]			
	Defense industry adjustment			[−33,100]		

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	Guam outside the fence infrastructure			[-20,000]		
295	OFFICE OF NET ASSESSMENT		9,092			
	Transfer from line 300		[9,092]			
300	OFFICE OF THE SECRETARY OF DEFENSE	1,388,285	1,361,693	1,378,785	5,250	1,393,535
	Commission to Assess the Threat to the U.S. from Electromagnetic Pulse At- tack		[2,000]		[2,000]	
	OSD fleet architecture study			[1,000]	[1,000]	
	OUSD (Policy) unjustified growth				[-2,000]	
	OUSD AT&L Congressional Mandate (BRAC Support)		[-10,500]	[-10,500]	[-10,500]	
	Program decrease		[-24,000]			
	Readiness environmental protection ini- tiative—program increase		[15,000]		[14,750]	
	Transfer funding for Office of Net Assess- ment to line 295		[-9,092]			
310	SPECIAL OPERATIONS COMMAND/ADMIN & SVC-WIDE ACTIVITIES	83,263	83,263	83,263		83,263
320	WASHINGTON HEADQUARTERS SERVICES	621,688	621,688	621,688		621,688
330	CLASSIFIED PROGRAMS	14,379,428	14,384,428	14,379,428	-102,600	14,276,828
	Classified program adjustment				[-102,600]	
	Program increase		[5,000]			
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	25,982,345	26,025,845	25,952,995	-1,007,892	24,974,453
UNDISTRIBUTED						
340	UNDISTRIBUTED		-499,700	-1,011,952	-1,053,100	-1,053,100
	Bulk fuel savings			[-36,000]		
	Civilian and services contract reductions to streamline management HQ			[-897,552]	[-908,700]	
	Excessive standard price for fuel		[-29,700]		[-61,000]	
	Foreign Currency adjustments		[-78,400]	[-78,400]	[-78,400]	
	Program decrease		[-5,000]		[-5,000]	
	Prohibition on Per Diem Allowance Re- duction		[2,700]			
	Unobligated balances		[-389,300]			
	SUBTOTAL UNDISTRIBUTED		-499,700	-1,011,952	-1,053,100	-1,053,100
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	32,440,843	32,069,243	31,415,541	-2,062,192	30,378,651
MISCELLANEOUS APPROPRIATIONS						
MISCELLANEOUS APPROPRIATIONS						
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	14,078	14,078	14,078		14,078
020	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	100,266	100,266	100,266		100,266
030	COOPERATIVE THREAT REDUCTION	358,496	358,496	358,496		358,496
040	ACQ WORKFORCE DEV FD	84,140	84,140	84,140		84,140
050	ENVIRONMENTAL RESTORATION, ARMY ..	234,829	234,829	234,829		234,829
060	ENVIRONMENTAL RESTORATION, NAVY ..	292,453	292,453	292,453		292,453
070	ENVIRONMENTAL RESTORATION, AIR FORCE	368,131	368,131	368,131		368,131
080	ENVIRONMENTAL RESTORATION, DE- FENSE	8,232	8,232	8,232		8,232
090	ENVIRONMENTAL RESTORATION FOR- MERLY USED SITES	203,717	203,717	203,717		203,717
	SUBTOTAL MISCELLANEOUS APPRO- PRIATIONS	1,664,342	1,664,342	1,664,342		1,664,342

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	TOTAL MISCELLANEOUS APPROPRIATIONS	1,664,342	1,664,342	1,664,342		1,664,342
	TOTAL OPERATION & MAINTENANCE	176,517,228	174,848,778	172,735,659	-14,142,942	162,374,286

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	OPERATION & MAINTENANCE, ARMY					
	OPERATING FORCES					
010	MANEUVER UNITS	257,900	257,900	257,900		257,900
040	THEATER LEVEL ASSETS	1,110,836	1,110,836	1,110,836		1,110,836
050	LAND FORCES OPERATIONS SUPPORT	261,943	261,943	261,943		261,943
060	AVIATION ASSETS	22,160	22,160	22,160		22,160
070	FORCE READINESS OPERATIONS SUPPORT	1,119,201	1,119,201	1,119,201		1,119,201
080	LAND FORCES SYSTEMS READINESS	117,881	117,881	117,881		117,881
100	BASE OPERATIONS SUPPORT	50,000	50,000	50,000		50,000
140	ADDITIONAL ACTIVITIES	4,500,666	4,526,466	4,500,666	25,800	4,526,466
	Army expenses related to Syria Train and Equip program		[25,800]		[25,800]	
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	10,000	5,000	10,000	-5,000	5,000
	Program decrease		[-5,000]		[-5,000]	
160	RESET	1,834,777	1,834,777	1,834,777		1,834,777
170	COMBATANT COMMANDS DIRECT MISSION SUPPORT		100,000		100,000	100,000
	AFRICOM Intelligence, Surveillance, and Reconnaissance		[100,000]		[100,000]	
	SUBTOTAL OPERATING FORCES	9,285,364	9,406,164	9,285,364	120,800	9,406,164
	MOBILIZATION					
190	ARMY PREPOSITIONED STOCKS	40,000	40,000	40,000		40,000
	SUBTOTAL MOBILIZATION	40,000	40,000	40,000		40,000
	ADMIN & SRVWIDE ACTIVITIES					
350	SERVICEWIDE TRANSPORTATION	529,891	529,891	529,891		529,891
380	AMMUNITION MANAGEMENT	5,033	5,033	5,033		5,033
420	OTHER PERSONNEL SUPPORT	100,480	100,480	100,480		100,480
450	REAL ESTATE MANAGEMENT	154,350	154,350	154,350		154,350
530	CLASSIFIED PROGRAMS	1,267,632	1,267,632	1,267,632		1,267,632
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	2,057,386	2,057,386	2,057,386		2,057,386
	TOTAL OPERATION & MAINTENANCE, ARMY	11,382,750	11,503,550	11,382,750	120,800	11,503,550
	OPERATION & MAINTENANCE, ARMY RES					
	OPERATING FORCES					
030	ECHELONS ABOVE BRIGADE	2,442	2,442	2,442		2,442
050	LAND FORCES OPERATIONS SUPPORT	813	813	813		813
070	FORCE READINESS OPERATIONS SUPPORT	779	779	779		779
100	BASE OPERATIONS SUPPORT	20,525	20,525	20,525		20,525
	SUBTOTAL OPERATING FORCES	24,559	24,559	24,559		24,559
	TOTAL OPERATION & MAINTENANCE, ARMY RES	24,559	24,559	24,559		24,559
	OPERATION & MAINTENANCE, ARNG					
	OPERATING FORCES					
010	MANEUVER UNITS	1,984	1,984	1,984		1,984
030	ECHELONS ABOVE BRIGADE	4,671	4,671	4,671		4,671
060	AVIATION ASSETS	15,980	15,980	15,980		15,980
070	FORCE READINESS OPERATIONS SUPPORT	12,867	12,867	12,867		12,867
100	BASE OPERATIONS SUPPORT	23,134	23,134	23,134		23,134
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,426	1,426	1,426		1,426
	SUBTOTAL OPERATING FORCES	60,062	60,062	60,062		60,062
	ADMIN & SRVWD ACTIVITIES					
150	SERVICEWIDE COMMUNICATIONS	783	783	783		783
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	783	783	783		783

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agree- ment Author- ized
	TOTAL OPERATION & MAINTENANCE, ARNG	60,845	60,845	60,845		60,845
	AFGHANISTAN SECURITY FORCES FUND					
	MINISTRY OF DEFENSE					
010	SUSTAINMENT	2,214,899	2,552,642	2,214,899	-78,000	2,136,899
	Fuel savings				[-78,000]	
	Support for ANSF end strength		[337,743]			
030	EQUIPMENT AND TRANSPORTATION	182,751	182,751	182,751		182,751
040	TRAINING AND OPERATIONS	281,555	281,555	281,555		281,555
	SUBTOTAL MINISTRY OF DEFENSE	2,679,205	3,016,948	2,679,205	-78,000	2,601,205
	MINISTRY OF INTERIOR					
060	SUSTAINMENT	901,137	901,137	901,137	-32,000	869,137
	Fuel savings				[-32,000]	
080	EQUIPMENT AND TRANSPORTATION	116,573	116,573	116,573		116,573
090	TRAINING AND OPERATIONS	65,342	65,342	65,342		65,342
	SUBTOTAL MINISTRY OF INTERIOR	1,083,052	1,083,052	1,083,052	-32,000	1,051,052
	TOTAL AFGHANISTAN SECURITY FORCES FUND	3,762,257	4,100,000	3,762,257	-110,000	3,652,257
	IRAQ TRAIN AND EQUIP FUND					
	IRAQ TRAIN AND EQUIP FUND					
010	IRAQ TRAIN AND EQUIP FUND	715,000	715,000	715,000		715,000
	SUBTOTAL IRAQ TRAIN AND EQUIP FUND	715,000	715,000	715,000		715,000
	TOTAL IRAQ TRAIN AND EQUIP FUND	715,000	715,000	715,000		715,000
	SYRIA TRAIN AND EQUIP FUND					
	SYRIA TRAIN AND EQUIP FUND					
010	SYRIA TRAIN AND EQUIP FUND	600,000	531,450	600,000	-193,550	406,450
	Change in scope of program				[-125,000]	
	Realignment to Air Force		[-42,750]		[-42,750]	
	Realignment to Army		[-25,800]		[-25,800]	
	SUBTOTAL SYRIA TRAIN AND EQUIP FUND	600,000	531,450	600,000	-193,550	406,450
	TOTAL SYRIA TRAIN AND EQUIP FUND	600,000	531,450	600,000	-193,550	406,450
	OPERATION & MAINTENANCE, NAVY					
	OPERATING FORCES					
010	MISSION AND OTHER FLIGHT OPERATIONS	358,417	358,417	361,717	3,300	361,717
	Readiness funding increase			[3,300]	[3,300]	
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	110	110	110		110
040	AIR OPERATIONS AND SAFETY SUPPORT	4,513	4,513	4,513		4,513
050	AIR SYSTEMS SUPPORT	126,501	126,501	126,501		126,501
060	AIRCRAFT DEPOT MAINTENANCE	75,897	75,897	92,897	17,000	92,897
	Readiness funding increase			[17,000]	[17,000]	
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	2,770	2,770	2,770		2,770
080	AVIATION LOGISTICS	34,101	34,101	34,101		34,101
090	MISSION AND OTHER SHIP OPERATIONS	1,184,878	1,184,878	1,184,878		1,184,878
100	SHIP OPERATIONS SUPPORT & TRAINING	16,663	16,663	16,663		16,663
110	SHIP DEPOT MAINTENANCE	1,922,829	1,922,829	1,922,829		1,922,829
130	COMBAT COMMUNICATIONS	33,577	33,577	33,577		33,577
160	WARFARE TACTICS	26,454	26,454	26,454		26,454
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	22,305	22,305	22,305		22,305
180	COMBAT SUPPORT FORCES	513,969	513,969	513,969		513,969
190	EQUIPMENT MAINTENANCE	10,007	10,007	10,007		10,007
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	60,865	60,865	60,865		60,865
260	WEAPONS MAINTENANCE	275,231	275,231	275,231		275,231
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	7,819	7,819	7,819		7,819
300	BASE OPERATING SUPPORT	61,422	61,422	61,422		61,422
	SUBTOTAL OPERATING FORCES	4,738,328	4,738,328	4,758,628	20,300	4,758,628
	MOBILIZATION					
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	5,307	5,307	5,307		5,307
360	COAST GUARD SUPPORT	160,002	160,002	160,002		160,002
	SUBTOTAL MOBILIZATION	165,309	165,309	165,309		165,309
	TRAINING AND RECRUITING					

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agree- ment Author- ized
400	SPECIALIZED SKILL TRAINING	44,845	44,845	44,845		44,845
	SUBTOTAL TRAINING AND RECRUITING	44,845	44,845	44,845		44,845
	ADMIN & SRVWD ACTIVITIES					
480	ADMINISTRATION	2,513	2,513	2,513		2,513
490	EXTERNAL RELATIONS	500	500	500		500
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	5,309	5,309	5,309		5,309
520	OTHER PERSONNEL SUPPORT	1,469	1,469	1,469		1,469
550	SERVICEWIDE TRANSPORTATION	156,671	156,671	156,671		156,671
580	ACQUISITION AND PROGRAM MANAGEMENT	8,834	8,834	8,834		8,834
620	NAVAL INVESTIGATIVE SERVICE	1,490	1,490	1,490		1,490
710	CLASSIFIED PROGRAMS	6,320	6,320	6,320		6,320
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	183,106	183,106	183,106		183,106
	TOTAL OPERATION & MAINTENANCE, NAVY	5,131,588	5,131,588	5,151,888	20,300	5,151,888
	OPERATION & MAINTENANCE, MARINE CORPS					
	OPERATING FORCES					
010	OPERATIONAL FORCES	353,133	353,133	353,133		353,133
020	FIELD LOGISTICS	259,676	259,676	259,676		259,676
030	DEPOT MAINTENANCE	240,000	240,000	240,000		240,000
060	BASE OPERATING SUPPORT	16,026	16,026	16,026		16,026
	SUBTOTAL OPERATING FORCES	868,835	868,835	868,835		868,835
	TRAINING AND RECRUITING					
110	TRAINING SUPPORT	37,862	37,862	37,862		37,862
	SUBTOTAL TRAINING AND RECRUITING	37,862	37,862	37,862		37,862
	ADMIN & SRVWD ACTIVITIES					
150	SERVICEWIDE TRANSPORTATION	43,767	43,767	43,767		43,767
200	CLASSIFIED PROGRAMS	2,070	2,070	2,070		2,070
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	45,837	45,837	45,837		45,837
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	952,534	952,534	952,534		952,534
	OPERATION & MAINTENANCE, NAVY RES					
	OPERATING FORCES					
010	MISSION AND OTHER FLIGHT OPERATIONS	4,033	4,033	4,033		4,033
020	INTERMEDIATE MAINTENANCE	60	60	60		60
030	AIRCRAFT DEPOT MAINTENANCE	20,300	20,300	20,300		20,300
100	COMBAT SUPPORT FORCES	7,250	7,250	7,250		7,250
	SUBTOTAL OPERATING FORCES	31,643	31,643	31,643		31,643
	TOTAL OPERATION & MAINTENANCE, NAVY RES	31,643	31,643	31,643		31,643
	OPERATION & MAINTENANCE, MC RESERVE					
	OPERATING FORCES					
010	OPERATING FORCES	2,500	2,500	2,500		2,500
040	BASE OPERATING SUPPORT	955	955	955		955
	SUBTOTAL OPERATING FORCES	3,455	3,455	3,455		3,455
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	3,455	3,455	3,455		3,455
	OPERATION & MAINTENANCE, AIR FORCE					
	OPERATING FORCES					
010	PRIMARY COMBAT FORCES	1,505,738	1,548,488	1,502,238	40,650	1,546,388
	Air Force expenses related to Syria Train and Equip program ..		[42,750]		[42,750]	
	Retain Current A-10 Fleet			[-1,400]		
	Unjustified Increase			[-2,100]	[-2,100]	
020	COMBAT ENHANCEMENT FORCES	914,973	914,973	905,273	-9,700	905,273
	Readiness funding increase			[4,300]	[4,300]	
	Unjustified Increase			[-14,000]	[-14,000]	
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	31,978	31,978	31,978		31,978
040	DEPOT MAINTENANCE	1,192,765	1,192,765	1,192,765		1,192,765
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	85,625	85,625	85,625		85,625
060	BASE SUPPORT	917,269	917,269	917,269		917,269
070	GLOBAL C3I AND EARLY WARNING	30,219	30,219	30,219		30,219
080	OTHER COMBAT OPS SPT PROGRAMS	174,734	174,734	174,734		174,734

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agree- ment Author- ized
100	LAUNCH FACILITIES	869	869	869		869
110	SPACE CONTROL SYSTEMS	5,008	5,008	5,008		5,008
120	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	100,190	716,690	100,190		100,190
	Assistance for the border security of Jordan		[300,000]			
	Jordanian Military Capability Enhancement		[300,000]			
	Support to Jordanian Training and Operations		[16,500]			
135	CLASSIFIED PROGRAMS	22,893	22,893	22,893		22,893
	SUBTOTAL OPERATING FORCES	4,982,261	5,641,511	4,969,061	30,950	5,013,211
	MOBILIZATION					
140	AIRLIFT OPERATIONS	2,995,703	2,995,703	2,995,703		2,995,703
150	MOBILIZATION PREPAREDNESS	108,163	108,163	108,163		108,163
160	DEPOT MAINTENANCE	511,059	511,059	511,059		511,059
180	BASE SUPPORT	4,642	4,642	4,642		4,642
	SUBTOTAL MOBILIZATION	3,619,567	3,619,567	3,619,567		3,619,567
	TRAINING AND RECRUITING					
190	OFFICER ACQUISITION	92	92	92		92
240	SPECIALIZED SKILL TRAINING	11,986	11,986	11,986		11,986
	SUBTOTAL TRAINING AND RECRUITING	12,078	12,078	12,078		12,078
	ADMIN & SRVWD ACTIVITIES					
340	LOGISTICS OPERATIONS	86,716	86,716	86,716		86,716
380	BASE SUPPORT	3,836	3,836	3,836		3,836
400	SERVICEWIDE COMMUNICATIONS	165,348	165,348	165,348		165,348
410	OTHER SERVICEWIDE ACTIVITIES	204,683	204,683	141,683	-63,000	141,683
	Reduction to the Office of Security Cooperation in Iraq			[-63,000]	[-63,000]	
450	INTERNATIONAL SUPPORT	61	61	61		61
460	CLASSIFIED PROGRAMS	15,463	15,463	15,463		15,463
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	476,107	476,107	413,107	-63,000	413,107
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	9,090,013	9,749,263	9,013,813	-32,050	9,057,963
	OPERATION & MAINTENANCE, AF RESERVE					
	OPERATING FORCES					
030	DEPOT MAINTENANCE	51,086	51,086	51,086		51,086
050	BASE SUPPORT	7,020	7,020	7,020		7,020
	SUBTOTAL OPERATING FORCES	58,106	58,106	58,106		58,106
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	58,106	58,106	58,106		58,106
	OPERATION & MAINTENANCE, ANG					
	OPERATING FORCES					
020	MISSION SUPPORT OPERATIONS	19,900	19,900	19,900		19,900
	SUBTOTAL OPERATING FORCES	19,900	19,900	19,900		19,900
	TOTAL OPERATION & MAINTENANCE, ANG	19,900	19,900	19,900		19,900
	OPERATION & MAINTENANCE, DEFENSE-WIDE					
	OPERATING FORCES					
010	JOINT CHIEFS OF STAFF	9,900	9,900	9,900		9,900
030	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	2,345,835	2,424,835	2,345,835		2,345,835
	Classified adjustment		[64,000]			
	Global Inform and Influence Activities Increase		[15,000]			
	SUBTOTAL OPERATING FORCES	2,355,735	2,434,735	2,355,735		2,355,735
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES					
090	DEFENSE CONTRACT AUDIT AGENCY	18,474	18,474	18,474		18,474
120	DEFENSE INFORMATION SYSTEMS AGENCY	29,579	29,579	29,579		29,579
140	DEFENSE LEGAL SERVICES AGENCY	110,000	110,000	110,000		110,000
160	DEFENSE MEDIA ACTIVITY	5,960	5,960	5,960		5,960
190	DEFENSE SECURITY COOPERATION AGENCY	1,677,000	1,677,000	1,577,000	-200,000	1,477,000
	Reduction from Coalition Support Funds			[-100,000]	[-200,000]	
260	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	73,000	73,000	73,000		73,000
300	OFFICE OF THE SECRETARY OF DEFENSE	106,709	321,709	106,709		106,709
	U.S. Special Operations Command inform and influence activi- ties		[15,000]			
	Ukraine Train & Equip		[200,000]			
320	WASHINGTON HEADQUARTERS SERVICES	2,102	2,102	2,102		2,102

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
330	CLASSIFIED PROGRAMS	1,427,074	1,427,074	1,427,074		1,427,074
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	3,449,898	3,664,898	3,349,898	-200,000	3,249,898
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	5,805,633	6,099,633	5,705,633	-200,000	5,605,633
	TOTAL OPERATION & MAINTENANCE	37,638,283	38,981,526	37,482,383	-394,500	37,243,783

SEC. 4303. OPERATION AND MAINTENANCE BASE REQUIREMENTS.

SEC. 4303. OPERATION AND MAINTENANCE BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	OPERATION & MAINTENANCE, ARMY					
	OPERATING FORCES					
120	MANAGEMENT AND OPERATIONAL HEAD- QUARTERS				421,269	421,269
	Transfer base requirement from Title III				[421,269]	
130	COMBATANT COMMANDERS CORE OPERATIONS ...				164,743	164,743
	Transfer base requirement from Title III				[164,743]	
	SUBTOTAL OPERATING FORCES				586,012	586,012
	MOBILIZATION					
180	STRATEGIC MOBILITY				401,638	401,638
	Transfer base requirement from Title III				[401,638]	
190	ARMY PREPOSITIONED STOCKS				261,683	261,683
	Transfer base requirement from Title III				[261,683]	
200	INDUSTRIAL PREPAREDNESS				6,532	6,532
	Transfer base requirement from Title III				[6,532]	
	SUBTOTAL MOBILIZATION				669,853	669,853
	ADMIN & SRVWIDE ACTIVITIES					
350	SERVICEWIDE TRANSPORTATION				485,778	485,778
	Transfer base requirement from Title III				[485,778]	
480	MISC. SUPPORT OF OTHER NATIONS				40,521	40,521
	Transfer base requirement from Title III				[40,521]	
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES				526,299	526,299
	TOTAL OPERATION & MAINTENANCE, ARMY ..				1,782,164	1,782,164
	ADMIN & SRVWD ACTIVITIES					
130	SERVICEWIDE TRANSPORTATION				10,665	10,665
	Transfer base requirement from Title III				[10,665]	
	SUBTOTAL ADMIN & SRVWD ACTIVITIES				10,665	10,665
	TOTAL OPERATION & MAINTENANCE, ARMY RES				10,665	10,665
	ADMIN & SRVWD ACTIVITIES					
130	SERVICEWIDE TRANSPORTATION				6,570	6,570
	Transfer base requirement from Title III				[6,570]	
	SUBTOTAL ADMIN & SRVWD ACTIVITIES				6,570	6,570
	TOTAL OPERATION & MAINTENANCE, ARNG ..				6,570	6,570
	OPERATION & MAINTENANCE, NAVY					
	OPERATING FORCES					
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES				37,225	37,225
	Transfer base requirement from Title III				[37,225]	
120	SHIP DEPOT OPERATIONS SUPPORT				1,554,863	1,554,863
	Transfer base requirement from Title III				[1,554,863]	
	SUBTOTAL OPERATING FORCES				1,592,088	1,592,088
	MOBILIZATION					
310	SHIP PREPOSITIONING AND SURGE				422,846	422,846
	Transfer base requirement from Title III				[422,846]	

SEC. 4303. OPERATION AND MAINTENANCE BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
330	SHIP ACTIVATIONS/INACTIVATIONS				361,764	361,764
	Transfer base requirement from Title III				[361,764]	
350	INDUSTRIAL READINESS				2,237	2,237
	Transfer base requirement from Title III				[2,237]	
360	COAST GUARD SUPPORT				21,823	21,823
	Transfer base requirement from Title III				[21,823]	
	SUBTOTAL MOBILIZATION				808,670	808,670
	ADMIN & SRVWD ACTIVITIES					
550	SERVICEWIDE TRANSPORTATION				197,724	197,724
	Transfer base requirement from Title III				[197,724]	
	SUBTOTAL ADMIN & SRVWD ACTIVITIES				197,724	197,724
	TOTAL OPERATION & MAINTENANCE, NAVY ..				2,598,482	2,598,482
	ADMIN & SRVWD ACTIVITIES					
150	SERVICEWIDE TRANSPORTATION				37,386	37,386
	Transfer base requirement from Title III				[37,386]	
	SUBTOTAL ADMIN & SRVWD ACTIVITIES				37,386	37,386
	TOTAL OPERATION & MAINTENANCE, MA- RINE CORPS				37,386	37,386
	OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES					
040	AIRCRAFT DEPOT OPERATIONS SUPPORT				326	326
	Transfer base requirement from Title III				[326]	
	SUBTOTAL OPERATING FORCES				326	326
	TOTAL OPERATION & MAINTENANCE, NAVY RES				326	326
	MOBILIZATION					
150	MOBILIZATION PREPAREDNESS				148,318	148,318
	Transfer base requirement from Title III				[148,318]	
160	DEPOT MAINTENANCE				1,617,571	1,617,571
	Transfer base requirement from Title III				[1,617,571]	
170	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION				259,956	259,956
	Transfer base requirement from Title III				[259,956]	
180	BASE SUPPORT				708,799	708,799
	Transfer base requirement from Title III				[708,799]	
	SUBTOTAL MOBILIZATION				2,734,644	2,734,644
	TRAINING AND RECRUITING					
280	DEPOT MAINTENANCE				375,513	375,513
	Transfer base requirement from Title III				[375,513]	
	SUBTOTAL TRAINING AND RECRUITING				375,513	375,513
	ADMIN & SRVWD ACTIVITIES					
360	DEPOT MAINTENANCE				61,745	61,745
	Transfer base requirement from Title III				[61,745]	
450	INTERNATIONAL SUPPORT				89,148	89,148
	Transfer base requirement from Title III				[89,148]	
	SUBTOTAL ADMIN & SRVWD ACTIVITIES				150,893	150,893
	TOTAL OPERATION & MAINTENANCE, AIR FORCE				3,261,050	3,261,050
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES					
030	DEPOT MAINTENANCE				487,036	487,036
	Transfer base requirement from Title III				[487,036]	
	SUBTOTAL OPERATING FORCES				487,036	487,036
	TOTAL OPERATION & MAINTENANCE, AF RE- SERVE				487,036	487,036
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES					
200	DEFENSE SECURITY SERVICE				508,396	508,396
	Transfer base requirement from Title III				[508,396]	

SEC. 4303. OPERATION AND MAINTENANCE BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
240	DEFENSE THREAT REDUCTION AGENCY				415,696	415,696
	Transfer base requirement from Title III				[415,696]	
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES				924,092	924,092
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE				924,092	924,092
	TOTAL OPERATION & MAINTENANCE				9,107,771	9,107,771

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Military Personnel Appropriations	130,491,227	-291,492	-1,335,000	-1,174,739	129,316,488
A-10 restoration: Military Personnel		[132,069]			
Additional support for the National Guard's Operation Phalanx			[21,700]	[21,700]	
Basic Housing Allowance		[400,000]		[300,000]	
EC-130H Force Structure Restoration		[19,639]			
Financial Literacy Training		[85,000]	[85,000]	[85,000]	
Foreign Currency adjustments		[-480,500]	[-384,500]	[-480,500]	
National Guard State Partnership Program increase		[5,000]		[2,100]	
Prohibition on Per Diem Allowance Reduction		[12,000]			
Projected understrength				[-115,839]	
Reduction for anticipated cost of TRICARE consolidation			[-85,000]		
Reversing the disestablishment of HSC-84 and HSC-85		[30,700]			
TRICARE program improvement initiatives			[15,000]		
Unobligated balances		[-495,400]	[-987,200]	[-987,200]	
Medicare-Eligible Retiree Health Fund Contributions	6,243,449				6,243,449
Total, Military Personnel	136,734,676	-291,492	-1,335,000	-1,174,739	135,559,937

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Military Personnel Appropriations	3,204,758				3,204,758
Total, Military Personnel Appropriations	3,204,758				3,204,758

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Program Title	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
WORKING CAPITAL FUND, ARMY INDUSTRIAL OPERATIONS					
SUPPLY MANAGEMENT—ARMY	50,432	55,432	50,432		50,432
Pilot program for Continuous Technology Refreshment		[5,000]			
TOTAL WORKING CAPITAL FUND, ARMY	50,432	55,432	50,432		50,432
WORKING CAPITAL FUND, NAVY					
SUPPLIES AND MATERIALS		5,000			
Pilot program for Continuous Technology Refreshment		[5,000]			
TOTAL WORKING CAPITAL FUND, NAVY		5,000			
WORKING CAPITAL FUND, AIR FORCE					
SUPPLIES AND MATERIALS	62,898	67,898	62,898		62,898
Pilot program for Continuous Technology Refreshment		[5,000]			
TOTAL WORKING CAPITAL FUND, AIR FORCE	62,898	67,898	62,898		62,898

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Program Title	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
WORKING CAPITAL FUND, DEFENSE-WIDE					
SUPPLY CHAIN MANAGEMENT—DEF					
DEFENSE LOGISTICS AGENCY (DLA)	45,084	45,084	45,084		45,084
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	45,084	45,084	45,084		45,084
WORKING CAPITAL FUND, DECA					
COMMISSARY RESALE STOCKS					
COMMISSARY OPERATIONS	1,154,154	1,476,154	1,154,154	281,200	1,435,354
Restoration of Proposed Efficiencies		[183,000]		[142,200]	
Restoration of Savings from Legislative Proposals		[139,000]		[139,000]	
TOTAL WORKING CAPITAL FUND, DECA	1,154,154	1,476,154	1,154,154	281,200	1,435,354
NATIONAL DEFENSE SEALIFT FUND					
MPF MLP					
POST DELIVERY AND OUTFITTING	15,456	689,646	15,456		15,456
Transfer from SCN—TAO(X)		[674,190]			
NATIONAL DEF SEALIFT VESSEL					
LG MED SPD RO/RO MAINTENANCE	124,493	124,493	124,493		124,493
DOD MOBILIZATION ALTERATIONS	8,243	8,243	8,243		8,243
TAH MAINTENANCE	27,784	27,784	27,784		27,784
RESEARCH AND DEVELOPMENT	25,197	25,197	25,197		25,197
READY RESERVE FORCE	272,991	272,991	272,991		272,991
TOTAL NATIONAL DEFENSE SEALIFT FUND	474,164	1,148,354	474,164		474,164
NATIONAL SEA-BASED DETERRENCE FUND					
DEVELOPMENT		971,393			
Transfer from RDTE, Navy, line 050		[971,393]			
PROPULSION		419,300			
Transfer from RDTE, Navy, line 045		[419,300]			
TOTAL NATIONAL SEA-BASED DETERRENCE FUND		1,390,693			
CHEM AGENTS & MUNITIONS DESTRUCTION					
OPERATION & MAINTENANCE	139,098	139,098	139,098		139,098
RDT&E	579,342	579,342	579,342		579,342
PROCUREMENT	2,281	2,281	2,281		2,281
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	720,721	720,721	720,721		720,721
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF					
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DE- FENSE	739,009	789,009	761,009	22,000	761,009
SOUTHCOM Operational Support for Central America		[50,000]	[30,000]	[30,000]	
Transfer to Demand Reduction Program			[–8,000]	[–8,000]	
DRUG DEMAND REDUCTION PROGRAM	111,589	111,589	119,589	8,000	119,589
Expanded drug testing			[8,000]	[8,000]	
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	850,598	900,598	880,598	30,000	880,598
OFFICE OF THE INSPECTOR GENERAL					
OPERATION AND MAINTENANCE	310,459	310,459	310,459		310,459
RDT&E	4,700	4,700	2,100	–2,600	2,100
Funding ahead of need			[–2,600]	[–2,600]	
PROCUREMENT	1,000			–1,000	
Program decrease		[–1,000]	[–1,000]	[–1,000]	
TOTAL OFFICE OF THE INSPECTOR GENERAL	316,159	315,159	312,559	–3,600	312,559
DEFENSE HEALTH PROGRAM					
IN-HOUSE CARE	9,082,298	9,082,298	9,082,298	–119,372	8,962,926
Consolidated health plan unauthorized				[–29,719]	
Pharmacy benefit reform unauthorized				[–30,528]	
Removal of one-time fiscal year 2016 increases				[–59,125]	
PRIVATE SECTOR CARE	14,892,683	14,896,683	14,892,683		14,886,930
Access to TRICARE Prime for certain beneficiaries		[4,000]		[4,000]	
TRICARE consolidation not authorized				[–9,753]	
CONSOLIDATED HEALTH SUPPORT	2,415,658	2,415,658	2,405,368	–125,784	2,289,874
Reduction of funds related to Combating Antibiotic Resistant Bacteria (CARB) project			[–10,290]	[–10,290]	
Removal of one-time fiscal year 2016 increases				[–115,494]	
INFORMATION MANAGEMENT	1,677,827	1,677,827	1,677,827	–23,013	1,654,814
Removal of one-time fiscal year 2016 increases				[–23,013]	

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Program Title	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
MANAGEMENT ACTIVITIES	327,967	327,967	327,967	-2,059	325,908
Removal of one-time fiscal year 2016 increases				[-2,059]	
EDUCATION AND TRAINING	750,614	750,614	750,614		750,614
BASE OPERATIONS/COMMUNICATIONS	1,742,893	1,742,893	1,742,893	-1,203	1,741,690
Removal of one-time fiscal year 2016 increase				[-1,203]	
RESEARCH	10,996	10,996	10,996		10,996
EXPLORATORY DEVELOPMENT	59,473	59,473	56,323	-3,150	56,323
Reduction of funds related to Combating Antibiotic Resistant Bacteria (CARB) project			[-3,150]	[-3,150]	
ADVANCED DEVELOPMENT	231,356	231,356	228,256	-3,100	228,256
Reduction of funds related to Combating Antibiotic Resistant Bacteria (CARB) project			[-3,100]	[-3,100]	
DEMONSTRATION/VALIDATION	103,443	103,443	103,443		103,443
ENGINEERING DEVELOPMENT	515,910	515,910	515,910		515,910
MANAGEMENT AND SUPPORT	41,567	41,567	41,567		41,567
CAPABILITIES ENHANCEMENT	17,356	17,356	17,356		17,356
INITIAL OUTFITTING	33,392	33,392	33,392		33,392
REPLACEMENT & MODERNIZATION	330,504	330,504	330,504		330,504
THEATER MEDICAL INFORMATION PROGRAM	1,494	1,494	1,494		1,494
IEHR	7,897	7,897	7,897		7,897
UNDISTRIBUTED		-508,000	-36,400	-433,300	-433,300
Foreign Currency adjustments		[-54,700]	[-36,400]	[-54,700]	
Unobligated balances		[-453,300]		[-378,600]	
TOTAL DEFENSE HEALTH PROGRAM	32,243,328	31,739,328	32,190,388	-716,734	31,526,594
TOTAL OTHER AUTHORIZATIONS	35,917,538	37,864,421	35,890,998	-409,134	35,508,404

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Program Title	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
WORKING CAPITAL FUND, AIR FORCE					
SUPPLIES AND MATERIALS					
TRANSPORTATION OF FALLEN HEROES	2,500	2,500	2,500		2,500
TOTAL WORKING CAPITAL FUND, AIR FORCE	2,500	2,500	2,500		2,500
WORKING CAPITAL FUND, DEFENSE-WIDE					
SUPPLY CHAIN MANAGEMENT—DEF					
DEFENSE LOGISTICS AGENCY (DLA)	86,350	86,350	86,350		86,350
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	86,350	86,350	86,350		86,350
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF					
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	186,000	186,000	186,000		186,000
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	186,000	186,000	186,000		186,000
OFFICE OF THE INSPECTOR GENERAL					
OPERATION AND MAINTENANCE	10,262	10,262	10,262		10,262
TOTAL OFFICE OF THE INSPECTOR GENERAL	10,262	10,262	10,262		10,262
DEFENSE HEALTH PROGRAM					
IN-HOUSE CARE	65,149	65,149	65,149		65,149
PRIVATE SECTOR CARE	192,210	192,210	192,210		192,210
CONSOLIDATED HEALTH SUPPORT	9,460	9,460	9,460		9,460
EDUCATION AND TRAINING	5,885	5,885	5,885		5,885
TOTAL DEFENSE HEALTH PROGRAM	272,704	272,704	272,704		272,704
UKRAINE SECURITY ASSISTANCE					
UKRAINE SECURITY ASSISTANCE			300,000	300,000	300,000
Provides assistance to Ukraine			[300,000]	[300,000]	
TOTAL UKRAINE SECURITY ASSISTANCE			300,000	300,000	300,000
COUNTERTERRORISM PARTNERSHIPS FUND					
COUNTERTERRORISM PARTNERSHIPS FUND	2,100,000		1,000,000	-1,350,000	750,000
Program decrease		[-2,100,000]	[-1,100,000]	[-1,350,000]	
TOTAL COUNTERTERRORISM PARTNERSHIPS FUND ...	2,100,000		1,000,000	-1,350,000	750,000

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Program Title	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
TOTAL OTHER AUTHORIZATIONS	2,657,816	557,816	1,857,816	-1,050,000	1,607,816

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Army	ALASKA	Fort Greely	PHYSICAL READINESS TRAINING FACILITY	7,800	7,800	7,800		7,800
Army	CALI-FORNIA	Concord	PIER	98,000	98,000	98,000		98,000
Army	COLORADO	Fort Carson	ROTARY WING TAXIWAY	5,800	5,800	5,800		5,800
Army	CUBA	Guantanamo Bay	UNACCOMPANIED PERSONNEL HOUSING	0	0	76,000		0
Army	GEORGIA	Fort Gordon	COMMAND AND CONTROL FACILITY	90,000	90,000	90,000		90,000
Army	GERMANY	Grafenwoehr	VEHICLE MAINTENANCE SHOP	51,000	51,000	51,000		51,000
Army	MARY-LAND	Fort Meade	ACCESS CONTROL POINT—MAPES ROAD	0	0	15,000	15,000	15,000
Army	MARY-LAND	Fort Meade	ACCESS CONTROL POINT—REECE ROAD	0	0	19,500	19,500	19,500
Army	NEW YORK	Fort Drum	NCO ACADEMY COMPLEX	19,000	19,000	19,000		19,000
Army	NEW YORK	U.S. Military Academy	WASTE WATER TREATMENT PLANT	70,000	70,000	70,000		70,000
Army	OKLA-HOMA	Fort Sill	RECEPTION BARRACKS COMPLEX PH2	56,000	56,000	56,000		56,000
Army	OKLA-HOMA	Fort Sill	TRAINING SUPPORT FACILITY	13,400	13,400	13,400		13,400
Army	TEXAS	Corpus Christi	POWERTRAIN FACILITY (INFRASTRUCTURE/METAL)	85,000	85,000	85,000		85,000
Army	TEXAS	Joint Base San Antonio	HOMELAND DEFENSE OPERATIONS CENTER	43,000	0	0	-43,000	0
Army	VIRGINIA	Arlington National Cemetery	ARLINGTON CEMETERY SOUTHERN EXPANSION (DAR)	0	30,000	0	30,000	30,000
Army	VIRGINIA	Fort Lee	TRAINING SUPPORT FACILITY	33,000	33,000	33,000		33,000
Army	VIRGINIA	Joint Base Myer-Henderson	INSTRUCTION BUILDING	37,000	0	0	-37,000	0
Army	WORLD-WIDE UNSPECIFIED	Unspecified Worldwide Locations	HOST NATION SUPPORT	36,000	36,000	36,000		36,000
Army	WORLD-WIDE UNSPECIFIED	Unspecified Worldwide Locations	MINOR CONSTRUCTION	25,000	25,000	25,000		25,000
Army	WORLD-WIDE UNSPECIFIED	Unspecified Worldwide Locations	PLANNING AND DESIGN	73,245	73,245	73,245		73,245
Military Construction, Army Total				743,245	693,245	773,745	-15,500	727,745
Navy	ARIZONA	Yuma	AIRCRAFT MAINT. FACILITIES & APRON (SO. CALA)	50,635	50,635	50,635		50,635
Navy	BAHRAIN ISLAND	SW Asia	MINA SALMAN PIER REPLACEMENT	37,700	0	37,700		37,700
Navy	BAHRAIN ISLAND	SW Asia	SHIP MAINTENANCE SUPPORT FACILITY	52,091	0	52,091		52,091
Navy	CALI-FORNIA	Camp Pendleton	PENDLETON OPS CENTER	0	0	25,000		0
Navy	CALI-FORNIA	Camp Pendleton	RAW WATER PIPELINE PENDLETON TO FALLBROOK	44,540	44,540	0		44,540
Navy	CALI-FORNIA	Coronado	COASTAL CAMPUS UTILITIES	4,856	4,856	4,856		4,856

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Navy	CALI- FORNIA	Lemoore	F-35C HANGAR MOD- ERNIZATION AND AD- DITION	56,497	56,497	56,497		56,497
Navy	CALI- FORNIA	Lemoore	F-35C TRAINING FACILI- TIES	8,187	8,187	8,187		8,187
Navy	CALI- FORNIA	Lemoore	RTO AND MISSION DE- BRIEF FACILITY	7,146	7,146	7,146		7,146
Navy	CALI- FORNIA	Miramar	KC-130J ENLISTED AIR CREW TRAINER	0	0	11,200	11,200	11,200
Navy	CALI- FORNIA	Point Mugu	E-2C/D HANGAR ADDI- TIONS AND RENOVA- TIONS	19,453	19,453	19,453		19,453
Navy	CALI- FORNIA	Point Mugu	TRITON AVIONICS AND FUEL SYSTEMS TRAIN- ER	2,974	2,974	2,974		2,974
Navy	CALI- FORNIA	San Diego	LCS SUPPORT FACILITY	37,366	37,366	37,366		37,366
Navy	CALI- FORNIA	Twentynine Palms	MICROGRID EXPANSION	9,160	9,160	9,160		9,160
Navy	FLORIDA	Jacksonville	FLEET SUPPORT FACIL- ITY ADDITION	8,455	8,455	8,455		8,455
Navy	FLORIDA	Jacksonville	TRITON MISSION CON- TROL FACILITY	8,296	8,296	8,296		8,296
Navy	FLORIDA	Mayport	LCS MISSION MODULE READINESS CENTER	16,159	16,159	16,159		16,159
Navy	FLORIDA	Pensacola	A-SCHOOL UNACCOM- PANIED HOUSING (CORY STATION)	18,347	18,347	18,347		18,347
Navy	FLORIDA	Whiting Field	T-6B JPATS TRAINING OPERATIONS FACILITY	10,421	10,421	10,421		10,421
Navy	GEORGIA	Albany	GROUND SOURCE HEAT PUMPS	7,851	7,851	7,851		7,851
Navy	GEORGIA	Kings Bay	INDUSTRIAL CONTROL SYSTEM INFRASTRUC- TURE	8,099	8,099	8,099		8,099
Navy	GEORGIA	Townsend	TOWNSEND BOMBING RANGE EXPANSION PHASE 2	48,279	48,279	43,279	-5,000	43,279
Navy	GUAM	Joint Region Marianas	LIVE-FIRE TRAINING RANGE COMPLEX (NW FIELD)	125,677	125,677	125,677		125,677
Navy	GUAM	Joint Region Marianas	MUNICIPAL SOLID WASTE LANDFILL CLO- SURE	10,777	10,777	10,777		10,777
Navy	GUAM	Joint Region Marianas	SANITARY SEWER SYS- TEM RECAPITALIZA- TION	45,314	45,314	45,314		45,314
Navy	HAWAII	Barking Sands	PMRF POWER GRID CON- SOLIDATION	30,623	30,623	30,623		30,623
Navy	HAWAII	Joint Base Pearl Har- bor-Hickam	UEM INTERCONNECT STA C TO HICKAM	6,335	6,335	6,335		6,335
Navy	HAWAII	Joint Base Pearl Har- bor-Hickam	WELDING SCHOOL SHOP CONSOLIDATION	8,546	8,546	8,546		8,546
Navy	HAWAII	Kaneohe Bay	AIRFIELD LIGHTING MODERNIZATION	26,097	26,097	26,097		26,097
Navy	HAWAII	Kaneohe Bay	BACHELOR ENLISTED QUARTERS	68,092	68,092	68,092		68,092
Navy	HAWAII	Kaneohe Bay	P-8A DETACHMENT SUP- PORT FACILITIES	12,429	12,429	12,429		12,429
Navy	HAWAII	MCB Hawaii	LHD PAD CONVERSIONS MV-22 LANDING PADS	0	0	12,800		0
Navy	ITALY	Sigonella	P-8A HANGAR AND FLEET SUPPORT FA- CILITY	62,302	0	62,302		62,302
Navy	ITALY	Sigonella	TRITON HANGAR AND OPERATION FACILITY	40,641	0	40,641		40,641
Navy	JAPAN	Camp Butler	MILITARY WORKING DOG FACILITIES (CAMP HANSEN)	11,697	11,697	11,697		11,697
Navy	JAPAN	Iwakuni	E-2D OPERATIONAL TRAINER COMPLEX	8,716	8,716	8,716		8,716
Navy	JAPAN	Iwakuni	SECURITY MODIFICA- TIONS—CVW5MAG12 HQ	9,207	9,207	9,207		9,207

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Navy	JAPAN	Kadena AB	AIRCRAFT MAINT. SHEL- TERS & APRON	23,310	23,310	23,310		23,310
Navy	JAPAN	Yokosuka	CHILD DEVELOPMENT CENTER	13,846	13,846	13,846		13,846
Navy	MARY- LAND	Patuxent River	UNACCOMPANIED HOUS- ING	40,935	40,935	40,935		40,935
Navy	NORTH CARO- LINA	Camp Lejeune	2ND RADIO BN COMPLEX OPERATIONS CONSOLI- DATION	0	0	0		0
Navy	NORTH CARO- LINA	Camp Lejeune	RANGE SAFETY IM- PROVEMENTS	0	0	19,400		0
Navy	NORTH CARO- LINA	Camp Lejeune	SIMULATOR INTEGRA- TION/RANGE CONTROL FACILITY	54,849	54,849	54,849		54,849
Navy	NORTH CARO- LINA	Cherry Point Marine Corps Air Station	AIRFIELD SECURITY IM- PROVEMENTS	0	0	23,300	23,300	23,300
Navy	NORTH CARO- LINA	Cherry Point Marine Corps Air Station	KC-130J ENLSITED AIR CREW TRAINER FACIL- ITY	4,769	4,769	4,769		4,769
Navy	NORTH CARO- LINA	Cherry Point Marine Corps Air Station	UNMANNED AIRCRAFT SYSTEM FACILITIES	29,657	29,657	29,657		29,657
Navy	NORTH CARO- LINA	New River	OPERATIONAL TRAINER FACILITY	3,312	3,312	3,312		3,312
Navy	NORTH CARO- LINA	New River	RADAR AIR TRAFFIC CONTROL FACILITY ADDITION	4,918	4,918	4,918		4,918
Navy	POLAND	RedziKowo Base	AEGIS ASHORE MISSILE DEFENSE COMPLEX	51,270	0	51,270		51,270
Navy	SOUTH CARO- LINA	Parris Island	RANGE SAFETY IM- PROVEMENTS & MOD- ERNIZATION	27,075	27,075	27,075		27,075
Navy	VIRGINIA	Dam Neck	MARITIME SURVEIL- LANCE SYSTEM FACIL- ITY	23,066	23,066	23,066		23,066
Navy	VIRGINIA	Norfolk	COMMUNICATIONS CEN- TER	75,289	75,289	75,289		75,289
Navy	VIRGINIA	Norfolk	ELECTRICAL REPAIRS TO PIERS 2,6,7, AND 11	44,254	44,254	44,254		44,254
Navy	VIRGINIA	Norfolk	MH-60 HELICOPTER TRAINING FACILITY	7,134	7,134	7,134		7,134
Navy	VIRGINIA	Portsmouth	WATERFRONT UTILITIES	45,513	45,513	45,513		45,513
Navy	VIRGINIA	Quantico	ATFP GATE	5,840	5,840	5,840		5,840
Navy	VIRGINIA	Quantico	ELECTRICAL DISTRIBU- TION UPGRADE	8,418	8,418	8,418		8,418
Navy	VIRGINIA	Quantico	EMBASSY SECURITY GUARD BEQ & OPS FA- CILITY	43,941	43,941	43,941		43,941
Navy	VIRGINIA	Quantico	TBS FIRE STATION RE- PLACEMENT	0	0	17,200		0
Navy	WASH- INGTON	Bangor	REGIONAL SHIP MAINTE- NANCE SUPPORT FA- CILITY	0	0	0		0
Navy	WASH- INGTON	Bangor	WRA LAND/WATER INTERFACE	34,177	34,177	34,177		34,177
Navy	WASH- INGTON	Bremerton	DRY DOCK 6 MODERNIZA- TION & UTILITY IM- PROVE.	22,680	22,680	22,680		22,680
Navy	WASH- INGTON	Indian Island	SHORE POWER TO AM- MUNITION PIER	4,472	4,472	4,472		4,472
Navy	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	MCON DESIGN FUNDS	91,649	91,649	91,649		91,649
Navy	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	22,590	22,590	22,590		22,590
Military Construction, Navy Total				1,605,929	1,361,925	1,665,289	29,500	1,635,429

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

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AF	ALASKA	Eielson AFB	F-35A FLIGHT SIM/ALTER SQUAD OPS/AMU FACILITY	37,000	37,000	37,000		37,000
AF	ALASKA	Eielson AFB	RPR CENTRAL HEAT & POWER PLANT BOILER PH3	34,400	34,400	34,400		34,400
AF	ARIZONA	Davis-Monthan AFB	HC-130J AGE COVERED STORAGE	4,700	4,700	4,700		4,700
AF	ARIZONA	Davis-Monthan AFB	HC-130J WASH RACK	12,200	12,200	12,200		12,200
AF	ARIZONA	Luke AFB	COMMUNICATIONS FACILITY	0	0	21,000	21,000	21,000
AF	ARIZONA	Luke AFB	F-35A ADAL FUEL OFF-LOAD FACILITY	5,000	5,000	5,000		5,000
AF	ARIZONA	Luke AFB	F-35A AIRCRAFT MAINTENANCE HANGAR/SQ 3	13,200	13,200	13,200		13,200
AF	ARIZONA	Luke AFB	F-35A BOMB BUILD-UP FACILITY	5,500	5,500	5,500		5,500
AF	ARIZONA	Luke AFB	F-35A SQ OPS/AMU/HANGAR/SQ 4	33,000	33,000	33,000		33,000
AF	COLORADO	U.S. Air Force Academy	FRONT GATES FORCE PROTECTION ENHANCEMENTS	10,000	10,000	10,000		10,000
AF	FLORIDA	Cape Canaveral AFS	RANGE COMMUNICATIONS FACILITY	21,000	21,000	21,000		21,000
AF	FLORIDA	Eglin AFB	F-35A CONSOLIDATED HQ FACILITY	8,700	8,700	8,700		8,700
AF	FLORIDA	Hurlburt Field	ADAL 39 INFORMATION OPERATIONS SQUAD FACILITY	14,200	14,200	14,200		14,200
AF	GREENLAND	Thule AB	THULE CONSOLIDATION PH 1	41,965	41,965	41,965		41,965
AF	GUAM	Joint Region Marianas	APR—DISPERSED MAINT SPARES & SE STORAGE FAC	19,000	19,000	19,000		19,000
AF	GUAM	Joint Region Marianas	APR—INSTALLATION CONTROL CENTER	22,200	22,200	22,200		22,200
AF	GUAM	Joint Region Marianas	APR—SOUTH RAMP UTILITIES PHASE 2	7,100	7,100	7,100		7,100
AF	GUAM	Joint Region Marianas	PAR—LO/CORROSION CNTRL/COMPOSITE REPAIR	0	0	0		0
AF	GUAM	Joint Region Marianas	PRTC ROADS	2,500	2,500	2,500		2,500
AF	HAWAII	Joint Base Pearl Harbor-Hickam	F-22 FIGHTER ALERT FACILITY	46,000	46,000	46,000		46,000
AF	JAPAN	Yokota AB	C-130J FLIGHT SIMULATOR FACILITY	8,461	8,461	8,461		8,461
AF	KANSAS	McConnell AFB	AIR TRAFFIC CONTROL TOWER	0	0	11,200		0
AF	KANSAS	McConnell AFB	KC-46A ADAL DEICING PADS	4,300	4,300	4,300		4,300
AF	LOUISIANA	Barksdale AFB	CONSOLIDATED COMMUNICATIONS FACILITY	0	0	20,000		0
AF	MARYLAND	Fort Meade	CYBERCOM JOINT OPERATIONS CENTER, INCREMENT 3	86,000	86,000	86,000		86,000
AF	MISSOURI	Whiteman AFB	CONSOLIDATED STEALTH OPS & NUCLEAR ALERT FAC	29,500	29,500	29,500		29,500
AF	MONTANA	Malmstrom AFB	TACTICAL RESPONSE FORCE ALERT FACILITY	19,700	19,700	19,700		19,700
AF	NEBRASKA	Offutt AFB	DORMITORY (144 RM)	21,000	21,000	21,000		21,000
AF	NEVADA	Nellis AFB	F-35A AIRFIELD PAVEMENTS	31,000	31,000	31,000		31,000
AF	NEVADA	Nellis AFB	F-35A LIVE ORDNANCE LOADING AREA	34,500	34,500	34,500		34,500
AF	NEVADA	Nellis AFB	F-35A MUNITIONS MAINTENANCE FACILITIES	3,450	3,450	3,450		3,450

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AF	NEW MEX- ICO	Cannon AFB	CONSTRUCT AT/FP GATE—PORTALES	7,800	7,800	7,800		7,800
AF	NEW MEX- ICO	Holloman AFB	FIXED GROUND CON- TROL	0	0	3,200		0
AF	NEW MEX- ICO	Holloman AFB	MARSHALLING AREA ARM/DE-ARM PAD D	3,000	3,000	3,000		3,000
AF	NEW MEX- ICO	Kirtland AFB	SPACE VEHICLES COM- PONENT DEVELOP- MENT LAB	12,800	12,800	12,800		12,800
AF	NEW YORK	Fort Drum	ASOS EXPANSION	0	0	6,000		0
AF	NIGER	Agadez	CONSTRUCT AIRFIELD AND BASE CAMP	50,000	0	50,000		50,000
AF	NORTH CARO- LINA	Seymour Johnson AFB	AIR TRAFFIC CONTROL TOWER/BASE OPS FA- CILITY	17,100	17,100	17,100		17,100
AF	OKLA- HOMA	Altus AFB	DORMITORY (120 RM)	18,000	18,000	18,000		18,000
AF	OKLA- HOMA	Altus AFB	KC-46A FTU ADAL FUEL CELL MAINT HANGAR	10,400	10,400	10,400		10,400
AF	OKLA- HOMA	Tinker AFB	AIR TRAFFIC CONTROL TOWER	12,900	12,900	12,900		12,900
AF	OKLA- HOMA	Tinker AFB	KC-46A DEPOT MAINTEN- NANCE DOCK	37,000	37,000	37,000		37,000
AF	OMAN	Al Musannah AB	AIRLIFT APRON	25,000	0	25,000		25,000
AF	SOUTH DA- KOTA	Ellsworth AFB	DORMITORY (168 RM)	23,000	23,000	23,000		23,000
AF	TEXAS	Joint Base San Anto- nio	BMT CLASSROOMS/DIN- ING FACILITY 3	35,000	35,000	35,000		35,000
AF	TEXAS	Joint Base San Anto- nio	BMT RECRUIT DOR- MITORY 5	71,000	71,000	71,000		71,000
AF	UNITED KING- DOM	RAF Croughton	CONSOLIDATED SATCOM/ TECH CONTROL FACIL- ITY	36,424	36,424	36,424		36,424
AF	UNITED KING- DOM	RAF Croughton	JIAC CONSOLIDATION— PH 2	94,191	94,191	94,191		94,191
AF	UTAH	Hill AFB	F-35A FLIGHT SIMU- LATOR ADDITION PHASE 2	5,900	5,900	5,900		5,900
AF	UTAH	Hill AFB	F-35A HANGAR 40/42 AD- DITIONS AND AMU	21,000	21,000	21,000		21,000
AF	UTAH	Hill AFB	HAYMAN IGLOOS	11,500	11,500	11,500		11,500
AF	WORLD- WIDE CLASSI- FIED	Classified Lo- cation	LONG RANGE STRIKE BOMBER	77,130	77,130	77,130		77,130
AF	WORLD- WIDE CLASSI- FIED	Classified Lo- cation	MUNITIONS STORAGE	3,000	3,000	3,000		3,000
AF	WORLD- WIDE UN- SPECI- FIED	Various Worldwide Locations	PLANNING AND DESIGN	89,164	89,164	89,164		89,164
AF	WORLD- WIDE UN- SPECI- FIED	Various Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUC- TION	22,900	22,900	22,900		22,900
AF	WYOMING	F. E. Warren AFB	WEAPON STORAGE FA- CILITY	95,000	95,000	95,000		95,000
Military Construction, Air Force Total				1,354,785	1,279,785	1,416,185	21,000	1,375,785
Def-Wide	ALABAMA	Fort Rucker	FORT RUCKER ES/PS CONSOLIDATION/RE- PLACEMENT	46,787	46,787	46,787		46,787
Def-Wide	ALABAMA	Maxwell AFB	MAXWELL ES/MS RE- PLACEMENT/RENOVA- TION	32,968	32,968	32,968		32,968
Def-Wide	ARIZONA	Fort Huachuca	JITC BUILDINGS 52101/ 52111 RENOVATIONS	3,884	3,884	3,884		3,884
Def-Wide	CALI- FORNIA	Camp Pen- dleton	SOF COMBAT SERVICE SUPPORT FACILITY	10,181	10,181	10,181		10,181

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Def-Wide	CALI- FORNIA	Camp Pen- dleton	SOF PERFORMANCE RE- SILIENCY CENTER- WEST	10,371	0	10,371		10,371
Def-Wide	CALI- FORNIA	Coronado	SOF LOGISTICS SUP- PORT UNIT ONE OPS FAC. #2	47,218	0	47,218		47,218
Def-Wide	CALI- FORNIA	Fresno Yo- semite IAP ANG	REPLACE FUEL STOR- AGE AND DISTRIB. FA- CILITIES	10,700	10,700	10,700		10,700
Def-Wide	COLORADO	Fort Carson	SOF LANGUAGE TRAIN- ING FACILITY	8,243	8,243	8,243		8,243
Def-Wide	CONUS CLASSI- FIED	Classified Lo- cation	OPERATIONS SUPPORT FACILITY	20,065	0	20,065		20,065
Def-Wide	DELA- WARE	Dover AFB	CONSTRUCT HYDRANT FUEL SYSTEM	21,600	21,600	21,600		21,600
Def-Wide	DJIBOUTI	Camp Lemonnier	CONSTRUCT FUEL STOR- AGE & DISTRIB. FA- CILITIES	43,700	0	43,700		43,700
Def-Wide	FLORIDA	Hurlburt Field	SOF FUEL CELL MAINTe- NANCE HANGAR	17,989	17,989	17,989		17,989
Def-Wide	FLORIDA	MacDill AFB	SOF OPERATIONAL SUP- PORT FACILITY	39,142	39,142	39,142		39,142
Def-Wide	GEORGIA	Moody AFB	REPLACE PUMPHOUSE AND TRUCK FILLSTANDS	10,900	10,900	10,900		10,900
Def-Wide	GERMANY	Garmisch	GARMISCH E/MS-ADDI- TION/MODERNIZATION	14,676	14,676	14,676		14,676
Def-Wide	GERMANY	Grafenwoehr	GRAFENWOEHR ELE- MENTARY SCHOOL RE- PLACEMENT	38,138	38,138	38,138		38,138
Def-Wide	GERMANY	Rhine Ord- nance Bar- racks	MEDICAL CENTER RE- PLACEMENT INCR 5	85,034	85,034	85,034		85,034
Def-Wide	GERMANY	Spangdahlem AB	CONSTRUCT FUEL PIPE- LINE	5,500	5,500	5,500		5,500
Def-Wide	GERMANY	Spangdahlem AB	MEDICAL/DENTAL CLIN- IC ADDITION	34,071	34,071	34,071		34,071
Def-Wide	GERMANY	Stuttgart- Patch Bar- racks	PATCH ELEMENTARY SCHOOL REPLACE- MENT	49,413	49,413	49,413		49,413
Def-Wide	HAWAII	Kaneohe Bay	MEDICAL/DENTAL CLIN- IC REPLACEMENT	122,071	90,257	122,071		122,071
Def-Wide	HAWAII	Schofield Barracks	BEHAVIORAL HEALTH/ DENTAL CLINIC ADDI- TION	123,838	87,800	123,838		123,838
Def-Wide	JAPAN	Kadena AB	AIRFIELD PAVEMENTS	37,485	37,485	37,485		37,485
Def-Wide	KENTUCKY	Fort Camp- bell	SOF COMPANY HQ/ CLASSROOMS	12,553	12,553	12,553		12,553
Def-Wide	KENTUCKY	Fort Knox	FORT KNOX HS RENOVa- TION/MS ADDITION	23,279	23,279	23,279		23,279
Def-Wide	MARY- LAND	Fort Meade	NSAW CAMPUS FEEDERS PHASE 2	33,745	33,745	33,745		33,745
Def-Wide	MARY- LAND	Fort Meade	NSAW RECAPITALIZE BUILDING #2 INCR 1	34,897	34,897	34,897		34,897
Def-Wide	NEVADA	Nellis AFB	REPLACE HYDRANT FUEL SYSTEM	39,900	39,900	39,900		39,900
Def-Wide	NEW MEX- ICO	Cannon AFB	CONSTRUCT PUMP- HOUSE AND FUEL STORAGE	20,400	20,400	20,400		20,400
Def-Wide	NEW MEX- ICO	Cannon AFB	SOF SQUADRON OPER- ATIONS FACILITY	11,565	11,565	11,565		11,565
Def-Wide	NEW MEX- ICO	Cannon AFB	SOF ST OPERATIONAL TRAINING FACILITIES	13,146	13,146	13,146		13,146
Def-Wide	NEW YORK	West Point	WEST POINT ELEMEN- TARY SCHOOL RE- PLACEMENT	55,778	55,778	55,778		55,778
Def-Wide	NORTH CARO- LINA	Camp Lejeune	SOF COMBAT SERVICE SUPPORT FACILITY	14,036	14,036	14,036		14,036
Def-Wide	NORTH CARO- LINA	Camp Lejeune	SOF MARINE BATTALION COMPANY/TEAM FA- CILITIES	54,970	54,970	54,970		54,970

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Def-Wide	NORTH CARO- LINA	Fort Bragg	BUTNER	ELEMENTARY SCHOOL REPLACE- MENT	32,944	32,944	32,944		32,944
Def-Wide	NORTH CARO- LINA	Fort Bragg	SOF 21 STS OPERATIONS FACILITY		16,863	14,334	16,863		16,863
Def-Wide	NORTH CARO- LINA	Fort Bragg	SOF BATTALION OPER- ATIONS FACILITY		38,549	38,549	38,549		38,549
Def-Wide	NORTH CARO- LINA	Fort Bragg	SOF INDOOR RANGE		8,303	8,303	8,303		8,303
Def-Wide	NORTH CARO- LINA	Fort Bragg	SOF INTELLIGENCE TRAINING CENTER		28,265	28,265	28,265		28,265
Def-Wide	NORTH CARO- LINA	Fort Bragg	SOF SPECIAL TACTICS FACILITY (PH 2)		43,887	43,887	43,887		43,887
Def-Wide	OHIO	Wright-Pat- terson AFB	SATELLITE PHARMACY REPLACEMENT		6,623	6,623	6,623		6,623
Def-Wide	OREGON	Klamath Falls IAP	REPLACE FUEL FACILI- TIES		2,500	2,500	2,500		2,500
Def-Wide	PENNSYL- VANIA	Philadelphia	REPLACE	HEAD- QUARTERS	49,700	49,700	0		49,700
Def-Wide	POLAND	RedziKowo Base	AEGIS ASHORE MISSILE DEFENSE SYSTEM COMPLEX		169,153	0	169,153		169,153
Def-Wide	SOUTH CARO- LINA	Fort Jackson	PIERCE TERRACE ELE- MENTARY SCHOOL RE- PLACEMENT		26,157	26,157	26,157		26,157
Def-Wide	SPAIN	Rota	ROTA ES AND HS ADDI- TIONS		13,737	13,737	13,737		13,737
Def-Wide	TEXAS	Fort Bliss	HOSPITAL	REPLACE- MENT INCR 7	239,884	189,884	239,884	-50,000	189,884
Def-Wide	TEXAS	Joint Base San Anto- nio	AMBULATORY	CARE CENTER PHASE 4	61,776	61,776	61,776		61,776
Def-Wide	VIRGINIA	Fort Belvoir	CONSTRUCT VISITOR CONTROL CENTER		5,000	5,000	5,000		5,000
Def-Wide	VIRGINIA	Fort Belvoir	REPLACE GROUND VEHI- CLE FUELING FACIL- ITY		4,500	4,500	4,500		4,500
Def-Wide	VIRGINIA	Joint Base Langley- Eustis	REPLACE FUEL PIER AND DISTRIBUTION FA- CILITY		28,000	28,000	28,000		28,000
Def-Wide	VIRGINIA	Joint Expedi- tionary Base Little Creek— Story	SOF APPLIED INSTRU- CTION FACILITY		23,916	23,916	23,916		23,916
Def-Wide	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	CONTINGENCY	CON- STRUCTION	10,000	0	10,000	-10,000	0
Def-Wide	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	ECIP DESIGN		10,000	10,000	10,000		10,000
Def-Wide	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	ENERGY CONSERVATION INVESTMENT PRO- GRAM		150,000	150,000	150,000		150,000
Def-Wide	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	EXERCISE	RELATED MINOR CONSTRUCTION	8,687	8,687	8,687		8,687
Def-Wide	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	PLANNING AND DESIGN		31,628	31,628	31,628		31,628
Def-Wide	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	PLANNING AND DESIGN		3,041	3,041	3,041		3,041

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Def-Wide	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	PLANNING AND DESIGN	1,078	1,078	1,078		1,078
Def-Wide	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	PLANNING AND DESIGN	27,202	27,202	27,202		27,202
Def-Wide	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	PLANNING AND DESIGN	42,183	42,183	42,183		42,183
Def-Wide	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	PLANNING AND DESIGN	13,500	13,500	13,500		13,500
Def-Wide	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	15,676	15,676	15,676		15,676
Def-Wide	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	5,000	5,000	5,000		5,000
Def-Wide	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	3,000	3,000	3,000		3,000
Def-Wide	WORLD- WIDE UN- SPECI- FIED	Various Worldwide Locations	EAST COAST MISSILE SITE PLANNING AND DESIGN	0	30,000	0	30,000	30,000
Def-Wide	WORLD- WIDE UN- SPECI- FIED	Various Worldwide Locations	PLANNING & DESIGN	31,772	31,772	31,772		31,772
Military Construction, Defense-Wide Total				2,300,767	1,909,879	2,251,067	-30,000	2,270,767
NATO	WORLD- WIDE UN- SPECI- FIED	NATO Secu- rity Invest- ment Pro- gram	NATO SECURITY INVEST- MENT PROGRAM	120,000	150,000	120,000		120,000
NATO Security Investment Program Total				120,000	150,000	120,000	0	120,000
Army NG	ALABAMA	Camp Foley	VEHICLE MAINTENANCE SHOP	0	0	4,500	4,500	4,500
Army NG	CON- NECTI- CUT	Camp Hartell	READY BUILDING (CST- WMD)	11,000	11,000	11,000		11,000
Army NG	DELA- WARE	Dagsboro	NATIONAL GUARD VEHI- CLE MAINTENANCE SHOP	10,800	0	10,800		10,800
Army NG	FLORIDA	Palm Coast	NATIONAL GUARD READ- INESS CENTER	18,000	18,000	18,000		18,000
Army NG	GEORGIA	Fort Stewart	TACTICAL AERIAL UN- MANNED SYSTEMS	0	0	6,800	6,800	6,800
Army NG	ILLINOIS	Sparta	BASIC 10M-25M FIRING RANGE (ZERO)	1,900	1,900	1,900		1,900
Army NG	KANSAS	Salina	AUTOMATED COMBAT PISTOL/MP FIREARMS QUAL COURSE	2,400	2,400	2,400		2,400
Army NG	KANSAS	Salina	MODIFIED RECORD FIRE RANGE	4,300	4,300	4,300		4,300
Army NG	MARY- LAND	Easton	NATIONAL GUARD READ- INESS CENTER	13,800	13,800	13,800		13,800
Army NG	MIS- SISSIPPI	Gulfport	AVIATION CLASSIFICA- TION AND REPAIR	0	0	40,000	40,000	40,000
Army NG	NEVADA	Reno	NATIONAL GUARD VEHI- CLE MAINTENANCE SHOP ADD/ALT	8,000	8,000	8,000		8,000
Army NG	OHIO	Camp Ra- venna	MODIFIED RECORD FIRE RANGE	3,300	3,300	3,300		3,300
Army NG	OREGON	Salem	NATIONAL GUARD/RE- SERVE CENTER BLDG ADD/ALT (JFHQ)	16,500	16,500	16,500		16,500

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Army NG	PENNSYLVANIA	Fort Indiantown Gap	TRAINING AIDS CENTER	16,000	16,000	16,000		16,000
Army NG	VERMONT	North Hyde Park	NATIONAL GUARD VEHICLE MAINTENANCE SHOP ADDITION	7,900	7,900	7,900		7,900
Army NG	VIRGINIA	Richmond	NATIONAL GUARD/RESERVE CENTER BUILDING (JFHQ)	29,000	29,000	29,000		29,000
Army NG	WASHINGTON	Yakima	ENLISTED BARRACKS, TRANSIENT TRAINING	19,000	0	19,000		19,000
Army NG	WORLD-WIDE UNSPECIFIED	Unspecified Worldwide Locations	PLANNING AND DESIGN	20,337	20,337	20,337		20,337
Army NG	WORLD-WIDE UNSPECIFIED	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	15,000	15,000	15,000		15,000
Military Construction, Army National Guard Total				197,237	167,437	248,537	51,300	248,537
Army Res	CALIFORNIA	Miramar	ARMY RESERVE CENTER	24,000	24,000	24,000		24,000
Army Res	FLORIDA	MacDill AFB	AR CENTER/AS FACILITY	55,000	55,000	55,000		55,000
Army Res	MISSISSIPPI	Starkville	ARMY RESERVE CENTER	9,300	0	9,300		9,300
Army Res	NEW YORK	Orangeburg	ORGANIZATIONAL MAINTENANCE SHOP	4,200	4,200	4,200		4,200
Army Res	PENNSYLVANIA	Conneaut Lake	DAR HIGHWAY IMPROVEMENT	5,000	5,000	5,000		5,000
Army Res	PUERTO RICO	Fort Buchanan	ACCESS CONTROL POINT	0	0	10,200	10,200	10,200
Army Res	VIRGINIA	Fort AP Hill	EQUIPMENT CONCENTRATION	0	0	24,000	24,000	24,000
Army Res	WORLD-WIDE UNSPECIFIED	Unspecified Worldwide Locations	PLANNING AND DESIGN	9,318	9,318	9,318		9,318
Army Res	WORLD-WIDE UNSPECIFIED	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	6,777	6,777	6,777		6,777
Military Construction, Army Reserve Total				113,595	104,295	147,795	34,200	147,795
N/MC Res	NEVADA	Fallon	NAVOPSPTCEN FALLON	11,480	11,480	11,480		11,480
N/MC Res	NEW YORK	Brooklyn	RESERVE CENTER STORAGE FACILITY	2,479	2,479	2,479		2,479
N/MC Res	VIRGINIA	Dam Neck	RESERVE TRAINING CENTER COMPLEX	18,443	18,443	18,443		18,443
N/MC Res	WORLD-WIDE UNSPECIFIED	Unspecified Worldwide Locations	MCNR PLANNING & DESIGN	2,208	2,208	2,208		2,208
N/MC Res	WORLD-WIDE UNSPECIFIED	Unspecified Worldwide Locations	MCNR UNSPECIFIED MINOR CONSTRUCTION	1,468	1,468	1,468		1,468
Military Construction, Naval Reserve Total				36,078	36,078	36,078	0	36,078
Air NG	ALABAMA	Dannelly Field	TFI—REPLACE SQUADRON OPERATIONS FACILITY	7,600	7,600	7,600		7,600
Air NG	ARKANSAS	Fort Smith MAP	CONSOLIDATED SCIF	0	0	0		0
Air NG	CALIFORNIA	Moffett Field	REPLACE VEHICLE MAINTENANCE FACILITY	6,500	6,500	6,500		6,500
Air NG	COLORADO	Buckley AFB	ASE MAINTENANCE AND STORAGE FACILITY	5,100	5,100	5,100		5,100
Air NG	CONNECTICUT	Bradley	OPS AND DEPLOYMENT FACILITY	0	0	6,300		0
Air NG	FLORIDA	Cape Canaveral AFS	SPACE CONTROL FACILITY	0	0	6,100	6,100	6,100

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Account	State/ Country	Installation	Project Title	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Air NG	GEORGIA	Savannah/ Hilton Head IAP	C-130 SQUADRON OPER- ATIONS FACILITY	9,000	9,000	9,000		9,000
Air NG	HAWAII	Joint Base Pearl Har- bor-Hickam	F-22 COMPOSITE REPAIR FACILITY	0	0	9,700		0
Air NG	IOWA	Des Moines MAP	AIR OPERATIONS GRP/ CYBER BEDDOWN- RENO BLDG 430	6,700	6,700	6,700		6,700
Air NG	KANSAS	Smokey Hill ANG Range	RANGE TRAINING SUP- PORT FACILITIES	2,900	2,900	2,900		2,900
Air NG	LOU- ISIANA	New Orleans	REPLACE SQUADRON OP- ERATIONS FACILITY	10,000	10,000	10,000		10,000
Air NG	MAINE	Bangor IAP	ADD TO AND ALTER FIRE CRASH/RESCUE STATION	7,200	7,200	7,200		7,200
Air NG	NEW HAMP- SHIRE	Pease Inter- national Trade Port	BLDG MOD KC-46 FUSE- LAGE TRAINER	0	0	1,500		0
Air NG	NEW HAMP- SHIRE	Pease Inter- national Trade Port	KC-46A ADAL FLIGHT SIMULATOR BLDG 156	2,800	2,800	2,800		2,800
Air NG	NEW JER- SEY	Atlantic City IAP	FUEL CELL AND CORRO- SION CONTROL HANG- AR	10,200	10,200	10,200		10,200
Air NG	NEW YORK	Niagara Falls IAP	REMOTELY PILOTED AIRCRAFT BEDDOWN BLDG 912	7,700	7,700	7,700		7,700
Air NG	NORTH CARO- LINA	Charlotte/ Douglas IAP	REPLACE C-130 SQUAD- RON OPERATIONS FA- CILITY	9,000	9,000	9,000		9,000
Air NG	NORTH DA- KOTA	Hector IAP	INTEL TARGETING FA- CILITIES	7,300	7,300	7,300		7,300
Air NG	OKLA- HOMA	Will Rogers World Air- port	MEDIUM ALTITUDE MANNED ISR BEDDOWN	7,600	7,600	7,600		7,600
Air NG	OREGON	Klamath Falls IAP	REPLACE FIRE CRASH/ RESCUE STATION	7,200	7,200	7,200		7,200
Air NG	WEST VIR- GINIA	Yeager Air- port	FORCE PROTECTION— RELOCATE COONSKIN ROAD	3,900	3,900	3,900		3,900
Air NG	WORLD- WIDE UN- SPECI- FIED	Various Worldwide Locations	PLANNING AND DESIGN	5,104	5,104	5,104		5,104
Air NG	WORLD- WIDE UN- SPECI- FIED	Various Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	7,734	7,734	7,734		7,734
Military Construction, Air National Guard Total				123,538	123,538	147,138	6,100	129,638
AF Res	ARIZONA	Davis- Monthan AFB	GUARDIAN ANGEL OPER- ATIONS	0	0	0		0
AF Res	CALI- FORNIA	March AFB	SATELLITE FIRE STA- TION	4,600	4,600	4,600		4,600
AF Res	FLORIDA	Patrick AFB	AIRCREW LIFE SUPPORT FACILITY	3,400	3,400	3,400		3,400
AF Res	GEORGIA	Dobbins	FIRE STATION/SECURITY COMPLEX	0	0	10,400	10,400	10,400
AF Res	OHIO	Youngstown	INDOOR FIRING RANGE	9,400	9,400	9,400		9,400
AF Res	TEXAS	Joint Base San Anto- nio	CONSOLIDATE 433 MED- ICAL FACILITY	9,900	9,900	9,900		9,900
AF Res	WORLD- WIDE UN- SPECI- FIED	Various Worldwide Locations	PLANNING AND DESIGN	13,400	13,400	13,400		13,400
AF Res	WORLD- WIDE UN- SPECI- FIED	Various Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUC- TION	6,121	6,121	6,121		6,121
Military Construction, Air Force Reserve Total				46,821	46,821	57,221	10,400	57,221

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
FH Con Army	FLORIDA	Camp Rudder	FAMILY HOUSING RE- PLACEMENT CON- STRUCTION	8,000	8,000	8,000		8,000
FH Con Army	GERMANY	Wiesbaden Army Air- field	FAMILY HOUSING IM- PROVEMENTS	3,500	3,500	3,500		3,500
FH Con Army	ILLINOIS	Rock Island	FAMILY HOUSING RE- PLACEMENT CON- STRUCTION	20,000	20,000	20,000	9,000	29,000
FH Con Army	KOREA	Camp Walker	FAMILY HOUSING NEW CONSTRUCTION	61,000	61,000	61,000		61,000
FH Con Army	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	FAMILY HOUSING P & D	7,195	7,195	7,195		7,195
Family Housing Construction, Army Total				99,695	99,695	99,695	9,000	108,695
FH Ops Army	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	FURNISHINGS	25,552	25,552	25,552	-7,000	18,552
FH Ops Army	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	LEASED HOUSING	144,879	144,879	144,879	-3,000	141,879
FH Ops Army	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	MAINTENANCE OF REAL PROPERTY FACILITIES	75,197	75,197	75,197		75,197
FH Ops Army	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	MANAGEMENT ACCOUNT	45,468	45,468	45,468	-2,900	42,568
FH Ops Army	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	MANAGEMENT ACCOUNT	3,047	3,047	3,047		3,047
FH Ops Army	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	MILITARY HOUSING PRIVITIZATION INITIA- TIVE	22,000	22,000	22,000		22,000
FH Ops Army	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	MISCELLANEOUS	840	840	840		840
FH Ops Army	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	SERVICES	10,928	10,928	10,928		10,928
FH Ops Army	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	UTILITIES	65,600	65,600	65,600	-5,000	60,600
Family Housing Operation And Maintenance, Army Total				393,511	393,511	393,511	-17,900	375,611
FH Con Navy	VIRGINIA	Wallops Is- land	CONSTRUCT HOUSING WELCOME CENTER	438	438	438		438
FH Con Navy	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	DESIGN	4,588	4,588	4,588		4,588
FH Con Navy	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	IMPROVEMENTS	11,515	11,515	11,515		11,515
Family Housing Construction, Navy And Marine Corps Total				16,541	16,541	16,541	0	16,541
FH Ops Navy	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	FURNISHINGS ACCOUNT	17,534	17,534	17,534		17,534
FH Ops Navy	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	LEASING	64,108	64,108	64,108		64,108

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
FH Ops Navy	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	MAINTENANCE OF REAL PROPERTY	99,323	99,323	99,323		99,323
FH Ops Navy	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	MANAGEMENT ACCOUNT	56,189	56,189	56,189		56,189
FH Ops Navy	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	MISCELLANEOUS AC- COUNT	373	373	373		373
FH Ops Navy	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	PRIVATIZATION SUP- PORT COSTS	28,668	28,668	28,668		28,668
FH Ops Navy	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	SERVICES ACCOUNT	19,149	19,149	19,149		19,149
FH Ops Navy	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	UTILITIES ACCOUNT	67,692	67,692	67,692		67,692
Family Housing Operation And Maintenance, Navy And Marine Corps Total.				353,036	353,036	353,036	0	353,036
FH Con AF	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	IMPROVEMENTS	150,649	150,649	150,649		150,649
FH Con AF	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	PLANNING AND DESIGN	9,849	9,849	9,849		9,849
Family Housing Construction, Air Force Total				160,498	160,498	160,498	0	160,498
FH Ops AF	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	FURNISHINGS ACCOUNT	38,746	38,746	38,746		38,746
FH Ops AF	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	HOUSING PRIVATIZA- TION	41,554	41,554	41,554		41,554
FH Ops AF	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	LEASING	28,867	28,867	28,867		28,867
FH Ops AF	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	MAINTENANCE	114,129	114,129	114,129		114,129
FH Ops AF	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	MANAGEMENT ACCOUNT	52,153	52,153	52,153		52,153
FH Ops AF	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	MISCELLANEOUS AC- COUNT	2,032	2,032	2,032		2,032
FH Ops AF	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	SERVICES ACCOUNT	12,940	12,940	12,940		12,940
FH Ops AF	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	UTILITIES ACCOUNT	40,811	40,811	40,811		40,811
Family Housing Operation And Maintenance, Air Force Total				331,232	331,232	331,232	0	331,232
FH Ops DW	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	FURNISHINGS ACCOUNT	20	20	20		20

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
FH Ops DW	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	FURNISHINGS ACCOUNT	3,402	3,402	3,402		3,402
FH Ops DW	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	FURNISHINGS ACCOUNT	781	781	781		781
FH Ops DW	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	LEASING	41,273	41,273	41,273		41,273
FH Ops DW	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	LEASING	10,679	10,679	10,679		10,679
FH Ops DW	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	MAINTENANCE OF REAL PROPERTY	1,104	1,104	1,104		1,104
FH Ops DW	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	MAINTENANCE OF REAL PROPERTY	344	344	344		344
FH Ops DW	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	MANAGEMENT ACCOUNT	388	388	388		388
FH Ops DW	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	SERVICES ACCOUNT	31	31	31		31
FH Ops DW	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	UTILITIES ACCOUNT	474	474	474		474
FH Ops DW	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	UTILITIES ACCOUNT	172	172	172		172
Family Housing Operation And Maintenance, Defense-Wide Total ..				58,668	58,668	58,668	0	58,668
BRAC	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	BASE REALIGNMENT AND CLOSURE	29,691	29,691	29,691		29,691
Base Realignment and Closure—Army Total				29,691	29,691	29,691	0	29,691
BRAC	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	BASE REALIGNMENT & CLOSURE	118,906	118,906	118,906		118,906
BRAC	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	DON-100: PLANING, DE- SIGN AND MANAGE- MENT	7,787	7,787	7,787		7,787
BRAC	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	DON-101: VARIOUS LOCA- TIONS	20,871	20,871	20,871		20,871
BRAC	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	DON-138: NAS BRUNS- WICK, ME	803	803	803		803
BRAC	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	DON-157: MCSA KANSAS CITY, MO	41	41	41		41
BRAC	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	DON-172: NWS SEAL BEACH, CONCORD, CA	4,872	4,872	4,872		4,872
BRAC	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	DON-84: JRB WILLOW GROVE & CAMBRIA REG AP	3,808	3,808	3,808		3,808

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Base Realignment and Closure—Navy Total				157,088	157,088	157,088	0	157,088
BRAC	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	DOD BRAC ACTIVITIES— AIR FORCE	64,555	64,555	64,555		64,555
Base Realignment and Closure—Air Force Total				64,555	64,555	64,555	0	64,555
PYS	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	AIR FORCE	0	−52,600	−50,000	−34,400	−34,400
PYS	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	ARMY	0	−96,000	−52,000	−47,700	−47,700
PYS	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	DEFENSE-WIDE	0	−134,000	−120,000	−134,000	−134,000
PYS	WORLD- WIDE UN- SPECI- FIED	Unspecified Worldwide Locations	HOUSING ASSISTANCE PROGRAM	0	−103,918	0	−110,000	−110,000
Prior Year Savings Total				0	−386,518	−222,000	−326,100	−326,100
Total, Military Construction				8,306,510	7,151,000	8,305,570	−228,000	8,078,510

SEC. 4602. LEGISLATIVE PROVISIONS NOT ADOPTED.

SEC. 4602. LEGISLATIVE PROVISIONS NOT ADOPTED
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	FY 2016 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Army	Cuba	Guantanamo Bay	UNACCOMPANIED PERSONNEL HOUSING	0	76,000	0	0	0
Military Construction, Army Total				0	76,000	0	0	0
Navy	Bahrain	Bahrain Island	MINA SALMAN PIER REPLACEMENT	0	37,700	0	0	0
Navy	Bahrain	Bahrain Island	SHIP MAINTENANCE SUPPORT FACILITY	0	52,091	0	0	0
Navy	Italy	Sigonella	P−8A HANGAR AND FLEET SUPPORT FACILITY	0	62,302	0	0	0
Navy	Italy	Sigonella	TRITON HANGAR AND OPERATION FACILITY	0	40,641	0	0	0
Navy	Poland	Redzikowo	AEGIS SHORE MISSILE DEFENSE COMPLEX	0	51,270	0	0	0
Military Construction, Navy Total				0	244,004	0	0	0
AF	Niger	Agadez	CONSTRUCT AIR FIELD AND BASE CAMP	0	50,000	0	0	0
AF	Oman	Al Mussanah AB	AIRLIFT APRON	0	25,000	0	0	0
Military Construction, Air Force Total				0	75,000	0	0	0
Def-Wide	Djibouti	Camp Lemonier	CONSTRUCT FUEL STORAGE AND DISTRIBUTION FACILITIES	0	43,700	0	0	0
Def-Wide	Poland	Redzikowo	AEGIS SHORE MISSILE DEFENSE COMPLEX	0	93,296	0	0	0
Military Construction, Defense-Wide Total				0	136,996	0	0	0
Total, Military Construction				0	532,000	0	0	0

**TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL
SECURITY PROGRAMS**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2016 Request	House Authorized	Senate Author- ized	Agree- ment Change	Agree- ment Author- ized
Discretionary Summary By Appropriation					
Energy And Water Development, And Related Agencies					
Appropriation Summary:					
Energy Programs					
Nuclear Energy	135,161	0	0	0	135,161
Atomic Energy Defense Activities					

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2016 Request	House Authorized	Senate Author- ized	Agree- ment Change	Agree- ment Author- ized
National nuclear security administration:					
Weapons activities	8,846,948	237,700	180,000	-44,151	8,802,797
Defense nuclear nonproliferation	1,940,302	-39,000	5,000	1,198	1,941,500
Naval reactors	1,375,496	12,000	0	-15,500	1,359,996
Federal salaries and expenses	402,654	-6,000	0	-14,654	388,000
Total, National nuclear security administration	12,565,400	204,700	185,000	-73,107	12,492,293
Environmental and other defense activities:					
Defense environmental cleanup	5,527,347	-384,197	-451,797	-396,797	5,130,550
Other defense activities	774,425	4,200	0	-3,903	770,522
Total, Environmental & other defense activities	6,301,772	-379,997	-451,797	-400,700	5,901,072
Total, Atomic Energy Defense Activities	18,867,172	-175,297	-266,797	-473,807	18,393,365
Total, Discretionary Funding	19,002,333	-175,297	-266,797	-473,807	18,528,526
Nuclear Energy					
Idaho sitewide safeguards and security	126,161				126,161
Used nuclear fuel disposition	9,000				9,000
Total, Nuclear Energy	135,161	0	0	0	135,161
Weapons Activities					
Directed stockpile work					
Life extension programs					
B61 Life extension program	643,300				643,300
W76 Life extension program	244,019				244,019
W88 Alt 370	220,176				220,176
W80-4 Life extension program	195,037				195,037
Total, Life extension programs	1,302,532	0	0	0	1,302,532
Stockpile systems					
B61 Stockpile systems	52,247	21,000			52,247
W76 Stockpile systems	50,921				50,921
W78 Stockpile systems	64,092				64,092
W80 Stockpile systems	68,005				68,005
B83 Stockpile systems	42,177	9,000			42,177
W87 Stockpile systems	89,299				89,299
W88 Stockpile systems	115,685				115,685
Total, Stockpile systems	482,426	30,000	0	0	482,426
Weapons dismantlement and disposition					
Operations and maintenance	48,049				48,049
Stockpile services					
Production support	447,527				447,527
Research and development support	34,159				34,159
R&D certification and safety	192,613	11,200		-7,613	185,000
Management, technology, and production	264,994			-6,467	258,527
Total, Stockpile services	939,293	11,200	0	-14,080	925,213
Nuclear material commodities					
Uranium sustainment	32,916				32,916
Plutonium sustainment	174,698	8,400			174,698
Tritium sustainment	107,345				107,345
Domestic uranium enrichment	100,000			-50,000	50,000
Total, Nuclear material commodities	414,959	8,400	0	-50,000	364,959
Total, Directed stockpile work	3,187,259	49,600	0	-64,080	3,123,179
Research, development, test and evaluation (RDT&E)					
Science					
Advanced certification	50,714				50,714
Primary assessment technologies	98,500	21,600		5,600	104,100
Dynamic materials properties	109,000				109,000
Advanced radiography	47,000				47,000
Secondary assessment technologies	84,400				84,400
Total, Science	389,614	21,600	0	5,600	395,214
Engineering					
Enhanced surety	50,821	1,100			50,821
Weapon systems engineering assessment technology	17,371				17,371
Nuclear survivability	24,461	2,400			24,461

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2016 Request	House Authorized	Senate Author- ized	Agree- ment Change	Agree- ment Author- ized
Enhanced surveillance	38,724		10,000		38,724
Total, Engineering	131,377	3,500	10,000	0	131,377
Inertial confinement fusion ignition and high yield					
Ignition	73,334	-6,000			73,334
Support of other stockpile programs	22,843				22,843
Diagnostics, cryogenics and experimental support	58,587				58,587
Pulsed power inertial confinement fusion	4,963				4,963
Joint program in high energy density laboratory plasmas	8,900				8,900
Facility operations and target production	333,823	-11,000			333,823
Total, Inertial confinement fusion and high yield	502,450	-17,000	0	0	502,450
Advanced simulation and computing	623,006	-6,000		-6,000	617,006
Responsive Capabilities Program	0		20,000		0
Advanced manufacturing					
Component manufacturing development	112,256			-18,808	93,448
Processing technology development	17,800				17,800
Total, Advanced manufacturing	130,056	0	0	-18,808	111,248
Total, RDT&E	1,776,503	2,100	30,000	-19,208	1,757,295
Readiness in technical base and facilities (RTBF)					
Operating					
Program readiness	75,185			-15,185	60,000
Material recycle and recovery	173,859			-13,859	160,000
Storage	40,920				40,920
Recapitalization	104,327			-4,327	100,000
Total, Operating	394,291	0	0	-33,371	360,920
Construction:					
15-D-302 TA-55 Reinvestment project, Phase 3, LANL	18,195				18,195
11-D-801 TA-55 Reinvestment project Phase 2, LANL	3,903				3,903
07-D-220 Radioactive liquid waste treatment facility upgrade project, LANL	11,533				11,533
07-D-220-04 Transuranic liquid waste facility, LANL	40,949				40,949
06-D-141 PED/Construction, Uranium Capabilities Replacement Project Y-12	430,000				430,000
04-D-125 Chemistry and metallurgy replacement project, LANL ..	155,610				155,610
Total, Construction	660,190	0	0	0	660,190
Total, Readiness in technical base and facilities	1,054,481	0	0	-33,371	1,021,110
Secure transportation asset					
Operations and equipment	146,272			-6,272	140,000
Program direction	105,338			-8,220	97,118
Total, Secure transportation asset	251,610	0	0	-14,492	237,118
Infrastructure and safety					
Operations of facilities					
Kansas City Plant	100,250				100,250
Lawrence Livermore National Laboratory	70,671				70,671
Los Alamos National Laboratory	196,460				196,460
Nevada National Security Site	89,000				89,000
Pantex	58,021				58,021
Sandia National Laboratory	115,300				115,300
Savannah River Site	80,463				80,463
Y-12 National security complex	120,625				120,625
Total, Operations of facilities	830,790	0	0	0	830,790
Safety operations	107,701				107,701
Maintenance	227,000	24,000		25,000	252,000
Recapitalization	257,724	150,000	150,000	50,000	307,724
Construction:					
16-D-621 Substation replacement at TA-3, LANL	25,000				25,000
15-D-613 Emergency Operations Center, Y-12	17,919				17,919
Total, Construction	42,919	0	0	0	42,919
Total, Infrastructure and safety	1,466,134	174,000	150,000	75,000	1,541,134
Site stewardship					

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2016 Request	House Authorized	Senate Author- ized	Agree- ment Change	Agree- ment Author- ized
Nuclear materials integration	17,510				17,510
Minority serving institution partnerships program	19,085				19,085
Total, Site stewardship	36,595	0	0	0	36,595
Defense nuclear security					
Operations and maintenance	619,891	12,000		12,000	631,891
Construction:					
14-D-710 Device assembly facility argus installation project, NV	13,000				13,000
Total, Defense nuclear security	632,891	12,000	0	12,000	644,891
Information technology and cybersecurity	157,588				157,588
Legacy contractor pensions	283,887				283,887
Total, Weapons Activities	8,846,948	237,700	180,000	-44,151	8,802,797
Defense Nuclear Nonproliferation					
Defense Nuclear Nonproliferation Programs					
Defense Nuclear Nonproliferation R&D					
Global material security	426,751	-90,000		-3,802	422,949
Material management and minimization	311,584	20,000			311,584
Nonproliferation and arms control	126,703				126,703
Defense Nuclear Nonproliferation R&D	419,333	20,000			419,333
Nonproliferation Construction:					
99-D-143 Mixed Oxide (MOX) Fuel Fabrication Facility, SRS	345,000				345,000
Analysis of Alternatives	0		5,000	5,000	5,000
Total, Nonproliferation construction	345,000	0	5,000	5,000	350,000
Total, Defense Nuclear Nonproliferation Programs	1,629,371	-50,000	5,000	1,198	1,630,569
Legacy contractor pensions	94,617				94,617
Nuclear counterterrorism and incident response program	234,390	11,000			234,390
Use of prior-year balances	-18,076				-18,076
Total, Defense Nuclear Nonproliferation	1,940,302	-39,000	5,000	1,198	1,941,500
Naval Reactors					
Naval reactors operations and infrastructure	445,196				445,196
Naval reactors development	444,400			-14,000	430,400
Ohio replacement reactor systems development	186,800				186,800
S8G Prototype refueling	133,000				133,000
Program direction	45,000			-1,500	43,500
Construction:					
15-D-904 NRF Overpack Storage Expansion 3	900				900
15-D-903 KL Fire System Upgrade	600				600
15-D-902 KS Engineer room team trainer facility	3,100				3,100
14-D-902 KL Materials characterization laboratory expansion, KAPL	30,000				30,000
14-D-901 Spent fuel handling recapitalization project, NRF	86,000	12,000			86,000
10-D-903, Security upgrades, KAPL	500				500
Total, Construction	121,100	12,000	0	0	121,100
Total, Naval Reactors	1,375,496	12,000	0	-15,500	1,359,996
Federal Salaries And Expenses					
Program direction	402,654	-6,000		-14,654	388,000
Total, Office Of The Administrator	402,654	-6,000	0	-14,654	388,000
Defense Environmental Cleanup					
Closure sites:					
Closure sites administration	4,889				4,889
Hanford site:					
River corridor and other cleanup operations:					
River corridor and other cleanup operations	196,957	72,000		72,000	268,957
Central plateau remediation:					
Central plateau remediation	555,163				555,163
Richland community and regulatory support	14,701				14,701
Construction:					

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2016 Request	House Authorized	Senate Author- ized	Agree- ment Change	Agree- ment Author- ized
15-D-401 Containerized sludge removal annex, RL	77,016				77,016
Total, Hanford site	843,837	72,000	0	72,000	915,837
Idaho National Laboratory:					
Idaho cleanup and waste disposition	357,783				357,783
Idaho community and regulatory support	3,000				3,000
Total, Idaho National Laboratory	360,783	0	0	0	360,783
NNSA sites					
Lawrence Livermore National Laboratory	1,366				1,366
Nevada	62,385				62,385
Sandia National Laboratories	2,500				2,500
Los Alamos National Laboratory	188,625		20,000		188,625
Total, NNSA sites and Nevada off-sites	254,876	0	20,000	0	254,876
Oak Ridge Reservation:					
OR Nuclear facility D & D					
OR Nuclear facility D & D	75,958				75,958
Construction:					
14-D-403 Outfall 200 Mercury Treatment Facility	6,800				6,800
Total, OR Nuclear facility D & D	82,758	0	0	0	82,758
U233 Disposition Program	26,895				26,895
OR cleanup and disposition:					
OR cleanup and disposition	60,500				60,500
Total, OR cleanup and disposition	60,500	0	0	0	60,500
OR reservation community and regulatory support	4,400				4,400
Solid waste stabilization and disposition					
Oak Ridge technology development	2,800				2,800
Total, Oak Ridge Reservation	177,353	0	0	0	177,353
Office of River Protection:					
Waste treatment and immobilization plant					
01-D-416 A-D/ORP-0060 / Major construction	595,000				595,000
01-D-16E Pretreatment facility	95,000				95,000
Total, Waste treatment and immobilization plant	690,000	0	0	0	690,000
Tank farm activities					
Rad liquid tank waste stabilization and disposition	649,000				649,000
Construction:					
15-D-409 Low Activity Waste Pretreatment System, Hanford	75,000				75,000
Total, Tank farm activities	724,000	0	0	0	724,000
Total, Office of River protection	1,414,000	0	0	0	1,414,000
Savannah River sites:					
Savannah River risk management operations	386,652	11,600		3,000	389,652
SR community and regulatory support	11,249				11,249
Radioactive liquid tank waste:					
Radioactive liquid tank waste stabilization and disposition	581,878				581,878
Construction:					
15-D-402—Saltstone Disposal Unit #6	34,642				34,642
05-D-405 Salt waste processing facility, Savannah River	194,000				194,000
Total, Construction	228,642	0	0	0	228,642
Total, Radioactive liquid tank waste	810,520	0	0	0	810,520
Total, Savannah River site	1,208,421	11,600	0	3,000	1,211,421
Waste Isolation Pilot Plant					
Waste isolation pilot plant	212,600				212,600
Construction:					
15-D-411 Safety significant confinement ventilation sys- tem, WIPP	23,218				23,218
15-D-412 Exhaust shaft, WIPP	7,500				7,500
Total, Construction	30,718	0	0	0	30,718
Total, Waste Isolation Pilot Plant	243,318	0	0	0	243,318
Program direction	281,951				281,951

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2016 Request	House Authorized	Senate Author- ized	Agree- ment Change	Agree- ment Author- ized
Program support	14,979				14,979
Safeguards and Security:					
Oak Ridge Reservation	17,228				17,228
Paducah	8,216				8,216
Portsmouth	8,492				8,492
Richland/Hanford Site	67,601				67,601
Savannah River Site	128,345				128,345
Waste Isolation Pilot Project	4,860				4,860
West Valley	1,891				1,891
Technology development	14,510	4,000			14,510
Subtotal, Defense environmental cleanup	5,055,550	87,600	20,000	75,000	5,130,550
Uranium enrichment D&D fund contribution (Legislative proposal)	471,797	-471,797	-471,797	-471,797	0
Total, Defense Environmental Cleanup	5,527,347	-384,197	-451,797	-396,797	5,130,550
Other Defense Activities					
Specialized security activities	221,855	4,200		-3,903	217,952
Environment, health, safety and security					
Environment, health, safety and security	120,693				120,693
Program direction	63,105				63,105
Total, Environment, Health, safety and security	183,798	0	0	0	183,798
Enterprise assessments					
Enterprise assessments	24,068				24,068
Program direction	49,466				49,466
Total, Enterprise assessments	73,534	0	0	0	73,534
Office of Legacy Management					
Legacy management	154,080				154,080
Program direction	13,100				13,100
Total, Office of Legacy Management	167,180	0	0	0	167,180
Defense-related activities					
Defense related administrative support					
Chief financial officer	35,758				35,758
Chief information officer	83,800				83,800
Management	3,000				3,000
Total, Defense related administrative support	122,558	0	0	0	122,558
Office of hearings and appeals	5,500				5,500
Subtotal, Other defense activities	774,425	4,200	0	-3,903	770,522
Total, Other Defense Activities	774,425	4,200	0	-3,903	770,522

Mr. SMITH of Washington. Mr. Speaker, I yield myself 5 minutes.

I want to thank the chairman for his hard work on this piece of legislation. As always, I think he correctly described the process and all the work that went into it. It is always a challenge in the House and the Senate, Republicans and Democrats.

There are many, many provisions in this bill that we argued over to reach agreement and reach consensus; but really, this bill is a reflection of the way Congress should function. It goes through committee; it goes through the House; it goes through the Senate committee, Senate; and then we conference and discuss those issues. I think this year, we flexed that as well.

We had a very robust discussion with Members participating.

I particularly want to thank the staff for their outstanding work. They always have to work very, very hard on all of those provisions—I think it was 647 that the chairman mentioned—to make that happen. Our staff is second to none, and I thank them for that. I thank the chairman and all the Members for participating in this bipartisan process.

As the chairman stated, we have a good product. It takes some important steps on acquisition reform, it takes some critical steps on reforming our retirement system in a way that I think will benefit the troops, and it does all the other things that the chairman said it does.

I will say that the political maneuvering that the chairman mentioned is not irrelevant because that is the one place that this bill still isn't quite there, and that is on getting rid of the budget caps. That is what all of that maneuvering was about; the original approach to this was to keep the budget caps in place and simply find OCO money. Now, the budget agreement upped the budget caps for a couple years, but still used a little OCO money. So it made progress, but it didn't get us there.

Make no mistake about it. That issue is all about our troops and national security. Until we finally get rid of the budget caps and allow for a predictable—at least 5-, if not 10-, year future

for our Defense Department, national security will be at risk.

Now, it is great that we have got 2 years. It is great that we have got this one bill. But as many, many people in the Department of Defense—current Secretary of Defense Ash Carter, past Secretary of Defense Bob Gates—have mentioned, the last 5 years have been terrible for the Department of Defense. The last 5 years of unpredictable budgets, CRs, threatened shutdowns, actual shutdowns, budget caps—all of that has made it very, very difficult for the Pentagon to plan in the way that they would like.

So the maneuvering that we went through to get to this point is far from irrelevant to what is in the best interests of national security and what is in the best interests of our troops. I think it is central to it.

Even now, within this bill, we don't have as much money for readiness as I think any of us would like, and we don't have that predictability past 2 years. Two years is great, but we need to get past that. We need to get past the budget caps and build in some predictability going forward.

So while it was frustrating, obviously, to go through the whole process and have it vetoed, once the budget was resolved, we put ourselves in a better position. Now we have turned what was a very good bill into a great bill and a bill that I am happy to support and that I believe is in the best interest of our troops and the best interest of national security.

Again, I will emphasize this House will not truly get there until we have a more predictable budget future for national security in the Department of Defense. And not just the Department of Defense. As I mentioned in an earlier debate, the Department of Homeland Security, the Department of Justice, the Treasury Department, the State Department, amongst many others, play a critical role in our national security. They, too, need some budget certainty and freedom from the caps and sequestration.

All of that I think was very, very relevant to making our national security stronger and adequately protecting our troops. So I am pleased to stand up and support the bill today. I look forward to it moving forward. Again, I thank everybody for their very, very hard work in making it happen.

Mr. Speaker, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the House departs for the Veterans Day recess, I think it is particularly important that we honor veterans with more than our words. We should honor them and what they sacrificed for with our votes as well. So over the next few minutes, I am going to be honored to yield to some of our

colleagues who are combat veterans themselves.

I would like to start first, and in many ways foremost with a true American hero.

I yield 2 minutes to the distinguished gentleman from Texas (Mr. SAM JOHNSON).

Mr. SAM JOHNSON of Texas. Mr. Speaker, today I come to the floor on behalf of all our servicemen and -women. As a 29-year Air Force veteran and POW, I know something about what it takes to achieve mission success. For the military to be successful, troops need adequate funding so they can carry out their mission safely and effectively. Troops also need the support of their President, their Commander in Chief.

I speak from experience when I say this. I say it because, in Vietnam, we had neither. You see, due to consolidation at the Defense Department, the planes I flew in Vietnam were really Navy aircraft. They weren't equipped for air-to-air ground combat. The Pentagon hung gun pods on them, but its success rate was about 50 percent. That is just not the type of odds you want going into battle.

On my 25th mission in Vietnam, I was hit from ground fire and tried to fight back, but couldn't because the gun jammed. Enemy shots caught my right engine on fire, and I ejected just before the aircraft crashed. The Viet Cong caught me and eventually took me to the infamous Hanoi Hilton, where I spent the next almost 7 years of my life.

□ 0930

Sometimes I wonder if things would have turned out differently had the Air Force properly equipped planes and my gun hadn't jammed. But I can tell you this: it is a vital priority of mine to ensure our troops today don't run into the same problem I did. America can't defend its national security if our troops don't have what they need.

I urge the President to sign this bill today. It is the right thing to do for our deployed troops who are in harm's way.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LORETTA SANCHEZ), the ranking member of the Tactical Air and Land Forces Subcommittee.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I thank the ranking member and the chairman of the committee. I would also like to thank my counterpart, the chairman of the Tactical Air and Land Forces Subcommittee, Mr. TURNER, because we have truly worked in a very bipartisan way.

Our committee looks at the procurement of things both for land and air. We have a lot of help in doing that. I would like to especially thank our

staff—Doug Bush, John Wason, Jesse Tolleson, and John Sullivan—for their dedication and hard work in getting this done.

I am very proud of the elements of our subcommittee we have in the bill today. Working in a bipartisan manner, we found hundreds of millions of dollars to cut from programs that are behind schedule, not performing, or some that just didn't make sense anymore. We took that money and diverted it into things that I believe our servicemembers need: UAVs, armored vehicles, fighter aircraft, tactical missiles, National Guard equipment, and a wide range of individual soldier items.

I also want to highlight, for example, the Army National Guard needs to replace its aging helicopters, and we have focused on that. That was one of the things that I focused on. For example, in the California Army National Guard, they are deeply involved in fighting these forest fires, but they can't do it with aging equipment. It is a priority for me in this year's bill to fund UH-60 Black Hawk helicopters to ensure the implementation of modernized Black Hawks into the Army National Guard.

I am also proud this year's bill continues to eliminate unnecessary barriers that delay the services from expanding opportunities for women in the military. It is time for the U.S. Armed Forces to stop excluding servicemembers from serving in certain roles due only to their gender. Female servicemembers have the right to serve in all units and all specialties as long as they meet the standards.

And finally, as a member of the Strategic Forces Subcommittee, I remain concerned about the bloated nuclear weapons budget. I hope that, in the future, we will support nonproliferation programs.

Mr. THORNBERRY. Mr. Speaker, I yield 1½ minutes to the gentleman from Nevada (Mr. HECK), who is a veteran of the Iraq conflict and also chairs our Subcommittee on Military Personnel.

Mr. HECK of Nevada. I thank the chairman for yielding.

Mr. Speaker, as chairman of the Subcommittee on Military Personnel, I appreciate Chairman THORNBERRY's efforts to finalize this critical legislation. His dedication to our men and women in uniform, their families, our veterans and survivors is unsurpassed.

Supporting the men and women who raise their right hand, volunteer to pick up a weapon, and stand a post in a far-off land to guard the freedoms and liberties that make our Nation great is a primary function of the Federal Government to "provide for the common defense." Today, with the adoption of this legislation, we achieve that goal.

Included in this bill are personnel provisions that will allow us to recruit and retain the best and brightest,

maintain an agile military force, and ensure our brave servicemen and -women receive the benefits they have earned and deserve.

This includes a new retirement plan that provides a benefit for the roughly 83 percent of the force who serve less than 20 years and currently leave with nothing. It authorizes the special pays and bonuses that are critical to maintaining the All Volunteer force. It protects important nonmonetary compensation benefits like a robust commissary and exchange system. It mandates a joint uniform drug formulary between the Department of Defense and the Department of Veterans Affairs so that transitioning servicemembers can continue to receive the medications that are working for them when they leave active service. And it provides enhanced protections for sexual assault victims, to include protecting victims from retaliation.

I urge my colleagues to stand with our military men and women, their families, our veterans and survivors, and support this bill.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. DAVIS), the ranking member of the Military Personnel Subcommittee.

Mrs. DAVIS of California. Mr. Speaker, I want to thank Chairman THORNBERRY and Ranking Member SMITH; my colleague from Nevada, Dr. HECK, chair of the subcommittee; along with the committee staff for working in a bipartisan manner to incorporate the budget changes from the Bipartisan Budget Act into the NDAA. I am pleased to see this very important bill headed back to the President so that it can be signed into law quickly.

The bill includes many good provisions to improve our military. It takes important steps toward personnel reform by including recommendations from the Military Compensation and Retirement Modernization Commission, a key provision in the modernization of the military retirement system.

As has been mentioned before—and this is very, very important, I think, for everyone—while maintaining the 20-year defined retirement, a Thrift Savings Plan is added not just for retirees, but for all servicemembers. This will positively impact the 83 percent of the Force that leaves prior to the 20-year mark.

The NDAA also continues the committee's critical work towards the prevention and response to sexual assault.

Although the bill allows for some pilot programs to improve health care for servicemembers and their families, we need to do more. I am pleased that Chairman THORNBERRY has asked the Military Personnel Subcommittee to begin working on reforming the Military Health System.

Important issues clearly are addressed in this bill, and I support many

of the provisions and all the hard work that went into it. As we know, national security is born from many factions, including the education of our people, investment in science and technology, and the support of sustainable resources and infrastructure.

The Bipartisan Budget Act provides for these investments over the next 2 years. We must capitalize on the time provided and fix the national budget so that we don't find ourselves back in the same situation we were in just a few weeks ago. Our national security is far too important.

Mr. THORNBERRY. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. KINZINGER), a combat veteran from both Iraq and Afghanistan.

Mr. KINZINGER of Illinois. I thank the chairman for yielding, and I thank everyone for their hard work on this bill.

Mr. Speaker, there is a lot of negativity out there. In the House, we talk a lot about bad things that happen. It is just our focus. But I want to talk about some of the good.

Some of the good are the people that come from the United States of America, who put on the uniform of all our various Armed Forces, and stand as the line between chaos and order, the line between good and evil.

We know in the last decade, we had a number of troops engaged in Iraq, Afghanistan, and all over the globe in the war on terror, keeping Americans safe. In some cases, they were very distant from their families. In some cases, they had to give the ultimate sacrifice. We know that today, in Syria, Iraq, and untold areas in other places, we have men and women still defending this country from the potential next attack.

The best thing we can do in this body—we debate budgets, and that is important—and the most important thing we can do is equip the men and women of our military with the tools they need, with the pay they need, with the benefits they need to defend this country, to take care of their family, and that we can alleviate a little bit of the pain and loneliness they may feel when they are separated on the battlefield.

So I want to thank the chairman, the ranking member, and my colleagues on the other side of the aisle and on this side of the aisle for working together. I would ask for this to pass in a unanimous way, if we could, and I would ask the President to sign this bill.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY), the ranking member of the Seapower and Projection Forces Subcommittee.

Mr. COURTNEY. Mr. Speaker, I rise today in support of the revised defense bill, which restores the strong, bipar-

tisan tradition of the House Armed Services Committee. In particular, the Seapower portion expands shipbuilding to ensure that today our Nation is building the ships we need tomorrow.

The bill authorizes over \$17 billion for construction of nine new ships, including two attack subs, two destroyers, three littoral ships, a new oiler, and completion of an LPD amphib. In addition, it continues work on a new carrier, the USS *Gerald Ford*, and overhaul of one of our current carriers.

In this bill, we are providing the resources to keep our Navy on track to build a force of over 300 ships. This progress stands in stark contrast to where we were nearly a decade ago, building only four or five ships a year, a critical mistake which decimated the size of our fleet.

The bill also includes the National Sea Based Deterrence Fund to allow the Navy to build new ballistic subs without suffocating the rest of Navy shipbuilding. To be clear, this program is not about building one submarine class. It is about making sure that the Navy and our Nation have the full range of ships and submarines needed in the future.

Building on our work to start the fund last year, the bill today adds to the range of authorities the Navy can use to design and build ballistic subs in the most cost-effective way. Just last week, the nonpartisan CBO looked at the Seapower Subcommittee initiative and found that, if we “funded the purchase of the *Ohio* replacement submarines through the National Sea Based Deterrence Fund . . . the Navy could potentially save several hundred million dollars per submarine.”

That is the kind of thoughtful, bipartisan work that this bill represents.

I urge support of the revised NDAA.

Mr. THORNBERRY. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. HUNTER), another combat veteran of America's recent wars, who also serves as the vice chair of our Subcommittee on Seapower and Projection Forces.

Mr. HUNTER. Mr. Speaker, first off, I want to thank the leadership, ADAM SMITH from Washington and MAC THORNBERRY from Texas. We have wise leaders who are going to be here. When the generals term out, when the administration terms out, when the Secretary of Defense changes over and over, guess who is here? MAC THORNBERRY and ADAM SMITH. It will be MIKE ROGERS, MIKE TURNER, ROB WITTMAN, and RANDY FORBES.

We have people who love this country. They come to work every day in D.C., and they care about national security, because there is no social security without national security. That is the way it is.

The National Defense Authorization Act is our solemn promise to our people who fight for us. It is us promising

them that we will look out for them, that we will fight for them, and that we will give them what is needed to do their job.

When the guys go kick down doors, when the guys are out in the freezing cold weather or the hot, humid weather every day, day in and day out, while we are here in our suits and ties in this nice air-conditioned building, this is our solemn promise to them. This is us telling them: Hey, we have your back. No matter where the President sends you, the Congress is going to make sure you have what you need to do your job.

I did three tours—two in Iraq and one in Afghanistan—while my father was chairman of the Armed Services Committee here in D.C. That gave me the perspective of how Congress needs to watch our backs.

Congress needs to do what is right for the men and women that are out there doing their jobs on the ships, day and night. That is what we are here doing. That is what is important.

Without this, nothing else matters. Without this, the Ex-Im Bank doesn't matter. Without this, the transportation bill doesn't matter. It is about national security and making sure that we remain a free Nation.

Once again, I want to thank the leaders who put this bill together and worked on this in a bipartisan way. I want to say thank you to Chairman MAC THORNBERRY and Ranking Member ADAM SMITH.

I urge all my colleagues to vote for this bill for the country.

Mr. SMITH of Washington. Mr. Speaker, I yield myself 1 minute.

I just want to thank Congressman HUNTER for his kind words for Mr. THORNBERRY and me.

It is really the whole committee, and particularly the staff, that puts this together. I think it is the staff that I am most impressed with. They are absolutely 100 percent dedicated to the national security of this country.

I think Mr. HUNTER is absolutely correct that the first and most important responsibility we have is to protect this country and to give the troops the equipment that they need to succeed in that venture.

I was particularly moved by Congressman SAM JOHNSON's comments about not having the equipment that he needed in Vietnam. I thank Mr. THORNBERRY for his leadership in trying to make sure that we don't repeat that mistake. I think we have worked in a bipartisan way to achieve that goal: to make sure that the men and women who serve our country have the equipment and the training that they need to perform the missions that we ask them to do.

I thank Congressman HUNTER and Congressman SAM JOHNSON of Texas. I think their words were very well said.

I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 1½ minutes to the gentleman from Ohio (Mr. STIVERS), another veteran of the Iraq conflict.

□ 0945

Mr. STIVERS. Mr. Speaker, I thank the chairman for yielding time.

This National Defense Authorization Act is really important. As a Member of Congress and as a member of the military, I have raised my right hand and taken an oath to protect against all enemies, foreign and domestic; and, in fact, defending our country is our primary duty as policymakers here in Washington.

I am pleased that the budget agreement that was reached a couple of weeks ago will pave the way for a National Defense Authorization Act to get passed now.

It was really unfortunate that the President chose to veto that over domestic spending priorities, but I am glad that we are here where we can actually fix some of the things that need fixed.

This bill, as you have heard, protects and helps 83 percent of our servicemen and -women who don't reach 20 years of service. It allows them to walk away with something.

More importantly, this bill will help reduce the incidence of suicide among our members of the military. Suicide is an epidemic in our military right now. They have been through a lot over the last 10 or 15 years, and we need to give them the help they need. This bill helps do that.

This bill makes other very important reforms in the acquisition process, but, most importantly, it gets the soldiers in harm's way the resources they need to do their job.

I think that it is really important that we pass this bill before Veterans Day to send a signal to our troops all across the world that we have their backs and, when they answer the Nation's call and we send them into harm's way, we are going to get them what they need to do the job and help them return home safely.

For those reasons, I urge my colleagues to vote "yes" on this bill.

Mr. SMITH of Washington. Mr. Speaker, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 1½ minutes to the gentleman from Ohio (Mr. WENSTRUP), another veteran of America's more recent wars and a member of our committee.

Mr. WENSTRUP. Mr. Speaker, I have served in the U.S. Army Reserve since 1998. In 2005–2006, I deployed to Iraq for 1 year. There were times during that deployment when we wondered if politicians at home had our backs, but we never wondered if the President did. We knew he did.

Mr. President, let's not give our troops pause now. Please sign this bill.

Troops serving overseas want to make sure the politicians in D.C. are behind them. With Chairman THORNBERRY and Ranking Member SMITH, I am here to tell our troops right here, right now that Members of this body have their backs.

We have troops serving in harm's way every day, and their missions are expanding. Let's leave no question in their minds about the support here at home.

This legislation, the National Defense Authorization Act, gives our troops and military families the certainty they need as they serve. Troops stationed all over the world, in desperate and dangerous places watched the President veto the National Defense Authorization Act just a couple of weeks ago—a dangerous decision, in my mind.

Now, this time, Mr. President, please sign this bill. Sign this bill so our troops know that we have their backs. Sign this bill so our military can adequately plan for the threats that we face and will continue to face through 2016. From China to Russia, to ISIS, to Iran, to North Korea, the threats are real.

National security is not to be juggled around. Let's pass and sign this bill so military families don't have to worry. National security is our responsibility. Let's give them some assurance in a world of uncertainty.

Veterans Day is fast approaching. Let's get this critical defense bill across the finish line in honor of every man and woman that has ever worn the uniforms of the United States military.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. LANGEVIN), the ranking member of the Emerging Threats and Capabilities Subcommittee.

Mr. LANGEVIN. I thank the gentleman for yielding.

Mr. Speaker, I first want to thank the chairman and ranking member, particularly Chairman WILSON and the members of the Emerging Threats and Capabilities Subcommittee, for their hard work and contributions to the legislation before us today.

The NDAA moves us forward on so many important issues, from cyberspace, to research and development, to the integration of advanced technologies, such as directed energy, to the challenges of special operations, counterterrorism, and unconventional warfare.

The NDAA also invests properly in crucial capabilities, such as the Ohio Replacement Program, the peerless Virginia-class submarines that are built starting in my district in Rhode Island, the Virginia Payload Module, the cutting-edge autonomous and unmanned systems.

I am particularly pleased that the budget approach reflected in this bill is the result of the considered compromise that was reached last week. That framework paves a fiscal path that invests in all departments and all elements of national power, not just defense.

That agreement and the NDAA before us this morning echoes that very point. It demonstrates that, when we work across the aisle, we can accomplish the hard work of legislating that the American people elected us to do.

I do believe that the bill gets it wrong, though, in a few areas, most notably, on the provisions related to Guantanamo. However, no bill is perfect. In a net assessment, I believe that this bill reflects a bipartisan compromise that will properly provide for our national defense and for our men and women in uniform, and I look forward to supporting it.

Again, I want to thank Chairman THORNBERRY and Ranking Member SMITH for the extraordinary work that they did together in bringing the bill to this point and the tireless staff, who are not often recognized like they should be, and their extraordinary work. I want to thank them for their work all collectively on this NDAA this year. I am already looking forward to getting to work on next year's bill.

Mr. THORNBERRY. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Arizona (Ms. MCSALLY), another combat veteran from both Iraq and Afghanistan.

Ms. MCSALLY. Mr. Speaker, I appreciate your leadership on this bill over this last year and that, also, of our colleagues, working hard to make sure this is a good bill that gives our troops everything they need to protect our country and keep it safe.

I commanded troops in combat. I know what it is like to make sure that we were ready to deploy anywhere in the world.

We need to make sure that our troops that are at home, on alert, or deployed in harm's way have the equipment, the training, and the certainty that they need in order to keep us safe.

Right now we have men and women who raised their right hand that are right now out there on the front lines putting their lives on the line, and the last thing they need is more uncertainty.

The President's veto last week gives them uncertainty, and we need to stop that right now, today.

We have been able to push past some of the issues with our colleagues. I urge everyone to support this very important bill.

A couple of provisions just related to my district. We have got protections for the A-10 and the EC-130, very important assets that are deployed right now in the fight against ISIS and in other places around the world, saving

American lives. This bill protects those assets from being retired. It is an important bill to pass to show certainty to our troops that we have got their backs.

We also have missions down in Fort Huachuca in asymmetrical capabilities that are important for us and our defense. Whether it is unmanned aerial vehicles or cybersecurity, electronic jamming, we need to send the message to them that we are going to give them everything they need.

Unlike Congressman SAM JOHNSON and his experience in Vietnam, we have got to show the troops that we have got their backs.

This bill has important provisions in it across the board, including those for retirement benefits, sexual assault victims. It is a good bill. The President should not be playing politics with it.

I urge our colleagues on both sides of the aisle that we need to work together, support this bipartisan bill, and get it passed. We need to make sure that our troops know we have their backs. We have their backs.

Mr. SMITH of Washington. Mr. Speaker, I yield myself the balance of my time.

I just want to start on the last point about certainty and the President's veto. The bill the President vetoed had \$38 billion in it in OCO funding, which the appropriators had not appropriated and which was highly unlikely to be there.

If the President had signed that bill, the uncertainty would have been enormous. There would have been \$38 billion promised in the NDAA with no guarantee whatsoever that it was going to show up.

Now, once we got a budget resolution, we were able to get \$33 billion of that \$38 billion, and that is good. But, still, if he had signed that bill, we would now be scrambling to figure out where to cut that \$5 billion in a bill that we had already passed.

Make no mistake about it: the bill that we passed and that the President vetoed gave no clarity to our troops or to the Department of Defense because it had \$38 billion in it that the budget resolution and that the appropriators were not going to approve.

Until we got that resolved, we could not legitimately pass a bill that would give our troops and the Department of Defense any degree of—forget certainty—any degree of understanding of what money they were going to be able to spend.

So passing an NDAA with a bunch of money in it that isn't reflected in the budget resolution, that isn't reflected in the appropriations is hardly supporting our troops and hardly giving them any sort of clarity as to what money they are going to have.

Now we have a little bit of that clarity because of that budget resolution. I won't be so bold as to say that the

President's veto of the NDAA was part of the incentive for getting that budget resolution, but I am sure it didn't hurt because we wanted to clarify that very important national security process.

But more than anything, there was \$38 billion in there that wasn't going to be there. That is not keeping a promise to our troops. So I am glad that we got that clarity. I am glad it happened as soon as it did.

I was skeptical we would get the budget resolution so quickly, but I am glad that we did. I think it does now give our troops and the Department of Defense the sense of clarity on the budget for at least the next 2 years that they need.

As I have said, we need to go beyond that. We need to get rid of the budget caps. We need to get rid of, I believe, the Budget Control Act so that we can have some degree of planning ability for the next 5 to 10 years for the Department of Defense and for all these other departments that are important to national security, but also important to economic security. That matters as well to our country.

So I am glad that we have arrived where we are at. I, again, want to thank the chairman and thank all of the members of the committee for all of their very, very hard work.

In particular, before I wrap up today, I want to thank Betty Gray, who works on our staff, who—and, if you look at her, you would not believe this in a million years—who has actually been here for 40 years. I don't think she's aged in any of those 40 years.

But she has served the Armed Services Committee and, gosh, more Members than any of us could probably count for 40 years. She is the epitome of a public servant and the epitome of exactly everything that the HASC staff stands for in terms of always putting the troops first, always being concerned about our national security.

I don't know how we would function without Betty. She makes the trains run on time, makes sure everyone is doing what they need to be doing, and has just done a fabulous job. And she is just a truly wonderful person as well, has been a good friend to many, many Members and many, many staff members.

But also, I think the great thing about Betty is, she has always managed to do something that is very difficult for all of us, and that is balance both professional and personal life.

Her husband, Dick, and her children, Zach and Cal, have always been just number one priority for her. She takes care of them, and she also takes care of us.

So for 40 years, she has been a dedicated public servant. I just want to have those of us who are here give a round of applause for Betty Gray and her 40 years of amazing public service.

I don't know what we will do if she ever decides to retire. We like to think

that no one is irreplaceable, but Betty comes as close as anyone I could possibly imagine.

So I thank her for her help and leadership and for 40 years of dedicated public service.

I urge a “yes” vote on the bill.

Mr. Speaker, I rise to honor the career of Betty Gray, a loyal public servant and a key staff member on the House Armed Services Committee. Betty has served in Congress for 40 years—a benchmark only the most dedicated public servants achieve.

Betty typifies what it means to be a public servant, a colleague, a friend and, most importantly, a mother and wife. Anyone who has had the opportunity to meet Betty quickly understands that the most important thing in her life is her family. Her husband, Dick, and two children, Zach and Cal, are at the center of her life.

We all fear the day Betty decides to retire. While no one is irreplaceable, some people come very close. Betty is one of those people. Her institutional knowledge and administrative skill set are unrivaled. After 40 years of service, Betty has accumulated a wealth of knowledge and depth of understanding about the Armed Services Committee and the Congress that cannot be replaced. When she retires, a part of Congress will retire with her.

Betty is a true professional. Ask anyone who has worked with Betty about the quality of her service and the response is unequivocal: Betty has always been the quiet, consistent presence on the committee—the person who is never rattled, regardless of how chaotic or stressful things become. Betty is always here to remind us of whether what we’re thinking has been tried before, and failed, or whether it has worked.

An eagle-eye editor of letters and memoranda, Betty is literally the person who makes sure that we “cross our T’s and dot our I’s.” Not only is she the person with the clipboard checking off staff at Member meetings, she is the person who assures that the Members know the who, what, where, when, why, and how of the meeting. Throw five conflicting times and dates at her, and Betty can make calm out of schedule chaos. As security administrator for classified information regarding the committee’s special access programs, Betty literally handles our deepest, darkest secrets. For 37 years, she has shepherded every National Defense Authorization Act through committee markup, ensuring every roll-call vote is tallied correctly and serving as the committee’s unofficial historian.

On a more personal level, she’s the librarian of the House Armed Services Committee, the school counselor, the motherly presence who remembers everyone’s birthdays, and, on occasions, even the school nurse. She is the go-to person to get things done and the one who lends a helping hand or a listening ear.

Betty has outlasted eight Speakers of the House, seven Presidents, and ten House Armed Services Chairmen. Speaking as someone who has been here for a while, I understand the difficulty of achieving that level of longevity. We are here today to celebrate all that Betty has done for her country and for Congress, and to thank her for her service. You are a true public servant, Betty. Thank you.

Mr. Speaker, it is my honor to recognize Betty Gray for her distinguished career. I am confident that others will continue to benefit from her service.

I yield back the balance of my time. Mr. THORNBERRY. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, I want to take up where the ranking member left off and join him in honoring and thanking Betty Gray for her incredible record of service to our committee and, through our committee, to the country.

I think it is important to honor her, but she epitomizes the kind of selfless service to the country that this bill and this committee is really all about.

□ 1000

Mr. Speaker, Betty handles the most sensitive information our committee deals with, and she does it with a professionalism that is just beyond reproach from anyone. What you can’t put in a job description is the personality—the person—the nurturing that comes to Members and other members of the staff which is irreplaceable.

Mr. Speaker, I think too much of the time we—especially Members—take for granted those people who are essential to getting the work done and through this institution serving the country. I agree completely with what the ranking member said—that Betty Gray epitomizes that sort of service.

I think it is a similar but different capacity but a similar sort of service that we have heard about today from the combat veterans who have spoken, starting with SAM JOHNSON who talked about what happened when he wasn’t appropriately supported and then spent the next 7 years of his life in the Hanoi Hilton. Now, we will never know what could have been prevented, but his testimony, really, about what he has endured should stick with us all.

I think Mr. HUNTER was particularly powerful in saying that this bill is our promise to those people who are out there serving in all sorts of places around the world today in an increasingly dangerous world and that whatever you think about this provision or that provision, those troops deserve to be supported on a bipartisan basis. They deserve to know that the country is behind them. The way we can convey that is by voting on both sides of the aisle as close to unanimously as we can for this measure.

The last point I would make, Mr. Speaker, is the troops deserve that sort of support, but the rest of the world also needs to see that sort of support because there are an increasing number of questions around the world about whether the United States is in retreat and about whether we are willing to continue to engage in world leadership.

One of the ways that we can demonstrate to adversaries, to friends, and to neutrals who are trying to make up their mind which way they are going to

go that we are committed to defending ourselves, our interests, and our allies is by passing this bill for the 54th straight year. And this time, rather than have the President try to use it as a bargaining chip to get more domestic spending, this time have the President sign it. I think our troops deserve it, the world needs to see it, and Members need to support the bill.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Committees on the Judiciary and Homeland Security, I rise to speak on S. 1356, the National Defense Authorization Act for FY2016 Conference Agreement.

I thank Armed Services Committee Chairman THORNBERRY and Ranking Member SMITH for their work and collaboration with the Senate conferees in making the revisions to the NDAA needed to address the substantial and legitimate concerns raised by in the Statement of Administration Policy regarding the original NDAA (H.R. 1735).

Mr. Speaker, S. 1356 authorizes \$599 billion for the Pentagon and defense-related programs for FY2016, \$5 billion less than both the president’s overall request and the original agreement.

President Obama vetoed the original agreement on October 22, because he objected to its \$38 billion in base defense funding in the uncapped Overseas Contingency Operations account.

This had the effect of giving preferential treatment to defense spending over non-defense spending in violation of the Murray-Ryan Budget Agreement and contrary to the spirit of the even-handed pain resulting from sequestration.

Because of the Bipartisan Budget Agreement reached last week, conferees were able to identify the \$5 billion in reductions needed to conform to the requirements of the Murray-Ryan Budget Agreement.

The revised NDAA Conference Agreement reflects the new FY2016 cap and provides \$33 billion of the original \$38 billion in added funds for defense, including \$8 billion through the OCO account.

S. 1356 authorizes \$715 million for Iraqi forces fighting the Islamic State, \$406 million to train and equip Syrian opposition forces and \$300 million for lethal weapons for Ukraine.

I am especially pleased that S. 1356 incorporates three amendments that I successfully offered to the FY2016 NDAA passed by the House earlier this year.

Jackson Lee Amendment Number 1, which requires the Department of Defense to conduct outreach program to assist small business concerns owned and controlled by women, veterans, and socially and economically minorities is incorporated in Section 868(b)(2) of new NDAA Conference Agreement:

SEC. 868. MODIFICATION TO AND SCORECARD PROGRAM FOR SMALL BUSINESS CONTRACTING GOALS

(b)(2) “[T]he Administrator shall establish and carry out a program to use the scorecard developed under paragraph (1) to evaluate whether each Federal agency is creating the maximum practicable opportunities for the award of prime contracts and subcontracts

to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women, by assigning a score to each Federal agency for the previous fiscal year."

Jackson Lee Amendment Number 2, which provides guidance to Secretary of Defense on identifying HBCUs and minority serving institutions to assist them in developing and enhancing science, technology, engineering, and mathematics (STEM) capacities is incorporated in Section 233 of new NDAA Conference Agreement:

SEC. 233. STRATEGIES FOR ENGAGEMENT WITH HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTIONS OF HIGHER EDUCATION

BASIC RESEARCH ENTITIES.—

(1) STRATEGY.—The heads of each basic research entity shall each develop a strategy for how to engage with and support the development of scientific, technical, engineering, and mathematics capabilities of covered educational institutions in carrying out section 2362 of title 10, United States Code.

Jackson Lee Amendment Number 3, which requires the Department of Defense to evaluate commercial off-the-shelf business systems for security, resilience, reliability, interoperability, and integration with existing interrelated systems is incorporated in Section 883 of new NDAA Conference Agreement:

SEC. 883. STREAMLINING OF REQUIREMENTS RELATING TO DEFENSE BUSINESS SYSTEMS

"(e) GUIDANCE ON ACQUISITION OF BUSINESS SYSTEMS.—The Secretary of Defense shall issue guidance for major automated information systems acquisition programs to promote the use of best acquisition, contracting, requirement development, systems engineering, program management, and sustainment practices, including—

"(6) policies to perform full backup of systems that will be changed or replaced by the installation of commercial off-the-shelf business systems prior to installation and deployment to ensure reconstitution of the system to a functioning state should it become necessary[.]"

In conclusion, Mr. Speaker, let me again express my appreciation to Chairman THORNBERRY and Ranking Member, and the conferees for their work on this NDAA Conference Agreement, including the provisions incorporating the JACKSON LEE amendments.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in support of the revised Fiscal Year 2016 National Defense Authorization Act (NDAA). Although I am disappointed that the bill does not resolve the important issues of transporting and relocating Guantanamo Bay prisoners, the legislation does help our Armed Forces keep Americans safe in the face of new emerging threats in an increasingly unstable world.

This NDAA supports the fight against the Islamic State, and also supports efforts to counter Russia's aggression in Ukraine. In addition, this bill includes a much-deserved 1.3% pay raise for all military personnel, as well as measures that seek to improve mental health care services for our servicemen and women.

Also, this NDAA bucks the trend of brinksmanship that defined many previous leg-

islative battles. Instead, the bill reflects the bipartisan spirit of our recently enacted two-year budget agreement, which raises spending on both defense and non-defense priorities, and does so without relying on any gimmicks. The terms of this NDAA will enable our Armed Forces to do the long-term planning they need to bring peace and stability to our globe.

I voted against the previous version of the NDAA because it funneled \$38 billion through the overseas contingency operations emergency fund to cover our basic defense needs. That kind of accounting trickery is gone from this bill.

I urge my colleagues to support this bill.

Ms. MCCOLLUM. Mr. Speaker, I rise in opposition to the National Defense Authorization Act for Fiscal Year 2016 (S. 1356).

The agreement reached in the Bipartisan Budget Act of 2015 was an important step towards adjusting the caps on defense and non-defense discretionary spending. It provided for more stable investments in both national security and domestic programs, and I commend President Obama and Congressional leaders for their bipartisan efforts to provide a more appropriate level of funding. The Bipartisan Budget Act of 2015 mitigated some of the funding concerns surrounding the National Defense Authorization Act for Fiscal Year 2016 (S. 1356) and made this an improved bill. However, the revisions in the bill did nothing to alleviate my concerns regarding detainees at Guantanamo Bay or excess military facilities.

S. 1356 still prevents the responsible transfer of detainees from Guantanamo Bay and the closure of the detention center. Instead, Guantanamo Bay will remain an extremist propaganda tool that undermines our national security. The closure of this facility is long overdue. S. 1356 also continues to ignore testimony from senior leaders in the Department of Defense, Department of the Air Force, and Department of the Army regarding the closure of surplus military facilities. An authorization of Base Realignment and Closure (BRAC) is the best way to address this problem and would save money that could be invested in other national security priorities.

While I recognize that the Bipartisan Budget Act of 2015 provided a measure of funding stability for our Defense leaders, S. 1356 continues to include provisions that are detrimental to our national security and undermines the safety of the women and men who put themselves at risk to defend our nation.

Mr. Speaker, I urge my colleagues to join me in opposing the National Defense Authorization Act for Fiscal Year 2016 (S. 1356).

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. THORNBERRY) that the House suspend the rules and pass the bill, S. 1356, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SMITH of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 370, nays 58, not voting 5, as follows:

[Roll No. 618]

YEAS—370

Abraham	Donovan	Kirkpatrick
Adams	Doyle, Michael	Kline
Aderholt	F.	Knight
Aguilar	Duckworth	Kuster
Allen	Duffy	LaHood
Amodei	Duncan (SC)	LaMalfa
Ashford	Edwards	Lamborn
Babin	Emmer (MN)	Lance
Barletta	Engel	Langevin
Barr	Eshoo	Larsen (WA)
Barton	Esty	Larson (CT)
Beatty	Farenthold	Latta
Benishek	Fattah	Lawrence
Bera	Fincher	Levin
Beyer	Fitzpatrick	Lieu, Ted
Bilirakis	Fleischmann	Lipinski
Bishop (GA)	Fleming	LoBiondo
Bishop (MI)	Flores	Loeb sack
Bishop (UT)	Forbes	Long
Black	Fortenberry	Loudermilk
Blackburn	Foster	Love
Blum	Fox	Lowe
Bost	Frankel (FL)	Lucas
Boustany	Franks (AZ)	Luetkemeyer
Boyle, Brendan	Frelinghuysen	Lujan Grisham
F.	Gabbard	(NM)
Brady (PA)	Gallego	Lujan, Ben Ray
Brady (TX)	Garamendi	(NM)
Brat	Garrett	Lummis
Bridenstine	Gibbs	Lynch
Brooks (AL)	Gibson	MacArthur
Brooks (IN)	Gohmert	Maloney, Sean
Brown (FL)	Goodlatte	Marchant
Brownley (CA)	Gosar	Marino
Buchanan	Gowdy	Matsui
Buck	Graham	McCarthy
Bucshon	Granger	McCaul
Burgess	Graves (GA)	McClintock
Bustos	Graves (LA)	McHenry
Butterfield	Graves (MO)	McKinley
Byrne	Green, Al	McMorris
Calvert	Green, Gene	Rodgers
Capps	Grothman	McNerney
Cardenas	Guinta	McSally
Carney	Guthrie	Meadows
Carter (GA)	Hanna	Meehan
Carter (TX)	Hardy	Meng
Cartwright	Harper	Messer
Castor (FL)	Harris	Mica
Castro (TX)	Hartzler	Miller (FL)
Chabot	Hastings	Miller (MI)
Chaffetz	Heck (NV)	Moolenaar
Clawson (FL)	Heck (WA)	Mooney (WV)
Clay	Hensarling	Moulton
Clyburn	Herrera Beutler	Mullin
Coffman	Hice, Jody B.	Murphy (FL)
Cohen	Higgins	Murphy (PA)
Cole	Hill	Neal
Collins (GA)	Himes	Neugebauer
Collins (NY)	Hinojosa	Newhouse
Comstock	Holding	Noem
Conaway	Hoyer	No cross
Connolly	Hudson	Nugent
Conyers	Huelskamp	Nunes
Cook	Huizenga (MI)	O'Rourke
Cooper	Hultgren	Olson
Costa	Hunter	Palazzo
Costello (PA)	Hurd (TX)	Pallone
Courtney	Hurt (VA)	Palmer
Cramer	Israel	Pascarell
Crawford	Issa	Paulsen
Crenshaw	Jackson Lee	Pearce
Crowley	Jeffries	Pelosi
Cuellar	Jenkins (KS)	Perlmutter
Culberson	Jenkins (WV)	Perry
Cummings	Johnson (GA)	Peters
Curbelo (FL)	Johnson (OH)	Peterson
Davis (CA)	Johnson, E. B.	Pingree
Davis, Danny	Johnson, Sam	Pittenger
Davis, Rodney	Jolly	Pitts
DeGette	Jordan	Poe (TX)
Delaney	Joyce	Poliquin
DeLauro	Kaptur	Pompeo
DelBene	Katko	Posey
Denham	Keating	Price (NC)
Dent	Kelly (IL)	Price, Tom
DeSantis	Kelly (MS)	Quigley
DesJarlais	Kelly (PA)	Ratcliffe
Deutch	Kilmer	Reed
Diaz-Balart	Kind	Reichert
Dingell	King (IA)	Renacci
Doggett	King (NY)	Ribble
Dold	Kinzing	Rice (NY)

Rice (SC)
 Richmond
 Rigell
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rokita
 Rooney (FL)
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Rouzer
 Roybal-Allard
 Royce
 Ruiz
 Ruppersberger
 Russell
 Ryan (OH)
 Salmon
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Scalise
 Schiff
 Schweikert
 Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Sessions

Sewell (AL)
 Sherman
 Shimkus
 Shuster
 Simpson
 Sinema
 Sires
 Slaughter
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Speier
 Stefanik
 Stewart
 Stivers
 Stutzman
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Titus
 Tonko
 Torres
 Trott
 Tsongas
 Turner
 Upton
 Valadao
 Vargas

NAYS—58

Amash
 Bass
 Becerra
 Blumenauer
 Bonamici
 Capuano
 Carson (IN)
 Chu, Judy
 Cicilline
 Clark (MA)
 Clarke (NY)
 Cleaver
 DeSaulnier
 Duncan (TN)
 Ellison
 Farr
 Fudge
 Grayson
 Griffith
 Grijalva

Gutiérrez
 Hahn
 Honda
 Huffman
 Jones
 Kennedy
 Kildee
 Labrador
 Lee
 Lewis
 Lofgren
 Lowenthal
 Maloney,
 Carolyn
 Massie
 McCollum
 McDermott
 McGovern
 Moore
 Mulvaney

NOT VOTING—5

DeFazio
 Ellmers (NC)

Meeks
 Rush

Takai

□ 1037

Messrs. KILDEE, LABRADOR, LEWIS, NOLAN, and Ms. LEE changed their vote from “yea” to “nay.”

Ms. FRANKEL of Florida, Messrs. YOUNG of Iowa, TONKO, HUELSKAMP, KEATING, and Ms. KELLY of Illinois changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HIRE MORE HEROES ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 512 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the Senate amendments to the bill, H.R. 22.

Will the gentleman from Georgia (Mr. COLLINS) kindly resume the chair.

□ 1039

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Senate amendments to the bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, with Mr. COLLINS of Georgia (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 22 printed in part B of House Report 114-326 offered by the gentleman from Oklahoma (Mr. MULLIN) had been disposed of.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 114-326 on which further proceedings were postponed, in the following order:

Amendment No. 15 by Ms. SCHAKOWSKY of Illinois.

Amendment No. 16 by Mr. MULLIN of Oklahoma.

Amendment No. 17 by Mr. BURGESS of Texas.

Amendment No. 18 by Mr. NEUGEDAUER of Texas.

The Chair will reduce to 2 minutes the minimum time for any electronic vote in this series.

AMENDMENT NO. 15 OFFERED BY MS.

SCHAKOWSKY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 251, not voting 6, as follows:

[Roll No. 619]

AYES—176

Adams
 Aguilar
 Ashford
 Bass
 Beatty
 Becerra
 Bera
 Beyer
 Bishop (GA)

Blumenauer
 Bonamici
 Boyle, Brendan
 F.
 Brady (PA)
 Brown (FL)
 Brownley (CA)
 Bustos
 Butterfield

Capps
 Capuano
 Cárdenas
 Carney
 Carson (IN)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chu, Judy

Cicilline
 Clark (MA)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly
 Conyers
 Cooper
 Costa
 Courtney
 Crowley
 Cummings
 Davis (CA)
 Davis, Danny
 DeGette
 Delaney
 DeLauro
 DelBene
 DeSaulnier
 Deutch
 Dingell
 Doggett
 Doyle, Michael
 F.
 Duckworth
 Edwards
 Ellison
 Engel
 Eshoo
 Esty
 Farr
 Fattah
 Fitzpatrick
 Foster
 Frankel (FL)
 Fudge
 Gabbard
 Gallego
 Garamendi
 Green, Al
 Green, Gene
 Grijalva
 Gutiérrez
 Hahn
 Hastings
 Heck (WA)
 Himes
 Hinojosa
 Honda
 Hoyer

Huffman
 Israel
 Jackson Lee
 Johnson (GA)
 Johnson, E. B.
 Jones
 Kaptur
 Keating
 Kelly (IL)
 Kennedy
 Kildee
 Kilmer
 Kind
 Kirkpatrick
 Kuster
 Langevin
 Larsen (WA)
 Larson (CT)
 Lawrence
 Lee
 Levin
 Lewis
 Lieu, Ted
 Lipinski
 Loebach
 Lofgren
 Lowenthal
 Lowey
 Lujan Grisham
 (NM)
 Luján, Ben Ray
 (NM)
 Lynch
 Maloney,
 Carolyn
 Maloney, Sean
 Matsui
 McCollum
 McDermott
 McGovern
 McNerney
 Meng
 Moore
 Moulton
 Murphy (FL)
 Nadler
 Napolitano
 Neal
 Nolan
 O'Rourke
 Pallone
 Pascrell

Payne
 Pelosi
 Perlmutter
 Pingree
 Pocan
 Polis
 Price (NC)
 Quigley
 Rangel
 Rice (NY)
 Richmond
 Roybal-Allard
 Ruiz
 Ruppersberger
 Ryan (OH)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Sherman
 Sinema
 Sires
 Slaughter
 Smith (WA)
 Speier
 Swalwell (CA)
 Takano
 Thompson (CA)
 Thompson (MS)
 Titus
 Tonko
 Torres
 Tsongas
 Van Hollen
 Vargas
 Vela
 Velázquez
 Visclosky
 Walz
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Welch
 Wilson (FL)
 Yarmuth

NOES—251

Abraham
 Aderholt
 Allen
 Amash
 Amodei
 Babin
 Barletta
 Barr
 Barton
 Benishek
 Bilirakis
 Bishop (MI)
 Bishop (UT)
 Black
 Blackburn
 Blum
 Bost
 Boustany
 Brady (TX)
 Brat
 Bridenstine
 Brooks (AL)
 Brooks (IN)
 Buchanan
 Buck
 Bucshon
 Burgess
 Byrne
 Calvert
 Carter (GA)
 Carter (TX)
 Chabot
 Chaffetz
 Clawson (FL)
 Coffman
 Cole
 Collins (GA)
 Collins (NY)
 Comstock
 Conaway
 Cook

Costello (PA)
 Cramer
 Crawford
 Crenshaw
 Cuellar
 Culberson
 Curbelo (FL)
 Davis, Rodney
 Denham
 Dent
 DeSantis
 DesJarlais
 Diaz-Balart
 Dold
 Donovan
 Duffy
 Duncan (SC)
 Duncan (TN)
 Emmer (MN)
 Farenthold
 Fincher
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Garrett
 Gibbs
 Gibson
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Graham
 Granger
 Graves (GA)
 Graves (LA)
 Graves (MO)

Grayson
 Griffith
 Grothman
 Guinta
 Guthrie
 Hanna
 Hardy
 Harper
 Harris
 Hartzler
 Heck (NV)
 Hensarling
 Herrera Beutler
 Hice, Jody B.
 Higgins
 Hill
 Holding
 Hudson
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurd (TX)
 Hurt (VA)
 Issa
 Jenkins (KS)
 Jenkins (WV)
 Johnson (OH)
 Johnson, Sam
 Jolly
 Jordan
 Joyce
 Katko
 Kelly (MS)
 Kelly (PA)
 King (IA)
 King (NY)
 Kinzinger (IL)
 Kline
 Knight
 Labrador

LaHood	Palmer	Shuster	Brooks (IN)	Hill	Pompeo	Doggett	Levin	Reichert
LaMalfa	Paulsen	Simpson	Buchanan	Holding	Posey	Doyle, Michael	Lewis	Rice (NY)
Lamborn	Pearce	Smith (MO)	Buck	Hudson	Price, Tom	F.	Lieu, Ted	Richmond
Lance	Perry	Smith (NE)	Bucshon	Huelskamp	Ratcliffe	Duckworth	Lipinski	Roybal-Allard
Latta	Peters	Smith (NJ)	Burgess	Huizenga (MI)	Reed	Edwards	Loeb sack	Ruiz
LoBiondo	Peterson	Smith (TX)	Byrne	Hultgren	Renacci	Ellison	Lofgren	Ruppersberger
Long	Pittenger	Stefanik	Calvert	Hunter	Ribble	Eshoo	Lowenthal	Sánchez, Linda
Loudermilk	Pitts	Stewart	Carter (GA)	Hurd (TX)	Rice (SC)	Esty	Lowey	T.
Love	Poe (TX)	Stivers	Carter (TX)	Hurt (VA)	Rigell	Farr	Lujan Grisham	Sanchez, Loretta
Lucas	Poliquin	Stutzman	Chabot	Issa	Roby	Fattah	(NM)	Sarbanes
Luetkemeyer	Pompeo	Thompson (PA)	Chaffetz	Jackson Lee	Roe (TN)	Foster	Lujan, Ben Ray	Schakowsky
Lummis	Posey	Thornberry	Clawson (FL)	Jenkins (KS)	Rogers (KY)	Frankel (FL)	(NM)	Schiff
MacArthur	Price, Tom	Tiberi	Coffman	Jenkins (WV)	Rohrabacher	Fudge	Lynch	Schrader
Marchant	Ratcliffe	Tipton	Cole	Johnson (OH)	Rokita	Gabbard	Maloney,	Scott (VA)
Marino	Reed	Trott	Collins (GA)	Johnson, Sam	Rooney (FL)	Gallego	Carolyn	Scott, David
Massie	Reichert	Turner	Collins (NY)	Jolly	Ros-Lehtinen	Gibson	Maloney, Sean	Serrano
McCarthy	Renacci	Upton	Comstock	Jones	Roskam	Graham	Matsui	Sewell (AL)
McCaul	Ribble	Valadao	Conaway	Jordan	Ross	Grayson	McCollum	Sinema
McClintock	Rice (SC)	Veasey	Cook	Joyce	Rothfus	Grijalva	McDermott	Sires
McHenry	Rigell	Wagner	Costa	Katko	Rouzer	Gutiérrez	McGovern	Slaughter
McKinley	Roby	Walberg	Cramer	Kelly (MS)	Royce	Hahn	McHenry	Smith (WA)
McMorris	Roe (TN)	Walden	Crawford	Kelly (PA)	Russell	Hastings	McNerney	Speier
Rodgers	Rogers (AL)	Walker	Crenshaw	King (NY)	Ryan (OH)	Heck (WA)	Meng	Swalwell (CA)
McSally	Rogers (KY)	Walorski	Cuellar	Kinzinger (IL)	Salmon	Higgins	Moore	Takano
Meadows	Rohrabacher	Walters, Mimi	Culberson	Kirkpatrick	Sanford	Himes	Moulton	Thompson (CA)
Meehan	Rokita	Weber (TX)	Curbelo (FL)	Kline	Scalise	Hinojosa	Murphy (FL)	Thompson (MS)
Messer	Rooney (FL)	Webster (FL)	Davis, Rodney	Knight	Schweikert	Honda	Nadler	Titus
Mica	Ros-Lehtinen	Wenstrup	Denham	Labrador	Scott, Austin	Hoyer	Napolitano	Tonko
Miller (FL)	Roskam	Westerman	Dent	LaHood	Sensenbrenner	Huffman	Neal	Torres
Miller (MI)	Ross	Westmoreland	DeSantis	LaMalfa	Sessions	Israel	Nolan	Tsongas
Moolenaar	Rothfus	Whitfield	DesJarlais	Lamborn	Sherman	Johnson (GA)	Norcross	Van Hollen
Mooney (WV)	Rouzer	Williams	Lance	Lance	Shimkus	Johnson, E. B.	O'Rourke	Vargas
Mullin	Royce	Wilson (SC)	Dold	Latta	Shuster	Kaptur	Pallone	Veasey
Mulvaney	Russell	Wittman	Donovan	LoBiondo	Simpson	Keating	Pascrell	Velázquez
Murphy (PA)	Salmon	Womack	Duffy	Long	Smith (MO)	Kelly (IL)	Payne	Visclosky
Neugebauer	Sanford	Woodall	Duncan (SC)	Loudermilk	Smith (NE)	Kennedy	Pelosi	Walz
Newhouse	Scalise	Yoder	Duncan (TN)	Love	Smith (NJ)	Kildee	Perlmutter	Wasserman
Noem	Schrader	Yoho	Emmer (MN)	Lucas	Smith (TX)	Kilmer	Peters	Schultz
Norcross	Schweikert	Young (AK)	Engel	Luetkemeyer	Stefanik	Kind	Peterson	Waters, Maxine
Nugent	Scott, Austin	Young (IA)	Farenthold	Lummis	Stewart	Kuster	Pingree	Watson Coleman
Nunes	Sensenbrenner	Young (IN)	Fincher	MacArthur	Stutzman	Langevin	Pocan	Welch
Olson	Sessions	Zeldin	Fitzpatrick	Marchant	Thompson (PA)	Larsen (WA)	Polis	Wilson (FL)
Palazzo	Shimkus	Zinke	Fleischmann	Marino	Thornberry	Larson (CT)	Quigley	Yarmuth
			Fleming	Massie	Tiberi	Lawrence	Rangel	Zeldin

NOT VOTING—6

DeFazio	Jeffries	Rush
Ellmers (NC)	Meeks	Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1043

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 16 OFFERED BY MR. MULLIN

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Oklahoma (Mr.
MULLIN) on which further proceedings
were postponed and on which the ayes
prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 246, noes 178,
not voting 9, as follows:

[Roll No. 620]

AYES—246

Abraham	Barletta	Black
Aderholt	Barr	Blackburn
Allen	Barton	Blum
Amash	Benishek	Bost
Amodei	Bilirakis	Boustany
Ashford	Bishop (MI)	Brady (TX)
Babin	Bishop (UT)	Bridenstine

Adams	Boyle, Brendan
Aguiar	F.
Bass	Brady (PA)
Beatty	Brat
Becerra	Brooks (AL)
Bera	Brown (FL)
Beyer	Brownley (CA)
Bishop (GA)	
Blumenauer	
Bonamici	

NOES—178

Bustos	Cohen
Butterfield	Connolly
Capps	Conyers
Capuano	Cooper
Cárdenas	Costello (PA)
Carney	Courtney
Carson (IN)	Crowley
Cartwright	Cummings
Castor (FL)	Davis (CA)
Castro (TX)	Davis, Danny
Chu, Judy	DeGette
Cicilline	Delaney
Clark (MA)	DeLauro
Clarke (NY)	DelBene
Clay	DeSaulnier
Cleaver	Deutch
Clyburn	Dingell

NOT VOTING—9

DeFazio	King (IA)	Rogers (AL)
Ellmers (NC)	Meeks	Rush
Jeffries	Pitts	Takai

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1047

Mr. AGUILAR changed his vote from
“aye” to “no.”

Ms. JACKSON LEE changed her vote
from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 17 OFFERED BY MR. BURGESS

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Texas (Mr. BURGESS)
on which further proceedings were
postponed and on which the ayes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 235, noes 192,
not voting 6, as follows:

[Roll No. 621]

AYES—235

Abraham	Griffith	Pearce
Aderholt	Grothman	Perry
Allen	Guinta	Peterson
Amash	Guthrie	Pittenger
Amodel	Hanna	Pitts
Babin	Harper	Poe (TX)
Barletta	Harris	Poliquin
Barr	Hartzler	Pompeo
Barton	Heck (NV)	Posey
Benishek	Hensarling	Price, Tom
Beyer	Hice, Jody B.	Ratcliffe
Bilirakis	Hill	Reed
Bishop (GA)	Holding	Renacci
Bishop (MI)	Hudson	Ribble
Bishop (UT)	Huelskamp	Rice (SC)
Black	Huizenga (MI)	Rigell
Blackburn	Hultgren	Roby
Blum	Hunter	Roe (TN)
Bost	Hurd (TX)	Rogers (AL)
Boustany	Hurt (VA)	Rogers (KY)
Brady (TX)	Issa	Rohrabacher
Brat	Jenkins (KS)	Rokita
Bridenstine	Jenkins (WV)	Rooney (FL)
Brooks (AL)	Johnson (OH)	Roskam
Brooks (IN)	Johnson, Sam	Ross
Buchanan	Jones	Rothfus
Buck	Jordan	Rouzer
Bucshon	Joyce	Royce
Burgess	Kelly (MS)	Salmon
Byrne	Kelly (PA)	Sanford
Calvert	King (IA)	Scalise
Carter (GA)	King (NY)	Schweikert
Carter (TX)	Kinzing (IL)	Scott, Austin
Chabot	Kline	Sensenbrenner
Chaffetz	Labrador	Sessions
Clawson (FL)	LaHood	Shimkus
Coffman	LaMalfa	Shuster
Cole	Lamborn	Simpson
Collins (GA)	Lance	Sinema
Collins (NY)	Latta	Smith (MO)
Comstock	LoBiondo	Smith (NE)
Conaway	Long	Smith (NJ)
Cook	Loudermilk	Smith (TX)
Costello (PA)	Love	Stefanik
Cramer	Lucas	Stewart
Crawford	Luetkemeyer	Stivers
Crenshaw	Lummis	Stutzman
Cuellar	MacArthur	Thornberry
Culberson	Marchant	Tiberi
Davis, Rodney	Marino	Tipton
Denham	Massie	Trott
Dent	McCarthy	Turner
DeSantis	McCaul	Upton
DesJarlais	McClintock	Valadao
Donovan	McHenry	Wagner
Duffy	McKinley	Walberg
Duncan (SC)	McMorris	Walden
Emmer (MN)	Rodgers	Walker
Farenthold	McSally	Walorski
Fincher	Meadows	Walters, Mimi
Fitzpatrick	Meehan	Weber (TX)
Fleischmann	Messer	Webster (FL)
Fleming	Mica	Wenstrup
Flores	Miller (FL)	Westerman
Forbes	Miller (MI)	Westmoreland
Fortenberry	Moolenaar	Whitfield
Fox	Mooney (WV)	Williams
Franks (AZ)	Mullin	Wilson (SC)
Garrett	Mulvaney	Wittman
Gibbs	Murphy (PA)	Womack
Gohmert	Neugebauer	Woodall
Goodlatte	Newhouse	Yoder
Gosar	Noem	Yoho
Gowdy	Nugent	Young (AK)
Granger	Nunes	Young (IA)
Graves (GA)	Olson	Young (IN)
Graves (LA)	Palazzo	Zeldin
Graves (MO)	Palmer	Zinke
Green, Gene	Paulsen	

NOES—192

Adams	Brady (PA)	Castor (FL)
Aguilar	Brown (FL)	Castro (TX)
Ashford	Brownley (CA)	Chu, Judy
Bass	Bustos	Cicilline
Beatty	Butterfield	Clark (MA)
Becerra	Capps	Clarke (NY)
Bera	Capuano	Clay
Blumenauer	Cárdenas	Cleaver
Bonamici	Carney	Clyburn
Boyle, Brendan	Carson (IN)	Cohen
F.	Cartwright	Connolly

Conyers	Johnson (GA)	Pingree
Cooper	Johnson, E. B.	Pocan
Costa	Jolly	Polis
Courtney	Kaptur	Price (NC)
Crowley	Katko	Quigley
Cummings	Keating	Rangel
Curbelo (FL)	Kelly (IL)	Reichert
Davis (CA)	Kennedy	Rice (NY)
Davis, Danny	Kildee	Richmond
DeGette	Kilmer	Ros-Lehtinen
Delaney	Kind	Roybal-Allard
DeLauro	Kirkpatrick	Ruiz
DelBene	Knight	Ruppersberger
DeSaulnier	Kuster	Russell
Deutsch	Langevin	Ryan (OH)
Diaz-Balart	Larsen (WA)	Sánchez, Linda
Dingell	Larson (CT)	T.
Doggett	Lawrence	Sanchez, Loretta
Dold	Lee	Sarbanes
Doyle, Michael	Levin	Schakowsky
F.	Lewis	Schiff
Duckworth	Lieu, Ted	Schrader
Duncan (TN)	Lipinski	Scott (VA)
Edwards	Loeb sack	Scott, David
Ellison	Lofgren	Serrano
Engel	Lowenthal	Sewell (AL)
Eshoo	Lowe	Sherman
Esty	Lujan Grisham	Sires
Farr	(NM)	Slaughter
Fattah	Luján, Ben Ray	Smith (WA)
Foster	(NM)	Speier
Frankel (FL)	Lynch	Swalwell (CA)
Frelinghuysen	Maloney	Takano
Fudge	Carolyn	Thompson (CA)
Gabbard	Maloney, Sean	Thompson (MS)
Gallego	Matsui	Thompson (PA)
Garamendi	McCollum	Titus
Gibson	McDermott	Tonko
Graham	McGovern	Torres
Grayson	McNerney	Tsongas
Green, Al	Meng	Van Hollen
Grijalva	Moore	Vargas
Gutiérrez	Moulton	Veasey
Hahn	Murphy (FL)	Vela
Hardy	Nadler	Velázquez
Hastings	Napolitano	Visclosky
Heck (WA)	Neal	Walz
Herrera Beutler	Nolan	Wasserman
Higgins	Norcross	Schultz
Himes	O'Rourke	Waters, Maxine
Hinojosa	Pallone	Watson Coleman
Honda	Pascrell	Welch
Hoyer	Payne	Wilson (FL)
Huffman	Pelosi	Yarmuth
Israel	Perlmutter	
Jackson Lee	Peters	

NOT VOTING—6

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1050

So the amendment was agreed to.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 18 OFFERED BY MR.
NEUGEBAUER

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Texas (Mr. NEUGE-
BAUER) on which further proceedings
were postponed and on which the ayes
prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 354, noes 72,
not voting 7, as follows:

[Roll No. 622]

AYES—354

Abraham	Dold	King (NY)
Adams	Donovan	Kinzing (IL)
Aderholt	Doyle, Michael	Kirkpatrick
Aguilar	F.	Kline
Allen	Duckworth	Knight
Amash	Duffy	Kuster
Amodel	Duncan (SC)	Labrador
Ashford	Duncan (TN)	LaHood
Babin	Ellison	LaMalfa
Barletta	Emmer (MN)	Lamborn
Barr	Eshoo	Lance
Barton	Esty	Larsen (WA)
Beatty	Farenthold	Larson (CT)
Benishek	Fincher	Latta
Bera	Fitzpatrick	Lawrence
Beyer	Fleischmann	Levin
Bishop (GA)	Fleming	Lieu, Ted
Bishop (MI)	Flores	Lipinski
Bishop (UT)	Forbes	LoBiondo
Black	Fortenberry	Loeb sack
Blackburn	Foster	Long
Blum	Fox	Loudermilk
Blumenauer	Frankel (FL)	Love
Bonamici	Franks (AZ)	Lowenthal
Bost	Frelinghuysen	Lucas
Boustany	Gabbard	Luetkemeyer
Boyle, Brendan	Gallego	Lynch
F.	Garamendi	MacArthur
Brady (PA)	Garrett	Maloney
Brady (TX)	Gibbs	Carolyn
Brat	Gibson	Maloney, Sean
Bridenstine	Gohmert	Marchant
Brooks (AL)	Goodlatte	Marino
Brooks (IN)	Gosar	Massie
Brownley (CA)	Gowdy	Matsui
Buchanan	Graham	McCarthy
Buck	Granger	McCaul
Bucshon	Graves (GA)	McClintock
Burgess	Graves (LA)	McCollum
Bustos	Graves (MO)	McDermott
Byrne	Grayson	McGovern
Calvert	Griffith	McHenry
Capuano	Grothman	McKinley
Cárdenas	Guinta	McMorris
Carney	Guthrie	Rodgers
Carter (GA)	Hanna	McSally
Carter (TX)	Hardy	Meadows
Cartwright	Harper	Meehan
Castor (FL)	Harris	Meng
Chabot	Hartzler	Messer
Chaffetz	Heck (NV)	Mica
Clark (MA)	Heck (WA)	Miller (FL)
Clawson (FL)	Hensarling	Miller (MI)
Clyburn	Herrera Beutler	Moolenaar
Coffman	Hice, Jody B.	Mooney (WV)
Cohen	Higgins	Moore
Cole	Hill	Moulton
Collins (GA)	Himes	Mullin
Collins (NY)	Holding	Mulvaney
Comstock	Hudson	Murphy (FL)
Conaway	Huelskamp	Murphy (PA)
Connolly	Huffman	Neal
Conyers	Huizenga (MI)	Neugebauer
Cook	Hultgren	Noem
Cooper	Hunter	Nolan
Costa	Hurd (TX)	Norcross
Costello (PA)	Hurt (VA)	Nugent
Courtney	Israel	Nunes
Cramer	Issa	O'Rourke
Crawford	Jenkins (KS)	Olson
Crenshaw	Jenkins (WV)	Palazzo
Crowley	Johnson (OH)	Palmer
Cuellar	Johnson, Sam	Pascrell
Culberson	Jolly	Paulsen
Curbelo (FL)	Jones	Pearce
Davis, Danny	Jordan	Perlmutter
Davis, Rodney	Joyce	Perry
DeGette	Kaptur	Peters
Delaney	Katko	Peterson
DeLauro	Keating	Pittenger
DelBene	Kelly (IL)	Pitts
Denham	Kelly (MS)	Pocan
Dent	Kelly (PA)	Poe (TX)
DeSantis	Kennedy	Poliquin
DeSaulnier	Kildee	Polis
DesJarlais	Kilmer	Pompeo
Diaz-Balart	Kind	Posey
Dingell	King (IA)	Price, Tom

Amash	Garrett	Meadows
Benishkeh	Gohmert	Mulvaney
Blackburn	Gosar	Neal
Brat	Grijalva	Nugent
Bridenstine	Hice, Jody B.	Palmer
Brooks (AL)	Holding	Pearce
Buck	Hudson	Poe (TX)
Carney	Huelskamp	Pompeo
Clawson (FL)	Hurt (VA)	Posey
Coffman	Issa	Ratcliffe
Culberson	Johnson, Sam	Rohrabacher
Delaney	Jones	Roskam
DeSantis	Jordan	Rouzer
DesJarlais	Labrador	Salmon
Duncan (SC)	Lamborn	Sanford
Fleming	Lummis	Schakowsky
Flores	Lynch	Schweikert
Foxx	Marchant	Smith (MO)
Franks (AZ)	McClintock	Smith (TX)

Tipton Wilson (SC) Young (IA)
Weber (TX) Yoder
Williams Yoho

NOT VOTING—6

DeFazio Jeffries Rush
Ellmers (NC) Meeks Takai

□ 1104

Mr. POE of Texas changed his vote from “aye” to “no.”

Mr. PITTENGER changed his vote from “no” to “aye.”

So the amendments were agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to section 6 of House Resolution 512, a motion that the House concur in the Senate amendment to the text of H.R. 22 with an amendment is adopted, and a motion that the House concur in the Senate amendment to the title of H.R. 22 is adopted.

DIRECTING THE SECRETARY OF THE SENATE TO MAKE A TECHNICAL CORRECTION IN THE ENROLLMENT OF S. 1356

Mr. THORNBERRY. Mr. Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 90

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill S. 1356, the Secretary of the Senate shall correct the title so as to read: “An Act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.”.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

Mr. THORNBERRY. Mr. Speaker, notwithstanding the order of the House of October 21, 2015, I ask unanimous consent that the veto message of the President on the bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe

military personnel strengths for such fiscal year, and for other purposes, together with the accompanying bill, be referred to the Committee on Armed Services.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

MOTION TO GO TO CONFERENCE ON H.R. 22, SURFACE TRANSPORTATION REAUTHORIZATION AND REFORM ACT OF 2015

Mr. SHUSTER. Mr. Speaker, pursuant to House Resolution 512, I offer a motion.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Shuster moves that the House take from the Speaker's table the bill (H.R. 22), with the House amendment to the Senate amendment thereto, insist on the House amendment, and request a conference with the Senate thereon.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 1 hour.

Mr. SHUSTER. Mr. Speaker, this motion is to authorize a conference on H.R. 22. This bill helps improve our Nation's transportation infrastructure.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SHUSTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 371, noes 54, not voting 8, as follows:

[Roll No. 624]

AYES—371

Abraham	Blumenauer	Castor (FL)	Crawford	Joyce	Pelosi
Adams	Bonamici	Castro (TX)	Crenshaw	Kaptur	Perlmutter
Aderholt	Bost	Chaffetz	Crowley	Katko	Perry
Aguilar	Boustany	Chu, Judy	Cuellar	Keating	Peters
Allen	Boyle, Brendan	Cicilline	Culberson	Kelly (IL)	Peterson
Amodei	F.	Clark (MA)	Cummings	Kelly (MS)	Pingree
Ashford	Brady (PA)	Clarke (NY)	Curbelo (FL)	Kelly (PA)	Pitts
Babin	Brady (TX)	Clay	Davis (CA)	Kennedy	Pocan
Barletta	Brooks (IN)	Cleaver	Davis, Danny	Kildee	Poe (TX)
Barr	Brown (FL)	Clyburn	Davis, Rodney	Kilmer	Poliquin
Barton	Brownley (CA)	Cohen	DeGette	Kind	Polis
Bass	Buchanan	Cole	DeLauro	King (IA)	Price (NC)
Beatty	Bucshon	Collins (GA)	DelBene	King (NY)	Price, Tom
Becerra	Bustos	Collins (NY)	Denham	Kinzinger (IL)	Quigley
Benishkek	Butterfield	Comstock	Dent	Kirkpatrick	Rangel
Bera	Byrne	Conaway	DeSantis	Kline	Reed
Beyer	Calvert	Connolly	DeSaulnier	Knight	Reichert
Bilirakis	Capps	Conyers	Deutch	Kuster	Renacci
Bishop (GA)	Capuano	Cook	Diaz-Balart	LaHood	Ribble
Bishop (MI)	Cárdenas	Cooper	Dingell	LaMalfa	Rice (NY)
Bishop (UT)	Carson (IN)	Costa	Doggett	Lamborn	Rice (SC)
Black	Carter (GA)	Costello (PA)	Dold	Lance	Richmond
Blackburn	Carter (TX)	Courtney	Donovan	Langevin	Rigell
Blum	Cartwright	Cramer	Doyle, Michael	Larsen (WA)	Roby
			F.	Larson (CT)	Roe (TN)
			Duckworth	Latta	Rogers (AL)
			Duffy	Lawrence	Rogers (KY)
			Duncan (TN)	Lee	Rohrabacher
			Edwards	Levin	Rokita
			Ellison	Lewis	Rooney (FL)
			Emmer (MN)	Lieu, Ted	Ros-Lehtinen
			Engel	Lipinski	Ross
			Eshoo	LoBiondo	Rothfus
			Esty	Loebach	Roybal-Allard
			Farenthold	Lofgren	Royce
			Farr	Long	Ruiz
			Fattah	Loudermilk	Ruppersberger
			Fincher	Love	Russell
			Fitzpatrick	Lowenthal	Ryan (OH)
			Fleischmann	Lowey	Sánchez, Linda
			Forbes	Lucas	T.
			Fortenberry	Luetkemeyer	Sanchez, Loretta
			Foster	Lujan Grisham	Sarbanes
			Fox	(NM)	Scalise
			Frankel (FL)	Luján, Ben Ray	Schakowsky
			Frelinghuysen	(NM)	Schiff
			Fudge	Lynch	Schrader
			Gabbard	MacArthur	Scott (VA)
			Gallego	Maloney,	Scott, Austin
			Garamendi	Carolyn	Scott, David
			Gibbs	Maloney, Sean	Sensenbrenner
			Gibson	Marchant	Serrano
			Goodlatte	Marino	Sessions
			Gowdy	Matsui	Sewell (AL)
			Graham	McCarthy	Sherman
			Granger	McCaul	Shimkus
			Graves (GA)	McClintock	Shuster
			Graves (LA)	McCollum	Simpson
			Graves (MO)	McDermott	Sinema
			Grayson	McGovern	Sires
			Green, Al	McHenry	Slaughter
			Green, Gene	McKinley	Smith (MO)
			Griffith	McMorris	Smith (NE)
			Grijalva	Rodgers	Smith (NJ)
			Guinta	McNerney	Smith (WA)
			Guthrie	McSally	Speier
			Gutiérrez	Meehan	Stefanik
			Hahn	Meng	Stewart
			Hanna	Messer	Stivers
			Hardy	Mica	Swalwell (CA)
			Harper	Miller (FL)	Takano
			Hartzler	Miller (MI)	Thompson (CA)
			Hastings	Moolenaar	Thompson (MS)
			Heck (NV)	Mooney (WV)	Thompson (PA)
			Heck (WA)	Moore	Thornberry
			Herrera Beutler	Moulton	Tiberi
			Higgins	Mullin	Tipton
			Hill	Murphy (FL)	Titus
			Himes	Murphy (PA)	Tonko
			Hinojosa	Nadler	Torres
			Honda	Napolitano	Trott
			Hoyer	Neal	Tsongas
			Huffman	Newhouse	Turner
			Hultgren	Noem	Upton
			Hunter	Nolan	Valadao
			Hurd (TX)	Norcross	Van Hollen
			Israel	Nugent	Vargas
			Issa	Nunes	Veasey
			Jackson Lee	O'Rourke	Vela
			Jenkins (KS)	Olson	Visclosky
			Jenkins (WV)	Palazzo	Wagner
			Johnson (GA)	Pallone	Walberg
			Johnson (OH)	Pascrell	Walden
			Johnson, E. B.	Paulsen	Walorski
			Johnson, Sam	Payne	Walters, Mimi
			Jolly	Pearce	Walz

Wasserman	Westmoreland	Woodall
Schultz	Whitfield	Yarmuth
Waters, Maxine	Williams	Young (AK)
Watson Coleman	Wilson (FL)	Zeldin
Webster (FL)	Wilson (SC)	Zinke
Welch	Wittman	
Westerman	Womack	

NOES—54

Amash	Gosar	Palmer
Brat	Grothman	Pittenger
Bridenstine	Harris	Pompeo
Brooks (AL)	Hensarling	Posey
Buck	Hice, Jody B.	Ratcliffe
Burgess	Holding	Roskam
Carney	Hudson	Rouzer
Chabot	Huelskamp	Salmon
Clawson (FL)	Huizenga (MI)	Sanford
Coffman	Hurt (VA)	Schweikert
Delaney	Jones	Smith (TX)
DesJarlais	Jordan	Stutzman
Duncan (SC)	Labrador	Weber (TX)
Fleming	Lummis	Wenstrup
Flores	Massie	Yoder
Franks (AZ)	Meadows	Yoho
Garrett	Mulvaney	Young (IA)
Gohmert	Neugebauer	Young (IN)

NOT VOTING—8

DeFazio	Meeks	Velázquez
Ellmers (NC)	Rush	Walker
Jeffries	Takai	

□ 1122

Mr. GROTHMAN changed his vote from “aye” to “no.”

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT

Mr. HUFFMAN. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Huffman moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to the bill H.R. 22 be instructed to—

(1) agree to the provisions of the Senate amendment that establish the total amount of funding to be provided for each of fiscal years 2016 through 2021 out of the Highway Trust Fund for surface transportation programs; and

(2) insist on section 1414(b) of the House amendment (relating to adjustments to contract authority).

Mr. HUFFMAN (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from California (Mr. HUFFMAN) and the gentleman from Pennsylvania (Mr. SHUSTER) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. HUFFMAN. Mr. Speaker, I yield myself such time as I may consume.

Since 2009, this Congress has failed to make some hard choices. As a result, highway, transit, and safety programs have limped along with flat funding. States and transit authorities have

been unable to plan major, long-term projects as they watch this Congress extend these programs for a few months at a time, often waiting until midnight of the next government shutdown, and then extend them again with short-term patches.

The Federal gas tax, which pays for these highway and public transit investments, has not been raised in 22 years. Its purchasing power has fallen 40 percent.

And for all the progress we made last week under Speaker RYAN in terms of allowing policy amendments to be offered to the bill, let us all recognize that the Republican leadership blocked every single proposed amendment regarding the funding inadequacies in this bill.

Democrats and Republicans offered a wealth of options to fund the program: increasing the gas tax; using repatriated revenue to increase investment in the United States; creating a bipartisan, bicameral task force to address the shortfall in the highway trust fund; and simply indexing the gas tax to account for the cost of inflation.

Regrettably, the Republican leadership, despite all the pledges of openness, would not let this House debate even a single proposal to address the shortfall in the highway trust fund.

Mr. Speaker, we can do better.

Today, I offer a motion to instruct conferees that recognizes that we are woefully underinvesting in our Nation's infrastructure. This motion instructs conferees to adopt the higher funding levels for highway, transit and highway safety programs that are contained in the bipartisan Senate DRIVE Act. The DRIVE Act provides \$342 billion over 6 years. That is \$17 billion more than the House bill.

The DRIVE Act provides \$12 billion more than the House bill over 6 years to reconstruct our highways and rebuild our crumbling bridges. This small increase only begins to deal with the 147,000 structurally deficient or functionally obsolete bridges in our country. That is, by the way, one out of every four bridges.

This funding will only begin to address the two-thirds of the Nation's roads that are in less than good condition.

The DRIVE Act provides \$4.4 billion over 6 years for local transit agencies to help more people move safely to their jobs. This small increase will only begin to address the \$86 billion state of good repair backlog that exists nationwide for our local transit agencies.

In 2013, Americans took 10.7 billion public transit trips. Mr. Speaker, many of these were on systems that were built a century ago.

Congestion is a ballooning problem around our country. It affects 42 percent of America's major roads and costs our economy \$121 billion a year.

The status quo funding in the House bill will only worsen the congestion in our cities and suburbs.

This motion also instructs conferees to include section 1414(b) of the House bill in a final conference report. This section provides a mechanism to automatically adjust investment levels, should additional money come into the trust fund during the 6-year term of this bill.

Additional receipts could come into the trust fund from a number of places. There could be higher-than-anticipated vehicle miles traveled. There could be a bigger infusion into the trust fund from a subsequent act of Congress.

If actual receipts do come into the trust fund exceeding the estimated receipts for the most recently completed year, program levels would automatically be adjusted by the additional amount at the beginning of the next fiscal year. This ensures that any additional funds that Congress makes available can quickly flow to States to invest in badly needed infrastructure projects.

The Secretary would distribute this additional funding proportionately to each of the highway transit and safety programs funded in the highway trust fund authorized in the final conference report.

I urge my colleagues to support this motion.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to the motion to instruct. The STRR Act act is a bipartisan bill that reflects the input of Members from both sides of the aisle. It has been a carefully crafted compromise. This motion would threaten that compromise and dismantle the bipartisan House position as we head into negotiations with the Senate.

The STRR Act is a multiyear bill that provides needed certainty for States and local governments. It helps improve our Nation's transportation infrastructure and maintains a strong commitment to safety, but it also provides important reforms that help us continue to do the job more effectively.

Key provisions in this bill will refocus our transportation programs on national priorities, promote innovation to make our surface transportation system programs work better, provide greater flexibility for State and local governments to address their needs, streamline the Federal bureaucracy, accelerate the project approval process, and facilitate the flow of freight and commerce.

□ 1130

The STRR Act continues the Federal role in providing a strong national transportation system, which enables our country to remain economically competitive and helps ensure our quality of life.

This bill has widespread support. We have received nearly 300 letters of support from throughout the stakeholder community, so I would urge all Members to oppose the gentleman's motion.

I reserve the balance of my time.

Mr. HUFFMAN. Mr. Speaker, I yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON), who is our ranking member on the Subcommittee for Highways and Transit.

Ms. NORTON. I thank the gentleman for yielding.

We will, of course, continue to press for the DRIVE Act funding, the small amount of increased funding in conference. But I do want to thank Chairman SHUSTER, Ranking Member DEFazio, Subcommittee Chair GRAVES, and all of the Members and staff who contributed to the Surface Transportation Reauthorization and Reform Act that has brought us to this point.

Of course, many of us wanted to invest even more in desperately needed transportation and infrastructure projects. However, we simply can't wait any longer to address the crumbling roads, bridges, and transit systems that Americans depend on every day.

While we will continue to press Congress to make more funding available in future years, I support moving this bill to conference as a means of providing necessary funding and certainty to our States and local partners for the next 6 years.

While this is not a perfect bill—it is a most imperfect bill—it is encouraging that we were able to get together on both sides of the aisle to come together as a model for how we should proceed in the future.

Passage is necessary to shore up the highway trust fund and allow critical projects to move forward around the country. Now, as we move to conference, I will continue to work with Ranking Member DEFazio and our Republican counterparts to see this bill across the finish line.

Our work to ensure robust funding for our roads, bridges, and transit systems is just beginning. This bill is a good bridge to the future, but we must work diligently to identify and secure additional sources of revenue in coming years.

This motion is a first step on the path to higher investment levels. I look forward to working with the Senate to produce a comprehensive bill for the President to sign.

Mr. SHUSTER. Mr. Speaker, I yield myself such time as I may consume.

Again, I want to thank all the Members that have worked on this bill. I know that the two Members on the floor here are valued members of the committee.

Again, I oppose the instruction because I believe it really—we have got a delicate balance here; and a strong position moving into the Senate to get

this over the goal line and get ourselves a long-term, multiyear highway transportation bill is just something that I think we all want. It is all good for the country.

The gentleman brings up some good points on the funding of it. As soon as we get this bill passed, on the President's desk and signed, we have really got to sit down with the stakeholder community and Members on both sides of the aisle, both sides of the Capitol, people around the States, and figure out a way to move forward in the future to have a fully funded, robust transportation highway trust fund.

So again, I appreciate what the gentleman is saying, but, again, at this point, I urge opposition to this motion to instruct.

I yield back the balance of my time.

Mr. HUFFMAN. Mr. Speaker, I respectfully request an "aye" vote.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. HUFFMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to instruct will be followed by a 5-minute vote on agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 179, nays 239, not voting 15, as follows:

[Roll No. 625]

YEAS—179

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly

Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson

Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted

Lipinski
Loebsock
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Lujan, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke

Pallone
Pascarelli
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano

Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swellwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NAYS—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox

Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur

Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothenfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert

Scott, Austin	Thornberry	Westerman
Sensenbrenner	Tiberi	Westmoreland
Sessions	Tipton	Whitfield
Shimkus	Trott	Williams
Shuster	Turner	Wilson (SC)
Simpson	Upton	Wittman
Smith (MO)	Valadao	Womack
Smith (NE)	Walberg	Woodall
Smith (NJ)	Walden	Yoder
Smith (TX)	Walker	Yoho
Stefanik	Walorski	Young (AK)
Stewart	Walters, Mimi	Young (IA)
Stivers	Weber (TX)	Young (IN)
Stutzman	Webster (FL)	Zeldin
Thompson (PA)	Wenstrup	Zinke

NOT VOTING—15

Cleaver	Ellmers (NC)	Payne
Coffman	Fattah	Rush
Cole	Hanna	Takai
DeFazio	Jeffries	Velázquez
Duncan (TN)	Meeks	Wagner

□ 1207

Messrs. AMODEI, BRADY of Texas, STIVERS, DIAZ-BALART, CHAFFETZ, COSTELLO of Pennsylvania, ROKITA, FRELINGHUYSEN, RODNEY DAVIS of Illinois, Ms. GRANGER, and Mr. BISHOP of Utah changed their vote from “yea” to “nay.”

Ms. WILSON of Florida changed her vote from “nay” to “yea.”

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. COLE. Mr. Speaker, during rollcall vote No. 625, on the motion to instruct conferees on H.R. 22 by Mr. HUFFMAN of California, I was unavoidably detained and unable to cast my vote. Had I been present, I would have voted “no.”

PERSONAL EXPLANATION

Mr. TAKAI. Mr. Speaker, on Thursday, November 5, 2015, I was absent from the House due to illness. Due to my absence, I am not recorded on any legislative measures for the day. I would like the record to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted “yea” on rollcall 618, the National Defense Authorization Act for Fiscal Year 2016, as amended.

I would have voted “yea” on rollcall 619, the Schakowsky of Illinois Amendment to Senate Adt. to the Text.

I would have voted “no” on rollcall 620, the Mullin of Oklahoma Amendment to Senate Adt. to the Text.

I would have voted “no” on rollcall 621, the Burgess of Texas Amendment to Senate Adt. to the Text.

I would have voted “no” on rollcall 622, the Neugebauer of Texas Amendment to Senate Adt. to the Text.

I would have voted “yea” on rollcall 623, the Adoption of the House Amendment to the Senate Amendment to H.R. 22.

I would have voted “yea” on rollcall 624, the Motion to go to Conference on the House Amendment to the Senate Amendment to H.R. 22.

I would have voted “yea” on rollcall 625, the Motion to Instruct Conferees on the House Amendment to the Senate Amendment to H.R. 22.

PERSONAL EXPLANATION

Mr. DEFAZIO. Mr. Speaker, on November 4th and 5th, I missed the following votes due to a medical emergency. If I would have been present, I would have voted:

On vote No. 607, on agreeing to the Perry Amendment, I would have voted “no.”

On vote No. 608, on agreeing to the Mulvaney Amendment Part B Number 2, I would have voted “no.”

On vote No. 609, on agreeing to the Mulvaney Amendment Part B Number 3, I would have voted “no.”

On vote No. 610, on agreeing to the Mulvaney Amendment Part B Number 4, I would have voted “no.”

On vote No. 611, on agreeing to the Mulvaney Amendment Part B Number 5, I would have voted “no.”

On vote No. 612, on agreeing to the Mulvaney Amendment Part B Number 6, I would have voted “no.”

On vote No. 613, on agreeing to the Rothfus Amendment, I would have voted “no.”

On vote No. 614, on agreeing to the Royce Amendment, I would have voted “no.”

On vote No. 615, on agreeing to the Schweikert Amendment, I would have voted “no.”

On vote No. 616, on agreeing to the Westmoreland Amendment, I would have voted “no.”

On vote No. 617, on agreeing to the Young of Iowa Amendment, I would have voted “no.”

On vote No. 618, on Motion to Suspend the Rules and Pass S. 1365 as Amended, I would have voted “no.”

On vote No. 619, on agreeing to the Schakowsky Amendment, I would have voted “aye.”

On vote No. 620, on agreeing to the Mullin Amendment, I would have voted “no.”

On vote No. 621, on agreeing to the Burgess Amendment, I would have voted “no.”

On vote No. 622, on agreeing to the Neugebauer Amendment I would have voted “aye.”

On vote No. 623, on Agreeing to Amendments En Gros, I would have voted “aye.”

On vote No. 624, on Motion to go to Conference, I would have voted “aye.”

On vote No. 625, on Motion to Instruct Conferees, I would have voted “aye.”

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker’s approval of the Journal, which the Chair will put de novo.

The question is on the Speaker’s approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

APPOINTMENT OF CONFEREES ON H.R. 22, SURFACE TRANSPORTATION REAUTHORIZATION AND REFORM ACT OF 2015

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on H.R. 22:

From the Committee on Transportation and Infrastructure, for consider-

ation of the House amendment and the Senate amendment, and modifications committed to conference:

Messrs. SHUSTER, DUNCAN of Tennessee, GRAVES of Missouri, Mrs. MILLER of Michigan, Messrs. CRAWFORD, BARLETTA, FARENTHOLD, GIBBS, DENHAM, RIBBLE, PERRY, WOODALL, KATKO, BABIN, HARDY, GRAVES of Louisiana, DEFAZIO, Ms. NORTON, Mr. NADLER, Ms. BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. CUMMINGS, LARSEN of Washington, CAPUANO, Mrs. NAPOLITANO, Messrs. LIPINSKI, COHEN, and SIRES.

There was no objection.

The SPEAKER pro tempore. The Chair will announce the appointment of additional conferees at a subsequent time.

RESIGNATIONS AS MEMBER OF COMMITTEE ON THE BUDGET, COMMITTEE ON SMALL BUSINESS, AND COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following resignations as a member of the Committee on the Budget, the Committee on Small Business, and the Committee on Transportation and Infrastructure:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, Nov. 5, 2015.

Hon. PAUL D. RYAN,
Speaker of the House, Washington, DC.

DEAR SPEAKER RYAN: Due to my election to the Committee on Ways and Means, this letter is to inform you that I resign my seats on the Committees on the Budget, Small Business, and Transportation and Infrastructure.

Sincerely,

TOM RICE.

The SPEAKER pro tempore. Without objection, the resignations are accepted.

There was no objection.

ELECTING MEMBERS TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Ms. FOXX. Mr. Speaker, by direction of the Republican Conference, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 517

Resolved, That the following named Members be, and are hereby, elected to the following standing committee of the House of Representatives:

COMMITTEE ON WAYS AND MEANS: Mr. Brady of Texas, Chair, and Mr. Rice of South Carolina.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3403

Mr. GARAMENDI. Mr. Speaker, I ask unanimous consent to remove my name from H.R. 3403 as a cosponsor.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION FOR COMMITTEE ON FINANCIAL SERVICES TO HAVE UNTIL 6 P.M. ON MONDAY, NO- VEMBER 9, 2015, TO FILE RE- PORTS ON H.R. 1737, H.R. 3189, AND H.R. 1210

Ms. FOXX. Mr. Speaker, I ask unanimous consent that the Committee on Financial Services may, at any time before 6 p.m. on Monday, November 9, 2015, file reports to accompany H.R. 1737, H.R. 3189, and H.R. 2010.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

PROVIDING FOR AN ADJOURNMENT OF THE HOUSE

Ms. FOXX. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 91

Resolved by the House of Representatives (the Senate concurring). That when the House adjourns on any legislative day from Thursday, November 5, 2015, through Thursday, November 12, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, November 16, 2015, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

VETERANS DAY

(Mr. HOLDING asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. HOLDING. Mr. Speaker, after Mary Louise Roberts' father died during the Depression, she worked in a laundry, then she trained as a nurse. After Pearl Harbor, she joined the Army.

Two years later, she waded ashore at Anzio, Italy, to set up a field hospital on the battlefield. The hospital tent was bombed, killing three nurses. Three days later, German artillery killed two more nurses. As shrapnel tore through the burning tent, Mary Roberts calmly supervised surgeries on wounded soldiers.

Mary was called "the Angel of Anzio," and was the first woman to win the Silver Star.

Today, Mr. Speaker, all you have to do is open the newspaper to see the cruelest kind of barbarism has been reborn in the world—ISIS burns people alive and sells women in slave markets in Syria and Iraq.

On Veterans Day, let us remember Mary Roberts and all our veterans, and, by the grace of God, offer a prayer of thanks for the soldiers whose courage keeps us safe at home, every day.

□ 1215

WILLIAM C. WAGGONER

(Ms. TITUS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TITUS. Mr. Speaker, I rise to honor my friend William C. Waggoner, a legendary union leader and a tireless advocate for the hardworking men and women who have built this country.

Mr. Waggoner first joined the Operating Engineers in 1951, and he rose through the ranks to occupy the highest office in the local union, business manager, which is the position he held for 40 years. While there, he established the cutting-edge Crane Operators Training program, which became the model nationwide.

Mr. Waggoner is known as a fighter for workers and their families. He believes in fairness above all and has consistently pushed for safety in the workplace, for fair wages and benefits, and for the right to collectively bargain.

Away from the union hall, he remains devoted to his wife, Patty, and his family, and he is committed to his community of Long Beach, California. Many Little League Baseball players and children with special needs have greatly benefited from his generosity.

I humbly thank him for his tireless service, congratulate him on a career well spent, and wish him the best in retirement.

Now, don't be a stranger, Wag. You are welcome anytime in Las Vegas—a proud union town.

Mr. Speaker, I ask unanimous consent to address the House for one minute, and to revise and extend my remarks.

I rise to honor my friend, William C. Waggoner, a legendary union leader and tireless advocate for the hard working men and women who built this country.

Bill first joined the International Union of Operating Engineers in 1951 and immediately rose through the ranks, starting as a bulldozer operator before becoming a Foreman, Steward, Advisory Board Member, Business Representative, and District Representative for Southern Nevada and Orange County. In 1970 he was elected as President of IUOE Local 12, and in 1976 he was named to the highest office in the local union, Business Manager, a position he held for 40 years.

As Business Manager, Mr. Waggoner served as Trustee for Local 12's Pension, Health & Welfare, Vacation-Holiday, and Apprenticeship Trusts, and established state-of-the-art training centers, including the cutting-edge Crane Operators Training Program, which has become the model for all crane training in the nation.

In addition to his work with IUOP Local 12, Bill served as a Vice President of the California Federation of Labor, General Vice President of the International Operating Engineers, and President of the Western Conference of Operating Engineers.

Bill is known far and wide as a fighter for workers and their families. He believes in fairness above all. As his adversaries will tell you, he is an outstanding negotiator, always keeping the concerns and rights of his members at the forefront. He has consistently pushed for safety in the workplace, fair wages and benefits, and the right to collectively bargain.

Away from the union hall, Bill remains devoted to his wife Patty and his family and committed to his local community of Long Beach, California. Many Little League Baseball players and children with special needs have greatly benefited from his generosity. His awards are too numerous to mention but I know he is especially proud of being named "Man of the Year" by the Kern-Inyo Mono Counties Building Trades Council.

Jack Henning, retired Secretary Treasurer of the California Labor Federation, said Bill "represents the finest traditions of the American Labor Movement." I could not agree more. He has been there for me throughout my political career and for the working families I proudly represent.

I humbly thank him for his tireless service; congratulate him on a career well spent; and wish him the best in his retirement. Don't be a stranger, Wag. You're always welcome in Las Vegas, a strong union town.

ENSURING ACCOUNTABILITY AT THE VA

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, on November 11, Veterans Day, we will honor and remember the efforts of those who serve our country. We owe it to our veterans to keep the promises made to them when they first joined the military.

Despite bipartisan action in Congress to increase efficiency and care at the

VA, we are still suffering from a lack of transparency that makes it very difficult to determine what actions still need to be taken to ensure quality, timely care for our veterans. Now we have learned that there are over 140 investigations by the inspector general that were hidden. These investigations were shelved; they were not made available to the public or to Congress.

That is why I am supporting bipartisan legislation, the Veterans Care and Reporting Enforcement Act, which will require reports from the investigations by the inspector general to be made public, to be made available to Congress.

I want to thank my Minnesota colleagues, Congressmen TOM EMMER and TIM WALZ, for bringing this legislation forward. It will go a long way toward making the VA more accountable so that our veterans get the care that they deserve.

FAIR RATES ACT

(Mr. KENNEDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY. Mr. Speaker, last year, when an energy capacity auction increased certain rates in my region from \$1 billion to \$3 billion, I asked the Federal Energy Regulatory Commission to take a close look at those prices and determine whether they were set fairly for consumers.

During the review, FERC had only four sitting Commissioners and deadlocked at 2-2. That meant that rates went into effect "by operation of law," and consumers were left with no avenue to appeal.

To me, that is unacceptable; so I introduced the Fair Rates Act to ensure that ratepayers are guaranteed an opportunity to have their voices heard.

Unfortunately, last week, Commissioner Philip Moeller stepped down—again, leaving FERC with just four Commissioners. Without a confirmation or even a nomination for a fifth Commissioner in sight, we find ourselves in the same situation. FERC is, once again, reviewing rising rates in my region and, once again, is at risk of a deadlock that would leave consumers holding the bag.

That is why we must pass Fair Rates today. Since last year's auction, our rates have jumped another billion dollars, and \$3 billion is too steep an increase for my constituents to pay just because Congress will not act.

PASSING THE NATIONAL DEFENSE AUTHORIZATION ACT

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, I come to the floor today to commend my colleagues in the House for passing a second National Defense Authorization Act, or the NDAA.

The President's decision to veto Congress' first NDAA was nothing more than a cheap, political ploy, and it marked the first time a President vetoed the NDAA for nonpolicy reasons.

Today's NDAA authorizes funding to expand Fort Gordon to accommodate future growth, and it authorizes defense projects at the Savannah River Site, including the MOX program.

Cybersecurity is critical to the future of international warfare, and its future home in the Army is in Augusta, Georgia, at Fort Gordon. This legislation responsibly prepares Fort Gordon to house the Army Cyber Command and to protect our Nation from cyber threats in the coming years. I was happy to work with many members of the Armed Services Committee to maintain the authorization for these important programs.

Despite the President's unwarranted veto, we again fulfilled our duty to support our troops and their families, who sacrifice so much to protect our Nation.

CONGRESS MUST ACT TO STOP GUN VIOLENCE

(Mr. DEUTCH asked and was given permission to address the House for 1 minute.)

Mr. DEUTCH. Mr. Speaker, this House will be leaving today. Members will be going back to their districts. We leave after some dramatic changes have taken place in the House.

We elected a new Speaker within the past couple of weeks. There is a new, open process we have heard about. We saw much more debate this week. These are changes that affect this institution; but there is one thing that has not changed: Members of this House will be going home this weekend without this House or our committees having had any opportunity to debate ways to stop the spread of gun violence.

We are going to return home to environments where gun violence continues to plague every corner of this country; yet we cannot even have the debate here. Not only can't we have the debate, but, since 1996, there has been a prohibition on even having a study about the effects of gun violence in our communities.

Mr. Speaker, it is time for us to stop putting our heads in the sand. Congress must act. We must take our responsibilities seriously to address head-on the scourge of gun violence. We can do something about it, and it is time that we do.

HONORING OUR NATION'S VETERANS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, next Wednesday, we will observe Veterans Day, which is dedicated to the brave men and women who have served in our Armed Forces.

I believe one of the most important things we can do is to instill respect and honor among our Nation's young people for our servicemen and -women. As a part of the Veterans Day activities, the elementary school students in my hometown of Howard will learn about the contributions made by our veterans both in harm's way and here at home.

While educating our young people is important, it is also essential to make sure our veterans have the services and the support that they need. This weekend, I will be speaking with a group that is actively involved in caring for our wounded vets: the Disabled American Veterans chapter, or DAV, in Warren, Pennsylvania. The DAV provides a wide range of services, from transporting the veterans to doctors' appointments to emphasizing the need for better care, both medically and for behavior health services.

November 11 is Veterans Day, but we need to strive to make sure we remember the contributions that these men and women make every day of the year.

VETERANS RECORD RECONSTRUCTION ACT

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise today to address an issue that touches veterans in hundreds of congressional districts across this Nation.

In 1973, a fire at a U.S. Government archives facility destroyed as many as 18 million official military records. This loss has made it incredibly difficult for many veterans to prove the details of their service, and it has even prevented some from getting the benefits that they deserve. In the year since the fire, some affected files have been painstakingly reconstructed by using unofficial pieces of information, including postmarked letters and photographs, but this process can be confusing, time consuming, and costly to the veteran.

Somehow, in 42 years, no system has been established to assist these veterans—whose files were lost by no fault of their own—in reassembling their records. We simply must do better. That is why I have introduced the Veterans Record Reconstruction Act: to establish a clear set of guidelines for

reconstructing a veteran's service record when it has been damaged or destroyed.

As we commemorate Veterans Day this next week, I urge my colleagues to support this commonsense, straightforward bill so that every veteran has the opportunity to receive the benefits he or she has earned.

WHITE HOUSE INITIATIVE ON EDUCATION EXCELLENCE FOR HISPANICS

(Mr. CURBELO of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CURBELO of Florida. Mr. Speaker, I rise to celebrate the 25th anniversary of the White House Initiative on Education Excellence for Hispanics and to recognize the bright spots that have been identified in Florida's 26th Congressional District.

The initiative was established in 1990 to address educational disparities faced by Hispanic students. As part of the 25th anniversary celebration, the initiative released the Bright Spots in Hispanic Education catalog to highlight the ongoing efforts in promoting educational achievement. Recognizing these bright spots will encourage collaboration between stakeholders to promote best practices and to develop effective partnerships.

I am proud to recognize two bright spots in the district I represent. Congratulations to Florida International University's Mastery Math Lab and the STEM Transformation Institute.

The Mastery Math Lab is a high-tech, individualized approach to improving student performance in mathematics. The STEM Transformation Institute is a multidisciplinary collaboration to research and develops effective approaches to STEM education. Both of these programs have made a substantial impact to the Hispanic community in south Florida.

I am also very happy to announce other programs in the 26th District that have made commitments as part of the initiative to support educational outcomes for Latinos. These include Achieving Community Collaboration in Education and Student Success, Teach: STEM: Miami, and Experience: STEM: Miami.

PASSING THE NATIONAL DEFENSE AUTHORIZATION ACT

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, thank you to President Obama for working with us to get a real defense authorization bill and for us to be able to fix the broken defense bill that was passed previously in this House. I was prepared to sustain the veto, but

through a very instructive and positive budget resolution that we passed just last week, we have been able to plus up the defense, and we have been able to plus up nondiscretionary defense spending.

Today, I voted for the defense authorization. Included were amendments that I offered that were sustained in the conference report which require the Department of Defense to conduct outreach programs to assist the concerns of small businesses that are owned and controlled by women, veterans, and socioeconomically disadvantaged minorities.

In addition, my amendment, which provides guidance to the Secretary of Defense in identifying HBCUs and minority-serving institutions and to assist them in developing and enhancing science, technology, engineering, and math, was also kept in the bill.

Finally, my amendment, which requires the Department of Defense to evaluate commercial, off-the-shelf business systems for security, resilience, reliability, interoperability, and integration with existing interrelated systems, was also incorporated.

So, in protecting the security of the defense mechanisms, in providing opportunities for small businesses, and in working with Historically Black Colleges and minority-serving colleges, this bill is a good bill.

I, again, support the fact that we are moving the defense bill forward and that we are protecting not only our veterans, but we are protecting the men and women who serve us in the United States military.

ACTION FOR DENTAL HEALTH: DENTISTS MAKING A DIFFERENCE

(Mr. SIMPSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SIMPSON. Mr. Speaker, I rise today in support of creating access to oral health care and to raise awareness for initiatives that deliver important dental services to underserved communities.

This year, more than 75 million Americans won't visit a dentist, even though nearly half of the people over 30 suffer from some form of gum disease and an estimated 25 percent of children under the age of 5 already have cavities.

It is time to take action.

That is why the American Dental Association launched Action for Dental Health: Dentists Making a Difference. This initiative is a nationwide, community-based movement that is focused on delivering care to people who are already suffering from dental disease, and on bringing dental health education and disease prevention into underserved communities.

This Sunday, the American Dental Association will transform the Walter

E. Washington Convention Center into a Mission of Mercy—a 100-chair dental clinic—in order to treat 1,000 adults and children who don't receive regular dental care.

We can grow support for initiatives like these through H.R. 539, the Action for Dental Health Act, which will help dentists and others improve the health of Americans who need it most but without requiring any additional tax dollars. I urge my colleagues to support H.R. 539.

□ 1230

TRI-VALLEY YMCA

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute.)

Mr. SWALWELL of California. Mr. Speaker, I rise to recognize the Tri-Valley YMCA, which on November 6 will be celebrating its 50th anniversary.

Since 1965, the Tri-Valley YMCA has been strengthening the communities of Dublin, Pleasanton, Livermore, and Sunol through its youth development, healthy living, and social responsibility programs. Among these is its work to promote our children's confidence and relationships, positive leadership, civic engagement, and community compassion. Through child learning centers, camp programs, Youth in Government, and family support programs, the Y is providing enriching education and life experiences for all children and teens in our community.

One of the most noteworthy commitments of the Y is that all of its programs and activities are open to everyone, regardless of the family's ability to pay. Led by Executive Director Kelly O'Lague Dulka, the Tri-Valley YMCA has also extended its community giving and distributed nearly \$1 million in household supplies last year.

Beyond personal character development, the Y has become a valuable safety net in my district, nurturing the potential of all children involved in their activities, helping people of all ages improve their health, and providing opportunities for the community to come together and support each other.

Congratulations to the staff and board of directors of the Tri-Valley YMCA for 50 years of selfless giving to our community.

NATIONAL APPRENTICESHIP WEEK

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, today I rise to recognize the inaugural observance of National Apprenticeship Week. Across the United States, hundreds of thousands of apprenticeship programs

are helping to prepare workers for today's high-skilled, in-demand jobs.

For far too long, there has been a discrepancy in what students are learning in the classroom and what employers say they need in the workplace.

Apprenticeships are key to narrowing that skills gap because they offer students a low-cost and, in many cases, a no-cost education that arms them with the knowledge and skills they need to thrive in today's global economy. Apprentices often earn an average starting salary of \$50,000 and go on to make \$300,000 more than their nonapprenticeship peers over the course of their career.

Employers who invest in these work-based learning programs are attracting and retaining highly qualified employees. They are also seeing results in the form of increased productivity and greater innovation.

Apprenticeships can change lives, and I look forward to seeing how these valuable programs continue to strengthen America's workforce.

2015 WORLD SERIES CHAMPION, KANSAS CITY ROYALS

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I rise today to congratulate the 2015 World Series champion, the Kansas City Royals.

Some of my fondest memories growing up come from listening to the Royals play-by-play on the radio while riding with my dad in his tractor as he plowed our family field at dusk.

This year's playoffs run was filled with many exciting moments that will inspire lifelong memories for a new generation. It was particularly exciting for my family, as my wife delivered a beautiful baby girl, Eloise Jane, just hours after the Royals' World Series victory.

Perhaps the most memorable moment for all of Kansas City was Eric Hosmer making a mad dash home to score in the 17th hour and 38th minute of the World Series, tying game five in New York, which the Royals would eventually go on to win.

Mr. Speaker, this Royals team was backed by a proud and unified Kansas City, unifying both Kansans and Missourians. And these Royals embodied the Midwestern spirit. They worked hard, played as a team, always hustled, and never gave up.

So, Mr. Speaker, on behalf of the House of Representatives, and for the first time since 1985, I would like to say congratulations to the best team in baseball, the Kansas City Royals, and their Most Valuable Player, Salvador Perez.

ADJOURNMENT FROM THURSDAY, NOVEMBER 5, 2015, TO MONDAY, NOVEMBER 9, 2015

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that when the House adjourns today on a motion offered pursuant to this order, it adjourn to meet at 2 p.m. on Monday, November 9, 2015, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 91, in which case the House shall stand adjourned pursuant to that concurrent resolution, and, further, that the order of the House of January 6, 2015, regarding morning-hour debate not apply on Monday next.

The SPEAKER pro tempore (Mr. MOOLENAAR). Is there objection to the request of the gentleman from Georgia?

There was no objection.

PERSONAL EXPLANATION

Ms. JACKSON LEE. Mr. Speaker, I was unavoidably detained on November 2, 2015, through November 3, 2015. Had I been present, I would have voted as follows:

On rollcall vote No. 582, I would have voted "aye."

On rollcall vote No. 583, I would have voted "no."

On rollcall vote No. 584, I would have voted "no."

On rollcall vote No. 585, I would have voted "aye."

On rollcall vote No. 586, I would have voted "aye."

On rollcall vote No. 587, I would have voted "no."

On rollcall vote No. 588, I would have voted "no."

On rollcall vote No. 589, I would have voted "aye."

On rollcall vote No. 590, I could have voted "aye."

On rollcall vote No. 591, I would have voted "aye."

On rollcall vote No. 592, I would have voted "aye."

On rollcall vote No. 593, I would have voted "no."

WORKFORCE DEVELOPMENT PROGRAMS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 60 minutes as the designee of the majority leader.

Ms. FOXX. Mr. Speaker, ensuring Americans are capable of filling the skills gap and finding quality jobs through stakeholder-led and accountable workforce development programs has been one of my highest priorities in Washington.

That is why I was so proud last Congress to see legislation I sponsored, the Workforce Innovation and Opportunity

Act, or WIOA, enacted into law. WIOA was the first major workforce development legislation to be enacted in more than 15 years and included many vital provisions to modernize, streamline, and localize our workforce development system.

The highway bill that passed the House earlier today included a front-line workforce development program intended to address human resources needs in public transportation that was not subject to the reforms contained within WIOA.

In order to ensure that program is assessed consistently with other Federal workforce development programs and targeted to areas that have identified needs in public transportation as part of their broader workforce development programs, I introduced a bipartisan amendment to the highway bill with my colleague from Washington (Ms. DELBENE) that applied WIOA's performance measures and coordination reforms to the program.

All of our Federal workforce development programs should be assessed in a consistent manner and be considered as part of an overall package tailored to State and local needs that provide stakeholders on the ground greater input and control. That is why I am also pleased the House adopted our bipartisan amendment as part of the broader transportation package and strengthened the frontline workforce development program in order to better serve the workers who learn skills through the program and those policymakers who evaluate the programs to improve its future outcomes.

Mr. Speaker, I yield back the balance of my time.

WORKING TOGETHER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Georgia (Mr. WOODALL) is recognized for the remainder of the hour as the designee of the majority leader.

Mr. WOODALL. Mr. Speaker, everyone has gone back to their offices but you and me, and I appreciate you sticking around to get this hour in. It is not going to be an exciting hour. Ordinarily, I bring down charts and graphs and try to share something in a visual way that folks might not have seen before. Today, it is just words, because words matter.

Mr. Speaker, we have just finished in this Chamber this fantastic—you have heard me say it—it was a festival of democracy. Every Member who had an amendment, they brought them to the Rules Committee. We made over a hundred of them in order. It has been 3 days, Mr. Speaker, and we passed in a very bipartisan way Federal transportation policy for the first time in more than a decade. Democrats had failed to get it done. Republicans had failed to get it done.

We, as 435 individual Members representing diverse constituencies across the Nation, came together today and we got it done. They said it wouldn't be done. Chairman BILL SHUSTER said it could be done. Ranking Member PETE DEFAZIO of Oregon said it could be done, and we did it.

Something has happened, Mr. Speaker, in this town that has people identifying as Democrats or Republicans first and as Members of this body, of the Article I legislature, second. It is bad. It is bad for the country, and it is bad for the people we represent. It is a bad process.

Mr. Speaker, that is what I want to talk about today. You can't see the chart that I have here, but it is a quote from President Obama—you will remember it—back in August of 2013.

You will remember we worked together with the President. Nine different times, we repealed portions of the President's healthcare bill. We repealed them. They were unworkable. He knew it. We knew it. We came together nine times. He signed legislation into law that repealed parts of the President's healthcare bill.

It was the summer of 2013 and we were talking about how to come together on some of the bigger problems in the President's healthcare bill. You remember the mandates were getting ready to go into effect—the business mandates, the individual mandates—and the country wasn't ready. The country was not ready. We all knew it. Every Member, from left to right, Mr. Speaker, knew it.

The President held a press conference and he said this:

In a normal, political environment, it would have been easier for me to simply call up the Speaker and say: You know what? This is a tweak that doesn't go to the essence of the law. It has to do with, for example, are we able to simplify the attestation of employers to whether they are already providing health insurance or not. It looks like there may be some better ways to do this. Let's make a technical change to the law.

The President goes on to say, Mr. Speaker:

That would have been the normal thing that I would prefer to do, but we are not in a normal atmosphere around here when it comes to ObamaCare.

The President says:

We did have the executive authority to do so, and we did so.

Mr. Speaker, this was from that very contentious time trying to solve problems for the American people, again, problems the White House knew existed and problems the Congress knew existed.

The President says:

You know what? If it was ordinary times like any time in the past 225 years, I would have called the United States Congress and I would have said: "Listen, the Constitution gives you Article I powers to legislate, and I need a legislative change made because the law is not working."

He didn't, and he said he didn't, and he said he wasn't going to. He said he was going to go it alone. The dis-appointment in that decision, in this body, was very partisan, Mr. Speaker. It was very partisan.

I don't know how we get past the allegiance to the President because he is from our party. Republicans did this when George Bush was in office. Democrats are doing this when President Obama is in office. It is not about who the President is. It is about what the President does.

What the President does is implement the laws that we pass. He doesn't change the laws. And every time we fail on behalf of our constituents to stand together as 435 Representatives of the people and instead become Representatives of the Republican Party or the Democratic Party, we fail America.

Mr. Speaker, what I have here is the chart of the Supreme Court decision in the *NLRB v. Noel Canning* case. You may remember that one. I had just gotten to Congress, Mr. Speaker. I had just gotten to Congress.

The President was talking about making appointments. As you know, the Advice and Consent Clause of the Constitution says the President can make appointments, but he needs to get the consent of the Senate to do so. Well, the Senate wouldn't give him consent.

So while the Senate was away for a day, the President went into the Recess Appointments Clause of the Constitution. In fact, we got a big letter from the legal department there at the White House that said he had the powers to pretend that the Senate had adjourned for the session and to go ahead and make appointments anyway.

□ 1245

The protest, Mr. Speaker, of the President usurping congressional authority was partisan. Republicans said no. Democrats said: Ah, he probably has the right to do it anyway.

We didn't stand up for the people we represent. We didn't stand up for the Constitution we swore to uphold, Mr. Speaker. We divided ourselves by party instead of uniting ourselves on principle.

We had to go to the Supreme Court, Mr. Speaker. The Supreme Court can't decide on anything unanimously, Mr. Speaker. If the question is: What time are we going to meet today to talk about cases?, it is a 5-4 decision. You know this to be true.

But the Supreme Court came together in *Noel Canning* and said: That's crazy. That's crazy. The President of the United States can't just pretend he is king. He is not the king.

I am paraphrasing when I say that, Mr. Speaker, but to quote the Supreme Court decision, they said this:

Regardless, the recess appointments clause is not designed to overcome se-

rious institutional friction. It provides a subsidiary method for appointing officials when the Senate is away during a recess. Here, as in other contexts, friction between the branches is an inevitable consequence of our constitutional structure.

Friction between the branches, Mr. Speaker, is an inevitable consequence of our constitutional structure. That makes me feel good. It makes me feel good because, Mr. Speaker, I go back home all the time and constituents say: ROB, why can't you get more done? Why can't you get more done?

Well, it turns out it is because of this. It is because of this Constitution that says, listen, if Congress is at work, your liberties and your freedoms may be under attack. Right?

What we do here isn't generally to give freedoms back to people. Generally what we do is to restrict freedoms a little bit here. We want it to be slow. Here in the House, we are a little faster. There in the Senate, they are supposed to be a little slower, Mr. Speaker. But it is supposed to be hard. It is supposed to be the inevitable consequence of our constitutional structure.

But, Mr. Speaker, this body—not Republicans in this body, not Democrats in this body—collectively was silent as power flowed down Pennsylvania Avenue, away from the Article I legislature down to the Article II executive. It took the Article III courts, Mr. Speaker, to right our constitutional framework. Shame on us. Shame on us, collectively, for not standing up.

Mr. Speaker, my constituents are frustrated by the pace of progress in this town. They are frustrated by what looks like the politics that are being played here, Mr. Speaker, when policy should be our focus.

I think it is up to us to educate folks, to proudly say it is the inevitable consequence of our constitutional structure, but when we stand together—as we have this week on this transportation bill—there is still more that unites us as a country than that divides us.

Environmental leadership, Mr. Speaker, is one of those areas of overreach that this particular White House is aggressively engaged in. Again, the pushback has been partisan pushback. It has not been Article I legislative pushback, as it should.

I want to go back to some prior Presidents, Mr. Speaker. I will look at Republican Presidents. I am a Republican. I will look at what it looked like when Republicans were running the show in the White House.

The EPA was signed into law by Richard Nixon, Mr. Speaker. On the creation of the EPA, President Nixon said this:

The reorganizations which I am here proposing afford both the Congress and the executive branch an opportunity to reevaluate

the adequacy of the existing program authorities involved in these consolidations. I look forward to working with the Congress in this task. The Congress, the administration, and the public all share a profound commitment to the rescue of our natural environment.

Richard Nixon had a calling when it comes to the environment, Mr. Speaker. He had a calling. He didn't say:

I am the President of the United States. I am just going to rewrite the entire environmental code and dictate that it is the law of the land.

He came to Congress and said:

Protecting our natural resources is a shared American value. It is a shared American value. I am going to go to Congress. I am going to win the votes. We are going to change the law, and we are going to make it so.

The Clean Air Act, Mr. Speaker, was signed into law in 1990 by President George H.W. Bush. He said this:

Today I am signing S. 1630, a bill to amend the Clean Air Act. I take great pleasure in signing it as a demonstration to the American people of my determination that each and every American shall breathe clean air. Passage of this bill is an indication that the Congress shares my commitment to a strong Clean Air Act.

How do you know, Mr. Speaker, if Congress shares your commitment if you don't bring the language to Congress to have Congress ratify it? The President can propose all the legislation he wants to. We still have to pass it. If our frustration about results allows us to let folks shortcut the constitutional process, we will all—330 million of us—suffer.

I remember when President Reagan was trying to raise the gas tax, Mr. Speaker. I talk about that because we were talking about the transportation bill this week and transportation funding this week. He stood on the lawn, Mr. Speaker, there beside the Rose Garden, and he says:

We deserve a world class infrastructure in America, and I propose that we double the gas tax.

Yes, this is conservative Ronald Reagan talking about doubling taxes in order to build America. America didn't agree with him; yet, he went out there and sold it.

How did we get fundamental tax reform in this country, Mr. Speaker, in 1986? The country wasn't ready for fundamental tax reform. The Congress couldn't agree on fundamental tax reform. Ronald Reagan took it out there and sold it every single day until he got it done. That is what is supposed to happen. We work together to accomplish these priorities. Past Presidents have done exactly that.

Mr. Speaker, it hasn't been 2 weeks ago we were in here talking about the President's overreach on the Department of Labor fiduciary rule. You remember that bill. We had it here on the floor of the House, Mr. Speaker, where the President just decided, through the

Department of Labor, that long-standing investment law, as determined by the SEC, was no longer going to be the law of the land, that the Department of Labor was going to take on some new rulemaking authorities in this area.

The President wanted to make some changes. Congress didn't want to make changes. The President said this:

What I won't accept is the notion that there is nothing we can do. So we are going to keep pushing for this rule.

Keep pushing, Mr. Speaker, didn't mean come to Congress to sell you and to sell me. Pushing didn't mean go to the United States Senate to build a coalition. Pushing meant ignoring the Congress and going straightaway.

Now, I point this out as a success, Mr. Speaker. I point this out as a success because our opposition to this wasn't partisan. Our opposition to this, Mr. Speaker, was bipartisan.

I have here a letter from September, Mr. Speaker, signed by 90 Democrats that said:

Mr. President, don't do this. Don't do this. This is not the proper path forward.

The plurality of the Democratic Caucus here said:

Mr. President, don't go forward. The President drove forward anyway.

Mr. Speaker, the times that I have seen the President change his mind in my 4½ years in Congress have not been because of my persuasive oratory or even by the strength of this institution. It has been because the American people have spoken.

When the American people speak, the President is a good listener. What the President is hearing today is the ends justify the means. I need results. And so however you get those results, Mr. President, I will be behind you.

We are starting to turn that corner, Mr. Speaker, because I promise you, whatever is good for Democrats today is going to be bad for Democrats tomorrow. Whatever is bad for Republicans today is going to be good for Republicans tomorrow.

The parties will change. The political environment will change. But when you short-circuit the process, the short-circuiting lasts forever. We change expectations of the American people. We change expectations of what the Constitution means, Mr. Speaker. I applaud 90 of my Democratic colleagues standing with this Congress saying:

Mr. President, don't go it alone.

Mr. Speaker, this isn't something that I am just coming up with out of thin air. When the President wasn't President Obama, when he was Senator Obama, he had these same concerns.

He spoke out time and time again about overreaches of President George Bush. Oftentimes he spoke out alone. Republicans weren't standing with him to speak out because it was a Republican President.

Republicans said:

You know what. I want to support my President. So even if he is coloring outside the lines a little bit, it is probably important to the country that he do so. That is a failure. That is a failure because our primary job here is not to be Republicans and Democrats. Our primary job here is to be Article I Representatives of the American people.

The President said this on immigration. He's talking at a Univision town-hall meeting in 2011, Mr. Speaker. He said:

This does not mean, though, we can't make decisions, for example, to emphasize enforcement on those who have engaged in criminal activity.

This was the beginning of his program.

But he goes on to say:

It also doesn't mean that we can't strongly advocate and propose legislation that would change the law.

Time and time again, folks would ask him to do what he could as the executive to change immigration law, and he would say:

Listen, I'm not the king. I am the President. The Congress has to change the laws. I can only enforce the laws.

He was right. He was right each and every time that he said that. The administration can propose, but we have to implement.

Fast-forward to about this time last year, Mr. Speaker, and the President says this:

And to those Members of Congress who question my authority to make our immigration system work better or question the wisdom of my acting where Congress has failed, I have but one answer: Pass a bill.

Pass a bill, he says.

In the meantime, I am just going to do things the way I want to do things.

That is the opposite of the "I am just a bill sitting here on Capitol Hill" song that we all learned as children, Mr. Speaker. The bill comes first. The law change comes last. After the President signs the bill, it becomes the law. We have to propose it first.

How many meetings have you had with the President, Mr. Speaker, where he is pushing his immigration agenda, trying to get you to buy in to his bill? The answer is zero because he doesn't have a bill and he hasn't been knocking on any of our doors. And my Democratic friends would say the same.

How many meetings with the President have you had, Mr. Speaker, where the President is trying to persuade you about his fiduciary rule and why that change is important for America and why we should move that bill forward? The answer is zero because he has never come to Capitol Hill to make that pitch. He is not making it to Democrats, and he is not making it to Republicans. He is going it alone.

How many times has the President come and knocked on your door, Mr. Speaker, to try to sell you on his ozone regulations or his clean energy plan

and on and on and on? And the answer is he hasn't. And we have been complicit in allowing that unilateral action. It is bad for America. It is not the process that our Framers envisioned.

This is what the President said on immigration. It is that same Univision townhall meeting. The question was:

Mr. President, my question will be as follows. With an executive order, could you be able to stop deportations of students?

Mr. Speaker, I am not down here talking about immigration policy today. I am not. Our immigration system is broken. I represent constituents, Mr. Speaker, who have had family members on the list not for 5 years, not for 10 years, not for 15 years, but for 20 years, and more are standing in line waiting for their chance to come to America. Our system is broken.

I have employers who want to build in our district. They can't get the people they need from their home countries to come and manage those operations. Our system is broken. We all know it. We have a chance to fix it.

But when the President goes around the Congress, he doesn't fix it. He breaks it further. He says this:

With respect to the notion that I can just suspend deportations through executive order, that is just not the case because there are laws on the books that Congress has passed. And I know that everybody here at Bell is studying hard. So you know that we have got three branches of government. Congress passes the law. The executive branch's job is to enforce and implement those laws. And then the judiciary has to interpret the laws.

□ 1300

The President says:

There are enough laws on the books by Congress, the President says, "that are very clear in terms of how we have to enforce our immigration system that for me to simply through executive order ignore those congressional mandates would not conform with my appropriate role as President."

Mr. Speaker, the words of President Obama:

There are enough laws on the books by Congress that are very clear in terms of how we have to enforce our immigration system that for me to simply through executive order ignore those constitutional mandates would not conform with my appropriate role as President.

That was March 2011. You wouldn't know that is what he believed in November of 2015.

Mr. Speaker, what happened in those 4 years? I will tell you. What has happened is we have been silent as a body. We have been vocal as Republicans, we have been vocal as Democrats, but we have been silent as a representative body.

Article I of the Constitution says it is our job to legislate and it is our job to rein in those Presidents who would legislate on our behalf.

What our Framers feared, Mr. Speaker, was an all-powerful executive. That

is what they had come from. That is what we should fear today, not a Republican President, not a Democratic President, but an all-powerful President. Congress passes the law. The President enforces them.

Mr. Speaker, if you want to know the outcome of that overreach, if you want to know where Congress is, again, the President is not on Capitol Hill selling those priorities. He is simply down in the executive branch with a phone and a pen implementing those priorities. But if you want to know what the other two branches of government think, the judiciary said no and the Congress said no.

There is no confusion about where the different branches of government are. We have one branch that is saying yes. That is the executive, who has no lawmaking authority whatsoever. We have two branches saying no, the branch that makes the law, which is the legislative branch, and the branch that interprets the law, which is the judiciary branch.

We are united in the noes, but what we are not united on is the yeses.

We talk about bipartisan in this Chamber, Mr. Speaker. It is always striking to me that what is bipartisan is the opposition to the Presidential overreach. That is what is bipartisan.

Sometimes the support for it is partisan, with a minority of folks supporting the President on that. It is bipartisan in its—disdain is too strong of a word, Mr. Speaker, but in some ways, it is not strong enough. It is that we owe our constituents better. It is that we owe them better.

My voting card has my name on it, Mr. Speaker, but it is not mine. It is borrowed from the Seventh District of Georgia. It doesn't belong to me. It belongs to 700,000 folks back home who didn't send me here to satisfy my priorities. They sent me here to satisfy their priorities.

I don't believe that, as a Nation, Mr. Speaker, we believe the ends justify the means. I hope that we don't. I hope that we have not fallen so far, Mr. Speaker, that we now believe the Constitution, the rule book for America, is less important than what the results are.

Anybody involved in manufacturing, Mr. Speaker, knows that, if you have a flawed process, you are going to produce a flawed product. Only with a good process can you produce a good product. The Constitution gives us a good process. When we ignore it, we have a flawed process and a flawed product.

I will go to the President's environmental policies, Mr. Speaker.

I want to make it clear: I represent a district that plays outside. I would argue, more than any other district in the country. If you want folks that love clean air and clean water, come down to my part of the world. If you

want folks who are stewards of Mother Earth, come down to my part of the world. If you want folks who love green space, who love parks, national trailways and bikeways, come down to my part of the world. We love being outside. We will ride a bike. We will push a stroller. We don't care. We just want to be outside.

And so, if the President came to me and said: "Rob, Mother Earth is in peril. I need you to work with me to solve that problem," I would be the best listener you could imagine. But that is not the way the process is working in the 4½ years I have been in Congress, Mr. Speaker.

The President's Clean Power Plan is shutting down power plants in the great State of Georgia, Mr. Speaker. It is the position of the administration to protect Mother Earth. We are going to close down the power plants that we have just spent billions of dollars improving to meet the last round of environmental regulation. And then, with those power plants closed down, we are now going to spend billions more to build brand-new facilities to generate electricity.

I promise you that is not going to result in fewer emissions in the atmosphere than if we let these plants run out their useful life with all of the improvements that have gone upon them. But we didn't get to vote on that, Mr. Speaker. We didn't get to vote on that. That was an executive decree.

We have the Waters of the U.S., Mr. Speaker. Well, when it was a bill, we rejected it. It is the initiative from the White House that said the framework we have had in this country for 100 years of the Federal Government controlling navigable waterways and the State governments controlling the other waterways is gone.

If a drop of water falls, it is now the Federal Government's responsibility to regulate. Why? Because, apparently, we can't be trusted back in Georgia to take good care of our natural resources. Nonsense.

Mr. Speaker, my district sits on a continental divide. We have built a billion-dollar water treatment plant where we are putting the water back into our local lake cleaner than we took it out. While half the district's on the other side of the continental divide, we know that the Chattahoochee River Basin is in a water deficit. So we spend beaucoup money pumping the water back up from one side of the continental divide so that we can let it go in the basin that needs the water so badly.

We are stewards, Mr. Speaker. We are not stewards with your money. We are not spending somebody else's money on these projects. We are spending our money on these projects because we believe in taking care of America's natural resources.

The President, not through selling it to Congress, not through selling it to

the American people, but with a pen and the phone federalized water across the board. Where was the bipartisan outcry? It was lacking.

And, finally, the revised Ozone Air Quality Standards, Mr. Speaker. If you are confused, it is that we never got the last round of ozone standards implemented. Those still haven't gone into effect yet. The President has dropped a new round of ozone standards on America not because Congress worked on it—we didn't—not because Congress passed something—we didn't—but because the President thought it was important and he wrote the law for himself.

How does Congress feel about this? Well, it turns out Members of this body said:

If this is the direction the President wants it to go, let me make this pitch to Congress and see if the Congress agrees with the President.

Carbon emissions, cap-and-trade, Clean Power Plan: Rejected. Waters of the U.S.: Rejected. Ozone standards: Rejected.

It is not that Congress hasn't spoken on these issues. We have, Mr. Speaker. We have. It is not that the President doesn't know what the Article I Congress wants. He does.

He just doesn't like what the Article I Congress decided. And so he has decided to do it himself. And we have been complicit in allowing that to happen. It is not even we, the 435 of us, Mr. Speaker. It is we, the 320 million of us. And there is going to be a price to pay for that.

Mr. Speaker, Congress is active on these issues. It is not as if folks in this body don't care. They care deeply.

We passed the REINS Act, Mr. Speaker, to say:

Listen, if the President is going to start doing some rules on his own, we need to come back and review those after the fact in Congress.

It passed 243-165.

We had the Regulatory Integrity Protection Act for those jurisdictions like mine where the local governments are taking such good care of our natural resources, trying to protect their right to continue to protect our local natural resources. It passed 261-155.

The Ratepayer Protection Act said:

For Pete's sake, it hasn't been 5 years since you told us to spend billions to make these power plants workable for the next generation. Now you are telling us we have to close these power plants.

That can't possibly be the right way for America to get clean energy. It can't possibly be the right way to be stewards of taxpayer dollars. We passed that bill 247-180.

The EPA Science Advisory Board Act said:

We have got to get together on the science. If we can't figure out what the facts are, we are never going to agree on what the solution is. So let's have a standard for what

good science looks like that we can all rally together around.

It passed here in the House.

Mr. Speaker, folks aren't confused about where the Congress is on this issue. The President is not confused about where the Congress is on this issue. The President believes the ends justify the means.

Article I: Congress passes the law. Article II: The White House enforces the law. Article II: The judiciary interprets the law.

Well, the judiciary had a chance to do a little interpreting. It had a chance to look at the Waters of the U.S. and the clean water issue, and the court said this. This is the Sixth Circuit Court of Appeals:

What is of greater concern to us in balancing the harms is the burden potentially visited nationwide on governmental bodies, State and Federal, as well as on private parties, and the impact on the public in general implicated by the rule's redrawing of jurisdictional lines over certain of the Nation's waters.

The court says:

Wait a minute. We are worried about the impact on America.

I don't want the court to be worried about the impact on America. I want the court to be worried about what the law of the land is. I want the Congress to be worried about the impact on America. I want the President to be listening to Congress and enforcing the laws that Congress passed.

It has taken the courts to say:

Mr. President, you have gone a bit to too far.

The court goes on and says:

The sheer breadth of the ripple effect caused by this rule's definitional changes counsel strongly in favor of maintaining the status quo for the time being.

It is still being litigated. The court says the detrimental impact of this new rule that Congress has never seen, except in the form that we rejected it, the damage to America is so severe, we are going to issue an injunction to prevent the President from going forward.

Mr. Speaker, it gives me no pride to have nine Justices in robes running the United States of America. Americans elected a President to implement the law and they elected a Congress to write the law. We should be doing that together. We found ourselves powerless in doing that, asking the courts to solve that issue instead.

The courts go on:

But neither is there any indication that the integrity of the Nation's waters will suffer imminent injury if a new scheme is not immediately implemented.

They said:

I don't know what it is the President is trying to solve here, but there is no harm coming. There is time to sort this out.

Now, they mean time to sort it out in the courts. What about time to sort it out in the Congress, Mr. Speaker?

Who is it who loves the Waters of the U.S. bill? If they do, they should come

and make their pitch. The President should come and make his pitch. When was the last time you saw him on the TV selling the Waters of the U.S. bill, Mr. Speaker? The answer is that you haven't seen him on TV selling it. He is not selling it. He is just doing it.

When have you seen him selling the ozone standards? The answer is that he is not selling it. He is just doing it. And the list goes on.

Mr. Speaker, we have to ask him to get out there and sell it. Your job as President isn't just to do it. Your job as President is to get the Congress to allow you to do it, to sell the American people, who will sell the Congress, who will change the law of the land.

Mr. Speaker, I don't know if you know Laurence Tribe. He is a Harvard law professor. In fact, he was President Obama's constitutional law professor. I would not call him a conservative by any stretch of the word, at least not in political terms, but perhaps constitutionally.

Laurence Tribe says this about the President's Clean Power Plan. He says:

To justify the Clean Power Plan, the EPA has brazenly rewritten the history of an obscure section of the 1970 Clean Air Act. Frustration with congressional inaction cannot justify throwing the Constitution overboard to rescue this lawless EPA proposal.

Mr. Speaker, I want you to follow that rationale. This isn't something that has snuck up on us here in the past few weeks, here in the past few months, here in the past few years.

The President dug deep into a 45-year-old law and said:

It appears to me we have misunderstood this law for the past 45 years.

□ 1315

We have misunderstood it. And apparently, 45 years ago, we absolutely made an effort, through Congress and the White House, to give the President the authority, in fact, the obligation, to rewrite America's energy laws in this fashion.

Nonsense. Nonsense. The President is a constitutional law professor. Frustration with congressional inaction cannot justify throwing the Constitution overboard to rescue this lawless EPA proposal.

I get the frustration with congressional inaction. Mr. Speaker, I get it. If we had frustration meters around here, mine would be ticking up near the top. But my experience is, the way to address that frustration isn't to take my toys and go home. The way to address that frustration is to find somebody on the other side of the aisle who I think I can trust, who I think I can talk to, who I think I can listen to, and to work together to find an answer, to work together to find a solution.

What is absent in all of these proposals that I have listed, Mr. Speaker, is anyone working together to make this proposal the law of the land. The

only working together that is happening, Mr. Speaker, are folks working together to prevent these proposals from being the law of the land.

Process matters. Process matters.

Mr. Speaker, I am going to finish close to where I began. I was a new Congressman, had just been elected, 700,000 people in the great State of Georgia counting on me to be their voice, counting on me to succeed on their priorities.

Right out of the gate, the President says:

You know what? I have been trying to get the people I want appointed to a board, and the Senate won't do what I want them to do; and because the Senate won't do what I want them to do, I am going to do it by myself.

When did that become okay, Mr. Speaker?

We suffer from a little of that here. The House won't do what I want it to do, so I am going to take my toys and go home. The House won't do what I want it to do, so I am going to gum up the works and shut down the process. The House won't do what I want it to.

Well, guess what? In a representative democracy, nobody does what you want him to do, Mr. Speaker. You have got to go out and find 51 percent of America to agree with you, and that is when you get things done.

I do not fault the President for his policies, though I disagree with him on them. I fault him for implementing those policies unilaterally, unconstitutionally, instead of going out and selling America on them.

That is what is so great about this institution, Mr. Speaker. If you have the votes, you don't have to fuss about it.

Folks come down to the House floor, gnashing of teeth, tearing of clothes, self-flagellation going on here on the floor on a regular basis. If you have the votes, you don't have to make a scene. You have just got to go out and win the votes. You just have to go out and win the argument. If you win the argument, the law will change.

Mr. Speaker, America works. America works. The Constitution works. You just have to follow it. You just have to believe in it. You have to believe in the Constitution. You have to believe in the American people that it governs.

So, 9-0, the Supreme Court told the White House and its entire legal team that crafted a too-cute-by-half explanation of why this was all going to be okay and roses and sunshine, hunkydory, 9-0 the Court said no. No, that is not what the President does. That is not what the White House does. That is not what you are allowed to do in America. Regardless, the Supreme Court says the Recess Appointments Clause is not designed to overcome serious institutional friction.

Mr. Speaker, we have serious institutional friction. I don't bemoan this. I

celebrate it. I think friction was part of the process. It turns out the Court agrees with me.

They go on to say it simply provides a subsidiary method for appointing officials when the Senate is away during a recess; hence, the term "Recess Appointments Clause."

Here, as in other contexts—in other contexts, Mr. Speaker—are all of these other issues the Court now has on their plate from executive overreach. Here, as in another context, friction between the branches is an inevitable consequence of our constitutional structure.

Mr. Speaker, I am just one vote in a 435-Member institution, but my constituents would place that one vote on the side of being the Article I legislature rather than on the side of being the best Republican America has ever seen. My constituents would ask me to place that vote on the side of being the legislative branch, that institution from which the ideas percolate, that part of the U.S. House that is closest to the American people. They would ask me to pledge to be a part of this institution, not the Republican National Committee, not the National Republican Congressional Committee, not the Democratic Congressional Campaign Committee, not the Democratic National Committee.

Mr. Speaker, we have an amazing opportunity and a solemn obligation in this institution. My commitment is to be a good listener to all the policy concerns my colleagues have on the other side of the aisle.

Mr. Speaker, I will be a good listener. I may not agree with you, but I will give you a chance to sell me.

But we have to be united on behalf of all of our constituents back home in saying that the Constitution gives only one branch the ability to write the law, and that is the Article I legislature.

When we ignore the President, Mr. Speaker, we do so at our own peril, at our institutional peril. When the President ignores the Congress, he does so at his own peril, at executive branch institutional peril.

I was on the elevator with one of the great leaders of this institution, Mr. Speaker, Mr. John Dingell out of Michigan, and he was on the elevator. A young Democrat climbed on the elevator with him. The young Democrat was complaining that he didn't have a personal relationship with the President. He said: I don't get to see enough of the President. The President is not on Capitol Hill enough.

Mr. Dingell said: Well, son, be careful what you wish for. Remember LBJ. We had LBJ over at the Library of Congress, a book study just this week.

Different Presidents handle their relationship with Congress in different ways. Some are involved too much, some are involved not enough, but everyone is involved.

Mr. Speaker, this is supposed to be a battle of ideas, not a battle of ideologies. This is supposed to be a battle of policy, not a battle of partisans.

This is supposed to be an opportunity to succeed on behalf of folks back home; and I will tell you, it is an opportunity that we are losing when we unite ourselves based on red and blue as opposed to uniting ourselves based on Article I and Article II.

Mr. Speaker, I yield back the balance of my time.

THE RETURN TO PRUDENT BANKING ACT

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, I rise to encourage you to join with me and 69 of our colleagues, a total of 70 already, who have signed on to cosponsor H.R. 381, the Return to Prudent Banking Act. This bipartisan bill would restore the provisions of the Glass-Steagall banking law that separated prudent banking from wild speculation in the financial realm.

Yesterday marked the 16th year, to the day, that Congress repealed the Glass-Steagall Act in 1999, bestowing on financial institutions and investment firms the ability to put the life savings and deposits of the American people at greater risk.

I was one of the 57 Members of this Congress who voted against that repeal of Glass-Steagall. At that time, my colleagues and I were told by Wall Street that the banks were strangled by outdated restrictions, that the repeal was a modern experiment in deregulation; so Congress repealed this bedrock law, over our objections.

Look where that decision took America. We witnessed a terrible market crash in 2008; now, slow growth and the outrageous enormous accumulation of banking assets in a handful of institutions like JP Morgan Chase, Goldman Sachs, Bank of America. They are raking in record-shattering profits while paying depositors almost nothing on their interest or on certificates of deposit as wages for working-class Americans continue to flatline.

The original Glass-Steagall Act served our country well. It laid the foundation for an unprecedented half century without financial panics or crises. Just as important, it contributed to a right-sized banking system focused on serving our economy and society as a whole rather than enriching itself at everyone else's expense.

This Congress must reinstate the regulatory prudence of the Glass-Steagall Act. Without these proper safeguards, it is only a matter of time before Wall Street's greedy operatives once again steer the American economy over the precipice.

Therefore, I urge my colleagues to cosponsor H.R. 381, the Return to Prudent Banking Act of 2015. Help restore

prudence, discipline, and sanity to our financial system and, in turn, real economic growth to America.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. WOODALL. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 92

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Thursday, November 5, 2015, through Thursday, November 12, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, November 16, 2015, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Tuesday, November 10, 2015, through Friday, November 13, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, November 16, 2015, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Majority Leader of the Senate or his designee, after concurrence with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT FROM THURSDAY, NOVEMBER 5, 2015, TO MONDAY, NOVEMBER 9, 2015

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that when the House adjourns today on a motion offered pursuant to this order, it adjourn to meet at 3 p.m. on Monday, November 9, 2015, unless it sooner has received

a message from the Senate transmitting its concurrence in House Concurrent Resolution 92, in which case the House shall stand adjourned pursuant to that concurrent resolution.

The SPEAKER pro tempore (Mr. POLIQUIN). Is there objection to the request of the gentleman from Georgia?

There was no objection.

MESSAGES THE AMERICAN PEOPLE NEED TO HEAR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, I do want to commend my friend from Georgia. He speaks eloquently.

I hated to lose dear friend, John Linder, from here in this body. He was a brilliant man, with great class. But since he is gone, I am delighted to have ROB WOODALL here in his stead—just clear-thinking, articulate, and makes the case that the American people need to hear.

□ 1330

Speaking of messages, Mr. Speaker, the American people need to hear, this is November 5, 2015. It was November 5, 2009, when a major in the United States Army at Fort Hood, Texas, killed Americans.

He had given plenty of warning signs that he was a ticking time bomb who was going to kill Americans, particularly American soldiers, especially if he were ordered to go overseas because he would much prefer to kill American soldiers than he would go overseas and risk killing a fellow Muslim.

Having heard about people in the United States Army, as I was in for 4 years, who had to deal with Major Hasan, it is appalling that political correctness led to this man's being allowed to remain in the military, ever being promoted, and being assigned to counsel troubled soldiers. Incredible. But political correctness has become more and more prominent.

It was November 5, 2009. President Obama had been in office since January of that year. Major Hasan had been in the military during the Bush administration. He should never have been promoted.

There were warning signs that we heard about after the fact, but nobody wanted to be the one to stand up and say: "This man is a threat. He is a radical Islamist. He is a threat not only to the good order and discipline of the United States military, he is a threat to the very lives of our military members."

Mr. Speaker, our military let those victims down at Fort Hood, Texas, before the shooting ever occurred. That is almost unbearable. But what becomes unbearable is the fact that 6 years

later victims of Major Hasan who are still alive are still being mistreated by this administration.

An article by Jacob Brooks and J.C. Jones in the Killeen Daily Herald today in the paper said: "Six years after the November 5, 2009, shooting at Fort Hood, at least one victim is still fighting for overdue benefits. Former Fort Hood Staff Sergeant Alonzo Lunsford, Jr., said pain, betrayal, disrespect, and patriotism all come to mind when he thinks about that tragic day. He said, 'It is a lot. It is really a lot that goes through my head.'"

He was shot seven times by Nidal Hasan, the Army psychiatrist who opened fire on unsuspecting fellow soldiers at a Fort Hood medical processing building for deploying soldiers.

Six years later, the building has been torn down. Many of the soldiers who were there have since moved on, are either no longer in the Army or stationed elsewhere.

Hasan, an Army major at the time of the shooting, was found guilty of killing 12 soldiers and 1 civilian on August 23, 2013, following a 12-day court martial at Fort Hood. Days later he was sentenced to die and is currently on death row at Fort Leavenworth, Kansas, awaiting automatic appeals.

Mr. Speaker, it took Congress battling and finally putting language in a bill that the Army and the Defense Department finally could not ignore that finally put enough pressure on the Army to do the right thing by these victims, and that is—for Heaven's sake, they were victims of an attack in the war against America by radical Islam.

As Muslim friends in the Middle East, leaders in the Middle East who are Muslims, have asked on different visits I have had in the Middle East: Why is it that this administration does not understand radical Islamists, particularly the Muslim Brotherhood, is at war with the United States? You keep helping the people who are at war with you, the Muslim Brotherhood.

They recognize it all over the Middle East. Muslims over there scratch their heads—moderate Muslims—and wonder what is wrong with America.

I met a number of the survivors of the shooting 6 years ago today when the Purple Hearts were finally awarded. A number of us were there from Congress because it was an important day and they needed to know Members of Congress do care.

So we were there as representatives of this body and all of those within it who recognize the loss and the sacrifice occurred at the hands of someone who is at war with the United States, a part of the bigger radical Islamist movement.

It is rather ironic that, as we think about and talk about the violations of the Iran treaty—yes, it is a treaty, despite the Senate's unwillingness to call it what it is and the administration obviously won't call it what it is—but the

violations of the Iran treaty by Iran are still resulting in this administration's sending billions and billions and billions and billions of dollars to people who want to kill us and to eliminate our way of life.

Yet, this same administration that is sending billions and billions and billions of dollars to our enemy can't scrape together mere hundreds of dollars to send to someone like Staff Sergeant Alonzo Lunsford.

The article says he is now in North Carolina. I was impressed when I met him. He seems to be a very sharp man, a patriot, someone who cares about America. But like many of the victims, the wounds go even deeper than the shots that were fired. In his case, seven times he was shot. Oh, what a horrible day.

And, yet, this administration becomes accomplices to the after-the-crime episode and damage by still refusing to acknowledge it for what it was and pay these patriotic servicemembers the money they have coming as people who were wounded in the line of duty.

It is ridiculous that this administration will send billions and billions to our enemies who have already said that, with all the billions Obama is going to make sure that we get, we are going to be able to finance more, help Hamas more, help Hezbollah more. We are going to be able to help those who kill Americans.

What does the administration do? They want to make sure that nothing gets in the way of their sending money to people that want to kill Americans and people who have killed Americans.

A report out just this week indicates that Iran may be responsible for at least 12 percent of the Americans killed in Iraq. I can't help but think, based on those I have talked to in trips to Iraq and those who have researched even further, that when we get to the bottom line, it will likely be a lot more than 12 percent.

But even so, the country, the radical Islamist leaders in charge, are guilty of killing Americans, and this administration rewards them by sending them money and, whether it is intentional or sheer intentional neglect, refuses to acknowledge the patriotism and the act of war against our members of the United States Army and the United States military and the one civilian that was killed, refuses to acknowledge and adequately appreciate those patriots that were killed or wounded in the line of duty in an act of war by Major Nidal Hasan.

So, Mr. Speaker, the question arises: If this administration, either through neglect or intent, is so calloused and uncaring towards its own military members, then what is going on now that is going to result in future Americans, military members, being killed? How many more Major Nidal Hasans

are there in the Army, Air Force, Navy, and Marines?

God, I hope and pray that people like Nidal Hasan are not still being promoted because nobody wants to—in this administration, under this administration, under this Commander in Chief—rise up and say: This guy is giving all the indications of being a radical Islamist that will one day explode and kill Americans.

Mr. Speaker, we have seen record numbers of generals—officers with stars on their epaulets—being fired. Personally, I recognize Edward Snowden to be a traitor. I have tried felony cases, including death penalty cases.

Coupled with my experience here in Congress of trying to advise and help whistle-blowers and having seen this administration turn against whistle-blowers, use their own department they work in to destroy their careers, use the Department of Justice to harass them, and if it is somebody that has very damaging evidence about wrongdoing by this administration, then they will convene a grand jury to investigate and harass, never mind that it drives a spouse to the hospital near breakdown, never mind the damage that it does to those patriotic whistle-blowers who just want the government to do the right thing in all things.

I have to recognize, if I were sentencing Edward Snowden for his treason, that in this administration someone that were to come forth—if Edward Snowden had done this and come before superiors in this administration, he would likely have been destroyed, a grand jury convened, attempts to put him in jail, attempts to destroy his evidence.

That would have to be taken as evidence in mitigation of whatever the sentence was for the treason because, under this administration, I have struggled with people who wanted to get the truth out.

Where do you go? Eric Holder, as Attorney General, was not going to help a whistle-blower if they had information that was damaging to the administration. No. He was the head of the largest criminal defense firm in America defending the actions in this administration and going after and trying to destroy anybody who came forth with damaging evidence, particularly if it could have come before the election in 2012.

Loretta Lynch will always be a blot on the reputation of the United States Senate because she made clear she thought that the things Eric Holder did in violation of the Constitution, in contempt of Congress, the disingenuity and dishonesty, were okay in her book, and they confirmed her anyway. So the indications are things haven't gotten any better than they were.

□ 1345

What do you do if you are a patriotic whistleblower in this administration and you want to out Nidal Hasan, you want to come forward with documentation that shows this administration has acted inappropriately? It has been made clear to people, you raise your head up to try to speak up and speak truth, then we will make you rue the day you ever worked for the government.

We won't help with mere hundreds of dollars to American patriots who were wounded in an act of war, and, obviously, 13 killed in an act of war by radical Islamists. We won't even call radical Islam what moderate Muslims in the Middle East recognize that it is. And a man of great courage I think will end up being recognized as one of the great leaders in the Middle East of any age. President el-Sisi gets the back of the hand most of the time from this administration. When he has had the courage to stand up to imams in a room, looking them in the eye, and say: It is time to take back our religion from the radicals.

Because of his courage, because of his recognizing the threat that radical Islam is, not only to Christians and Jews, but to moderate Muslims, then there is no doubt there are people that want to kill him, when this administration ought to be doing everything they can to help them.

I was asked by Egyptian leaders: Does your President not understand that the Apache helicopters that he promised the Muslim Brother Morsi that he withheld for so long, that we used those to keep the Suez Canal open, does he not want the Suez Canal open? Does President Obama not care? Well, that would certainly be the indication if you look at the actions of his administration.

When I was in Egypt in September, people who desperately want to be friends with the United States, they yearn for freedom, they yearn for a free Egypt, free of radical Islam, even though they are Muslims themselves, they want to be friends with freedom-loving Americans, and yet with dozens and dozens and dozens of leaders from countries around the world, including Russia, top leaders from countries around the world, being there to note the incredible historic event in world history when Egypt, after having gotten rid of the radical Islamist Muslim Brother Morsi, who was refusing to keep his conduct within the requirements of their Constitution, was removed after the biggest peaceful demonstration in the history of the world. Over 30 million people are said to have gone to the streets to demand his removal.

After Morsi is removed, people of vision like el-Sisi took over and they dug another lane to the one Suez Canal, so there are two lanes for a big part of it

there. That was a historic day in June. The people of Egypt should have been lauded by all of those in this administration.

Yet, not only did this administration not care to recognize the great historic fete of Egypt struggling as it is to achieve greatness once again, they didn't even send anybody from Washington. My friend DARRELL ISSA went. Congress was represented.

I was not allowed to go, of course, because Speaker Boehner wasn't allowing people like me who spoke up for what we believe is right to travel. And, according to his staff, Speaker Boehner saw taxpayer-funded travel as a reward for people that apparently voted like he wanted them to, which kind of sounds like it would be a crime.

But, nonetheless, we were represented. Congress was represented there, but not the administration. Leaders from around the world were there. Not this administration.

It is time to recognize the good Muslims, the moderate Muslims in the world, with whom we can be friends, who want to be our friends, who want to work with us, and recognize those, like the Muslim Brotherhood, who want to destroy our way of life. And it is time to stop the political correctness that got 13 people killed at Fort Hood 6 years ago today and got so many more wounded.

Since this administration doesn't want to properly recognize efforts to keep the Middle East peaceful and out of the hands of radical Islamists, like the Muslim Brotherhood, well, we had the Iran treaty that this administration pushed and the Senate refused to take up and vote on as a treaty.

The Corker bill clearly didn't apply because the Iranian treaty did include terms about ballistic missiles, about weapons buying, about release of money under the sanctions. It did change the terms of the nonproliferation treaty. It was clearly a treaty.

It really will be another blot on the Senate's reputation that they did not stop that. By taking a vote on ratification, it wouldn't have gotten the two-thirds required. And then we could have prevented the \$100 billion plus—we are told \$100 billion or so each year thereafter—that will be going to a country that, according to this news this week, where “‘Death to America’ Stands Despite the Nuclear Deal.” This report from AFP, dated November 2, from Tehran, says, “the Islamic Republic will not abandon the slogan of ‘Death to America’ despite its July nuclear accord with world powers.”

“The martyr-nurturing nation of Iran is not at all prepared to abandon the slogan of ‘Death to America’ under the pretext of a nuclear agreement,” 192 members of Iran's 290-seat parliament said in a statement carried by state news agency IRNA.

“They said the slogan, chanted at the weekly Friday prayers in mosques and

at protests, had ‘turned into the symbol of the Islamic republic and all struggling nations.’”

So let's look, Mr. Speaker, at what has occurred since the Iran treaty that was not ratified was placed into being by this administration and by the Senate looking the other way.

Well, they have had ballistic missile tests. They have had joint military operations with Russia and Syria.

Those certainly violate the terms of the Iran deal.

They have had open violations of international travel bans. We have had a cyber attack from there. We have had an arrest of a U.S. resident, Nazar Zaka. “Death to America” is still their chant.

And yet here is this story from October 21 by Reuters. It says:

“The United States, Britain, France and Germany called on Wednesday for the United Nations Security Council's Iran sanctions committee to take action over a missile test by Tehran that they said violated a U.N. ban.

“In a letter containing details on the launch, they said the ballistic missile was ‘inherently capable of delivering a nuclear weapon.’

“The letter, seen by Reuters, was sent to the committee after the United States raised the issue in the 15-member Security Council.

“‘We trust that this information will assist the Committee in its responsibility to examine and take appropriate action in response to violations of U.N. Security Council resolutions,’ they wrote.”

“Diplomats have said it was possible for the sanctions committee to blacklist additional Iranian individuals or entities if it determined that the missile launch had breached the U.N. ban. However, they said Russia and China, which have opposed the sanctions on Iran's missile program, might block any such moves.

“‘The United States will continue to press the Security Council to respond effectively to any future violations . . . Full and robust enforcement of all relevant U.N. measures is and will remain critical,’ U.S. ambassador of the United Nations Samantha Power said in a statement on Wednesday.”

Now, the reason that the United States has sent this letter, participated in it, asking the U.N. to take appropriate action, is because this administration is gutless to do what needs to be done. You have Iran, it has been confirmed, that killed so many hundreds responsible for the death of so many Americans. And this administration struck a bad deal with them that could never get two-thirds of the Senate to ratify it, so we just act like it is a treaty that is ratified, even though it isn't.

But it is gutless to stand up to Iran and say: You violated the deal. We are not going to allow \$100 billion to \$150

billion to go to you while you continue to say “death to America”; you continue to have ballistic missile tests; you continue to have joint operations, in violation of our deal, with Russia and Syria; you continue in open violation of international travel bans; you continue to attack us or have cyber attacks from your country; and you continue to stir up violence against the United States. You are not getting any money.

How about giving just a little bit of that \$100 billion to the victims of Nidal Hasan? How about giving it to the victims of radical Islamist violence? How about giving it to the victims of over 400 days in captivity in Iran under the Ayatollah Khamenei's leadership?

This administration has got to act. This is outrageous.

And then we have an International Business Times report, “Iranian Airline Violates Terms of Nuclear Deal By Purchasing Planes To Use In Syrian War.” This says:

“One of Iran's commercial airlines last week bought a UK-manufactured jet with the aim of using it to deliver Iranian soldiers and weapons to Syria . . . The purchase of the aircraft by an Iranian concern represents a clear violation of the deal brokered by the administration of U.S. President Barack Obama.”

It is outrageous. The Iran deal needs to be brought to an end. No more money needs to go to Iran. No money for killers, for terrorists, but money to the victims in our United States military.

With that, I yield back the balance of my time.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, pursuant to the order of the House of today regarding House Concurrent Resolution 92, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 p.m.), under its previous order, the House adjourned until Monday, November 9, 2015, at 3 p.m., unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 92, in which case the House shall stand adjourned pursuant to that concurrent resolution.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3380. A letter from the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule — Agriculture Priorities and Allocations System (RIN: 0560-AH68) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

3381. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations; Ouachita Parish, Louisiana, and Incorporated Areas [Docket ID: FEMA-2015-0001] [Docket No.: FEMA-B-1089] received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3382. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations; St. Charles County, Missouri, and Incorporated Areas [Docket ID: FEMA-2015-0001] received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3383. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Acquisition Regulations: Export Control (RIN:1991-AB99) received October 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3384. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Listing of Color Additives Exempt From Certification; Spirulina Extract; Confirmation of Effective Date [Docket No.: FDA-2014-C-1552] received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3385. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Amendments to Existing Validated End-User Authorizations in the People's Republic of China [Docket No.: 150825776-5776-01] (RIN: 0694-AG69) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Foreign Affairs.

3386. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(d) of the Arms Export Control Act, Transmittal No.: DDTC 15-098; to the Committee on Foreign Affairs.

3387. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-055; to the Committee on Foreign Affairs.

3388. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-012; to the Committee on Foreign Affairs.

3389. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-067; to the Committee on Foreign Affairs.

3390. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-068; to the Committee on Foreign Affairs.

3391. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to

Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-090; to the Committee on Foreign Affairs.

3392. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-079; to the Committee on Foreign Affairs.

3393. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-078; to the Committee on Foreign Affairs.

3394. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-076; to the Committee on Foreign Affairs.

3395. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-172, "Higher Education Licensure Commission Temporary Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c); (87 Stat. 813); to the Committee on Oversight and Government Reform.

3396. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-173, "Sexual Assault Victim Rights Task Force Report Extension Temporary Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c); (87 Stat. 813); to the Committee on Oversight and Government Reform.

3397. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-175, "ABLE Program Trust Establishment Temporary Act of 2015", pursuant to Public Law 93-198, Sec. 602(c); (87 Stat. 813); to the Committee on Oversight and Government Reform.

3398. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-192, "Closing of a Public Alley in Square 369, S.O. 13-07989, Act of 2015", pursuant to Public Law 93-198, Sec. 602(c); (87 Stat. 813); to the Committee on Oversight and Government Reform.

3399. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-193, "Testing Integrity Amendment Act of 2015", pursuant to Public Law 93-198, Sec. 602(c); (87 Stat. 813); to the Committee on Oversight and Government Reform.

3400. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-194, "Closing of a Public Alley in Square 197, S.O. 15-23895, Act of 2015", pursuant to Public Law 93-198, Sec. 602(c); (87 Stat. 813); to the Committee on Oversight and Government Reform.

3401. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-195, "James Bunn Way Designation Act of 2015", pursuant to Public Law 93-198, Sec. 602(c); (87 Stat. 813); to the Committee on Oversight and Government Reform.

3402. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-171, "Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Temporary Act of 2015", pursuant to Public Law 93-198, Sec. 602(c); (87 Stat. 813); to the Committee on Oversight and Government Reform.

3403. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-174, "Rent Control Hardship Petition Limitation Temporary Amendment Act of 2015", pursuant to Public Law 93-198, Sec.

602(c); (87 Stat. 813); to the Committee on Oversight and Government Reform.

3404. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 140918791-4999-02] (RIN: 0648-XE168) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3405. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Reef Fish Fishery of the Gulf of Mexico; 2015 Recreational Accountability Measures and Closure for Gulf of Mexico Greater Amberjack [Docket No.: 1206013412-2517-02] (RIN: 0648-XE182) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3406. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XE223) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3407. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Quotas [Docket No.: 150121066-5717-02] (RIN: 0648-BE81) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3408. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Regulatory Amendment 22 [Docket No.: 150305220-5683-02] (RIN: 0648-BE76) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3409. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Fisheries for Highly Migratory Species; Fishing Effort and Catch Limits and Other Restrictions and Requirements [Docket No.: 150122068-5868-02] (RIN: 0648-BE84) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3410. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fishery Management Council Freedom of Information Act Requests Regulations; Technical Amendments to Regulations [Docket No.: 141212999-5843-01] (RIN:

0648-BE73) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3412. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2015-2016 Biennial Specifications and Management Measures; Amendment 24; Correction [Docket No.: 140904754-5917-03] (RIN: 0648-BE27) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3413. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; State Waters Exemption [Docket No.: 150626556-5886-02] (RIN: 0648-BF20) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3414. A letter from the Deputy Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Fisheries; Pacific Tuna Fisheries; Establishment of Tuna Vessel Monitoring System in the Eastern Pacific Ocean [Docket No.: 130722646-5874-03] (RIN: 0648-BD54) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3415. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Snapper Management Measures; Correction [Docket No.: 150226189-5859-03] (RIN: 0648-BE91) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3416. A letter from the Deputy CFO, National Environmental Satellite, Data and Information Service, NOAA, Department of Commerce, transmitting the Department's final rule — Schedule of Fees for Access to NOAA Environmental Data, Information, and Related Products and Services [Docket No.: 150202106-5879-02] (RIN: 0648-BE86) received November 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Science, Space, and Technology.

3417. A communication from the President of the United States, transmitting notification of intent to enter into the free trade agreement known as the Trans-Pacific Partnership Agreement, pursuant to 19 U.S.C. 4205(a)(1)(A); Public Law 114-26, Sec. 106(a)(1)(A); (H. Doc. No. 114-73); to the Committee on Ways and Means and ordered to be printed.

3417. A communication from the President of the United States, transmitting notification of intent to suspend the application of duty-free treatment to all AGOA-eligible goods in the agricultural sector for the Republic of South Africa, pursuant to Secs. 506A(d)(4)(C) and 506A(c) of the African Growth and Opportunity Act; (H. Doc. No. 114-74); to the Committee on Ways and Means and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLATTE: Committee on the Judiciary. H.R. 1927. A bill to amend title 28, United States Code, to improve fairness in class action litigation; with an amendment (Rept. 114-328). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. NEWHOUSE (for himself, Mr. SCHRADER, Mrs. McMORRIS RODGERS, Mr. COLE, Mr. LAMALFA, Mr. REICHERT, Mr. STIVERS, Mr. UPTON, and Mr. WALDEN):

H.R. 3932. A bill to amend the Labor Management Relations Act, 1947, to provide for the mandatory appointment of a board of inquiry into slow-downs, strikes, or lock-outs when certain specified events occur, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONAWAY:

H.R. 3933. A bill to amend the Internal Revenue Code of 1986 to make permanent the expensing limitations and treatment of certain real property as section 179 property, and for other purposes; to the Committee on Ways and Means.

By Mr. POCAN (for himself, Ms. NOR-TON, Mr. GARAMENDI, Ms. LEE, Mr. ELLISON, and Mr. NADLER):

H.R. 3934. A bill to amend the Internal Revenue Code of 1986 to limit the interest deduction for excessive interest of members of financial reporting groups; to the Committee on Ways and Means.

By Mr. POCAN (for himself, Ms. NOR-TON, Mr. GARAMENDI, Ms. LEE, Mr. ELLISON, and Mr. NADLER):

H.R. 3935. A bill to amend the Internal Revenue Code of 1986 to terminate the deferral of active income of controlled foreign corporations; to the Committee on Ways and Means.

By Mr. COSTELLO of Pennsylvania (for himself and Mr. FITZPATRICK):

H.R. 3936. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program under which the Secretary carries out Veteran Engagement Team events where veterans can complete claims for disability compensation and pension under the laws administered by the Secretary, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BUTTERFIELD (for himself, Mrs. ELLMERS of North Carolina, Mr. JONES, Mr. PRICE of North Carolina, Ms. FOXX, Mr. WALKER, Mr. ROUZER, Mr. HUDSON, Mr. PITTENGER, Mr. MCHENRY, Mr. MEADOWS, Ms. ADAMS, and Mr. HOLDING):

H.R. 3937. A bill to designate the building utilized as a United States courthouse located at 150 Reade Circle in Greenville, North Carolina, as the "Judge Randy D. Doub United States Courthouse"; to the

Committee on Transportation and Infrastructure.

By Mr. CÁRDENAS (for himself, Mr. LAMALFA, Mr. HUFFMAN, Mr. GARAMENDI, Mr. MCCLINTOCK, Mr. THOMPSON of California, Ms. MATSUI, Mr. BERA, Mr. COOK, Mr. MCNERNEY, Mr. DENHAM, Mr. DESAULNIER, Ms. LEE, Ms. SPEIER, Mr. SWALWELL of California, Mr. COSTA, Mr. HONDA, Ms. ESHOO, Ms. LOFGREN, Mr. FARR, Mr. VALADAO, Mr. RYAN, Mr. CAPP, Mr. KNIGHT, Ms. BROWNLEY of California, Ms. JUDY CHU of California, Mr. SCHIFF, Mr. SHERMAN, Mr. AGUILAR, Mrs. NAPOLITANO, Mr. TED LIEU of California, Mr. BECERRA, Mrs. TORRES, Mr. RUIZ, Ms. BASS, Ms. LINDA T. SÁNCHEZ of California, Mr. ROYCE, Ms. ROYBAL-ALLARD, Mr. TAKANO, Mr. CALVERT, Ms. MAXINE WATERS of California, Ms. HAHN, Ms. LORETTA SANCHEZ of California, Mr. LOWENTHAL, Mr. ISSA, Mr. VARGAS, Mr. PETERS, Mrs. DAVIS of California, Mr. NUNES, Mr. ROHRABACHER, and Mr. HUNTER):

H.R. 3938. A bill to designate the facility of the United States Postal Service located at 6531 Van Nuys Boulevard in Van Nuys, California, as the "Marilyn Monroe Post Office"; to the Committee on Oversight and Government Reform.

By Mr. GRIFFITH (for himself, Mr. ROE of Tennessee, Mr. KELLY of Pennsylvania, Mr. MOONEY of West Virginia, Mr. GOODLATTE, and Mr. JENKINS of West Virginia):

H.R. 3939. A bill to require that the workforce of the Environmental Protection Agency be reduced by 15 percent; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Agriculture, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOM PRICE of Georgia (for himself, Mrs. BLACK, Mrs. BLACKBURN, Mr. ROE of Tennessee, Mr. HARRIS, Mr. JENKINS of West Virginia, and Mr. HECK of Nevada):

H.R. 3940. A bill to amend title XVIII of the Social Security Act to authorize a blanket meaningful use significant hardship exception for the 2015 reporting period due to the delay in timely publication of the Stage 2 meaningful use rule; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANCE:

H.R. 3941. A bill to provide for emergency preparedness for energy supply disruptions; to the Committee on Energy and Commerce.

By Mr. ROHRABACHER (for himself, Mr. SAM JOHNSON of Texas, Mr. DUNCAN of Tennessee, Mrs. BLACKBURN, Mr. WEBER of Texas, Mr. KELLY of Pennsylvania, Mr. HUNTER, Mr. KING of Iowa, Mr. WEBSTER of Florida, Mr. CHABOT, Mr. POE of Texas, Mr. POSEY, Mr. HARRIS, Mr. THOMPSON of Pennsylvania, and Mr. BARLETTA):

H.R. 3942. A bill to recognize that Christians and Yazidis in Iraq, Syria, Pakistan, Iran, Egypt, and Libya are targets of genocide, and to provide for the expedited processing of immigrant and refugee visas for

such individuals, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BASS:

H.R. 3943. A bill to amend the Public Health Service Act to provide loan repayment incentives for physician assistants, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BASS (for herself and Mr. HASTINGS):

H.R. 3944. A bill to amend the Higher Education Act of 1965 to improve education opportunities for physician assistants, and for other purposes; to the Committee on Education and the Workforce.

By Mr. COFFMAN (for himself, Mr. CHABOT, Mr. MILLER of Florida, Ms. VELÁZQUEZ, Mr. HANNA, Mr. CONNOLLY, and Mr. MOULTON):

H.R. 3945. A bill to amend the Small Business Act and title 38, United States Code, to improve contracting opportunities for certain veteran-owned small businesses, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR (for himself, Mr. AMODEI, Mr. BUCK, Mr. CRAMER, Mr. COOK, Mr. FRANKS of Arizona, Mr. JONES, Mr. KING of Iowa, Mrs. LUMMIS, Mr. NUGENT, Mr. PEARCE, Mr. SALMON, Mr. STEWART, Mr. ZINKE, Mr. HARDY, Mr. DUNCAN of Tennessee, Mr. HUELSKAMP, Mr. LAMALFA, Mr. LAMBORN, Mr. MCHENRY, Ms. MCSALLY, Mr. SCHWEIKERT, Mr. NEWHOUSE, Mr. LABRADOR, Mr. BABIN, and Mr. RUSSELL):

H.R. 3946. A bill to amend section 320301 of title 54, United States Code, to protect private property rights and water rights from infringement as a result of the creation of national monuments, and for other purposes; to the Committee on Natural Resources.

By Mr. DEUTCH:

H.R. 3947. A bill to amend the Higher Education Act of 1965 and the Truth in Lending Act to clarify the application of prepayment and underpayment amounts on student loans, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEUTCH:

H.R. 3948. A bill to amend the Truth in Lending Act to include requirements for the transfer of servicing of postsecondary education loans, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VEASEY (for himself, Ms. NORTON, Ms. JACKSON LEE, Ms. LEE, Mr. HONDA, Mr. CASTRO of Texas, Mr. RANGEL, Mr. CONYERS, Mr. MEEKS, Ms. MOORE, Mr. RUSH, Ms. KELLY of Illinois, and Mr. SWALWELL of California):

H.R. 3949. A bill to amend title 38, United States Code, to provide additional educational assistance under the Post-9/11 GI Bill for veterans pursuing a degree in science, technology, engineering, or math; to the Committee on Veterans' Affairs.

By Ms. ADAMS (for herself, Mr. TAKAI, Ms. KELLY of Illinois, Mrs. LAWRENCE, Ms. VELÁZQUEZ, Mr. PAYNE, and Ms. JUDY CHU of California):

H.R. 3950. A bill to amend the Internal Revenue Code of 1986 to establish a small business start-up tax credit for veterans who have served overseas; to the Committee on Ways and Means.

By Mr. BERA:

H.R. 3951. A bill to establish in the Veterans Health Administration of the Department of Veterans Affairs the Office of Health Care Quality; to the Committee on Veterans' Affairs.

By Mr. BILIRAKIS (for himself, Mr. SCHIFF, and Ms. NORTON):

H.R. 3952. A bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BILIRAKIS (for himself, Ms. WILSON of Florida, and Ms. FRANKEL of Florida):

H.R. 3953. A bill to designate the facility of the United States Postal Service located at 4122 Madison Street, Elfers, Florida, as the "Private First Class Felton Roger Fussell Memorial Post Office"; to the Committee on Oversight and Government Reform.

By Mr. BILIRAKIS:

H.R. 3954. A bill to amend title 38, United States Code, to provide for access to hospital care and medical services furnished by the Department of Veterans Affairs for certain members of the reserve components who received training at Camp Lejeune, North Carolina, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BLUM:

H.R. 3955. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the Administrator of the Federal Emergency Management Agency to release a local government from certain land restrictions imposed under the hazard mitigation program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BOST (for himself, Mr. COSTA, Mr. RODNEY DAVIS of Illinois, and Mr. SWALWELL of California):

H.R. 3956. A bill to direct the Secretary of Veterans Affairs to develop and implement a plan to hire directors of the medical centers of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. BUCHANAN (for himself, Mr. ROONEY of Florida, Mr. ROSS, Mr. JOLLY, Mr. DIAZ-BALART, Ms. CASTOR of Florida, Mr. YOHIO, Mr. CRENSHAW, Mr. CURBELO of Florida, Mr. BILIRAKIS, Mr. MURPHY of Florida, Mr. HASTINGS, and Ms. WASSERMAN SCHULTZ):

H.R. 3957. A bill to amend the Internal Revenue Code of 1986 to temporarily allow expensing of certain costs of replanting citrus plants lost by reason of casualty; to the Committee on Ways and Means.

By Mr. BURGESS (for himself, Mr. JONES, and Ms. MCCOLLUM):

H.R. 3958. A bill to provide for the issuance of a Veterans Health Care Stamp; to the Committee on Oversight and Government

Reform, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Mr. RODNEY DAVIS of Illinois, and Mr. RYAN of Ohio):

H.R. 3959. A bill to support innovation, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committees on Education and the Workforce, Energy and Commerce, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASTRO of Texas (for himself, Mr. COFFMAN, and Mr. DENHAM):

H.R. 3960. A bill to provide for a survey regarding homeless female veterans, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFazio:

H.R. 3961. A bill to require the establishment of a Consumer Price Index for Elderly Consumers to compute cost-of-living increases for Social Security and Medicare benefits under titles II and XVIII of the Social Security Act; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELBENE (for herself, Mr. POE of Texas, Ms. LOFGREN, Mr. BEYER, and Mr. BLUMENAUER):

H.R. 3962. A bill to describe the authority under which Federal entities may use mobile aerial-view devices to surveil, protect individual and collective privacy against warrantless governmental intrusion through the use of mobile aerial-view devices, and for other purposes; to the Committee on the Judiciary.

By Mr. DOLD:

H.R. 3963. A bill to amend title 10, United States Code, to extend military commissary and exchange store privileges to certain veterans who have been awarded the Purple Heart and to their dependents; to the Committee on Armed Services.

By Ms. DUCKWORTH (for herself, Mr. COSTELLO of Pennsylvania, Mr. LANDEVIN, and Mr. THOMPSON of Pennsylvania):

H.R. 3964. A bill to amend the Higher Education Act of 1965 to expand the definition of eligible program; to the Committee on Education and the Workforce.

By Mr. GALLEGO (for himself, Mrs. KIRKPATRICK, Mr. SCHWEIKERT, Ms. ESHOO, Ms. NORTON, Mr. GRAYSON, Mr. QUIGLEY, Ms. CLARK of Massachusetts, Mr. LYNCH, Mr. CROWLEY, Mr. ISRAEL, Mr. MEEKS, Ms. MENG, Miss RICE of New York, and Mr. BEYER):

H.R. 3965. A bill to direct the Administrator of the Federal Aviation Administration to improve the process for establishing and revising flight paths and procedures, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GRAYSON:

H.R. 3966. A bill to provide transportation of dependent patients relating to obstetrical

anesthesia services; to the Committee on Armed Services.

By Mr. GRIJALVA (for himself, Mr. ELLISON, Ms. FUDGE, Mr. JEFFRIES, Ms. NORTON, Mr. TAKANO, Mr. VAN HOLLEN, Ms. KAPTUR, Mr. RICHMOND, Mr. CONYERS, Mr. PALLONE, Mr. HONDA, Mr. MCDERMOTT, Mr. POCAN, Ms. LEE, Ms. WILSON of Florida, Mr. NADLER, Mr. COHEN, Mr. FATTAH, and Mrs. LAWRENCE):

H.R. 3967. A bill to amend title 31, United States Code, to prohibit administrative offset of social security benefit payments with respect to claims arising from Federal student loans, and for other purposes; to the Committee on the Judiciary.

By Mr. GUINTA:

H.R. 3968. A bill to amend the Controlled Substances Act to allow the Attorney General to exempt a product from certain requirements if the Attorney General determines that it is not practical by processes known to be employed by clandestine laboratory operators to use the product in the illicit manufacture of methamphetamine; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HECK of Nevada (for himself, Mr. AMODEI, and Mr. HARDY):

H.R. 3969. A bill to designate the Department of Veterans Affairs community-based outpatient clinic in Laughlin, Nevada, as the "Master Chief Petty Officer Jesse Dean Department of Veterans Affairs Community-Based Outpatient Clinic"; to the Committee on Veterans' Affairs.

By Mr. ISRAEL (for himself and Mr. ROONEY of Florida):

H.R. 3970. A bill to direct the Secretary of Veterans Affairs to establish a pilot grant program to acquire and renovate abandoned homes for homeless veterans; to the Committee on Veterans' Affairs.

By Mr. ISSA (for himself and Ms. DUCKWORTH):

H.R. 3971. A bill to amend titles 5 and 38, United States Code, to clarify the veteran status of an individual based on the attendance of the individual at a preparatory school of a service academy, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILDEE (for himself, Mr. O'ROURKE, and Mr. MOULTON):

H.R. 3972. A bill to direct the Secretary of Defense and the Secretary of Veterans Affairs to more effectively provide mental health resources for members of the Armed Forces and veterans at high risk of suicide, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIND (for himself and Mr. SENBRENNER):

H.R. 3973. A bill to reform the Federal Crop Insurance Act and reduce Federal spending on crop insurance; to the Committee on Agriculture.

By Ms. KUSTER (for herself and Mr. HECK of Nevada):

H.R. 3974. A bill to require the Secretary of Veterans Affairs to carry out a pilot program to provide educational assistance to certain former members of the Armed Forces for education and training as physician assistants of the Department of Veterans Affairs, to establish pay grades and require competitive pay for physician assistants of the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LANGEVIN (for himself, Mr. COOK, and Ms. TITUS):

H.R. 3975. A bill to amend the Internal Revenue Code of 1986 to allow a credit for veteran first-time homebuyers and for adaptive housing and mobility improvements for disabled veterans, and for other purposes; to the Committee on Ways and Means.

By Mrs. LAWRENCE (for herself, Mrs. WATSON COLEMAN, Ms. JACKSON LEE, and Ms. KELLY of Illinois):

H.R. 3976. A bill to amend title 10, United States Code, to require the provision of legal assistance to junior enlisted personnel of the Armed Forces and their dependents in connection with their personal civil legal affairs; to the Committee on Armed Services.

By Mr. LOWENTHAL (for himself, Mr. BEYER, Mr. BLUMENAUER, Mr. FARR, Ms. LEE, and Mr. TED LIEU of California):

H.R. 3977. A bill to amend the Internal Revenue Code of 1986 to impose a retail tax on carryout bags, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico (for herself, Mr. MCKINLEY, Mr. BEN RAY LUJAN of New Mexico, and Mr. PEARCE):

H.R. 3978. A bill to amend title 38, United States Code, to establish an Ombudsman within the Veterans Health Administration of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. BEN RAY LUJAN of New Mexico (for himself, Mr. HONDA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. MCGOVERN):

H.R. 3979. A bill to amend title 38, United States Code, to include local government minimum wage requirements in determining the hourly minimum wage applicable for purposes of the work-study allowance under the educational assistance programs administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. NORCROSS (for himself and Mr. MACARTHUR):

H.R. 3980. A bill to eliminate the sunset date for the Veterans Choice Program of the Department of Veterans Affairs, to expand eligibility for such program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PASCRELL (for himself, Mr. BLUMENAUER, Mr. THOMPSON of California, and Mr. LARSON of Connecticut):

H.R. 3981. A bill to amend the Internal Revenue Code of 1986 to prevent tax-related identity theft and tax fraud, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, the Judiciary, Financial Services, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAULSEN (for himself, Mr. KIND, Mr. RANGEL, Mr. HASTINGS, Mr. MARCHANT, Mr. BOUSTANY, Mr. PAYNE, and Mr. WILSON of South Carolina):

H.R. 3982. A bill to amend the Internal Revenue Code of 1986 to treat amounts paid for private umbilical cord blood or umbilical cord tissue, or placental blood or placental tissue, banking services as medical care expenses; to the Committee on Ways and Means.

By Mr. PETERS (for himself and Mr. SWALWELL of California):

H.R. 3983. A bill to provide for a report on the role of incubators and accelerators in the commercialization of federally funded research and regional economic development; to the Committee on Science, Space, and Technology.

By Mr. PITTS (for himself and Mr. BRENDAN F. BOYLE of Pennsylvania):

H.R. 3984. A bill to prevent diversion of funds from the Crime Victims Fund; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RICHMOND (for himself and Mrs. LAWRENCE):

H.R. 3985. A bill to amend the Higher Education Act of 1965 to allow the Secretary of Education to award job training Federal Pell Grants; to the Committee on Education and the Workforce.

By Mr. RICHMOND (for himself, Mr. RUSH, and Mr. ABRAHAM):

H.R. 3986. A bill to direct the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, and in consultation with the Secretary of Education and the President's Council on Fitness, Sports, and Nutrition, to conduct a study on the causes of deaths related to high school football and formulate recommendations to prevent such deaths; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SINEMA (for herself, Mr. VALADAO, Mr. MURPHY of Florida, Mrs. LOVE, Mr. POLIS, and Mr. CURBELO of Florida):

H.R. 3987. A bill to establish an employment-based immigrant visa for alien entrepreneurs who have received significant capital from investors to establish a business in the United States; to the Committee on the Judiciary.

By Ms. SPEIER (for herself, Mr. TAKANO, Mr. JONES, Mr. CARNEY, Ms. JUDY CHU of California, Mr. COURTNEY, Mr. CUMMINGS, Ms. DELAUNO, Mr. ELLISON, Mr. FARR, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HIGGINS, Mr. HONDA, Ms. LEE, Mr. LIPINSKI, Ms. MCCOLLUM, Mr. MOULTON, Mr. PERLMUTTER, Ms. PINGREE, Mr. QUIGLEY, and Mr. RUSH):

H.R. 3988. A bill to count revenues from military and veteran education programs toward the limit on Federal revenues that certain proprietary institutions of higher education are allowed to receive for purposes of section 487 of the Higher Education Act of 1965, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Armed

Services, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. STEFANIK:

H.R. 3989. A bill to amend title 38, United States Code, to improve the process for determining the eligibility of caregivers of veterans to certain benefits administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. SWALWELL of California (for himself, Mr. GALLEGO, Mr. PETERS, Mr. JEFFRIES, Mr. KILMER, and Mr. MURPHY of Florida):

H.R. 3990. A bill to amend the Small Business Act to provide grants for university business incubators; to the Committee on Small Business.

By Mr. TAKANO (for himself, Mr. TAKAI, Mr. GIBSON, and Mr. COFFMAN):

H.R. 3991. A bill to amend title 38, United States Code, to provide veterans affected by school closures certain relief and restoration of educational benefits, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. MAXINE WATERS of California (for herself, Ms. LEE, Ms. HAHN, Ms. SCHAKOWSKY, Mr. HONDA, Mr. TAKANO, Mr. McDERMOTT, Mr. AL GREEN of Texas, Mr. WELCH, Mr. BLUMENAUER, Mr. VAN HOLLEN, Ms. KAPTUR, Ms. JUDY CHU of California, Mrs. NAPOLITANO, Ms. EDWARDS, and Ms. SPEIER):

H.R. 3992. A bill to amend the Higher Education Act of 1965 to improve the determination of cohort default rates and provide for enhanced civil penalties, to ensure personal liability of owners, officers, and executives of institutions of higher education, and for other purposes; to the Committee on Education and the Workforce.

By Ms. WILSON of Florida:

H.R. 3993. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina (for himself and Mr. TED LIEU of California):

H.R. 3994. A bill to direct the Administrator of the National Highway Traffic Safety Administration to conduct a study to determine appropriate cybersecurity standards for motor vehicles, and for other purposes; to the Committee on Energy and Commerce.

By Mr. THORNBERRY:

H. Con. Res. 90. Concurrent resolution directing the Secretary of the Senate to make a technical correction in the enrollment of S. 1356; considered and agreed to.

By Ms. FOX:

H. Con. Res. 91. Concurrent resolution providing for a conditional adjournment of the House of Representatives; considered and agreed to.

By Mr. WOODALL:

H. Con. Res. 92. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Ms. FOX:

H. Res. 517. A resolution electing Members to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. AL GREEN of Texas (for himself, Ms. ROS-LEHTINEN, Mr. HAS-

TINGS, Mr. LEVIN, Ms. WILSON of Florida, Mr. COHEN, Mr. NADLER, Ms. WASSERMAN SCHULTZ, Mr. RANGEL, Mr. DAVID SCOTT of Georgia, and Mr. CLEAVER):

H. Res. 518. A resolution honoring and praising the American Jewish Committee (AJC) on the occasion of its 109th anniversary; to the Committee on Oversight and Government Reform.

By Mr. HONDA (for himself, Mr.

McGOVERN, Mr. McDERMOTT, Mr. CARSON of Indiana, Mr. LOWENTHAL, Ms. KAPTUR, Mr. GRIJALVA, Ms. LEE, Mrs. NAPOLITANO, Ms. SPEIER, Mrs. WATSON COLEMAN, Mr. LARSEN of Washington, Mrs. DINGELL, Ms. MOORE, Mr. ELLISON, Mr. SMITH of Washington, Mr. KEATING, Ms. SCHAKOWSKY, Mr. VAN HOLLEN, Mrs. LAWRENCE, Mr. McNERNEY, Ms. SLAUGHTER, Mr. KILDEE, Ms. BROWNLEY of California, Ms. MCCOLLUM, Mr. GARAMENDI, Ms. LOFGREN, Mr. JOHNSON of Georgia, Ms. NORTON, Mr. RANGEL, Ms. JACKSON LEE, Ms. BROWN of Florida, Ms. BORDALLO, Mrs. BUSTOS, Mr. PETERS, Ms. EDWARDS, Mr. POCAN, Mr. SABLAN, Ms. ROYBAL-ALLARD, Ms. JUDY CHU of California, Ms. ESHOO, Mr. HASTINGS, Mr. YOUNG of Alaska, and Mr. SCOTT of Virginia):

H. Res. 519. A resolution supporting the ideals and goals of the "International Day for the Elimination of Violence against Women"; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LAWRENCE (for herself, Ms. CLARKE of New York, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Ms. FUDGE, and Mrs. WATSON COLEMAN):

H. Res. 520. A resolution expressing the sense of the House of Representatives that the Federal firearms laws should be rigorously enforced, that all appropriate measures should be taken to end the flood of unlawfully purchased firearms into our communities, and that adequate resources should be provided to accomplish such purposes; to the Committee on the Judiciary.

By Mr. LOEBSACK (for himself, Ms. LEE, Ms. CLARK of Massachusetts, Ms. MOORE, Mr. McGOVERN, Mrs. NAPOLITANO, Mr. GRIJALVA, and Mr. HASTINGS):

H. Res. 521. A resolution expressing support for designation of the week beginning on November 9, 2015, as "National School Psychology Week"; to the Committee on Education and the Workforce.

By Miss RICE of New York (for herself, Mr. POCAN, Ms. WILSON of Florida, and Mr. POLIS):

H. Res. 522. A resolution supporting the designation of November 1 through November 7, 2015, as "National Apprenticeship Week"; to the Committee on Education and the Workforce.

By Mr. RYAN of Ohio (for himself, Ms. DEGETTE, and Mr. WHITFIELD):

H. Res. 523. A resolution supporting the goals and ideals of American Diabetes Month; to the Committee on Energy and Commerce.

148. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 87, urging the President and Congress of the United States to take action to halt the illegal dumping of foreign steel into the U.S. market; which was referred to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mrs. DINGELL introduced a bill (H.R. 3995) to authorize the President to award the Medal of Honor to Major Charles S. Kettles of the United States Army for acts of valor during the Vietnam War; which was referred to the Committee on Armed Services.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. NEWHOUSE:

H.R. 3932.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, commonly referred to as the "Commerce Clause" of the United States Constitution.

By Mr. CONAWAY:

H.R. 3933.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clauses 1 and 18 of the United States' Constitution.

By Mr. POCAN:

H.R. 3934.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. POCAN:

H.R. 3935.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. COSTELLO of Pennsylvania:

H.R. 3936.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. BUTTERFIELD:

H.R. 3937.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. CÁRDENAS:

H.R. 3938.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7.

MEMORIALS

Under clause 3 of rule XII,

By Mr. GRIFFITH:

H.R. 3939.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. TOM PRICE of Georgia:

H.R. 3940.

Congress has the power to enact this legislation pursuant to the following:

Consistent with the understanding and interpretation of the Commerce Clause, Congress has the authority to enact this legislation in accordance with Clause 3 of Section 8, Article I of the U.S. Constitution.

By Mr. LANCE:

H.R. 3941.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Sec. 8, Clause 1, of the United States Constitution

This states that "Congress shall have power to . . . lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States."

By Mr. ROHRBACHER:

H.R. 3942.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution which gives Congress the power of the United States Constitution "To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States."

By Ms. BASS:

H.R. 3943.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 1.

Article. I.

Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Ms. BASS:

H.R. 3944.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 1.

Article. I.

Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. COFFMAN:

H.R. 3945.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution, which provides Congress with the ability to enact legislation necessary and proper to effectuate its purposes in taxing and spending.

By Mr. GOSAR:

H.R. 3946.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (the Property Clause). The Property Clause gives Congress the power to dispose and make all needful rules and regulations respecting the territory or other property belonging to the United States.

By Mr. DEUTCH:

H.R. 3947.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. DEUTCH:

H.R. 3948.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. VEASEY:

H.R. 3949.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: The Congress shall have the power to provide for the common defense.

By Ms. ADAMS:

H.R. 3950.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: To make all Laws which shall be necessary and proper for carrying into Executive and foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof.

By Mr. BERA:

H.R. 3951.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution

By Mr. BILIRAKIS:

H.R. 3952.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States.

By Mr. BILIRAKIS:

H.R. 3953.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 7 of the Constitution of the United States.

By Mr. BILIRAKIS:

H.R. 3954.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States and Article I, Section 8, Clause 7 of the Constitution of the United States.

Article I, section 8 of the United State Constitution, which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and provide for organizing, arming, and disciplining the militia.

By Mr. BLUM:

H.R. 3955.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Article I, Section 8, Clause 18

By Mr. BOST:

H.R. 3956.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the United States Constitution

By Mr. BUCHANAN:

H.R. 3957.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. BURGESS:

H.R. 3958.

Congress has the power to enact this legislation pursuant to the following:

The attached bill is constitutional under Article I, Section 8, Clause 3: "To regulate

Commerce with foreign Nations, and among the several States, and with the Indian Tribes" as well as Article 1, Section 8, Clause 1: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. CARTWRIGHT:

H.R. 3959.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 2: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

Article I, Section 8, Clause 3: To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

By Mr. CASTRO of Texas:

H.R. 3960.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

The United States Constitution, Art. I, Sec. 8, Clause 18

By Mr. DEFAZIO:

H.R. 3961.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Ms. DELBENE:

H.R. 3962.

Congress has the power to enact this legislation pursuant to the following:

Amendment IV, protecting the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures.

By Mr. DOLD:

H.R. 3963.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12.

Article I, Section 8, Clause 14.

By Ms. DUCKWORTH:

H.R. 3964.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. GALLEGO:

H.R. 3965.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. GRAYSON:

H.R. 3966.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. GRIJALVA:

H.R. 3967.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§ 1 and 8.

By Mr. GUINTA:

H.R. 3968.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, Congress shall have power to make all laws which shall be necessary and proper for carrying into execution

By Mr. HECK of Nevada:

H.R. 3969.

Congress has the power to enact this legislation pursuant to the following:

United States Constitution Article I, Section 8

By Mr. ISRAEL:

H.R. 3970.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. ISSA:

H.R. 3971.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 Clause 1

The Congress shall have Power to the United States Constitution which empowers Congress to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common defense and general Welfare of the United States.

By Mr. KILDEE:

H.R. 3972.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States.

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. KIND:

H.R. 3973.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Ms. KUSTER:

H.R. 3974.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the United States Constitution.

By Mr. LANGEVIN:

H.R. 3975.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mrs. LAWRENCE:

H.R. 3976.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. LOWENTHAL:

H.R. 3977.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 3978.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Section 2 of Amendment XV of the United States Constitution.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 3979.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. NORCROSS:

H.R. 3980.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, US Constitution

By Mr. PASCRELL:

H.R. 3981.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. PAULSEN:

H.R. 3982.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1 and 18 of the U.S. Constitution

By Mr. PETERS:

H.R. 3983.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. PITTS:

H.R. 3984.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RICHMOND:

H.R. 3985.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Mr. RICHMOND:

H.R. 3986.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Ms. SINEMA:

H.R. 3987.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section. 8.

By Ms. SPEIER:

H.R. 3988.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Ms. STEFANIK:

H.R. 3989.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article 1 of the Constitution

By Mr. SWALWELL of California:

H.R. 3990.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18 and Section 9, Clause 7 of the United States Constitution.

By Mr. TAKANO:

H.R. 3991.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Ms. MAXINE WATERS of California:

H.R. 3992.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof

By Ms. WILSON of Florida:

H.R. 3993.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 provides Congress with the authority to spend revenue on the general welfare.

By Mr. WILSON of South Carolina:

H.R. 3994.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the U.S. Constitution, which gives Congress the power to "make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof." This legislation requires a study to determine regulations appropriate for the safety and security of automobiles in the United States. Nothing in this legislation shall be construed to restrict due process of the law as defined in Section 1, Amendment XIV of the U.S. Constitution.

By Mrs. DINGELL:

H.R. 3995.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. BISHOP of Michigan and Mr. BYRNE.

H.R. 244: Mr. WILLIAMS.

H.R. 347: Mr. MULLIN.

H.R. 465: Mr. FLEMING and Mr. GARRETT.

H.R. 592: Mr. KEATING.

H.R. 662: Mr. SMITH of Missouri.

H.R. 708: Mr. COSTELLO of Pennsylvania and Mr. BISHOP of Michigan.

H.R. 746: Ms. NORTON, Miss RICE of New York, Mr. FATTAH, Mr. GRAYSON, and Mr. RUSH.

H.R. 793: Mr. ROGERS of Kentucky and Mr. HINOJOSA.

H.R. 814: Mr. MARINO.

H.R. 833: Ms. CASTOR of Florida.

H.R. 885: Mrs. WATSON COLEMAN and Mr. RUSH.

H.R. 923: Mr. FLEMING.

H.R. 940: Mr. DENHAM.

H.R. 969: Mr. GUTIERREZ.

H.R. 990: Mr. ROSKAM.

H.R. 1019: Mr. McDERMOTT and Mr. RANGEL.

H.R. 1142: Ms. BROWNLEY of California.

H.R. 1174: Mr. McGOVERN, Mr. BARR, and Ms. GRAHAM.

H.R. 1197: Mr. JEFFRIES and Mr. KATKO.

H.R. 1209: Mr. LIPINSKI.

H.R. 1217: Mrs. KIRKPATRICK.

H.R. 1258: Mr. DENHAM.

H.R. 1301: Mr. GENE GREEN of Texas.

H.R. 1309: Mr. BRAT and Mr. BISHOP of Michigan.

H.R. 1356: Ms. LORETTA SANCHEZ of California.

H.R. 1399: Ms. KAPTUR, Mr. GARAMENDI, Ms. NORTON, and Mr. MILLER of Florida.

H.R. 1427: Ms. JENKINS of Kansas.

H.R. 1457: Ms. BASS and Mrs. BLACKBURN.

H.R. 1552: Ms. TITUS.

H.R. 1559: Mr. BARR.

H.R. 1567: Ms. TITUS.

H.R. 1568: Mr. RIBBLE.

H.R. 1571: Mr. PAYNE.

H.R. 1576: Mr. HUDSON.

H.R. 1652: Mrs. WATSON COLEMAN.

H.R. 1728: Mr. CARSON of Indiana, Mr. HIGGINS, and Ms. TITUS.

H.R. 1733: Ms. BASS.

H.R. 1769: Ms. EDWARDS, Mrs. WAGNER, Mr. TROTT, and Mr. FRELINGHUYSEN.

H.R. 1786: Mr. RUIZ, Mr. PIERLUISI, and Ms. BORDALLO.

H.R. 1818: Mr. PRICE of North Carolina.

H.R. 1859: Ms. ESHOO.

H.R. 1964: Mr. ASHFORD.

H.R. 1969: Ms. BONAMICI.

H.R. 2009: Ms. SINEMA.

H.R. 2050: Mr. DENHAM.

H.R. 2058: Mr. KLINE.

H.R. 2096: Mr. KELLY of Pennsylvania.

H.R. 2124: Ms. BROWN of Florida, Mr. NADLER, Mr. BEN RAY LUJÁN of New Mexico, Mr. RODNEY DAVIS of Illinois, and Mr. ASHFORD.

H.R. 2156: Mrs. KIRKPATRICK.

H.R. 2191: Mr. CASTRO of Texas.

H.R. 2205: Mr. AGUILAR, Mr. ABRAHAM, and Mrs. BLACK.

H.R. 2241: Mr. CICILLINE.

H.R. 2254: Mr. LOBIONDO and Mr. KENNEDY.

H.R. 2255: Mr. MILLER of Florida.

H.R. 2293: Mrs. KIRKPATRICK, Mr. BEN RAY LUJÁN of New Mexico, and Mr. CARSON of Indiana.

H.R. 2313: Mr. RODNEY DAVIS of Illinois.

H.R. 2342: Mr. LANGEVIN, Mr. POMPEO, and Mr. SWALWELL of California.

H.R. 2400: Mr. LONG and Mr. WILSON of South Carolina.

H.R. 2405: Ms. JENKINS of Kansas.

H.R. 2434: Mr. HASTINGS.

H.R. 2473: Mrs. CAROLYN B. MALONEY of New York, Mr. PITTENGER, and Mr. SHERMAN.

H.R. 2603: Mr. DESJARLAIS and Mr. COSTELLO of Pennsylvania.

H.R. 2671: Mr. PETERS.

H.R. 2672: Mr. PETERS.

H.R. 2673: Mr. PETERS.

H.R. 2698: Mrs. LOVE, Mr. BISHOP of Utah and Ms. STEFANIK.

H.R. 2715: Mr. LARSON of Connecticut, Mr. CARSON of Indiana, and Ms. PINGREE.

H.R. 2717: Mr. POSEY.

H.R. 2797: Ms. MOORE.

H.R. 2799: Mr. PERLMUTTER.

H.R. 2805: Mr. DENT.

H.R. 2811: Mr. BEYER, Mr. BLUMENAUER, and Mr. McDERMOTT.

H.R. 2855: Ms. MENG.

H.R. 2858: Ms. STEFANIK.

H.R. 2896: Mr. WEBSTER of Florida.

H.R. 2902: Mr. WALZ, Mr. SIRES, Mrs. DINGELL, Mr. McDERMOTT, Ms. ESHOO, Mr. NEAL, and Ms. TITUS.

H.R. 2915: Mr. KING of New York.

H.R. 2957: Mr. LOWENTHAL.

H.R. 3048: Mr. HURD of Texas and Mr. CULBERSON.

H.R. 3061: Mr. DOGGETT and Ms. KAPTUR.

H.R. 3068: Ms. LOFGREN and Mr. CURBELO of Florida.

H.R. 3099: Ms. PINGREE and Ms. BONAMICI.

H.R. 3136: Mr. NEWHOUSE.

H.R. 3225: Mrs. KIRKPATRICK.

H.R. 3299: Mr. LONG and Mr. NUNES.

H.R. 3351: Ms. SCHAKOWSKY and Ms. MAXINE WATERS of California.

H.R. 3381: Mrs. TORRES and Mr. SWALWELL of California.

H.R. 3406: Mr. DELANEY.

H.R. 3427: Mr. CLEAVER.

H.R. 3471: Mr. POE of Texas.

H.R. 3516: Mr. EMMER of Minnesota and Mr. COLLINS of New York.

H.R. 3526: Mr. BEYER, Mrs. LOWEY, Mr. PRICE of North Carolina, and Mrs. NAPOLITANO.

H.R. 3556: Mr. HONDA.

H.R. 3608: Mr. COLLINS of New York.

H.R. 3638: Ms. FUDGE.

H.R. 3664: Mr. MARINO, Ms. LOFGREN, Ms. JUDY CHU of California, Mr. FARR, Mr. THOMPSON of California, Mr. PETERS, and Mr. LOWENTHAL.

H.R. 3667: Mr. WEBER of Texas.

H.R. 3681: Ms. MATSUI.

H.R. 3683: Ms. KELLY of Illinois, Mr. SABLON, Mrs. CAROLYN B. MALONEY of New York and Mr. CARTWRIGHT.

H.R. 3684: Mr. HONDA.

H.R. 3686: Mr. LUETKEMEYER.

H.R. 3696: Ms. LEE and Ms. LOFGREN.

H.R. 3705: Mr. HURT of Virginia.

H.R. 3706: Mr. MEEKS, Mr. MACARTHUR, Ms. SCHAKOWSKY, Mr. SMITH of Washington, and Mr. ASHFORD.

H.R. 3723: Mr. RODNEY DAVIS of Illinois.

H.R. 3750: Mr. MILLER of Florida and Mr. SCHWEIKERT.

H.R. 3761: Mr. TAKANO, Mr. CLAY, Mr. GRIMALVA, Ms. JUDY CHU of California, Mr. NORCROSS, Mr. GENE GREEN of Texas, Mr. TONKO, Mr. DeFAZIO, Mr. SCOTT of Virginia, Ms. ADAMS, Ms. BONAMICI, Mr. PETERSON, and Ms. LORETTA SANCHEZ of California.

H.R. 3784: Mr. SHERMAN.

H.R. 3785: Ms. CLARK of Massachusetts, Mr. JEFFRIES, and Mr. ENGEL.

H.R. 3805: Mr. SERRANO and Mr. GENE GREEN of Texas.

H.R. 3806: Mr. NEWHOUSE.

H.R. 3833: Ms. MENG and Mr. CARTWRIGHT.

H.R. 3842: Mr. McCAUL.

H.R. 3845: Mrs. ROBY, Mr. RODNEY DAVIS of Illinois, Mr. MESSER, Mr. SMITH of Nebraska, and Mr. KING of Iowa.

H.R. 3863: Miss RICE of New York.

H.R. 3878: Mrs. MILLER of Michigan.

H.R. 3886: Mr. COSTELLO of Pennsylvania.

H.R. 3910: Mr. SWALWELL of California.

H.J. Res. 48: Mr. JONES.

H.J. Res. 50: Mr. JODY B. HICE of Georgia.

H.J. Res. 67: Mr. CARTER of Georgia.

H.J. Res. 68: Mr. CARTER of Georgia.

H. Res. 12: Ms. ADAMS.

H. Res. 28: Ms. ADAMS.

H. Res. 220: Mr. CARTWRIGHT, Mr. POCAN, Mr. WALZ, Mr. SMITH of Washington, Mr. McGOVERN, Mr. LARSON of Connecticut, Mr. KING of New York, Mr. NOLAN, Mr. POMPEO, Mr. LEWIS, and Mr. BRAT.

H. Res. 251: Mr. LUETKEMEYER.

H. Res. 343: Mr. SERRANO, Ms. CLARKE of New York, Mr. DANNY K. DAVIS of Illinois, and Mr. VARGAS.

H. Res. 364: Ms. LOFGREN and Ms. ESHOO.

H. Res. 406: Mr. THOMPSON of Mississippi.

H. Res. 447: Mr. VARGAS, Mr. PITTS, Mr. HANNA, Mr. RIBBLE, Mr. BOUSTANY, Mr. HONDA, and Mr. POE of Texas.

H. Res. 451: Mr. PEARCE and Mr. COLLINS of New York.

H. Res. 501: Mr. JOLLY.

H. Res. 505: Mr. ENGEL, Ms. MOORE, Mr. QUIGLEY, Mr. JOHNSON of Georgia, Mr. RYAN of Ohio, Mr. SIRES, Ms. TITUS, and Mr. CLYBURN.

H. Res. 508: Mr. POLIS.

H. Res. 509: Mr. McGOVERN.

H. Res. 510: Mr. ZELDIN and Mr. BISHOP of Michigan.

H. Res. 511: Ms. STEFANIK.

H. Res. 513: Mr. LEWIS, Mr. FARR, Mr. MILLER of Florida, and Mr. KING of New York.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 3403: Mr. GARAMENDI.

EXTENSIONS OF REMARKS

RECOGNIZING THE DUNES 50TH ANNIVERSARY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and tremendous pride that I recognize the 50th anniversary of the Indiana Dunes National Lakeshore. The Indiana Dunes National Lakeshore is dedicated to preserving the lands along the southern shore of Lake Michigan that are protected within the park's boundary. Since its inception in 1966, the Indiana Dunes National Lakeshore has acquired and maintained over 15,000 acres of land and, in doing so, it provides a home for endangered plants and animals to thrive as well as a rich natural resource for residents of, and visitors to, Northwest Indiana to enjoy. On November 5, 2015, the Indiana Dunes National Lakeshore launched its 50th anniversary celebration, which will run through the end of 2016.

The Indiana Dunes long served as a destination for those weary of city life to escape and reconnect to nature at the turn of the twentieth century. Chicagoans in particular found respite among the shoreline, seeking peace among the valleys of the tranquil sand dunes. In 1896, University of Chicago botanist Henry Chandler Cowles traveled to Indiana and discovered the Indiana Dunes for the first time, where he found conditions to be an ideal location to study the relationship between plants and their environment. His observations documented the unique ecology of this region, laying the foundation upon which future organizations would base their arguments for protecting this resource from industrial development by designating it as a national park.

Following the appointment of Stephen Mather as the first director of the National Park Service, hearings were held in Chicago in 1916 to weigh public opinion on the creation of "Sand Dunes National Park." Over 400 people were in attendance at this meeting and forty-two people spoke in favor of the proposal. There were no opponents to the proposal, but the United States' entry into World War I changed national priorities, and plans for the park were shelved. The Great Depression followed the war, and many worried a national park that would allow for the preservation of the dunes would never come to fruition.

Post World War II America saw much growth in industrial development, and Indiana moved to capitalize on this trend by seeking a deepwater port on Lake Michigan. Port construction would require the demolition of Central Dunes. In 1952, the Save the Dunes Council, now known as Save the Dunes, was created when a group of concerned citizens came together and took on the extraordinary task of establishing the Indiana Dunes Na-

tional Lakeshore to protest the destruction of the dunes and protect the remaining dune complex along the shoreline. With support from then-Senator Paul Douglas, and through the tireless efforts of many, including the Council's founder, Dorothy Buell, and activists Herb and Charlotte Read, Ruth and Ed Osann, and Sylvia Troy, as well as countless others who championed the cause, the Indiana Dunes National Lakeshore was established in 1966 when the 89th Congress passed a bill authorizing the preservation of eight miles of shore and 8,330 acres of parkland along the lake.

Throughout the last three decades, the Indiana Dunes National Lakeshore and Save the Dunes have worked tirelessly to secure the lands within the park boundary, increasing its holding to 15,000 acres. Today, people can enjoy a variety of landscapes inside the park such as dunes, wetlands, prairies, rivers, and forests. In the coming year, Indiana Dunes National Lakeshore will sponsor several events to celebrate its history, including a year-long lecture series, a science conference, and a youth poetry and art contest in honor of those citizens involved in the creation of the park.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in commemorating the 50th anniversary of the founding of the Indiana Dunes National Lakeshore. Throughout the years, the staff and volunteers of the Indiana Dunes National Lakeshore, Save the Dunes, and other organizations have dedicated themselves to preserving the natural landscape of the Lake Michigan shoreline, and their passionate commitment to the park is worthy of the highest praise.

SIMPSON HOUSE SESQUICENTENNIAL CELEBRATION

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. FATTAH. Mr. Speaker, on November 13, 2015, administrators of the Simpson House, the oldest existing retirement community in the world that is historically related to the United Methodist Church will celebrate its Sesquicentennial Anniversary; a significant milestone for the Simpson House and the City of Philadelphia.

Founded in 1865, in Philadelphia, wounded Civil War soldiers needed care. Memorialized in the Ladies' United Aid Society meeting minutes is the sentiment that compassionate Methodist women found themselves, called to work in spheres of which they had never dreamed or had the remotest idea. At the end of the Civil War, in 1865, Jane Henry, Simpson House Foundress knew experienced em-

powered volunteers could capably address other issues of their era. When she felt a call to ensure that aged individuals who had no money, no family and no means of supporting themselves had a safe and secure place to live, she did not sit idly by. Rather, she took decisive actions which would lead to a meeting on June 14th 1865, and the founding of the Methodist Episcopal Home for the Aged, today known as Simpson House.

Dedicated volunteers and staff have led and guided the Simpson House since the beginning. They include its Founder, Jane Henry, Mrs. Ellen Holmes Verner Simpson and her husband Bishop Matthew Simpson who served as the second president and member of the Advisory Committee; Arthur & Anne Flanagan, unpretentious and generous donors; Margaret McKay Gerhart, volunteer and executive director; and The Rev. David W. Powell, Executive Director. Richard Coyle, RN, NHA, Simpson House Executive Director and Kim W. Williams, Simpson House Senior Services President and CEO are their successors and guardians of the mission.

Generous and ongoing support from many donors helps make commitment to high quality and dignified housing and health care services to the women and men of the Greater Philadelphia Region possible. The Simpson House continues its commitment to benevolent and charity care, a promise since its founding.

Today the Simpson House offers independent living apartments; personal care apartments; memory support and skilled nursing care, serving an average of three hundred senior adults per year. A committed and dedicated staff of more than three hundred employees provides these service and care.

The Simpson House Sesquicentennial Anniversary celebrates the fifteen decades of service. They are honored to serve residents who wish to share their lives and common interests in a caring and active setting. I urge this body to join with me in celebrating the Simpson House and the quality affordable care and accommodations it provides for Philadelphia's older adults.

IN RECOGNITION OF MARK FOLEY

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. KEATING. Mr. Speaker, I rise today to recognize the distinguished career of Eastham Fire Chief Mark Foley on the occasion of his retirement.

Chief Foley dedicated his professional life to public service as a firefighter and emergency services expert. Respected by all for his commitment, leadership, and professionalism, he will retire after serving his community for 28 years.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Beginning his career in the Yarmouth Fire Department, Chief Foley has proven himself a remarkable first responder, rising through the ranks to Lieutenant over the 18 years he spent in the department. He also served as the Deputy Director of the Barnstable County Fire Rescue Training Academy. Adding to his growing list of qualifications, Chief Foley took a position as the Deputy Chief of the Eastham Fire Department before ascending to the position of Chief in 2013.

Firefighters are a pillar of strength, bravery, and poise in our society. They routinely risk their lives to protect our neighborhoods, safeguard our families, and provide urgent aid to those who need it most. Over the course of his impressive career, Chief Foley has demonstrated an unwavering devotion to these ideals and our communities are safer as a result.

Mr. Speaker, please join me in recognizing Eastham Fire Chief Mark Foley for over 28 years of distinguished public service. I ask that my colleagues join me in honoring all that Chief Foley has done for our community and wish him the best of luck in his future endeavors.

IN RECOGNITION OF CITIZENS FOR
CITIZENS, INC.

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. KEATING. Mr. Speaker, I rise today to recognize Citizens for Citizens, Inc. on its 50th anniversary.

Citizens for Citizens, a Community Action Agency, assists over 42,000 households in the Greater Fall River and Greater Taunton areas in Massachusetts every year by providing short term services that support families during financial crisis through its Fuel Assistance, Food Pantry and Rental Assistance programs.

Founded in 1965 under the leadership of its first Executive Director, Edward J. (Jud) Sullivan, Citizens for Citizens opened a Head Start program to provide pre-school education programs for children ages 3 to 5. Recognizing the needs of its community, the programs were quickly expanded to include employment opportunities for individuals over the age of 55 through the Senior Aide Program, nutritional services through the Women, Infants & Children (WIC) feeding program, and utility mitigation opportunities through the Fuel Assistance and Weatherization program. By 1982, Citizens for Citizens had also started an After School and Family Day Care program and Retired Senior Volunteer Program.

Today, Citizens for Citizens is an ever-present and integral part of our community's fabric. Hardly a demographic is overlooked by its wide variety of new and continuing programs. In addition to its initial focus on education and employment opportunities, Citizens for Citizens also provides elderly individuals with an opportunity to earn additional income by working with children with special needs through the Foster Grandparent program, and utilizes the many skills of willing and able

neighbors through voluntary assistance programs, such as the Volunteer Income Tax Return Preparation program.

Mr. Speaker, I am proud to honor Citizens for Citizens on behalf of all of the families and individuals that the organization has helped over the last fifty years. Citizens for Citizens has had a tremendous impact on the Fall River and Taunton communities, and the Commonwealth as a whole. I ask that my colleagues join me in congratulating all of its staff and volunteers and in wishing them another fifty years of success.

PERSONAL EXPLANATION

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. ROKITA. Mr. Speaker, on roll call no. 602. I was meeting, for the first time, my Chief of Staff's baby son and missed the vote on Mr. KING's amendment. Had I been present, I would have voted Yes.

IN RECOGNITION OF THE 12TH
PASTORAL ANNIVERSARY OF
PASTOR AND FIRST LADY HEN-
DRICKS

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the 12th pastoral anniversary of Pastor and First Lady Hendricks. Pastor and First Lady Hendricks have continually served their community with passion and integrity.

Originally from Chicago, Illinois, Pastor Hendricks moved to Ypsilanti, Michigan in 1969. For 35 years, he worked at General Motors, ultimately retiring as a journeyman pipefitter. Not long after moving to Ypsilanti, he joined St. John Missionary Baptist Church. It was not until 1996 that he heeded God's call into the ministry.

In 2003, Pastor Hendricks was installed to lead St. John Missionary Baptist Church. Under the vision and leadership of Pastor and First Lady Hendricks, the church has experienced continued growth and innovation. The church building has been remodeled, and the empowerment of youth has manifested itself through the formation of Youth Church and Youth Choir.

The strength of Pastor Hendricks' vision has included the expansion of his role through service in other leadership positions. In addition to his current ministry, he was called to serve as president of the Minister's Alliance, president of the General Missionary Baptist State Convention of Michigan, and First Vice Moderator of the Eastern Progressive Baptist District Association of Detroit and Vicinity.

Mr. Speaker, I ask my colleagues to join me today to honor the 12th anniversary of Pastor and First Lady Hendricks. This partnership has

faithfully spread the Word and selflessly served their community.

PERSONAL EXPLANATION

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. SWALWELL of California. Mr. Speaker, regarding the question considered November 4 on agreeing to amendment number 54 printed in Part A of House Report 113-326 offered by Mr. DESAULNIER of California to H.R. 22 (Roll Call Number 599), I am recorded as voting "no." I intended to vote "yes."

IN RECOGNITION OF DOCTOR
ROCCO ARMONDA

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. KEATING. Mr. Speaker, I rise today to recognize and honor Dr. Rocco Armonda, who has been awarded the Hero of Military Medicine Award by the Cape Cod Veterans, Inc. and the Korean War Veterans Association for saving over one thousand American lives.

Dr. Armonda's military career began at the prestigious United States Military Academy. He then went on to earn his degree as a Doctor of Medicine from the Uniformed Services University of the Health Sciences in Bethesda, Maryland, and complete his Neurosurgery Residency at Walter Reed Army Medical Center in Washington. Adding to his growing list of qualifications, he took a fellowship with the Thomas Jefferson University in Philadelphia, specializing in Cerebrovascular Surgery and Interventional Neuroradiology. Dr. Armonda then deployed to Iraq from March 2003 to February 2004 as Commander of the 207th Neurosurgery Team.

Dr. Armonda has saved the lives of over one thousand U.S. servicemen, including a life particularly close to home: Corporal Vincent Mannion-Brodeur of Hyannis, Massachusetts. While serving with the 82nd Airborne Division in Tikrit, Iraq in 2007, Corporal Mannion-Brodeur was critically injured by an enemy explosion. Due to Dr. Armonda's expertise, bravery, and poise, Corporal Mannion-Brodeur is still with us today. His road to recovery has been long, but Corporal Mannion-Brodeur has used this opportunity to dedicate his time to working with other injured veterans.

This is not the first time Dr. Armonda has been honored for his work—among others, the American Association of Neurological Surgeons and the International Brain Mapping and Intraoperative Surgical Planning Society have awarded Dr. Armonda with their own recognitions. Currently, Dr. Armonda is affiliated with numerous hospitals, including Walter Reed Army Medical Center and the MedStar Washington Hospital Center. He also serves as an Associate Professor of Neurosurgery at

the Uniformed Services University of the Health Sciences and, incredibly, has found time between saving lives to travel to Boston multiple times to run the Boston Marathon in honor of Corporal Vincent Mannion-Brodeur.

Mr. Speaker, I am proud to honor Dr. Rocco Armonda for his many years of service and outstanding dedication to military medicine. I ask that my colleagues join me in congratulating him and in extending our humble gratitude for all that he has done for Corporal Mannion-Brodeur and for our country's military service members.

END PREDATORY LENDING TO VETERANS

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. GRIJALVA. Mr. Speaker, in commemoration of this year's Veterans Day, I want to take this opportunity to highlight the progress we have made in the past year protecting service-members, veterans and their families from harmful financial products and practices.

Earlier this year, the Department of Defense finalized new rules to protect service-members and their families from triple-digit interest rate payday and car title loans that threatened their security clearance and careers. Unfortunately these protections are only available to active duty members, leaving our nation's veterans susceptible to predatory financial practices. Let us honor our veterans by declaring them off-limits to predatory lending and protecting them from the worst abuses in the payday lending industry.

To protect veterans, their families, and all consumers, the Consumer Financial Protection Bureau (CFPB) must adopt the strongest possible rule to rein in the worst abuses in the payday loan market. Specifically, I ask that the CFPB meaningfully reform the marketplace by implementing rules governing both storefront and online payday lending that would require the lender to determine the borrower's ability to repay the loan, including consideration of both income and expenses.

CFPB should not sanction any series of repeat loans or provide any safe harbor, and recognize that borrowers need small dollar loans with good terms, not short-term loans that are difficult for them to repay. These short-term loans are renewed a multitude of times and trap the average borrower in debt for more than half the year at rates that average 391 percent.

The CFPB should establish an outer limit on length of indebtedness that is at least as short as the FDIC's 2005 guidelines—90 days in a twelve-month period, and lastly prohibit lenders from using post-dated checks of electronic access to a borrower's checking account as evidence of ability to repay the loan.

Too many veterans are living in poverty and desperation—some are even driven to homelessness—due to these consumer protection loopholes that predatory lenders take advantage of, and we must do better. One homeless veteran is too many. This Veterans Day, let's end this predatory lending epidemic.

IN RECOGNITION OF SERGEANT MAJOR (RET.) DANIEL BULLIS

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. KEATING. Mr. Speaker, I rise today to recognize Daniel Bullis, a Vietnam veteran who is not only being honored by the Korean War Veterans Association but also Cape Cod Veterans, Inc. for his outstanding military service and dedication to military medicine.

Sergeant Major Bullis is a respected veteran of the war in Vietnam and served for 31 years on active duty in the United States Army Medical Department. During his illustrious career, he assumed numerous leadership responsibilities—the culmination of which led to his selection as the first Sergeant Major, Army Medical Department/Senior Enlisted Advisor to the Surgeon General of the U.S. Army. He was also appointed as the first Regimental Sergeant Major of the Army Medical Department Regiment, a position in which he provided leadership and guidance concerning the health, welfare, and training of 90,000 enlisted medical personnel.

After Sergeant Major Bullis retired from the Army, he joined the Department of Defense Deployment Health Clinical Center as the Chief of Staff and also serves as Vice President for Patient and Family Services with the Walter Reed Society—a non-profit charitable organization that helps wounded veterans with the unanticipated and often burdensome financial needs. The Society provides these veterans with specially identified equipment and services related to their care when other resources are not available. Originally chartered in 1996 for the benefit of the Walter Reed Army Medical Center, the Society now serves its successor organization, Walter Reed National Military Medical Center, in Bethesda, Maryland. Sergeant Major Bullis serves proudly and voluntarily on the Board of the Society. His efforts on behalf of the Walter Reed Society have helped hundreds of service members and their families receive the assistance they deserve.

Mr. Speaker, I am proud to honor Sergeant Major Bullis for his many years of service and outstanding dedication to the care of our nation's service members. I ask that my colleagues join me in congratulating him and in extending our gratitude for all that he has done.

INTRODUCTION OF THE ENSURING CONTINUED OPERATIONS AND NO OTHER MAJOR INCIDENTS, CLOSURES, OR SLOWDOWNS (ECONOMICS) ACT OF 2015

HON. DAN NEWHOUSE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. NEWHOUSE. Mr. Speaker, I rise today to introduce my legislation, the Ensuring Continued Operations and No Other Major Inci-

dents, Closures, or Slowdowns (ECONOMICS) Act of 2015. From late 2014 through February 2015, a dispute between the Pacific Maritime Association and the International Longshore and Warehouse Union drastically slowed import and export traffic at our 29 West Coast ports, paralyzing supply chains and the economy west of the Mississippi River. This dispute had severe and devastating economic impacts on Washington's 4th Congressional District, the Pacific Northwest, and the country—as agricultural producers, retailers, manufacturers, and countless other businesses and consumers were unable to get their goods through the ports and to foreign as well as domestic markets.

This legislation would create new economic safeguards and triggers that mandate a legal mediation process in an employer-labor dispute at our nation's ports, in order to prevent future disputes and slowdowns. The measure would require the Administration to investigate a dispute and prevent unnecessary economic harm by mandating that a Board of Inquiry be convened within 10 days of any of the safeguards being triggered and then report its recommendations to the President and the public on whether there should be a judicial injunction.

Mr. Speaker, it is imperative that Congress provide additional tools to keep supply chains operating and the economy running during times of severe economic hardship and this legislation does just that. This commonsense and straightforward bill takes an important first step in mitigating the negative impacts of future labor disputes at our nation's ports, which will help protect the economy, as well as families, businesses, and agricultural producers, many of whom are still recovering from the most recent slowdown at our West Coast ports.

IN RECOGNITION OF THE MILITARY SERVICE OF MR. LEONARD PITEK

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to honor Mr. Lenny Pitek for his service to the nation. The sacrifices he made while stationed in Germany from 1957–1960 and in the Army Reserve from 1960–1963 helped keep America safe, and the Dearborn community is better off because of his hard work over the years.

Mr. Pitek's commitment to serve the Dearborn community for more than three decades is truly extraordinary. He is an active member of the American Legion Fort Dearborn Post 364, Polish Legion of American Veterans Chapter 75, and the Dearborn Allied War Veterans Council (DAWVC). He also served as a chaplain for the DAWVC and American Legion Post 364. Lenny is also an original member of the Ritual Team, which provides military honors at ceremonies and funerals to ensure that every veteran is laid to rest with the honor and dignity they deserve. As a result of his direct

actions, military families find peace, veterans are comforted, and our military members are buried with honor. Based on this service, Mr. Pitek was selected by his military peers to receive the DAWVC 2015 Dearborn Veteran of the Year Award.

Lenny Pitek is a longtime resident of Dearborn and lives there with his wife of 45 years, Dianne. Together, they raised three children; Anthony, Jennifer, and Monica, and they have three grandchildren. Mr. Pitek served as the past President of St. Martha's Dad's Club, where he helped organize Christmas parties, Easter egg hunts and raised money for families in need. He also volunteers at the John D. Dingell VA Medical Center distributing Christmas gifts during the holiday season. Mr. Pitek is a true hero to veterans and to all families he reaches with his unwavering dedication to service.

Mr. Speaker, I ask my colleagues to join me today to honor Mr. Leonard Pitek for his military service and inspiring dedication to veterans and the City of Dearborn.

PERSONAL EXPLANATION

HON. VICKY HARTZLER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mrs. HARTZLER. Mr. Speaker, on Wednesday, November 4, 2015, I was unable to vote. Had I been present, I would have voted as follows:

On roll call no. 601, YEA.

IN RECOGNITION OF SERGEANT (RETIRED) RONALD J. TEIXEIRA

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. KEATING. Mr. Speaker, I rise today to recognize Ronald J. Teixeira for receiving the Silver Star for his gallantry in action against an enemy of the United States on March 22nd 1969.

Mr. Teixeira was destined for a life of bravery. Born soon after the end of World War II on Veterans Day, he first joined the U.S. Army at Fort Dix, New Jersey to complete his basic training before being transferred to Ft. Gordon and Ft. Benning in Georgia to finish his training as a Non-Commissioned Officer (NCO) in the airborne infantry. In December of 1968, he received orders and shipped out with the 101st Airborne for Vietnam. Due to a shortage of NCOs in the 4th Infantry Division, Sergeant Teixeira was placed with Company B, 2nd Battalion (Mechanized), 8th Infantry of the 4th Infantry Division as part of security details for bridges, artillery units, medic visits to friendly villages and resupply convoys.

It was while protecting a resupply convoy on March 22, 1969, that enemy forces attacked. Sergeant Teixeira's armored personnel carrier was destroyed and he was wounded along

with several of his crewmen. Rather than seeking safety and medical attention immediately, Sergeant Teixeira returned enemy fire and engaged their positions until his ammunition had been expended. After receiving basic medical attention, he assisted in the treatment of other wounded soldiers and set up defensive positions until a medical evacuation (medivac) helicopter came to the aid of the ambushed unit.

Sergeant Teixeira's fight to survive and protect his fellow soldiers that day was not over, however. While lifting off from the landing zone, his medivac helicopter was shot down by an enemy rocket. Pulling out the other wounded and injured from the wreckage, Sergeant Teixeira valiantly continued to risk his safety and life in order to keep his fellow soldiers alive until they were evacuated out of Vietnam and to Japan to receive medical attention.

With a slip of fate, Sergeant Teixeira never received the Silver Star during his service in the United States Army. Instead of returning home to file the necessary paperwork to receive this award, Sergeant Teixeira shipped out to Korea after recuperating in Japan to continue protecting American lives. His bravery, service, and dedication is unmatched.

And so, on this Veterans Day and, coincidentally, his 70th birthday, it is my sincere honor to be able to present one of our nation's highest military commemorations to Sergeant Teixeira for his outstanding military service and for the great credit he has brought upon himself, the Army and the United States of America.

Mr. Speaker, please join me in honoring this distinguished soldier for his determination and exemplary devotion to his duty. I ask that my colleagues rise and join me in wishing Mr. Teixeira a happy 70th birthday and thanking him for the sacrifices he made in service to his country.

HONORING BETTY GRAY

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Betty Gray, a loyal public servant and a key staff member on the House Armed Services Committee. Betty has served in Congress for 40 years—a benchmark only the most dedicated public servants achieve.

Betty typifies what it means to be a public servant, a colleague, a friend and, most importantly, a mother and wife. Anyone who has had the opportunity to meet Betty quickly understands that the most important thing to her is her family. Her husband, Dick, and two children, Zach and Cal, are at the center of her life.

We all fear the day Betty decides to retire. While no one is irreplaceable, some people come very close. Betty is one of those people. Her institutional knowledge and administrative skill set are unrivaled. After 40 years of service, Betty has accumulated a wealth of knowledge and depth of understanding about the

Armed Services Committee and Congress that cannot be replaced. When she retires, a part of Congress will retire with her.

Betty is a true professional. Ask anyone who has worked with her about the quality of her service and the response is unequivocal: Betty has always been the quiet, consistent presence on the committee—the person who is never rattled, regardless of how chaotic or stressful things become. She is always here to remind us of what has been tried before and whether it did or did not work.

An eagle-eye editor of letters and memoranda, Betty is literally the person who makes sure that we "cross our T's and dot our I's." Not only is she the person with the clipboard checking off staff at Member meetings, she is the person who assures that the Members know the who, what, where, when, why, and how of the meeting. Throw five conflicting times and dates at her, and Betty can make calm out of schedule chaos. As security administrator for classified information, Betty literally handles our deepest, darkest secrets. For 37 years, she has shepherded every National Defense Authorization Act through committee markup, ensured every roll-call vote is tallied correctly, and served as the committee's unofficial historian.

On a more personal level, Betty is the librarian of the House Armed Services Committee, the school counselor, the motherly presence who remembers everyone's birthdays and, on occasions, even the school nurse. She is the go-to person to get things done and the one who lends a helping hand or a listening ear.

Betty has outlasted eight Speakers of the House, seven Presidents, and ten House Armed Services Chairmen. Speaking as someone who has been here for a while, I understand the difficulty of achieving that level of longevity. We are here today to celebrate all that Betty has done for her country and for Congress, and to thank her for her service. You are a true public servant, Betty. Thank you.

Mr. Speaker, it is my honor to recognize Betty Gray for her distinguished career. I am confident that others will continue to benefit from her service.

HONORING THE CAREER OF BEN FLANAGAN

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. MARCHANT. Mr. Speaker, I rise today to celebrate the long, successful career of Ben Flanagan, who served the Grapevine Police Department for 25 distinguishable years.

Ben served the Grapevine Police Department in several capacities from 1989 to 2014, ultimately retiring as Assistant Chief of Police. Born and raised in Grapevine, Texas, Ben graduated from Grapevine High School in 1970. Upon graduation, he joined the US Army for two years before attending Tarrant County Community College where he studied political science. Ben would then serve the Lewisville Police Department for one year before beginning his exceptional career with the Grapevine Police Department.

The career Ben made for himself is full of honors, success, and hard work as he held seven different positions within the department, quickly moving up the ranks. In 1989, Ben began as a patrol officer and eventually retired as Assistant Chief of Police, acquiring an impressive resume along the way. Ben was honored as officer of the year in 1991 and detective of the year in 1994. He also participated in hostage negotiations and was a member of the SWAT team. Ben played a pivotal role in shaping the police department into the institution it is today, as well as helping keep the city safe for its residents, businesses, and visitors.

Ben's North Texas roots are deep, as he grew up fishing the shores of Lake Grapevine and his father had farmed the land that is now part of Dallas/Fort Worth International Airport. To this day he enjoys the outdoors and many of its activities including fishing and hunting. Ben accumulated 46 commendations during his career, including an outstanding service award in 2004 from Mothers Against Drunk Driving. Ben's dedication and positive attitude is known throughout the community and travelled with him during his tenure. It is an honor and a privilege to recognize one of the great citizens of the 24th district.

Mr. Speaker, it is a pleasure to recognize the career of Ben Flanagan. I ask all of my distinguished colleagues to join me in celebrating this milestone in his remarkable life.

IN RECOGNITION OF WILLIAM
WHIPP

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. KEATING. Mr. Speaker, I rise today to recognize a distinguished veteran from my district in Massachusetts: William David Whipp. This Veterans Day, Mr. Whipp will be recognized by the Dartmouth Veteran's Advisory Council for his outstanding service during the Battle of the Bulge in World War II.

Born in 1926, Mr. Whipp joined the Army soon after his eighteenth birthday on April 11, 1944. Following his basic military training as an infantry scout, Mr. Whipp was assigned to the 11th Infantry Regiment of the 76th Infantry Division and deployed as a Private First Class to Western Europe as part of the European-African-Middle Eastern Theater of Operations in World War II.

It was during Mr. Whipp's deployment to Ardennes that the Germans launched one of the most brutal offensive campaigns against Allied forces in this densely forested region. Known as the Battle of the Bulge, this bloody ground offensive claimed over 19,000 American lives—more than any other single battle in World War II. Surviving this fierce surprise attack and the ensuing counteroffensive by Allied forces, Mr. Whipp went on to serve through the end of World War II until, having received, among other medals and awards, the illustrious Bronze Star for his actions during battle, Mr. Whipp received an honorable discharge in January of 1946.

Upon the conclusion of the war and his return home, Mr. Whipp has been viewed by the citizens of Dartmouth and the Commonwealth as a leader, a trusted civil servant, and a friend to the community. His guidance on several Town Boards over the last twenty years has contributed significantly in improving the lives of everyone in Southeastern Massachusetts and beyond.

Mr. Speaker, I am proud to honor Mr. Whipp for his years of service to a grateful nation. I ask that my colleagues join me in congratulating him for receiving this recognition and in humbly thanking him for all that he has done for his country.

CELEBRATING THE STATE CHAMPION
MARIAN HIGH SCHOOL
BOYS' SOCCER TEAM

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mrs. WALORSKI. Mr. Speaker, I rise today to pay tribute to the Marian High School Knights for their victory in the IHSAA Class 1A Boys Soccer State Championship. Hard work and dedication led the Knights to this victory and allowed them to finish out the season with twenty wins, eight of which were shutouts, and two losses. The championship game was the team's first appearance in the state finals and is their first state title.

During the championship game, Marian senior Augie Hartnagel started off with high intensity, scoring a goal within the first 20 minutes. The team took this momentum and scored two more goals, made by Kevin Torres and Jordan Morris. The team finished with 24 shots to Cardinal Ritter High School's four and a 3-0 victory.

I also would like to highlight the many players who were honored for their performance in the tournament. Seniors Richie Ontiveros and lead scorer Augie Hartnagel were named to the Northern Indiana Conference's First Team, Kevin Torres and Cristian Juarez were named to the NIC's Second Team, and Christian Verstraete received Honorable Mention. Keeper Michael Cataldo also walked away with eight shutouts for the season.

I want to congratulate Coach Ben Householter on this victory, which is truly a testament to his dedication to the boys' soccer program. This win gave Householter his first state championship in 18 years as head coach and earned him recognition throughout the entire conference as Northern Indiana Conference Coach of the Year.

The Knights' level of excellence as a whole is a reflection of the individual players and their desire for success and dedication to hard work. This victory is a result not only from talent, but also from hours of practice, strategic planning, and fine tuning the skills of each player. I look forward not only to cheering for the Knights in the future, but to cheering on the men of this year's team as they pursue their goals in the years to come. I have every confidence that they will succeed.

Congratulations to the entire team for their contributions: Kevin Torres-Villa, Christian

Verstraete, Richie Ontiveros, Augie Hartnagel, Carlos Torres, Nate Pullin, Lorenzo Martinez, Michael Wuszke, Michael Cataldo, Max Frausto, Justin Saavedra, Alex Kokot, Cristian Juarez, Oscar Tavarez, Johnathan Tavarez, Roberto Ontiveros, Jordan Morris, Alex Rodela, Will Tiller, De'Quarius Strowder, Dennis Mammolenti, Gabriel Martinez, Juan Botello, Adam Evans, Alfredo Medina, Jonathan Magallon, Head Coach Ben Householter, Assistant Alfredo Juarez, Assistant Coach John Jonas, Assistant Coach Matt Englert, Manager Chloe Householter, Manager Jenna Householter, Athletic Trainer Anne Micinski, Assistant Athletic Director Linda Martin, Athletic Director Reggie Glon, and Principal Mark Kirzeder.

The Knights' dedication and sacrifices have truly paid off, and is a source of pride for the entire city and Indiana. This is truly an exciting victory and this is a memory these students will have for a lifetime. On behalf of the people of the Second Congressional District of Indiana, I applaud Coach Householter for building this program, thank the student athletes for their determination, and congratulate them all on an amazing season. It is my honor to represent Marian High School, and I wish continued success to the team and each of its members in their future endeavors.

DEMANDING ACCOUNTABILITY:
EVALUATING THE TRAFFICKING
IN PERSONS REPORT

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. SMITH of New Jersey. Mr. Speaker, yesterday I convened an oversight hearing on the 2015 Trafficking in Persons Report. Far more than simply ink on paper, this report has proven to be both prize and prod: a prize for those countries whose progress in the fight against the grave abuse of human trafficking the report acknowledges, a prod to those nations that are failing the trafficking victims within their borders.

The power of the report lies in its credibility. And the credibility of the report lies in its accuracy. We must get the report right, or we will lose the most effective tool we have to help the more than 20 million victims of trafficking enslaved around the world today.

Some countries openly credit the TIP Report for their increased and effective anti-trafficking response. Over the last 14 years, more than 100 countries have enacted anti-trafficking laws, and many countries have taken other steps required to significantly raise their tier rankings: Tier 1 for those who fully meet minimum standards, Tier 2 for those who are making significant efforts to meet minimum standards, and Tier 3 for those who are not making significant efforts to meet minimum standards and, indeed, may be subject to sanctions.

And for those in a purgatory between Tier 2 and 3, Congress in 2003 created a "Tier 2 Watch List" for those which may have undertaken significant anti-trafficking steps late in

the evaluation year. Unfortunately, this ranking has been misused to allow countries to escape accountability.

I held the hearing yesterday due to well-founded concern that some of the rankings in the most recent report are grossly inaccurate and greatly undermine the credibility of the report.

Indeed, we have massive grade inflation for certain favored countries, thereby defeating accountability, and demoralizing countries that actually made significant progress last year.

The State Department heard from many House members—161 to be exact—when it was leaked that Malaysia was upgraded this year from Tier 3 to the Tier 2 Watch List.

The report justified the upgrade because Malaysia introduced—but did not pass—an amendment to their trafficking law, and allowed a limited number of their trafficking victims to work outside of detention, while keeping the rest of the victims in detention.

These incomplete actions pale in comparison to the size of Malaysia's trafficking problems. Malaysia was the subject of a Reuters investigative report in 2014, which found that human traffickers were keeping hundreds of Rohingya refugees from Burma captive in houses in northern Malaysia, beating them, depriving them of food, and demanding a ransom from their families.

At least two million vulnerable migrants work in the informal economy in Malaysia. NGOs on the ground tell us that traffickers operate openly and with impunity. And that those who get in their way are killed.

Only three traffickers were convicted in Malaysia last year. Three in a country of more than 30 million people.

If that ratio were not bad enough, it also marks the third year of decline in convictions. Three convictions is one-third of the convictions Malaysia had in 2013—when Malaysia was Tier 3—and one-seventh of the convictions in 2012.

Trafficking in Malaysia is getting worse and the Government's enforcement of the law was nearly non-existent, and yet Malaysia was upgraded.

So what happened?

What happened is that this Administration wanted Malaysia to be eligible to join the Trans-Pacific Partnership. This spring, Congress approved the Trade Priorities Act of 2015, excluding Tier 3 countries from expedited consideration by Congress, for the simple reason that Congress did not want to increase trade with countries that engage in persistent labor trafficking.

Malaysia was disqualified—until their upgrade.

More than “bad optics,” more than flouting the will of Congress, such circumventing of accountability is disastrous for the labor trafficking victims in Malaysia.

Instead of demanding change before Malaysia became a major trading partner, the Administration changed our standards to give Malaysia a pass. In other words, we looked the other way to empower a slave economy.

The Administration also upgraded Cuba this year to the Tier 2 Watch List on flimsy justifications—namely, that Cuba began sharing information with the U.S. on trafficking and that it convicted 13 traffickers two years ago (which is outside the reporting period).

But what has changed in Cuba for trafficking victims in the last year?

Cuba legally permits the pimping of 16 year old girls, is the top destination in the Western Hemisphere for child sex tourism, and does not criminalize labor trafficking at all—indeed, Cuban health care personnel who are sent abroad by the Castro regime to generate income for the government report being forced to work in medical missions, having their passports withheld and their families threatened.

The trafficking rankings should not be used in hopes of bringing about better bilateral relations with Cuba; rather, better relations with Cuba should be pre-conditioned on real protection for Cuba's prostituted children and recognition of labor trafficking.

The bar also seemed to be lowered this year for Uzbekistan, which was upgraded to the Tier 2 Watch List despite the fact that Uzbekistan's Government openly and unapologetically forces its population into forced labor every year during the cotton harvest.

In recent years, the government has shifted away from pulling young children out of school and allowed the International Labor Organization to monitor conditions. But instead of children they conscripted adults, continuing the systematic exploitation of its population.

China's premature upgrade to Tier 2 Watch List in 2014 and continued presence there in the 2015 report also raises the question—How can a country that systematically traffics its own people be anything other than Tier 3?

After one year on Tier 3 in 2013, China passed a law to allegedly close its 320 Re-education Through Labor (or RTL) detention centers, which forced prisoners and other detainees to perform manual labor and padded the pockets of the government.

The State Department upgraded China because of the “reform” in 2014. But now we know from the report itself that the government only closed “several” of the 320 forced labor sites, and converted other RTL facilities into state-sponsored drug detention or “custody and education” centers.

In other words, China continues to force detained citizens to perform manual labor—and yet it got to keep the Tier upgrade it was given for allegedly ending this practice.

Additionally, China's official birth limitation policy, in combination with a cultural preference for boys, has resulted in approximately 40 million women and girls missing from the population—making China a regional magnet for sex and bride trafficking as men who reach marrying age cannot find a mate.

Just ask the Burmese, Cambodian, Vietnamese, Laotian, and North Korean women imported to meet China's demand.

To wit, an estimated 90 percent of North Korean women seeking asylum in China have been trafficked. Yet China refuses these women refugee status and sends them back to possible execution in North Korea.

Nothing in China's record in 2014 warrants any ranking other than Tier 3.

Consider this: China convicted 35 traffickers last year in a country of 1.3 billion people. That is one trafficker out of every 37 million people.

I wrote the TVPA to allow flexibility and discernment in rewarding a country for making

progress over their record from the year before. And for significant—not just any—efforts that go to prosecutions, protection, and prevention.

Tier rankings are a tool to aid real change, not a rubber stamp for simply holding a meeting and being a major trading partner.

The rankings in this 2015 report seem to be a real opportunity lost, not just for the countries we gave a pass to but other countries whose good faith efforts at reform were not acknowledged.

No country will take U.S. trafficking rankings seriously when there seems to be a “wink and nod” agreement to look the other way when it suits U.S. business or other interests.

Tellingly, Reuters reports that there was a lot of infighting at the State Department between the trafficking experts, and the bureaus. This year the two sides split on 17 countries in particular—and that J/TIP lost almost all of the conflicts.

Real people are suffering. Real lives are at stake.

HONORING THE LIFE AND ACHIEVEMENTS OF BROTHER HERBERT HAROLD SIMPSON

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. RICHMOND. Mr. Speaker, I rise today to honor the life of Brother Herbert Harold “Briefcase” Simpson, exemplary Christian Brother and prominent professional baseball player in the Negro League. Brother Simpson passed away on January 7, 2015, at the age of 94.

Brother Simpson was born August 29, 1920 in Algiers, Louisiana. In his early years, Brother Simpson attended New Orleans public city schools where he played semi-pro baseball with the Algiers Giants while still in high school. After graduating from high school, he enlisted in the military and served in the United States Army.

During World War II, Brother Simpson served in General Patton's Third Army Red Ball Express. He was also the only African-American player on a baseball team that played in the Battle League.

After his honorary discharge, Brother Simpson played professional baseball in the Negro League for the next decade. Earning the nickname, “Briefcase,” he was selected to play in Hawaii as a member of the all-star team called the All Star Cincinnati Crescents. Brother Simpson displayed great courage and perseverance when he integrated two minor league teams, the Seattle Steelheads and the Albuquerque Dukes.

Brother Simpson returned to his hometown where he played semi-pro baseball with the New Orleans Creoles while working for the New Orleans Parish School Board for 20 years and the State of Louisiana for ten years. Brother Simpson later became Deacon of the First Free Mission Baptist Church of Algiers. Brother Simpson's dedication to community extended beyond his Deacon duties. He was

a member of Pride of Algiers Lodge #102 Free and Accepted Mason, Prince Hall Affiliation where recently Brother Simpson was honored as the society's oldest member.

Mr. Speaker, I celebrate the life and legacy of Brother Herbert Harold Simpson, a soft-spoken man remembered for his faith and humility, and for his dedication to life-long civic and community service. His service and professional athletic achievements contribute significantly to our city's rich history.

IN COMMEMORATION OF THE 100TH ANNIVERSARY OF THE GREATER WILKES-BARRE ASSOCIATION OF REALTORS

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. BARLETTA. Mr. Speaker, it is my honor to help commemorate the 100th anniversary of the establishment of the Greater Wilkes-Barre Association of Realtors. The association and its members have played a crucial role in helping my constituents realize the American dream of home ownership.

Since 1915, the association has been able to support the interests of local realtors in Northeastern Pennsylvania. The organization has enjoyed a distinguished history of real estate brokerages that have grown from sole proprietorships to multiple offices over the course of the past century—a notable feat. The senses of entrepreneurship and dreams shared by all of its realtors have perpetuated a long list of members and have survived to the present day. They truly embody the spirit of American entrepreneurialism, and I am thankful for the services that they provide my constituents on a daily basis.

Mr. Speaker, it is my pleasure to recognize the Greater Wilkes-Barre Association of Realtors as it celebrates its 100th anniversary, and I look forward to the group's continued success for years to come.

CELEBRATING THE 100TH ANNIVERSARY OF THE COLLINSVILLE MEMORIAL PUBLIC LIBRARY

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. SHIMKUS. Mr. Speaker, I rise today to congratulate the Collinsville Memorial Public Library on their 100th anniversary of service to our community.

On October 15th, 1915, Mrs. John Bruso, the president of the Collinsville Study Club, now the Women's Club, tasked Mrs. Charles Holding, Mrs. Charles Listeman, and Mrs. AC Powel with establishing a Library for the city of Collinsville. Less than a year later, the library opened on the second floor of city hall. One hundred and twenty-one volumes were donated for public use.

Since opening, the library has seen many moves and structural modifications, as well as the addition of the Collinsville Historical Museum. I am proud to say the library also serves as a memorial. On November 30th, 1938, a tablet was dedicated to fifteen Americans who heroically gave their lives in World War I, and exactly ten years later another tablet was dedicated to fifty soldiers who defended our freedom in World War II.

I am proud of the history the Collinsville Memorial Public Library has in our community, and I'm excited to see what it will bring to our future generations.

ANNIVERSARY OF THE UKRAINIAN FAMINE-GENOCIDE OF 1932-1933

HON. BRENDAN F. BOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, as we near the anniversary of the Ukrainian Famine-Genocide of 1932-1933, I would like to extend my deepest sympathies to the victims, survivors and families of this tragedy.

During this time, nearly 10 million Ukrainians were killed under the direction of Soviet dictator Joseph Stalin who ordered the borders of Ukraine sealed to prevent anyone from escaping the man-made starvation and prevent any international food aid from entering.

Grain harvests were deliberately confiscated so millions of innocent men, women and children starved all to destroy the nationally conscious movement for independence.

In 1985, the United States Commission on the Ukraine Famine formed to expand the world's knowledge and understanding of the events of this genocide of 1932-1933. They found that the victims were "starved to death in a man-made famine" and that "Joseph Stalin and those around him committed genocide against Ukrainians in 1932-1933".

And so, today I stand here in solidarity with the Ukrainian people, to remember the suffering experienced under Stalin. I am a proud representative of Pennsylvania's 13th District where I have many Ukrainian constituents whom I would like to specifically acknowledge.

I commend the Congress when in 2006 legislation was enacted to authorize the construction of a memorial in the District of Columbia to honor the victims of the Ukrainian Famine-Genocide. Today, we can see the culmination of this effort with a meaningful memorial by Union Station that I visited earlier today.

Unfortunately, today many people have never heard of Holodomor, despite the 10 million that perished. I call for more efforts to be made like that of the Commission to educate the public on this issue, so everyone understands the events of this genocide. We must learn our history so we do not repeat the mistakes of our past. We must ensure this never happens again—especially at a time where Russia continues to show aggression in Ukraine.

25TH ANNIVERSARY OF THE WHITE HOUSE INITIATIVE ON EDUCATIONAL EXCELLENCE FOR HISPANICS

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. GRIJALVA. Mr. Speaker, I rise today in honor of the 25th Anniversary of the White House Initiative on Educational Excellence for Hispanics. This initiative has focused on improving and expanding the educational outcomes of Latino students throughout our country.

Across our country approximately one in four students in our public schools is Latino. Ensuring every child has the opportunity to succeed is our moral obligation and imperative to the success of our country. I commend the White House Initiative on Educational Excellence for Hispanics and all the outstanding organizations selected as Bright Spots for their unwavering commitment to the academic success Latino children throughout our country.

I wish to especially congratulate Yuma Union High School District's Ready Now Yuma initiative in my congressional district for being selected as a Bright Spot. Ready Now Yuma's commitment to our youth is imperative in ensuring that every child is prepared for success.

PERSONAL EXPLANATION

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. BABIN. Mr. Speaker, I would like to indicate that I inadvertently voted "Yea" on Roll Call 606. I intended to vote "Nay."

RECOGNIZING THE 35TH ANNIVERSARY OF THE GUILLAIN-BARRÉ SYNDROME/CHRONIC INFLAMMATORY DEMYELINATING POLYNEUROPATHY FOUNDATION

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. HOYER. Mr. Speaker, I rise to recognize the Guillain-Barré/Chronic Inflammatory Demyelinating Polyneuropathy Foundation International's thirty-fifth anniversary. For more than three decades, the GBS/CIDP Foundation has done more than advocate for effective treatment; it has provided hope and resources to those who suffer from these disorders. The Foundation's staff and volunteers help those with GBS and CIDP recognize that they are not alone—and that they have powerful allies in their corner.

Last night, I had the privilege of serving as master of ceremonies for the Foundation's anniversary gala, at which my friend and colleague, Representative JOHN GARAMENDI of

California was honored as "Legislator of the Year." JOHN's two daughters, Christina and Elizabeth, experienced GBS, and he is not only a great leader on this issue but also a steadfast advocate for access to quality, affordable health care for all who need it.

Many of those who suffer from GBS and CIDP find themselves experiencing a physical disability, which can have a profound effect on their quality of life and, potentially, their ability to work. One of the proudest moments of my career in public service was leading the effort in the House to pass the bipartisan Americans with Disabilities Act in 1990, ensuring that every American with a differing ability can have his or her equal rights, equal access, and equal dignity recognized and respected.

This year we're celebrating the twenty-fifth anniversary of that landmark legislation, which did more than change the way we construct buildings or crosswalks—it changed attitudes. Changing attitudes about what GBS and CIDP means for those experiencing it and why we must work together to find new treatments and a cure has been the great work of this Foundation.

I am proud to have been a part of last night's event, and I ask my colleagues to join me in congratulating the GBS/CIDP Foundation International on this milestone anniversary. I want to thank organizers Ralph Neas and Katherine Beh Neas, both for their friendship over the years and for their untiring efforts to raise awareness, provide resources, and support research to benefit those suffering from GBS/CIDP. I look forward to continuing my support for their important and impactful work.

RECOGNIZING STRATEGIC STAFFING SOLUTIONS AND PRESIDENT AND CEO CINDY PASKY ON THEIR 25TH ANNIVERSARY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Strategic Staffing Solutions and President and CEO Cindy Pasky on their 25th Anniversary. Their longevity as a company is a testament to their innovative services, the drive of their leaders, and the hard work of their employees. The mission of Strategic Staffing Solutions (S3) is to build trusting relationships and deliver solutions that positively impact their customers, consultants, and community. This has been a mission that President and CEO Cindy Pasky and her team have proudly embodied for the past 25 years in Metro Detroit. They deserve to be commended for this milestone anniversary and for their contribution to the renaissance of Detroit.

Founded in 1990, Cindy Pasky set out to create a company that would set the standard for service and community engagement and has succeeded in an extraordinary way. In the first year, S3 posted revenues over two million dollars and was employing over forty consultants and team experts; incredible growth for a start-up company. Today, S3 is one of the

largest and fastest growing staffing firms in the country, employing over twenty seven hundred team members with offices across the United States and Europe. We are proud to have such a strong global company headquartered in Metro Detroit.

The company has been a great success, but the impact that President and CEO Cindy Pasky has had on our region is almost immeasurable. Cindy is involved in a wide variety of regional collaborative and charitable organizations all with the goal of creating a more beautiful and prosperous Detroit region. In acknowledgement of her work, Cindy has been inducted to the Michigan Women's Hall of Fame, named Michigania of the year by the Detroit News and named a Woman of Achievement by Michigan WIPP. In addition, she is Founding Chair of the American-Lithuanian Business Council and serves on the Investor Advisory Committee of the Government of Lithuania. In sum, Cindy Pasky is considered among the most influential and accomplished people in our region and state, and I am fortunate that I can call her a friend.

Mr. Speaker, I ask my colleagues to join me in honoring Cindy Pasky and Strategic Staffing Solutions for 25 years of success, service and commitment.

RECOGNIZING FOREST PRODUCTS

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. BUTTERFIELD. Mr. Speaker, we recently celebrated National Forest Products Week. Today, I rise to recognize the importance of the forest products industry to the United States, and in particular, my home state of North Carolina where the industry sustains over 40,000 jobs.

Many of those stable and good-paying jobs are in rural communities including Roanoke Rapids, Plymouth, and New Bern, in North Carolina's First Congressional District which I represent. The economic and employment opportunities provided by the forest products industry are especially important to those communities and others I represent.

The forest products industry is evolving. It is the largest producer and user of bioenergy. And further investments in and expansion of bioenergy—at these mills and bioenergy facilities like Craven County Wood Energy—are being made today. These efforts help reduce our country's greenhouse gas emissions and create innovative new markets to help conserve forestland for rural jobs, recreational activities, and wildlife protection.

Mr. Speaker, I urge my colleagues to join me in recognizing National Forest Products Week. The industry creates and sustains jobs, makes important economic contributions to our communities, and is innovating and developing new technologies supporting a healthier environment.

IN MEMORIAM OF JACK ALBERT BROWN, MAY 2, 1929–OCTOBER 28, 2015

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Ms. SINEMA. Mr. Speaker, I rise today to remember one of Arizona's greatest law-makers and statesmen, Jack Albert Brown (Jack). Jack was one of the Arizona Legislature's longest serving Members and one of our last cowboy legislators. He served for 17 terms and represented 5 rural counties; he was elected Assistant House Minority Leader and House Minority Leader Pro Tem. Jack was Senate Floor Leader during a time in Arizona history when both parties held an equal number of seats in the Senate. Jack would later describe this period as his favorite, because both sides of the aisle worked together like no other time in Arizona's history.

Jack was a passionate voice for our farmers and ranchers throughout his career. He routinely visited every town in his vast district and was a welcomed and familiar sight in his pickup truck, often bringing his homegrown tomatoes, citrus and pecans to the many friends he had made throughout the years.

I had the honor of serving with Jack from 2005 until his retirement in 2010. He taught me patience, how to collaborate, how to build bridges with our colleagues, and how to work in the best interest of our great state. Above all else, Jack was my friend, and like everyone who knew this wise and gentle man, I will miss him very much. On the evening of October 28, 2015, Jack passed away, with Beverly, his wife of 21 years by his side. Members, please join me in extending condolences to Beverly, his 8 children, 36 grandchildren, 30 great-grandchildren, and thank them for sharing Jack with Arizona. Our state is stronger because of Jack Albert Brown and we will never see his likes again. Thank you, cowboy. You will be dearly missed and fondly remembered.

145TH ANNIVERSARY OF PALM VALLEY LUTHERAN CHURCH

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. CARTER of Texas. Mr. Speaker, I rise today to honor the incredible longevity of a place near and dear to me and many others. In a country that commemorates the 25th or 50th anniversary of an event, Palm Valley Lutheran Church has a special distinction. On November 8, 2015, it celebrates its 145th anniversary of ministry to the growing town of Round Rock, Texas.

In the early 1850's a small number of Swedish immigrants began settling in an area known then as "Brushy," located a few miles east of the present day town of Round Rock. Although there was neither a Swedish Lutheran Church nor pastor in all of Texas at

that time, these hard-working pioneers met together in a local cabin for prayer, Bible reading, and singing of hymns.

On November 27, 1870, the "Swedish Evangelical Lutheran Brushy Church" was officially founded. In 1872 a wood-frame church was built to replace the original log cabin. The name remained until 1936, when it was changed to Palm Valley Lutheran Church.

Palm Valley Lutheran Church has been a silent witness to a country coming into being, its expansion across a continent, the aftermath of a civil war that pitted brother against brother, the strength of a people tested by the Great Depression and world wars, and the rise of a superpower. It has been the site of countless baptisms, weddings, funerals, and sermons. For 145 glorious years, this church has been a place where faith was nurtured, renewed, and embraced.

Palm Valley Lutheran Church remains committed to proclaiming the gospel of Jesus Christ in word and deed to a community that has changed much during the past 145 years. Let us honor the durability of this steadfast source of identity and pillar of stability for all Christians in Central Texas.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,532,338,091,711.48. We've added \$7,905,461,042,798.40 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING JEFF ZONDLO, MARSHFIELD, WISCONSIN

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. DUFFY. Mr. Speaker, I rise today to honor Mr. Jeff Zondlo—a Purple Heart recipient who volunteered to serve his country during the Vietnam War.

Mr. Zondlo, of Marshfield, Wisconsin, voluntarily entered the draft for one noble reason: to give back to his then struggling country.

While stationed at Chu Lai, Vietnam the enemy attacked his camp in the early morning hours of June 11, 1969.

Several grenade explosions knocked Mr. Zondlo unconscious, left him with devastating burns, ruptured ear drums and a gaping hole in his lower back.

In the process of receiving treatment for his wounds, a doctor asked him if he would read

letters from home to a soldier whose injuries prevented him from reading them on his own. Despite his own pain, Mr. Zondlo relayed the words of love and encouragement to the soldier. Unfortunately, the soldier would not live to see his loved ones again, but his brother in arms, Mr. Jeff Zondlo, offered patient watch over him in his final days.

It's for that selflessness—both in the call to serve his country and the drive to help others—that we pay tribute to Mr. Zondlo today.

Mr. Speaker, please join me in recognizing Mr. Jeff Zondlo for his unending devotion to our nation. On behalf of this body and a very grateful nation, thank you.

CONGRATULATING MIKE BIEDIGER

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. WILSON of South Carolina. Mr. Speaker, I am happy to congratulate Mike Biediger on his retirement as CEO of Lexington Medical Center after over 25 years of dedicated service.

During his tenure as CEO of Lexington Medical Center, he has led the hospital through an unprecedented period of growth. Lexington Medical Center has grown from 292 beds into a 414-bed modern medical complex with six community-based medical and urgent care centers and more than 600 physicians and 60 medical practices conveniently located throughout Lexington County. Under his leadership, the hospital also established an innovative, nationally certified heart program. On May 8, 2015, Clemson University awarded Mike Biediger an honorary doctorate for his achievements in improving the quality of health of the citizens of South Carolina. I am grateful for his admirable service to the community and his commitment to quality healthcare.

RECOGNIZING STANISLAUS FARM SUPPLY

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. DENHAM. Mr. Speaker, I rise today to recognize and congratulate Stanislaus Farm Supply, who will be inducted as a member of the Stanislaus County Ag Hall of Fame "Legends in Agriculture" during a ceremony in Modesto, California, on November 12, 2015.

Stanislaus Farm Supply, a farmer-owned company, dedicated to being the best farm supply organization in the industry, provides services to farms in California and Nevada. They have three retail locations in California: Modesto, Merced, Susanville, and one in Yerington, Nevada. They offer products of the utmost quality in spreading, spraying, planting, equipment repair, crop consulting and scouting.

It all began in 1949 when the steel work strikes contributed to a shrinking supply of bailing wire. Area farmers were forced to pool their resources to secure wire. By the generosity of many including Fred Thiemann who donated office space or Joe Souza who worked for free for the first 6 months, the Stanislaus Farm Supply was born. The County Farm bureau supplied the bulk of the early financing and within five years of business, Stanislaus Farm Supply accomplished an impressive goal of \$500,000 in annual sales. They outgrew their current location on 8th and Washington and acquired a new warehouse on E. Service all located in Modesto. This new facility allowed room for the company to expand and grow in the future.

Sam Bettencourt became General Manager of the growing company in 1978. In Sam's 37 years he built a legacy around the company. He was active in supporting local youth through junior livestock events and scholarships for students pursuing agricultural related degrees. Sam reinvented the company to be a voice for its member owners which had been decreasing over time before he started with the company. Many of the employees still with Stanislaus Farm Supply were hired by Sam Bettencourt. He was an asset to the company and helped form it into the successful business today. In 2015, Nick Biscay took over as General Manager of Farm Supply.

Stanislaus Farm Supply has not only survived but thrived since its official opening in 1949. They contribute this to their ability to adapt with change as there have been many technological advances, climate and environmental changes and more since their opening.

Mr. Speaker, please join me in praising and commending Stanislaus Farm Supply, for their significant contributions to agriculture and to the farmers, students, and people of our local community.

HONORING WORLD STROKE DAY

HON. RICHARD B. NUGENT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. NUGENT. Mr. Speaker, I submit the following:

Whereas, stroke kills almost 130,000 Americans every year and it is responsible for one out of every twenty deaths, some of which could have been prevented; and

Whereas, the CDC estimates that the cost of stroke to the United States is approximately, \$34 billion each year; and

Whereas, stroke reduces mobility in the majority of survivors and it is a leading cause of disability; and

Whereas, stroke awareness is extremely important and early detection and treatment of stroke can vastly improve outcomes;

Therefore, I, RICHARD B. NUGENT, Member of Congress representing the Eleventh Congressional District of Florida, am proud to honor the victims of stroke and their families by recognizing October 29th as World Stroke Day.

PERSONAL EXPLANATION

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Ms. JACKSON LEE. Mr. Speaker, from Monday, November 2, 2015 through Tuesday, November 3, 2015, I was attending to representational duties in my congressional district. Had I been present I would have voted as follows:

1. On Roll Call 582 I would have voted AYE (H.R. 1853—To direct the President to develop a strategy to obtain observer status for Taiwan in the International Criminal Police Organization, and for other purposes)

2. On Roll Call 583 I would have voted NO (H. Res. 507—Providing for consideration of the Senate amendments to H.R. 22, the Hire More Heroes Act of 2015; providing for proceedings during the period from November 6, 2015, through November 13, 2015; and providing for consideration of motions to suspend the rules)

3. On Roll Call 584 I would have voted NO (H. Res. 507, as Amended—Providing for consideration of the Senate amendments to H.R. 22, the Hire More Heroes Act of 2015; providing for proceedings during the period from November 6, 2015, through November 13, 2015; and providing for consideration of motions to suspend the rules)

4. On Roll Call 585 I would have voted AYE (H. Res. 354—Expressing the sense of the House of Representatives regarding the safety and security of Jewish communities in Europe.)

5. On Roll Call 586 I would have voted AYE (H.R. 22—Swalwell of California Part B Amendment No. 2 to Rules Print 114–32)

6. On Roll Call 587 I would have voted NO (H.R. 22—Gosar of Arizona Part B Amendment No. 5 to Rules Print 114–32)

7. On Roll Call 588 I would have voted NO (H.R. 22—Ribble of Wisconsin Part B Amendment No. 14 to Rules Print 114–32)

8. On Roll Call 589 I would have voted AYE (H.R. 22—Brown of Florida Part B Amendment No. 15 to Rules Print 114–32)

9. On Roll Call 590 I would have voted AYE (H.R. 22—Lynch of Massachusetts Part B Amendment No. 29 to Rules Print 114–32)

10. On Roll Call 591 I would have voted AYE (H.R. 22—Takano of California Part B Amendment No. 31 to Rules Print 114–32)

11. On Roll Call 592 I would have voted AYE (H.R. 22—Brownley of California Part B Amendment No. 32 to Rules Print 114–32)

12. On Roll Call 593 I would have voted NO (H.R. 22—Radewagen of American Samoa Part B Amendment No. 34 to Rules Print 114–32)

IN RECOGNITION OF THE 50TH ANNIVERSARY OF AUTISM NEW JERSEY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Autism New Jersey as it cele-

brates its 50th anniversary this year. This milestone and the incredible work of Autism New Jersey is truly deserving of this body's recognition.

Organized in 1965 out of a need for a support system representing the common interests of concerned parents, Autism New Jersey has continued to evolve over the years to meet the changing scope and needs of the autism community. With an occurrence rate of 1 in 45 in the state of New Jersey, the efforts of Autism of New Jersey are vital to many of the state's families and individuals. Its information services and education and training programs are invaluable resources to individuals, families, professionals and government officials and help raise awareness, understanding, support and compassion of the autism community. Through its public policy activity, Autism New Jersey continues to be a leading voice on autism-related matters across the state and an effective advocate on behalf of the community.

I would also like to join with Autism New Jersey in congratulating its 50th Gala honorees, Speaker Emeritus Joseph J. Roberts, Jr., Sandra L. Harris, PhD., Herbert D. Hinkle, Esq., and Nancy Richardson. The actions of each of these honorees have made positive impacts on individuals and caregivers and help advance the mission of Autism New Jersey.

Mr. Speaker, once again, please join me in congratulating Autism New Jersey on its 50th anniversary and recognizing the outstanding efforts of the organization and its gala honorees on behalf of the autism community.

HONORING ROBERT "BOB" LOWE, DECORATED WORLD WAR II VETERAN AND PHILANTHROPIST, IN ADVANCE OF VETERANS DAY 2015

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. BOUSTANY. Mr. Speaker, I rise today to honor Mr. Robert "Bob" Lowe, a United States Marine and active philanthropist of Lafayette, Louisiana. A friend to everyone he met, Lowe was not just known for his military service and business savvy, but he was also recognized and cherished for his passion to give back to his community. He passed away at his home on August 6, 2015 at the age of 93.

Bob was a hard-worker from a young age. Born in Hutton, LA in 1922, he spent time working in the fields of his family's farm and developing his strong work ethic. After finishing high school, he enlisted in the United States Marine Corps and served his country proudly in the First Defense Battalion stationed at Pearl Harbor. He was among the last remaining survivors of the December 7, 1941 attack on Pearl Harbor. Lowe was honorably discharged in 1945.

Following his distinguished military career, Bob moved to Lafayette, LA in 1952. He became highly-regarded in the business commu-

nity as a founder of Central Industries, Gulfgate Marine and the All American Development Company. In addition to his business successes, Lowe was constantly thinking of ways to serve others. In 1965, his wife of forty years, Jewell, founded 232-HELP, an information, education, and referral service geared toward assisting and providing resources to those in need. Lowe dedicated time as a founding board member, and eventual President of the agency. He also founded LARC, an organization dedicated to supporting members of the community with intellectual and developmental disabilities. In 2011, Lowe was awarded the Lafayette Civic Cup for his extraordinary record of community involvement.

Bob was extremely devoted to and active in the veteran community in Louisiana. He served as Commander and Senior Vice Commander at the historic American Legion Post 69, an Executive Board member of the Veterans Action Coalition of South Louisiana and a life member of the Marine Corps League, Acadiana Detachment #488. A special memory many veterans hold of Lowe is that each December, he enthusiastically hosted a Christmas reunion of Pearl Harbor survivors at the Petroleum Club of Lafayette. Before his passing, Lowe made arrangements to ensure this annual gathering would continue for years to come.

To say Lowe will be missed does not even begin to express the lasting, positive impact he had on so many lives. He was a pillar of our community, and the good works to which he so thoroughly dedicated his life will be remembered for generations to come.

Lowe is survived by his sons, Casey Lowe and Cody Lowe, his stepson, James Parkerson Roy, Sr., and his wife Ginger Roy, grandchildren Bonnie Lowe Martens, Olivia Lowe, and Valerie Lowe, and step-grandchildren John Parkerson Roy, James Parkerson Roy, Jr., Christopher Malin Roy and Elizabeth Caswell, as well as several great-grandchildren.

Lowe was preceded in death by his wife, Jewell Parkerson Lowe, a daughter, Kathleen Paulette Lowe, and his parents, Robert Lee Lowe and Emma Bergeron Lowe.

PERSONAL EXPLANATION

HON. TIM WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. WALBERG. Mr. Speaker, during rollcall vote No. 617 on H.R. 22, I mistakenly recorded my vote as "no" when I intended to vote "aye."

HONORING WILLIAM D. "BILL" SHINN

HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. DESAULNIER. Mr. Speaker, I rise today to honor the life of my good friend William D.

"Bill" Shinn, who was born on October 6, 1941 in Minnesota, and recently passed away at his home in Concord, California, on October 16, 2015.

In 1957, Bill became a resident of Concord, and attended Mt. Diablo High School. Later, he earned degrees from Diablo Valley College, Sacramento State University, and a Master's Degree in Public Administration from Golden Gate University. Bill was a proud veteran of the United States Navy and a graduate of the FBI National Academy.

Bill was a good man and good friend to many. He honorably served Contra Costa County for over 45-years as Mayor of Concord, a Member of the City Council, and Commander with the Sheriff's Office. During his 29-years with the Sheriff's Office, Bill was a dedicated advocate for criminal justice reform and mental health services. I have fond memories of Bill leading impassioned discussions about the causes he believed in. He was a voice before his time.

In addition to being an important member of the community, Bill was beloved by his family. He was a caring and devoted husband, father, grandfather and brother. For everyone who knew him, Bill will be greatly missed.

Mr. Speaker, I am honored to celebrate the extraordinary life of Bill Shinn, and I send my sincere and deepest condolences to Bill's family, friends, and loved ones.

IN HONOR OF MRS. JANE WILLSON

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. BISHOP of Georgia. Mr. Speaker, it is with a heavy heart and solemn remembrance that I rise today to pay tribute to an outstanding businesswoman, respected philanthropist, and beloved servant of humankind, Mrs. Jane Seddon Willson. Mrs. Willson passed away on Tuesday, November 3, 2015. A funeral service will be held at 10:00 a.m. on Saturday, November 7, 2015 at First United Methodist Church in Albany, Georgia, with interment to follow at Westview Cemetery in Atlanta, Georgia.

Born in New York City in 1923, Mrs. Willson graduated from Wellesley College in Massachusetts in 1945. Six years later, she moved to Albany, Georgia with her husband, the late William Harry Willson, to manage his family's small pecan orchard. After the success of their mail-order pecan business, the move to the farm in Albany was simply the next step.

What started as a small family business quickly expanded into two large companies. As President and Secretary of both Willson Farming and Sunnyland Farms, Mrs. Willson orchestrated the global expansion that continues to make both companies successful. Because of Mrs. Willson's business savvy, people in countries around the world now enjoy a variety of nuts and nut products from Georgia, which has contributed greatly to the state's economy.

Mrs. Willson put as much, if not more, love and effort into serving her community as she

did into her businesses. She served as board chairman of the Albany-Dougherty Inner City Authority and the United Way of Southwest Georgia. She also served on the Albany Area Chamber of Commerce Executive Board; the Albany Technical College Board; the Albany State University Foundation; and the Darton State College Foundation. She was the first woman to serve on the Board of Directors of Bellsouth Telecommunications.

In addition, Mrs. Willson's service as President of the Board of Directors for the Boys & Girls Club of Albany has left a lasting mark upon the organization. She not only served on the Board for many years, but also donated the funds to build the Jane Willson Unit. This year, the Boys & Girls Club of Albany will be presenting its first "Harry and Jane Willson Partner of the Year" award to an organization that best emanates the couple's spirit of philanthropy.

An avid supporter of the arts, Mrs. Willson also helped with the establishment of the Albany Museum of Art, and later, the museum's Jane and Harry Willson Auditorium. Her drive to help her community further resulted in the creation of the Willson Hospice House. Because of her \$1 million donation, the Willson Hospice House is able to provide inpatient care to people who have been diagnosed with a terminal illness. Yet her generosity has not been confined to Southwest Georgia. Mrs. Willson donated millions of dollars to the University of Georgia, where she served as a UGA Foundation Trustee and as a board member of the UGA Research Foundation. She also made a \$1 million donation in honor of her daughter, Jane, to Valley Children's Hospital in Madera, California.

Mrs. Willson's generosity and altruism served as an inspiration to all who knew her, myself included. She donated more than just funding to every organization to which she was connected—she was a prominent part of the fabric of each institution.

George Washington Carver once said, "No individual has any right to come into the world and go out of it without leaving behind distinct and legitimate reasons for having passed through it." We are all so blessed that Mrs. Jane Willson, an inspirational human being of incredible compassion and integrity, passed our way and during her life's journey did so much for so many for so long. She leaves behind a great legacy in service to her beloved family and to all those whose lives she touched through her kindness and generosity. She will truly be missed.

Mr. Speaker, I ask my colleagues in the House of Representatives to join me, my wife Vivian, and the Albany, Georgia community in honoring Mrs. Jane Seddon Willson for her outstanding contributions to the community. We extend our deepest sympathies to her family, friends and loved ones during this difficult time and we pray that they will be consoled and comforted by an abiding faith and the Holy Spirit in the days, weeks and months ahead.

TRIBUTE TO RON GILLHAM

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. LEVIN. Mr. Speaker, I rise today to mark the distinguished career of Ron Gillham as he retires as Mayor of Huntington Woods, Michigan. Mayor Gillham, who served as Mayor for 35 years in the city that he loves, will end his tenure as one of the longest serving mayors in the State of Michigan.

Ron Gillham was born, raised and educated in Missouri. After graduation from the Missouri School of Mines in 1956, he joined General Motors at the Tech Center in Warren, Michigan, and he and his wife Shirley moved to Huntington Woods in 1959. He served in a variety of interesting and challenging positions, eventually retiring from Advanced Product Engineering in 1992.

In his "second career," Ron Gillham has served the citizens of Huntington Woods continuously since 1975, first as a member of the Huntington Woods Zoning Board of Appeals, then as a Commissioner for the City for Huntington Woods. In 1981, Mr. Gillham was elected as the Mayor of Huntington Woods.

Ron Gillham is active in the Michigan Municipal League where he formally served on the Board of Trustees as Vice President and also won the organization's Michael A. Guido Award. During his tenure, Mr. Gillham also won the Southeast Michigan Council of Governments Regional Ambassador award, served as chair of the South Oakland County Mayor's Association and the Vice President of the Michigan Association of Mayors.

In more than three decades at the helm, Mr. Gillham worked tirelessly on many projects to improve the lives of Huntington Woods residents. He is most proud of the building of the city's library, the city's A++ bond rating and helping the Huntington Woods Public Safety Department become one of the best in the State of Michigan. In October, the Huntington Woods City Council passed a resolution to name the city's recreation center as the Gillham Recreation Center, another testament to Mr. Gillham's respect in the community.

I have had the pleasure of representing the City of Huntington Woods in Congress for the past thirty-two years and have witnessed Mayor Gillham's leadership on many issues during our tenure together. One recent example was in 2014, when unprecedented flooding damaged tens of thousands of properties throughout Southeast Michigan, including in Huntington Woods. Mayor Gillham and his leadership team at the city was an active and effective advocate for aid from state and federal governments.

Mr. Speaker, I ask my colleagues to join me in congratulating Mayor Ron Gillham on an exceptional career in public service. I wish him much success with his future endeavors and wish him the best as he spends his retirement with his wife Shirley, their three children, and seven grandchildren.

IN HONOR OF VETERANS DAY

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. HINOJOSA. Mr. Speaker, as Veterans Day approaches, I rise in honor of our nation's servicemen and women for their tremendous courage and sacrifice in defense of our liberties.

Regrettably, selfless acts of valor and service by Americans in uniform are often taken for granted. They are not always reciprocated, and their vulnerabilities are often preyed upon by the despicable and unscrupulous. In those cases, it is our duty to come to their defense.

We are all too aware of cases when abusive and predatory payday lenders target and entrap veterans, misleading and forcing them into downward spirals of high cost debt. While the Defense Department recently finalized rules to protect active duty military service members from triple-digit interest rates on payday loans, the job is not done.

Veterans are not protected under the law and remain vulnerable. Therefore, I call on my colleagues to join me in supporting stronger consumer protections and to rein in abuses involving high-cost lending to veterans while they struggle to make ends meet.

Mr. Speaker, much more work remains to be done to raise the quality of life of our nation's veterans. Let us resolve this Veterans Day to meet those challenges head-on as we thank and honor them for their courage, sacrifices and service.

IN HONOR OF THE 100TH ANNIVERSARY OF THE BOROUGH OF WOODBURY HEIGHTS

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. NORCROSS. Mr. Speaker, I rise today to honor the one-hundredth anniversary of the founding of the Borough of Woodbury Heights in Gloucester County, New Jersey.

On May 25, 1915, the citizens of the future Woodbury Heights were formally recognized by the New Jersey Legislature as an independent borough out of Deptford Township. However, history for this small town did not begin in 1915. Settled in 1771, the area we know today as Woodbury Heights, New Jersey has a deep history of rich involvement in the South Jersey community. Indeed, many of the older homes can still be seen today, including the La Pann House, built in 1771, that is on the National Historic Registry.

In 1892, six businessmen from Philadelphia and Camden: John Mayhew; E.R. Artman; Judge Pancoast; Howard M. Cooper; William Moland; and I.W. Wilson bought land from Deptford Township. There they laid out streets, built homes, and constructed a community hall in 1894, forming the nucleus of the future Woodbury Heights. In the 1900s, the once sparse town started to flourish when a

train station was built. Later, Simon M. Snook donated Glen Terrace Lake to the borough and it remains one of the most popular recreation sites in the area. Over the next hundred years, the Woodbury Heights community thrived, and in the past century, the population of Woodbury Heights has quadrupled to reach over 3,000 today.

Mr. Speaker, the character of the Borough Woodbury Heights and its emphasis on community engagement is best exemplified by three of the figures featured on its official seal: a scale of justice, a shield of safety, and two shaking hands. This weekend, as the people of Woodbury Heights celebrate their Centennial, I congratulate the citizens, Mayor Robbie J. Conley, and the Borough Council on the past one hundred years and wish them another hundred years of richness and good fortune.

HONORING EL PASO VETERANS WHO CONTINUE TO SERVE

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. O'ROURKE. Mr. Speaker, Veterans Day is a time to honor the selfless service that members of our Armed Forces displayed while keeping our nation safe. Today, I am privileged to recognize five of my constituents who continue to serve long after their time in uniform has ended: Mr. Jose Andow, Mr. Roy Aldridge, Mr. Ron Holmes, Mr. David Garcia and Mrs. Melinda Russell. Although each is from a different generation, these veterans embody a continued dedication to their fellow veterans and the El Paso community.

Jose Andow understands the price our service members pay in the name of freedom from his experience fighting in WWII. As one of five siblings to serve in WWII, Mr. Andow was part of 10 combat missions during the war flying in both Italy and Germany. As a way to continue serving his country even decades after his formal military service ended, Mr. Andow has volunteered regularly at the El Paso VA Health Care System since November of 2010, and has logged over 1,600 hours of volunteer service. At age 94, Mr. Andow still volunteers every Monday and Wednesday at the VA, where he greets local veterans as they come in to receive care. Throughout the country over 140,000 volunteers donate millions of hours volunteering at local VA hospitals and clinics annually. Their service enhances the veteran healthcare experience and supplements VA's ability to provide quality care to our veterans. Due to his significant contribution to the El Paso VA and his fellow veterans, I am proud to recognize Mr. Andow for a lifetime of selfless service to our country.

Roy Aldridge is a combat veteran of the Korean War and a prominent member of the El Paso veteran community. After enlisting in the National Guard in 1949 at the age of 16 and then being wounded in Korea, Mr. Aldridge was discharged from the military for being underage. He completed high school, reenlisted, and returned to Korea in 1953. After being

shot down and spending five months as a prisoner of war in North Korea, Mr. Aldridge returned to the U.S. where he completed a distinguished military career. Following retirement, Mr. Aldridge has continued to advocate for his fellow veterans. He has served as a Vice President for the Korean War Veterans Association and is currently the organization's National Director. Additionally Mr. Aldridge is a member of the VA Volunteer Service and the Texas Veterans Commission. Mr. Aldridge also serves on my office's Veterans Citizen Advisory Panel where he regularly advocates for policies to improve veteran's benefits and healthcare services.

Ron Holmes is a Vietnam-era veteran of the U.S. Marine Corps. After serving four years, attaining the rank of Sergeant and deploying to Okinawa, Mr. Holmes left the Marines in 1974 to begin a construction business in El Paso. After observing neglect of his fellow veterans at the VA in 1997, Mr. Holmes decided to volunteer his time and advocate for his fellow veterans in El Paso while simultaneously running his business. From a small office at a Northeast El Paso American Legion Post, Mr. Holmes has since assisted over 3,500 El Paso veterans attempting to obtain benefits from the VA and has received favorable decisions in most of these cases.

David Garcia enlisted in the United States Army in 1975, later deploying to Saudi Arabia in support of Operation Desert Storm/Desert Shield. Following 20 years of honorable military service, Mr. Garcia retired as a Chief Warrant Officer. Since leaving active duty, Mr. Garcia has dedicated himself to fulfilling the promise to care for the men and women who have served our great nation. Mr. Garcia subsequently became a member of Disabled American Veterans in 1999 and since has served in multiple leadership roles for the organization, including District 1 commander, Northeast El Paso Chapter 187 Senior Vice-Commander and Combat Related Special Compensation ambassador. Mr. Garcia has assisted numerous El Paso veterans, family members and widows in obtaining earned benefits from the VA. He continues to advocate for important veteran issues including toxic exposure and quality orthotic and prosthetic services within VA.

Melinda Russell served as a Chaplain in Iraq and was medically retired from the Army in 2010 at the rank of Captain. After leaving the military, Mrs. Russell dedicated herself to improving veteran healthcare by offering alternative therapies and being a persistent, dedicated advocate for her fallen veterans. Retiring in El Paso, Mrs. Russell founded Hope and Healing Horse Therapy Ranch to help those veterans suffering from PTSD and TBI. Additionally, at a time when 22 veterans take their own lives daily, her moving and personal writings serve as a stark reminder that we have a responsibility to care for our service members and veterans both physically and mentally.

Mr. Speaker, as Veterans Day approaches, it is important that we remember the legacy of service of this country's veterans. Our country can learn from and be inspired by the examples set by Mr. Andow, Mr. Aldridge, Mr. Holmes, Mr. Garcia and Mrs. Russell. It is my

honor to recognize these veterans who continue to serve in advance of Veterans Day 2015.

EXPRESSING SORROW ON THE
DEATH OF FORMER CONGRESS-
MAN JOHN HOWARD COBLE OF
NORTH CAROLINA

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise to pay tribute to a great American and one of the beloved and respected persons ever to serve in this body, Howard Coble of North Carolina, who died yesterday evening, November 3, 2015, in Greensboro, North Carolina, at the age of 84.

First elected in 1984 to the 99th Congress by the constituents of the 6th Congressional District of North Carolina, Howard Coble would go on to win reelection to the 14 succeeding Congresses.

When he retired at the end of the 113th Congress, Howard Coble held the distinction of being the longest serving Republican from the state of North Carolina to serve in the House.

Congressman Coble, served in the U.S. House longer than any other North Carolina Republican, died late Tuesday. He was a respected member of this body and respected by all who knew him. His presence will be greatly missed and we all mourn his loss and extend our sincerest condolences to his family and friends.

Born March 18, 1931 in Greensboro, North Carolina, John Howard Coble joined the United States Coast Guard one year after graduating high school where he served on active duty for five years and an additional 18 years in the Coast Guard Reserves.

After his honorable discharge, Howard Coble attended Guilford College on the G.I. Bill, from which he graduated in 1958 with an A.B. in History, and then went on to earn his J.D. in 1962 from the law matriculated to the University of North Carolina School of Law.

After graduation, Howard Coble worked briefly as an insurance agent before spending much of the next two decades in the private practice of law and as an Assistant United States Attorney.

Before his election to Congress in 1984, Howard Coble served in the North Carolina House of Representatives in 1969, and again from 1979–83, and as Secretary of the North Carolina Department of Revenue from 1973–1977.

In Congress, Howard Coble served on the Committee on Transportation and Infrastructure, and its Subcommittees on Aviation, Highways, and the Coast Guard and Maritime Transportation.

Mr. Speaker, it was my great privilege to serve with Howard Coble for 20 years on the Judiciary Committee; for many years we were colleagues on the Subcommittee on Intellectual Property, Competition, and the Internet.

While we served on different sides of the aisle and were often on opposing sides of

major issues, there were many times we were able to work together to craft sound public policy and advance the public good in the areas of patent reform, copyrights and intellectual property, and privacy protection.

Mr. Speaker, a dear colleague has fallen but he will not be forgotten.

I will always remember Howard Coble as a thoughtful, helpful, kind, and honorable colleague; a true southern gentlemen.

Mr. Speaker, Howard Coble was a good man, a good legislator, a great friend who was respected by Members on both sides of the aisle.

He will be missed.

PERSONAL EXPLANATION

HON. MARK TAKAI

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. TAKAI. Mr. Speaker, on Wednesday, November 4, 2015, I was absent from the House due to illness. Due to my absence, I am not recorded on any legislative measures for the day. I would like to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted “no” on Roll Call 594, the Hartzler of Missouri Part B Amendment No. 37, as modified to Rules Print 114–32.

I would have voted “no” on Roll Call 595, the Rooney of Florida Part B Amendment No. 39 to Rules Print 114–32.

I would have voted “no” on Roll Call 596, the DeSaulnier of California Part B Amendment No. 41 to Rules Print 114–32.

I would have voted “no” on Roll Call 597, Providing for further consideration of the Senate amendments to the bill (H.R. 22).

I would have voted “no” on Roll Call 598, Providing for further consideration of the Senate amendments to the bill (H.R. 22).

I would have voted “no” on Roll Call 599, the DeSaulnier of California Part A Amendment No. 5 to Rules Print 114–32.

I would have voted “no” on Roll Call 600, Hunter of California Part A Amendment No. 7 to Rules Print 114–32.

I would have voted “yea” on Roll Call 601, the Denham of California Part A Amendment No. 8 to Rules Print 114–32.

I would have voted “no” on Roll Call 602, the King of Iowa Part A Amendment No. 12 to Rules Print 114–32.

I would have voted “no” on Roll Call 603, the Culberson of Texas Part A Amendment No. 14 to Rules Print 114–32.

I would have voted “yea” on Roll Call 604, the Lewis of Georgia Part A Amendment No. 21 to Rules Print 114–32.

I would have voted “no” on Roll Call 605, the Reichert of Washington Part A Amendment No. 26 to Rules Print 114–32.

I would have voted “no” on Roll Call 606, the DeSantis of Florida Part A Amendment No. 29.

I would have voted “no” on Roll Call 607, the Perry of Pennsylvania Part B Amendment No. 1 to Senate Amendment to the Text.

I would have voted “no” on Roll Call 608, the Mulvaney of South Carolina Part B

Amendment No. 2 to Senate Amendment to the Text.

I would have voted “no” on Roll Call 609, the Mulvaney of South Carolina Part B Amendment No. 3 to Senate Amendment to the Text.

I would have voted “no” on Roll Call 610, the Mulvaney of South Carolina Part B Amendment No. 4 to Senate Amendment to the Text.

I would have voted “no” on Roll Call 611, the Mulvaney of South Carolina Part B Amendment No. 5 to Senate Amendment to the Text.

I would have voted “no” on Roll Call 612, the Mulvaney of South Carolina Part B Amendment No. 6 to Senate Amendment to the Text.

I would have voted “no” on Roll Call 613, the Rothfus of Pennsylvania Part B Amendment No. 7 to Senate Amendment to the Text.

I would have voted “no” on Roll Call 614, the Royce of California Part B Amendment No. 8 to Senate Amendment to the Text.

I would have voted “no” on Roll Call 615, the Schweikert of Arizona Part B Amendment No. 9 to Senate Amendment to the Text.

I would have voted “no” on Roll Call 616, the Westmoreland of Georgia Part B Amendment No. 23 to Senate Amendment to the Text.

I would have voted “no” on Roll Call 617, the Young of Iowa Part B Amendment No. 10 to Senate Amendment to the Text.

IN HONOR OF THE NEW JERU-
SALEM LUTHERAN CHURCH OF
LOVETTSVILLE, VIRGINIA ON
THEIR 250TH ANNIVERSARY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mrs. COMSTOCK. Mr. Speaker, I rise today to recognize the 250th anniversary of the New Jerusalem Lutheran Church of Lovettsville, Virginia. This past Sunday, New Jerusalem held a special anniversary worship service, led by Pastor Joel Guttormson and the head of the Washington Metropolitan Synod, Bishop Graham, who delivered the sermon. Following the service, over 200 people gathered for a luncheon at Lovettsville Fire and Rescue station in celebration.

New Jerusalem traces back to 60 German families seeking fertile farmland who journeyed south from Pennsylvania. These early settlers came from the Palatine region of Germany, Alsace, and Lorraine, France and referred to their church as “the new Jerusalem,” where they could gather in fellowship and worship. The current structure has been in use since its consecration in 1869, but the original congregation first gathered for worship in a log structure which served as both a school and a church. New Jerusalem is recognizable by its distinctive bell tower that serves as a landmark in the Washington Metropolitan area. The original buildings sit on property granted by Lord George William Fairfax, while the nearby Lovettsville Union Cemetery acts as the final resting place of many of Lovettsville’s

residents from over the last two and a half centuries.

It is the oldest Lutheran church in the Washington, D.C. area and serves as an important landmark for its historic significance and contributions to the community. New Jerusalem has made a significant impact on the community for over two and a half centuries, and we join them in celebration of 250 years of worship. I am honored to recognize this momentous occasion today and wish New Jerusalem Lutheran Church all the best moving forward.

PERSONAL EXPLANATION

HON. SCOTT DesJARLAIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 5, 2015

Mr. DESJARLAIS. Mr. Speaker, due to airplane equipment problems, I was unavoidably detained and missed Roll Call vote 569, passage of H. Res. 450—Providing for the consideration of the bill (H.R. 597) to reauthorize the

Export-Import Bank of the United States, and for other purposes.

Had I been present, I would have voted "No."

SENATE—Monday, November 9, 2015

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord, You have been our dwelling place in all generations. Before the mountains were formed or the Earth received its frame, You are and have been without beginning or ending.

Thank You for the heartbeats we borrow each day. May Your life-sustaining power inspire our lawmakers to trust Your sovereignty and to lean on Your love. Supply their needs from the bounty of Your transcendent goodness, never forsaking them during turbulent times. Rule and reign in Your world in spite of the prevalence of pathology and sin. May Your peace guard and guide our hearts and minds.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. ERNST). The majority leader is recognized.

WELCOMING PRIME MINISTER BENJAMIN NETANYAHU TO WASHINGTON, DC

Mr. MCCONNELL. Madam President, I would like to welcome Prime Minister Benjamin Netanyahu to Washington.

Today's visit between President Obama and the Prime Minister was the first time the leaders of our two countries have met in over a year. It was also their first time meeting since President Obama concluded his deal with Iran.

We know that deal is likely to entrench Iran's nuclear threshold capabilities while helping subsidize terrorist groups, such as Hezbollah and Hamas, that are dedicated to Israel's destruction. We know that the President's deal does not even require Iran to recognize Israel's right to exist.

So I am sure these leaders had much to discuss. I am sure they engaged in a

frank discussion. But a relationship based on frank exchanges of views—a relationship centered on substance rather than just personalities—is important for both of our countries. It is, in fact, healthy.

That is certainly true when we hear Iran's Supreme Leader reiterating calls for Israel's destruction. That is certainly true when we hear him saying that change will never happen as he continues to rail against our own country.

So it is good that Prime Minister Netanyahu and President Obama had a chance to meet today. It is good that the Prime Minister will have an opportunity to visit the Capitol again tomorrow as well.

We appreciated his last visit very much. It was important to hear the perspective of a leader for whom threats from countries like Iran and terrorist groups like ISIL and the Palestinian Islamic Jihad are hardly theoretical.

That was made clear when I led a congressional delegation to the Middle East last month that included Congressman BARR and Senators from Arkansas, South Dakota, and Iowa. We met with leaders in Jordan, Iraq, and Afghanistan, and in Israel we had a chance to visit with the Prime Minister. It was productive, it was eye-opening, and it underlined a key point.

Israel's Prime Minister is a great friend of the United States. The bonds between our nations are strong. And I hope we can all find ways to strengthen them further because the threats facing both our countries are real, and they are certainly worrying.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

MEETING WITH THE PRIME MINISTER OF ISRAEL

Mr. REID. Madam President, I look forward to meeting with the Prime Minister of Israel tomorrow, and I will have more to say about that in the morning.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS BILL

Mr. REID. Madam President, today the Senate continues its consideration of the Military Construction and Veterans Affairs appropriations bill. This appropriations bill is a modest step in

the right direction. It provides resources and will address the veteran care backlog, including 770 new claims processors and 200 new appeals adjudicators. It expands medical treatment for veterans, and it provides State grants for extended care homes in rural areas, which is extremely important.

I want to make sure one thing is understood and is very clear. If it had been up to Republicans, this legislation would have shortchanged America's veterans. Let's remember that Republicans' original appropriations bill for the VA was a far cry from this funding measure today. They ranted and raved, but in the process, would have cost the veterans \$2 billion. The Republicans' bill included devastating sequester caps that would have underfunded the Veterans' Administration by billions of dollars. If Republicans had passed their bill, 70,000 vets would not receive the care they deserve—70,000.

The reason the Senate is considering this much improved appropriations legislation is because Democrats refused to go along with Republican efforts to underfund veterans and our middle class. Instead, Democrats held firm to stop devastating sequester cuts from hitting America's domestic priorities. Because we refused to let Republicans undermine care for our veterans, funding for the Veterans' Administration is more than \$2 billion over what it would have been.

Democrats refused to let congressional Republicans do what they always do: disregard the needs of the middle class—in this case middle class veterans—those people at home we so try to protect. In the aftermath of President Bush's two unpaid-for wars, Republicans have made little effort to meet the Nation's obligations to its veterans. The work that has been done in recent years to do a better job for our veterans, including wounded warriors legislation and on and on, are things that we on this side of the aisle proposed and passed.

This is symptomatic of today's Republicans. They want to start and fund wars overseas, but when the bill comes—when the time comes to make good on the promises to our service-members, many Republicans are nowhere to be found.

Taking care of our veterans is one of the prices of war. It is one of the costs of a robust defense that keeps America safe. To neglect that responsibility is callous, and some say immoral.

We can do better by our Nation's veterans. This appropriations bill is a start. We still have a long way to go in meeting our commitments to the brave

men and women who defend our country and have defended our country.

FOREIGN SERVICE NOMINATIONS

Mr. REID. Madam President, for more than 3 months, the senior Senator from Iowa has been blocking the confirmation, the promotion of more than 20 career Foreign Service officers.

These Foreign Service officers are career diplomats. They are some of the finest people in our government. They are brave. They work in some of the most remote, difficult, and crime-ridden war zones in the world. Many of these Foreign Service officers are always ready to serve at a moment's notice in hotspots throughout the world—hot spots like Iraq and Afghanistan.

These diplomats are not partisan; they are diplomats. They are not political appointments. That is why it is troubling to see the senior Senator from Iowa politicize their promotions. He admits that he is blocking the promotion of these Foreign Service officers until he gets answers about Secretary Hillary Clinton's emails and her aide, a woman by the name of Huma Abedin.

I have told Senator GRASSLEY he is making a mistake by targeting these fine public servants. They have worked all over the world. With rare exception, they know multiple languages. But instead of changing course and doing what is right by these diplomats, Senator GRASSLEY seems to be doubling down on his obstruction.

As the Senator from Iowa digs in on this failed policy, more innocent people—these diplomats—are being caught in the resulting backlog. Last month, the Senate received several letters containing more than 600 Foreign Service promotions. In years past, it didn't matter if Democrats controlled the Senate or Republicans, they would have passed that list quickly in a matter of a day or two, with no opposition, of course.

Times have changed, and these lists of 600 career Foreign Service officers sit unpassed before this body. Among the 600 individuals on this promotion list are two people from Iowa. These Iowans—that is right, two of the constituents of the senior Senator from Iowa are being denied a promotion.

Why are nonpartisan public servants being used as political pawns, especially if they are being blocked just because Senator GRASSLEY doesn't want Hillary Clinton to be the next President of the United States. I haven't heard who he is supporting—Trump, Carson, CRUZ, RUBIO, Bush, Christie, or a long list of others. But, obviously, he doesn't want Hillary Clinton to be elected.

So I ask the senior Senator from Iowa: Is he blocking two of his own constituents? Why? Should Senator GRASSLEY allow all of the Foreign

Service lists to be confirmed by the Senate without further delay? Of course he should. We could confirm them right now.

It is time for my friend from Iowa to end these foolish campaigns to undermine Secretary Clinton. Under Senator GRASSLEY's leadership, the Judiciary Committee continues to hound the State Department for information about Secretary Clinton and her staffers. He and his fellow Republicans want emails. He wants to see timesheets for State Department employees, as do some other Republicans. Committee staff wants transcribed interviews with email vendors, and they want maternity leave records for one of Secretary Clinton's closest aides, Huma Abedin.

Think about that: Republicans want to know how long a member of Secretary Clinton's staff took for her maternity leave. Is that ludicrous? Of course it is.

Those who know Ms. Abedin best can vouch for her integrity and her work ethic as a close aide to Senator Clinton for decades. When her reputation was attacked in the past—that is Ms. Abedin's—Republicans, including Senator JOHN MCCAIN, defended her.

Here is what Senator MCCAIN said: "an intelligent, upstanding, hard-working, loyal servant of our country . . . the daughter of immigrants who has risen to the highest levels of our government on her substantial personal merit."

Can my colleagues imagine wanting to know if she took off too much time to have a baby?

Let's remember that she is a staff member, not a principal. It is one thing to level charges at an elected Member of Congress or the administration. It is a completely different matter to target a staff member, especially someone who Senator MCCAIN says "represents the best about America."

How much money would a Republican Congress waste to try to bring down Hillary Clinton? We don't know by the numbers. We have already seen that the so-called House Select Committee on Benghazi has wasted 18 months and more than \$5 million. Numerous other committees have conducted similar investigations. We don't know how much they have cost, but it is millions.

How much taxpayer money is Senator GRASSLEY and the Judiciary Committee wasting on its anti-Clinton campaign? We know how much money and staff are being devoted to investigating Secretary Clinton in the House—\$8,000 to \$10,000 a day, and that is low-balling. How many millions of dollars are the American people paying for the Judiciary Committee to duplicate the House's wasteful political attacks?

The senior Senator from Iowa is always talking on the floor about the proper use of taxpayer resources. He

should walk into his bathroom, look into the mirror, and find out what he is doing about the proper use of taxpayer resources. He should be willing to tell us about the resources his committee has used to investigate Secretary Clinton.

The American people deserve to know how much money is being spent on these investigations, especially if 600 honorable Foreign Service officers are going to be used as political pawns in a crusade to keep Hillary Clinton from being elected President. I hope he will drop his opposition to career diplomats and other important nominations so we can give these good people the promotions they have earned.

As I travel the world through these many years, Madam President, I always go to the embassies, and I always ask them to see as many of the staff there as possible. I tell them there is no finer group of people representing America today than our Foreign Service corps, and I stand by that. It is a shame that I have to come to the floor and talk about this. We should pass these nominations tonight with no further delay.

Would the Chair tell us the schedule of today's business in the Senate.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2029, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2029) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Pending:

Kirk/Tester amendment No. 2763, in the nature of a substitute.

Kirk amendment No. 2764 (to amendment No. 2763), to clarify the term "congressional defense committees."

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. will be equally divided in the usual form.

The Senator from Montana.

Mr. TESTER. Madam President, I will defer my remarks until the chairman of the VA-MILCON appropriations subcommittee comes, and after he speaks, I will.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TESTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TESTER. Thank you, Madam President.

It will be some time before Senator KIRK arrives, so I do want to give my remarks for the purpose of other folks who would like to talk about this bill.

I rise today along with Senator KIRK to usher the legislation through this Chamber, the VA-MILCON appropriations bill, as quickly as possible. I want to thank Senator KIRK for his work on this bill. As I said last week when we began debating the VA-MILCON appropriations bill, this legislation has huge significance. It marks a good-faith effort on behalf of this body to move forward with an appropriations bill that responsibly invests in our national security, our economy, and our country.

I also think that, among all the appropriations bills to move forward, it is right and just that a bill to honor our commitment to our Nation's veterans be the first one to break the gridlock.

I recognize that the VA-MILCON appropriations bill that came out of the committee last spring fell far short of what the VA needs to provide the care our veterans have earned. But now that Congress has passed the budget agreement, we have crafted a substitute amendment that will bring this bill closer to where it has to be to meet the needs of the brave men and women who have served this country. This amendment will provide an additional \$1.9 billion for VA medical services. This amendment fixes a flawed bill.

The bill passed out of the committee in May grossly shortchanged our veterans and undermined the ability of the VA employees to do their jobs, and that is one of the reasons I voted against it. Now, 6 months later, we are about to right the committee's wrong and make investments that we have known all along the VA needs. The money will help allow the VA to address an increased demand for hepatitis C treatments, bolster health care for rural veterans, and will ensure that we can better recruit and retain VA doctors and nurses in every State of the Union. It also provides better care for Vietnam veterans who are reaching retirement age and treats the physical and mental ailments of veterans returning home after 15 years of war in the Middle East. These are investments the VA desperately needs to do its job.

Now, I know the VA has been under a microscope, and it should be. It is responsible for honoring a promise, and when that promise is broken, we need to do more than to say "I am sorry." We need to fix it. This substitute amendment before the Senate will begin to right these wrongs, and you have my word that I and others will be scrutinizing how every dollar is spent

because we can't afford to make these investments without knowing they are producing real results for the courageous servicemembers who have earned it.

Colleagues are encouraged to provide amendments in a timely manner because we all would like to pass this bill before Veterans Day. Once we pass the bill, it will prove we are serious about living up to promises that we make to our Nation's veterans. It will empower VA employees to do their jobs and provide veterans with the care they have earned.

It is not just health care. This bill will improve consideration of compensation claims for injuries suffered during their service. It gives the VA the tools to maintain our national cemetery system. It supports the Office of the Inspector General, which we need in order to ensure that the VA is living up to the demands that we have placed upon it.

It adds \$170 million for military construction. These funds will go toward additional projects to enhance our military readiness, particularly for the Air Force and its Reserve elements, and it will set the stage for future appropriations bills that responsibly invest in education, energy, infrastructure, and in our public lands.

I am very happy that we are considering this bill today. Hopefully, we can finish this bill tomorrow, as we should. It will take some cooperation, but I think the Senate is finally ready for some cooperation. I look forward to that.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COATS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WASTEFUL SPENDING

Mr. COATS. Madam President, I am back on the floor once again for my "Waste of the Week." I have been doing this for well over 20 weeks—highlighting waste, fraud, and abuse of taxpayers' money. It is said we cannot afford to cut another dime, that programs are too important.

I question that since the Government Accountability Office, the Office of Management and Budget, and the congressional accounting office have all looked at various Federal programs and said: Why in the world are you doing this in the first place? It is no longer relevant. It is a waste of money. The function has already been taken care of.

Today we are going to highlight yet another situation where this money ought to be going into either higher priority uses—such as Department of

Defense or funding soldiers or veterans or something such as that—or not take it from the taxpayer in the first place. And as we document each week, our account keeps growing in terms of money that falls clearly into the category of waste, fraud, and abuse.

Today's situation is a little bit different because the money is not being spent. Then the question is, OK, it is reserved for something, right? It was, but that action has been fulfilled. So why is that money still sitting there and who is using it or if it is not being used, why isn't it redirected and returned to the taxpayer?

Let me talk about this program.

Throughout our Nation's history, the United States has pursued various paths of energy development in order to power our communities. One of the ways we have pursued energy production is through uranium enrichment and nuclear reactors. Today, that is not a popular way of providing power.

By the way, it is totally environmentally pure. There is no carbon dioxide, nitrous oxide, or any other emission issue here that is harmful to our environment. Yet we have suspended all this for various reasons—mostly the concern about a situation where it gets out of hand, even though today's technology can essentially provide safety for that.

Nevertheless, when Congress passed the Energy Policy Act of 1992, the United States Enrichment Corporation, USEC, was authorized and stood up to provide more privatized uranium enrichment services for the U.S. Government and utilities that operate these nuclear powerplants. And there are several dozen operating in the United States. Previously, this service was provided by the Department of Energy and its predecessor agencies, but now this law appropriated taxpayer dollars to a newly established USEC Fund, which is a revolving fund in the Treasury to carry out the purposes of this new organization, the United States Enrichment Corporation.

The law also appropriated taxpayer dollars to the fund revolving in the Treasury to carry out their purposes. Let me describe this fund in a little more detail.

Four years after the creation of the fund, Congress passed the USEC Privatization Act, which authorized the USEC's sale to the private sector—a pretty good move, I think. There are a lot of things the private sector can do more effectively and efficiently than the Federal Government. This was a privatization effort that was successful. It transitioned from a Federal to a private corporation, and today it operates as a private company, not a Federal company, separate from the Federal Government, under a new name; therefore, it is no longer under the control of the Federal Government.

What has become of the money that was funded? The USEC Fund was authorized to pay for the expenses of the USEC's privatization and for the environmental cleanup expense for "disposition of depleted uranium stored at government-owned enrichment plants operated by the USEC." That was a logical objective. We did not want this depleted uranium stored onsite. We needed to dispose of it. So we took the money in the fund and used that to take care of the uranium that was stored and that needed to be disposed of.

Earlier this year, the Government Accountability Office issued a report that said that the "purposes for which the USEC Fund was authorized after privatization have been fulfilled, and the Government Accountability Office has not identified any other purposes for which the USEC Fund is currently available"—in other words, mission accomplished. Mission complete. No other use of the fund has been authorized, and so the money is just sitting there. There is a pot of money sitting in the fund that has no federally authorized use. Whatever you want to call it—a zombie fund, a fund that simply has no purpose—its life is over, yet it lives on.

How much is in this fund? The GAO found that the USEC Fund's remaining balance is expected to be over \$1.6 billion in 2015—not exactly small change.

Predictably, the Department of Energy says: Ah, there is a pot of money. Why don't we use it for something else?

Well, it is not authorized for anything else. It was money contributed from the Treasury to this fund for a specific purpose, and that was to clean up the environment, to dispose of the uranium, and to privatize the program.

The GAO report further stated that "DOE's effort to utilize USEC fund moneys instead of general fund appropriations to support a research and development effort would diminish transparency in budgeting." In other words, the Department of Energy is saying: Oh, we have a slush fund over here. Let's use it for something.

Well, transparency and accountability are important when it comes to spending taxpayer dollars, and every one of us here in the Senate ought to be cognizant and recognize how critical and how important it is to spend hard-earned taxpayer dollars wisely, effectively, and efficiently and not request it from them if it doesn't have that purpose and achieve that purpose.

By the same token, if we have a pot of money—\$1.6 billion—sitting in a fund that has no authorized use, that ought to be returned. That ought to be returned to the taxpayer in one of two ways: one, directed to an absolutely essential need that only the Federal Government can provide, or two, it ought to go back to the taxpayer. It shouldn't be taken from the taxpayer. So since

the authorized purposes of the USEC Fund have been fulfilled and Congress has given no new authority or appropriation, the money needs to be rescinded.

I am not the only one supporting this course of action. The GAO recommends that Congress rescind the entirety of the \$1.6 billion, and Congress has attempted to rescind this pot of money before. In fact, the House of Representatives included language in a 2014 appropriations bill to do so. But it is now time to actually return the money. There are attempts being made. If we can successfully achieve this, we can save the taxpayer—by rescinding this \$1.6 billion, if we do that, we will then add up to our ever-growing total of wasted, abused, and fraudulently used money. In this case, this appropriated money—money sitting there waiting to be returned and rescinded—will bring our total to almost \$119 billion of waste, fraud, and abuse.

That ends the narrative this week, and we look forward to next week and bringing forward yet another waste of the week.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COATS). Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized for such time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. INHOFE. Mr. President, we are having a lot of discussion, and people are lined up now talking about this event that is going to take place in the middle of December. It is going to be the 21st COP. It is a meeting that the United Nations puts on every year. It has been on for 21 years now. They are all saying: This is the time. This is what they say every time—for 21 years—that we are going to adopt something in this country.

Prior to now they had been using legislation to reduce the emissions of CO₂ and the devastation that will be on our economy. There is nothing different now—except everything. As time has gone by, it has not been their friend. We have the alarmists who really believe that the world is coming to an end because of global warming. Some of them actually believe that. For a lot of them, it is the thing to do. You have Tom Steyer with \$75 million trying to resurrect this as an issue. There are some who really do believe it. The problem is, time is not doing them a favor because every time a week or a

month goes by, somebody else comes out with some new information.

A recent NASA study that was published in the *Journal of Glaciology* found that gains in the Antarctic ice sheets are much greater than the estimated losses. This runs counter to the IPCC 2013 report that suggests there was a net loss of ice on the continent.

Let's look for a minute at what the IPCC is. The IPCC is an arm of the United Nations. They have put together these studies of people, and this has been going on now for more than 15 years. The only qualifications you need, I guess, to be one of the scientists is you have to believe in this.

We have testimony from a lot of different members of the scientific community who have said that their position in opposition to the anthropogenic gases causing global warming, causing destruction of the Earth, has caused them not to be a part of this.

There is no better evidence of that than in 2009 when they came out and made it very clear that the science they are dependent on was the IPCC, and it was totally discredited with what they call climategate. We have talked about this on the floor several times. I thought that would have ended it in 2009, but it didn't. I mentioned that background only because we have the Paris trip coming up, and there will be a lot of people going there to try to fortify their positions.

Since the 1970s, the IPCC climate model historically predicted a significant increase in global temperatures, and we haven't really seen this. The frequent statements held up by the media showing each month that passes is the "hottest month on record" willfully ignore the margin of error contained within these datasets. Simply put, the 15-year hiatus—the hiatus, as it is called—is showing that, yes, we went through a period of time when there was warming. Then all of a sudden, some 15 years ago—16 years ago, it leveled off and it hasn't warmed since that time. This has been a problem for the individuals who believe this.

Let me go back. This is from memory, but I am sure it is right because I have said it so many times. The first time they talked about global cooling was in 1895. In 1895, they came out and said that we are now worried about a new ice age. They coined that term. They said that it is going to be catastrophic. Then about 20 years later—it was in 2018—it changed. All of a sudden, there was global warming. There was a warming. This was the first time the term "global warming" had been used. At that stage, things were warming up from that point until 1945. In 1945, it was rather interesting because that was at the end of World War II, and another cold spell came in.

The interesting thing about this is if you look back historically, the greatest surge in emissions of CO₂ in America happened right after the Second

World War in 1945. That precipitated not a warming but another cold spell. In fact, they used the term "ice age." In the 1970s, it started warming.

If you follow this, about every 30 years this changes. God is still up there. We are still going to have a change in climate. What disappointed them, on the other side, is that all the things they have been saying about global warming—it stopped 15 years ago, and it has leveled off.

Despite the clear evidence that the science of global warming is not settled, environmental alarmists are pushing ahead with an economically devastating agenda that is more about ideological outcomes than combating global warming. These efforts will come to a head at the end of this year when the United Nations hosts the 21st Conference on Parties, COP, session in Paris. With this upcoming international spectacle, we should not only be questioning the science, but also the intentions and promises each country is making.

Just last week, China was exposed for underreporting the amount of coal it burns by about 1 billion tons a year for the last 15 years. As the New York Times stated:

Even for a country of China's size, the scale of correction is immense. . . . The increase alone is greater than the whole German economy emits annually from fossil fuels.

They are talking about just the increase of what China has agreed to. They are saying they are reducing some of their emissions. The increase that they admit is going to come will still be far greater than the whole German economy emits annually for fossil fuels.

Then there is India, a country whose climate pledge is based on the premise that developed countries, such as the United States, will pick up these costs to the tune of \$2.5 trillion over the next 15 years—just over \$160 billion a year. India stands to gain from American taxpayer dollars. Keep in mind that each year for the last 21 years, we have had about 192 countries come in, and their job—in order to come in and join the big party—is to say, yes, we are going to do something about reducing CO₂ emissions.

I have a lot of activity in Africa, and there is someone I know very well who lives in a little country called Benin, West Africa. His name is Luke. He was an official in Benin, West Africa.

I went up to him and I said: How come you are at this thing? You know better than to believe in this whole idea of global warming.

He said: Well, look. We have an opportunity to share in something like \$100 billion because we are a minority country. Besides that, this is the biggest party of all every year.

So we have these things that are the motivations for people coming in. Even

the United Nations bureaucrats have been very candid about what they hope to achieve through the international climate negotiations, which has nothing to do with saving the environment.

The former French President, Jacques Chirac, when addressing the Kyoto Protocol, described it as the "first component of an authentic global governance."

Margot Wallstrom—I remember this because I was there at the time she said it—former EU minister, stated that international agreements are about the economy and "leveling the playing field for big business worldwide." That has nothing to do with the environment.

Most recently, Christiana Figueres, the U.N.'s top climate official when talking about the Paris climate conference said—she was running this thing for the United Nations—"This is probably the most difficult task we have ever given ourselves, which is to intentionally transform the economic development model, for the first time in human history." She is the person who is supposed to be making the case.

Even the United States' global warming commitment to the international community is questionable. President Obama is committing the United States to cut its emissions by 26 to 28 percent by 2025. This promise is also just as questionable and hollow as what we are hearing from the countries I mentioned.

The chart itself is self-explanatory. This is the gap that is in there. Not only does the President not have the backing of the Senate and the American people, but outside groups are finding that the President's method to achieve these reductions through climate regulations—primarily the Clean Power Plan—is faulty.

According to a recent analysis by the U.S. Chamber, the President's intended national determination contributions, the INDC—that is what they used to say what commitments are being made—are about 33 percent short of meeting stated targets. On July 8, a former Sierra Club chief climate counsel testified before my committee—I chair the Environment and Public Works Committee—about his own analysis that has found an even greater gap.

Right now, the Clean Power Plan is a regulation that is promoted by the President. Starting in 2002, they tried to pass legislation. After we analyzed this legislation, we discovered that it would have cost the American people somewhere between \$300 and \$400 billion a year.

Whenever I hear a big number like that, what I always do is go back and get the latest figures from my State of Oklahoma as to how much this means to each family that files Federal income tax, and this legislation would cost each family about \$3,000. That is a

lot of money for the people in my State of Oklahoma. Yet, by their own admission, it is not going to accomplish anything.

My colleagues might remember Lisa Jackson. Lisa Jackson was chosen by Barack Obama to be the first director of the EPA. I asked her a question right before the Copenhagen party in 2009. I said: Now, you are going to come out with an endangerment finding, and if you have this endangerment finding, who is going to be the scientist?

She said: Well, the IPCC.

I said: Well, assuming that you pass this legislation—they were trying to pass the cap-and-trade legislation that I just described, which would have cost between \$300 and \$400 billion at that time—will that reduce the CO₂ emissions worldwide? Keep in mind, Obama chose her to be the director of the EPA.

She said: No, it wouldn't do that because this isn't where the problem is. The problem is in China, India, and Mexico.

In fact, you can carry it one step further. If you are going to have a reduction in it and then that chases our manufacturing base to other countries where they don't have restrictions, then those countries will be countries like China and India that don't have any controls on emissions, so it will end up costing even more.

I mentioned that the President is going there in spite of where the American people are. This is very interesting because back in 2001 and 2002, major polling showed that the No. 1 concern at that time was global warming. And now that same poll—this is the Gallup poll that came out in March—said it is No. 15, and that is dead last as far as Americans are concerned. The American people have caught on.

The President is setting up the American economy to suffer great pain for no gain. The rising cost of energy will not only restrict access to affordable and reliable energy, but it will also undermine our businesses' ability to compete on a global scale and will ultimately ship jobs overseas to these other countries that will be increasing emissions for the next decade.

The outcome sounds a lot like the United Nations bureaucrats' hope for "leveling the playing field for big business worldwide." It was Margot Wallstrom who made that statement, and I quoted her a minute ago.

It is no wonder the President is working so hard to circumvent Congress's role in committing the United States to an international agreement on climate change. He is playing to the wishes of the international community to include French Foreign Minister Laurent Fabius who, when talking about the forthcoming international climate summit, said that an agreement needed to be

reached that would allow the President to make a commitment “without going to Congress.” That is the whole idea.

It is not just this one; there are other areas as well. Last week we were discussing the big water bill for a long period of time. Historically—always in this country—the control of water has been under State jurisdiction, and if it is under State jurisdiction, the only exception was navigable waters. About 5 years ago, there was an effort by a Senator from Wisconsin and a Representative Oberstar from Minnesota to try to pass legislation that would take the word “navigable” out, and that would have meant that everything would go from the States back to the Federal Government. Not only did we defeat those bills, but both the Senator and House Member were defeated at the next election in 2010.

The American people have caught on, and the summit is going to go forward, and I can assure my colleagues that we will have a big delegation from the United States of America at the summit and will talk about what America is going to do. Again, they are trying to do it through regulation. They tried to do the water rule legislatively, but they couldn't do it. So now the President is trying to do it with a rule. We have gone through this with ozone and other things. We will be faced with this, and clearly the President's agreement is about his legacy more than promoting a policy that is in the best interest of the American people. Americans need to not only question a science that is not settled, but a policy that is being used to appease internationalists at the cost of America's future prosperity.

We have gone through this now for quite a while—I would say for the last 18 years or so. The problem we are having—and I see a lot of the young people here—is that so many of the young people actually believe this stuff. One of the reasons they believe it is that they are taught it.

This is a terrible confession for me to make. I have 20 kids and grandkids, and one of them—I won't say which one—when she was in sixth or seventh grade came to me and said: Pop-I—the “I” is for INHOPE—why is it that you don't understand global warming?

I said: Honey, show me why you are asking. She showed me the propaganda coming from the EPA and going through our school system. It is incredible.

In spite of that, the facts are there, and it is not going to work any more this time than it did during the 21 last visits.

With that, I will yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

DEFENSE APPROPRIATIONS BILL

Mr. SULLIVAN. Mr. President, Veterans Day is approaching on Wednesday, and as the Presiding Officer

knows, this is a very important day across the country. It is certainly an important day in my State of Alaska. Alaska has a statistic—I certainly like to talk about it a lot in hearings and on the Senate floor—of having the highest number of veterans per capita than any other State in the United States. It is truly an honor to be serving a State that has so many veterans who have served our country, and we look at Veterans Day as a very important and very somber day.

We are also home to thousands of active duty military members and reservists—in large part because of our strategic location in Alaska.

I was home, like a lot of Members of the Senate, this past weekend, and in Alaska we are already beginning to celebrate Veterans Day in churches, community halls, private homes, and parades. This weekend I had the honor of attending a few of these events. I went to a parade in Anchorage and a wonderful church service yesterday. It is so moving to see and hear from all of our veterans. Again, I had the opportunity to do that this weekend. I met with World War II veterans—the “greatest generation”—Korean War, Vietnam, Iraq, Afghanistan, and Cold War veterans.

I went to a number of these events and an issue came up—an issue that I think is important for this body to know about since our constituents are asking about it: What the heck is going on in Washington, DC, where Senators are filibustering the funding of our troops? What is going on? It is a good question. It confirms something that I think a lot of us sometimes forget. We look at the procedural maneuvers here on the Senate floor—filibusters, blocking funding for our troops—and sometimes we think that the American people aren't watching. Well, they are watching, and our troops are watching. Not only are our troops at home watching, but importantly, our troops overseas who are literally risking their lives during this Veterans Day week, protecting our Nation, protecting us, and protecting our security. They are watching and so are their families.

When Members of this body decide to block funding for our troops, known as the Defense appropriations bill, the people know it. They especially know it when it has happened on this floor not once, not twice, but three times. The minority leader on the other side of the aisle has decided to filibuster our troops three times in terms of their funding. What is really amazing about that is that bill came out of the Appropriations Committee with a huge bipartisan majority. The legislation to support our troops is very bipartisan. So, why? I was asked this back home. I truly could not provide a coherent answer for the veterans, for their families or for our troops.

I have heard a number of reasons on the Senate floor as this was being de-

bated. I believe the minority leader said it was a waste of time. I guarantee my colleagues that the vast majority of Americans don't agree with him on that. I heard something about Republican tricks with regard to the budget deal.

I just don't know why we would filibuster the Defense appropriations bill that funds our troops three times, including one time last week. I wish the minority leader would come to the floor and give a simple answer for why he insists on continually filibustering funding for our troops during the week of Veterans Day and, more importantly, when thousands—thousands—of young American men and women are risking their lives right now—right now—defending this Nation overseas.

Some people are starting to fear that Members of this body are not making our troops the highest priority. They are starting to fear that we are not concerned about the welfare of our troops and our Nation's security. Now, I don't believe that is the case. I have the honor of sitting on the Veterans Affairs Committee. I also serve on the Armed Services Committee, and I believe that is a very bipartisan committee, where everybody is focused on our national security and our troops. As a matter of fact, I talked to a reporter last week and told her how on the Armed Services Committee so many Members on both sides of the aisle come together and focus.

We have veterans in this country who still carry scars of their military service who were not supported by the public, who were not supported by the Congress. In particular, many of our veterans who served in Vietnam came home and were ridiculed. They were not treated well. They were spit on. We can never ever go back to that shameful period of American history—never.

This week we have important work to do on these issues. We have a Military Construction and Veterans Affairs appropriations bill we will be voting on in the next few days. Again, that bill was previously filibustered. I don't know why, but it looks as though we are going to move forward on that. We have a defense authorization bill, which is hugely important for the men and women of our military. It was vetoed by the President. Again, it is not clear why the President vetoed it. We are going to take that up again.

The bottom line is this: enough playing politics with our troops, their families, and our national security. It is time to come together during this week, of all weeks—the week of Veterans Day—to come together in a bipartisan way on these important bills that we are taking up this week to support our troops, to support our veterans, to support our national defense in the finest tradition of this body, in the finest tradition of the U.S. Senate.

Filibustering the Defense appropriations bill three times is not in the finest tradition of this body. We need to move beyond that. Doing so this week—the week of Veterans Day—will send an important message to the American people that we know what the highest responsibility of the Congress is. It is to defend this Nation and to take care of the troops and the veterans who have sacrificed and whom we honor this week.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator have Illinois.

Mr. KIRK. Mr. President, I come to the floor to urge support by the Senate for the 2016 MILCON-VA appropriations bill.

Last year this bill's funding for our veterans was \$65 billion and it is now \$71.2 billion. That is a \$6.2 billion increase over last year. The President requested \$70.1 billion for fiscal year 2016. This bill provides \$1.1 billion more than the President's request for this upcoming legislation.

Last week we agreed to debate this bill by an overwhelming vote of 93 to 0. We have record-level funding to fix the disability claims backlog at the VA in this bill. There are new protections for whistleblowers, doctors, and nurses at the VA who are protected when they report patient abuse. This bill protects the protectors of our veterans.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ROBERTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, I ask unanimous consent to speak as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Kansas is recognized for up to 5 minutes.

Mr. ROBERTS. Mr. President, I truly appreciate that from the Presiding Officer.

40TH ANNIVERSARY OF AMERICAN AGRI-WOMEN

Mr. President, today I wish to recognize the American Agri-Women who are celebrating their 40th anniversary this year. The American Agri-Women officially began in November of 1971, with the Kansas Agri-Women one of the earliest State groups. Forty years later, the American Agri-Women have grown to represent tens of thousands of women involved in all aspects of agriculture in all 50 States.

It is rather amazing that membership includes women of all ages from many different professions within the agriculture industry. These talented women are farmers, ranchers, and consumers; they are students, account-

ants, educators, marketers, managers, researchers, and even elected officials, among many others.

It is impossible to list all of the accomplishments these hard-working women have achieved for the agriculture industry over the last four decades, but perhaps their biggest success has been initiating the national Agriculture in the Classroom Initiative—a program that continues to be widely implemented in schools all over the country to educate children on modern agriculture.

Throughout the year, the Agri-Women have been engaging in their “Drive across America” tour—a road trip across the country to spread the word of the vital role women play in agriculture. Their drive ended last week in Maine, where they hold their annual convention.

During this tour, they also educated consumers on all the challenges that farmers and ranchers face and highlighted the role the United States plays in the global food system.

I have had the opportunity to meet with many of these women and discuss the work of the agriculture committee during their stop in their trip to Washington. They met with many members of the committee and many others interested in agriculture. I hope all of my colleagues will join me in celebrating the last 40 years of American Agri-Women and the hard work of all of the women in our agriculture community, without whom the United States would be unable to provide the highest quality food, fuel, and fiber domestically and around a very troubled and hungry world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, the MILCON-VA Subcommittee bill that we will be taking up over the next day or so is critically important not only for our military from a readiness standpoint but also for our veterans. We are approaching Veterans Day this Wednesday.

I hope we are able to put politics aside on this bill and do what is right not only for the military but for the men and women who have served this country in the military. If there are amendments that folks have, I would ask that they bring them to the managers as quickly as possible so we can go to work on them and clear them, if possible, and if not, push them off for another day.

This is really an important piece of legislation. We continually talk about conflicts around the world and we continually send our men and women there, with no argument from them. They do a job we are all very proud of: protecting the freedoms of this country. The second half of that story is making sure we do right by them when they come back home. That is what

this bill is about—doing right for our veterans when they come back into civilian society again.

With that, I encourage the Members of this body to break from what we traditionally do; that is, play politics with a lot of things, and do what is right for our men and women who serve, our veterans, and for our military from a readiness standpoint in the bill within the MILCON component.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AFFORDABLE CARE ACT

Mr. MURPHY. Mr. President, we are in the beginning stages of open enrollment for the Affordable Care Act, which extends through January 31, 2016. I wanted to briefly come to the floor today to make sure the body knows that over the course of the next 2½ months their constituents will have an opportunity to save hundreds if not thousands of dollars by shopping around and finding the most affordable plan available to them but to also make everyone aware that despite the overwhelming success of the Affordable Care Act—the uninsured rate in this country has dropped by 30 percent since its inception only a few years ago—there are still some who have not gone onto the exchanges and found a plan that can bring them into the ranks of those who now have affordable insurance for the first time.

This is an important period for people across this country, but it is also a moment for us to reflect on what has happened over the course of the last 2 years, especially given all of those who were naysayers, all those who predicted the country would fall apart or at the very least the health care economy would fall apart after the passage of the Affordable Care Act. Of course, the exact opposite has happened.

We have seen a dramatic reduction in the number of people who don't have insurance. We have seen people be able to gain enormous savings on the amount of money they spend on health care.

We have seen the amount of money the Federal Government spends on health care dramatically reduced—a \$1.2 trillion savings over the baseline when the ACA was passed, the amount of money the Federal Government is projecting to save over a 10-year period of time.

We have seen quality get better. Indicators—from hospital readmissions to infection rates—are all going in positive trendlines because, of course, the Affordable Care Act isn't just about

getting people access to affordable care, it is also about transforming our payment system away from one that just bases our reimbursement system on the amount of medicine practiced to one that is actually rewarding the quality and outcomes that are gleaned as a part of our health care system.

It is a triple whammy. More people have access to affordable care; we are spending less money than we had planned to spend, by dramatic numbers, from the Federal perspective; and we are getting better quality outcomes.

Lots of us have ideas about how we can improve the Affordable Care Act, and we hope that with the legislative fights behind us and with the judicial fights largely behind us, we can now focus on ways to perfect this law. But there is no question that it is returning enormous benefits to people across this country.

Here is just another quick way to look at it. As shown here, this is the percentage of uninsured by county across the country. Here is 2013. You can see that in almost every county, we have north of 16 percent uninsured. But look how quickly these numbers change. Look how quickly almost every county, at least in the sort of vast swath of territory from the Northwest across to the Northeast, moves down to 2015, where we have majority sections of the country with close to 10 percent uninsured—a 30-percent national reduction in the number of people without insurance. We still have these big gaps where people are in the coverage gap, people who are making so little money that they don't qualify for Medicaid but also can't get into the subsidies, but this is enormous progress all across the country. We can make more progress, and a lot of that comes through consumers being educated during this open enrollment period as to the choices in front of them.

Here are some stunning numbers. Eighty-six percent of current enrollees—people who are on Affordable Care Act plans today—can find a lower premium plan at the same level before tax credits by returning to the marketplace to shop for coverage. If every consumer in the country went back and shopped for the lowest cost premium plan at the same level, the total savings across the country would be \$4.5 billion. The average consumer—let's say you bought a silver plan last year and you decided to shop for a better deal this year—can save about \$52 a month. That results in a savings of about \$625 a year. So shopping can save you money.

You might be satisfied with your plan—and the satisfaction numbers are pretty remarkable. Seventy-five percent of people who are on the exchange today report being wholly satisfied with their plan, which is, frankly, a higher satisfaction level than for those

who are on private insurance outside of the exchanges. But even if you are satisfied, go back and look at the plans that are available to you. You can find a plan that will get you the same coverage for lower costs. Let's make sure people are getting that return on their investment.

The good news is that there is more choice out there than ever before. Every year since the inception of the Affordable Care Act, plans have been added to these State-based and Federal exchanges. The average number of issuers on an exchange was 8 in 2013 and then 9 in 2014 and then 10 in 2015. So choice for the average consumer is increasing. Now, there are certain areas in which choices maybe stayed the same or maybe in some areas choices have been reduced, but on average across the country, you have more choices today than you did before, so there is no excuse not to go back out and try to find a plan that saves you some money.

In Connecticut, we are probably the poster child for effective implementation of the Affordable Care Act. We are a small State. We have a congressional delegation of only five in the House of Representatives. Yet we have had 700,000 Connecticut residents who have obtained health insurance through the Affordable Care Act, either on the exchange or on Medicaid. We have gone from an 8-percent uninsured rate—so we were already on the low end—down to a 3.8-percent uninsured rate. That is a remarkable number over the course of just a few years. We only have so much progress we can make when we have under 4 percent uninsured, but we have a goal of putting 10 to 20,000 people on the Affordable Care Act over the course of this open enrollment period.

Nationally, because we have made so much progress, the goals are going to be modest compared to years past as well, but the point of coming down to the floor today is to say that at this point in the implementation, when we have made such great progress, we want to continue to try to kick down the uninsured rate. But the real benefit in open enrollment is going to come not simply by reducing the number of people without insurance but by making sure that everybody is on the plan that best represents their financial and medical needs. Again, that number—across the country, \$4.5 billion could be saved between now and the end of January—is pretty remarkable.

This Senator has been on the floor a number of times, along with my colleagues, to talk about the simple premise that despite all of those who have been rooting for the Affordable Care Act to fail, it has worked. It has worked from an empirical basis and an anecdotal basis. The statistics don't lie. There are dramatic reductions in the number of people without insurance, dramatic reductions in the pace

of health care inflation, and dramatic improvement in the quality of medicine being practiced across the country.

We all have stories of individuals from our State whose lives have been transformed by this act. There are parents who no longer have to worry about their children being locked into a future dictated by their illness, cancer patients who now know they are going to be able to have access to an affordable product and will never be denied access to health care just because of their illness, and taxpayers who see a trajectory of health care spending that is not going to bankrupt this country as fast as it would have had we not put changes inside this act.

So open enrollment is open until January 31, 2016. I encourage all my Republican and Democratic colleagues to get the word out about this. Everyone has constituents who can benefit. Whether or not you support the Affordable Care Act, it is the law of the land and your constituents can benefit from it. We should all be out there talking about the potential for our constituents collectively to save almost \$5 billion if they shop on Affordable Care Act exchanges between now and the end of January.

Thank you.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TILLIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Scott Allen, of Maryland, to be United States Director of the European Bank for Reconstruction and Development.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Allen nomination?

Mr. PORTMAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Louisiana (Mr. CASSIDY), the Senator from Mississippi (Mr. COCHRAN),

the Senator from Texas (Mr. CRUZ), the Senator from Arizona (Mr. FLAKE), the Senator from Colorado (Mr. GARDNER), the Senator from Nevada (Mr. HELLER), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. RUBIO), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

Further, if present and voting, the Senator from Colorado (Mr. GARDNER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Missouri (Mrs. McCASKILL), the Senator from Maryland (Ms. MIKULSKI), the Senator from Vermont (Mr. SANDERS), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

The PRESIDING OFFICER (Mr. ISAKSON). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 83, nays 0, as follows:

[Rollcall Vote No. 300 Ex.]

YEAS—83

Alexander	Feinstein	Murray
Ayotte	Fischer	Nelson
Baldwin	Franken	Perdue
Barrasso	Gillibrand	Peters
Bennet	Graham	Portman
Blumenthal	Grassley	Reed
Booker	Hatch	Reid
Boozman	Heinrich	Risch
Boxer	Heitkamp	Roberts
Brown	Hirono	Rounds
Burr	Hoeven	Sasse
Cantwell	Inhofe	Schatz
Capito	Isakson	Schumer
Cardin	Johnson	Scott
Carper	Kaine	Sessions
Casey	King	Shaheen
Coats	Kirk	Shelby
Collins	Lankford	Sullivan
Coons	Leahy	Tester
Corker	Lee	Thune
Cornyn	Manchin	Tillis
Cotton	Markey	Toomey
Crapo	McCain	Udall
Daines	McConnell	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Enzi	Moran	Wyden
Ernst	Murphy	

NOT VOTING—17

Blunt	Heller	Rubio
Cassidy	Klobuchar	Sanders
Cochran	McCaskill	Stabenow
Cruz	Mikulski	Vitter
Flake	Murkowski	Wicker
Gardner	Paul	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENTS NOS. 2772 AND 2766 TO AMENDMENT NO. 2763

Mr. KIRK. Mr. President, the ranking member and I have a small package of amendments that have been cleared by both sides.

I ask unanimous consent that the following amendments be called up, reported by number, and the Senate vote on the amendments en bloc: Shaheen No. 2772 and Heller No. 2766.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from Montana [Mr. TESTER], for Mrs. SHAHEEN, proposes an amendment numbered 2772 to amendment No. 2763.

The Senator from Illinois [Mr. KIRK], for Mr. HELLER, proposes an amendment numbered 2766 to amendment No. 2763.

The amendments are as follows:

AMENDMENT NO. 2772

(Purpose: To require the Comptroller General of the United States to conduct audits relating to the timely access of veterans to hospital care, medical services, and other health care from the Department of Veterans Affairs)

At the appropriate place, insert the following:

SEC. _____. The Comptroller General of the United States shall conduct random, periodic audits of medical facilities of the Department of Veterans Affairs and the Veterans Integrated Service Networks to assess whether such facilities and Networks are complying with all standards imposed by law or by the Secretary of Veterans Affairs with respect to the timely access of veterans to hospital care, medical services, and other health care from the Department.

AMENDMENT NO. 2766

(Purpose: To prohibit the use of funds to transfer amounts from the Filipino Veterans Equity Compensation Fund to any other account in the Treasury of the United States)

At the end of title II, add the following:

SEC. 247. None of the amounts appropriated or otherwise made available by this title may be used to transfer any amount from the Filipino Veterans Equity Compensation Fund to any other account in the Treasury of the United States.

The PRESIDING OFFICER. If there is no further debate, the question occurs on agreeing to the amendments en bloc.

The amendments (Nos. 2772 and 2766) were agreed to en bloc.

MORNING BUSINESS

Mr. KIRK. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Connecticut.

MILCON-VA APPROPRIATIONS BILL

Mr. BLUMENTHAL. Mr. President, I thank Senators KIRK and TESTER for their bipartisan leadership on a measure that is vastly improved since the vote we had on a similar measure recently. I know this topic is very close to the heart of the Presiding Officer, and I thank him for his leadership as chairman of the Committee on Veterans' Affairs. It is truly a tremendous challenge that we are working step by step to address.

About a month ago, I came to the floor to help raise serious concerns about the funding levels in the MILCON-VA appropriations bill that we are now addressing because it contained serious, egregious shortfalls. As a result, I could not support it. Veterans in Connecticut as recently as this weekend asked me how and why I could vote against a measure that provided funding for the VA. My answer is: It wasn't enough. It wasn't good enough. It failed to do the job.

This measure, fortunately, is a profoundly important step toward addressing the needs of our veterans and keeping faith with them, making sure that we leave no veteran behind. This new version provides what many of us have been fighting to achieve—real help for our veterans.

We are about to consider an amendment that would restore much needed funding to the Department of Veterans Affairs. The Kirk-Tester amendment provides a much needed increase in funding for the Department of Veterans Affairs, bringing full funding to that agency—\$71.2 billion. That amount is \$2 billion more—to be precise, \$1.97 billion—over the previous reported bill, which will supplement the VA's medical services. This additional funding is not window dressing. It is not a convenience or a luxury. It will allow the VA to more appropriately account for treating hepatitis C, supporting the family caregiver program, and providing care in the community. Demand for care from the VA has continued to grow in recent months, and I will continue with my colleagues and with the Department to ensure that the VA is spending the funds in an appropriate manner, with integrity and responsiveness, to provide high quality, timely health care to our veterans.

This bill also fully funds the operation of the VA Benefits Administration. The VBA has been plagued by problems, some of them attributable to underfunding, and this amount at \$2.69 billion will facilitate the transformation from a paper-based claims process to a digital one. It will allow the VA to hire hundreds of new claims processors, speeding and streamlining

the system so that veterans receive the benefits they have earned and are spared the rigamarole and redtape that has so often produced a backlog.

Recognizing increased demands, the bill also provides an increase of \$20 million for funding VA-State extended care facilities. It provides \$20 million in rural health care funding specifically for construction grants, meeting the needs of State extended care homes in rural areas. We are demonstrating here how the VA can partner with States to flexibly and efficiently deliver long-term care to an aging population—like other segments of our population, the VA beneficiaries are aging—sparing them the time and expense of constructing and operating new VA facilities.

I have also filed important amendments to improve the provision of health care and research at the VA, ensuring that the VA is providing gender-specific prostheses, for example—particularly important as we see more and more women serve in combat zones—as well as ensuring that VA research dollars are spent in areas of toxic exposures. These priorities ought to be at the top of the list for all. They are for me.

VA continues to have a significant need for resources and personnel. Secretary McDonald indicated just last Friday that the agency continues to need about 4,300 more physicians and 10,000 nurses. I am working with the VA on legislation to meet this need. I look forward to working with my colleague, the Presiding Officer, as well as the Appropriations Committee to address these priorities and others that are so critically important to final passage of this important bill.

CONDEMNING PALESTINIAN TERROR ATTACKS AGAINST ISRAEL

Mr. BLUMENTHAL. Mr. President, since the beginning of October, Palestinians armed with knives, meat cleavers, guns, and cars have carried out approximately 77 attacks, leaving 159 Israelis wounded and 12 dead. Two Americans have been killed in these gruesome attacks, including Richard Lakin, who was a Glastonbury, CT, elementary school principal and civil rights activist before he moved to Israel in 1984. Connecticut grieves for our dear friend and colleague to our educators there, who perished while seeking peace. That was his goal. That was his mission.

The Palestinian Authority must be held accountable for incitement, and it must work to stem this tide of visceral violence. Repeated, reprehensible attacks on innocent Israeli civilians follow President Abbas' dangerous disavowal of commitments made during the peace process. He has disavowed those commitments, and he has renounced them. These attacks must be

stopped with leadership from the Palestinian Authority.

That is why I have introduced bipartisan legislation with Senator AYOTTE, and more than half the Senate has now joined with us to stand with Israel, to condemn these Palestinian terror attacks, and to reaffirm Israel's commitment to the continued maintenance of the status quo on the Temple Mount. I look forward to returning to the floor to have this resolution passed. It is time the Senate spoke out over this violence that has engulfed Israel and threatens everyday Israelis trying to live their normal lives in peace. It is time for America to speak out, as it is doing now, day in and day out.

I have visited Jerusalem, Israel's capital, and seen how remarkable a place it is, both in terms of being home to three monotheistic faiths and in the remarkable way that Israel has maintained respect and proper access for all religions and for their practices.

Israel stands alone as a nation committed to tolerance and respect for all faiths. This resolution serves as an expression of our support and our solidarity with Israel in bringing this violence to an end and as our resolve to help stabilize security for both Palestinians and Israelis.

I have said before—and I feel more passionately and deeply now than ever before—that Palestinian political goals will never be achieved through violence. As efforts to deescalate this situation move forward—and I support them—this resolution calls on all parties to return to the negotiating table immediately and without preconditions. Israel is already committed to peace negotiations without preconditions. I continue to support a two-state solution that is acceptable to all parties, involving direct negotiations with the active and sustained support of the United States and the international community.

My hope also is that the United States will continue to support Israel by reaffirming our unshakeable commitment to Israel's security. Today, President Obama met with Prime Minister Netanyahu. I hope that meeting will serve to bolster the bonds between our two great countries. I understand it went well. I certainly hope it did.

I joined Senator BENNET, along with 14 other Senators, in writing to the President and urging him to prioritize discussing with Mr. Netanyahu the historic renewal of the Memorandum of Understanding on U.S. Military Assistance to help Israel prepare for, respond to, and defend against threats that are more pressing and dangerous than ever, and to ensure its qualitative military edge.

I note that my wonderful friend and colleague from Illinois is waiting to speak, so I will end here and say that the current MOU provides \$30 billion in assistance to Israel through fiscal year 2018.

As threats in the region continue to evolve, including Iran's potentially malign influence, the administration must engage at the highest level to continue to develop a shared understanding of threats confronting Israel by strengthening the MOU that serves as the foundation of our bilateral security efforts.

I will always fight to uphold Israel's security, and I am committed to opposing efforts to delegitimize Israel. We can stand together on a bipartisan basis, and this cause must always be bipartisan, must always be above politics. I will continue to work toward ensuring that the partnership in this body and the partnership between the United States and Israel is strengthened and enduring.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, first, let me thank my colleague from Connecticut, Senator BLUMENTHAL. I join him in condemning the violence that is taking place in the streets of the Middle East and Jerusalem and other places. I also join him in calling for a two-state solution so that we can have both the Palestinian people and the people of Israel living safely and securely without fear of any kind of military action from one against the other. That should be our ultimate goal, and we should renew that goal regularly. I join him in what he had to say.

IMMIGRATION REFORM

Mr. DURBIN. Mr. President, on another topic, you can't serve in the Senate without some level of patience. It takes forever to get things done around here—that is, the big things.

Fifteen years ago, I introduced a bill called the DREAM Act. That was 15 years ago, the year 2000. What were we going to do with these young people who came to the United States—brought here as babies, infants, toddlers, children—when they finished high school and were looking to the future? The DREAM Act said that if they have no serious criminal issues, if they have finished school, we will give them a chance—a chance to work their way toward legal status and citizenship.

I introduced that bill 15 years ago. It has had its ups and downs. At times it has passed in the House; other times it has passed in the Senate. We have never been able to align those two bodies to pass the bill at the same time.

It was June 27, 2013—almost 2½ years ago—when it last passed in the Senate. It was part of comprehensive immigration reform. Sixty-eight Senators voted for that bill—14 Republicans and 54 Democrats. It was a bipartisan bill, comprehensive immigration reform.

We took the bill and sent it to the Republican-controlled House of Representatives, and they refused to call

the bill or even debate it on the floor of the House of Representatives. It was frustrating. A group of us had worked for months to put that bill together. The House would not even consider it, wouldn't even debate it, didn't offer an alternative. They were silent. Virtually all of them were silent but not every one of them.

This was a historic meeting in the city of Chicago. These two gentlemen are my friends, one my colleague from Illinois, Congressman LUIS GUTIÉRREZ, and the other the new Speaker of the House of Representatives, Congressman PAUL RYAN from Janesville, WI. They appeared at a famous setting in Chicago, the City Club, and talked about immigration. Let me read what Congressman PAUL RYAN said as a visitor joining Congressman GUTIÉRREZ in 2013:

We all must acknowledge that we have an immigration system that's broken. It is not serving our interest as a nation. Our broken immigration system does not serve our national security interests. Our broken immigration system does not serve our economic security interests. Our broken immigration system does not serve our family interests.

Congressman RYAN went on to say:

And so, when Republicans and Democrats look at this situation and see something that's broken, we need to fix it. We have to offer people a path to earned legalization. We have to invite people to come out of the shadows.

That was an extraordinary statement. It was heralded not just in Chicago but around the country as a statement that a leader would make trying to lead his party into a positive view toward immigration reform. It was a statement made by Congressman PAUL RYAN in the year 2013. I applauded it, praised it. Many of us did.

But now we have another statement by the new Speaker of the House, PAUL RYAN. He has basically said that the Republicans are going to do nothing—nothing on immigration. He says he can't trust the President, and as long as he can't trust the President, he is going to do nothing as the new Republican leader of the House. So he is going to consider absolutely no legislation to fix our broken immigration system.

Why did President Obama take the actions that he did, creating a program known as the Deferred Action for Childhood Arrivals, or DACA? It was the President's response to the failure of Republican leaders in the House to even consider the issue of immigration.

What is DACA? DACA is a program created by Executive order that gives to these young people who qualified as DREAMers temporary status in the United States so they cannot be deported. They have to come forward, submit themselves for a criminal background check, pay a fee, and be monitored. If they should get in trouble, commit a crime, they are gone, they are deported. So far, 700,000 of these

young people have come forward as part of the DACA Program.

The House Republicans have tried to stop the program, eliminate the program. I assume that, like some candidates for President, they want to deport all these young people. That is unfortunate because many of these young people who now have at least temporary protection by DACA are doing some absolutely extraordinary things. I would like to talk about one of them this evening.

This young lady's name is Maricela Aguilar. She is from Speaker RYAN's home State of Wisconsin. In 1995, when Maricela was 3 years old, her mother brought her to the United States to give her a better life. Maricela's family settled in Milwaukee, WI. She worked hard and excelled in school. During high school, Maricela was on the honor roll, was a member of the National Honor Society, and was captain of the cross-country team. At the same time, she was active in her community; she was a volunteer at a homeless shelter.

When it came time to apply for colleges, she wanted to stay close to her family. She wanted to stay in Speaker RYAN's home State of Wisconsin. She applied to a lot of schools. She was offered a full tuition scholarship to Marquette University in Milwaukee. That is an extraordinary school. My son went there, so I am partial, but it is an extraordinary school because it gave her a chance.

Keep in mind that this young lady, because she is undocumented, doesn't qualify for any government assistance—none. Sacrifices had to be made by her family and others to help her go to Marquette. She went there. She was on the dean's list, double major—political science and English literature. She worked part time as a waitress to make ends meet to pay for her college expenses. She became involved in advocating for immigration reform.

In 2010 Maricela was here in the Senate Gallery along with hundreds of other DREAMers when the Senate failed to pass the DREAM Act due to a Republican filibuster. We got a majority of votes; we couldn't get 60.

I met with Maricela in 2011 when she came to Washington to talk about her concerns about DREAMers just like herself who faced deportation.

In 2012 Maricela graduated with honors, in the top 10 percent of her graduating class at Marquette in Milwaukee, WI.

Later that year President Obama created the deferred action plan that gave her and hundreds of thousands of others a chance to stay and not be deported. She was able to apply and go to graduate school at Brandeis University in Boston. She continues to work on immigration reform and is a leader of the Student Immigration Movement of Massachusetts.

She is going to return to Milwaukee when she graduates, she promises. She

wants to become a public school teacher so she can use her education to help young people in the city where she grew up. She is a loyal Wisconsinite, a loyal member of the Milwaukee community.

I would say to Speaker RYAN: She wants to be a part of your State for the rest of her life.

Maricela and other DREAMers have so much to give America. Can we use more public school teachers with her talent? Of course we can. But Speaker RYAN and other Republican leaders in Congress have made their agenda clear: They want to shut down this program and tell Maricela she can't stay to continue her education. They want to deport her to her country, which she hasn't been to since she was 3 years old and has no memory of it. She would be deported to Mexico, a place she may have experienced as a toddler but can't even remember.

Will America be a stronger country, will Wisconsin be a better State, will Milwaukee be a better city if Maricela is now told to leave after she has obtained her bachelor's degree and is working on her graduate degree? I think the answer is clear: If she stays, we will all be better for it and she will be better for it.

Instead of deporting DREAMers like Maricela, Speaker PAUL RYAN should support DACA and work with the Democrats to pass comprehensive immigration reform to fix our broken immigration system.

VETERANS DAY

Mr. DURBIN. Mr. President, this Wednesday, Americans all across the country will gather to honor all those who have fought for freedom and thank them for a debt we can never fully repay. Whenever freedom is threatened, our brave men and women of America have answered the call.

In honor of Veterans Day on Wednesday, I will take a moment to recognize an amazing Illinois veteran, part of what we call the "greatest generation."

It was December 7, 1941—as FDR said just a few steps away from us in the House Chamber, a day which will live in infamy. The Imperial Japanese forces launched a surprise attack on Pearl Harbor. That also happened to be the 22nd birthday of Tony Gargano, and it was the day he decided he would enlist in the U.S. Navy. Tony was assigned to a ship disguised as a merchant marine vessel. He and his shipmates didn't wear Navy uniforms or carry IDs, and their ship had no guns.

In November of 1942, a German ship—also disguised as a merchant vessel—sank the ship Tony was on. Tony survived and was taken as a prisoner aboard the German ship. Then he was turned over to the Japanese, where he spent the next 3 years as a prisoner

working in a coal mine. Every day he would come out of the mine covered head to toe with coal dust. In those 3 years, Tony never had a chance to take a shower, never could wash his hands—3 years. He worked more than 10 hours a day on less than 8 ounces of water and 6 ounces of spoiled rice.

Here is how he described his experience:

They torture you. They beat the hell out of us. You'd try to get up and they'd beat you back to the ground. You prayed to God they would kill you.

By the time the war was over and the Red Cross arrived, Tony couldn't believe he was still alive. After he arrived in the United States, they quarantined him for weeks. He couldn't even call his family to tell them he was alive. But he made it, and he came home.

Now fast-forward 70 years. Tony is 95 years old. He marvels at his good fortune. After the war, he came home and married Julia Elliot, the love of his life. They worked 6 days a week. He was maitre d' at Elliot's Pine Log Restaurant in Skokie, IL. He watched his son and daughter grow up and enjoyed the arrival of five grandchildren and five great-grandchildren. What a life.

Last month Tony Gargano came to Washington with the Honor Flight. He visited the White House and the World War II Memorial. He shared his story with the Veterans History Project at the Library of Congress. They asked him: "What do you think of when you look back on your life?"

Here is what Tony said:

Everything turned out pretty good. I met a nice, young lady. We got married, and spent 60 beautiful years together. I have no complaints.

Isn't that an amazing statement for a man who served 3 years as a prisoner of war and was nearly killed in the effort. The joys of Tony's life have outshined the horrors of that war. If you ask Tony if he is a hero, he says:

There were others who had it much worse. The people we should honor are the ones where the white crosses are. Those are your heroes.

Tony is right, but Tony is a hero too. Tony Gargano faced an unspeakable evil with grace, courage, and determination. He lived his life with love in his heart, and that makes him, even to this day, a true American hero.

It is the service and sacrifice of people like Tony we will continue to honor not just on Veterans Day this Wednesday, but we should honor them every day. Too often servicemembers return home only to find themselves facing a myriad of challenges, from the physical and mental wounds of war to struggling to find work, an education or a home. We can't simply commemorate their service by waving our flags, marching in their parade, and then forgetting them. We have to ensure that veterans and their families have access to the best health care, education, jobs, and housing.

I have been committed to this effort, and I have one program I am particularly proud to have been a part of. It is called the VA Caregivers Program. It provides the families of severely disabled Iraq and Afghanistan War veterans the support they need to keep the veterans home with their families. Thousands of veterans and their caregivers in Illinois and nationwide participate. It is a big, successful program. I recently introduced legislation to expand it so it covers all veterans.

We know veterans face unnecessary delays and claims, processing and reimbursement, and I have worked hard to cut down on that backlog. I have also tried to make our VA hospitals and medical centers in Illinois and across the country the best. It is the new method of medical service being provided to our veterans, and it has to be the best.

I have been proud to sponsor bills to strengthen post-traumatic stress disorder for veterans and their families as well as improve orthotics and prosthetics research and education. I have been proud to help veterans get homes and jobs. For example, just this year the U.S. Department of Housing and Urban Development and U.S. Department of Veterans Affairs awarded more than \$674,000 in grants to assist homeless veterans in my State through a tenant-based voucher program.

Let me say a word about a program I visited just this last week in Chicago, which is an extraordinary program. The program is called Rags of Honor. It was created by my friend Mark Doyle. He wanted to do something to create good-paying jobs for homeless veterans, and so he decided to print T-shirts and hired homeless veterans to do it. It is on its third year now, and my friend has basically underwritten it, but the fact is, it is a success.

These men and women who were living in their cars or living on the streets now have good-paying jobs making T-shirts. These T-shirts are all made by veterans, some of whom were homeless. These are all American products, all American made, and they are selling them and people are buying them. Northwestern University decided they would turn to them and have them print T-shirts for some of their needs at the university. I have used Rags of Honor T-shirts in my campaign. It is an example of what can be done to help our veterans—just by one man who was willing to dedicate a big part of his life to do it, and there are so many more like him.

I wish to thank all of those who have risked and given of themselves—even the families of those who have given their lives for this Nation—and for the wounds they suffered, the sacrifices they made, and the freedoms we enjoy which they secured. We remember and honor the service of every American veteran, not only at the eleventh hour

of the eleventh day of the eleventh month but every day of the year, because even though servicemembers and veterans like Tony Gargano may shy away from being labeled as heroes, they are truly of the most deserving of that honor.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO CAROLYN LUCILE MCDONALD SHIPP

Mr. HATCH. Mr. President, I wish to honor a native Utahn and dear friend on the occasion of her 80th birthday.

Carolyn Lucile McDonald Shipp was born on December 5, 1935, in the L.D.S. hospital in Salt Lake City, UT. She is the first living child born to Andrew Melvin and Lucile McDonald. She is the sister to three brothers, two deceased, and two sisters, one deceased. She was born in the midst of the Great Depression and lived through the rationing in World War II. The Utah she grew up in was very rural. The only thing between the house she was raised in and the mountains was a great gully.

Carolyn's family home had no TV until she was a teenager, but she loved listening to the radio on Sunday afternoons. Raised with a strong work ethic, daily and weekly chores were a must do before any recreation. Her home had only one bathroom for a family of seven and shared a party line telephone with four neighbors.

Carolyn was an accomplished pianist and in the a capella choir, but it was dancing that gave her the greatest joy growing up. She took ballet and excelled at tap dancing. Carolyn was popular in high school and recalls those carefree times very fondly.

A classic beauty—many have compared to the movie star Kim Novak—Carolyn was a natural at modeling and was asked to represent East High in a number of fashion shows during her senior year in high school.

Carolyn treasured her time at East High in Salt Lake City and maintains strong friendships to this very day with many of her friends from that time. Her grandchildren are very impressed that their grandmother went to the now famous East High School of the High School Musical movie fame.

From high school, Carolyn went to the University of Utah, where she pledged the Alpha Chi Omega sorority, where she was the exchange chairman responsible for planning parties. She dated athletes and majored in elementary education. She recalls that, as

soon as she began taking classes in elementary education, she knew she was born to teach children.

After college, Carolyn spent a summer working and playing in Hawaii and then settled in as a young teacher back in Utah. During her second year of teaching, she was introduced to Royal Shipp, who became her husband and the great love of her life. They were married in the Salt Lake City Temple.

Carolyn has loved being married and has described it as "having a slumber party every night with your best friend." During their early married life, Carolyn continued teaching while Royal continued his education.

A few years after their marriage, Carolyn and Royal, along with their two small daughters, Becky and Kristy, moved to Virginia, so Royal could work in Washington, DC.

The family stayed in the DC Metro area and added another girl, Julie, and finally a boy, Philip, to the family. The family grew up during a turbulent time in our country: the Vietnam war, Watergate, and the integration of the public schools all contributed to an uneasy climate. But no matter what was going on outside the home, Carolyn and Royal made sure their home was a safe and loving place.

Carolyn was a stay-at-home mother until her youngest started first grade. At that time, she began to prepare for her second career, a tutor for children with learning disabilities. Carolyn worked for many years at the Potomac School in McLean, VA.

As she raised her family, Carolyn held a number of stake and ward leadership positions in the Church of Jesus Christ of Latter-day Saints, including Relief Society president and Young Women's president. Her faith has always been an integral part of Carolyn's life. For many years, Carolyn and Royal have served in the Bella Vista Spanish Ward, where they are dearly loved. Carolyn also served with Royal as area humanitarian missionaries in Colombia and Venezuela. Carolyn continues her service as a worker in the Washington, DC, temple.

As a mother and a grandmother, Carolyn has worked to create family memories and traditions. She decorates her home for all the holidays and takes great pride in having fresh flowers, candles, lovely dishes, and table arrangements. Every Christmas, her grandchildren put on a Christmas program. Every Easter features an egg hunt at her home. Birthdays and other milestones are always celebrated with a special family dinner.

Most years, Carolyn and Royal host the entire family for a weekly trip to the Outer Banks, NC. The family cherishes this time as it has contributed to lasting memories and close ties between siblings and cousins alike.

People are the treasures of Carolyn's life. She relishes the company of her

friends in her book club and her social group, "The Times Club." She travels to Utah regularly to reconnect with her high school and college friends.

Her 12 grandchildren are the lights of her life. She regularly attends school and church function featuring her grandchildren. She never misses a single one of her grandchildren's plays or concerts, and she travels regularly to Kansas to see her grandchildren participate in student government activities, cheerleading, and playing sports. Carolyn helps her grandchildren as they make the transition into adulthood by supporting them on their LDS missions, foreign travel, career development, and assisting with wedding preparations.

Carolyn Lucile McDonald Shipp is the embodiment of service, love, and compassion. It is a privilege to help her celebrate her 80th birthday.

WORLD WAR II HEROES AND HOLOCAUST SURVIVORS

Mr. DURBIN. Mr. President, on Tuesday, November 11, Americans across the country will gather to honor those who have fought for our freedom and thank them for a debt we can never fully repay.

This year marks the 97th anniversary of the end of World War I. Our victory in that "war to end all wars" showed us that we could not ignore the rest of the world. And as President Clinton said, "while that war proved our strength, it did not prove our wisdom. . . . We turned our backs on the rest of the world. We ignored the signs of danger. Soon we had a Great Depression, and soon that depression led to aggression and then to another world war—one that would claim a half million American lives."

Whenever freedom is threatened, our brave men and women have answered the call to serve. Today, I would like to highlight our debt to the heroes and survivors of World War II. Earlier this year, we commemorated International Holocaust Remembrance Day and paid tribute to the nearly 6 million Jews murdered by the Nazi regime. This year marks the 70th anniversary that Allied Forces entered concentration camps—like Auschwitz-Birkenau—and liberated thousands of prisoners.

On the eve of this Veterans Day, nine American heroes and Holocaust survivors are being honored in my home State of Illinois. Today, I want to share their remarkable stories. As the memory of the Holocaust passes from those who were there to the generations that weren't we can't forget the importance of remembrance.

GEN Dwight D. Eisenhower, the supreme commander of Allied Forces in Europe, understood this and documented what he saw. After visiting a liberated Nazi camp, he urged Washington to send congressional delega-

tions to witness Nazi crimes firsthand so that in the future there could be no attempt to dismiss these allegations as "propaganda."

With the remaining eyewitnesses in their twilight years, the responsibility to ensure that future generations never forget these atrocities falls to us. I want to commend these men and women for their brave actions and quiet courage. Today, we honor their sacrifice by remembering the horrors they witnessed and proclaiming in one unified voice: "Never again." I am privileged to honor them and remember their stories. They are true heroes.

I would like to acknowledge Dr. George Brent, Edith Stern, Margie Oppenheimer, Hannah Messinger, Walter Reed, Joseph Dobryman, Lewis Pazoles, Harry Nichols, and Anthony Gargano. But behind every name is a story. I ask unanimous consent to have their stories printed in the RECORD.

Our hearts break for these men and women who mourn their families. But while their stories agonize, they also inspire. Their lives are not just stories of survival; they are stories of triumph and grace in the face of unspeakable evil. I want to thank each of them for the courage to share their stories.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DR. GEORGE BRENT

When George was 14 years old, he and his entire family were transported by cattle car to Auschwitz-Birkenau with thousands of other Hungarian Jews. When they arrived at the camp, those who were still alive were dragged off the cars and forced into one of two lines. An SS soldier decided whether they would go left or right. George and his father were sent one direction—to live; his mother and ten year-old brother were sent the other direction—to die.

As the Allied Forces advanced, George was sent on a death march from Auschwitz and then on a coal train to Mauthausen-Ebensee Concentration Camp in Austria. On May 6, 1945, General Patton's 3rd Army Cavalry Reconnaissance Squadron liberated the camp. Here's how one of General Patton's tank commanders described what he saw: "thousands of skeleton-like figures who were skin and bones. The living laying side by side, often times indistinguishable, from the dead." George was one of the prisoners that survived. He was moved to a displaced persons camp and learned how to be a dental technician. In 1949, George came to America. He learned a new language and started a new life.

In 1950, he joined the United States Air Force and served as a dental assistant during the Korean War. Following his service, he attended dental school at the University of Illinois—and has practiced dentistry until 2011—when he retired at the age of 81. Dr. Brent not only survived these horrors, he thrived. George Brent may not have been born in America, but he is an American hero.

EDITH STERN

In February 1942, when Edith, 21 years old, and her parents were deported to the Theresienstadt Ghetto. She met and married her husband, Otto Rebenwurzel, at Theresienstadt. In 1944, not long after the

wedding, Edith and her mother were sent to Auschwitz where a sign mockingly read, "Work makes you free." At Auschwitz, Josef Mengele stood before them to decide their fate. Left meant survival, for a few weeks at least. Right meant death in the gas chamber. Edith's mother was sent to her right. She was 55 years old when she died. Edith was sent to a forced labor camp.

In 1944, while Edith was in the Theresienstadt Ghetto with her husband, she became pregnant. By early 1945, her pregnancy began to show and she was transferred to the Grossschœnau labor camp. Edith was liberated from Grossschœnau when she was nine months pregnant. Still dressed in her striped blue prison uniform, she immediately went into labor. Three days after giving birth, the baby she named Peter, died.

Edith moved to the United States in 1964 and became an administrator at the Self Help Home on the South Side of Chicago. After living through the horrors of war, Edith's belief in the goodness of mankind was unshakable. She devoted her life to helping others rebuild their lives. What an inspiration.

MARGIE OPPENHEIMER

Seventy-seven years ago, Margie awoke to a Nazi soldier pointing a rifle at her face—she was 14 years old. It was November 9, 1938, Kristallnacht—the night of broken glass—when Nazi soldiers coordinated attacks all over Jewish communities in Germany and Austria. Windows were smashed. Synagogues burned. Homes and Jewish-owned stores ransacked and looted. Margie's family apartment and small department store were destroyed. This night began seven years of terror for Margie and her family. She was sent to five concentration camps: Sloka, Riga-Kaiserwald, Brüss-Sophienwalde, Stutthof and Goddentow. As a prisoner of these camps, she hauled backbreaking cement bags, was beaten with clubs, broke concrete, laid bricks, fought hunger . . . fear . . . and typhus. Through it all, she repeated the words: "I WILL be strong. I want to live."

One day at the Stutthof concentration camp, Margie was emaciated and unable to work. She was placed into new barracks and had the Roman numeral II scrawled on her forearm—it was a death sentence. That night, two of her friends did the unimaginable. Without saying a word, they pulled a helpless Margie under an electric fence to another side of the camp and they scrubbed off the number on her arm. She was no longer marked for death.

On March 10, 1945, Margie was liberated. She was 21 years old. In 1953, Margie and her husband came to the United States. She became a nurse. And just as her friends helped her at the Stutthof camp on that fateful night, she devoted her life to helping those who couldn't help themselves.

HANNAH MESSINGER

In 1938, Hannah and her family were forced to abandon their home and business. A few months before her twentieth birthday, Hannah married Karl Kohorn. In 1941, Carl was deported to the Theresienstadt Ghetto. Two weeks later, so was Hannah. Hannah worked as a hairdresser—an occupation in high demand—because the Germans wouldn't allow women to have long hair. In 1942, Hannah's parents and sister arrived at Theresienstadt, but stayed only three days before being deported to Auschwitz.

Hannah is one of the last living witnesses to the International Red Cross visit to Theresienstadt on June 23, 1944. The Nazis created an elaborate hoax to show how well

Jews were being treated under the "benevolent" Third Reich. It was lie. More than 33,000 inmates died as a result of malnutrition, disease, or the sadistic treatment by the Nazis at Theresienstadt.

On May 8, 1945, Allied Forces liberated the Merzdorf labor camp—where Hannah was moved to. But when she returned to Prague she learned that all her family members were murdered.

After the war, Hannah began corresponding with an Aunt in Budapest—her last surviving relative in Europe. In the letters, Hannah poured her heart out sharing Holocaust experiences and losses and recounting the suffering she and her loved ones endured. When her aunt read the letters out loud, a friend of the family, Imre, was listening and fell in love with her writings. Imre began to correspond with Hannah directly. Through those letters, they fell in love. Hannah moved to the United States in 1946. Eventually, Imre joined her. They married the following year and moved to Chicago. Hannah has created pencil drawings based on her experiences as a prisoner in several concentration and labor camps from 1941–1945. A number of her pieces can be seen at the United States Holocaust Museum in 2010 and in the Smithsonian. Hannah's work allows future generations to better understand her experience and see it through her own eyes.

WALTER REED

On Kristallnacht, Walter was jailed by Nazi soldiers for 3 days—he was 14 years old. In 1939, his parents put him on a Kindertransport (children's transport) to Belgium. This decision saved his life. Walter lived in a boys home near Brussels until the Germans invaded in 1940. Walter and more than 90 other children escaped to southern France, where they lived in a barn and later in an abandoned chateau—they became known as the "Children of La Hille."

In 1941, Walter was able to leave France for New York. He became a U.S. citizen in 1943 and returned to Europe in 1944 as a soldier in the United States Army. Walter served in the 95th Infantry Division under General George Patton. His team was charged with interrogating German prisoners and civilians near the front lines. Walter first arrived in the United States as a survivor of the war and he returned as an American hero.

JOSEPH DOBRYMAN

In 1941, Joseph was 18 years old and forced into the Bialystock Ghetto with his parents and two brothers. The Ghetto was liquidated in 1943 and everyone was sent to camps. Joseph and his brother Henry were separated from the rest of their family. In 1943, they sent to the Łomża Ghetto and then to the Danzig, Auschwitz-Birkenau and Bergen Belsen concentration camps for the rest of the war. Joseph and Henry were liberated from Bergen Belsen by Allied Forces in 1945. They were the only members of their family that survived.

In 1949, Joseph married Nettie Goldberg and they made their way to the United States. They had no family waiting for them, but Joseph found work as a plumber and went to school at night to learn English. Joseph and Nettie settled and raised their family in Skokie, Illinois, where he still lives today.

LEWIS PAZOLES

Lewis was born in Fond du Lac, Wisconsin, the son of Greek immigrants. Immediately after graduating high school, Lewis was drafted into the U.S. Army. On April 6, 1944, Lewis joined a medical battalion attached to the 83rd infantry and shipped out in a convoy

to England to prepare for the Normandy invasion. Corporal Lewis Pazoles and his unit, followed General Patton's Army to Omaha Beach on June 11, 1944—five days after D-day. His unit proceeded to fight in the Battle of the Bulge—and moved through the Ardennes, Rhineland and Central Europe toward Germany.

On April 11, 2045, the 83rd liberated Langenstein—a sub camp of Buchenwald—where they found about 1,100 malnourished and emaciated prisoners. The prisoners were forced to work 16 hour days in nearby mines and were shot if they were too weak to work. Corporal Pazoles' unit reported that the death rate at the camp was about 500 a month. The 83rd Infantry also recovered Nazi documents later used by war crime investigators.

In 1946, Corporal Pazoles was honorably discharged—he was 20 years old. He returned to the United States and became a partner in his family's grocery store business in Chicago. Today, Lewis and his wife reside in Palos Hills, Illinois.

Here are some of the honors that Corporal Pazoles received during his service: The Victory Medal, The European African Middle Eastern Theater Ribbon with 1 Silver Battle Star, 3 Overseas Service Bars, the Good Conduct Medal, the Purple Heart, and a Bronze Star. Lewis Pazoles is an American hero.

HARRY NICHOLS

Harry was born in Alliance, Ohio, and was drafted in the U.S. Army in 1942. On June 6, 1944, Harry was in the third wave of U.S. forces who stormed Omaha Beach in Normandy, France. Known as Operation Neptune, it was the largest amphibious operation ever attempted. More than 160,000 Allied troops landed along the 50-mile stretch of heavily fortified French coastline to fight the Nazis. Afterward, Harry fought in the battle of St.-Lô and the Battle of the Bulge. He helped liberate the French cities of Laval, LeMans, Orleans and Nance. Harry also fought through Luxemburg and Holland, crossed the Rhine River into Germany and up the Elbe River before May 7, 1945—V-E Day.

In 1945, while training with his unit to fight in the invasion of Japan—the Japanese surrendered. Harry returned home to Ohio and began working in a bakery. In the late 1940s, he made his way to Chicago where he worked as a waiter, a grocer and florist. Harry Nichols is an American hero.

ANTHONY GARGANO

On December 7, 1941, Tony's 22nd birthday, the Japanese attacked Pearl Harbor. Less than six weeks later, Tony enlisted in the U.S. Navy and was assigned to one of three ships masquerading as merchant vessels. In 1942, he and his shipmates were captured by the Japanese and taken to Hakodate prison camp on an island just north of mainland Japan. Tony remained a POW for three years and was set free the day the Japanese surrendered and abandoned the camp. He returned to America, married the love of his life—Julia—and worked six days a week as a maitre'd at Elliot's Pine Log Restaurant.

For nearly 70 years, Tony has kept the details of war and the horrors of his imprisonment to himself, but has recently began to share his story. Tony will tell you, he is not a hero; his brothers lost in battle are the heroes. What an inspiration.

JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, after finally scheduling a few confirmation

votes on Federal judges last month, Senate Republicans have reverted back to holding up the confirmation process for no good reason. The American people and the entire Federal justice system depend on the Members of this body to fulfill our constitutional duty of providing advice and consent on judicial nominees. This senatorial duty is one we cannot neglect. However, that is exactly what has happened since Senate Republicans took over the majority this year.

I had hoped that last month's judicial confirmation votes were an indication that Senate Republicans were finally ready to make progress on the backlog of well-qualified and uncontroversial nominees awaiting their confirmation vote. But again, this week, there is no sign of when the next judicial nominee will receive a vote. This is no way to lead the Senate. When Senate Democrats were in the majority during the last 2 years of the Bush Presidency, we had already confirmed 34 judges by this same time. I have heard Republicans trying to justify their slowdown on judicial nominations by claiming they should somehow receive credit for 11 judges confirmed at the end of the last Congress. That excuse holds no water. It is well-established Senate precedent that all pending consensus nominees should be confirmed before the end of a year. And even if we added those 11 judges to the 9 confirmed this year, that would still bring us to only 20—which is a far cry from the 34 Democrats confirmed in the last 2 years of the Bush administration.

The process of confirming judges is about ensuring that the American people have a fully functioning judiciary. Instead, because of Republican obstruction, judicial vacancies have increased by more than 50 percent since they took over the majority, and caseloads are piling up in courts throughout the country. Equally alarming is the fact that the number of judicial emergency vacancies since Senate Republicans took the majority has risen by 158 percent. These vacancies impact communities across America, and it is doing the most harm to States represented by at least one Republican Senator. Of the 66 current vacancies that exist, 48 of them—or more than 70 percent—are in States with at least one Republican Senator.

We should take action right now and hold confirmation votes on the 21 judicial nominees pending on the floor. The next pending district and circuit court nominees—who will both fill judicial emergency vacancies—were nominated 1 year ago, yet both are still awaiting the majority leader's action to simply schedule their confirmation votes. The next district court nominee on the Executive Calendar is LaShann Hall, an outstanding African-American woman who has been nominated to serve in the

Eastern District of New York. And directly following that nomination is Judge Luis Felipe Restrepo who, when confirmed, will be the first ever Hispanic judge from Pennsylvania on the third circuit and only the second Hispanic judge to serve on the third circuit. Judge Restrepo has strong bipartisan support from his home State Senators, Senator TOOMEY and Senator CASEY. At Judge Restrepo's hearing, Senator TOOMEY stated that "there is no question [Judge Restrepo] is a very well qualified candidate to serve on the Third Circuit" and underscored the fact that he recommended that the President nominate Judge Restrepo. Although there is an urgent need to fill the emergency vacancy on the third circuit, the Republican leadership has refused to hold a confirmation vote. All Democrats support this nominee. I hope Senator TOOMEY will seek a firm commitment from his Republican leadership to schedule a vote this week for Judge Restrepo.

In addition to Judge Restrepo, a number of these pending nominees have the support of their Republican home State Senators. Just last week, the Senate Judiciary Committee voted out two Iowa nominees recommended to the President by the chairman of the Judiciary Committee. However, if Republican obstruction continues and if home State Senators cannot persuade the majority leader to schedule a vote for their nominees soon, then it is unlikely that even highly qualified nominees with Republican support will be confirmed by the end of the year.

No Senator has raised a single objection to any of the 21 judicial nominees pending on the floor. Each one was reported out of the Judiciary Committee by unanimous voice vote, and each has the backing of their home State Senators, including Republican Senators. Senate Republicans have no excuses left.

I hope the Republican Senator from Pennsylvania and the other Republican Senators will implore their leadership to schedule votes on the judicial nominees pending on the floor without further delay.

DETENTION OF HOSSAM BAHGAT

Mr. LEAHY. Mr. President, there is no right that is more fundamental to a democracy than freedom of expression. When this right, enshrined in the Universal Declaration of Human Rights, is threatened or curtailed, dictatorship is the predictable result. Regrettably, that is what we see happening in Egypt today.

Like others here, I received word this morning that Hossam Bahgat, an Egyptian journalist and one of that country's prominent human rights defenders, has been detained and may be charged in military court. He is apparently accused of publishing false news

related to an article about an allegedly foiled military coup.

According to information I have received, an October 13 article by Mr. Bahgat described the military prosecution of 26 officers and 2 Muslim Brotherhood members for allegedly planning to overthrow the government. The next day, the same publication printed the article in English under the title, "A coup busted?" For this, Mr. Bahgat is being investigated by military prosecutors and could face 1 or more years behind bars.

According to Mr. Bahgat's article, which was based on the indictment in that case, authorities had summoned or arrested most of the defendants in April. Some of the detained officers alleged that they were tortured during interrogations inside military intelligence headquarters. Eight of the officers and the two Muslim Brotherhood leaders who were prosecuted in absentia were sentenced to life in prison, Mr. Bahgat reported. The rest were sentenced to between 10 and 15 years.

Lawyers for Mr. Bahgat have reported that military prosecutors are investigating him for allegedly violating articles 102 and 188 of the penal code, both of which are minor, vaguely worded offenses that concern the publication of false news.

Article 102 allows the prosecution of anyone who "intentionally broadcasts false or tendentious news, data, or rumors, or propagates subversive propaganda, if this is liable to disturb the public security, spread terror among the people, or harm the public interest." It provides for an undefined period of detention and a fine of up to 200 Egyptian pounds, US\$25.

Article 188 allows prosecution of anyone who "with ill intent publishes false news, data, or rumors, or forged or fabricated papers, or falsely attributed to others, if this is liable to disturb the general peace or provoke panic among the people or harm the public interest." It provides for detention of up to 1 year and a fine of up to 20,000 Egyptian pounds, US\$2,490.

According to Human Rights Watch, Mr. Bahgat was not the first journalist to report on the alleged military coup. In a statement, Mr. Bahgat's lawyers stated that he had no criminal intent and that other media outlets had previously reported the verdict.

It is well established that civilians should not be prosecuted in military courts, yet that is what is happening to Mr. Bahgat. In October 2014, President al-Sisi greatly expanded military court jurisdiction for a period of 2 years, allowing the military prosecution of civilians for crimes that occur on "public" or "vital" property. Since then, Egyptian media outlets and human rights groups have reported that thousands of civilians have been charged in military courts, many of them for acts related to protesting and the Muslim Brotherhood.

Egypt's military courts operate under the authority of the Ministry of Defense, not civilian judicial authorities. According to human rights groups, they typically deny defendants the rights accorded by civilian courts, including to be informed of the charges against them, the right to a lawyer, and to be brought promptly before a judge following arrest. This is particularly concerning given the pattern of abuse of detainees in Egypt.

As a former prosecutor who has served as both chairman and ranking member of our Judiciary Committee, I have spoken many times about the importance of an independent judiciary. Nowhere is this needed more today than in Egypt, where sham trials, some lasting only a few minutes, followed by sentences of death or life in prison, are common.

I hope the Egyptian Government will see the wisdom of proceeding no further in its attempt to silence reputable journalists like Mr. Bahgat. Sometimes the news is favorable; sometimes it is unfavorable. That is the way life is, and it is not for government officials—whether elected or unelected—to decide what their citizens should read.

TRIBUTE TO RALPH BAGNESKI

Ms. BALDWIN. Mr. President, I wish to recognize and honor Ralph Bagneski, Milwaukee County's 2016 Veteran of the Year. Mr. Bagneski has served our Nation for 35 years with distinction. As we observe Veterans Day, I am proud to pay tribute to him and to his fellow Wisconsin veterans who have served our Nation to protect and defend the American freedoms we hold dear.

A native of Milwaukee, Mr. Bagneski enlisted in the United States Marine Corps after his graduation from Washington High School. He served on Active Duty during the Vietnam war from 1967 through 1971, leaving full-time service having achieved the post of rifleman squad leader, 96th Rifle Company. From 1973 to 1987, Mr. Bagneski also served in the Wisconsin National Guard, attaining the rank of first sergeant. In addition, Mr. Bagneski served for more than 15 years in the United States Army Reserve, where he achieved the rank of command sergeant major.

During his military service, Mr. Bagneski received numerous decorations, two of which were the Legion of Merit and the Meritorious Service Medal. Both honors are given to members of the United States Armed Forces who distinguished themselves by exceptionally meritorious conduct in the performance of outstanding services and achievements. Notably, he also received the National Infantry Association's Order of Saint Maurice, an award recognizing those who make significant contributions in support of the infan-

try and who represent the highest standards of integrity, moral character, professional competence, and dedication to duty.

Beyond his military service, Mr. Bagneski has demonstrated extraordinary service to his fellow servicemembers through his leadership in Wisconsin Vietnam Veterans Chapter 1, the American Legion, the Veterans of Foreign Wars, and Stand Down. He has served his community as a firefighter and EMT, as a Little League baseball coach, and as an active leader in Brewery Workers Local 9.

Mr. Bagneski's lifetime of service to his country, his State, his community, and his fellow servicemembers is an example to us all. I am honored to congratulate him as Milwaukee County's 2016 Veteran of the Year and thank him for dedicating his life to the values we pay tribute to on Veterans Day—duty, honor, and service.

ADDITIONAL STATEMENTS

TRIBUTE TO TESS BRADY

• Mr. DAINES. Mr. President, I rise today to recognize Tess Brady, a lifelong resident of Stanford, MT. Montanans pride themselves in their care and deep respect for all aspects of our communities, and Tess Brady's commitment to bettering Stanford is no exception.

Tess is the founder of Stanford Beautification, a nonprofit effort that continuously provides service to improve the appearance of Main Street in Stanford. Tess does an amazing job multitasking the various ongoing projects she directs. While her many loyal and generous helpers are critical to these efforts, she is the real fireball behind the projects.

One ongoing project Tess devotes herself to is the planting and upkeep of flower displays along Main Street and at the Stanford courthouse. She takes a water tank on the back of an ATV every day during the summer and waters the flowers—a loving gesture that takes her most of the day.

When fall comes around, you can find Tess working and delegating tasks for the Scarecrow Festival—a seasonal event that began as a competition among businesses and townspeople to decorate Main Street. In winter, Tess devotes her time to maintaining Christmas decorations throughout the season, despite Montana's snowy winters.

It makes me incredibly proud to see a Montanan so devoted and loyal to her town. Tess truly represents the fundamental Montana values of hard work and service, and I am grateful for the work she does for the Stanford community. •

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HATCH:

S. 2258. A bill to amend title 23, United States Code, to reform the surface transportation project delivery program; to the Committee on Environment and Public Works.

By Ms. CANTWELL (for herself, Mr. THUNE, and Mrs. MURRAY):

S. 2259. A bill to amend title XVIII of the Social Security Act to improve the way beneficiaries are assigned under the Medicare shared savings program by also basing such assignment on primary care services furnished by nurse practitioners, physician assistants, and clinical nurse specialists; to the Committee on Finance.

By Mr. WARNER (for himself and Mr. CRAPO):

S. 2260. A bill to amend the Congressional Budget Act of 1974 to require that the Congressional Budget Office prepare long-term scoring estimates for reported bills and joint resolutions that could have significant economic and fiscal effects outside of the normal scoring periods; to the Committee on the Budget.

By Mr. THUNE (for himself, Ms. CANTWELL, and Mrs. MURRAY):

S. 2261. A bill to amend title XVIII of the Social Security Act to improve the way beneficiaries are assigned under the Medicare shared savings program by also basing such assignment on services furnished by Federally qualified health centers and rural health clinics; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. JOHNSON (for himself, Mr. MURPHY, Mr. RUBIO, Ms. AYOTTE, and Mr. KIRK):

S. Res. 310. A resolution condemning the ongoing sexual violence against women and children from Yezidi, Christian, Shabak, Turkmen, and other religious communities by Islamic State of Iraq and Syria militants and urging the prosecution of the perpetrators and those complicit in these crimes; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself and Mr. BOOKER):

S. Res. 311. A resolution honoring Rutgers, the State University of New Jersey, as Rutgers celebrates its 250th anniversary; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 314

At the request of Mr. GRASSLEY, the names of the Senator from Arkansas (Mr. COTTON), the Senator from Oregon (Mr. MERKLEY) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 804

At the request of Ms. COLLINS, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 885

At the request of Ms. WARREN, the names of the Senator from North Carolina (Mr. TILLIS), the Senator from Iowa (Mr. GRASSLEY) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 885, a bill to direct the Architect of the Capitol to place in the United States Capitol a chair honoring American Prisoners of War/Missing in Action.

S. 928

At the request of Mrs. GILLIBRAND, the names of the Senator from Alabama (Mr. SHELBY) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 1082

At the request of Mr. GRASSLEY, his name was added as a cosponsor of S. 1082, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 1110

At the request of Mr. ENZI, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1110, a bill to direct the Secretary of Agriculture to publish in the Federal Register a strategy to significantly increase the role of volunteers and partners in National Forest System trail maintenance, and for other purposes.

S. 1424

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1424, a bill to prohibit the sale or distribution of cosmetics containing synthetic plastic microbeads.

S. 1426

At the request of Mr. TESTER, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 1426, a bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes.

S. 1539

At the request of Mrs. MURRAY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1539, a bill to amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide summer electronic benefits transfer for children program.

S. 1659

At the request of Mr. LEAHY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1659, a bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

S. 1831

At the request of Mr. TOOMEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1831, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 1856

At the request of Mr. BLUMENTHAL, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1856, a bill to amend title 38, United States Code, to provide for suspension and removal of employees of the Department of Veterans Affairs for performance or misconduct that is a threat to public health or safety and to improve accountability of employees of the Department, and for other purposes.

S. 1865

At the request of Mr. KIRK, his name was added as a cosponsor of S. 1865, a bill to amend the Public Health Service Act with respect to eating disorders, and for other purposes.

S. 1919

At the request of Mr. LANKFORD, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1919, a bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services, to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities, and for other purposes.

S. 1982

At the request of Mr. CARDIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1982, a bill to authorize a Wall of Remembrance as part of the

Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance.

S. 2091

At the request of Mr. SCHUMER, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 2091, a bill to amend the Immigration and Nationality Act to stimulate international tourism to the United States, and for other purposes.

S. 2110

At the request of Mrs. MURRAY, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2110, a bill to amend the Employee Retirement Income Security Act of 1974 to provide for greater spousal protection under defined contribution plans, and for other purposes.

S. 2123

At the request of Mr. GRASSLEY, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 2123, a bill to reform sentencing laws and correctional institutions, and for other purposes.

S. 2145

At the request of Mr. LEAHY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2145, a bill to make supplemental appropriations for fiscal year 2016.

S. 2151

At the request of Mr. THUNE, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2151, a bill to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act.

S. 2208

At the request of Mrs. MURRAY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2208, a bill to promote the economic security and safety of survivors of domestic violence, dating violence, sexual assault, or stalking, and for other purposes.

S. 2251

At the request of Ms. WARREN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2251, a bill to provide for a supplementary payment to Social Security beneficiaries, supplemental security income beneficiaries, and recipients of veterans benefits, and for other purposes.

S. 2253

At the request of Mr. BLUMENTHAL, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2253, a bill to amend title 38, United States Code, to provide veterans affected by closures of educational institutions certain relief and restoration of educational benefits, and for other purposes.

S. RES. 282

At the request of Mrs. SHAHEEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 282, a resolution supporting the goals and ideals of American Diabetes Month.

S. RES. 302

At the request of Mr. BLUMENTHAL, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Oklahoma (Mr. LANKFORD), the Senator from Alabama (Mr. SHELBY), the Senator from North Carolina (Mr. BURR), the Senator from Massachusetts (Mr. MARKEY), the Senator from Pennsylvania (Mr. CASEY), the Senator from Arizona (Mr. FLAKE), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. Res. 302, a resolution expressing the sense of the Senate in support of Israel and in condemnation of Palestinian terror attacks.

AMENDMENT NO. 2766

At the request of Ms. HIRONO, her name was added as a cosponsor of amendment No. 2766 proposed to H.R. 2029, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

SUBMITTED RESOLUTIONS

**SENATE RESOLUTION 310—CON-
DEMNING THE ONGOING SEXUAL
VIOLENCE AGAINST WOMEN AND
CHILDREN FROM YEZIDI, CHRIS-
TIAN, SHABAK, TURKMEN, AND
OTHER RELIGIOUS COMMUNITIES
BY ISLAMIC STATE OF IRAQ AND
SYRIA MILITANTS AND URGING
THE PROSECUTION OF THE PER-
PETRATORS AND THOSE COM-
PLICIT IN THESE CRIMES**

Mr. JOHNSON (for himself, Mr. MURPHY, Mr. RUBIO, Ms. AYOTTE, and Mr. KIRK) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 310

Whereas the Islamic State of Iraq and Syria (ISIS) has publicly and systematically targeted communities on the basis of their religious identities, including Yezidis, Christians, Shi'a Muslims, Shabaks, Turkmens, and Kaka'i, in a campaign of violence that includes summary executions, beheadings, torture, arbitrary detainment, forced displacement, rape and sexual violence, and enslavement;

Whereas enslavement and sexual violence against women is a widespread practice among ISIS militants, who have, according to the Yezidi Affairs Directory, captured and enslaved as many as 5,500 Yezidis, including as many as 3,000 women, since August 2014;

Whereas ISIS has established a formal slave trade in which women and girls as young as 5 years old are systematically ab-

ducted, transported, categorized according to physical traits and perceived value, and traded among ISIS militants or sold for as little as \$10;

Whereas the Research and Fatwa Department of ISIS has issued guidelines and directions for the enslavement of Yezidi women and children and has justified the actions on the basis of religious teachings;

Whereas the New York Times reported that "the Islamic State has developed a detailed bureaucracy of sex slavery, including sales contracts notarized by the ISIS-run Islamic courts";

Whereas, according to various reports, including testimony before Congress by Khidher Domle, a Yezidi activist and Director of the Media Department at the University of Dohuk, the enslavement and sexual violence used against Yezidi women and children by ISIS militants in their attack on Mount Sinjar was premeditated;

Whereas ISIS has initiated the mass killing of Yezidi men and boys, the sexual violence and enslavement of Yezidi women and children, and the forced displacement of Christians and other religious communities;

Whereas the threat and reach of ISIS extends beyond Iraq and Syria into the rest of the world, as demonstrated by ISIS-affiliated attacks and recruitment of foreign fighters from the United States, Europe, Central Asia, and Africa;

Whereas, according to testimony presented before the Committee on Foreign Affairs of the House of Representatives on September 29, 2015, it is possible that one of the ISIS militants involved in the sexual slavery of Yezidi women and children is a United States citizen; and

Whereas the United States Government should investigate and urge prosecution of American citizens who are perpetrators of or complicit in such crimes: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the ongoing sexual violence against women and children from Yezidi, Christian, Shabak, Turkmen, and other religious communities;

(2) calls on the Attorney General to commence the investigation and prosecution of any United States citizens alleged to be perpetrators of or complicit in these crimes and to report back to Congress what steps are being taken to investigate and urge the prosecution of those involved; and

(3) calls on the Government of Iraq and the governments of other countries to identify individual perpetrators and individuals involved in these crimes and take appropriate measures to arrest and urge the prosecution of those individuals.

**SENATE RESOLUTION 311—HON-
ORING RUTGERS, THE STATE
UNIVERSITY OF NEW JERSEY,
AS RUTGERS CELEBRATES ITS
250TH ANNIVERSARY**

Mr. MENENDEZ (for himself and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 311

Whereas on November 10, 1766, the Royal Governor of New Jersey, William Franklin, granted a charter in the name of King George III for the establishment of Queen's College;

Whereas in 1825, Queen's College was renamed Rutgers in honor of Colonel Henry

Rutgers, a university trustee and Revolutionary War veteran;

Whereas in 1864, Rutgers was designated as a land-grant college, offering educational access to a wide range of students who would become the new workforce for expanding businesses, factories, and farms of the United States;

Whereas in 1869, Rutgers became the birthplace of college football by hosting a game against Princeton University and winning 6 to 4;

Whereas in 1946, the University of Newark became part of Rutgers, laying the foundation for Rutgers University-Newark;

Whereas in 1950, the College of South Jersey became part of Rutgers, giving rise to Rutgers University-Camden;

Whereas in 1945 and 1956, the New Jersey State legislature designated Rutgers as the State University of New Jersey;

Whereas in 1989, Rutgers became a member of the Association of American Universities, an association of the top research universities in the United States and Canada;

Whereas with the integration of most of the University of Medicine and Dentistry of New Jersey into Rutgers School of Biomedical and Health Sciences in 2013, Rutgers undertook the largest merger in the history of higher education in the United States;

Whereas in 2014, Rutgers joined the Big Ten Conference, bringing the long history of collegiate athletics at Rutgers into the storied conference comprised of highly regarded, research-intensive flagship universities;

Whereas in 2014, Rutgers joined the Committee on Institutional Cooperation, the premier consortium of top-tier research institutions in the United States;

Whereas as of November 2015, Rutgers—

(1) educates more than 65,000 students at 31 schools;

(2) employs more than 22,000 faculty and staff;

(3) records more than 1,700,000 patient visits annually; and

(4) boasts more than 460,000 living alumni worldwide;

Whereas the 250th anniversary of the establishment of Rutgers is November 10, 2016;

Whereas the celebration of the 250th anniversary of the establishment of Rutgers begins on November 10, 2015, with Charter Day festivities on the lawn of Old Queens and will continue through November 10, 2016; and

Whereas Rutgers exemplifies all of the traditions of higher education in the United States because Rutgers is the only university in the United States that is—

(1) a colonial college;

(2) a land-grant college; and

(3) a comprehensive public research university: Now, therefore, be it

Resolved, That the Senate honors Rutgers, the State University of New Jersey, as Rutgers celebrates 250 years of rich history as a colonial college, a land-grant institution, and a great State university that has been a source of pride for New Jersey and the people of the United States since 1766.

**AMENDMENTS SUBMITTED AND
PROPOSED**

SA 2770. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

SA 2771. Mr. MORAN (for himself, Mr. TOOMEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2772. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra.

SA 2773. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2774. Mr. MORAN (for himself, Mr. TOOMEY, Mr. BLUMENTHAL, and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2775. Mr. MCCONNELL (for Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2776. Mr. MCCONNELL (for Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2777. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2778. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2779. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2780. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2781. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2782. Mr. BLUMENTHAL (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2783. Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2784. Mrs. GILLIBRAND (for herself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2785. Mr. TOOMEY (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and

Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2786. Mr. SULLIVAN (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2787. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2788. Ms. COLLINS submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2789. Mr. CORNYN (for himself and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2790. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2770. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. ____ . PROTECTING THE HIGHER EDUCATION CHOICES OF NON-TRADITIONAL STUDENTS.

None of the funds appropriated under this Act may be used to participate in or carry out actions arising from the Department of Education's Interagency Task Force of For-Profit Institutions of Higher Education.

SA 2771. Mr. MORAN (for himself, Mr. TOOMEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 247. None of the amounts appropriated or otherwise made available by this title may be used to carry out the Home Marketing Incentive Program of the Department of Veterans Affairs, to carry out the Appraisal Value Offer Program of the Department, or to pay for the transfer or relocation of an employee of the Department of Veterans Affairs in a senior executive position (as defined in section 713(g) of title 38, United States Code).

SA 2772. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making

appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____ . The Comptroller General of the United States shall conduct random, periodic audits of medical facilities of the Department of Veterans Affairs and the Veterans Integrated Service Networks to assess whether such facilities and Networks are complying with all standards imposed by law or by the Secretary of Veterans Affairs with respect to the timely access of veterans to hospital care, medical services, and other health care from the Department.

SA 2773. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 71, between lines 14 and 15, insert the following:

SEC. 411. (a) ADDITIONAL AMOUNT TO FACILITATE FURNISHING OF LEGAL ASSISTANCE TO VETERANS UNABLE TO AFFORD LEGAL REPRESENTATION.—The amount appropriated or otherwise made available by title III under the heading "SALARIES AND EXPENSES" under the heading "UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS" is hereby increased by \$500,000.

(b) AVAILABILITY.—Of the amount appropriated or otherwise made available by title III under the heading "SALARIES AND EXPENSES" under the heading "UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS", as increased by subsection (a), \$500,000 shall be available for the provision of financial assistance as described in and in accordance with the process and reporting procedures set forth in the Dire Emergency Supplemental Appropriations and Transfers for Relief From the Effects of Natural Disasters, for Other Urgent Needs, and for Incremental Cost of "Operation Desert Shield/Desert Storm" Act of 1992 (Public Law 102-229) under the heading "SALARIES AND EXPENSES" under the heading "COURT OF VETERANS APPEALS". The amount available for financial assistance under this subsection is in addition to any other amounts available for such financial assistance under this Act.

(c) OFFSET.—The amount appropriated or otherwise made available by title II under the heading "GENERAL ADMINISTRATION" is hereby decreased by \$500,000.

SA 2774. Mr. MORAN (for himself, Mr. TOOMEY, Mr. BLUMENTHAL, and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. ____ . None of the amounts appropriated or otherwise made available by title

II may be used to carry out the Home Marketing Incentive Program of the Department of Veterans Affairs or to carry out the Appraisal Value Offer Program of the Department with respect to an employee of the Department in a senior executive position (as defined in section 713(g) of title 38, United States Code).

SA 2775. Mr. McCONNELL (for Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional veterans committees a report evaluating the implementation by the Department of Veterans Affairs of section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note).

(b) The report required by subsection (a) shall include, with respect to the implementation of such section 101, an evaluation of the following:

(1) The effect of such implementation on the reduction in the use of purchased care by the Department, including delays or denials of care and interruptions in courses and continuity of care.

(2) The ability of health care providers to meet the demand for primary, specialty, and behavioral health care under such section 101 that cannot reasonably be provided in medical facilities of the Department.

(3) The efforts of the Department to recruit health care providers to provide health care under such section 101.

(4) The accuracy of the information provided to veterans through call centers regarding the receipt of health care under such section 101.

(5) The timeliness of referrals of veterans by the Department to health care providers under such section 101.

(6) Unique issues and difficulties in the implementation of section 101 with respect to veterans residing in rural areas, the States of Alaska and Hawaii and states lacking a full service VA Hospital.

(7) With respect to rural areas: (A) an identification of the average wait times for veterans in rural areas to receive health care under such section 101, measured from when the veteran first calls the Department or contracted call center to request an appointment; (B) an assessment of utilization rates for health care provided under such section 101 in rural areas (C) an assessment of the accessibility of veterans in rural areas to primary and specialty care at medical centers of the Department and from non-Department health care providers under such section 101; (D) an assessment of the status of any pilot programs created by the Department to provide care under such section 101; (E) an identification of the number of health care providers providing health care under such section 101 to veterans in rural areas, broken out by primary care providers, specialty and subspecialty providers, and behavioral health providers in each Veterans Integrated Service Network.

(8) Recommendations for such improvements to the provision of health care under such section 101 as the Comptroller General considers appropriate.

(c) In this section, the term "congressional veterans committees" means the Veterans Affairs Committees of the United States Senate and the House of Representatives and the Subcommittee on Military Construction, Veterans Affairs and Related Agencies of the Committees on Appropriations of the United States Senate and the House of Representatives.

SA 2776. Mr. McCONNELL (for Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Not later than February 1, 2016, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report that supplements the report required under section 4002(c) of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114-41) and that contains the following:

(1) A description of the changes in access, if any, of veterans in Alaska to purchased care from the Department of Veterans Affairs that have resulted from implementation of section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146), including denials of care and interruptions in the course and continuity of care.

(2) An assessment of the performance of the Department in providing health care under such section 101 in Alaska, including—

(A) the performance of call center service provided to veterans;

(B) the accuracy of call center information provided to veterans and health care providers;

(C) whether health care providers are agreeing to provide health care under such section 101 in each of the major communities in Alaska;

(D) gaps in the availability of health care providers, disaggregated by primary, specialty, subspecialty, and behavioral health care;

(E) impediments to the provision of health care under such section 101; and

(F) plans to mitigate those impediments.

(3) An assessment of the status of health care provider vacancies at the VA Alaska Healthcare System as of the date of submittal of the report under this section, including impediments to filling those vacancies and plans to mitigate those impediments.

(4) A description of the manner in which the Department plans to serve the primary, specialty, and behavioral health care needs of veterans in Alaska if the plan and recommendations set forth in the report submitted under such section 4002(c) are implemented, including a description of specific strategies to be employed by the Department to address gaps in the provision of health care to veterans and the supply and demand

of health care providers for veterans, including the roles of tribal health providers and community providers in addressing those gaps.

SA 2777. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. COMPENSATION FOR FEDERAL EMPLOYEES AFFECTED BY A LAPSE IN APPROPRIATIONS.

Section 1341 of title 31, United States Code, is amended—

(1) in subsection (a)(1), by striking "An officer" and inserting "Except as specified in this subchapter or any other provision of law, an officer"; and

(2) by adding at the end the following:

"(c)(1) In this subsection—

"(A) the term 'covered lapse in appropriations' means a lapse in appropriations that begins on or after October 1, 2015; and

"(B) the term 'excepted employee' means an excepted employee or an employee performing emergency work, as such terms are defined by the Office of Personnel Management.

"(2) Each Federal employee furloughed as a result of a covered lapse in appropriations shall be paid for the period of the lapse in appropriations, and each excepted employee who is required to perform work during a covered lapse in appropriations shall be paid for such work, at the employee's standard rate of pay at the earliest date possible after the lapse in appropriations ends, regardless of scheduled pay dates.

"(3) During a covered lapse in appropriations, each excepted employee who is required to perform work shall be entitled to use leave under chapter 63 of title 5, or any other applicable law governing the use of leave by the excepted employee, for which compensation shall be paid at the earliest date possible after the lapse in appropriations ends, regardless of scheduled pay dates."

SA 2778. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 31, line 23, strike the period and insert "": *Provided*, That such sums are allocated to conduct research related to toxic exposure."

SA 2779. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department

of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 31, line 23, strike the period and insert “: *Provided*, That such sums are allocated to ensure the provision of gender appropriate prosthetics and to conduct research related to toxic exposure.”

SA 2780. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 31, line 23, strike the period and insert “: *Provided*, That such sums are allocated to ensure the provision of gender appropriate prosthetics.”

SA 2781. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 30, line 6, strike the period and insert “: *Provided further*, That the Secretary of Veterans Affairs shall ensure that amounts appropriated to the Department of Veterans Affairs for medical supplies and equipment are allocated to ensure the provision of gender appropriate prosthetics.”

SA 2782. Mr. BLUMENTHAL (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 39, line 14, insert after “established above:” the following: “*Provided further*, That the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress, the Committee on Veterans’ Affairs of the Senate, and the Committee on Veterans’ Affairs of the House of Representatives, not later than 30 days after the last day of each fiscal quarter, a report on the super construction projects, as defined in section 8103(e)(3) of title 38, United States Code, carried out by the Department of Veterans Affairs, which shall include the status of each such project as of the last day of the quarter covered by the report, the actual cost and schedule variances of each such project as of such day compared to the planned cost and schedules for the project, and a dispute resolution ma-

trix depicting internal and external disputes regarding technical, fiscal, schedule, or other issues, along with action plans and timelines for resolution.”

SA 2783. Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) Congress finds the following:

(1) The Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2016 that was reported by the Committee on Appropriations of the Senate on May 21, 2015, includes the following amounts to be appropriated to the Department of Veterans Affairs:

(A) \$35,000,000 to make seismic corrections to Building 208 at the West Los Angeles Medical Center of the Department in Los Angeles, California, which, according to the Department, is a building that is designated as having an exceptionally high risk of sustaining substantial damage or collapsing during an earthquake.

(B) \$158,000,000 to provide for the construction of a new research building, site work, and demolition at the San Francisco Veterans Affairs Medical Center.

(C) \$161,000,000 to replace Building 133 with a new community living center at the Long Beach Veterans Affairs Medical Center, which, according to the Department, is a building that is designated as having an extremely high risk of sustaining major damage during an earthquake.

(D) \$468,800,000 for construction projects that are critical to the Department for ensuring health care access and safety at medical facilities in Louisville, Kentucky, Jefferson Barracks in St. Louis, Missouri, Perry Point, Maryland, American Lake, Washington, Alameda, California, and Livermore, California.

(2) The Department is unable to obligate or expend the amounts described in paragraph (1), other than for construction design, because the Department lacks an explicit authorization by an Act of Congress pursuant to section 8104(a)(2) of title 38, United States Code, to carry out the major medical facility projects described in such paragraph.

(3) Among the major medical facility projects described in paragraph (1), three are critical seismic safety projects in California.

(4) Every day that the critical seismic safety projects described in paragraph (3) are delayed increases the risk of a life-threatening building failure in the case of a major seismic event.

(5) According to the United States Geological Survey—

(A) California has more than a 99 percent chance of experiencing an earthquake of magnitude 6.7 or greater in the next 30 years;

(B) even earthquakes of less severity than magnitude 6.7 can cause life threatening damage to seismically unsafe buildings; and

(C) in California, earthquakes of magnitude 6.0 or greater occur on average once every 1.2 years.

(b) The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried

out in an amount not to exceed the amount specified for that project:

(1) Seismic corrections to buildings, including retrofitting and replacement of high-risk buildings, in San Francisco, California, in an amount not to exceed \$180,480,000.

(2) Seismic corrections to facilities, including facilities to support homeless veterans, at the medical center in West Los Angeles, California, in an amount not to exceed \$105,500,000.

(3) Seismic corrections to the mental health and community living center in Long Beach, California, in an amount not to exceed \$287,100,000.

(4) Construction of an outpatient clinic, administrative space, cemetery, and columbarium in Alameda, California, in an amount not to exceed \$87,332,000.

(5) Realignment of medical facilities in Livermore, California, in an amount not to exceed \$194,430,000.

(6) Construction of a medical center in Louisville, Kentucky, in an amount not to exceed \$150,000,000.

(7) Construction of a replacement community living center in Perry Point, Maryland, in an amount not to exceed \$92,700,000.

(8) Seismic corrections and other renovations to several buildings and construction of a specialty care building in American Lake, Washington, in an amount not to exceed \$16,260,000.

(c) There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Construction, Major Projects, account, \$1,113,802,000 for the projects authorized in subsection (b).

(d) The projects authorized in subsection (b) may only be carried out using—

(1) funds appropriated for fiscal year 2016 pursuant to the authorization of appropriations in subsection (c);

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2016 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2016 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2016 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2016 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after fiscal year 2016 for a category of activity not specific to a project.

SA 2784. Mrs. GILLIBRAND (for herself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 247. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE FOR VETERANS WHO SERVED IN VICINITY OF REPUBLIC OF VIETNAM.

(a) COMPENSATION.—Subsections (a)(1) and (f) of section 1116 of title 38, United States Code, are amended by inserting “(including the territorial seas of such Republic)” after

“served in the Republic of Vietnam” each place it appears.

(b) **HEALTH CARE.**—Section 1710(e)(4) of such title is amended by inserting “(including the territorial seas of such Republic)” after “served on active duty in the Republic of Vietnam”.

(c) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) shall take effect as of September 25, 1985.

SA 2785. Mr. TOOMEY (for himself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 247. None of the amounts appropriated or otherwise made available by this title may be used—

(1) to carry out the memorandum of the Veterans Benefits Administration known as “Fast Letter 13-10”, issued on May 20, 2013; or

(2) to create or maintain any patient record-keeping system other than those currently approved by the Department of Veterans Affairs Central Office in Washington, District of Columbia.

SA 2786. Mr. SULLIVAN (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the recruitment and retention of health care providers by the Department of Veterans Affairs.

(b) The report required by subsection (a) shall include the following:

(1) An identification of the ratio of veterans to health care providers of the Department, disaggregated by State.

(2) An analysis of the workload of primary and specialty care providers of the Department, disaggregated by State.

(3) An assessment of initiatives carried out by the Veterans Health Administration to recruit and retain health care providers of the Department.

(4) An assessment of the extent to which the Veterans Health Administration oversees health care providers of the Department.

(5) Such recommendations for improving the recruitment and retention of health care providers of the Department as the Comptroller General considers appropriate.

SA 2787. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr.

KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the implementation by the Department of Veterans Affairs of section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) in rural areas.

(b) The report required by subsection (a) shall include the following:

(1) An identification of average wait times for veterans in rural areas to receive health care under such section 101, measured from when the veteran first calls the Department to schedule an appointment.

(2) An assessment of utilization rates for health care provided under such section 101 in rural areas.

(3) An assessment of the accessibility of veterans in rural areas to primary and specialty care at medical centers of the Department and from non-Department health care providers under such section 101.

(4) An identification of the number of health care providers providing health care under such section 101 in each Veterans Integrated Service Network.

(5) An assessment of the status of any pilot programs created by the Department to provide care under such section 101 in rural areas.

SA 2788. Ms. COLLINS submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 247. REPORT ON USE OF SOCIAL SECURITY NUMBERS BY DEPARTMENT OF VETERANS AFFAIRS.

(a) **REPORT REQUIRED.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report on the use of social security numbers by the Department of Veterans Affairs and the plans of the Secretary to discontinue the unnecessary use.

(b) **CONTENTS.**—The report required by subsection (a) shall include the following:

(1) A list of documents and records of the Department of Veterans Affairs that contain social security numbers.

(2) A list of all government and non-governmental entities and the numbers of their employees that have access to the social security numbers of veterans that are stored by the Department.

(3) A description of how the Department, other governmental entities, and persons use social security numbers they obtain from the Department, including a description of any information sharing arrangements that the Secretary may have with the heads of other governmental entities.

(4) The number of data breaches of Department of Veterans Affairs information systems that involved social security numbers that occurred during the five-year period ending on the date of the enactment of this Act that the Secretary discovered or that were reported to the Secretary, a description and status of the investigations conducted by the Secretary regarding such breaches, and a description of the plans of the Secretary to remediate such breaches.

(5) The plans of the Secretary, including a timeline, to discontinue the unnecessary use by the Department of social security numbers.

(c) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Veterans’ Affairs and the Committee on Appropriations of the Senate; and

(2) the Committee on Veterans’ Affairs and the Committee on Appropriations of the House of Representatives.

SA 2789. Mr. CORNYN (for himself and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report that includes, with respect to the South Texas Veterans Health Care System of the Department of Veterans Affairs, the following:

(1) A description of the nature and scope of any foreseeable increase in wait times for medical appointments.

(2) An assessment of whether a shortage of health care providers is the primary cause of any such increase in wait times.

(3) An identification of any other causes of any such increase in wait times.

(4) A description of any action taken by the Department to correct any such increase in wait times.

(5) An assessment of any issues relating to access to care.

(6) A plan for how the Secretary will remedy any such increase in wait times, including a detailed description of steps to be taken and a timeline for completion.

(b) In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Appropriations and the Committee on Veterans’ Affairs of the Senate; and

(2) the Committee on Appropriations and the Committee on Veterans’ Affairs of the House of Representatives.

SA 2790. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2 _____. The Secretary of Veterans Affairs shall ensure that all health care providers of the Department of Veterans Affairs are trained to treat and address health issues unique to women veterans.

VETERANS DAY MOMENT OF SILENCE ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 1004 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1004) to amend title 36, United States Code, to encourage the nationwide observance of two minutes of silence each Veterans Day.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1004) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1004

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Veterans Day Moment of Silence Act”.

SEC. 2. OBSERVANCE OF VETERANS DAY.

(a) TWO MINUTES OF SILENCE.—Chapter 1 of title 36, United States Code, is amended by adding at the end the following new section:

“§ 145. Veterans Day

“The President shall issue each year a proclamation calling on the people of the United States to observe two minutes of silence on Veterans Day in honor of the serv-

ice and sacrifice of veterans throughout the history of the Nation, beginning at—

“(1) 3:11 p.m. Atlantic standard time;
“(2) 2:11 p.m. eastern standard time;
“(3) 1:11 p.m. central standard time;
“(4) 12:11 p.m. mountain standard time;
“(5) 11:11 a.m. Pacific standard time;
“(6) 10:11 a.m. Alaska standard time; and
“(7) 9:11 a.m. Hawaii-Aleutian standard time.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1 of title 36, United States Code, is amended by adding at the end the following new item:

“145. Veterans Day.”.

ORDERS FOR TUESDAY, NOVEMBER 10, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, November 10; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of H.R. 2029, with the time until 11 a.m. equally divided in the usual form; further, that at 11 a.m., the Senate proceed to the consideration of the House message to accompany S. 1356, with all other provisions under the previous order remaining in effect; finally, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7 p.m., adjourned until Tuesday, November 10, 2015, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

UNITED STATES TAX COURT

VIK EDWIN STOLL, OF MISSOURI, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS, VICE JAMES S. HALPERN, RETIRED.

DEPARTMENT OF STATE

ROBERT ANNAN RILEY III, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERATED STATES OF MICRONESIA.

KAREN BREVARD STEWART, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE MARSHALL ISLANDS.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF THE BUREAU OF MEDICINE AND SURGERY AND SURGEON GENERAL AND FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5137:

To be vice admiral

REAR ADM. CLINTON F. FAISON III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. MICHELLE C. SKUBIC

CONFIRMATION

Executive nomination confirmed by the Senate November 9, 2015:

EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

SCOTT ALLEN, OF MARYLAND, TO BE UNITED STATES DIRECTOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on November 9, 2015 withdrawing from further Senate consideration the following nomination:

KENNETH J. KOPOCIS, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE PETER SILVA SILVA, RESIGNED, WHICH WAS SENT TO THE SENATE ON JUNE 24, 2015.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, November 10, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

NOVEMBER 12

10:30 a.m.

Committee on the Budget

To hold hearings to examine spending on unauthorized programs.

SD-608

NOVEMBER 17

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine past wild-fire seasons to inform and improve future Federal wildland fire management strategies.

SD-366

Committee on Homeland Security and Governmental Affairs

Subcommittee on Regulatory Affairs and Federal Management

To hold joint hearings with the House Committee on Homeland Security Subcommittee on Oversight and Management Efficiency to examine ongoing challenges at the Secret Service and their government-wide implications.

HVC-210

2:30 p.m.

Committee on Veterans' Affairs

To hold hearings to examine the nomination of Michael Joseph Missal, of Maryland, to be Inspector General, Department of Veterans Affairs.

SR-418

NOVEMBER 18

2:15 p.m.

Committee on Indian Affairs

To hold hearings to examine S. 410, to strengthen Indian education, S. 1163, to amend the Native American Programs Act of 1974 to provide flexibility and reauthorization to ensure the survival and continuing vitality of Native American languages, and S. 1928, to

support the education of Indian children.

SD-628

NOVEMBER 19

10 a.m.

Committee on Energy and Natural Resources

To hold an oversight hearing to examine the Well Control Rule and other regulations related to offshore oil and gas production.

SD-366

CANCELLATIONS

NOVEMBER 12

2:30 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

POSTPONEMENTS

NOVEMBER 12

9:30 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine countering ISIS, focusing on how safe havens threaten the homeland.

SD-342

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

SENATE—Tuesday, November 10, 2015

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, inspire our lawmakers to give You their best. Striving to serve You and country, may they refuse to bring You the leftovers of their time, talents, and trust. Inspired by Your providential movements in our world, help them to raise the bar of their expectations. Remind them that You can accomplish through them more than they can ask or imagine.

Lord, today we pay tribute to all American veterans, living or dead. We praise You for the gift of people who are willing to serve their country honorably during times of war and peace. Inspired by their exemplary lives, grant to us all a new dimension of compassion, courage, and competence. Use us to touch Your world and leave it better than we found it.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. ERNST). The majority leader is recognized.

SCHEDULE

Mr. MCCONNELL. Madam President, for the information of all Senators, this morning the Senate will resume consideration of the MILCON-VA appropriations bill. Several amendments were agreed to yesterday, and we expect more to be considered before we complete action on the bill. Senator KIRK and Senator TESTER expect to wrap up consideration today, so any Senators with amendments to the bill should be talking to the two managers.

We will have a rollover vote on the NDAA at approximately 11:20 a.m., and I hope to vote on passage of the MILCON-VA appropriations bill shortly thereafter.

If we complete action on NDAA, MILCON-VA, and send the long-term

highway bill to conference later today, that will allow the Senate to adjourn for the Veterans Day holiday.

COMMEMORATING VETERANS DAY AND PASSING LEGISLATION SUPPORTING OUR VETERANS AND TROOPS

Mr. MCCONNELL. Madam President, like many of my colleagues, I plan to commemorate Veterans Day with the people I am honored to represent here in the Senate. I will join Kentuckians at a ceremony in Shelbyville's Veterans Memorial Park. Hands will be put to heart as the "Star Spangled Banner" is played. Heads will bow in reverence as 106 names are read aloud, each a Kentuckian who made the ultimate sacrifice in the service of others, and each a reminder of our enduring debt to America's men and women in uniform.

I am proud to represent the nearly 330,000 Kentuckians who have served in the Armed Forces. I am also proud to represent the many thousands of soldiers and their families who reside in or hail from our great Commonwealth, whether at Fort Knox, Fort Campbell, the Blue Grass Army Depot, or beyond.

I recently had a chance to meet some of Kentucky's brave soldiers, sailors, airmen, and marines who currently serve in Afghanistan and Iraq. Sadly, a NATO helicopter had just crashed in Kabul, killing five people, including two American servicemembers. I was honored to take part in a prayer service led by a chaplain from Lexington, KY, and I note that the occupant of the Chair was with me at the time.

What an incredibly humbling moment it was. The tragic crash is a stark reminder of the incredible danger our service men and women face every day, and a stark reminder of what all Americans owe them.

Veterans should know that they have many champions fighting for them here in the Senate. One of them is Senator ISAKSON, the chair of the Veterans' Affairs Committee. Under his leadership, the committee has actively sought to do right by the men and women who never hesitate to do right by us. He has sent important legislation to the Senate floor that we have been able to pass on a bipartisan basis and that the President has signed into law.

One law we passed would improve the Veterans Choice Program, for instance, while another, the Clay Hunt Suicide Prevention for American Veterans Act, would help reduce the tragedies that befall too many of our heroes and the

heartbreak that befalls too many of their families.

Important Veterans' Affairs Committee oversight has also been brought to bear on an agency that has lost the trust of many it serves; that is, the VA.

Of course, there is much more to be done. Veterans deserve the very best, and the VA crisis will not be resolved easily or quickly, but working together, there is a lot we can do for the men and women who risk their all for their country.

One way to do so is by passing the Veterans funding bill that is before us. It is a result of great work by another champion of veterans, Senator KIRK, chair of the Military Construction and Veterans Affairs Appropriations Subcommittee. Just like Senator ISAKSON's Veterans' Affairs Committee, the subcommittee led by the Senator from Illinois has done great work for veterans in sending important legislation such as this to the floor. We will pass one important measure today.

Senator KIRK's bill would fund the health care and the benefits our veterans rely on. It would support military families by funding the housing, schools, and health facilities that sustain them. It would provide support for medical research, for women's health, and for veterans suffering from traumatic brain injury. And in Kentucky, it would provide funding for a special operations headquarters at Fort Campbell, for educational facilities at Fort Knox, and for design work for a new medical center in Louisville.

Senator KIRK's bill would also fund reforms designed to help address the crisis we have seen at the VA. These reforms would allow for greater national and regional progress in reducing claims backlogs, and they would deploy important protections for whistleblowers as well.

It is obvious why our veterans deserve this bill right now, so let's not wait a moment longer. Let's pass this important legislation later today. The men and women who have worn our uniform have had to wait long enough for it already.

We will also turn to legislation today for the men and women who currently wear our uniform and have had to wait too long for it.

When Senator MCCAIN says that it is the first duty of the Federal Government to protect the Nation, he means it. He knows what it means to serve. He knows what it means to sacrifice. And in his role as chair of the Armed Services Committee, he worked hard to craft a bipartisan Defense authorization bill with input from both parties.

It would transform bureaucratic waste into crucial investments for our troops and their families, like the raises they have earned and the quality of life programs they deserve.

It would provide hope for wounded warriors and extend a hand of compassion to heroes who struggle with mental health challenges.

It would also authorize a new medical facility at Fort Knox, an important project I have championed literally for years.

And at a time when our country faces the most “diverse and complex array of crises” since the Second World War, as Henry Kissinger observed, Senator McCain’s bill would help position our military to confront the challenges of tomorrow as it offers support to the men and women serving in harm’s way today.

The Defense authorization bill is legislation we typically consider every year. It is legislation that typically passes with broad bipartisan support. We expect that to finally happen again today. We expect the President to finally sign it this time.

This should have been allowed to happen a whole lot sooner. We all know the unfortunate and unnecessary roadblocks the Defense authorization bill has faced this year. We all know the President decided to veto the version of the bill we passed last month. That veto is particularly unfortunate and puzzling, given the two chief concerns the President cited when he vetoed it. No. 1, he said he was concerned that the bill relied upon contingency funding to meet the Department’s operational costs. No. 2, he said he was concerned that the bill again contained a clear, bipartisan prohibition on moving Guantanamo Bay terrorists into our local communities.

But the bill really hasn’t changed much since then, and the top line has now been settled by the bipartisan budget agreement. Either way, we look forward to the Senate passing this essentially unchanged legislation and the President’s signing the bipartisan bill, along with—along with—its restrictions against bringing terrorists into the United States, into law.

This bill will include restrictions on bringing terrorists into the United States, and he is going to sign it. That is the right thing for our men and women in uniform, and that is the right thing for our country.

Before I leave the floor, I wish to underline a point I just referenced. This morning the Senate will pass two bills. It will pass a Veterans funding bill that supports Americans who have already served their country, and it will pass a Defense authorization bill that supports Americans who are currently serving. Each of these bills contains a clear, bipartisan prohibition on the President moving Guantanamo Bay terrorists into the backyards of the

American people. Both of these bills include restrictions on moving terrorists into our country.

The Senate has voted many times over the years to enact these bipartisan prohibitions. We have enacted them in Congresses with split party control. We have enacted them in Congresses with massive, overwhelming Democratic majorities. And, today, the Congress elected by the American people will express itself clearly one more time—not once, but twice—today.

The President may not like this bipartisan action. It may conflict with a campaign slogan from 8 or 9 years ago. But here is how one Senator put it: “Congress’ job is to pass legislation. The President can veto it or he can sign it.” That was then—Senator Obama as he was criticizing the idea of doing an “end-run around Congress.”

“I believe in the Constitution,” he said at the time—Senator Obama—“and I will obey the Constitution of the United States,” said Senator Obama. Those were his words then. They should guide his actions now.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS BILL

Mr. REID. Madam President, as I mentioned yesterday morning, the Republican leader is right about a lot of what he talked about regarding the Military Construction-VA-HUD legislation, but the one thing he just glossed over is that as a result of our holding firm—we as a Democratic caucus holding firm—the veterans now have \$2 billion more than they would have, had we followed the Republicans’ lead—\$2 billion more—allowing 70,000 veterans to be treated who wouldn’t have been otherwise. So we are satisfied that this bill is a good bill, and it is a good bill because veterans are getting \$2 billion more. There are other reasons, of course. I think the bipartisan support we got for the bill was important, but for our veterans, the most important part was \$2 billion extra.

FIFTH CIRCUIT COURT IMMIGRATION DECISION

Mr. REID. Madam President, the Fifth Circuit Court’s decision yesterday was a political move that ignores past precedents on Executive action on immigration.

The Republicans have spoken out against the President’s action on what he has done on immigration. Why did he do it? Because he was trapped. He had to do it because the Republicans refused to legislate.

And like every President before him, President Obama has a legal right to establish clear immigration enforcement priorities and allocate resources accordingly.

But the attorney general of Texas and 25 other Republican Governors and attorneys general filed a lawsuit stating that the President had exceeded his authority. This decision affects millions of American families who are now subject to being torn apart, and as many as 5 million immigrants could be set for mass deportation.

I expect the administration will swiftly appeal this decision to the Supreme Court and that the Court will find the actions lawful. It is sad that Republicans are wasting their time talking about mass deportation when they could be doing things to solve the problem, such as passing a bill that reforms our immigration system once and for all. The Republican Party has neglected the lessons of the 2012 elections and has plunged over a cliff following Donald Trump, Ben Carson, and the others.

The Executive actions were neither a complete nor a permanent solution to the problems plaguing the immigration system, but they were a commonsense step in the face of inaction.

As Judge Carolyn Dineen King stated in her dissent very clearly, “a mistake has been made.” So it is now up to the U.S. Supreme Court to correct this grave mistake—a mistake that sets not only a dangerous precedent but one that is bad for families, bad for our communities, and bad for the future prosperity of our country. Again, as Judge King said, “a mistake has been made.”

IRAN NUCLEAR AGREEMENT

Mr. REID. Madam President, today I want to address more directly the Republican leader’s remarks that he gave yesterday regarding the Iran nuclear agreement. In short, no matter how Republicans misrepresent the Iran nuclear agreement, the agreement brought about the long-sought goal of preventing Iran from having a nuclear weapon. The agreement is nothing more, nothing less. It prevents Iran from having a nuclear weapon.

HOSTING PRIME MINISTER NETANYAHU

Mr. REID. Madam President, later today the Republican leader and I will host Israeli Prime Minister Netanyahu, as we have done on many other occasions. It is always a pleasure to meet with Prime Minister Netanyahu and reaffirm America’s longstanding commitment to the security of Israel. Israel knows it has an ally in the United States—in fact, no greater ally in the world than our great country.

While some Republicans in Congress are trying to drive a false narrative of

acrimony between the United States and Israel, I choose to see the full picture, and the full picture is one of strengthened cooperation and shared interests.

Israel has always and will always depend on the United States to be by its side. That is why the United States and Israel are negotiating right now a new 10-year memorandum of understanding on security assistance. Much of yesterday's meeting between the President of the United States and the Prime Minister of Israel centered on the continued assistance we would provide Israel. Israel's interests have always been protected by the United States in matters that come before the United Nations, as Israel has always protected the interests of the United States before the United Nations.

In recent years we have seen how resolutions before the United Nations General Assembly and the U.N. Human Rights Council have unfairly targeted the people of Israel. The administration has denounced such efforts, but we also stand against Palestinian attempts to use the United Nations to go around a negotiated peace process. Wherever, whenever, and however, the United States will always stand by Israel.

VETERANS DAY

Mr. REID. Madam President, I share the Republican leader's hope that we can conclude the Military Construction-VA bill later this morning. I commend the managers of that legislation for doing a good job. There is no Senator I admire more than JON TESTER from Montana, and he has been ably leading the direction of this bill.

I join with the Republican leader as we honor our veterans tomorrow on Veterans Day.

Madam President, I just want to take a brief minute to talk about a veteran, whom I look to with admiration.

Today the chaplain gave a prayer saying that he prayed for veterans who have already left us and those veterans who are still alive.

My town is Searchlight, NV, a little tiny town with not a lot of people in it. It has been that way for a long time. For a brief period Searchlight was bigger than Las Vegas. It had 3,000 people there.

During World War II a young man who was already married and had children went to a movie with his wife in Las Vegas. He came out of the movies and told his wife: I think I have to join. He didn't have to, but he felt he had to.

So this young man joined the U.S. Army Air Corps, which is now the U.S. Air Force. It was a huge sacrifice for him and his family. He traveled with his wife and children to Georgia where he did his training and then went to the European theater as a pilot.

He served gallantly, bombing, strafing, and all the other things you did in

the air in World War II. He had been through 68 different missions. He was through. But as happens sometimes in life, things develop that change your life. He volunteered for one more flight because one of the other pilots was unable to go.

On his 69th flight, somewhere over Belgium, Bill Nellis, the boy from Searchlight, was shot down. He is still there. That is where his grave is.

I know his family. I know his son Gary and his Aunt Thelma, whom I knew in Searchlight.

This good man was so gallant in the eyes of people from Nevada that a previous congressional delegation, in conjunction with the President of the United States, decided it would be appropriate to name the Las Vegas Gunnery School, as it was called at that time, Nellis Air Force Base.

Today Nellis Air Force Base, named after this man from Searchlight, is the finest Air Force fighter training facility in the world. Thousands and thousands of people serve there.

It was originally on the outskirts of Las Vegas. Now it is in Las Vegas in a very populated area. No one complains about it. We are so proud of that Air Force base. It is a huge facility that has the finest gunnery range for Air Force pilots in the world. We have exercises there every year where pilots from all over the world bring their own aircraft from Australia, Great Britain, and other places to train there.

We in Nevada are very proud of Nellis Air Force Base, as is the entire military complex in the United States. It is a wonderful facility. Tomorrow is the day we honor Bill Nellis and the other gallant people who have served and are serving in the U.S. military.

Would the Chair announce the business this morning.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2029, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2029) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Pending:

Kirk/Tester amendment No. 2763, in the nature of a substitute.

Kirk amendment No. 2764 (to amendment No. 2763), to clarify the term "congressional defense committees."

The PRESIDING OFFICER. Under the previous order, the time until 11 a.m. will be equally divided in the usual form.

The Senator from Utah.

UNANIMOUS CONSENT REQUEST—S. RES. 312

Mr. LEE. Madam President, I rise today to support and to request the Senate's approval of this resolution, which would designate the second week of November as National Pregnancy Center Week in honor of the lifesaving and life-affirming work of America's community-supported pregnancy centers.

I am asking for my colleague's unanimous consent because there is absolutely nothing contentious about this resolution, S. Res. 312, nor is there anything contentious about the pregnancy resource centers commemorated by this resolution.

There are approximately 2,500 pregnancy resource centers in America. Every single day they serve an average of 65,000 women and men faced with challenging pregnancy decisions, providing them with a wide array of resources. That includes, at many centers, health care services such as pregnancy tests, ultrasounds, and testing for STDs and STIs. It includes emotional and educational support such as options counseling and parenting classes. It includes material and logistical assistance to help new moms and dads deal with all the little things that easily add up to big obstacles in the first few weeks and months of parenthood.

America's pregnancy resource centers aren't out to make a profit nor are they out there to push a particular political agenda. They are just there to help and to do so in a way that is compassionate, considerate of individual privacy, and respectful of the equal dignity of all human life.

Any way you look at it, America's pregnancy resource centers deserve our recognition and they deserve our respect and our gratitude. The real measure of their significance isn't in the words of a floor speech in the Senate or the outcome of a vote, it is in the thousands of lives they help save from the pain of abortion every year and in the millions of teachers, soldiers, nurses, neighbors, friends, and spouses whose lives and contributions to our communities we might never have known had it not been for the unassuming heroes down at the local pregnancy center who give their time to keep the lights on, answer the phones, and help young women find the hope and the courage to choose life.

Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 312, submitted earlier today; that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Mrs. MURRAY. Madam President, reserving the right to object, I would ask the Senator to modify his request and offer a resolution that actually helps to move women's health and rights forward.

Simply put, the resolution that the Senator has offered is more of the same. It is another effort to pander to the extreme Republican base by using women's health and constitutionally protected rights as a political football. Unfortunately, it makes it clear for the umpteenth time that when it comes to improving access to affordable health care for women, some Republicans are determined to stand in the way of progress.

I expect that some of my Republican colleagues will say this resolution shows how much they care about women's health. The truth is it shows the opposite. It shows once again that the Republican Party wants to interfere in a woman's medical decision. Strengthening women's health care doesn't start with telling women what they should and should not do with their own bodies, but that is exactly what that resolution does.

If my Republican colleagues really want to support women's reproductive care, they would work with Democrats on improving access to affordable birth control under the Affordable Care Act, including emergency contraceptives, ensuring women and families make their own decisions about their health care—not their bosses—and fighting back against efforts across the country to undermine women's constitutionally protected health care rights.

It is time for Republicans to drop the political attacks on women's health and instead join Democrats to focus on these priorities and more like them, so that women—not politicians, not insurance companies, not CFOs or CEOs—are in control of their health care, as it should be.

UNANIMOUS CONSENT REQUEST—S. RES. 37

That is why I ask the Senator to modify his request and instead ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 37, and the Senate proceed to its immediate consideration; that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Will the Senator so modify his request?

Mr. LEE. Madam President, reserving the right to object, there is nothing divisive about this resolution I have offered today, nothing divisive whatsoever.

This simply seeks recognition of the great work that is performed by the men and women who staff these preg-

nancy centers. There is nothing about it that is a political football, nothing about it that is designed to drive a wedge.

Unlike our resolution, the resolution I submitted today, S. Res. 312, which mainly commends community volunteers around the country for helping young mothers and their children—hardly divisive—the Senator's counterproposal is divisive and controversial. My cosponsors and I only wanted to recognize the life-affirming and life-saving work, the kind of work that brings families and communities together, the counterproposal would only pull Americans further apart and further away from the more humane and compassionate society that all Americans deserve.

If calling for recognition of these brave and noble men and women who serve people at pregnancy centers around the country is divisive, we have significant problems, but the fact is, it is not. I would encourage anyone within the sound of my voice to read S. Res. 312, and they will discover it is not the least bit divisive and doesn't discuss anything that is the least bit controversial.

On that basis, I can't agree with the modification, and I object.

The PRESIDING OFFICER. Objection is heard to the modification.

Is there objection to the original request?

Mrs. MURRAY. Madam President, I object to the original request.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

ARMED SERVICES AUTHORIZATION BILL

Ms. MIKULSKI. Madam President, I rise to speak as in morning business in terms of the bill we will be voting on at 11:20 a.m. today, the armed services authorization, as well as what we are going to be voting on this afternoon, which is veterans health care. They actually go hand in hand and what a great set of votes in a symmetry that shows our support for national security, our support for our U.S. military, our support for our U.S. military who are on Active Duty today, and then also for our veterans who in their hearts are always on Active Duty.

Today we have the ability to actually show we can govern, we can pass bills on a bipartisan basis that will help our country be able to defend itself, show our support to the U.S. military, and honor our commitment to the veterans. I am looking forward to voting on the armed services authorization because it does give the tools we need to be able to defend ourselves. I commend Senators MCCAIN and JACK REED for their excellent work.

Madam President, I wish to speak now as the vice chair of the Appropriations Committee. I am so excited that we are bringing the MILCON-VA bill to the Senate. I have been voting for vet-

erans ever since I have come to Congress. Veterans are our Nation's heroes. They put their lives on the line to fight for our freedom. They have made tremendous sacrifices for our country. Whether it is veterans who are still alive from World War II, those who fought on Pork Chop Hill during the Korean war, the Vietnam war at Mekong Delta, and of course Desert Storm, Iraq, and Afghanistan, we owe our veterans a debt of gratitude. We want to show our gratitude not only with words and yellow ribbons but with deeds. I believe the best deed is to make sure we adequately fund the Veterans' Administration to end the backlog for disability benefits—if you fought on the frontlines, you shouldn't stand in line to get your disability benefits—and to robustly fund veterans health care, along with other benefits this Congress has so authorized.

We have accomplished a lot over the years working for our veterans, and we will have a lot to do with what is in our legislation. I wish to commend the subcommittee chair, Senator MARK KIRK, and our vice chair, Senator JON TESTER, for the work they have done. As we were working on our bill this summer and through the spring, veterans told me and they told them that the Senate funding was too spartan; that we were underfunding our veterans and not just by a few dollars but by \$850 million. So we held it up, not as a parliamentary ping-pong, not as a parliamentary temper tantrum but as a way of saying our veterans need more money.

As a result of the budget agreement, we are able to do this. We are on the floor today where an amendment will be offered by Senators KIRK and TESTER to add \$2 billion for veterans health care, \$2 billion to be determined by the Secretary.

What do we look forward to? Well, lifesaving drugs. One of course is this issue of being able to pay for hepatitis C; the other, while we are looking at actual hands-on medical care, we want to reduce the wait times. There is too much waiting at the Veterans' Administration, whether you are waiting for your disability claim or you are waiting to see your doctor or your mental health counselor or your ophthalmologist. We need to be able to reduce the wait times, and this is what part of this \$2 billion will do.

Then there are those who are not only chronically ill from the wounds of war but are chronically and devastatingly injured. So we looked at those who are unable to care for themselves but are being cared for at home by loved ones. This will add more funds to be able to help those caregivers who are stepping up for their responsibility. So they are taking family responsibility, but we have to take USA responsibility. That is what we fought for in the \$2 billion.

I urge my colleagues to move ahead and be able to vote for this bill. I do believe this legislation, by adding the money and the kind of excellent work that has been done by our authorizers, the insistence of good provisions being put into the bill—we are going to shrink that VA backlog. Also, we are going to do something else. We are going to advance funding for mandatory veterans' benefits. So no matter what government means, if we ever get into more shutdown, slamdown, slowdown politics due to us, the veterans' benefits will go forward.

I have been working on this backlog for a long time. By the time we got to March 2013, we were at a national standoff. There were over 600,000 claims pending. In Maryland we had one of the worst claims offices in my own hometown of Baltimore. I couldn't believe it. When I met with my Veterans Advisory Board and stories poured out of the kinds of calls that were coming into my Constituent Services Offices, not only were they waiting in line—this isn't like just standing in line at the supermarket, this is for disability benefits, for people who are in danger of losing their homes and other kinds of things. So we went to work on a bipartisan basis. I am proud of what we did. I am proud of our authorizers.

I see Senator ISAKSON from Georgia is on the floor. He was a big part of the reform effort. It shows our military knows how to win wars, but we need to know how we can govern so they don't have to fight a war with the VA bureaucracy. We hope we will be able to make these reforms. We are not going to throw money at it. We are going to insist on metrics.

The last point I wish to talk about is the advance appropriations. People will say: Aren't VA benefits mandatory? They are unless we get into one of our parliamentary ping-pong debates.

So I worked with the Disabled Veterans of America and a coalition of several voluntary veterans service organizations—great groups: the American Legion, Vietnam Veterans and Iraq and Iran Veterans of America. They asked me to add advance appropriations to the omnibus 1 year in advance—making sure we funded things 1 year in advance—protecting them from shutdown and slamdown politics. We were able to do that again, and I hope we can do that again this year.

I know I have other colleagues on the floor who wish to speak now, but I wish to say we can really show we not only know how to fight for America and its security, but we know how to fight for those who do the fighting.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I rise on the eve of Veterans Day to urge my colleagues to support the fiscal year 2016 Military Construction and Veterans Affairs appropriations bill.

This marks the first time in 2 years that we have had the opportunity to debate, amend, and vote on this important legislation on the Senate floor. It is vital to those who serve and to those who have served our Nation.

I first learned to honor our veterans from my father. My father is a World War II veteran who was wounded twice in the Battle of the Bulge and earned his Purple Heart and his Bronze Star. It was he who would take me to the parades on Veterans Day and on Memorial Day and boost me high on his shoulders. From the best vantage point in the parade, I would watch our veterans march by. He taught me of their sacrifice and that we have a never-ending obligation to thank those who wore the uniform of our country.

Passing this bill fulfills important obligations that we owe to our Nation's 22 million veterans, 127,000 of whom live in the great State of Maine. It sends an important message to our veterans: We will honor the sacrifices that you made and are making on our behalf. It would be a mistake to send the opposite message by further postponing or delaying consideration and final passage of this important bill before we celebrate our veterans, honor, and remember them tomorrow.

As a member of the Military Construction and Veterans Affairs Subcommittee, I know this bill before us now is the result of bipartisan compromise. I commend the leadership of Chairman KIRK and Ranking Member TESTER, who have worked hand in hand to craft the managers' amendment that they will be bringing before us today.

In May of this year, the Appropriations Committee reported this funding bill by a strong vote of 21 to 9. Since then the Bipartisan Budget Act has been enacted, which provides needed additional resources to fund vital national priorities and that will be reflected in the managers' amendment. The managers' substitute would provide a total of \$79.7 billion in funding, which I would note represents more than \$1 billion more than the President's budget request.

This bill increases funding for our veterans in areas where they need it most, including mental health care and benefit claims processing, two issues which the Senator from Maryland has been so active in resolving. This bill also includes funds aimed at reducing veterans homelessness. This is a special priority of mine as the chairman of the Transportation, Housing and Urban Development Appropriations Subcommittee. I worked with Senator MURRAY on this issue, and we have made real progress—exciting progress—in reducing the number of homeless veterans across this country through the VASH Program, but there is still more work to be done. In addition, this bill includes \$270 million in funding for the Office of Rural Health, through

which the Access Received Closer to Home or the ARCH Program is funded. In five pilot States in which it operates, ARCH ensures that rural veterans, who often have a very difficult time accessing the regular VA health care system—particularly the VA hospitals—can receive care closer to where they live and where their families live.

I will never forget the story shared with me by a Maine veteran who broke his hip during a terrible snow storm and needed urgent care. The ARCH program, located at Cary Memorial Hospital in Caribou, ME, ensured he could receive the care he needed in his community and close to his family, rather than enduring a 4-hour drive over bumpy winter roads during a ferocious snow storm to the Togas VA Medical Center in Augusta, ME. ARCH has made a tremendous difference for our veterans and continues to help those who live in rural communities and who are facing similar challenges and emergencies.

The managers' substitute also increases Veterans Affairs medical services by nearly \$2 billion, including \$10 million for programs supporting caregivers. We all know of the wonderful work that Elizabeth Dole has done in this area, and I have been very pleased to join with my colleague Senator PATTY MURRAY in introducing the Military and Veteran Caregiver Services Improvement Act. The bill before us is going to help provide benefits for those who shoulder the responsibilities associated with long-term care for critically injured veterans. This bill would expand comprehensive caregiver benefits for those who take on those responsibilities.

I would note, Madam President, that the Senator from Wisconsin, Senator BALDWIN, and I have a broader bill dealing with caregivers that the Committee on Health, Education, Labor and Pensions is considering and I hope will be approving shortly.

In addition to the vital funds for veterans programs, this bill also funds military construction projects, which unfortunately had been adversely affected—cut, delayed, deferred—as a result of the budget caps and the impact of sequestration. Therefore, I am particularly pleased this bill includes \$7.2 million in funding needed to repair, renovate, and upgrade the 101st Air Refueling Wing's fire and crash rescue station in Bangor, ME. This is funding for which I have strongly advocated, and I thank the managers for including it the bill. The 101st "MAINEiacs" provide critical 24/7 air and ground refueling services that support local military operations, and this funding will strengthen their capabilities.

I would note, Madam President, that I recently met with General Breedlove, our NATO commander, and he told me he refueled at Bangor, ME, on his way back from Europe recently.

Madam President, I could go on and on about the important programs and priorities in this bill. They are essential to providing what we owe to our servicemembers and our veterans: safe and reliable infrastructure so that our troops can complete the missions they are assigned, access to medical care, earned compensation and benefits, and assistance to help our veterans successfully transition to their civilian lives.

Tomorrow, on Veterans Day, our Nation will pause to honor all those who served. Today, we have the opportunity to say to the American people, to our veterans, and to those who are considering military service to our Nation that no matter what partisan issues may divide us, we stand united in fulfilling our commitment to those who serve and those who have served.

We can send that message by passing this measure and sending to the President a funding bill that takes care of our servicemembers, our veterans and their families, and that honors their service to our great country.

Madam President, I yield the floor.

(At the request of Mr. McCONNELL, the following statement was ordered to be printed in the RECORD.)

• Mr. VITTER. Madam President, I wish to support the Military Construction and Veterans Affairs and Related Agencies Appropriations Act. This bipartisan bill provides critical resources for our active military, veterans, and their families.

The courage and sacrifice that define our soldiers, sailors, airmen, marines, coastguardsmen, and all servicemembers over the years cannot be understated. Major chapters in our Nation's rich history have been and continue to be written by our brave servicemen and women, many of whom hail from Louisiana.

The very least we can do in return is keep our commitments to them. It is our obligation to fund veterans' health care and benefits, and this bill does just that while also making necessary reforms to the scandal-plagued Department of Veterans Affairs.

Our Louisiana veterans have waited a long, long time to have efficient access to effective health care, and they deserve much better than what has been handed to them. That is why I have worked for years to authorize new VA clinics and build interim clinics in southwest Louisiana, including one in Lake Charles, LA, that is expected to open before the Thanksgiving holiday.

The latest National Defense Authorization measure has been revised to reflect the recent budget deal, which modified the spending caps for both base and war defense spending. In light of these changes, I firmly believe the administration should honor past statements that current military reductions are due to defense budget cuts stemming from sequestration, which have now been postponed for 2 years.

It is critically important to recognize that the newly revised 2-year budget deal provides necessary relief for the Department of Defense and allows a much-needed opportunity to avoid further cuts to the Active-Duty Army's troop strength. Since 2013, the U.S. Army alone has decreased troop strength 21 percent. That is both dangerous and unacceptable.

I have fought against dangerously steep drawdowns and was proud to fight this issue on the Senate floor last year. The United States cannot afford continued troop cuts at a time when military leaders say that we are facing an unprecedented number of threats.

I urge my colleagues to support our military and to support this bipartisan bill. •

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I ask unanimous consent to speak as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

VETERANS DAY

Mrs. MURRAY. Madam President, this Veterans Day we pause to honor the men and women in our military who stepped up to fight for our freedom and to protect our families. In my home State of Washington, we have a lot to be thankful for. More than 600,000 of our friends, our neighbors, and our family members have bravely served their country.

As the daughter of a World War II veteran, I know the sacrifice it takes to keep our country safe and protect our values. Thanks to my father and the countless other veterans I have had the honor of meeting, I believe that when brave individuals sign up to serve our country, we must fulfill our promise to support them when they come home. We should honor our veterans by showing them we have their backs long after the war is over.

While I would like to stand here and say that our country is doing everything we can for the people we owe the most to and that we are fulfilling the promise we made to them when we sent them off to fight for us, I believe our work is far from over. Though Congress passed a sweeping bill last year to provide new resources and add more accountability to the VA, I continue to hear from veterans across my home State of Washington about care that is falling short. Despite structural changes at the VA, veterans are still waiting on surgeries and MRIs and oncology appointments, mental health screenings, you name it. Our veterans have already fought for our country. They should not have to fight to get their health care or the benefits they were promised, so we have to fight on their behalf.

As the senior member of the Senate Veterans' Affairs Committee, I am committed to making this country

work better for our veterans. Even though there are challenges, there is hope. Just 2 weeks ago, we successfully passed the Homeless Veterans Services Protection Act out of the Senate to make sure a VA policy change doesn't cut off services and force veterans onto the street. That bill cleared one hurdle; now I call on my colleagues in the House to get this done.

I am also fighting to end the VA's outdated ban on fertility services for veterans so they can start families. There is absolutely no reason to deny this service for members of our military, especially when they are injured while fighting for our country. And I believe we must extend the critically important military caregiver support services program to veterans of all eras—a program that enables injured veterans to recover and stay in their homes with their families instead of being in a hospital or a nursing home.

Madam President, these aren't the only things I am working on. Because our veterans kept their end of the bargain, we have to keep ours. That means they should have access to mental health care to help deal with the often invisible wounds of war. That means a solid path to a college degree. That means job training programs and transitional services so that veterans have a path to good careers after their military service is complete. These things aren't about going above and beyond; they are the bare minimum of what our country should be doing to fulfill its promise to care for our veterans.

So as our country recommits to that promise this Veterans Day, I want to let veterans know in my home State of Washington and across the country that I will not stop fighting for them. I again want to express my heartfelt thanks to all the veterans around the country who have served and for all who are still serving today.

I call on all of my colleagues and fellow citizens to honor our veterans every day of the year with the kind of action that shows them we are grateful for their service.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Madam President, I want to thank Senator KIRK and Senator TESTER for their outstanding work on this appropriations bill; Senator MURRAY for her cooperation and help on caregivers and so many programs in the committee; and Senator COLLINS and her work on MILCON. I want to encourage all my fellow Members of the Senate to vote favorably on this legislation when it comes before us later today.

I want everyone to stop, take a deep breath, and think about three things: No. 1, today is the 240th anniversary of the United States Marine Corps—the strongest veterans we have, veterans who fought and died for us around the

world for 2½ centuries. Tomorrow, at the eleventh hour, on the eleventh day of the eleventh month, we celebrate the armistice of World War I and Veterans Day in America. And today on the floor of the Senate, we are fixing some problems that have confronted our veterans for the better part of the last 10 years. As the Members of the committee who are on the floor know, the VA literally almost collapsed 2 years ago. Health services in Phoenix, AZ, were a disaster. People were cheating on appointments and shortening veteran times to make themselves look better. The VA had a reputation of being the worst agency in the Federal government.

Now, I don't take credit for it as chairman, but I will tell you what your committee members have done—members like Senator TESTER and Senator MURRAY. Instead of complaining about people, instead of putting targets on the wall and saying they are the problem, we decided to be part of the solution. I want to recite for just a second what has happened in the last 10 months.

No. 1, we passed the Clay Hunt Suicide Prevention for American Veterans Act, and this bill funds it. It will help to reduce the number of suicides. Today, 22 veterans per day commit suicide, and we want that reduced to a perfect score of zero at some point in time. But you do that only by investing funds, hiring psychiatrists, and making a commitment. This Senate and the House have done so.

We had an overrun of \$1.428 billion—more than I can count to—in the Denver hospital the VA was trying to build. They were 13 years into construction and not even half finished. This committee said that will not stand. We passed legislation to complete the funding by taking the money out of VA without additional appropriations from the Congress, and more importantly we got the VA out of the construction business. We said: You guys are supposed to take care of the health of our veterans, not—

The PRESIDING OFFICER. The majority time has expired, Senator.

Mr. ISAKSON. I ask unanimous consent to have 3 additional minutes.

The PRESIDING OFFICER. Is there objection?

Mr. TESTER. I just need about 1 minute, JOHNNY—sorry, the Senator from Georgia. You can have everything, but just give me 1 minute.

Mr. ISAKSON. How much time remains?

The PRESIDING OFFICER. Approximately 2½ minutes, Senator.

Mr. ISAKSON. Well, let me just give you the closing, and I will leave all the juicy parts for later on. We will talk about those in the press release.

The story that should be read about this appropriations bill is we are not letting our veterans down. We are up-

lifting our veterans, and we are seeing to it they get what they deserve. We are seeing to it that the problems we have seen illustrated in the papers of the United States of America are being fixed.

The VA is a work in progress. There will still be problems but not because of attitude or lack of funding and not because of a lack of commitment by this Congress. We are going to do what our veterans did for us. We are going to stand ground, we are going to take the hill, we are going to hold the hill, and we are going to see to it that those who fought and died for the United States of America are rewarded, not only for themselves and for their health care but for their retirement benefits and for their loved ones as well.

I commend Senator TESTER on what he has done, Senator KIRK for what he has done, and all the members of the committee.

I yield back the remainder of the time to the distinguished Senator from Montana, who can call me JOHNNY any time he wants to.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Madam President, I thank the Senator from Georgia. I appreciate his comments and very much thank him for the compliments. This MILCON-VA appropriations bill is a critically important bill. Why? Because we are demanding a lot from the VA. In order to demand a lot, we need to give them the tools and resources they need to be successful. It would be totally unfair to put them on the line without the resources they need to take care of our veterans.

That is important because today we have unprecedented demand. Not only are our Vietnam veterans getting older, not only do they need services like never before, but we have been at war for 15 years in the Middle East, and we have folks coming back with complex injuries. We have men and women who need help when they get back. Some of these veterans would not have survived if they had been in any other war but this one. So the pressure on the VA is incredibly important, and if we are going to fix the access problem, if we are going to serve our veterans in the way they need to be served, we need to pass this bill.

Let me finish with a quick story. Not long ago a guy by the name of Henry—a Vietnam vet from Helena, MT—walked into my office. Henry fought in Vietnam. He was awarded four Purple Hearts for his combat and for his sacrifice. Henry walked into my office, sat down across from my staff member, and said: I can't live any more. Henry was in trouble. He had behavioral health problems that he needed professional help to get fixed. We were able to get him to the VA. The VA had a behavioral health professional who was able to help Henry, and Henry is living a good life today.

Our veterans deserve no less than to make sure they get the help they need when they need it, and that is what this bill is about. So we will be voting on a managers' package soon, and then we will be voting on passing this bill and getting it to the President's desk. Hopefully, we can do it with a strong, healthy vote—a unanimous vote, as a matter of fact—because this is an important bill not only for military construction but also for veterans.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELATING TO PROVISIONS OF THE BORDER PATROL AGENT PAY REFORM ACT OF 2014

The PRESIDING OFFICER. Under the previous order, the Chair lays before the Senate the House message to accompany S. 1356, which the clerk will report.

The senior assistant legislative clerk read as follows:

Resolved, That the bill from the Senate (S. 1356) entitled "An Act to clarify that certain provisions of the Border Patrol Agent Pay Reform Act of 2014 will not take effect until after the Director of the Office of Personnel Management promulgates and makes effective regulations relating to such provisions," do pass with an amendment.

UNANIMOUS CONSENT AGREEMENT—H. CON.

RES. 90

Mr. MCCAIN. Madam President, I ask unanimous consent that when the Senate proceeds to the consideration of H. Con. Res. 90, as under the previous order, it be in order for me to offer an amendment to the resolution; further, that the amendment be agreed to and all other provisions under the previous order remain in effect.

The PRESIDING OFFICER (Mrs. FISCHER). Is there objection?

Without objection, it is so ordered.

MOTION TO CONCUR

Mr. MCCAIN. Madam President, I move to concur in the House amendment to S. 1356.

The PRESIDING OFFICER. Under the previous order, there will be 20 minutes equally divided prior to a vote on the motion to concur in the House amendment to S. 1356.

The Senator from Arizona.

Mr. MCCAIN. Madam President, today the Senate will once again consider the National Defense Authorization Act. This legislation passed the House last week in an overwhelmingly bipartisan vote of 370 to 58. I hope we will have a similarly resounding vote here today.

Today's vote would not be possible without the hard work of Chairman MAC THORNBERRY, chairman of the House Armed Services Committee. It has been a privilege to work alongside him and the gentleman from Washington, Congressman SMITH, to produce a defense authorization bill worthy of the troops it supports.

I thank my friend and colleague from Rhode Island, Senator REED, for his dedicated work on this legislation and his many substantive contributions that made this a better bill.

I thank the majority leader, Senator MCCONNELL, for bringing this legislation to the floor today and for his commitment throughout this process to ensuring we give our military the certainty they need to plan and execute their missions.

For 53 consecutive years, Congress has passed the National Defense Authorization Act. That is a testament to the vital importance of this legislation, which provides the authorities and support necessary for our military to defend the Nation. But perhaps at no time in the last half century has this legislation been so critical. Our Nation confronts the most diverse and complex array of crises since the end of World War II—the rampage of ISIL's terrorist army, Iran's malign activities across the Middle East, Russia's invasion of Ukraine and bloody intervention in Syria, China's continued pattern of assertive behavior toward its neighbors in the Asia-Pacific, and the list goes on, including what appears to be the recent bombing of an airliner over Egypt which apparently caused the loss of 244 lives, apparently an act of terror of monumental consequences.

Rising to the challenges of an increasingly dangerous world requires bold reforms to national defense, and that is what this legislation delivers. The legislation is a reform bill. This legislation delivers the most sweeping reforms to our defense acquisition system in a generation. The NDAA modernizes a 70-year-old military retirement system and extends benefits to hundreds of thousands of servicemembers previously excluded under the old system. The legislation also makes significant reforms to Pentagon headquarters and management to ensure that precious defense resources are focused on our warfighters rather than bloated staffs. The bill identifies \$11 billion in excessive and unnecessary spending from that request and reinvests those savings in critical national security priorities, including more fighter aircraft, accelerated shipbuilding, strengthening our cyber defenses, and \$300 million in vital assistance to Ukraine to resist Russian aggression.

We did all of this while upholding our commitments to our servicemembers, retirees, and their families. The NDAA reauthorizes over 30 special pays and

bonuses, makes military health care more portable, increases access to urgent care facilities, strengthens sexual assault prevention and response, and knocks down bureaucratic obstacles to ensure servicemembers maintain access to the medicines they need as they transition from Active Duty.

Finally, the legislation before us recognizes that a strong national defense requires supporting our friends and allies and responding to common threats. With Vladimir Putin on the march, the NDAA includes \$300 million to help Ukraine resist Russian aggression, including \$50 million for lethal assistance and counter-artillery radars. As China continues its aggressive behavior in the South China Sea, the NDAA will provide \$50 million to assist and train our allies in the region to increase maritime security and the maritime domain awareness. As the Taliban mounts an offensive across Afghanistan, the NDAA authorizes \$3.8 billion for the Afghanistan Security Forces Fund to preserve the gains of the past decade and continue to degrade and defeat terrorists who want to attack the United States and our allies.

This is an ambitious piece of legislation, but in the times we live, we cannot afford business as usual in the Department of Defense. To prepare our military to confront our present and future national security challenges, we must champion the cause of defense reform, rigorously root out Pentagon waste, and invest in modernization and next-generation technologies to maintain our military technological advantage. That is what this legislation is all about.

Additionally, I would point out that as our citizenry and our voters are deeply frustrated and angry about our failure to get anything done here in the Congress of the United States, I would at least make the comment that our highest priority and responsibility is defending the Nation. I believe this legislation is an example of working not only on both sides of the aisle but on both sides of the Capitol. I would argue that this is the most significant reform legislation that has been passed in 30 years, but I would also tell my colleagues that this is just the beginning. This is the beginning of a bipartisan effort to reform the Pentagon, to reform the way we do business, to reform our priorities, and to reform the way the Pentagon was structured and our defense was structured. The last time it was reformed was 30 years ago under legislation called Goldwater-Nichols. Obviously, in the last 30 years that world situation has changed dramatically—dramatically.

On a bipartisan basis, working across the aisle and across the Capitol, I can assure my colleagues that next year at about this time, they will be seeing legislation that will try to address the challenges we are now facing in the

world—in a more chaotic world than we have seen since the end of World War II. That is not just JOHN MCCAIN's opinion; that is the opinion of every knowledgeable, respected national security expert, ranging from Henry Kissinger, to Madeleine Albright, to Zbigniew Brzezinski, to Brent Scowcroft and others. We have to have a reformed Pentagon to meet the challenges. One great example of that is cyber security. Thirty years ago there were no cyber attacks on the United States of America. Today it is one of the looming challenges we face.

I intend to carry on in the long tradition of this committee in which the Senator from Rhode Island and I have worked in partnership in addressing these new challenges and these grave challenges to America's security.

I am proud of this legislation. Could we have done more? Yes. Were there different areas to which perhaps we should have paid more attention? Perhaps. But I would argue that this is the most significant reform legislation in the last 30 years.

I thank my friend and colleague from Rhode Island.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, I rise to speak in support of the revised National Defense Authorization Act conference report we have before us today. It is the result of months of collaborative work by the Senate Armed Services Committee and a very thoughtful conference. I would like to join Chairman MCCAIN and commend Chairman MAC THORNBERRY of Texas and Ranking Member ADAM SMITH of Washington. The collaboration, the thoughtfulness, and the consideration were extraordinary and outstanding throughout the conference process.

I have to say that from my point of view, the reason we are here today most fundamentally is the leadership of Chairman MCCAIN on the committee. It was thoughtful, it was bipartisan, and it encouraged participation by all the members of the committee. There was vigorous debate and then there were votes, and that is the way this committee and this Congress should operate.

Ultimately, too, I think it reflected what the Chairman has always brought to his duties as a Member of the U.S. Senate and before that the U.S. House of Representatives and before that the U.S. Navy—understanding that what we do here ultimately reflects and influences and shapes the service and sacrifice of millions of young Americans in uniform. The Chairman never forgets that. He has laid out some of the extraordinary reforms that have been included in this legislation, and he has also indicated that we will continue to work next year under his leadership on additional reforms. These

reforms in compensation, personnel policies, and a host of others, are going to set us and our Department of Defense on a better path forward. Again, much of it is because of his leadership and his direction.

Previously, the National Defense Authorization bill came before the Senate and there was one area of major disagreement; that was the use of the overseas contingency operations fund. I must again thank the Chairman because he allowed a vigorous debate, a vote on the floor, and ultimately and very satisfactorily this has been resolved in the recent budget agreement. So now we have legislation before us that raises the annual budget cap of the Department of Defense and other agencies, and it allows our defense to be more forward-looking and more able to rationally budget going forward. I think this has given us both the budget authority and the proper direction so that we can have a much more stable and much more predictable future. Again, I think it will be a wonderful facilitator as we consider additional reforms next year in the Defense Authorization bill.

The budget agreement also recognizes the fact that one of the challenges is not only those programs that are controlled by the Department of Defense but also other agencies that are involved in national security. Relief for those agencies is also important in carrying out the mission of the Department of Defense and protecting the American people.

With this new NDAA, I think we have been able to keep our pledge to the men and women in uniform of the United States.

Let me finally conclude where I began. I thank Chairman MCCAIN, Chairman THORNBERRY, and Ranking Member SMITH, but more particularly the staff. We who have the privilege of serving on the Armed Services Committee understand the extraordinary hours, the effort, the insight, and the total commitment of not only the committee staff members but the staffs of the individual members. Their efforts are reflected in this bill. It will not bear their names but, more importantly, it will bear their work. For that I thank them very, very much.

Let me urge all of my colleagues to support this bill, to join Senator MCCAIN and others so that for the 54th straight year we will have a National Defense Authorization Act that will become the law of the United States.

Madam President, I yield the floor.

Mr. LEAHY. Mr. President, earlier this year, I voted in opposition to the fiscal year 2016 National Defense Authorization Act, NDAA. Since the Senate last voted on the fiscal year 2016 NDAA, Congress has passed and the President has signed the new Bipartisan Budget Act, which raised the discretionary caps on spending across the

government, averted a default, and provided a path forward on appropriations.

The Bipartisan Budget Act also enabled authors of the NDAA to fix a gimmick that called for spending from overseas contingency operations, OCO, funding to meet requirements that should have been supported by the Department's base budget. I remain concerned, however, that, in order to meet the new caps, budgetary authority had to be cut from this bill. Specifically, I do not believe that readiness funds for the Army, the Army National Guard, and the Army Reserves should be slashed at the same time that many in this body are demanding more soldiers be sent to places like Eastern Europe. This authorization bill will spend hundreds of millions of dollars on unneeded and ineffective missile defense programs, for example, while cutting the training and preparation funds for the men and women we send overseas. The bill also makes significant changes to the defense acquisition system and, inexplicably, cuts key provisions to support the National Guard that enjoyed support in both the Senate and the House.

But perhaps most importantly, I am concerned that, in this new version of the bill, Congress failed to reconsider the ill-advised restrictions on detainee transfers from Guantanamo Bay that are contained in this NDAA—restrictions that President Obama cited as one reason for his veto of the original version of the bill last month. I opposed passage of that conference report in part because it contained a needless prohibition on transferring detainees to the United States for detention or trial, and it imposed unnecessary restrictions on transferring detainees to foreign countries.

Rather than working to address these misguided provisions, Republicans in Congress have evidently decided to stand in the way of finally bringing this terrible chapter to a close. They are making a grave mistake. For over a decade, the detention facility at Guantanamo has been a stain on our national reputation and served as a recruitment tool for terrorists. Guantanamo is also a tremendous waste of taxpayer dollars, costing approximately \$3.4 million per year to maintain a single detainee—an astonishing amount of money that could be repurposed to keep our men and women in uniform safe. Closing Guantanamo is the morally and fiscally responsible thing to do, and I am deeply disappointed that these restrictions have been included. That is why I was proud to cosponsor an amendment filed by Senator FEINSTEIN to strip these troubling provisions from the bill.

The bill does include an extremely significant provision: the McCain-Feinstein antitorture amendment. Last year, Senator FEINSTEIN and the Senate Intelligence Committee did this

country a great service in exposing the CIA's horrific practices under the Bush administration. The McCain-Feinstein amendment is a major step toward finally bringing to a close that dark, shameful chapter in our Nation's history. This provision finally codifies in statute the interrogation standards in the Army Field Manual—not just for military personnel, but for intelligence agents as well. It will clearly define acceptable interrogation practices and will hopefully ensure that America never engages in torture again.

Providing certainty for the Department's men and women and their families, as well as for military planners, is very important, and in significant ways, this bill accomplishes that. While this bill has shortcomings I hope we can address in the near future, I have given my support to its adoption and will only add that, in advance of Veterans Day and every day the men and women who serve and protect us deserve nothing less than the thanks of a grateful nation.

Mr. DURBIN. Madam President, I wish to express reluctant support for the fiscal year 2016 National Defense Authorization Act.

Many parts of the agreement represent bipartisan consensus between Chairman MCCAIN, Chairman THORNBERRY, Ranking Member REED, and Ranking Member ADAM SMITH. We all appreciate their hard work on those matters for our troops and their families.

It provides well-deserved pay increases to our uniformed and defense civilian workforce. It modernizes the personnel benefit system to include a government matched savings plan. It authorizes \$300 million in assistance to Ukraine, of which \$50 million may be lethal assistance. It codifies the President's Executive order against torture and ensures that interrogations follow the Army Field Manual. I wish to thank Senator MCCAIN and Senator FEINSTEIN in particular for their leadership on this issue.

In addition, it extends the Afghan Special Immigrant Visa program so that we may continue to keep faith with foreign translators who risked their lives working with our troops. It authorizes a number of military construction projects around the world, including \$29 million in family housing units at Rock Island Arsenal, IL. It reauthorizes the DOD-VA pilot program at North Chicago, the Lovell Federal Health Care Center.

For these and many other reasons, I voted for the agreement, but it is a compromise, and I must express my opposition to a few of its provisions.

One of those points of disagreement is that the bill prevents the closure of the U.S. military base at Guantanamo Bay, Cuba. The reality is that, every day that it remains open, Guantanamo prison weakens our alliances, inspires

our enemies, and calls into question our commitment to human rights.

Time and again, our most senior national security and military leaders have called for the closure of Guantanamo. In addition to the national security cost, every day that Guantanamo remains open, we are wasting taxpayer dollars. We are spending \$3.3 million per year for each detainee held at Guantanamo Bay—compare that with the estimated \$78,000 that it costs to hold a detainee in a Federal super maximum security prison.

Yet the conference agreement makes it even harder to transfer detainees to foreign countries, prohibits transfers to the U.S., and prohibits construction or modification of facilities in the U.S.

All of us are committed to preventing terrorist attacks. Terrorists deserve swift and sure justice and severe prison sentences.

But holding detainees at Guantanamo does not administer justice effectively. It does not serve our national security interests, and it is inconsistent with the country's history as a champion of human rights.

In order to conform to the budget agreement, the bill also includes \$1.7 billion in reductions to headquarters management personnel. Everyone in the Senate wants to cut the fat from the Pentagon, but we must make sure that these cuts are targeted toward inefficiency and waste, as opposed to recklessly eliminating our valued DOD civilian workforce.

The women and men who serve our Nation's defense outside of a uniform are our teammates in making our country secure. They process military pay; investigate fraud, waste, and abuse; oversee expensive weapons programs; and many more important functions. I am proud of each DOD civilian, especially those who work in Illinois, and I will work to make sure that the Congress supports their contributions to our country.

This is a very good agreement, these reservations notwithstanding. It is full of provisions which help our troops, reforms the way the Pentagon does business, and provides for our military families. I thank Senator MCCAIN and Senator REED for their hard work and commend the bill's passage for the 54th year in a row.

Mr. MCCAIN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KIRK. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—H.R. 2029

Mr. KIRK. Madam President, the ranking member and I have a package of amendments that have been cleared

by both sides. I ask unanimous consent that when the Senate resumes consideration of H.R. 2029, the following amendments be called up, reported by number, and the Senate vote on the amendments en bloc: Moran, No. 2774; Murkowski, No. 2775; Murkowski, No. 2776; Blumenthal, No. 2779; Blumenthal, No. 2781; Toomey, No. 2785; Sullivan, No. 2786; Sullivan, No. 2787; Collins, No. 2788; Cornyn, No. 2789; Bennet, No. 2795; Durbin, No. 2794; and Boxer, No. 2798.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. Under the previous order, the question occurs on agreeing to the motion to concur in the House amendment to S. 1356.

Mr. DAINES. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Nevada (Mr. HELLER) would have voted "yea" and the Senator from Louisiana (Mr. VITTER) would have voted "yea."

The PRESIDING OFFICER (Mr. SULLIVAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 3, as follows:

[Rollcall Vote No. 301 Leg.]

YEAS—91

Alexander	Feinstein	Murphy
Ayotte	Fischer	Murray
Baldwin	Flake	Nelson
Barrasso	Franken	Perdue
Bennet	Gardner	Peters
Blumenthal	Gillibrand	Portman
Blunt	Grassley	Reed
Booker	Hatch	Reid
Boozman	Heinrich	Risch
Boxer	Heitkamp	Roberts
Brown	Hirono	Rounds
Burr	Hoeven	Sasse
Cantwell	Inhofe	Schatz
Capito	Isakson	Schumer
Cardin	Johnson	Scott
Carper	Kaine	Sessions
Casey	King	Shaheen
Cassidy	Kirk	Shelby
Coats	Klobuchar	Stabenow
Cochran	Lankford	Sullivan
Collins	Leahy	Tester
Coons	Lee	Thune
Corker	Manchin	Tillis
Cornyn	Markey	Toomey
Cotton	McCain	Udall
Crapo	McCaskill	Warner
Daines	McConnell	Warren
Donnelly	Menendez	Whitehouse
Durbin	Mikulski	Wicker
Enzi	Moran	
Ernst	Murkowski	

NAYS—3

Merkley Sanders Wyden

NOT VOTING—6

Cruz Heller Rubio
Graham Paul Vitter

The motion was agreed to.

MAKING A TECHNICAL CORRECTION IN THE ENROLLMENT OF S. 1356

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H. Con. Res. 90, which the clerk will report.

The bill clerk read as follows:

A concurrent resolution (H. Con. Res. 90) directing the Secretary of the Senate to make a technical correction in the enrollment of S. 1356.

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENT NO. 2796

(Purpose: To modify the resolution)

Mr. MCCAIN. Mr. President, I call up my amendment No. 2796.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 2796.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The PRESIDING OFFICER. Under the previous order, amendment No. 2796, offered by the Senator from Arizona, Mr. MCCAIN, is agreed to.

Under the previous order, the concurrent resolution, H. Con. Res. 90, as amended, is agreed to.

Under the previous order, the motion to reconsider is considered made and laid upon the table.

Mr. MCCAIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

Mr. MCCONNELL. Mr. President, what is the pending business?

The PRESIDING OFFICER. H.R. 2029.

AMENDMENTS NOS. 2774, 2775, 2776, 2779, 2781, 2785, 2786, 2787, 2788, 2789, 2795, 2794, AND 2798 TO AMENDMENT NO. 2763

The PRESIDING OFFICER. Under the previous order, the clerk will report the following amendments by number.

The bill clerk read as follows:

The Senator from Illinois [Mr. KIRK], for others, proposes amendments numbered 2774, 2785, 2786, 2787, 2788, and 2789 to amendment No. 2763.

The Senator from Kentucky [Mr. McCONNELL], for Ms. MURKOWSKI, proposes amendments numbered 2775 and 2776 to amendment No. 2763.

The Senator from Montana [Mr. TESTER], for others, proposes amendments numbered 2779, 2781, 2795, 2794, and 2798 to amendment No. 2763.

The amendments are as follows:

AMENDMENT NO. 2774

(Purpose: To prohibit the use of funds to pay for the transfers or relocations of senior executives of the Department of Veterans Affairs)

At the end of title II, add the following:

SEC. _____. None of the amounts appropriated or otherwise made available by title II may be used to carry out the Home Marketing Incentive Program of the Department of Veterans Affairs or to carry out the Appraisal Value Offer Program of the Department with respect to an employee of the Department in a senior executive position (as defined in section 713(g) of title 38, United States Code).

AMENDMENT NO. 2775

(Purpose: To require the Comptroller General of the United States to submit to Congress a report evaluating the implementation by the Department of Veterans Affairs of section 101 of the Veterans Access, Choice, and Accountability Act of 2014)

At the appropriate place, insert the following:

SEC. _____. (a) Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional veterans committees a report evaluating the implementation by the Department of Veterans Affairs of section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note).

(b) The report required by subsection (a) shall include, with respect to the implementation of such section 101, an evaluation of the following:

(1) The effect of such implementation on the reduction in the use of purchased care by the Department, including delays or denials of care and interruptions in courses and continuity of care.

(2) The ability of health care providers to meet the demand for primary, specialty, and behavioral health care under such section 101 that cannot reasonably be provided in medical facilities of the Department.

(3) The efforts of the Department to recruit health care providers to provide health care under such section 101.

(4) The accuracy of the information provided to veterans through call centers regarding the receipt of health care under such section 101.

(5) The timeliness of referrals of veterans by the Department to health care providers under such section 101.

(6) Unique issues and difficulties in the implementation of section 101 with respect to veterans residing in rural areas, the States of Alaska and Hawaii and states lacking a full service VA Hospital.

(7) With respect to rural areas: (A) an identification of the average wait times for veterans in rural areas to receive health care under such section 101, measured from when the veteran first calls the Department or

contracted call center to request an appointment; (B) an assessment of utilization rates for health care provided under such section 101 in rural areas (C) an assessment of the accessibility of veterans in rural areas to primary and specialty care at medical centers of the Department and from non-Department health care providers under such section 101; (D) an assessment of the status of any pilot programs created by the Department to provide care under such section 101; (E) an identification of the number of health care providers providing health care under such section 101 to veterans in rural areas, broken out by primary care providers, specialty and subspecialty providers, and behavioral health providers in each Veterans Integrated Service Network.

(8) Recommendations for such improvements to the provision of health care under such section 101 as the Comptroller General considers appropriate.

(c) In this section, the term "congressional veterans committees" means the Veterans Affairs Committees of the United States Senate and the House of Representatives and the Subcommittee on Military Construction, Veterans Affairs and Related Agencies of the Committees on Appropriations of the United States Senate and the House of Representatives.

AMENDMENT NO. 2776

(Purpose: To require the Secretary of Veterans Affairs to submit to Congress a report on the provision of health care to veterans in Alaska through the use of non-Department of Veterans Affairs health care providers)

At the appropriate place, insert the following:

SEC. _____. Not later than February 1, 2016, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report that supplements the report required under section 4002(c) of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114-41) and that contains the following:

(1) A description of the changes in access, if any, of veterans in Alaska to purchased care from the Department of Veterans Affairs that have resulted from implementation of section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146), including denials of care and interruptions in the course and continuity of care.

(2) An assessment of the performance of the Department in providing health care under such section 101 in Alaska, including—

(A) the performance of call center service provided to veterans;

(B) the accuracy of call center information provided to veterans and health care providers;

(C) whether health care providers are agreeing to provide health care under such section 101 in each of the major communities in Alaska;

(D) gaps in the availability of health care providers, disaggregated by primary, specialty, subspecialty, and behavioral health care;

(E) impediments to the provision of health care under such section 101; and

(F) plans to mitigate those impediments.

(3) An assessment of the status of health care provider vacancies at the VA Alaska Healthcare System as of the date of submittal of the report under this section, including impediments to filling those vacancies and plans to mitigate those impediments.

(4) A description of the manner in which the Department plans to serve the primary, specialty, and behavioral health care needs of veterans in Alaska if the plan and recommendations set forth in the report submitted under such section 4002(c) are implemented, including a description of specific strategies to be employed by the Department to address gaps in the provision of health care to veterans and the supply and demand of health care providers for veterans, including the roles of tribal health providers and community providers in addressing those gaps.

AMENDMENT NO. 2779

(Purpose: To require that amounts appropriated to the Department of Veterans Affairs for medical and prosthetic research are used to ensure the provision of gender appropriate prosthetics and to conduct research related to toxic exposure)

On page 31, line 23, strike the period and insert "": *Provided*, That such sums are allocated to ensure the provision of gender appropriate prosthetics and to conduct research related to toxic exposure."

AMENDMENT NO. 2781

(Purpose: To require that amounts appropriated to the Department of Veterans Affairs for medical supplies and equipment are used to procure gender appropriate prosthetics)

On page 30, line 6, strike the period and insert "": *Provided further*, That the Secretary of Veterans Affairs shall ensure that amounts appropriated to the Department of Veterans Affairs for medical supplies and equipment are allocated to ensure the provision of gender appropriate prosthetics."

AMENDMENT NO. 2785

(Purpose: To prohibit the use of funds to carry out Fast Letter 13-10 or create or maintain certain patient record-keeping systems)

At the end of title II, add the following:

SEC. 247. None of the amounts appropriated or otherwise made available by this title may be used—

(1) to carry out the memorandum of the Veterans Benefits Administration known as "Fast Letter 13-10", issued on May 20, 2013; or

(2) to create or maintain any patient record-keeping system other than those currently approved by the Department of Veterans Affairs Central Office in Washington, District of Columbia.

AMENDMENT NO. 2786

(Purpose: To require the Comptroller General of the United States to submit to Congress a report on the recruitment and retention of health care providers by the Department of Veterans Affairs)

At the appropriate place, insert the following:

SEC. _____. (a) Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the recruitment and retention of health care providers by the Department of Veterans Affairs.

(b) The report required by subsection (a) shall include the following:

(1) An identification of the ratio of veterans to health care providers of the Department, disaggregated by State.

(2) An analysis of the workload of primary and specialty care providers of the Department, disaggregated by State.

(3) An assessment of initiatives carried out by the Veterans Health Administration to

recruit and retain health care providers of the Department.

(4) An assessment of the extent to which the Veterans Health Administration oversees health care providers of the Department.

(5) Such recommendations for improving the recruitment and retention of health care providers of the Department as the Comptroller General considers appropriate.

AMENDMENT NO. 2787

(Purpose: To require the Secretary of Veterans Affairs to submit to Congress a report on the implementation by the Department of Veterans Affairs of section 101 of the Veterans Access, Choice, and Accountability Act of 2014 in rural areas)

At the appropriate place, insert the following:

SEC. _____. (a) Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the implementation by the Department of Veterans Affairs of section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) in rural areas.

(b) The report required by subsection (a) shall include the following:

(1) An identification of average wait times for veterans in rural areas to receive health care under such section 101, measured from when the veteran first calls the Department to schedule an appointment.

(2) An assessment of utilization rates for health care provided under such section 101 in rural areas.

(3) An assessment of the accessibility of veterans in rural areas to primary and specialty care at medical centers of the Department and from non-Department health care providers under such section 101.

(4) An identification of the number of health care providers providing health care under such section 101 in each Veterans Integrated Service Network.

(5) An assessment of the status of any pilot programs created by the Department to provide care under such section 101 in rural areas.

AMENDMENT NO. 2788

(Purpose: To require a report on the use of social security numbers by the Department of Veterans Affairs and the plans of the Secretary of Veterans Affairs to discontinue such use)

At the end of title II, add the following:

SEC. 247. REPORT ON USE OF SOCIAL SECURITY NUMBERS BY DEPARTMENT OF VETERANS AFFAIRS.

(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report on the use of social security numbers by the Department of Veterans Affairs and the plans of the Secretary to discontinue the unnecessary use.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) A list of documents and records of the Department of Veterans Affairs that contain social security numbers.

(2) A list of all government and non-governmental entities and the numbers of their employees that have access to the social security numbers of veterans that are stored by the Department.

(3) A description of how the Department, other governmental entities, and persons use social security numbers they obtain from the Department, including a description of any information sharing arrangements that the Secretary may have with the heads of other governmental entities.

(4) The number of data breaches of Department of Veterans Affairs information systems that involved social security numbers that occurred during the five-year period ending on the date of the enactment of this Act that the Secretary discovered or that were reported to the Secretary, a description and status of the investigations conducted by the Secretary regarding such breaches, and a description of the plans of the Secretary to remediate such breaches.

(5) The plans of the Secretary, including a timeline, to discontinue the unnecessary use by the Department of social security numbers.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Veterans’ Affairs and the Committee on Appropriations of the Senate; and

(2) the Committee on Veterans’ Affairs and the Committee on Appropriations of the House of Representatives.

AMENDMENT NO. 2789

(Purpose: To require the Secretary of Veterans Affairs to submit to Congress a report on wait times for medical appointments at the South Texas Veterans Health Care System of the Department of Veterans Affairs)

At the appropriate place, insert the following:

SEC. _____. (a) Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report that includes, with respect to the South Texas Veterans Health Care System of the Department of Veterans Affairs, the following:

(1) A description of the nature and scope of any foreseeable increase in wait times for medical appointments.

(2) An assessment of whether a shortage of health care providers is the primary cause of any such increase in wait times.

(3) An identification of any other causes of any such increase in wait times.

(4) A description of any action taken by the Department to correct any such increase in wait times.

(5) An assessment of any issues relating to access to care.

(6) A plan for how the Secretary will remedy any such increase in wait times, including a detailed description of steps to be taken and a timeline for completion.

(b) In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Appropriations and the Committee on Veterans’ Affairs of the Senate; and

(2) the Committee on Appropriations and the Committee on Veterans’ Affairs of the House of Representatives.

AMENDMENT NO. 2795

(Purpose: To require the Secretary of Veterans Affairs to conduct a study on the impact of combat service on suicide rates and other mental health issues among members of the Armed Forces and veterans)

At the end of title II, add the following:

SEC. 2 _____. (a) Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall, in consultation with the Secretary of Defense, enter into a contract with an independent third party described in subsection (b) to carry out a study on the impact of participation in combat during service in the Armed Forces on suicides and other mental health issues among members of the Armed Forces and veterans.

(b) An independent third party described in this subsection is an independent third party that has appropriate credentials to access information in the possession of the Department of Defense and the Department of Veterans Affairs that is necessary to carry out the study required under subsection (a).

AMENDMENT NO. 2794

(Purpose: To modify the amounts appropriated to the Department of Veterans Affairs for medical services and medical and prosthetic research)

At the end of title II, add the following:

SEC. 2 _____. (a) The amount appropriated or otherwise made available by this title under the heading “MEDICAL AND PROSTHETIC RESEARCH” under the heading “VETERANS HEALTH ADMINISTRATION” is hereby increased by \$8,922,462.

(b) The amount appropriated or otherwise made available by this title for fiscal year 2016 under the heading “MEDICAL SERVICES” under the heading “VETERANS HEALTH ADMINISTRATION” is hereby reduced by \$8,922,462.

AMENDMENT NO. 2798

(Purpose: To make available \$5,000,000 for a pilot program on awarding grants to provide furniture, household items, and other assistance to formerly homeless veterans moving into permanent housing)

At the end of title II, add the following:

SEC. 247. Of the amounts appropriated or otherwise made available by this title for “MEDICAL SERVICES”, not more than \$5,000,000 shall be available to the Secretary of Veterans Affairs to carry out a pilot program to assess the feasibility and advisability of awarding grants to veterans service agencies, veterans service organizations, and non-governmental organizations to provide furniture, household items, and other assistance to formerly homeless veterans who are moving into permanent housing to facilitate the settlement of such veterans in such housing.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the amendments en bloc.

The amendments (Nos. 2774, 2775, 2776, 2779, 2781, 2785, 2786, 2787, 2788, 2789, 2795, 2794, and 2798) were agreed to en bloc.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Brown amendment No. 2801 be called up and agreed to, the Kirk amendment No. 2764 be withdrawn, and the Senate vote on the Kirk amendment No. 2763, as amended; further, that following the disposition of the Kirk amendment No. 2763, the bill, as amended, be read a third time and the Senate vote on passage of H.R. 2029, as amended.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2801 TO AMENDMENT NO. 2763

The PRESIDING OFFICER. The clerk will report the Brown amendment.

The senior assistant legislative clerk read as follows:

The Senator from Montana [Mr. TESTER], for Mr. BROWN, proposes an amendment numbered 2801 to amendment No. 2763.

The amendment is as follows:

(Purpose: To require the Secretary of Veterans Affairs to develop and publish an action plan for improving the vocational rehabilitation services and assistance provided by the Department of Veterans Affairs)

At the end of title II, add the following:

SEC. 247. DEPARTMENT OF VETERANS AFFAIRS ACTION PLAN TO IMPROVE VOCATIONAL REHABILITATION AND EDUCATION.

(a) **IN GENERAL.**—Not later than 270 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall develop and publish an action plan for improving the services and assistance provided under chapter 31 of title 38, United States Code.

(b) **ELEMENTS.**—The plan required by subsection (a) shall include each of the following:

(1) A comprehensive analysis of, and recommendations and a proposed implementation plan for remedying workload management challenges at regional offices of the Department of Veterans Affairs, including steps to reduce counselor caseloads of veterans participating in a rehabilitation program under such chapter, particularly for counselors who are assisting veterans with traumatic brain injury and post-traumatic stress disorder and counselors with educational and vocational counseling workloads.

(2) A comprehensive analysis of the reasons for the disproportionately low percentage of veterans with service-connected disabilities who served in the Armed Forces after September 11, 2001, who opt to participate in a rehabilitation program under such chapter relative to the percentage of such veterans who use their entitlement to educational assistance under chapter 33 of title 38, United States Code, including an analysis of barriers to timely enrollment in rehabilitation programs under chapter 31 of such title and of any barriers to a veteran enrolling in the program of that veteran's choice.

(3) Recommendations and a proposed implementation plan for encouraging more veterans with service-connected disabilities who served in the Armed Forces after September 11, 2001, to participate in rehabilitation programs under chapter 31 of such title.

(4) A national staff training program for vocational rehabilitation counselors of the Department that includes the provision of—

(A) training to assist counselors in understanding the very profound disorientation experienced by veterans with service-connected disabilities whose lives and life-plans have been upended and out of their control because of such disabilities;

(B) training to assist counselors in working in partnership with veterans on individual rehabilitation plans; and

(C) training on post-traumatic stress disorder and other mental health conditions and on moderate to severe traumatic brain injury that is designed to improve the ability of such counselors to assist veterans with these conditions, including by providing information on the broad spectrum of such conditions and the effect of such conditions on an individual's abilities and functional limitations.

The PRESIDING OFFICER. Under the previous order, amendment No. 2801 is agreed to.

AMENDMENT NO. 2764 WITHDRAWN

Under the previous order, amendment No. 2764 is withdrawn.

AMENDMENT NO. 2763, AS AMENDED

Under the previous order, the question occurs on the substitute amendment, as amended.

The Senator from Montana.

Mr. TESTER. Mr. President, if I may have 1 minute, I urge my colleagues to vote for this Military Construction-VA appropriations bill before us.

Thank-yous are in order. I thank the chairman, Senator KIRK, and his staff, Bob Henke, D'Ann Lettieri, and Patrick Magnuson. I also thank Tina Evans and Chad Schulken. By the way, it is Chad's birthday today, so make sure you wish him a happy birthday. I also thank Michael Baine, Tony McClain, and the other staff who worked on this bill.

This bill does right by our veterans, and I am proud to have worked with our colleagues in this Chamber.

The PRESIDING OFFICER. The question is on agreeing to the substitute amendment, as amended.

The amendment (No. 2763), as amended, was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. CRAPO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Colorado (Mr. GARDNER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Nevada (Mr. HELLER) would have voted "yea" and the Senator from Louisiana (Mr. VITTER) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 302 Leg.]

YEAS—93

Alexander	Burr	Corker
Ayotte	Cantwell	Cornyn
Baldwin	Capito	Cotton
Barrasso	Cardin	Crapo
Bennet	Carper	Daines
Blumenthal	Casey	Donnelly
Blunt	Cassidy	Durbin
Booker	Coats	Enzi
Boozman	Cochran	Ernst
Boxer	Collins	Feinstein
Brown	Coons	Fischer

Flake	Markey	Sanders
Franken	McCain	Sasse
Gillibrand	McCaskill	Schatz
Grassley	McConnell	Schumer
Hatch	Menendez	Scott
Heinrich	Merkley	Sessions
Heitkamp	Mikulski	Shaheen
Hirono	Moran	Shelby
Hoeven	Murkowski	Stabenow
Inhofe	Murphy	Sullivan
Isakson	Murray	Tester
Johnson	Nelson	Thune
Kaine	Perdue	Tillis
King	Peters	Toomey
Kirk	Portman	Udall
Klobuchar	Reed	Warner
Lankford	Reid	Warren
Leahy	Risch	Whitehouse
Lee	Roberts	Wicker
Manchin	Rounds	Wyden

NOT VOTING—7

Cruz	Heller	Vitter
Gardner	Paul	
Graham	Rubio	

The bill (H.R. 2029), as amended, was passed.

The PRESIDING OFFICER. The majority leader.

DRIVE ACT

Mr. MCCONNELL. Mr. President, I ask that the Chair lay before the Senate the House message accompanying H.R. 22.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House insist upon its amendment to the amendment of the Senate to the text of the bill (H.R. 22) entitled "An Act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes," and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

COMPOUND MOTION

Mr. MCCONNELL. Mr. President, I move to disagree to the amendment of the House, agree to the request from the House for a conference, and authorize the Presiding Officer to appoint conferees.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read the following:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to disagree to the amendment of the House, agree to the request from the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 22.

Mitch McConnell, Mike Rounds, Lamar Alexander, Johnny Isakson, Deb Fischer, John Cornyn, Chuck Grassley, Thad Cochran, Joni Ernst, Cory Gardner, John Thune, Daniel Coats, Orrin G. Hatch, John Barrasso, James M. Inhofe, Thom Tillis, Roy Blunt.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the time between 2:15 p.m. and 2:45 p.m. be equally divided between the two leaders or their designees and that notwithstanding rule XXVIII, at 2:45 p.m. the Senate vote on the motion to invoke cloture on the compound motion to go to conference; further, that if cloture is invoked, that the Senate agree to the compound motion to go to conference and that Senator WICKER be recognized to offer a motion to instruct the conferees; that there be up to 4 minutes of debate equally divided on the motion and that following the use or yielding back of that time, the Senate then vote in relation to the Wicker motion; that following the disposition of the Wicker motion, Senator BLUMENTHAL be recognized to offer a motion to instruct the conferees; that there be up to 4 minutes of debate equally divided on the motion and that following the use or yielding back of that time, the Senate then vote in relation to the Blumenthal motion.

Mr. President, I ask to withhold my request until Senator CARPER arrives.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I understand that a request is pending, and I would like to reserve my right to object.

The PRESIDING OFFICER. Is there an objection to the majority leader's request?

Mr. CARPER. I have a statement I would like to make at this point in time. If this is the appropriate time to do it, then I would like to do it. I would like to speak for 10 minutes.

Mr. MCCONNELL. I renew my request.

The PRESIDING OFFICER. Is there objection?

Mr. CARPER. Reserving the right to object.

Mr. INHOFE. Will the Senator yield?

Mr. CARPER. I am happy to yield.

Mr. INHOFE. There is a lot of mumbling going on. I am not sure what we finally decided to do.

Mr. CARPER. Mr. President, I will speak for 10 minutes on transportation, and then we will have our caucus lunch.

Mr. INHOFE. All right.

Mr. President, I ask unanimous consent that at the conclusion of the remarks of the Senator from Delaware, I be recognized for up to 10 minutes.

The PRESIDING OFFICER (Mr. WICKER). Is there objection?

Without objection, it is so ordered.

The Senator from Delaware.

Mr. CARPER. Mr. President, something came to my attention today that I haven't seen before. Actually, it is a blog which was apparently written by Ben Bernanke, the immediate past Chairman of the Federal Reserve. He

wrote it for the Brookings Institute, and he talked about one of the pay-fors for the transportation bill for which we will be sending conferees to discuss later today.

As my colleagues may recall, the House passed a 6-year authorization bill for transportation—roads, highways, bridges, and transit—with funding for 3 years. When we sent our legislation over to the House, they came up with some new pay-fors. Frankly, it is not user fees, it is not even like pension smoothing, it is not like stealing TSA fees or Custom fees, but something new. They found money—about \$40 to \$50 billion—in the Federal Reserve and said: Why don't we use that for transportation spending?

Interestingly enough, the former Chairman of the Federal Reserve has written about this issue, and it has been editorialized in today's Washington Post, among others. I will read a sentence or two out of Chairman Bernanke's comments, if I may, talking about the new pay-for, where we take money from the Federal Reserve and use it for transportation purposes.

Here is what Chairman Bernanke says:

More substantively—and this is what I want to focus on in the post—“paying” for highway spending with Fed capital is not paying for it at all in any economically meaningful sense. Rather, this maneuver is a form of budgetary sleight-of-hand that would count funds that are already designated for the Treasury as “new” revenue.

Every year this extra money that the Federal Reserve has is turned over to the Treasury. In fact, it may be as much as one-half trillion dollars. That money goes into the earnings that the Federal Reserve makes, and at different points during the year, they turn money over to the Treasury.

What the House language says here is that we are going to reduce that amount of money that would normally go from the Federal Reserve to the Treasury during some part of this year, and we are simply going to pull that money out and use it for transportation. Now, that money was going to go to the Treasury anyway. It was going to go from the Federal Reserve to Treasury anyway, and now we are going to sort of slip in and pull that money out and say: No, no, we are going to use it for roads, highways, and bridges. It is a sleight of hand. GAO is blowing the whistle on it as well, and I am delighted Chairman Bernanke is calling it for what it is.

Look, we had the opportunity to pay for transportation projects. We had the opportunity to pay for roads, highways, and bridges, and to do it the old-fashioned way, and frankly, in a way that the chairman of our committee, Senator INHOFE, was in favor of. We have a tradition and history in this country of saying that things that are worth hav-

ing are worth paying for, and people and businesses that use roads, highways, and bridges here in the past have said we ought to pay for the use of them. Now we are looking at a transportation bill that says: No, we are going to take money from TSA—TSA fee increases—and instead of using it to make our skies and aviation safer, we are going to steal 10 years of TSA revenues and put it over here in transportation. We are going to take money that ought to go to fortify our borders to make us stronger and better equipped so we can do a better job of finding out whether what is in the trucks is really produce or some other product, such as narcotics—our border crossings, where we have literally tens of millions of dollars' worth of trade going through trade every day—and instead we are going to take those revenues and put them into transportation.

There is the idea of taking money out of the Strategic Petroleum Reserve, where we pay \$80 to \$90 to \$100 a barrel and are now selling it for about half that and using the proceeds from that—buy high, sell low—to pay for transportation.

The latest trick from the House is to take the money out of the Federal Reserve when it is already going to go to Treasury anyway. Instead, we are going to take that money away from the Federal Reserve and pretend like it has no consequence. Well, actually that \$50 or \$60 billion would have reduced the deficit. That is where it would have gone.

This is not the way to do business. We had the opportunity to fully fund a robust transportation plan. Several of us—Senator DURBIN, Senator FEINSTEIN, and I—offered legislation, very much like Bowles-Simpson, that would actually restore the purchasing power of the gas and diesel taxes in this country. We have not raised them since 1993.

Since 1993, the Federal gasoline tax has been roughly 18 cents. It is now worth less than a dime because of inflation. The diesel tax, since 1993, is worth less than 15 cents. Nominally, it is 23 cents. Meanwhile, roads, highways, and bridges are more expensive. Asphalt is more expensive, as is concrete, steel, and labor. Instead of being able to fund transportation in a genuine, honest kind of way, we are spending about \$50 billion a year at the Federal level for transportation. It is about one-third of what is being spent nationally. Out of that \$50 billion, we are only raising \$35 billion through our user fees, and we just go out and borrow the money for the rest. When we run out of money in the general fund, we go around the world and borrow money from China and other places so that we can build roads, highways, and bridges.

When the Chinese are mucking around in the South China Sea or the Spratly Islands or some of those other

places, we say: You can't do that. They say: We thought you wanted to borrow our money. If they are manipulating their currency or dumping their goods and products into our markets, we say: You can't do that. They say: We thought you wanted to borrow our money.

We should not be beholden to them or to anybody else. We should fully fund transportation projects, and we could do that.

The legislation that Senators FEINSTEIN, DURBIN, and I offered would gradually raise the tax on diesel and gasoline by 4 cents a year for 4 years, and then index it going forward. How much money would that generate? That would generate about \$220 billion over the next 10 years.

Our roads, highway, and bridges get D-plus these days. Why? Because about a quarter of our bridges are in bad shape and the service of our roads and highways is as well. People say they don't want to pay any more money for user fees on gas or diesel. Well, people paid less than \$2 a gallon for gasoline at about 30,000 gas stations across America last week.

My friends, as it turns out, if we actually did raise the price for gas and diesel by 4 cents a year for 4 years, what would the effect be in 2020—4 years from now—for average drivers? The out-of-pocket impact would be about the cost of a cup of coffee a week. Meanwhile, because our roads, bridges, and highways are in such lousy shape, we, as constituents—people who drive around this country—have an average cost of damage to our vehicles, tires, steering, and rims of our tires of over \$350 a year. That is not my number; that is a real number.

The other thing that is going on here is that we sit in traffic a lot in our country these days because we are not addressing our bottlenecks and doing what we ought to be doing in terms of upgrading our roads, highways, and bridges.

Every year Texas A&M does an analysis. What they do is to look at how much time we sit in traffic in this country. The average driver in this country sits in traffic 42 hours a year. In cities such as Washington, DC, the numbers are more like 80 hours a year. We are not moving. We are just sitting there wasting time, wasting fuel, and polluting the skies. We don't have to do that. Instead of doing something that is intellectually honest, what we are doing is really, I think, shameful. I think it is shameful.

Initially, I was just confused by what the House wants to do with the Federal Reserve by moving \$50 to \$60 billion out of there. Now that I understand what they are doing, it is even more shameful. We can do better than this, and the American people deserve better than that.

Our friends at the McKinsey Global Institute spent some time last year

trying to figure out if we were actually investing robustly in our roads, highways, and bridges in this country. They looked at how it would affect our GDP and if it would have any effect on putting people to work. If we are willing to make robust investments for the next 10 years instead of, frankly, not much at all in terms of investments, here is what they said: We would grow GDP by about 1.5 percent per year for the next 10 years. So far this year it has been somewhere between 2 and 2.5 percent. We could increase it by another 1.5 percent if we make these kinds of honest investments. We are not going to come close to making robust investments.

The McKinsey Global Institute also told us that in terms of new employment, if we were actually to invest robustly in roads, highways, and bridges in this country, we would put 1.8 million people to work building roads, highways, bridges, and transit systems. But we are not going to do that.

We are not even close to what the McKinsey Global Institute was calling for in robust investments that would actually grow our GDP by 1.5 percent each year and increase employment by 1.8 million people. In fact, what we are passing here isn't even close to the 4 cents a year for 4 years and indexing going forward. That produces \$220 billion over the next 10 years.

What we are doing is barely keeping Federal funding at \$50 billion, and the way we are doing most of that is by sleight of hand and by using money that has nothing to do with roads, highways, and bridges and nothing to do with businesses and people that use those transportation modes to pay for them—nothing. And now we are about to name conferees and go to conference on that kind of deal? The American people aren't stupid. They are not stupid.

Do you know what a bunch of States around the country—like 12 States in the last 2 years—did when they found out they were running out of money to build their transportation systems in their States? They raised their user fees. They actually raised them.

Do you know what happened when they had elections last November? Some 95 percent of the Republicans who voted to raise their user fees were reelected, and 90 percent of the Democrats who voted to raise their user fees in those 12 States were reelected. They didn't pay a penalty for it. They were rewarded for it. The people who voted the other way—who voted not to raise the user fees—didn't do as well. People aren't stupid.

We are going to have an opportunity here to name conferees and go to conference, and I just want to say that this man sitting next to me, JIM INHOFE, is a good man. He chairs our Environment and Public Works Com-

mittee. Our committee reported out a very good 6-year authorization bill. He is proud of it. Senator BOXER and I worked on it, and I am very proud of what we did. I commend Senator INHOFE for a great bill. That is the authorization piece. If we could just stop there, we would be fine. Unfortunately, the authorization is only half the game.

What was the picture of the guy they had on the floor not long ago? It was a picture of a cowboy wearing a big hat and lying back sleeping, and the caption under the picture says: All hat, no cattle. Well, when you have a great authorization bill but no real money to pay for it, that is really all hat, no cattle. I don't think there is a better example of it that I have seen than the legislation that we are going to be conferring on very soon.

I wish I could sit here and say it is all going to work out and we will do just fine, but that is not the truth. We have let a great opportunity pass us by. We are about to let a great opportunity pass us by.

We are worthy of a better opportunity than that, and frankly the people of our country deserve a better effort than that.

With that, I yield the floor to my friend from Oklahoma.

The PRESIDING OFFICER. Is there objection to the request?

Mr. CARPER. I withdraw my objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, let me say in response that a couple of times my good friend from Delaware has observed that the American people are not stupid, but the American people also want highways. That is one of the big things they want. In fact, we have a document called a Constitution that says we are supposed to be doing two things here: defending America, and roads and bridges. And I think we both agree on the significance of that.

BURUNDI

I hope I will have time to get into something because our State Department of the United States of America is getting involved in Burundi, in their election. They had a duly-qualified election. The constitutional convention declared that Nkurunziza, who is the President, had a legal election, and we ought to stay out of their business. If there is time, I would like to elaborate on that, but I know I am competing for time.

GITMO

On the President's Gitmo message, we have—I will give a little chronology on that. On January 22, 2009, Obama signed an Executive order to close Gitmo within the year.

On February 3 of that same year, 2009, I introduced a bill to permanently prevent Gitmo detainees from being relocated anywhere in the United States.

At that time they were ready to talk about relocating them to parts of my State of Oklahoma, in the Fort Sill area.

In May 2009 I authored bipartisan legislation with Senator Danny Inouye to block funding to close Gitmo and to move the detainees anywhere on U.S. soil. That passed 90 to 6.

Every year since, Congress has blocked the attempts by this President and his administration to close Gitmo or move terrorist detainees into the United States.

Every year, Congress has passed laws that continue to limit the transfer of these detainees, including in the conference report for the fiscal year 2016 NDAA bill. That is what we are talking about right now. It prohibits the transferring of Gitmo detainees to the United States through December 31, 2016. That also tightens the restrictions on the detainees being transferred to other countries.

The fiscal year NDAA also included language preventing closure of Gitmo through December 31, 2016. However, this has not prevented President Obama from trying to empty Gitmo and releasing these terrorist detainees to any country he can pay to take them back and now threatening an Executive order to bring them to the United States—to the States of Colorado, South Carolina, and Kansas—against the will of the Senators from those States, the House Members from those States, and the American people.

This is not the first time the President has gone against the will of the American people and violated our laws. The President violated the law last June when he transferred the Taliban Five from Gitmo in exchange for Sergeant Bergdahl, and my colleagues will remember that issue. He failed to notify Congress. The laws we passed said they had to notify Congress 30 days in advance of any transfer of terrorists to any facility. His failure to adhere to the law he signed placed our Nation's security at great risk.

Let me just mention—I carry this with me. If people realize whom he turned loose, the Taliban Five—this is a statement that was made by the Taliban commander. His name is Mullah Khan. He was talking about Mohammad Fazl. Keep in mind he was arguably the most dangerous person—terrorist—who was being held in Gitmo. He said:

His return is like pouring 10,000 Taliban fighters into the battle on the side of jihad. Now the Taliban have the right lion to lead them in the final moment before victory in Afghanistan.

These are the kinds of people he is turning loose.

According to the Office of the Director of National Intelligence, 29 percent of the detainees transferred out of Gitmo have either been confirmed or suspected of returning to the fight and

killing Americans. That is how serious this is.

Gitmo is outside the sovereign territory of the United States, which means detainees held there do not have constitutional rights. But if we put them back in the United States, it is very likely they would have those rights.

I have a quote from former U.S. Attorney General Michael Mukasey, who said:

The question of what constitutional rights may apply to aliens in government custody is unsettled, but it is clear from existing jurisprudence that physical presence in the United States would be a significant, if not a decisive, factor.

I am also concerned about the security of the people here who would have to guard these terrorists.

Back when a Thomson, IL, prison was discussed—that was in 2009—Representative MARK KIRK—at that time he was in the House; that was before he was in the Senate—called the move “an unnecessary risk,” and other Illinois Members were concerned that the transfer of prisoners—some for trial and some for indefinite detention—could make the State a target for terrorists. MARK KIRK was then and is now correct that prisons holding these detainees will become magnets, and there is the very real possibility that these detainees would recruit more terrorists.

We have to keep in mind that a terrorist is not a criminal. A terrorist is someone who trains other people to be terrorists, and that is what we would be seeing happening in our courts.

FBI Director Robert Mueller said there is the very real possibility that Gitmo detainees will recruit more terrorists from among the Federal inmate population and continue Al Qaeda operations from outside the country.

I have been to Gitmo several times, as has the occupier of the chair. It is a state-of-the-art facility that provides humane treatment for all detainees. When I was there, the biggest problem they had with the detainees was that they were overweight. They are all obese because they are eating so well. It is fully in compliance with the Geneva Convention and provides treatment and oversight that exceed any maximum security prison in the world, as tested by human rights organizations such as the Red Cross, Attorney General Holder, and an independent commission led by Admiral Walsh. It is a secure location away from population centers, and it has a \$12 million expeditionary legal complex. That is a courtroom. We can't use our courtrooms because of the confidentiality of information that is extracted from these individuals and used in the courtroom, so they use the expeditionary legal complex.

The last thing I would say is that it is clear that—and this comes from former CIA Director Leon Panetta. He

was talking about the fact that our President—talking about the way they were able to get the bad guy, and what they have refused to understand is the information they extracted at Gitmo was used to actually capture Osama bin Laden.

Anyway, we don't want that to happen, we can't afford to let that happen, and we are going to do everything we can to keep the President from making that happen. This has become an obsession of his, and we are not going to let that happen.

BURUNDI

Lastly, I do want to mention that on this whole issue in Burundi right now, we have to understand in this country that there are other nations that have their own systems of government. They are the ones that have their elections. In this case, I happened to be there in Burundi when the court declared that the incumbent President, Nkurunziza, was qualified to run again, even though they have a term limit. The first term was not a complete term, so that didn't count, according to the court. For us to come in afterward and say “Well, we think the court was wrong, we don't think he is qualified to run, and we are going to withhold things from that country” is something we should not be doing in this country.

I can assure my colleagues that the six Members who went with me over there were all on the scene and agreed that Nkurunziza should be legitimately elected, and we should stay out of their business.

With that, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:39 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

DRIVE ACT—Continued

The PRESIDING OFFICER. Under the previous order, the time until 2:45 p.m. is equally divided.

The Senator from Mississippi.

Mr. WICKER. Mr. President, I ask unanimous consent to speak for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WICKER. Mr. President, in a few moments we are going to vote on a motion to instruct the conferees on the highway bill. It will be a motion to instruct them not to proceed with a Federal mandate that would force these long double trailers called twin 38s on the 38 States where currently they are illegal.

This Senator would observe that it is not often we get a chance to vote on a

motion that will accomplish so much. We are going to get a chance in 30 minutes or so to vote on a motion that will save lives. It is a motion that would prohibit a Federal mandate, that supports small business, and that would save \$1.2 billion to \$1.8 billion per year in highway maintenance. It is a vote that is supported by an overwhelming majority of the American people. This is a rare opportunity for us to come together on a motion that does all of those things.

It is also a bipartisan motion to instruct. It will be sponsored by the Senator from California, Senator FEINSTEIN, and there will be bipartisan votes for the motion on both sides of the aisle.

Now, why are we here? The motion is here because it stems from an amendment in the Appropriations Committee to the Transportation appropriations bill, which would require every State to allow these twin 33-foot trailers on Federal highways. Currently some 12 States do allow them. They have a right to do that, and if they made a considered decision in their State legislatures and in consultation with their departments of transportation, then more power to them.

Well, 38 States say that these trucks are not safe and that these trucks are too long. They tell us they don't want them on the highways. I think we should respect that decision by these 38 States.

Who supports the Wicker-Feinstein motion to instruct the conferees? I go back to the point that this is a vote to save lives. Who says this? AAA, a respected nationwide organization that knows quite a bit about highway safety, says support the Wicker amendment. Don't mandate on 38 States something they don't want to do with these extra long trucks.

I would point out on this diagram the size of the average passenger car. Look how much longer this proposed twin 33 double rig with the tractor part on the front is. Frankly, the American people don't want to contend with these long double trailers on their roads.

The Advocates for Highway and Auto Safety say this isn't safe. A "yes" vote on the Wicker-Feinstein motion would be a vote for safety.

The National Troopers Coalition—we ought to listen to them—say these trucks are not safe, and at the very least, there should be no mandate from Washington, DC. In the time remaining, I would suggest to Members and legislative staff back in their offices to call their local troopers in their various States and see what the troopers say about this. I will tell you that troopers in State after State say don't mandate these long trucks. Sheriff's associations say don't mandate these long trucks.

Chiefs of police say don't mandate these long, twin 33 double trailers. So

you may ask yourself what a chief of police in a municipality has to do with this. Aren't we talking about interstate highways and big old Federal highways? Not true at all. I don't know about you, but in the place where I live, if something comes in by truck, they bring it right into town. So the chiefs of police say: We don't want these twin 33s on our two-lane streets; we don't want them on the two-lane highways. That would be the result of the mandate that is contained in the appropriations bill unless we turn that around.

Who else is opposed to mandating twin 33s on the 38 States that don't want them? The State trucking associations are opposed to this mandate. One would think that the truckers would be for this. After all, if you are a big enough trucking company and you have enough money, you can buy the truck, haul more, and make more money. That is the idea, but we need to bear in mind that most of the truckers in the United States are small business owners. Frankly, some of them have told me that if this mandate on all 50 States is passed, they are going out of business.

We have resolutions from the Mississippi Trucking Association, the Arizona Trucking Association, Louisiana Trucking Association, and we have an alliance of small business truckers from States that include Indiana, Texas, Tennessee, Nebraska, Louisiana, Maryland, Washington, Iowa, Mississippi, Arizona, Pennsylvania, Oregon, and Arkansas—and I can go on. Trucking companies and small truckers in all of these States are saying: Please don't put us out of business by having us try to compete with these large twin 33s.

I would submit to my colleagues that 20 minutes from now we are going to have a vote. This is the only opportunity that 100 Senators elected by the people of the 50 States will have to address this issue. This vote we are going to take in just a few moments will send a strong signal to the people in some office here on Capitol Hill, in some room on Capitol Hill, where they are devising the Omnibus appropriations bill. We need to send a strong signal to them that we don't want this mandate in the omnibus. We don't want the mandate in the highway bill.

We need a strong vote. This is a chance to vote on how we stand with small business in our States, with the troopers, the sheriffs, the chiefs of police, the trucking associations, and the advocates for highway safety.

I would urge my colleagues to thoroughly consider this in the next 20 or 25 minutes. When you come to vote, a "yes" vote will be a vote to avoid the Federal mandate. I urge my colleagues to join me on a bipartisan basis—and I believe they will join me on a bipartisan basis—in allowing the 38 States

that opt out of this to continue to do so, making a stand for small business, for the States' decisionmaking, and for safety.

Mr. President, I understand we are going to move to a vote at 2:45 p.m.

The PRESIDING OFFICER. That is correct.

Mr. WICKER. Mr. President, I ask unanimous consent that the remaining time while we are in quorum calls be divided equally between the parties.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WICKER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, we are about to vote on whether we want to go to conference with our Transportation bill that passed this body with well over 60 votes in July. We have been pushing hard—Senators on both sides of the aisle—to move the House toward a situation where we can finally go to conference and reconcile the two bills. We are at that point, and I certainly hope we get a very solid vote.

I am also hopeful the Wicker-Feinstein motion does succeed, and I certainly will try my best to raise it in the conference. We still have about 1.5 million unemployed construction workers since the recession. We have seen terrific job growth, but we know it hasn't hit all the sectors, so this is an extremely important bill.

Also, we know that thousands in businesses rely on a robust highway trust fund. Whether it is the granite people, the cement people, they are all for going to conference. Whether it is the international association of machinists or it is the labor union, the chamber of commerce, the National Association of Manufacturers, it is a rare and glorious occasion to see everybody come together and say: Let's get a bill.

We want to have a robust bill. We don't want to have a bill that is business as usual and this is why—we have 60,000 bridges that are deficient. They were not built with the kinds of traffic they are now withstanding in mind, so we must have this vote to go to conference.

I thank the majority leader, Senator MCCONNELL, for his work and the Democratic leader, Senator REID. I also extend my thanks to Senator CANTWELL, who worked so hard with other Senators on this side to get Ex-Im included in this bill. We will have the Export-Import reauthorization in this bill.

I am very excited to get to conference. My goal is just to put it on the

table, to bring to that conference the bipartisan spirit we had when we did this bill in the Senate. When I thank both the majority leader and the Democratic leader, it is because they put strong people on this conference. I think it is going to be a strong conference. We have a lot of similarities. Somebody who looked at both bills said the House bill is about 90 percent similar to the Senate bill. This is a good thing. This means we don't have to take our time because the trust fund, the authorization runs out very soon, right before Thanksgiving. So it is a good moment for the Senate.

I think we showed leadership on both sides of the aisle on getting this bill done. We continue to work well together, both leaders have sent strong conferees to the conference. I know our staffs are already speaking, and I am hopeful we get a strong vote, which I think we are going to have in a few minutes. Am I correct it is about 3 minutes from that vote?

The PRESIDING OFFICER. That is correct.

Mrs. BOXER. All right. So in 3 minutes I hope we have a solid vote to take our bill to conference with the House, where I will work very closely with Chairman SHUSTER and the rest.

The last point I make is I read that Congressman DEFazio—who is our Democratic ranking member in the House T&I Committee—has had a very serious eye situation and had to go for emergency surgery. I wish to say my heart is with him. He is a very important person in terms of weighing in on the transportation needs. I will work with him, I will speak with him, and I am very hopeful that although he may not be present—I hope he will be present for the conference—if he is not, I wish to reassure him that we will take his concerns into this conference.

I am looking forward to a strong vote.

I yield the floor.

Mr. President, I ask unanimous consent to yield back all time and proceed.

The PRESIDING OFFICER. Without objection, all time is yielded back.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to disagree to the amendment of the House, agree to the request from the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 22.

Mitch McConnell, Mike Rounds, Lamar Alexander, Johnny Isakson, Deb Fischer, John Cornyn, Chuck Grassley, Thad Cochran, Joni Ernst, Cory Gardner,

John Thune, Daniel Coats, Orrin G. Hatch, John Barrasso, James M. Inhofe, Thom Tillis, Roy Blunt.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to disagree to the amendment of the House, agree to the request from the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 22 shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPPO), the Senator from Texas (Mr. CRUZ), the Senator from Colorado (Mr. GARDNER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Nevada (Mr. HELLER) would have voted "yea" and the Senator from Louisiana (Mr. VITTER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 82, nays 7, as follows:

[Rollcall Vote No. 303 Leg.]

YEAS—82

Alexander	Ernst	Murphy
Ayotte	Feinstein	Murray
Baldwin	Fischer	Nelson
Barrasso	Franken	Peters
Bennet	Gillibrand	Portman
Blumenthal	Grassley	Reed
Blunt	Hatch	Reid
Booker	Heinrich	Roberts
Boozman	Heitkamp	Rounds
Boxer	Hirono	Sanders
Brown	Hoeven	Schatz
Burr	Inhofe	Schumer
Cantwell	Isakson	Scott
Capito	Kaine	Sessions
Cardin	King	Shaheen
Carper	Kirk	Stabenow
Casey	Klobuchar	Sullivan
Cassidy	Lankford	Tester
Coats	Manchin	Thune
Cochran	Markey	Tillis
Collins	McCain	Toomey
Coons	McCaskill	Udall
Cornyn	McConnell	Warren
Cotton	Menendez	Whitehouse
Daines	Merkley	Wicker
Donnelly	Mikulski	Wyden
Durbin	Moran	
Enzi	Murkowski	

NAYS—7

Corker	Perdue	Shelby
Flake	Risch	
Lee	Sasse	

NOT VOTING—11

Crapo	Heller	Rubio
Cruz	Johnson	Vitter
Gardner	Leahy	Warner
Graham	Paul	

The PRESIDING OFFICER. On this vote, the yeas are 82, the nays are 7.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Under the previous order, the compound motion is agreed to.

The Senator from Mississippi.

MOTION TO INSTRUCT

Mr. WICKER. Mr. President, I have a motion to instruct at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. WICKER] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 22 be instructed to insist upon the inclusion of the following section in title XXXII:

SEC. 32. TRUCK TRACTOR-SEMITRAILER-TRAILER COMBINATION LENGTH LIMITATION.

The Secretary may promulgate a rule to increase the minimum length limitation that a State may prescribe for a truck tractor-semitrailer-trailer combination under section 3111(b)(1)(A) of title 49, United States Code, from 28 feet to 33 feet if the Secretary makes a statistically significant finding, based on the final Comprehensive Truck Size and Weight Limits Study required under section 32801 of the Commercial Motor Vehicle Safety Enhancement Act of 2012 (title II of division C of Public Law 112-141), that such increase would not have a net negative impact on public safety.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I understand I have 2 minutes. I will speak briefly and then yield to Senator FEINSTEIN.

This is what this is about, these twin 33 double trailers, which are longer than is legal in 38 States. The question is whether we as a Senate, we as a Congress, we as a Federal Government, are going to mandate on the 38 States that don't allow these to allow them on their roads at any rate. So a "yes" vote would be a vote against the Federal mandate.

When do you get in one fell swoop an opportunity to vote—a vote that will save lives, a vote to prevent a Federal mandate, a vote for small business, a vote to save \$1.2 to \$1.8 billion a year in highway maintenance, and a vote supported by the overwhelming majority of the people?

Vote yes not to mandate this on the States.

I yield the floor to the Senator from California.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, if we look at that, that is 91 feet with the twin 33s and the cab, 91 feet of truck. Thirty-eight States do not want that in

their States. This bill overwhelms that. We had an amendment in the Appropriations Committee that would prevent that. It was a tie vote.

Senator WICKER and I ask you, please don't force States to do this before the safety work is done by the Secretary. We have 4,000 people killed every year from these trucks in all kinds of horrific accidents—and they are not as long as this one. These trucks would not only be on the freeways, but they would be in the villages, the towns, and the cities as well.

I hope you will support this motion to instruct to protect the 38 States and say: Before you do this, do the safety investigations and tell us these trucks are safe.

I yield the floor.

The PRESIDING OFFICER. Is there time taken in opposition?

If not, the question is on agreeing to the motion.

Mr. WICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO), the Senator from Texas (Mr. CRUZ), the Senator from Colorado (Mr. GARDNER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), the Senator from Oklahoma (Mr. INHOFE), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Louisiana (Mr. VITTER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Vermont (Mr. LEAHY), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 31, as follows:

[Rollcall Vote No. 304 Leg.]

YEAS—56

Baldwin	Fischer	Mikulski
Bennet	Flake	Murphy
Blumenthal	Franken	Murray
Booker	Gillibrand	Nelson
Brown	Grassley	Perdue
Burr	Heinrich	Peters
Cantwell	Hirono	Portman
Cardin	Isakson	Reed
Carper	Kaine	Reid
Casey	King	Sanders
Coats	Klobuchar	Sasse
Cochran	Manchin	Schatz
Coons	Markey	Schumer
Donnelly	McCaill	Shaheen
Durbin	McCaskill	Stabenow
Ernst	Menendez	Tillis
Feinstein	Merkley	

Toomey	Warren	Wicker
Udall	Whitehouse	Wyden

NAYS—31

Alexander	Daines	Risch
Ayotte	Enzi	Roberts
Barrasso	Hatch	Rounds
Blunt	Heitkamp	Scott
Boozman	Hoeven	Sessions
Capito	Kirk	Shelby
Cassidy	Lankford	Sullivan
Collins	Lee	Tester
Corker	McConnell	Thune
Cornyn	Moran	
Cotton	Murkowski	

NOT VOTING—13

Boxer	Heller	Rubio
Crapo	Inhofe	Vitter
Cruz	Johnson	Warner
Gardner	Leahy	
Graham	Paul	

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Connecticut.

MOTION TO INSTRUCT

Mr. BLUMENTHAL. Mr. President, I have a motion to instruct at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. BLUMENTHAL] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the House amendment to the bill H.R. 22 be instructed to insist upon the inclusion of the rail safety provisions contained in the amendment passed by the Senate on July 30, 2015, including the authorization of grants for the installation of positive train control.

The PRESIDING OFFICER. There will be 4 minutes of debate equally divided.

The Senator from Connecticut is recognized.

Mr. BLUMENTHAL. Mr. President, in recent years all of our constituents have seen a scourge in rail accidents. There have been similar accidents all around the country. This motion insists that the Senate's provisions be included in this conference and in what comes out of the conference committee, including the authorization of grants for the installation of positive train control.

This summer, with the leadership of the committee chairman, Senator THUNE, and the ranking member, BILL NELSON, who are both champions of rail safety, in this instance it resulted in some very key reforms, and the Senate passed the DRIVE Act which is not perfect—troublesome in some highway safety elements—but forward thinking on rail safety. It includes funding for PTC, redundant signal protection, improved inspection practices, and a followup on the FRA's deep dive investigation. Along with cameras and grade crossing, these provisions help to advance the cause of rail safety.

The House has done nothing. The House bill is completely and abjectly lacking on rail safety, and therefore this motion instructs our conferees to insist on the Senate's provisions. I know that our conferees will be extremely sympathetic and supportive,

but in order to simply to express our views, I ask unanimous consent that this measure be approved and that the motion be taken on a voice vote.

I ask unanimous consent that all remaining time be yielded back.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question occurs on agreeing to the motion.

The motion was agreed to.

The Presiding Officer appointed Mr. INHOFE, Mr. THUNE, Mr. HATCH, Ms. MURKOWSKI, Mrs. FISCHER, Mr. BARRASSO, Mr. CORNYN, Mrs. BOXER, Mr. BROWN, Mr. NELSON, Mr. WYDEN, Mr. DURBIN, and Mr. SCHUMER conferees on the part of the Senate.

The PRESIDING OFFICER. The Senator from Missouri.

MORNING BUSINESS

Mr. BLUNT. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUNT. Mr. President, I ask unanimous consent that I be allowed to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

VETERANS DAY AND LEGISLATION SUPPORTING OUR VETERANS AND TROOPS

Mr. BLUNT. Mr. President, I am honored to represent nearly 500,000 Missouri veterans in the Senate. Tomorrow, on Veterans Day, we pause to reflect on the countless contributions and sacrifices that the men and women who serve in uniform and have served in uniform have made to our country. I hope we will all use this opportunity to recommit ourselves not only to appreciate their service but to be sure that the commitments our government has made to them are commitments that we move forward on and that they are commitments that we look at the time, place, and the veterans being served and decide when they need to be changed. I think one of the things we have done in the last year to create more choices and more competition for veterans is an important step in that direction.

When I introduced the Excellence in Mental Health Act with Senator STABENOW, one of our biggest support groups for that act, which not only would treat behavioral health care like all other health care but would also create more opportunities to access behavioral health care, were the younger veterans. The Iraq and Iran veterans and the veterans from Afghanistan wanted to have more choices and were big supporters of not just traditional VA services but other services as well.

I am pleased that the bill today steps forward in important ways and does things for veterans. The bill we just voted on, the Military Construction and Veterans Affairs appropriations bill, actually reached a record level of funding for veterans services. It increases veterans services by \$7.9 billion over last year's levels, and it appropriates \$1 billion more than the President asked for.

It was also a bipartisan vote for lots of reasons. There should be no more of a bipartisan cause among all the funding bills than a bill that takes care of veterans and provides the facilities for those who are serving and for their families' needs. This is an important matter for us to address, and this is a great week for us to do it.

This bill provides specific funding for women veterans. I was at a women's veterans clinic in St. Louis recently. This bill includes additional care for Iraq and Afghanistan veterans. It provides treatment for the kinds of traumatic brain injuries that veterans often leave the military with today, which they did not have post-9/11 and post the cowardly devices that are used to attack our people in the service.

It increases veterans funding in areas such as health care, benefit claims processing, medical research, and technology upgrades. It also includes funding for construction and renovation of projects that ensure military readiness and improve the quality of life for military families.

As GEN Ray Odierno, the recently retired Chief of Staff of the Army, has said, our military families are the strength of the military. Senator GILLIBRAND and I recently introduced a bill—The Military Families Stability Act—that allows us to do new things. It allows families for educational or professional reasons to stay longer or leave earlier, depending on when the person serving gets transferred. If there is a month of school left or a professional matter that the spouse needs to be a part of and needs to finish a job quickly or go to a job early, why wouldn't we want to allow that to happen through legislation? This legislation looks at military families' needs, among the other things it looks at.

Because of the dissatisfaction that many of our veterans appropriately have with the Veterans' Administration, this bill includes necessary reforms such as protection for whistleblowers, the kind of protection that construction oversight managers need, and it assesses some new measures for construction oversight so that we don't have these facilities costing more than they should cost.

Frankly, if we look at competitive alternatives that veterans should have available to them, it is probably a good time to think about how we could make that program work better—rather than to continue to invest more

money in facilities that they have to drive by—with better locations to get to that would give them that choice.

This bill has been ready for months now. I was disappointed the Democrats blocked consideration of this bill earlier this year, but I am pleased that we finally got to a bill that everybody could vote for. It actually shows how shortsighted the lack of willingness was to let us do our work, to bring this bill to the floor, and to let Members offer amendments. Those amendments were either included in the bill or explained to Members: No, this is already in there. We have already taken care of this, and this is why this doesn't have to be done.

We have a real obligation to take care of our veterans—those who have served for our country—and I hope we continue to build on the work we have done today.

Earlier today we also passed the bipartisan Defense Authorization Act, another bill we could have gotten to earlier. In fact, the House passed it earlier. The President vetoed it, but now that same essential bill goes back to the President's desk because some other problem has been solved that should never have been tied to authorizing the defense of the country.

Every year since 2011, the Congress has passed and the President has signed a bill just like the bill we passed today that would make it clear to the President that the Congress doesn't want the President to go forward with his proposed changes for Guantanamo. Unfortunately, the media reports suggest that the President once again is considering acting unilaterally to bring terrorists to the United States. Both of these bills today said no terrorist can be brought to the United States from Guantanamo.

It is another example of the President ignoring the law, deciding instead: I am going to enforce the law I want to enforce, and I am going to ignore the law I want to ignore. He did that a few months ago with Executive amnesty. The President decided there are some laws that relate to people who are in the country and who are here without documents that he doesn't intend to enforce. Unfortunately for the President and fortunately for the law, the U.S. Court of Appeals for the Fifth Circuit ruled last night that the President can't do what the President said he was going to do. An earlier court had immediately said the President can't do what he said he was going to do.

This morning, I heard one of the spokesmen for the White House say: Well, every legal expert we have talked to believes the President has the authority to do this. Well, apparently none of the legal experts they have talked to are Federal judges, because Federal judges now, at the two levels below the Supreme Court, have decided that the President doesn't have, in all

likelihood, the authority he says he has.

The courts, along with a bipartisan majority of the Congress, have taken the President to task on a sweeping new rule on waters of the United States—an issue we debated here last week. The law says the EPA has the authority to regulate navigable waters in the country. For 170 years everybody understood what that meant, and I think everybody still probably understands what that means, even the people at the EPA, who want it to mean something much broader than it clearly means. The Federal courts, again, at both the first level and the appeals level—the appeal of the appeal court and the appeal court have said: No, you don't have the authority to do that. We are not going to let that rule go into effect.

That rule, by the way, in my State would put more than 99 percent of all of the geography of Missouri under the control of the EPA for anything that is related to water, including any water that runs off a roof, any water that runs off a parking lot, any water that runs down a roadside ditch. If the EPA wants that authority, they need to come to the Congress and say: Change the law. Give us the authority over all of the landmass, 99.3 percent of Missouri and similar amounts in many other States. Give us that authority.

Of course, the Congress wouldn't do that. The Congress knew what they were doing when they said "navigable waters," and the EPA has never suggested to the Congress that the Congress change the law. The EPA would like to change it on their own, but the Sixth Circuit Court of Appeals said: No, you don't have the authority to do that.

Here is another issue that has to go to the Supreme Court. Apparently, the President doesn't mind going to the Supreme Court and doesn't mind being reversed by the Supreme Court. The President particularly, it appears, doesn't mind being reversed by the Supreme Court if somehow the rules got by the other two levels of Federal court, as the mercury rule did 2 years ago. Twenty-two months later, when the Supreme Court finally ruled, they said: No, the EPA doesn't have the authority to regulate that item in that way. But even people at the EPA said: Well, even though we didn't have the authority, 1,500 powerplants had to close down permanently because of the rule. And they seemed to take great pleasure in the fact that the rule accomplished its goal even though the law was not served and the EPA, according to the Supreme Court, didn't have the authority for that rule.

On the President's overreach, I re-introduced a law again this year—the Executive Needs to Faithfully Observe and Respect Congressional Enactments of the Law Act—the ENFORCE Act—

which simply says something one would never think the Congress would have to say to the President, which is: Mr. President, you have to enforce the law. Mr. President, you have taken an oath to uphold the Constitution. There is a way to do this job in a constitutional way, and there is a way to do the job in the way you are doing it now.

We shouldn't need this bill. The President swore to uphold the law. With the action we took today, we see another place where the Congress has clearly spoken over and over and over again, and the President says: If the Congress won't do this, I am going to do it on my own.

Apparently, the President has discovered some authority as Commander in Chief to close military bases. Does that mean the President on his own can close any military base in the country? I don't think that is a precedent we want to set. There is a way to do this. The Congress has to be involved. The laws of the Constitution have to be respected.

Over and over again, even on the eve of Veterans Day—a celebration of those who did more than anybody else to defend our freedoms—even on the eve of Veterans Day, we need to remind ourselves what the Constitution is all about, what the country stands for, and the freedoms those veterans were willing to serve to defend.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, it is my habit to give my "Time to Wake Up" speeches once a week when the Senate is in session. It is also a practice of mine to go to other States—particularly States that have Republican Senators—to look at what is happening in the States and get a sense of where the local universities and the local experts are with respect to climate change. My last visit was to Ohio. I have also been to New Hampshire, North Carolina, South Carolina, Georgia, Florida, Tennessee, and Iowa. The thing that is common across all of those trips is that there is no denying climate change in those States. The denial is the function of this building, and it is the function of the wall of money the fossil fuel industry has erected around this building. But pick a State university in the country and go there, and we find there is simply not climate denial.

I am joined today by my friend SHERROD BROWN, Ohio's senior Senator, who was kind enough to accompany me on the trip—on several parts of it, anyway. We went to Cleveland. We had a couple of meetings there together. Another one of my visits was to Lake Erie, which got clobbered by the cyanobacteria that shut down Toledo's

water system, which is also climate change-related.

Let me yield to the Senator from Ohio for a few moments, and then we can talk about Cleveland and the lake.

Mr. BROWN. Mr. President, I thank Senator WHITEHOUSE.

When I introduced Senator WHITEHOUSE to the mayor of Cleveland and to a number of experts in Cleveland, from public health officials, to wind energy entrepreneurs, to community groups to whom climate change matters so much, I introduced him as probably—not just probably—there is no person in the Senate who has done a better job of focusing public attention on the threats of climate change and what it means to our way of life and what it means to our country. I thank Senator WHITEHOUSE for that.

I want to point to what happened in Toledo, OH, in 2011. This green color in this picture is algae bloom. This is a small boat that is making its way through the algae bloom.

This wasn't even the year Toledo residents lost their water supply. In 2014—last August, 15 months ago—algae blooms were so serious in Lake Erie and in the western basin—Toledo is in the western basin of Lake Erie, Cleveland is sort of central, and then Ashtabula and Erie, PA, are in the eastern basin of Lake Erie. Again, this is not the most serious situation, although the algae bloom is so overwhelming here. This green is all algae bloom. The lake actually should be the color—where you can see dark blue here, that is normally the color of the lake. We can see the wake of the boat, and that is the normal color of the lake, as the boat plowed through the algae bloom.

The problem with Lake Erie is that it is the most vulnerable lake because it is the shallowest lake in the western basin of Lake Erie. In this part of Lake Erie, it is only 30 feet deep. It is fed by the Maumee River, which is the largest tributary of any river into any of the five Great Lakes. Keep in mind that it is 30 feet deep here, fed by farmland and commercial activity and industry and homeowners—greater Toledo in northwest Ohio. Contrast that with Lake Superior. It is 30 feet deep here, and Lake Superior is 600 feet deep on average. And Lake Superior mostly drains forests, so we can see why Cleveland and Toledo are so vulnerable to climate change and so vulnerable to pollution and all that has happened with the algae blooms.

People in Toledo—500,000 people lost their drinking water for 2½ days. People were great, stepping up from all over southern Michigan, eastern Indiana, and northwest Ohio to ship in water for people. But it made such a—it says to us that climate change isn't the only reason this happened, but it is clearly happening. We are seeing this algae bloom worse and worse and worse in hot weather.

One other thing about this Great Lake. Lake Erie is only 2 percent of all of the Great Lakes' water—five Great Lakes. Lake Erie is only 2 percent of all the Great Lakes' water because it is shallow and its surface areas are not as big as the others. Fifty percent of the fish of all of the Great Lakes are in Lake Erie because fish will produce and will prosper in shallower, warmer water, but the water was too warm because of climate change and all of the things that came out of that.

In this meeting we had with Dr. Aparna Bole—a pediatric specialist at Cleveland's University Hospital—she talked about asthma rates. We heard from others too.

I will turn it back to Senator WHITEHOUSE and ask him what he learned from these meetings. He was not just in meetings with people in Cleveland learning about what climate change means there, he also went to the Stone Lab and he can tell us about that. Then he had an amazing meeting at Ohio State University with some of America's amazing climate scientists. I will kick it back to Senator WHITEHOUSE and again thank him for traveling the country every single week and looking for places where climate change has done the most damage in terms that people can understand. His leadership is so important.

I thank Senator WHITEHOUSE for the work he has done, and I am so grateful he came to the city of Cleveland and joined us.

Mr. WHITEHOUSE. Well, I was very happy to join the Senator. I thought Frank Jackson was extremely impressive on this subject. He pointed out that there are times in life when we simply have to go to the future, and if you decide to hang on to the past, you will fail as a result of missing that curve. He said that the business community in Cleveland was really beginning to get that, beginning to take it on. So he has led with a Cleveland Climate Action Plan, which is one of the best ones in the country.

We went to a great place where they are growing lettuce hydroponically, 3, 4 acres in an old building, under an open glass ceiling. They are using captured rain water; they are recycling it. The people there have jobs that pay well. They were the owners of the project and they were really vested in it. Wasn't the morale of the people working there phenomenal? It was terrific.

Dr. Aparna Bole, whom Senator BROWN mentioned, was very in tune to what was happening in minority communities as a result of climate change from asthma, from heat. She is seeing it with her young patients. She was wonderful, talking about that. At this point, because of toxic ground level ozone and ragweed being triggers for asthma attacks—she has seen so much of that. She said that more than one in

five African-American kids in Cleveland has asthma, and she connects it to what is happening in climate change.

Of course, we understand that in Rhode Island because we have the same bad air days where we have to have kids stay indoors and elderly people stay indoors, all because of the air coming from the Midwest that has been fouled by these coal-burning powerplants.

Out on Lake Erie I met with some of the scientists from Stone Labs and a couple of the lifelong fishing captains who had been out there on the lake. Here are some of the water samples we took while we were out. It is clean now—this is what the water should look like—but back before, when the climate change-driven rain bursts were flooding Lake Erie with phosphorus from the farms in the watershed, there was an explosion of cyanobacteria to the point where these guys said driving their boats wasn't like driving through water, it was like driving through pudding, and the wake would slurp over instead of turning the way a regular boat's wake would. One of them had been doing this for 35 years and he said: I don't know this lake any longer. I don't know where the fish are going to be. For 35 years I have fished this lake, and now it is like a stranger to me because of all these changes that are happening.

That is exactly what my Rhode Island fishermen are telling me, too, about Narragansett Bay and Rhode Island Sound. We are here with the Senator from Massachusetts. "SHELDON, it is getting weird out there. SHELDON, this is not my grandfather's ocean." We have some responsibilities to pay attention to these people and to listen to them.

One of the most impressive parts of the trip was this at Ohio State. Ohio State is host to the Byrd Polar and Climate Research Center named after the famous polar explorer Admiral Byrd. These two scientists, Ellen Mosley-Thompson and Lonnie Thompson, have spent their lives traveling all over the planet going to these incredible, faraway places—the North Pole, the South Pole, to the Greenland icecap, going to glaciers high in Peru, going to glaciers in the faraway mountains of China. They drill down and take a core sample out of the glacier and get hundreds of thousands of years of data in that core sample.

Then there you are on the top of a glacier in Peru or China, and you have to figure out how to get this core sample back to Ohio—and it has to stay frozen the whole time. So they had this huge logistical challenge. They conquered all of that. They are two amazing people.

These are all the core samples from glaciers all around the globe. Some of them, because of the way climate has dissipated the glaciers, where they

drilled the core sample the glacier doesn't exist anymore. It is the last record of gone glaciers.

Here is a picture they had. This is the same site. On this side is a picture of the glacier. You can see striations from the seasons and years going by, and they took this picture from the same place. You can see how the glacier used to be right in front of them and now this glacier is off in the distance. It has moved back as the climate has warmed.

They gave me this. This is a piece of plant matter. You can hardly see it. It is plants that were unearthed as the glacier moved back, and they can date them. Those plants were last out 6,626 years ago, when a snow covered those plants. Snow piled on to snow and it was buried under the glacier. It stayed and it stayed, and thousands of years went by. Then, after thousands of years had gone by, Jesus came and walked the Earth, and then thousands more years came by, and now the glaciers are melting so fast that here it is. You can look, and you can still see the leaves. It is squashed and old, but it hasn't decomposed because of the way it was preserved under the glacier that is going away now. In this laboratory they have this incredible treasure. You can go in and you can find air that was on this planet when Jesus walked the Earth, and it is still preserved just the way it was in the ice. You can find dust from dust storms that were written about in Egyptian hieroglyphics, and there is the actual dust held in the ice. This is the record that the climate science is based on, and it truly is a marvel.

The last thing I will mention is that we also stopped by the Ohio State Center for Automotive Research. Here is a brandnew Camaro in the background. They work with GM to get cars brand-spanking-new, a high-performance American Camaro. These students are going to take it apart and put it back together so it runs cheaper, faster, and with less fuel. They are going to make a hybrid Camaro with the same level of performance, and it is really very impressive what they are doing. They know climate change is here. That is why they are doing this stuff.

I will close out because I have other Senators waiting, but I thank Senator BROWN for taking me around Cleveland, meeting all the people we did, and taking me on those visits. I thank the folks at Ohio State. Stone Labs out on Lake Erie is an Ohio State facility. The Byrd Polar and Climate Research Center is an Ohio State facility. I met with the John Glenn Institute folks at Ohio State University.

Look, if you are a Buckeye fan and you are listening, pay attention to what Ohio University says about climate change. Don't listen to the fossil fuel phonies. Listen to what your home State university says. These guys are

deadly serious. They know it is real. I don't think there is a home State university in this country that is denying climate change, and yet this body is stuck in denial. It has nothing to do with the facts; otherwise the home State universities would say something different. You can't go home and root for the Buckeyes on the weekend and then come here and deny climate change and pretend you are being true to your home State university. I don't care what your home State is—Iowa, Oklahoma, Florida, Georgia—you name it. Go to the big State universities. They understand that climate change is real.

What prevents us from acting isn't information, it is the wall of special influence money that the fossil fuel industry has built around this place, and it is time we woke up and got on with our business. So I will close with that.

I am grateful for the people in Ohio who showed me around, particularly to Dave Spangler and Paul Pacholski, lifelong charter boat captains. They make their living out on Lake Erie. They know what it is like out there, and they know what climate change is doing to their beloved lake and their beloved way of life.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

OVERSIGHT OF THE EXECUTIVE BRANCH

Mr. GRASSLEY. Mr. President, oversight of the executive branch of government by the Congress is as old as the Constitution, it is a critical role, and it is one that was intended by the writers of the Constitution. I believe oversight leads to better government, better laws, and actually saves the taxpayers money. That is why this Senator works very hard at oversight.

I went after the Reagan Defense Department for wasteful spending in the 1980s. I held up the Department of Justice nominees during the Bush administration to get my oversight letters answered, just as I am doing now with the Obama Department of State. I voted in support of giving the Judiciary Committee the authority to issue subpoenas regarding its inquiry into the firing of U.S. attorneys during the Bush administration when a lot of Republicans didn't want that to happen. My belief in and exercise of the oversight role by Congress is longstanding and nonpartisan.

Yesterday the Senate minority leader said my investigation into the Department of State's use of special government employee designations and how Secretary Clinton's private email arrangement interfered with the Freedom of Information Act compliance is political. This simply is not so. This investigation involves many things, but it does not involve politics. His speech

yesterday inferred that I was doing all these things for political reasons. That is simply not true, nor is it in accordance with my reputation as an equal opportunity overseer.

My investigation into the potential abuse of the special government employee designations and Secretary Clinton's use of a personal email server and the potential spillage of classified information is not political. It is evidence-based, and it has something to do with our national security.

Unfortunately, the Department has been largely uncooperative since June of 2013. The Department's lack of cooperation has caused me to place 22 holds on its nominees. These are not secret holds. I have placed, according to the rules of the Senate, a statement in the RECORD of why those holds are placed, and to correct the senior Senator from Nevada, my holds do not include 600 Foreign Service officers and do not include individuals from Iowa.

With respect to my pending requests to the Department of State, I am still waiting for a full production of documents from my June 2013 oversight request—the constitutional responsibility of those of us who pass laws and appropriate money. That happened to be 2½ years ago, and the State Department has still not produced the materials I have requested. The Department has implemented several clever strategies to delay the process. I will give you some examples. The Department routinely assigns new employees to handle different requests. Each time a new employee is assigned we get the same excuses why they cannot deliver on our requests. These excuses go something like this: I am new, so I don't know who to talk to and where to find the documents.

For years the Department has delayed in productions, each time with more excuses. For instance, the Department still refuses to answer whether Secretary Clinton's private server was approved. The Department has failed to provide emails for Department personnel communicating about Secretary Clinton's private server that we have strong reason to believe exist. The Department took over 2 months to schedule a single interview with a former employee. The Department for over 2 months has refused to provide instructions it gave to Clinton attorney David Kendall to secure the thumb drives that contained classified information—even though the Department was quoted in the news as providing those instructions. The Department has failed to provide travel reimbursements and leave documents for its employees. On August 5 of this year, I requested classification nondisclosure forms for Secretary Clinton, Huma Abedin, and Cheryl Mills. On November 5, the Department provided those documents to a Freedom of Information Act requester but not to the committee.

I highlight that. The Freedom of Information Act request was made, but the same information that was sought by a congressional committee—one was granted and the other so far has been denied. While the Department provided the documents to that requester under the Freedom of Information Act, Department employees told me they had been unable to find those documents.

Not only has the Judiciary Committee experienced unacceptable Department of State delays in receiving the information we request, others inside and outside of the government have experienced delays as well.

The Associated Press sued the State Department over the failure to satisfy repeated document requests under the Freedom of Information Act related to these same agents. One of these requests dates back 5 years ago.

Judge Richard Leon of the U.S. District Court for the District of Columbia, the judge responsible for this case, scolded the State Department for its failure to produce documents on time:

Now, any person should be able to review that in one day—one day. Even the least ambitious bureaucrat could do this.

Let there be no mistake about this investigation. This investigation is centered on the Freedom of Information Act, a law that is within the Judiciary Committee's jurisdiction. This investigation is centered on potential abuse of the special government employee designation that allows government employees to be paid by outside employers, in this case hundreds of thousands of dollars by a consulting firm run by a former Clinton administration employee.

This investigation is centered on potential violations of the Federal Records Act and holding government officials accountable for their actions. This investigation is centered on whether public officials properly handled classified information.

Nobody is above the law. Senior government officials and regular employees should get equal treatment under the law, and that treatment should be fair and objective. It should not depend on what your position is.

When it looks like the treatment is different, we have to figure out what is going on. For example, it looks like other government employees are subject to very different treatment when accused of mishandling classified information.

Army LTC Jason Amerine, a decorated war hero, contacted Congress to try to warn about bureaucratic problems with U.S. hostage recovery efforts, problems that he believed were putting lives at risk. He was accused of improperly transmitting classified information to Congress in the process.

This war hero was removed from his job, was escorted out of the Pentagon, had his clearances suspended, had his scheduled retirement delayed indefi-

nately, was fingerprinted and had a mug shot taken, was threatened with court-martial, and was subject to extensive investigation.

After almost a year of being investigated, the Army decided not to court-martial Lieutenant Colonel Amerine.

Instead, he was awarded the Legion of Merit for exceptionally meritorious service and was finally allowed to retire. But look at how differently he, a war hero, was treated when accused of mishandling classified information compared to Secretary Clinton and her associates. Where was the minority leader in trying to help this war hero from these attacks from this administration?

Nowhere to be seen is the answer to that.

It is apparent that some have a selective memory when it comes to putting value on oversight and investigations. But I do not. I have been consistent in my oversight role my entire career, investigating Republicans and Democrats.

My oversight and investigations unit is involved in many investigations. The vast majority of them have nothing to do with Secretary Clinton.

Looking out for the public interest isn't a waste of time, and I will keep at it regardless of misguided attacks on my motivations and mischaracterizations of my work. I will continue this investigation because the American people have a right to the truth and government officials have an obligation to answer to "We the People."

Mr. President, I ask unanimous consent that an article dated September 4, 2015, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Daily Beast, Sept. 4, 2015]

THE HILLARY EMAIL DOUBLE STANDARD

(By Danielle Brian)

How whistleblowers see their lives destroyed over infractions the powerful get away with.

Watching the news about Hillary Clinton's emails, it is remarkable to see how many people now have opinions about the overclassification of information and the relative merits of prosecuting people for mishandling classified material or destroying government records.

Newspapers, blogs, and television reports are full of pundits explaining the law as they see it, with people opining about who is right: the two Inspectors General who assert there was classified material in her emails, or the State Department, which asserts that the information was not classified at the time.

So where were all these "experts" when whistleblowers accused of the same infraction—mishandling classified material—were forced to spend a fortune on lawyers, were fired from their jobs, and were threatened with imprisonment?

The amount of time being spent by Hillary Clinton defenders and detractors parsing rules, policies, and laws on whether she broke the law is maddening. That time desperately needs to be spent on transforming

the classification system and modernizing electronic records retention policies, as promised in the Obama administration's second National Action Plan for the Open Government Partnership nearly two years ago.

It is hard to reconcile Clinton's actions with her speech at the 2012 opening session of the Open Government Partnership: "In the 21st century, the United States is convinced that one of the most significant divisions among nations will not be north/south, east/west, religious, or any other category so much as whether they are open or closed societies. We believe that countries with open governments, open economies, and open societies will increasingly flourish. They will become more prosperous, healthier, more secure, and more peaceful."

She was right then. It is essential to maintain the records of our policymakers for historical analysis so that the public can know what actions have been taken in our name by our leaders. Clinton did not maintain these records. The fact is she indisputably broke the rules, and although that is not a criminal offense, it certainly is a political one.

Even more infuriating is the disparity of treatment between the politically powerful and everyday truth-tellers. High-level officials often receive little more than a tap on the wrist for mishandling classified information. But whistleblowers seeking to expose wrongdoing and protect the public are almost without exception subjected to overzealous investigations and prosecution.

Rather than focusing on the distinction between whether a person deliberately released classified information or not, the more appropriate lens is whether there was an intended public benefit for that disclosure, such as protecting public health or safety or revealing wrongdoing.

Of course the Secretary of State had some classified information in her emails. As Bill Leonard, former director of the federal Information Security Oversight Office, told Reuters, information that foreign officials give U.S. officials in confidence is "born classified."

And yes, the government is dramatically overclassifying information. Clinton herself tweeted that the government's ridiculous classification rules are the "real problem." But rather than tackling the many problems with the classification system, or investigating Clinton through the post-Wikileaks "insider threat" program created to investigate individuals who exploited, compromised, or made an unauthorized disclosure of classified information, the State Department has spent weeks defending their former boss and claiming dismissively that nothing was classified at the time anyway.

General Petraeus, who deliberately gave classified information to his lover/biographer, was afforded similar latitude, with Senator Feinstein going so far as to make a public plea for clemency in his case. In the end he was only given a paltry fine—one that he will be able to pay off with less than one of his speaking engagement fees.

The Department of Defense Inspector General (IG) tried to bury, and then gutted, its own report that concluded then-CIA Director Leon Panetta had released classified information about the Osama bin Laden raid to the *Zero Dark Thirty* Hollywood producers. Panetta was never penalized despite the IG's findings.

In stark comparison, even national security whistleblowers who worked through proper channels, including reporting to their superiors, Inspectors General, and the Con-

gress, are faced with a white-hot vindictive frontal attack from the government.

NSA whistleblower Tom Drake and Justice Department whistleblower Thomas Tamm both had armed FBI agents raid their homes. Drake reported to the Pentagon IG and Congress about the NSA's unconstitutional and wasteful overreach through its domestic surveillance program (years before Edward Snowden). Tamm also challenged the legality of the government's warrantless wiretap program.

Tamm lost his clearance and his government career. Drake was prosecuted for espionage and lost his career after pleading to the misdemeanor of "exceeding the authorized use of a computer." Both spent a fortune on attorneys.

Air Marshal Robert MacLean had to take his case all the way to the Supreme Court to prove that he had a right to reveal unclassified information to a TV reporter about the TSA's decision to remove air marshals from high-risk flights after 9/11. His disclosure forced the TSA to reverse their plan and to better protect the public by keeping air marshals on cross-country flights. MacLean won, but he and his family had to put their lives on hold while he fought his case for years without a paycheck.

Lieutenant Colonel Jason Amerine is being investigated by the Army Criminal Investigation Division over accusations of revealing classified information to Congress, which is permitted by law to receive disclosures about wrongdoing in the executive branch. His disclosure to Congress led the White House to overhaul its hostage recovery policies. Yet his retirement from the military, after an extraordinary and decorated career in the Army, has been put on hold indefinitely as the investigation drags on.

Our system now protects the powerful and attacks the heroes, both of which are fundamentally un-American.

So let's stop wasting time making politically expedient proclamations that serve no purpose but to score points for candidates. There are real issues all the campaigns should address: We need to dramatically shrink the incidence of and incentives for overclassification. We also need to apply a public interest balancing test so that when there is an alleged breach of classified information, the violation is weighed against the benefits of the information becoming known. And we need to level the playing field so that there aren't different accountability standards for those with clout and those without.

If the dialogue doesn't change, most federal employees who witnesses waste, fraud, or abuse will feel the chill and decide against stepping forward while the politically powerful class will continue to be rewarded and see their transgressions forgiven.

Mr. GRASSLEY. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

ACCOUNTABILITY FOR LARGE FINANCIAL INSTITUTIONS

Ms. WARREN. Mr. President, before long, two must-pass pieces of legislation will come to the floor, a highway bill and a government-funding bill. It is like ringing the dinner bell for Wall Street banks. The lobbyists are swarming this place. They want to roll back financial regulations, and they are working every contact they can to attach these rollbacks to anything that moves.

It is a pretty neat trick. They probably can't get a rollback of financial regulations passed out in the open where Americans can see what is happening and see which Senators and which representatives voted to gut the rules for Wall Street banks. So they slipped these rollbacks into must-pass legislation, which gives the financial industry's friends in Congress a lot of cover.

Of course, it is not just Wall Street that is trying this. Lobbyists and their Republican allies want to weaken the rules protecting workers, retirees, and our environment. They want to defund Planned Parenthood, attack civil rights laws, and shove all kinds of other provisions that would be terrible for our country. But, as in so many things, Wall Street is the true master of this strategy.

It has been almost 1 year since Citigroup lobbyists wrote a provision to blast a hole in Dodd-Frank and, at the last minute, got it attached to a government funding bill. Since the government would have shut down if the funding bill hadn't passed, that Citigroup amendment made it through tacked on the back of the funding deal.

The provision that got blown up last year was called "Prohibition against Federal Government bailouts of swaps entities." The idea behind the rule is pretty simple. If a bank wanted to enter into certain risky deals—such as the credit default swaps that had been at the heart of the 2008 crisis—it had to bear all of the risk itself instead of passing it along to taxpayers. That was the provision that Congress repealed.

Because Democrats weren't willing to shut down the government, Wall Street won that round. But this isn't over. Congressman ELLIJAH CUMMINGS and I decided to hunt down the impact of the Citigroup amendment. We opened an investigation, and today we released our findings.

There are lots of details, but here is the takeaway. The FDIC estimates that the provision written by Citigroup lobbyists last year allows a few banks to put taxpayers on the hook for risky swaps with an estimated value of nearly \$10 trillion. And what does it mean to load up on swaps such as this? The FDIC said: "Generally speaking, large volumes of derivative activity conducted by a [bank] would be expected to increase its risk profile."

And who is gobbling down most of this \$10 trillion of risk? Three huge banks: Citigroup, JPMorgan Chase, and Bank of America—three banks, nearly \$10 trillion.

Now \$10 trillion is a lot of risky business. Just remember, the whole TARP bailout was less than \$1 trillion. Now a few banks—a few too-big-to-fail banks—are going to keep another \$10 trillion in risky business on their books. These banks will happily suck down the profits when their high-

stakes bets work out, and they will just as happily turn to the taxpayers to bail them out when there is a problem—all of this because the lobbyists persuaded Congress to do just one little favor for them.

Earlier today Congressman CUMMINGS and I asked the Government Accountability Office to do more analysis of these issues. But whatever the GAO finds, Congress now has 10 trillion reasons to stand up to Citigroup and bring back the swaps pushout rule to ensure that working families in this country—families with mortgages and student loans to pay and kids to take care of—are not on the hook again, this time for \$10 trillion of the big banks' risky bets. Congress has one job here. Congress should strengthen, not roll back, financial rules before one of these banks takes down our economy again.

But bills to hold the big banks more accountable aren't getting much traction around here. Instead, right now people in Congress are talking about repealing more Dodd-Frank provisions. That is right. At this very moment lobbyists and Senators are plotting new ways to take cops off the beat on Wall Street and to weaken, delay or dilute the rules that protect consumers and hold big banks accountable and then to hook those rollbacks either onto a bill to fund our highways or to keep our government open.

Now, Republicans say: Hey, if you want to get something done, if you want to repair our roads or keep the government open, this is the price; help the big banks.

To be fair, Republicans are also getting some help from some Democrats. They say: Wall Street accountability is important, but I just want to get something done around here for a change; so let's go along.

Well, yes, I want to get something done too. Who doesn't? But I didn't come here to carry water for the big banks.

If Republicans think it is time to talk about financial reform, then let's put it all on the table and let's have everyone in Congress—Democrats and Republicans—declare publicly where they stand. If the industry wants to push rollbacks, then I want to make it easier to send bankers to jail when they launder money for drug cartels or when they rig foreign exchange markets or when they cheat pension funds out of desperately needed money.

If the industry wants to chip away at financial oversight, then I want to have a serious, on-the-record conversation about breaking up the biggest banks. Let's start with the three that are taking \$10 trillion in risky business onto their books: Citibank, JPMorgan Chase, and Bank of America.

Yes, the American people want us to get something done. They are begging us to do some real work, but I don't hear a lot of my constituents asking us

to water down financial rules and to do more favors for the big banks.

So let's put it to the American people. Are you ready to weaken Dodd-Frank, to give the biggest banks in the country more chances to take more risks and to leave you holding the bag, or is it time for a little more accountability—accountability for large financial institutions that month after month are in the headlines for breaking the law? Is it time to stop pretending and truly get rid of too big to fail once and for all? We can let every Republican and every Democrat vote in Congress on these questions. Let's do it with microphones on and the cameras rolling, but not behind closed doors and out of public view.

We need to vote on a highway bill. We need to vote on a government funding bill. And if there is anyone in this Chamber, Republican or Democrat, who thinks they can slip goodies for Wall Street into these bills without a fight, they are very wrong.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

VETERANS DAY

LUCIUS FORSYTH AND ROBERT "EMMETT" STANLEY

Mr. CASSIDY. Mr. President, in commemoration, celebration, and honor of Veterans Day, I would like to share the stories of two Louisiana heroes who served in World War II: Lucius Forsyth and Robert "Emmett" Stanley—two Louisianans who answered the call to serve and did so most honorably.

Lucius Forsyth left his home in Paulina, LA, to serve in World War II in his late teens as a U.S. Navy seaman aboard the USS *Saratoga*. On February 21, 1945, Lucius and the crew of the *Saratoga* experienced the most concentrated assault of World War II against a warship. The *Saratoga* and her 3,500 sailors fought bravely as the Japanese forces attacked the ship for 3 hours. Bombs were dropped and five Japanese kamikazes crashed their aircraft into the *Saratoga*.

Seven levels below the main deck, Lucius knew that the impact of a bomb or a kamikaze near his location would mean certain death. Ignoring the danger, Lucius continued to work in the compartments adjacent to the ammunition stockpiles. Mr. President, 125 members of the *Saratoga* lost their lives that day.

Lucius remained aboard the *Saratoga* for the rest of the war. After the Japanese surrendered, he returned home, married Rita Bourgeois of Gonzales, LA, raised 5 children, and today is blessed with 21 grandchildren and 20 great-grandchildren.

The other Louisiana veteran I would like to recognize is Robert "Emmett" Stanley. Born in New Orleans in 1923, Emmett left home shortly after grad-

uating from high school to serve the United States. He enlisted in the Navy Reserve in 1943 and served as a seaman first class on the USS *Luce*.

On the morning of May 4, 1945, 1 day after Emmett's 22nd birthday, Japanese kamikaze pilots attacked the USS *Luce*. Emmett was knocked to the deck as shrapnel pierced his scalp through his steel helmet and fragmented pieces went into his legs. He still feels pain from those injuries today.

Emmett and the other crew members were soon given orders to abandon the USS *Luce* after more kamikazes struck. Emmett swam 40 yards away from the sinking ship to avoid being sucked under by the waves, but a second explosion forced more shrapnel into his stomach. Out of the 312 men on the USS *Luce*, 126 were killed in the attack.

Although eligible then, Emmett did not receive his Purple Heart until October 17 of this year, when he was the honoree at the U.S. Navy Birthday Ball. He was thrilled to be surrounded by his entire family.

These are two stories about heroism and valor, but there are many more. Let me brag a little bit about a couple of young men who work on my staff.

One young man, Chris Anderson, enlisted in the Army after completing his college education. He could have pursued business or graduate school, but Chris wanted to serve our country in the War on Terror. He did so bravely and honorably in Afghanistan clearing ordnance. Imagine what his mother thought every night, knowing the job he had. Now he is a tireless advocate for VA reform so that those he served with can get the care they need and deserve.

Another member of my staff back in Baton Rouge, Michael Eby, served in the Louisiana National Guard for 9 years and was awarded the National Defense Medal and the Louisiana War Cross.

To Lucius, Emmett, Chris, and Michael and all who served and serve now, thank you for your service. This Veterans Day and every day, we remember your sacrifices, courage, and dedication to ensuring that our children, their children, and we all can live in freedom in the greatest Nation in the world. May God bless you, your families, and the United States of America.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER (Mr. BOOZMAN). The Senator from Pennsylvania.

CHILD POVERTY

Mr. CASEY. Mr. President, I rise this afternoon to talk about a set of issues we don't, frankly, spend enough time on that relate to our children. I have often said—and I think it is true throughout this Chamber when we talk

about these issues—that we come to this because we are concerned about the future of this country when we talk about what happens to our children.

I have always believed—and I think this is a prevailing point of view here in this Chamber and across the country—that every child is born with a light inside them, the light of the full measure of their potential. Some children don't need a lot of help along the way. They are born into circumstances or into families or born to parents or there are other factors that give them an advantage. They have a lot of ability, and they do not need much in the way of intervention from any part of our society, including the government. Some children are born with a bright light, but it may not burn as brightly or shine as brightly as some other kids, and they need a little extra help. Some of those kids, if they get help when they are very young, can thrive and succeed and grow without any further help or assistance.

If we are serious about growing the economy, if we are serious about creating jobs and creating the kind of opportunity that we say we are concerned about and that we say is part of the fabric of being an American, then we have to be concerned about what happens to our kids.

A lot of what I will talk about today can be summarized in maybe one line: As kids learn more now, they are going to earn more later. We know all the data shows that. The child who has access to early learning will earn more later in life. It also is essential that they have access to quality health care and the kind of security that comes when you have enough to eat—food security.

If we want our children to learn more now and earn more later, we have to make the right investments. Unfortunately, that child or any child won't be able to learn more now and therefore earn more later if they live a life of poverty. Maybe some will get through, but that is very difficult. If we don't take action against child poverty, we have already erected barriers in their path.

Today, as of 2014, the latest numbers for child poverty in the United States are 21.1 percent. That number is up substantially since the great recession—a couple of percentage points—and therefore there are millions more children living in poverty.

In Pennsylvania, it is only a little lower—19.4 percent. No one here would try to make the case that is acceptable, that 21 percent of children living in poverty is something we can accept. We should all be not only outraged by it but take action and have a sense of urgency to combat it.

There are a couple of things we can do. First of all, we have to know what is happening to children on a broad range of topics. That is why we have to

rely upon public policy expertise. There is a whole group of folks out there in organizations. I am holding in my hand just one example. You can't see it from a distance, but this is a kind of one-page summary by the Annie E. Casey Foundation—no relation to me but a great foundation that has tracked child well-being for years. They have four categories: economic well-being, education, health, and the fourth category is family and community.

If you could see this up close, you would notice some categories. There are 16 altogether, with 4 indicators in 4 categories.

If you look at the orange, wherever you see orange, that means the numbers are getting worse for children. If you see green, that means we are doing better. So it is a mixed report, with some numbers getting better over the last 5 years or 7 years or time increments such as that. But what has gotten worse since the great recession is that the number of children living in poverty has gone up. The number of children whose parents lack secure employment has gone up. Unfortunately, two other indicators of poverty—children in single-parent families is up, meaning the number has worsened, and children living in high-poverty areas is worse.

I won't go into those numbers today, but that is just an indication that childhood poverty has been a challenge for a long time. It got a lot worse after the great recession, when our economy began to collapse and folks across the country paid the price, and a lot of children have paid the price.

So what do we do about it? One thing we do is to begin to see that at long last we can't just talk about reducing child poverty. We can't just nibble around the edges or hope a program here or a program there will help. We have to have a strategy. In order to have a strategy, we have to have a goal, and the goal ought to be that we reduce child poverty and take the same approach, frankly, the United Kingdom took a couple of years ago.

I will walk through some of the background, but Senator BALDWIN and Senator BROWN and I introduced a bill just last week—the Child Poverty Reduction Act—to establish that kind of a target to reduce child poverty. Under the legislation, child poverty would be cut in half in 10 years. So child poverty would be cut in half in a decade. The second goal would be to eliminate child poverty in 20 years. Deep poverty would be eliminated in 10 years—meaning the worst kind of poverty for our children and for our families.

To meet these goals, we would give an assignment to an interagency working group to reduce child poverty, to develop a plan, and include recommendations to improve coordination and efficiency of existing programs and

initiatives, because there are a lot of them—and we can get to those in a moment—along with recommendations for new legislation, new strategies, and new approaches to focus on child poverty.

Here is what happened in the United Kingdom. In 1999, the UK established a national child poverty target and measured in U.S. terms the UK's child poverty target, and the policy changes made in conjunction with that effort reduced Britain's child poverty rate by 50 percent in the first 10 years—a significant achievement. In comparison, between 2000 and 2013—a little more than a decade—in the United States, the child poverty rate increased by over 20 percent. So roughly in the same time period, as our poverty rate was going up for kids, the UK's poverty rate for children was going down. One of the reasons for that—not the only reason—is they set a target, and both sides came together—the labor party, the conservatives—and the country made it a goal. We haven't done that yet, and we need to focus on that kind of a goal.

So one thing we need to do is to focus on a goal and have legislation to enact part of the strategy. Then, of course, we can't just stop there. We can't just assume having a target and working toward it is enough.

One of the most powerful examples in my home State of Pennsylvania over the last couple of years of what it means to live in poverty—in this case, moms who were willing to tell their stories—is the effort undertaken by Witnesses to Hunger. That is what this photograph depicts—a child who was photographed by her mother. Other mothers were willing to take pictures of their children to tell the world about their own circumstances and to give us living proof of what it means to live in poverty, what it means to be a child living in poverty. That is Witnesses to Hunger.

This all started at Drexel University, where they gave cameras to a group of moms who decided to open up their own lives, courageously and generously, and to tell us more about these challenges.

The first picture after that is a picture of a young woman by the name of Monique who is on her way to her local WIC office—the Women, Infants, and Children Program—the office in this part of Philadelphia. Monique says: “I love WIC because it supports me by helping me nurse my baby.” That is a picture of her and her baby.

The next picture is a picture of a group of classmates, and the mom's name is Shearine. Shearine's daughter joins her classmates in this photo. Here is what Shearine says about her circumstances and what she hopes for the future:

My daughter and her classmates are symbols of change. They have hope for a brighter

future and faith that the adults in their lives will work together to make a change. We must do whatever it takes so that they can grow up and be strong, educated adults.

I think Shearine gave us all an assignment, not just speaking to herself. I think she gave us all an assignment that we have to make sure we are taking the steps necessary and essential to do all we can to give that bright future and to validate the faith those children have in us, whether we are going to meet our obligations to help those children—every single one of those children in that class picture.

Finally, the last picture is of a young boy giving his mother Gale a great smile. In this photo, Gale captures her son's happiness as he holds up nutritious bananas. It is good to have that in the picture. When we talk about child poverty and hunger, it is not just some public policy issue, some issue for a think tank to analyze. Child poverty is depicted in some of these pictures, but it is also in our newspapers every day of the week and in our midst. I hope more of us will be summoned by our conscience to do something constructively about this issue.

We have a lot to do in the next couple of months. We have child nutrition reauthorization, which is a great opportunity for us to, at long last, begin to take steps in the right direction.

The Women, Infants, and Children Program I mentioned before is one of those. One reason I am so concerned about where we are in the WIC Program is that some children literally are caught in a nutrition gap. Because they are age 5, they may be caught in a gap where they are not getting school meals and they are not getting nutrition any other way. Some children can experience this nutrition gap almost 12 months, almost a year being caught because they turned 5. The time in this nutrition gap is a time when they are neither supported by WIC nor supported by a school meals program.

We had the privilege recently of talking to a constituent from Western Pennsylvania. Her son is currently 4 years old. He will be enrolled in kindergarten in the fall of 2016. When he enrolls in school, he will get healthy meals, but in the next month when he turns 5, he will be cut off from the opportunity to benefit from the WIC Program. This child loves yogurt, fruit and vegetables and whole grains provided by the WIC Program, but he will not benefit from that because of this glitch in the law. So I propose a new bill, the Wise Investment in our Children Act, the WIC Act, to close the nutrition gap by allowing States to increase the age limit for WIC to age 6.

We also have to be concerned, at the same time focusing on making changes to the WIC Program, to focus on another support for our children and families, the Child and Adult Care Food Program, so-called CACFB, as a qual-

ity source of nutrition. For many children, the meals they eat in childcare programs are the most nutritious meals they will eat all week. In other words, absent the childcare setting, they will likely not have a nutritious meal in the course of a week. As working families shuttle between home, childcare, and work, little time remains for food shopping, healthy meal planning or sitting down to eat healthy meals. The Child and Adult Care Food Program provides healthy, nutritious meals to more than 3 million children each day who are either in Head Start, Early Head Start or childcare programs in both centers and family childcare homes.

I introduced this bill as well to focus, improve, and strengthen this program. The Child and Adult Care Improvement Act would enhance several aspects of this program, including allowing childcare centers and homes the option of serving a third meal for children who are in care for 8 or more hours a day.

We have a lot to do, but we cannot get to the goal of reducing child poverty by 50 percent or reducing poverty overall in the near term in the next decade, unless we have a strategy, set a goal, and then begin to strengthen what works and improve the existing programs—whether it is WIC, the Child and Adult Care Food Program, the SNAP program—what used to be called food stamps. Whatever the program is, we have to strengthen and invest in it. We can't talk about all those lofty terms—like “GDP growth, job growth, and growing economy” and all the wonderful things that get discussed in this Chamber—without a strategy for our kids.

We have a way to go, but I believe this commitment to our children is not just the right thing to do and it is not just something we ought to focus on as something consistent with what our conscience tells us, but it is in fact a great economic strategy for the country. If kids learn more now, they are going to earn more later. They can't learn more now if they don't have access to early learning, if they don't have access to healthy, nutritious foods, if they don't have access to quality health care, and if we don't protect them from people who would do them harm. If we do at least four of those things well—if we have early learning opportunities, opportunities to invest in food security strategies so they get healthy, nutritious foods, and we make sure they have quality health care in addition to early learning, we can move forward in a direction that gets us to the goal of making sure every child in this country has an opportunity to grow and to learn and to move in the future together. We can't do that if all we do in Washington is use phrases like “job creation” and “economic growth” without a strategy

to get our kids there. We should make sure every child in this country has the same opportunity to learn and to grow. They can't do that if we as the adults don't give them that opportunity.

So as we look at some of the real lives depicted in these photographs, I think Shearine gave us a very powerful message today, where she said: “They,” meaning the children in the picture of the classroom—“They have hope for a brighter future and faith that the adults in their lives will work together to make change.”

Shearine is right. She has given me an assignment, she has given 99 other Senators an assignment, and a lot of other adults across the country. I believe this is a mission worthy of a great nation, just like every other major undertaking we have confronted and dealt with over many generations of greatness in our country.

When we talk about American exceptionalism and what it means to be an American, part of being an American is making sure every child has the same opportunity to learn and to grow. We can do this. We can do it in a bipartisan fashion. If the United Kingdom can reduce child poverty, the United States can do the same.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANS-PACIFIC PARTNERSHIP

Mr. SESSIONS. Mr. President, I would point out to our colleagues, that we now have now received the Trans-Pacific Partnership Agreement. It amounts to 5,544 pages, not including the dozens of side-agreements—three times the book I know the Presiding Officer knows, the Bible. It is three times the length of the Bible and several times the length of ObamaCare. It has just been delivered to us with all kinds of promises for good things that might result from its affirmation.

No American has the resources to ensure that his or her interests are being protected in this document. It is so long and the ramifications are so broad that Congress cannot do its job to ensure that the people's interests are safeguarded by such an agreement.

We already have trade deals with all the major TPP countries, except Japan. So I will say with real confidence this is much more than trade. If it was, a bilateral agreement with Japan would fix it. We have agreements with Australia, Chile, Canada, and other countries.

The TPP is about the goal of creating a new global regulatory structure—

what I have called a Pacific Union—transferring power from individual Americans and Congress, eroding Congress, to an unaccountable, unelected, international bureaucratic committee.

Because President Obama has been given fast-track powers by this Congress—unwisely I think—Congress cannot amend this deal, we cannot strike one offending provision, apply a filibuster to force a supermajority of 60 votes, as we have to have for most legislation, or to apply a two-thirds treaty vote. Additionally, the White House writes the implementing legislation, which, in turn, necessarily supersedes any existing American law. So this is what we mean by fast-track.

Today I would like to share a few thoughts about one aspect of this agreement, the Trans-Pacific Partnership Commission. There is a particular chapter in this mammoth agreement, chapter 27, titled—inocuously enough—“Administrative and Institutional Provisions,” which deals with the creation of a Trans-Pacific Partnership Commission.

Section 27.1 outlines the creation of this Commission and who is a member. The agreement states that “each party shall be responsible for the composition of its delegation.” In other words, we are empowering the Trans-Pacific Partnership countries to create a new congress of sorts—a group with delegates that goes and meets and decides important issues that can impact everyday lives of Americans. The American representative in this Commission, which will operate in many ways like the U.N., will not be answerable to voters anywhere. How long will their terms be? How will they be chosen? Will there be any restrictions on lobbying, any requirements of transparency? Can they always meet in secret? Are there any ethics rules? The answer is, it will be whatever the TPP countries decide it will be.

The fact that they negotiated this in secret for months—years, really—indicates that transparency is not a quality they value very highly. It is an entity untethered above and outside the Constitution of the United States. All our government agencies in the United States must answer to the Congress and the President, the Chief Executive. These institutions will not. So we need to be cautious.

All I am saying is, why do we have to do this? Why do we have to create a Commission in which Vietnam or the Sultan of Brunei gets the same vote as the President of the United States?

Section 27.2 lists several powers of the Commission which should be expected in any regulatory body. It is granted the power to oversee the implementation of the TPP and the power to supervise the work of relevant working groups under its jurisdiction. However, then the section states this: Under the rules, the Commission shall

“consider any proposal to amend or modify this Agreement,” to change the agreement. They get to change the agreement. We can ratify this, but they get to change it whenever they deem appropriate. Also, the Commission shall “seek the advice of non-governmental persons or groups on any matter falling within the Commission’s functions” and “take such other action as the Parties may agree,” while considering “input from non-governmental persons or groups of the Parties.”

It also says it will consider the findings of international fora to help advise them. I guess one of the fora they will not be considering is a group like the National Federation of Independent Business, small businesses.

None of these terms are defined as to what constitutes a nongovernmental person or group. What is that?

Remember, when the Founders of our country negotiated the Constitution, they worried about every word. They thought about what it would mean and could mean decades, centuries later. They talked about creating a new form of government on this entire continent. They actually believed that could be possible, and it certainly has become reality. Have we given that kind of thought to the power we are delegating to this Commission? How will the agreement be amended or modified?

Just last week, the Secretary of State, Secretary Kerry, was in Kazakhstan. He told the television station in Kazakhstan that he is interested in seeing China and Russia be added to the TPP and that they would consider the Philippines a prime candidate to join in the future. That is an interesting thing to announce, particularly in Kazakhstan. Since it impacts the people of the United States, it might be nice for him to be talking more to the people of the United States.

So this would create a situation in which new countries can be added, it appears, most any different way.

The point is, this global governance authority is open-ended. The agreement states that “the Commission and any subsidiary body established under this Agreement may establish rules of procedures for the conduct of its work.”

It even covers climate regulation—a lot about climate regulation. The agreement states that “the Parties acknowledge that transition to a low emissions economy requires collective action.” Having been a proud cold warrior, I have never been happy with people who use the word “collective.” It makes me nervous.

The TPP is a living agreement. According to the U.S. Trade Representative’s own Web site, the living agreement provision is in the TPP: “. . . to enable the updating of the agreement as appropriate to address trade issues that emerge in the future as well as

new issues that arise with the expansion of the agreement to include new countries.” It says it is to deal with trade issues and new issues. Are those issues nontrade? Are they environmental issues? Are they labor agreements or other kinds of things that are unrelated directly to trade? I think it is clear this would allow that to happen.

Regardless, after the TPP is passed and Congress has blessed the union, the Senate will have no say in how the Commission is established or the rules by which it is governed. It is untethered to the Congress.

Second, currency manipulation is a serious issue. It is impacting our ability to trade effectively today in a very large way.

Paul Volcker, Chairman of the Federal Reserve during a time when he and President Reagan transformed the American economy from raging inflation and interest rates to a sound economy, said that currency manipulation could wipe out decades of trade negotiations in a matter of minutes. We have seen that happen.

Currency is huge and impacts so many companies. If you read the financial pages, you will see that companies are worried about their bottom line in large part because it will be harder for them to compete with foreign competitors who devalue their currency deliberately in order to gain an advantage in trade. But there is no enforceable currency mechanism in this agreement, although it was fought for in both Houses of Congress and came close, but it is not in it.

On November 5, the Wall Street Journal wrote: “Mexico, Canada and other countries signaled they were open to the [currency] deal when they realized it wouldn’t include binding currency rules that could lead to trade sanctions through the TPP.” This caused Ford Motor Company to immediately reject the TPP the day it was released. Their spokesman argued that they could not support a deal in which currency rules “fell outside of TPP and [failed to] include dispute settlement mechanisms to ensure global rules prohibiting currency manipulation are enforced.”

This is a huge matter. Ford says that when they are selling an American-made automobile or truck in a foreign country, they are losing thousands of dollars as a result of currency manipulation by many of our trading partners. So it is hard to sell an automobile if our foreign competitors have, in effect, a comparative advantage on currency alone of several thousand dollars.

The administration has zero interest in preventing foreign market manipulations and currency manipulations, and thus the TPP will cause massive job losses. It just will. We will be less able to compete.

Let’s be frank. I supported the Korean trade agreement. We have great

allies in Japan and Korea and others in the Pacific, but they are tough trading partners—competitors, if you want to know the truth. They are competitors. They are mercantilists. They have a goal. Their goal is to sell as much as possible to foreign countries and particularly to the greatest market in the world, the market they lust to gain even more access to—our market. They want to sell to us. Through a whole lot of different mechanisms, they resist purchasing anything from us. Have we made any progress in lessening the trade deficit to Japan or Korea lately? It is not going to happen because these barriers are nontariff, currency being one of the most noteworthy.

Foreign workers and governments under the TPP are not inhibited from illegally undercutting American workers through currency manipulation in order to export their unemployment to the United States.

The way this happens is, if you have a business in a foreign country and the world market has slowed down and your exports are slowing down, if you devalue your currency, your product becomes cheaper and can be sold in the United States or other countries at a cheaper price, and you keep your people working and manufacturing those widgets, whereas the country that imported your product lays off its workers because it can't compete at that price—for the widgets. It is an artificial way to gain market advantage.

In May of this year, I wrote the President and asked him simple questions. This is important, colleagues. I asked him to state whether the TPP would increase or decrease our trade deficit. He refused to answer. I asked him whether the TPP would increase or decrease the number of manufacturing jobs in the United States. He refused to answer. I asked him how the TPP would affect the average hourly wages of the American middle class. He refused to answer. He never wrote back. All that the proponents in the White House have said about this deal is that it would increase production and jobs in the export industries. But exporting is such a small part of American industry production. They don't mention how many jobs would be lost by the increased imports into our country.

Dan DiMicco, the CEO emeritus of Nucor Steel, which operates steel plants all over the Nation, wrote in his recent book:

The world says one thing about open markets and free trade but does another. Whatever sharp cultural or political or language differences may separate the Japanese from the Chinese, or the Germans from the French, this much they all have in common: they know how to advance and protect their economic interests.

Mr. President, has my time lapsed?

The PRESIDING OFFICER. The Senator from Alabama, there is a 10-minute time limit.

Mr. SESSIONS. Mr. President, I ask unanimous consent for 2 minutes to wrap up.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. They know how to advance their interests, and we have not been effective in advancing ours.

It is time to take TPP off the fast track, take this off the fast track and get busy defending the interests of the American people.

DiMicco writes:

In principle, any industrial policy would begin by saying the business of creating, making, and building things must be at the heart of any overreaching economic strategy.

This agreement is not just about promoting trade; it is about creating a framework for a transnational union which supersedes the authority of Congress.

Finally, if it were truly about opening markets to U.S. producers, the United States would simply have negotiated bilateral agreements with the countries we need to talk to.

We are the world's greatest market for worldwide products that are made, and right now we give open access, incredibly, to foreign imports. Just look at those containerships on the Pacific coast stacked to the top. It is not working for jobs in America, it is not working for wages in America, and it is not working for manufacturing. We have to make things. Moving to a services economy would be failure.

Of course we want trade. Of course we want to purchase items from abroad. I am not saying we shouldn't. What I am asking is, are we, in negotiating this trade agreement, giving even broader access to our markets without getting enough in return? That is the problem. America must make things. Consumption in America should be for Americans and for export. Our competitors want the opposite, and they have been winning, but they need us more than we need them; thus, we have great power to reverse this course.

Figuratively speaking, some of our politicians will be pushing up daisies if they don't listen to what the American people are saying. They must listen to the sound, common sense of the people who hold the ultimate power. They expect us to make sure their interests are legitimately defended. I don't believe this trade agreement does that, and we will talk more about it as time goes by.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

REMEMBERING DOROTHY "DOT" HELMS

Mr. TILLIS. Mr. President, I have the sad duty to report to the Senate the passing of the first lady of North Carolina, Dorothy "Dot" Helms. Mrs. Helms was known to many in this body

as the ever gracious wife of my illustrious predecessor, Senator Jesse Helms.

In fact, I chose to stand at this desk because it is the desk he stood behind for the many years as he served the United States and the great State of North Carolina in the Senate.

For 66 years Dot Helms was the rock upon which the Helms legacy was built. Long before she met her future husband, Dot Helms was a trailblazer in North Carolina. She was the first woman to graduate from the University of North Carolina school of journalism in 1940, where she rubbed elbows with the likes of fellow Tar Heels, Edward R. Murrow and friend and classmate David Brinkley.

While a reporter for the legendary owner-editor of the Raleigh News and Observer, Joseph Daniels, she met a young man on the sports desk named Jesse Helms, and the rest is history.

Mrs. Helms was a leader in Christian causes, such as her sponsorship of the interdenominational children's camp Willow Run at Lake Gaston. While in Washington, she taught at Gallaudet University and actually wrote a book on great Americans who happened to be deaf.

In the Senate, she was the leader of the Senate Ladies Bible Study, the Congressional Wives Prayer Group, and the U.S. Senate chapter of the Red Cross. She was a confidante and pillar for many friends on both sides of the aisle, including Elizabeth Dole, Erma Byrd, Beryl Bentsen, and Linda Johnson Robb.

Politically, she was a close friend of Ronald and Nancy Reagan. In 1976, she took the unusual step of campaigning tirelessly across the State of North Carolina in support of then-Governor Reagan's insurgent Presidential candidacy. Needless to say, the Governor carried the North Carolina primary against a sitting President in no small part due to the work of Dot Helms.

Two years ago, Gov. Pat McCrory awarded Dorothy Helms the Order of the Long Leaf Pine for her contributions to the civic and religious life of the Tar Heel State. Fittingly, the Governor honored her with the official North Carolina State toast:

Here's to the land of the long leaf pine,
The summer land where the sun doth shine,
Where the weak grow strong and the strong
grow great,
Here's to "Down Home," the old North
State!

"Where the strong grow great. . . ."
Dot Helms and North Carolina are one and the same. For her family and friends and a grateful nation, we can turn in comfort to the Second Book of Timothy: "I have fought the good fight, I have finished the race, and I have kept the faith."

Mr. President, I ask unanimous consent that the obituary of Mrs. Helms from the Jesse Helms Center Foundation in Monroe, NC, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DOROTHY COBLE HELMS

1919–2015

Dorothy Coble Helms, wife of former U.S. Senator Jesse Helms, passed away on November 6, 2015. She was the daughter of the late Jacob Lonnie and Coral Beaty Coble. Mrs. Helms was born in Raleigh, N.C. on March 25, 1919. She was graduated from Hugh Morson High School in Raleigh in 1936. She attended Meredith College from 1936 to 1938 before transferring to UNC-Chapel Hill, where she was graduated in 1940 with a degree in journalism. She and her roommate, Doris Goerch Horton, were the first two women graduates to receive degrees in journalism from UNC. Both women were reporters for *The Daily Tarheel*, the school newspaper. Dot, as she was called by her friends, was the first president of The McIver Dormitory for Women and served on The Women's Council. She loved to write and wrote many short stories beginning when she was a teenager. Later in life, she delighted her family by telling ghost stories, and it was an especially fun time when she shared her stories at night on the porch at the family cottage at Topsail Beach.

After graduating from UNC, Mrs. Helms worked at *The Raleigh News and Observer* as a city reporter and later as society editor. It was while working at *The News and Observer* that she met her future husband, a member of the sports department. They were married on October 31, 1942, at the First Baptist Church in Raleigh. One summer during the Second World War, while her husband was on recruiting duty for the Navy in the eastern part of North Carolina, she edited three weekly newspapers which were published in Ahoskie, NC: *The Hertford County Herald*, *The Gates County Index*, and *The Bertie-Ledger Advance*. Mrs. Helms also worked part time at *The Star News* when her husband was stationed in Wilmington, NC.

Back in Raleigh after her husband's discharge from the U.S. Navy, Mrs. Helms was active in the Women's Missionary Union of Hayes Barton Baptist Church. She was also active in the Colonel Polk Chapter, DAR and served as regent for two years. In the early 1960s, Mrs. Helms and Mrs. Armistead Maupin (Diana) were instrumental in founding the Wake County SPCA.

The Helms moved to Arlington, Virginia after Senator Helms was elected to the U.S. Senate in 1972. While living there, Mrs. Helms was active in The Spouses of the Senate and in the Senate Ladies Bible Study. She was a volunteer at Gallaudet College for the Deaf and wrote a series of stories entitled "Interesting Deaf Americans". Some of the stories were used in English classes at Gallaudet and others were used in publications of schools for the deaf. The Helms shared a deep interest in Camp Willow Run, a youth camp for Christ on the shores of Lake Gaston in North Carolina, and Mrs. Helms later wrote a history of the camp.

Dot loved politics, and she backed many candidates through the years. She always kept up with what was going on in the world and was never without an opinion on an issue. She was instrumental in the formation of The Jesse Helms Center Foundation in Wingate, N.C. and served on the Board of Directors for many years. She was also involved with The Helms School of Government at Liberty University.

Dorothy was the rock of her family. She will be missed so much, but the family re-

joices that they had her for so long. She was predeceased by her husband, U.S. Senator Jesse Helms; her parents; her brother, Jack Coble, and her nephew Jack Coble, Jr. She is survived by her children, Jane Knox (Charlie), Nancy Helms, and Charles Helms (Kathleen). She is also survived by her seven grand-children, Rob Knox (Krystin), Jennifer Knox (Shields Carstarphen), Mike Stuart (Rachel Foster), Ellen Stuart Gaddy (Will), Katie Stuart Power (Andy), Amelia Helms, and Julie Helms; and six great grand-children, Maggie McGuire, Ryan Knox, Cooper Knox-Carstarphen, Alex Knox-Carstarphen, Beatrix Gaddy, and Conrad Power. Dot also leaves behind many other family members, including the wonderful people who are forever members of the Helms Senate family.

REMEMBERING HOWARD COBLE

Mr. TILLIS. Mr. President, I will close by saying that I hope we all remember another great North Carolinian who was buried just today, Congressman Howard Coble. He served 5 years in the North Carolina House and 30 years in the U.S. House of Representatives. He was a great American, and he will be missed.

I thank the Presiding Officer, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TILLIS). Without objection, it is so ordered.

VETERANS DAY AND THE GI BILL

Mr. CARPER. Mr. President, tomorrow is Veterans Day, and it is a special day for all of us who serve here and for all of our colleagues down the hall in the House of Representatives. It is a special day for veterans across the country and around the world and their families and for a lot of Americans who value the service and sacrifice of our veterans.

Veterans Day is not Memorial Day. On Memorial Day we mourn and salute those who have given their all in service to our country. Veterans Day is really for all veterans, not just for those who have paid the ultimate sacrifice.

I was privileged to go to college. I won a Navy ROTC scholarship and went to Ohio State. I studied a little economics—my professors would say not enough—graduated and went off to Pensacola and became a naval flight officer in the late 1960s. I ended up with Patrol Squadron 40 out of naval air station, Moffett, CA. I joined my colleagues there for several tours of duty in Southeast Asia during the Vietnam War.

When we came back to the States from overseas, I resigned my regular

commission and took a reserve commission and moved from California over to Delaware to enroll in the University of Delaware's Business School and earned an MBA.

Literally the first week I was in Delaware, in September of 1973, I got in my Volkswagen Karmann Ghia with a rebuilt engine and drove up Route 2, Kirkwood Highway, to north Delaware to the VA hospital in Elsmere, which is about halfway between Newark and Wilmington in northern Delaware. I took my DD Form 214 in with me to present it to the folks at the hospital to see if I was eligible for any veterans benefits, and as it turned out I was eligible for benefits. Some of the benefits actually have their roots going all the way back to the end of World War II when FDR signed—I think in 1944—legislation creating the original GI bill. Among the things I was eligible for was a home loan in which the VA would guarantee a portion of my loan so I could buy a house sometime later, and I did. I was also eligible for some medical benefits, including dental benefits.

I didn't realize it at the time, but the VA hospital there was a World War II relic of a hospital. The morale was not good and the quality of service was not good. If people in the central or southern part of our State needed access to a VA medical facility and they didn't have it there, they would have to somehow make their way up to northern Delaware. It is not like driving from one end of California to the other, but it is a hike. We didn't have any community-based, out-patient clinics in Delaware or any other States either at the time.

That fall, those of us who were enrolled in school who were Vietnam War veterans, and in some cases other wars, were eligible for some benefits. The GIs who served in the Vietnam war, including me, were eligible for a GI bill benefit which was about \$250 a month. It may not sound like a lot of money today, but I was happy to get every penny of it.

I continued to fly with a new squadron at the naval air station in Willow Grove, PA—the P-3 Squadron—and continued to track Soviet nuclear submarines in oceans all over the world as a ready reservist. I am one of a number of people in my family who have benefited from the GI bill. My father's generation served in World War II. He was a chief petty officer. His brother and my other uncle served in World War II. One of them never made it home. He was 19 years old in 1944 and assigned to the USS *Suwannee*. The aircraft carrier was in the Pacific Ocean when it came under attack by Japanese kamikaze planes, and he lost his life. His body was never recovered and neither were the bodies of a number of other people who I guess were on the deck of the carrier when the attacks occurred.

Other members of my family in my Dad's generation were able to take advantage of the very first GI bill, which was signed into law in 1944 by President Roosevelt. What happened in the wake of World War II was a very generous GI bill. At the time, you could go to Harvard on the GI bill, and it was basically fully paid for, plus you had a housing and living allowance. It was an incredible deal, and a lot of people took advantage of that, which is good. A lot of the folks went to colleges and universities, but others went to trade schools.

I never really talked to my dad about this, but I am told that he learned how to do body work and to repair cars that had been wrecked. He went to some kind of private school or trade school and learned how to do that and ended up working at Burlison Oldsmobile in Beckley, WV, where my sister and I were born. He was able to somehow do a good job there and ended up working as a claims adjuster for Nationwide Insurance and ended up running the national school for claims adjusters for Nationwide Insurance.

He was a guy with a high school degree from Shady Spring High School in Beckley, WV, and ended up, with the help of the Navy and the GI bill, with a wonderful career at Nationwide Insurance. He is sort of a poster child for those who were able to take that benefit and do something positive with it for their lives and for their families.

In the wake of World War II, there was also an emergence of for-profit colleges and universities and for-profit trade schools. They called them proprietary trade schools, and they did not always have the best interests of the GI at heart. They were not always interested in making sure that the GI man or woman got the training and the help they needed to qualify for jobs, to go out there in that day and age and be gainfully employed and provide for themselves and their families. Some of the nonprofits that operated were very good and did a great job, others not so much. They took advantage of the GIs, and ultimately they took advantage of taxpayers.

Over a period of time, back then and in the years since then, on the heels of the Korean and Vietnam wars, there emerged an effort on the part of the Federal Government to try to make sure we put in place some market forces to ensure that the for-profit schools, or proprietary schools, that were offering the benefits of colleges or universities—that that college or university would treat the GI fairly, the way we would want to be treated, and to make sure they got the benefits that they wanted and that the taxpayers deserved.

I think on the heels of World War II, there was an 85-15 rule that said if you happen to be a proprietary school and you were using the GI bill to pay for

benefits for somebody—say you had 100 students; out of the 100, no more than 85 of them could be there on the Federal dime. The other 15 GIs, if you will, had to be there on their own or pay for it some way other than through the Federal Government. That was an early way to introduce market forces into the benefits that were being provided so we would end up with schools that were working and providing training certificates or degrees that were worth the paper they were written on.

More recently, something emerged called the 90-10 rule. The GI bill had come and gone. For those who got into wars in Korea and Vietnam and more recently in the Persian Gulf in Iraq and now Afghanistan—the benefits that are offered to folks who literally served and applied for the GI bill I think after 2007 or 2008—that is a very generous GI bill. We sent off about 300 Delaware Guard men and women 2 months ago from Delaware to go serve in some cases in Afghanistan and in other cases maybe in Kuwait and at different duty stations around the world. But I told them when they went off to deploy that when they came back at the end of their 6, 7, 8 months—whatever it will be—that they will come back to the best GI bill in the history of the country.

Here is what they come back to if they have served for, I think, 3 years. If they have served time in those parts of the world, they come back to a GI bill and if they went to a public college or university—the University of Delaware, Delaware State, Wilmington University, Delaware Tech or a community college in my State or public colleges and universities across the country—they can go to those schools for free—pretty good, free. We got 250 bucks a month. They can go for free. Their tuition is paid for, books are paid for, fees are paid for, tutoring is paid for, and they get a \$1,500 housing allowance. That is pretty good—very good.

Just to make sure that we have some market forces in place to ensure that these for-profit colleges and universities are really doing a good job and not just taking advantage of the GIs or of the taxpayers, we have in place something called the 90/10 rule. It has been around for a while. The 90/10 rule says that no college or university—for-profit college or university, proprietary school, for-profit proprietary school or training school—can get more than 90 percent of their revenues from the Federal Government. But the 90 percent does not necessarily cover—it can cover Pell grants and things other than the GI bill. But the GI bill—a school can get all of their money from Pell grants, and students who are on the Federal dime and continue—Mr. President, I am not sure what is wrong with the public address system. I will try another mic. That is better. There we go.

Today we have a loophole in the 90/10 rule that allows a college, university or a proprietary for-profit school to get 100 percent of their revenues from the Federal Government. It doesn't count the money they get from the GI bill. It covers Pell grants and other Federal aid but not the GI bill and not something called tuition assistance to Active-Duty personnel. I suggest that is something we need to fix. That is a loophole that needs to be plugged. No college or university should make 100 percent of their revenues off the Federal Government.

The 90/10 rule is well-intentioned to make sure that market forces work, but I am sure that people getting their education from a source other than the Federal Government would ensure that the diploma they are getting—the certificate they are getting—is worth something and they are able to translate that into gainful employment.

Several of us, including myself and Senator BLUMENTHAL, have offered legislation to close the 90/10 rule and to really go back to the original intent—to say that no for-profit college or university or trade school can get more than 90 percent of the revenues from the Federal Government. You can add in the GI bill or you can add in Pell grants, tuition assistance for Active-Duty personnel, but that cannot exceed 90 percent—and educational entities' revenues. We need to restore that market force, that governing, if you will, to better ensure the integrity of these programs.

So I would just say to my colleagues as we approach this Veterans Day, it is great that we are able to offer a benefit that provides free—I don't care whether a person is from North Carolina or from Utah; they can go to college free and get a housing allowance for \$1,500 a month. But I want to make sure that when a GI—I don't care if it is Army, Air Force, Navy, Marines or whatever—gets their certificate or diploma, it is worth the paper it is written on and that they will in some cases be able to go on to graduate school or further their learning, but almost in any case that it enables them to go on to a job that enables them to be self-sufficient.

With that, I am going to yield the floor to the chairman of the Finance Committee, on which I am privileged to serve, and to say to both of my colleagues on the floor here: My best wishes to you and your constituents and have a wonderful Veterans Day. I will see you all next week. Thank you.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I appreciate the work of the Senator from Delaware on our committee. He is one of the good people around here.

RELIGIOUS LIBERTY

Mr. HATCH. Mr. President, I rise today to speak once again on the topic of religious liberty. This is the fifth in a series of addresses I have given on this vitally important subject. In my previous remarks, I have discussed why religious liberty matters, why it is important, and why it deserves special protection from government interference. I have also detailed the history of religious liberty in the United States in order to show that the desire for religious freedom was central to our Nation's founding and to the very idea of America. From the beginning, religious liberty has been a preeminent value in American life. Government accommodates religion—not the other way around. Lastly, in my previous remarks, I have sought to explain how religion has always had a robust public role in our society and to rebut the wrongheaded, ahistorical view that religion is a purely private matter that should be kept out of the public domain.

Today I turn to the status of religious liberty in contemporary American life. My argument is straightforward. In ways that are both surprising and unprecedented, religious liberty is under attack here in the United States. I speak not merely of attacks on particular practices but also of attacks on the very idea of religious liberty itself—on the idea that there should be room in society for believers to live and to worship in ways that differ from prevailing orthodoxy.

The campaign against religious liberty has three prongs: the courts, the Obama administration, and State legislatures. My goal today is to explain how each of these institutions is undermining the vitality of religious life in our country and why what they are doing is wrong.

Many Americans are unaware of the substantial threats religious liberty faces here in the United States. They look abroad to the Middle East or to Africa, where Islamist regimes are killing Christians and other dissenters from religious orthodoxy, and suppose that by comparison, things are not so bad here in the United States. While it is true that religious minorities in America do not face death or serious physical harm for choosing to live their faith, we must not blind ourselves to the ways in which our government institutions are undermining religious liberty itself. We must instead come to recognize that powerful forces in our society are working actively to restrict the ability of religious believers to live out their faith and to foist upon them government mandates that are flatly inconsistent with our most deeply held beliefs.

I begin with the courts, which I identified as the first front in the fight against religious liberty. For a number of years now there has been a steady

stream of cases in which everyday Americans have been sanctioned—sometimes severely—for adhering to religious tenants that conflict with current political orthodoxy. The examples are myriad. A photographer in New Mexico was fined \$7,000 for declining to photograph a same-sex commitment ceremony on the grounds that her religious beliefs teach that marriage is a union between one man and one woman and that she could not in good conscience lend her services to the event. A florist in Washington State was fined \$1,000 for declining to provide flower arrangements for a same-sex wedding. And a couple in Oregon who owned a cake shop were ordered to pay \$135,000 for telling a same-sex couple that they could not provide a cake for their wedding ceremony because the shop owners adhere to the traditional, biblically based view of marriage.

The message that these court cases send is clear: If you are a religious individual with religiously rooted views that differ from the current policies of the State, you follow your beliefs at your own peril. Even those who don't endorse the view that it is appropriate for businesses to deny service to customers on the basis of deeply held beliefs must concede that the fines and other sanctions in these cases present a direct threat to religious liberty.

Note that there was no suggestion in any of these cases that the defendant's refusal to provide services actually prevented the same-sex couple from obtaining the desired items. In each case, other photographers, florists, and bakers without religious or moral objections stood ready to assist. The State was not stepping in to ensure that the couple had access to needed goods and services. Rather, the injury to the couple in each case was that the defendant would not sanction their ceremony. The State did not like the message the defendant's religious beliefs conveyed and so ordered the defendant to pay a potentially ruinous fine.

The notion that government can override or punish individuals for deeply held religious beliefs merely because those beliefs deviate from prevailing views strikes at the very heart of religious liberty. Religious liberty is the right of an individual to practice his or her beliefs even in the face of government, social or community opposition. If all that is needed for government to override a person's deeply held beliefs is a disagreement over whether the person's beliefs send the right message, then religious liberty is weak indeed. It is no longer a preferred value that government must make room for but rather a common, run-of-the-mill interest that government can override essentially at will.

Recent court cases have undermined religious liberty and threaten the in-

tegrity of our religious institutions in other ways as well. One case, decided by the Supreme Court about 5 years ago, held that schools can require student religious groups to accept non-believers as leaders, even though doing so could undermine the group's mission and install as leaders individuals who do not share the group's core beliefs. Other cases have sown confusion about students' ability to express religious conviction in school settings. Teachers and school administrators have barred students from wearing religious imagery, from affirming their faith in essays and speeches, and from performing religious music because they fear running afoul of judicial prohibitions on State establishment of religion. Other officials have denied religious groups access to State facilities to worship or to hold meetings, again fearing potential lawsuits.

But courts are not the only places where religious liberty is under attack. I am sorry to say that the current administration has done much to weaken religious freedom and to undermine the rights of conscience.

Certainly, the most notorious instance of the administration's efforts to undermine religious liberty is the ObamaCare contraception mandate. This provision requires employers to provide their employees access to contraceptives and abortion-inducing drugs even when the employer has profound moral objections to such drugs. There is a narrow exemption for houses of worship, but countless other religious employers—including religious schools, hospitals, and charities—must either comply with the mandate in violation of their religious beliefs or pay substantial financial penalties.

The administration has also stripped funding from religious groups that refuse as a matter of conscience to toe the administration's line on abortion and contraception. In a remarkable and shortsighted move, the administration revoked funding for the U.S. Conference of Catholic Bishops' relief program for victims of human trafficking because the conference declined on religious grounds to refer victims for abortion or contraceptives. So not only is the administration using the threat of financial loss to pressure religious groups to violate their beliefs, but it is also harming trafficking victims by hindering the ability of religious groups that differ from the administration on matters of conscience to aid victims.

The administration, too, has put Federal contractors that subscribe to traditional views on marriage and sexuality on the horns of a terrible dilemma. Last year the President issued an Executive order prohibiting contractors from taking into account sexual orientation or gender identity when hiring employees. The order contains no exemptions for contractors

with religious affiliations. Under the President's order, a contractor with a religious mission may be forced to hire an individual who holds views that run counter to that mission in order to remain eligible for Federal contracts. The President's order thus creates the very real possibility that religiously affiliated contractors will have to choose between impairing the integrity of their organization and competing for Federal funds.

In addition to pursuing these troubling policies, the administration has also taken extreme and unsupportable positions in court filings that if adopted would undermine religious freedom.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HATCH. Mr. President, I ask unanimous consent that I be permitted to finish these remarks.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HATCH. Before the Supreme Court, the administration made the remarkable claim that Federal law authorizes the Federal Government to involve itself in the hiring and firing of church ministers. Specifically, the administration said that Federal anti-discrimination laws override the First Amendment right of churches to select whomever they wish as ministers and instead allow the administration to actually sue a church if it believes a particular hiring or firing was improper. This radical position would allow the Federal Government to insert itself into some of the most important decisions churches make regarding religious doctrine and governance.

Thankfully, the Supreme Court rejected the administration's position unanimously. Indeed, in a striking rebuke, the Court called the administration's claim that the First Amendment provides no more protection to a church in selecting its leader than it does to a "labor union or a social club . . . remarkable." The fact that the administration felt comfortable making this argument, and apparently thought it was a correct argument, speaks volumes regarding this administration's dim view of religious liberty.

More recently, the administration has signaled that the forced legalization of same-sex marriage will present religious schools and institutions with significant challenges in reconciling school standards with Federal anti-discrimination laws.

At oral argument in the *Obergefell* case, one of the Justices asked the Solicitor General whether a religious school that opposed same-sex marriage would lose its tax-exempt status. The Solicitor General responded that "it's certainly going to be an issue." With those seven words, the Solicitor General made clear that religious institutions that adhere to traditional views regarding marriage and sexuality—

such as by providing housing only to opposite-sex couples—will face potentially staggering financial consequences for their commitment to their religious convictions.

The third front in the fight against religious liberty happens to be the State legislatures. In many ways what we are seeing at the State level is a mirror of what the administration has been doing at the Federal level. Just as the administration has stripped funding from religious organizations that refused to follow the administration's liberal social policies, States have withdrawn funding and licenses from groups that adhere to traditional religious views. Massachusetts, for example, passed a law requiring State-licensed adoption agencies to place children with same-sex couples. As a result, Catholic Charities, which had operated adoption services in the State for over 100 years, was forced to shut down its adoption program. That is outrageous. Catholic Charities affiliates in Illinois were similarly forced to close after the State announced it would no longer provide funding to adoption agencies that declined to place children with same-sex couples. Other religiously affiliated groups and schools have lost contracts, faced loss of accreditation, and have been denied permission to use public facilities because of their doctrinally based views on family, marriage, and sexuality. The mayor of Houston even went so far as to subpoena internal church communications as part of an intimidation campaign against churches that opposed a city nondiscrimination ordinance. Far from treating religious liberty as a preeminent value, many States and localities have thrust it aside in favor of other goals.

Another disturbing trend at the State level has been the growing opposition to State religious freedom laws. Over 20 years ago I helped lead a broad bipartisan effort in Congress to pass the Religious Freedom Restoration Act or RFRA. RFRA sought to undo a misguided Supreme Court decision that authorized Congress and the States to abridge religious freedom so long as their actions did not specifically target religion. RFRA says that government may not substantially burden a person's exercise of religion unless doing so is necessary to further a compelling government interest.

The coalition that helped pass RFRA included Members as ideologically diverse as Ted Kennedy, PAT LEAHY, Strom Thurmond, and Phil Gramm. Groups from across the political spectrum such as the ACLU, People For the American Way, the Traditional Values Coalition, and the Christian Legal Society strongly supported the bill. Given this broad ideological support, RFRA passed the House without recorded opposition and passed the Senate 97 to 3—nearly unanimous.

For a major piece of legislation like RFRA to pass Congress with only three recorded "no" votes was nearly unprecedented and indicated the breadth of support at the time for the view that religious liberty deserves special protection.

Twenty years later, however, the consensus in favor of robust protection for religious liberty has splintered. Whereas the Federal RFRA was able to pass Congress almost without opposition—the whole Congress, that is—recent efforts to enact State level RFRA have run into substantial resistance. Efforts in Indiana and Arizona are two good examples. They ignited media firestorms and generated strong pushback from groups who mistakenly viewed the measures as discriminatory. It should be emphasized both bills were modeled after the Federal RFRA, but the political dynamics have changed so dramatically over the last 20 years that protecting religious freedom has gone from being the rare issue on which all sides agree to becoming a political hot potato. Some groups that supported the Federal RFRA have even taken the position that future RFRA must contain carve-outs for particular groups or particular issue areas. Many of these same groups endorsed an effort by Senate Democrats last year to exempt from the Federal RFRA all Federal laws and regulations related to health care. Of course any carve-outs in religious liberty protections undermine those protections because they limit the field on which religious liberty has full effect. For this reason the Federal RFRA contains no such carve-outs. Indeed, opposition to carve-outs was a key element in both assembling and maintaining the RFRA coalition two decades ago. Even if Members had varying views on the merits of certain practices, the one thing all could agree on is that religious liberty is a fundamental universal value that should apply equally to everyone, but the price of admission for many groups today is a willingness to cut back on religious liberty in instances where religious belief conflicts with progressive social goals.

Twenty years ago this sort of hostage-taking was nowhere on the agenda, but religious liberty has now become a secondary goal or worse, an impediment, for many liberal groups that value what they call progressive social policy over protecting the rights of believers. I hate the use of that word "progressive" because it is anything but. This backtracking by many stalwart defenders of religious liberty represents one of the most serious ways religious freedom is under attack in this great country.

I will note one other political sea change that is undermining religious liberty in the United States. For many

years, groups on the left have been advocating for laws to prohibit discrimination on the basis of sexual orientation. I am in general agreement with such laws and do not believe that sexual orientation should be grounds for discrimination or mistreatment. Many of the groups advocating for these laws have previously been willing to include exemptions for religious organizations that hold traditional views on marriage and sexuality. I believe such exemptions are appropriate and strike the right balance by protecting rights to nondiscrimination while enabling religious organizations to hold true to their beliefs. Indeed, I believe it is essential for nondiscrimination laws to properly accommodate religious liberty, and I would actively oppose any such law that fails to account for the rights of religious believers.

Unfortunately, many groups that were previously willing to support religious exemptions in nondiscrimination laws have reversed course. For example, many groups that supported last Congress's Federal Employment Nondiscrimination Act or ENDA, which would prohibit discrimination in the workplace on the basis of sexual orientation, have withdrawn their support for the act because it contains a robust exemption for religious organizations. This Congress, they are instead supporting the Equality Act, which contains no religious exemption at all.

I supported ENDA because I believed it reflected the right balance between nondiscrimination and religious liberty. I took some criticism for doing so. I still believe it does reflect the right balance, but many groups on the left have indicated they are willing to cast religious liberty aside in furtherance of other goals. For these groups, religious liberty no longer deserves special protection. It is no longer a preeminent value. Rather, it should be accommodated only so far as it is convenient and does not interfere with other objectives. This is a sea change and one that bodes ill for the future vitality of religious freedom.

I said at the outset that religious liberty is under attack in America in ways that are both surprising and unprecedented. Certainly the willingness of former defenders of religious freedom to turn their backs on believers is both.

I would like to close by returning to the New Mexico photographer case I mentioned earlier, for that case contains perhaps the most surprising and unprecedented feature of all. In a concurring opinion, one of the judges in the case called the requirement to violate one's religious beliefs when they conflict with State social policy "the price of citizenship." That statement represents a complete inversion of the relationship between government authority and religious liberty in America. When we are born or become Amer-

ican citizens, we do not surrender our rights of conscience to the government. We do not pledge our allegiance to a secular God. We retain our right to religious liberty. Indeed, not only do we retain our right; our government guarantees our right to freely practice our faith in accordance with the dictates of our own conscience. As the Declaration of Independence instructs, all men—and women—are endowed by their Creator with certain unalienable rights, and it is the fundamental purpose of government to secure those rights.

If there is a price we pay as American citizens, it is not that we give up our God-given rights, first and foremost of which is the right of religious liberty, it is that we agree to work together to promote the common good of our country.

Subjugating religious beliefs to government decrees is not the price of citizenship. To the contrary, respecting and honoring the fundamental rights of all Americans is the price our government pays in order to enjoy the continued consent of the American people. Those who attack religious liberty and seek to devalue its place in society fundamentally misunderstands this key point.

Unfortunately, too many in America today, from the courts to the Obama administration, to the State legislatures, undervalue religious freedom and view it at best as a secondary goal. People of good will in Congress and across our Nation need to recognize that religious liberty is under attack and that unless we stand up and vocally support the rights of believers to live their faith, we will find much of what we have fought for and much of what our forebears fought for swept away. We must fortify the rights of believers to follow their conscience even when their fellow citizens or elected officials would prefer a different course.

I will have much more to say on this topic in future remarks, but with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

SUPPORTING OUR VETERANS

Mr. BROWN. Mr. President, this week we honor the men and women who serve our Nation with honor and their families who also sacrifice—whom we do not remember enough—who sacrifice so much for the servicemembers they love and for all of us in our country.

The sacrifice of our veterans demands that we fulfill the promises we have made. This body is always willing to spend more dollars in armaments and on weapons, but when it comes time to fulfill our obligations to veterans, too many in this body are not generous enough.

I am the only Ohioan ever to serve a full term on the Senate Veterans' Af-

fairs Committee. I take that duty very seriously. I know the Presiding Officer, Senator TILLIS from North Carolina, does too. That means working to end the VA backlog. It means putting a better system in place. It means ensuring that our veterans have a roof over their heads and a place to call home. It means providing veterans with health care and the educational opportunities they deserve and which they have earned.

Too many veterans face mental health challenges that can end in tragedy. More than 8,000 veterans each year take their own lives—154 a week, 22 a day. Hundreds of thousands of veterans struggle with invisible injuries. Nearly 300,000 have been diagnosed with post-traumatic stress, and 300,000 have faced traumatic brain injuries—all because of the service they gave to us.

Earlier this year we passed the Clay Hunt Suicide Prevention for American Veterans Act. It is a good start yet not enough. We need to make sure that when servicemembers return home, they have the educational and the employment opportunities they need, not only to survive but to thrive.

The GI bill's educational benefits are critical, but veterans, unfortunately, have a limited amount of time before their GI benefits expire. In crowded colleges—whether in North Carolina, Oklahoma or Ohio—general education requirements and prerequisites often fill up quickly. Many colleges and universities in my State offer priority registration to veterans. All of our colleges and universities need to follow Ohio's lead. That is why I worked with Senator TILLIS, the Presiding Officer, on legislation to ensure that all veterans and servicemembers and their qualifying dependents can use their GI benefits to their full potential and be guaranteed priority registration.

The Senator from North Carolina and I also introduced the Fry Scholarship Enhancement Act, which would expand eligibility for the VA's Yellow Ribbon Program to help students avoid out-of-pocket tuition and fees for programs that cost more than the allowance set by the post-9/11 GI bill.

Sadly, for too many veterans, they are far from the goal where they should be. They struggle just to find a place to call home.

According to the U.S. Department of Housing and Urban Development, some 50,000 veterans were homeless during a survey conducted on a single night in January 2014. That is 50,000 too many. It is a disgrace that after serving our country with honor, thousands of veterans are left without a roof over their heads.

Earlier this month I visited the Joseph House in Cincinnati, where Nathan Pelletier and his team of dedicated staff and volunteers provide addiction treatment and traditional housing.

A group of us meeting there, mostly veterans who are homeless or were homeless, listened to Britton Carter, who was formerly homeless. He completed his treatment program in the Joseph House. He now works as a case manager there helping other struggling veterans.

Veterans such as Mr. Carter have served our country with honor. We owe them support, and we owe them counseling when they return home. That is why I joined my colleagues in introducing the Veteran Housing Stability Act of 2015, which would make meaningful improvements to services for homeless veterans that would give veterans more access to permanent housing opportunities.

We know in the Veterans' Affairs Committee a number of things. We know that the unemployment rate of veterans is generally higher than society's unemployment rate. We know that veterans' suicide rate is higher than society's suicide rate. We know that veterans' drug addiction is higher than society's drug addiction rate. We know that veterans have suffered from PTSD and traumatic brain injury in numbers much higher than the general population. That is why we owe them so much. We in this body so rarely think about the cost of war.

We, as I said earlier, are willing to send more money to buy more weapons, to spend more money in armaments. We are not so generous when it comes time to take care of our veterans.

HONOR FLIGHTS

Mr. BROWN. Mr. President, the last point I wish to make before turning to the Senator from Oklahoma is something that we call Honor Flights. One of the great things that have come out of the National World War II Memorial is that men and women who have served in World War II are now getting the opportunity to go to visit this National World War II Memorial.

Retired Air Force Capt. Earl Morse, who worked in a VA clinic in Springfield, OH, would often talk with his World War II veteran patriots. He realized that for most of these veterans, their dream of seeing the memorial built on the National Mall would never come true. So one day in 2004, Captain Morse, a pilot and a member of the air club at Wright-Patterson Air Force Base, asked one of his patients if he could personally fly him to Washington free of charge. The veteran, Mr. Loy, broke down in tears and accepted Earl's offer. Soon Earl was offering to fly other World War II veterans to visit the memorial and soliciting help from other pilots.

Eleven pilots from Wright-Patterson Air Force Base volunteered. In May 2005, the first Honor Flight took off from Springfield, OH.

A decade later, the Honor Flight Network is a national nonprofit that has flown 100,000 veterans, usually 40 or 50 or 60 at a time in a charter flight—always with a caretaker because these veterans are never young. They are World War II veterans. They have been out of the service now for 70 years at least.

The Honor Flight Program is in 41 States. I have had the honor of meeting a number of them. Toledo, OH, seems to be one which has particularly excelled and is encouraging local people, raising local money and getting every single veteran from northwest Ohio who was able to and wanted to join these Honor Flights.

I will quote one of these volunteers. Jim Salamon works for the Honor Flight Program in Dayton. He told me of a volunteer who goes by Ace and who works at an Arby's in Maryland and provides discounted meals for Honor Flight Program attendees. Jim said:

Ace is part of Honor Flight Dayton's family. We rely on Ace and he has not let us down. Over the last nine years Ace has saved us more than \$30,000 [because of Arby's donating these meals], which pays the cost of transporting 92 veterans.

With an average of 800 World War II veterans dying each day, the mission of the Honor Flight Program is more important now than ever.

I am thankful to those who have helped Honor Flight. I am thankful to those veterans and their families who have done so much.

I remind my colleagues, as they are always eager to vote for more money for weapons, that we should understand and think about the cost of war and take care of our returning servicemembers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

VETERANS DAY

Mr. LANKFORD. Mr. President, there is a lot of news that is happening this week. There are a lot of things going on—an incredible celebration of veterans and the recognition they are very worthy of. That is the 1 percent in our Nation that actually secures the security of the rest of the 99 percent of our Nation.

We could not be more grateful—members of my own family, myself, and the proud people of Oklahoma who celebrate our veterans every single day of the year. We are very pleased to be able to do that.

OBAMACARE

Mr. LANKFORD. Mr. President, we have a lot of information this week about ObamaCare hearings. They are again back in the news because the administration has filed a lawsuit against

the Little Sisters of the Poor to compel them to violate their faith and to be able to put into practice the principles of ObamaCare rather than their own personal faith.

So the Obama administration is taking a group of nuns called the Little Sisters of the Poor all the way to the Supreme Court to compel them to cave on their faith. That case actually includes four universities from my State of Oklahoma as well that are grouped together with this group from the Little Sisters of the Poor that will all have to go before the Supreme Court to validate their faith publicly in front of the Nation while the administration tries to tell them they can't practice their faith in America.

GITMO

Mr. LANKFORD. Mr. President, we also have news this week that the President is trying to push through Gitmo and he is trying to change Gitmo through some sort of Executive action. We don't know exactly what that is.

He seems to have this flippant attitude about what is going to happen at Guantanamo Bay, saying we can move them into the United States more cheaply. Well, I would tell you—as a person who has been to Guantanamo Bay and has seen that facility and am very aware of what is going on there—we are missing one big element. The terrorists do not know who the guards are at Guantanamo Bay, Cuba. Nor do they have access to their families.

And while they are infuriated about Gitmo, I promise you if those prisoners are moved into Colorado, Oklahoma or Kansas or any other place, the terrorists overseas won't rage about Gitmo anymore, they will then rage about Colorado or they will then rage about Illinois or wherever those prisoners are being held. They are not mad at Gitmo and the treatment there. They are mad that these terrorists, whom they have affection for, are being detained by the United States of America. Right now all of the individuals who are guarding those individuals and keeping them detained will no longer be hidden anymore because terrorists could linger around the outside of these facilities and contact the different guards that are coming in and out. Suddenly, the guards and their family members become exposed and the stakes for those individuals are exposed.

He is not thinking through the real consequences of flippantly moving these individuals into the United States. It is a big issue that we face.

KEYSTONE XL PIPELINE

Mr. LANKFORD. Mr. President, but I have to say this last weekend, as I was going through all the different news and the many things that we track, I

was quite surprised last Friday afternoon at the way the President addressed something that this Nation has discussed for 7 years—a pipeline permit, a permit called the Keystone XL Pipeline.

It is not a revolutionary thing. Quite frankly, I wish to show you something. These are all the pipelines that currently exist in the United States.

Right now, there are 19 international crossings of pipelines already coming into the United States, either from Canada into the northern part of the United States or from Mexico and from the South. There are already 19 of them. This would just be a 20th pipeline. There is nothing different about that.

There are 60,000 miles of crude oil pipelines in the United States right now. There are about 63,000 miles of refined product pipelines. If you want to go to natural gas, there are about 300,000 miles of natural gas pipelines already in the United States. Yet this pipeline is treated like some radical and new invention—as if we have never considered a pipeline before. But what surprised me so much wasn't the 2,600-plus days that this pipeline request sat on the President's desk. What surprised me was his reason for actually deciding not to do then the permits. That was the surprising part.

Quite frankly, last Friday afternoon as I heard the reasons, I went back, read the transcript, and these were the three reasons the President gave. He said: No. 1, "the pipeline wouldn't make a meaningful long-term contribution to our economy," and he encouraged us to pass a highway bill instead because it would provide more jobs. I don't remember ever discussing and saying: This pipeline is going to provide as many jobs as highways. That has never been discussed on this floor. It is apples and oranges. A highway bill is public funding. It is the taxpayers that actually fund transportation, and we should do highways in transportation.

This is a private project that was never intended to have as many jobs as a highway. It is a pipeline. So he said it is not going to provide enough jobs, and so he is not going to permit it.

The second reason he gave is this: "The pipeline would not lower gas prices for American consumers." He said gasoline prices are already low, and so we don't need this pipeline—as if gasoline prices don't rise and fall and we shouldn't plan forward for the future.

Do you want to know why gasoline prices are low right now? It is because over the decades, Americans have done this, and we have an efficient system of moving energy. By the way, the pipeline is the safest and least expensive way to move energy around our country. So what the President is saying is this: What we have is enough. I don't

want to plan for the future anymore. I don't want to look for what is going to help our children. Our prices are low enough. I don't care what our children pay in the future days.

Well, that is absurd. But, quite frankly, the third one is the one that was the most jarring to me, so I want to be able to say this statement to you. This is reason No. 3 the President gave: "Shipping crude oil into our country from unstable countries would not increase America's energy security." Let me read that to you again because I was so stunned by it. This is exactly from the President's speech off of the White House site. This is what the President said off this statement. He will not permit the Keystone Pipeline coming from Canada into the United States. He said shipping dirtier crude oil into our country would not increase America's energy security. He said:

What has increased America's energy security is our strategy over the past several years to reduce our reliance on dirty fossil fuels from unstable parts of the world.

Now, as I heard the President say that, I was a little taken aback because I don't remember any other President referring to Canada as an unstable part of the world from which we don't want to get our energy—an unstable country, and saying Canada was that country.

So I kept reading it and rereading it, thinking maybe he was implying something else, but the problem with that is he either means that Canada is an unstable country and we don't want to be reliant on them to get energy or he is saying the Middle East and other countries are unstable and we don't want to rely on them, so maybe we should buy from Canada instead. Either way it makes absolutely no sense.

But in its context—as I read it and read it and read it—the President stated that we don't need to have a Keystone Pipeline because Canada is unstable and we don't want to buy from unstable countries.

I would tell you that since the War of 1812 we have gotten along with Canada pretty well. We seem to have settled our differences about 1815, and they have been a very stable trading partner for us. It seems nonsensical to hear the President say: Because it doesn't produce enough jobs, I am not going to permit it. Because it won't affect the price of gasoline today, I won't permit it. And because Canada is unstable as a trading partner, I am not going to permit it.

The President can choose to do whatever he chooses to do, but answers like this make no sense to the American people and they make no sense to energy country when we understand full well the actual facts on the ground.

In recent days, we have actually started an energy swap with Mexico. Many people may not even know that. You see, all oil is not the same. Heav-

ier crude oil is preferred by many of our refineries in the United States. Quite frankly, our refineries are capable of separating out more of the different minerals and such that are within heavy crude or what is often called sour crude. Our refineries prefer the heavier crude, much like what Canada produces and many parts of the United States and Mexico produces. Many of the refineries in Mexico actually prefer the light sweet crude. We actually have more light sweet crude in America than we can use and what our refineries would prefer to have.

So in the past couple of months, Mexico and the United States have worked a swap from pipelines, where they are picking up about 75,000 barrels of light sweet and swapping us 75,000 barrels of heavier crude because they have a commodity we want and we have a commodity they want. That is how we could solve some of our energy issues, to actually look for what is the most efficient, whether it is purchasing it from a pipeline from Canada, which makes great economic sense to us, or exporting our oil anywhere else around the world, whether to Mexico or any other country.

This body knows full well the United States cannot sell our oil on the world market because we have a statute in place that would have us believe we are running out of oil rather than having a tremendous amount, which is factually true, and we have particular types of oil that like sweet crude many refineries around the world want. We actually have more of it than we can use. We should sell that. We should put that on the open market. It is cleaner, it is easier to refine, and it is a way to be able to stabilize jobs in the United States.

I have been in front of this body time after time with a simple statement: We can sell unleaded around the world, we can sell diesel around the world, we can sell coal around the world, and we can sell natural gas around the world, but for whatever reason we can't sell crude oil around the world. That makes absolutely no sense and we should fix it.

Tens of thousands of Americans have lost their jobs because this body has not acted on something as simple as being able to sell a product the world wants and we have on the world market. It is fixable. It is not about environmental disaster. The world is going to use oil. Even the administration and quite frankly even the President in his own speech made this statement last week: The truth is the United States will continue to rely on oil and gas. And so will the world. Until some other solution is out there, which no one sees currently on the horizon, we are going to continue to use oil and gas. Why don't we do it the cleanest way possible and why don't we provide American jobs while we are doing it?

It is fixable. It shouldn't be divisive. It is about putting Americans back to work and about helping our economy.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Massachusetts.

VETERANS DAY AND CLIMATE CHANGE

Mr. MARKEY. Mr. President, tomorrow is Veterans Day, and on Veterans Day it is important that we thank America's veterans and their families for their service to our Nation. Veterans Day is a time to honor all those brave men and women who put themselves in harm's way so we may enjoy the tremendous freedoms and personal liberties that make our Nation the greatest in the world. Such bravery deserves our unending gratitude.

We have an obligation to honor them all year-round by fighting to ensure they have the resources, the support, and the protections which they have earned. They fought for us, and now we need to fight for them. When we send our men and women in uniform abroad, we can be confident they will do their utmost to complete their missions. Our mission, as Senators, is to minimize the need to send our armed services members into harm's way. The root causes of overseas conflict are complex and diverse, from religious divisions to natural resource allocations, to democratic yearnings. Increasingly, in the modern era, climate change is straining the strands of stability until they snap.

When I was chairman of the House Select Committee on Energy Independence and Global Warming, I held a 2007 hearing where one U.S. general told the story of Somalia, how drought in Somalia had caused a famine and how that famine had ultimately then led to and encouraged a conflict. The pattern in Somalia is the same pattern that we see in other countries: drought leading to famine, leading to fights between different tribes or peoples who otherwise had no reason to fight. Aid came in from the United States, warlords started to fight over it, and that is how 18 U.S. service people lost their lives in what we now call "Black Hawk Down."

In 2010, terrible droughts in Russia and China and floods in Pakistan decimated wheat harvests and created a global shortage. The price of wheat increased dramatically. The Middle East, home to the world's top nine wheat importers, felt it severely, especially since the region's farmers struggled with their own parched fields. Much of Syria was gripped with the worst drought it had ever experienced. The price of bread skyrocketed across the region and demands for regime change were not far behind.

As we look around the world, we can see, hear, and feel how climate change

is a threat multiplier and a catalyst for conflict today. While we have to deal with the consequences of climate change that are already apparent, there is still time to prevent future catastrophes. That is why President Obama has been using the tool he has in the Clean Air Act to reduce carbon pollution. He has used it to increase the fuel efficiency of America's cars and trucks, and now he has released the Clean Power Plan, but Republicans want to undo it with the Congressional Review Act.

Starting next Monday in this Chamber, Senate Republicans can bring the resolution to the Senate floor at any time to dismantle the Clean Power Plan. Undoing it would be bad for our economy, bad for our health, and bad for our national security.

Now, 2014 was the hottest year in global history. Records go back all the way to 1880—the warmest year. The first half of this year is now the hottest January to June in that same record. The Clean Power Plan captures the scientific urgency and the economic opportunity necessary to avoid the worst consequences of climate change. The Clean Power Plan provides flexibility to the States to find the solutions to reducing carbon pollution that works best for their situations, unleashing a clean energy revolution in every single State in the Union. It will create jobs and save consumers billions on their electricity bills. It will avert almost 100,000 asthma attacks and prevent thousands of premature deaths. The climate and health benefits of the rule are estimated to save \$34 billion to \$54 billion per year by the year 2030.

Using the Clean Air Act to reduce carbon pollution is grounded in the Supreme Court's 2007 decision that confirmed the Environmental Protection Agency's authority to regulate carbon dioxide and other heat-trapping gases as pollutants under the Act. The Supreme Court has reaffirmed that authority in two subsequent cases, and we have used that authority to set carbon pollution standards for vehicles. These standards, along with increasing the fuel economy of our Nation's cars and trucks, are reducing pollution, saving drivers money, and sparking innovation. We will see similar benefits coming from the Clean Power Plan.

Some of my colleagues in the Senate say it can't be done. Some will say it will raise electricity bills. Some will say it will kill jobs. The problem for them is their claims are just not true. The Clean Power Plan is a plan to create jobs and to grow our economy. It is a signal to the marketplace to invest in clean energy—in wind, in solar, and other renewable energy resources. That is the 21st century. Too many people on the Senate floor keep looking at the future in a rearview mirror. They keep looking backward instead of ahead, unleashing the technologies of the 21st

century. The green generation, the young people in our country, they know we can do this. They know renewables are the technologies of the 21st century. If we do it, it will be a signal to the rest of the world that the United States is going to lead the effort to reduce greenhouse gases, while unleashing a job-creating renewable energy revolution not just for our own country but for the entire planet.

Just 2 months ago, in September, Congress had the honor of hearing from Pope Francis, who shared his message of action. He told us the American people can do it. He said:

I call for a courageous and responsible effort to redirect our steps and to avert the most serious effects of the environmental deterioration caused by human activity. I am convinced we can make a difference and I have no doubt that the United States—and this Congress—have an important role to play. Now is the time for courageous actions and strategies.

He is right. The Pope is right. This is the time for action from Congress—not denial, not obstructionism. Now is the time for the United States, for this Senate, to be the leader in finding the global solutions to this threat of dangerous climate change.

So what the Pope did was take the message of Christ and not deliver a "Sermon on the Mount," he delivered a sermon on the Hill—a sermon on the Hill to the Members of the House and the Senate to do everything they can to reduce dangerous greenhouse gases. In saying that to us, he said it as someone who taught high school chemistry, as someone who knows this issue—a Pope who taught chemistry. The Pope did not believe that science is at odds with religion. The Pope believes science and technology is the answer to our prayers, and he called upon us to unleash a technological revolution to reduce these dangerous greenhouse gases.

Why do we know that we can do this? It is a moral imperative. The Pope basically said three things: No. 1, the planet is dangerously warming and the science confirms that; No. 2, human activity is largely contributing to the warming of the planet and the science confirms that; and, No. 3, since human beings are causing this problem, they have a moral responsibility and a moral imperative to do something about it. We are the United States of America. We are the global leader in technology. We are the revolution. So let's see how far we have come in a very brief period of time.

In 2005, we installed 79 megawatts of solar in the United States. Solar technology had been around for generations. Einstein actually won his Nobel Prize for breakthroughs in solar research. Yet this is where we were in 2005; a tiny 79 megawatts was all we were able to install. Then we began to change policies in the United States. We began to have States across the

country, 30 States, which said we are going to have more renewable electricity in our States. We put tax breaks on the books, and look what happened in that very brief period of time. By 2014, nearly 7,000 megawatts in solar were installed in 1 year, up from 79, 100 times more solar, after not doing anything for generations. Policies were put on the books. All the deniers, all those doubters—all of a sudden everything they said about how solar wasn't practical, solar couldn't solve the problem—were confronted with this reality.

This year nearly 8,000 megawatts are going to be installed; next year, 12,000 megawatts of solar. We are going to have 40,000 megawatts of solar installed by the end of next year in the United States—40,000—and we were doing 79 total in 2005. That is how rapidly it is changing. That is how many new jobs are being created in America.

The same thing is happening in wind. Wind is going to be producing 20,000 new megawatts in just 2015 and 2016.

So here is the good news, and it is incredibly great. There will be 300,000 jobs in the wind and solar sector by the end of next year, 300,000 people working. There will only be 65,000 coal miners, but we will have 300,000 people with these incredible jobs in wind and solar. That is a revolution that wasn't on the books just 10 years ago. All the experts said it can't happen, it won't work, and it will never be successful.

So these revolutions are the things on which we have to continue to be the leaders to ensure that we put on the books and keep on the books so that we are successful. There is a technological imperative that we lead, there is an economic imperative that we lead because these jobs get created, and there is a moral responsibility that the United States has because we were the leading polluter for 100 years on the planet. China has now caught up to us, but a lot of that CO₂ is red, white, and blue.

Mr. President, I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MARKEY. So here is where we are: The President is going to use all of his legal authority to reach a deal in Paris. He will do it pursuant to the United Nations Framework Convention on Climate Change that was signed by President George Herbert Walker Bush and ratified by the Senate in 1992, so everything he is doing in Paris is completely pursuant to a treaty that was agreed to by this body. He is doing the Clean Power Plan to reduce greenhouse gases by 30 percent by the year 2030 in the electric utility sector, by the Clean Air Act of 1990, a law passed by the Senate. He increased the fuel economy standards to 54.5 miles per gallon by the year 2025, still the largest reduction of greenhouse gas in the world's

history, pursuant to a law passed in 2007 by the U.S. Senate.

Underlying it all is an authority given to him by the Supreme Court in 2007, in *Massachusetts versus the EPA*, which mandated the EPA had to act if they found there was an endangerment of an environment. All of this is legal, all of it is authority the President is using, and all of it is working to create a new era of clean energy jobs all across our country so that we are no longer preaching temperance from a barstool to the rest of the world. We can now say to China and to India: You too must put your reductions on the books.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

STRATEGIC PETROLEUM RESERVE

Ms. MURKOWSKI. Mr. President, I come to the floor this evening to talk about two issues that are of particular importance to me. When most look at me now, they think about energy and more typically about Alaskan energy. I am not going to disappoint tonight. I would like to speak to that, but I would also like to speak this evening about the Strategic Petroleum Reserve, the SPR. We have been talking about it a lot of late. It has been viewed as a source of revenue—a pay-for, if you will—with certain measures that we have seen of late, whether it be the transportation measure that we have in front of us, the budget deal that was executed a couple weeks ago, or other measures.

I want to take a few minutes this evening to talk about the Strategic Petroleum Reserve. I will start by first addressing what I will call the flagship SPR. It is the very important stuff, if you will, within the Reserve, and that is the crude oil. I call this the flagship because there are five product petroleum reserve sites in the Northeast. We have product reserve sites for gasoline, distillate, and home heating oil, but these are relatively small reserve sites. There are about 2 million barrels total. I think their effectiveness is probably more controversial. But the flagship SPR is truly—when we think about the impact, the import to our economy and to a level of stability, the flagship Strategic Petroleum Reserve occupies giant underground caverns along the gulf coast.

I had the opportunity to visit the site of one of our Strategic Petroleum Reserves. It holds some 695 million barrels, and they are ready to cover our Nation's net imports for several months if global energy markets should spiral out of control.

The comforting reality about these flagship SPRs is that, through thick and thin, these reserves are rarely ever tapped. They have offered a measure of security and stability that I think is

unique in the history of global commerce.

Amid higher levels of domestic production and lower levels of imports, a number of reforms are being considered for the SPR by the Department of Energy now. There has been a lot of discussion. There is a study underway by the DOE, and a discussion about upgrading the distribution capacity of the SPR is underway, and it clearly has merit.

The North American energy landscape has changed so quickly and so dramatically that the volume of oil we can pump out of the Reserve is greater and potentially much greater than the volume of oil we can actually move to refineries. This is something we need to understand and study more, but it is something that—we have congested waterways, we can look at reversed pipelines and so on, ways that we can figure out how we can move this oil more readily if we so need it.

In the measure we have just executed with the budget proposal, there is funding set aside for Strategic Petroleum Reserve maintenance and life extension, hopefully for marine terminals, but effectively recognizing that we need to make sure that our SPR actually functions as it is intended. That study is underway. We will learn more, hopefully in the spring, but the imperative to have a functioning, workable SPR is one that goes to national security, really, from an overall stability argument. I remain opposed to suggestions by some that we should use the Reserve to pay for completely unrelated programs or that we simply sell off the entire stockpile, as some have suggested.

As I wrote in my July report of this year called "A Turbulent World," we have drawn down SPR only on a limited number of occasions. In the entire history of the Reserve itself, only approximately 166 million barrels have ever left the storage sites for any reasons. So 166 barrels have been sold off over the course of the life of the Strategic Petroleum Reserve for exchanges, emergencies, tests, deficit reductions. Everything that we have ever done that has involved a sale of the SPR totals just about 166 million barrels. That is this graph over here.

Over here are the new proposed sales to the Strategic Petroleum Reserve. If we add up the barrels this Congress—the 114th Congress—has already committed to sell for SPR modernization, the Bipartisan Budget Act, the DRIVE Act, the Transportation bill, and then a bill over on the House side, the 21st Century Cures Act, we are looking at a total of 279 million barrels to be sold off. That is 40 million for SPR modernization, 58 million for the Bipartisan Budget Act, 21st Century Cures Act is 80 million, and the highway bill is 101 million. We would be selling off 279 million barrels total. Think about

that—in the entire life of the Strategic Petroleum Reserve, 166 million barrels sold off. In one Congress, what we are proposing is 279 million barrels. It is quite eye-catching.

These numbers matter. The SPR is designed to provide 90 days of net import protection. It is a pretty simple math equation we are dealing with. If we import more, we need more in storage; if we import less, we need less. Currently, net imports are about 5 million barrels per day. Therefore, the bare minimum we need in storage is 450 million barrels. So if we execute all of the sales the 114th Congress has either approved or is considering, we dip below the bare minimum that is required—the 450 million barrels—by the end of the 10-year window. I am going to be releasing another report on the cumulative impact of all these sales on the integrity of the Reserve, so we should be seeing that in a few days.

PETROLEUM ADMINISTRATION FOR DEFENSE DISTRICT 5

Ms. MURKOWSKI. Now, Mr. President, I would like to turn quickly to a Department of Energy proposal to construct a new petroleum product reserve on the west coast. We call this PADD 5, short for Petroleum Administration for Defense District 5. PADD 5 is important because it consumes 17 percent of the Nation's gasoline, 13 percent of its diesel fuel, and 30 percent of its jet fuel.

At the same time, PADD 5 is geographically isolated, according to the Energy Information Administration. The approximately 30 refineries operating on the west coast are responsible for supplying nearly all of its petroleum products.

The argument for a product reserve is relatively straightforward. Because PADD 5 is separated from the rest of the country by the Rocky Mountains and from the world by the Pacific Ocean, a stockpile of refined fuel should be established. That is the argument that is out there. I don't oppose a study of this concept, but I can see the pitfalls out there. PADD 5 imports over 1 million barrels of crude oil and petroleum products each day, suggesting that it really is not cut off from the world in the first place. And bear in mind the size of the district that we are talking about. Any stockpile would have to be really enormous to have significant impact.

Finally, would Federal gasoline reserves supplement or replace commercial stocks? That is a question that needs to be asked.

So perhaps the solution is not a refined product reserve at all but instead a return to basics, and that basic is crude oil. After all, there are reasons we chose crude oil instead of the products when we first created the Reserve. By and large, that rationale hasn't

changed. First, oil is better suited, chemically and economically, for long-term storage underground, we don't have seasonal specifications on oil as we do on gasoline, and oil can be processed into an array of products while gasoline cannot.

Very quickly, taking this back to Alaska, a gasoline reserve on the west coast of any size would be small potatoes when compared to the incredible resource base we have in Alaska. For decades now, tankers have shipped North Slope crude to the line of refineries that stretch from Anacortes, WA, down to Los Angeles. Drivers up and down the coast fuel their cars with gasoline that is refined from this Alaskan oil every day.

Alaska North Slope crude oil is chemically similar to the kinds of oil stored in the SPR. In fact, according to the Department of Energy, over 30 million barrels of Alaskan oil have been stored in the Strategic Petroleum Reserve. West coast refineries are optimized to run Alaskan crude. The Trans-Alaska Pipeline System is only pumping about 500,000 barrels per day, down from 2 million barrels per day at its peak. So there is plenty of room in our already built, already operating pipeline. The problem is—and you have heard me say this before—the Federal Government controls some 60 percent of the land in our State. More than 10 billion barrels of oil are buried under our onshore Federal lands alone, to say nothing of what is held in our offshore waters but remain almost universally inaccessible to American explorers and producers. That includes about 10 billion barrels in the nonwilderness portion of ANWR, where we are asking for permission to develop 2,000 acres or 0.01 percent of the surface of the refuge. That is all we are asking to access. Beyond our ANWR resources, we have at least another 900 million barrels in our National Petroleum Reserve, which is an area that is specifically reserved for development. The estimate on the 900 million barrels there is that it is likely far too low.

For the record, I would add that Alaskans overwhelmingly support development of both of these areas. More than 70 percent of Alaskans want development, understanding the significant economic benefits it will bring and the strong record of environmental stewardship we have in the State.

We have an opportunity. We have an opportunity to develop our resources in order to create jobs, generate revenues, and bolster our Nation's security and competitiveness. By doing this, we can actually address not just one but two threats: First, the Trans-Alaska Pipeline is just one-third full; in large part because of the anti-energy decisions made by this administration and the west coast is more vulnerable to supply disruptions as a result of falling production.

You think about a crisis situation in the Middle East. The west coast will need more oil. Its refineries are ready to run Alaskan crude and Alaskans are ready to ship it, but there is nothing to ship because the oil is still in the ground and there is no way to transport it from the North Slope to the terminals along the southern coast of the State.

I am not talking about keeping our oil in pristine condition, never to be used. Energy is not fine china that you keep up on a shelf. The Strategic Petroleum Reserve is not a petroleum preserve. Our strategic stocks, barrels ready to go, should rarely be tapped, but Alaskan resources are already part of the daily life of Californians, Hawaiians. The resource must be accessible, though, but first they need to be accessed.

Opening Alaska's resources now would ensure that more oil is transported through TAPS. A healthy pipeline would ensure that oil can be shipped from Alaska to fuel the west coast refineries when they need it and help ensure that energy remains affordable for the west coast.

Instead of constructing an entirely new product reserve, as some are contemplating, perhaps what we should do is preserve the infrastructure we have already built and leverage it to boost our energy security. Why would we want to build a reserve when you can prevent a shortage in the first place by letting a State that wants to produce oil go ahead and produce the oil? To me that is sound, strategic thinking. That would be a policy that benefits us instead of simply costing more money that we don't have. That is the kind of thinking that I believe our Nation and our future generations should have.

INTERNET SERVICES AND TECHNOLOGY RESOURCES USAGE RULES

Mr. BLUNT. Mr. President, I wish to inform all Senators that on November 9, 2015, the Committee on Rules and Administration adopted the U.S. Senate Internet Services and Technology Resources Usage Rules which will supersede and replace the U.S. Senate Internet Services Usage Rules and Policies previously adopted in 2008.

Given the many advances in technology since the last regulations were adopted, an update was required to facilitate the use of modern communication tools. The new regulations modernize our rules so Senate offices can utilize new technologies, such as third-party social networking sites and data analytics, to more effectively communicate with constituents.

While in some cases, outmoded restrictions on these technologies have been eased, certain restrictions necessarily remain in place including prohibitions on campaign content or links

on official sites, for example. The regulations should be reviewed carefully to see where new methods have been authorized as well as what restrictions remain.

These rules are effective immediately. I hope Senate offices will be able to make use of the new technologies and methods they authorize to enhance constituent communications.

Mr. President, I ask unanimous consent that the text of the rules as adopted be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE INTERNET SERVICES AND TECHNOLOGY RESOURCES USAGE RULES ADOPTED BY THE COMMITTEE ON RULES AND ADMINISTRATION ON NOVEMBER 9, 2015

1.0 DEFINITIONS

For purposes of these Rules, the following terms shall have the meaning specified—

1.1 *Senate Office*. Means—

- 1.1.1 A Member or Member office;
- 1.1.2 A Committee Chair, Committee Ranking Member or Committee office;
- 1.1.3 Senate Officers; and
- 1.1.4 Leadership Offices.

1.2 *Senate Rules Committee*. Means the U.S. Senate Committee on Rules and Administration.

1.3 *Senate Internet Services*. Include, but are not limited to, the Senate Computer Network, World Wide Web, electronic mail, blogs, Podcasts, and streaming media used for official purposes.

1.4 *Senate Technology Resources*. Include, but are not limited to,—

1.4.1 Hardware such as servers, computers, laptops, telephones, cell phones, wireless devices, and software that are owned, managed, maintained, leased, or otherwise provided by the U.S. Senate or a Senate office; and

1.4.2 Handheld communications devices, including tablet computers, and associated information technology services, including dual use devices that meet the limited exception provided by the Senate Select Committee on Ethics.

1.5 *Official Senate Office Website*. Means a website supported by Senate resources and dedicated to official business of the Senate Office.

1.6 *Official Third-Party Website*. A Third-Party Website means any website or online application, profile, or channel residing outside of the Senate.gov domain and available to the general public, including but not limited to social media (e.g., Facebook, Twitter, etc.). An Official Third-Party Website is a Third-Party Website that a Senate Office uses for official business pursuant to these rules.

1.7 *Official Website*. Means an Official Senate Office Website or Official Third-Party Website.

1.8 *Official Business*. Means activities and duties which directly or indirectly pertain to the legislative process or to any congressional representative functions generally, or to the functioning, working, or operating of the Congress and the performance of official duties in connection therewith, and shall include, but not be limited to, the conveying of information to the public, and the requesting and collection of the views of the public (including through surveys, opinion polls, and web data analytics), or the views and information of other governmental entities, as a guide or a means of assistance in the performance of those functions.

1.9 *Campaign Purposes*. Include, but are not limited to,—

1.9.1 Solicitation of political support for the sender or any other person or political party, or a vote or financial assistance for any candidate for any political office; or

1.9.2 Matter which mentions a Member or a staff member of a Member as a candidate for political office, or which constitutes electioneering, or which advocates the election or defeat of any individuals, or a political party.

1.10 *Commercial Purposes*. Include, but are not limited to, direct or indirect pursuit of private commercial business activities or profit-making ventures or advertising therefor, direct or indirect solicitation of funds or the purchase of goods or services, and identification and solicitation of investors or other sources of capital for for-profit enterprises.

1.11 *Fundraising Purposes*. Include, but are not limited to, direct or indirect solicitation of funds, pledges or other types of contributions, e.g., for political parties or campaigns, nonprofit or charitable organizations, or disaster or humanitarian relief efforts.

1.12 *Promotional Purposes*. Include, but are not limited to, publicizing or advertising a product, organization, institution, or venture so as to increase sales or public awareness.

2.0 SCOPE, RESPONSIBILITIES, AND PROHIBITED USES

2.1 *Official Business Use Only*. Use of Senate Internet Services and Senate technology resources is for activities and duties directly connected with the official business of the Senate.

2.2 *Prohibited Uses*. Use of Senate Internet Services and Senate technology resources for campaign, fundraising, commercial, or promotional purposes is prohibited, except for authorized “dual use devices” which, subject to certain restrictions, may be used for both campaign and official business purposes.

2.3 *Use of Official Websites*. Information provided on or through an Official Website must relate to activities and duties directly connected with the official and representational business of the Senate.

2.4 *Oversight of Internet and Information Security*. It is the responsibility of each Senate office to oversee the use of Senate Internet Services and Senate technology resources by that office and to ensure their use is consistent with the requirements of these Rules and applicable laws and regulations. The office has sole responsibility for effectively applying and complying with information security guidelines set out by the Senate Sergeant-At-Arms.

2.5 *Decorum Rule*. Use of Senate Internet Services and Senate technology resources to impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator, or to refer offensively to any State of the Union, is prohibited.

2.6 *Personal Use*. Senate Internet Services and Senate technology resources are provided for the conduct of official business. Personal use is permitted on a *de minimis* basis only in a manner that does not supersede or contradict these Rules such as the general rule prohibiting the use of Senate Internet Resources and Senate technology resources for campaign, fundraising, commercial and promotional purposes.

3.0 OFFICIAL SENATE OFFICE WEBSITES

3.1 *Host Domain*. An Official Senate Office Website must be located in the “senate.gov” host domain.

3.2 *URL Name*. The URL name of an Official Senate Office Website located in the

“senate.gov” domain is limited to one of the following formulations—

3.2.1 *Member Website*. Must contain the Member's last name.

3.2.2 *Committee or Senate Officer Website*, including a *Committee website maintained by the Committee Chair or the Committee Ranking Member*. Must contain the name of the Committee or title of the Senate Officer.

3.2.3 *Leadership Offices*. Must contain the name of, or acronym for, the office. For example, the offices of the Senate Majority Leader, Senate Minority Leader, Senate Majority Whip and Senate Minority Whip websites may utilize: Majority Leader, Majority Whip, Minority Leader, Minority Whip, Republican Leader, Republican Whip, Democratic Leader, Democratic Whip, as appropriate, to access the website directly or via a URL redirection. Web domains are to be surrendered in the event of a change in leadership.

3.3 *Task Force, Caucus, and Issue-Oriented Websites*. Use of the “senate.gov” host domain for task force, caucus, or other issue-oriented websites is prohibited. However, this does not prohibit a Member from referencing such issues or a task force on an Official Website.

3.4 *Senate Staff*. Senate staff are prohibited from establishing or maintaining an Official Senate Office Website in their own name in the “senate.gov” domain.

4.0 OFFICIAL THIRD-PARTY WEBSITES AND OFFICIAL ACCOUNTS

4.1 *In General*. A Senate office may maintain an official account or official public profile for each Official Third-Party Website.

4.2 The Senate Rules Committee maintains a non-exhaustive list of approved sites that have a terms-of-service agreement with the Senate. Use of an Official Third-Party Website not on the approved list may be restricted for security reasons and/or for failure to comply with applicable Senate rules and regulations.

4.3 An Official Third-Party Website shall identify itself as follows—

4.3.1 *Member*. The username, display name, or title of the Member's website must include the title “U.S. Senator” or an abbreviation thereof and the Member's last name.

4.3.2 *Committee*. The username, display name, or title of the website, including one maintained by the Committee Chair or the Committee Ranking Member, must include the name of the Committee or an abbreviation thereof, but may not include a Member's name.

4.3.3 *Senate Officer*. The username, display name, or title of a Senate Officer's website must include the name of the Office or an abbreviation thereof, but may not include the Officer's name.

4.3.4 *Leadership Office*. The username, display name, or title of the Leadership Office website must include the name of the Office or an abbreviation thereof.

4.3.5 *Identifying Statement*. The website shall display a statement identifying the account or profile as the “official account of” the Member, Committee, Leadership Office, or Senate Officer, as applicable.

4.4 *Use of the Senate Seal*. Use of any likeness of the Seal of the United States Senate on a non-Senate website or application is prohibited.

4.5 *Security*. Use of an Official Third-Party Website determined to pose a possible threat to the security of the Senate computer network shall be discontinued, per the direction of the Senate Rules Committee, until the risk is fully assessed and the risk mitigated to a level acceptable to the Senate Rules Committee.

4.6 *Last Day of a Member's Term.* A Member's official account on an Official Third-Party Website cannot be supported by Senate resources beyond the last day of the Member's term. Official Third-Party Websites must be deactivated or converted at the expiration of the term. Converted third-party websites cannot be supported with Senate resources and may no longer be identified as official.

5.0 LINKS BETWEEN WEBSITES

5.1 The following is prohibited—

5.1.1 Linking or posting from an Official Website to campaign, fundraising, commercial, or promotional sites except as provided for in section 5.3.

5.1.2 Linking or posting from an Official Website to a Member's campaign or personal website.

5.1.3 Linking or posting from a campaign website controlled by or under the direction of a Member or group of Members to an Official Website.

5.2 The following is permitted—

5.2.1 Linking or posting from an Official Website to another Official Website of the same Member.

5.2.2 Linking or posting from an Official Website to another Member, Committee, Leadership Office, or Senate Officer's Official Website.

5.2.3 Linking or posting from a Member's personal website to a Member's Official Website.

5.2.4 Linking or posting from a Member's Official Website to an official government website, including an official federal, state, or local government site.

5.3 Linking or posting from an Official Website to non-governmental sites (including commercial and promotional sites) only for official business purposes is permitted, provided the Senate office does not endorse, direct, control, support or discourage action by the non-governmental organization by means of the post or link. Links to fundraising or campaign sites do not fit within this exception and are prohibited.

6.0 SPECIAL RULES FOR 60-DAY MORATORIUM PERIOD

6.1 For purposes of this section, the following terms shall have the meaning specified—

6.1.1 *Moratorium period.* Means the 60 days immediately preceding the date of any primary or general election (whether regular, special, or runoff) in which the Member is a candidate.

6.1.2 *Uncontested candidate.* When the Senate Rules Committee receives written certification from the appropriate state official that the Member's candidacy may not be contested under state law, that candidate is uncontested. A Member running for re-election in a state that permits write-in votes for the Member's election shall be considered a contested candidate and is subject to the restrictions in this section.

6.1.3 *Mass communication.* Means an electronic communication including, but not limited to, posting to an Official Website, automated telephone calls for events such as Tele-Town Halls, and electronic mail transmission of substantially identical content to 500 or more recipients.

6.2 During the moratorium period, no Member office may seek constituent input or inquiries (such as online petitions or opinion polls) via a mass communication using Senate Internet Services unless the Member is an uncontested candidate. Nor shall a Member do so on behalf of another Member unless the other Member is an uncontested candidate.

6.3 No Member office may transmit an unsolicited mass communication during the moratorium period unless the Member is an uncontested candidate. A mass communication to a subscriber list or a post on an Official Website available to voluntary followers is deemed to be solicited and is therefore permitted during the moratorium period (subject to the limitations of 6.2).

6.4 Communications in the normal course of Senate official business such as in direct response to a constituent, another Member of Congress, or a federal, state or local government official and a news release to the communications media are permitted during the moratorium period.

6.5 A Member subject to the restrictions in this section shall display the following statement on the Member's Official Senate Website homepage: "Pursuant to Senate Policy, petitions, opinion polls and unsolicited mass electronic communications cannot be initiated by this office for the 60-day period immediately before the date of a primary or general election. Subscribers currently receiving electronic communications from this office who wish to unsubscribe may do so here (link)." The words "Senate Policy" must be hypertext linked to these rules displayed on the Member's home page.

6.6 A Member may not use another Senate office such as a Senate committee to circumvent these Rules.

NATIONAL DEFENSE AUTHORIZATION

Ms. HIRONO. Mr. President, on the eve of Veterans Day and the 240th Birthday of the United States Marine Corps, I rise to speak about the fiscal year 2016 National Defense Authorization Act, NDAA.

This legislation has taken a circuitous route to get to where it is today. The President correctly vetoed the original bill as it was a flawed product. It was flawed in the sense that it unfairly exempted the defense budget from the same draconian budget caps on nondefense programs by utilizing the overseas contingency operations, OCO. While this approach would have funded the defense bill, it neglected our economic security and left unaddressed important national priorities including law enforcement, education, transportation and community development, and medical research. A strong economy and strong communities are the backbone of our national security, and we should not divide our country into two Americas—defense on one side and everyone else on the other. That is not the way Congress should be doing business, and that is why our military leaders, led by Secretary of Defense Carter, opposed the earlier versions of this year's NDAA.

The bill, which we passed 91-3 today, comes after passage of the Bipartisan Budget Act, which provides balanced relief from cuts to ensure we have a strong defense and a strong economy. I supported this revised bill. While it was not a perfect bill, it is the result of a bipartisan compromise by the Congress. The fiscal year 2016 NDAA provides the men and women of our Armed

Forces with the resources and equipment they need to defend our Nation and protect its interests.

I commend Chairman MCCAIN and Ranking Member REED for their leadership on the Senate Armed Services Committee in creating and shepherding this vital legislation through this chamber. The outstanding and bipartisan efforts of committee members will allow the defense authorization bill to become law for the 54th consecutive year.

I am proud to serve alongside Chairman WICKER as ranking member of the Seapower Subcommittee and want to thank him for leading the subcommittee which helps ensure that our Navy and Marine Corps forces are trained and equipped to conduct the vital missions they are tasked to complete. A strong and prepared Navy and Marines is absolutely essential to our national security strategies in the Asia-Pacific region, and this bill supports those efforts.

This NDAA includes a number of provisions that reaffirm the importance of the rebalance to the Asia-Pacific; support the men and women who serve in our military and the Hawaii National Guard; invest in Hawaii's military bases, schools, and facilities and those that assess the ballistic missile capabilities of rouge nations and the current capacity to defend Hawaii against missile threats.

Our support of the rebalance to the Asia-Pacific is critical. Maintenance of stability in this region cannot be underestimated. Continued engagement and partnership with our friends and allies in the region is invaluable. By extending the State Partnership Program, we not only hone the capabilities and readiness of our National Guard, but we gain the dual benefit of enhancing our partnerships and the capacity of regional neighbors.

However, I do have some concerns with the final bill that I intend to work on going forward.

While my colleagues and I continue to work to reduce redundancy and increase efficiencies within our military, I would have serious concerns if across-the-board reductions to headquarters operations were made by the Department of Defense implementing this bill. In talking with military commanders, I know that cuts at command headquarters to include U.S. Pacific Command, U.S. Pacific Fleet, U.S. Marine Corps Forces, Pacific, U.S. Army Pacific and Pacific Air Forces, which are all based in Hawaii, would impact our soldiers, sailors, airmen, and marines.

We need to ensure that any reductions are carefully thought out and take into account the assigned missions and right sizing of headquarters to adequately support the demands we place on our operational forces. I will

closely monitor the Pentagon's implementation of these provisions going forward.

In addition, I want to ensure that the men and women of the Department who travel for extended periods of time on official business are reimbursed for food and lodging at appropriate levels. Last year the Department changed how these workers are reimbursed, and the bill passed today directs the Government Accountability Office, GAO, to review the issue and report back to Congress. I will be tracking the GAO report on this important issue, as well as the Department's implementation of their extended Temporary Travel Duty, TDY, policy.

While the passage of this legislation is critical, it still contains misguided provisions I have long disagreed with and that negatively affect our security, as well as the men and women who defend this Nation. An area I strongly disagree with is in regard to the restrictions on transferring prisoners from Guantanamo Bay. These harm our security interests and continue to undermine our leadership on human rights. We need to work towards a solution to close this facility.

Despite these concerns, this legislation is a product of a sincere bipartisan and bicameral effort to provide the men and women of our military the tools and resources it needs to defend our great Nation.

OBSERVING VETERANS DAY

Mr. CARDIN. Mr. President, I wish to commemorate Veterans Day and to thank all those who have served our country for their extraordinary bravery and sacrifice.

As many of my colleagues know, President Woodrow Wilson first established this holiday—originally known as Armistice Day—on November 11, 1919, to honor the brave Americans who fought and died in World War I. After the end of World War II, Armistice Day was expanded to honor all veterans of our military services, and the holiday's name was changed to Veterans Day.

My home State of Maryland has a long and proud military tradition dating to the first militiamen who set foot in the Maryland Colony in 1634; to the War of 1812, where our soldiers famously held Fort M'Henry and our national anthem, the "Star-Spangled Banner," was penned; through both world wars; Korea; Vietnam; the Persian Gulf war; and our most recent conflicts in Iraq and Afghanistan. Maryland's veterans and troops represent the best of our State and our Nation.

Earlier this year, I had an opportunity to help present a Congressional Gold Medal to former Tuskegee Airman William A. Colbert, Jr., a lifelong Marylander. Mr. Colbert enlisted in the Army Air Force in 1943 and achieved the rank of flight officer at the

Tuskegee Army Air Field. While Mr. Colbert never saw combat, he learned to fly with the best and became a full-fledged Red Tail. And as part of the first all-Black combat unit in the U.S. Armed Forces, Mr. Colbert and his fellow servicemen broke through racial barriers without any expectation of fame or fanfare. Their distinguished service and enduring courage played a critical role in the later desegregation of our Nation's military. Mr. Colbert always considered his contribution to the Tuskegee Airmen and his service to our country simply as what he was called to do as a citizen. Mr. Colbert passed away in early June but not before we were finally able to thank him for his extraordinary service to our Nation.

While we were able to honor Mr. Colbert, there are thousands of other veterans who remain nameless. That is why on August 5, 2015, I introduced the Korean War Veterans Memorial Wall of Remembrance Act of 2015, S. 1982, along with the senior Senator from Arkansas, Mr. BOOZMAN. Our legislation authorizes the addition of a Wall of Remembrance to the existing Korean War Veterans Memorial in Washington, DC. The Wall of Remembrance would list the names of members of the Armed Forces of the United States who died in theater in the Korean war, as well as the number of servicemembers who were wounded in action, are listed as missing in action, or who were prisoners of war during the Korean war. Authorizing a wall of remembrance here in the United States is just one way we can help ensure that those who gave the ultimate sacrifice while serving our country in the "forgotten war" are no longer forgotten.

As America celebrates Veterans Day, we stand united in honoring the acts of selfless service from our Nation's veterans. Our veterans and military men and women and their families need to know that we remember them not just on Veterans Day but every single day of the year. Our veterans have protected our country and defended our values. These Americans are the bravest among us, and we applaud the innumerable sacrifices that they and their loved ones have made for this great country. As we celebrate Veterans Day, our thoughts and prayers are also with "veterans to be"—the men and women who are currently serving our country, especially those in harm's way.

ANNIVERSARY OF THE DEATH OF KEN SARO-WIWA

Mr. WHITEHOUSE. Mr. President, today marks a dark milestone on the long road to environmental justice. Twenty years ago, Nigerian environmental and human rights activist Ken Saro-Wiwa was hanged, along with eight fellow defendants, following an internationally denounced military tribunal.

Saro-Wiwa was a well-known author and television producer in his native Nigeria before he chose to devote himself full time to the causes of the Ogoni, a minority ethnic group of about 500,000 farmers and fishermen who hail from the Niger Delta. As president of the Movement for the Survival of Ogoni People—MOSOP—he fought against the exploitation of Ogoni lands and the Ogoni people themselves by the oil drilling operations of Royal Dutch Shell.

As the oil industry grew to represent the main source of revenue for the Nigerian Government, the delta landscape was ravaged by oil spills and acid rain. Fertile farmland turned to oil-soaked wasteland. The region's fish and wildlife were wiped out—along with the livelihood of the Ogoni. Out of the entire 5,000-person workforce employed by Shell in Nigeria, less than 100 were Ogoni.

Under Ken Saro-Wiwa's leadership, MOSOP organized hundreds of thousands of Ogoni to demand environmental remediation, compensation for past damages, and a share in oil revenues. The regime of dictator General Sani Abacha responded with a brutal campaign of occupation, mass arrest, rape, execution, and the burning of Ogoni villages. In May 1994, Saro-Wiwa was abducted from his home and brought up on charges in connection with the murder of four Ogoni leaders. He was tried and convicted by a military tribunal that governments and human rights organizations worldwide condemned as fraudulent.

On November 10, 1995, Ken Saro-Wiwa was put to death.

"The only crime he and his colleagues had committed," reads Saro-Wiwa's citation for the prestigious Godman Environmental Prize, "was to demand sound environmental practices and to ask for compensation for the devastation of Ogoni territories."

A human rights lawsuit brought by Saro-Wiwa's son and other victims' families in U.S. Federal court alleged that Shell bribed at least two witnesses in the 1995 tribunal and that Shell's manager in Nigeria offered Saro-Wiwa's brother, another jailed activist, release from captivity in exchange for abandoning the movement. That suit was settled by Shell for \$15.5 million, just days before going to trial in 2009, following a protracted legal battle.

The Ogoni cause has been taken up by other Ogoni, both within Nigeria and living in exile, including Saro-Wiwa's sons. The struggle and death of Ken Saro-Wiwa serve as a lasting inspiration to people of all nations who seek relief from corporate abuse, government corruption, and environmental ruin. We will remember his noble fight for the basic right of a people to live in harmony with the Earth.

TRIBUTE TO MELISSA KALTENBACH

Ms. STABENOW. Mr. President, I wish to honor the service and retirement of one of my dear friends and most respected employees, Melissa Kaltenbach. Melissa has served me and the people of Michigan with infinite loyalty and dedication for the past 27 years.

Melissa began working for me in the Michigan House of Representatives and continued her service with me in the State Senate, U.S. House, and now in the U.S. Senate as my director of constituent services.

In so many ways, Melissa's job is one of if not the most important jobs on my staff. That is because her work impacts people where it matters most—in their daily lives. Her compassion toward the people of Michigan and understanding of the problems they face has been instrumental in setting the high standards for constituent services in my office and throughout the State of Michigan.

She has a unique ability to listen and understand the needs of people, and she demonstrates grace and respect for the dignity of others, even in the most stressful times and most difficult circumstances. She has gone above and beyond in so many ways—incredible empathy, unwavering loyalty, and infinite patience.

There really aren't enough words to describe Melissa's contributions to my office and to my success in serving the people of Michigan over these many years. She has been the go-to person on my team to mentor new staff, handle challenging cases, and answer those questions that don't seem to fall into anyone else's job description.

We all wish Melissa continued success and happiness with her family as she begins this new chapter in her life, joining her husband, Tim, in full-time retirement.

Her friendship and commitment to me and to the people of Michigan have been immeasurable, as is my gratitude for her decades of service. While my staff and I will miss her presence in our office, she will forever be an invaluable member and leader of "Team Stabenow."

ADDITIONAL STATEMENTS

REMEMBERING HACKETT MAYOR JEFF T. HARPER

• Mr. BOOZMAN. Mr. President, I wish to recognize the life and legacy of the mayor of Hackett, AR, Jeff Harper, who passed away on Thursday, November 5, 2015.

Affectionately known as Papa Bear to many, Mayor Harper dedicated his life to serving the citizens of Hackett. Mayor Harper worked for the street department and served as a firefighter for

a decade, eventually becoming the fire chief of Hackett. His commitment to the city of Hackett led him to run for mayor. He was elected in 2014 and served Hackett honorably the entirety of his all too short time in office.

I am greatly appreciative for Mayor Harper's noble service to the city of Hackett and the State of Arkansas. My prayers are with his wife Trini, his three children, and all those who are mourning him during this trying time. I hope they find comfort knowing that he made a positive impact on his community.●

TRIBUTE TO LARRY ZIMMER

• Mr. GARDNER. Mr. President, I wish to honor the voice of CU Buffalo football, Mr. Larry Zimmer, who will be calling his last game and celebrating his 80th birthday on November 13.

Mr. Zimmer joined the University of Colorado broadcasting team in 1971. He has since led a career filled with many awards and distinctions, which highlight his dedication to CU sports. He is a five-time winner of the Colorado Sportscaster of the Year award and recipient of the esteemed Chris Schenkel Award, given to those who dedicate their talents to college football. Even more important than these awards, however, is the respect and admiration he has earned from the students and faculty at the University of Colorado and all those who tune in to Buffalo football.

Over his long and distinguished career, he has truly become a hallmark of CU football games. I thank him for his many years of excellent broadcasting and wish him a very happy birthday.●

WELCOMING RITCHIE COUNTY VETERANS TO THE NATION'S CAPITAL

• Mr. MANCHIN. Mr. President, I wish to recognize with, overwhelming pride, a group of courageous veterans from Ritchie County, WV, who are visiting our Nation's Capital this Thursday. On behalf of our State and Nation, it is a true honor and privilege to recognize these heroic men and women and their families for their brave service and sacrifice as they tour the memorials built in their honor.

I have always said that West Virginia is one of the most patriotic States in this great Nation, and we are so proud of the number of veterans and Active-Duty members who have served our country with honor and distinction. The 20 veterans and their family members who are traveling to Washington, DC, embody our State's history and contributions to the freedom of this Nation. They may represent different generations of warriors, but no matter the war or the era, no matter the rank, each and every one of them courageously answered the call of duty to

defend our Nation and protect the freedoms we enjoy as Americans. In our time of need, they stepped forward and said, "I'll do it—I'll protect this country."

This trip will be a truly moving and special experience for these veterans, many of whom have never been to the memorials that were built for their service. It will include wreath-laying ceremonies at the monuments that commemorate the wars in which many have served, including the Vietnam Veterans Memorial, Korean War Veterans Memorial, and the National World War II Memorial. They will also be touring Arlington National Cemetery and have private time for a wreath-laying ceremony at the Tomb of the Unknown Soldier.

Mr. President, it is also tremendously important to recognize that this visit would not have been possible without the hard work and determination of an inspirational young Ritchie County native, Kirsten Seese. Kirsten is a Ritchie County High School senior who aspires to be a nurse one day. She was inspired to coordinate this trip as her prenursing senior project after hearing about a group of veterans that had recently traveled to Washington, DC, to visit the memorials sponsored by their community.

Kirsten wasted no time. She went to businesses in Ritchie County with the goal of organizing a 100 percent free veterans appreciation tour. In just 3 weeks, Kirsten raised enough money for 20 veterans, their family members, and local volunteers to visit to Washington, DC, absolutely free. They will not have to pay for any meals or refreshments and will receive a commemorative shirt and a hat. The funding will also go towards the wreaths for the ceremonies that will be held at each memorial and a group photo at the Capitol to commemorate their special day.

I am so proud of Kirsten. She has truly set an extraordinary example for her generation by giving back to those who have served this country and those who have protected our freedoms. It is the devotion and drive of young people like Kirsten that bring our communities together. I wish her the best of luck in her future endeavors, and I commend her for making an enormous impact on the lives of our veterans through this veterans appreciation tour.

Mr. President, I am filled with pride every time I meet the patriots who have served our country, and I am so pleased to welcome West Virginia's most courageous veterans who are all heroes to Washington, DC. I encourage all of my colleagues to join me in saluting them. They truly inspire us all as we are reminded of their selfless service. It is because of their bravery that all Americans enjoy the greatest liberties and freedoms in the world. We whole heartedly thank them.●

TRIBUTE TO JUDGE GEORGE HEALY

• Mr. WHITEHOUSE. Mr. President, I wish to pay tribute to a Rhode Islander whom I have known and admired for nearly 30 years: George Healy, chief judge of our State's Workers' Compensation Court, who retired in July after 24 years on the bench. A number of George's colleagues will be gathering on November 19 to honor his years of service, and it is indeed my honor to say a few words about him today.

I first came to know George Healy amidst a genuine crisis in Rhode Island: the near-collapse of our State's workers' compensation system in 1991. Here is how a 1991 report by the Rhode Island Department of Economic Development summed up the situation.

The financial burden borne by employers had simply become too great. Insurers had begun to exit the Rhode Island marketplace. And, most importantly, the financial protection required for our state's injured workers was being placed in jeopardy.

Indeed, when compared with our New England neighbors, our average claim costs were through the roof. In 1990, the average claim in Rhode Island was \$12,638, more than three times higher than the average claim in Vermont and significantly higher than Massachusetts, Connecticut, and New Hampshire, which collectively had average claim costs in the range of \$6,000 to \$7,000. This was simply unsustainable.

Enter George Healy who until that time had been a civil litigator and workers' compensation practitioner. Our Governor at the time, Bruce Sundlun, appointed George and a handful of other stakeholders to a task force that was given a bold directive: Reduce the cost of the system without reducing benefits. As Governor Sundlun's legal counsel at the time, I had the honor of leading the task force, but I relied greatly on George for his expertise on the system. Working together with our colleagues, we were able to develop a plan that protected workers, reduced costs, eliminated pending rate increases, stabilized the workers' compensation market, eliminated fraud, and prevented a collapse of the system.

One of the hallmarks of the reform was the creation of the Workers' Compensation Court, which hears and decides all disputes involving an injured employee and an employer relating to workers' compensation benefits. Governor Sundlun appointed George to be among the inaugural class of the court's judges after its creation in 1991. George was then appointed chief judge by Governor Don Carcieri in 2004.

Now, as George Healy looks back on his career, I hope he will rule it a success. I certainly do. The reforms he helped lead reduced average claim costs in Rhode Island from \$12,638 in 1991 to just \$5,179 in 2007. The reduction

came about not from benefit cuts but from system reforms, quick court action, injury prevention, and getting people quickly back to work. A 2009 report by the International Workers' Compensation Foundation put it this way: "When both claim frequency and severity are considered (taking into account all employees, whether or not injured) . . . Rhode Island stands out as the state with the lowest average medical cost per employee per year in the entire country." Because of George's work, Rhode Island is now a model system for the rest of the country.

In short, thanks in large part to George's hard work and his years of service on the bench, Rhode Island workers can rest assured that, if they get hurt on the job, their State's insurance program will be there for them. That is a proud and meaningful legacy to leave behind. In addition to all of George's accomplishments on the bench, I will always remember him for his humility, gentle demeanor, and respect toward those who appeared before him. I will also be grateful for his friendship through the years, and I hope George enjoys many peaceful years of retirement, knowing that his efforts have improved the lives of countless others. I wish him the best as he enjoys much deserved family time with his lovely wife Ruth, his son Tim and his wife Jewel, his son Paul and his wife Meghan, and George's three grandchildren, Quinn, Jack, and Charlotte. Godspeed, my friend. •

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:52 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the title of the bill (H.R. 22) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, further, that the House insists upon its amendment to the amendment of the Senate to the text of the bill, asks a conference with the Senate on the disagreeing votes of

the two Houses thereon, and appoints the following Members as managers of the conference on the part of the House:

From the Committee on Transportation and Infrastructure, for consideration of the House amendment and the Senate amendment, and modifications committed to conference: Messrs. SHUSTER, DUNCAN of Tennessee, GRAVES of Missouri, Mrs. MILLER of Michigan, Messrs. CRAWFORD, BARLETTA, FARENTHOLD, GIBBS, DENHAM, RIBBLE, PERRY, WOODALL, KATKO, BABIN, HARDY, GRAVES of Louisiana, DEFazio, Ms. NORTON, Mr. NADLER, Ms. BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. CUMMINGS, LARSEN of Washington, CAPUANO, Mrs. NAPOLITANO, Messrs. LIPINSKI, COHEN, and SIRES.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3480. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acetamiprid; Pesticide Tolerances" (FRL No. 9936-12) received in the Office of the President of the Senate on November 4, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3481. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2015-0001)) received in the Office of the President of the Senate on November 4, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3482. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Efficiency Standards for New Federal Commercial and Multi-Family High-Rise Residential Buildings' Baseline Standards Update" ((RIN1904-AD39) (Docket No. EERE-2014-BTSTD-0047)) received during adjournment of the Senate in the Office of the President of the Senate on November 6, 2015; to the Committee on Energy and Natural Resources.

EC-3483. A communication from the Secretary of Energy, transmitting proposed legislation; to the Committee on Energy and Natural Resources.

EC-3484. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri; Control of Petroleum Liquid Storage, Loading and Transfer" (FRL No. 9936-72-Region 7) received in the Office of the President of the Senate on November 4, 2015; to the Committee on Environment and Public Works.

EC-3485. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; North Carolina Infrastructure Requirements for the 2008 8-hour Ozone National Ambient Air Quality Standards" (FRL No. 9936-60-Region 4) received in the Office of the President of the Senate on November 4, 2015; to the Committee on Environment and Public Works.

EC-3486. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Louisiana; Major Source Permitting State Implementation Plan" (FRL No. 9936-45-Region 6) received in the Office of the President of the Senate on November 4, 2015; to the Committee on Environment and Public Works.

EC-3487. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Ohio; Revised Format for Materials Being Incorporated by Reference" (FRL No. 9933-71-Region 5) received in the Office of the President of the Senate on November 4, 2015; to the Committee on Environment and Public Works.

EC-3488. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Ohio; Test Methods; Error Correction" (FRL No. 9936-54-Region 5) received in the Office of the President of the Senate on November 4, 2015; to the Committee on Environment and Public Works.

EC-3489. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; TN; Knox County Emissions Statements" (FRL No. 9936-57-Region 4) received in the Office of the President of the Senate on November 4, 2015; to the Committee on Environment and Public Works.

EC-3490. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; TN; Reasonably Available Control Measures and Redesignation for the TN Portion of the Chattanooga 1997 Annual PM_{2.5} Nonattainment Area" (FRL No. 9936-55-Region 4) received in the Office of the President of the Senate on November 4, 2015; to the Committee on Environment and Public Works.

EC-3491. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of California Air Plan Revisions, Place County Air Pollution Control District" (FRL No. 9935-65-Region 9) received in the Office of the President of the Senate on November 4, 2015; to the Committee on Environment and Public Works.

EC-3492. A communication from the President of the United States, transmitting, pursuant to law, a notification of the President's intent to enter into a free trade agreement, known as the Trans-Pacific Partnership (TPP) Agreement; to the Committee on Finance.

EC-3493. A communication from the President of the United States, transmitting, pursuant to law, the notification of the President's intent to suspend the application of

duty-free treatment to all African Growth and Opportunity-eligible goods in the agricultural sector for the Republic of South Africa; to the Committee on Finance.

EC-3494. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "General Allocation and Accounting Regulations Under Section 141; Remedial Actions for Tax-Exempt Bonds" ((RIN1545-BB23; RIN1545-BC07; and RIN1545-BH48) (TD 9741)) received during adjournment of the Senate in the Office of the President of the Senate on November 6, 2015; to the Committee on Finance.

EC-3495. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Preparer Tax Identification Number (PTIN) User Fee Update" ((RIN1545-BN03) (TD 9742)) received during adjournment of the Senate in the Office of the President of the Senate on November 6, 2015; to the Committee on Finance.

EC-3496. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Unpaid Losses Discount Factors and Payment Patterns for 2015" (Rev. Proc. 2015-52) received during adjournment of the Senate in the Office of the President of the Senate on November 6, 2015; to the Committee on Finance.

EC-3497. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Salvage Discount Factors and Payment Patterns for 2015" (Rev. Proc. 2015-54) received during adjournment of the Senate in the Office of the President of the Senate on November 6, 2015; to the Committee on Finance.

EC-3498. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-171, "Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Temporary Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-3499. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-172, "Higher Education Licensure Commission Temporary Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-3500. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-173, "Sexual Assault Victim Rights Task Force Report Extension Temporary Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-3501. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-174, "Rent Control Hardship Petition Limitation Temporary Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-3502. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-175, "ABLE Program Trust Establishment Temporary Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-3503. A communication from the Chairman of the Council of the District of Colum-

bia, transmitting, pursuant to law, a report on D.C. Act 21-192, "Closing of a Public Alley in Square 369, S.O. 13-07989, Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-3504. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-193, "Testing Integrity Amendment Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-3505. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-194, "Closing of a Public Alley in Square 197, S.O., 15-23895, Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-3506. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-195, "James Bunn Way Designation Act of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-3507. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Revitalization of the AM Radio Service" ((FCC 15-142) (MB Docket No. 13-249)) received in the Office of the President of the Senate on November 4, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3508. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions; Channel Sharing by Full Power and Class A Stations Outside the Broadcast Television Spectrum Incentive Auction Context" ((FCC 15-139) (GN Docket No. 12-268 and MB Docket No. 15-137)) received in the Office of the President of the Senate on November 4, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3509. A communication from the Director, Bureau of Transportation Statistics, Department of Transportation, transmitting, pursuant to law, a report entitled "Two Decades of Change in Transportation: Reflections from Transportation Statistics Annual Reports, 1994-2014"; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation:

Report to accompany S. 1334, a bill to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, to amend the Tuna Conventions Act of 1950 to implement the Antigua Convention, and for other purposes (Rept. No. 114-166).

By Mr. CORKER, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 302. A resolution expressing the sense of the Senate in support of Israel and in condemnation of Palestinian terror attacks.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second times by unanimous consent, and referred as indicated:

By Mr. INHOFE (for himself and Mr. NELSON):

S. 2262. A bill to amend title XVIII of the Social Security Act to cover screening computed tomography colonography as a colorectal cancer screening test under the Medicare program; to the Committee on Finance.

By Mr. BLUNT (for himself and Mr. MANCHIN):

S. 2263. A bill to encourage effective, voluntary private sector investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to private sector employers recognizing such investments, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET:

S. 2264. A bill to amend the Internal Revenue Code of 1986 to strengthen the child tax credit; to the Committee on Finance.

By Mr. UDALL (for himself and Mr. MORAN):

S. 2265. A bill to improve the provision of health care by the Department of Veterans Affairs to veterans in rural and highly rural areas, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GRASSLEY (for himself, Mr. DURBIN, Mr. NELSON, Mr. BLUMENTHAL, and Mr. BROWN):

S. 2266. A bill to amend the Immigration and Nationality Act to reform and reduce fraud and abuse in certain visa programs for aliens working temporarily in the United States, and for other purposes; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself, Mr. CASEY, Ms. HIRONO, Ms. BALDWIN, Mr. BOOKER, Mr. KAINE, and Mr. FRANKEN):

S. 2267. A bill to amend the Higher Education Act of 1965 to improve the financial aid process for homeless children and youths and foster care children and youth; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN (for himself and Mr. MANCHIN):

S. 2268. A bill to award a Congressional Gold Medal to the United States Army Dust Off crews of the Vietnam War, collectively, in recognition of their extraordinary heroism and life-saving actions in Vietnam; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KIRK (for himself and Mr. MANCHIN):

S. 2269. A bill to establish the Government Transformation Board to make certain recommendations to improve the economy of the United States and the efficiency and effectiveness of Federal programs; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FRANKEN (for himself, Mr. COONS, Mr. MARKEY, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Ms. WARREN, and Mr. DURBIN):

S. 2270. A bill to address voluntary location tracking of electronic communications devices, and for other purposes; to the Committee on the Judiciary.

By Ms. STABENOW (for herself, Mr. FRANKEN, and Mr. COONS):

S. 2271. A bill to amend the Internal Revenue Code of 1986 to provide credits for the production of renewable chemicals and investments in renewable chemical production facilities, and for other purposes; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. REED, Ms. WARREN, and Mr. BLUMENTHAL):

S. 2272. A bill to amend the Higher Education Act of 1965 regarding proprietary institutions of higher education in order to protect students and taxpayers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOKER:

S. 2273. A bill to require the Administrator of the Small Business Administration to establish an incubator and accelerator grant program for veterans and members of the Armed Forces; to the Committee on Small Business and Entrepreneurship.

By Mr. TESTER (for himself, Ms. CANTWELL, Mr. UDALL, Mr. FRANKEN, and Mr. DAINES):

S. 2274. A bill to provide for rental assistance for homeless or at-risk Indian veterans; to the Committee on Indian Affairs.

By Ms. KLOBUCHAR (for herself, Mr. COATS, and Mr. MERKLEY):

S. 2275. A bill to provide for automatic acquisition of United States citizenship for certain internationally adopted individuals, and for other purposes; to the Committee on the Judiciary.

By Mrs. FISCHER (for herself, Mr. BOOKER, Mr. DAINES, and Mr. PETERS):

S. 2276. A bill to amend title 49, United States Code, to provide enhanced safety in pipeline transportation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY:

S. 2277. A bill to amend the Internal Revenue Code of 1986 to allow a credit for veteran first-time homebuyers and for adaptive housing and mobility improvements for disabled veterans, and for other purposes; to the Committee on Finance.

By Mr. SCHATZ:

S. 2278. A bill to promote the availability of additional unlicensed spectrum for innovation and investment, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MERKLEY (for himself, Mr. ROUNDS, Mr. TILLIS, Mrs. SHAHEEN, Mr. WARNER, Mr. BROWN, Mr. WYDEN, and Mr. TESTER):

S. 2279. A bill to require the Secretary of Veterans Affairs to carry out a program to increase efficiency in the recruitment and hiring by the Department of Veterans Affairs of health care workers that are undergoing separation from the Armed Forces, to create uniform credentialing standards for certain health care professionals of the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SULLIVAN (for himself, Ms. HEITKAMP, Mr. GRASSLEY, and Mr. LEAHY):

S. 2280. A bill to promote pro bono legal services as a critical way in which to empower survivors of domestic violence; considered and passed.

By Mr. JOHNSON (for himself and Mr. BARRASSO):

S. 2281. A bill to direct the Secretary of the Interior to reissue final rules relating to listing of the gray wolf in the Western Great Lakes and Wyoming under the Endangered Species Act of 1973, and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEE (for himself, Mrs. ERNST, Mr. RISCH, Mr. CASSIDY, Mr. SESSIONS, Mr. INHOFE, Mr. WICKER, Mr. COCHRAN, Mr. HATCH, Mr. GRASSLEY, Mr. ROUNDS, Mr. BLUNT, Mr. DAINES, Mr. MCCONNELL, Mr. SCOTT, Mr. COATS, Mr. PORTMAN, Mr. MORAN, Mr. JOHNSON, Mr. LANKFORD, Mr. SASSE, Mr. ROBERTS, Mr. ENZI, Mr. BOOZMAN, Mr. RUBIO, and Mr. CRUZ):

S. Res. 312. A resolution designating the week beginning November 8, 2015, as "National Pregnancy Center Week" to recognize the vital role that community-supported pregnancy centers (also known as pregnancy care and pregnancy resource centers) play in saving lives and serving women and men faced with difficult pregnancy decisions; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 122

At the request of Mr. MCCAIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 122, a bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada.

S. 210

At the request of Mr. KAINE, his name was added as a cosponsor of S. 210, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 275

At the request of Mr. ISAKSON, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 275, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home as a site of care for infusion therapy under the Medicare program.

S. 299

At the request of Mr. FLAKE, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 299, a bill to allow travel between the United States and Cuba.

S. 417

At the request of Ms. KLOBUCHAR, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 417, a bill to encourage spectrum licensees to make unused spectrum available for use by rural and smaller carriers in order to expand wireless coverage.

S. 429

At the request of Ms. BALDWIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 429, a bill to amend title XIX

of the Social Security Act to provide a standard definition of therapeutic foster care services in Medicaid.

S. 553

At the request of Mr. CORKER, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 553, a bill to marshal resources to undertake a concerted, transformative effort that seeks to bring an end to modern slavery, and for other purposes.

S. 602

At the request of Mr. WYDEN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 602, a bill to amend title 38, United States Code, to consider certain time spent by members of reserve components of the Armed Forces while receiving medical care from the Secretary of Defense as active duty for purposes of eligibility for Post-9/11 Educational Assistance, and for other purposes.

S. 640

At the request of Mr. FLAKE, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 640, a bill to amend the Clean Air Act to delay the review and revision of the national ambient air quality standards for ozone.

S. 746

At the request of Mr. WHITEHOUSE, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 804

At the request of Mrs. SHAHEEN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 885

At the request of Ms. WARREN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 885, a bill to direct the Architect of the Capitol to place in the United States Capitol a chair honoring American Prisoners of War/Missing in Action.

S. 901

At the request of Mr. KAINE, his name was added as a cosponsor of S. 901, a bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces that are related to that exposure, to establish an advisory board on such health conditions, and for other purposes.

S. 979

At the request of Mr. NELSON, the name of the Senator from Washington (Ms. CANTWELL) was added as a cospon-

sor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1133

At the request of Mr. FRANKEN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1133, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 1539

At the request of Mrs. MURRAY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1539, a bill to amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide summer electronic benefits transfer for children program.

S. 1559

At the request of Ms. AYOTTE, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1559, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 1562

At the request of Mr. WYDEN, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1608

At the request of Mrs. FEINSTEIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1608, a bill to protect the safety of the national airspace system from the hazardous operation of consumer drones, and for other purposes.

S. 1742

At the request of Ms. HEITKAMP, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1742, a bill to improve the provision of postal services to rural areas of the United States.

S. 1816

At the request of Mr. ROUNDS, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1816, a bill to provide relief to community banks, to promote access to capital for community banks, and for other purposes.

S. 1856

At the request of Mr. BLUMENTHAL, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1856, a bill to amend title 38, United States Code, to provide for suspension and removal of employees of the Department of Veterans Affairs for performance or misconduct

that is a threat to public health or safety and to improve accountability of employees of the Department, and for other purposes.

S. 1883

At the request of Mr. REED, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1883, a bill to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

S. 1886

At the request of Ms. CANTWELL, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1886, a bill to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009 and for other purposes.

S. 1893

At the request of Mrs. MURRAY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1893, a bill to reauthorize and improve programs related to mental health and substance use disorders.

S. 1915

At the request of Ms. AYOTTE, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1915, a bill to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes.

S. 1916

At the request of Mr. THUNE, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1916, a bill to include skilled nursing facilities as a type of health care provider under section 254(h) of the Communications Act of 1934.

S. 2021

At the request of Mr. BOOKER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2021, a bill to prohibit Federal agencies and Federal contractors from requesting that an applicant for employment disclose criminal history record information before the applicant has received a conditional offer, and for other purposes.

S. 2042

At the request of Mrs. MURRAY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2042, a bill to amend the National Labor Relations Act to strengthen protections for employees wishing to advocate for improved wages, hours, or other terms or conditions of employment and to provide for stronger remedies for interference with these rights, and for other purposes.

S. 2103

At the request of Mr. DONNELLY, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S.

2103, a bill to modify a provision relating to adjustments of certain State apportionments for Federal highway programs, and for other purposes.

S. 2123

At the request of Mr. GRASSLEY, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 2123, a bill to reform sentencing laws and correctional institutions, and for other purposes.

S. 2147

At the request of Mr. PORTMAN, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 2147, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 with respect to participant votes on the suspension of benefits under multiemployer plans in critical and declining status.

S. 2151

At the request of Mr. THUNE, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2151, a bill to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act.

S. 2170

At the request of Mrs. ERNST, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2170, a bill to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, and for other purposes.

S. 2220

At the request of Mr. BROWN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2220, a bill to amend title XXVII of the Public Health Service Act to provide for a special enrollment period for pregnant women, and for other purposes.

S. 2225

At the request of Mr. TILLIS, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 2225, a bill to amend the Immigration and Nationality Act to establish an H-2B temporary non-agricultural work visa program and for other purposes.

S. RES. 299

At the request of Mrs. FEINSTEIN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. Res. 299, a resolution honoring the life, legacy, and example of former Israeli Prime Minister Yitzhak Rabin on the twentieth anniversary of his death.

S. RES. 302

At the request of Mr. BLUMENTHAL, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Missouri (Mrs. McCASKILL), the Sen-

ator from Wisconsin (Mr. JOHNSON), the Senator from Georgia (Mr. PERDUE), the Senator from Louisiana (Mr. VITTER), the Senator from Mississippi (Mr. WICKER), the Senator from New Mexico (Mr. HEINRICH), the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. Res. 302, a resolution expressing the sense of the Senate in support of Israel and in condemnation of Palestinian terror attacks.

At the request of Mr. NELSON, his name was added as a cosponsor of S. Res. 302, *supra*.

At the request of Mr. BROWN, his name was added as a cosponsor of S. Res. 302, *supra*.

S. RES. 310

At the request of Mr. JOHNSON, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. Res. 310, a resolution condemning the ongoing sexual violence against women and children from Yezidi, Christian, Shabak, Turkmen, and other religious communities by Islamic State of Iraq and Syria militants and urging the prosecution of the perpetrators and those complicit in these crimes.

AMENDMENT NO. 2770

At the request of Mr. MCCAIN, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of amendment No. 2770 intended to be proposed to H.R. 2029, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 2788

At the request of Ms. COLLINS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of amendment No. 2788 proposed to H.R. 2029, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself and Mr. MANCHIN):

S. 2268. A bill to award a Congressional Gold Medal to the United States Army Dust Off crews of the Vietnam War, collectively, in recognition of their extraordinary heroism and life-saving actions in Vietnam; to the Committee on Banking, Housing, and Urban Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2268

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Dust Off Crews of the Vietnam War Congressional Gold Medal Act”.

SEC. 2. FINDINGS.

The Congress finds that—

(1) a United States Army Dust Off crewman is a helicopter crew member who served honorably in the Vietnam War aboard a helicopter air ambulance under the radio call sign “Dust Off”;

(2) Dust Off crews performed aeromedical evacuation for United States, Vietnamese, and allied forces inside South Vietnam from May 1962 through March 1973.

(3) nearing the end of World War II, the United States Army began using helicopters for medical evacuation and years later, during the Korean War, these helicopter air ambulances were responsible for transporting 17,700 United States casualties;

(4) during the Vietnam War, with the use of helicopter air ambulances, United States Army Dust Off crews pioneered the concept of dedicated and rapid medical evacuation and rescued almost 900,000 United States, South Vietnamese, and other allied sick and wounded, as well as wounded enemy forces;

(5) helicopters proved to be a revolutionary tool to assist those injured on the battlefield;

(6) highly skilled and intrepid, Dust Off crews were able to operate the helicopters and land them on almost any terrain in nearly any weather to pick up wounded, after which the Dust Off crews could provide care to these patients while transporting them to ready medical facilities;

(7) the vital work of the Dust Off crews required consistent combat exposure and often proved to be the difference between life and death for wounded personnel;

(8) the revolutionary concept of a dedicated combat life-saving system was cultivated and refined by United States Army Dust Off crews during 11 years of intense conflict in and above the jungles of South Vietnam;

(9) innovative and resourceful Dust Off crews in Vietnam were responsible for taking the new concept of helicopter medical evacuation, born just a few years earlier, and revolutionizing it to meet and surpass the previously unattainable goal of delivering a battlefield casualty to an operating table within the vaunted “golden hour”;

(10) some Dust Off units in Vietnam operated so efficiently that they were able to deliver a patient to a waiting medical facility on an average of 33 minutes from the receipt of the mission, which saved the lives of countless personnel in Vietnam, and this legacy continues for modern-day Dust Off crews;

(11) the inherent danger of being a member of a Dust Off crew in Vietnam meant that there was a 1 in 3 chance of being wounded or killed;

(12) many battles during the Vietnam War raged at night, and members of the Dust Off crews often found themselves searching for a landing zone in complete darkness, in bad weather, over mountainous terrain, and all while being the target of intense enemy fire as they attempted to rescue the wounded, which caused Dust Off crews to suffer a rate of aircraft loss that was more than 3 times that of all other types of combat helicopter missions in Vietnam;

(13) the 54th Medical Detachment typified the constant heroism displayed by Dust Off crews in Vietnam, over the span of a 10-month tour, with only 3 flyable helicopters and 40 soldiers in the unit, evacuating 21,435

patients in 8,644 missions while being airborne for 4,832 hours;

(14) collectively, the members of the 54th Medical Detachment earned 78 awards for valor, including 1 Medal of Honor, 1 Distinguished Service Cross, 14 Silver Star Medals, 26 Distinguished Flying Crosses, 2 Bronze Star Medals for valor, 4 Air Medals for valor, 4 Soldier's Medals, and 26 Purple Heart Medals;

(15) the 54th Medical Detachment displayed heroism on a daily basis and set the standard for all Dust Off crews in Vietnam;

(16) 5 members of the 54th Medical Detachment are in the Dust Off Hall of Fame, 3 are in the Army Aviation Hall of Fame, and 1 is the only United States Army aviator in the National Aviation Hall of Fame;

(17) Dust Off crew members are among the most highly decorated soldiers in American military history;

(18) in early 1964, Major Charles L. Kelly was the Commanding Officer of the 57th Medical Detachment (Helicopter Ambulance), Provisional, in Soc Trang, South Vietnam;

(19) Major Kelly helped to forge the Dust Off call-sign into history as one of the most welcomed phrases to be heard over the radio by wounded soldiers in perilous and dire situations;

(20) in 1964, Major Kelly was killed in action as he gallantly maneuvered his aircraft to save a wounded American soldier and several Vietnamese soldiers and boldly replied, after being warned to stay away from the landing zone due to the ferocity of enemy fire, "When I have your wounded.";

(21) General William Westmoreland, Commander, Military Assistance Command, Vietnam (1964–1968), singled out Major Kelly as an example of "the greatness of the human spirit" and highlighted his famous reply as an inspiration to all in combat;

(22) General Creighton Abrams, Westmoreland's successor (1968–1972), and former Chief of Staff of the United States Army, highlighted the heroism of Dust Off crews, "A special word about the Dust Offs . . . Courage above and beyond the call of duty was sort of routine to them. It was a daily thing, part of the way they lived. That's the great part, and it meant so much to every last man who served there. Whether he ever got hurt or not, he knew Dust Off was there.";

(23) Dust Off crews possessed unique skills and traits that made them highly successful in aeromedical evacuation in Vietnam, including indomitable courage, extraordinary aviation skill and sound judgment under fire, high-level medical expertise, and an unequalled dedication to the preservation of human life;

(24) members of the United States Armed Forces on the ground in Vietnam had their confidence and battlefield prowess reinforced knowing that there were heroic Dust Off crews just a few minutes from the fight, which was instrumental to their well-being, willingness to fight, and morale;

(25) military families in the United States knew that their loved ones would receive the quickest and best possible care in the event of a war-time injury, thanks to the Dust Off crews;

(26) the willingness of Dust Off crews to also risk their lives to save helpless civilians left an immeasurably positive impression on the people of Vietnam and exemplified the finest American ideals of compassion and humanity; and

(27) Dust Off crews from the Vietnam War hailed from every State in the United States and represented numerous ethnic, religious, and cultural backgrounds.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) **PRESENTATION AUTHORIZED.**—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of Congress, of a single gold medal of appropriate design in honor of the Dust Off crews of the Vietnam War, collectively, in recognition of their heroic military service, which saved countless lives and contributed directly to the defense of our country.

(b) **DESIGN AND STRIKING.**—For the purposes of the award referred to in subsection (a), the Secretary of the Treasury shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary, in consultation with the Secretary of Defense.

(c) **SMITHSONIAN INSTITUTION.**—

(1) **IN GENERAL.**—Following the award of the gold medal in honor of the Dust Off Crews of the Vietnam War, the gold medal shall be given to the Smithsonian Institution, where it will be available for display as appropriate and available for research.

(2) **SENSE OF CONGRESS.**—It is the sense of Congress that the Smithsonian Institution should also make the gold medal awarded pursuant to this Act available for display elsewhere, particularly at appropriate locations associated with the Vietnam War, and that preference should be given to locations affiliated with the Smithsonian Institution.

SEC. 4. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 3 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 5. NATIONAL MEDALS.

The medal struck pursuant to this Act is a national medal for purposes of chapter 51 of title 31, United States Code.

By Mr. DURBIN (for himself, Mr. REED, Ms. WARREN, and Mr. BLUMENTHAL):

S. 2272. A bill to amend the Higher Education Act of 1965 regarding proprietary institutions of higher education in order to protect students and taxpayers; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2272

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Protecting Our Students and Taxpayers Act of 2015" or "POST Act of 2015".

SEC. 2. 85/15 RULE.

(a) **IN GENERAL.**—Section 102(b) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking "and" after the semicolon;

(B) in subparagraph (E), by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(F) meets the requirements of paragraph (2).";

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

"(2) REVENUE SOURCES.—

"(A) **IN GENERAL.**—In order to qualify as a proprietary institution of higher education under this subsection, an institution shall derive not less than 15 percent of the institution's revenues from sources other than Federal funds, as calculated in accordance with subparagraphs (B) and (C).

"(B) **FEDERAL FUNDS.**—In this paragraph, the term 'Federal funds' means any Federal financial assistance provided, under this Act or any other Federal law, through a grant, contract, subsidy, loan, guarantee, insurance, or other means to a proprietary institution, including Federal financial assistance that is disbursed or delivered to an institution or on behalf of a student or to a student to be used to attend the institution, except that such term shall not include any monthly housing stipend provided under the Post-9/11 Veterans Educational Assistance Program under chapter 33 of title 38, United States Code.

"(C) **IMPLEMENTATION OF NON-FEDERAL REVENUE REQUIREMENT.**—In making calculations under subparagraph (A), an institution of higher education shall—

"(i) use the cash basis of accounting;

"(ii) consider as revenue only those funds generated by the institution from—

"(I) tuition, fees, and other institutional charges for students enrolled in programs eligible for assistance under title IV;

"(II) activities conducted by the institution that are necessary for the education and training of the institution's students, if such activities are—

"(aa) conducted on campus or at a facility under the control of the institution;

"(bb) performed under the supervision of a member of the institution's faculty; and

"(cc) required to be performed by all students in a specific educational program at the institution; and

"(III) a contractual arrangement with a Federal agency for the purpose of providing job training to low-income individuals who are in need of such training;

"(iii) presume that any Federal funds that are disbursed or delivered to an institution on behalf of a student or directly to a student will be used to pay the student's tuition, fees, or other institutional charges, regardless of whether the institution credits such funds to the student's account or pays such funds directly to the student, except to the extent that the student's tuition, fees, or other institutional charges are satisfied by—

"(I) grant funds provided by an outside source that—

"(aa) has no affiliation with the institution; and

"(bb) shares no employees with the institution; and

"(II) institutional scholarships described in clause (v);

"(iv) include no loans made by an institution of higher education as revenue to the school, except for payments made by students on such loans;

"(v) include a scholarship provided by the institution—

"(I) only if the scholarship is in the form of monetary aid based upon the academic achievements or financial need of students, disbursed to qualified student recipients during each fiscal year from an established restricted account; and

“(II) only to the extent that funds in that account represent designated funds, or income earned on such funds, from an outside source that—

“(aa) has no affiliation with the institution; and

“(bb) shares no employees with the institution; and

“(vi) exclude from revenues—

“(I) the amount of funds the institution received under part C of title IV, unless the institution used those funds to pay a student's institutional charges;

“(II) the amount of funds the institution received under subpart 4 of part A of title IV;

“(III) the amount of funds provided by the institution as matching funds for any Federal program;

“(IV) the amount of Federal funds provided to the institution to pay institutional charges for a student that were refunded or returned; and

“(V) the amount charged for books, supplies, and equipment, unless the institution includes that amount as tuition, fees, or other institutional charges.

“(D) REPORT TO CONGRESS.—Not later than July 1, 2016, and by July 1 of each succeeding year, the Secretary shall submit to the authorizing committees a report that contains, for each proprietary institution of higher education that receives assistance under title IV and as provided in the audited financial statements submitted to the Secretary by each institution pursuant to the requirements of section 487(c)—

“(i) the amount and percentage of such institution's revenues received from Federal funds; and

“(ii) the amount and percentage of such institution's revenues received from other sources.”.

(b) REPEAL OF EXISTING REQUIREMENTS.—Section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094) is amended—

(1) in subsection (a)—

(A) by striking paragraph (24);

(B) by redesignating paragraphs (25) through (29) as paragraphs (24) through (28), respectively;

(C) in paragraph (24)(A)(ii) (as redesignated by subparagraph (B)), by striking “subsection (e)” and inserting “subsection (d)”;

(D) in paragraph (26) (as redesignated by subparagraph (B)), by striking “subsection (h)” and inserting “subsection (g)”;

(2) by striking subsection (d);

(3) by redesignating subsections (e) through (j) as subsections (d) through (i), respectively;

(4) in subsection (f)(1) (as redesignated by paragraph (3)), by striking “subsection (e)(2)” and inserting “subsection (d)(2)”;

(5) in subsection (g)(1) (as redesignated by paragraph (3)), by striking “subsection (a)(27)” in the matter preceding subparagraph (A) and inserting “subsection (a)(26)”.

(c) CONFORMING AMENDMENTS.—The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

(1) in section 152 (20 U.S.C. 1019a)—

(A) in subsection (a)(1)(A), by striking “subsections (a)(27) and (h) of section 487” and inserting “subsections (a)(26) and (g) of section 487”; and

(B) in subsection (b)(1)(B)(i)(I), by striking “section 487(e)” and inserting “section 487(d)”;

(2) in section 153(c)(3) (20 U.S.C. 1019b(c)(3)), by striking “section 487(a)(25)” each place the term appears and inserting “section 487(a)(24)”;

(3) in section 496(c)(3)(A) (20 U.S.C. 1099b(c)(3)(A)), by striking “section 487(f)” and inserting “section 487(e)”;

(4) in section 498(k)(1) (20 U.S.C. 1099c(k)(1)), by striking “section 487(f)” and inserting “section 487(e)”.

By Mrs. FISCHER (for herself,
Mr. BOOKER, Mr. DAINES, and
Mr. PETERS):

S. 2276. A bill to amend title 49, United States Code, to provide enhanced safety in pipeline transportation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. DAINES. Mr. President, I rise today along with my colleagues Senators FISCHER, BOOKER, and PETERS to introduce the Securing America's Future Energy: Protecting our Infrastructure of Pipelines and Enhancing Safety, SAFE PIPES, Act, reauthorizing the Pipeline and Hazardous Material Safety Administration, PHMSA. Safe and secure pipeline infrastructure is critical to our nation, and is especially important to Montanans—for economic opportunity and environmental protection.

We had a great bipartisan group of Senators working on this legislation. I would like to thank Senator FISCHER for traveling to Billings, Montana to chair the first in a series of hearings on pipeline safety and coordinating efforts to write this important legislation. Additionally, I thank Senators BOOKER and PETERS for their work drafting this legislation.

In Montana, we have some of the country's most pristine wild spaces along with an abundance on natural resources. Montana produces approximately 30 million barrels of crude oil, 63 billion cubic feet of natural gas, and 42 million short tons of coal annually. We export 60 percent of this energy. The oil and gas industries support the employment of over 43,000 Montanans. Likewise, Montana's unspoiled mountains and streams is the main motivator for many visiting Montana. The tourism industry supports the employment of over 53,000 Montanans.

It is needless to say, but it is imperative that both jobs are protected. This legislation does just that, by improving pipeline inspection report turnaround times, increasing focus on pipeline river crossings, helping fill vacant inspector positions, facilitating communications between PHMSA and State agencies, and enabling PHMSA to conduct safety research with industry experts.

I look forward to continue my work, along with my colleagues, on enhancing pipeline safety, protecting our economic and environmental resources, and shepherding this legislation across the finish line.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 312—DESIGNATING THE WEEK BEGINNING NOVEMBER 8, 2015, AS “NATIONAL PREGNANCY CENTER WEEK” TO RECOGNIZE THE VITAL ROLE THAT COMMUNITY-SUPPORTED PREGNANCY CENTERS (ALSO KNOWN AS PREGNANCY CARE AND PREGNANCY RESOURCE CENTERS) PLAY IN SAVING LIVES AND SERVING WOMEN AND MEN FACED WITH DIFFICULT PREGNANCY DECISIONS

Mr. LEE (for himself, Mrs. ERNST, Mr. RISC, Mr. CASSIDY, Mr. SESSIONS, Mr. INHOFE, Mr. WICKER, Mr. COCHRAN, Mr. HATCH, Mr. GRASSLEY, Mr. ROUNDS, Mr. BLUNT, Mr. DAINES, Mr. MCCONNELL, Mr. SCOTT, Mr. COATS, Mr. PORTMAN, Mr. MORAN, Mr. JOHNSON, Mr. LANKFORD, Mr. SASSE, Mr. ROBERTS, Mr. ENZI, Mr. BOOZMAN, Mr. RUBIO, and Mr. CRUZ) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 312

Whereas, for more than 100 years, young women facing unplanned pregnancies have found support from charitable organizations ranging from Catholic Charities and Jewish Maternity Homes to the Salvation Army;

Whereas many charitable organizations banded together on November 13, 1971, to form the first United States association of nonprofit organizations dedicated to rescuing as many lives as possible from abortion;

Whereas, as of 2013, there were approximately 2,500 pregnancy centers in the United States;

Whereas women in every part of the United States turn to pregnancy centers for help, hope, and healing;

Whereas pregnancy centers are local, nonprofit organizations that provide vital and compassionate support to women and men faced with difficult pregnancy decisions;

Whereas pregnancy centers reach more than 2,300,000 people each year through a combination of client services, including—

- (1) pregnancy tests;
- (2) ultrasound and medical services;
- (3) options counseling and education; and
- (4) parenting and childbirth classes;

Whereas, every day in the United States, pregnancy centers assist an average of 6,500 people, including women and men of all ages and backgrounds;

Whereas some pregnancy centers offer specific medical services, including—

- (1) consultation with a licensed medical professional;
- (2) limited ultrasound for pregnancy confirmation; and
- (3) testing for sexually transmitted infections and diseases;

Whereas the National Institute of Family and Life Advocates—

- (1) provides life-affirming pregnancy centers with legal counsel, education, and training;
- (2) has assisted hundreds of pregnancy centers in becoming medical clinics; and
- (3) represented nearly 1,000 pregnancy centers that operate as medical clinics today;

Whereas approximately 30,000 Americans volunteer at community-supported pregnancy centers each year, offering more than 5,700,000 hours of uncompensated work;

Whereas the approximately 1,000 medical pregnancy centers that provide limited ultrasound deliver limited ultrasound at little or no cost to women;

Whereas, in 2010, close to 230,000 ultrasounds were performed at pregnancy medical centers;

Whereas pregnancy centers understand that each pregnancy decision is an emotional and private choice, and compassionate staff and trained volunteers of pregnancy centers—

(1) provide each patient with educational materials; and

(2) offer each patient emotional support and care to help each patient through difficult situations;

Whereas close to 78 percent of pregnancy centers in the United States offer specialized parenting education—

(1) through direct services on premises; or

(2) in nearby churches, schools, or other locations;

Whereas nearly every pregnancy care and resource center provides clients with material support for pregnancy and infant care, which may include—

(1) maternity clothing;

(2) baby clothes and furniture;

(3) housing assistance; or

(4) nutritional counseling and resources;

Whereas pregnancy centers—

(1) do not discriminate based on age, race, nationality, creed, religious affiliation, disability, or arbitrary circumstances; and

(2) take special care to provide help to underserved minority populations;

Whereas pregnancy centers have committed to engaging fathers so that they can acquire the skills necessary to become involved and responsible fathers;

Whereas Care Net affiliated pregnancy centers—

(1) have saved more than 462,000 babies since 2008; and

(2) saved 73,000 babies in 2014 alone;

Whereas Heartbeat International reports that Heartbeat International affiliated pregnancy centers rescue 160,000 babies from the risk of abortion each year;

Whereas, in the last 7 years, 8 of 10 women considering abortion when they entered a Care Net affiliated pregnancy care and resource center ended up choosing life;

Whereas, in the last 7 years, Care Net affiliated pregnancy centers—

(1) provided 698,649 free ultrasound scans;

(2) provided parenting support and education to 828,190 individuals;

(3) provided material resources to more than 1,200,000 individuals; and

(4) administered 2,100,000 pregnancy tests;

Whereas the 24-hour Option Line of Heartbeat International—

(1) helps carry out a mission of reaching and rescuing as many lives as possible around the world through an effective network of life-affirming pregnancy help centers; and

(2) answers questions by phone, text, email, or chat before connecting an individual with the local pregnancy help organization of the individual where the individual will receive 1-on-1, compassionate, caring support;

Whereas, in 2014 Heartbeat International received their 2,000,000th contact through the Option Line;

Whereas the Care Net Pregnancy Decision Line is the only national hotline that pro-

vides immediate pregnancy decision coaching by highly trained coaches;

Whereas Heartbeat International reports the existence of 413 maternity homes in the United States;

Whereas, in 2008, Care Net, Heartbeat International, the National Institute of Family and Life Advocates, and other groups issued a statement entitled "Our Commitment of Care and Competence", which—

(1) addresses issues including—

(A) scientific and medical accuracy;

(B) truth in advertising;

(C) compassion;

(D) nondiscrimination;

(E) patient confidentiality;

(F) staff training; and

(G) a consistent life ethic; and

(2) expands the determination of the pregnancy help movement to comply with applicable legal requirements regarding—

(A) employment;

(B) fundraising;

(C) financial management;

(D) taxation;

(E) medical licensure; and

(F) operation standards; and

Whereas less than 10 percent of the income of pregnancy centers in the United States derives from governmental sources, which ensures that pregnancy centers—

(1) minimize burdens on each taxpayer; and

(2) engage local communities to provide sustainable support: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning November 8, 2015, as "National Pregnancy Center Week";

(2) supports the important work of pregnancy centers across the United States;

(3) appreciates and recognizes the thousands of volunteers and staff of pregnancy centers in the United States who give millions of hours of service each year to women and men who are faced with difficult pregnancy decisions; and

(4) recognizes the importance of—

(A) protecting life; and

(B) assisting women and men in need as they bring children into the world.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2791. Mr. CORNYN (for himself and Mr. CRUZ) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

SA 2792. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2793. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2794. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra.

SA 2795. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK

(for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra.

SA 2796. Mr. MCCAIN submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 90, directing the Secretary of the Senate to make a technical correction in the enrollment of S. 1356.

SA 2797. Mr. BLUNT (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

SA 2798. Mr. TESTER (for Mrs. BOXER) proposed an amendment to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra.

SA 2799. Mr. THUNE (for himself and Mr. ROUNDS) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2800. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2801. Mr. TESTER (for Mr. BROWN (for himself and Mr. TILLIS)) proposed an amendment to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra.

SA 2802. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2803. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, supra; which was ordered to lie on the table.

SA 2804. Mrs. FEINSTEIN (for herself, Mr. DURBIN, and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill S. 1356, to clarify that certain provisions of the Border Patrol Agent Pay Reform Act of 2014 will not take effect until after the Director of the Office of Personnel Management promulgates and makes effective regulations relating to such provisions; which was ordered to lie on the table.

SA 2805. Mr. THUNE (for Mr. CRUZ (for himself, Mr. NELSON, Mr. RUBIO, Mr. PETERS, Mr. GARDNER, and Mrs. MURRAY)) submitted an amendment intended to be proposed by Mr. Thune to the bill H.R. 2262, to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes.

SA 2806. Ms. MURKOWSKI (for Mr. ISAKSON) proposed an amendment to the bill S. 1203, to amend title 38, United States Code, to improve the processing by the Department of Veterans Affairs of claims for benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes.

SA 2807. Ms. MURKOWSKI (for Mr. BLUMENTHAL) proposed an amendment to the resolution S. Res. 302, expressing the sense of the Senate in support of Israel and in condemnation of Palestinian terror attacks.

SA 2808. Ms. MURKOWSKI (for Mr. BLUMENTHAL) proposed an amendment to the resolution S. Res. 302, *supra*.

TEXT OF AMENDMENTS

SA 2791. Mr. CORNYN (for himself and Mr. CRUZ) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report that includes, with respect to the South Texas Veterans Health Care System of the Department of Veterans Affairs, the following:

(1) A description of the nature and scope of any foreseeable increase in wait times for medical appointments.

(2) An assessment of whether a shortage of health care providers is the primary cause of any such increase in wait times.

(3) An identification of any other causes of any such increase in wait times.

(4) A description of any action taken by the Department to correct any such increase in wait times.

(5) An assessment of any issues relating to access to care.

(6) A plan for how the Secretary will remedy any such increase in wait times, including a detailed description of steps to be taken and a timeline for completion.

(b) In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Appropriations and the Committee on Veterans’ Affairs of the Senate; and

(2) the Committee on Appropriations and the Committee on Veterans’ Affairs of the House of Representatives.

SA 2792. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2 _____. EXPANSION OF CHOICE PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) ELIMINATION OF SUNSET.—

(1) IN GENERAL.—Section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) is amended—

(A) by striking subsection (p); and

(B) by redesignating subsections (q), (r), (s), and (t) as subsections (p), (q), (r), and (s), respectively.

(2) CONFORMING AMENDMENTS.—Such section is amended—

(A) in subsection (i)(2), by striking “during the period in which the Secretary is author-

ized to carry out this section pursuant to subsection (p)”;

(B) in subsection (p)(2), as redesignated by paragraph (1)(B), by striking subparagraph (F).

(b) EXPANSION OF ELIGIBILITY.—

(1) IN GENERAL.—Subsection (b) of such section is amended to read as follows:

“(b) ELIGIBLE VETERANS.—A veteran is an eligible veteran for purposes of this section if the veteran is enrolled in the patient enrollment system of the Department of Veterans Affairs established and operated under section 1705 of title 38, United States Code, including any such veteran who has not received hospital care or medical services from the Department and has contacted the Department seeking an initial appointment from the Department for the receipt of such care or services.”.

(2) CONFORMING AMENDMENTS.—Such section is amended—

(A) in subsection (c)(1)—

(i) in the matter preceding subparagraph (A), by striking “In the case of an eligible veteran described in subsection (b)(2)(A), the Secretary shall, at the election of the eligible veteran” and inserting “The Secretary shall, at the election of an eligible veteran”; and

(ii) in subparagraph (A), by striking “described in such subsection” and inserting “of the Veterans Health Administration”;

(B) in subsection (f)(1), by striking “subsection (b)(1)” and inserting “subsection (b)”;

(C) in subsection (g), by striking paragraph (3); and

(D) in subsection (p)(2)(A), as redesignated by subsection (a)(1)(B), by striking “disaggregated by—” and all that follows through “subsection (b)(2)(D)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to hospital care and medical services furnished under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) on and after the date that is 90 days after the date of the enactment of this Act.

SA 2793. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. _____. (a) Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall establish a central clearinghouse within the Department of Defense regarding physical security enhancements at military facilities to reduce inefficiency and promote the sharing of best practices among the military services and Department of Defense components.

(b) Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Appropriations a report—

(1) describing the establishment and use of the clearinghouse described in subsection (a);

(2) describing completed and planned actions by the Department of Defense, the military services, the combatant commands, and the National Guard Bureau to enhance

physical security at their installations, including recruiting centers and reserve component facilities; and

(3) identifying funding requirements for such actions.

SA 2794. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end of title II, add the following:

SEC. 2 _____. (a) The amount appropriated or otherwise made available by this title under the heading “MEDICAL AND PROSTHETIC RESEARCH” under the heading “VETERANS HEALTH ADMINISTRATION” is hereby increased by \$8,922,462.

(b) The amount appropriated or otherwise made available by this title for fiscal year 2016 under the heading “MEDICAL SERVICES” under the heading “VETERANS HEALTH ADMINISTRATION” is hereby reduced by \$8,922,462.

SA 2795. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end of title II, add the following:

SEC. 2 _____. (a) Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall, in consultation with the Secretary of Defense, enter into a contract with an independent third party described in subsection (b) to carry out a study on the impact of participation in combat during service in the Armed Forces on suicides and other mental health issues among members of the Armed Forces and veterans.

(b) An independent third party described in this subsection is an independent third party that has appropriate credentials to access information in the possession of the Department of Defense and the Department of Veterans Affairs that is necessary to carry out the study required under subsection (a).

SA 2796. Mr. MCCAIN submitted an amendment intended to be proposed by him to the concurrent resolution H. Con. Res. 90, directing the Secretary of the Senate to make a technical correction in the enrollment of S. 1356; as follows:

Strike the matter following the resolving clause and insert the following:

That in the enrollment of the bill S. 1356, the Secretary of the Senate shall make the following corrections:

(1) Amend the title so as to read: “An Act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.”.

(2) In the table of contents in section 2, in the item relating to section 1242, amend “Ukrainian Republic” so as to read “Ukraine”.

(3) In the table of contents for title XII before section 1201, in the item relating to sec-

tion 1242, amend “Ukrainian Republic” so as to read “Ukraine”.

(4) In the section heading of section 1242, amend “UKRAINIAN REPUBLIC” so as to read “UKRAINE”.

(5) In section 1242, amend “the Ukrainian Republic” so as to read “Ukraine” each place it appears in subsections (a)(1) and (b).

(6) Strike section 4201 and insert the following:

“SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

“SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2016 Request	Agreement Authorized
RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY				
BASIC RESEARCH				
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	13,018	13,018
002	0601102A	DEFENSE RESEARCH SCIENCES	239,118	259,118
		Basic research program increase		[20,000]
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	72,603	72,603
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	100,340	100,340
		SUBTOTAL BASIC RESEARCH	425,079	445,079
APPLIED RESEARCH				
005	0602105A	MATERIALS TECHNOLOGY	28,314	28,314
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	38,374	38,374
007	0602122A	TRACTOR HIP	6,879	6,879
008	0602211A	AVIATION TECHNOLOGY	56,884	56,884
009	0602270A	ELECTRONIC WARFARE TECHNOLOGY	19,243	19,243
010	0602303A	MISSILE TECHNOLOGY	45,053	53,053
		A2/AD Anti-Ship Missile Study		[8,000]
011	0602307A	ADVANCED WEAPONS TECHNOLOGY	29,428	29,428
012	0602308A	ADVANCED CONCEPTS AND SIMULATION	27,862	27,862
013	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	68,839	68,839
014	0602618A	BALLISTICS TECHNOLOGY	92,801	92,801
015	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	3,866	3,866
016	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	5,487	5,487
017	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	48,340	48,340
018	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	55,301	55,301
019	0602709A	NIGHT VISION TECHNOLOGY	33,807	33,807
020	0602712A	COUNTERMINE SYSTEMS	25,068	25,068
021	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	23,681	23,681
022	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	20,850	20,850
023	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	36,160	36,160
024	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	12,656	12,656
025	0602784A	MILITARY ENGINEERING TECHNOLOGY	63,409	63,409
026	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	24,735	24,735
027	0602786A	WARFIGHTER TECHNOLOGY	35,795	35,795
028	0602787A	MEDICAL TECHNOLOGY	76,853	76,853
		SUBTOTAL APPLIED RESEARCH	879,685	887,685
ADVANCED TECHNOLOGY DEVELOPMENT				
029	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	46,973	46,973
030	0603002A	MEDICAL ADVANCED TECHNOLOGY	69,584	69,584
031	0603003A	AVIATION ADVANCED TECHNOLOGY	89,736	89,736
032	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	57,663	57,663
033	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	113,071	113,071
034	0603006A	SPACE APPLICATION ADVANCED TECHNOLOGY	5,554	5,554
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	12,636	12,636
037	0603009A	TRACTOR HIKE	7,502	7,502
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	17,425	17,425
039	0603020A	TRACTOR ROSE	11,912	11,912
040	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT	27,520	27,520
041	0603130A	TRACTOR NAIL	2,381	2,381
042	0603131A	TRACTOR EGGS	2,431	2,431
043	0603270A	ELECTRONIC WARFARE TECHNOLOGY	26,874	26,874
044	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	49,449	49,449
045	0603322A	TRACTOR CAGE	10,999	10,999
046	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	177,159	177,159
047	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	13,993	13,993
048	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	5,105	5,105
049	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	40,929	40,929
050	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	10,727	10,727
051	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	20,145	20,145
052	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	38,163	38,163
053	0603794A	C3 ADVANCED TECHNOLOGY	37,816	37,816
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	895,747	895,747
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
054	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	10,347	10,347
055	0603308A	ARMY SPACE SYSTEMS INTEGRATION	25,061	25,061
056	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	49,636	49,636
057	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	13,426	13,426
058	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	46,749	46,749
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	6,258	6,258

**“SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)”**

Line	Program Element	Item	FY 2016 Request	Agreement Authorized
061	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	13,472	13,472
062	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	7,292	7,292
063	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	8,813	8,813
065	0603790A	NATO RESEARCH AND DEVELOPMENT	6,075	6,075
067	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	21,233	21,233
068	0603807A	MEDICAL SYSTEMS—ADV DEV	31,962	31,962
069	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	22,194	22,194
071	0604100A	ANALYSIS OF ALTERNATIVES	9,805	9,805
072	0604115A	TECHNOLOGY MATURATION INITIATIVES	40,917	40,917
073	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	30,058	30,058
074	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2—INTERCEPT (IFPC2)	155,361	155,361
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	498,659	498,659
		SYSTEM DEVELOPMENT & DEMONSTRATION		
076	0604201A	AIRCRAFT AVIONICS	12,939	12,939
078	0604270A	ELECTRONIC WARFARE DEVELOPMENT	18,843	18,843
079	0604280A	JOINT TACTICAL RADIO	9,861	9,861
080	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	8,763	8,763
081	0604321A	ALL SOURCE ANALYSIS SYSTEM	4,309	4,309
082	0604328A	TRACTOR CAGE	15,138	15,138
083	0604601A	INFANTRY SUPPORT WEAPONS	74,128	80,628
		Army requested realignment		[1,500]
		Soldier Enhancement Program		[5,000]
085	0604611A	JAVELIN	3,945	3,945
087	0604633A	AIR TRAFFIC CONTROL	10,076	10,076
088	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)	40,374	40,374
089	0604710A	NIGHT VISION SYSTEMS—ENG DEV	67,582	67,582
090	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	1,763	1,763
091	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	27,155	27,155
092	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	24,569	24,569
093	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	23,364	23,364
094	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	8,960	8,960
095	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	9,138	9,138
096	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	21,622	21,622
097	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	99,242	99,242
098	0604802A	WEAPONS AND MUNITIONS—ENG DEV	21,379	21,379
099	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	48,339	48,339
100	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	2,726	2,726
101	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	45,412	45,412
102	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	55,215	55,215
104	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	163,643	163,643
105	0604820A	RADAR DEVELOPMENT	12,309	12,309
106	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	15,700	15,700
107	0604823A	FIREFINDER	6,243	6,243
108	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	18,776	18,776
109	0604854A	ARTILLERY SYSTEMS—EMD	1,953	1,953
110	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	67,358	67,358
111	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	136,011	121,011
		Restructure program		[-15,000]
112	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	230,210	230,210
113	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	13,357	13,357
114	0605031A	JOINT TACTICAL NETWORK (JTN)	18,055	18,055
115	0605032A	TRACTOR TIRE	5,677	5,677
116	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	77,570	101,570
		Apache Survivability Enhancements—Army Unfunded Requirement		[24,000]
117	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	18,112	78,112
		Apache Survivability Enhancements—Army Unfunded Requirement		[60,000]
118	0605350A	WIN-T INCREMENT 3—FULL NETWORKING	39,700	39,700
119	0605380A	AMF JOINT TACTICAL RADIO SYSTEM (JTRS)	12,987	12,987
120	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	88,866	74,966
		EMD contract delays		[-13,900]
121	0605456A	PAC-3/MSE MISSILE	2,272	2,272
122	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	214,099	214,099
123	0605625A	MANNED GROUND VEHICLE	49,247	39,247
		Funding ahead of need		[-10,000]
124	0605626A	AERIAL COMMON SENSOR	2	2
125	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	10,599	10,599
126	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	32,486	32,486
127	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	8,880	8,880
128	0210609A	PALADIN INTEGRATED MANAGEMENT (PIM)	152,288	152,288
129	0303032A	TROJAN—RH12	5,022	5,022
130	0304270A	ELECTRONIC WARFARE DEVELOPMENT	12,686	12,686
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	2,068,950	2,120,550
		RDT&E MANAGEMENT SUPPORT		
131	0604256A	THREAT SIMULATOR DEVELOPMENT	20,035	20,035
132	0604258A	TARGET SYSTEMS DEVELOPMENT	16,684	16,684
133	0604759A	MAJOR T&E INVESTMENT	62,580	62,580

**“SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)”**

Line	Program Element	Item	FY 2016 Request	Agreement Authorized
134	0605103A	RAND ARROYO CENTER	20,853	20,853
135	0605301A	ARMY KWAJALEIN ATOLL	205,145	205,145
136	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	19,430	19,430
138	0605601A	ARMY TEST RANGES AND FACILITIES	277,646	277,646
139	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	51,550	51,550
140	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	33,246	33,246
141	0605606A	AIRCRAFT CERTIFICATION	4,760	4,760
142	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	8,303	8,303
143	0605706A	MATERIEL SYSTEMS ANALYSIS	20,403	20,403
144	0605709A	EXPLOITATION OF FOREIGN ITEMS	10,396	10,396
145	0605712A	SUPPORT OF OPERATIONAL TESTING	49,337	49,337
146	0605716A	ARMY EVALUATION CENTER	52,694	52,694
147	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	938	938
148	0605801A	PROGRAMWIDE ACTIVITIES	60,319	60,319
149	0605803A	TECHNICAL INFORMATION ACTIVITIES	28,478	28,478
150	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	32,604	24,604
		Program reduction		[-8,000]
151	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	3,186	3,186
152	0605898A	MANAGEMENT HQ—R&D	48,955	48,955
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	1,027,542	1,019,542
		OPERATIONAL SYSTEMS DEVELOPMENT		
154	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	18,397	18,397
155	0603813A	TRACTOR PULL	9,461	9,461
156	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS	4,945	4,945
157	0607133A	TRACTOR SMOKE	7,569	7,569
158	0607135A	APACHE PRODUCT IMPROVEMENT PROGRAM	69,862	69,862
159	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	66,653	66,653
160	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	37,407	37,407
161	0607138A	FIXED WING PRODUCT IMPROVEMENT PROGRAM	1,151	1,151
162	0607139A	IMPROVED TURBINE ENGINE PROGRAM	51,164	51,164
163	0607140A	EMERGING TECHNOLOGIES FROM NIE	2,481	2,481
164	0607141A	LOGISTICS AUTOMATION	1,673	1,673
166	0607665A	FAMILY OF BIOMETRICS	13,237	13,237
167	0607865A	PATRIOT PRODUCT IMPROVEMENT	105,816	105,816
169	0202429A	AEROSTAT JOINT PROJECT—COCOM EXERCISE	40,565	40,565
171	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCs)	35,719	35,719
172	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	257,167	354,167
		Stryker Lethality Upgrades		[97,000]
173	0203740A	MANEUVER CONTROL SYSTEM	15,445	15,445
175	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	364	364
176	0203758A	DIGITIZATION	4,361	4,361
177	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	3,154	3,154
178	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	35,951	35,951
179	0203808A	TRACTOR CARD	34,686	34,686
180	0205402A	INTEGRATED BASE DEFENSE—OPERATIONAL SYSTEM DEV	10,750	10,750
181	0205410A	MATERIALS HANDLING EQUIPMENT	402	402
183	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM	64,159	64,159
184	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	17,527	17,527
185	0208053A	JOINT TACTICAL GROUND SYSTEM	20,515	20,515
187	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	12,368	12,368
188	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	31,154	31,154
189	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	12,274	12,274
190	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	9,355	9,355
191	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	7,053	7,053
193	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	750	750
194	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	13,225	13,225
195	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	22,870	22,870
196	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	25,592	25,592
199	0305233A	RQ-7 UAV	7,297	7,297
201	0310349A	WIN-T INCREMENT 2—INITIAL NETWORKING	3,800	3,800
202	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	48,442	48,442
202A	999999999	CLASSIFIED PROGRAMS	4,536	4,536
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	1,129,297	1,226,297
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	6,924,959	7,093,559
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	116,196	125,196
		Defense University Research Instrumentation Program increase		[9,000]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,126	19,126
003	0601153N	DEFENSE RESEARCH SCIENCES	451,606	479,106
		Basic research program increase		[27,500]
		SUBTOTAL BASIC RESEARCH	586,928	623,428
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	68,723	68,723
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	154,963	154,963

**“SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)”**

Line	Program Element	Item	FY 2016 Request	Agreement Authorized
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	49,001	49,001
007	0602235N	COMMON PICTURE APPLIED RESEARCH	42,551	42,551
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	45,056	45,056
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	115,051	115,051
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	42,252	62,252
		Service Life Extension for the AGOR Ship		[20,000]
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,119	6,119
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	123,750	142,350
		Accelerate undersea warfare research		[18,600]
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	179,686	179,686
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	37,418	37,418
		SUBTOTAL APPLIED RESEARCH	864,570	903,170
		ADVANCED TECHNOLOGY DEVELOPMENT		
015	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	37,093	37,093
016	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	38,044	38,044
017	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	34,899	34,899
018	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	137,562	137,562
019	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	12,745	12,745
020	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	258,860	258,860
021	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	57,074	57,074
022	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,807	4,807
023	0603747N	UNDERSEA WARFARE ADVANCED TECHNOLOGY	13,748	13,748
024	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	66,041	66,041
025	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	1,991	1,991
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	662,864	662,864
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
026	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	41,832	41,832
027	0603216N	AVIATION SURVIVABILITY	5,404	5,404
028	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,086	3,086
029	0603251N	AIRCRAFT SYSTEMS	11,643	11,643
030	0603254N	ASW SYSTEMS DEVELOPMENT	5,555	5,555
031	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,087	3,087
032	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,636	1,636
033	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	118,588	113,588
		LDUUV development growth		[-5,000]
034	0603506N	SURFACE SHIP TORPEDO DEFENSE	77,385	77,385
035	0603512N	CARRIER SYSTEMS DEVELOPMENT	8,348	8,348
036	0603525N	PILOT FISH	123,246	123,246
037	0603527N	RETRACT LARCH	28,819	28,819
038	0603536N	RETRACT JUNIPER	112,678	112,678
039	0603542N	RADIOLOGICAL CONTROL	710	710
040	0603553N	SURFACE ASW	1,096	1,096
041	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	87,160	93,360
		Accelerate unmanned underwater vehicle development		[10,000]
		Universal launch and recovery module unfunded outyear tail		[-3,800]
042	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	10,371	10,371
043	0603563N	SHIP CONCEPT ADVANCED DESIGN	11,888	11,888
044	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	4,332	4,332
045	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	482,040	482,040
046	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	25,904	25,904
047	0603576N	CHALK EAGLE	511,802	511,802
048	0603581N	LITTORAL COMBAT SHIP (LCS)	118,416	118,416
049	0603582N	COMBAT SYSTEM INTEGRATION	35,901	35,901
050	0603595N	OHIO REPLACEMENT	971,393	971,393
051	0603596N	LCS MISSION MODULES	206,149	206,149
052	0603597N	AUTOMATED TEST AND RE-TEST (ATRT)	8,000	8,000
053	0603609N	CONVENTIONAL MUNITIONS	7,678	7,678
054	0603611M	MARINE CORPS ASSAULT VEHICLES	219,082	219,082
055	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	623	623
056	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	18,260	18,260
057	0603658N	COOPERATIVE ENGAGEMENT	76,247	76,247
058	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	4,520	4,520
059	0603721N	ENVIRONMENTAL PROTECTION	20,711	20,711
060	0603724N	NAVY ENERGY PROGRAM	47,761	47,761
061	0603725N	FACILITIES IMPROVEMENT	5,226	5,226
062	0603734N	CHALK CORAL	182,771	182,771
063	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,866	3,866
064	0603746N	RETRACT MAPLE	360,065	360,065
065	0603748N	LINK PLUMERIA	237,416	237,416
066	0603751N	RETRACT ELM	37,944	37,944
067	0603764N	LINK EVERGREEN	47,312	47,312
068	0603787N	SPECIAL PROCESSES	17,408	17,408
069	0603790N	NATO RESEARCH AND DEVELOPMENT	9,359	9,359
070	0603795N	LAND ATTACK TECHNOLOGY	887	887
071	0603851M	JOINT NON-LETHAL WEAPONS TESTING	29,448	29,448
072	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	91,479	91,479
073	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	67,360	67,360

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Line	Program Element	Item	FY 2016 Request	Agreement Authorized
074	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80)	48,105	127,205
		Full ship shock trials for CVN-78		[79,100]
075	0604122N	REMOTE MINEHUNTING SYSTEM (RMS)	20,089	20,089
076	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	18,969	18,969
077	0604279N	ASE SELF-PROTECTION OPTIMIZATION	7,874	7,874
078	0604292N	MH-XX	5,298	5,298
079	0604454N	LX (R)	46,486	75,486
		LX(R) Acceleration		[29,000]
080	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW)	3,817	3,817
081	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	9,595	9,595
082	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	29,581	25,246
		Maritime concept generation and development growth		[–4,335]
083	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	285,849	285,849
084	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	36,656	36,656
085	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	9,835	9,835
086	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	580	580
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	5,024,626	5,129,591
		SYSTEM DEVELOPMENT & DEMONSTRATION		
087	0603208N	TRAINING SYSTEM AIRCRAFT	21,708	21,708
088	0604212N	OTHER HELO DEVELOPMENT	11,101	11,101
089	0604214N	AV-8B AIRCRAFT—ENG DEV	39,878	39,878
090	0604215N	STANDARDS DEVELOPMENT	53,059	53,059
091	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	21,358	21,358
092	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	4,515	4,515
093	0604221N	P-3 MODERNIZATION PROGRAM	1,514	1,514
094	0604230N	WARFARE SUPPORT SYSTEM	5,875	5,875
095	0604231N	TACTICAL COMMAND SYSTEM	81,553	81,553
096	0604234N	ADVANCED HAWKEYE	272,149	264,149
		Cost growth		[–8,000]
097	0604245N	H-1 UPGRADES	27,235	27,235
098	0604261N	ACOUSTIC SEARCH SENSORS	35,763	35,763
099	0604262N	V-22A	87,918	87,918
100	0604264N	AIR CREW SYSTEMS DEVELOPMENT	12,679	12,679
101	0604269N	EA-18	56,921	56,921
102	0604270N	ELECTRONIC WARFARE DEVELOPMENT	23,685	23,685
103	0604273N	EXECUTIVE HELO DEVELOPMENT	507,093	507,093
104	0604274N	NEXT GENERATION JAMMER (NGJ)	411,767	403,767
		Contract delays		[–8,000]
105	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	25,071	25,071
106	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	443,433	421,133
		Aegis development support growth		[–22,300]
107	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	747	747
108	0604329N	SMALL DIAMETER BOMB (SDB)	97,002	84,644
		F-18 integration contract delay		[–12,358]
109	0604366N	STANDARD MISSILE IMPROVEMENTS	129,649	129,649
110	0604373N	AIRBORNE MCM	11,647	11,647
111	0604376M	MARINE AIR GROUND TASK FORCE (MAGTF) ELECTRONIC WARFARE (EW) FOR AVIATION.	2,778	2,778
112	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	23,695	23,695
113	0604404N	UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYSTEM.	134,708	484,708
		Competitive air vehicle risk reduction activities		[300,000]
		Government and industry source selection preparation		[50,000]
114	0604501N	ADVANCED ABOVE WATER SENSORS	43,914	43,914
115	0604503N	SSN-688 AND TRIDENT MODERNIZATION	109,908	109,908
116	0604504N	AIR CONTROL	57,928	57,928
117	0604512N	SHIPBOARD AVIATION SYSTEMS	120,217	120,217
118	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	241,754	241,754
119	0604558N	NEW DESIGN SSN	122,556	122,556
120	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	48,213	60,213
		Accelerate submarine combat and weapon system modernization		[12,000]
121	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	49,712	49,712
122	0604574N	NAVY TACTICAL COMPUTER RESOURCES	4,096	4,096
123	0604580N	VIRGINIA PAYLOAD MODULE (VPM)	167,719	167,719
124	0604601N	MINE DEVELOPMENT	15,122	15,122
125	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	33,738	33,738
126	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,123	8,123
127	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	7,686	7,686
128	0604727N	JOINT STANDOFF WEAPON SYSTEMS	405	405
129	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	153,836	153,836
130	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	99,619	99,619
131	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	116,798	116,798
132	0604761N	INTELLIGENCE ENGINEERING	4,353	4,353
133	0604771N	MEDICAL DEVELOPMENT	9,443	9,443
134	0604777N	NAVIGATION/ID SYSTEM	32,469	32,469
135	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	537,901	537,901
136	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	504,736	504,736

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137	0604810M	JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—MARINE CORPS	59,265	20,800
		Program delay		[–38,465]
138	0604810N	JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—NAVY	47,579	21,244
		Program delay		[–26,335]
139	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	5,914	5,914
140	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	89,711	89,711
141	0605212N	CH–53K RDTE	632,092	632,092
142	0605220N	SHIP TO SHORE CONNECTOR (SSC)	7,778	7,778
143	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	25,898	25,898
144	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	247,929	247,929
145	0204202N	DDG–1000	103,199	103,199
146	0304231N	TACTICAL COMMAND SYSTEM—MIP	998	998
147	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	17,785	17,785
148	0305124N	SPECIAL APPLICATIONS PROGRAM	35,905	35,905
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	6,308,800	6,555,342
		MANAGEMENT SUPPORT		
149	0604256N	THREAT SIMULATOR DEVELOPMENT	30,769	30,769
150	0604258N	TARGET SYSTEMS DEVELOPMENT	112,606	112,606
151	0604759N	MAJOR T&E INVESTMENT	61,234	61,234
152	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	6,995	6,995
153	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	4,011	4,011
154	0605154N	CENTER FOR NAVAL ANALYSES	48,563	48,563
155	0605285N	NEXT GENERATION FIGHTER	5,000	5,000
157	0605804N	TECHNICAL INFORMATION SERVICES	925	925
158	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	78,143	78,143
159	0605856N	STRATEGIC TECHNICAL SUPPORT	3,258	3,258
160	0605861N	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	76,948	76,948
161	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	132,122	132,122
162	0605864N	TEST AND EVALUATION SUPPORT	351,912	351,912
163	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	17,985	17,985
164	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	5,316	5,316
165	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	6,519	6,519
166	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	13,649	13,649
		SUBTOTAL MANAGEMENT SUPPORT	955,955	955,955
		OPERATIONAL SYSTEMS DEVELOPMENT		
174	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	107,039	107,039
175	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	46,506	46,506
176	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	3,900	4,700
		Accelerate combat rapid attack weapon		[800]
177	0101402N	NAVY STRATEGIC COMMUNICATIONS	16,569	16,569
178	0203761N	RAPID TECHNOLOGY TRANSITION (RTT)	18,632	11,132
		TIPS program growth		[–7,500]
179	0204136N	F/A–18 SQUADRONS	133,265	133,265
181	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	62,867	51,067
		Joint aerial layer network growth		[–11,800]
182	0204228N	SURFACE SUPPORT	36,045	36,045
183	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	25,228	25,228
184	0204311N	INTEGRATED SURVEILLANCE SYSTEM	54,218	54,218
185	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	11,335	11,335
186	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	80,129	65,629
		Block II test assets early to need		[–14,500]
187	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	39,087	39,087
188	0204574N	CRYPTOLOGIC DIRECT SUPPORT	1,915	1,915
189	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	46,609	46,609
190	0205601N	HARM IMPROVEMENT	52,708	16,164
		AARGM extended range program growth		[–36,544]
191	0205604N	TACTICAL DATA LINKS	149,997	149,997
192	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	24,460	24,460
193	0205632N	MK–48 ADCAP	42,206	47,706
		Accelerate torpedo upgrades		[5,500]
194	0205633N	AVIATION IMPROVEMENTS	117,759	117,759
195	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	101,323	101,323
196	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	67,763	67,763
197	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S)	13,431	13,431
198	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	56,769	48,669
		Project delays		[–8,100]
199	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	20,729	20,729
200	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	13,152	13,152
201	0206629M	AMPHIBIOUS ASSAULT VEHICLE	48,535	48,535
202	0207161N	TACTICAL AIM MISSILES	76,016	76,016
203	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	32,172	32,172
208	0303109N	SATELLITE COMMUNICATIONS (SPACE)	53,239	53,239
209	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)	21,677	21,677
210	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	28,102	28,102
211	0303150M	WWWCCS/GLOBAL COMMAND AND CONTROL SYSTEM	294	294
213	0305160N	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	599	599
214	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	6,207	6,207

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215	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	8,550	8,550
216	0305205N	UAS INTEGRATION AND INTEROPERABILITY	41,831	41,831
217	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	1,105	1,105
218	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	33,149	33,149
219	0305220N	RQ-4 UAV	227,188	227,188
220	0305231N	MQ-8 UAV	52,770	52,770
221	0305232M	RQ-11 UAV	635	635
222	0305233N	RQ-7 UAV	688	688
223	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	4,647	4,647
224	0305239M	RQ-21A	6,435	6,435
225	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	49,145	49,145
226	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	9,246	9,246
227	0305421N	RQ-4 MODERNIZATION	150,854	150,854
228	0308601N	MODELING AND SIMULATION SUPPORT	4,757	4,757
229	0702207N	DEPOT MAINTENANCE (NON-IF)	24,185	24,185
231	0708730N	MARITIME TECHNOLOGY (MARITECH)	4,321	4,321
231A	9999999999	CLASSIFIED PROGRAMS	1,252,185	1,252,185
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	3,482,173	3,410,029
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	17,885,916	18,240,379
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	329,721	352,221
		Basic research program increase		[22,500]
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	141,754	141,754
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	13,778	13,778
		SUBTOTAL BASIC RESEARCH	485,253	507,753
		APPLIED RESEARCH		
004	0602102F	MATERIALS	125,234	125,234
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	123,438	123,438
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	100,530	100,530
007	0602203F	AEROSPACE PROPULSION	182,326	182,326
008	0602204F	AEROSPACE SENSORS	147,291	147,291
009	0602601F	SPACE TECHNOLOGY	116,122	116,122
010	0602602F	CONVENTIONAL MUNITIONS	99,851	99,851
011	0602605F	DIRECTED ENERGY TECHNOLOGY	115,604	115,604
012	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	164,909	164,909
013	0602890F	HIGH ENERGY LASER RESEARCH	42,037	42,037
		SUBTOTAL APPLIED RESEARCH	1,217,342	1,217,342
		ADVANCED TECHNOLOGY DEVELOPMENT		
014	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	37,665	47,665
		Metals Affordability Initiative		[10,000]
015	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	18,378	18,378
016	0603203F	ADVANCED AEROSPACE SENSORS	42,183	42,183
017	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	100,733	100,733
018	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	168,821	168,821
019	0603270F	ELECTRONIC COMBAT TECHNOLOGY	47,032	47,032
020	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	54,897	54,897
021	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	12,853	12,853
022	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	25,448	25,448
023	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	48,536	48,536
024	0603605F	ADVANCED WEAPONS TECHNOLOGY	30,195	30,195
025	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	42,630	52,630
		Maturation of advanced manufacturing for low-cost sustainment		[10,000]
026	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	46,414	46,414
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	675,785	695,785
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	5,032	5,032
029	0603438F	SPACE CONTROL TECHNOLOGY	4,070	4,070
030	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	21,790	21,790
031	0603790F	NATO RESEARCH AND DEVELOPMENT	4,736	4,736
033	0603830F	SPACE SECURITY AND DEFENSE PROGRAM	30,771	30,771
034	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	39,765	39,765
036	0604015F	LONG RANGE STRIKE	1,246,228	556,228
		Delayed EMD contract award		[-690,000]
037	0604317F	TECHNOLOGY TRANSFER	3,512	8,512
		Technology transfer program increase		[5,000]
038	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	54,637	54,637
040	0604422F	WEATHER SYSTEM FOLLOW-ON	76,108	51,108
		Unjustified increase and analysis of alternatives		[-25,000]
044	0604857F	OPERATIONALLY RESPONSIVE SPACE	6,457	19,957
		SSA, Weather, or Launch Activities		[13,500]
045	0604858F	TECH TRANSITION PROGRAM	246,514	246,514
046	0605230F	GROUND BASED STRATEGIC DETERRENT	75,166	75,166
049	0207110F	NEXT GENERATION AIR DOMINANCE	8,830	8,830

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050	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	14,939	14,939
051	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	142,288	142,288
052	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	81,732	96,732
		Increase USCC Cyber Operations Technology Development		[15,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	2,062,575	1,381,075
		SYSTEM DEVELOPMENT & DEMONSTRATION		
055	0604270F	ELECTRONIC WARFARE DEVELOPMENT	929	929
056	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	60,256	60,256
057	0604287F	PHYSICAL SECURITY EQUIPMENT	5,973	5,973
058	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	32,624	32,624
059	0604421F	COUNTERSPACE SYSTEMS	24,208	24,208
060	0604425F	SPACE SITUATION AWARENESS SYSTEMS	32,374	32,374
061	0604426F	SPACE FENCE	243,909	243,909
062	0604429F	AIRBORNE ELECTRONIC ATTACK	8,358	8,358
063	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	292,235	292,235
064	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	40,154	40,154
065	0604604F	SUBMUNITIONS	2,506	2,506
066	0604617F	AGILE COMBAT SUPPORT	57,678	57,678
067	0604706F	LIFE SUPPORT SYSTEMS	8,187	8,187
068	0604735F	COMBAT TRAINING RANGES	15,795	15,795
069	0604800F	F-35—EMD	589,441	589,441
071	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD	84,438	184,438
		EELV Program—Rocket Propulsion System Development		[100,000]
072	0604932F	LONG RANGE STANDOFF WEAPON	36,643	16,143
		Contract delay		[–20,500]
073	0604933F	ICBM FUZE MODERNIZATION	142,551	142,551
074	0605213F	F-22 MODERNIZATION INCREMENT 3.2B	140,640	140,640
075	0605214F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	3,598	3,598
076	0605221F	KC-46	602,364	402,364
		Program decrease		[–200,000]
077	0605223F	ADVANCED PILOT TRAINING	11,395	11,395
078	0605229F	CSAR HH-60 RECAPITALIZATION	156,085	156,085
080	0605431F	ADVANCED EHF MILSATCOM (SPACE)	228,230	228,230
081	0605432F	POLAR MILSATCOM (SPACE)	72,084	72,084
082	0605433F	WIDEBAND GLOBAL SATCOM (SPACE)	56,343	52,343
		Excess to need		[–4,000]
083	0605458F	AIR & SPACE OPS CENTER 10.2 RDT&E	47,629	47,629
084	0605931F	B-2 DEFENSIVE MANAGEMENT SYSTEM	271,961	271,961
085	0101125F	NUCLEAR WEAPONS MODERNIZATION	212,121	212,121
086	0207171F	F-15 EPAWSS	186,481	186,481
087	0207701F	FULL COMBAT MISSION TRAINING	18,082	18,082
088	0305176F	COMBAT SURVIVOR EVADER LOCATOR	993	993
089	0307581F	NEXTGEN JSTARS	44,343	44,343
091	0401319F	PRESIDENTIAL AIRCRAFT REPLACEMENT (PAR)	102,620	102,620
092	0701212F	AUTOMATED TEST SYSTEMS	14,563	14,563
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	3,847,791	3,723,291
		MANAGEMENT SUPPORT		
093	0604256F	THREAT SIMULATOR DEVELOPMENT	23,844	23,844
094	0604759F	MAJOR T&E INVESTMENT	68,302	73,302
		Airborne Sensor Data Correlation Project		[5,000]
095	0605101F	RAND PROJECT AIR FORCE	34,918	34,918
097	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	10,476	10,476
098	0605807F	TEST AND EVALUATION SUPPORT	673,908	673,908
099	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	21,858	21,858
100	0605864F	SPACE TEST PROGRAM (STP)	28,228	28,228
101	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	40,518	40,518
102	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	27,895	27,895
103	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	16,507	16,507
104	0606116F	SPACE TEST AND TRAINING RANGE DEVELOPMENT	18,997	18,997
106	0606392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE	185,305	176,727
		Excess to need		[–8,578]
107	0308602F	ENTERPRISE INFORMATION SERVICES (EIS)	4,841	4,841
108	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	15,357	15,357
109	0804731F	GENERAL SKILL TRAINING	1,315	1,315
111	1001004F	INTERNATIONAL ACTIVITIES	2,315	2,315
		SUBTOTAL MANAGEMENT SUPPORT	1,174,584	1,171,006
		OPERATIONAL SYSTEMS DEVELOPMENT		
112	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	350,232	350,232
113	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	10,465	10,465
114	0604445F	WIDE AREA SURVEILLANCE	24,577	24,577
117	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	69,694	10,694
		Forward financing, excluding funding for audit readiness		[–59,000]
118	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	26,718	26,718
119	0605278F	HC/MC-130 RECAP RDT&E	10,807	10,807
121	0101113F	B-52 SQUADRONS	74,520	74,520
122	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	451	451

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123	0101126F	B-1B SQUADRONS	2,245	2,245
124	0101127F	B-2 SQUADRONS	108,183	108,183
125	0101213F	MINUTEMAN SQUADRONS	178,929	178,929
126	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM	28,481	28,481
127	0101314F	NIGHT FIST—USSTRATCOM	87	87
128	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	5,315	5,315
131	0105921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES	8,090	8,090
132	0205219F	MQ-9 UAV	123,439	123,439
134	0207131F	A-10 SQUADRONS		16,200
		A-10 restoration: operational flight program development		[16,200]
135	0207133F	F-16 SQUADRONS	148,297	198,297
		AESA Radar Integration		[50,000]
136	0207134F	F-15E SQUADRONS	179,283	192,079
		Transfer from procurement		[12,796]
137	0207136F	MANNED DESTRUCTIVE SUPPRESSION	14,860	14,860
138	0207138F	F-22A SQUADRONS	262,552	262,552
139	0207142F	F-35 SQUADRONS	115,395	53,921
		Program delay		[–61,474]
140	0207161F	TACTICAL AIM MISSILES	43,360	43,360
141	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	46,160	46,160
143	0207224F	COMBAT RESCUE AND RECOVERY	412	412
144	0207227F	COMBAT RESCUE—PARARESCUE	657	657
145	0207247F	AF TENCAP	31,428	31,428
146	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	1,105	1,105
147	0207253F	COMPASS CALL	14,249	14,249
148	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	103,942	103,942
149	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	12,793	12,793
150	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	21,193	21,193
151	0207412F	CONTROL AND REPORTING CENTER (CRC)	559	559
152	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	161,812	161,812
153	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	6,001	6,001
155	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	7,793	7,793
156	0207444F	TACTICAL AIR CONTROL PARTY-MOD	12,465	12,465
157	0207448F	C2ISR TACTICAL DATA LINK	1,681	1,681
159	0207452F	DCAPES	16,796	16,796
161	0207590F	SEEK EAGLE	21,564	21,564
162	0207601F	USAF MODELING AND SIMULATION	24,994	24,994
163	0207605F	WARGAMING AND SIMULATION CENTERS	6,035	6,035
164	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,358	4,358
165	0208006F	MISSION PLANNING SYSTEMS	55,835	55,835
167	0208087F	AF OFFENSIVE CYBERSPACE OPERATIONS	12,874	12,874
168	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	7,681	7,681
171	0301017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	5,974	5,974
177	0301400F	SPACE SUPERIORITY INTELLIGENCE	13,815	13,815
178	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	80,360	80,360
179	0303001F	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	3,907	3,907
180	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	75,062	75,062
181	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	46,599	46,599
183	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE	2,470	2,470
186	0304260F	AIRBORNE SIGINT ENTERPRISE	112,775	112,775
189	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,235	4,235
192	0305110F	SATELLITE CONTROL NETWORK (SPACE)	7,879	5,879
		Unjustified increase in systems engineering		[–2,000]
193	0305111F	WEATHER SERVICE	29,955	29,955
194	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	21,485	21,485
195	0305116F	AERIAL TARGETS	2,515	2,515
198	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	472	472
199	0305145F	ARMS CONTROL IMPLEMENTATION	12,137	12,137
200	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	361	361
203	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER	3,162	3,162
204	0305174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	1,543	1,543
205	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	7,860	7,860
206	0305182F	SPACELIFT RANGE SYSTEM (SPACE)	6,902	6,902
207	0305202F	DRAGON U-2	34,471	34,471
209	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	50,154	60,154
		Wide Area Surveillance Capability		[10,000]
210	0305207F	MANNED RECONNAISSANCE SYSTEMS	13,245	13,245
211	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	22,784	22,784
212	0305219F	MQ-1 PREDATOR A UAV	716	716
213	0305220F	RQ-4 UAV	208,053	203,053
		Program delays		[–5,000]
214	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	21,587	21,587
215	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	43,986	43,986
216	0305238F	NATO AGS	197,486	138,400
		Transfer to Procurement for NATO AWACS		[–59,086]
217	0305240F	SUPPORT TO DCGS ENTERPRISE	28,434	28,434
218	0305265F	GPS III SPACE SEGMENT	180,902	180,902
220	0305614F	JSPOC MISSION SYSTEM	81,911	81,911
221	0305881F	RAPID CYBER ACQUISITION	3,149	3,149

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222	0305913F	NUDET DETECTION SYSTEM (SPACE)	14,447	14,447
223	0305940F	SPACE SITUATION AWARENESS OPERATIONS	20,077	20,077
225	0308699F	SHARED EARLY WARNING (SEW)	853	853
226	0401115F	C-130 AIRLIFT SQUADRON	33,962	33,962
227	0401119F	C-5 AIRLIFT SQUADRONS (IF)	42,864	22,864
		Forward financing		[-20,000]
228	0401130F	C-17 AIRCRAFT (IF)	54,807	54,807
229	0401132F	C-130J PROGRAM	31,010	31,010
230	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	6,802	6,802
231	0401219F	KC-10S	1,799	1,799
232	0401314F	OPERATIONAL SUPPORT AIRLIFT	48,453	48,453
233	0401318F	CV-22	36,576	36,576
235	0408011F	SPECIAL TACTICS / COMBAT CONTROL	7,963	7,963
236	0702207F	DEPOT MAINTENANCE (NON-IF)	1,525	1,525
237	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	112,676	68,400
		Program growth		[-44,276]
238	0708611F	SUPPORT SYSTEMS DEVELOPMENT	12,657	12,657
239	0804743F	OTHER FLIGHT TRAINING	1,836	1,836
240	0808716F	OTHER PERSONNEL ACTIVITIES	121	121
241	0901202F	JOINT PERSONNEL RECOVERY AGENCY	5,911	5,911
242	0901218F	CIVILIAN COMPENSATION PROGRAM	3,604	3,604
243	0901220F	PERSONNEL ADMINISTRATION	4,598	4,598
244	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,103	1,103
246	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	101,840	101,840
246A	999999999	CLASSIFIED PROGRAMS	12,780,142	12,780,142
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	17,010,339	16,848,499
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	26,473,669	25,544,751
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH INITIATIVE	38,436	38,436
002	0601101E	DEFENSE RESEARCH SCIENCES	333,119	333,119
003	0601110D8Z	BASIC RESEARCH INITIATIVES	42,022	42,022
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	56,544	56,544
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	49,453	54,453
		STEM program increase		[5,000]
006	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS	25,834	35,834
		Program increase		[10,000]
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	46,261	46,261
		SUBTOTAL BASIC RESEARCH	591,669	606,669
		APPLIED RESEARCH		
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,352	19,352
009	0602115E	BIOMEDICAL TECHNOLOGY	114,262	114,262
010	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	51,026	51,026
011	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES	48,226	48,226
012	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	356,358	356,358
014	0602383E	BIOLOGICAL WARFARE DEFENSE	29,265	29,265
015	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	208,111	208,111
016	0602668D8Z	CYBER SECURITY RESEARCH	13,727	13,727
018	0602702E	TACTICAL TECHNOLOGY	314,582	309,582
		Multi-azimuth defense fast intercept round engagement system		[-5,000]
019	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	220,115	201,721
		Program decrease		[-18,394]
020	0602716E	ELECTRONICS TECHNOLOGY	174,798	174,798
021	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES	155,415	155,415
022	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH	8,824	8,824
023	1160401BB	SOF TECHNOLOGY DEVELOPMENT	37,517	37,517
		SUBTOTAL APPLIED RESEARCH	1,751,578	1,728,184
		ADVANCED TECHNOLOGY DEVELOPMENT		
024	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	25,915	25,915
026	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	71,171	111,171
		Program increase		[40,000]
027	0603133D8Z	FOREIGN COMPARATIVE TESTING	21,782	21,782
028	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT	290,654	290,654
030	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	12,139	12,139
031	0603177C	DISCRIMINATION SENSOR TECHNOLOGY	28,200	28,200
032	0603178C	WEAPONS TECHNOLOGY	45,389	7,367
		High Power Directed Energy—Missile Destruct		[-26,055]
		Move to support Multiple Object Kill Vehicle		[-11,967]
033	0603179C	ADVANCED C4ISR	9,876	9,876
034	0603180C	ADVANCED RESEARCH	17,364	17,364
035	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	18,802	18,802
036	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY	2,679	2,679
037	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY	64,708	51,458
		Unjustified growth		[-13,250]
038	0603286E	ADVANCED AEROSPACE SYSTEMS	185,043	185,043

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039	0603287E	SPACE PROGRAMS AND TECHNOLOGY	126,692	126,692
040	0603288D8Z	ANALYTIC ASSESSMENTS	14,645	14,645
041	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	59,830	49,830
		Program decrease		[-10,000]
042	0603294C	COMMON KILL VEHICLE TECHNOLOGY	46,753	7,195
		MOKV Concept Development		[-39,558]
043	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	140,094	140,094
044	0603527D8Z	RETRACT LARCH	118,666	108,666
		Program decrease		[-10,000]
045	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	43,966	23,966
		Program decrease		[-20,000]
046	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	141,540	116,540
		Program decrease		[-25,000]
047	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	6,980	6,980
050	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	157,056	142,056
		Unjustified growth		[-15,000]
051	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	33,515	41,015
		Efforts to counter-ISIL and Russian aggression		[7,500]
052	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	16,543	16,543
053	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	29,888	29,888
054	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	65,836	65,836
055	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	79,037	89,037
		Trusted Source Implementation for Field Programmable Gate Arrays Study		[10,000]
056	0603727D8Z	JOINT WARFIGHTING PROGRAM	9,626	5,000
		Program decrease		[-4,626]
057	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	79,021	79,021
058	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	201,335	201,335
059	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	452,861	432,861
		Excessive program growth		[-20,000]
060	0603767E	SENSOR TECHNOLOGY	257,127	257,127
061	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	10,771	10,771
062	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	15,202	15,202
063	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	90,500	65,500
		Unjustified growth		[-25,000]
066	0603833D8Z	ENGINEERING SCIENCE & TECHNOLOGY	18,377	18,377
067	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	82,589	82,589
068	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	37,420	37,420
069	0303310D8Z	CWMD SYSTEMS	42,488	42,488
070	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	57,741	57,741
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	3,229,821	3,066,865
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
071	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	31,710	31,710
073	0603600D8Z	WALKOFF	90,567	90,567
074	0603714D8Z	ADVANCED SENSORS APPLICATION PROGRAM	15,900	15,900
075	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	52,758	52,758
076	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	228,021	228,021
077	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	1,284,891	1,284,891
077A	0603XXXX	MULTIPLE-OBJECT KILL VEHICLE		81,525
		Divert attitude control systems technology to support Multi-Object Kill Vehicle		[10,000]
		Establish MOKV Program of Record		[71,525]
078	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	172,754	172,754
079	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	233,588	233,588
080	0603890C	BMD ENABLING PROGRAMS	409,088	409,088
080A	0603XXXX	WEAPONS TECHNOLOGY—HIGH POWER DE		26,055
		High Power Directed Energy—Missile Destruct		[26,055]
081	0603891C	SPECIAL PROGRAMS—MDA	400,387	400,387
082	0603892C	AEGIS BMD	843,355	843,355
083	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	31,632	31,632
084	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	23,289	23,289
085	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI	450,085	437,785
		Future Spirals concurrency with multiple ongoing efforts and excess growth		[-12,300]
086	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	49,570	49,570
087	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	49,211	49,211
088	0603906C	REGARDING TRENCH	9,583	9,583
089	0603907C	SEA BASED X-BAND RADAR (SBX)	72,866	72,866
090	0603913C	ISRAELI COOPERATIVE PROGRAMS	102,795	267,595
		Arrow 3		[19,500]
		Arrow System Improvement Program		[45,500]
		David's Sling		[99,800]
091	0603914C	BALLISTIC MISSILE DEFENSE TEST	274,323	274,323
092	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	513,256	513,256
093	0603920D8Z	HUMANITARIAN DEMINING	10,129	10,129
094	0603923D8Z	COALITION WARFARE	10,350	10,350
095	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	1,518	11,518
		Program Increase		[10,000]
096	0604115C	TECHNOLOGY MATURATION INITIATIVES	96,300	96,300
097	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	469,798	469,798

**“SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)”**

Line	Program Element	Item	FY 2016 Request	Agreement Authorized
098	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT.	3,129	3,129
103	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	25,200	25,200
105	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	137,564	137,564
106	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	278,944	298,944
		Redesigned kill vehicle development		[20,000]
107	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST	26,225	26,225
108	0604878C	AEGIS BMD TEST	55,148	55,148
109	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	86,764	86,764
110	0604880C	LAND-BASED SM-3 (LBSM3)	34,970	34,970
111	0604881C	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT	172,645	172,645
112	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	64,618	64,618
114	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	2,660	2,660
115	0305103C	CYBER SECURITY INITIATIVE	963	963
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES	6,816,554	7,106,634
		SYSTEM DEVELOPMENT AND DEMONSTRATION		
116	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	8,800	8,800
117	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	78,817	88,817
		Concept development by the Army of a CPGS option		[5,000]
		Concept development by the Navy of a CPGS option		[5,000]
118	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	303,647	303,647
119	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	23,424	23,424
120	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	14,285	14,285
121	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	7,156	7,156
122	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	12,542	42
		DCMA program decrease		[-12,500]
123	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	191	191
124	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	3,273	3,273
125	0605027D8Z	OUS(D) IT DEVELOPMENT INITIATIVES	5,962	5,962
126	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	13,412	13,412
127	0605075D8Z	DCMO POLICY AND INTEGRATION	2,223	2,223
128	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM	31,660	31,660
129	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS)	13,085	13,085
130	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	7,209	7,209
131	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	15,158	13,794
		Early to need		[-1,364]
132	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEM)	4,414	4,414
		SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION	545,258	541,394
		MANAGEMENT SUPPORT		
133	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	5,581	5,581
134	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	3,081	3,081
135	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	229,125	229,125
136	0604942D8Z	ASSESSMENTS AND EVALUATIONS	28,674	21,674
		Program decrease		[-7,000]
138	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	45,235	45,235
139	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	24,936	24,936
141	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO)	35,471	35,471
144	0605142D8Z	SYSTEMS ENGINEERING	37,655	37,655
145	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	3,015	3,015
146	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	5,287	5,287
147	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	5,289	5,289
148	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	2,120	2,120
149	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	102,264	102,264
158	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	2,169	2,169
159	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	13,960	13,960
160	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	51,775	51,775
161	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	9,533	9,533
162	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	17,371	21,371
		Program increase		[4,000]
163	0605898E	MANAGEMENT HQ—R&D	71,571	71,571
164	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,123	4,123
165	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	1,946	1,946
166	0204571J	JOINT STAFF ANALYTICAL SUPPORT	7,673	7,673
169	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	10,413	10,413
170	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	971	971
171	0305193D8Z	CYBER INTELLIGENCE	6,579	6,579
173	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—MHA	43,811	43,811
174	0901598C	MANAGEMENT HQ—MDA	35,871	35,871
176	0903230D8W	WHS—MISSION OPERATIONS SUPPORT—IT	1,072	1,072
177A	9999999999	CLASSIFIED PROGRAMS	49,500	49,500
		SUBTOTAL MANAGEMENT SUPPORT	856,071	853,071
		OPERATIONAL SYSTEM DEVELOPMENT		
178	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	7,929	7,929
179	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA.	1,750	1,750

**“SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)”**

Line	Program Element	Item	FY 2016 Request	Agreement Authorized
180	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS)	294	294
181	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	22,576	22,576
182	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT	1,901	1,901
183	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS)	8,474	8,474
184	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	33,561	33,561
186	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,061	3,061
187	0208045K	C4I INTEROPERABILITY	64,921	64,921
189	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING	3,645	3,645
193	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	963	963
194	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	10,186	10,186
195	0303126K	LONG-HAUL COMMUNICATIONS—DCS	36,883	36,883
196	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	13,735	13,735
197	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	6,101	6,101
198	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	43,867	43,867
199	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	8,957	8,957
200	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	146,890	146,890
201	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	21,503	21,503
202	0303153K	DEFENSE SPECTRUM ORGANIZATION	20,342	20,342
203	0303170K	NET-CENTRIC ENTERPRISE SERVICES (NCES)	444	444
205	0303610K	TELEPORT PROGRAM	1,736	1,736
206	0304210BB	SPECIAL APPLICATIONS FOR CONTINGENCIES	65,060	65,060
210	0305103K	CYBER SECURITY INITIATIVE	2,976	2,976
215	0305186D8Z	POLICY R&D PROGRAMS	4,182	4,182
216	0305199D8Z	NET CENTRICITY	18,130	18,130
218	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,302	5,302
221	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,239	3,239
225	0305327V	INSIDER THREAT	11,733	11,733
226	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,119	2,119
234	0708011S	INDUSTRIAL PREPAREDNESS	24,605	19,245
		DLA Uniform Research		[-5,360]
235	0708012S	LOGISTICS SUPPORT ACTIVITIES	1,770	1,770
236	0902298J	MANAGEMENT HQ—OJCS	2,978	2,978
237	1105219BB	MQ-9 UAV	18,151	23,151
		Medium Altitude Long Endurance Tactical (MALET) MQ-9 Unmanned Aerial Vehicle		[5,000]
238	1105232BB	RQ-11 UAV	758	758
240	1160403BB	AVIATION SYSTEMS	173,934	189,134
		MC-130 Terrain Following/Terrain Avoidance Radar Program		[15,200]
241	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	6,866	6,866
242	1160408BB	OPERATIONAL ENHANCEMENTS	63,008	63,008
243	1160431BB	WARRIOR SYSTEMS	25,342	25,342
244	1160432BB	SPECIAL PROGRAMS	3,401	3,401
245	1160480BB	SOF TACTICAL VEHICLES	3,212	3,212
246	1160483BB	MARITIME SYSTEMS	63,597	63,597
247	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	3,933	3,933
248	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	10,623	10,623
248A	9999999999	CLASSIFIED PROGRAMS	3,564,272	3,564,272
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	4,538,910	4,553,750
		UNDISTRIBUTED		
249	XXXXXXX	DEFENSE WIDE CYBER VULNERABILITY ASSESSMENT		200,000
		Assess all major weapon systems for cyber vulnerability		[200,000]
251	XXXXXXX	TECHNOLOGY OFFSET INITIATIVE		300,000
		Supports innovative technology development		[300,000]
		SUBTOTAL UNDISTRIBUTED		500,000
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	18,329,861	18,956,567
		OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	76,838	76,838
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	46,882	46,882
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	46,838	46,838
		SUBTOTAL MANAGEMENT SUPPORT	170,558	170,558
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	170,558	170,558
		TOTAL RDT&E	69,784,963	70,005,814

SA 2797. Mr. BLUNT (for himself and Mrs. McCASKILL) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construc-

tion, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2 ____ . Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on leadership at medical centers of the

Department of Veterans Affairs that includes, with respect to each medical center of the Department that has not had a permanent Director for a period of more than 30 days as of the date of submittal of the report, the following:

(1) A description of the nature and scope of the lack of permanent leadership at the medical center.

(2) An assessment of whether the lack of permanent leadership at the medical center is related to an increase in wait times for medical appointments at the medical center.

(3) An assessment of whether the lack of permanent leadership at the medical center is related to inconsistencies in the quality of health care delivered and the environment in which health care is delivered.

(4) A description of any action taken by the Department to correct the lack of permanent leadership at the medical center.

(5) A plan for how the Secretary will remedy the lack of permanent leadership at the medical center, including a detailed description of steps to be taken and a timeline for completion.

SA 2798. Mr. TESTER (for Mrs. BOXER) proposed an amendment to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end of title II, add the following:

SEC. 247. Of the amounts appropriated or otherwise made available by this title for "MEDICAL SERVICES", not more than \$5,000,000 shall be available to the Secretary of Veterans Affairs to carry out a pilot program to assess the feasibility and advisability of awarding grants to veterans service agencies, veterans service organizations, and non-governmental organizations to provide furniture, household items, and other assistance to formerly homeless veterans who are moving into permanent housing to facilitate the settlement of such veterans in such housing.

SA 2799. Mr. THUNE (for himself and Mr. ROUNDS) submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2. (a) The Secretary of Veterans Affairs may not carry out any action described in subsection (b) at a medical facility of the Department of Veterans Affairs located in Veterans Integrated Service Network 23 as part of a planned realignment of services from the Department until the Secretary has submitted to the appropriate committees of Congress a report that includes the following:

(1) A national realignment strategy for the Veterans Health Administration that includes a detailed description of realignment plans within each Veterans Integrated Service Network.

(2) An explanation of the process by which such realignment plans were developed and coordinated within each Veterans Integrated Service Network.

(3) An analysis of the cost versus the benefit of each realignment included in such realignment plans, including the cost of replacing services furnished directly by the Department of Veterans Affairs with services provided under a contract with a non-Department entity.

(4) An analysis of how each realignment will impact health care within each Veterans Integrated Service Network for the following veterans:

(A) Veterans who are members of Indian tribes.

(B) Veterans who live in rural or highly rural areas.

(5) An analysis of how each realignment will impact access to and enrollment in posttraumatic stress disorder programs and residential rehabilitation treatment programs of the Department and the capacity of such programs to provide services within each Veterans Integrated Service Network and nationally.

(b) The actions described in this subsection are the following:

(1) The closure of a medical facility of the Department.

(2) The use of any funds of the Department to prepare any environment impact statement that is related to the closure of a medical facility of the Department.

(3) Any action that—

(A) diminishes the ability of veterans to receive health care from the Department, or diminishes the quality of such health care; and

(B) is related to the closure of a medical facility of the Department.

(c) In this section—

(1) the term "appropriate committees of Congress" means—

(A) the Committee on Appropriations and the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Appropriations and the Committee on Veterans' Affairs of the House of Representatives; and

(2) the term "Indian tribe" has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SA 2800. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SEC. 2. (a)(1) Notwithstanding any other provision of law and except as provided in paragraph (3), the Secretary of Veterans Affairs and the Director of the Indian Health Service shall enter into a memorandum of understanding, in consultation with Indian tribes that are impacted by the memorandum of understanding, on a national or regional basis, that authorizes the Indian Health Service to pay to the Department of Veterans Affairs copayments owed to the Department by veterans who are beneficiaries of the Indian Health Service for services rendered by the Department, including services rendered under a contract with a non-De-

partment health care provider, to such veterans pursuant to a referral from a facility of the Indian Health Service under the purchased and referred care program of the Indian Health Service.

(2) In entering into a memorandum of understanding under paragraph (1), the Secretary of Veterans Affairs and the Director of the Indian Health Service shall take into account any findings from the report required under subsection (b).

(3) The Secretary of Veterans Affairs and the Director of the Indian Health Service are not required to enter into a memorandum of understanding under paragraph (1) if the Secretary and the Director jointly certify to the appropriate committees of Congress that such a memorandum of understanding would—

(A)(i) decrease the quality of health care provided to veterans who are beneficiaries of the Indian Health Service; and

(ii) impede the access of such veterans to health care; or

(B) substantially decrease the quality of or access to health care by individuals receiving health care from the Department of Veterans Affairs or beneficiaries of the Indian Health Service.

(b) Not later than 45 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report that contains—

(1) the number, disaggregated by State, of veterans who are beneficiaries of the Indian Health Service and have received health care at a medical facility of the Department of Veterans Affairs;

(2) the number, disaggregated by State and calendar year, of veterans who are beneficiaries of the Indian Health Service and were referred to a medical facility of the Department from a facility of the Indian Health Service during the period beginning on January 1, 2010, and ending on December 31, 2015; and

(3) an update on efforts of the Department to streamline health care for veterans who are beneficiaries of the Indian Health Service and have received health care at a medical facility of the Department and at a facility of the Indian Health Service, including—

(A) any changes to the provision of health care required under the Indian Health Care Improvement Act (25 U.S.C. 1601 et seq.); and

(B) any barriers to efficiently streamlining the provision of health care to veterans who are beneficiaries of the Indian Health Service.

(c) In this section—

(1) the term "appropriate committees of Congress" means—

(A) the Committee on Veterans' Affairs and the Committee on Indian Affairs of the Senate; and

(B) the Committee on Veterans' Affairs and the Committee on Natural Resources of the House of Representatives;

(2) the term "beneficiaries of the Indian Health Service" means individuals eligible for assistance from the Indian Health Service; and

(3) the term "Indian tribe" has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SA 2801. Mr. TESTER (for Mr. BROWN (for himself and Mr. TILLIS)) proposed an amendment to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for

military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end of title II, add the following:

SEC. 247. DEPARTMENT OF VETERANS AFFAIRS ACTION PLAN TO IMPROVE VOCATIONAL REHABILITATION AND EDUCATION.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall develop and publish an action plan for improving the services and assistance provided under chapter 31 of title 38, United States Code.

(b) ELEMENTS.—The plan required by subsection (a) shall include each of the following:

(1) A comprehensive analysis of, and recommendations and a proposed implementation plan for remedying workload management challenges at regional offices of the Department of Veterans Affairs, including steps to reduce counselor caseloads of veterans participating in a rehabilitation program under such chapter, particularly for counselors who are assisting veterans with traumatic brain injury and post-traumatic stress disorder and counselors with educational and vocational counseling workloads.

(2) A comprehensive analysis of the reasons for the disproportionately low percentage of veterans with service-connected disabilities who served in the Armed Forces after September 11, 2001, who opt to participate in a rehabilitation program under such chapter relative to the percentage of such veterans who use their entitlement to educational assistance under chapter 33 of title 38, United States Code, including an analysis of barriers to timely enrollment in rehabilitation programs under chapter 31 of such title and of any barriers to a veteran enrolling in the program of that veteran's choice.

(3) Recommendations and a proposed implementation plan for encouraging more veterans with service-connected disabilities who served in the Armed Forces after September 11, 2001, to participate in rehabilitation programs under chapter 31 of such title.

(4) A national staff training program for vocational rehabilitation counselors of the Department that includes the provision of—

(A) training to assist counselors in understanding the very profound disorientation experienced by veterans with service-connected disabilities whose lives and life-plans have been upended and out of their control because of such disabilities;

(B) training to assist counselors in working in partnership with veterans on individual rehabilitation plans; and

(C) training on post-traumatic stress disorder and other mental health conditions and on moderate to severe traumatic brain injury that is designed to improve the ability of such counselors to assist veterans with these conditions, including by providing information on the broad spectrum of such conditions and the effect of such conditions on an individual's abilities and functional limitations.

SA 2802. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Af-

fairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the amounts appropriated or otherwise made available by this Act (or an amendment made by this Act) shall be used to implement, administer, or enforce any wage requirement under subchapter IV of chapter 31 of title 40, United States Code, except with respect to any contract that is in existence on or prior to the date that is 30 days after the date of enactment of this Act or made pursuant to an invitation for bids outstanding on the date that is 30 days after such date of enactment.

SA 2803. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2763 proposed by Mr. KIRK (for himself, Mr. TESTER, and Ms. MIKULSKI) to the bill H.R. 2029, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds appropriated or otherwise made available by title II may be used to pay any award or bonus under chapter 45 or 53 of title 5, United States Code, to any employee of the Office of Construction and Facilities Management of the Department of Veterans Affairs.

SA 2804. Mrs. FEINSTEIN (for herself, Mr. DURBIN, and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill S. 1356, to clarify that certain provisions of the Border Patrol Agent Pay Reform Act of 2014 will not take effect until after the Director of the Office of Personnel Management promulgates and makes effective regulations relating to such provisions; which was ordered to lie on the table; as follows:

Strike sections 1031 through 1034.

SA 2805. Mr. THUNE (for Mr. CRUZ (for himself, Mr. NELSON, Mr. RUBIO, Mr. PETERS, Mr. GARDNER, and Mrs. MURRAY)) submitted an amendment intended to be proposed by Mr. THUNE to the bill H.R. 2262, to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the “U.S. Commercial Space Launch Competitiveness Act”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents; references.

TITLE I—SPURRING PRIVATE AEROSPACE COMPETITIVENESS AND ENTREPRENEURSHIP

Sec. 101. Short title.

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Sec. 402. Title 51 amendment.

Sec. 403. Disclaimer of extraterritorial sovereignty.

(c) REFERENCES TO TITLE 51, UNITED STATES CODE.—Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 51, United States Code.

TITLE I—SPURRING PRIVATE AEROSPACE COMPETITIVENESS AND ENTREPRENEURSHIP

SEC. 101. SHORT TITLE.

This title may be cited as the “Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015” or “SPACE Act of 2015”.

SEC. 102. INTERNATIONAL LAUNCH COMPETITIVENESS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that it is in the public interest to update the methodology used to calculate the maximum probable loss from claims under section 50914 of title 51, United States Code, with a validated risk profile approach in order to consistently compute valid and reasonable maximum probable loss values.

(b) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the commercial space sector and insurance providers, shall—

(1) evaluate the methodology used to calculate the maximum probable loss from claims under section 50914 of title 51, United States Code, and, if necessary, develop a plan to update that methodology;

(2) in evaluating or developing a plan under paragraph (1)—

(A) ensure that the Federal Government is not exposed to greater costs than intended

and that launch companies are not required to purchase more insurance coverage than necessary; and

(B) consider the impact of the cost to both the industry and the Government of implementing an updated methodology; and

(3) submit the evaluation, and any plan, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

(c) **INDEPENDENT ASSESSMENT.**—Not later than 270 days after the date the evaluation is submitted under subsection (b)(3), the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives an assessment of—

(1) the analysis and conclusions provided by the Secretary of Transportation in the evaluation, and any plan, under subsection (b);

(2) the implementation schedule proposed by the Secretary in the plan described in paragraph (1);

(3) the suitability of the plan described in paragraph (1) for implementation; and

(4) any further actions needed to implement the plan described in paragraph (1) or otherwise accomplish the purpose of this section.

(d) **LAUNCH LIABILITY EXTENSION.**—Section 50915(f) is amended by striking “December 31, 2016” and inserting “September 30, 2025”.

SEC. 103. INDEMNIFICATION FOR SPACE FLIGHT PARTICIPANTS.

(a) **IN GENERAL.**—Chapter 509 is amended—

(1) in section 50914(a)—

(A) in paragraph (4), by adding at the end the following:

“(E) space flight participants.”; and

(B) by adding at the end the following:

“(5) Subparagraph (E) of paragraph (4) ceases to be effective September 30, 2025.”; and

(2) in section 50915(a)—

(A) in paragraph (1), by striking “a licensee or transferee under this chapter, a contractor, subcontractor, or customer of the licensee or transferee, or a contractor or subcontractor of a customer, but not against a space flight participant,” and inserting “a person described in paragraph (3)(A)”;

(B) by adding at the end the following:

“(3)(A) A person described in this subparagraph is—

“(i) a licensee or transferee under this chapter;

“(ii) a contractor, subcontractor, or customer of the licensee or transferee;

“(iii) a contractor or subcontractor of a customer; or

“(iv) a space flight participant.

“(B) Clause (iv) of subparagraph (A) ceases to be effective September 30, 2025.”.

SEC. 104. LAUNCH LICENSE FLEXIBILITY.

Section 50906 is amended—

(1) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking “that will be launched or reentered” and inserting “or reusable launch vehicles that will be launched into a suborbital trajectory or reentered under that permit”;

(B) by amending paragraph (1) to read as follows:

“(1) research and development to test design concepts, equipment, or operating techniques”; and

(C) in paragraph (3)—

(i) by striking “prior to obtaining a license”; and

(ii) by inserting “or vehicle” after “design of the rocket”;

(2) in subsection (e)—

(A) in paragraph (1), by striking “suborbital rocket design” and inserting “suborbital rocket or suborbital rocket design, or for a particular reusable launch vehicle or reusable launch vehicle design.”; and

(B) in paragraph (2), by inserting “or launch vehicle” after “the suborbital rocket”;

(3) by amending subsection (g) to read as follows:

“(g) The Secretary may issue a permit under this section notwithstanding any license issued under this chapter. The issuance of a license under this chapter may not invalidate a permit issued under this section.”; and

(4) in subsection (h), by inserting “or reusable launch vehicle” after “suborbital rocket”.

SEC. 105. LICENSING REPORT.

Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on approaches for streamlining the licensing and permitting process of launch vehicles, reentry vehicles, or components of launch or reentry vehicles, to enable non-launch flight operations related to space transportation. The report shall include approaches to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints. The report shall also include an assessment of existing private and government infrastructure, as appropriate, in future licensing activities.

SEC. 106. FEDERAL JURISDICTION.

Section 50914 is amended by adding at the end the following:

“(g) **FEDERAL JURISDICTION.**—Any claim by a third party or space flight participant for death, bodily injury, or property damage or loss resulting from an activity carried out under the license shall be the exclusive jurisdiction of the Federal courts.”.

SEC. 107. CROSS WAIVERS.

Section 50914(b)(1) is amended to read as follows:

“(1)(A) A launch or reentry license issued or transferred under this chapter shall contain a provision requiring the licensee or transferee to make a reciprocal waiver of claims with applicable parties involved in launch services or reentry services under which each party to the waiver agrees to be responsible for personal injury to, death of, or property damage or loss sustained by it or its own employees resulting from an activity carried out under the applicable license.

“(B) In this paragraph, the term ‘applicable parties’ means—

“(i) contractors, subcontractors, and customers of the licensee or transferee;

“(ii) contractors and subcontractors of the customers; and

“(iii) space flight participants.

“(C) Clause (iii) of subparagraph (B) ceases to be effective September 30, 2025.”.

SEC. 108. SPACE AUTHORITY.

(a) **IN GENERAL.**—Not later than 120 days after the date of enactment of this Act, the Director of the Office of Science and Technology Policy, in consultation with the Secretary of State, the Secretary of Transportation, the Administrator of the National Aeronautics and Space Administration, the heads of other relevant Federal agencies, and the commercial space sector, shall—

(1) assess current, and proposed near-term, commercial non-governmental activities conducted in space;

(2) identify appropriate authorization and supervision authorities for the activities described in paragraph (1);

(3) recommend an authorization and supervision approach that would prioritize safety, utilize existing authorities, minimize burdens to the industry, promote the U.S. commercial space sector, and meet the United States obligations under international treaties; and

(4) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the activities described in paragraphs (1), (2), and (3).

(b) **EXCEPTION.**—Nothing in this section shall apply to the activities of the ISS national laboratory as described in section 504 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354), including any research or development projects utilizing the ISS national laboratory.

SEC. 109. ORBITAL TRAFFIC MANAGEMENT.

(a) **SENSE OF CONGRESS.**—It is the sense of the Congress that an improved framework may be necessary for space traffic management of United States Government assets and United States private sector assets in outer space and orbital debris mitigation.

(b) **STUDY.**—Not later than 90 days after the date of enactment of this Act, the Administrator of the National Aeronautics and Space Administration, in consultation with the Secretary of Transportation, the Chair of the Federal Communications Commission, the Secretary of Commerce, and the Secretary of Defense, shall enter into an arrangement with an independent systems engineering and technical assistance organization to study alternate frameworks for the management of space traffic and orbital activities.

(c) **CONTENTS.**—The study shall include the following:

(1) An assessment of current regulations, best practices, and industry standards that apply to space traffic management and orbital debris mitigation.

(2) An assessment of current statutory authorities granted to the Federal Communications Commission, the Department of Transportation, and the Department of Commerce that apply to space traffic management and orbital debris mitigation and how those agencies utilize and coordinate those authorities.

(3) A review of all space traffic management and orbital debris requirements under treaties and other international agreements to which the United States is a signatory, and other nonbinding international arrangements in which the United States participates, and the manner and extent to which the Federal Government complies with those requirements and arrangements.

(4) An assessment of existing Federal Government assets used to conduct space traffic management and space situational awareness.

(5) An assessment of the risk to space traffic management associated with smallsats and any necessary Government coordination for their launch and utilization to avoid congestion of the orbital environment and improve space situational awareness.

(6) An assessment of existing private sector information sharing activities associated with space situational awareness and space traffic management.

(7) Recommendations related to the appropriate framework for the protection of the health, safety, and welfare of the public and economic vitality of the space industry.

(d) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives the study required in subsection (b).

(e) **DEPARTMENT OF DEFENSE AUTHORITIES.**—

(1) **SENSE OF CONGRESS.**—It is the sense of Congress that the Department of Defense plays a vital and unique role in protecting national security assets in space.

(2) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to affect the authority of the Secretary of Defense as it relates to safeguarding the national security.

SEC. 110. SPACE SURVEILLANCE AND SITUATIONAL AWARENESS DATA.

Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation in concurrence with the Secretary of Defense shall—

(1) in consultation with the heads of other relevant Federal agencies, study the feasibility of processing and releasing safety-related space situational awareness data and information to any entity consistent with national security interests and public safety obligations of the United States; and

(2) submit a report on the feasibility study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

SEC. 111. CONSENSUS STANDARDS AND EXTENSION OF CERTAIN SAFETY REGULATION REQUIREMENTS.

Section 50905(c) is amended—

(1) in paragraph (1), by inserting “**IN GENERAL.**—” before “The Secretary”;

(2) in paragraph (2), by inserting “**REGULATIONS.**—” before “Regulations”;

(3) by striking paragraph (3);

(4) by redesignating paragraph (4) as paragraph (10);

(5) by inserting after paragraph (2) the following:

“(3) **FACILITATION OF STANDARDS.**—The Secretary shall continue to work with the commercial space sector, including the Commercial Space Transportation Advisory Committee, or its successor organization, to facilitate the development of voluntary industry consensus standards based on recommended best practices to improve the safety of crew, government astronauts, and space flight participants as the commercial space sector continues to mature.

“(4) **COMMUNICATION AND TRANSPARENCY.**—Nothing in this subsection shall be construed to limit the authority of the Secretary to discuss potential regulatory approaches, potential performance standards, or any other topic related to this subsection with the commercial space industry, including observations, findings, and recommendations from the Commercial Space Transportation Advisory Committee, or its successor organization, prior to the issuance of a notice of proposed rulemaking. Such discussions shall not be construed to permit the Secretary to promulgate industry regulations except as otherwise provided in this section.

“(5) **INTERIM VOLUNTARY INDUSTRY CONSENSUS STANDARDS REPORTS.**—

“(A) **IN GENERAL.**—Not later than December 31, 2016, and every 30 months thereafter until December 31, 2021, the Secretary, in

consultation and coordination with the commercial space sector, including the Commercial Space Transportation Advisory Committee, or its successor organization, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the progress of the commercial space transportation industry in developing voluntary industry consensus standards that promote best practices to improve industry safety.

“(B) **CONTENTS.**—The report shall include, at a minimum—

“(i) any voluntary industry consensus standards that have been accepted by the industry at large;

“(ii) the identification of areas that have the potential to become voluntary industry consensus standards that are currently under consideration by the industry at large;

“(iii) an assessment from the Secretary on the general progress of the industry in adopting voluntary industry consensus standards;

“(iv) any lessons learned about voluntary industry consensus standards, best practices, and commercial space launch operations;

“(v) any lessons learned associated with the development, potential application, and acceptance of voluntary industry consensus standards, best practices, and commercial space launch operations; and

“(vi) recommendations, findings, or observations from the Commercial Space Transportation Advisory Committee, or its successor organization, on the progress of the industry in developing voluntary industry consensus standards that promote best practices to improve industry safety.

“(6) **REPORT.**—Not later than 270 days after the date of enactment of the SPACE Act of 2015, the Secretary, in consultation and coordination with the commercial space sector, including the Commercial Space Transportation Advisory Committee, or its successor organization, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report specifying key industry metrics that might indicate readiness of the commercial space sector and the Department of Transportation to transition to a safety framework that may include regulations under paragraph (9) that considers space flight participant, government astronaut, and crew safety.

“(7) **REPORTS.**—Not later than March 31 of each of 2018 and 2022, the Secretary, in consultation and coordination with the commercial space sector, including the Commercial Space Transportation Advisory Committee, or its successor organization, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that identifies the activities, described in this subsection and subsection (d) most appropriate for a new safety framework that may include regulatory action, if any, and a proposed transition plan for such safety framework.

“(8) **INDEPENDENT REVIEW.**—Not later than December 31, 2022, an independent systems engineering and technical assistance organization or standards development organization contracted by the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives

an assessment of the readiness of the commercial space industry and the Federal Government to transition to a safety framework that may include regulations. As part of the review, the contracted organization shall evaluate—

“(A) the progress of the commercial space industry in adopting voluntary industry consensus standards as reported by the Secretary in the interim assessments included in the reports under paragraph (5);

“(B) the progress of the commercial space industry toward meeting the key industry metrics identified by the report under paragraph (6), including the knowledge and operational experience obtained by the commercial space industry while providing services for compensation or hire; and

“(C) whether the areas identified in the reports under paragraph (5) are appropriate for regulatory action, or further development of voluntary industry consensus standards, considering the progress evaluated in subparagraphs (A) and (B) of this paragraph.

“(9) **LEARNING PERIOD.**—Beginning on October 1, 2023, the Secretary may propose regulations under this subsection without regard to subparagraphs (C) and (D) of paragraph (2). The development of any such regulations shall take into consideration the evolving standards of the commercial space flight industry as identified in the reports published under paragraphs (5), (6), and (7).”; and

(6) in paragraph (10), as redesignated, by inserting “**RULE OF CONSTRUCTION.**—” before “Nothing”.

SEC. 112. GOVERNMENT ASTRONAUTS.

(a) **FINDINGS AND PURPOSE.**—Section 50901(15) is amended by inserting “, government astronauts,” after “crew” each place it appears.

(b) **SENSE OF CONGRESS.**—The National Aeronautics and Space Administration has a need to fly government astronauts (as defined in section 50902 of title 51, United States Code, as amended) within commercial launch vehicles and reentry vehicles under chapter 509 of that title. This need was identified by the Secretary of Transportation and the Administrator of the National Aeronautics and Space Administration due to the intended use of commercial launch vehicles and reentry vehicles developed under the Commercial Crew Development Program, authorized in section 402 of the National Aeronautics and Space Administration Authorization Act of 2010 (124 Stat. 2820; Public Law 111-267). It is the sense of Congress that the authority delegated to the Administration by the amendment made by subsection (d) of this section should be used for that purpose.

(c) **DEFINITION OF GOVERNMENT ASTRONAUT.**—Section 50902 is amended—

(1) by redesignating paragraphs (4) through (22) as paragraphs (7) through (25), respectively; and

(2) by inserting after paragraph (3) the following:

“(4) ‘government astronaut’ means an individual who—

“(A) is designated by the National Aeronautics and Space Administration under section 20113(n);

“(B) is carried within a launch vehicle or reentry vehicle in the course of his or her employment, which may include performance of activities directly relating to the launch, reentry, or other operation of the launch vehicle or reentry vehicle; and

“(C) is either—

“(i) an employee of the United States Government, including the uniformed services, engaged in the performance of a Federal function under authority of law or an Executive act; or

“(ii) an international partner astronaut.

“(5) ‘international partner astronaut’ means an individual designated under Article 11 of the International Space Station Intergovernmental Agreement, by a partner to that agreement other than the United States, as qualified to serve as an International Space Station crew member.

“(6) ‘International Space Station Intergovernmental Agreement’ means the Agreement Concerning Cooperation on the International Space Station, signed at Washington January 29, 1998 (TIAS 12927).”.

(d) POWERS OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION IN PERFORMANCE OF FUNCTIONS.—Section 20113 is amended by adding at the end the following:

“(n) IDENTIFICATION OF GOVERNMENT ASTRONAUTS.—For purposes of a license issued or transferred by the Secretary of Transportation under chapter 509 to launch a launch vehicle or to reenter a reentry vehicle carrying a government astronaut (as defined in section 50902), the Administration shall designate a government astronaut in accordance with requirements prescribed by the Administration.”.

(e) DEFINITION OF LAUNCH.—Paragraph (7) of section 50902, as redesignated, is amended by striking “and any payload, crew, or space flight participant” and inserting “and any payload or human being”.

(f) DEFINITION OF LAUNCH SERVICES.—Paragraph (9) of section 50902, as redesignated, is amended by striking “payload, crew (including crew training), or space flight participant” and inserting “payload, crew (including crew training), government astronaut, or space flight participant”.

(g) DEFINITION OF REENTER AND REENTRY.—Paragraph (16) of section 50902, as redesignated, is amended by striking “and its payload, crew, or space flight participants, if any,” and inserting “and its payload or human beings, if any,”.

(h) DEFINITION OF REENTRY SERVICES.—Paragraph (17) of section 50902, as redesignated, is amended by striking “payload, crew (including crew training), or space flight participant, if any,” and inserting “payload, crew (including crew training), government astronaut, or space flight participant, if any,”.

(i) DEFINITION OF SPACE FLIGHT PARTICIPANT.—Paragraph (20) of section 50902, as redesignated, is amended to read as follows:

“(20) ‘space flight participant’ means an individual, who is not crew or a government astronaut, carried within a launch vehicle or reentry vehicle.”.

(j) DEFINITION OF THIRD PARTY.—Paragraph (24)(E) of section 50902, as redesignated, is amended by inserting “, government astronauts,” after “crew”.

(k) RESTRICTIONS ON LAUNCHES, OPERATIONS, AND REENTRIES; SINGLE LICENSE OR PERMIT.—Section 50904(d) is amended by striking “activities involving crew or space flight participants” and inserting “activities involving crew, government astronauts, or space flight participants”.

(l) LICENSE APPLICATIONS AND REQUIREMENTS; APPLICATIONS.—Section 50905 is amended—

(1) in subsection (a)(2), by striking “crews and space flight participants” and inserting “crew, government astronauts, and space flight participants”;

(2) in subsection (b)(2)(D), by striking “crew or space flight participants” and inserting “crew, government astronauts, or space flight participants”; and

(3) in subsection (c)—

(A) in paragraph (1), by striking “crew and space flight participants” and inserting

“crew, government astronauts, and space flight participants”; and

(B) in paragraph (2), by striking “to crew or space flight participants” each place it appears and inserting “to crew, government astronauts, or space flight participants”.

(m) MONITORING ACTIVITIES.—Section 50907(a) is amended by striking “at a site used for crew or space flight participant training” and inserting “at a site not owned or operated by the Federal Government or a foreign government used for crew, government astronaut, or space flight participant training”.

(n) ADDITIONAL SUSPENSIONS.—Section 50908(d)(1) is amended by striking “to crew or space flight participants” each place it appears and inserting “to any human being”.

(o) RELATIONSHIP TO OTHER EXECUTIVE AGENCIES, LAWS, AND INTERNATIONAL OBLIGATIONS; NONAPPLICATION.—Section 50919(g) is amended to read as follows:

“(g) NONAPPLICATION.—

“(1) IN GENERAL.—This chapter does not apply to—

“(A) a launch, reentry, operation of a launch vehicle or reentry vehicle, operation of a launch site or reentry site, or other space activity the Government carries out for the Government; or

“(B) planning or policies related to the launch, reentry, operation, or activity under subparagraph (A).

“(2) RULE OF CONSTRUCTION.—The following activities are not space activities the Government carries out for the Government under paragraph (1):

“(A) A government astronaut being carried within a launch vehicle or reentry vehicle under this chapter.

“(B) A government astronaut performing activities directly relating to the launch, reentry, or other operation of the launch vehicle or reentry vehicle under this chapter.”.

SEC. 113. STREAMLINE COMMERCIAL SPACE LAUNCH ACTIVITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that eliminating duplicative requirements and approvals for commercial launch and reentry operations will promote and encourage the development of the commercial space sector.

(b) REAFFIRMATION OF POLICY.—Congress reaffirms that the Secretary of Transportation, in overseeing and coordinating commercial launch and reentry operations, should—

(1) promote commercial space launches and reentries by the private sector;

(2) facilitate Government, State, and private sector involvement in enhancing U.S. launch sites and facilities;

(3) protect public health and safety, safety of property, national security interests, and foreign policy interests of the United States; and

(4) consult with the head of another executive agency, including the Secretary of Defense or the Administrator of the National Aeronautics and Space Administration, as necessary to provide consistent application of licensing requirements under chapter 509 of title 51, United States Code.

(c) REQUIREMENTS.—

(1) IN GENERAL.—The Secretary of Transportation under section 50918 of title 51, United States Code, and subject to section 50905(b)(2)(C) of that title, shall consult with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, and the heads of other executive agencies, as appropriate—

(A) to identify all requirements that are imposed to protect the public health and

safety, safety of property, national security interests, and foreign policy interests of the United States relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle; and

(B) to evaluate the requirements identified in subparagraph (A) and, in coordination with the licensee or transferee and the heads of the relevant executive agencies—

(i) determine whether the satisfaction of a requirement of one agency could result in the satisfaction of a requirement of another agency; and

(ii) resolve any inconsistencies and remove any outmoded or duplicative requirements or approvals of the Federal Government relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle.

(2) REPORTS.—Not later than 180 days after the date of enactment of this Act, and annually thereafter until the Secretary of Transportation determines no outmoded or duplicative requirements or approvals of the Federal Government exist, the Secretary of Transportation, in consultation with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, the commercial space sector, and the heads of other executive agencies, as appropriate, shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the congressional defense committees a report that includes the following:

(A) A description of the process for the application for and approval of a permit or license under chapter 509 of title 51, United States Code, for the commercial launch of a launch vehicle or commercial reentry of a reentry vehicle, including the identification of—

(i) any unique requirements for operating on a United States Government launch site, reentry site, or launch property; and

(ii) any inconsistent, outmoded, or duplicative requirements or approvals.

(B) A description of current efforts, if any, to coordinate and work across executive agencies to define interagency processes and procedures for sharing information, avoiding duplication of effort, and resolving common agency requirements.

(C) Recommendations for legislation that may further—

(i) streamline requirements in order to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints; and

(ii) consolidate or modify requirements across affected agencies into a single application set that satisfies the requirements identified in paragraph (1)(A).

(3) DEFINITIONS.—For purposes of this subsection—

(A) any applicable definitions set forth in section 50902 of title 51, United States Code, shall apply;

(B) the terms “launch”, “reenter”, and “reentry” include landing of a launch vehicle or reentry vehicle; and

(C) the terms “United States Government launch site” and “United States Government reentry site” include any necessary facility, at that location, that is commercially operated on United States Government property.

SEC. 114. OPERATION AND UTILIZATION OF THE ISS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) maximum utilization of partnerships, scientific research, commercial applications,

and exploration test bed capabilities of the ISS is essential to ensuring the greatest return on investments made by the United States and its international partners in the development, assembly, and operations of that unique facility; and

(2) every effort should be made to ensure that decisions regarding the service life of the ISS are based on the station's projected capability to continue providing effective and productive research and exploration test bed capabilities.

(b) CONTINUATION OF THE INTERNATIONAL SPACE STATION.—

(1) IN GENERAL.—Section 501 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18351) is amended—

(A) in the heading, by striking “THROUGH 2020”; and

(B) in subsection (a), by striking “through at least 2020” and inserting “through at least 2024”.

(2) MAINTENANCE OF THE UNITED STATES SEGMENT AND ASSURANCE OF CONTINUED OPERATIONS OF THE INTERNATIONAL SPACE STATION.—Section 503 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18353) is amended—

(A) in subsection (a), by striking “through at least September 30, 2020” and inserting “through at least September 30, 2024”; and

(B) in subsection (b)(1), by striking “In carrying out subsection (a), the Administrator” and inserting “The Administrator”.

(3) RESEARCH CAPACITY ALLOCATION AND INTEGRATION OF RESEARCH PAYLOADS.—Section 504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d)) is amended by striking “September 30, 2020” each place it appears and inserting “at least September 30, 2024”.

(4) MAINTAINING USE THROUGH AT LEAST 2024.—Section 70907 is amended to read as follows:

“§ 70907. Maintaining use through at least 2024

“(a) POLICY.—The Administrator shall take all necessary steps to ensure that the International Space Station remains a viable and productive facility capable of potential United States utilization through at least September 30, 2024.

“(b) NASA ACTIONS.—In furtherance of the policy under subsection (a), the Administrator shall ensure, to the extent practicable, that the International Space Station, as a designated national laboratory—

“(1) remains viable as an element of overall exploration and partnership strategies and approaches;

“(2) is considered for use by all NASA mission directorates, as appropriate, for technically appropriate scientific data gathering or technology risk reduction demonstrations; and

“(3) remains an effective, functional vehicle providing research and test bed capabilities for the United States through at least September 30, 2024.”.

(5) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) TABLE OF CONTENTS OF 2010 ACT.—The item relating to section 501 in the table of contents in section 1(b) of the National Aeronautics and Space Administration Authorization Act of 2010 (124 Stat. 2806) is amended by striking “through 2020”.

(B) TABLE OF CONTENTS OF CHAPTER 709.—The table of contents for chapter 709 is amended by amending the item relating to section 70907 to read as follows:

“70907. Maintaining use through at least 2024.”.

SEC. 115. STATE COMMERCIAL LAUNCH FACILITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) State involvement, development, ownership, and operation of launch facilities can enable growth of the Nation's commercial suborbital and orbital space endeavors and support both commercial and Government space programs;

(2) State launch facilities and the people and property in the affected launch areas of those facilities may be subject to risks resulting from an activity carried out under a license under chapter 509 of title 51, United States Code; and

(3) to ensure the success of the commercial launch industry and the safety of the people and property in the affected launch areas of those facilities, States and State launch facilities should seek to take proper measures to protect themselves, to the extent of their potential liability for involvement in launch services or reentry services, and compensate third parties for possible death, bodily injury, or property damage or loss resulting from an activity carried out under a license under chapter 509 of title 51, United States Code, to which the State or State launch facility is involved in the launch services or reentry services.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the potential inclusion of all government property, including State and municipal property, in the existing indemnification regime established under section 50914 of title 51, United States Code.

SEC. 116. SPACE SUPPORT VEHICLES STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the use of space support vehicle services in the commercial space industry.

(b) CONTENTS.—This report shall include—

(1) the extent to which launch providers rely on such services as part of their business models;

(2) the statutory, regulatory, and market barriers to the use of such services; and

(3) recommendations for legislative or regulatory action that may be needed to ensure reduced barriers to the use of such services if such use is a requirement of the industry.

SEC. 117. SPACE LAUNCH SYSTEM UPDATE.

(a) IN GENERAL.—Chapter 701 is amended—

(1) in the heading by striking “SPACE SHUTTLE” and inserting “SPACE LAUNCH SYSTEM”; and

(2) in section 70101—

(A) in the heading, by striking “space shuttle” and inserting “space launch system”; and

(B) by striking “space shuttle” and inserting “space launch system”; and

(3) by amending section 70102 to read as follows:

“§ 70102. Space launch system use policy

“(a) IN GENERAL.—The Space Launch System may be used for the following circumstances:

“(1) Payloads and missions that contribute to extending human presence beyond low-

Earth orbit and substantially benefit from the unique capabilities of the Space Launch System.

“(2) Other payloads and missions that substantially benefit from the unique capabilities of the Space Launch System.

“(3) On a space available basis, Federal Government or educational payloads that are consistent with NASA's mission for exploration beyond low-Earth orbit.

“(4) Compelling circumstances, as determined by the Administrator.

“(b) AGREEMENTS WITH FOREIGN ENTITIES.—The Administrator may plan, negotiate, or implement agreements with foreign entities for the launch of payloads for international collaborative efforts relating to science and technology using the Space Launch System.

“(c) COMPELLING CIRCUMSTANCES.—Not later than 30 days after the date the Administrator makes a determination under subsection (a)(4), the Administrator shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives written notification of the Administrator's intent to select the Space Launch System for a specific mission under that subsection, including justification for the determination.”;

(4) in section 70103—

(A) in the heading, by striking “SPACE SHUTTLE” and inserting “SPACE LAUNCH SYSTEM”; and

(B) in subsection (b), by striking “space shuttle” each place it appears and inserting “space launch system”; and

(5) by adding at the end the following:

“§ 70104. Definition of Space Launch System

“In this chapter, the term ‘Space Launch System’ means the Space Launch System authorized under section 302 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18322).”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CHAPTERS.—The table of chapters of title 51 is amended by amending the item relating to chapter 701 to read as follows:

“701. Use of space launch system or alternatives 70101”.

(2) TABLE OF CONTENTS OF CHAPTER 701.—The table of contents of chapter 701 is amended—

(A) in the item relating to section 70101, by striking “space shuttle” and inserting “space launch system”; and

(B) in the item relating to section 70102, by striking “Space shuttle” and inserting “Space launch system”; and

(C) in the item relating to section 70103, by striking “space shuttle” and inserting “space launch system”; and

(D) by adding at the end the following:

“70104. Definition of Space Launch System.”.

(3) REQUIREMENT TO PROCURE COMMERCIAL SPACE TRANSPORTATION SERVICES.—Section 50131(a) of chapter 51 is amended by inserting “or in section 70102” after “in this section”.

TITLE II—COMMERCIAL REMOTE SENSING

SEC. 201. ANNUAL REPORTS.

(a) IN GENERAL.—Subchapter III of chapter 601 is amended by adding at the end the following:

“§ 60126. Annual reports

“(a) IN GENERAL.—The Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives not later than 180 days after the

date of enactment of the U.S. Commercial Space Launch Competitiveness Act, and annually thereafter, on—

“(1) the Secretary’s implementation of section 60121, including—

“(A) a list of all applications received in the previous calendar year;

“(B) a list of all applications that resulted in a license under section 60121;

“(C) a list of all applications denied and an explanation of why each application was denied, including any information relevant to the interagency adjudication process of a licensing request;

“(D) a list of all applications that required additional information; and

“(E) a list of all applications whose disposition exceeded the 120 day deadline established in section 60121(c), the total days overdue for each application that exceeded such deadline, and an explanation for the delay;

“(2) all notifications and information provided to the Secretary under section 60122; and

“(3) a description of all actions taken by the Secretary under the administrative authority granted by paragraphs (4), (5), and (6) of section 60123(a).

“(b) CLASSIFIED ANNEXES.—Each report under subsection (a) may include classified annexes as necessary to protect the disclosure of sensitive or classified information.

“(c) SUNSET.—The reporting requirement under this section terminates effective September 30, 2020.”.

(b) TABLE OF CONTENTS.—The table of contents of chapter 601 is amended by inserting after the item relating to section 60125 the following:

“60126. Annual reports.”.

SEC. 202. STATUTORY UPDATE REPORT.

Not later than 1 year after the date of enactment of this Act, the Secretary of Commerce, in consultation with the heads of other appropriate Federal agencies and the National Oceanic and Atmospheric Administration’s Advisory Committee on Commercial Remote Sensing, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on statutory updates necessary to license private remote sensing space systems. In preparing the report, the Secretary shall take into account the need to protect national security while maintaining United States private sector leadership in the field, and reflect the current state of the art of remote sensing systems, instruments, or technologies.

TITLE III—OFFICE OF SPACE COMMERCE

SEC. 301. RENAMING OF OFFICE OF SPACE COMMERCIALIZATION.

(a) CHAPTER HEADING.—

(1) AMENDMENT.—The heading for chapter 507 is amended by striking “COMMERCIALIZATION” and inserting “COMMERCE”.

(2) CONFORMING AMENDMENT.—The item relating to chapter 507 in the table of chapters for title 51 is amended by striking “Commercialization” and inserting “Commerce”.

(b) DEFINITION OF OFFICE.—Section 50701 is amended by striking “Commercialization” and inserting “Commerce”.

(c) RENAMING.—Section 50702(a) is amended by striking “Commercialization” and inserting “Commerce”.

SEC. 302. FUNCTIONS OF THE OFFICE OF SPACE COMMERCE.

Section 50702(c) is amended by striking “Commerce.” and inserting “Commerce, including—

“(1) to foster the conditions for the economic growth and technological advancement of the United States space commerce industry;

“(2) to coordinate space commerce policy issues and actions within the Department of Commerce;

“(3) to represent the Department of Commerce in the development of United States policies and in negotiations with foreign countries to promote United States space commerce;

“(4) to promote the advancement of United States geospatial technologies related to space commerce, in cooperation with relevant interagency working groups; and

“(5) to provide support to Federal Government organizations working on Space-Based Positioning Navigation, and Timing policy, including the National Coordination Office for Space-Based Position, Navigation, and Timing.”.

TITLE IV—SPACE RESOURCE EXPLORATION AND UTILIZATION

SEC. 401. SHORT TITLE.

This title may be cited as the “Space Resource Exploration and Utilization Act of 2015”.

SEC. 402. TITLE 51 AMENDMENT.

(a) IN GENERAL.—Subtitle V is amended by adding at the end the following:

“CHAPTER 513—SPACE RESOURCE COMMERCIAL EXPLORATION AND UTILIZATION

“Sec.

“51301. Definitions.

“51302. Commercial exploration and commercial recovery.

“51303. Asteroid resource and space resource rights.

“§ 51301. Definitions

“In this chapter:

“(1) ASTEROID RESOURCE.—The term ‘asteroid resource’ means a space resource found on or within a single asteroid.

“(2) SPACE RESOURCE.—

“(A) IN GENERAL.—The term ‘space resource’ means an abiotic resource in situ in outer space.

“(B) INCLUSIONS.—The term ‘space resource’ includes water and minerals.

“(3) UNITED STATES CITIZEN.—The term ‘United States citizen’ has the meaning given the term ‘citizen of the United States’ in section 50902.

“§ 51302. Commercial exploration and commercial recovery

“(a) IN GENERAL.—The President, acting through appropriate Federal agencies, shall—

“(1) facilitate commercial exploration for and commercial recovery of space resources by United States citizens;

“(2) discourage government barriers to the development in the United States of economically viable, safe, and stable industries for commercial exploration for and commercial recovery of space resources in manners consistent with the international obligations of the United States; and

“(3) promote the right of United States citizens to engage in commercial exploration for and commercial recovery of space resources free from harmful interference, in accordance with the international obligations of the United States and subject to authorization and continuing supervision by the Federal Government.

“(b) REPORT.—Not later than 180 days after the date of enactment of this section, the President shall submit to Congress a report on commercial exploration for and commer-

cial recovery of space resources by United States citizens that specifies—

“(1) the authorities necessary to meet the international obligations of the United States, including authorization and continuing supervision by the Federal Government; and

“(2) recommendations for the allocation of responsibilities among Federal agencies for the activities described in paragraph (1).

“§ 51303. Asteroid resource and space resource rights

“A United States citizen engaged in commercial recovery of an asteroid resource or a space resource under this chapter shall be entitled to any asteroid resource or space resource obtained, including to possess, own, transport, use, and sell the asteroid resource or space resource obtained in accordance with applicable law, including the international obligations of the United States.”.

(b) TABLE OF CHAPTERS.—The table of chapters for title 51 is amended by adding at the end of the items for subtitle V the following:

“513. Space resource commercial exploration and utilization 51301”.

SEC. 403. DISCLAIMER OF EXTRATERRITORIAL SOVEREIGNTY.

It is the sense of Congress that by the enactment of this Act, the United States does not thereby assert sovereignty or sovereign or exclusive rights or jurisdiction over, or the ownership of, any celestial body.

SA 2806. Ms. MURKOWSKI (for Mr. ISAKSON) proposed an amendment to the bill S. 1203, to amend title 38, United States Code, to improve the processing by the Department of Veterans Affairs of claims for benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes; as follows:

Beginning on page 29, strike line 1 and all that follows through page 32, line 20, and insert the following:

SEC. 112. REPORTS ON PUBLIC ACCESS TO DEPARTMENT OF VETERANS AFFAIRS RESEARCH.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on increasing public access to scientific publications and digital data from research funded by the Department of Veterans Affairs.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) Identification of where on the Internet website of the Department the public will be able to access results of research funded by the Department or be referred to other sources to access the results of research funded by the Department.

(2) A description of the progress made by the Department in meeting public access requirements set forth in the Federal Register notice entitled “Policy and Implementation Plan for Public Access to Scientific Publications and Digital Data from Research Funded by the Department of Veterans Affairs” (80 Fed. Reg. 60751), including the following:

(A) Compliance of Department investigators with requirements relating to ensuring that research funded by the Department is accessible by the public.

(B) Ensuring data management plans of the Department include provisions for long-

term preservation of the scientific data resulting from research funded by the Department.

(3) An explanation of the factors used to evaluate the merit of data management plans of research funded by the Veterans Health Administration.

(4) An explanation of the process of the Department in effect that enables stakeholders to petition a change to the embargo period for a specific field and the factors considered during such process.

On page 33, line 6, strike “45” and insert “72”.

On page 43, strike lines 7 through 11 and insert the following:

(a) IN GENERAL.—In carrying out the education and training program required under section 7302(a)(1) of title 38, United States Code, the Secretary of Veterans Affairs shall include education and training of marriage and family therapists and licensed professional mental health counselors.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

Beginning on page 43, strike line 19 and all that follows through page 44, line 9.

Beginning on page 65, strike line 3 and all that follows through page 70, line 8.

Beginning on page 91, strike line 22 and all that follows through page 92, line 1, and insert the following:

(a) IN GENERAL.—During the 10-year period beginning on September 26, 2015, the second sentence of subsection (c) of section 3684 of title 38, United States Code, shall be applied—

(1) by substituting “\$8” for “\$12”; and

(2) by substituting “\$12” for “\$15”.

(b) CONFORMING AMENDMENT.—Section 406 of the Department of Veterans Affairs Expiring Authorities Act of 2014 (Public Law 113-175; 38 U.S.C. 3684 note), as amended by section 410 of the Department of Veterans Affairs Expiring Authorities Act of 2015 (Public Law 114-58), is hereby repealed.

SA 2807. Ms. MURKOWSKI (for Mr. BLUMENTHAL) proposed an amendment to the resolution S. Res. 302, expressing the sense of the Senate in support of Israel and in condemnation of Palestinian terror attacks; as follows:

On page 5, line 1, strike “the President and”.

SA 2808. Ms. MURKOWSKI (for Mr. BLUMENTHAL) proposed an amendment to the resolution S. Res. 302, expressing the sense of the Senate in support of Israel and in condemnation of Palestinian terror attacks; as follows:

Insert after the eleventh whereas clause of the preamble the following:

Whereas President Barack Obama condemned in the strongest terms Palestinian violence against innocent Israeli citizens and expressed his “strong belief that Israel has not just the right, but the obligation to protect itself”;

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on November 10, 2015, at 9 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 10, 2015, at 9:45 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 10, 2015, at 10 a.m., to conduct a hearing entitled “Update on the Campaign against ISIS in Syria.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on November 10, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

21ST CENTURY VETERANS BENEFITS DELIVERY ACT

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 267, S. 1203.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1203) to amend title 38, United States Code, to improve the processing by the Department of Veterans Affairs of claims for benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Veterans Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “21st Century Veterans Benefits Delivery and Other Improvements Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—HEALTH CARE MATTERS

Subtitle A—Expansion and Improvement of Health Care Benefits

Sec. 101. Improved access to appropriate immunizations for veterans.

Sec. 102. Expansion of provision of chiropractic care and services to veterans.

Subtitle B—Health Care Administration

Sec. 111. Expansion of availability of prosthetic and orthotic care for veterans.

Sec. 112. Public access to Department of Veterans Affairs research and data sharing between Departments.

Sec. 113. Revival of Intermediate Care Technician Pilot Program of Department of Veterans Affairs.

Sec. 114. Transfer of health care provider credentialing data from Secretary of Defense to Secretary of Veterans Affairs.

Sec. 115. Examination and treatment by Department of Veterans Affairs for emergency medical conditions and women in labor.

Subtitle C—Improvement of Medical Workforce

Sec. 121. Inclusion of mental health professionals in education and training program for health personnel of the Department of Veterans Affairs.

Sec. 122. Expansion of qualifications for licensed mental health counselors of the Department of Veterans Affairs to include doctoral degrees.

Sec. 123. Requirement that physician assistants employed by the Department of Veterans Affairs receive competitive pay.

Sec. 124. Report on medical workforce of the Department of Veterans Affairs.

TITLE II—COMPENSATION AND OTHER BENEFITS MATTERS

Subtitle A—Benefits Claims Submission

Sec. 201. Participation of veterans service organizations in Transition Assistance Program.

Sec. 202. Requirement that Secretary of Veterans Affairs publish the average time required to adjudicate timely and untimely appeals.

Sec. 203. Determination of manner of appearance for hearings before Board of Veterans' Appeals.

Subtitle B—Practices of Regional Offices Relating to Benefits Claims

Sec. 211. Comptroller General review of claims processing performance of regional offices of Veterans Benefits Administration.

Sec. 212. Inclusion in annual budget submission of information on capacity of Veterans Benefits Administration to process benefits claims.

Sec. 213. Report on staffing levels at regional offices of Department of Veterans Affairs after transition to National Work Queue.

Sec. 214. Annual report on progress in implementing Veterans Benefits Management System.

Sec. 215. Report on plans of Secretary of Veterans Affairs to reduce inventory of non-rating workload.

Sec. 216. Sense of Congress on increased transparency relating to claims for benefits and appeals of decisions relating to benefits in Monday Morning Workload Report.

Subtitle C—Other Benefits Matters

Sec. 221. Modification of pilot program for use of contract physicians for disability examinations.

Sec. 222. Development of procedures to increase cooperation with National Guard Bureau.

Sec. 223. Review of determination of certain service in Philippines during World War II.

Sec. 224. Reports on Department disability medical examinations and prevention of unnecessary medical examinations.

Sec. 225. Sense of Congress on submittal of information relating to claims for disabilities incurred or aggravated by military sexual trauma.

TITLE III—EDUCATION MATTERS

- Sec. 301. Retention of entitlement to educational assistance during certain additional periods of active duty.
- Sec. 302. Reports on progress of students receiving Post-9/11 Educational Assistance.
- Sec. 303. Secretary of Defense report on level of education attained by those who transfer entitlement to Post-9/11 educational assistance.
- Sec. 304. Reports on educational levels attained by certain members of the Armed Forces at time of separation from the Armed Forces.

TITLE IV—EMPLOYMENT AND TRANSITION MATTERS

- Sec. 401. Required coordination between Directors for Veterans' Employment and Training with State departments of labor and veterans affairs.
- Sec. 402. Report on job fairs attended by one-stop career center employees at which such employees encounter veterans.
- Sec. 403. Review of challenges faced by employers seeking to hire veterans and sharing of information among Federal agencies that serve veterans.
- Sec. 404. Review of Transition GPS Program Core Curriculum.
- Sec. 405. Modification of requirement for provision of pre-separation counseling.

TITLE V—VETERAN SMALL BUSINESS MATTERS

- Sec. 501. Modification of treatment under contracting goals and preferences of Department of Veterans Affairs for small businesses owned by veterans of small businesses after death of disabled veteran owners.
- Sec. 502. Treatment of businesses after deaths of servicemember-owners for purposes of Department of Veterans Affairs contracting goals and preferences.

TITLE VI—BURIAL MATTERS

- Sec. 601. Department of Veterans Affairs study on matters relating to burial of unclaimed remains of veterans in national cemeteries.

TITLE VII—OTHER MATTERS

- Sec. 701. Honoring as veterans certain persons who performed service in the reserve components of the Armed Forces.
- Sec. 702. Report on Laotian military support of Armed Forces of the United States during Vietnam War.
- Sec. 703. Restoration of prior reporting fee multipliers.

TITLE I—HEALTH CARE MATTERS

Subtitle A—Expansion and Improvement of Health Care Benefits

SEC. 101. IMPROVED ACCESS TO APPROPRIATE IMMUNIZATIONS FOR VETERANS.

(a) INCLUSION OF RECOMMENDED ADULT IMMUNIZATIONS AS MEDICAL SERVICES.—

(1) COVERED BENEFIT.—Subparagraph (F) of section 1701(9) of title 38, United States Code, is amended to read as follows:

“(F) immunizations against infectious diseases, including each immunization on the recommended adult immunization schedule at the time such immunization is indicated on that schedule;”

(2) RECOMMENDED ADULT IMMUNIZATION SCHEDULE DEFINED.—Section 1701 of such title is amended by adding after paragraph (9) the following new paragraph:

“(10) The term ‘recommended adult immunization schedule’ means the schedule established (and periodically reviewed and, as appropriate, revised) by the Advisory Committee on Immunization Practices established by the Secretary of Health and Human Services and delegated to the Centers for Disease Control and Prevention.”

(b) INCLUSION OF RECOMMENDED ADULT IMMUNIZATIONS IN ANNUAL REPORT.—Section 1704(1)(A) of such title is amended—

(1) in clause (i), by striking “and” at the end;

(2) in clause (ii), by striking the period at the end and inserting “; and”; and

(3) by inserting after clause (ii) the following new clause:

“(iii) to provide veterans each immunization on the recommended adult immunization schedule at the time such immunization is indicated on that schedule.”

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the development and implementation by the Department of Veterans Affairs of quality measures and metrics, including targets for compliance, to ensure that veterans receiving medical services under chapter 17 of title 38, United States Code, receive each immunization on the recommended adult immunization schedule at the time such immunization is indicated on that schedule.

(2) RECOMMENDED ADULT IMMUNIZATION SCHEDULE DEFINED.—In this subsection, the term “recommended adult immunization schedule” has the meaning given that term in section 1701(10) of title 38, United States Code, as added by subsection (a)(2).

SEC. 102. EXPANSION OF PROVISION OF CHIROPRACTIC CARE AND SERVICES TO VETERANS.

(a) PROGRAM FOR PROVISION OF CHIROPRACTIC CARE AND SERVICES TO VETERANS.—Section 204(c) of the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 (Public Law 107-135; 115 Stat. 2459; 38 U.S.C. 1710 note) is amended—

(1) by inserting “(1)” before “The program”; and

(2) by adding at the end the following new paragraph:

“(2) The program shall be carried out at not fewer than two medical centers or clinics in each Veterans Integrated Service Network by not later than two years after the date of the enactment of the 21st Century Veterans Benefits Delivery and Other Improvements Act, and at not fewer than 50 percent of all medical centers in each Veterans Integrated Service Network by not later than three years after such date of enactment.”

(b) EXPANDED CHIROPRACTOR SERVICES AVAILABLE TO VETERANS.—

(1) MEDICAL SERVICES.—Paragraph (6) of section 1701 of title 38, United States Code, is amended by adding at the end the following new subparagraph:

“(H) Chiropractic services.”

(2) REHABILITATIVE SERVICES.—Paragraph (8) of such section is amended by inserting “chiropractic,” after “counseling.”

(3) PREVENTIVE HEALTH SERVICES.—Paragraph (9) of such section is amended—

(A) by redesignating subparagraphs (F) through (K) as subparagraphs (G) through (L), respectively; and

(B) by inserting after subparagraph (E) the following new subparagraph (F):

“(F) periodic and preventive chiropractic examinations and services;”

Subtitle B—Health Care Administration

SEC. 111. EXPANSION OF AVAILABILITY OF PROSTHETIC AND ORTHOTIC CARE FOR VETERANS.

(a) ESTABLISHMENT OR EXPANSION OF ADVANCED DEGREE PROGRAMS TO EXPAND AVAILABILITY OF PROVISION OF CARE.—The Secretary of Veterans Affairs shall work with institutions of higher education to develop partnerships for the establishment or expansion of programs of advanced degrees in prosthetics and orthotics in order to improve and enhance the availability of high quality prosthetic and orthotic care for veterans.

(b) REPORT.—Not later than one year after the effective date specified in subsection (d), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth a plan for carrying out subsection (a). The Secretary shall develop the plan in consultation with veterans service organizations, institutions of higher education with accredited degree programs in prosthetics and orthotics, and representatives of the prosthetics and orthotics field.

(c) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated for fiscal year 2017 for the Department of Veterans Affairs, \$5,000,000 to carry out this section.

(2) AVAILABILITY.—The amount authorized to be appropriated by paragraph (1) shall remain available for expenditure until September 30, 2019.

(d) EFFECTIVE DATE.—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 112. PUBLIC ACCESS TO DEPARTMENT OF VETERANS AFFAIRS RESEARCH AND DATA SHARING BETWEEN DEPARTMENTS.

(a) ESTABLISHMENT OF INTERNET WEBSITE.—The Secretary of Veterans Affairs shall make available on an Internet website of the Department of Veterans Affairs available to the public the following:

(1) Data files that contain information on research of the Department.

(2) A data dictionary on each data file.

(3) Instructions for how to obtain access to each data file for use in research.

(b) PUBLIC ACCESS TO MANUSCRIPTS ON DEPARTMENT FUNDED RESEARCH.—

(1) IN GENERAL.—Beginning not later than 18 months after the effective date specified in subsection (e), the Secretary shall require, as a condition on the use of any data gathered or formulated from research funded by the Department, that any final, peer-reviewed manuscript prepared for publication that uses such data be submitted to the Secretary for deposit in the digital archive under paragraph (2) and publication under paragraph (3).

(2) DIGITAL ARCHIVE.—Not later than 18 months after the effective date specified in subsection (e), the Secretary shall—

(A) establish a digital archive consisting of manuscripts described in paragraph (1); or

(B) partner with another executive agency to compile such manuscripts in a digital archive.

(3) PUBLIC AVAILABILITY.—

(A) AVAILABILITY OF ARCHIVE.—The Secretary shall ensure that the digital archive under paragraph (2) and the contents of such archive are available to the public via a publicly accessible Internet website at no cost to the public.

(B) AVAILABILITY OF MANUSCRIPTS.—The Secretary shall ensure that each manuscript submitted to the Secretary under paragraph (1) is available to the public under subparagraph (A) not later than one year after the official date on which the manuscript is otherwise published.

(4) **CONSISTENT WITH COPYRIGHT LAW.**—The Secretary shall carry out this subsection in a manner consistent with applicable copyright law.

(5) **ANNUAL REPORT.**—

(A) **IN GENERAL.**—Not later than one year after the date the Secretary begins making manuscripts available to the public under this subsection and not less frequently than once each year thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the implementation of this subsection during the most recent one-year period.

(B) **CONTENTS.**—Each report submitted under subparagraph (A) shall include for the period of the report:

- (i) The number of manuscripts submitted under paragraph (1).
- (ii) The titles of such manuscripts.
- (iii) The authors of such manuscripts.
- (iv) For each such manuscript, the name and issue number or volume number, as the case may be, of the journal or other publication in which such manuscript was published.

(c) **RECOMMENDATIONS FOR DATA SHARING BETWEEN DEPARTMENT OF VETERANS AFFAIRS AND DEPARTMENT OF DEFENSE.**—Not later than one year after the effective date specified in subsection (e), the Department of Veterans Affairs-Department of Defense Joint Executive Committee established by section 320(a) of title 38, United States Code, shall submit to the Secretary of Veterans Affairs and the Secretary of Defense options and recommendations for the establishment of a program for long-term cooperation and data sharing between and within the Department of Veterans Affairs and the Department of Defense to facilitate research on outcomes of military service, readjustment after combat deployment, and other topics of importance to the following:

- (1) Veterans.
- (2) Members of the Armed Forces.
- (3) Family members of veterans.
- (4) Family members of members of the Armed Forces.
- (5) Members of communities that have a significant population of veterans or members of the Armed Forces.

(d) **EXECUTIVE AGENCY DEFINED.**—In this section, the term “executive agency” has the meaning given that term in section 133 of title 41, United States Code.

(e) **EFFECTIVE DATE.**—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 113. REVIVAL OF INTERMEDIATE CARE TECHNICIAN PILOT PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) **REVIVAL.**—The Secretary of Veterans Affairs shall revive the Intermediate Care Technician Pilot Program of the Department of Veterans Affairs that was carried out by the Secretary between January 2013 and February 2014.

(b) **TECHNICIANS.**—

(1) **SELECTION.**—The Secretary shall select not less than 45 intermediate care technicians to participate in the pilot program.

(2) **FACILITIES.**—

(A) **IN GENERAL.**—Any intermediate care technician hired pursuant to paragraph (1) may be assigned to a medical facility of the Department as determined by the Secretary for purposes of this section.

(B) **PRIORITY.**—In assigning intermediate care technicians under subparagraph (A), the Secretary shall give priority to facilities at which veterans have the longest wait times for appointments for the receipt of hospital care or medical services from the Department, as determined by the Secretary for purposes of this section.

(c) **TERMINATION.**—The Secretary shall carry out the pilot program under subsection (a) during the three-year period beginning on the effective date specified in subsection (e).

(d) **HOSPITAL CARE AND MEDICAL SERVICES DEFINED.**—In this section, the terms “hospital care” and “medical services” have the meanings given such terms in section 1701 of title 38, United States Code.

(e) **EFFECTIVE DATE.**—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 114. TRANSFER OF HEALTH CARE PROVIDER CREDENTIALING DATA FROM SECRETARY OF DEFENSE TO SECRETARY OF VETERANS AFFAIRS.

(a) **IN GENERAL.**—In a case in which the Secretary of Veterans Affairs hires a covered health care provider, the Secretary of Defense shall, after receiving a request from the Secretary of Veterans Affairs for the credentialing data of the Secretary of Defense relating to such health care provider, transfer to the Secretary of Veterans Affairs such credentialing data.

(b) **COVERED HEALTH CARE PROVIDERS.**—For purposes of this section, a covered provider is a health care provider who—

- (1) is or was employed by the Secretary of Defense;
- (2) provides or provided health care related services as part of such employment; and
- (3) was credentialed by the Secretary of Defense.

(c) **POLICIES AND REGULATIONS.**—The Secretary of Veterans Affairs and the Secretary of Defense shall establish such policies and promulgate such regulations as may be necessary to carry out this section.

(d) **CREDENTIALING DEFINED.**—In this section, the term “credentialing” means the systematic process of screening and evaluating qualifications and other credentials, including licensure, required education, relevant training and experience, and current competence and health status.

(e) **EFFECTIVE DATE.**—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 115. EXAMINATION AND TREATMENT BY DEPARTMENT OF VETERANS AFFAIRS FOR EMERGENCY MEDICAL CONDITIONS AND WOMEN IN LABOR.

(a) **IN GENERAL.**—Subchapter VIII of chapter 17 of title 38, United States Code, is amended by inserting after section 1784 the following new section:

“§1784A. Examination and treatment for emergency medical conditions and women in labor

“(a) **IN GENERAL.**—In the case of a hospital of the Department that has an emergency department, if any individual comes to the hospital or the campus of the hospital and a request is made on behalf of the individual for examination or treatment for a medical condition, the hospital must provide for an appropriate medical screening examination within the capability of the emergency department, including ancillary services routinely available to the emergency department, to determine whether or not an emergency medical condition exists.

“(b) **NECESSARY STABILIZING TREATMENT FOR EMERGENCY MEDICAL CONDITIONS AND LABOR.**—

(1) If any individual comes to a hospital of the Department that has an emergency department or the campus of such a hospital and the hospital determines that the individual has an emergency medical condition, the hospital must provide either—

“(A) within the staff and facilities available at the hospital, for such further medical examination and such treatment as may be required to stabilize the medical condition; or

“(B) for transfer of the individual to another medical facility in accordance with subsection (c).

“(2) A hospital is deemed to meet the requirement of paragraph (1)(A) with respect to an individual if the hospital offers the individual the further medical examination and treatment described in that paragraph and informs the individual (or a person acting on behalf of the individual) of the risks and benefits to the individual of such examination and treatment, but the individual (or a person acting on behalf of the individual) refuses to consent to the examination and treatment. The hospital shall take all reasonable steps to secure the written informed consent of the individual (or person) to refuse such examination and treatment.

“(3) A hospital is deemed to meet the requirement of paragraph (1) with respect to an individual if the hospital offers to transfer the individual to another medical facility in accordance with subsection (c) and informs the individual (or a person acting on behalf of the individual) of the risks and benefits to the individual of such transfer, but the individual (or a person acting on behalf of the individual) refuses to consent to the transfer. The hospital shall take all reasonable steps to secure the written informed consent of the individual (or person) to refuse such transfer.

“(c) **RESTRICTING TRANSFERS UNTIL INDIVIDUAL STABILIZED.**—(1) If an individual at a hospital of the Department has an emergency medical condition that has not been stabilized, the hospital may not transfer the individual unless—

“(A)(i) the individual (or a legally responsible person acting on behalf of the individual), after being informed of the obligations of the hospital under this section and of the risk of transfer, requests, in writing, transfer to another medical facility;

“(ii) a physician of the Department has signed a certification that, based upon the information available at the time of transfer, the medical benefits reasonably expected from the provision of appropriate medical treatment at another medical facility outweigh the increased risks to the individual and, in the case of labor, to the unborn child from effecting the transfer; or

“(iii) if a physician of the Department is not physically present in the emergency department at the time an individual is transferred, a qualified medical person (as defined by the Secretary for purposes of this section) has signed a certification described in clause (ii) after a physician of the Department, in consultation with the person, has made the determination described in such clause, and subsequently countersigns the certification; and

“(B) the transfer is an appropriate transfer to that facility.

“(2) A certification described in clause (ii) or (iii) of paragraph (1)(A) shall include a summary of the risks and benefits upon which the certification is based.

“(3) For purposes of paragraph (1)(B), an appropriate transfer to a medical facility is a transfer—

“(A) in which the transferring hospital provides the medical treatment within its capacity that minimizes the risks to the health of the individual and, in the case of a woman in labor, the health of the unborn child;

“(B) in which the receiving facility—

“(i) has available space and qualified personnel for the treatment of the individual; and

“(ii) has agreed to accept transfer of the individual and to provide appropriate medical treatment;

“(C) in which the transferring hospital sends to the receiving facility all medical records (or copies thereof) available at the time of the transfer relating to the emergency medical condition for which the individual has presented, including—

“(i) observations of signs or symptoms;
 “(ii) preliminary diagnosis;
 “(iii) treatment provided;
 “(iv) the results of any tests; and
 “(v) the informed written consent or certification (or copy thereof) provided under paragraph (1)(A);

“(D) in which the transfer is effected through qualified personnel and transportation equipment, including the use of necessary and medically appropriate life support measures during the transfer; and

“(E) that meets such other requirements as the Secretary considers necessary in the interest of the health and safety of individuals transferred.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘campus’ means, with respect to a hospital of the Department—

“(A) the physical area immediately adjacent to the main buildings of the hospital;

“(B) other areas and structures that are not strictly contiguous to the main buildings but are located not less than 250 yards from the main buildings; and

“(C) any other areas determined by the Secretary to be part of the campus of the hospital.

“(2) The term ‘emergency medical condition’ means—

“(A) a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in—

“(i) placing the health of the individual (or, with respect to a pregnant woman, the health of the woman or her unborn child) in serious jeopardy;

“(ii) serious impairment to bodily functions; or

“(iii) serious dysfunction of any bodily organ or part; or

“(B) with respect to a pregnant woman who is having contractions—

“(i) that there is inadequate time to effect a safe transfer to another hospital before delivery; or

“(ii) that transfer may pose a threat to the health or safety of the woman or the unborn child.

“(3)(A) The term ‘to stabilize’ means, with respect to an emergency medical condition described in paragraph (2)(A), to provide such medical treatment of the condition as may be necessary to assure, within reasonable medical probability, that no material deterioration of the condition is likely to result from or occur during the transfer of the individual from a facility, or, with respect to an emergency medical condition described in paragraph (2)(B), to deliver (including the placenta).

“(B) The term ‘stabilized’ means, with respect to an emergency medical condition described in paragraph (2)(A), that no material deterioration of the condition is likely, within reasonable medical probability, to result from or occur during the transfer of the individual from a facility, or, with respect to an emergency medical condition described in paragraph (2)(B), that the woman has delivered (including the placenta).

“(4) The term ‘transfer’ means the movement (including the discharge) of an individual outside the facilities of a hospital of the Department at the direction of any person employed by (or affiliated or associated, directly or indirectly, with) the hospital, but does not include such a movement of an individual who—

“(A) has been declared dead; or

“(B) leaves the facility without the permission of any such person.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1784 the following new item:

“Sec. 1784A. Examination and treatment for emergency medical conditions and women in labor.”.

Subtitle C—Improvement of Medical Workforce

SEC. 121. INCLUSION OF MENTAL HEALTH PROFESSIONALS IN EDUCATION AND TRAINING PROGRAM FOR HEALTH PERSONNEL OF THE DEPARTMENT OF VETERANS AFFAIRS.

In carrying out the education and training program required under section 7302(a)(1) of title 38, United States Code, the Secretary of Veterans Affairs shall include education and training of marriage and family therapists and licensed professional mental health counselors.

SEC. 122. EXPANSION OF QUALIFICATIONS FOR LICENSED MENTAL HEALTH COUNSELORS OF THE DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE DOCTORAL DEGREES.

Section 7402(b)(11)(A) of title 38, United States Code, is amended by inserting “or doctoral degree” after “master’s degree”.

SEC. 123. REQUIREMENT THAT PHYSICIAN ASSISTANTS EMPLOYED BY THE DEPARTMENT OF VETERANS AFFAIRS RECEIVE COMPETITIVE PAY.

Section 7451(a)(2) of title 38, United States Code, is amended—

(1) by redesignating subparagraph (B) as subparagraph (C);

(2) by inserting after subparagraph (A) the following new subparagraph (B):

“(B) Physician assistant.”; and

(3) in subparagraph (C), as redesignated by paragraph (1), by striking “and registered nurse” and inserting “registered nurse, and physician assistant”.

SEC. 124. REPORT ON MEDICAL WORKFORCE OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans Affairs of the Senate and the Committee on Veterans Affairs of the House of Representatives a report on the medical workforce of the Department of Veterans Affairs.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) With respect to licensed professional mental health counselors and marriage and family therapists of the Department—

(A) how many such counselors and therapists are currently enrolled in the mental health professionals trainee program of the Department;

(B) how many such counselors and therapists are expected to enroll in the mental health professionals trainee program of the Department during the 180-day period beginning on the date of the submittal of the report;

(C) a description of the eligibility criteria for such counselors and therapists as compared to other behavioral health professions in the Department;

(D) a description of the objectives, goals, and timing of the Department with respect to increasing the representation of such counselors and therapists in the behavioral health workforce of the Department; and

(E) a description of the actions taken by the Secretary, in consultation with the Director of the Office of Personnel Management, to create an occupational series for such counselors and therapists and a timeline for the creation of such an occupational series.

(2) A breakdown of spending by the Department in connection with the education debt reduction program of the Department under subchapter VII of chapter 76 of title 38, United States Code, including—

(A) the amount spent by the Department in debt reduction payments during the three-year

period preceding the submittal of the report disaggregated by the medical profession of the individual receiving the payments;

(B) a description of how the Department prioritizes such spending by medical profession, including an assessment of whether such priority reflects the five occupations identified in the most recent determination by the Inspector General of the Department of Veterans Affairs as having the largest staffing shortages in the Veterans Health Administration; and

(C) a description of the actions taken by the Secretary to increase the effectiveness of such spending for purposes of recruitment of health care providers to the Department, including efforts to more consistently include eligibility for the education debt reduction program in vacancy announcements of positions for health care providers at the Department.

(3) A description of any impediments to the delivery by the Department of telemedicine services to veterans and any actions taken by the Department to address such impediments, including with respect to—

(A) restrictions under Federal or State laws;

(B) licensing or credentialing issues for health care providers, including non-Department health care providers, practicing telemedicine with a veteran located in a different State;

(C) the effect of limited broadband access or limited information technology capabilities on the delivery of health care;

(D) the distance a veteran is required to travel to access a facility or clinic with telemedicine capabilities;

(E) the effect on the provision of telemedicine services to veterans of policies of and limited liability protection for certain entities; and

(F) issues relating to reimbursement and travel limitations for veterans that affect the participation of non-Department health care providers in the telemedicine program.

(4) An update on the efforts of the Secretary to offer training opportunities in telemedicine to medical residents in medical facilities of the Department that use telemedicine, consistent with medical residency program requirements established by the Accreditation Council for Graduate Medical Education, as required in section 108(b) of the Honoring America’s Veterans and Caring for Camp Lejeune Families Act of 2012 (Public Law 112–154; 38 U.S.C. 7406 note).

(5) An assessment of the development and implementation by the Secretary of succession planning policies to address the prevalence of vacancies in positions in the Veterans Health Administration of more than 180 days, including the development of an enterprise position management system to more effectively identify, track, and resolve such vacancies.

(6) A description of the actions taken by the Secretary, in consultation with the Director of the Office of Personnel Management, to address any impediments to the timely appointment and determination of qualifications for Directors of Veterans Integrated Service Networks and Medical Directors of the Department.

TITLE II—COMPENSATION AND OTHER BENEFITS MATTERS

Subtitle A—Benefits Claims Submission

SEC. 201. PARTICIPATION OF VETERANS SERVICE ORGANIZATIONS IN TRANSITION ASSISTANCE PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense, in collaboration with the Secretary of Labor, the Secretary of Homeland Security, and the Secretary of Veterans Affairs, should establish a process by which a representative of a veterans service organization may be present at any portion of the program carried out under section 1144 of title 10, United States Code, relating to the submittal of claims to the Secretary of Veterans Affairs for compensation under chapter 11 or 13 of title 38, United States Code.

(b) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on participation of veterans service organizations in the program carried out under section 1144 of title 10, United States Code.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of the compliance of facilities of the Department of Defense with the directives included in the memorandum of the Secretary of Defense entitled “Installation Access and Support Services for Nonprofit Non-Federal Entities” and dated December 23, 2014.

(B) The number of military bases that have complied with such directives.

(C) How many veterans service organizations have been present at a portion of a program as described in subsection (a).

(c) VETERANS SERVICE ORGANIZATION DEFINED.—In this section, the term “veterans service organization” means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38.

SEC. 202. REQUIREMENT THAT SECRETARY OF VETERANS AFFAIRS PUBLISH THE AVERAGE TIME REQUIRED TO ADJUDICATE TIMELY AND UNTIMELY APPEALS.

(a) PUBLICATION REQUIREMENT.—

(1) IN GENERAL.—On an ongoing basis, the Secretary of Veterans Affairs shall make available to the public the following:

(A) The average length of time to adjudicate a timely appeal.

(B) The average length of time to adjudicate an untimely appeal.

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on the date that is one year after the date of the enactment of this Act and shall apply until the date that is three years after the date of the enactment of this Act.

(b) REPORT.—

(1) IN GENERAL.—Not later than 39 months after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on whether publication pursuant to subsection (a)(1) has had an effect on the number of timely appeals filed.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) The number of appeals and timely appeals that were filed during the one-year period ending on the effective date specified in subsection (a)(2).

(B) The number of appeals and timely appeals that were filed during the one-year period ending on the date that is two years after the effective date specified in subsection (a)(2).

(c) DEFINITIONS.—In this section:

(1) APPEAL.—The term “appeal” means a notice of disagreement filed pursuant to section 7105(a) of title 38, United States Code, in response to notice of the result of an initial review or determination regarding a claim for a benefit under a law administered by the Secretary of Veterans Affairs.

(2) TIMELY.—The term “timely” with respect to an appeal means that the notice of disagreement was filed not more than 180 days after the date of mailing of the notice of the result of the initial review or determination described in paragraph (1).

(3) UNTIMELY.—The term “untimely” with respect to an appeal means the notice of disagreement was filed more than 180 days after the date of mailing of the notice of the result of the initial review or determination described in paragraph (1).

SEC. 203. DETERMINATION OF MANNER OF APPEARANCE FOR HEARINGS BEFORE BOARD OF VETERANS’ APPEALS.

(a) IN GENERAL.—Section 7107 of title 38, United States Code, is amended—

(1) by striking subsection (e);

(2) by redesignating subsections (d) and (f) as subsections (f) and (g), respectively;

(3) by inserting after subsection (c) the following new subsections (d) and (e):

“(d)(1) Subject to paragraph (2), a hearing before the Board shall be conducted, as the Board considers appropriate—

“(A) in person; or

“(B) through picture and voice transmission, by electronic or other means, in such manner that the appellant is not present in the same location as the member or members of the Board during the hearing.

“(2) Upon request by an appellant, a hearing before the Board shall be conducted, as the appellant considers appropriate—

“(A) in person; or

“(B) through picture and voice transmission as described in paragraph (1)(B).

“(e)(1) In a case in which a hearing before the Board is to be conducted through picture and voice transmission as described in subsection (d)(1)(B), the Secretary shall provide suitable facilities and equipment to the Board or other components of the Department to enable an appellant located at an appropriate facility within the area served by a regional office to participate as so described.

“(2) Any hearing conducted through picture and voice transmission as described in subsection (d)(1)(B) shall be conducted in the same manner as, and shall be considered the equivalent of, a personal hearing.”; and

(4) in subsection (f)(1), as redesignated by paragraph (2), by striking “An appellant may request” and all that follows through “office of the Department” and inserting “In a case in which a hearing before the Board is to be conducted in person, the hearing shall be held at the principal location of the Board or at a facility of the Department located within the area served by a regional office of the Department”.

(b) CONFORMING AMENDMENT.—Subsection (a)(1) of such section is amended by striking “in subsection (f)” and inserting “in subsection (g)”.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to cases received by the Board of Veterans’ Appeals pursuant to notices of disagreement submitted on or after the date of the enactment of this Act.

Subtitle B—Practices of Regional Offices Relating to Benefits Claims

SEC. 211. COMPTROLLER GENERAL REVIEW OF CLAIMS PROCESSING PERFORMANCE OF REGIONAL OFFICES OF VETERANS BENEFITS ADMINISTRATION.

(a) REVIEW REQUIRED.—Not later than 15 months after the effective date specified in subsection (e), the Comptroller General of the United States shall complete a review of the regional offices of the Veterans Benefits Administration to help the Veterans Benefits Administration achieve more consistent performance in the processing of claims for disability compensation.

(b) ELEMENTS.—The review required by subsection (a) shall include the following:

(1) An identification of the following:

(A) The factors, including management practices, that distinguish higher performing regional offices from other regional offices with respect to claims for disability compensation.

(B) The best practices employed by higher performing regional offices that distinguish the performance of such offices from other regional offices.

(C) Such other management practices or tools as the Comptroller General determines could be used to improve the performance of regional offices.

(2) An assessment of the effectiveness of communication with respect to the processing of

claims for disability compensation between the regional offices and veterans service organizations and caseworkers employed by Members of Congress.

(c) REPORT.—Not later than 15 months after the effective date specified in subsection (e), the Comptroller General shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the results of the review completed under subsection (a).

(d) VETERANS SERVICE ORGANIZATION DEFINED.—In this section, the term “veterans service organization” means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

(e) EFFECTIVE DATE.—This section shall take effect on the date that is 270 days after the date of the enactment of this Act.

SEC. 212. INCLUSION IN ANNUAL BUDGET SUBMISSION OF INFORMATION ON CAPACITY OF VETERANS BENEFITS ADMINISTRATION TO PROCESS BENEFITS CLAIMS.

(a) IN GENERAL.—Along with the supporting information included in the budget submitted to Congress by the President pursuant to section 1105(a) of title 31, United States Code, the President shall include information on the capacity of the Veterans Benefits Administration to process claims for benefits under the laws administered by the Secretary of Veterans Affairs, including information described in subsection (b), during the fiscal year covered by the budget with which the information is submitted.

(b) INFORMATION DESCRIBED.—The information described in this subsection is the following:

(1) An estimate of the average number of claims for benefits under the laws administered by the Secretary, excluding such claims completed during mandatory overtime, that a single full-time equivalent employee of the Administration can process in a year, based on the following:

(A) A time and motion study that the Secretary shall conduct on the processing of such claims.

(B) Such other information relating to such claims as the Secretary considers appropriate.

(2) A description of the actions the Secretary will take to improve the processing of such claims.

(3) An assessment of the actions identified by the Secretary under paragraph (2) in the previous year and an identification of the effects of those actions.

(c) EFFECTIVE DATE.—This section shall apply with respect to any budget submitted as described in subsection (a) with respect to any fiscal year after fiscal year 2017.

SEC. 213. REPORT ON STAFFING LEVELS AT REGIONAL OFFICES OF DEPARTMENT OF VETERANS AFFAIRS AFTER TRANSITION TO NATIONAL WORK QUEUE.

Not later than 15 months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the criteria and procedures that the Secretary will use to determine appropriate staffing levels at the regional offices of the Department once the Department has transitioned to using the National Work Queue for the distribution of the claims processing workload.

SEC. 214. ANNUAL REPORT ON PROGRESS IN IMPLEMENTING VETERANS BENEFITS MANAGEMENT SYSTEM.

(a) IN GENERAL.—Not later than each of one year, two years, and three years after the date of the enactment of this Act, the Secretary of

Veterans Affairs shall submit to Congress a report on the progress of the Secretary in implementing the Veterans Benefits Management System.

(b) **CONTENTS.**—Each report required by subsection (a) shall include the following:

(1) An assessment of the current functionality of the Veterans Benefits Management System.

(2) Recommendations submitted to the Secretary by employees of the Department of Veterans Affairs who are involved in processing claims for benefits under the laws administered by the Secretary, including veterans service representatives, rating veterans service representatives, and decision review officers, for such legislative or administrative action as the employees consider appropriate to improve the processing of such claims.

(3) Recommendations submitted to the Secretary by veterans service organizations who use the Veterans Benefits Management System for such legislative or administrative action as the veterans service organizations consider appropriate to improve such system.

(c) **VETERANS SERVICE ORGANIZATION DEFINED.**—In this section, the term “veterans service organization” means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

SEC. 215. REPORT ON PLANS OF SECRETARY OF VETERANS AFFAIRS TO REDUCE INVENTORY OF NON-RATING WORKLOAD.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report that details the plans of the Secretary to reduce the inventory of work items listed in the Monday Morning Workload Report under End Products 130, 137, 173, 290, 400, 600, 607, 690, 930, and 960.

SEC. 216. SENSE OF CONGRESS ON INCREASED TRANSPARENCY RELATING TO CLAIMS FOR BENEFITS AND APPEALS OF DECISIONS RELATING TO BENEFITS IN MONDAY MORNING WORKLOAD REPORT.

It is the sense of Congress that the Secretary of Veterans Affairs should include in each Monday Morning Workload Report published by the Secretary the following:

(1) With respect to each regional office of the Department of Veterans Affairs, the following:

(A) The number of fully developed claims for benefits under the laws administered by the Secretary that have been received.

(B) The number of claims described in subparagraph (A) that are pending a decision.

(C) The number of claims described in subparagraph (A) that have been pending a decision for more than 125 days.

(2) Enhanced information on appeals of decisions relating to claims for benefits under the laws administered by the Secretary that are pending, including information contained in the reports of the Department entitled “Appeals Pending” and “Appeals Workload By Station”.

Subtitle C—Other Benefits Matters

SEC. 221. MODIFICATION OF PILOT PROGRAM FOR USE OF CONTRACT PHYSICIANS FOR DISABILITY EXAMINATIONS.

Section 504 of the Veterans' Benefits Improvement Act of 1996 (Public Law 104-275; 38 U.S.C. 5101 note) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following new subsection (c):

“(c) **LICENSURE OF CONTRACT PHYSICIANS.**—

“(1) **IN GENERAL.**—Notwithstanding any law regarding the licensure of physicians, a physician described in paragraph (2) may conduct an

examination pursuant to a contract entered into under subsection (a) at any location in any State, the District of Columbia, or a Commonwealth, territory, or possession of the United States, so long as the examination is within the scope of the authorized duties under such contract.

“(2) **PHYSICIAN DESCRIBED.**—A physician described in this paragraph is a physician who—

“(A) has a current license to practice the health care profession of the physician; and

“(B) is performing authorized duties for the Department of Veterans Affairs pursuant to a contract entered into under subsection (a).”.

SEC. 222. DEVELOPMENT OF PROCEDURES TO INCREASE COOPERATION WITH NATIONAL GUARD BUREAU.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs and the Chief of the National Guard Bureau shall jointly develop and implement procedures, including requirements relating to timeliness, to improve the timely provision to the Secretary of such information in the possession of the Chief as the Secretary requires to process claims submitted to the Secretary for benefits under the laws administered by the Secretary.

(b) **REPORT.**—Not later than one year after the implementation of the procedures under subsection (a), the Secretary and the Chief shall jointly submit to Congress a report describing—

(1) the requests for information relating to records of members of the National Guard made by the Secretary to the Chief pursuant to such procedures; and

(2) the timeliness of the responses of the Chief to such requests.

SEC. 223. REVIEW OF DETERMINATION OF CERTAIN SERVICE IN PHILIPPINES DURING WORLD WAR II.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense and such military historians as the Secretary of Defense recommends, shall review the process used to determine whether a covered individual served in support of the Armed Forces of the United States during World War II in accordance with section 1002(d) of title X of Division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 38 U.S.C. 107 note) for purposes of determining whether such covered individual is eligible for payments described in such section.

(b) **COVERED INDIVIDUALS.**—In this section, a covered individual is any individual who timely submitted a claim for benefits under subsection (c) of section 1002 of title X of Division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 38 U.S.C. 107 note) based on service as described in subsection (d) of that section.

(c) **REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report detailing any findings, actions taken, or recommendations for legislative action with respect to the review conducted under subsection (a).

(d) **PROHIBITION ON BENEFITS FOR DISQUALIFYING CONDUCT UNDER NEW PROCESS PURSUANT TO REVIEW.**—If pursuant to the review conducted under subsection (a) the Secretary of Veterans Affairs determines to establish a new process for the making of payments as described in that subsection, the process shall include mechanisms to ensure that individuals are not treated as covered individuals for purposes of such payments if such individuals engaged in any disqualifying conduct during service described in that subsection, including collaboration with the enemy or criminal conduct.

SEC. 224. REPORTS ON DEPARTMENT DISABILITY MEDICAL EXAMINATIONS AND PREVENTION OF UNNECESSARY MEDICAL EXAMINATIONS.

(a) **REPORT ON DISABILITY MEDICAL EXAMINATIONS FURNISHED BY DEPARTMENT OF VETERANS AFFAIRS.**—

(1) **IN GENERAL.**—Not later than 18 months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the furnishing of general medical and specialty medical examinations by the Department of Veterans Affairs for purposes of adjudicating claims for benefits under laws administered by the Secretary.

(2) **CONTENTS.**—The report submitted under paragraph (1) shall include the following:

(A) The number of general medical examinations furnished by the Department during the period of fiscal years 2011 through 2014 for purposes of adjudicating claims for benefits under laws administered by the Secretary.

(B) The number of general medical examinations furnished by the Department during the period of fiscal years 2011 through 2014 for purposes of adjudicating a claim in which a comprehensive joint examination was conducted, but for which no disability relating to a joint, bone, or muscle had been asserted as an issue in the claim.

(C) The number of specialty medical examinations furnished by the Department during the period of fiscal years 2011 through 2014 for purposes of adjudicating a claim.

(D) The number of specialty medical examinations furnished by the Department during the period of fiscal years 2011 through 2014 for purposes of adjudicating a claim in which one or more joint examinations were conducted.

(E) A summary with citations to any medical and scientific studies that provide a basis for determining that three repetitions is adequate to determine the effect of repetitive use on functional impairments.

(F) The names of all examination reports, including general medical examinations and Disability Benefits Questionnaires, used for evaluation of compensation and pension disability claims which require measurement of repeated ranges of motion testing and the number of examinations requiring such measurements which were conducted in fiscal year 2014.

(G) The average amount of time taken by an individual conducting a medical examination to perform the three repetitions of movement of each joint.

(H) A discussion of whether there are more efficient and effective scientifically reliable methods of testing for functional loss on repetitive use of an extremity other than the three time repetition currently used by the Department.

(I) Recommendations as to the continuation of the practice of measuring functional impairment by using three repetitions of movement of each joint during the examination as a criteria for evaluating the effect of repetitive motion on functional impairment with supporting rationale.

(b) **REPORT AND PLAN TO PREVENT THE ORDERING OF UNNECESSARY MEDICAL EXAMINATIONS.**—

(1) **IN GENERAL.**—Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the efforts of the Secretary in reducing the necessity for in-person disability examinations and other efforts to comply with the provisions of section 5125 of title 38, United States Code.

(2) **CONTENTS.**—The report required by paragraph (1) shall include the following:

(A) Criteria used by the Secretary to determine if a claim is eligible for the Acceptable Clinical Evidence initiative.

(B) The number of claims determined to be eligible for the Acceptable Clinical Evidence initiative during the period beginning on the date of the initiation of the initiative and ending on the date of the enactment of this Act, disaggregated—

(i) by fiscal year; and

(ii) by claims determined eligible based in whole or in part on medical evidence provided by a private health care provider.

(C) The total number of claims determined to be eligible for the Acceptable Clinical Evidence initiative that required an employee of the Department to supplement the evidence with information obtained during a telephone interview with a claimant or health care provider.

(D) Information on any other initiatives or efforts, including Disability Benefits Questionnaires, of the Department to further encourage the use of medical evidence provided by a private health care provider and reliance upon reports of a medical examination administered by a private physician if the report is sufficiently complete to be adequate for the purposes of adjudicating a claim.

(E) A plan—

(i) to measure, track, and prevent the ordering of unnecessary medical examinations when the provision by a claimant of a medical examination administered by a private physician in support of a claim for benefits under chapter 11 or 15 of title 38, United States Code, is adequate for the purpose of making a decision on that claim; and

(ii) that includes the actions the Secretary will take to eliminate any request by the Department for a medical examination in the case of a claim for benefits under chapter 11 or 15 of such title in support of which a claimant submits medical evidence or a medical opinion provided by a private health care provider that is competent, credible, probative, and otherwise adequate for purposes of making a decision on that claim.

SEC. 225. SENSE OF CONGRESS ON SUBMITTAL OF INFORMATION RELATING TO CLAIMS FOR DISABILITIES INCURRED OR AGGRAVATED BY MILITARY SEXUAL TRAUMA.

(a) *IN GENERAL.*—It is the sense of Congress that the Secretary of Veterans Affairs should submit to Congress information on the covered claims submitted to the Secretary during each fiscal year, including the information specified in subsection (b).

(b) *ELEMENTS.*—The information specified in this subsection with respect to each fiscal year is the following:

(1) The number of covered claims submitted to or considered by the Secretary during such fiscal year.

(2) Of the covered claims under paragraph (1), the number and percentage of such claims—

(A) submitted by each gender;

(B) that were approved, including the number and percentage of such approved claims submitted by each gender; and

(C) that were denied, including the number and percentage of such denied claims submitted by each gender.

(3) Of the covered claims under paragraph (1) that were approved, the number and percentage, listed by each gender, of claims assigned to each rating percentage of disability.

(4) Of the covered claims under paragraph (1) that were denied—

(A) the three most common reasons given by the Secretary under section 5104(b)(1) of title 38, United States Code, for such denials; and

(B) the number of denials that were based on the failure of a veteran to report for a medical examination.

(5) Of the covered claims under paragraph (1) that were resubmitted to the Secretary after denial in a previous adjudication—

(A) the number of such claims submitted to or considered by the Secretary during such fiscal year;

(B) the number and percentage of such claims—

(i) submitted by each gender;

(ii) that were approved, including the number and percentage of such approved claims submitted by each gender; and

(iii) that were denied, including the number and percentage of such denied claims submitted by each gender;

(C) the number and percentage, listed by each gender, of claims assigned to each rating percentage of disability; and

(D) of such claims that were again denied—

(i) the three most common reasons given by the Secretary under section 5104(b)(1) of such title for such denials; and

(ii) the number of denials that were based on the failure of a veteran to report for a medical examination.

(6) The number of covered claims that, as of the end of such fiscal year, are pending and, separately, the number of such claims on appeal.

(7) The average number of days that covered claims take to complete beginning on the date on which the claim is submitted.

(c) *DEFINITIONS.*—In this section:

(1) *COVERED CLAIMS.*—The term “covered claims” means claims for disability compensation submitted to the Secretary based on post-traumatic stress disorder alleged to have been incurred or aggravated by military sexual trauma.

(2) *MILITARY SEXUAL TRAUMA.*—The term “military sexual trauma” shall have the meaning specified by the Secretary for purposes of this section and shall include “sexual harassment” (as so specified).

TITLE III—EDUCATION MATTERS

SEC. 301. RETENTION OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE DURING CERTAIN ADDITIONAL PERIODS OF ACTIVE DUTY.

(a) *EDUCATIONAL ASSISTANCE ALLOWANCE.*—Section 16131(c)(3)(B)(i) of title 10, United States Code, is amended by striking “or 12304” and inserting “12304, 12304a, or 12304b”.

(b) *EXPIRATION DATE.*—Section 16133(b)(4) of such title is amended by striking “or 12304” and inserting “12304, 12304a, or 12304b”.

SEC. 302. REPORTS ON PROGRESS OF STUDENTS RECEIVING POST-9/11 EDUCATIONAL ASSISTANCE.

(a) *IN GENERAL.*—Chapter 33 of title 38, United States Code, is amended—

(1) in subsection 3325(c)—

(A) in paragraph (2), by striking “and” after the semicolon;

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following new paragraph (3):

“(3) the information received by the Secretary under section 3326 of this title; and”;

(2) by adding at the end the following new section:

“§3326. Report on student progress

“As a condition on approval under chapter 36 of this title of a course offered by an educational institution (as defined in section 3452 of this title), each year, each educational institution (as so defined) that received a payment in that year on behalf of an individual entitled to educational assistance under this chapter shall submit to the Secretary such information regarding the academic progress of the individual as the Secretary may require.”.

(b) *CLERICAL AMENDMENT.*—The table of sections at the beginning of such chapter is amended by adding at the end the following new item: “3326. Report on student progress.”.

(c) *EFFECTIVE DATE.*—The amendments made by this section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 303. SECRETARY OF DEFENSE REPORT ON LEVEL OF EDUCATION ATTAINED BY THOSE WHO TRANSFER ENTITLEMENT TO POST-9/11 EDUCATIONAL ASSISTANCE.

(a) *IN GENERAL.*—Section 3325(b)(1) of title 38, United States Code, is amended—

(1) in subparagraph (B), by striking “and” after the semicolon; and

(2) by adding at the end the following new subparagraph:

“(D) indicating the highest level of education attained by each individual who transfers a portion of the individual’s entitlement to educational assistance under section 3319 of this title; and”.

(b) *EFFECTIVE DATE.*—The amendments made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 304. REPORTS ON EDUCATIONAL LEVELS ATTAINED BY CERTAIN MEMBERS OF THE ARMED FORCES AT TIME OF SEPARATION FROM THE ARMED FORCES.

(a) *ANNUAL REPORTS REQUIRED.*—Each Secretary concerned shall submit to Congress each year a report on the educational levels attained by members of the Armed Forces described in subsection (b) under the jurisdiction of such Secretary who separated from the Armed Forces during the preceding year.

(b) *COVERED MEMBERS.*—The members of the Armed Forces described in this subsection are members of the Armed Forces who transferred unused education benefits to family members pursuant to section 3319 of title 38, United States Code, while serving as members of the Armed Forces.

(c) *SECRETARY CONCERNED DEFINED.*—In this section, the term “Secretary concerned” has the meaning given that term in section 101 of title 38, United States Code.

(d) *EFFECTIVE DATE.*—This section shall take effect on the date that is one year after the date of the enactment of this Act.

TITLE IV—EMPLOYMENT AND TRANSITION MATTERS

SEC. 401. REQUIRED COORDINATION BETWEEN DIRECTORS FOR VETERANS’ EMPLOYMENT AND TRAINING WITH STATE DEPARTMENTS OF LABOR AND VETERANS AFFAIRS.

(a) *IN GENERAL.*—Section 4103 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(c) *COORDINATION WITH STATE DEPARTMENTS OF LABOR AND VETERANS AFFAIRS.*—Each Director for Veterans’ Employment and Training for a State shall coordinate the Director’s activities under this chapter with the State department of labor and the State department of veterans affairs.”.

(b) *EFFECTIVE DATE.*—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 402. REPORT ON JOB FAIRS ATTENDED BY ONE-STOP CAREER CENTER EMPLOYEES AT WHICH SUCH EMPLOYEES ENCOUNTER VETERANS.

(a) *IN GENERAL.*—Section 136(d)(1) of the Workforce Investment Act of 1998 (29 U.S.C. 2871(d)(1)) is amended by adding at the end the following new sentence: “The report also shall include information, for the year preceding the year the report is submitted, on the number of

job fairs attended by One-Stop Career Center employees at which the employees had contact with a veteran, and the number of veterans contacted at each such job fair.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 403. REVIEW OF CHALLENGES FACED BY EMPLOYERS SEEKING TO HIRE VETERANS AND SHARING OF INFORMATION AMONG FEDERAL AGENCIES THAT SERVE VETERANS.

(a) **REVIEW.**—

(1) **IN GENERAL.**—The Secretary of Labor, in consultation with the Secretary of Defense and the Secretary of Veterans Affairs, shall conduct a review of—

(A) the challenges faced by employers seeking to hire veterans; and

(B) information sharing among Federal departments and agencies that serve veterans and members of the Armed Forces who are separating from service.

(2) **MATTERS REVIEWED.**—In conducting the review required by paragraph (1), the Secretary of Labor shall examine the following:

(A) The barriers employers face in gaining information identifying veterans who are seeking jobs.

(B) The extent and quality of information sharing among Federal departments and agencies that serve veterans and members of the Armed Forces who are separating from service, including how the departments and agencies may more easily connect employers with such veterans and members.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 120 days after the effective date specified in subsection (c), the Secretary of Labor shall submit to the appropriate committees of Congress a report on the review conducted under subsection (a).

(2) **CONTENTS.**—The report required by paragraph (1) shall include the following:

(A) Recommendations for addressing the barriers described in subsection (a)(2)(A).

(B) Recommendations for improving information sharing described in subsection (a)(2)(B).

(3) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services and the Committee on Veterans’ Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans’ Affairs of the House of Representatives.

(c) **EFFECTIVE DATE.**—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 404. REVIEW OF TRANSITION GPS PROGRAM CORE CURRICULUM.

(a) **REVIEW.**—

(1) **IN GENERAL.**—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs and the Secretary of Labor, shall conduct a review of the Department of Defense Transition GPS Program Core Curriculum in effect on the date of the enactment of this Act.

(2) **MATTERS REVIEWED.**—The review shall examine the following:

(A) The Department of Defense Transition GPS Program Core Curriculum in effect on the date of the enactment of this Act.

(B) The roles and responsibilities of each Federal department participating in the Transition GPS Program and whether the various roles and responsibilities of the Federal departments are adequately aligned with one another.

(C) The allotment of time spent on issues under the jurisdiction of each Federal department participating in the Transition GPS Program and whether the allotment is adequate to provide members of the Armed Forces with all

the information the members need regarding important benefits that can assist members in transitioning out of military service.

(D) Whether any of the information in the three optional tracks in the Transition GPS Program Core Curriculum should be addressed more appropriately in mandatory tracks rather than optional tracks.

(E) The benefits of and obstacles to establishing—

(i) a standard implementation plan of long-term outcome measures for the Transition GPS Program; and

(ii) a comprehensive system of metrics for such measures.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Veterans Affairs and the Secretary of Labor, shall submit to the appropriate committees of Congress a report on the review conducted under subsection (a).

(2) **CONTENTS.**—The report required by paragraph (1) shall include the following:

(A) Recommendations for improving the Department of Defense Transition GPS Program Core Curriculum in order to more accurately address the needs of members of the Armed Forces transitioning out of military service.

(B) Recommendations for improving the roles and responsibilities described in subsection (a)(2)(B).

(C) Recommendations for improving the allotment of time described in subsection (a)(2)(C).

(D) Such recommendations as the Secretary of Defense may have regarding the optional and mandatory tracks in the Transition GPS Program Core Curriculum.

(E) Such recommendations as the Secretary of Defense may have with respect to the outcome measures and metrics described in subsection (a)(2)(E).

(F) Identification of such other areas of concern as the Secretary of Defense may have with respect to the Transition GPS Program and such recommendations for legislative or administrative action as the Secretary may have to address such concerns.

(3) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services and the Committee on Veterans’ Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans’ Affairs of the House of Representatives.

SEC. 405. MODIFICATION OF REQUIREMENT FOR PROVISION OF PRESEPARATION COUNSELING.

(a) **CLARIFICATION OF REQUIREMENT FOR 180 CONTINUOUS DAYS OF ACTIVE DUTY SERVICE.**—Subparagraph (A) of section 1142(a)(4) of title 10, United States Code, is amended by inserting “continuous” before “180 days”.

(b) **EXCLUSION OF TRAINING FROM PERIODS OF ACTIVE DUTY.**—Such section is further amended by adding at the end the following new subparagraph:

“(C) For purposes of subparagraph (A), the term ‘active duty’ does not include full-time training duty, annual training duty, and attendance, while in the active military service, at a school designated as a service school by law or by the Secretary concerned.”.

TITLE V—VETERAN SMALL BUSINESS MATTERS

SEC. 501. MODIFICATION OF TREATMENT UNDER CONTRACTING GOALS AND PREFERENCES OF DEPARTMENT OF VETERANS AFFAIRS FOR SMALL BUSINESSES OWNED BY VETERANS OF SMALL BUSINESSES AFTER DEATH OF DISABLED VETERAN OWNERS.

(a) **IN GENERAL.**—Section 8127(h) of title 38, United States Code, is amended—

(1) in paragraph (3), by striking “rated as” and all that follows through “disability.” and inserting a period; and

(2) in paragraph (2), by amending subparagraph (C) to read as follows:

“(C) The date that—

“(i) in the case of a surviving spouse of a veteran with a service-connected disability rated as 100 percent disabling or who dies as a result of a service-connected disability, is 10 years after the date of the veteran’s death; or

“(ii) in the case of a surviving spouse of a veteran with a service-connected disability rated as less than 100 percent disabling who does not die as a result of a service-connected disability, is three years after the date of the veteran’s death.”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this Act and shall apply with respect to applications received pursuant to section 8127(f)(2) of title 38, United States Code, that are verified on or after such date.

SEC. 502. TREATMENT OF BUSINESSES AFTER DEATHS OF SERVICEMEMBER-OWNERS FOR PURPOSES OF DEPARTMENT OF VETERANS AFFAIRS CONTRACTING GOALS AND PREFERENCES.

(a) **IN GENERAL.**—Section 8127 of title 38, United States Code, is amended—

(1) by redesignating subsections (i) through (l) as subsections (j) through (m), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):

“(i) **TREATMENT OF BUSINESSES AFTER DEATH OF SERVICEMEMBER-OWNER.**—(1) If a member of the Armed Forces owns at least 51 percent of a small business concern and such member is killed in line of duty in the active military, naval, or air service, the surviving spouse or dependent child of such member who acquires such ownership rights in such small business concern shall, for the period described in paragraph (2), be treated as if the surviving spouse or dependent child were a veteran with a service-connected disability for purposes of determining the status of the small business concern as a small business concern owned and controlled by veterans for purposes of contracting goals and preferences under this section.

“(2) The period referred to in paragraph (1) is the period beginning on the date on which the member of the Armed Forces dies and ending on the date as follows:

“(A) In the case of a surviving spouse, the earliest of the following dates:

“(i) The date on which the surviving spouse remarries.

“(ii) The date on which the surviving spouse relinquishes an ownership interest in the small business concern and no longer owns at least 51 percent of such small business concern.

“(iii) The date that is ten years after the date of the member’s death.

“(B) In the case of a dependent child, the earliest of the following dates:

“(i) The date on which the surviving dependent child relinquishes an ownership interest in the small business concern and no longer owns at least 51 percent of such small business concern.

“(ii) The date that is ten years after the date of the member’s death.”.

(b) **EFFECTIVE DATE.**—Subsection (i) of section 8127 of such title, as added by subsection (a), shall take effect on the date of the enactment of this Act and shall apply with respect to the deaths of members of the Armed Forces occurring on or after such date.

TITLE VI—BURIAL MATTERS**SEC. 601. DEPARTMENT OF VETERANS AFFAIRS STUDY ON MATTERS RELATING TO BURIAL OF UNCLAIMED REMAINS OF VETERANS IN NATIONAL CEMETERIES.**

(a) *STUDY AND REPORT REQUIRED.*—Not later than one year after the effective date specified in subsection (d), the Secretary of Veterans Affairs shall—

(1) complete a study on matters relating to the interring of unclaimed remains of veterans in national cemeteries under the control of the National Cemetery Administration; and

(2) submit to Congress a report on the findings of the Secretary with respect to the study required under paragraph (1).

(b) *MATTERS STUDIED.*—The matters studied under subsection (a)(1) shall include the following:

(1) Determining the scope of issues relating to unclaimed remains of veterans, including an estimate of the number of unclaimed remains of veterans.

(2) Assessing the effectiveness of the procedures of the Department of Veterans Affairs for working with persons or entities having custody of unclaimed remains to facilitate interment of unclaimed remains of veterans in national cemeteries under the control of the National Cemetery Administration.

(3) Assessing State and local laws that affect the ability of the Secretary to inter unclaimed remains of veterans in national cemeteries under the control of the National Cemetery Administration.

(4) Developing recommendations for such legislative or administrative action as the Secretary considers appropriate.

(c) *METHODOLOGY.*—

(1) *NUMBER OF UNCLAIMED REMAINS.*—In estimating the number of unclaimed remains of veterans under subsection (b)(1), the Secretary may review such subset of applicable entities as the Secretary considers appropriate, including a subset of funeral homes and coroner offices that possess unclaimed veterans remains.

(2) *ASSESSMENT OF STATE AND LOCAL LAWS.*—In assessing State and local laws under subsection (b)(3), the Secretary may assess such sample of applicable State and local laws as the Secretary considers appropriate in lieu of reviewing all applicable State and local laws.

(d) *EFFECTIVE DATE.*—This section shall take effect on the date that is one year after the date of the enactment of this Act.

TITLE VII—OTHER MATTERS**SEC. 701. HONORING AS VETERANS CERTAIN PERSONS WHO PERFORMED SERVICE IN THE RESERVE COMPONENTS OF THE ARMED FORCES.**

Any person who is entitled under chapter 1223 of title 10, United States Code, to retired pay for nonregular service or, but for age, would be entitled under such chapter to retired pay for nonregular service shall be honored as a veteran but shall not be entitled to any benefit by reason of this honor.

SEC. 702. REPORT ON LAOTIAN MILITARY SUPPORT OF ARMED FORCES OF THE UNITED STATES DURING VIETNAM WAR.

(a) *IN GENERAL.*—Not later than one year after the effective date specified in subsection (c), the Secretary of Veterans Affairs, in consultation with the Secretary of Defense and such agencies and individuals as the Secretary of Veterans Affairs considers appropriate, shall submit to the appropriate committees of Congress a report on—

(1) the extent to which Laotian military forces provided combat support to the Armed Forces of the United States between February 28, 1961, and May 15, 1975;

(2) whether the current classification by the Civilian/Military Service Review Board of the Department of Defense of service by individuals of Hmong ethnicity is appropriate; and

(3) such recommendations as the Secretary of Veterans Affairs may have for legislative action.

(b) *APPROPRIATE COMMITTEES OF CONGRESS.*—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Veterans’ Affairs of the Senate; and

(2) the Committee on Armed Services and the Committee on Veterans’ Affairs of the House of Representatives.

(c) *EFFECTIVE DATE.*—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 703. RESTORATION OF PRIOR REPORTING FEE MULTIPLIERS.

During the 10-year period beginning on September 26, 2015, the second sentence of subsection (c) of section 3684 of title 38, United States Code, shall be applied—

(1) by substituting “\$7” for “\$12”; and

(2) by substituting “\$11” for “\$15”.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Isakson amendment be agreed to; the committee-reported substitute, as amended, be agreed to; the bill, as amended, be read a third time and passed; the title amendment be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2806) was agreed to, as follows:

(Purpose: To improve the bill)

Beginning on page 29, strike line 1 and all that follows through page 32, line 20, and insert the following:

SEC. 112. REPORTS ON PUBLIC ACCESS TO DEPARTMENT OF VETERANS AFFAIRS RESEARCH.

(a) *IN GENERAL.*—Not later than 180 days after the date of the enactment of this Act and not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on increasing public access to scientific publications and digital data from research funded by the Department of Veterans Affairs.

(b) *CONTENTS.*—The report submitted under subsection (a) shall include the following:

(1) Identification of where on the Internet website of the Department the public will be able to access results of research funded by the Department or be referred to other sources to access the results of research funded by the Department.

(2) A description of the progress made by the Department in meeting public access requirements set forth in the Federal Register notice entitled “Policy and Implementation Plan for Public Access to Scientific Publications and Digital Data from Research Funded by the Department of Veterans Affairs” (80 Fed. Reg. 60751), including the following:

(A) Compliance of Department investigators with requirements relating to ensuring that research funded by the Department is accessible by the public.

(B) Ensuring data management plans of the Department include provisions for long-term preservation of the scientific data resulting from research funded by the Department.

(3) An explanation of the factors used to evaluate the merit of data management plans of research funded by the Veterans Health Administration.

(4) An explanation of the process of the Department in effect that enables stakeholders to petition a change to the embargo period for a specific field and the factors considered during such process.

On page 33, line 6, strike “45” and insert “72”.

On page 43, strike lines 7 through 11 and insert the following:

(a) *IN GENERAL.*—In carrying out the education and training program required under section 7302(a)(1) of title 38, United States Code, the Secretary of Veterans Affairs shall include education and training of marriage and family therapists and licensed professional mental health counselors.

(b) *EFFECTIVE DATE.*—Subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

Beginning on page 43, strike line 19 and all that follows through page 44, line 9.

Beginning on page 65, strike line 3 and all that follows through page 70, line 8.

Beginning on page 91, strike line 22 and all that follows through page 92, line 1, and insert the following:

(a) *IN GENERAL.*—During the 10-year period beginning on September 26, 2015, the second sentence of subsection (c) of section 3684 of title 38, United States Code, shall be applied—

(1) by substituting “\$8” for “\$12”; and

(2) by substituting “\$12” for “\$15”.

(b) *CONFORMING AMENDMENT.*—Section 406 of the Department of Veterans Affairs Expiring Authorities Act of 2014 (Public Law 113-175; 38 U.S.C. 3684 note), as amended by section 410 of the Department of Veterans Affairs Expiring Authorities Act of 2015 (Public Law 114-58), is hereby repealed.

The committee-reported amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 1203), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1203

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the “21st Century Veterans Benefits Delivery and Other Improvements Act”.

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—HEALTH CARE MATTERS**Subtitle A—Expansion and Improvement of Health Care Benefits**

Sec. 101. Improved access to appropriate immunizations for veterans.

Sec. 102. Expansion of provision of chiropractic care and services to veterans.

Subtitle B—Health Care Administration

Sec. 111. Expansion of availability of prosthetic and orthotic care for veterans.

Sec. 112. Reports on public access to Department of Veterans Affairs research.

Sec. 113. Revival of Intermediate Care Technician Pilot Program of Department of Veterans Affairs.

Sec. 114. Transfer of health care provider credentialing data from Secretary of Defense to Secretary of Veterans Affairs.

Subtitle C—Improvement of Medical Workforce

- Sec. 121. Inclusion of mental health professionals in education and training program for health personnel of the Department of Veterans Affairs.
- Sec. 122. Expansion of qualifications for licensed mental health counselors of the Department of Veterans Affairs to include doctoral degrees.
- Sec. 123. Report on medical workforce of the Department of Veterans Affairs.

TITLE II—COMPENSATION AND OTHER BENEFITS MATTERS

Subtitle A—Benefits Claims Submission

- Sec. 201. Participation of veterans service organizations in Transition Assistance Program.
- Sec. 202. Requirement that Secretary of Veterans Affairs publish the average time required to adjudicate timely and untimely appeals.
- Sec. 203. Determination of manner of appearance for hearings before Board of Veterans' Appeals.

Subtitle B—Practices of Regional Offices Relating to Benefits Claims

- Sec. 211. Comptroller General review of claims processing performance of regional offices of Veterans Benefits Administration.
- Sec. 212. Inclusion in annual budget submission of information on capacity of Veterans Benefits Administration to process benefits claims.
- Sec. 213. Report on staffing levels at regional offices of Department of Veterans Affairs after transition to National Work Queue.
- Sec. 214. Annual report on progress in implementing Veterans Benefits Management System.
- Sec. 215. Report on plans of Secretary of Veterans Affairs to reduce inventory of non-rating workload.
- Sec. 216. Sense of Congress on increased transparency relating to claims for benefits and appeals of decisions relating to benefits in Monday Morning Workload Report.

Subtitle C—Other Benefits Matters

- Sec. 221. Modification of pilot program for use of contract physicians for disability examinations.
- Sec. 222. Development of procedures to increase cooperation with National Guard Bureau.
- Sec. 223. Review of determination of certain service in Philippines during World War II.
- Sec. 224. Sense of Congress on submittal of information relating to claims for disabilities incurred or aggravated by military sexual trauma.

TITLE III—EDUCATION MATTERS

- Sec. 301. Retention of entitlement to educational assistance during certain additional periods of active duty.
- Sec. 302. Reports on progress of students receiving Post-9/11 Educational Assistance.

Sec. 303. Secretary of Defense report on level of education attained by those who transfer entitlement to Post-9/11 educational assistance.

Sec. 304. Reports on educational levels attained by certain members of the Armed Forces at time of separation from the Armed Forces.

TITLE IV—EMPLOYMENT AND TRANSITION MATTERS

- Sec. 401. Required coordination between Directors for Veterans' Employment and Training with State departments of labor and veterans affairs.
- Sec. 402. Report on job fairs attended by one-stop career center employees at which such employees encounter veterans.
- Sec. 403. Review of challenges faced by employers seeking to hire veterans and sharing of information among Federal agencies that serve veterans.
- Sec. 404. Review of Transition GPS Program Core Curriculum.
- Sec. 405. Modification of requirement for provision of preseparation counseling.

TITLE V—VETERAN SMALL BUSINESS MATTERS

- Sec. 501. Modification of treatment under contracting goals and preferences of Department of Veterans Affairs for small businesses owned by veterans of small businesses after death of disabled veteran owners.
- Sec. 502. Treatment of businesses after deaths of servicemember-owners for purposes of Department of Veterans Affairs contracting goals and preferences.

TITLE VI—BURIAL MATTERS

- Sec. 601. Department of Veterans Affairs study on matters relating to burial of unclaimed remains of veterans in national cemeteries.

TITLE VII—OTHER MATTERS

- Sec. 701. Honoring as veterans certain persons who performed service in the reserve components of the Armed Forces.
- Sec. 702. Report on Laotian military support of Armed Forces of the United States during Vietnam War.
- Sec. 703. Restoration of prior reporting fee multipliers.

TITLE I—HEALTH CARE MATTERS

Subtitle A—Expansion and Improvement of Health Care Benefits

SEC. 101. IMPROVED ACCESS TO APPROPRIATE IMMUNIZATIONS FOR VETERANS.

(a) INCLUSION OF RECOMMENDED ADULT IMMUNIZATIONS AS MEDICAL SERVICES.—

(1) COVERED BENEFIT.—Subparagraph (F) of section 1701(9) of title 38, United States Code, is amended to read as follows:

“(F) immunizations against infectious diseases, including each immunization on the recommended adult immunization schedule at the time such immunization is indicated on that schedule;”.

(2) RECOMMENDED ADULT IMMUNIZATION SCHEDULE DEFINED.—Section 1701 of such title is amended by adding after paragraph (9) the following new paragraph:

“(10) The term ‘recommended adult immunization schedule’ means the schedule estab-

lished (and periodically reviewed and, as appropriate, revised) by the Advisory Committee on Immunization Practices established by the Secretary of Health and Human Services and delegated to the Centers for Disease Control and Prevention.”.

(b) INCLUSION OF RECOMMENDED ADULT IMMUNIZATIONS IN ANNUAL REPORT.—Section 1704(1)(A) of such title is amended—

(1) in clause (i), by striking “and” at the end;

(2) in clause (ii), by striking the period at the end and inserting “; and”; and

(3) by inserting after clause (ii) the following new clause:

“(iii) to provide veterans each immunization on the recommended adult immunization schedule at the time such immunization is indicated on that schedule.”.

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the development and implementation by the Department of Veterans Affairs of quality measures and metrics, including targets for compliance, to ensure that veterans receiving medical services under chapter 17 of title 38, United States Code, receive each immunization on the recommended adult immunization schedule at the time such immunization is indicated on that schedule.

(2) RECOMMENDED ADULT IMMUNIZATION SCHEDULE DEFINED.—In this subsection, the term “recommended adult immunization schedule” has the meaning given that term in section 1701(10) of title 38, United States Code, as added by subsection (a)(2).

SEC. 102. EXPANSION OF PROVISION OF CHIROPRACTIC CARE AND SERVICES TO VETERANS.

(a) PROGRAM FOR PROVISION OF CHIROPRACTIC CARE AND SERVICES TO VETERANS.—Section 204(c) of the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 (Public Law 107-135; 115 Stat. 2459; 38 U.S.C. 1710 note) is amended—

(1) by inserting “(1)” before “The program”; and

(2) by adding at the end the following new paragraph:

“(2) The program shall be carried out at not fewer than two medical centers or clinics in each Veterans Integrated Service Network by not later than two years after the date of the enactment of the 21st Century Veterans Benefits Delivery and Other Improvements Act, and at not fewer than 50 percent of all medical centers in each Veterans Integrated Service Network by not later than three years after such date of enactment.”.

(b) EXPANDED CHIROPRACTOR SERVICES AVAILABLE TO VETERANS.—

(1) MEDICAL SERVICES.—Paragraph (6) of section 1701 of title 38, United States Code, is amended by adding at the end the following new subparagraph:

“(H) Chiropractic services.”.

(2) REHABILITATIVE SERVICES.—Paragraph (8) of such section is amended by inserting “chiropractic,” after “counseling.”.

(3) PREVENTIVE HEALTH SERVICES.—Paragraph (9) of such section is amended—

(A) by redesignating subparagraphs (F) through (K) as subparagraphs (G) through (L), respectively; and

(B) by inserting after subparagraph (E) the following new subparagraph (F):

“(F) periodic and preventive chiropractic examinations and services;”.

Subtitle B—Health Care Administration**SEC. 111. EXPANSION OF AVAILABILITY OF PROSTHETIC AND ORTHOTIC CARE FOR VETERANS.**

(a) **ESTABLISHMENT OR EXPANSION OF ADVANCED DEGREE PROGRAMS TO EXPAND AVAILABILITY OF PROVISION OF CARE.**—The Secretary of Veterans Affairs shall work with institutions of higher education to develop partnerships for the establishment or expansion of programs of advanced degrees in prosthetics and orthotics in order to improve and enhance the availability of high quality prosthetic and orthotic care for veterans.

(b) **REPORT.**—Not later than one year after the effective date specified in subsection (d), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth a plan for carrying out subsection (a). The Secretary shall develop the plan in consultation with veterans service organizations, institutions of higher education with accredited degree programs in prosthetics and orthotics, and representatives of the prosthetics and orthotics field.

(c) FUNDING.—

(1) **AUTHORIZATION OF APPROPRIATIONS.**—There is hereby authorized to be appropriated for fiscal year 2017 for the Department of Veterans Affairs, \$5,000,000 to carry out this section.

(2) **AVAILABILITY.**—The amount authorized to be appropriated by paragraph (1) shall remain available for expenditure until September 30, 2019.

(d) **EFFECTIVE DATE.**—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 112. REPORTS ON PUBLIC ACCESS TO DEPARTMENT OF VETERANS AFFAIRS RESEARCH.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act and not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on increasing public access to scientific publications and digital data from research funded by the Department of Veterans Affairs.

(b) **CONTENTS.**—The report submitted under subsection (a) shall include the following:

(1) Identification of where on the Internet website of the Department the public will be able to access results of research funded by the Department or be referred to other sources to access the results of research funded by the Department.

(2) A description of the progress made by the Department in meeting public access requirements set forth in the Federal Register notice entitled "Policy and Implementation Plan for Public Access to Scientific Publications and Digital Data from Research Funded by the Department of Veterans Affairs" (80 Fed. Reg. 60751), including the following:

(A) Compliance of Department investigators with requirements relating to ensuring that research funded by the Department is accessible by the public.

(B) Ensuring data management plans of the Department include provisions for long-term preservation of the scientific data resulting from research funded by the Department.

(3) An explanation of the factors used to evaluate the merit of data management plans of research funded by the Veterans Health Administration.

(4) An explanation of the process of the Department in effect that enables stakeholders to petition a change to the embargo period for a specific field and the factors considered during such process.

SEC. 113. REVIVAL OF INTERMEDIATE CARE TECHNICIAN PILOT PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) **REVIVAL.**—The Secretary of Veterans Affairs shall revive the Intermediate Care Technician Pilot Program of the Department of Veterans Affairs that was carried out by the Secretary between January 2013 and February 2014.

(b) TECHNICIANS.—

(1) **SELECTION.**—The Secretary shall select not less than 72 intermediate care technicians to participate in the pilot program.

(2) FACILITIES.—

(A) **IN GENERAL.**—Any intermediate care technician hired pursuant to paragraph (1) may be assigned to a medical facility of the Department as determined by the Secretary for purposes of this section.

(B) **PRIORITY.**—In assigning intermediate care technicians under subparagraph (A), the Secretary shall give priority to facilities at which veterans have the longest wait times for appointments for the receipt of hospital care or medical services from the Department, as determined by the Secretary for purposes of this section.

(c) **TERMINATION.**—The Secretary shall carry out the pilot program under subsection (a) during the three-year period beginning on the effective date specified in subsection (e).

(d) **HOSPITAL CARE AND MEDICAL SERVICES DEFINED.**—In this section, the terms "hospital care" and "medical services" have the meanings given such terms in section 1701 of title 38, United States Code.

(e) **EFFECTIVE DATE.**—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 114. TRANSFER OF HEALTH CARE PROVIDER CREDENTIALING DATA FROM SECRETARY OF DEFENSE TO SECRETARY OF VETERANS AFFAIRS.

(a) **IN GENERAL.**—In a case in which the Secretary of Veterans Affairs hires a covered health care provider, the Secretary of Defense shall, after receiving a request from the Secretary of Veterans Affairs for the credentialing data of the Secretary of Defense relating to such health care provider, transfer to the Secretary of Veterans Affairs such credentialing data.

(b) **COVERED HEALTH CARE PROVIDERS.**—For purposes of this section, a covered provider is a health care provider who—

(1) is or was employed by the Secretary of Defense;

(2) provides or provided health care related services as part of such employment; and

(3) was credentialed by the Secretary of Defense.

(c) **POLICIES AND REGULATIONS.**—The Secretary of Veterans Affairs and the Secretary of Defense shall establish such policies and promulgate such regulations as may be necessary to carry out this section.

(d) **CREDENTIALING DEFINED.**—In this section, the term "credentialing" means the systematic process of screening and evaluating qualifications and other credentials, including licensure, required education, relevant training and experience, and current competence and health status.

(e) **EFFECTIVE DATE.**—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 115. EXAMINATION AND TREATMENT BY DEPARTMENT OF VETERANS AFFAIRS FOR EMERGENCY MEDICAL CONDITIONS AND WOMEN IN LABOR.

(a) **IN GENERAL.**—Subchapter VIII of chapter 17 of title 38, United States Code, is amended by inserting after section 1784 the following new section:

"§ 1784A. Examination and treatment for emergency medical conditions and women in labor"

"(a) **IN GENERAL.**—In the case of a hospital of the Department that has an emergency department, if any individual comes to the hospital or the campus of the hospital and a request is made on behalf of the individual for examination or treatment for a medical condition, the hospital must provide for an appropriate medical screening examination within the capability of the emergency department, including ancillary services routinely available to the emergency department, to determine whether or not an emergency medical condition exists.

"(b) **NECESSARY STABILIZING TREATMENT FOR EMERGENCY MEDICAL CONDITIONS AND LABOR.**—(1) If any individual comes to a hospital of the Department that has an emergency department or the campus of such a hospital and the hospital determines that the individual has an emergency medical condition, the hospital must provide either—

"(A) within the staff and facilities available at the hospital, for such further medical examination and such treatment as may be required to stabilize the medical condition; or

"(B) for transfer of the individual to another medical facility in accordance with subsection (c).

"(2) A hospital is deemed to meet the requirement of paragraph (1)(A) with respect to an individual if the hospital offers the individual the further medical examination and treatment described in that paragraph and informs the individual (or a person acting on behalf of the individual) of the risks and benefits to the individual of such examination and treatment, but the individual (or a person acting on behalf of the individual) refuses to consent to the examination and treatment. The hospital shall take all reasonable steps to secure the written informed consent of the individual (or person) to refuse such examination and treatment.

"(3) A hospital is deemed to meet the requirement of paragraph (1) with respect to an individual if the hospital offers to transfer the individual to another medical facility in accordance with subsection (c) and informs the individual (or a person acting on behalf of the individual) of the risks and benefits to the individual of such transfer, but the individual (or a person acting on behalf of the individual) refuses to consent to the transfer. The hospital shall take all reasonable steps to secure the written informed consent of the individual (or person) to refuse such transfer.

"(c) **RESTRICTING TRANSFERS UNTIL INDIVIDUAL STABILIZED.**—(1) If an individual at a hospital of the Department has an emergency medical condition that has not been stabilized, the hospital may not transfer the individual unless—

"(A)(i) the individual (or a legally responsible person acting on behalf of the individual), after being informed of the obligations of the hospital under this section and of the risk of transfer, requests, in writing, transfer to another medical facility;

"(ii) a physician of the Department has signed a certification that, based upon the information available at the time of transfer, the medical benefits reasonably expected

from the provision of appropriate medical treatment at another medical facility outweigh the increased risks to the individual and, in the case of labor, to the unborn child from effecting the transfer; or

“(iii) if a physician of the Department is not physically present in the emergency department at the time an individual is transferred, a qualified medical person (as defined by the Secretary for purposes of this section) has signed a certification described in clause (ii) after a physician of the Department, in consultation with the person, has made the determination described in such clause, and subsequently countersigns the certification; and

“(B) the transfer is an appropriate transfer to that facility.

“(2) A certification described in clause (ii) or (iii) of paragraph (1)(A) shall include a summary of the risks and benefits upon which the certification is based.

“(3) For purposes of paragraph (1)(B), an appropriate transfer to a medical facility is a transfer—

“(A) in which the transferring hospital provides the medical treatment within its capacity that minimizes the risks to the health of the individual and, in the case of a woman in labor, the health of the unborn child;

“(B) in which the receiving facility—

“(i) has available space and qualified personnel for the treatment of the individual; and

“(ii) has agreed to accept transfer of the individual and to provide appropriate medical treatment;

“(C) in which the transferring hospital sends to the receiving facility all medical records (or copies thereof) available at the time of the transfer relating to the emergency medical condition for which the individual has presented, including—

“(i) observations of signs or symptoms;

“(ii) preliminary diagnosis;

“(iii) treatment provided;

“(iv) the results of any tests; and

“(v) the informed written consent or certification (or copy thereof) provided under paragraph (1)(A);

“(D) in which the transfer is effected through qualified personnel and transportation equipment, including the use of necessary and medically appropriate life support measures during the transfer; and

“(E) that meets such other requirements as the Secretary considers necessary in the interest of the health and safety of individuals transferred.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘campus’ means, with respect to a hospital of the Department—

“(A) the physical area immediately adjacent to the main buildings of the hospital;

“(B) other areas and structures that are not strictly contiguous to the main buildings but are located not less than 250 yards from the main buildings; and

“(C) any other areas determined by the Secretary to be part of the campus of the hospital.

“(2) The term ‘emergency medical condition’ means—

“(A) a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in—

“(i) placing the health of the individual (or, with respect to a pregnant woman, the health of the woman or her unborn child) in serious jeopardy;

“(ii) serious impairment to bodily functions; or

“(iii) serious dysfunction of any bodily organ or part; or

“(B) with respect to a pregnant woman who is having contractions—

“(i) that there is inadequate time to effect a safe transfer to another hospital before delivery; or

“(ii) that transfer may pose a threat to the health or safety of the woman or the unborn child.

“(3)(A) The term ‘to stabilize’ means, with respect to an emergency medical condition described in paragraph (2)(A), to provide such medical treatment of the condition as may be necessary to assure, within reasonable medical probability, that no material deterioration of the condition is likely to result from or occur during the transfer of the individual from a facility, or, with respect to an emergency medical condition described in paragraph (2)(B), to deliver (including the placenta).

“(B) The term ‘stabilized’ means, with respect to an emergency medical condition described in paragraph (2)(A), that no material deterioration of the condition is likely, within reasonable medical probability, to result from or occur during the transfer of the individual from a facility, or, with respect to an emergency medical condition described in paragraph (2)(B), that the woman has delivered (including the placenta).

“(4) The term ‘transfer’ means the movement (including the discharge) of an individual outside the facilities of a hospital of the Department at the direction of any person employed by (or affiliated or associated, directly or indirectly, with) the hospital, but does not include such a movement of an individual who—

“(A) has been declared dead; or

“(B) leaves the facility without the permission of any such person.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1784 the following new item:

“Sec. 1784A. Examination and treatment for emergency medical conditions and women in labor.”.

Subtitle C—Improvement of Medical Workforce

SEC. 121. INCLUSION OF MENTAL HEALTH PROFESSIONALS IN EDUCATION AND TRAINING PROGRAM FOR HEALTH PERSONNEL OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—In carrying out the education and training program required under section 7302(a)(1) of title 38, United States Code, the Secretary of Veterans Affairs shall include education and training of marriage and family therapists and licensed professional mental health counselors.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 122. EXPANSION OF QUALIFICATIONS FOR LICENSED MENTAL HEALTH COUNSELORS OF THE DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE DOCTORAL DEGREES.

Section 7402(b)(11)(A) of title 38, United States Code, is amended by inserting “or doctoral degree” after “master’s degree”.

SEC. 123. REPORT ON MEDICAL WORKFORCE OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans Affairs of the Senate and the Committee on Veterans

Affairs of the House of Representatives a report on the medical workforce of the Department of Veterans Affairs.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) With respect to licensed professional mental health counselors and marriage and family therapists of the Department—

(A) how many such counselors and therapists are currently enrolled in the mental health professionals trainee program of the Department;

(B) how many such counselors and therapists are expected to enroll in the mental health professionals trainee program of the Department during the 180-day period beginning on the date of the submittal of the report;

(C) a description of the eligibility criteria for such counselors and therapists as compared to other behavioral health professions in the Department;

(D) a description of the objectives, goals, and timing of the Department with respect to increasing the representation of such counselors and therapists in the behavioral health workforce of the Department; and

(E) a description of the actions taken by the Secretary, in consultation with the Director of the Office of Personnel Management, to create an occupational series for such counselors and therapists and a timeline for the creation of such an occupational series.

(2) A breakdown of spending by the Department in connection with the education debt reduction program of the Department under subchapter VII of chapter 76 of title 38, United States Code, including—

(A) the amount spent by the Department in debt reduction payments during the three-year period preceding the submittal of the report disaggregated by the medical profession of the individual receiving the payments;

(B) a description of how the Department prioritizes such spending by medical profession, including an assessment of whether such priority reflects the five occupations identified in the most recent determination by the Inspector General of the Department of Veterans Affairs as having the largest staffing shortages in the Veterans Health Administration; and

(C) a description of the actions taken by the Secretary to increase the effectiveness of such spending for purposes of recruitment of health care providers to the Department, including efforts to more consistently include eligibility for the education debt reduction program in vacancy announcements of positions for health care providers at the Department.

(3) A description of any impediments to the delivery by the Department of telemedicine services to veterans and any actions taken by the Department to address such impediments, including with respect to—

(A) restrictions under Federal or State laws;

(B) licensing or credentialing issues for health care providers, including non-Department health care providers, practicing telemedicine with a veteran located in a different State;

(C) the effect of limited broadband access or limited information technology capabilities on the delivery of health care;

(D) the distance a veteran is required to travel to access a facility or clinic with telemedicine capabilities;

(E) the effect on the provision of telemedicine services to veterans of policies of and limited liability protection for certain entities; and

(F) issues relating to reimbursement and travel limitations for veterans that affect the participation of non-Department health care providers in the telemedicine program.

(4) An update on the efforts of the Secretary to offer training opportunities in telemedicine to medical residents in medical facilities of the Department that use telemedicine, consistent with medical residency program requirements established by the Accreditation Council for Graduate Medical Education, as required in section 108(b) of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (Public Law 112-154; 38 U.S.C. 7406 note).

(5) An assessment of the development and implementation by the Secretary of succession planning policies to address the prevalence of vacancies in positions in the Veterans Health Administration of more than 180 days, including the development of an enterprise position management system to more effectively identify, track, and resolve such vacancies.

(6) A description of the actions taken by the Secretary, in consultation with the Director of the Office of Personnel Management, to address any impediments to the timely appointment and determination of qualifications for Directors of Veterans Integrated Service Networks and Medical Directors of the Department.

TITLE II—COMPENSATION AND OTHER BENEFITS MATTERS

Subtitle A—Benefits Claims Submission

SEC. 201. PARTICIPATION OF VETERANS SERVICE ORGANIZATIONS IN TRANSITION ASSISTANCE PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense, in collaboration with the Secretary of Labor, the Secretary of Homeland Security, and the Secretary of Veterans Affairs, should establish a process by which a representative of a veterans service organization may be present at any portion of the program carried out under section 1144 of title 10, United States Code, relating to the submittal of claims to the Secretary of Veterans Affairs for compensation under chapter 11 or 13 of title 38, United States Code.

(b) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on participation of veterans service organizations in the program carried out under section 1144 of title 10, United States Code.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of the compliance of facilities of the Department of Defense with the directives included in the memorandum of the Secretary of Defense entitled “Installation Access and Support Services for Non-profit Non-Federal Entities” and dated December 23, 2014.

(B) The number of military bases that have complied with such directives.

(C) How many veterans service organizations have been present at a portion of a program as described in subsection (a).

(c) VETERANS SERVICE ORGANIZATION DEFINED.—In this section, the term “veterans service organization” means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38.

SEC. 202. REQUIREMENT THAT SECRETARY OF VETERANS AFFAIRS PUBLISH THE AVERAGE TIME REQUIRED TO ADJUDICATE TIMELY AND UNTIMELY APPEALS.

(a) PUBLICATION REQUIREMENT.—

(1) IN GENERAL.—On an ongoing basis, the Secretary of Veterans Affairs shall make available to the public the following:

(A) The average length of time to adjudicate a timely appeal.

(B) The average length of time to adjudicate an untimely appeal.

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on the date that is one year after the date of the enactment of this Act and shall apply until the date that is three years after the date of the enactment of this Act.

(b) REPORT.—

(1) IN GENERAL.—Not later than 39 months after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on whether publication pursuant to subsection (a)(1) has had an effect on the number of timely appeals filed.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) The number of appeals and timely appeals that were filed during the one-year period ending on the effective date specified in subsection (a)(2).

(B) The number of appeals and timely appeals that were filed during the one-year period ending on the date that is two years after the effective date specified in subsection (a)(2).

(c) DEFINITIONS.—In this section:

(1) APPEAL.—The term “appeal” means a notice of disagreement filed pursuant to section 7105(a) of title 38, United States Code, in response to notice of the result of an initial review or determination regarding a claim for a benefit under a law administered by the Secretary of Veterans Affairs.

(2) TIMELY.—The term “timely” with respect to an appeal means that the notice of disagreement was filed not more than 180 days after the date of mailing of the notice of the result of the initial review or determination described in paragraph (1).

(3) UNTIMELY.—The term “untimely” with respect to an appeal means the notice of disagreement was filed more than 180 days after the date of mailing of the notice of the result of the initial review or determination described in paragraph (1).

SEC. 203. DETERMINATION OF MANNER OF APPEARANCE FOR HEARINGS BEFORE BOARD OF VETERANS' APPEALS.

(a) IN GENERAL.—Section 7107 of title 38, United States Code, is amended—

(1) by striking subsection (e);

(2) by redesignating subsections (d) and (f) as subsections (f) and (g), respectively;

(3) by inserting after subsection (c) the following new subsections (d) and (e):

“(d)(1) Subject to paragraph (2), a hearing before the Board shall be conducted, as the Board considers appropriate—

“(A) in person; or

“(B) through picture and voice transmission, by electronic or other means, in such manner that the appellant is not present in the same location as the member or members of the Board during the hearing.

“(2) Upon request by an appellant, a hearing before the Board shall be conducted, as the appellant considers appropriate—

“(A) in person; or

“(B) through picture and voice transmission as described in paragraph (1)(B).

“(e)(1) In a case in which a hearing before the Board is to be conducted through picture and voice transmission as described in subsection (d)(1)(B), the Secretary shall provide suitable facilities and equipment to the Board or other components of the Depart-

ment to enable an appellant located at an appropriate facility within the area served by a regional office to participate as so described.

“(2) Any hearing conducted through picture and voice transmission as described in subsection (d)(1)(B) shall be conducted in the same manner as, and shall be considered the equivalent of, a personal hearing.”; and

(4) in subsection (f)(1), as redesignated by paragraph (2), by striking “An appellant may request” and all that follows through “office of the Department” and inserting “In a case in which a hearing before the Board is to be conducted in person, the hearing shall be held at the principal location of the Board or at a facility of the Department located within the area served by a regional office of the Department”.

(b) CONFORMING AMENDMENT.—Subsection (a)(1) of such section is amended by striking “in subsection (f)” and inserting “in subsection (g)”.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to cases received by the Board of Veterans' Appeals pursuant to notices of disagreement submitted on or after the date of the enactment of this Act.

Subtitle B—Practices of Regional Offices Relating to Benefits Claims

SEC. 211. COMPTROLLER GENERAL REVIEW OF CLAIMS PROCESSING PERFORMANCE OF REGIONAL OFFICES OF VETERANS BENEFITS ADMINISTRATION.

(a) REVIEW REQUIRED.—Not later than 15 months after the effective date specified in subsection (e), the Comptroller General of the United States shall complete a review of the regional offices of the Veterans Benefits Administration to help the Veterans Benefits Administration achieve more consistent performance in the processing of claims for disability compensation.

(b) ELEMENTS.—The review required by subsection (a) shall include the following:

(1) An identification of the following:

(A) The factors, including management practices, that distinguish higher performing regional offices from other regional offices with respect to claims for disability compensation.

(B) The best practices employed by higher performing regional offices that distinguish the performance of such offices from other regional offices.

(C) Such other management practices or tools as the Comptroller General determines could be used to improve the performance of regional offices.

(2) An assessment of the effectiveness of communication with respect to the processing of claims for disability compensation between the regional offices and veterans service organizations and caseworkers employed by Members of Congress.

(c) REPORT.—Not later than 15 months after the effective date specified in subsection (e), the Comptroller General shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the review completed under subsection (a).

(d) VETERANS SERVICE ORGANIZATION DEFINED.—In this section, the term “veterans service organization” means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

(e) EFFECTIVE DATE.—This section shall take effect on the date that is 270 days after the date of the enactment of this Act.

SEC. 212. INCLUSION IN ANNUAL BUDGET SUBMISSION OF INFORMATION ON CAPACITY OF VETERANS BENEFITS ADMINISTRATION TO PROCESS BENEFITS CLAIMS.

(a) **IN GENERAL.**—Along with the supporting information included in the budget submitted to Congress by the President pursuant to section 1105(a) of title 31, United States Code, the President shall include information on the capacity of the Veterans Benefits Administration to process claims for benefits under the laws administered by the Secretary of Veterans Affairs, including information described in subsection (b), during the fiscal year covered by the budget with which the information is submitted.

(b) **INFORMATION DESCRIBED.**—The information described in this subsection is the following:

(1) An estimate of the average number of claims for benefits under the laws administered by the Secretary, excluding such claims completed during mandatory overtime, that a single full-time equivalent employee of the Administration can process in a year, based on the following:

(A) A time and motion study that the Secretary shall conduct on the processing of such claims.

(B) Such other information relating to such claims as the Secretary considers appropriate.

(2) A description of the actions the Secretary will take to improve the processing of such claims.

(3) An assessment of the actions identified by the Secretary under paragraph (2) in the previous year and an identification of the effects of those actions.

(c) **EFFECTIVE DATE.**—This section shall apply with respect to any budget submitted as described in subsection (a) with respect to any fiscal year after fiscal year 2017.

SEC. 213. REPORT ON STAFFING LEVELS AT REGIONAL OFFICES OF DEPARTMENT OF VETERANS AFFAIRS AFTER TRANSITION TO NATIONAL WORK QUEUE.

Not later than 15 months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the criteria and procedures that the Secretary will use to determine appropriate staffing levels at the regional offices of the Department once the Department has transitioned to using the National Work Queue for the distribution of the claims processing workload.

SEC. 214. ANNUAL REPORT ON PROGRESS IN IMPLEMENTING VETERANS BENEFITS MANAGEMENT SYSTEM.

(a) **IN GENERAL.**—Not later than each of one year, two years, and three years after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the progress of the Secretary in implementing the Veterans Benefits Management System.

(b) **CONTENTS.**—Each report required by subsection (a) shall include the following:

(1) An assessment of the current functionality of the Veterans Benefits Management System.

(2) Recommendations submitted to the Secretary by employees of the Department of Veterans Affairs who are involved in processing claims for benefits under the laws administered by the Secretary, including veterans service representatives, rating veterans service representatives, and decision review officers, for such legislative or admin-

istrative action as the employees consider appropriate to improve the processing of such claims.

(3) Recommendations submitted to the Secretary by veterans service organizations who use the Veterans Benefits Management System for such legislative or administrative action as the veterans service organizations consider appropriate to improve such system.

(c) **VETERANS SERVICE ORGANIZATION DEFINED.**—In this section, the term “veterans service organization” means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

SEC. 215. REPORT ON PLANS OF SECRETARY OF VETERANS AFFAIRS TO REDUCE INVENTORY OF NON-RATING WORKLOAD.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report that details the plans of the Secretary to reduce the inventory of work items listed in the Monday Morning Workload Report under End Products 130, 137, 173, 290, 400, 600, 607, 690, 930, and 960.

SEC. 216. SENSE OF CONGRESS ON INCREASED TRANSPARENCY RELATING TO CLAIMS FOR BENEFITS AND APPEALS OF DECISIONS RELATING TO BENEFITS IN MONDAY MORNING WORKLOAD REPORT.

It is the sense of Congress that the Secretary of Veterans Affairs should include in each Monday Morning Workload Report published by the Secretary the following:

(1) With respect to each regional office of the Department of Veterans Affairs, the following:

(A) The number of fully developed claims for benefits under the laws administered by the Secretary that have been received.

(B) The number of claims described in subparagraph (A) that are pending a decision.

(C) The number of claims described in subparagraph (A) that have been pending a decision for more than 125 days.

(2) Enhanced information on appeals of decisions relating to claims for benefits under the laws administered by the Secretary that are pending, including information contained in the reports of the Department entitled “Appeals Pending” and “Appeals Workload By Station”.

Subtitle C—Other Benefits Matters

SEC. 221. MODIFICATION OF PILOT PROGRAM FOR USE OF CONTRACT PHYSICIANS FOR DISABILITY EXAMINATIONS.

Section 504 of the Veterans' Benefits Improvement Act of 1996 (Public Law 104-275; 38 U.S.C. 5101 note) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following new subsection (c):

“(c) **LICENSURE OF CONTRACT PHYSICIANS.**—

“(1) **IN GENERAL.**—Notwithstanding any law regarding the licensure of physicians, a physician described in paragraph (2) may conduct an examination pursuant to a contract entered into under subsection (a) at any location in any State, the District of Columbia, or a Commonwealth, territory, or possession of the United States, so long as the examination is within the scope of the authorized duties under such contract.

“(2) **PHYSICIAN DESCRIBED.**—A physician described in this paragraph is a physician who—

“(A) has a current license to practice the health care profession of the physician; and

“(B) is performing authorized duties for the Department of Veterans Affairs pursuant to a contract entered into under subsection (a).”.

SEC. 222. DEVELOPMENT OF PROCEDURES TO INCREASE COOPERATION WITH NATIONAL GUARD BUREAU.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs and the Chief of the National Guard Bureau shall jointly develop and implement procedures, including requirements relating to timeliness, to improve the timely provision to the Secretary of such information in the possession of the Chief as the Secretary requires to process claims submitted to the Secretary for benefits under the laws administered by the Secretary.

(b) **REPORT.**—Not later than one year after the implementation of the procedures under subsection (a), the Secretary and the Chief shall jointly submit to Congress a report describing—

(1) the requests for information relating to records of members of the National Guard made by the Secretary to the Chief pursuant to such procedures; and

(2) the timeliness of the responses of the Chief to such requests.

SEC. 223. REVIEW OF DETERMINATION OF CERTAIN SERVICE IN PHILIPPINES DURING WORLD WAR II.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense and such military historians as the Secretary of Defense recommends, shall review the process used to determine whether a covered individual served in support of the Armed Forces of the United States during World War II in accordance with section 1002(d) of title X of Division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 38 U.S.C. 107 note) for purposes of determining whether such covered individual is eligible for payments described in such section.

(b) **COVERED INDIVIDUALS.**—In this section, a covered individual is any individual who timely submitted a claim for benefits under subsection (c) of section 1002 of title X of Division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 38 U.S.C. 107 note) based on service as described in subsection (d) of that section.

(c) **REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report detailing any findings, actions taken, or recommendations for legislative action with respect to the review conducted under subsection (a).

(d) **PROHIBITION ON BENEFITS FOR DISQUALIFYING CONDUCT UNDER NEW PROCESS PURSUANT TO REVIEW.**—If pursuant to the review conducted under subsection (a) the Secretary of Veterans Affairs determines to establish a new process for the making of payments as described in that subsection, the process shall include mechanisms to ensure that individuals are not treated as covered individuals for purposes of such payments if such individuals engaged in any disqualifying conduct during service described in that subsection, including collaboration with the enemy or criminal conduct.

SEC. 224. SENSE OF CONGRESS ON SUBMITTAL OF INFORMATION RELATING TO CLAIMS FOR DISABILITIES INCURRED OR AGGRAVATED BY MILITARY SEXUAL TRAUMA.

(a) **IN GENERAL.**—It is the sense of Congress that the Secretary of Veterans Affairs should submit to Congress information on

the covered claims submitted to the Secretary during each fiscal year, including the information specified in subsection (b).

(b) **ELEMENTS.**—The information specified in this subsection with respect to each fiscal year is the following:

(1) The number of covered claims submitted to or considered by the Secretary during such fiscal year.

(2) Of the covered claims under paragraph (1), the number and percentage of such claims—

(A) submitted by each gender;

(B) that were approved, including the number and percentage of such approved claims submitted by each gender; and

(C) that were denied, including the number and percentage of such denied claims submitted by each gender.

(3) Of the covered claims under paragraph (1) that were approved, the number and percentage, listed by each gender, of claims assigned to each rating percentage of disability.

(4) Of the covered claims under paragraph (1) that were denied—

(A) the three most common reasons given by the Secretary under section 5104(b)(1) of title 38, United States Code, for such denials; and

(B) the number of denials that were based on the failure of a veteran to report for a medical examination.

(5) Of the covered claims under paragraph (1) that were resubmitted to the Secretary after denial in a previous adjudication—

(A) the number of such claims submitted to or considered by the Secretary during such fiscal year;

(B) the number and percentage of such claims—

(i) submitted by each gender;

(ii) that were approved, including the number and percentage of such approved claims submitted by each gender; and

(iii) that were denied, including the number and percentage of such denied claims submitted by each gender;

(C) the number and percentage, listed by each gender, of claims assigned to each rating percentage of disability; and

(D) of such claims that were again denied—

(i) the three most common reasons given by the Secretary under section 5104(b)(1) of such title for such denials; and

(ii) the number of denials that were based on the failure of a veteran to report for a medical examination.

(6) The number of covered claims that, as of the end of such fiscal year, are pending and, separately, the number of such claims on appeal.

(7) The average number of days that covered claims take to complete beginning on the date on which the claim is submitted.

(c) **DEFINITIONS.**—In this section:

(1) **COVERED CLAIMS.**—The term “covered claims” means claims for disability compensation submitted to the Secretary based on post-traumatic stress disorder alleged to have been incurred or aggravated by military sexual trauma.

(2) **MILITARY SEXUAL TRAUMA.**—The term “military sexual trauma” shall have the meaning specified by the Secretary for purposes of this section and shall include “sexual harassment” (as so specified).

TITLE III—EDUCATION MATTERS

SEC. 301. RETENTION OF ENTITLEMENT TO EDUCATIONAL ASSISTANCE DURING CERTAIN ADDITIONAL PERIODS OF ACTIVE DUTY.

(a) **EDUCATIONAL ASSISTANCE ALLOWANCE.**—Section 16131(c)(3)(B)(i) of title 10, United

States Code, is amended by striking “or 12304” and inserting “12304, 12304a, or 12304b”.

(b) **EXPIRATION DATE.**—Section 16133(b)(4) of such title is amended by striking “or 12304” and inserting “12304, 12304a, or 12304b”.

SEC. 302. REPORTS ON PROGRESS OF STUDENTS RECEIVING POST-9/11 EDUCATIONAL ASSISTANCE.

(a) **IN GENERAL.**—Chapter 33 of title 38, United States Code, is amended—

(1) in subsection 3325(c)—

(A) in paragraph (2), by striking “and” after the semicolon;

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following new paragraph (3):

“(3) the information received by the Secretary under section 3326 of this title; and”;

(2) by adding at the end the following new section:

“§ 3326. Report on student progress

“As a condition on approval under chapter 36 of this title of a course offered by an educational institution (as defined in section 3452 of this title), each year, each educational institution (as so defined) that received a payment in that year on behalf of an individual entitled to educational assistance under this chapter shall submit to the Secretary such information regarding the academic progress of the individual as the Secretary may require.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“3326. Report on student progress.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 303. SECRETARY OF DEFENSE REPORT ON LEVEL OF EDUCATION ATTAINED BY THOSE WHO TRANSFER ENTITLEMENT TO POST-9/11 EDUCATIONAL ASSISTANCE.

(a) **IN GENERAL.**—Section 3325(b)(1) of title 38, United States Code, is amended—

(1) in subparagraph (B), by striking “and” after the semicolon; and

(2) by adding at the end the following new subparagraph:

“(D) indicating the highest level of education attained by each individual who transfers a portion of the individual’s entitlement to educational assistance under section 3319 of this title; and”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 304. REPORTS ON EDUCATIONAL LEVELS ATTAINED BY CERTAIN MEMBERS OF THE ARMED FORCES AT TIME OF SEPARATION FROM THE ARMED FORCES.

(a) **ANNUAL REPORTS REQUIRED.**—Each Secretary concerned shall submit to Congress each year a report on the educational levels attained by members of the Armed Forces described in subsection (b) under the jurisdiction of such Secretary who separated from the Armed Forces during the preceding year.

(b) **COVERED MEMBERS.**—The members of the Armed Forces described in this subsection are members of the Armed Forces who transferred unused education benefits to family members pursuant to section 3319 of title 38, United States Code, while serving as members of the Armed Forces.

(c) **SECRETARY CONCERNED DEFINED.**—In this section, the term “Secretary concerned” has the meaning given that term in section 101 of title 38, United States Code.

(d) **EFFECTIVE DATE.**—This section shall take effect on the date that is one year after the date of the enactment of this Act.

TITLE IV—EMPLOYMENT AND TRANSITION MATTERS

SEC. 401. REQUIRED COORDINATION BETWEEN DIRECTORS FOR VETERANS’ EMPLOYMENT AND TRAINING WITH STATE DEPARTMENTS OF LABOR AND VETERANS AFFAIRS.

(a) **IN GENERAL.**—Section 4103 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(c) **COORDINATION WITH STATE DEPARTMENTS OF LABOR AND VETERANS AFFAIRS.**—Each Director for Veterans’ Employment and Training for a State shall coordinate the Director’s activities under this chapter with the State department of labor and the State department of veterans affairs.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 402. REPORT ON JOB FAIRS ATTENDED BY ONE-STOP CAREER CENTER EMPLOYEES AT WHICH SUCH EMPLOYEES ENCOUNTER VETERANS.

(a) **IN GENERAL.**—Section 136(d)(1) of the Workforce Investment Act of 1998 (29 U.S.C. 2871(d)(1)) is amended by adding at the end the following new sentence: “The report also shall include information, for the year preceding the year the report is submitted, on the number of job fairs attended by One-Stop Career Center employees at which the employees had contact with a veteran, and the number of veterans contacted at each such job fair.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 403. REVIEW OF CHALLENGES FACED BY EMPLOYERS SEEKING TO HIRE VETERANS AND SHARING OF INFORMATION AMONG FEDERAL AGENCIES THAT SERVE VETERANS.

(a) **REVIEW.**—

(1) **IN GENERAL.**—The Secretary of Labor, in consultation with the Secretary of Defense and the Secretary of Veterans Affairs, shall conduct a review of—

(A) the challenges faced by employers seeking to hire veterans; and

(B) information sharing among Federal departments and agencies that serve veterans and members of the Armed Forces who are separating from service.

(2) **MATTERS REVIEWED.**—In conducting the review required by paragraph (1), the Secretary of Labor shall examine the following:

(A) The barriers employers face in gaining information identifying veterans who are seeking jobs.

(B) The extent and quality of information sharing among Federal departments and agencies that serve veterans and members of the Armed Forces who are separating from service, including how the departments and agencies may more easily connect employers with such veterans and members.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 120 days after the effective date specified in subsection (c), the Secretary of Labor shall submit to the appropriate committees of Congress a report on the review conducted under subsection (a).

(2) **CONTENTS.**—The report required by paragraph (1) shall include the following:

(A) Recommendations for addressing the barriers described in subsection (a)(2)(A).

(B) Recommendations for improving information sharing described in subsection (a)(2)(B).

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services and the Committee on Veterans’ Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans’ Affairs of the House of Representatives.

(c) EFFECTIVE DATE.—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 404. REVIEW OF TRANSITION GPS PROGRAM CORE CURRICULUM.

(a) REVIEW.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs and the Secretary of Labor, shall conduct a review of the Department of Defense Transition GPS Program Core Curriculum in effect on the date of the enactment of this Act.

(2) MATTERS REVIEWED.—The review shall examine the following:

(A) The Department of Defense Transition GPS Program Core Curriculum in effect on the date of the enactment of this Act.

(B) The roles and responsibilities of each Federal department participating in the Transition GPS Program and whether the various roles and responsibilities of the Federal departments are adequately aligned with one another.

(C) The allotment of time spent on issues under the jurisdiction of each Federal department participating in the Transition GPS Program and whether the allotment is adequate to provide members of the Armed Forces with all the information the members need regarding important benefits that can assist members in transitioning out of military service.

(D) Whether any of the information in the three optional tracks in the Transition GPS Program Core Curriculum should be addressed more appropriately in mandatory tracks rather than optional tracks.

(E) The benefits of and obstacles to establishing—

(i) a standard implementation plan of long-term outcome measures for the Transition GPS Program; and

(ii) a comprehensive system of metrics for such measures.

(b) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Veterans Affairs and the Secretary of Labor, shall submit to the appropriate committees of Congress a report on the review conducted under subsection (a).

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) Recommendations for improving the Department of Defense Transition GPS Program Core Curriculum in order to more accurately address the needs of members of the Armed Forces transitioning out of military service.

(B) Recommendations for improving the roles and responsibilities described in subsection (a)(2)(B).

(C) Recommendations for improving the allotment of time described in subsection (a)(2)(C).

(D) Such recommendations as the Secretary of Defense may have regarding the op-

tional and mandatory tracks in the Transition GPS Program Core Curriculum.

(E) Such recommendations as the Secretary of Defense may have with respect to the outcome measures and metrics described in subsection (a)(2)(E).

(F) Identification of such other areas of concern as the Secretary of Defense may have with respect to the Transition GPS Program and such recommendations for legislative or administrative action as the Secretary may have to address such concerns.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services and the Committee on Veterans’ Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans’ Affairs of the House of Representatives.

SEC. 405. MODIFICATION OF REQUIREMENT FOR PROVISION OF PREPARATION COUNSELING.

(a) CLARIFICATION OF REQUIREMENT FOR 180 CONTINUOUS DAYS OF ACTIVE DUTY SERVICE.—Subparagraph (A) of section 1142(a)(4) of title 10, United States Code, is amended by inserting “continuous” before “180 days”.

(b) EXCLUSION OF TRAINING FROM PERIODS OF ACTIVE DUTY.—Such section is further amended by adding at the end the following new subparagraph:

“(C) For purposes of subparagraph (A), the term ‘active duty’ does not include full-time training duty, annual training duty, and attendance, while in the active military service, at a school designated as a service school by law or by the Secretary concerned.”.

TITLE V—VETERAN SMALL BUSINESS MATTERS

SEC. 501. MODIFICATION OF TREATMENT UNDER CONTRACTING GOALS AND PREFERENCES OF DEPARTMENT OF VETERANS AFFAIRS FOR SMALL BUSINESSES OWNED BY VETERANS OF SMALL BUSINESSES AFTER DEATH OF DISABLED VETERAN OWNERS.

(a) IN GENERAL.—Section 8127(h) of title 38, United States Code, is amended—

(1) in paragraph (3), by striking “rated as” and all that follows through “disability.” and inserting a period; and

(2) in paragraph (2), by amending subparagraph (C) to read as follows:

“(C) The date that—

“(i) in the case of a surviving spouse of a veteran with a service-connected disability rated as 100 percent disabling or who dies as a result of a service-connected disability, is 10 years after the date of the veteran’s death; or

“(ii) in the case of a surviving spouse of a veteran with a service-connected disability rated as less than 100 percent disabling who does not die as a result of a service-connected disability, is three years after the date of the veteran’s death.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this Act and shall apply with respect to applications received pursuant to section 8127(f)(2) of title 38, United States Code, that are verified on or after such date.

SEC. 502. TREATMENT OF BUSINESSES AFTER DEATHS OF SERVICEMEMBER-OWNERS FOR PURPOSES OF DEPARTMENT OF VETERANS AFFAIRS CONTRACTING GOALS AND PREFERENCES.

(a) IN GENERAL.—Section 8127 of title 38, United States Code, is amended—

(1) by redesignating subsections (i) through (l) as subsections (j) through (m), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):

“(i) TREATMENT OF BUSINESSES AFTER DEATH OF SERVICEMEMBER-OWNER.—(1) If a member of the Armed Forces owns at least 51 percent of a small business concern and such member is killed in line of duty in the active military, naval, or air service, the surviving spouse or dependent child of such member who acquires such ownership rights in such small business concern shall, for the period described in paragraph (2), be treated as if the surviving spouse or dependent child were a veteran with a service-connected disability for purposes of determining the status of the small business concern as a small business concern owned and controlled by veterans for purposes of contracting goals and preferences under this section.

“(2) The period referred to in paragraph (1) is the period beginning on the date on which the member of the Armed Forces dies and ending on the date as follows:

“(A) In the case of a surviving spouse, the earliest of the following dates:

“(i) The date on which the surviving spouse remarries.

“(ii) The date on which the surviving spouse relinquishes an ownership interest in the small business concern and no longer owns at least 51 percent of such small business concern.

“(iii) The date that is ten years after the date of the member’s death.

“(B) In the case of a dependent child, the earliest of the following dates:

“(i) The date on which the surviving dependent child relinquishes an ownership interest in the small business concern and no longer owns at least 51 percent of such small business concern.

“(ii) The date that is ten years after the date of the member’s death.”.

(b) EFFECTIVE DATE.—Subsection (i) of section 8127 of such title, as added by subsection (a), shall take effect on the date of the enactment of this Act and shall apply with respect to the deaths of members of the Armed Forces occurring on or after such date.

TITLE VI—BURIAL MATTERS

SEC. 601. DEPARTMENT OF VETERANS AFFAIRS STUDY ON MATTERS RELATING TO BURIAL OF UNCLAIMED REMAINS OF VETERANS IN NATIONAL CEMETERIES.

(a) STUDY AND REPORT REQUIRED.—Not later than one year after the effective date specified in subsection (d), the Secretary of Veterans Affairs shall—

(1) complete a study on matters relating to the interring of unclaimed remains of veterans in national cemeteries under the control of the National Cemetery Administration; and

(2) submit to Congress a report on the findings of the Secretary with respect to the study required under paragraph (1).

(b) MATTERS STUDIED.—The matters studied under subsection (a)(1) shall include the following:

(1) Determining the scope of issues relating to unclaimed remains of veterans, including an estimate of the number of unclaimed remains of veterans.

(2) Assessing the effectiveness of the procedures of the Department of Veterans Affairs for working with persons or entities having custody of unclaimed remains to facilitate interment of unclaimed remains of veterans in national cemeteries under the control of the National Cemetery Administration.

(3) Assessing State and local laws that affect the ability of the Secretary to inter unclaimed remains of veterans in national

cemeteries under the control of the National Cemetery Administration.

(4) Developing recommendations for such legislative or administrative action as the Secretary considers appropriate.

(c) **METHODOLOGY.**—

(1) **NUMBER OF UNCLAIMED REMAINS.**—In estimating the number of unclaimed remains of veterans under subsection (b)(1), the Secretary may review such subset of applicable entities as the Secretary considers appropriate, including a subset of funeral homes and coroner offices that possess unclaimed veterans remains.

(2) **ASSESSMENT OF STATE AND LOCAL LAWS.**—In assessing State and local laws under subsection (b)(3), the Secretary may assess such sample of applicable State and local laws as the Secretary considers appropriate in lieu of reviewing all applicable State and local laws.

(d) **EFFECTIVE DATE.**—This section shall take effect on the date that is one year after the date of the enactment of this Act.

TITLE VII—OTHER MATTERS

SEC. 701. HONORING AS VETERANS CERTAIN PERSONS WHO PERFORMED SERVICE IN THE RESERVE COMPONENTS OF THE ARMED FORCES.

Any person who is entitled under chapter 1223 of title 10, United States Code, to retired pay for nonregular service or, but for age, would be entitled under such chapter to retired pay for nonregular service shall be honored as a veteran but shall not be entitled to any benefit by reason of this honor.

SEC. 702. REPORT ON LAOTIAN MILITARY SUPPORT OF ARMED FORCES OF THE UNITED STATES DURING VIETNAM WAR.

(a) **IN GENERAL.**—Not later than one year after the effective date specified in subsection (c), the Secretary of Veterans Affairs, in consultation with the Secretary of Defense and such agencies and individuals as the Secretary of Veterans Affairs considers appropriate, shall submit to the appropriate committees of Congress a report on—

(1) the extent to which Laotian military forces provided combat support to the Armed Forces of the United States between February 28, 1961, and May 15, 1975;

(2) whether the current classification by the Civilian/Military Service Review Board of the Department of Defense of service by individuals of Hmong ethnicity is appropriate; and

(3) such recommendations as the Secretary of Veterans Affairs may have for legislative action.

(b) **APPROPRIATE COMMITTEES OF CONGRESS.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Veterans’ Affairs of the Senate; and

(2) the Committee on Armed Services and the Committee on Veterans’ Affairs of the House of Representatives.

(c) **EFFECTIVE DATE.**—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 703. RESTORATION OF PRIOR REPORTING FEE MULTIPLIERS.

(a) **IN GENERAL.**—During the 10-year period beginning on September 26, 2015, the second sentence of subsection (c) of section 3684 of title 38, United States Code, shall be applied—

(1) by substituting “\$8” for “\$12”; and

(2) by substituting “\$12” for “\$15”.

(b) **CONFORMING AMENDMENT.**—Section 406 of the Department of Veterans Affairs Expiring Authorities Act of 2014 (Public Law 113-

175; 38 U.S.C. 3684 note), as amended by section 410 of the Department of Veterans Affairs Expiring Authorities Act of 2015 (Public Law 114-58), is hereby repealed.

The title amendment was agreed to, as follows:

Amend the title so as to read: “A bill to amend title 38, United States Code, to improve the furnishing of health care to veterans by the Department of Veterans Affairs, to improve the processing by the Department of claims for disability compensation, and for other purposes.”.

SPACE ACT OF 2015

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of H.R. 2262 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

An bill (H.R. 2262) to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Cruz substitute amendment at the desk be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2805) in the nature of a substitute was agreed to.

(The amendment is printed in today’s RECORD under “Text of Amendments.”)

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 2262), as amended, was passed.

PRO BONO WORK TO EMPOWER AND REPRESENT ACT OF 2015

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2280, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2280) to promote pro bono legal services as a critical way in which to empower survivors of domestic violence.

There being no objection, the Senate proceeded to consider the bill.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2280) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2280

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Pro bono Work to Empower and Represent Act of 2015” or “POWER Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Extremely high rates of domestic violence, dating violence, sexual assault, and stalking exist at the local, State, and national levels and such violence or behavior harms the most vulnerable members of our society.

(2) According to a study commissioned by the Department of Justice, nearly 25 percent of women suffer from domestic violence during their lifetime.

(3) Proactive efforts should be made available in all forums to provide pro bono legal services and eliminate the violence that destroys lives and shatters families.

(4) A variety of factors cause domestic violence, dating violence, sexual assault, and stalking, and a variety of solutions at the local, State, and national level are necessary to combat such violence or behavior.

(5) According to the National Network to End Domestic Violence, which conducted a census including almost 1,700 assistance programs, over the course of 1 day in September 2014, more than 10,000 requests for services, including legal representation, were not met.

(6) Pro bono assistance can help fill this need by providing not only legal representation, but also access to emergency shelter, transportation, and childcare.

(7) Research and studies have demonstrated that the provision of legal assistance to victims of domestic violence, dating violence, sexual assault, and stalking reduces the probability of such violence or behavior reoccurring in the future and can help survivors move forward.

(8) Legal representation increases the possibility of successfully obtaining a protective order against an attacker, preventing further mental and physical injury to a victim and his or her family, demonstrated by a study that found that 83 percent of victims represented by an attorney were able to obtain a protective order compared to 32 percent of victims without an attorney.

(9) The American Bar Association Model Rules include commentary that “every lawyer, regardless of professional prominence or professional workload, has a responsibility to provide legal services to those unable to pay, and personal involvement in the problems of the disadvantaged can be one of the most rewarding experiences in the life of a lawyer”.

(10) As representatives of the Department of Justice, the duty of United States Attorneys is to present “equal and impartial justice to all its citizens,” which should include, especially, survivors of domestic violence, dating violence, sexual assault, and stalking who might not otherwise know how to seek advice and protection.

(11) As Federal leaders who have knowledge of domestic violence, dating violence, sexual assault, and stalking in their localities, United States Attorneys should encourage lawyers to provide pro bono resources in an effort to help victims of such

violence or behavior to escape the cycle of abuse.

(12) A dedicated army of pro bono attorneys focused on this mission will inspire others to devote efforts to this cause and will raise awareness of the scourge of domestic violence, dating violence, sexual assault, and stalking throughout the country.

(13) Communities, by providing awareness of pro bono legal services and assistance to survivors of domestic violence, dating violence, sexual assault, and stalking, will empower those survivors to move forward with their lives.

SEC. 3. U.S. ATTORNEYS TO PROMOTE EMPOWERMENT EVENTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and not less often than once each year thereafter, each United States Attorney, or his or her designee, for each judicial district shall lead not less than 1 public event, in partnership with a State, local, tribal, or territorial domestic violence service provider or coalition and a State or local volunteer lawyer project, promoting pro bono legal services as a critical way in which to empower survivors of domestic violence, dating violence, sexual assault, and stalking and engage citizens in assisting those survivors.

(b) DISTRICTS CONTAINING INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—During each 3-year period, a United States Attorney, or his or her designee, for a judicial district that contains an Indian tribe or tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)) shall lead not less than 1 public event promoting pro bono legal services under subsection (a) in partnership with an Indian tribe or tribal organization with the intent of increasing the provision of pro bono legal services for Indian or Alaska Native victims of domestic violence, dating violence, sexual assault, and stalking.

(c) REQUIREMENTS.—Each United States Attorney shall—

(1) have discretion on the design, organization, and implementation of the public events required under subsection (a); and

(2) in conducting a public event under subsection (a), seek to maximize the local impact of the event and the provision of access to high-quality pro bono legal services by survivors of domestic violence, dating violence, sexual assault, and stalking.

SEC. 4. REPORTING REQUIREMENTS.

(a) REPORT TO THE ATTORNEY GENERAL.—Not later than October 30 of each year, each United States Attorney shall submit to the Attorney General a report detailing each public event conducted under section 3 during the previous fiscal year.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than January 1 of each year, the Attorney General shall submit to Congress a compilation and summary of each report received under subsection (a) for the previous fiscal year.

(2) REQUIREMENT.—Each comprehensive report submitted under paragraph (1) shall include an analysis of how each public event meets the goals set forth in this Act, as well as suggestions on how to improve future public events.

SEC. 5. FUNDING.

The Department of Justice shall use existing funds to carry out the requirements of this Act.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations placed on the Secretary's desk in the Foreign Service: PN643, PN800, and PN877; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

NOMINATIONS PLACED ON THE SECRETARY'S DESK

FOREIGN SERVICE

PN643 FOREIGN SERVICE nominations (101) beginning Jennifer Ann Amos, and ending Holly Rothe Wielkoszewski, which nominations were received by the Senate and appeared in the Congressional Record of July 8, 2015.

PN800 FOREIGN SERVICE nominations (127) beginning Kreshnik Alikaj, and ending Brett David Ziskie, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2015.

PN877-1 FOREIGN SERVICE nominations (404) beginning Jason Douglas Kalbfleisch, and ending Stuart MacKenzie Hatcher, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2015.

Mr. REID. Mr. President, I am pleased that the Senate passed several lists for more than 600 career promotions in the Foreign Service. I spoke earlier this week about these promotions, and I am pleased that Senator GRASSLEY has allowed these lists to pass this evening.

Regardless of which party controlled the Senate, Foreign Service promotion lists have moved without political interference. That is until recently. In August, Senator GRASSLEY decided to block the promotions of more than 20 career officials in order to pursue the same agenda we saw the Republicans go after with the Benghazi committee.

I have spoken with Senator GRASSLEY about this issue. Holding back the promotions of career Foreign Service officers is not the way the Senate should be operating. The 20 officials that are still being blocked include officers stationed in Cambodia, Kenya, Rwanda, Ethiopia, and other nations.

Although I am pleased about the Senate passing more than 600 promotions this evening, the senior Senator from Iowa should drop his holds on career diplomats and give these 20 officials the promotions they have earned.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that at 5 p.m. on Monday, November 16, the Senate proceed to executive session to consider the following nomination: Calendar No. 141; that there be 30 minutes of debate on the nomination; that following the use or yielding back of time, the Senate vote on the nomination without intervening action or debate; that following disposition of the nomination, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

COMMITTEE-REPORTED SUBSTITUTE AMENDMENT WITHDRAWN

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that not withstanding the passage of H.R. 2029, the committee-reported substitute be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPPORTING ISRAEL AND CONDEMNING PALESTINIAN TERROR ATTACKS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 292, S. Res. 302.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 302) expressing the sense of the Senate in support of Israel and in condemnation of Palestinian terror attacks.

There being no objection, the Senate proceeded to consider the resolution.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Blumenthal amendment to the resolution be agreed to; the resolution, as amended, be agreed to; the Blumenthal amendment to the preamble be agreed to; the preamble, as amended, be agreed to; and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2807) was agreed to, as follows:

(Purpose: To urge the international community to condemn the Palestinian terror attacks)

On page 5, line 1, strike "the President and".

The resolution (S. Res. 302), as amended, was agreed to.

The amendment (No. 2808) was agreed to, as follows:

(Purpose: To add a whereas clause regarding President Obama's condemnation of Palestinian violence against innocent Israeli citizens)

Insert after the eleventh whereas clause of the preamble the following:

Whereas President Barack Obama condemned in the strongest terms Palestinian violence against innocent Israeli citizens and expressed his "strong belief that Israel has not just the right, but the obligation to protect itself";

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, reads as follows:

S. RES. 302

Whereas Israel is a democratic ally and major strategic partner of the United States, as codified by the United States-Israel Strategic Partnership Act of 2014 (Public Law 113-296), and cooperation between Israel and the United States continues to increase in importance with a swiftly shifting security situation in the Middle East and North Africa;

Whereas Jerusalem is an undivided city, eternal capital of Israel, holiest city for the Jewish people, central to the worship of three monotheistic religions, and unique in the Middle East region as a city of religious tolerance where Israel guarantees access, security, and respect for the three monotheistic religions to worship in peace at holy sites;

Whereas, upon Israel securing control of Jerusalem in 1967, it has maintained a policy of keeping the Haram Al Sharif specifically open for Muslim prayer, welcoming over 3,500,000 regular worshipers annually;

Whereas the Government of Israel upholds the 1994 Treaty of Peace Between the State of Israel and the Hashemite Kingdom of Jordan, which states in Article Nine that each party "will provide freedom of access to places of religious and historical significance," as well as "act together to promote interfaith relations among the three monotheistic religions, with the aim of working toward religious understanding, moral commitment, freedom of religious worship, and tolerance and peace";

Whereas Yasser Arafat, Chairman of the Palestine Liberation Organization (PLO), committed in his exchange of letters with Israeli Prime Minister Yitzhak Rabin on September 9, 1993, that "the PLO renounces the use of terrorism and other acts of violence and will assume responsibility over all PLO elements and personnel in order to assure their compliance," and under the subsequent 1995 Oslo II Accord, the Palestinians pledged to "abstain from incitement, including hostile propaganda . . . [and to] take legal measures to prevent such incitement by any organizations, groups or individuals within their jurisdiction";

Whereas the President of the Palestinian Authority, Mahmoud Abbas, wrongly an-

nounced during the tenth anniversary of Yasser Arafat's death in November 2014 that Israel has no claim to Jerusalem, that the Temple Mount will not be allowed to be "contaminated" by Jews, and that Jewish prayer on the Temple Mount would lead to a "devastating religious war";

Whereas President Abbas falsely claimed during his address to the United Nations General Assembly in September 2015 that the Government of Israel has used "brutal force to impose its plans to undermine the Islamic and Christian sanctities in Jerusalem" and announced that the Palestinian Authority is no longer bound by the Oslo Accords;

Whereas Israel has in recent weeks been subjected to an alarming wave of terrorism directed against innocent civilians by Palestinians armed with knives, meat cleavers, guns, and cars;

Whereas there have been approximately 69 such attacks since the beginning of October 2015, leaving 11 Israelis dead and another 145 wounded;

Whereas United States citizens have lost their lives as a result of these terrorist attacks, including Richard Lakin and Eitam Henkin;

Whereas these random, gruesome attacks are intended to instill a sense of fear among the people of Israel leading their normal lives, and also destabilize security for both Palestinians and Israelis;

Whereas President Barack Obama condemned in the strongest terms Palestinian violence against innocent Israeli citizens and expressed his "strong belief that Israel has not just the right, but the obligation to protect itself";

Whereas Israel, Jordan, and the United States have reached an agreement regarding the installation of surveillance cameras on the Temple Mount in accordance with the respective responsibilities of the Israeli authorities and the Jordanian Waqf;

Whereas President Abbas has helped to fuel the current violence in recent weeks by falsely casting Israel as the brutal aggressor in multiple public speeches, refusing to condemn the lethal terror attacks, and failing to acknowledge Israel's right to self-defense;

Whereas President Abbas' statements are part of a pattern of incitement among Palestinian leaders that includes denial of the Jewish heritage of Jerusalem, paying monthly salaries to the families of imprisoned Palestinian terrorists, praising slain terrorists as martyrs, demonizing Jews in official Palestinian Authority media, and encouraging attacks on social media; and

Whereas Palestinian leaders have repeatedly threatened to suspend cooperation and further encouraged violence by blaming Israel for killing Palestinian perpetrators of these heinous crimes: Now, therefore, be it

Resolved, That the Senate—

(1) condemns these brutal attacks in the harshest terms possible;

(2) welcomes Israel's commitment to the continued maintenance of the status quo on the Temple Mount;

(3) urges the international community to join in forcefully condemning these Palestinian terror attacks;

(4) clarifies that there is no justification for these types of attacks and that there is a direct correlation between the recent upsurge in violence and Arab incitement regarding the Temple Mount;

(5) stands with the people of Israel during these difficult days;

(6) supports Israel's right to self-defense and rejects any suggestion of the moral equivalence of Israeli security personnel pro-

tecting its citizens from senseless violence and terrorists intent to deliberately take innocent lives;

(7) supports the agreement reached to install surveillance cameras on the Temple Mount according to the arrangements to be determined between the parties;

(8) calls upon President Abbas to stop all incitement by Palestinian officials and by Palestinian media, to strongly and unequivocally demand an end to the violence, and to take all steps necessary to halt these attacks;

(9) expresses support and admiration for individuals and organizations working to encourage cooperation between Israelis and Palestinians;

(10) encourages President Abbas to continue strengthening and maintaining security cooperation with Israel;

(11) reiterates that Palestinian political goals will never be achieved through violence; and

(12) calls on all parties to return to the negotiating table immediately and without preconditions, as direct discussions remain the best avenue to ending the Israeli-Palestinian conflict.

ORDERS FOR MONDAY, NOVEMBER 16, 2015

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn under the provisions of H. Con. Res. 92 until 3 p.m., Monday, November 16; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each until 5 p.m.; finally, that at 5 p.m., the Senate then proceed to executive session as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Ms. MURKOWSKI. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator SESSIONS for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the Presiding Officer, and I thank Senator MURKOWSKI for her courtesy.

FIFTH CIRCUIT COURT DECISION

Mr. SESSIONS. Mr. President, we had a very important court of appeals ruling last night. The Fifth Circuit Court of Appeals reviewed the injunction that had been issued by Judge Hanen in Texas, that blocked the President's determination to carry out

his DAPA Executive amnesty plan. The court found it improper and unlawful, and ordered it to be stopped.

It recalls for us the fact that when the President announced he was going to do this no matter what—before the election—great public outcry arose. Then he said—for political reasons, obviously—well, I am not going to do it before the election, but I will do it after the election. That is when I will issue this Executive amnesty and give lawful presence and Federal benefits and Social Security cards and work authorization to millions of people—4.3 million here in the country illegally. It is a dramatic thing. So the country was in an uproar about it. It was a big factor in the Republicans winning a huge majority in the House and a surging majority in the Senate.

So what was this all about? Well, Judge Hanen found that this was wrong. The President didn't have authority to take people Congress has said are here illegally and give them food stamps, health care, Medicaid, and work authorization. It went against the law. He couldn't do that. And he found that this was such an egregious action that it needed to be stopped now through an injunction before the trial even completed. So it was that injunction, that blocking of the President's amnesty, that went up on appeal to the Fifth Circuit, and they upheld Judge Hanen's decision.

First, 26 States—over half the States—participated in this litigation against the President's order, and they were found to have legal standing.

Then the court found this critical legal fact: They found that the States that were objecting to the President's order were likely to succeed in the final court ruling and on appeal. They found that it would likely succeed. And they noted this, referring to the Secretary of Homeland Security:

At its core, this case is about the Secretary's decision to change the immigration classification of millions of illegal aliens on a class-wide basis.

The Court went on to say:

DAPA would make 4.3 million otherwise removable aliens eligible for lawful presence, employment authorization, and associated benefits, and we must be guided to a degree by common sense as to the manner in which Congress is likely to delegate a policy decision of such economic and political magnitude to an administrative agency.

They basically were saying that they see no evidence that such a huge event

would be delegated to the administrative bureaucrats at the Department of Homeland Security. Congress, in fact, I believe—and the court went on to say—explicitly laid out how we deal with this.

The Fifth Circuit rejected President Obama's claim that he could issue employment documents—the right to work in America—to persons illegally here in any way he sees fit. That is what the administration argued.

The court condemned that interpretation, saying:

The interpretation of those provisions that the Secretary advances would allow him to grant lawful presence and work authorization to any illegal alien in the United States—an untenable position in light of the Immigration and Nationality Act's intricate system of immigration classifications and employment eligibility. Even with "special deference" to the Secretary, the INA flatly does not permit the reclassification of millions of illegal aliens as lawfully present and thereby make them newly eligible for a host of federal and state benefits, including work authorization.

That is an absolute refutation of the President's position, as well it should be, because anybody who is familiar with that debate last year knew that it was bogus. The American people knew that argument was bogus, and the court affirmed it just last night with clarity and consistency.

They said: Well, historically, the Secretaries have done some of these things.

The court doubted that.

Quote:

Historical practice that is so far afield from the challenged program sheds no light on the Secretary's authority to implement DAPA. Indeed, as the district court recognized, the President explicitly stated that "it was the failure of Congress to enact such a program that prompted him . . . to 'change the law.'"

He asked for this. He asked for legislation to do this, and the House of Representatives said no. And he did it anyway. And the court of appeals slapped that down as being above the powers of the President of the United States, as indeed it is.

The court found that this DAPA Program is foreclosed by Congress's careful plan. Quote: "The program is 'manifestly contrary to statute' and therefore was properly enjoined."

The President of the United States has a duty to the law, a duty to enforce the law whether he likes it or not, and he has a duty to carry out the law.

That is his oath. He is the Chief Executive. He is the person responsible for ensuring that the laws of the United States are carried out, and he breached his duty and took steps to absolutely eviscerate law passed by Congress. And being unhappy that Congress refused to change it as he wished it to be changed, he just did it anyway. And that is wrong. The court has slapped him down, as they should.

I hope the American people understand that somewhere in this system there is a commitment to law and to propriety and to the right of Congress. Congress is going to have to continue to work on this. It should boldly assert its prerogative to pass laws and its prerogative not to fund Executive amnesties, or any other program we don't think is worthy of being funded.

Mr. President, I thank the Chair and yield the floor.

ADJOURNMENT UNTIL MONDAY,
NOVEMBER 16, 2015, AT 3 P.M.

The PRESIDING OFFICER. The Senate stands adjourned until 3 p.m. on Monday, November 16, under the provisions of H. Con. Res. 92.

Thereupon, the Senate, at 7:05 p.m., adjourned until Monday, November 16, 2015, at 3 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 10, 2015:

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JENNIFER ANN AMOS AND ENDING WITH HOLLY ROTHE WIELKOSZEWSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 8, 2015.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH KRESHNIK ALIKAJ AND ENDING WITH BRETT DAVID ZISKIE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2015.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JASON DOUGLAS KALBFLEISCH AND ENDING WITH STUART MACKENZIE HATCHER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2015.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on November 10, 2015 withdrawing from further Senate consideration the following nomination:

AIR FORCE NOMINATION OF BRIG. GEN. RANDALL R. BALL, TO BE MAJOR GENERAL, WHICH WAS SENT TO THE SENATE ON FEBRUARY 4, 2015.

SENATE—Monday, November 16, 2015

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, our shelter in the time of storm, in an anxious, troubled, and violent world, we turn to You seeking light and life for our day, faith and freedom for our world, and triumph and truth for this generation.

Abide with our lawmakers. Make them mindful of Your presence, eager to do Your will, and committed to serve this land we love. Lord, use them to work for the triumph of truth. Strengthen them with Your Spirit so that they will meet today's challenges with daring faith and transcendent wisdom.

Hasten the day when justice shall reign in the relationships of people, and peace shall regulate the affairs of nations.

Lord, bless the people of France.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The Democratic leader is recognized.

TERRORIST ATTACKS AGAINST FRANCE

Mr. REID. Mr. President, as the Senate convenes today, the world faces yet another horrific terrorist act, this time against America's oldest ally, France. Across our great Nation, Americans have displayed the French flag across buildings, monuments, and Facebook pages in solidarity with France, a country with which we have long shared democratic values.

We, too, have felt the searing shock and pain of terrorism on our own soil, and just as France stood with us after the 9/11 attacks, we stand with France today. I personally express my condolences for those in France who lost a loved one. To the mothers, fathers, grandparents, children, friends, and

relatives, we mourn with you. To all those in the midst of caring for loved ones, those injured in these evil attacks—as hundreds were—our hearts and our thoughts are with you.

There are no words to adequately describe the barbarism of ISIS, the organization that carried out this attack and mowed down innocent civilians enjoying the freedom and beauty of a Paris night, but as we know, the attacks in Paris do not stand alone. ISIS has viciously attacked innocent people in Beirut, Syria, Iraq, Libya, and other places. They have beheaded Americans, beheaded others, instituted a policy of rape and violence against women, and are attempting to take civilization back to the Dark Ages. ISIS does not worship Islam. ISIS worships death. ISIS doesn't practice compassion and mercy. ISIS practices killing, torture, and violence. Instead of guiding its followers on the straight and narrow path, ISIS guides them to hate.

As Pope Francis said yesterday:

The road of violence and hate does not resolve the problems of humanity. Using God's name to justify this path is blasphemy.

The Pope is right.

Law-abiding Muslims—many of whom have also been innocent victims of terror—must not allow these radicals to be the face of their religion. We cannot allow it. They cannot allow it. I know I speak for the Senate in saying we are all committed to stopping ISIS. We are united in supporting France in every possible way, as the people of France move forward after these attacks.

I repeat, as the Pope said yesterday:

The road of violence and hate does not resolve the problems of humanity. Using God's name to justify this path is blasphemy.

Will the Chair announce today's business.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TILLIS). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE HONOR OF SERVING MY STATE AND COUNTRY

Ms. MIKULSKI. Mr. President, today I received an announcement of a lifetime. At 4 p.m. today, the President of the United States informed me that I will receive the Presidential Medal of Freedom. I want to thank him for this honor and to say that I am deeply, deeply touched to join this group on November 14 of 17 Americans to receive this award.

The Presidential Medal of Freedom is the Nation's highest civilian honor. It is presented to individuals who have especially made contributions to the security and national interests of the United States, to people who have worked for world peace, who have found cures for incredible diseases, and who have done cultural and other significant things of public or private endeavors. To join that group I am, indeed, so honored. For the President to do this has been something that I could never have anticipated.

I have been very deeply honored to serve the people of Maryland and of this Nation. To the people of Maryland, I thank you. I could never have had the opportunity to serve in the public sphere in such a way had they not honored me with their confidence and trust by voting for me. I am so thankful for the opportunity that they have given me to actually serve my State and my country.

Yes, I am the longest serving woman in the Senate. But for me, it is not how long I have served but how well I have tried to serve. To me, service is about being connected to my constituents, staying close to them, making sure they don't fall between the cracks, and looking out for their day-to-day needs—whether a Social Security check, helping a veteran or working on issues such as college affordability.

For me, service has been rooted in the values I learned in my home and in my community. I think today of my father and mother, who worked so hard so that my sisters and I would get an education. They owned a small neighborhood grocery store. Every day at 6 in the morning, my father would walk across the street from our row house home and open up the door of his grocery store and say: Good morning. Can I help you?

That is the way I was raised, and that is what I have carried with me every single day; that is: Good morning. Can I help you? But they also saw

that my sisters and I had a fantastic education. I had the opportunity to go to Catholic schools, and there the sisters taught us about leadership and service. But actually they focused on the values of our faith: Love your neighbor, care for the sick, worry about the poor, always insist that neighbors should help neighbors, and it is better to light one little candle than to curse the darkness.

We were also raised to believe in the American dream. My great-grandmother came to this country from Poland. She had little money in her pocket. Women didn't even have the right to vote when she arrived. She had a big dream in her heart. If you worked hard and played by the rules, life would be better for you. She never thought, coming as she did, that her own great-granddaughter would one day be a U.S. Senator. But then that is only in America, where my story has been possible.

Only in America do we have this incredible right to speak our mind. I got into politics as a protester. They wanted to put a highway through the neighborhood in which I grew up and some other neighborhoods in the city. I organized the "Hell no, we won't go" committee and took on city hall.

Do you know what is so great about this country? In others, they put you in jail and beat you. In this country, they sent me to the city council, and I beat the political bosses.

This is an amazing country. Our Constitution, the freedoms guaranteed in it—the freedom of assembly, the freedom to speak, and most of all, the freedom to serve and to be all that you can be—has been a marvelous gift.

In a few days, I will be honored by the President of the United States, but the real honor has always been to be here. I never dreamed such an honor would come my way, nor did I seek it. I am so deeply honored to be touched by this, and I am honored to be among the people who will get this award. Among those who will be honored is the dearly beloved Shirley Chisholm, whom I served with in the House. She was always unbought and unbossed. Willie Mays will be honored. He always brought it home and knew where home plate was. Barbra Streisand, who always hit the high notes, and, of course, even Yogi Berra, who shared my love of language, are going to be honored. Young, distinguished Americans like Katherine Johnson, who was one of the first African Americans in space, and Lee Hamilton, who worked both in Congress and in the private sector to bring about world peace, will be honored. What a distinguished group of Americans, and I will be glad to stand with them.

I wish to thank President Obama for this tremendous honor. I thank the people of Maryland for this tremendous opportunity to serve, and I thank the

United States of America for enabling someone like me to follow her dream. I hope, in getting this award, that I will continue to make my pledge to be of service.

I thank the Presiding Officer and yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of LaShann Moutique DeArcy Hall, of New York, to be United States District Judge for the Eastern District of New York.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate prior to a vote on the Hall nomination.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak as in morning business for about 6 or 7 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

TERRORIST ATTACKS AGAINST FRANCE AND SYRIAN REFUGEES

Mr. GRASSLEY. Mr. President, I want to express my deepest sympathies to the people of Paris and all those affected by the terrorist attacks of Islamic extremists. As we all know, hundreds of people were killed or injured in the attacks, including at least one American citizen. No one should be faced with horrific violence when attending a soccer game or concert or simply carrying out their daily lives. On behalf of Iowans, I stand with the people of France. I offer our support in recovering from and responding to those attacks.

Unfortunately, there is fear that similar attacks could soon take place on U.S. soil. There is even a video that ISIS released earlier today threatening to attack America. Moreover, if we follow the administration's announced plans to bring in thousands of new Syrian refugees, we could very well be let-

ting in similar extremists who want to harm Americans. That is because it appears that at least one of the ISIS terrorists in Paris had recently registered as a Syrian refugee in the country of Greece. Until last Friday, he appeared to all the world to be no different from any of the other thousands of people fleeing the chaos in Syria. This could happen here too.

The No. 1 responsibility under the Constitution of our Federal Government is to protect the homeland and to secure the country against all threats. We must do all we can to prevent a terrorist style attack from happening here, but under the administration's proposed plan, we may not be able to stop such an attack. We cannot tell who among the thousands of Syrian refugees the administration wishes to resettle here are terrorists. One particularly alarming statement to this effect came from the Director of the FBI, James Comey. He was in a hearing before the Senate Committee on Homeland Security and Governmental Affairs just on October 8 of this year. Director Comey said "there are certain gaps . . . in the data available to us" in screening Syrian refugees. This data, which includes fingerprints, background and biographic information, is crucial for an adequate screening of potential refugees entering the United States. Director Comey continued in that hearing saying, "There is risk associated with bringing anybody in from the outside, but especially from a conflict zone like that."

Director Comey has also previously acknowledged that despite a large pool of data on Iraqi refugees, our past program for admitting refugees from Iraq inadvertently allowed into our country "a number of people who were of serious concern, including two that were charged when we found their fingerprints on improvised explosive devices from Iraq."

Our ability to screen individuals from war-torn Syria is extremely limited by comparison. Several States' Governors have recognized this difficulty and have accordingly moved to suspend cooperation with the administration in settling Syrian refugees in their States until those security concerns are addressed. I share such concerns for protecting our country against terrorists who have clearly infiltrated the Syrian refugee population. I recently wrote a letter to the leaders of the Senate Appropriations Committee. In that letter I asked that taxpayers' funds be used effectively to properly and securely screen refugees entering the United States. I also requested in the letter that as part of the appropriations legislation before the committee, it require a comprehensive plan on how security will be achieved. I requested this be a condition for any funding for refugee resettlement for Syrian refugees. I said then and I emphasize now that not one dollar should

be expended until stringent parameters for vetting these refugees are established.

I would also suggest to President Obama that he reconsider his plan to admit Syrian refugees until the dust settles and we get to the bottom of the Paris attacks. We need to analyze what happened. We need to figure out how we can better screen these refugees and ensure that terrorists among them are not evading proper screenings. We need a timeout before we press forward.

I stress that the United States remains an extremely generous country when it comes to refugees. This year alone we will allow 75,000 refugees fleeing persecution around the world to enter our country, but we have to set our own citizens' security as a top priority. I call on Congress to act to ensure that this administration certifies that the most stringent security standards are in place before allowing any more of the Syrian refugees into our country. It is our responsibility to do everything we can to prevent Friday's attacks from happening here.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I rise to urge my colleagues to vote to confirm this qualified judge, LaShann DeArcy Hall, to the U.S. District Court for the Eastern District of New York.

Ms. Hall is an outstanding choice to fill this position. After decades of service in both the public sector and the private sector, Ms. Hall's breadth of knowledge and depth of experience will guide her for any case that happens to come before her. In her current role at a major international law firm, Ms. Hall specializes in high-stakes, complex commercial litigation. During her years of public service, including her time serving as a commissioner with the New York State Joint Commission on Public Ethics, Ms. Hall has worked tirelessly to help make her community a more fair and just place.

Ms. Hall's credentials are absolutely worthy of this position on the Federal bench, and we will be a stronger nation with more women like Ms. Hall serving as judges in our Federal court system.

Ms. Hall is a graduate of Howard University School of Law and she served in the U.S. Air Force. She is a highly accomplished lawyer, and she has devoted her entire career to various forms of public service. She is dedicated to her community, and she cares deeply about this country. LaShann DeArcy Hall would make an excellent Federal judge and would add much needed diversity to the Federal bench.

Mr. President, I urge all my colleagues to vote to confirm her.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COATS). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORAN. Mr. President, I ask unanimous consent that all time remaining on this nomination be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Hall nomination?

Mr. MORAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Arkansas (Mr. COTTON), the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The result was announced—yeas 93, nays 1, as follows:

[Rollcall Vote No. 305 Ex.]

YEAS—93

Alexander	Flake	Murphy
Ayotte	Franken	Murray
Baldwin	Gardner	Nelson
Barrasso	Gillibrand	Paul
Bennet	Grassley	Peters
Blumenthal	Hatch	Portman
Booker	Heinrich	Reed
Boozman	Heitkamp	Reid
Boxer	Heller	Risch
Brown	Hirono	Roberts
Burr	Hoeven	Rounds
Cantwell	Inhofe	Rubio
Capito	Isakson	Sasse
Cardin	Johnson	Schatz
Carper	Kaine	Schumer
Casey	King	Scott
Cassidy	Kirk	Sessions
Coats	Klobuchar	Shaheen
Cochran	Lankford	Shelby
Collins	Leahy	Stabenow
Coons	Lee	Sullivan
Corker	Manchin	Tester
Cornyn	Markey	Thune
Crapo	McCain	Tillis
Daines	McCaskill	Toomey
Donnelly	McConnell	Udall
Durbin	Menendez	Warner
Enzi	Merkley	Warren
Ernst	Mikulski	Whitehouse
Feinstein	Moran	Wicker
Fischer	Murkowski	Wyden

NAYS—1

Perdue
NOT VOTING—6

Blunt	Graham
Cotton	Sanders
Cruz	Vitter

The nomination was confirmed.

The PRESIDING OFFICER (Mr. LANKFORD). Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Oklahoma.

MORNING BUSINESS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

MASTER SERGEANT JOSHUA L. WHEELER

Mr. INHOFE. Mr. President, the Presiding Officer, Senator LANKFORD, and I want to recognize and pay tribute to Army MSG Joshua Wheeler. Joshua was born in Roland, OK. He was deployed to Kirkuk Province, Iraq, in support of Operation Inherent Resolve. I didn't remember him at the time, but I was there during that time. He was deployed to Kirkuk to support Operation Inherent Resolve. That was his 14th deployment in combat operations in Iraq and Afghanistan. Joshua's unit, along with Iraqi and Kurdish forces, raided a compound near the city of Kirkuk, freeing 70 prisoners from captivity. Josh died of injuries sustained in that firefight. He would have turned 40 this month.

Josh attended and graduated from Muldrow High School in 1994, and a classmate of his, Ms. Tra Moreland, said this about Josh and his character:

If you would have asked me 20 years ago, would he be the man—the kind of man to do this, to give his life for everyone else? I'd say most definitely! I wish everybody could have known him!

Josh enlisted in the Army straight out of high school. During his military career, he served in the 24th Infantry Regiment, 75th Ranger Regiment, and from 2004 until the events that bring us here today, he was assigned to the U.S. Army Special Operations Command, where he served with the Delta Force.

I think we all understand what the Delta Force is all about. It is a unit of the elite, the very best of the best. That was Josh—the best of the best. Josh was the epitome of a selfless and patriotic soldier.

Mr. Lance Hunter, Sergeant Wheeler's friend of 30 years, said that Josh was the kind of person who would stop and help a stranger change a tire on the side of the road and always dedicated himself to challenges.

When he enlisted, I knew he would go as far as he could go. He was made to be a soldier.

A soldier he was. During his career, Master Sergeant Wheeler had earned 11 Bronze Stars, including 4 with Valor Device, and countless other medals. He

was posthumously awarded the Purple Heart for his actions during the raid on the ISIS prison. He is a true American hero.

Secretary of Defense Ash Carter expressed how selfless Sergeant Wheeler's actions were, stating that "they weren't part of the original rescue mission plan, but were critical to the mission's success." In other words, he did something he didn't have to do. Still, the Secretary is one of thousands who know what a hero Josh really is.

I was honored to hear that his hometown honored him by engraving his name in a stone monument and releasing hundreds of balloons in his memory. On top of being a highly decorated soldier, he was a consummate family man and father of four. Joshua's grandfather, Mr. Jack Shamblin of Roland, OK, said his grandson loved fishing and hunting and was a family man and was always taking care of everyone else, including his four half sisters.

His brother Zack said:

He was a soldier, but I didn't realize he had all of these accomplishments, all these achievements—it just blows my mind. He's an American hero, he just wanted to take care of people.

Ms. April Isa, a classmate of Josh's and an English teacher now at the old high school said:

He was always funny, even mischievous, but always the guy who seemed like he had your back. Most of our class was cliques, but he wasn't with just one group. He was friends with everyone.

Josh lived a life for his family and friends. I had occasion to talk to Ashley, and I found out that he was a real Jesus guy. He loved everyone, and he knew what was going to happen to him, and we know where he is today. He will be remembered for his commitment to and belief in the greatness of our Nation, and his memory and legacy will continue forever in the love of his wife Ashley and his four sons, Zachariah, Matthew, Joshua Junior, and the youngest, David, just 3 months old.

The fight that took Josh's life is tragic. But make no mistake; his sacrifice made a difference and will continue to make a difference, not just in Iraq but in the security of our great Nation. We are safe in our country, and it is secure because of Josh and our service men and women. We must continue our unwavering support of them.

I extend our deepest gratitude and condolences to Josh's family. Senator LANKFORD and I are honored to pay tribute to this true American hero who volunteered to go into the fight and to make the ultimate sacrifice of his life for our freedom. It is my sincere hope that his family takes solace in knowing that their husband, father, brother, grandson, and friend is a true American hero and will not be forgotten. We say God bless you, Josh. We will see you again.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. INHOFE). Without objection, it is so ordered.

Mr. LANKFORD. Mr. President, I come to the floor of the Senate today to talk about the sacrifice of one of Oklahoma's own, MSG Joshua Wheeler of Roland, OK, Sequoyah County, America. The current Presiding Officer today is Senator INHOFE, and the two of us together recognize and celebrate the life of someone who laid down his life for the Nation.

Roland and Muldrow are proud towns in eastern Oklahoma. It is Cherokee country, where families take care of other families and small-town American patriotism still thrives. It is the land of tall trees and very strong churches.

Josh was killed in action on October 22 while liberating captives held by ISIL in northern Iraq. Josh was part of a team assisting Kurdish commandos to rescue 70 hostages who were about to be executed by Islamic State militants. There was aerial reconnaissance that had shown a newly dug mass grave at the prison where these 70 prisoners were being held.

When the Kurdish attack on the prison where the hostages were being held stalled, Master Sergeant Wheeler responded. He could not watch the Kurdish forces face the attack without help. He would not allow those men inside the facility to face execution when he could help them escape. Master Sergeant Wheeler breached the wall. He engaged the enemy. The full force of the attack came directly at him, and he saved the day and six dozen men.

You need to know that Master Sergeant Wheeler was the best of the best, the most highly trained warrior in the entire Department of Defense. Josh deployed three times as a Ranger in support of combat operations in Afghanistan and Iraq, then Master Sergeant Wheeler was assigned to the U.S. Army Special Operations Command in 2004 and was deployed 11 additional times in support of combat operations in Iraq and Afghanistan.

Master Sergeant Wheeler was highly decorated. We can see this from his uniform. Let me tell you a little bit about his awards. They included four Bronze Star Medals with Valor Device; seven Bronze Star Medals; the Defense Meritorious Service Medal; the Meritorious Service Medal; the Air Medal; the Joint Service Commendation Medal with Valor Device; the Joint Service Commendation Medal; seven Army Commendation Medals; the Joint Service Achievement Medal; eight

Army Achievement Medals; the Good Conduct Medal, sixth award; the National Defense Service Medal with Bronze Service Star; the Afghanistan Campaign Medal with three Bronze Service Stars; the Iraq Campaign Medal with six Bronze Service Stars; the Global War on Terrorism Expeditionary Medal; the Global War on Terrorism Service Medal; the Noncommissioned Officer Professional Development Ribbon, third award; the Army Service Ribbon; the Presidential Unit Citation; the Valorous Unit Award, second award; the Ranger Tab; the Combat Infantryman Badge; the Expert Infantryman Badge; the Master Parachutist Badge; three Overseas Service Bars; and finally, posthumously, the Purple Heart.

He did everything his country asked him to do and more. Master Sergeant Wheeler was the first American serviceman killed in combat in Iraq since 2011. Americans, Kurds, and Iraqis alike owe Master Sergeant Wheeler and his family our deepest gratitude and respect for a life of selfless service. John 15:13 tells us that no greater love is this, than one who lays down his life for his friends. Josh did exactly that. Master Sergeant Wheeler's sacrifice exemplifies the highest virtue in defense of his family, friends, and Nation.

Speaking of his friends, they called him a cutup. He was someone who made everyone laugh. He was a friend to everyone.

I spoke to his wife Ashley last week, and she recounted his faith, toughness, and passion for his boys—all four of them. He was able to come home a few months ago for the birth of his fourth son. It was a peaceful and joyous respite from the brutal realities of war that Josh faced for years.

Josh spent his life defending the weak and standing up for those who needed help. He spent much of his childhood caring for his siblings. He valued life, freedom, and duty.

In contrast to Master Sergeant Wheeler's heroism and selflessness, let me remind you whom he was fighting against. In the days following the Paris attack, we understand that the barbarians of ISIL had no problem randomly killing people at a restaurant, soccer stadium, or concert. They kill for intimidation and pleasure. They do not even value their own lives, much less the lives of the people around them. The Islamic State has committed some of the most horrific acts of death the modern world has ever seen. Their fight is against all modern society, and their goal is to return the world to a medieval state ruled by fear. They have abducted girls and women, called them subhuman for practicing the wrong religion according to them, and sold them as sex slaves. In the world of ISIL, women can't get an education, drive a car, or even have their own rights. They kill and torture anyone

who doesn't agree with them. Their reach extends to our own citizens. No one can forget the horrific deaths of James Foley, Stephen Sotloff, and Kayla Mueller, a 26-year-old woman who wanted to do good for the people of Syria but met pure evil when she got there.

Recently, FBI Director James Comey spoke about ISIL's attempts to inspire Americans to turn on each other with blind brutality. Go out and kill, they say. It doesn't matter who, just act. Good men stand up to such evil. They don't allow it to grow and multiply.

We honor Master Sergeant Wheeler's sacrifice and tenacious commitment to confront evil. We humbly thank his family for the sacrifice they made so that we may all live in a more peaceful world. Our Nation cannot say thank you loud enough or long enough to his family.

When I spoke to Ashley, Josh's wife, she recounted when the doorbell rang early that morning, it didn't even cross her mind that it was about Josh. He was so tough and so dedicated. Who would have ever thought he would be gone? The painful and long process of grieving over a lost hero has just begun. Master Sergeant Wheeler was killed in action defending our freedom on October 22. His final service will be this week—just a few days before his birthday. The long days of Thanksgiving and Christmas are still ahead.

Please join me in praying for the family of Master Sergeant Wheeler as our Nation grieves the loss of a husband, father, grandson, and friend to those who knew him. He is a hero to the Nation and the many lives he saved a month ago this week. May God bless Josh's family. May his boys grow up to be men who remember their dad's love for them and our Nation.

With that, I yield back.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

(Mr. LANKFORD assumed the Chair.)

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DAINES). Without objection, it is so ordered.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 138, H.R. 2577.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 138, H.R. 2577, a bill making appropriations for

the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, John Cornyn, Mike Crapo, Richard C. Shelby, Richard Burr, Daniel Coats, Ben Sasse, Thom Tillis, John Hoeven, Roger F. Wicker, Chuck Grassley, Susan M. Collins, Thad Cochran, James Lankford, Lamar Alexander, Roy Blunt, Steve Daines.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call under rule XXII be waived with respect to the cloture vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

TERRORIST ATTACKS AGAINST FRANCE

Mr. MCCONNELL. Mr. President, I want to express what I know each of my colleagues feels today. We, the 100 men and women of the U.S. Senate, send our sincere condolences to the people of France. From across the Atlantic, Americans send condolences to the victims, to the families, and to the first responders.

We understand the pain and the loss that accompany a terrorist attack. Some feel it in the most personal way. Some never come home. But everyone shares in the loss. In our case, many shared in the response and the recovery as well.

In a dark hour we were reminded of the things that bound us together. I hope you will feel something similar take hold in your terrible hour as well.

We have already seen rays of light begin to shine through the darkness. We saw it even last Friday. Then, as Paris reeled, a soft hum emanated from a tunnel. "March," came the echo in French. "March on." Enemies in history and rivals on the soccer pitch had united around a common humanity. Dazed, disoriented but alive, French and German fans marched through the tunnels together. Some put defiance to verse. "Against us," they sang, "tyranny has unfurled its bloody banner." And indeed, that night it had. A song

sung so many times before came alive with new meaning that horrible night. Many knew it as the French national anthem, but that night it became an aria for their sorrow and an ode to their fraternity. We heard it here, from an ocean away.

We add our voices to the harmony now. We know that the attacks were not just directed at the victims we mourn today but also at modernity and the free world.

President Obama has called ISIL the face of evil. It clearly presents a challenge to NATO, to our moderate Sunni allies, and to the United States. It has also shown that it can attack innocent victims in the West, too—right where they live. These terrorists have declared their intention to do so again and again.

We know that trying to contain ISIL's conventional advance as an operational concept has proven insufficient in the face of determined terrorist attacks, but we also know something else. With resolve and determination, ISIL can be defeated. It won't be easy. It won't come quickly or without cost, but we also have no other option.

I look forward to engaging with President Obama to determine his strategy and the tools that will be necessary to achieve it. We are looking forward to hearing the President's proposed strategy when Senators are briefed by the White House later this week. Whatever he does, though, I would encourage him to work cooperatively with both parties on the way forward. This is a challenge that is going to require all of our efforts to confront, and it is a discussion that will be ongoing.

But today is a time to remember and to reflect. We have the people of France in our thoughts today. That is true here in the Senate, and it is certainly true out across our country.

MORNING BUSINESS

JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, today we will vote on the nomination of LaShann Hall to be a Federal district judge in the Eastern District of New York. She was nominated over a year ago, and her nomination was voted out of the Judiciary Committee by unanimous voice vote more than 5 months ago. Ms. Hall is an outstanding African-American attorney who will fill a judicial emergency vacancy. There is no reason Senate Republicans should have delayed her confirmation for this long.

The Senate this week should also vote on the next nominee on the calendar, who was nominated on the same day over a year ago as Ms. Hall. Judge Luis Felipe Restrepo will be the first ever Hispanic judge from Pennsylvania

on the third circuit. Judge Restrepo has strong bipartisan support from his home State Senators, Senator TOOMEY and Senator CASEY, and there is an urgent need to fill the emergency vacancy on the third circuit to which he has been nominated. I have heard no objection to his nomination, and Senator TOOMEY has said he not only strongly supports Judge Restrepo's confirmation, but he also recommended him to the President. I hope the majority leader will finally schedule his vote this week.

In the 11 months that the Senate has been under Republican control this year, the Senate has only voted to confirm nine judges. This obstruction has resulted in needless delays for hard-working Americans who seek justice in our Federal courts. Currently pending on the Senate floor are nominees who would fill judicial emergency vacancies in Pennsylvania, Tennessee, Minnesota, New Jersey, Iowa, New York, and California. Senate Republicans have refused to alleviate the urgent needs in those States. It does not have to be this way. When Senate Democrats were in the majority during the last 2 years of the Bush Presidency, we had already confirmed 36 judges by this same time. We made sure that we fulfilled our constitutional duty to provide advice and consent to ensure that the American people had a fully functioning Federal judiciary.

Senate Republicans' obstruction has caused judicial vacancies to pile up across the country. Since Senate Republicans took over the majority at the beginning of the year, judicial vacancies have increased by more than 50 percent. The number of "judicial emergency" vacancies since Senate Republicans took the majority has risen by a stunning 158 percent. The American people deserve better.

We should follow well-established Senate precedent by confirming all consensus nominees before the end of the year. Each of the judicial nominees pending on the Executive Calendar was reported out of the Judiciary Committee by unanimous voice vote. And each has the backing of their home State Senators, including Republican Senators. In fact, the next nominee after Ms. Hall and Judge Restrepo is Travis McDonough who has been nominated to fill a judicial vacancy on the Eastern District of Tennessee. Next week will mark the 1-year anniversary since Mr. McDonough was nominated, but it appears there is no relief in sight as his nomination continues to be held up by Senate Republicans, despite the strong support he has from his home State Senators, Senator ALEXANDER and Senator CORKER. I see no reason why he and the rest of the nominees pending should not be confirmed before we recess at the end of the year. As the New York Times put it in an editorial last Friday urging confirmation votes

on all pending judicial nominees, "With each day that passes without a vote on Judge Restrepo and other nominees, Republicans undermine the justice system, and the biggest victims are ordinary Americans who cannot count on fully functioning courts." I ask unanimous consent that this editorial be printed in the RECORD at the conclusion of my remarks.

Shortly we will begin voting on LaShann Hall to fill a judicial emergency vacancy in the Federal District Court for the Eastern District of New York. She is currently a partner at the law firm of Morrison & Foerster, LLP, in New York, where she has practiced since 2010. She was previously in private practice at Gibson, Dunn & Crutcher LLP and at Cravath, Swaine & Moore LLP. She has the support of her two home State Senators, Senator SCHUMER and Senator GILLIBRAND. She was voted out of the Judiciary Committee by unanimous voice vote on June 4, 2015. I urge my fellow Senators to support her confirmation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Nov. 13, 2015]

CONFIRM PRESIDENT OBAMA'S JUDGES

(By the Editorial Board)

On Nov. 12, 2014, President Obama nominated Luis Felipe Restrepo to a judgeship on the federal Court of Appeals for the Third Circuit. Judge Restrepo, who already sits on the United States District Court in Philadelphia, seemed to secure the support of both Pennsylvania senators—Bob Casey, a Democrat, and Pat Toomey, a Republican.

But that does not mean that Judge Restrepo, whom Mr. Toomey called "a very well-qualified candidate" who would "make a superb addition" to the appeals court, will actually get through the confirmation roadblock led by Senate Republicans. Mr. Toomey, despite his professed support, is responsible for a big part of it, refusing for six months to sign off on the nomination by exploiting a pointless tradition that allows home-state senators to block a nomination with no explanation needed. He claimed that he was waiting for a background check, even though Judge Restrepo passed a check two years ago for his current job. The Senate Judiciary Committee approved Judge Restrepo for the appeals court seat in July. There has been no explanation for the holdup since then.

As a Hispanic and a former public defender, Judge Restrepo would bring a needed measure of ethnic and professional diversity to the court. But he is just one of many judicial nominees awaiting action. Thirteen have not received a hearing by the Judiciary Committee, and 16 others, including Judge Restrepo, have been approved by the committee, all unanimously, but are still waiting for a full vote on the Senate floor.

Since Republicans took over in January, the Senate has confirmed only nine of President Obama's nominees, the slowest pace in more than half a century. Meanwhile, the seat Judge Restrepo would fill is one of 30 long-vacant federal judgeships the court system deems "judicial emergencies," meaning they have a backlog of hundreds of cases.

Republicans say that Mr. Obama has seen more of his judicial nominees confirmed

than President George W. Bush had by this time in his tenure in 2007. But that is mainly because Senate Democrats in 2013 stopped Republicans from repeatedly using the filibuster to block qualified nominees. After that, the Democratic-led Senate confirmed 96 of Mr. Obama's picks. The more relevant fact is there are 67 judicial vacancies today, far more than the number of vacancies Mr. Bush faced in 2007.

The larger problem here, of course, is that Republicans are blocking votes on highly qualified and noncontroversial nominees to vent their anger with the president, who infuriated them with his now-stalled immigration action, among other things.

Judges are not the only casualties of this interbranch crossfire. Attorney General Loretta Lynch, another unquestionably qualified candidate, waited almost six months before finally getting a vote.

Senate Democrats should make these inexcusable delays a national issue. Mr. Obama, meanwhile, could start selecting judges himself in states like Texas, Alabama, Wisconsin and Indiana, where senators refuse to give him any names at all.

With each day that passes without a vote on Judge Restrepo and other nominees, Republicans undermine the justice system, and the biggest victims are ordinary Americans who cannot count on fully functioning courts.

RECOGNIZING NATIONAL REVIEW

Mr. TOOMEY. Mr. President, I wish to honor and congratulate National Review for 60 years of valuable contributions to American political discourse.

When a 29-year-old William F. Buckley, Jr., published National Review's first edition on November 19, 1955, it marked not just the birth of a magazine, but also the birth of the modern conservative movement. Under 45 years of Mr. Buckley's leadership, National Review served as the standard bearer of conservative thought in America, where readers could expect to find leading thinkers such as Ronald Reagan, Margaret Thatcher, and Milton Friedman to name a few. It influenced generations of conservatives, including this conservative, with its frequently humorous and always intelligent writing, and it consistently published valuable commentaries on public events and figures, foreign and domestic affairs, culture, politics, and the economy.

During Mr. Buckley's tenure, National Review did more than just observe and comment on the course of human events; it helped shape them. It played a central role in the "Reagan Revolution." Its steadfast defense of liberty, free markets, and personal responsibility provided much of the intellectual underpinnings of America's triumph over communist tyranny in Europe and around the world.

Mr. Buckley's successors have ably carried on this proud tradition at National Review. It remains tremendously influential. With over 150,000 subscribers, it is the most read opinion magazine in America. Millions more visit National Review Online every month.

More importantly, Mr. Buckley's successors have carried on as champions of the conservative movement. Every 2 weeks *National Review* arrives on my desk and serves as a reminder that conservative thought is alive and well in America.

Over the past 60 years, *National Review* has lived up to its founding statement so eloquently expressed by Mr. Buckley. To paraphrase, *National Review* continues to stand athwart history, yelling "stop," when no other is inclined to do so, or to have much patience with those who so urge it.

Congratulations to all those who have made *National Review* a success over these last 60 years. Your contributions to American political discourse will serve as an inspiration and as a challenge to future generations of conservative thinkers.

DISCHARGE PETITION—S.J. RES. 23

We, the undersigned Senators, in accordance with chapter 8 of title 5, United States Code, hereby direct that the Senate Committee on Environment and Public Works be discharged from further consideration of S.J. Res. 23, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units," and further, that the resolution be placed upon the Legislative Calendar under General Orders.

Jim Inhofe, Roy Blunt, Ron Johnson, Lamar Alexander, Michael B. Enzi, Shelley Moore Capito, Mike Lee, Orrin Hatch, Deb Fischer, Joe Manchin, John Cornyn, Chuck Grassley, Pat Roberts, Dan Coats, John Barrasso, Richard Burr, John Thune, Lisa Murkowski, Tom Cotton, Dan Sullivan, Steve Daines, Rob Portman, David Perdue, Pat Toomey, Jeff Sessions, Jerry Moran, John Boozman, James E. Risch, Richard Shelby, John Hoeven.

DISCHARGE PETITION—S.J. RES. 24

We, the undersigned Senators, in accordance with chapter 8 of title 5, United States Code, hereby direct that the Senate Committee on Environment and Public Works be discharged from further consideration of S.J. Res. 24, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units," and further, that the resolution be placed upon the Legislative Calendar under General Orders.

Shelley Moore Capito, Joni K. Ernst, Roger Wicker, John Barrasso, David Perdue, Mike Crapo, Deb Fischer, James Lankford, John Thune, Heidi Heitkamp, Joe Manchin, James Inhofe, Tim Scott, Dan Sullivan, Mike Rounds, Mitch McConnell, Jeff Flake, Orrin Hatch, Mike Lee, Thom Tillis, John Cornyn, Lamar Alexander, Jeff Ses-

sions, Roy Blunt, Pat Toomey, Steve Daines, Jerry Moran, Richard Shelby, John Hoeven, Johnny Isakson.

ADDITIONAL STATEMENTS

TRIBUTE TO IVAN BELL WOODFORD

• Mr. HELLER. Mr. President, today, I wish to congratulate Ivan Bell Woodford on being selected to serve as grand marshal for the city of Reno's Veterans Day Parade. As Nevada's oldest living World War II veteran, there is no doubt Mr. Woodford deserves this honor. It gives me great pleasure to recognize his years of service to both the United States of America and our great State.

Mr. Woodford grew up at Lake Elsinore, working on the family ranch. He later enlisted in the United States Navy in 1942 as a Seabee. Throughout World War II, he served at Pearl Harbor and Midway Island, operating heavy equipment and cranes to clear debris from the destruction of the war. His unit was later stationed in the Philippines.

In 1946, Mr. Woodford established his residency in Reno, working for local excavating companies as a heavy machinery operator. He worked for more than 30 years in this industry, helping complete various projects throughout Reno and Lake Tahoe. He aided in laying the foundation of housing pads across Reno, leveling the ground for construction projects near Lake Tahoe, dredging what is now Virginia Lake, and cleaning irrigation ditches to develop Spanish Springs Valley. He also worked heavy machinery during the development of Interstate 80 and many other roads throughout Washoe Valley, leaving his mark in northern Nevada for generations to come. No doubt, he witnessed and contributed to some of the largest growth and expansion throughout the area.

His many contributions to making our State the best it can be, as well as his service to this country, demonstrates his generous character. His actions represent only the greatest of Nevada's values and place him among the outstanding men and women who have valiantly defended our nation. Our State is fortunate to have someone like Mr. Woodford to serve as a role model.

As a member of the Senate Veterans' Affairs Committee, I recognize that Congress has a responsibility not only to honor the brave individuals who serve our Nation, but also to ensure they are cared for when they return home. I remain committed to upholding this promise for veterans, like Mr. Woodford, in Nevada and throughout the Nation.

Mr. Woodford has demonstrated professionalism, commitment to excel-

lence, and dedication to the highest standards of the United States Navy. His work throughout Nevada is invaluable. I am both humbled and honored by his service and am proud to call him a fellow Nevadan. Today, I ask my colleagues to join me in congratulating Mr. Woodford for all of his accomplishments, as well as his participation in the city of Reno's Veterans Day Parade. •

TRIBUTE TO BRIAN BURTON

• Mr. HELLER. Mr. President, today I wish to recognize Brian Burton, president and chief executive officer of Three Square, for his tireless efforts in enhancing the lives of many across southern Nevada. Mr. Burton brings more than 20 years of nonprofit experience to Three Square, helping feed thousands of southern Nevadans who would otherwise go hungry. Mr. Burton has contributed greatly to his community by working to make Three Square the best it can be.

Largely due to Mr. Burton's many years of hard work, Three Square is able to offer a variety of programs to help those who would normally go without a wholesome meal. The organization works to source food, raise money, and grow its volunteer base to provide food to outside partners that distribute meals directly to those in need. Three Square services Clark, Nye, Lincoln, and Esmeralda Counties, feeding over 300,000 Nevadans. Our State is fortunate to have someone such as Mr. Burton running this organization, which is critical to many across southern Nevada.

Previously, Mr. Burton served as executive director for Wilkinson Center in Dallas, TX, a nonprofit organization serving low-income families with food assistance, education, and case management. In his current position, Mr. Burton works to further develop and grow the organization, increase program sustainability and community engagement, diversify and increase fundraising, and offer public policy work. His contributions to this incredible organization are immense, and his efforts have not gone unnoticed.

I extend my deepest gratitude to Mr. Burton for his noble contributions to communities across southern Nevada and to the many individuals who have benefited from his work. He is a shining example of someone who strives for the betterment of his community and displays true selflessness in his work. I am thankful to have Mr. Burton serving as an ally to Nevadans in need.

Today I ask my colleagues and all Nevadans to join me in recognizing Mr. Burton and his work for Three Square, a program whose mission is both honorable and necessary. I wish Mr. Burton the best of luck in all of his future endeavors. •

TRIBUTE TO BETTY VANDIVER

• Mr. ISAKSON. Mr. President, it is an honor for me to pay tribute today to Betty Russell Vandiver, the former first lady of the State of Georgia from 1959 to 1963.

Sybil Elizabeth "Betty" Russell Vandiver is the wonderful wife of the late Georgia Governor, Earnest Vandiver. She also is the niece of Richard B. Russell, Jr., the former Georgia Senator and Governor after whom one of our U.S. Senate office buildings was named and where my office in Washington, DC, is located. But Betty Vandiver is more than that.

At the time, Mrs. Vandiver became first lady in 1959, Central State Hospital in Milledgeville, GA, served as the State's only State hospital for the mentally ill and developmentally disabled. In the late 1950s, Central State Hospital was home to more than 12,000 patients, many of whom had been abandoned by their families at an early age.

After visiting the hospital, Mrs. Vandiver became concerned about these patients, and she determined that she would devote much of her time and energy as first lady to raising public awareness of the needs of Georgia's mentally ill and developmentally disabled.

One of Mrs. Vandiver's initiatives included working with the Georgia Municipal Association to create a statewide Christmas gift collection drive known as the Mayors' Motorcade. This special event was established in 1959 and expanded years later to support the inhabitants of the State's regional hospitals. Since then, caring Georgians support the Mayors' Motorcade each year by donating gifts to cities participating in the program.

Through Mrs. Vandiver's efforts, thousands and thousands of patients residing at Georgia's State hospitals have received Christmas gifts and visits from city officials at special motorcade events.

On December 1, 2015, we will celebrate Betty Vandiver Day in Georgia. Today it is my pleasure to honor Mrs. Vandiver for having the vision to create the Mayors' Motorcade program as a way of providing not only gifts, but also critical public awareness about the needs of Georgia's mentally ill and developmentally disabled.●

100TH ANNIVERSARY OF BOY SCOUT TROOP 283

• Ms. KLOBUCHAR. Mr. President, today I celebrate the 100th anniversary of Boy Scout Troop 283 of Wayzata, MN, which occurred on November 15, 2015. Troop 283 is the oldest continually chartered troop in the State and has counted thousands of Scouts as its members since its inception.

The development of character, physical fitness, and civic engagement have always been central tenants of the Boy

Scouts. The Scouts of Troop 283 epitomize these values and continue to learn the skills necessary to be compassionate, tolerant, and dynamic leaders. In fact, to date, 151 of Troop 283's Scouts have earned the rank of Eagle Scout, the highest rank attainable within the Boy Scouts. Each aspiring Eagle Scout must complete a demanding Eagle project that showcases their ability and willingness to serve their community. These Eagle projects, along with a myriad of other service projects completed by the Scouts of Troop 283, have demonstrated their positive impact to Wayzata and the surrounding community. I am confident that Troop 283 will continue to be a positive influence well into the future.

I recognize Troop 283 for its 100 years of service to Wayzata and the great State of Minnesota. To the Scouts of Troop 283 and the family and friends that support them, thank you and congratulations on your 100th anniversary.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 6:53 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the amendment of the Senate to the resolution (H. Con. Res. 90) directing the Secretary of the Senate to make a technical correction in the enrollment of S. 1356.

MEASURES DISCHARGED

The following joint resolutions were discharged by petition, pursuant to 5 U.S.C. 802(c), and placed on the calendar:

S.J. Res. 23. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units".

S.J. Res. 24. Joint resolution providing for congressional disapproval under chapter 8 of

title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units".

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HATCH (for himself, Mr. REED, Mr. BURR, and Mr. FRANKEN):

S. 2282. A bill to amend the Public Health Service Act to reauthorize the C.W. Bill Young Cell Transplantation Program and the National Cord Blood Inventory, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DAINES (for himself and Mr. RISCH):

S. 2283. A bill to ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCONNELL (for himself, Mr. REID, Mr. CORKER, Mr. CARDIN, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. McCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 313. A resolution condemning the terrorist attacks in Paris and offering thoughts and prayers for the victims, condolences to their families, resolve to support the people of France, and the pledge to defend democracy and stand in solidarity with the country of France and all our allies in

the face of this horrific attack on freedom and liberty; considered and agreed to.

ADDITIONAL COSPONSORS

S. 108

At the request of Mr. ALEXANDER, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 108, a bill to amend the Higher Education Act of 1965 to improve access for students to Federal grants and loans to help pay for postsecondary, graduate, and professional educational opportunities, and for other purposes.

S. 553

At the request of Mr. CORKER, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 553, a bill to marshal resources to undertake a concerted, transformative effort that seeks to bring an end to modern slavery, and for other purposes.

S. 627

At the request of Ms. AYOTTE, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 627, a bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes.

S. 637

At the request of Mr. CRAPO, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 743

At the request of Mr. BOOZMAN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 743, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 746

At the request of Mr. WHITEHOUSE, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 849

At the request of Mr. ISAKSON, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 849, a bill to amend the Public Health Service Act to provide for systematic data collection and analysis and epidemiological research regarding Multiple Sclerosis (MS), Parkinson's disease, and other neurological diseases.

S. 901

At the request of Mr. MORAN, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Iowa (Mr. GRASSLEY) were added as co-

sponsors of S. 901, a bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces that are related to that exposure, to establish an advisory board on such health conditions, and for other purposes.

S. 1555

At the request of Ms. HIRONO, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1567

At the request of Mr. PETERS, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1567, a bill to amend title 10, United States Code, to provide for a review of the characterization or terms of discharge from the Armed Forces of individuals with mental health disorders alleged to affect terms of discharge.

S. 1789

At the request of Mr. WHITEHOUSE, his name was added as a cosponsor of S. 1789, a bill to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan.

S. 1856

At the request of Mr. BLUMENTHAL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1856, a bill to amend title 38, United States Code, to provide for suspension and removal of employees of the Department of Veterans Affairs for performance or misconduct that is a threat to public health or safety and to improve accountability of employees of the Department, and for other purposes.

S. 1874

At the request of Mr. HATCH, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 1874, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1982

At the request of Mr. CARDIN, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1982, a bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance.

S. 1996

At the request of Mr. WARNER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1996, a bill to streamline the employer reporting process and strengthen the eligibility verification process

for the premium assistance tax credit and cost-sharing subsidy.

S. 2042

At the request of Mrs. MURRAY, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 2042, a bill to amend the National Labor Relations Act to strengthen protections for employees wishing to advocate for improved wages, hours, or other terms or conditions of employment and to provide for stronger remedies for interference with these rights, and for other purposes.

S. 2045

At the request of Mr. HELLER, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Arkansas (Mr. COTTON) were added as cosponsors of S. 2045, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

S. 2152

At the request of Mr. CORKER, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 2152, a bill to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes.

S. 2163

At the request of Ms. KLOBUCHAR, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2163, a bill to amend title 23, United States Code, to direct the Secretary of Transportation to require that broadband conduits be installed as a part of certain highway construction projects, and for other purposes.

S. 2232

At the request of Mr. PAUL, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Oklahoma (Mr. LANKFORD) were added as cosponsors of S. 2232, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

S. 2235

At the request of Mr. MARKEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2235, a bill to repeal debt collection amendments made by the Bipartisan Budget Act of 2015.

S. 2248

At the request of Mr. DURBIN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2248, a bill to amend the Public Health Service Act to coordinate

Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

S. 2251

At the request of Ms. WARREN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2251, a bill to provide for a supplementary payment to Social Security beneficiaries, supplemental security income beneficiaries, and recipients of veterans benefits, and for other purposes.

S. 2252

At the request of Mr. BROWN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 2252, a bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to issue prospective guidance clarifying the employment status of individuals for purposes of employment taxes and to prevent retroactive assessments with respect to such clarifications.

S. 2266

At the request of Mr. GRASSLEY, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2266, a bill to amend the Immigration and Nationality Act to reform and reduce fraud and abuse in certain visa programs for aliens working temporarily in the United States, and for other purposes.

S. RES. 282

At the request of Mrs. SHAHEEN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Res. 282, a resolution supporting the goals and ideals of American Diabetes Month.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HATCH (for himself, Mr. REED, Mr. BURR, and Mr. FRANKEN):

S. 2282. A bill to amend the Public Health Service Act to reauthorize the C.W. Bill Young Cell Transplantation Program and the National Cord Blood Inventory, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. HATCH. Mr. President, I rise today to introduce the Stem Cell Therapeutic and Research Reauthorization Act of 2015. I am glad to have Senators REED, BURR, and FRANKEN joining me as sponsors of this bipartisan bill that will reauthorize critical, innovative, and life-saving programs.

We have been working on this legislation throughout the year and have met with stakeholders in blood cell transplantation to receive their input. We also included members of the Senate Health, Education, Labor and Pension Committee who are deeply committed to passing this legislation.

In drafting this legislation, we also collaborated with our counterparts in the House of Representatives. I am grateful for the leadership of Congressman CHRIS SMITH and Congresswoman DORIS MATSUI, who did so much to get this legislation through the House. I commend my colleagues and their staffs for their hard work.

I appreciate the opportunity to provide some history and background that will explain why this reauthorization bill is so important. This legislation will reauthorize for another five years both the C.W. Bill Young Cell Transplantation Program and the National Cord Blood Inventory, which are administered by the Health Resources and Services Administration. These vital programs provide access to life-saving treatments for serious conditions and disease.

Bone marrow contains blood-forming stem cells that develop into the three blood cell types that keep the body healthy. The body uses those red blood cells, white blood cells, and platelets as building blocks for blood, tissue, and organs. These blood cells die naturally, and the body must continuously make new ones. Serious health problems can develop in people whose bone marrow cannot make enough new blood cells to replace the cells that die.

Cord blood is a newborn baby's blood that remains in the placenta or after birth. This blood can be collected after delivery at no risk to the mother and baby. Like bone marrow, cord blood is also rich with stem cells, and doctors can use it as an alternative to bone marrow transplant. In fact, research in the mid-1980s highlighted the promise of cord blood, demonstrating that it is more highly enriched with blood-forming stem cells than bone marrow.

Cord blood transplantation has been used successfully to treat leukemia, lymphoma, immunodeficiency diseases, sickle cell anemia, and certain metabolic diseases. In addition to treating cancer and other blood diseases, researchers are currently testing stem cells for a host of disorders, including autoimmune and genetic disorders.

Cord blood research is also showing potential for use in the innovative fields of cellular therapy and regenerative medicine. Vaccines derived from cord blood to use against viruses and certain types of cancers are currently in early trials. Research has also indicated that cord blood could be used to treat conditions for which few treatments are available, such as stroke, cerebral palsy, hearing loss, autism, and traumatic brain injury.

Dr. Joanne Kurtzberg of the Carolinas Blood Bank is one of the world's leading stem cell researchers at Duke University in Durham, North Carolina. At the time of that groundbreaking scientific research in the 1980s, Dr. Kurtzberg was caring for a 5 year old boy named Matthew who had a rare, in-

herited blood disorder called Fanconi anemia—a disease that leads to bone marrow failure. In light of the new scientific findings, doctors planned a cord blood transplant for Matthew at a hospital in Paris, France, using fully matched cord blood that had been collected during the birth of his newly born baby sister. Matthew's transplant in 1988 was a success, laying the groundwork for cord blood transplantation.

Matthew is now in his 30s. He is married, working, and living a healthy and productive life. He is living proof that cord blood contains stem cells that can replenish the bone marrow and immune system throughout a patient's life.

In 1993, with the assistance of Dr. Pablo Rubenstein of the New York Blood Center, Dr. Kurtzberg performed the world's first unrelated donor cord blood transplant at Duke University. Over the following years, these amazing research doctors discovered more about the use of cord blood transplantation in patients who cannot find a fully matched donor.

Dr. Kurtzberg is also the president of the Cord Blood Association, CBA. I am thankful for Dr. Kurtzberg and the CBA's support in helping us develop meaningful legislation that will help cord blood banks do their jobs. I also owe gratitude for the input and guidance on this reauthorization bill that my staff and I received from Mike Boo and Dr. Jeffrey Chell with the National Marrow Donor Program, NMDP.

I am proud to have a long history of working on this issue. In early 2003, I met with Joanne Kurtzberg, Pablo Rubenstein, and Phil Coelho of Thermogenesis Corporation to discuss umbilical cord blood therapies as a promising alternative to bone marrow transplantation and how the Federal Government could help to increase collection efforts.

That night, I called Health and Human Services Secretary Tommy Thompson to talk to him about this new science, and he agreed to meet with Joanne, Pablo, and Phil the very next day. Staff from the Health Resources and Services Administration, the Food and Drug Administration, and the National Institutes of Health joined us for that discussion. Secretary Thompson stressed that cord blood banks would need to be managed through HRSA and promised to support my legislation.

In October 2003, I introduced a bill to amend the Public Health Service Act to establish a National Cord Blood Stem Cell Bank Network to prepare, store, and distribute human umbilical cord blood stems cells for the treatment of patients and to support peer-reviewed research using those cells. That bill, the Cord Blood Stem Cell Act of 2003, S. 1717, gained strong bipartisan support over the last few months of the 108th Congress.

Although it did not pass the Senate, my 2003 bill helped to generate more interest in and support for blood stem cell transplantation. I kept working on legislation to help increase access to these life-saving transplants in the following Congress. In April 2005, the Institute of Medicine, IOM, issued recommendations to create a national cord blood network. Those of us in Congress who had been working on cord blood and bone marrow realized that combining our bipartisan, bicameral efforts would benefit patients by increasing treatment options and encouraging future research. We reviewed the IOM report and incorporated those important recommendations into one comprehensive bill.

That legislation, the Stem Cell Therapeutic and Research Act of 2005, P.L. 109-129, that was signed into law on December 20, 2005, created the National Cord Blood Inventory and established an inventory goal of at least 150,000 new and diverse cord blood stem cell units.

The 2005 law also combined the NCBI with the bone marrow donor program that had been created in 1986 by the late Congressman Bill Young to create a single point of access for blood stem cell transplants and research. This single point of access allows physicians the ability to search for any potential adult volunteer bone marrow donor or umbilical cord blood unit anywhere across the globe.

Finally, our 2005 law also named the program the C.W. Bill Young Cell Transplantation Program, in honor of Bill's tireless efforts to promote bone marrow donation and transplantation.

Five years later, I was the lead sponsor of the Stem Cell Therapeutic and Research Reauthorization Act of 2010, P.L. 111-264, which was signed into law on October 8, 2010, and reauthorized the Program and the NCBI for another 5 years. The 2010 law also placed new emphasis on exploring innovations in cord blood collection and increasing the number of collection sites across the nation.

Great progress has been made toward achieving the NCBI's goal of at least 150,000 diverse cord blood units; however, data suggest that the number of available cord blood units in the United States is still insufficient to meet the estimated need for unrelated transplant, which has increased by 25 percent since 2005. The number of transplants for patients in minority populations has increased from 253 in 2000 to 990 in 2014. Much of this increase can be attributed to the increased potential for bone marrow or cord blood transplant. This is exciting, promising science.

There are still challenges to the success of bone marrow and cord blood transplantation. Not all cord blood units contain enough cells to transplant into all patients. In many cases,

more than one unit is preferred or necessary for larger children or adults. New science indicates the possibility that using larger, higher quality cord blood units will reduce the incidence of graft-versus-host disease, GVHD, a serious complication of blood cell transplantation in which the donor cells attack the recipient. GVHD is the biggest barrier to successful transplantation.

I am glad to know that the Advisory Council and HRSA have been working with public cord blood banks to discuss ways to increase CBU quality and diversity. As the inventory continues to grow, the diverse units within the NCBI will serve an increasing number of patients that have difficulty obtaining cells from well-matched adult donors.

Cell dose and degree of match between patient and CBU are both strongly associated with transplant outcomes. A larger inventory of publicly available CBUs also will contribute to improved patient survival after transplant because a growing inventory of high cell count CBUs will allow better tissue matches.

Cord blood banks have told us that they cannot do this on their own. Without continued support from HRSA, this life-saving science would be financially unsustainable. We must reauthorize this important program.

Today, I am introducing the Stem Cell Therapeutic and Research Reauthorization Act of 2015 to further advance the important work of the bone marrow and cord blood programs.

Passage of this legislation will preserve the commitment that the Congress made three decades ago to help patients with blood cancers and other life-threatening diseases by helping to increase access to life-saving transplants. It will also open the doors to new discoveries within the fields of cellular therapy and regenerative medicine. I am proud to introduce the Stem Cell Therapeutic and Research Reauthorization Act of 2015, and I urge my colleagues to support it.

Mr. REED. Mr. President, today I am pleased to introduce the Stem Cell Therapeutic and Research Reauthorization Act of 2015 with Senators HATCH, FRANKEN, and BURR. This bill offers promise to the tens of thousands of individuals diagnosed with leukemia and lymphomas, sickle cell anemia, and rare genetic blood disorders.

It will reauthorize the C.W. Bill Young National Marrow Donor Program, which has been helping to connect individuals in need of a bone marrow transplant with donors since 1986, and the National Cord Blood Inventory, which has been helping to connect individuals in need of an umbilical cord blood transplant with donors since 1999.

The public registries, made up of donors from all over the country, have been a true lifeline for the Americans

who have found an unrelated match. By strengthening and enhancing the important programs operating these registries, many more Americans will be afforded the opportunity to find a match if they are ever in need.

I look forward to swift consideration of this legislation in the Health, Education, Labor, and Pensions Committee and working toward passage in the full Senate.

By Mr. DAINES (for himself and Mr. RISCH):

S. 2283. A bill to ensure that small business providers of broadband Internet access service can devote resources to broadband deployment rather than compliance with cumbersome regulatory requirements; to the Committee on Commerce, Science, and Transportation.

Mr. DAINES. Mr. President, small businesses are the backbone of America. They generate more than half of the country's private GDP and support millions of families. In Montana, thanks to technology, geography is no longer a constraint and entrepreneurs have been able to build world-class companies without leaving the state.

Access to the global marketplace is largely dependent on access to the Internet. Large incumbent carriers often do not have enough of an incentive to serve rural America so States like Montana really depend on small businesses to fill in the gaps and connect our communities. Without small broadband providers, many Montanans would remain unserved. This is why it is so important to support our small businesses and allow them to continue to provide jobs and economic growth in their communities.

Burdensome regulations like the FCC's net neutrality rules are strangling our small businesses and preventing growth and investment. The enhanced transparency requirements in particular require small businesses to disclose an excess amount of information including network packet loss, network performance by geographic area, network performance during peak usage, network practices concerning a particular group of users, triggers that activate network practices, and the list goes on. Small companies like Grizzly Internet in West Yellowstone, MO, operate with only three employees and do not have a team of attorneys dedicated to regulatory compliance. Small businesses simply do not have the bandwidth to take on additional regulatory burdens.

That is why I am proud to introduce the Small Business Broadband Deployment Act of 2015 with my colleague Senator RISCH. The bill makes permanent the FCC's temporary small business exception to the net neutrality enhanced transparency requirements. There is broad support in the record for a small business exception, including

support from the American Cable Association, Rural Wireless Association, Competitive Carriers Association, Wireless Internet Service Providers Association, CTIA—The Wireless Association, Rural Broadband Provider Coalition, WTA—Advocates for Rural Broadband. Additionally, the Small Business Administration's Office of Advocacy filed comments with the FCC stating, "Advocacy has concerns that compliance with the enhanced transparency requirements under the 2015 Open Internet Order is not feasible for small broadband providers, particularly small rural providers, and may ultimately degrade the quality of service that consumers receive from small providers." Providing relief from over 300 pages of net neutrality rules will allow small businesses to focus on deploying infrastructure and serving their customers rather than spending time on regulatory compliance. I ask my colleagues to join me in cosponsoring this much needed legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2283

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Business Broadband Deployment Act of 2015".

SEC. 2. EXCEPTION TO ENHANCEMENT TO TRANSPARENCY REQUIREMENTS FOR SMALL BUSINESSES.

(a) DEFINITIONS.—In this Act—

(1) the term "broadband Internet access service"—

(A) means a mass-market retail service by wire or radio that provides the capability to transmit data to and receive data from all or substantially all Internet endpoints, including any capability that is incidental to and enables the operation of the communications service; and

(B) does not include dial-up Internet access service; and

(2) the term "small business" means any provider of broadband Internet access service that has not more than—

- (A) 1,500 employees; or
- (B) 500,000 subscribers.

(b) EXCEPTION FOR SMALL BUSINESSES.—The enhancements to the transparency rule of the Federal Communications Commission under section 8.3 of title 47, Code of Federal Regulations, as described in paragraphs 162 through 184 of the Report and Order on Remand, Declaratory Ruling, and Order of the Federal Communications Commission with regard to protecting and promoting the open Internet (adopted February 26, 2015) (FCC 15-24), shall not apply to any small business.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 313—CONDEMNING THE TERRORIST ATTACKS IN PARIS AND OFFERING THOUGHTS AND PRAYERS FOR THE VICTIMS, CONDOLENCES TO THEIR FAMILIES, RESOLVE TO SUPPORT THE PEOPLE OF FRANCE, AND THE PLEDGE TO DEFEND DEMOCRACY AND STAND IN SOLIDARITY WITH THE COUNTRY OF FRANCE AND ALL OUR ALLIES IN THE FACE OF THIS HORRIFIC ATTACK ON FREEDOM AND LIBERTY

Mr. MCCONNELL (for himself, Mr. REID, Mr. CORKER, Mr. CARDIN, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 313

Whereas, on November 13, 2015, at least eight armed gunmen and suicide bombers conducted six separate attacks across the city of Paris, France, killing at least 129 civilians and wounding over 350 innocent men, women, and children;

Whereas these horrific attacks mark the deadliest violence to strike the Republic of France since World War II, the worst act of terrorism to strike Europe since the 2004 attacks in Madrid, Spain, that killed 191 and wounded approximately 1,800 others, and one of the worst terrorist acts carried out on Western soil since the catastrophic attacks of September 11, 2001;

Whereas Paris is still grieving from the January 7, 2015, terrorist attack on the offices of the French newspaper Charlie Hebdo that brutally murdered 12 people and injured at least 11 others;

Whereas President of the Republic of France Francois Hollande has declared a national state of emergency and deployed approximately 1,500 military members across the city of Paris;

Whereas President Hollande condemned these events as "an act of war that was committed by a terrorist army, a jihadist army, Daesh";

Whereas President Hollande further declared that "when terrorists are capable of committing such atrocities they must be certain that they are facing a determined France, a united France, a France that is together and does not let itself be moved, even if today we express infinite sorrow";

Whereas President Barack Obama called these heinous actions not just an attack on Paris and the people of France, but an attack on all of humanity and the universal values that we share;

Whereas the Republic of France is America's oldest ally, dating back to Marquis de Lafayette, and the people of the United States and France mutually share a debt of gratitude that dates from the formation of our republics through two world wars;

Whereas the people of the Republic of France have expressed solidarity with the people of the United States, including following the terrorist attack of September 11, 2001, which claimed the lives of thousands of innocent civilians in the United States;

Whereas the French people have made manifest their commitment to the United States by partnering with United States forces in Afghanistan and Iraq and as an important partner in the fight against extremist terrorism in Mali and around the world;

Whereas at least one United States citizen was murdered in these heinous attacks and at least four others were injured; and

Whereas these attacks represent both an assault on freedom and democracy and an unmitigated evil that the United States and United States allies must stand united to defeat: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the brutal attacks on the people of Paris that resulted in the death of at least 129 people, including one United States citizen, through shootings, hostage-taking, and suicide bombings of innocent, civilian targets;

(2) expresses its heartfelt condolences and deepest sympathies for the victims and family members of those attacked;

(3) renews the solidarity of the people and Government of the United States with the people and Government of the Republic of France; and

(4) pledges support for the Government of France to pursue justice against those involved in these heinous attacks and to prevent future attacks.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. MORAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 16, 2015, at 5 p.m., to conduct a classified briefing entitled "U.S. Policy Tools to Combat North Korea's Nuclear and Ballistic Missile Capabilities."

The PRESIDING OFFICER. Without objection, it is so ordered.

CONDEMNING THE TERRORIST ATTACKS IN PARIS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 313, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 313) condemning the terrorist attacks in Paris and offering thoughts and prayers for the victims, condolences to their families, resolve to support the people of France, and the pledge to defend democracy and stand in solidarity with the country of France and all our allies in the face of this horrific attack on freedom and liberty.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 313) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR TUESDAY, NOVEMBER 17, 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, November 17; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day, and that the Senate then observe a moment of silence for the victims of the Paris attacks; further, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, until 11 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:07 p.m., adjourned until Tuesday, November 17, 2015, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

SECURITIES AND EXCHANGE COMMISSION

HESTER MARIA PEIRCE, OF OHIO, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2021. (REAPPOINTMENT)

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE SURGEON GENERAL, UNITED STATES ARMY, AND FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3036:

To be lieutenant general

MAJ. GEN. NADJA Y. WEST

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. EDWARD E. HILDRETH III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL JENNIFER G. BUCKNER

COLONEL SEAN A. GAINES

COLONEL DAVID T. ISAACSON

COLONEL PATRICK B. ROBERSON

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY AS DEPUTY COMMANDANT FOR OPERATIONS IN THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

REAR ADM. FRED M. MIDGETTE

CONFIRMATION

Executive nomination confirmed by the Senate November 16, 2015:

THE JUDICIARY

LASHANN MOUTIQUE DEARCY HALL, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK.

HOUSE OF REPRESENTATIVES—Monday, November 16, 2015

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Ms. FOXX).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 16, 2015.

I hereby appoint the Honorable VIRGINIA FOXX to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving and gracious God, we give You thanks for giving us another day. Help us this day to draw closer to You so that, with Your spirit, and aware of Your presence among us, we may all face the tasks of this day.

On this day, the House returns when the world is even more dramatically aware of the violence that marks these days worldwide. May all people of goodwill in every nation be inspired to beat back those who would visit death and destruction upon even the innocent, and may peace, which is so sorely longed for, break forth in our midst.

Bless the Members of the people's House. Help them to think clearly, speak confidently, and act courageously in the belief that all noble service is based upon patience, truth, and love.

May all that is done this day be for Your greater honor and glory.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. KILDEE) come forward and lead the House in the Pledge of Allegiance.

Mr. KILDEE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

CONTAINMENT OF ISIS IS NOT A STRATEGY

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Madam Speaker, Friday morning President Obama boastfully declared to the world that ISIS was contained.

Hours later, Paris was burning. ISIS fighters unleashed coordinated attacks all over the City of Lights, murdering 130 people and injuring hundreds of others. This, just weeks after ISIS blew up an airplane, killing over 200 people.

The President is wrong. ISIS is not contained. ISIS' homicidal aggression has spread from the Middle East to the sleeping West. This morning, the radical killers released a video threatening an attack on Washington, D.C.

Shall we dither until this Capital is bombed? I think not. This is our fight, but it is not our fight alone.

We should immediately invoke article 5 of the NATO agreement. This says an attack on one NATO nation—such as France is an attack on all NATO nations. This paves the way for a truly joint and international response to ISIS. The U.S. invoked this provision after the 9/11 attack.

All 28 NATO nations need to join the war against our common enemy because containment is not a strategy.

And that is just the way it is.

A PUBLIC HEALTH CRISIS IN FLINT, MICHIGAN

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Madam Speaker, right now in my hometown of Flint, Michigan, there is a public health crisis. In the 21st century, in a city of 100,000 people, they cannot deliver safe drinking water. They can't guarantee safe drinking water because of high lead levels. As a result of a decision by a State-appointed financial receiver, the city now has water that is undrinkable.

I continue to pursue all avenues to provide relief to my hometown as they struggle with this crisis, to provide relief to the victims and support to that community as it now has to rebuild its water infrastructure.

The State of Michigan could act to forgive the city of its current debt to

the Drinking Water Revolving Loan Fund, and it should do that immediately. I am pushing for action to do that, and that requires not only the support of the State government but the Federal Government as well.

The State also must act to provide a health fund to provide monitoring, education in the short term, and assistance in the long term to individuals, especially children, who have been exposed to high levels of lead.

What is happening in Flint is a failure of government. It cannot be allowed, and the State and Federal Government need to act to help this poor city.

SYRIAN REFUGEE CRISIS

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Madam Speaker, this morning my Governor, Governor Abbott of Texas, sent a letter to President Obama: "I write to inform you that the State of Texas will not accept any refugees from Syria in the wake of the deadly attacks in Paris."

This tragedy on Friday follows quickly behind Secretary Kerry's announcement that the United States will be taking in an unprecedented number of refugees.

Last month the Helsinki Commission, of which I am a member, held a hearing. Assistant Secretary of State Anne Richards said that refugees were fleeing to Europe because they perceived those borders to be open.

Madam Speaker, there can be no perception that our borders are open. During my questioning last month, it became clear to me that we do not have the procedures in place to perform adequate and thorough background checks on refugees.

President Obama is engaged in what may be best described as magical thinking. Certainly, it is a fragmented strategy to combat ISIS.

The world held a moment of silence this morning. We should not be silent on this issue any longer.

WE STAND WITH FRANCE

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Madam Speaker, as we saw on Friday, as most Americans were perhaps heading home for the

weekend, at least 129 innocent civilians were killed by terrorists in Paris.

One of the attacks took place at a Paris concert hall, where a band from Palm Desert, California, was scheduled to play.

Nohemi Gonzalez, an American and 23-year-old junior at California State University, Long Beach, was doing a semester abroad and was killed while having dinner with her classmates.

Madam Speaker, our thoughts, our prayers, our hearts go out to the families of the victims and the people of France. We stand with the French people, just as they stood with us after 9/11 and so many other times in our past, going back to our founding as a nation.

This attack was a deliberate attempt to use violence and the destruction of innocent lives as a means of spreading a hateful ideology against the world. ISIS must be defeated and destroyed, not contained.

Madam Speaker, we hear rhetoric coming from this administration that global warming is the greatest threat. Indeed. Tell that to the families, the victims of what happened in Paris.

CHAMPIONS OF FREEDOM WILL NOT BE STOPPED

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, on Friday, November 13, the world was reminded once again that freedom has its foes when Islamic State militants killed 129 people and injured hundreds more in coordinated terrorist attacks in Paris.

As we mourn those whose lives were lost and pray for the people of France as they confront this terrible tragedy, we must let the adversaries of liberty know that champions of freedom will not be stopped. We will not waver, we will not cede strength, and we will stand firm.

Today a video released by an Islamic State subgroup appears to show militants praising the Paris attacks and warning that a similar attack could take place in Washington.

Congress will continue to explore ways in which we can defeat Islamic State, but it is time for President Obama, who told ABC News on Friday that we "have contained" Islamic State, to take seriously this threat to our Nation and all that we stand for.

MELANEY SMITH AND BOOKS FOR KEEPS

(Mr. COLLINS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize a constituent in my district who has made a difference in the lives of many students.

In 2009, Melaney Smith met a little girl in Athens, Georgia, who loved to read but had no books at home to read over the summer vacation. After realizing this little girl was one of many children in this situation, Melaney decided to start Books for Keeps, a non-profit dedicated to keeping children engaged in reading by giving them books to take home over the summer. In the 6 years since its founding, Books for Keeps has donated 185,000 books to children in 10 schools, and Melaney has plans to expand it to 15 more next year.

Many children in rural Georgia don't have regular access to libraries, especially during the summer vacation. Location and access to transportation pose a difficulty for many, especially low-income students.

Being married to a schoolteacher, I am sure my wife can attest to the frustration teachers feel when August rolls around and they have to spend precious class time reviewing and catching up before they can move on.

Every year in May, Books for Keeps sends kids off to summer vacation armed with a variety of titles tailored to their interests to entertain and challenge them over the break. We have Melaney Smith from Athens, Georgia, to thank for her initiative to encourage literacy and to inspire students.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. WOODALL) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 5, 2015.

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol,
House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 5, 2015 at 2:05 p.m.:

That the Senate agreed to S.J. Res. 22.
With best wishes, I am
Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 6, 2015.

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol,
House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following mes-

sage from the Secretary of the Senate on November 6, 2015 at 9:38 a.m.:

That the Senate agreed to S. Con. Res. 24.
That the Senate agreed to (relative to the death of Fred Thompson) S. Res. 309.

That the Senate agreed to without amendment H. Con. Res. 92.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 10, 2015.

Hon. PAUL D. RYAN,
*The Speaker, House of Representatives,
Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 10, 2015 at 11:20 a.m.:

That the Senate passed S. 1004.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 10, 2015.

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol,
House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 10, 2015 at 1:58 p.m.:

That the Senate concur in the House amendment to the bill S. 1356.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 10, 2015.

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol,
House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 10, 2015 at 5:16 p.m.:

That the Senate disagree to House amendment to Senate amendment to text of the bill H.R. 22.

Senate agree to conference asked by the House, Senate appointed conferees.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 12, 2015.

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol,
House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 12, 2015 at 3:25 p.m.:

That the Senate passed S. 1203.

That the Senate passed with an amendment H. Con. Res. 90.

That the Senate passed with an amendment H.R. 2029.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 16, 2015.

Hon. PAUL D. RYAN,
*The Speaker, House of Representatives,
Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 16, 2015 at 10:21 a.m.:

That the Senate passed S. 2280.

That the Senate passed with an amendment H.R. 2262.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3 p.m. today.

Accordingly (at 2 o'clock and 15 minutes p.m.), the House stood in recess.

□ 1500

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 3 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

KEEP THE PROMISE ACT OF 2015

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 308) to prohibit gaming activities on certain Indian lands in Arizona until the expiration of certain gaming compacts.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 308

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Keep the Promise Act of 2015".

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) In 2002, the voters in the State of Arizona approved Proposition 202, the Indian Gaming Preservation and Self-Reliance Act.

(2) To obtain the support of Arizona voters to approve Proposition 202, the Indian tribes within Arizona agreed to limit the number of casinos within the State and in particular within the Phoenix metropolitan area.

(3) This Act preserves the agreement made between the tribes and the Arizona voters until the expiration of the gaming compacts authorized by Proposition 202.

SEC. 3. DEFINITIONS.

For the purposes of this Act—

(1) the terms "Indian tribe", "class II gaming", and "class III gaming" have the meanings given those terms in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703); and

(2) the term "Phoenix metropolitan area" means land within Maricopa County and Pinal County, Arizona, that is north of latitude 33 degrees, 5 minutes, 13 seconds north, east of longitude 113 degrees, 20 minutes, 0 seconds west, and west of longitude 110 degrees, 50 minutes, 45 seconds west, using the NED 1983 State Plane Arizona FOPS 0202 coordinate system.

SEC. 4. GAMING CLARIFICATION.

(a) PROHIBITION.—Class II gaming and class III gaming are prohibited on land within the Phoenix metropolitan area acquired by the Secretary of the Interior in trust for the benefit of an Indian tribe after April 9, 2013.

(b) EXPIRATION.—The prohibition in subsection (a) shall expire on January 1, 2027.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Mem-

bers may have 5 legislative days to revise and extend their remarks and to include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

There was no objection.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 308, the Keep the Promise Act, introduced by a bipartisan group of Members from the Arizona delegation, would preserve an Arizona voter-approved gaming compact by prohibiting any Indian casino on land acquired in trust after April 9, 2013, in the Phoenix metropolitan area. This prohibition would expire on January 1, 2027, when the current gaming compact negotiated with the Arizona Governor expires.

This bill helps to resolve public promises that were supposedly made in good faith to the voters in Arizona. In 2002, the voters supported the passage of Proposition 202, which limited the number of tribally owned casinos in the State, and it granted tribes exclusive rights to operate casinos in Arizona.

During the Proposition 202 campaign, a public promise was made by a coalition of 17 Arizona tribes, including the Tohono O'odham Nation, to limit casino gaming in the Phoenix metropolitan area.

Unfortunately, one tribe is on the verge of breaking that commitment and more than a majority of the tribes in the State are upset.

The immediate effect of the bill is to block the TO Nation from opening an off-operation casino in the Phoenix area. As I mentioned, the bill has bipartisan support, including a majority of the House delegation, the Governor of Arizona, and six of the tribes that took part in the Proposition 202 agreement.

It is important to point out that it is not just Arizona tribes who support this bill. Tribes from other States are very concerned about what is happening in Arizona. They believe a dangerous precedent could be set if this legislation is not signed into law, leading to the expansion of off-reservation casinos.

Today's deliberations are not about stopping one casino or gaming as a whole. The Keep the Promise Act is about protecting the integrity of the State's gaming compact, the future of gaming in Arizona, and, ultimately, the future of Indian gaming in this country.

I would like to thank the gentleman, the cosponsor of this legislation, for his leadership on this bill and on this issue.

I urge my colleagues to pass this bill.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

Today, as all of us extend our condolences of support to the people of France, to the loss of life, to the friends and loved ones and families of those murdered by terrorism, we ask Congress that the administration have the resolve to defeat and deal with the horror that this terrorism has created not only in France, but in other parts of the world, and our condolences and prayers in support of the victims.

Today is also a day on which we are debating a profit-driven monopoly-seeking piece of legislation under suspension, H.R. 308, that seeks to make null and void established law, 18 court and administrative decisions, and in a very real way expose the American taxpayers to at least \$1 billion in liability.

That CBO score has been again validated and affirmed in the same analysis that was done for S. 152, the companion legislation in the Senate. This liability is for an economic taking of the Tohono O'odham Nation.

Why is this special interest earmark that we are talking about today for established human interest in the East Valley of Maricopa County in Arizona with us today on suspension? Because it is simply a piece of legislation to eliminate competition, to control the gaming market in the metro Phoenix area. The adages about let the market decide and let the consumers have choice does not apply to this piece of legislation.

Again, why is H.R. 308 under suspension when very dangerous precedence can be set by H.R. 308 if it were to become law? It eliminates existing law that was passed in 1986. It overturns 18 judicial State and Federal Court decisions and administrative decisions.

It opens up a \$1 billion taxpayer liability and creates a new category of selective sovereignty in terms of land taken into trust as a result of 1986 legislation. It nullifies the tribe's ability to yield the highest economic development from it.

It is essentially creating a Federal law that established a no-competition zone in that part of Maricopa County in the Phoenix metro area. So why not regular order, where amendments can be discussed and we can have a full debate?

Today, Monday, under suspension leads one to the belief that there is a deadline involved here, that Congress must pass H.R. 308, and the President must sign H.R. 308 by December 20, when the Tohono O'odham Casino in the West Valley is scheduled to open.

Hypothetically, it passes the House. Then it quickly passes the Senate. Then it goes to the President, is vetoed, as has been indicated by the administration. It comes back. The House overrides that veto, and the casino can't open.

This scenario places H.R. 308 in national significance, above things like security and terrorism, tax extenders

that need to come before this Congress, transportation—do we extend for additional time until the conference can come up with one package?—general government funding and appropriations, Elementary and Secondary Education Act, Land and Water Conservation Fund, and the TPP, the trade agreement.

If H.R. 308 is of this vital national importance that it overrides other issues, why suspension and why not have a real debate on the issue?

In terms of Indian Country priorities, where is the legislation of the Carcieri fix? Where is the legislation and funding appropriate for the Indian Health Service? Where are the tribal recognition reforms, as recommended by the administration? Where is the funding for BIA schools? Where is legislation to protect sacred sites? Where is government-to-government codification for consultation? Why not deal with these issues? Perhaps the lobbying influence and resources are not present to move these items so quickly to suspension.

But H.R. 308, a special interest piece of legislation to protect game and market share in Maricopa County, Arizona, has this Congress' total attention. It makes one wonder why, but I think we really know why.

With that, I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. Mr. Speaker, I thank Chairman YOUNG and also thank Chairman BISHOP and the leadership of this House for bringing this bill to the floor today. I also want to thank the bipartisan group of cosponsors for their support. I especially want to thank the Members of the Arizona delegation who have been in support of this bill.

Mr. Speaker, I include in the RECORD a budgetary impact by Michael Solon, the former senior adviser to the senior leadership; a report from the Council for Citizens Against Government Waste; and a letter from the mayors of Arizona regarding this legislation.

FORMER SENIOR ADVISOR TO SENATE LEADERSHIP PROVIDES BUDGET ANALYSIS OF H.R. 308

SAYS "NO BUDGETARY IMPACT"

The former budget advisor to Senator Mitch McConnell and Trent Lott, Michael Solon of U.S. Policy Strategies, has analyzed Congressional Budget Office's (CBO) most recent score of H.R. 308, the Keep the Promise Act and its companion bill in the Senate, S. 152.

In the analysis, Mr. Solon finds that the "the facts strongly support CBO's past repeated positions that the Keep the Promise Act will have no budgetary impact, and will not increase spending or the deficit."

CBO recently expressed uncertainty on the budget score of H.R. 308, stating that they had "no basis for estimating" any potential cost from any future litigation. Yet, Mr. Solon notes that previous CBO analyses of virtually identical legislation found no sig-

nificant impact on the federal budget: "As recently as September 2013, the Congressional Budget Office (CBO) found that the Keep the Promise Act upholding the Arizona Tribal-State Gaming Compact 'would have no significant impact on the federal budget' and 'would not affect direct spending or revenues.'"

That analysis mirrors the January, 2012 CBO report using the identical term of "no significant impact on the federal budget" in its assessment."

Additionally, Mr. Solon indicates that the specific facts of the case make a significant monetary judgment extremely unlikely: "A full analysis of the legal and factual background strongly supports CBO's original conclusion of no budget impact. Under current law, there are tremendous hurdles that the tribe would have to overcome in order to expand gambling operations beyond the limits jointly established by the state government, all the Tribes, and voters through compacts, state laws and referendum. Even if one assumed they would be successful absent the Keep the Promise Act, the chances of obtaining a significant monetary judgment against the government is extremely low, in particular because other economic uses of the property would not be barred."

Mr. Solon concludes: "While CBO is right to inform policymakers of information that introduces uncertainty in its cost estimates, in this particular case the facts strongly support the repeated previous positions of the CBO that the Keep the Promise Act will have no budgetary impact, and will not increase spending or the deficit."

CBO's recent analysis of the Senate version of the Keep the Promise Act adds that it "would not increase direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2026."

Michael Solon is a partner at U.S. policy strategies. He spent two decades on Capitol Hill. In addition to Senators McConnell and Lott, he also worked for Senator Phil Gramm, and Congressman Dick Armey.

A copy of the report is available upon request.

COUNCIL FOR CITIZENS AGAINST GOVERNMENT WASTE,

Washington, DC, November 16, 2015.

Hon. THOMAS E. PRICE, M.D.,
Chairman, Committee on the Budget,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN, Today, the House of Representatives will consider H.R. 308, the Keep the Promise Act of 2015, introduced by Rep. Trent Franks (R-Ariz.) on January 13, 2015.

The Council for Citizens Against Government Waste (CCAGW) is aware of the legislative history of this bill, to include similar bills from previous Congresses: H.R. 2938, the Gila Bend Indian Reservation Lands Replacement Clarification Act (2011), and H.R. 1410, the Keep the Promise Act of 2013. For each of the previous bills, which are virtually identical to H.R. 308, the Congressional Budget Office (CBO) determined that those bills "would have no significant impact on the federal budget" and that they "would not affect direct spending or revenues."

However, CBO has failed to provide a definitive score for H.R. 308, due to a virtually unprecedented factor: the risk of potential litigation. Of particular concern, CCAGW understands that CBO may have been pressured by opponents of the legislation to inject uncertainty into the final score. Regardless of the merits of the underlying legislation, CCAGW finds these circumstances to be troublesome.

Furthermore, CCAGW understands that, when asked to use litigation risk as a scoring factor for other legislation, CBO indicated that such an approach was inconsistent with their established procedures.

Therefore, without reference to the merits of the underlying legislation, CCAGW believes that, in the absence of a definitive score for this bill and given the precedent of two previous estimates that indicated “no significant impact” of virtually identical legislation, thus rendering CBO’s latest scoring statement an outlier, passage of H.R. 308 should not reasonably be considered to increase spending.

Sincerely,

THOMAS SCHATZ.

NOVEMBER 12, 2015.

Hon. PAUL RYAN,
Office of the Speaker of the House,
Washington, DC.

Hon. NANCY PELOSI,
Office of the Democratic Leader,
Washington, DC.

DEAR SPEAKER RYAN AND LEADER PELOSI: As the elected leaders of towns and cities in the State of Arizona, we are writing to you to convey our support for H.R. 308, the Keep the Promise Act of 2015, and urge you to pass this bill as soon as possible.

In 2002, the people of Arizona voted to approve a tribal-state compact, which, among other things, prohibited additional casinos from being built in the Phoenix area through 2027. In exchange for this prohibition, tribes were granted the exclusive authority to conduct gaming within the state. H.R. 308 simply preserves and codifies the will of the Arizona people.

For us, this issue is about more than public policy. It is about preserving the integrity of our communities by keeping casinos from opening across the street from our schools, churches, and homes. It’s also about maintaining the trust and integrity that was forged over a decade ago between tribes and our governments.

In 2002, a representative for a coalition of 17 Arizona tribes testified to the State Senate that the tribal-state gaming compact would not permit the construction of additional casinos in the Phoenix area beyond the number that existed at the time.

This promise—that there would be “no additional casinos in the Phoenix metropolitan area”—had the full and complete backing of the Tohono O’odham Nation and other tribes and was widely publicized to Arizona voters who were asked to approve the compact in a state-wide referendum. Now, the Tohono O’odham Nation is building a new casino near Phoenix, in direct opposition to the promises it made, and which voters relied on when they went to the polls.

The Tohono O’odham Nation has purchased land across the street from a high school and is building a Las Vegas style casino 100 miles from its primary reservation. This is not what the Arizona voters and other tribes intended when they approved the State-tribal gaming compacts. And, more importantly, it is contrary to the statements that Tohono O’odham made to persuade the voters of Arizona to support tribal exclusivity for gaming in Arizona.

That’s why this legislation has the support of the Governor, the State Legislature, numerous tribal governments, and almost the entire Arizona congressional delegation. Congress is the only entity that can address this issue. We ask that you move quickly to enact this legislation.

Sincerely,

LINDA KAVANAGH,

Mayor, Fountain
Hills, Arizona.

JOHN W. LEWIS,
Mayor, Town of Gilbert.

GAIL BARNEY,
Mayor, Town of
Queen Creek.

JOHN S. INSALACO,
Mayor, City of Apache
Junction.

TOM SCHOAF,
Mayor, City of
Litchfield Park.

MARK W. MITCHELL,
Mayor, City of Tempe.

JOHN GILES,
Mayor, Town of Mesa.

W.J. “JIM” LANE,
Mayor, City of Scottsdale.

JAY TIBSHRAENY,
Mayor, City of Chandler.

Mr. FRANKS of Arizona. Mr. Speaker, H.R. 308, the Keep the Promise Act, seeks to prevent Las Vegas-style gaming in the Phoenix metropolitan area until the gaming compact, to which the Arizona tribes agreed and the Arizona voters approved, expires in 2027.

One Tucson area tribe is trying to build a major casino on lands that were deceptively purchased in the Phoenix metropolitan area at the very time that they were in negotiations with other tribes in the State to craft this gaming compact duly passed by the voters.

These actions are contrary to the public commitments that this particular tribe made between 2000 and 2002 to the other 16 Indian tribes in the State of Arizona and also to the State voters of Arizona.

This legislation was then publicly supported by the passage of Proposition 202, this compact, a State referendum to limit casino gaming in the Phoenix metropolitan area. All parties knew what we were agreeing to, Mr. Speaker.

Mr. Speaker, the bipartisan cosponsors of H.R. 308 are simply trying to hold all the parties to their publicly stated commitment to the people of Arizona not to engage in gaming in the Phoenix metropolitan area.

Contrary to the opposition’s position, Congress does have a role in supervising tribal gaming. Congress has a long-established history of regulating, managing, and working with the tribes relative to tribal trust land.

Most astonishing, Mr. Speaker, is the opposition’s argument that the courts have “upheld” the tribe’s right to operate a casino on that parcel of land. Indeed, the court raised serious questions about the tribe’s misconduct, but dismissed the litigation under the doctrine of sovereign immunity. This is not a ruling on the merits in favor or against any side, Mr. Speaker. It simply means the court could not or would not issue a ruling.

This bill passed the House twice before and it had a zero CBO score. In

CBO’s analysis of this exact bill last Congress, they acknowledged the uncertainty of future legal challenges, but did not score those. This is the standard practice. Today any ruling by them to the contrary is a precedent and sets the CBO up for being politically impacted in the future, politically driven in the future.

Astonishingly, the CBO recently scored an addition to the exact same bill this Congress of zero dollars to \$1 billion. Let me say that again, Mr. Speaker. The CBO added a score now to this same bill from zero last time to now zero to \$1 billion.

Now, of course, they were lobbied to do that in an unprecedented way while admitting it had no basis to issue any conjecture about a possible lawsuit resulting from the passage of this bill.

CBO admits it had no basis to score litigation. The CBO has never scored potential litigation on other bills. This score should be ignored as useless and harmful if allowed as a precedent, Mr. Speaker.

This bill does not impact any tribe’s ability to have any lands taken into trust, nor does it impact any water or land claims. Consistent with the intent of the Indian Gaming Regulatory Act and Proposition 202, this bill merely restricts the ability of tribes to game on the very lands on which they themselves agreed they would not game.

With that, Mr. Speaker, I respectfully ask that my colleagues join with me today and the Members of Arizona’s delegation supporting this bill.

Mr. GRIJALVA. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. GALLEGO).

Mr. GALLEGO. Mr. Speaker, I rise today to stand with thousands of community voices and jobs in opposition to H.R. 308.

This legislation not only shortchanges our commitments to our tribal brothers and sisters, but it will do so at exorbitant costs to taxpayers according to the Congressional Budget Office.

Construction of the West Valley project has been an immense and welcome addition to communities across Phoenix and beyond. Once fully completed, the project will employ 3,000 people and support their families, jobs we need in our community as we continue to reel as one of the hardest hit areas in the Nation from the Great Recession.

Millions of dollars have flowed into the region. More than 45 companies have been retained for the construction of this project both within Arizona and nationally. 1,300 construction workers are currently under contract, and those 1,300 jobs are just the beginning.

□ 1515

If you want proof, look no further than the job fair the tribe recently held on September 28. It drew over 3,000 applicants from the community, 400 of

whom were hired on the spot. That number will rise to 500 employees when phase one of the project opens in December, and it will eventually climb to 3,000 full-time employees when the project is completed and staffed. These are new, permanent, good-paying jobs that are badly needed in the West Valley. This bill will unnecessarily put these hardworking men and women out of work while costing American taxpayers as much as \$1 billion.

Mr. Speaker, our community supports these jobs and this project. We cannot afford to play politics when it comes to the bottom lines of our families and of our local economies.

I urge my colleagues to stand up for local jobs and join me in opposing this job-killing legislation.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. GOSAR), one who has been involved in this issue for many, many years.

Mr. GOSAR. I thank the chairman.

Mr. Speaker, for several years, I have been actively involved in a troubling, off-reservation gaming issue in my home State of Arizona regarding the Tohono O'odham Nation. TO has been attempting to open a Las Vegas-style casino—more than 60 miles from its ancestral lands and reservation in Tucson and in another tribe's former reservation in the Phoenix metropolitan area—for the sole purpose of gaming.

This comes after TO and 16 other Arizona tribes adopted a compact, approved by Arizona voters, which expressly promised there would be no additional casinos or gaming in the Phoenix metropolitan area until 2027. TO alone spent \$1.8 million in urging Arizona voters to rely on this limitation. In exchange for this promise, the voters granted the tribes a statewide monopoly on gaming, and other tribes gave up significant rights.

Shockingly, a few months after Arizona voters approved Proposition 202, TO finalized a multiyear effort to violate this compact and used a shell organization to purchase land in Glendale for a casino. TO's dismissal of their promise to build no additional casinos in Phoenix is not something that Congress can ignore when the result will be so harmful to what has been a national model.

Mr. Speaker, I would like to call attention to critical evidence obtained from the litigation discovery in the State of Arizona v. Tohono O'odham Nation. Here are a few of the important quotations from tribal council meeting transcripts and minutes that were included in the underlying discovery:

5-18-01: VDI, a TO chartered and owned corporation, included in their meeting notes a description of a presentation delivered by Mark Curry, TO's lead negotiator in the gaming compact negotiations. The notes reflect "107th Avenue-Stadium," "gaming compact—

unsure what will happen," "put in a shell company—need to keep it quiet, especially when negotiations of compact are at stake."

6-26-01: VDI meeting with TO's San Lucy District Council. "We are also looking at another project . . . based on discussions we had and continue to have about a casino on the west end of Phoenix, and part of that discussion that we've had was that—we didn't want to publicize that because of the confidentiality in terms of that issue . . . and that's how we're holding it—as confidential—because we don't want, you know, people to know we are seriously considering this, because, if you do, I'm sure that there's going to be a lot of resistance from, you know, the general public."

8-22-02: VDI meeting transcript discussing the West Phoenix casino project and whether Governor Hull's successor would also oppose additional Phoenix area casinos. The meeting transcript states:

"Max: Because, if that's going to be the position of the State, that they don't want any more casinos around the Phoenix area, then they're going to fight it, whoever the new Governor is, if he's going to go along—he or she go along with Jane Hull regarding taking a position.

"Jim: Which is why we really want to wait until the initiative passes before it gets out."

2-23-03: VDI meeting transcript discussing potential political problems with the proposal:

"Male voice: I just hope that . . . in terms of the political—that's going to be to coming—that some of the metro tribes over there don't come back and jump on us, too . . .

"Male voice: Might Gila River and Salt River indicate that it's a violation of Proposition 202—metropolitan area?

"Male voice: Well, that's what I said in terms of political impact, is that even—even those metro tribes, particularly those three that are right there, might—might say something."

Shamefully, TO has falsely been claiming a victory in court. Let's be clear. TO won nothing in court. In fact, the U.S. District Court stated there was evidence that TO made false promises, but, unfortunately, TO's sovereign immunity barred the court from ruling on this case. In other words, the court ruled that the tribe cannot be sued in court because "it can't be sued in court." Any ruling could not consider anything claimed under sovereignty by the tribe, i.e., the tribal minutes, notations in meetings.

That is the fundamental reason that H.R. 308, the Keep the Promise Act, is necessary. Only Congress has the authority to hold TO accountable for their shameful, deceitful, and criminal actions. This was confirmed again by the Supreme Court in 2014 in the case of Michigan v. Bay Mills Indian Com-

munity, when the Court stated that only Congress can act when a tribe raises sovereign immunity. TO acted immorally and covertly against its fellow tribes, the State, and the general public. We can't let TO get away with these horrific actions that violate a voter-approved compact and that could upend tribal gaming compacts throughout the Nation.

Vote "yes" on H.R. 308.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

There have already been 18 court and Federal agency rulings favoring Tohono O'odham Nation on this issue, and we can dismiss those court decisions by Federal judges—the Ninth Circuit—State judges, administrative hearings with the Interior. We can dismiss them as not meaning anything. Obviously, the state of the law that was passed in 1986 means nothing. Obviously, these court cases and judicial decisions mean nothing because this legislation, H.R. 308, seeks to usurp the law in 1986 and to overrule judicial decisions that have been made.

We keep hearing about the fact that there is no standing in those decisions. The latest was a unanimous decision by the Ninth Circuit Court of Appeals that confirmed, once again, the legality of the tribe's West Valley project.

We keep hearing the same myths about what the numerous legal outcomes actually mean for the nation. For instance, we heard just now that the nation won nothing on the merits and that all of the cases had merely been dismissed on the draconian doctrine of sovereign immunity.

It doesn't take a law degree to realize that, while the court dismissed some claims for this reason, the courts have, in fact, ruled on the merits of several of the claims in favor of the nation. For example, Judge David Campbell, a George W. Bush appointee, ruled:

"The parties did not reach such an agreement, and the nation's construction of a casino on the Glendale area land will not violate the compact."

He ruled: "No reasonable reading of the compact could lead a person to conclude that it has prohibited new casinos in the Phoenix area."

He ruled: "The Glendale area land acquired by the nation qualifies for gaming under the Indian Game and Regulatory Act."

Judge Campbell also ruled: "No other agreements or promises are valid or binding."

The latest unanimous ruling from the Ninth Circuit found that Arizona State law, designed to block the Federal Government from taking land it purchased into trust on behalf of the nation, was unconstitutional and would frustrate the purpose of the law Congress passed to secure replacement lands for the nation.

The rulings further confirmed that, if H.R. 308 is enacted—the land that is

now in trust—the nation's contractual and statutory right to sue to use its land would be violated, and the U.S. taxpayer would be on the hook to pay the nation up to \$1 billion in compensation.

We can't dismiss those decisions because it serves the narrative of those who want to keep a "no competition" zone in the Phoenix area.

With regard to the West Valley—and I represent a part of that area up in Maricopa—it is in deep need of stimulus and economic development. This would be a huge shot in the arm as evidenced by the support of the mayors and city councils of Peoria, Tolleson, and Glendale, which is where the casino would be located, representing 670,000 people in that West Valley area. So I would say that there is support in the area, and one cannot merely dismiss it as if there is not any.

I want to address the claim of reservation shopping head-on. The proponents of this bill love to throw around the term "reservation shopping." They like to suggest the bad images associated with it. They invoke the "boogeyman of tribal megacasinos" outside of major cities, but that cannot be further from the truth for the Tohono O'odham Nation. This has nothing to do with reservation shopping, and the term is offensive at best. The Tohono O'odham Nation didn't ask for their land to be flooded and their economic resources to be destroyed. They didn't ask for their agricultural way of life to be taken away. They aren't looking to expand their land base. They are simply trying to replace the land that was destroyed by the Federal Government.

The Gila Bend Act, which authorized the land, is specific only to the Tohono O'odham Nation. The replacement land can only be purchased in one of three counties. In fact, the land in question is in the exact same county, Maricopa, where the flooded land was located, and the replacement land was to be specifically used—and I am quoting from the original Gila Bend Act here of which Senator MCCAIN was a cosponsor—"... for sustained economic use which is not principally farming and do not require Federal outlays for construction, and promote the economic self-sufficiency or the self-sufficiency of the O'odham Indian people."

Nothing in this situation is off-reservation. This tribe simply has reservation lands in two places, thanks to being flooded by a Federal project. So let's please stop talking about "reservation shopping" and "Las Vegas-style casinos" when the casinos in these valleys are not Las Vegas-style casinos but something less than—maybe Reno-style casinos, maybe Atlantic City-style casinos.

The fact remains that this act and the land that we are talking about—for the O'odham and the Gila Bend Act—

was a replacement to their losing 10,000 acres due to the Painted Hills Dam that was constructed by the Federal Government. All of the rights have been affirmed by the courts, and the right for use has been affirmed by the court. We can't dismiss those judicial decisions as merely inconveniences to some. They are legal decisions; they are binding; the land is in trust. For all intents and purposes, the reservation land and the complication of passing this bill and the complication of future liability for the Federal Government is very much part of the decision that is being made today.

I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. I thank the gentleman.

Mr. Speaker, the gentleman from Arizona makes my exact point.

The discovery in the case of the State of Arizona v. TO prohibited the discovery of those minutes and tribal minutes in meetings from being allowed in the court. That is why the court said they had to find on behalf of TO, but they knew something was wrong.

As cited earlier in my testimony, the Supreme Court ruled once again that Congress—and only Congress—has the jurisdiction over tribal treaties and tribal entities when they claim sovereign immunity. Once again, for 2014, the gentleman from Arizona mis-cites that.

Last but not least, jobs have been utilized here, but they should not be utilized by criminal extortion and in violation of the Indian Gaming Regulatory Act. This has consequences far beyond that, not just for Arizona but across the country. When we passed the Indian Gaming Regulatory Act, we expected good faith and to follow the proceedings and to not enhance criminal activity. Obviously, just by my citations in the record, it shows that there was a conspired, extortive extent to which the TO conspired to violate the compact that the voters of Arizona expected to be honored exactly.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

I am not going to get into the points that were made about extortion and immorality.

What is going on here is that this piece of legislation, H.R. 308, seeks to target just one tribe, the Tohono O'odham Nation, in order to retroactively prohibit a specific casino which is on their reservation land and which is almost completely constructed and will soon be operational. Other wealthy special interests don't want the competition. It is as simple as that.

We have talked about the court cases, the agency's ruling, and the land's being taken into trust. The tribe is right in that their West Valley ca-

sino is well within the conditions of the Arizona Gaming Compact, and it has been upheld by the courts; but that hasn't stopped the special interests and the wealthy lobbyists from pushing this reckless bill year after year.

□ 1530

By supporting H.R. 308, I think the Members are setting a dangerous precedent. You are saying that no matter what the obligations are to our Native Nations by a previous Congress, no matter what was promised to them and agreed in law, no matter what was decided and ruled upon by a court, no matter the process undertaken by the administration—you are opening up a very, very dangerous area—that you can unilaterally undo, by the request of outside interests for one tribe, their ability to take full advantage of the law that was passed in 1986 and to make them whole again economically.

You are opening up an era of selective sovereignty where Congress can dictate the terms for how and when a tribe can assert its own self-determination and self-governance. That is akin to Congress being the sole determiner of recognizing who is a Native tribe and who isn't.

I believe that this bill, H.R. 308, is going to have serious ramifications for this Congress if it is passed and ever were to become law. The precedent set here is a dangerous precedent that extends beyond the one tribe that is being targeted now. It's the O'odham Nation being targeted now. What would prevent this same kind of situation in a different light, under different circumstances on a different issue from another tribe being targeted and limited as to the use of their land and under law?

Mr. Speaker, let me close by saying that this controversial and potentially costly legislation really has no place on the suspension calendar. At the very least, Members deserve the opportunity to fully debate H.R. 308 and to offer amendments to address the serious concerns raised by the legislation.

For example, the bill should be amended to guarantee that any Federal liability resulting from litigation sparked by H.R. 308—liability that the CBO estimates could be as high as \$1 billion—shall not result in a reduction in funding for any Bureau of Indian Affairs programs. We should not punish the rest of Indian country for the greed of a few.

Second, the legislation should be amended to clarify that this prohibition on gaming should not apply to land specifically authorized by Congress as compensation for trust lands destroyed by the Federal agency action. If the bill is designed to stop so-called off-reservation gaming and reservation shopping, it should clearly exempt reservation lands provided to a tribe to replace land that the Federal Government destroyed.

If the aim of H.R. 308 is to enforce Arizona's tribal-State gaming compact, this legislation should be amended to be clear that gaming can take place as long as it is conducted pursuant to the compact.

Bringing H.R. 308 to the floor under suspension is unfair, and it only serves the interests of those who would rather not discuss the issues highlighted by these and other amendments.

Finally, let me reiterate that regardless of how you voted the last time around, this is a completely different situation. As of July 2014, the land is now in trust. It is now part of the Tohono O'odham Reservation. This casino is set to open for business next month. If this legislation was unfair before, it is now just shameful.

Mr. Speaker, there was only one promise that was made that needs to be kept; the solemn promise this government made to the Tohono O'odham Nation with the passage of the Gila Bend Act in 1986. H.R. 308 will break that promise. It will set a dangerous precedent for settled land claims and will forever be a black mark on the dealings with Indian nations.

I urge Members to oppose H.R. 308. I remind my colleagues that this piece of legislation, while tempered and promoted for interests, carries with it extensive liability, dangerous precedents, and deserves a full, regular order debate, which we are not going to have today.

Mr. Speaker, I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, how much time do I have left?

The SPEAKER pro tempore (Mr. WALKER). The gentleman has 6 minutes remaining.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

This has been a good debate. Of course, I brought this bill to the floor on behalf of the mostly unanimous Arizona delegation. My role in this is that I am, in fact, the prime author of the Indian Gaming Regulatory Act itself.

I would suggest that what is being proposed here and the opposition to it, H.R. 308 does not affect land into trust and is a temporary halt. All this bill does is stop the opening of this casino, which they did, I believe, under the guise of dishonesty to the general public. Promises made, promises kept.

When the Governor and all the tribes, including the Tohono O'odham Tribe, agreed and signed a compact not to expand gambling in the State of Arizona, as they were doing so, in signing the compact, they were in preparations to buy this land, not telling anybody, not acknowledging or thinking of another casino. At least they should have had the courage and the guts not to sign the compact.

It went to the public. Promises made to the public. It would never have

passed. Gambling in Arizona would not be there if they did not have this understanding there would be no expansion.

Now we have a group—and don't talk about greed, et cetera. There are people in that group who are just as greedy, trying to take and establish a gambling place where they said they wouldn't do it. That was the compact. That was the understanding with the State. That was the State legislative body.

Then we hear on the other side we can't vote for this because it is going to take jobs away. Away from whom? Other Natives. Other American Indians.

Remember, these casinos were built on a platform, a model of how many people go in and how many people come out. That is how you make these casinos pay, and that was the understanding and the plan that all the tribes agreed to. They all signed it, and we have documentation of that.

It was voted on by the general public because the general public did not want an expansion of gambling within the State of Arizona. It passed in good faith, but the faith was not that good. It was not the spirit and intent of the Indian Gaming Act at all. It broke the compact with the State and the people of the State. That is what we have to think about.

There is a factor here that was not exposed during the conference and in negotiating with the State and with the tribes. It was not exposed yet. It was taking place, not in sincerity but, in fact, in dishonesty.

I don't like to get involved in these tribal wars, but what is being encouraged here is wrong with that compact. The promise made by the people for the people and with the people and with the tribes, and you are asking us not to stop that.

This is a good piece of legislation to make sure a dishonest act does not take place. A breaking of a promise while you are holding your hand behind your back with your fingers crossed when you have the other hand up swearing, that is what occurred.

So I am asking my colleagues to listen to the Arizona delegation and the Governor. I am asking my colleagues to think about a promise made should be kept and only the Congress will make sure it is kept.

I yield back the balance of my time.

Mr. SHERMAN. Mr. Speaker, H.R. 308, the Keep the Promise Act is a close call on the merits. However, as I have stated in the CONGRESSIONAL RECORD before (for example on September 25, 2012), when a bill is controversial and a close call on the merits, we should not be considering it under suspension of the rules. Accordingly, I cannot vote to suspend the rules.

Mr. TOM PRICE of Georgia. Mr. Speaker, today the House is scheduled to consider H.R. 308, the "Keep the Promise Act of 2015"

which would prohibit gaming on property near Glendale, Arizona that is owned by the Tohono O'odham Nation and held in trust by the United States. The Tohono O'odham Nation is currently constructing a resort and casino on this property and expects to begin operations within a year.

The Congressional Budget Office expects that if this legislation were enacted, the tribe would pursue litigation against the federal government to recover its financial losses from foregone gaming revenue. For this reason, the Congressional Budget Office estimates that possible compensation payments from the government could range from nothing to more than \$1 billion. However, the Congressional Budget Office concludes that it has no basis for estimating the outcome of the future litigation.

Budget enforcement is among my top priorities for the 114th Congress. It is my intention to ensure compliance with the Congressional Budget Act and House Rules as they apply to budget enforcement on the floor. However, given the considerable uncertainty of the budget impact of this legislation as concluded by the Congressional Budget Office, it is my position that a definitive score for this legislation cannot be determined.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 308.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GRIJALVA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

FAIRNESS TO VETERANS FOR INFRASTRUCTURE INVESTMENT ACT OF 2015

Mr. FITZPATRICK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1694) to amend MAP-21 to improve contracting opportunities for veteran-owned small business concerns, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1694

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fairness to Veterans for Infrastructure Investment Act of 2015".

SEC. 2. DISADVANTAGED BUSINESS ENTERPRISES.

Section 1101(b) of MAP-21 (23 U.S.C. 101 note) is amended—

(1) in paragraph (2) by adding at the end the following:

“(C) VETERAN-OWNED SMALL BUSINESS CONCERN.—The term ‘veteran-owned small business concern’ has the meaning given the term ‘small business concern owned and controlled by veterans’ in section 3(q) of the Small Business Act (15 U.S.C. 632(q)).”;

(2) in paragraph (3) by inserting “and veteran-owned small business concerns” before the period at the end; and

(3) in paragraph (4)(B)—

(A) in clause (ii) by striking “and” at the end;

(B) in clause (iii) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(iv) veterans.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. FITZPATRICK) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. FITZPATRICK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD on H.R. 1694.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FITZPATRICK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me begin by expressing my deepest condolences to the families, friends, and loved ones of those killed in last Friday's terrorist attacks in Paris. My prayers go out to them, the French people, and all those lovers of freedom and peace who have been shaken by this very savage attack.

As Americans, we are too familiar with the specter of terrorism. Fourteen years ago, on September 11, 2001, terrorists attacked our homeland. 9/11 was a call to action for tens of thousands of men and women who enlisted and served in our Nation's Armed Forces in defense of the American ideals that we all hold so dear.

Now, each year, more than 250,000 of these post-9/11 veterans are returning home and transitioning into civilian life after service and continue to serve as leaders in our communities and in our economy. In fact, one quarter of these veterans say they are interested in starting or buying their own businesses. This is exactly, Mr. Speaker, the kind of entrepreneurial spirit that makes America work.

To support these heroic individuals and to put their unique skills and commitment to best use, the Federal Government has a role to play in empowering them to succeed in the private sector, especially in terms of Federal contracting. A number of agencies do.

For example, Mr. Speaker, the Veterans Administration has been a leader in engaging the veteran-owned small-business community within their agency, working on contracting and procurement and seeing the benefits of increased veteran involvement. In fact, this week, in my own State of Pennsylvania, the VA, in collaboration with

other Federal agencies and partners, will host its fifth national veterans small-business engagement event. This event is expected to attract nearly 3,000 veteran businessowners and focus on promoting and supporting veteran-owned small businesses' access to economic opportunities. VA Secretary Robert McDonald said the event highlights the agency's “commitment by offering veteran businessowners the tools they need to thrive in the Federal marketplace. We want to do all that we can to help our veterans be successful,” he said.

However, while these veteran businessowners will be making valuable inroads into working within the Federal contracting and procurement programs, they won't be talking about rebuilding our Nation's infrastructure through competing for Federal contracts.

That is because even with the immense amount of work facing the Department of Transportation, its small-business contracting program doesn't put veteran small businesses on a level playing field when competing for contracts. That is a real problem, not only for missed opportunities for veteran-owned businesses but missed opportunities to put veteran-owned firms on the front lines of our battle to rebuild our infrastructure.

While I am a supporter of having a completely level playing field throughout Federal contracting for every small business, the fact is that today, some get a preference when doing business with the Federal Government where veterans do not. While 10 percent of federally funded infrastructure projects are set aside for small businesses, our veterans are excluded from competing equally. That is not fair, and that is why I rise today to offer bipartisan legislation to address it.

My bipartisan Fairness to Veterans for Infrastructure Investment Act is a simple, yet powerful update to current law. It would allow veteran-owned small businesses to compete in an existing infrastructure small-business program known as the Disadvantaged Business Enterprise Program or DBE. This simple legislation is critical to both the shared goal of creating and sustaining jobs for our veterans and rebuilding our Nation's infrastructure.

This bill is an idea that my constituents in Bucks County, Pennsylvania, know as fairness to veterans and they support it.

□ 1545

When I visit veteran-owned small businesses across my district which have received their veteran-owned small-business certification, it is easy to see its impact on their outlook. Connecting veteran-owned businesses to the contracting power of the Federal Government opens the door for increased production, the hiring of addi-

tional staff—oftentimes veterans themselves—and opens doors to national opportunities.

But it is not just Pennsylvania veterans who would benefit from this measure. Fairness to Veterans would level the playing field for more than 380,000 veteran-owned construction firms across the Nation. And it is not just construction firms that will benefit. There are, in fact, a variety of industries involved, such as personnel, administrative, engineering, landscaping, utilities, and information technology. So this is an issue that affects all veteran-owned small businesses.

With this obviously positive impact, it is easy to see why the American Legion—one of the foremost organizations advocating for veterans in the workforce—backs this bill. Its 2.3 million members support providing parity for veterans in all small-business government contracting programs.

Here is what they just said in a message to all of our offices:

“The Fairness to Veterans for Infrastructure Investment Act of 2015 is a bipartisan, commonsense, and ‘no cost to the taxpayer’ update of existing legislation that redresses the exclusion of veteran small businesses when the framework of the DBE program was originally drafted.

“Currently, only half of the States meet their DBE goals. Adding veteran small businesses to this program would increase the pool of eligible firms at the States' disposal. For States that already meet their goals, this bill does not affect them or the small-business contractors that they employ.

“We cannot in good conscience stand idle while our veterans are precluded from this Federal program.”

Members of this body from both sides of the aisle should see the positive impact that can be made by putting the most trained workforce in history on the job of rebuilding our Nation's roads and bridges. That is what the Fairness to Veterans for Infrastructure Investment Act is all about.

As a member of the Congressional Veterans Jobs Caucus and an advocate for tens of thousands of veterans in my district in the Commonwealth of Pennsylvania, I encourage my colleagues to support this bipartisan effort.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, flags throughout the Nation are at half staff, and, coincidentally, we have just celebrated our own Veterans Day. We particularly feel that celebration here in the District of Columbia where we have served our country since it was created and still have no vote on this floor, even though the residents of the city I represent pay the highest taxes per capita of any residents anywhere in the United

States, including our veterans, who continue to go to war without a vote.

But this afternoon, Mr. Speaker, in the wake of Veterans Day, the House is considering several bills that will benefit the Nation's veterans. I strongly support much of this legislation. I believe that many of these bills will pass the House without a single dissenting vote.

Regrettably, that is not the case, Mr. Speaker, for H.R. 1694, which I cannot support because, as currently drafted, it may cause destructive harm to the Department of Transportation's Disadvantaged Business Enterprise, or DBE, program, which helps combat historic discrimination against women and minority-owned small businesses.

The DBE program helps level the playing field and provides an opportunity for these small businesses to fairly compete for highway and transit construction contracts. Regrettably, this bill could destroy the entire program, taking everything down with it, including the veterans it purports to add.

The U.S. Supreme Court has been very clear in determining that the DBE program must be subject to the highest standard of constitutional review by the courts, known as the strict scrutiny test, to be constitutional. Under the strict scrutiny test established by the U.S. Supreme Court, the DBE program must be narrowly tailored to serve a compelling governmental interest.

To meet these objectives, State Departments of Transportation and public transit agencies must certify individual DBE businesses and conduct extensive disparity studies to determine the appropriate goal for awarding contracts to the small businesses owned by women and minorities in a particular community or State. That is a very rigorous standard.

The bill before us today, however, adds all veteran-owned businesses without the constitutionally mandated study. I emphasize that service-connected disabled veterans are and always have been included. They are a narrowly tailored group of veterans. However, the change offered today threatens the constitutionality of the existing DBE program because it would no longer clearly meet one of the two essential elements of the Supreme Court test.

The most important is that the program be narrowly tailored to address the continued effects of discrimination, which the disparity study must have already shown. Thus, although the bill has a worthy objective, it has an unintended consequence of threatening the very program designed to help level the playing field for small businesses owned by women and minorities and, as would happen, veterans as well. It just would blow up the whole program.

The gentleman from Maryland (Mr. CUMMINGS) and I have met extensively

with the gentleman from Pennsylvania (Mr. FITZPATRICK) to outline these concerns. Mr. CUMMINGS and I, in response, developed an alternative approach to create a veteran-owned business enterprise program within the Department of Transportation. Under that program, there would be a national goal to ensure that veteran-owned small businesses receive highway and transit construction contracts. Moreover, this program would not undermine the constitutionality of the existing DBE program.

Mr. CUMMINGS and I introduced that bill earlier today, and I had hoped, in the spirit of compromise that is necessary to save the program at this point, we could proceed with that compromise proposal that would achieve all of our objectives: Mr. FITZPATRICK's objectives and the objectives that have been in the bill since the 1980s. Regrettably, we have not yet reached any such agreement on this approach with the gentleman from Pennsylvania prior to today's consideration of H.R. 1694.

I urge my colleagues to join me in opposing the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. FITZPATRICK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, only in the Nation's Capital, only in Washington, D.C., would somebody ever make the argument that adding veterans to any Federal program would make it weaker, but that is the argument we just heard. The fact is, of the hundreds of thousands of veteran-owned small businesses in the United States of America, the owners of many of them are women veterans, the owners are minority veterans.

I just want to address some of the arguments that my colleague from the District of Columbia has made, two in particular.

First, the Fairness to Veterans for Infrastructure Investment Act does not presume that veterans are socially and economically disadvantaged for purposes of the DBE program. Instead, the veteran-owned small businesses are given the exact same definition that they have in other contracting programs through the Small Business Act. The DBE program was set up to assist certain classes of small businesses, and this bill does not affect those businesses, number one.

Number two, the Fairness to Veterans for Infrastructure Investment Act uses existing Small Business Act definitions requiring that businesses be 51 percent owned or controlled by veterans. The certification process and the screening was put in place by the Department of Transportation regulations, a similar process that would apply to veteran-owned small businesses. Additionally, any business participating in the DBE program could also be publicly owned.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I do want to note that the gentleman is correct that women are covered. They are already covered. One-third of those covered under the DBE category of minority and ethnic groups are minorities. So we do have large numbers of women and minorities covered, and the disparity studies have been done as to them.

No disparity studies have been done as to veterans as a whole. If the gentleman wants to do such a study, we invite him to work with us in doing a disparity study on veterans rather than blowing up the whole program.

I now yield 4 minutes to the gentleman from Maryland (Mr. CUMMINGS), a member of the committee and my good friend.

Mr. CUMMINGS. Mr. Speaker, I thank the gentlewoman for yielding, and I also thank her for her leadership as the ranking member of the Subcommittee on Highways and Transit of the Committee on Transportation and Infrastructure.

This past week, our Nation paused to honor the extraordinary service of our Nation's veterans. The foundation of America's military is not ships or missiles, and it isn't tanks or jets. The foundation of our military is the men and women who voluntarily serve, the ones who give their blood, sweat, and tears to make sure that we have the freedom that we experience every day.

Too often those who have served our country, particularly after the terrible events of 9/11, have faced significant challenges finding civilian employment. Earlier this year, the Bureau of Labor Statistics released a report on veterans' employment in 2014. According to the BLS, last year there were more than 21 million men and women who had served in our Armed Forces, or approximately 9 percent of our civilian population.

The BLS found that in 2014 the jobless rate for all veterans was 5.3 percent, while the unemployment rate for veterans who had served since 9/11 was 7.2 percent. The BLS also found that the unemployment rate for veterans in my home State of Maryland was 8.5 percent, the highest among all 50 States.

According to data drawn from the Census Bureau's Survey of Business Owners in 2007, there were nearly 2½ million businesses in the United States of which veterans comprised the majority ownership. Together, these businesses had receipts of approximately \$1.2 trillion. Nearly half a million of these businesses were also employers, with a combined annual payroll of approximately \$210 billion.

Now, I agree with Representative FITZPATRICK that we must expand programs that help veterans find employment after their service ends and that

we should expand contracting opportunities in the highway and transit programs for small businesses owned by veterans. I just don't think adding veterans to the existing DBE program is the right way to accomplish these goals.

Adding veteran-owned small businesses to the DBE program would force the veteran-owned businesses to compete with disadvantaged business enterprises already participating in the program for contracting opportunities. The best way to help veterans is to establish a Federal participation goal that is specifically for veteran-owned small businesses and business concerns separate and apart from the DBE program.

□ 1600

Today I and several of my colleagues introduced legislation to accomplish just that. Our bill, H.R. 3997, would amend the MAP-21 program to create a 10 percent aspirational goal for veteran-owned small-business concerns.

Setting a specific and separate goal for veteran-owned businesses would be consistent with existing Federal contracting programs while ensuring that veterans do not have to compete with any other business under the aspirational goal.

Setting a separate goal would also ensure that we do not make changes to the DBE program that could open the program to new legal challenges that could limit the program's ability to serve either DBEs or veterans.

I hope that my colleagues across the aisle agree to work with us to create a program that will provide the maximum benefit to veterans, which is a Veterans Business Enterprise program with its own aspirational goals.

To that end, I join Ranking Member NORTON in urging Members to oppose the bill currently before us in favor of creating a program that will serve veterans and only veterans.

Mr. FITZPATRICK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the comments of my colleagues. I would just indicate that this is not a bill that was just recently filed. This was filed and has been pending in the House since 2012, when I first filed the Fairness to Veterans Act, seeking to put our veterans to work as they are coming off the battlefield and coming back into a difficult economy, many of them starting businesses because they are entrepreneurial, because they are hard workers, and because they have those skills that they achieved while defending our Nation with our training. They want to put it back in the economy and help get their country's economy moving again.

Many of them found that, as they were competing for contracts, they were not on a level playing field. I indi-

cated that for 5 years this policy has been pending and there have been too few meetings to try to forward the idea of helping our Nation's veterans compete.

For 5 years our Federal Government has been measuring the DBE program. On the 10 percent contracting goal that is set forth in the Disadvantaged Business Enterprise program, for 5 years in a row, 25 of the 50 States—half of the States—never met their 10 percent goal.

So when we hear that we don't want our Nation's veterans competing against others within the 10 percent set-aside, first of all, half the 10 percent set-aside is not being met. Number two, I think we do want competition. I think we do want our Nation's veterans competing.

It will not only be good for our Nation's veterans, it will be good for all enterprises, all businesses, in this country. Competition is what built this country. Competition will help put our Nation's veterans back to work and get our roads and bridges rebuilt, which is a big and important job.

Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. DUNCAN). The gentleman from Pennsylvania has 9½ minutes remaining.

Mr. FITZPATRICK. Mr. Speaker, with respect to that big and important job that our Nation's veterans are prepared for, I would say that we know that they are up to the challenge, and the statistics prove it.

There are 250,000 veterans transitioning each year from military to civilian life, and they are looking for their next mission. A quarter of them say they want to start or buy their own business in the future. That is something that we should celebrate, encourage, and support.

They join the nearly one in seven veterans who are self-employed or are small-business owners right now. The impact of veteran-owned businesses and entrepreneurs with a veteran background on our economy is impressive.

There are currently 3.7 million veteran-owned businesses in the United States, accounting for more than \$1.6 trillion in receipts and employing 8.2 million people. Of them, there are more than 380,000 veteran-owned construction firms, 414,519 veteran-owned firms in the professional, scientific, and technical services, and over 10 percent of all manufacturing firms are veteran owned. These are the people that would stand to benefit from this common-sense bill.

Unfortunately, the numbers also show that 75 percent of current veteran business owners are over the age of 55. That means we need to support the next generation of veteran small-business owners. The Fairness to Veterans for Infrastructure Act lays that groundwork.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

The gentleman said there haven't been enough meetings. I met with the gentleman more than once and then wrote an extensive memo on the problems with the bill.

You just can't divide veterans the day after Veterans Day. You can't divide this House on the question of veterans, not when we have offered an entire program for veterans.

So I don't know what is so sacred about being in this particular program. In fact, the gentleman mentioned that minorities and women were not, in fact, meeting all of their goals. Therefore, some of those goals are left on the table.

That is a very important point. Because being a minority or a woman is not enough to qualify you for this—and I don't even want to call it a set-aside for this goal is not a set-aside. So these minorities and women have to show equivalent skills with others who are competing. It is not an easy thing to do.

So it is not a question of whether there are some leftover points to be picked up by veterans. The DBE program has 30 years of history in the United States Supreme Court.

Mr. Speaker, even with that history, every time this bill is passed the DBE program is challenged. Each time the Justice Department, under Democratic and Republican Presidents, have defended it as a narrowly tailored program.

Recognizing that history and the strict, narrowly tailored standard, the gentleman was offered a way for veterans to, in fact, be recognized in transportation and infrastructure programs.

He was offered a way that is probably even better than the program that unites minorities, women, and, I might add, service-disabled veterans, who are a narrowly tailored group that is already included.

But instead of accepting this offer, he has decided he wants to blow up the entire DBE program for veterans and everyone else. We can't agree to such a destructive approach, particularly when we have offered the gentleman a way for veterans to be recognized.

Mr. Speaker, I reserve the balance of my time.

Mr. FITZPATRICK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is disappointing to hear the motives behind my interest in putting our Nation's veterans back to work being mischaracterized on the floor, the 5-year effort from 2011 to 2015 where I patiently worked on both sides of the aisle, where I patiently introduced bills, where I patiently signed up sponsors and cosponsors on both sides of the aisle.

Only in Washington, D.C., would you say that, after 5 years' worth of legislative work on an issue to help our veterans, we are rushing something to the floor. That is what is being suggested here today.

In fact, this bill is the product of years of work, much of that work hand in hand with The American Legion. And, Mr. Speaker, this is what The American Legion has to say: On behalf of the 2.3 million members of The American Legion, I would like to express my support for H.R. 1694, the Fairness to Veterans for Infrastructure Investment Act.

This bill passed as a resolution at the National Convention of The American Legion. They supported the Fairness to Veterans for Infrastructure Investment Act. It was Resolution 339. It passed The American Legion's 2014 national convention.

It states that The American Legion "supports legislation to ensure equal parity for all veterans in all small-business government contracting programs, thus ensuring no veteran procurement program is at a disadvantage in competing with any other government procurement program established by law."

The American Legion supports the passage of this legislation. It also goes on to applaud the leadership in addressing this critical issue facing our Nation's servicemembers and veterans. Mr. Speaker, that is from Michael Helm, National Commander of The American Legion.

Let me add that we are not just talking about construction firms, as I said earlier. We are talking about a wide swath of veteran businesses that will be impacted.

This is what The American Legion pointed out at their national meeting. They pointed out that: This bipartisan, commonsense, and no cost to taxpayer update of existing legislation redresses the exclusion of veteran-owned small businesses when the framework of the DBE program was originally drafted, such as personnel, administrative, engineering, landscaping, utilities and information technology. So, again, this is an issue that affects all veteran-owned small businesses.

That is from Joe Sharpe, Director of The American Legion's Veterans Employment and Education Division.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

The gentleman mentioned 5 years that he has put into his bill. His party has been in power the past 5 years. As far as I know, he never asked for a hearing so that these issues could be clarified. I am sure that, if he had, we might have been able to iron this out.

Even without a hearing, based on what the Supreme Court has said, we have no choice but to oppose the bill as

he has offered it, in not differentiating among the veterans he is speaking about, but putting in a global group, which has never been done or approved.

We have barely been able to get the Supreme Court to agree to let such programs prevail, but we have always succeeded in getting the Court to understand that past discrimination has been shown through disparity studies. Without any disparity studies, the gentleman from Pennsylvania means to march straight up to the Supreme Court and say: We are veterans. Ap- prove us anyway.

Nobody opposes veterans, particularly at this time, following what we have seen in Paris. The way to make sure that veterans are not left out is to sit down with us and figure it out, not to barnstorm the floor in the hope that, since you are in the majority, it will pass.

Mr. Speaker, I reserve the balance of my time.

Mr. FITZPATRICK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentlewoman from the District of Columbia indicated that there has not been a hearing in the House of Representatives in the relevant subcommittees or committees on the Fairness to Veterans for Infrastructure Investment Act.

The fact is, for 5 years, this bill has been pending. Anybody on the committee, including Ms. HOLMES NORTON of the District of Columbia, could have asked for and had a hearing.

It is a shame that, after 5 years, there was no hearing. But we have a hearing now on the floor here on this bill.

In addition to the Transportation Committee, the bill was also referred to the Small Business Committee. The American Legion testified on the bill within one of their subcommittees.

So there was a hearing. There was testimony. There was an opportunity for all Members to question and to follow up on those questions and to submit material after the hearing was over.

So, after 5 years of debate, after 5 years of negotiation, after 5 years of working with committees and subcommittees, this bill was prepared to be voted on here today.

Mr. Speaker, I include in the RECORD the letter from The American Legion dated April 22, 2015, signed by National Commander Michael D. Helm, in support of the Fairness to Veterans for Infrastructure Investment Act.

THE AMERICAN LEGION,
Washington, DC, April 22, 2015.

Hon. MICHAEL FITZPATRICK,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE FITZPATRICK: On behalf of the 2.3 million members of The American Legion I would like to express support for H.R. 1694, the Fairness to Veterans for Infrastructure Investment Act.

Resolution 339, passed at The American Legion's 2014 National Convention states that The American Legion "... supports legislation to ensure equal parity for all veterans in all small business government contracting programs, thus ensuring no veteran procurement program is at a disadvantage in competing with any other government procurement program established by law."

This bill would work to achieve this end, by making veteran-owned small businesses (VOSBs) eligible for Disadvantaged Business Enterprise (DBE) programs of the Department of Transportation (DoT). Veterans are not presumed to be socially or economically disadvantaged for purposes of DBE programs; instead the proposed legislation would make VOSBs independently eligible by establishing VOSBs as a separate entity who count for the purposes of the 10 percent goal as set by DoT.

Again, The American Legion supports passage of this legislation, and applauds your leadership in addressing this critical issue facing our nation's service members and veterans.

Respectfully,

MICHAEL D. HELM,
National Commander.

Mr. FITZPATRICK. Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

This is the first time I have ever heard a Member from the majority say that a Member from the minority should have asked for a hearing on his bill. If you are in the majority and you want a hearing on your bill, that is your obligation.

Mr. Speaker, I yield to the gentlewoman from Florida (Ms. BROWN), my good friend, for the purpose of a colloquy.

□ 1615

Ms. BROWN of Florida. Mr. Speaker, first of all, let me just say that we just finished celebrating Veterans Day, and as the ranking member, I support veterans 100 percent.

Also, as a minority, I have a question for the gentlewoman because we just celebrated the 1965 Voting Rights Act and, of course, minorities have had a tough time participating in many programs.

Can you tell me, if this amendment passed, how will this affect the MBA, the minority business program in transportation?

We have both been on this committee. I have been on it for over 23 years, and we know it has to be narrowly tailored, or else we will have no programs.

Ms. NORTON. I thank the gentlewoman for her question.

Unfortunately, there is some very rough history to prove what needs to be done. It is not as if we are speculating on what the constitutional standard is. The constitutional standard has been developed. The States have to do their disparity studies all over again to show that groups should still be included. Some groups may fall out.

This is delicate work, and in our constitutional government, we don't say every worthy group should have a preference. We need to make a showing, and if that showing isn't made, then the matter will not stand.

If you want to give a very, very painful example of that, let's take the Voting Rights Act. The Supreme Court of the United States overturned, about 5 years ago, the Voting Rights Act.

Guess why, Mr. Speaker? They said there had been some changes, and that people of color could now vote, as they couldn't always vote when the Voting Rights Act was passed. And so they threw it back to this Congress, and said: All right, you can have a Voting Rights Act but you must update the Act to show that there is still a disparity in voting. There are pending now three bills in order to do that.

But if the Supreme Court did that on the Voting Rights Act, where the discrimination was perhaps the most apparent, from poll taxes to lynching, you can imagine where we would be on DBE, and we have got 30 years of court history to show it.

We all want to do the best that we possibly can for our veterans. The way to do that is to sit down and design a bill that would, in fact, pass constitutional muster. We know how to do it.

This is not a matter of the ego of whoever introduces the bill. It is a matter of how you make sure that veterans, in fact, are designated, in a constitutional way, for participation in the soon-to-be-signed-by-the-President surface transportation bill.

Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from the District of Columbia has 45 seconds remaining.

Ms. NORTON. Mr. Speaker, we have done the best we could for our veterans in speaking for this bill today. We remain open to assuring that the veterans participate in the funds that are about to come from the transportation and infrastructure bill.

I yield back the balance of my time.

Mr. FITZPATRICK. Mr. Speaker, we know that we must rebuild our crumbling infrastructure in this country. That is not a question.

In fact, in my home State of Pennsylvania, 15 percent of roads are in poor condition, and there are over 5,200 structurally deficient bridges. There is plenty of work to do, work which will be supported by the bipartisan passage of the other week's 6-year surface transportation bill.

What we can decide today, with my Fairness to Veterans Act, is if it will be in our Nation's interest that our veterans will help to lead that work.

Let's salute our veteran small-business owners by empowering them to rebuild America and passing the Fairness to Veterans for Infrastructure Investment Act, a bipartisan, commonsense,

no-cost-to-the-taxpayer update of existing legislation. I urge my colleagues to support this simple bipartisan proposal and pass this measure.

I yield back the balance of my time.

Mr. BISHOP of Georgia. Mr. Speaker, today I rise in opposition to H.R. 1694, the Fairness to Veterans for Infrastructure Investment Act of 2015.

As the Ranking Member of the House Appropriations Subcommittee for Military Construction, Veterans Affairs, and Related Agencies and the co-chair of the Military Family Caucus, I strongly support efforts to ensure veterans have access to opportunities needed to become successful in the workforce.

Simply, H.R. 1694 makes veterans compete against women- and minority-owned small businesses for an already small goal of ten percent of federal highway and transit construction contracts.

While I agree with the sponsor's stated goal of helping veterans and veteran-owned businesses, I do not believe that the best way to do so is by legally undermining the Disadvantaged Business Enterprise program.

Instead, we should help both veterans and disadvantaged businesses succeed.

That is why I joined Representatives CUMMINGS, NORTON, BROWN, and BUSTOS in sponsoring H.R. 3997, which would create a Veteran-owned Business Enterprise (VBE) program within the Department of Transportation with a stated national goal of ensuring at least 10 percent of federal highway contracts go to veteran-owned small businesses.

Instead, creating a specific and separate contracting goal for veteran-owned businesses is a better way to maximize assistance to veterans, as opposed to forcing competition between these two constituencies, both of whom continue to suffer through disproportionately high unemployment rates.

I urge my colleagues to help veteran-owned businesses compete for Department of Transportation contracts without harming the Disadvantaged Business Enterprise program by supporting H.R. 3997 and not H.R. 1694.

Ms. MCCOLLUM. Mr. Speaker, I rise in opposition to the Fairness to Veterans for Infrastructure Investment Act of 2015 (H.R. 1694).

H.R. 1694 as drafted would undermine the Department of Transportation's Disadvantaged Business Enterprise (DBE) program to promote women- and minority-owned small businesses and provide them with the opportunity to compete for federal highway construction contracts in an equitable manner. H.R. 1694 would force women- and minority-owned small businesses into the same pool of competition with veteran-owned small businesses to the detriment of everyone the DBE program was intended to help.

The best way to help our veteran-owned small businesses is to establish a separate and specific program to achieve the aim of ensuring veteran-owned businesses receive fair consideration for federal highway contracts. That is why I am a cosponsor of H.R. 3997, which would create a Veteran-owned Business Enterprise program within the Department of Transportation. This program would guarantee that at least 10 percent of federal highway contracts go to veteran-owned small businesses. It would maximize assistance to both

veteran-owned and women- and minority-owned small businesses, and would not force competition between them.

Mr. Speaker, I urge my colleagues to join me in opposing the Fairness to Veterans for Infrastructure Investment Act of 2015 (H.R. 1694).

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. FITZPATRICK) that the House suspend the rules and pass the bill, H.R. 1694.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. FITZPATRICK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PROVIDING FUNDS TO THE ARMY CORPS OF ENGINEERS TO ASSIST WITH CURATION AND HISTORIC PRESERVATION ACTIVITIES

Mr. GIBBS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3114) to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3114

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds the following:

(1) The Corps of Engineers and other Federal agencies are required to preserve and catalogue artifacts and other items of national historical significance that are uncovered during the course of their work (notably under part 79 of title 36, Code of Federal Regulations).

(2) Uncatalogued artifacts within the care of Federal agencies are stored in hundreds of repositories and museums across the Nation.

(3) In October 2009, the Corps of Engineers, Center of Expertise for the Curation and Management of Archaeological Collections, initiated the Veterans' Curation Program to employ and train Iraq and Afghanistan veterans in archaeological processing.

(4) The Veterans' Curation Program employs veterans and members of the Armed Forces in the sorting, cleaning, and cataloguing of artifacts managed by the Corps of Engineers.

(5) Employees of the Veterans' Curation Program gain valuable work skills, including computer database management, records management, photographic and scanning techniques, computer software proficiency, vocabulary and writing skills, and interpersonal communication skills, as well as knowledge and training in archaeology and history.

(6) Since 2009, a total of 241 veterans have participated in the Veterans' Curation Program, including the current class of 38 participants. Of the 203 graduates of the program, 87 percent

have received permanent employment in a field related to training received under the program or chosen to continue their education.

(7) Experience in archaeological curation gained through the Veterans' Curation Program is valuable training and experience for the museum, forensics, administrative, records management, and other fields.

(8) Veterans' Curation Program participants may assist the Corps of Engineers in developing a more efficient and comprehensive collections management program and also may provide the workforce to meet the records management needs at other agencies and departments, including the Department of Veterans Affairs.

SEC. 2. TRAINING AND EMPLOYMENT FOR VETERANS AND MEMBERS OF ARMED FORCES IN CURATION AND HISTORIC PRESERVATION.

Using available funds, the Secretary of the Army, acting through the Chief of Engineers, shall carry out a Veterans' Curation Program to hire veterans and members of the Armed Forces to assist the Secretary in carrying out curation and historic preservation activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. GIBBS) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. GIBBS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 3114.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GIBBS. Mr. Speaker, I yield myself such time as I may consume.

As our veterans return home, they deserve opportunities for employment in addition to our thanks for their brave sacrifice and service.

I believe one of the greatest responsibilities our government has is to ensure the members of our military, both Active and retired, and their families have opportunities upon returning home.

Our veterans gave a career of service to their country, risked their lives in combat, and experienced long periods of separation from their families.

The Veterans Curation Program was created to give veterans the opportunity to adjust to a civilian work environment and learn important skills while processing at-risk archeological collections belonging to the U.S. Army Corps of Engineers.

By investing in servicemembers, the Veterans Curation Program is building on the skills that veterans acquire during military service, including leadership, teamwork, and attention to detail.

Working under the direct supervision of professionals in the field of archaeology, the veterans receive competitive pay and technical training in a peer-to-peer veterans environment. I urge all Members to support the bill.

I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I too rise in support of H.R. 3114, as stated by my colleague, a bipartisan bill, introduced along with my colleague, Congressman RODNEY DAVIS from Illinois, to permanently authorize available funds from the Army Corps of Engineers to hire veterans for curation and historic preservation of archaeological sites, items of historical value during their excavation and during other related activities.

It is very notable that, on the legislative week immediately following Veterans Day, the House is considering important legislation to provide job training assistance to hire and train our veterans.

As part of our government's effort to protect our Nation's archaeological heritage, Federal agencies are required to provide curation and preservation services to professional museums and archival practices.

In 2009, the Army Corps of Engineers began training veterans in archaeological processing activities, using temporary funds provided by the American Reinvestment and Recovery Act, otherwise known as ARRA.

For 6 years, veterans have enrolled in the program, and have been acquiring valuable job skills, including but not limited to computer database management, records management, scanning, and photographing records and artifacts. These are skills further preparing our veterans for today's competitive job market by giving them valuable, hands-on experience.

As of earlier this year, 231 veterans have gone through the program, and currently they have 38 veterans in this current class.

As a direct result of the program, 139 veterans have obtained permanent employment; 39 have continued their education, either at colleges, universities, or in certificated programs.

Not only does the Corps' Veterans Curation Program educate, train, and employ veterans, the program's jobs are tailored to fit the capabilities of disabled veterans. The Corps undertakes these activities in three facilities across our country, located in Georgia, Virginia, and Missouri.

Mr. Speaker, my colleagues and I are grateful for the chance to provide our veterans an opportunity to continue healing by carrying out meaningful work and job training that is helping them and their families reintegrate, become more productive, and that is so beneficial to our Nation.

I urge all my colleagues to support making this worthwhile program permanent and joining me in passing this legislation.

Mr. Speaker, this is a program that is very worthwhile. It is one of the agency's many efforts to continue help-

ing our veterans be able to get job training, get job skills, and be able to sustain their families in a way that may make them feel whole again. I do ask all my colleagues to support this.

I yield back the balance of my time.

Mr. GIBBS. Mr. Speaker, I urge my colleagues to join me in supporting this important legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. GIBBS) that the House suspend the rules and pass the bill, H.R. 3114, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mrs. NAPOLITANO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PARTNERS FOR AVIATION SECURITY ACT

Mr. CARTER of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3144) to require consultation with the Aviation Security Advisory Committee regarding modifications to the prohibited item list, require a report on the Transportation Security Oversight Board, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3144

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

The Act may be cited as the "Partners for Aviation Security Act".

SEC. 2. AVIATION SECURITY ADVISORY COMMITTEE CONSULTATION.

The Administrator of the Transportation Security Administration shall consult, to the extent practicable, with the Aviation Security Advisory Committee (established pursuant to section 44946 of title 49 of the United States Code) regarding any modification to the prohibited item list prior to issuing a determination about any such modification.

SEC. 3. REPORT ON THE TRANSPORTATION SECURITY OVERSIGHT BOARD.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Transportation Security Oversight Board (established pursuant to section 115 of title 49, United States Code), the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate a report that includes general information on how often the Board has met, the current composition of the Board, and what activities the Board has undertaken, consistent with the duties specified in subsection (c) of such section. The Administrator may include in such report recommendations for changes to such

section in consideration of the provisions of section 44946 of title 49, United States Code.

SEC. 4. TECHNICAL CORRECTIONS.

(a) **TERMS.**—Subparagraph (A) of section 44946(c)(2) of title 49, United States Code, is amended to read as follows:

“(A) **TERMS.**—The term of each member of the Advisory Committee shall be two years but may continue until such time as a successor member begins serving on the Advisory Committee. A member of the Advisory Committee may be reappointed.”.

(b) **CLARIFICATION.**—Paragraph (5) of section 44946(b) of title 49, United States Code, is amended by striking “under paragraph (4)” and inserting “under this subsection”.

SEC. 5. DEFINITION.

In this Act, the term “prohibited item list” means the list of items passengers are prohibited from carrying as accessible property or on their persons through passenger screening checkpoints at airports, into sterile areas at airports, and on board passenger aircraft, pursuant to section 1540.111 of title 49, Code of Federal Regulations (as in effect on January 1, 2015).

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. CARTER) and the gentleman from New Jersey (Mr. PAYNE) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. CARTER of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CARTER of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 3144, the Partners for Aviation Security Act of 2015.

□ 1630

Mr. Speaker, this important bipartisan legislation ensures that the critical decisions affecting the transportation security of the United States are not made in a vacuum without the input and perspective of relevant transportation stakeholders.

Unfortunately, the Transportation Security Administration has a troublesome history when making sweeping policy changes at the expense of the traveling public and other affected parties, such as aviation workers, airports, airlines, vendors, and law enforcement.

Specifically, H.R. 3144 requires the Administrator of TSA to consult, when possible, with the Aviation Security Advisory Committee before determining whether to modify the prohibited items lists for passenger aircraft.

In the 113th Congress, the Subcommittee on Transportation Security conducted oversight of efforts to modify the prohibited items list after TSA

made a sweeping decision to do so without appropriate prior consultation with stakeholders. By codifying the Aviation Security Advisory Committee, or ASAC, the committee has a proven record of ensuring that TSA consults with stakeholders on important matters of transportation security when appropriate.

This commonsense legislation adds to this record. Another important provision of this bill requires that the Secretary of Homeland Security submit a report to both Congress and the Transportation Security Oversight Board, including important information on the Board's composition and activities. This report may include recommendations for Congress and the Department to improve the Board and ensure that it is meeting the original intent of providing review to transportation security-related regulations and making a meaningful contribution to the security of our Nation's critical transportation systems.

Each and every day, Mr. Speaker, there are new and evolving threats to the security of America's traveling public, and it is the important work of the Department of Homeland Security and TSA to ensure that travelers are safe and to mitigate threats against transportation. In this regard, it is of the highest importance that relevant partners in transportation security are engaged and included in ongoing dialogue on important policy matters being considered.

I wish to thank the chairman of the full committee, Mr. MCCAUL, as well as the chairman of the Subcommittee on Transportation Security, Mr. KATKO, for their work in bringing this bill to the floor today and conducting critical oversight efforts to secure America's transportation systems. Additionally, I wish to thank the bill's author, Congressman PAYNE, for his hard work and dedication to this issue. Finally, I would like to thank the ranking member of the full committee, Mr. THOMPSON, for supporting this important legislation.

Collaboration is the key to effective security, and it is the prerogative of the Committee on Homeland Security to ensure that open lines of communication exist between stakeholders, TSA, and DHS.

Mr. Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

Mr. PAYNE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3144, the Partners for Aviation Security Act. I introduced H.R. 3144, the Partners for Aviation Security Act, to ensure that the Transportation Security Administration's key domestic partner for aviation security, the Aviation Security Advisory Committee, is positioned to contribute to aviation security policy.

Before beginning, Mr. Speaker, I would like to say that our thoughts and prayers are with the families of those that were lost on the Metrojet flight originating from Egypt recently.

The safety and security of the traveling public is vital, and the work of the Transportation Security Subcommittee, of which I am a member, is extremely important, as we address issues and vulnerabilities that affect the Nation's aviation sector.

As many of you will recall, Mr. Speaker, in 2012, then-TSA Administrator John Pistole unilaterally made changes to the prohibited items list allowed onto passenger planes to include small knives and sporting goods equipment. Almost immediately, there was an outcry against this decision from a broad range of stakeholders. Our committee heard from flight attendants, pilots, passenger groups, and others about the security and safety risks associated with this change.

Like many Americans, I was pleased that TSA ultimately decided to withdraw its changes to the prohibited items list. However, I believe TSA should consult the Aviation Security Advisory Committee, or ASAC, before implementing new security protocols. Enactment of H.R. 3144 would ensure that such consultation occurs.

Mr. Speaker, H.R. 3144 also includes language to ensure that there is continuity in the ASAC's operations even when there are changes to its membership. In general terms, given that most of our Nation's critical infrastructure is owned and operated by the private sector, it is important that DHS maintain close partnerships with the private sector to execute its missions and programs.

When it comes to aviation security, such partners are essential insofar as TSA cannot effectively carry out its mission at our Nation's airports without buy-in from the air carriers, airport operators, labor unions, passenger groups, airport vendors, and technology companies.

Mr. Speaker, I would like to acknowledge that this bill was approved unanimously in committee and thank our cosponsors; the chairman of our committee's Subcommittee on Transportation Security, Mr. KATKO; the chairman of the full committee, Mr. MCCAUL; and the ranking member of the full committee, Mr. THOMPSON. I am pleased that the committee has worked in a bipartisan fashion to advance this timely piece of legislation.

Together we send a strong message to TSA and the American flying public about our commitment to ensuring that sensible and effective security policies are in place at our Nation's airports. For these reasons, I urge Members to support H.R. 3144.

Mr. Speaker, I yield back the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I, once again, urge my colleagues to support H.R. 3144.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. CARTER) that the House suspend the rules and pass the bill, H.R. 3144, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CRITICAL INFRASTRUCTURE PROTECTION ACT

Mr. CARTER of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1073) to amend the Homeland Security Act of 2002 to secure critical infrastructure against electromagnetic threats, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1073

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Critical Infrastructure Protection Act” or the “CIPA”.

SEC. 2. EMP PLANNING, RESEARCH AND DEVELOPMENT, AND PROTECTION AND PREPAREDNESS.

(a) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 121) is amended—

(1) in section 2 (6 U.S.C. 101), by inserting after paragraph (6) the following:

“(6a) EMP.—The term ‘EMP’ means—

“(A) an electromagnetic pulse caused by intentional means, including acts of terrorism; and

“(B) a geomagnetic disturbance caused by solar storms or other naturally occurring phenomena.”;

(2) in title V (6 U.S.C. 311 et seq.), by adding at the end the following:

“SEC. 526. NATIONAL PLANNING FRAMEWORKS AND EDUCATION.

“The Secretary, or the Secretary’s designee, shall, to the extent practicable—

“(1) include in national planning frameworks the threat of EMP events; and

“(2) conduct outreach to educate owners and operators of critical infrastructure, emergency planners, and emergency response providers at all levels of government of the threat of EMP events.”;

(3) in title III (6 U.S.C. 181 et seq.), by adding at the end of the following:

“SEC. 318. EMP RESEARCH AND DEVELOPMENT.

“(a) IN GENERAL.—In furtherance of domestic preparedness and response, the Secretary, acting through the Under Secretary for Science and Technology, and in consultation with other relevant agencies and departments of the Federal Government and relevant owners and operators of critical infrastructure, shall, to the extent practicable, conduct research and development to mitigate the consequences of EMP events.

“(b) SCOPE.—The scope of the research and development under subsection (a) shall include the following:

“(1) An objective scientific analysis of the risks to critical infrastructures from a range of EMP events.

“(2) Determination of the critical national security assets and vital civic utilities and infrastructures that are at risk from EMP events.

“(3) An evaluation of emergency planning and response technologies that would address the findings and recommendations of experts, including those of the Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack.

“(4) An analysis of technology options that are available to improve the resiliency of critical infrastructure to EMP.

“(5) The restoration and recovery capabilities of critical infrastructure under differing levels of damage and disruption from various EMP events.”; and

(4) in section 201(d) (6 U.S.C. 121(d)), by adding at the end the following:

“(26)(A) Prepare and submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate—

“(i) a recommended strategy to protect and prepare the critical infrastructure of the American homeland against EMP events, including from acts of terrorism; and

“(ii) biennial updates on the status of the recommended strategy.

“(B) The recommended strategy shall—

“(i) be based on findings of the research and development conducted under section 318;

“(ii) be developed in consultation with the relevant Federal sector-specific agencies (as defined under Homeland Security Presidential Directive-7) for critical infrastructures;

“(iii) be developed in consultation with the relevant sector coordinating councils for critical infrastructures; and

“(iv) include a classified annex as needed.

“(C) The Secretary may, if appropriate, incorporate the recommended strategy into a broader recommendation developed by the Department to help protect and prepare critical infrastructure from terrorism and other threats if, as incorporated, the strategy complies with subparagraph (B).”.

(b) CLERICAL AMENDMENTS.—The table of contents in section 1(b) of such Act is amended—

(1) by adding at the end of the items relating to title V the following:

“Sec. 526. National planning frameworks and education.”;

and

(2) by adding at the end of the items relating to title III the following:

“Sec. 318. EMP research and development.”.

(c) DEADLINE FOR RECOMMENDED STRATEGY.—The Secretary of Homeland Security shall submit the recommended strategy required under the amendment made by subsection (a)(4) by not later than one year after the date of the enactment of this Act.

(d) REPORT.—The Secretary shall submit a report to Congress by not later than 180 days after the date of the enactment of this Act describing the progress made in, and an estimated date by which the Department of Homeland Security will have completed—

(1) including EMP (as defined in the amendment made by subsection (a)(1)) threats in national planning frameworks;

(2) research and development described in the amendment made by subsection (a)(3);

(3) development of the comprehensive plan required under the amendment made by subsection (a)(4); and

(4) outreach to educate owners and operators of critical infrastructure, emergency planners and emergency response providers at all levels of government regarding the threat of EMP events.

SEC. 3. NO REGULATORY AUTHORITY.

Nothing in this Act, including the amendments made by this Act, shall be construed to grant any regulatory authority.

SEC. 4. NO NEW AUTHORIZATION OF APPROPRIATIONS.

This Act, including the amendments made by this Act, may be carried out only by using funds appropriated under the authority of other laws.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. CARTER) and the gentleman from New Jersey (Mr. PAYNE) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. CARTER of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CARTER of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1073, the Critical Infrastructure Protection Act of 2015.

The threats to the Nation’s critical infrastructure continue to evolve. Threats today come in all forms: physical, cyber, and electromagnetic pulse, or EMP, events.

H.R. 1073 is a commonsense piece of legislation because it would ensure that DHS plans and addresses threats to critical infrastructure from EMP events. Specifically, this bill would require the Department of Homeland Security to include EMP events in national planning frameworks. It would also ensure DHS conducts outreach and educates owners and operators of critical infrastructure, emergency planners, and emergency responders about the threat of EMP events. Finally, this legislation requires the Secretary to conduct research and development to mitigate the consequences of EMP events.

I would like to thank my colleague from Arizona (Mr. FRANKS) for authoring this important legislation. I urge all Members to join me in supporting this bill.

I reserve the balance of my time.

Mr. PAYNE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1073, the Critical Infrastructure Protection Act.

Mr. Speaker, H.R. 1073 would require the Department of Homeland Security

to undertake research, planning, and educational activities to mitigate the potential consequences of electromagnetic pulses and geomagnetic disturbances on critical infrastructure such as public utilities and national security assets. As the Congressional Budget Office noted in its analysis, the Department is currently carrying out programs similar to those required by the bill.

Along those lines, I think it is important to identify the elements of EMP and GMD preparedness and response activities that are common to the existing preparedness and response efforts as set forth in the national planning frameworks. These national planning efforts identify roles and responsibilities for disaster prevention, protection, mitigation, response, and recovery activities, and this bill will include consideration of EMPs.

It is also important to distinguish between EMP, or electromagnetic pulses, and GMD, or geomagnetic disturbances. There are significant differences in the nature of the threats, the science behind their impacts, and the range of options for potential solutions.

EMP weapons are most generally recognized as thermonuclear weapons that may be launched on missiles designed to explode in the upper atmosphere and produce intense, short-duration, targeted energy that can impact a wide range of technologies and industries. An EMP blast could disrupt and potentially destroy electronic devices in the affected area with consequences extending to critical infrastructures that rely on microprocessor-based electronic devices.

In contrast, geomagnetic fluctuations, or GMDs, result from solar weather activity. Severe GMD events may produce varying effects on the power system depending on orientation of the solar storm, latitude, transmission line characteristics, the geology of an affected area, and the design of the power system. The effects of GMD are believed to be primarily limited to reliability of the bulk power system, while the effects of an EMP could cross multiple infrastructures and technologies.

Given that any EMP is likely to be the result of an international attack or warlike activity on the United States or its neighbors, DHS may need to partner with the Department of Defense. Going forward, I urge Members to be mindful of the broad range of preparedness demands on DHS.

Mr. Speaker, I reserve the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I am sincerely grateful to all of those who have supported the

Critical Infrastructure Protection Act. I am especially grateful to Chairman PETE SESSIONS for his cosponsorship and his committed partnership on this bill, as well as, of course, to Chairman MCCAUL and to the leadership team of this House for allowing this legislation to come to the floor.

Mr. Speaker, I think it is an especially appropriate time for us to pause and reflect on the tragedies that have occurred in France and to stand in solidarity with those people who are part of the free world and do the best they can to fight terrorism and to survive its effects. My prayers are with them, and it is ironic that today we are here dealing with legislation to try to help mitigate our own vulnerabilities to potential attacks that could come in the future.

□ 1645

Mr. Speaker, electromagnetic pulse, or EMP, can be catalyzed by non-nuclear intentional electromagnetic interference, a major solar storm, or a high-altitude nuclear blast. EMP is an invisible force of ionized particles with the potential to overwhelm and destroy our present electrical power grids, which are a vital component of nearly every other critical infrastructure we have.

Reducing America's vulnerability to naturally occurring or weaponized electromagnetic pulse is a timely and critical matter of national security. During the past several decades, America has spent billions of dollars hardening many of our critical defense assets, including our nuclear triad and our missile defense components, against natural or weaponized electromagnetic pulse.

However, the Department of Defense relies upon the largely unprotected civilian grid for 99 percent of its electricity needs in the continental United States, without which it cannot affect its mission.

Twelve years ago, in August of 2003, an electromagnetic pulse knocked out a large portion of the electric grid across the eastern United States. Fifty million people were affected after 21 power plants shut down in just 3 minutes. Office workers streamed into parking lots and many commuters were stranded inside their trains.

In a matter of moments, the things that make up our critical infrastructure, from the electric grid to water pumps, to cell phone service, to computer systems, were disrupted. Lives suddenly changed that day in New York City, Cleveland, Detroit, and all the way into Canada. In New York City alone, this short blackout was estimated to cost more than a half billion dollars.

There are at least 11 major government reports now that have all come essentially to the same conclusion regarding our vulnerabilities to electro-

magnetic pulse. Some of America's most enlightened national security experts, as well as many of our enemies or potential enemies, consider a well-executed weaponized electromagnetic pulse against America to be a "kill shot"—let me say that again—a "kill shot" to America.

However, our civilian grid remains fundamentally unprotected against severe EMP, and for it to remain so is an open invitation to our enemies to exploit this dangerous vulnerability.

Indeed, the National Intelligence University recently translated an Iranian military doctrine called "Passive Defense." This doctrine stresses that electrical grids are vital to the national existence of major powers in the world like America. It includes a formula for calculating the value of electrical power plants and for prioritizing the targeting of electric grid components and other critical infrastructures. Mr. Speaker, this Iranian military doctrine referenced the use of nuclear-generated electromagnetic pulse as an effective weapon more than 20 times.

Now that the Islamic Republic of Iran begins to enjoy the bounty of their nuclear negotiations, it should be a wake-up call to all of us that the world's leading state sponsor of terrorism is contemplating the concept of nuclear-generated electromagnetic pulse as an asymmetric weapon against America.

Thankfully, Mr. Speaker, we are here this day to pass the Critical Infrastructure Protection Act, which, if signed into law, will represent the first time in history that Congress will be specifically addressing this dangerous threat of electromagnetic pulse.

This legislation will enhance the DHS threat assessments for EMP through research and reporting requirements. It will help the United States prevent and prepare for such an event by including large-scale blackouts into our critical existing national planning scenarios, including educational awareness for first responders to protect critical infrastructure. Most importantly, it requires a specific plan for protecting and recovering the electrical grid and other critical infrastructure from a dangerous electromagnetic pulse event.

Mr. Speaker, finally, there is a moment in the life of nearly every problem when it is big enough to be seen by reasonable people and still small enough to be addressed. Those of us in this Chamber and across America live in a time when there still may be opportunity for the free world to address and mitigate the vulnerability that naturally occurring or weaponized EMP represents to the mechanisms of our civilization. This is our moment.

Mr. PAYNE. Mr. Speaker, I want to acknowledge the remarks by the gentleman from Arizona in reference to

the solidarity in which we stand with the French people. As it has been stated now and called, this terrorist attack is their 9/11. I just wanted to be on the RECORD to acknowledge the comments of the gentleman from Arizona. We stand with the French people in solidarity.

Mr. Speaker, I reserve the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Speaker, I thank the gentleman, my dear friend from Georgia, for the time.

Mr. Speaker, I rise today in support of H.R. 1073, the Critical Infrastructure Protection Act.

Over the past decade, our Nation has seen an unprecedented expansion in the use of electronics, Mr. Speaker. These electronics have transformed our economy, our homes, our families, and, really, the way we do business and have become an integral part of our daily lives.

Unfortunately, this technology is also susceptible to new types of potential threats, threats that have been talked about on this floor by not only Mr. FRANKS, but also our friend, Mr. CARTER, and others.

Today electromagnetic pulses, known as EMPs, could dramatically disrupt electronic activity and severely damage our electrical grids and everything that stands under those grids. Examples of EMP threats include those generated from a geomagnetic solar flare, from a terrorist short-range missile, cybersecurity attacks, or from a physical assault on a utility or a power plant.

The Critical Infrastructure Protection Act that we are talking about today and that we hope to pass is an important first step towards protecting our Nation from potential catastrophic nationwide blackouts.

I would like to recognize Frank Gaffney, the president and founder of the Center for Security Policy. Frank has provided the leadership not only by meeting with me, but also working with Mr. FRANKS and hundreds of other Members to let us know not only about this important critical infrastructure policy need, but also to make sure that we educate and spread awareness to not only our constituency, but other Members of Congress, regarding the new types of potential threats and occurrences, such as an electromagnetic pulse attack, that could dramatically alter our way of life.

I would also like to recognize, as I have previously done, our leader in Congress on this issue, my dear friend, Arizona Congressman TRENT FRANKS. Mr. FRANKS and I have spoken about this issue for years. We have worked hard with the chairman of Homeland Security, as well as leadership in this

House, to make sure that we accomplish this legislation now.

Ultimately, the Critical Infrastructure Protection Act is simply the first step towards getting the U.S. closer to protecting ourselves from a potentially catastrophic nationwide blackout. It is simply the first step, Mr. Speaker. I know this will begin a national dialogue, a dialogue that needs to take place and that has already been begun by such leaders as former Speaker Newt Gingrich and former Vice President Dick Cheney.

Mr. Speaker, I applaud the House today for taking up this important legislation, ask that my colleagues pay attention to understand this bill, and vote for it because support and passage of H.R. 1073, the Critical Infrastructure Protection Act, is important to the American people and our way of life.

Mr. PAYNE. Mr. Speaker, I yield myself such time as I may consume.

In closing, I would like to note that H.R. 1073 puts focus on EMP and GMD preparedness response in a reasonable manner. It does so in a way that does not come at the detriment of preparing for other more likely or more potentially lethal events.

I would also reiterate that there are activities already underway at DHS to improve preparedness activities for an EMP event. For example, it is my understanding that DHS is looking at including EMP as an annex to the Federal Interagency Operational Plans currently in development.

With that, Mr. Speaker, I urge passage of H.R. 1073.

I yield back the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I once again urge my colleagues to support H.R. 1073.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise to speak in support of H.R. 1073, the Critical Infrastructure Protection Act of 2015.

As a senior member of the House Committee on Homeland Security as well as the Ranking Member of the House Judiciary Committee's Subcommittee on Crime, Terrorism and Investigations, I am well aware of the importance of our nation's critical infrastructure and for this reason I support H.R. 1073.

The bill amends the Homeland Security Act of 2002 by adding the definition of "EMP" to mean: (1) an electromagnetic pulse caused by intentional means, including acts of terrorism; and (2) a geomagnetic disturbance caused by solar storms or other naturally occurring phenomena.

Directs DHS to: (1) include in national planning frameworks the threat of EMP events; and (2) conduct outreach to educate owners and operators of critical infrastructure, emergency planners, and emergency response providers of the threat of EMP events.

The bill also directs DHS to conduct research and development to mitigate the consequences of EMP events, including: an objective scientific analysis of the risks to critical

infrastructures from a range of EMP events; determination of the critical national security assets and vital civic utilities and infrastructures that are at risk from EMP events; an evaluation of emergency planning and response technologies that would address the findings and recommendations of experts, including those of the Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack; an analysis of available technology options to improve the resiliency of critical infrastructure to EMP; and the restoration and recovery capabilities of critical infrastructure under differing levels of damage and disruption from various EMP events.

DHS will make recommendations to Congress on a strategy to protect and prepare the critical infrastructure of the nation against EMP events, and provide biennial updates on the status of developing a defense against EMP strategy.

Electricity and the national electric grid are of vital importance to our national and domestic security interest.

There were 3 strategic imperatives that drives the Federal approach to strengthen critical infrastructure security and resilience: refine and clarify functional relationships across the Federal Government to advance the national unity of effort to strengthen critical infrastructure security and resilience; enable effective information exchange by identifying baseline data and systems requirements for the Federal Government; and implement an integration and analysis function to inform planning and operations decisions regarding critical infrastructure.

Effective security for our nation's critical infrastructure requires a national unity of effort based upon strategic guidance from the Secretary of Homeland Security.

I introduced H.R. 85, Terrorism Prevention and Critical Infrastructure Protection Act, which directs the Secretary of Homeland Security to work with critical infrastructure owners and operators and state, local, and territorial to take proactive steps to address All Hazards that would impact: national security; economic stability; public health and safety; and or any combination of these.

The Jackson Lee bill, just as H.R. 1703 is intended to do, would reduce vulnerabilities associated with potential terrorist attacks that target critical infrastructure by supporting a coordinated partnership among federal agencies; critical infrastructure owners and operators and local, state, and tribal authorities.

Last, Friday's terrible attacks in Paris only illustrates the inhumanity of those who are America's enemies—the enemies of all of those who cherish freedom.

I join my colleagues in the House in offering my deepest sympathies to the people of Paris especially to the families of those killed.

Our commitment to our national security should and must extend to the security needs of our allies in the struggle against violence and terrorism—France.

I ask my colleagues to join me in voting for H.R. 1703.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. CARTER) that the House suspend the rules and pass the bill, H.R. 1073, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DIGNIFIED INTERMENT OF OUR VETERANS ACT OF 2015

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1338) to require the Secretary of Veterans Affairs to conduct a study on matters relating to the burial of unclaimed remains of veterans in national cemeteries, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1338

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Dignified Interment of Our Veterans Act of 2015".

SEC. 2. DEPARTMENT OF VETERANS AFFAIRS STUDY ON MATTERS RELATING TO BURIAL OF UNCLAIMED REMAINS OF VETERANS IN NATIONAL CEMETERIES.

(a) *STUDY AND REPORT REQUIRED.*—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) complete a study on matters relating to the interring of unclaimed remains of veterans in national cemeteries under the control of the National Cemetery Administration; and

(2) submit to Congress a report on the findings of the Secretary with respect to the study required under paragraph (1).

(b) *MATTERS STUDIED.*—The matters studied under subsection (a)(1) shall include the following:

(1) Determining the scope of issues relating to unclaimed remains of veterans, including an estimate of the number of unclaimed remains of veterans.

(2) Assessing the effectiveness of the procedures of the Department of Veterans Affairs for working with persons or entities having custody of unclaimed remains to facilitate interment of unclaimed remains of veterans in national cemeteries under the control of the National Cemetery Administration.

(3) Assessing State and local laws that affect the ability of the Secretary to inter unclaimed remains of veterans in national cemeteries under the control of the National Cemetery Administration.

(4) Developing recommendations for such legislative or administrative action as the Secretary considers appropriate.

(c) *METHODOLOGY.*—

(1) *NUMBER OF UNCLAIMED REMAINS.*—In estimating the number of unclaimed remains of veterans under subsection (b)(1), the Secretary may review such subset of applicable entities as the Secretary considers appropriate, including a subset of funeral homes and coroner offices that possess unclaimed veterans remains.

(2) *ASSESSMENT OF STATE AND LOCAL LAWS.*—In assessing State and local laws under subsection (b)(3), the Secretary may assess such sample of applicable State and local laws as the Secretary considers appropriate in lieu of reviewing all applicable State and local laws.

SEC. 3. LIMITATION ON AWARDS AND BONUSES PAID TO SENIOR EXECUTIVE EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

Section 705 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 703 note) is amended by striking the period at the end and inserting the following: “, of which, during fiscal year 2016, not more than an aggregate amount of \$2,000,000 may be paid to employees of the Department of Veterans Affairs who are members of the Senior Executive Service.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentlewoman from Florida (Ms. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks or to add any extraneous material they may have on H.R. 1338, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do urge all Members to support H.R. 1338, the Dignified Interment of Our Veterans Act of 2015.

This very important bill, which was introduced by my good friend, Mr. SHUSTER of Pennsylvania, would help ensure that deceased veterans are treated with respect and with dignity.

H.R. 1338, as amended, would require that the Department of Veterans Affairs conduct a study on the serious problem of unclaimed remains of deceased veterans. VA will provide a dignified burial in national cemeteries for those who die with no family to claim their remains or who did not have enough money to cover burial expenses.

Unfortunately, the remains of deceased veterans may end up on the shelf at a funeral home or the shelf of a coroner's office, and VA may not be aware that the veteran's remains were not interred.

In 2013, Congress passed legislation in an attempt to ensure that all deceased veterans are treated with the honor that they had earned. The Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 directed VA to work with Veterans Service Organizations and assist States, cities, and funeral directors to identify the unclaimed remains of veterans and to arrange for their burials in one of our national cemeteries.

Unfortunately, the law has not resolved this issue and too many veterans may not be receiving a dignified burial. That is unconscionable. The men and women who have served our

Nation in uniform have the right to expect that our Nation will make every effort to treat them with honor and deference even after they pass away.

This study would determine the scope of the problem and identify any obstacles associated with claiming or interring veteran remains.

Additionally, VA would also be required to make recommendations on how we can better ensure that our Nation's heroes are properly laid to rest.

I reserve the balance of my time.

□ 1700

Ms. BROWN of Florida. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of my friend Mr. SHUSTER's Dignified Interment of Our Veterans Act. This legislation will require the Department of Veterans Affairs to conduct a study on the unclaimed remains of veterans.

Our Nation continues to be challenged by local and privately owned cemeteries that fail to identify and provide the VA with uninterred veterans' remains. It is our intent that the VA look into this issue and come up with some solutions to assist privately and locally owned cemetery homes with the information and the support they need to transfer those remains to the VA's National Cemetery Administration.

Our Nation's veterans have earned a proper and honorable burial for their service. This legislation will help the VA to help our veterans. I urge all of my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Everett, Pennsylvania (Mr. SHUSTER), the original sponsor of this particular piece of legislation.

Mr. SHUSTER. I thank the chairman for working with me on this piece of legislation.

Mr. Speaker, I rise today to shed light on the issue plaguing our Nation's veterans. Specifically, there are an estimated 47,000 cremated veterans' remains that are waiting to be interred because it was not possible to identify the next of kin.

Existing legislation directs the Veterans Health Administration, Veterans Service Organizations, and funeral directors to work together in the claiming and interring of deceased veterans. Unfortunately, numerous barriers prevent the effective collaboration among these stakeholders. As it stands today, these barriers are not fully understood, which is preventing an effective solution to the problem from being found.

For instance, the Missing in America Project, a nonprofit service organization that was established to locate and bury unclaimed veterans' remains, identified 100 veterans who were awaiting burial within the State of Pennsylvania over the last couple of years.

Some of those veterans waited more than 20 years for a dignified, military burial. We can speculate regarding the reason for this disgrace, but we cannot know for sure without giving this issue the attention it deserves.

That is why I have introduced H.R. 1338, the Dignified Interment of Our Veterans Act of 2015. My bill requires the Secretary of Veterans Affairs to conduct a study on matters relating to the claiming and interring of unclaimed veterans' remains. The intent of the study is to confirm the scope of this problem, to uncover any barriers associated with claiming and interring veterans' remains, and to solicit recommendations from the Department of Veterans Affairs on potential solutions.

I would like to thank two of my constituents, Mr. Ron Metros and Mr. Lanny Golden, for working with me on this legislation.

When asked why he is so passionate about this issue, Mr. Golden, a Vietnam veteran, simply replied that his brothers in arms deserve to be buried alongside those who have walked the same path.

I fully agree with Mr. Golden, and I would like to say "thank you" to all of those who have served this great Nation.

I would also like to take this time to thank my colleagues Chairman MILLER and Ranking Member BROWN for working with me. Of course, I thank the Veterans' Affairs Committee and the 98 bipartisan cosponsors of the House for their support.

Also a special thanks to two people without whom I could not have done this. They are my military fellows. One is U.S. Marine Corps Sergeant Anna Lloyd. She helped start the process. We then finished up with Air Force Major Cheri Guikema. Both of them provided an invaluable service in putting this bill forward, and I can't thank them enough for their help and also for their continued service to the United States military.

Now, more than ever, we need to stand together and show our veterans we care. None of our heroes should be forgotten, and this is a step forward in reaching that important goal.

Ms. BROWN of Florida. Mr. Speaker, I have no further requests for time. I urge my colleagues to support the passing of H.R. 1338, as amended.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the Chair will note that the time previously controlled by the gentleman from Florida (Mr. MILLER) will now be controlled by the gentleman from Pennsylvania (Mr. COSTELLO).

There was no objection.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, I rise today in strong support of this legisla-

tion, the Dignified Interment of Our Veterans Act of 2015.

In May of last year, reports emerged that the bodies of 52 veterans had remained unburied for over a year at the Los Angeles County Mortuary, located just outside of my district. Similar instances were discovered in 13 other States, demonstrating just how widespread this is. Stories of unburied veterans' bodies are deeply unsettling and the result of gaps in burial procedure policies at the VA. It has to be addressed. Our service men and women have made immense personal sacrifices on behalf of our Nation, and it is unacceptable for their remains to be treated with such a blatant lack of respect and dignity.

Like the gentleman from Pennsylvania and many of my colleagues in the House and Senate, I introduced legislation in an effort to solve this issue. The Dignified Interment of Our Veterans Act directs the Department of Veterans Affairs to study the burial of veterans' unclaimed remains in national cemeteries and to report the findings of such studies to Congress. This legislation is an important step toward acknowledging and, ultimately, solving the problem.

Last week, the Senate passed by unanimous consent the 21st Century Veterans Benefits Delivery Act, which incorporated the House legislation, and I am happy to see that the companion legislation is now being voted on in the House of Representatives, bringing it one step closer to the President's signature.

We made a commitment to take care of our veterans in both life and death, and it is crucial that we follow through on it. I encourage my colleagues in the House of Representatives to vote in support of the Dignified Interment of Our Veterans Act.

I thank the gentleman from Pennsylvania for his work on this issue and the gentleman from Florida for his continued efforts as the House Veterans' Affairs Committee chairman.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I encourage all Members to support H.R. 1338, as amended.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 1338, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

HONOR AMERICA'S GUARD-RESERVE RETIREES ACT

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1384) to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1384

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Honor America's Guard-Reserve Retirees Act".

SEC. 2. PROVISION OF STATUS UNDER LAW BY HONORING CERTAIN MEMBERS OF THE RESERVE COMPONENTS AS VETERANS.

(a) VETERAN STATUS.—

(1) IN GENERAL.—Chapter 1 of title 38, United States Code, is amended by inserting after section 107 the following new section:

"§ 107A. Honoring as veterans certain persons who performed service in the reserve components

"Any person who is entitled under chapter 1223 of title 10 to retired pay for nonregular service or, but for age, would be entitled under such chapter to retired pay for nonregular service shall be honored as a veteran but shall not be entitled to any benefit by reason of this section."

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 107 the following new item:

"107A. Honoring as veterans certain persons who performed service in the reserve components."

(b) CLARIFICATION REGARDING BENEFITS.—No person may receive any benefit under the laws administered by the Secretary of Veterans Affairs solely by reason of section 107A of title 38, United States Code, as added by subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. COSTELLO) and the gentlewoman from Florida (Ms. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to add extraneous material on H.R. 1384.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

I urge all Members to support H.R. 1384, the Honor America's Guard-Reserve Retirees Act, which was introduced by the gentleman from Minnesota (Mr. WALZ).

The National Guard and Reserve are vital to our Nation's defense. These

brave men and women enlist while knowing they can be deployed with little notice, just like America's Active Duty servicemembers.

Despite the invaluable contributions of National Guard and Reserve personnel to our national security, Members may be surprised to learn that many of the men and women who served in the National Guard or Reserve for 20 years may not legally be considered "veterans" if they were never called up for Active Duty. This is not fair to these brave men and women who have demonstrated their patriotism through their willingness to wear the uniform and defend our Nation whenever and wherever they are needed.

H.R. 1384 would not provide any monetary benefit. It would simply honor the service and sacrifice of retired National Guard and Reserve personnel by giving them the prestigious title of "veteran"—in my opinion, the most prestigious title that Congress can bestow.

Mr. Speaker, I reserve the balance of my time.

Ms. BROWN of Florida. Mr. Speaker, I yield myself such time as I may consume.

I stand before this body to support legislation introduced by my friend and colleague from Minnesota, TIM WALZ. As a retired guardsman himself and as the highest ranking enlisted soldier to serve in Congress, I know this bill is near and dear to his heart.

The Honor America's Guard-Reserve Retirees Act closes a long-existing gap. Federal law has neglected to acknowledge our guardsmen and -women and reservists who have served fewer than 180 days of Active Duty service as "veterans." This law would remedy this longstanding oversight by legally recognizing Guard and Reserve retirees as American veterans.

Our military is more dependent on Reserve components than they have been since the dawn of modern warfare. These are men and women who have stood ready and trained to serve our Nation at war. They have served a dedicated 20 years of service. At the very least, we should acknowledge the dedication of these servicemembers by legally recognizing them as American veterans.

I urge my colleagues to support this commonsense legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I reserve the balance of my time.

Ms. BROWN of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ. I thank the subcommittee chairman and the ranking member for the time. More importantly, I thank both of them and their

respective staffs for the bipartisan and continuously exceptional effort to serve our veterans. I thank them for the opportunity to move this forward.

Mr. Speaker, this bill has passed the House multiple times over the last 8 years. It is very simple. It is less than 150 words, and it is very rare in that it costs nothing, but I would argue that it is very important. The men and women of the Reserve component, as you so eloquently heard by my colleagues who spoke prior, take the exact same oath of office and are held to the exact same standards as the Active component. They sacrifice their time and energy. They stand at the ready if called upon, whether it is assisting flood victims in Minnesota, fighting wildfires across the Western United States, or fighting overseas in the protection of our freedoms.

For those who have completed 20 years or more in the Guard or Reserve but who have not served a qualifying period of Title X Active Duty, we honor their service with health care benefits and monetary benefits, with one notable exception—they must call themselves "military retirees" and not "veterans." As the gentleman from Pennsylvania noted, I think most Americans, when I talk to them, are unaware of this. Once they find out, they are appalled that we don't do it. This bill closes the loophole.

There are about 280,000 Americans who fall into this category. They have devoted their lives to our Nation—they have served honorably for 20 or 20-plus years—and this bill will recognize their service. It might be as simple as buying a hat that reads "Army veteran" or getting a license plate for your car. It bestows no monetary benefits to these brave men and women, merely the title. Again, my colleague from Pennsylvania, I think, said it right in that it is a pretty important title—a veteran of the United States military.

It also does something else very important. In doing so, we recognize the integral role our National Guard and Reserve play in our Nation's defense. There is nothing quite so unifying or quintessentially American as the citizen soldier. Dating back to the founding of our Nation or serving overseas at a time of fighting terrorism, it is the mother who leaves her family and her law firm to serve her Nation, and it is the father who leaves his teaching job and his family to serve his Nation.

□ 1715

It is about recognizing that our All Volunteer Force would be unsustainable if it were not for the men and women who dedicated 20 years of their lives. And one of the most important things they did, most of those are cold war warriors who were responsible for the training of the current force that protects us.

So I thank the gentleman and the ranking member again for their commitment to our veterans.

I ask my colleagues—we are on the heels of Veterans Day here—to add these 280,000. Let's do what is right. Let's call them veterans and honor their service.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I reserve the balance of my time.

Ms. BROWN of Florida. Mr. Speaker, I have no further speakers. I urge my colleagues to support passage of H.R. 1384.

I yield back the balance of my time.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I also urge Members to support H.R. 1384.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. COSTELLO) that the House suspend the rules and pass the bill, H.R. 1384.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

IMPROVING ACCESS TO EMERGENCY PSYCHIATRIC CARE ACT

Mr. PITTS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 599) to extend and expand the Medicaid emergency psychiatric demonstration project, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 599

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Improving Access to Emergency Psychiatric Care Act".

SEC. 2. EXTENSION AND EXPANSION OF MEDICAID EMERGENCY PSYCHIATRIC DEMONSTRATION PROJECT.

(a) IN GENERAL.—Subsection (d) of section 2707 of Public Law 111-148 (42 U.S.C. 1396a note) is amended to read as follows:

“(d) LENGTH OF DEMONSTRATION PROJECT.—

“(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the demonstration project established under this section shall be conducted for a period of 3 consecutive years.

“(2) TEMPORARY EXTENSION OF PARTICIPATION ELIGIBILITY FOR SELECTED STATES.—

“(A) IN GENERAL.—Subject to subparagraph (B) and paragraph (4), a State selected as an eligible State to participate in the demonstration project on or prior to March 13, 2012, shall, upon the request of the State, be permitted to continue to participate in the demonstration project through September 30, 2016, if—

“(i) the Secretary determines that the continued participation of the State in the demonstration project is projected not to increase net program spending under title XIX of the Social Security Act; and

“(ii) the Chief Actuary of the Centers for Medicare & Medicaid Services certifies that such extension for that State is projected not to increase net program spending under title XIX of the Social Security Act.

“(B) NOTICE OF PROJECTIONS.—The Secretary shall provide each State selected to participate in the demonstration project on or prior to March 13, 2012, with notice of the determination and certification made under subparagraph (A) for the State.

“(3) EXTENSION AND EXPANSION OF DEMONSTRATION PROJECT.—

“(A) ADDITIONAL EXTENSION.—Taking into account the recommendations submitted to Congress under subsection (f)(3), the Secretary may permit an eligible State participating in the demonstration project as of the date such recommendations are submitted to continue to participate in the project through December 31, 2019, if, with respect to the State—

“(i) the Secretary determines that the continued participation of the State in the demonstration project is projected not to increase net program spending under title XIX of the Social Security Act; and

“(ii) the Chief Actuary of the Centers for Medicare & Medicaid Services certifies that the continued participation of the State in the demonstration project is projected not to increase net program spending under title XIX of the Social Security Act.

“(B) OPTION FOR EXPANSION TO ADDITIONAL STATES.—Taking into account the recommendations submitted to Congress pursuant to subsection (f)(3), the Secretary may expand the number of eligible States participating in the demonstration project through December 31, 2019, if, with respect to any new eligible State—

“(i) the Secretary determines that the participation of the State in the demonstration project is projected not to increase net program spending under title XIX of the Social Security Act; and

“(ii) the Chief Actuary of the Centers for Medicare & Medicaid Services certifies that the participation of the State in the demonstration project is projected not to increase net program spending under title XIX of the Social Security Act.

“(C) NOTICE OF PROJECTIONS.—The Secretary shall provide each State participating in the demonstration project as of the date the Secretary submits recommendations to Congress under subsection (f)(3), and any additional State that applies to be added to the demonstration project, with notice of the determination and certification made for the State under subparagraphs (A) and (B), respectively, and the standards used to make such determination and certification—

“(i) in the case of a State participating in the demonstration project as of the date the Secretary submits recommendations to Congress under subsection (f)(3), not later than August 31, 2016; and

“(ii) in the case of an additional State that applies to be added to the demonstration project, prior to the State making a final election to participate in the project.

“(4) AUTHORITY TO ENSURE BUDGET NEUTRALITY.—The Secretary annually shall review each participating State's demonstration project expenditures to ensure compliance with the requirements of paragraphs (2)(A)(i), (2)(A)(ii), (3)(A)(i), (3)(A)(ii), (3)(B)(i), and (3)(B)(ii) (as applicable). If the Secretary determines with respect to a State's participation in the demonstration project that the State's net program spending under title XIX of the Social Security Act has increased as a result of the State's

participation in the project, the Secretary shall treat the demonstration project excess expenditures of the State as an overpayment under title XIX of the Social Security Act.”.

(b) FUNDING.—Subsection (e) of section 2707 of such Act (42 U.S.C. 1396a note) is amended—

(1) in the subsection heading, by striking “LIMITATIONS ON FEDERAL”;

(2) in paragraph (2)—

(A) in the paragraph heading, by striking “5-YEAR”; and

(B) by striking “through December 31, 2015” and inserting “until expended”;

(3) by striking paragraph (3);

(4) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(5) in paragraph (3) (as so redesignated), by striking “and the availability of funds” and inserting “(other than States deemed to be eligible States through the application of subsection (c)(4))”; and

(6) in paragraph (4) (as so redesignated)—

(A) in the first sentence—

(i) by inserting “(other than a State deemed to be an eligible State through the application of subsection (c)(4))” after “eligible State”; and

(ii) by striking “paragraph (4)” and inserting “paragraph (3)”; and

(B) by inserting after the first sentence the following: “In addition to any payments made to an eligible State under the preceding sentence, the Secretary shall, during any period in effect under paragraph (2) or (3) of subsection (d), or during any period in which a law described in subsection (f)(4)(C) is in effect, pay each eligible State (including any State deemed to be an eligible State through the application of subsection (c)(4)), an amount each quarter equal to the Federal medical assistance percentage of expenditures in the quarter during such period for medical assistance described in subsection (a). Payments made to a State for emergency psychiatric demonstration services under this section during the extension period shall be treated as medical assistance under the State plan for purposes of section 1903(a)(1) of the Social Security Act (42 U.S.C. 1396b(a)(1)).”.

(c) RECOMMENDATIONS TO CONGRESS.—Subsection (f) of section 2707 of such Act (42 U.S.C. 1396a note) is amended by adding at the end the following:

“(3) RECOMMENDATION TO CONGRESS REGARDING EXTENSION AND EXPANSION OF PROJECT.—Not later than September 30, 2016, the Secretary shall submit to Congress and make available to the public recommendations based on an evaluation of the demonstration project, including the use of appropriate quality measures, regarding—

“(A) whether the demonstration project should be continued after September 30, 2016; and

“(B) whether the demonstration project should be expanded to additional States.

“(4) RECOMMENDATION TO CONGRESS REGARDING PERMANENT EXTENSION AND NATIONWIDE EXPANSION.—

“(A) IN GENERAL.—Not later than April 1, 2019, the Secretary shall submit to Congress and make available to the public recommendations based on an evaluation of the demonstration project, including the use of appropriate quality measures, regarding—

“(i) whether the demonstration project should be permanently continued after December 31, 2019, in 1 or more States; and

“(ii) whether the demonstration project should be expanded (including on a nationwide basis).

“(B) REQUIREMENTS.—Any recommendation submitted under subparagraph (A) to perma-

nently continue the project in a State, or to expand the project to 1 or more other States (including on a nationwide basis) shall include a certification from the Chief Actuary of the Centers for Medicare & Medicaid Services that permanently continuing the project in a particular State, or expanding the project to a particular State (or all States) is projected not to increase net program spending under title XIX of the Social Security Act.

“(C) CONGRESSIONAL APPROVAL REQUIRED.—The Secretary shall not permanently continue the demonstration project in any State after December 31, 2019, or expand the demonstration project to any additional State after December 31, 2019, unless Congress enacts a law approving either or both such actions and the law includes provisions that—

“(i) ensure that each State's participation in the project complies with budget neutrality requirements; and

“(ii) require the Secretary to treat any expenditures of a State participating in the demonstration project that are excess of the expenditures projected under the budget neutrality standard for the State as an overpayment under title XIX of the Social Security Act.

“(5) FUNDING.—Of the unobligated balances of amounts available in the Centers for Medicare & Medicaid Services Program Management account, \$100,000 shall be available to carry out this subsection and shall remain available until expended.”.

(d) CONFORMING AMENDMENTS.—Section 2707 of such Act (42 U.S.C. 1396a note) is amended—

(1) in subsection (a), in the matter before paragraph (1), by inserting “publicly or” after “institution for mental diseases that is”;

(2) in subsection (c)—

(A) in paragraph (1), by striking “An eligible State” and inserting “Except as otherwise provided in paragraph (4), an eligible State”;

(B) in paragraph (3), by striking “A State shall” and inserting “Except as otherwise provided in paragraph (4), a State shall”; and

(C) by adding at the end the following:

“(4) NATIONWIDE AVAILABILITY.—In the event that the Secretary makes a recommendation pursuant to subsection (f)(4) that the demonstration project be expanded on a national basis, any State that has submitted or submits an application pursuant to paragraph (2) shall be deemed to have been selected to be an eligible State to participate in the demonstration project.”; and

(3) in the heading for subsection (f), by striking “AND REPORT” and inserting “, REPORT, AND RECOMMENDATIONS”.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from Texas (Mr. GENE GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PITTS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill before us today extends and expands the Medicaid emergency psychiatric demonstration project.

A longstanding policy under Medicaid, called the institutions for mental diseases, IMD, exclusion, prohibits the Federal Government from providing Federal Medicaid matching funds to States for services rendered to Medicaid-eligible individuals aged 21 to 64 who are patients in IMDs. IMDs are inpatient facilities with more than 16 beds that primarily treat people with mental health and substance abuse disorders. The original IMD exclusion is consistent with the goal of treating severe mental illness in the least restrictive setting feasible.

The IMD exclusion provided an incentive to shift the cost of care for mental illness to other care modalities and facilities where Medicaid matching funds were available. However, since the IMD exclusion was included with the creation of the Medicaid program in 1965, our mental healthcare system and overall healthcare system have evolved notably.

In recent years, we have seen a significant decrease in the number of publicly funded inpatient psychiatric beds available for emergency services. This has contributed to patients in need of critical mental health services facing psychiatric boarding in general hospital emergency departments.

Psychiatric boarding occurs when an individual with a mental health condition is kept in a hospital emergency department for several hours or admitted to medical wards or skilled nursing facilities without psychiatric expertise because appropriate mental health services were unavailable. This leads to potential serious consequences for psychiatric patients and unnecessary hospital costs.

The Patient Protection and Affordable Care Act authorized a 3-year demonstration program to study the effects of allowing Federal Medicaid matching funds to pay for emergency psychiatric treatment for adults that is otherwise prohibited by the Medicaid IMD exclusion. The demonstration was funded with \$75 million in FY 2011, and these funds were available for obligation through December 31, 2015.

The HHS Secretary selected 11 States and the District of Columbia to participate in the demonstration program in March of 2012, and the demonstration program began July 1, 2012. Due to significant State interest, patient need, and other factors, the demonstration project exhausted its Federal funding in April and was forced to terminate early.

S. 599 would temporarily extend the Medicaid emergency psychiatric demonstration for States already partici-

pating in the demonstration through September 30, 2016, if the chief actuary of CMS certifies that this extension would not increase net Medicaid spending.

The bill also requires that, not later than September 30, 2016, the HHS Secretary report to Congress on whether the demonstration should be continued after such date and whether the demonstration should be expanded to additional States. If the chief actuary of CMS certifies that this extension would not increase net Medicaid spending, then the demonstration may continue not beyond 2019.

While I have strong concerns with the President's healthcare law, S. 599 would let States and CMS continue to test the provision of critical mental health services for patients in a manner that is responsible for the Federal budget.

Mr. Speaker, I encourage my colleagues to support this commonsense, bipartisan bill.

I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 599, the Improving Access to Emergency Psychiatric Care Act.

This legislation, sponsored by Senator BEN CARDIN and championed in the House by Representative JOHN SARBANES, will extend and expand the Medicaid emergency psychiatric demonstration protect. Since the creation of Medicaid 50 years ago, the program has excluded payment for institutions for mental diseases, IMDs, a designation that includes most residential treatment facilities for mental health and substance use disorders with more than 16 beds.

The original IMD exclusion is consistent with the goal of treating severe mental illness in the least restrictive setting possible. However, there have been some unintended consequences of this longstanding policy. States have an incentive to shift the cost of treating mental illness to other care settings where Medicaid matching funds are available. This contributed to a decrease in the number of publicly funded beds available for inpatient psychiatric emergency services. It also contributed to a rise in psychiatric boarding and recidivism in hospital emergency departments.

To develop data on whether modifying an IMD exclusion can improve health care for mental illness, the Affordable Care Act authorized \$75 million over 3 years for the Medicare emergency psychiatric demonstration project. Administered by the CMS Innovation Center, the initiative aims to test whether the Medicaid program could provide higher quality care at a lower total cost by reimbursing private psychiatric hospitals for emergency care otherwise prohibited by the Med-

icaid IMD exclusion. The demonstration project is currently operating in 11 States and the District of Columbia.

This legislation extends the demonstration in a budget-neutral manner so that the Secretary of Health and Human Services can complete an evaluation and make an informed recommendation regarding its continuation and expansion.

Medicaid plays a central and critical role in covering treatment for individuals with mental illness. S. 599 holds promise for improving access to quality psychiatric care for this underserved and vulnerable population and the overall success of our mental healthcare system.

I urge my colleagues to support S. 599, and I thank the sponsors for their commitment to this important issue.

I reserve the balance of my time.

Mr. PITTS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Indiana (Mrs. BROOKS), a prime sponsor of the House companion bill and a member of the Energy and Commerce Subcommittee on Health.

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to speak in support of S. 599, the Improving Access to Emergency Psychiatric Care Act. The bill is the companion to H.R. 3681, which I proudly introduced with my colleague, Congressman SARBANES from Maryland.

With the passage of this bill today, I am pleased that this meaningful mental health reform will head to the President's desk. Fortunately, this bipartisan, bicameral, and commonsense legislation is a great step toward enacting meaningful reforms to an incredibly challenging system.

Currently, CMS does not reimburse private psychiatric institutions or institutions for mental diseases for the services provided to Medicaid enrollees aged 21 to 64. Yet often serious mental illness manifests itself in those in their twenties, and they are not allowed to go with a severe psychiatric break to a psychiatric hospital.

Instead, they go and present at our ERs; and our ERs are already overburdened. Many of them often lack the resources and sometimes the expertise to deal with people who are suffering from a true mental crisis. When they find themselves in the ERs, it is not uncommon for them to have to sit for hours and for far too long while they are suffering.

This commonsense legislation extends the existing demonstration grant that lifts the IMD exclusion and will allow these important psychiatric clinics to receive Medicaid reimbursement while giving people access to short-term direct care in psychiatric hospitals when they need it most.

I am proud to support the extension of this legislation that allows people to get the treatment that they need. As a lawyer, I have dealt with people who

have been in a psychiatric crisis. Many of us have family members who have dealt with a psychiatric crisis. They need the help from the right experts at the right time.

I thank the gentleman for carrying this in the House, and I urge my colleagues to support this legislation.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. SARBANES). He is also a member of the Energy and Commerce Committee and a member of our Health Subcommittee. I personally appreciate his commitment to mental health.

Mr. SARBANES. Mr. Speaker, I thank the gentleman for yielding and for his leadership on the Health Subcommittee and on the Energy and Commerce Committee.

I rise today in strong support of the Improving Access to Emergency Psychiatric Care Act. I thank Representative BROOKS of Indiana for her support of this measure and certainly welcome the fact that this is a bipartisan piece of legislation.

What this bill would do is it would extend a demonstration project, as indicated, that ends the Federal prohibition on Medicaid matching payments to community psychiatric hospitals for emergency psychiatric cases. This demonstration project allows individuals with severe mental illness who are a threat to themselves or to others, including those with substance abuse disorders who have experienced overdoses, to get emergency inpatient treatment.

The background of this is as follows:

There has been a longstanding Medicaid provision, dating back to 1965, called the institutions for mental diseases, IMD, exclusion. Under that, the Federal Government is prohibited from providing Medicaid matching funds and reimbursement for the care of eligible individuals aged 21 to 64 if that care is provided in an inpatient facility that primarily treats people with mental health and substance abuse disorders and if that facility has more than 16 beds.

As was indicated, the effect of this exclusion has been to decrease the number of inpatient psychiatric beds that are available for emergency services. It has also been cited by the Government Accountability Office as a factor in emergency department overcrowding, which Congresswoman BROOKS just indicated.

Community-based psychiatric hospitals could help relieve these backups and provide much-needed emergency psychiatric care, but these hospitals cannot receive Federal matching payments for these services.

In 2010, Congress authorized a 3-year pilot called the Medicaid emergency psychiatric demonstration project, which expanded the number of emergency inpatient psychiatric beds available in communities by allowing Fed-

eral Medicaid matching payments to freestanding psychiatric hospitals for emergency psychiatric cases.

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Eleven States, including my home State of Maryland, are participating in this demonstration, and the preliminary data is very promising. Of the total number of Medicaid beneficiaries admitted to these community-based psychiatric hospitals, fully 84 percent had just one admission during the entire first year of the demonstration. The average length of stay was only 8.2 days, and in 88 percent of the admissions, the beneficiaries were discharged to their homes or to self-care.

The demonstration project is set to end on December 31, 2015, but the final evaluation of the project is not expected to be completed until a year later.

In closing, Mr. Speaker, this bill would build upon the success of the current demonstration project, which is providing timely and cost-effective care. It would also extend the current demonstration project by 1 year.

It would ensure budget neutrality by certifying that the extension is not projected to result in an increase in net Medicaid program spending, and it would allow the Secretary of HHS to extend the demonstration project for an additional 3 years, provided that the requirements regarding Medicaid spending are met.

The bill has already been passed in the Senate by unanimous consent. While I am a little bit disappointed that a very small change was made that is going to require it to go back to the Senate for reconsideration, I am confident that it will be supported there again with Senator CARDIN's leadership.

I urge support of this bipartisan effort to extend a demonstration project that allows individuals with severe mental illness and substance abuse disorders to get emergency inpatient treatment at community psychiatric hospitals.

Mr. PITTS. Mr. Speaker, I am prepared to close. I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield the balance of my time to the gentlewoman from California (Ms. MATSUI), who is also a member of the Committee on Energy and Commerce, a member of the Subcommittee on Health, and, again, a champion of mental health.

Ms. MATSUI. Mr. Speaker, I rise today in support of the Improving Access to Emergency Psychiatric Care Act.

As we work to reform our broken mental healthcare system, it is critical that we build upon programs that provide resources to underserved and vulnerable populations at all points along the spectrum of care.

Today, with the passage of this bill, we have the opportunity to extend the vital Medicaid emergency psychiatric demonstration project. This demonstration project, which recently expired, ensures greater access to essential emergency psychiatric care for Medicaid patients.

This bipartisan bill will ensure that hospitals across our Nation will be able to provide community members in need with inpatient psychiatric beds.

In my home district in Sacramento County, this demonstration project has provided great benefits to our system of care. Medi-Cal beneficiaries have greater access to mental health services, and there has been a reduction in readmission rates at local hospitals.

In fact, by the final year of the 3-year demonstration project, the number of individuals rehospitalized within 30 days of their initial stay decreased by 20 percent in Sacramento County.

The project has improved coordination of care for mental health patients by streamlining planning efforts between inpatient and outpatient providers. In addition, Sacramento County has been able to reinvest savings generated by the project into programs that build greater community alternatives for patients identified as high utilizers of inpatient and emergency departments.

All of these improvements add up to a community mental health system in California that is better able to focus on the whole spectrum of care for underserved patients, from prevention to treatment to the crisis stage.

There is still much more work to do to improve the mental health system, but we must not reverse our significant progress by failing to renew this demonstration project.

I urge my colleagues to vote "yes" on S. 599, the Improving Access to Emergency Psychiatric Care Act.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield back the balance of my time.

Mr. PITTS. Mr. Speaker, I encourage my colleagues to support this commonsense, bipartisan bill.

I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I rise today in support of extending and expanding the Improving Access to Emergency Psychiatric Care Act, which has already passed the Senate and for which identical legislation, H.R. 3681 has been introduced in the House with bipartisan support.

This legislation would extend, and expand if appropriate, the Medicaid Emergency Psychiatric Demonstration that was created by the Affordable Care Act.

While I will not oppose this legislation based on process, I must mention that I am not pleased that this legislation did not go through regular order here in the House as it should have, and as it did in the Senate. I also do not support a change made to require the \$100,000 in administrative costs in the bill to come out of unobligated funds at CMS. To

delay this legislation, slow it down even further and force the Senate to reconsider the bill for a one word change and an amount of money that is less than the annual salary of any Member of Congress is a waste of time. However, despite these reservations, I support this legislation moving forward.

Since the enactment of Medicaid in 1965, so-called “Institutions of Mental Disease”, or IMDs, have been prohibited by statute from receiving federal Medicaid matching funds for inpatient treatment provided to adults ages 21 to 64. This prohibition was rooted in the desirability of community-based care as an alternative to mass institutionalization of the mentally ill, often in horrific conditions.

However, as our healthcare system has grown and changed, there has been increasing concern about the perverse incentives created by the wholesale exclusion of IMDs from treatment for Medicaid beneficiaries; for instance, frequent boarding of psychiatric patients in emergency rooms and non-psychiatric beds of general hospitals has been reported to occur when specialized inpatient psychiatric beds are not available.

The days of mass institutionalization are over and we can never go back to those days—at the same time, so-called “boarding” of the seriously mentally ill in general hospitals, because the beds simply aren’t available, is not an acceptable alternative.

Those Medicaid beneficiaries that are seriously mentally ill need the right treatment, at the right time. The demonstration project that we are extending here today allows states to test incorporation of IMD services for Medicaid beneficiaries in a way that insures other community-based services do not suffer. This legislation, which also aligns with CMS’s recent proposal to allow for short-term IMD stays in Medicaid managed care plans, is the appropriate way to responsibly address the Medicaid IMD exclusion.

We’ve had immense success with this project thus far, and we can still learn more from it, which is exactly why this demonstration project must be extended and as appropriate, expanded. This legislation will allow the Secretary to do just that, and I urge my colleagues to support its swift passage.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill, S. 599, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PROTECTING OUR INFANTS ACT OF 2015

Mr. PITTS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 799) to address problems related to prenatal opioid use.

The Clerk read the title of the bill.
The text of the bill is as follows:

S. 799

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Protecting Our Infants Act of 2015”.

SEC. 2. ADDRESSING PROBLEMS RELATED TO PRENATAL OPIOID USE.

(a) REVIEW OF PROGRAMS.—The Secretary of Health and Human Services (referred to in this Act as the “Secretary”) shall conduct a review of planning and coordination related to prenatal opioid use, including neonatal abstinence syndrome, within the agencies of the Department of Health and Human Services.

(b) STRATEGY.—In carrying out subsection (a), the Secretary shall develop a strategy to address gaps in research and gaps, overlap, and duplication among Federal programs, including those identified in findings made by reports of the Government Accountability Office. Such strategy shall address—

(1) gaps in research, including with respect to—

(A) the most appropriate treatment of pregnant women with opioid use disorders;

(B) the most appropriate treatment and management of infants with neonatal abstinence syndrome; and

(C) the long-term effects of prenatal opioid exposure on children;

(2) gaps, overlap, or duplication in—

(A) substance use disorder treatment programs for pregnant and postpartum women; and

(B) treatment program options for newborns with neonatal abstinence syndrome;

(3) gaps, overlap, or duplication in Federal efforts related to education about, and prevention of, neonatal abstinence syndrome; and

(4) coordination of Federal efforts to address neonatal abstinence syndrome.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report concerning the findings of the review conducted under subsection (a) and the strategy developed under subsection (b).

SEC. 3. DEVELOPING RECOMMENDATIONS FOR PREVENTING AND TREATING PRENATAL OPIOID USE DISORDERS.

(a) IN GENERAL.—The Secretary shall conduct a study and develop recommendations for preventing and treating prenatal opioid use disorders, including the effects of such disorders on infants. In carrying out this subsection the Secretary shall—

(1) take into consideration—

(A) the review and strategy conducted and developed under section 2; and

(B) the lessons learned from previous opioid epidemics; and

(2) solicit input from States, localities, and Federally recognized Indian tribes or tribal organizations (as defined in the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), and nongovernmental entities, including organizations representing patients, health care providers, hospitals, other treatment facilities, and other entities, as appropriate.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall make available on the appropriate Internet Website of the Department of Health and Human Services a report on the recommendations under subsection (a). Such report shall address each of the issues described in subsection (c).

(c) CONTENTS.—The recommendations described in subsection (a) and the report under subsection (b) shall include—

(1) a comprehensive assessment of existing research with respect to the prevention, identification, treatment, and long-term outcomes of neonatal abstinence syndrome, including the identification and treatment of pregnant women or women who may become pregnant who use opioids or have opioid use disorders;

(2) an evaluation of—

(A) the causes of, and risk factors for, opioid use disorders among women of reproductive age, including pregnant women;

(B) the barriers to identifying and treating opioid use disorders among women of reproductive age, including pregnant and postpartum women and women with young children;

(C) current practices in the health care system to respond to, and treat, pregnant women with opioid use disorders and infants affected by such disorders;

(D) medically indicated uses of opioids during pregnancy;

(E) access to treatment for opioid use disorders in pregnant and postpartum women; and

(F) access to treatment for infants with neonatal abstinence syndrome; and

(G) differences in prenatal opioid use and use disorders in pregnant women between demographic groups; and

(3) recommendations on—

(A) preventing, identifying, and treating the effects of prenatal opioid use on infants;

(B) treating pregnant women who have opioid use disorders;

(C) preventing opioid use disorders among women of reproductive age, including pregnant women, who may be at risk of developing opioid use disorders; and

(D) reducing disparities in opioid use disorders among pregnant women.

SEC. 4. IMPROVING DATA AND THE PUBLIC HEALTH RESPONSE.

The Secretary may continue activities, as appropriate, related to—

(1) providing technical assistance to support States and Federally recognized Indian Tribes in collecting information on neonatal abstinence syndrome through the utilization of existing surveillance systems and collaborating with States and Federally recognized Indian Tribes to improve the quality, consistency, and collection of such data; and

(2) providing technical assistance to support States in implementing effective public health measures, such as disseminating information to educate the public, health care providers, and other stakeholders on prenatal opioid use and neonatal abstinence syndrome.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from Texas (Mr. GENE GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PITTS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill before us today begins to combat the rise of prenatal opioid abuse and neonatal abstinence syndrome.

Over the past several years, opioid addiction has risen dramatically in the United States, reaching epidemic proportions. The death rate for heroin overdose doubled in just 2 years from 2010 to 2012.

One of the issues resulting from this epidemic is neonatal abstinence syndrome, known as NAS. Babies born with NAS are infants that are addicted to opioids and that suffer medical issues associated with drug withdrawal. Symptoms can last for weeks, keeping otherwise healthy infants confined to the hospital at the start of their lives.

NAS can result from the use of prescription drugs or from the use of illegal opioids. Sadly, over the past 15 years, the incidence of NAS has tripled in the United States. This is a rapidly growing problem that needs to be addressed for the safety of our mothers and children.

S. 799, Protecting Our Infants Act of 2015, introduced in the Senate by Majority Leader MCCONNELL and led in the House by my colleagues, Ms. CLARK of Massachusetts and Mr. STIVERS, would address the increasing problem of prenatal opioid abuse and neonatal abstinence syndrome.

Preventing opioid abuse among pregnant women and women of childbearing age is crucial in addressing NAS. The Government Accountability Office has identified that more research is needed in this area to help treat babies born with NAS and mothers addicted to opioids.

This legislation would help fill this research gap by directing the Agency for Healthcare Research and Quality, AHRQ, to conduct a study and develop recommendations for preventing and treating prenatal opioid abuse and neonatal abstinence syndrome.

Mr. Speaker, the House companion to S. 799 was approved by a voice vote in the Subcommittee on Health and the full Committee on Energy and Commerce. Today we have a chance to approve this important bipartisan and bicameral legislation. I urge my colleagues to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 799, Protecting Our Infants Act of 2015. This legislation, sponsored by Senator MITCH MCCONNELL and championed in the House by Representative KATHERINE CLARK, would help combat prenatal opioid abuse epidemic.

The Centers for Disease Control and Prevention, CDC, has found drug overdose to be the leading cause of injury death in the United States and de-

clared prescription drug abuse to be an epidemic.

Prescription opioid use in pregnancy is strongly associated with neonatal complications. According to a recent study in the New England Journal of Medicine, the incidence rate of neonatal abstinence syndrome, NAS, quadrupled from 2004 to 2013, a fourfold increase in less than a decade.

NAS is a group of problems that occur in newborns who have been exposed to opioids while in the womb. The symptoms are often severe. Newborns with NAS require specialized care, typically in a neonatal intensive care unit.

In February 2015, the Government Accountability Office, the GAO, released a report entitled "Prenatal Drug Use and Newborn Health: Federal Efforts Need Better Planning and Coordination." The report identified a number of different research gaps in the treatment of opioid use during pregnancy and in the treatment of infants with NAS.

S. 799 will help combat prenatal opioid abuse and neonatal abstinence syndrome. Addressing these issues is a critical part of our effort to fight the ongoing prescription drug abuse epidemic.

The legislation will facilitate the development and recommendations for the treatment of prenatal opioid abuse and NAS and coordinate a national strategy to close research program gaps. It will also require CDC to help States improve data collection and surveillance activities related to prenatal opioid abuse and NAS.

I urge my colleagues to support S. 799, the Protecting Our Infants Act, and I thank the sponsors for their commitment to this important issue.

Mr. Speaker, I reserve the balance of my time.

Mr. PITTS. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from West Virginia (Mr. JENKINS), a leader on this issue.

Mr. JENKINS of West Virginia. Mr. Speaker, every day in hospitals across my district and the country, tragically, babies begin their lives suffering through drug withdrawal because they were exposed during pregnancy.

Sadly, the rates of babies with NAS have skyrocketed. NAS is a nationwide crisis. The Protecting Our Infants Act addresses the many gaps in the care and treatment of NAS babies.

How do I know there are gaps? Today, in a facility in my hometown that I helped start, Lily's Place is caring for 10—10—babies suffering the ravages of withdrawal.

It took years of working through the regulatory burdens and certification limitations just to do what is right for our most innocent. The gaps in care are real and so are the obstacles treating NAS babies.

This legislation will pave the way to consider new models of care, like Lily's Place, for our NAS babies.

I commend my colleagues, Leader MITCH MCCONNELL and Representatives KATHERINE CLARK and STEVE STIVERS, for helping to give every child a chance at a healthy start in life.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield 4 minutes to the gentlewoman from Massachusetts (Ms. CLARK), the House Democratic sponsor.

Ms. CLARK of Massachusetts. Mr. Speaker, today 58 babies, 1 baby every 25 minutes, will be born suffering from the same pain adults describe as the worst pain of their lives, the pain of drug withdrawal.

Over the last decade, the number of infants born experiencing withdrawal from powerful drugs has grown nearly fivefold. It is a condition called neonatal abstinence syndrome. It results from prenatal exposure to opioids like heroin and prescription painkillers. In States like Massachusetts, we are seeing this happen at a rate three times the national average.

In addition to the human suffering, the costs associated with NAS births are staggering. They are five times more expensive than healthy births, totaling \$1.5 billion for hospitals in 2012, with 80 percent being paid by Medicaid.

But despite the best efforts of doctors, nurses, and others, there is no coordinated response to this crisis. There are no clear best practices for treating these infants, and more research is needed to help understand the problem. That is why I have worked with my colleagues, researchers, doctors, and advocates to introduce the Protecting Our Infants Act, the first Federal bill to take proactive steps in addressing the rise of NAS births.

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We were able to pass this bill in the House in September, thanks to the help of my partner on this bill, Representative STEVE STIVERS. A slightly modified version was passed a few weeks ago, due to the hard work of our Senate sponsors, Majority Leader MCCONNELL and Senator CASEY. With broad support in both Chambers, this is an opportunity for Congress to make a difference for moms and babies suffering because of the opioid epidemic.

The Protecting Our Infants Act will require the Department of Health and Human Services to develop recommendations to prevent and treat prenatal opioid abuse and NAS, and to develop a strategy in the Department to coordinate programs and research. This will help ease the suffering of the smallest victims of the opioid crisis. It will help hospitals and Medicaid save money, and ease the burden on doctors and nurses that are overwhelmed by this problem.

This is not controversial, partisan, or political. It is just good policy. I thank my Republican partner in the House, STEVE STIVERS, for his leadership in getting this bill to where it is today.

I ask the House to come together and help the thousands of babies and mothers who are fighting this epidemic, and I urge my colleagues to pass the bipartisan Protecting Our Infants Act and send this legislation to the President for his signature.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield back the balance of my time.

Mr. PITTS. Mr. Speaker, I urge all Members to support this important bipartisan, bicameral legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I rise in support of S. 799—the Protecting Our Infants Act of 2015. This legislation addresses a sad reality of our country's opioid epidemic: prenatal opioid abuse and the steep increase in the incidence of neonatal abstinence syndrome or NAS.

NAS occurs in newborns who were exposed to opiates while in their mother's womb and is associated with negative health outcomes such as preterm births, low birthweight, and respiratory distress. A recent study found the incidence of NAS quadrupled between 2004 and 2013. This legislation would respond to that dramatic increase by requiring HHS to create a comprehensive national strategy to address prenatal opioid abuse and NAS. That strategy would include a coordinated research and programming strategy to address the public health challenge of NAS and prenatal opioid abuse as well as develop a comprehensive set of recommendations for preventing and treating prenatal opioid use disorders and NAS.

I want to thank Rep. KATHERINE CLARK for her leadership on this critical and timely issue. I urge my colleagues to support this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill, S. 799.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FEDERAL COMMUNICATIONS COMMISSION PROCESS REFORM ACT OF 2015

Mr. WALDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2583) to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2583

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Communications Commission Process Reform Act of 2015”.

SEC. 2. FCC PROCESS REFORM.

(a) IN GENERAL.—Title I of the Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended by adding at the end the following:

“SEC. 13. TRANSPARENCY AND EFFICIENCY.

“(a) INITIAL RULEMAKING AND INQUIRY.—

“(1) RULEMAKING.—Not later than 1 year after the date of the enactment of the Federal Communications Commission Process Reform Act of 2015, the Commission shall complete a rulemaking proceeding and adopt procedural changes to its rules to maximize opportunities for public participation and efficient decisionmaking.

“(2) REQUIREMENTS FOR RULEMAKING.—The rules adopted under paragraph (1) shall—

“(A) set minimum comment periods for comment and reply comment, subject to a determination by the Commission that good cause exists for departing from such minimum comment periods, for—

“(i) significant regulatory actions, as defined in Executive Order No. 12866; and

“(ii) all other rulemaking proceedings;

“(B) establish policies concerning the submission of extensive new comments, data, or reports towards the end of the comment period;

“(C) establish policies regarding treatment of comments, ex parte communications, and data or reports (including statistical reports and reports to Congress) submitted after the comment period to ensure that the public has adequate notice of and opportunity to respond to such submissions before the Commission relies on such submissions in any order, decision, report, or action;

“(D) establish procedures for, not later than 14 days after the end of each quarter of a calendar year (or more frequently, as the Commission considers appropriate), publishing on the Internet website of the Commission and submitting to Congress a report that contains—

“(i) the status of open rulemaking proceedings and proposed orders, decisions, reports, or actions on circulation for review by the Commissioners, including which Commissioners have not cast a vote on an order, decision, report, or action that has been on circulation for more than 60 days;

“(ii) for the petitions, applications, complaints, and other requests for action by the Commission that were pending at the Commission on the last day of such quarter (or more frequent period, as the case may be)—

“(I) the number of such requests, broken down by the bureau primarily responsible for action and, for each bureau, the type of request (such as a petition, application, or complaint); and

“(II) information regarding the amount of time for which such requests have been pending, broken down as described in subclause (I); and

“(iii) a list of the congressional investigations of the Commission that were pending on the last day of such quarter (or more frequent period, as the case may be) and the cost of such investigations, individually and in the aggregate;

“(E) establish deadlines (relative to the date of filing) for—

“(i) in the case of a petition for a declaratory ruling under section 1.2 of title 47, Code of Federal Regulations, issuing a public notice of such petition;

“(ii) in the case of a petition for rulemaking under section 1.401 of such title, issuing a public notice of such petition; and

“(iii) in the case of a petition for reconsideration under section 1.106 or 1.429 of such title or an application for review under section 1.115 of such title, issuing a public no-

tice of a decision on the petition or application by the Commission or under delegated authority (as the case may be);

“(F) establish guidelines (relative to the date of filing) for the disposition of petitions filed under section 1.2 of such title;

“(G) establish procedures for the inclusion of the specific language of the proposed rule or the proposed amendment of an existing rule in a notice of proposed rulemaking; and

“(H) require notices of proposed rulemaking and orders adopting a rule or amending an existing rule that—

“(i) create (or propose to create) a program activity to contain performance measures for evaluating the effectiveness of the program activity; and

“(ii) substantially change (or propose to substantially change) a program activity to contain—

“(I) performance measures for evaluating the effectiveness of the program activity as changed (or proposed to be changed); or

“(II) a finding that existing performance measures will effectively evaluate the program activity as changed (or proposed to be changed).

“(3) INQUIRY.—Not later than 1 year after the date of the enactment of the Federal Communications Commission Process Reform Act of 2015, the Commission shall complete an inquiry to seek public comment on whether and how the Commission should—

“(A) establish procedures for allowing a bipartisan majority of Commissioners to place an order, decision, report, or action on the agenda of an open meeting;

“(B) establish procedures for informing all Commissioners of a reasonable number of options available to the Commission for resolving a petition, complaint, application, rulemaking, or other proceeding;

“(C) establish procedures for ensuring that all Commissioners have adequate time, prior to being required to decide a petition, complaint, application, rulemaking, or other proceeding (including at a meeting held pursuant to section 5(d)), to review the proposed Commission decision document, including the specific language of any proposed rule or any proposed amendment of an existing rule;

“(D) establish procedures for publishing the text of agenda items to be voted on at an open meeting in advance of such meeting so that the public has the opportunity to read the text before a vote is taken;

“(E) establish deadlines (relative to the date of filing) for disposition of applications for a license under section 1.913 of title 47, Code of Federal Regulations;

“(F) assign resources needed in order to meet the deadlines described in subparagraph (E), including whether the Commission's ability to meet such deadlines would be enhanced by assessing a fee from applicants for such a license; and

“(G) publish each order, decision, report, or action not later than 30 days after the date of the adoption of such order, decision, report, or action.

“(4) DATA FOR PERFORMANCE MEASURES.—The Commission shall develop a performance measure or proposed performance measure required by this subsection to rely, where possible, on data already collected by the Commission.

“(5) GAO AUDIT.—Not less frequently than every 6 months, the Comptroller General of the United States shall audit the cost estimates provided by the Commission under paragraph (2)(D)(iii) during the preceding 6-month period.

“(b) PERIODIC REVIEW.—On the date that is 5 years after the completion of the rulemaking proceeding under subsection (a)(1),

and every 5 years thereafter, the Commission shall initiate a new rulemaking proceeding to continue to consider such procedural changes to its rules as may be in the public interest to maximize opportunities for public participation and efficient decisionmaking.

“(c) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

“(1) IN GENERAL.—Notwithstanding section 552b of title 5, United States Code, a bipartisan majority of Commissioners may hold a meeting that is closed to the public to discuss official business if—

“(A) a vote or any other agency action is not taken at such meeting;

“(B) each person present at such meeting is a Commissioner, an employee of the Commission, a member of a joint board or conference established under section 410, or a person on the staff of such a joint board or conference or of a member of such a joint board or conference; and

“(C) an attorney from the Office of General Counsel of the Commission is present at such meeting.

“(2) DISCLOSURE OF NONPUBLIC COLLABORATIVE DISCUSSIONS.—Not later than 2 business days after the conclusion of a meeting held under paragraph (1), the Commission shall publish a disclosure of such meeting, including—

“(A) a list of the persons who attended such meeting; and

“(B) a summary of the matters discussed at such meeting, except for such matters as the Commission determines may be withheld under section 552b(c) of title 5, United States Code.

“(3) PRESERVATION OF OPEN MEETINGS REQUIREMENTS FOR AGENCY ACTION.—Nothing in this subsection shall limit the applicability of section 552b of title 5, United States Code, with respect to a meeting of Commissioners other than that described in paragraph (1).

“(d) ACCESS TO CERTAIN INFORMATION ON COMMISSION'S WEBSITE.—The Commission shall provide direct access from the homepage of its website to—

“(1) detailed information regarding—

“(A) the budget of the Commission for the current fiscal year;

“(B) the appropriations for the Commission for such fiscal year; and

“(C) the total number of full-time equivalent employees of the Commission; and

“(2) the performance plan most recently made available by the Commission under section 1115(b) of title 31, United States Code.

“(e) INTERNET PUBLICATION OF CERTAIN FCC POLICIES AND PROCEDURES.—The chairman of the Commission shall—

“(1) publish on the Internet website of the Commission any policies or procedures of the Commission that—

“(A) are established by the chairman; and

“(B) relate to the functioning of the Commission or the handling of the agenda of the Commission; and

“(2) update such publication not later than 48 hours after the chairman makes changes to any such policies or procedures.

“(f) FEDERAL REGISTER PUBLICATION.—

“(1) IN GENERAL.—In the case of any document adopted by the Commission that the Commission is required, under any provision of law, to publish in the Federal Register, the Commission shall, not later than the date described in paragraph (2), complete all Commission actions necessary for such document to be so published.

“(2) DATE DESCRIBED.—The date described in this paragraph is the earlier of—

“(A) the day that is 45 days after the date of the release of the document; or

“(B) the day by which such actions must be completed to comply with any deadline under any other provision of law.

“(3) NO EFFECT ON DEADLINES FOR PUBLICATION IN OTHER FORM.—In the case of a deadline that does not specify that the form of publication is publication in the Federal Register, the Commission may comply with such deadline by publishing the document in another form. Such other form of publication does not relieve the Commission of any Federal Register publication requirement applicable to such document, including the requirement of paragraph (1).

“(g) CONSUMER COMPLAINT DATABASE.—

“(1) IN GENERAL.—In evaluating and processing consumer complaints, the Commission shall present information about such complaints in a publicly available, searchable database on its website that—

“(A) facilitates easy use by consumers; and

“(B) to the extent practicable, is sortable and accessible by—

“(i) the date of the filing of the complaint;

“(ii) the topic of the complaint;

“(iii) the party complained of; and

“(iv) other elements that the Commission considers in the public interest.

“(2) DUPLICATIVE COMPLAINTS.—In the case of multiple complaints arising from the same alleged misconduct, the Commission shall be required to include only information concerning one such complaint in the database described in paragraph (1).

“(h) FORM OF PUBLICATION.—

“(1) IN GENERAL.—In complying with a requirement of this section to publish a document, the Commission shall publish such document on its website, in addition to publishing such document in any other form that the Commission is required to use or is permitted to and chooses to use.

“(2) EXCEPTION.—The Commission shall by rule establish procedures for redacting documents required to be published by this section so that the published versions of such documents do not contain—

“(A) information the publication of which would be detrimental to national security, homeland security, law enforcement, or public safety; or

“(B) information that is proprietary or confidential.

“(i) TRANSPARENCY RELATING TO PERFORMANCE IN MEETING FOIA REQUIREMENTS.—The Commission shall take additional steps to inform the public about its performance and efficiency in meeting the disclosure and other requirements of section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), including by doing the following:

“(1) Publishing on the Commission's website the Commission's logs for tracking, responding to, and managing requests submitted under such section, including the Commission's fee estimates, fee categories, and fee request determinations.

“(2) Releasing to the public all decisions made by the Commission (including decisions made by the Commission's Bureaus and Offices) granting or denying requests filed under such section, including any such decisions pertaining to the estimate and application of fees assessed under such section.

“(3) Publishing on the Commission's website electronic copies of documents released under such section.

“(4) Presenting information about the Commission's handling of requests under such section in the Commission's annual budget estimates submitted to Congress and the Commission's annual performance and financial reports. Such information shall in-

clude the number of requests under such section the Commission received in the most recent fiscal year, the number of such requests granted and denied, a comparison of the Commission's processing of such requests over at least the previous 3 fiscal years, and a comparison of the Commission's results with the most recent average for the United States Government as published on www.foia.gov.

“(j) PROMPT RELEASE OF STATISTICAL REPORTS AND REPORTS TO CONGRESS.—Not later than January 15th of each year, the Commission shall identify, catalog, and publish an anticipated release schedule for all statistical reports and reports to Congress that are regularly or intermittently released by the Commission and will be released during such year.

“(k) ANNUAL SCORECARD REPORTS.—

“(1) IN GENERAL.—For the 1-year period beginning on January 1st of each year, the Commission shall prepare a report on the performance of the Commission in conducting its proceedings and meeting the deadlines established under subsection (a)(2)(E) and the guidelines established under subsection (a)(2)(F).

“(2) CONTENTS.—Each report required by paragraph (1) shall contain detailed statistics on such performance, including, with respect to each Bureau of the Commission—

“(A) with respect to each type of filing specified in subsection (a)(2)(E) or (a)(2)(F)—

“(i) the number of filings that were pending on the last day of the period covered by such report;

“(ii) the number of filings described in clause (i) for which each applicable deadline or guideline established under such subsection was not met and the average length of time such filings have been pending; and

“(iii) for filings that were resolved during such period, the average time between initiation and resolution and the percentage for which each applicable deadline or guideline established under such subsection was met;

“(B) with respect to proceedings before an administrative law judge—

“(i) the number of such proceedings completed during such period; and

“(ii) the number of such proceedings pending on the last day of such period; and

“(C) the number of independent studies or analyses published by the Commission during such period.

“(3) PUBLICATION AND SUBMISSION.—The Commission shall publish and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate each report required by paragraph (1) not later than the date that is 30 days after the last day of the period covered by such report.

“(l) DEFINITIONS.—In this section:

“(1) AMENDMENT.—The term ‘amendment’ includes, when used with respect to an existing rule, the deletion of such rule.

“(2) BIPARTISAN MAJORITY.—The term ‘bipartisan majority’ means, when used with respect to a group of Commissioners, that such group—

“(A) is a group of 3 or more Commissioners; and

“(B) includes, for each political party of which any Commissioner is a member, at least 1 Commissioner who is a member of such political party, and, if any Commissioner has no political party affiliation, at least one unaffiliated Commissioner.

“(3) PERFORMANCE MEASURE.—The term ‘performance measure’ means an objective and quantifiable outcome measure or output

measure (as such terms are defined in section 1115 of title 31, United States Code).

“(4) **PROGRAM ACTIVITY.**—The term ‘program activity’ has the meaning given such term in section 1115 of title 31, United States Code, except that such term also includes any annual collection or distribution or related series of collections or distributions by the Commission of an amount that is greater than or equal to \$100,000,000.

“(5) **OTHER DEFINITIONS.**—The terms ‘agency action’, ‘ex parte communication’, and ‘rule’ have the meanings given such terms in section 551 of title 5, United States Code.”.

(b) **EFFECTIVE DATES AND IMPLEMENTING RULES.**—

(1) **EFFECTIVE DATES.**—

(A) **NONPUBLIC COLLABORATIVE DISCUSSIONS.**—Subsection (c) of section 13 of the Communications Act of 1934, as added by subsection (a), shall apply beginning on the first date on which all of the procedural changes to the rules of the Federal Communications Commission required by subsection (a)(1) of such section have taken effect.

(B) **REPORT RELEASE SCHEDULES.**—Subsection (j) of such section 13 shall apply with respect to 2016 and any year thereafter.

(C) **ANNUAL SCORECARD REPORTS.**—Subsection (k) of such section 13 shall apply with respect to 2015 and any year thereafter.

(D) **INTERNET PUBLICATION OF CERTAIN FCC POLICIES AND PROCEDURES.**—Subsection (e) of such section 13 shall apply beginning on the date that is 30 days after the date of the enactment of this Act.

(2) **RULES.**—Except as otherwise provided in such section 13, the Federal Communications Commission shall promulgate any rules necessary to carry out such section not later than 1 year after the date of the enactment of this Act.

SEC. 3. CATEGORIZATION OF TCPA INQUIRIES AND COMPLAINTS IN QUARTERLY REPORT.

In compiling its quarterly report with respect to informal consumer inquiries and complaints, the Federal Communications Commission may not categorize an inquiry or complaint with respect to section 227 of the Communications Act of 1934 (47 U.S.C. 227) as being a wireline inquiry or complaint or a wireless inquiry or complaint unless the party whose conduct is the subject of the inquiry or complaint is a wireline carrier or a wireless carrier, respectively.

SEC. 4. EFFECT ON OTHER LAWS.

Nothing in this Act or the amendments made by this Act shall relieve the Federal Communications Commission from any obligations under title 5, United States Code, except where otherwise expressly provided.

SEC. 5. APPLICATION OF ANTIDEFICIENCY ACT TO UNIVERSAL SERVICE PROGRAM.

Section 302 of Public Law 108-494 (118 Stat. 3998) is amended by striking “December 31, 2016” each place it appears and inserting “December 31, 2020”.

SEC. 6. REPORT ON IMPROVING SMALL BUSINESS PARTICIPATION IN FCC PROCEEDINGS.

Not later than 1 year after the date of the enactment of this Act, the Federal Communications Commission, in consultation with the Administrator of the Small Business Administration, shall submit to Congress a report on—

(1) actions that the Commission will take to improve the participation of small businesses in the proceedings of the Commission; and

(2) recommendations for any legislation that the Commission considers appropriate to improve such participation.

SEC. 7. EXCLUSION FROM PAYGO SCORECARDS.

(a) **STATUTORY PAY-AS-YOU-GO SCORECARDS.**—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) **SENATE PAYGO SCORECARDS.**—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. **WALDEN**) and the gentleman from New Jersey (Mr. **PALLONE**) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. **WALDEN**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material into the **RECORD** on the bill.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. **WALDEN**. Mr. Speaker, I yield myself such time as I may consume.

Today marks the third time in 4 years that a variation of the FCC Process Reform Act has come to the floor for a vote. This is a sign of how seriously in need of reform the FCC's procedures are and how seriously I, and the Subcommittee on Communications and Technology, take the responsibility of helping put these reforms in place.

This bill is the product of a multiyear, bipartisan legislative process, bringing us to a place where we can at least begin to create a framework for more transparent and predictable rulemakings at the Federal Communications Commission.

There are few other industries that have shown such high levels of innovation and investment as the communications and technology sector. Think of the developments in smartphones alone over the past few years, Mr. Speaker. The only way to guarantee that this continues is to make sure that the agency that regulates the industry is accountable and transparent so that the regulatory tangles do not impede the steady march of new and exciting innovations and offerings.

The Subcommittee on Communications and Technology has spent a great deal of time on agency reform. In fact, tomorrow we will have the entire FCC before our committee once again. We have come to a consensus on how we can best improve the processes at the Federal Communications Commission without tying the agency's hands unnecessarily. It has been a focus of our work.

Our bipartisan compromise requires that the FCC undertake a rulemaking to adopt minimum time periods for comments and to adopt rules that pre-

vent the introduction of large amounts of data—we call those data dumps, where enormous amounts of information come in at the last minute and nobody has a chance to understand what is in it or comment effectively on it, sometimes even catching commissioners by surprise—at the very end of a comment period.

The new Commission rules must put into place specific deadlines and timeframes for agency decisions or action on different types of filings before the agency. I know all too well what those deadlines and delays can be. My wife and I were broadcasters for more than two decades. We actually had applications sit at the FCC for nearly 10 years without any action. Finally, they were acted upon, and we were given 30 days to implement them. This isn't acceptable. There must be predictability and certainty for those who rely on the FCC to make decisions central to their businesses.

In addition to the rulemaking, the FCC must also conduct an inquiry into more complex issues, giving them flexibility in deciding whether and how to implement the reforms. We aren't looking to, again, hamstring this agency. We simply are providing them with goals and allowing them to determine the best way to achieve them. That is our job as the oversight committee over an agency.

Process reform is not about the actions of one party and it is not about the actions of one chairman. This is about putting rules into place that will carry over from one administration to the next, one party to the next, one chairman to the next, creating consistency and certainty for the many that are subject to the Commission's rules. I believe there must be some kind of accountability for our independent agencies and the decisions that they make. After all, it is the public's business that they are conducting.

While there is still much work needed to be done on reforming the procedures at this sometimes broken agency, this bill represents a vital first step in that process. The communications industry and, more importantly, the American people, deserve a transparent and accountable Federal agency, no matter who is in charge.

For the second consecutive Congress, I am proud to bring this bipartisan work to the House floor. I thank my Democratic colleague, Ranking Member **PALLONE**, who I know will speak on this bill; Ranking Member **ESHOO**, who has been a terrific partner as we have worked on this; Representatives **MATSUI**, **CLARKE**, and **LOEBSACK** for their contributions to this bill; and staff on both sides of the aisle, David Redl, Grace Koh, Kelsey Guyselman, Gene Fullano, David Goldman, Lori Maarbjerg, and David Grossman, for their hard work. I urge my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2583, the Federal Communications Commission Process Reform Act of 2015.

The FCC has a role in regulating industries that make up one-sixth of our economy and whose services have been essential to consumers, and it is important that the FCC functions in a fast, efficient, and transparent way.

The FCC Chairman has made process reform a priority of his tenure, and he has made great strides in improving how the FCC functions. But it is the role of Congress to make adjustments like we are doing today. I believe that the final text of the bill we are considering today will achieve that goal, and I urge all Members to support it.

Not all of the issues in the FCC Process Reform Act are new. In fact, the base of the bill being considered here today is very similar to the bill that passed the House under suspension by voice vote last Congress. It requires the FCC to adopt procedural rule changes to maximize public participation and to look into other potential process changes, including whether to establish deadlines for application processing. It also includes the provisions of the FCC Collaboration Act, an issue championed by Representative ESHOO, which will allow commissioners to freely discuss FCC issues with sufficient safeguards to protect against abuse.

Democrats offered additional suggestions earlier this year when the Subcommittee on Communications and Technology considered this and other bills aimed at FCC process reform. The ideas of subcommittee members CLARKE, LOEBSACK, and MATSUI furthered our goal to help make the FCC fast, efficient, and transparent.

The simple suggestions were to, one, require the FCC to provide quarterly reports on pending items with the agency to ensure accountability and timely responses; two, require the FCC to coordinate with the Small Business Administration to improve small-business participation in FCC proceedings; and, third, require the FCC Chairman to publicly post the agency's internal policies and procedures for greater transparency.

Although we could not agree on the policies offered by the Republicans and dissented from the version of the bill that was favorably reported from the Energy and Commerce Committee in June, we worked in a bipartisan manner to craft the language that we take up today. This version of the bill takes the bipartisan language from last Congress and includes most of the Democratic suggestions that improve the bill.

I appreciate Chairman UPTON and Chairman WALDEN's willingness to lis-

ten to our concerns and work with us to achieve a bipartisan result. It is a stronger bill because of it.

I also want to thank Communications and Technology Subcommittee Ranking Member ANNA ESHOO for her leadership on these issues, as well as Representatives CLARKE, LOEBSACK, and MATSUI, for their thoughtful considerations. I look forward to continuing to work with our Republican and Democratic colleagues in the Senate to help this bill become law. Again, I urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

I want to thank my colleague from New Jersey and his staff for the great work on this legislation. I also meant to thank Mr. KINZINGER from Illinois as well, who has been very active on our subcommittee. He has done great work on this measure and some of its very important provisions. I left him out earlier today. I want to thank him as well. I also thank the staff and my colleagues. I urge passage in the House.

Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I urge passage of the bill.

Mr. Speaker, I yield back the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, again, I think this is a fine piece of work. I think it will result in the Federal Communications Commission being even better and more transparent as it conducts the public's business. I look forward to this bill moving on across the Chamber and to the Senate where, hopefully, this year they will take it up. So I ask for its approval.

Mr. Speaker, I yield back the balance of my time.

Ms. ESHOO. Mr. Speaker, I rise today in support of H.R. 2583, the Federal Communications Commission Process Reform Act of 2015, a bipartisan bill aimed at giving the FCC flexibility while promoting openness, transparency and accountability.

In the 113th Congress, the House of Representatives considered and passed similar legislation by voice vote. The bill before us adds to the previously included reforms by including three legislative proposals offered during the Energy & Commerce Committee's debate.

First, a proposal offered by Rep. CLARKE would require the FCC to report quarterly to Congress and to post, on its website, data on the total number of decisions pending, categorized by bureau, the type of request, the length of time pending, as well as a list of pending Congressional investigations and their costs to the agency.

Second, a proposal by Rep. LOEBSACK would require the Chairman to post the Commission's internal procedures on the FCC website and update the website when the Chairman makes any changes.

Third, the underlying bill includes a proposal offered by Rep. MATSUI which would require the FCC to coordinate with the Small Business Administration and issue recommendations to improve small business participation in FCC proceedings.

Collectively the proposals by Reps. CLARKE, LOEBSACK and MATSUI would modernize and enhance transparency at the FCC without jeopardizing regulatory certainty or opening the Commission to legal challenges on every agency action.

I'm also pleased that the bill incorporates the FCC Collaboration Act of 2015, a bipartisan bill I introduced earlier this year with Reps. SHIMKUS and DOYLE. For years, current and former FCC Commissioners have called on Congress to pass 'sunshine reform,' so that three or more Commissioners can hold non-public collaborative discussions, as long as no agency action is taken. While I remain disappointed that this provision will not take effect immediately upon enactment, I've concluded that any further delay in implementation is the unnecessary delay of a much needed reform.

I thank Chairman WALDEN for working with me and my staff to put forward a bipartisan bill and I urge my colleagues to support H.R. 2583.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 2583, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SPURRING PRIVATE AEROSPACE COMPETITIVENESS AND ENTREPRENEURSHIP ACT OF 2015

Mr. MCCARTHY. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 2262) to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REFERENCES.

(a) *SHORT TITLE.*—This Act may be cited as the "U.S. Commercial Space Launch Competitiveness Act".

(b) *TABLE OF CONTENTS.*—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents; references.
TITLE I—SPURRING PRIVATE AEROSPACE COMPETITIVENESS AND ENTREPRENEURSHIP

Sec. 101. Short title.

Sec. 102. International launch competitiveness.

Sec. 103. Indemnification for space flight participants.

Sec. 104. Launch license flexibility.
 Sec. 105. Licensing report.
 Sec. 106. Federal jurisdiction.
 Sec. 107. Cross waivers.
 Sec. 108. Space authority.
 Sec. 109. Orbital traffic management.
 Sec. 110. Space surveillance and situational awareness data.
 Sec. 111. Consensus standards and extension of certain safety regulation requirements.
 Sec. 112. Government astronauts.
 Sec. 113. Streamline commercial space launch activities.
 Sec. 114. Operation and utilization of the ISS.
 Sec. 115. State commercial launch facilities.
 Sec. 116. Space support vehicles study.
 Sec. 117. Space launch system update.

TITLE II—COMMERCIAL REMOTE SENSING

Sec. 201. Annual reports.
 Sec. 202. Statutory update report.

TITLE III—OFFICE OF SPACE COMMERCE

Sec. 301. Renaming of office of space commercialization.
 Sec. 302. Functions of the office of space commerce.

TITLE IV—SPACE RESOURCE EXPLORATION AND UTILIZATION

Sec. 401. Short title.
 Sec. 402. Title 51 amendment.
 Sec. 403. Disclaimer of extraterritorial sovereignty.

(c) REFERENCES TO TITLE 51, UNITED STATES CODE.—Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 51, United States Code.

TITLE I—SPURRING PRIVATE AEROSPACE COMPETITIVENESS AND ENTREPRENEURSHIP

SEC. 101. SHORT TITLE.

This title may be cited as the “Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015” or “SPACE Act of 2015”.

SEC. 102. INTERNATIONAL LAUNCH COMPETITIVENESS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that it is in the public interest to update the methodology used to calculate the maximum probable loss from claims under section 50914 of title 51, United States Code, with a validated risk profile approach in order to consistently compute valid and reasonable maximum probable loss values.

(b) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the commercial space sector and insurance providers, shall—

(1) evaluate the methodology used to calculate the maximum probable loss from claims under section 50914 of title 51, United States Code, and, if necessary, develop a plan to update that methodology;

(2) in evaluating or developing a plan under paragraph (1)—

(A) ensure that the Federal Government is not exposed to greater costs than intended and that launch companies are not required to purchase more insurance coverage than necessary; and

(B) consider the impact of the cost to both the industry and the Government of implementing an updated methodology; and

(3) submit the evaluation, and any plan, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

(c) INDEPENDENT ASSESSMENT.—Not later than 270 days after the date the evaluation is sub-

mitted under subsection (b)(3), the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives an assessment of—

(1) the analysis and conclusions provided by the Secretary of Transportation in the evaluation, and any plan, under subsection (b);

(2) the implementation schedule proposed by the Secretary in the plan described in paragraph (1);

(3) the suitability of the plan described in paragraph (1) for implementation; and

(4) any further actions needed to implement the plan described in paragraph (1) or otherwise accomplish the purpose of this section.

(d) LAUNCH LIABILITY EXTENSION.—Section 50915(f) is amended by striking “December 31, 2016” and inserting “September 30, 2025”.

SEC. 103. INDEMNIFICATION FOR SPACE FLIGHT PARTICIPANTS.

(a) IN GENERAL.—Chapter 509 is amended—

(1) in section 50914(a)—

(A) in paragraph (4), by adding at the end the following:

“(E) space flight participants.”; and

(B) by adding at the end the following:

“(5) Subparagraph (E) of paragraph (4) ceases to be effective September 30, 2025.”; and

(2) in section 50915(a)—

(A) in paragraph (1), by striking “a licensee or transferee under this chapter, a contractor, subcontractor, or customer of the licensee or transferee, or a contractor or subcontractor of a customer, but not against a space flight participant,” and inserting “a person described in paragraph (3)(A)”;

(B) by adding at the end the following:

“(3)(A) A person described in this subparagraph is—

“(i) a licensee or transferee under this chapter;

“(ii) a contractor, subcontractor, or customer of the licensee or transferee;

“(iii) a contractor or subcontractor of a customer; or

“(iv) a space flight participant.

“(B) Clause (iv) of subparagraph (A) ceases to be effective September 30, 2025.”.

SEC. 104. LAUNCH LICENSE FLEXIBILITY.

Section 50906 is amended—

(1) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking “that will be launched or reentered” and inserting “or reusable launch vehicles that will be launched into a suborbital trajectory or reentered under that permit”;

(B) by amending paragraph (1) to read as follows:

“(1) research and development to test design concepts, equipment, or operating techniques”; and

(C) in paragraph (3)—

(i) by striking “prior to obtaining a license”;

(ii) by inserting “or vehicle” after “design of the rocket”;

(2) in subsection (e)—

(A) in paragraph (1), by striking “suborbital rocket design” and inserting “suborbital rocket or suborbital rocket design, or for a particular reusable launch vehicle or reusable launch vehicle design.”; and

(B) in paragraph (2), by inserting “or launch vehicle” after “the suborbital rocket”;

(3) by amending subsection (g) to read as follows:

“(g) The Secretary may issue a permit under this section notwithstanding any license issued under this chapter. The issuance of a license under this chapter may not invalidate a permit issued under this section.”; and

(4) in subsection (h), by inserting “or reusable launch vehicle” after “suborbital rocket”.

SEC. 105. LICENSING REPORT.

Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on approaches for streamlining the licensing and permitting process of launch vehicles, reentry vehicles, or components of launch or reentry vehicles, to enable non-launch flight operations related to space transportation. The report shall include approaches to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints. The report shall also include an assessment of existing private and government infrastructure, as appropriate, in future licensing activities.

SEC. 106. FEDERAL JURISDICTION.

Section 50914 is amended by adding at the end the following:

“(g) FEDERAL JURISDICTION.—Any claim by a third party or space flight participant for death, bodily injury, or property damage or loss resulting from an activity carried out under the license shall be the exclusive jurisdiction of the Federal courts.”.

SEC. 107. CROSS WAIVERS.

Section 50914(b)(1) is amended to read as follows:

“(1)(A) A launch or reentry license issued or transferred under this chapter shall contain a provision requiring the licensee or transferee to make a reciprocal waiver of claims with applicable parties involved in launch services or reentry services under which each party to the waiver agrees to be responsible for personal injury to, death of, or property damage or loss sustained by it or its own employees resulting from an activity carried out under the applicable license.

“(B) In this paragraph, the term ‘applicable parties’ means—

“(i) contractors, subcontractors, and customers of the licensee or transferee;

“(ii) contractors and subcontractors of the customers; and

“(iii) space flight participants.

“(C) Clause (iii) of subparagraph (B) ceases to be effective September 30, 2025.”.

SEC. 108. SPACE AUTHORITY.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Director of the Office of Science and Technology Policy, in consultation with the Secretary of State, the Secretary of Transportation, the Administrator of the National Aeronautics and Space Administration, the heads of other relevant Federal agencies, and the commercial space sector, shall—

(1) assess current, and proposed near-term, commercial non-governmental activities conducted in space;

(2) identify appropriate authorization and supervision authorities for the activities described in paragraph (1);

(3) recommend an authorization and supervision approach that would prioritize safety, utilize existing authorities, minimize burdens to the industry, promote the U.S. commercial space sector, and meet the United States obligations under international treaties; and

(4) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the activities described in paragraphs (1), (2), and (3).

(b) EXCEPTION.—Nothing in this section shall apply to the activities of the ISS national laboratory as described in section 504 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354), including any research or development projects utilizing the ISS national laboratory.

SEC. 109. ORBITAL TRAFFIC MANAGEMENT.

(a) **SENSE OF CONGRESS.**—It is the sense of the Congress that an improved framework may be necessary for space traffic management of United States Government assets and United States private sector assets in outer space and orbital debris mitigation.

(b) **STUDY.**—Not later than 90 days after the date of enactment of this Act, the Administrator of the National Aeronautics and Space Administration, in consultation with the Secretary of Transportation, the Chair of the Federal Communications Commission, the Secretary of Commerce, and the Secretary of Defense, shall enter into an arrangement with an independent systems engineering and technical assistance organization to study alternate frameworks for the management of space traffic and orbital activities.

(c) **CONTENTS.**—The study shall include the following:

(1) An assessment of current regulations, best practices, and industry standards that apply to space traffic management and orbital debris mitigation.

(2) An assessment of current statutory authorities granted to the Federal Communications Commission, the Department of Transportation, and the Department of Commerce that apply to space traffic management and orbital debris mitigation and how those agencies utilize and coordinate those authorities.

(3) A review of all space traffic management and orbital debris requirements under treaties and other international agreements to which the United States is a signatory, and other non-binding international arrangements in which the United States participates, and the manner and extent to which the Federal Government complies with those requirements and arrangements.

(4) An assessment of existing Federal Government assets used to conduct space traffic management and space situational awareness.

(5) An assessment of the risk to space traffic management associated with smallsats and any necessary Government coordination for their launch and utilization to avoid congestion of the orbital environment and improve space situational awareness.

(6) An assessment of existing private sector information sharing activities associated with space situational awareness and space traffic management.

(7) Recommendations related to the appropriate framework for the protection of the health, safety, and welfare of the public and economic vitality of the space industry.

(d) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives the study required in subsection (b).

(e) DEPARTMENT OF DEFENSE AUTHORITIES.

(1) **SENSE OF CONGRESS.**—It is the sense of Congress that the Department of Defense plays a vital and unique role in protecting national security assets in space.

(2) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to affect the authority of the Secretary of Defense as it relates to safeguarding the national security.

SEC. 110. SPACE SURVEILLANCE AND SITUATIONAL AWARENESS DATA.

Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation in concurrence with the Secretary of Defense shall—

(1) in consultation with the heads of other relevant Federal agencies, study the feasibility of processing and releasing safety-related space situational awareness data and information to

any entity consistent with national security interests and public safety obligations of the United States; and

(2) submit a report on the feasibility study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

SEC. 111. CONSENSUS STANDARDS AND EXTENSION OF CERTAIN SAFETY REGULATION REQUIREMENTS.

Section 50905(c) is amended—

(1) in paragraph (1), by inserting “IN GENERAL.—” before “The Secretary”;

(2) in paragraph (2), by inserting “REGULATIONS.—” before “Regulations”;

(3) by striking paragraph (3);

(4) by redesignating paragraph (4) as paragraph (10);

(5) by inserting after paragraph (2) the following:

“(3) **FACILITATION OF STANDARDS.**—The Secretary shall continue to work with the commercial space sector, including the Commercial Space Transportation Advisory Committee, or its successor organization, to facilitate the development of voluntary industry consensus standards based on recommended best practices to improve the safety of crew, government astronauts, and space flight participants as the commercial space sector continues to mature.

“(4) **COMMUNICATION AND TRANSPARENCY.**—Nothing in this subsection shall be construed to limit the authority of the Secretary to discuss potential regulatory approaches, potential performance standards, or any other topic related to this subsection with the commercial space industry, including observations, findings, and recommendations from the Commercial Space Transportation Advisory Committee, or its successor organization, prior to the issuance of a notice of proposed rulemaking. Such discussions shall not be construed to permit the Secretary to promulgate industry regulations except as otherwise provided in this section.

“(5) **INTERIM VOLUNTARY INDUSTRY CONSENSUS STANDARDS REPORTS.**—

“(A) **IN GENERAL.**—Not later than December 31, 2016, and every 30 months thereafter until December 31, 2021, the Secretary, in consultation and coordination with the commercial space sector, including the Commercial Space Transportation Advisory Committee, or its successor organization, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the progress of the commercial space transportation industry in developing voluntary industry consensus standards that promote best practices to improve industry safety.

“(B) **CONTENTS.**—The report shall include, at a minimum—

“(i) any voluntary industry consensus standards that have been accepted by the industry at large;

“(ii) the identification of areas that have the potential to become voluntary industry consensus standards that are currently under consideration by the industry at large;

“(iii) an assessment from the Secretary on the general progress of the industry in adopting voluntary industry consensus standards;

“(iv) any lessons learned about voluntary industry consensus standards, best practices, and commercial space launch operations;

“(v) any lessons learned associated with the development, potential application, and acceptance of voluntary industry consensus standards, best practices, and commercial space launch operations; and

“(vi) recommendations, findings, or observations from the Commercial Space Transportation Advisory Committee, or its successor organiza-

tion, on the progress of the industry in developing voluntary industry consensus standards that promote best practices to improve industry safety.

“(6) **REPORT.**—Not later than 270 days after the date of enactment of the SPACE Act of 2015, the Secretary, in consultation and coordination with the commercial space sector, including the Commercial Space Transportation Advisory Committee, or its successor organization, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report specifying key industry metrics that might indicate readiness of the commercial space sector and the Department of Transportation to transition to a safety framework that may include regulations under paragraph (9) that considers space flight participant, government astronaut, and crew safety.

“(7) **REPORTS.**—Not later than March 31 of each of 2018 and 2022, the Secretary, in consultation and coordination with the commercial space sector, including the Commercial Space Transportation Advisory Committee, or its successor organization, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that identifies the activities, described in this subsection and subsection (d) most appropriate for a new safety framework that may include regulatory action, if any, and a proposed transition plan for such safety framework.

“(8) **INDEPENDENT REVIEW.**—Not later than December 31, 2022, an independent systems engineering and technical assistance organization or standards development organization contracted by the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives an assessment of the readiness of the commercial space industry and the Federal Government to transition to a safety framework that may include regulations. As part of the review, the contracted organization shall evaluate—

“(A) the progress of the commercial space industry in adopting voluntary industry consensus standards as reported by the Secretary in the interim assessments included in the reports under paragraph (5);

“(B) the progress of the commercial space industry toward meeting the key industry metrics identified by the report under paragraph (6), including the knowledge and operational experience obtained by the commercial space industry while providing services for compensation or hire; and

“(C) whether the areas identified in the reports under paragraph (5) are appropriate for regulatory action, or further development of voluntary industry consensus standards, considering the progress evaluated in subparagraphs (A) and (B) of this paragraph.

“(9) **LEARNING PERIOD.**—Beginning on October 1, 2023, the Secretary may propose regulations under this subsection without regard to subparagraphs (C) and (D) of paragraph (2). The development of any such regulations shall take into consideration the evolving standards of the commercial space flight industry as identified in the reports published under paragraphs (5), (6), and (7).”; and

(6) in paragraph (10), as redesignated, by inserting “**RULE OF CONSTRUCTION.**—” before “Nothing”.

SEC. 112. GOVERNMENT ASTRONAUTS.

(a) **FINDINGS AND PURPOSE.**—Section 50901(15) is amended by inserting “, government astronauts,” after “crew” each place it appears.

(b) **SENSE OF CONGRESS.**—The National Aeronautics and Space Administration has a need to

fly government astronauts (as defined in section 50902 of title 51, United States Code, as amended) within commercial launch vehicles and reentry vehicles under chapter 509 of that title. This need was identified by the Secretary of Transportation and the Administrator of the National Aeronautics and Space Administration due to the intended use of commercial launch vehicles and reentry vehicles developed under the Commercial Crew Development Program, authorized in section 402 of the National Aeronautics and Space Administration Authorization Act of 2010 (124 Stat. 2820; Public Law 111-267). It is the sense of Congress that the authority delegated to the Administration by the amendment made by subsection (d) of this section should be used for that purpose.

(c) **DEFINITION OF GOVERNMENT ASTRONAUT.**—Section 50902 is amended—

(1) by redesignating paragraphs (4) through (22) as paragraphs (7) through (25), respectively; and

(2) by inserting after paragraph (3) the following:

“(4) ‘government astronaut’ means an individual who—

“(A) is designated by the National Aeronautics and Space Administration under section 20113(n);

“(B) is carried within a launch vehicle or reentry vehicle in the course of his or her employment, which may include performance of activities directly relating to the launch, reentry, or other operation of the launch vehicle or reentry vehicle; and

“(C) is either—

“(i) an employee of the United States Government, including the uniformed services, engaged in the performance of a Federal function under authority of law or an Executive act; or

“(ii) an international partner astronaut.

“(5) ‘international partner astronaut’ means an individual designated under Article 11 of the International Space Station Intergovernmental Agreement, by a partner to that agreement other than the United States, as qualified to serve as an International Space Station crew member.

“(6) ‘International Space Station Intergovernmental Agreement’ means the Agreement Concerning Cooperation on the International Space Station, signed at Washington January 29, 1998 (TIAS 12927).”.

(d) **POWERS OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION IN PERFORMANCE OF FUNCTIONS.**—Section 20113 is amended by adding at the end the following:

“(n) **IDENTIFICATION OF GOVERNMENT ASTRONAUTS.**—For purposes of a license issued or transferred by the Secretary of Transportation under chapter 509 to launch a launch vehicle or to reenter a reentry vehicle carrying a government astronaut (as defined in section 50902), the Administration shall designate a government astronaut in accordance with requirements prescribed by the Administration.”.

(e) **DEFINITION OF LAUNCH.**—Paragraph (7) of section 50902, as redesignated, is amended by striking “and any payload, crew, or space flight participant” and inserting “and any payload or human being”.

(f) **DEFINITION OF LAUNCH SERVICES.**—Paragraph (9) of section 50902, as redesignated, is amended by striking “payload, crew (including crew training), or space flight participant” and inserting “payload, crew (including crew training), government astronaut, or space flight participant”.

(g) **DEFINITION OF REENTER AND REENTRY.**—Paragraph (16) of section 50902, as redesignated, is amended by striking “and its payload, crew, or space flight participants, if any,” and inserting “and its payload or human beings, if any,”.

(h) **DEFINITION OF REENTRY SERVICES.**—Paragraph (17) of section 50902, as redesignated, is

amended by striking “payload, crew (including crew training), or space flight participant, if any,” and inserting “payload, crew (including crew training), government astronaut, or space flight participant, if any,”.

(i) **DEFINITION OF SPACE FLIGHT PARTICIPANT.**—Paragraph (20) of section 50902, as redesignated, is amended to read as follows:

“(20) ‘space flight participant’ means an individual, who is not crew or a government astronaut, carried within a launch vehicle or reentry vehicle.”.

(j) **DEFINITION OF THIRD PARTY.**—Paragraph (24)(E) of section 50902, as redesignated, is amended by inserting “, government astronauts,” after “crew”.

(k) **RESTRICTIONS ON LAUNCHES, OPERATIONS, AND REENTRIES; SINGLE LICENSE OR PERMIT.**—Section 50904(d) is amended by striking “activities involving crew or space flight participants” and inserting “activities involving crew, government astronauts, or space flight participants”.

(l) **LICENSE APPLICATIONS AND REQUIREMENTS; APPLICATIONS.**—Section 50905 is amended—

(1) in subsection (a)(2), by striking “crews and space flight participants” and inserting “crew, government astronauts, and space flight participants”;

(2) in subsection (b)(2)(D), by striking “crew or space flight participants” and inserting “crew, government astronauts, or space flight participants”; and

(3) in subsection (c)—

(A) in paragraph (1), by striking “crew and space flight participants” and inserting “crew, government astronauts, and space flight participants”; and

(B) in paragraph (2), by striking “to crew or space flight participants” each place it appears and inserting “to crew, government astronauts, or space flight participants”.

(m) **MONITORING ACTIVITIES.**—Section 50907(a) is amended by striking “at a site used for crew or space flight participant training” and inserting “at a site not owned or operated by the Federal Government or a foreign government used for crew, government astronaut, or space flight participant training”.

(n) **ADDITIONAL SUSPENSIONS.**—Section 50908(d)(1) is amended by striking “to crew or space flight participants” each place it appears and inserting “to any human being”.

(o) **RELATIONSHIP TO OTHER EXECUTIVE AGENCIES, LAWS, AND INTERNATIONAL OBLIGATIONS; NONAPPLICATION.**—Section 50919(g) is amended to read as follows:

“(g) **NONAPPLICATION.**—

“(1) **IN GENERAL.**—This chapter does not apply to—

“(A) a launch, reentry, operation of a launch vehicle or reentry vehicle, operation of a launch site or reentry site, or other space activity the Government carries out for the Government; or

“(B) planning or policies related to the launch, reentry, operation, or activity under subparagraph (A).

“(2) **RULE OF CONSTRUCTION.**—The following activities are not space activities the Government carries out for the Government under paragraph (1):

“(A) a government astronaut being carried within a launch vehicle or reentry vehicle under this chapter.

“(B) a government astronaut performing activities directly relating to the launch, reentry, or other operation of the launch vehicle or reentry vehicle under this chapter.”.

SEC. 113. STREAMLINE COMMERCIAL SPACE LAUNCH ACTIVITIES.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that eliminating duplicative requirements and approvals for commercial launch and reentry operations will promote and encourage the development of the commercial space sector.

(b) **REAFFIRMATION OF POLICY.**—Congress reaffirms that the Secretary of Transportation, in overseeing and coordinating commercial launch and reentry operations, should—

(1) promote commercial space launches and reentries by the private sector;

(2) facilitate Government, State, and private sector involvement in enhancing U.S. launch sites and facilities;

(3) protect public health and safety, safety of property, national security interests, and foreign policy interests of the United States; and

(4) consult with the head of another executive agency, including the Secretary of Defense or the Administrator of the National Aeronautics and Space Administration, as necessary to provide consistent application of licensing requirements under chapter 509 of title 51, United States Code.

(c) **REQUIREMENTS.**—

(1) **IN GENERAL.**—The Secretary of Transportation under section 50918 of title 51, United States Code, and subject to section 50905(b)(2)(C) of that title, shall consult with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, and the heads of other executive agencies, as appropriate—

(A) to identify all requirements that are imposed to protect the public health and safety, safety of property, national security interests, and foreign policy interests of the United States relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle; and

(B) to evaluate the requirements identified in subparagraph (A) and, in coordination with the licensee or transferee and the heads of the relevant executive agencies—

(i) determine whether the satisfaction of a requirement of one agency could result in the satisfaction of a requirement of another agency; and

(ii) resolve any inconsistencies and remove any outmoded or duplicative requirements or approvals of the Federal Government relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle.

(2) **REPORTS.**—Not later than 180 days after the date of enactment of this Act, and annually thereafter until the Secretary of Transportation determines no outmoded or duplicative requirements or approvals of the Federal Government exist, the Secretary of Transportation, in consultation with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, the commercial space sector, and the heads of other executive agencies, as appropriate, shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the congressional defense committees a report that includes the following:

(A) A description of the process for the application for and approval of a permit or license under chapter 509 of title 51, United States Code, for the commercial launch of a launch vehicle or commercial reentry of a reentry vehicle, including the identification of—

(i) any unique requirements for operating on a United States Government launch site, reentry site, or launch property; and

(ii) any inconsistent, outmoded, or duplicative requirements or approvals.

(B) A description of current efforts, if any, to coordinate and work across executive agencies to define interagency processes and procedures for sharing information, avoiding duplication of effort, and resolving common agency requirements.

(C) Recommendations for legislation that may further—

(i) streamline requirements in order to improve efficiency, reduce unnecessary costs, resolve inconsistencies, remove duplication, and minimize unwarranted constraints; and

(ii) consolidate or modify requirements across affected agencies into a single application set that satisfies the requirements identified in paragraph (1)(A).

(3) **DEFINITIONS.**—For purposes of this subsection—

(A) any applicable definitions set forth in section 50902 of title 51, United States Code, shall apply;

(B) the terms “launch”, “reenter”, and “reentry” include landing of a launch vehicle or reentry vehicle; and

(C) the terms “United States Government launch site” and “United States Government reentry site” include any necessary facility, at that location, that is commercially operated on United States Government property.

SEC. 114. OPERATION AND UTILIZATION OF THE ISS.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) maximum utilization of partnerships, scientific research, commercial applications, and exploration test bed capabilities of the ISS is essential to ensuring the greatest return on investments made by the United States and its international partners in the development, assembly, and operations of that unique facility; and

(2) every effort should be made to ensure that decisions regarding the service life of the ISS are based on the station’s projected capability to continue providing effective and productive research and exploration test bed capabilities.

(b) **CONTINUATION OF THE INTERNATIONAL SPACE STATION.**—

(1) **IN GENERAL.**—Section 501 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18351) is amended—

(A) in the heading, by striking “**THROUGH 2020**”; and

(B) in subsection (a), by striking “through at least 2020” and inserting “through at least 2024”.

(2) **MAINTENANCE OF THE UNITED STATES SEGMENT AND ASSURANCE OF CONTINUED OPERATIONS OF THE INTERNATIONAL SPACE STATION.**—Section 503 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18353) is amended—

(A) in subsection (a), by striking “through at least September 30, 2020” and inserting “through at least September 30, 2024”; and

(B) in subsection (b)(1), by striking “In carrying out subsection (a), the Administrator” and inserting “The Administrator”.

(3) **RESEARCH CAPACITY ALLOCATION AND INTEGRATION OF RESEARCH PAYLOADS.**—Section 504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d)) is amended by striking “September 30, 2020” each place it appears and inserting “at least September 30, 2024”.

(4) **MAINTAINING USE THROUGH AT LEAST 2024.**—Section 70907 is amended to read as follows:

“§70907. Maintaining use through at least 2024

“(a) **POLICY.**—The Administrator shall take all necessary steps to ensure that the International Space Station remains a viable and productive facility capable of potential United States utilization through at least September 30, 2024.

“(b) **NASA ACTIONS.**—In furtherance of the policy under subsection (a), the Administrator shall ensure, to the extent practicable, that the International Space Station, as a designated national laboratory—

“(1) remains viable as an element of overall exploration and partnership strategies and approaches;

“(2) is considered for use by all NASA mission directorates, as appropriate, for technically appropriate scientific data gathering or technology risk reduction demonstrations; and

“(3) remains an effective, functional vehicle providing research and test bed capabilities for the United States through at least September 30, 2024.”.

(5) **TECHNICAL AND CONFORMING AMENDMENTS.**—

(A) **TABLE OF CONTENTS OF 2010 ACT.**—The item relating to section 501 in the table of contents in section 1(b) of the National Aeronautics and Space Administration Authorization Act of 2010 (124 Stat. 2806) is amended by striking “through 2020”.

(B) **TABLE OF CONTENTS OF CHAPTER 709.**—The table of contents for chapter 709 is amended by amending the item relating to section 70907 to read as follows:

“70907. Maintaining use through at least 2024.”.

SEC. 115. STATE COMMERCIAL LAUNCH FACILITIES.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) State involvement, development, ownership, and operation of launch facilities can enable growth of the Nation’s commercial sub-orbital and orbital space endeavors and support both commercial and Government space programs;

(2) State launch facilities and the people and property in the affected launch areas of those facilities may be subject to risks resulting from an activity carried out under a license under chapter 509 of title 51, United States Code; and

(3) to ensure the success of the commercial launch industry and the safety of the people and property in the affected launch areas of those facilities, States and State launch facilities should seek to take proper measures to protect themselves, to the extent of their potential liability for involvement in launch services or reentry services, and compensate third parties for possible death, bodily injury, or property damage or loss resulting from an activity carried out under a license under chapter 509 of title 51, United States Code, to which the State or State launch facility is involved in the launch services or reentry services.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the potential inclusion of all government property, including State and municipal property, in the existing indemnification regime established under section 50914 of title 51, United States Code.

SEC. 116. SPACE SUPPORT VEHICLES STUDY.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the use of space support vehicle services in the commercial space industry.

(b) **CONTENTS.**—This report shall include—

(1) the extent to which launch providers rely on such services as part of their business models;

(2) the statutory, regulatory, and market barriers to the use of such services; and

(3) recommendations for legislative or regulatory action that may be needed to ensure reduced barriers to the use of such services if such use is a requirement of the industry.

SEC. 117. SPACE LAUNCH SYSTEM UPDATE.

(a) **IN GENERAL.**—Chapter 701 is amended—

(1) in the heading by striking “**SPACE SHUTTLE**” and inserting “**SPACE LAUNCH SYSTEM**”;

(2) in section 70101—

(A) in the heading, by striking “**space shuttle**” and inserting “**space launch system**”; and

(B) by striking “space shuttle” and inserting “space launch system”;

(3) by amending section 70102 to read as follows:

“§70102. Space launch system use policy

“(a) **IN GENERAL.**—The Space Launch System may be used for the following circumstances:

“(1) Payloads and missions that contribute to extending human presence beyond low-Earth orbit and substantially benefit from the unique capabilities of the Space Launch System.

“(2) Other payloads and missions that substantially benefit from the unique capabilities of the Space Launch System.

“(3) On a space available basis, Federal Government or educational payloads that are consistent with NASA’s mission for exploration beyond low-Earth orbit.

“(4) Compelling circumstances, as determined by the Administrator.

“(b) **AGREEMENTS WITH FOREIGN ENTITIES.**—The Administrator may plan, negotiate, or implement agreements with foreign entities for the launch of payloads for international collaborative efforts relating to science and technology using the Space Launch System.

“(c) **COMPELLING CIRCUMSTANCES.**—Not later than 30 days after the date the Administrator makes a determination under subsection (a)(4), the Administrator shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives written notification of the Administrator’s intent to select the Space Launch System for a specific mission under that subsection, including justification for the determination.”;

(A) in section 70103—

(A) in the heading, by striking “**SPACE SHUTTLE**” and inserting “**SPACE LAUNCH SYSTEM**”; and

(B) in subsection (b), by striking “space shuttle” each place it appears and inserting “space launch system”; and

(5) by adding at the end the following:

“§70104. Definition of Space Launch System

“In this chapter, the term ‘Space Launch System’ means the Space Launch System authorized under section 302 of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18322).”.

(b) **TECHNICAL AND CONFORMING AMENDMENTS.**—

(1) **TABLE OF CHAPTERS.**—The table of chapters of title 51 is amended by amending the item relating to chapter 701 to read as follows:

“701. Use of space launch system or alternatives 70101”.

(2) **TABLE OF CONTENTS OF CHAPTER 701.**—The table of contents of chapter 701 is amended—

(A) in the item relating to section 70101, by striking “space shuttle” and inserting “space launch system”;

(B) in the item relating to section 70102, by striking “Space shuttle” and inserting “Space launch system”;

(C) in the item relating to section 70103, by striking “space shuttle” and inserting “space launch system”; and

(D) by adding at the end the following:

“70104. Definition of Space Launch System.”.

(3) **REQUIREMENT TO PROCURE COMMERCIAL SPACE TRANSPORTATION SERVICES.**—Section 50131(a) of chapter 51 is amended by inserting “or in section 70102” after “in this section”.

TITLE II—COMMERCIAL REMOTE SENSING

SEC. 201. ANNUAL REPORTS.

(a) **IN GENERAL.**—Subchapter III of chapter 601 is amended by adding at the end the following:

“§ 60126. Annual reports

“(a) *IN GENERAL.*—The Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives not later than 180 days after the date of enactment of the U.S. Commercial Space Launch Competitiveness Act, and annually thereafter, on—

“(1) the Secretary’s implementation of section 60121, including—

“(A) a list of all applications received in the previous calendar year;

“(B) a list of all applications that resulted in a license under section 60121;

“(C) a list of all applications denied and an explanation of why each application was denied, including any information relevant to the interagency adjudication process of a licensing request;

“(D) a list of all applications that required additional information; and

“(E) a list of all applications whose disposition exceeded the 120 day deadline established in section 60121(c), the total days overdue for each application that exceeded such deadline, and an explanation for the delay;

“(2) all notifications and information provided to the Secretary under section 60122; and

“(3) a description of all actions taken by the Secretary under the administrative authority granted by paragraphs (4), (5), and (6) of section 60123(a).

“(b) *CLASSIFIED ANNEXES.*—Each report under subsection (a) may include classified annexes as necessary to protect the disclosure of sensitive or classified information.

“(c) *SUNSET.*—The reporting requirement under this section terminates effective September 30, 2020.”

(b) *TABLE OF CONTENTS.*—The table of contents of chapter 601 is amended by inserting after the item relating to section 60125 the following:

“60126. Annual reports.”

SEC. 202. STATUTORY UPDATE REPORT.

Not later than 1 year after the date of enactment of this Act, the Secretary of Commerce, in consultation with the heads of other appropriate Federal agencies and the National Oceanic and Atmospheric Administration’s Advisory Committee on Commercial Remote Sensing, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on statutory updates necessary to license private remote sensing space systems. In preparing the report, the Secretary shall take into account the need to protect national security while maintaining United States private sector leadership in the field, and reflect the current state of the art of remote sensing systems, instruments, or technologies.

TITLE III—OFFICE OF SPACE COMMERCE**SEC. 301. RENAMING OF OFFICE OF SPACE COMMERCIALIZATION.**

(a) *CHAPTER HEADING.*—

(1) *AMENDMENT.*—The heading for chapter 507 is amended by striking “**COMMERCIALIZATION**” and inserting “**COMMERCE**”.

(2) *CONFORMING AMENDMENT.*—The item relating to chapter 507 in the table of chapters for title 51 is amended by striking “Commercialization” and inserting “Commerce”.

(b) *DEFINITION OF OFFICE.*—Section 50701 is amended by striking “Commercialization” and inserting “Commerce”.

(c) *RENAMING.*—Section 50702(a) is amended by striking “Commercialization” and inserting “Commerce”.

SEC. 302. FUNCTIONS OF THE OFFICE OF SPACE COMMERCE.

Section 50702(c) is amended by striking “Commerce.” and inserting “Commerce, including—

“(1) to foster the conditions for the economic growth and technological advancement of the United States space commerce industry;

“(2) to coordinate space commerce policy issues and actions within the Department of Commerce;

“(3) to represent the Department of Commerce in the development of United States policies and in negotiations with foreign countries to promote United States space commerce;

“(4) to promote the advancement of United States geospatial technologies related to space commerce, in cooperation with relevant interagency working groups; and

“(5) to provide support to Federal Government organizations working on Space-Based Positioning Navigation, and Timing policy, including the National Coordination Office for Space-Based Position, Navigation, and Timing.”.

TITLE IV—SPACE RESOURCE EXPLORATION AND UTILIZATION**SEC. 401. SHORT TITLE.**

This title may be cited as the “Space Resource Exploration and Utilization Act of 2015”.

SEC. 402. TITLE 51 AMENDMENT.

(a) *IN GENERAL.*—Subtitle V is amended by adding at the end the following:

“CHAPTER 513—SPACE RESOURCE COMMERCIAL EXPLORATION AND UTILIZATION

“Sec.

“51301. Definitions.

“51302. Commercial exploration and commercial recovery.

“51303. Asteroid resource and space resource rights.

“§ 51301. Definitions

“In this chapter:

“(1) *ASTEROID RESOURCE.*—The term ‘asteroid resource’ means a space resource found on or within a single asteroid.

“(2) *SPACE RESOURCE.*—

“(A) *IN GENERAL.*—The term ‘space resource’ means an abiotic resource in situ in outer space.

“(B) *INCLUSIONS.*—The term ‘space resource’ includes water and minerals.

“(3) *UNITED STATES CITIZEN.*—The term ‘United States citizen’ has the meaning given the term ‘citizen of the United States’ in section 50902.

“§ 51302. Commercial exploration and commercial recovery

“(a) *IN GENERAL.*—The President, acting through appropriate Federal agencies, shall—

“(1) facilitate commercial exploration for and commercial recovery of space resources by United States citizens;

“(2) discourage government barriers to the development in the United States of economically viable, safe, and stable industries for commercial exploration for and commercial recovery of space resources in manners consistent with the international obligations of the United States; and

“(3) promote the right of United States citizens to engage in commercial exploration for and commercial recovery of space resources free from harmful interference, in accordance with the international obligations of the United States and subject to authorization and continuing supervision by the Federal Government.

“(b) *REPORT.*—Not later than 180 days after the date of enactment of this section, the President shall submit to Congress a report on commercial exploration for and commercial recovery of space resources by United States citizens that specifies—

“(1) the authorities necessary to meet the international obligations of the United States, including authorization and continuing supervision by the Federal Government; and

“(2) recommendations for the allocation of responsibilities among Federal agencies for the activities described in paragraph (1).

“§ 51303. Asteroid resource and space resource rights

“A United States citizen engaged in commercial recovery of an asteroid resource or a space resource under this chapter shall be entitled to any asteroid resource or space resource obtained, including to possess, own, transport, use, and sell the asteroid resource or space resource obtained in accordance with applicable law, including the international obligations of the United States.”.

(b) *TABLE OF CHAPTERS.*—The table of chapters for title 51 is amended by adding at the end of the items for subtitle V the following:

“513. Space resource commercial exploration and utilization 51301”.

SEC. 403. DISCLAIMER OF EXTRATERRITORIAL SOVEREIGNTY.

It is the sense of Congress that by the enactment of this Act, the United States does not thereby assert sovereignty or sovereign or exclusive rights or jurisdiction over, or the ownership of, any celestial body.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCCARTHY) and the gentlewoman from Maryland (Ms. EDWARDS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MCCARTHY. Mr. Speaker, I yield myself such time as I may consume.

America is a Nation uniquely called to explore the final frontier. We are born adventurers with a spirit of freedom and curiosity unmatched in human history. And that spirit is aided by the wealth of intelligence so deep that we continue to lead the world in advancement of technology and science.

□ 1800

When the Wright brothers flew over the beaches of Kitty Hawk and Chuck Yeager broke the sound barrier, they were supported by the spirit of freedom and a structure of laws that urged them to realize their dreams and change the world at the same time.

But the work of realizing our full potential is only just beginning. We are still paying Russia \$70 million every time we send one of our astronauts to the Space Station. Our commercial pioneers can and want to fulfill this role, but they need our help.

The SPACE Act will help. This bill will unite law with innovation, allowing the next generation of pioneers to experiment, learn, and succeed without being constrained by premature regulatory action. It ensures that anyone or anything impacted by flight or flight experiments are protected, and it keeps us competitive by providing

much needed flexibility in permitting and licensing, facilitating an environment that allows for swift and effective improvements in safety and reliability.

With this law, I have great hope for the future of space exploration. Whenever I visit the Mojave Air and Space Port, where so many of our advancements are happening, I am overwhelmed by the feeling that the future is now.

Upon the firm foundation of the SPACE Act, I know they and others will lead us far and that our limits are only bounded by what we can imagine as we continue our journey to the stars.

I reserve the balance of my time.

Ms. EDWARDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support the growing commercial space transportation industry, and I support the stated goal of the SPACE Act, to "encourage private sector investment and create more stable and predictable regulatory conditions."

The commercial space industry is emerging, it is growing, it is preparing for the 21st century and research and technology and entrepreneurship and exploration. It employs thousands of workers.

The bill does some useful things. It extends the life of the International Space Station at least through 2024, giving us a springboard for a pathway to Mars.

It provides for a clear definition of government astronauts as separate from crew and other spaceflight participants, recognizing the historic and unique and necessary place in the spectrum for government astronauts.

But I must also point out my concerns that we support policies that consider the safety of those who will use the commercial services we are seeking to encourage, especially commercial human spaceflight services.

I am concerned that the length of the moratorium, 8 years, on FAA's ability to even start proposing regulations for human occupants on commercial human spaceflight systems, the so-called learning period, is longer than it needs to be for an industry that, as has been described, is moving at quite a rapid pace.

I am concerned that this bill requires spaceflight participants, those who will buy tickets to fly on commercial and human spaceflight systems, to waive their rights to sue the launch provider and related parties for claims.

It is unclear, for example, what the parameters are for instances of negligence and gross negligence or malfeasance, and we needed the bill to clarify these issues.

I am concerned that we are rushing to establish policy on space resource mining and utilization without having vetted the range of issues associated with it and without having carried out

the necessary due diligence to inform legislation that relates to our international treaty obligations with our international partners.

Mr. Speaker, I supported the original Senate-passed bill, S. 1297, which includes a 5-year learning period and 4-year extension of commercial launch indemnification. A formal conference would have, of course, allowed Members the opportunity to fully explore and discuss the issues that I have described and resolve most, if not all, of our differences. Unfortunately, such a process was not followed in this case, and so we are left with a bill that I believe exceeds its risks.

That said, I believe that we should continue to support the emerging commercial space industry, though we must do so with an eye toward protecting all those who use it.

Mr. Speaker, I reserve the balance of my time.

Mr. MCCARTHY. Mr. Speaker, I yield 6 minutes to the gentleman from Texas (Mr. SMITH), the esteemed chairman of the Science, Space, and Technology Committee.

Mr. SMITH of Texas. Mr. Speaker, I thank the majority leader for yielding me time. And I also want to thank the majority leader, KEVIN MCCARTHY, an honorary member of the Science, Space, and Technology Committee, for sponsoring this important legislation.

This bill encourages the private sector to launch rockets, take risks, and shoot for the stars. H.R. 2262, the SPACE Act, facilitates a pro-growth environment for the developing commercial space sector.

It creates more stable regulatory conditions and improves safety, which, in turn, attracts private investment.

This bill secures American leadership in space and fosters the development of advanced space technologies.

It preserves the Federal Aviation Administration's ability to regulate commercial human spaceflight in order to protect national security, public health, and safety. It also preserves the FAA's ability to regulate spaceflight participants and crew safety in the event of an accident.

The SPACE Act allows the commercial space industry to develop standards and coordinate with the FAA so the industry can grow in a stable regulatory environment without the threat of arbitrary regulations that would adversely impact their ability to innovate.

International law places liability for damages that result from space accidents on the launching country. All spacefaring nations require some form of third-party liability insurance for launching entities.

The current U.S. risk-sharing structure expires in 2016. This act extends indemnification to 2025, and this provision prevents U.S. space companies from going overseas where other na-

tions have much more favorable liability protection.

The SPACE Act also closes a statutory loophole that negates an experimental permit once a launch license is issued for the same vehicle design. This fosters greater innovation and allows an experimental permit holder to continue its tests while a license holder conducts operations.

Current law only allows for two categories of individuals carried on a spacecraft: crew and spaceflight participants. Now that NASA allows other astronauts to travel to the International Space Station, a new category is necessary to outline the roles, responsibilities, and protections for astronauts on a commercial human spaceflight launch.

This bill closes a loophole that carved out an exception for spaceflight participants from indemnification coverage. By including these individuals in the indemnification provision, spaceflight participants who participate in a launch as a result of a contest or for other reasons are not exposed to liability more than anyone else involved in the launch.

Current law requires that all parties involved in a launch waive claims against each other. This bill adds spaceflight participants to the cross-waiver requirement to ensure consistency and reinforce the informed consent requirements.

Many bipartisan provisions recently considered by the Science, Space, and Technology Committee are included in this legislation. These provisions establish in United States domestic law that U.S. citizens are entitled to explore, use, and take possession of space resources. They also streamline the regulatory process for commercial remote sensing and update the Office of Space Commerce.

Numerous space companies have expressed support for this bill. They include SpaceX; Virgin Galactic; Blue Origin; World View Enterprises; XCOR Aerospace; Mojave Air and Space Port; Planetary Resources; Moon Express; Spaceport America; Spaceport Camden, Georgia; Midland Development Corporation; Masten Space Systems; the Satellite Industry Association; and the Commercial Spaceflight Federation, which represents more than 50 commercial space companies across the United States.

This bill is the product of over 3 years of work, 14 committee hearings, multiple markups, a rule on the House floor that allowed amendments, and input from industry, education groups, and grassroots citizen advocacy groups. Virtually every space stakeholder group supports this bill. And, in fact, it passed the Senate unanimously last week.

H.R. 2262 keeps America at the forefront of the aerospace technology, promotes American jobs, reduces red tape,

promotes safety, and inspires the next generation of explorers. It provides the boost America's private space partners need as they lead the world into the future.

Mr. Speaker, we have reached this point because of the persistence, over many weeks, of very able staff members. I especially thank the Space Subcommittee Staff Director, Tom Hammond; Science Committee Senior Adviser and Legislative Director, Chris Wylder; and Chief of Staff Jennifer Brown for their work on this legislation.

I also want to thank Majority Leader MCCARTHY again, for his initiative on this bill, and I encourage my colleagues to support it.

Ms. EDWARDS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the ranking member of the Science, Space, and Technology Committee.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, nothing excites me more than to discuss and to have witnessed much of the space exploration research.

The bill we are considering today is a missed opportunity to enact sensible policies. It is a bill that, if enacted, will do harm to American taxpayers, to the long-term interests of the commercial space industry itself.

It is a bill that displays the inconsistent and contradictory approach that this Congress has taken toward this industry. On the one hand, Congress and the industry has been saying that the commercial launch industry is so mature that we are ready to send our NASA astronauts on the International Space Station as passengers on commercial spacecraft.

On the other hand, the bill before us today says that the industry is still so immature that the FAA shouldn't be allowed to impose any safety regulations to protect passengers who fly on any of the commercial spacecraft until well into the next decade; this, despite the fact that our country has more than a half century of experience in human spaceflight, and we understand very well what is needed to maintain passenger safety.

This contradictory posture makes no sense to me. NASA will insist on the insight and oversight necessary to be convinced that the vehicles its astronauts fly on will be as safe as they can be. However, with this bill, ordinary citizens who fly on commercial spacecraft won't have any similar protections.

I must point out that I am not talking in the abstraction. In just this past 13 months, we have witnessed three different commercial launch providers experience catastrophic failures. One of those failures resulted in the death of a test pilot. Another caused millions of dollars of damage to the launch facility.

With these major accidents as a backdrop, I think it is unconscionable that we are here today moving this bill in its current form.

The bill before us also goes against the interests of the American taxpayer. By extending the current licensing and indemnification regime without any updating of its provisions, it shifts more and more of the third-party liability financial risk in the event of an accident, and we know there will be accidents, from the companies to the taxpayers.

Each year that the current, outdated indemnification regime is extended, the financial exposure of the taxpayer grows, and that of the companies are reduced. I can think of no other industry where we are willing to have the government—and ultimately the American taxpayer—assume an increasing share of the financial risk of an industry as it matures.

Of course, some of my majority colleagues will argue that we have to provide that preferential treatment to our domestic commercial space transportation industry because foreign governments are providing it to theirs. Yet I would note that many of those same Members rejected that same argument when it was applied to the renewal of the Ex-Im Bank. I guess consistency is not always seen as a virtue in this party.

Mr. Speaker, I will not belabor the point. I opposed this bill when an earlier version passed the House. Unfortunately, negotiations with the Senate did not result in any significant improvements.

That is not to say there are no good provisions in the bill. There are.

□ 1815

But they are outweighed by the provisions that in one way or another say that we as a Congress are concerned with protecting the interests of the commercial space transportation industry but not the safety of the Americans who will fly on their commercial spacecraft.

Mr. Speaker, when the inevitable accident with significant loss of life occurs, whether it is 1 year from now or 5 years from now, the American public will look back at what we are doing today and ask how we could be so shortsighted. I would urge my colleagues to take a step back from this path that we are on so that we can take the time to craft legislation that will help this industry grow in a responsible manner while still protecting our citizens.

Mr. MCCARTHY. Mr. Speaker, I yield 2½ minutes to the gentleman from Texas (Mr. BABIN), the chairman of the Space Subcommittee.

Mr. BABIN. Mr. Speaker, I rise today in support of the amendment in the nature of a substitute to H.R. 2262. This bill is the result of bipartisan negotia-

tions with our Senate colleagues over the last several months. Just last week, the Senate passed this bill unanimously.

Over the last 3 years, the House Science, Space, and Technology Committee has held 14 hearings on issues related to commercial space, with dozens of witnesses from government, industry, academia, and grassroots organizations. We have met with countless stakeholders and considered this bill in committee with markups, on the House floor under a rule that allowed for amendments, and successfully negotiated a bipartisan, bicameral bill with the Senate. By all measures, this is how the legislative process should work. I commend my colleagues both in this House and in the Senate on a job well done.

That isn't to say that this is a perfect bill, but in some instances I don't think the bill goes quite far enough. But that is the nature of our legislative process, and the bill before us moves the ball down the field in the right direction, enabling a strong American commercial space industry to flourish. This bill reflects the most significant piece of legislation relating to commercial space since 1988.

I am also very proud that our final product looks remarkably similar to the bill we approved in the House, with strong bipartisan support, earlier. We were able to convince our Senate colleagues of the importance of extending the regulatory learning period beyond 5 years to 8 years; we were able to extend indemnification to 10 years as opposed to 5 years as called for in the Senate bill; and we were able to include many additional launch provisions from the original House bill. These are important provisions that will build a strong American space industry.

I am also very pleased that the Senate agreed to include three other critical titles in this bill that were introduced and advanced by members of the committee. These include the Commercial Remote Sensing Act, sponsored by Representative BRIDENSTINE; the Office of Space Commerce Act, sponsored by Representative ROHRBACHER; and the Space Resource Exploration and Utilization Act, sponsored by Representative POSEY. Their tireless advocacy ensured these provisions stayed in the bill. These provisions will pave the way for new industries to blossom in the United States, allowing our Nation to remain the world leader in space. We want the United States to be the place where the world comes for space.

Mr. Speaker, this bipartisan, bicameral agreement facilitates a pro-growth environment for the developing commercial space sector and creates more stable regulatory conditions.

None of this could have been possible without the tireless leadership of Majority Leader MCCARTHY and Chairman LAMAR SMITH, who sponsored the bill. Throughout the process,

they helped navigate and chart a course for our private sector space community. I thank them for their leadership and recommend a yes vote on this important legislation.

PLANETARY RESOURCES,
Richmond, VA, November 15, 2015.

Hon. KEVIN MCCARTHY,
Majority Leader, House of Representatives,
Washington, DC.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and
Technology, Washington, DC.

DEAR MAJORITY LEADER MCCARTHY AND
CHAIRMAN SMITH: I want to thank you for
your vision in taking up H.R. 2262, the Com-
mercial Space Launch and Competitiveness
Act. Planetary Resources strongly supports
H.R. 2262, as amended, and commends you for
your leadership in passing this vital legisla-
tion.

The bill provides a critically important
element of legal certainty regarding prop-
erty rights in asteroid resources. This will
help companies like ours continue to unlock
private support for resource exploration in
space.

Thank you for your foresight and persever-
ance.

Sincerely,

CHRIS LEWICKI,
CEO, Planetary Resources.

MIDLAND DEVELOPMENT CORPORA-
TION,

Midland, TX, November 13, 2015.

Hon. LAMAR SMITH,
Committee on Science, Space, and Technology,
House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing to ex-
press our support for the U.S. Commercial
Space Launch Competitiveness Act. We ap-
preciate your leadership in developing this
important legislation.

The Midland International Air and Space
Port (MAF) received its FAA license last
year to operate as a commercial space
launch site, also known as a spaceport. Al-
though there are other spaceports in the
United States, MAF is the only commercial
service airport to have this designation. The
Midland Development Corporation has been
active in working closely with the City of
Midland in making the spaceport successful.

Our initial plans are going well and our
long-term vision is to have Midland serve as
an important center for the world's growing
commercial space industry. Since we are
still in the early stages of commercial
human spaceflight, the CSLCA is needed to
assist the industry in continuing to develop
and move forward and we are grateful for
your efforts to have this legislation enacted.

We in Midland will continue to do all that
we can to ensure that Texas and the United
States are at the leading edge of commercial
space developments. We look forward to
working with you to achieve this goal.

Sincerely,

PAMELA WELCH,
Executive Director.

MOON EXPRESS,
Cape Canaveral, FL, November 16, 2015.

Chairman LAMAR SMITH,
House Science Committee, Washington, DC.
Ranking Member EDDIE BERNICE JOHNSON,
House Science Committee, Washington, DC.

DEAR CHAIRMAN SMITH AND RANKING MEM-
BER JOHNSON: Moon Express applauds the
House and Senate negotiators for the tre-
mendous work and effort put into crafting
the bipartisan, bicameral "U.S. Commercial
Space Launch Competitiveness Act"
(CSLCA, or H.R. 2262 as amended). This new

legislation sets the stage for the continued
growth and expansion of the commercial
space industry, and incentivizes further in-
vestments in innovation and the develop-
ment of spaceflight capabilities that will
benefit all Americans.

Moon Express wishes to focus particular
praise on the House and Senate negotiators
for Title IV of CSLCA, the "Space Resource
Exploration and Utilization Act of 2015",
that provides the first ever codification of
rights under United States law for the pri-
vate sector extraction and utilization of
space resources obtained from a celestial
body. This landmark legislation provides a
unified vision for the growth of the private
sector space resources industry and will help
spur new investments into this bold new
field that's vital to America's future com-
petitiveness, prosperity and security.

Moon Express, Bigelow Aerospace, and
many other companies are applauding the
Senate for supporting the creation of a sta-
ble and predictable environment for private
sector development while encouraging in-
vestments into the bold new field of outer
space resource exploration and utilization.
This legislation protects and supports U.S.
interests as private sector companies expand
the economic sphere of Earth to the Moon
and beyond.

The opportunities for the private sector to
explore and utilize space resources are sub-
stantial, and Moon Express welcomes the
CSLCA and particularly the landmark legis-
lation of its Title IV "Space Resource Ex-
ploration and Utilization Act of 2015" that
recognizes and promotes the rights of United
States companies to engage in the ex-
ploration and extraction of space resources
from the Moon and other celestial bodies.

For these reasons, and many more, Moon
Express calls on Congress to quickly pass
H.R. 2262 as amended, the bipartisan bill that
will ensure that America remains the leader
in space.

Sincerely,

ROBERT (BOB) RICHARDS,
Founder and CEO.

MASTEN,
Mojave, CA, November 16, 2015.

HONORABLE MEMBERS OF THE UNITED
STATES HOUSE OF REPRESENTATIVES: On be-
half of Masten Space Systems Inc., an Amer-
ican rocket technology company, we would
like to express our sincerest thanks for your
continued support in America's continued
leadership in space exploration through the
development and passing of the CSLCA bill.

Your leadership, unwavering commitment,
and forward leaning legislation allows com-
panies like ours to continue safely pursuing
the reaches of space while we grow an Amer-
ican space company. Your bi-partisan efforts
and work with the Senate has been critical
to the maturation the commercial space
market.

We look forward to another great year of
success with the passing of this legislation
and your staunch support in keeping this
country on track to remain the trailblazers
in the difficult endeavors of exploring this
universe.

SEAN MAHONEY,
Chief Executive Officer,
Masten Space Systems Inc.

SPACE EXPLORATION TECHNOLOGIES,
Hawthorne, CA, November 16, 2015.

Hon. LAMAR SMITH,
Chairman, Science, Space & Technology Com-
mittee, House of Representatives, Wash-
ington, DC.

DEAR CHAIRMAN SMITH: Space Exploration
Technologies Corp. (SpaceX) writes to share

its support for passing H.R. 2262, the *U.S. Commercial Space Launch Competitiveness Act*, as passed by the U.S. Senate on November 9, 2015.

This bill represents a bipartisan, bicameral effort to update and extend key provisions of the Commercial Space Launch Act (CSLA), which governs the U.S. commercial space launch industry, including SpaceX's operational flights with U.S. astronauts to the Space Station that are scheduled for 2017. Along with a number of beneficial changes, this bill provides an important clarification of the legal framework for flying government astronauts and extends liability and insurance protections for space flight participants.

Thank you, House Majority Leader Kevin McCarthy, and your fellow cosponsors for leading this effort in the House. We also appreciate the hard work by Senate Commerce, Science and Technology Chairman John Thune, Ranking Member Bill Nelson, and Space, Science, and Competitiveness Subcommittee Chairman Ted Cruz and Ranking Member Gary Peters and the Senate cosponsors who contributed to this thoughtful legislation.

We hope H.R. 2262 passes the U.S. House of Representatives and is quickly signed into law. Again, thank you and your colleagues for working together on this significant legislation.

Sincerely,

GWYNNE SHOTWELL,
President.

MOJAVE AIR AND SPACE PORT,
Mojave, CA, November 13, 2015.

Subject: H.R. 2262; Support for passage

Hon. CHAIRMAN SMITH,
House Committee on Science, Space, and Tech-
nology, Washington, DC.

CHAIRMAN SMITH: Congratulations on a
marvelous demonstration of leadership for
our industry!

Today Mojave Air and Space Port rises in
support of H.R. 2262 and requests all Mem-
bers of the United States House of Rep-
resentatives to join in unanimous support by
voting to pass this landmark legislation.
H.R. 2262 moves America away from depend-
ence on competitive countries for our space
ambitions and returns America to the fore-
front of space exploration and exploitation.

Again, Mr. Chairman, your personal in-
volvement in this effort made a difference
and we cannot thank you enough. Please ex-
tend our wishes to all Members of Congress
and call upon us anytime as we all work to-
gether in a collective effort to return Amer-
ica to greatness.

Very Respectfully,
STUART O. WITT,
CEO.

MOJAVE AIR AND SPACE PORT,
Mojave, California, 13 Nov 2015.

Subject H.R. 2262; Support for passage

Hon. Majority Leader MCCARTHY,
Washington, DC.

LEADER MCCARTHY: Congratulations on an
incredible demonstration of technical and
political leadership for our industry!

Today Mojave Air and Space Port rises in
support of H.R. 2262 and requests all Mem-
bers of the United States House of Rep-
resentatives to join in unanimous support by
voting to pass this landmark legislation.
H.R. 2262 moves America away from depend-
ence on competitive countries for our space
ambitions and returns America to the fore-
front of space exploration and exploitation.
Your leadership on creating and moving H.R.

2262 through the legislative process will likely have the most impact on our industry since the original bill of 1984.

Mr. McCarthy, your personal involvement in our industry continues to make a difference and we cannot thank you enough. Please extend our wishes to all Members of Congress and call upon us anytime as we all work together in a collective effort to return America to greatness.

Very Respectfully,

STUART O. WITT,
CEO.

Hon. LAMAR SMITH,
Chairman, House Committee on Science, Space & Technology, Washington, DC.

Hon. EDDIE BERNICE JOHNSON,
Ranking Member, House Committee on Science, Space & Technology, Washington, DC.

DEAR CHAIRMAN SMITH AND RANKING MEMBER JOHNSON: I am writing to offer Virgin Galactic's strong support for H.R. 2262, the U.S. Commercial Space Launch Competitiveness Act. This legislation addresses many of the policy hurdles facing the private space sector since the most recent update of the Commercial Space Launch Amendments Act in 2004, and creates a regulatory environment that continues to support the national objective of expanding human spaceflight.

The commercial spaceflight industry has seen incredible growth in the past few years, as we strive to make access to space ever more safe, reliable, and routine. With the passage of this bill, the industry can continue to innovate and develop the technologies that will take us to the edge of space and beyond. Virgin Galactic thanks you, your staff, and your colleagues on the Committee for your hard work on this legislation, and we look forward to continued collaboration in the future.

Sincerely,

GEORGE T. WHITESIDES,
Chief Executive Officer, Virgin Galactic.

BLUE ORIGIN,
Kent, WA, November 16, 2015.

Hon. KEVIN MCCARTHY,
Majority Leader, House of Representatives, Washington, DC.

Hon. LAMAR SMITH,
Chairman, House Committee on Science, Space and Technology, Washington, DC.

DEAR MAJORITY LEADER MCCARTHY AND CHAIRMAN SMITH: Blue Origin strongly supports the Commercial Space Launch Competitiveness Act (H.R. 2262 as amended) and thanks you both for your steadfast support and efforts leading to the passage of this bill through the House of Representatives. Since its original enactment in 1984 this legislation has shaped the commercial space transportation industry, and this reauthorization paves the way for continued growth and advancement by companies like Blue Origin. This bipartisan bill enables companies like ours to increase the safety of spaceflight while opening the horizons of space to everyone. The expanded protections for spaceflight participants and opportunities for expansion in new commercial space applications guarantees a promising future for this industry. We also applaud the leadership and support of Chairman Brian Babin, and Representatives Steven Palazzo, Jim Bridenstine, Randy Hultgren, Steve Knight, Frank Lucas, Michael McCaul, John Moolenaar, Bill Posey, Dana Rohrabacher and Randy Weber, for their co-sponsorship of this important legislation.

ROBERT MEYERSON,
President, Blue Origin.

SPACEPORT CAMDEN,

Woodbine, GA, November 14, 2015.

Hon. KEVIN MCCARTHY,
Majority Leader, House of Representatives, Washington, DC.

Chairman LAMAR SMITH,
House Committee on Science, Space, and Technology, Washington, DC.

DEAR MAJORITY LEADER MCCARTHY AND CHAIRMAN SMITH: Spaceport Camden County, a proposed spaceport along the south Georgia Coast, is fully supportive of the passage by the House of Representatives of the Commercial Space Launch Act, as recently amended by House and Senate actions.

We note that the CSLA was last updated in 2004, and that initial action created a regulatory framework for commercial human spaceflight that resulted in a wave of investment, innovation, jobs and economic growth for the U.S. Since 2004, there has been numerous successful companies formed (or expanded), citizens employed, revenues generated and significant private risk capital committed and spent to develop new approaches to space technology, utilization, services, and economic development. These developments have also captured the country's attention and spurred a renewed emphasis on the pursuit of science, technology, engineering and mathematics (STEM) studies by students from 5-85 years young.

The new legislation under consideration by the House sets the stage for the continued growth and expansion of the space transportation industry, while enabling rapid advances in safety for spaceflight participants. It also promotes investments in new commercial space applications, promising future spaceflight capabilities that will benefit all Americans. The bill facilitates a pro-growth environment for the developing commercial space industry by encouraging continued and enhanced private sector investment, creating more stable and predictable regulatory conditions, and improving safety.

We encourage the full House to vote in the affirmative for the new legislation!

Sincerely,

STEVE L. HOWARD, ICMA-
CM, CPM, CPPO,
County Administrator.

Ms. EDWARDS. Mr. Speaker, I reserve the balance of my time.

Mr. MCCARTHY. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. BRIDENSTINE).

Mr. BRIDENSTINE. Mr. Speaker, I am fully convinced of the potential economic growth and innovation the commercial space industry represents. We already rely on commercial space for so much, and in the coming years, we will see this industry continuing to expand worldwide Internet coverage, advanced communication architectures, remote sensing and weather architectures, affordable access to space for science and commerce, permanent habitats in space, utilization of space resources, and the list goes on.

We must make sure that we as members of Congress do not do anything that could stifle this world-changing industry. That is why the U.S. Commercial Space Launch Competitiveness Act is crucial. The most important aspect of this legislation is the extension of the so-called learning period or moratorium on regulations for commercial human spaceflight. We need a learning

period so we can eventually create a regulatory environment based on real data, not just speculation.

The bill also extends launch indemnification to keep American space companies competitive against international companies, clarifies that a launch license and experimental permit can be issued for the same design, and enables private companies to explore and mine celestial resources by incorporating the Space Resource Exploration and Utilization Act of 2015 introduced by my friends BILL POSEY and DEREK KILMER here in this body. These provisions will go a long way toward encouraging a continued growth of the commercial space industry.

I would also like to address a few provisions of this bill that I worked to include myself, and I am pleased that we were able to keep them as the Senate worked to keep them in the final bill.

Section 116 of the bill will require a GAO report to capture the role of space support vehicles in the commercial space industry, regulatory and statutory barriers to the services these vehicles offer, and recommendations for updates that will address these barriers. People will need to be trained to fly, and vehicle designs will not remain static, which is why this provision is so important. This section will help us address situations that will become more prevalent as the commercial space industry continues to expand and diversify.

Additionally, title II of this bill incorporates H.R. 2261, the Commercial Remote Sensing Act, bipartisan legislation I introduced with my friend from Colorado, ED PERLMUTTER. This title sets metrics to give Congress a full picture of the workload facing the Department of Commerce when licensing remote-sensing activities and what issues are preventing them from meeting statutory deadlines. Title II also recognizes the importance of seeking input from the Advisory Committee for Commercial Remote Sensing, which is largely made up of industry representatives. This legislation will be crucial as industry expands beyond traditional remote-sensing satellites and activities and as Congress looks to update the statutes governing these activities for the first time since the 1990s.

Mr. Speaker, in conclusion, I would like to thank the majority leader, Mr. MCCARTHY, the sponsor of this legislation, and the Science, Space, and Technology Committee chairman, Mr. SMITH, for their continued leadership on commercial space issues.

Mr. Speaker, H.R. 2262 is critically important to the future of American leadership, and I urge my colleagues to pass the bill.

Ms. EDWARDS. Mr. Speaker, I reserve the balance of my time.

Mr. MCCARTHY. Mr. Speaker, I yield 2½ minutes to the gentleman from Florida (Mr. POSEY).

Mr. POSEY. Mr. Speaker, I thank the majority leader for yielding.

Mr. Speaker, I rise today in support of the historic U.S. Commercial Space Launch Competitiveness Act. This legislation continues to lay the groundwork for a vibrant commercial space industry in the United States of America.

I would like to thank the majority leader, KEVIN MCCARTHY, and Chairman LAMAR SMITH for all their work on the legislation.

I include in the RECORD several items.

SPACEPORT AMERICA,
Las Cruces, NM, November 16, 2015.

Hon. KEVIN MCCARTHY,
Majority Leader, House of Representatives,
Washington, DC.

Hon. LAMAR SMITH,
Chair, House Committee on Science, Space &
Technology, Washington, DC.

DEAR MAJORITY LEADER MCCARTHY AND CHAIRMAN SMITH: I am writing to offer Spaceport America's strong endorsement of H.R. 2262, as amended, the U.S. Commercial Space Launch Competitiveness Act.

This bill represents one of the most significant modernizations of commercial space policy and regulatory legislation since the original Commercial Space Launch (CSLA) was enacted in 1984. The CSLA was last updated in 2004, creating a regulatory framework for commercial human spaceflight that resulted in a wave of investment, innovation, jobs and economic growth for the U.S. This new legislation sets the stage for the continued growth and expansion of the space transportation industry, while enabling rapid advances in safety for spaceflight participants. It also promotes investments in new commercial space applications, promising future spaceflight capabilities that will benefit all Americans.

This bill is a fair and equitable compromise that resulted from months of hard work and negotiations among Republicans and Democrats in the House and Senate to harmonize language from the House-passed SPACE Act of 2015 with provisions from S. 1297, the Senate's commercial space legislation. It reflects your shared vision for commercial spaceflight, while addressing issues raised by Democratic leaders during deliberations on the bill.

Last week the Senate passed this compromise bill without a single objection, indicating broad support for this legislation across the political spectrum. In May, your original SPACE Act passed the House 284-133—a 68 percent margin that included 236 Republicans and 48 Democrats. Now that the Senate has unanimously supported this bipartisan compromise, we would hope that all 435 House Members could vote in the national interest to approve this historic legislation.

Spaceport America applauds both of you for your leadership and vision in developing and shepherding this much-needed and comprehensive bill through the Congress. We thank you, your colleagues, and all of your staff for the many contributions and the perseverance in advancing this bipartisan legislation that will ensure America remains the leading force in the economic development of space.

Sincerely,

CHRISTINE ANDERSON,
Chief Executive Officer.

COMMERCIAL SPACEFLIGHT
FEDERATION,
WASHINGTON, DC, NOVEMBER 16, 2015.

Hon. KEVIN MCCARTHY,
Majority Leader, House of Representatives,
Washington, DC.

Hon. LAMAR SMITH,
Chair, House Committee on Science, Space &
Technology, Washington, DC.

DEAR MAJORITY LEADER MCCARTHY AND CHAIRMAN SMITH: I am writing to offer the Commercial Spaceflight Federation's strong endorsement of H.R. 2262, as amended, the U.S. Commercial Space Launch Competitiveness Act. This bill represents one of the most significant modernizations of commercial space policy and regulatory legislation since the original Commercial Space Launch (CSLA) was enacted in 1984. The CSLA was last updated in 2004, creating a regulatory framework for commercial human spaceflight that resulted in a wave of investment, innovation, jobs and economic growth for the U.S. This new legislation sets the stage for the continued growth and expansion of the space transportation industry, while enabling rapid advances in safety for spaceflight participants. It also promotes investments in new commercial space applications, promising future spaceflight capabilities that will benefit all Americans.

This bill is a fair and equitable compromise that resulted from months of hard work and negotiations among Republicans and Democrats in the House and Senate to harmonize language from the House-passed SPACE Act of 2015 with provisions from S. 1297, the Senate's commercial space legislation. It reflects your shared vision for commercial spaceflight, while addressing issues raised by Democratic leaders during deliberations on the bill.

Last week the Senate passed this compromise bill without a single objection, indicating broad support for this legislation across the political spectrum. In May, your original SPACE Act passed the House 284-133—a 68 percent margin that included 236 Republicans and 48 Democrats. Now that the Senate has unanimously supported this bipartisan compromise, we would hope that all 435 House Members could vote in the national interest to approve this historic legislation.

CSF's many companies and organizations, and their employees and stakeholders, applaud both of you for your leadership and vision in developing and shepherding this much-needed and comprehensive bill through the Congress. We thank you, your colleagues, and all of your staff for the many contributions and the perseverance in advancing this bipartisan legislation that will ensure America remains the leading force in the economic development of space.

Sincerely,

ERIC W. STALLMER,
President.

SATELLITE INDUSTRY ASSOCIATION APPLAUDS
CONGRESS FOR PASSING LONG-TERM EXTENSION
OF COMMERCIAL SPACE LAUNCH INDEMNIFICATION

[News: For Immediate Release—
November 16, 2015]

WASHINGTON, D.C.—The Satellite Industry Association (SIA) today applauded the passage of a bill by the House of Representatives that will extend the existing commercial space launch indemnification regime through 2025. The indemnification provision was included as a part of the Spurring Private Aerospace Competitiveness and Entrepreneurship (SPACE) Act of 2015. The Senate

has already passed identical legislation, so the measure will now be sent to the White House for signature or veto.

"Extending the launch indemnification regime for a further 10 years ensures the continuation of a long-standing provision needed for the global competitiveness of U.S. launch services companies," said Tom Stroup, President of SIA. "SIA applauds this action by Congress. It is an important step to maintaining U.S. innovation and leadership in satellite launch while aiding the broader domestic and global satellite industry."

SIA has long supported extending commercial space launch indemnification regime, which offers government indemnification for any such damages in excess of the required private launch insurance limits. The regime has never been drawn upon, but allows U.S. commercial launch service providers to compete on a level playing field with foreign providers, all of which enjoy similar indemnification from 3rd party liability damage related to launch failures.

WORLD VIEW,
November 16, 2015.

Hon. LAMAR SMITH,
Chairman, House Committee on Science, Space &
Technology, Washington, DC.

HONORABLE LAMAR SMITH AND MEMBERS OF THE COMMITTEE: I am writing to offer World View Enterprise's strong support for the passage of H.R. 2262. The bill is a culmination of bipartisan work that promotes competitiveness of the U.S. commercial space sector.

Under H.R. 2262 innovators such as World View will develop new technologies and strong international markets, creating jobs and growing the economy right here in America. We are a company with a unique mission: to give scientists and non-astronaut spaceflight participants the opportunity to voyage to the edge of space. Our proprietary high-altitude balloons will take Voyagers on a luxury suborbital spaceflight, where they will gently soar in a comfortable, smartly outfitted, specially designed space capsule. Participants will gaze upon the spectacular, even life-changing vistas of the Earth in the vast blackness of space, as they sail along the frontiers of space.

This important policy framework, will help pave the way for American leadership in space exploration, create new opportunities for American businesses, and will help harness the tremendous potential of our space exploration industry. We anticipate significant job growth and the advent of a whole new support industry in the months and years ahead.

Thank you in advance for your support and ongoing leadership to bring this bill to fruition, and for your continued service to our nation.

Sincerely,

JANE POYNTER,
CEO, World View Enterprises.

MOON EXPRESS,
Cape Canaveral, FL, November 16, 2015.
Chairman LAMAR SMITH,
House Science Committee, Washington, DC.
Ranking Member EDDIE BERNICE JOHNSON,
House Science Committee, Washington, DC.

DEAR CHAIRMAN SMITH AND RANKING MEMBER JOHNSON: Moon Express applauds the House and Senate negotiators for the tremendous work and effort put into crafting the bipartisan, bicameral "U.S. Commercial Space Launch Competitiveness Act" (CSLCA, or H.R. 2262 as amended). This new legislation sets the stage for the continued

growth and expansion of the commercial space industry, and incentivizes further investments in innovation and the development of spaceflight capabilities that will benefit all Americans.

Moon Express wishes to focus particular praise on the House and Senate negotiators for Title IV of CSLCA, the “Space Resource Exploration and Utilization Act of 2015”, that provides the first ever codification of rights under United States law for the private sector extraction and utilization of space resources obtained from a celestial body. This landmark legislation provides a unified vision for the growth of the private sector space resources industry and will help spur new investments into this bold new field that’s vital to America’s future competitiveness, prosperity and security.

Moon Express, Bigelow Aerospace, and many other companies are applauding the Senate for supporting the creation of a stable and predictable environment for private sector development while encouraging investments into the bold new field of outer space resource exploration and utilization. This legislation protects and supports U.S. interests as private sector companies expand the economic sphere of Earth to the Moon and beyond.

The opportunities for the private sector to explore and utilize space resources are substantial, and Moon Express welcomes the CSLCA and particularly the landmark legislation of its Title IV “Space Resource Exploration and Utilization Act of 2015” that recognizes and promotes the rights of United States companies to engage in the exploration and extraction of space resources from the Moon and other celestial bodies.

For these reasons, and many more, Moon Express calls on Congress to quickly pass H.R. 2262 as amended, the bipartisan bill that will ensure that America remains the leader in space.

Sincerely,

ROBERT (BOB) RICHARDS,
Founder and CEO.

PLANETARY RESOURCES APPLAUDS U.S. CONGRESS IN RECOGNIZING ASTEROID RESOURCE PROPERTY RIGHTS

REDMOND, WASH.—November 10, 2015—Planetary Resources, Inc., the asteroid mining company, praises the members of Congress who promoted historic legislation (H.R. 2262) that recognizes the right of U.S. citizens to own asteroid resources they obtain as property and encourages the commercial exploration and recovery of resources from asteroids, free from harmful interference.

This legislation creates a pro-growth environment for the development of the commercial space industry by encouraging private sector investment and ensuring a more stable and predictable regulatory regime. This law is important for the industry and is integral to protecting and supporting U.S. interests as the commercial space sector continues to expand.

“We are proud to have the support of Congress. Throughout history, governments have spurred growth in new frontiers by instituting sensible legislation. Long ago, The Homestead Act of 1862 advocated for the search for gold and timber, and today, H.R. 2262 fuels a new economy that will open many avenues for the continual growth and prosperity of humanity. This off-planet economy will forever change our lives for the better here on Earth,” said Chris Lewicki, President and Chief Engineer, Planetary Resources, Inc.

“Planetary Resources is grateful for the leadership shown by Congress in crafting

this legislation and looks forward to President Obama signing the language into law. We applaud the members of Congress who have led this effort and actively sought stakeholder input to ensure a vibrant economy and prosperous way of life now and for centuries to come. Patty Murray (D-WA), Kevin McCarthy (R-CA), Lamar Smith (R-TX), Bill Posey (R-FL) and Derek Kilmer (D-WA) have been unwavering in their support and leadership for the growth of the U.S. economy into the Solar System. Their forward-looking stance and active role in enabling the development of an economically and strategically valuable new marketplace will ensure our country’s continued leadership in space,” said Peter Marquez, Vice President of Global Engagement, Planetary Resources, Inc.

Senator Murray said, “I am glad that we’ve taken this important step forward to update our federal policies to make sure they work for innovative businesses creating jobs in Washington state. Washington state leads in so many ways, and I’m proud that local businesses are once again at the forefront of new industries that will help our economy continue to grow.”

Congressman Posey said, “This bipartisan, bicameral legislation is a landmark for American leadership in space exploration. Recognizing basic legal protections in space will help pave the way for exciting future commercial space endeavors. Asteroids and other objects in space are excellent potential sources of rare minerals and other resources that can be used to manufacture a wide range of products here on Earth and to support future space exploration missions. Americans willing to invest in space mining operations need legal certainty that they can keep the fruits of their labor, and this bill provides that certainty.”

Congressman Kilmer said, “The commercial space industry in Washington state is leading the way in developing the cutting edge technology necessary to support human space exploration. The U.S. Commercial Space Launch Competitiveness Act will give these ventures the framework they need to continue to innovate, and to keep the United States at the head of this growing, global industry. I congratulate the Senate for taking this step, and I look forward to the House quickly sending this bill to President Obama’s desk.”

Eric Anderson, Co-Founder and Co-Chairman, Planetary Resources, Inc., said, “Many years from now, we will view this pivotal moment in time as a major step toward humanity becoming a multi-planetary species. This legislation establishes the same supportive framework that created the great economies of history, and it will foster the sustained development of space.”

NEW LEGISLATION ENABLES COMMERCIAL EXPLORATION AND USE OF SPACE RESOURCES—DEEP SPACE INDUSTRIES CONGRATULATES U.S. CONGRESS ON LANDMARK LEGISLATION

MOFFETT FIELD, CA—Deep Space Industries (DSI) congratulates the members of the United States Senate for passing legislation that significantly advances the cause of opening space resources to humanity. Title IV of S. 1297, also referred to as the U.S. Commercial Space Launch Competitive Act of 2015, promotes the right of U.S. citizens to engage in commercial exploration for, and commercial recovery of, space resources in accordance with international obligations and subject to supervision by the U.S. government.

“We are pleased to see the beginnings of legal clarity in the field of space resource

utilization,” said Rick Tumlinson, Chair of Deep Space Industries. “This bill is a historic step forward and demonstrates that Congress can effectively and quickly pass legislation that is important to the country’s economic future. The hardworking legislators and their staff on Capitol Hill are to be commended.”

Title IV will spur an influx of capital into the industry and encourage entities to further develop plans and technologies to extract minerals from the vast numbers of asteroids and other resource-rich bodies in the solar system.

Mr. POSEY. Mr. Speaker, title IV of this bill includes language from H.R. 1508, the Space Resource Exploration and Utilization Act. I introduced this bipartisan, bicameral bill with my colleague from the State of Washington, DEREK KILMER, and with support from many members of the Science, Space, and Technology Committee. I appreciate the work and the research of Senators PATTY MURRAY and MARCO RUBIO to introduce identical legislation in the U.S. Senate.

H.R. 1508 provides legal clarity that if a company mines resources from an asteroid in outer space, it has the right of ownership to those resources. It does so consistent with U.S. international obligations.

The right to explore and use outer space is found in article I of the Outer Space Treaty. Article VI of the Outer Space Treaty explicitly recognizes that nongovernmental entities, such as private corporations, may explore and use outer space, including the right to remove, take possession, and use in situ natural resources from celestial bodies.

In drafting and negotiating title IV, there was a challenge in determining the best language to use to recognize this right. The term “obtain” was ultimately chosen because it was technically and politically neutral. It is our intention that only through actually physically recovering a resource does a company have the right of ownership of those resources.

In short, Mr. Speaker, the U.S. Commercial Space Launch Competitive Act is a critical piece of legislation to the future of our commercial space industry and space exploration efforts.

Mr. Speaker, I thank my colleagues again for their work on this bill, and I urge passage of this important legislation.

Ms. EDWARDS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I just want to remind our colleagues because this is really important legislation moving forward, and I think that as the ranking member, Ms. JOHNSON, has indicated and as I have, that it is not for lack of concern and support of the commercial space industry and sector that we raise concerns. This is an industry that is growing by leaps and bounds, that employs thousands of workers all across this country, and that is at the hub of entrepreneurship, research, and exploration.

It really is the 21st century future. It is really a question of what the rules of the game are going to be going forward, how to best protect the interests of taxpayers, how to protect the interests of the industry, and to see it grow in a healthy way. So I would hope that the majority would take into consideration some of the concerns that have been expressed and let's use an opportunity over these next several months and years to make sure that we get it right for the industry that is a part of our future.

I would note that, even with the reservations that have been expressed, we pointed out a number of areas where there is strength in this legislation, but we haven't gotten it all right. I would also remind the majority that, with respect to mining of asteroids, we are not doing that tomorrow, so all the more reason we should pay attention to the international treaties of which we are a part and to the needs and concerns of our international partners as we move forward; that is, we don't have to rush to judgment where it concerns mining asteroids, as we are not doing that tomorrow.

So, Mr. Speaker, I would close by just saying that I believe that there is a great future in this industry, and I am excited about it. But I also know that we have to balance a lot of our interests to make sure that we pay attention, again, to safety and that we do it in the right kind of way.

As I began, I applaud the gentlewoman from Texas for making sure that the points of concern are on the record. I do not intend to oppose the bill, and I hope that we can move forward in the future to make sure that we really can provide for the kind of strength that the industry needs.

I want to take an opportunity to thank the staff: Pam Whitney of our Space Subcommittee, who has put in tireless work on this bill; Allen Li; Russell Norman and John Piazza, our counsel. Dick Obermann, our chief of staff on the committee, has put in tireless hours to try to get it right. I think

for all of those who are part of the commercial space industry, we want you to go forward, we want you to succeed, and we want to make sure that the American public, that the American taxpayer, gets the benefit of the bargain.

Mr. Speaker, I yield back the balance of my time.

Mr. MCCARTHY. Mr. Speaker, today America stands at the beginning of a new era of innovation and adventure. Scientists, engineers, astronauts, and entrepreneurs are working in the deserts of California to embark on the next phase of our journey into space, and today we have the opportunity to aid them in that journey. Completing consideration of the SPACE Act in this Chamber today will help ensure America remains the leader in space exploration and innovation in the 21st century.

Mr. Speaker, we are here today thanks to the hard work of Chairman SMITH, his committee and their staff, especially Chris Wylder and Tom Hammond. I want to especially thank George Caram from my staff for his work as well. Because of their commitment after months of negotiations following the House passage of the original bill earlier this year, the SPACE Act passed out of the Senate unanimously. I look forward to the passage of this bill on the House floor today with similarly strong bipartisan support, and I urge my colleagues to vote with me to move America into the future.

Mr. Speaker, I yield back the balance of my time.

□ 1830

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCARTHY) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 2262.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

DIRECTING THE SECRETARY OF THE SENATE TO MAKE A TECHNICAL CORRECTION IN THE ENROLLMENT OF S. 1356

Mr. ROGERS of Alabama. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (H. Con. Res. 90) directing the Secretary of the Senate to make a technical correction in the enrollment of S. 1356, with the Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The Clerk will report the Senate amendment.

The Clerk read as follows:

Senate amendment:

Strike the matter following the resolving clause and insert the following:

That in the enrollment of the bill S. 1356, the Secretary of the Senate shall make the following corrections:

(1) Amend the title so as to read: "An Act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes."

(2) In the table of contents in section 2, in the item relating to section 1242, amend "Ukrainian Republic" so as to read "Ukraine".

(3) In the table of contents for title XII before section 1201, in the item relating to section 1242, amend "Ukrainian Republic" so as to read "Ukraine".

(4) In the section heading of section 1242, amend "UKRAINIAN REPUBLIC" so as to read "UKRAINE".

(5) In section 1242, amend "the Ukrainian Republic" so as to read "Ukraine" each place it appears in subsections (a)(1) and (b).

(6) Strike section 4201 and insert the following:

"SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

**"SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)**

Line	Program Element	Item	FY 2016 Request	Agreement Authorized
RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY				
BASIC RESEARCH				
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	13,018	13,018
002	0601102A	DEFENSE RESEARCH SCIENCES	239,118	259,118
		Basic research program increase		[20,000]
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	72,603	72,603
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	100,340	100,340
		SUBTOTAL BASIC RESEARCH	425,079	445,079
APPLIED RESEARCH				
005	0602105A	MATERIALS TECHNOLOGY	28,314	28,314
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	38,374	38,374
007	0602122A	TRACTOR HIP	6,879	6,879
008	0602211A	AVIATION TECHNOLOGY	56,884	56,884
009	0602270A	ELECTRONIC WARFARE TECHNOLOGY	19,243	19,243
010	0602303A	MISSILE TECHNOLOGY	45,053	53,053
		A2/AD Anti-Ship Missile Study		[8,000]
011	0602307A	ADVANCED WEAPONS TECHNOLOGY	29,428	29,428

**“SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)”**

Line	Program Element	Item	FY 2016 Request	Agreement Authorized
012	0602308A	ADVANCED CONCEPTS AND SIMULATION	27,862	27,862
013	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	68,839	68,839
014	0602618A	BALLISTICS TECHNOLOGY	92,801	92,801
015	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	3,866	3,866
016	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	5,487	5,487
017	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	48,340	48,340
018	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	55,301	55,301
019	0602709A	NIGHT VISION TECHNOLOGY	33,807	33,807
020	0602712A	COUNTERMINE SYSTEMS	25,068	25,068
021	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	23,681	23,681
022	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	20,850	20,850
023	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	36,160	36,160
024	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	12,656	12,656
025	0602784A	MILITARY ENGINEERING TECHNOLOGY	63,409	63,409
026	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	24,735	24,735
027	0602786A	WARFIGHTER TECHNOLOGY	35,795	35,795
028	0602787A	MEDICAL TECHNOLOGY	76,853	76,853
		SUBTOTAL APPLIED RESEARCH	879,685	887,685
		ADVANCED TECHNOLOGY DEVELOPMENT		
029	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	46,973	46,973
030	0603002A	MEDICAL ADVANCED TECHNOLOGY	69,584	69,584
031	0603003A	AVIATION ADVANCED TECHNOLOGY	89,736	89,736
032	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	57,663	57,663
033	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	113,071	113,071
034	0603006A	SPACE APPLICATION ADVANCED TECHNOLOGY	5,554	5,554
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	12,636	12,636
037	0603009A	TRACTOR HIKE	7,502	7,502
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	17,425	17,425
039	0603020A	TRACTOR ROSE	11,912	11,912
040	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT	27,520	27,520
041	0603130A	TRACTOR NAIL	2,381	2,381
042	0603131A	TRACTOR EGGS	2,431	2,431
043	0603270A	ELECTRONIC WARFARE TECHNOLOGY	26,874	26,874
044	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	49,449	49,449
045	0603322A	TRACTOR CAGE	10,999	10,999
046	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	177,159	177,159
047	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	13,993	13,993
048	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	5,105	5,105
049	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	40,929	40,929
050	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	10,727	10,727
051	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	20,145	20,145
052	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	38,163	38,163
053	0603794A	C3 ADVANCED TECHNOLOGY	37,816	37,816
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	895,747	895,747
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
054	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	10,347	10,347
055	0603308A	ARMY SPACE SYSTEMS INTEGRATION	25,061	25,061
056	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	49,636	49,636
057	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	13,426	13,426
058	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	46,749	46,749
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	6,258	6,258
061	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	13,472	13,472
062	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	7,292	7,292
063	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	8,813	8,813
065	0603790A	NATO RESEARCH AND DEVELOPMENT	6,075	6,075
067	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	21,233	21,233
068	0603807A	MEDICAL SYSTEMS—ADV DEV	31,962	31,962
069	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	22,194	22,194
071	0604100A	ANALYSIS OF ALTERNATIVES	9,805	9,805
072	0604115A	TECHNOLOGY MATURATION INITIATIVES	40,917	40,917
073	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	30,058	30,058
074	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2—INTERCEPT (IFPC2)	155,361	155,361
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	498,659	498,659
		SYSTEM DEVELOPMENT & DEMONSTRATION		
076	0604201A	AIRCRAFT AVIONICS	12,939	12,939
078	0604270A	ELECTRONIC WARFARE DEVELOPMENT	18,843	18,843
079	0604280A	JOINT TACTICAL RADIO	9,861	9,861
080	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	8,763	8,763
081	0604321A	ALL SOURCE ANALYSIS SYSTEM	4,309	4,309
082	0604328A	TRACTOR CAGE	15,138	15,138
083	0604601A	INFANTRY SUPPORT WEAPONS	74,128	80,628
		Army requested realignment		[1,500]
		Soldier Enhancement Program		[5,000]
085	0604611A	JAVELIN	3,945	3,945

**“SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)”**

Line	Program Element	Item	FY 2016 Request	Agreement Authorized
087	0604633A	AIR TRAFFIC CONTROL	10,076	10,076
088	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)	40,374	40,374
089	0604710A	NIGHT VISION SYSTEMS—ENG DEV	67,582	67,582
090	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	1,763	1,763
091	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	27,155	27,155
092	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	24,569	24,569
093	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	23,364	23,364
094	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	8,960	8,960
095	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	9,138	9,138
096	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	21,622	21,622
097	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	99,242	99,242
098	0604802A	WEAPONS AND MUNITIONS—ENG DEV	21,379	21,379
099	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	48,339	48,339
100	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	2,726	2,726
101	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	45,412	45,412
102	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	55,215	55,215
104	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	163,643	163,643
105	0604820A	RADAR DEVELOPMENT	12,309	12,309
106	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	15,700	15,700
107	0604823A	FIREFINDER	6,243	6,243
108	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	18,776	18,776
109	0604854A	ARTILLERY SYSTEMS—EMD	1,953	1,953
110	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	67,358	67,358
111	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	136,011	121,011
		Restructure program		[-15,000]
112	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	230,210	230,210
113	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	13,357	13,357
114	0605031A	JOINT TACTICAL NETWORK (JTN)	18,055	18,055
115	0605032A	TRACTOR TIRE	5,677	5,677
116	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	77,570	101,570
		Apache Survivability Enhancements—Army Unfunded Requirement		[24,000]
117	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	18,112	78,112
		Apache Survivability Enhancements—Army Unfunded Requirement		[60,000]
118	0605350A	WIN-T INCREMENT 3—FULL NETWORKING	39,700	39,700
119	0605380A	AMF JOINT TACTICAL RADIO SYSTEM (JTRS)	12,987	12,987
120	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	88,866	74,966
		EMD contract delays		[-13,900]
121	0605456A	PAC-3/MSE MISSILE	2,272	2,272
122	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	214,099	214,099
123	0605625A	MANNED GROUND VEHICLE	49,247	39,247
		Funding ahead of need		[-10,000]
124	0605626A	AERIAL COMMON SENSOR	2	2
125	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	10,599	10,599
126	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	32,486	32,486
127	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	8,880	8,880
128	0210609A	PALADIN INTEGRATED MANAGEMENT (PIM)	152,288	152,288
129	0303032A	TROJAN—RH12	5,022	5,022
130	0304270A	ELECTRONIC WARFARE DEVELOPMENT	12,686	12,686
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	2,068,950	2,120,550
		RDT&E MANAGEMENT SUPPORT		
131	0604256A	THREAT SIMULATOR DEVELOPMENT	20,035	20,035
132	0604258A	TARGET SYSTEMS DEVELOPMENT	16,684	16,684
133	0604759A	MAJOR T&E INVESTMENT	62,580	62,580
134	0605103A	RAND ARROYO CENTER	20,853	20,853
135	0605301A	ARMY KWAJALEIN ATOLL	205,145	205,145
136	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	19,430	19,430
138	0605601A	ARMY TEST RANGES AND FACILITIES	277,646	277,646
139	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	51,550	51,550
140	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	33,246	33,246
141	0605606A	AIRCRAFT CERTIFICATION	4,760	4,760
142	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	8,303	8,303
143	0605706A	MATERIEL SYSTEMS ANALYSIS	20,403	20,403
144	0605709A	EXPLOITATION OF FOREIGN ITEMS	10,396	10,396
145	0605712A	SUPPORT OF OPERATIONAL TESTING	49,337	49,337
146	0605716A	ARMY EVALUATION CENTER	52,694	52,694
147	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	938	938
148	0605801A	PROGRAMWIDE ACTIVITIES	60,319	60,319
149	0605803A	TECHNICAL INFORMATION ACTIVITIES	28,478	28,478
150	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	32,604	24,604
		Program reduction		[-8,000]
151	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	3,186	3,186
152	0605898A	MANAGEMENT HQ—R&D	48,955	48,955
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	1,027,542	1,019,542
		OPERATIONAL SYSTEMS DEVELOPMENT		
154	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	18,397	18,397
155	0603813A	TRACTOR PULL	9,461	9,461

**“SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)”**

Line	Program Element	Item	FY 2016 Request	Agreement Authorized
156	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS	4,945	4,945
157	0607133A	TRACTOR SMOKE	7,569	7,569
158	0607135A	APACHE PRODUCT IMPROVEMENT PROGRAM	69,862	69,862
159	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	66,653	66,653
160	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	37,407	37,407
161	0607138A	FIXED WING PRODUCT IMPROVEMENT PROGRAM	1,151	1,151
162	0607139A	IMPROVED TURBINE ENGINE PROGRAM	51,164	51,164
163	0607140A	EMERGING TECHNOLOGIES FROM NIE	2,481	2,481
164	0607141A	LOGISTICS AUTOMATION	1,673	1,673
166	0607665A	FAMILY OF BIOMETRICS	13,237	13,237
167	0607865A	PATRIOT PRODUCT IMPROVEMENT	105,816	105,816
169	0202429A	AEROSTAT JOINT PROJECT—COCOM EXERCISE	40,565	40,565
171	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCs)	35,719	35,719
172	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	257,167	354,167
		Stryker Lethality Upgrades		[97,000]
173	0203740A	MANEUVER CONTROL SYSTEM	15,445	15,445
175	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	364	364
176	0203758A	DIGITIZATION	4,361	4,361
177	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	3,154	3,154
178	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	35,951	35,951
179	0203808A	TRACTOR CARD	34,686	34,686
180	0205402A	INTEGRATED BASE DEFENSE—OPERATIONAL SYSTEM DEV	10,750	10,750
181	0205410A	MATERIALS HANDLING EQUIPMENT	402	402
183	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM	64,159	64,159
184	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	17,527	17,527
185	0208053A	JOINT TACTICAL GROUND SYSTEM	20,515	20,515
187	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	12,368	12,368
188	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	31,154	31,154
189	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	12,274	12,274
190	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	9,355	9,355
191	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	7,053	7,053
193	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	750	750
194	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	13,225	13,225
195	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	22,870	22,870
196	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	25,592	25,592
199	0305233A	RQ-7 UAV	7,297	7,297
201	0310349A	WIN-T INCREMENT 2—INITIAL NETWORKING	3,800	3,800
202	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	48,442	48,442
202A	999999999	CLASSIFIED PROGRAMS	4,536	4,536
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	1,129,297	1,226,297
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	6,924,959	7,093,559
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	116,196	125,196
		Defense University Research Instrumentation Program increase		[9,000]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,126	19,126
003	0601153N	DEFENSE RESEARCH SCIENCES	451,606	479,106
		Basic research program increase		[27,500]
		SUBTOTAL BASIC RESEARCH	586,928	623,428
		APPLIED RESEARCH		
004	0602114N	POWER PROTECTION APPLIED RESEARCH	68,723	68,723
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	154,963	154,963
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	49,001	49,001
007	0602235N	COMMON PICTURE APPLIED RESEARCH	42,551	42,551
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	45,056	45,056
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	115,051	115,051
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	42,252	62,252
		Service Life Extension for the AGOR Ship		[20,000]
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,119	6,119
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	123,750	142,350
		Accelerate undersea warfare research		[18,600]
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	179,686	179,686
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	37,418	37,418
		SUBTOTAL APPLIED RESEARCH	864,570	903,170
		ADVANCED TECHNOLOGY DEVELOPMENT		
015	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	37,093	37,093
016	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	38,044	38,044
017	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	34,899	34,899
018	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	137,562	137,562
019	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	12,745	12,745
020	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	258,860	258,860
021	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	57,074	57,074
022	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,807	4,807
023	0603747N	UNDERSEA WARFARE ADVANCED TECHNOLOGY	13,748	13,748
024	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	66,041	66,041

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Line	Program Element	Item	FY 2016 Request	Agreement Authorized
025	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	1,991	1,991
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	662,864	662,864
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
026	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	41,832	41,832
027	0603216N	AVIATION SURVIVABILITY	5,404	5,404
028	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,086	3,086
029	0603251N	AIRCRAFT SYSTEMS	11,643	11,643
030	0603254N	ASW SYSTEMS DEVELOPMENT	5,555	5,555
031	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,087	3,087
032	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,636	1,636
033	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	118,588	113,588
		LDUUV development growth		[-5,000]
034	0603506N	SURFACE SHIP TORPEDO DEFENSE	77,385	77,385
035	0603512N	CARRIER SYSTEMS DEVELOPMENT	8,348	8,348
036	0603525N	PILOT FISH	123,246	123,246
037	0603527N	RETRACT LARCH	28,819	28,819
038	0603536N	RETRACT JUNIPER	112,678	112,678
039	0603542N	RADIOLOGICAL CONTROL	710	710
040	0603553N	SURFACE ASW	1,096	1,096
041	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	87,160	93,360
		Accelerate unmanned underwater vehicle development		[10,000]
		Universal launch and recovery module unfunded outyear tail		[-3,800]
042	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	10,371	10,371
043	0603563N	SHIP CONCEPT ADVANCED DESIGN	11,888	11,888
044	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	4,332	4,332
045	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	482,040	482,040
046	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	25,904	25,904
047	0603576N	CHALK EAGLE	511,802	511,802
048	0603581N	LITTORAL COMBAT SHIP (LCS)	118,416	118,416
049	0603582N	COMBAT SYSTEM INTEGRATION	35,901	35,901
050	0603595N	OHIO REPLACEMENT	971,393	971,393
051	0603596N	LCS MISSION MODULES	206,149	206,149
052	0603597N	AUTOMATED TEST AND RE-TEST (ATRT)	8,000	8,000
053	0603609N	CONVENTIONAL MUNITIONS	7,678	7,678
054	0603611M	MARINE CORPS ASSAULT VEHICLES	219,082	219,082
055	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	623	623
056	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	18,260	18,260
057	0603658N	COOPERATIVE ENGAGEMENT	76,247	76,247
058	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	4,520	4,520
059	0603721N	ENVIRONMENTAL PROTECTION	20,711	20,711
060	0603724N	NAVY ENERGY PROGRAM	47,761	47,761
061	0603725N	FACILITIES IMPROVEMENT	5,226	5,226
062	0603734N	CHALK CORAL	182,771	182,771
063	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,866	3,866
064	0603746N	RETRACT MAPLE	360,065	360,065
065	0603748N	LINK PLUMERIA	237,416	237,416
066	0603751N	RETRACT ELM	37,944	37,944
067	0603764N	LINK EVERGREEN	47,312	47,312
068	0603787N	SPECIAL PROCESSES	17,408	17,408
069	0603790N	NATO RESEARCH AND DEVELOPMENT	9,359	9,359
070	0603795N	LAND ATTACK TECHNOLOGY	887	887
071	0603851M	JOINT NON-LETHAL WEAPONS TESTING	29,448	29,448
072	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	91,479	91,479
073	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	67,360	67,360
074	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80)	48,105	127,205
		Full ship shock trials for CVN-78		[79,100]
075	0604122N	REMOTE MINEHUNTING SYSTEM (RMS)	20,089	20,089
076	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	18,969	18,969
077	0604279N	ASE SELF-PROTECTION OPTIMIZATION	7,874	7,874
078	0604292N	MH-XX	5,298	5,298
079	0604454N	LX (R)	46,486	75,486
		LX(R) Acceleration		[29,000]
080	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW)	3,817	3,817
081	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	9,595	9,595
082	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	29,581	25,246
		Maritime concept generation and development growth		[-4,335]
083	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	285,849	285,849
084	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	36,656	36,656
085	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	9,835	9,835
086	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	580	580
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	5,024,626	5,129,591
		SYSTEM DEVELOPMENT & DEMONSTRATION		
087	0603208N	TRAINING SYSTEM AIRCRAFT	21,708	21,708
088	0604212N	OTHER HELO DEVELOPMENT	11,101	11,101
089	0604214N	AV-8B AIRCRAFT—ENG DEV	39,878	39,878
090	0604215N	STANDARDS DEVELOPMENT	53,059	53,059

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091	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	21,358	21,358
092	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	4,515	4,515
093	0604221N	P-3 MODERNIZATION PROGRAM	1,514	1,514
094	0604230N	WARFARE SUPPORT SYSTEM	5,875	5,875
095	0604231N	TACTICAL COMMAND SYSTEM	81,553	81,553
096	0604234N	ADVANCED HAWKEYE	272,149	264,149
		Cost growth		[-8,000]
097	0604245N	H-1 UPGRADES	27,235	27,235
098	0604261N	ACOUSTIC SEARCH SENSORS	35,763	35,763
099	0604262N	V-22A	87,918	87,918
100	0604264N	AIR CREW SYSTEMS DEVELOPMENT	12,679	12,679
101	0604269N	EA-18	56,921	56,921
102	0604270N	ELECTRONIC WARFARE DEVELOPMENT	23,685	23,685
103	0604273N	EXECUTIVE HELO DEVELOPMENT	507,093	507,093
104	0604274N	NEXT GENERATION JAMMER (NGJ)	411,767	403,767
		Contract delays		[-8,000]
105	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	25,071	25,071
106	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	443,433	421,133
		Aegis development support growth		[-22,300]
107	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	747	747
108	0604329N	SMALL DIAMETER BOMB (SDB)	97,002	84,644
		F-18 integration contract delay		[-12,358]
109	0604366N	STANDARD MISSILE IMPROVEMENTS	129,649	129,649
110	0604373N	AIRBORNE MCM	11,647	11,647
111	0604376M	MARINE AIR GROUND TASK FORCE (MAGTF) ELECTRONIC WARFARE (EW) FOR AVIATION ..	2,778	2,778
112	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	23,695	23,695
113	0604404N	UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYS- TEM.	134,708	484,708
		Competitive air vehicle risk reduction activities		[300,000]
		Government and industry source selection preparation		[50,000]
114	0604501N	ADVANCED ABOVE WATER SENSORS	43,914	43,914
115	0604503N	SSN-688 AND TRIDENT MODERNIZATION	109,908	109,908
116	0604504N	AIR CONTROL	57,928	57,928
117	0604512N	SHIPBOARD AVIATION SYSTEMS	120,217	120,217
118	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	241,754	241,754
119	0604558N	NEW DESIGN SSN	122,556	122,556
120	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	48,213	60,213
		Accelerate submarine combat and weapon system modernization		[12,000]
121	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	49,712	49,712
122	0604574N	NAVY TACTICAL COMPUTER RESOURCES	4,096	4,096
123	0604580N	VIRGINIA PAYLOAD MODULE (VPM)	167,719	167,719
124	0604601N	MINE DEVELOPMENT	15,122	15,122
125	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	33,738	33,738
126	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,123	8,123
127	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	7,686	7,686
128	0604727N	JOINT STANDOFF WEAPON SYSTEMS	405	405
129	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	153,836	153,836
130	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	99,619	99,619
131	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	116,798	116,798
132	0604761N	INTELLIGENCE ENGINEERING	4,353	4,353
133	0604771N	MEDICAL DEVELOPMENT	9,443	9,443
134	0604777N	NAVIGATION/ID SYSTEM	32,469	32,469
135	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	537,901	537,901
136	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	504,736	504,736
137	0604810M	JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—MARINE CORPS	59,265	20,800
		Program delay		[-38,465]
138	0604810N	JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—NAVY	47,579	21,244
		Program delay		[-26,335]
139	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	5,914	5,914
140	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	89,711	89,711
141	0605212N	CH-53K RDTE	632,092	632,092
142	0605220N	SHIP TO SHORE CONNECTOR (SSC)	7,778	7,778
143	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	25,898	25,898
144	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	247,929	247,929
145	0204202N	DDG-1000	103,199	103,199
146	0304231N	TACTICAL COMMAND SYSTEM—MIP	998	998
147	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	17,785	17,785
148	0305124N	SPECIAL APPLICATIONS PROGRAM	35,905	35,905
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	6,308,800	6,555,342
		MANAGEMENT SUPPORT		
149	0604256N	THREAT SIMULATOR DEVELOPMENT	30,769	30,769
150	0604258N	TARGET SYSTEMS DEVELOPMENT	112,606	112,606
151	0604759N	MAJOR T&E INVESTMENT	61,234	61,234
152	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	6,995	6,995
153	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	4,011	4,011
154	0605154N	CENTER FOR NAVAL ANALYSES	48,563	48,563
155	0605285N	NEXT GENERATION FIGHTER	5,000	5,000
157	0605804N	TECHNICAL INFORMATION SERVICES	925	925

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158	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	78,143	78,143
159	0605856N	STRATEGIC TECHNICAL SUPPORT	3,258	3,258
160	0605861N	RD&E SCIENCE AND TECHNOLOGY MANAGEMENT	76,948	76,948
161	0605863N	RD&E SHIP AND AIRCRAFT SUPPORT	132,122	132,122
162	0605864N	TEST AND EVALUATION SUPPORT	351,912	351,912
163	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	17,985	17,985
164	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	5,316	5,316
165	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	6,519	6,519
166	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	13,649	13,649
		SUBTOTAL MANAGEMENT SUPPORT	955,955	955,955
		OPERATIONAL SYSTEMS DEVELOPMENT		
174	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	107,039	107,039
175	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	46,506	46,506
176	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	3,900	4,700
		Accelerate combat rapid attack weapon		[800]
177	0101402N	NAVY STRATEGIC COMMUNICATIONS	16,569	16,569
178	0203761N	RAPID TECHNOLOGY TRANSITION (RTT)	18,632	11,132
		TIPS program growth		[-7,500]
179	0204136N	F/A-18 SQUADRONS	133,265	133,265
181	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	62,867	51,067
		Joint aerial layer network growth		[-11,800]
182	0204228N	SURFACE SUPPORT	36,045	36,045
183	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	25,228	25,228
184	0204311N	INTEGRATED SURVEILLANCE SYSTEM	54,218	54,218
185	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	11,335	11,335
186	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	80,129	65,629
		Block II test assets early to need		[-14,500]
187	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	39,087	39,087
188	0204574N	CRYPTOLOGIC DIRECT SUPPORT	1,915	1,915
189	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	46,609	46,609
190	0205601N	HARM IMPROVEMENT	52,708	16,164
		AARGM extended range program growth		[-36,544]
191	0205604N	TACTICAL DATA LINKS	149,997	149,997
192	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	24,460	24,460
193	0205632N	MK-48 ADCAP	42,206	47,706
		Accelerate torpedo upgrades		[5,500]
194	0205633N	AVIATION IMPROVEMENTS	117,759	117,759
195	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	101,323	101,323
196	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	67,763	67,763
197	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S)	13,431	13,431
198	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	56,769	48,669
		Project delays		[-8,100]
199	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	20,729	20,729
200	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	13,152	13,152
201	0206629M	AMPHIBIOUS ASSAULT VEHICLE	48,535	48,535
202	0207161N	TACTICAL AIM MISSILES	76,016	76,016
203	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	32,172	32,172
208	0303109N	SATELLITE COMMUNICATIONS (SPACE)	53,239	53,239
209	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)	21,677	21,677
210	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	28,102	28,102
211	0303150M	WWWCCS/GLOBAL COMMAND AND CONTROL SYSTEM	294	294
213	0305160N	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	599	599
214	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	6,207	6,207
215	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	8,550	8,550
216	0305205N	UAS INTEGRATION AND INTEROPERABILITY	41,831	41,831
217	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	1,105	1,105
218	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	33,149	33,149
219	0305220N	RQ-4 UAV	227,188	227,188
220	0305231N	MQ-8 UAV	52,770	52,770
221	0305232M	RQ-11 UAV	635	635
222	0305233N	RQ-7 UAV	688	688
223	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASLO)	4,647	4,647
224	0305239M	RQ-21A	6,435	6,435
225	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	49,145	49,145
226	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	9,246	9,246
227	0305421N	RQ-4 MODERNIZATION	150,854	150,854
228	0308601N	MODELING AND SIMULATION SUPPORT	4,757	4,757
229	0702207N	DEPOT MAINTENANCE (NON-IF)	24,185	24,185
231	0708730N	MARITIME TECHNOLOGY (MARITECH)	4,321	4,321
231A	9999999999	CLASSIFIED PROGRAMS	1,252,185	1,252,185
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	3,482,173	3,410,029
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	17,885,916	18,240,379
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	329,721	352,221
		Basic research program increase		[22,500]

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002	0601103F	UNIVERSITY RESEARCH INITIATIVES	141,754	141,754
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	13,778	13,778
		SUBTOTAL BASIC RESEARCH	485,253	507,753
		APPLIED RESEARCH		
004	0602102F	MATERIALS	125,234	125,234
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	123,438	123,438
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	100,530	100,530
007	0602203F	AEROSPACE PROPULSION	182,326	182,326
008	0602204F	AEROSPACE SENSORS	147,291	147,291
009	0602601F	SPACE TECHNOLOGY	116,122	116,122
010	0602602F	CONVENTIONAL MUNITIONS	99,851	99,851
011	0602605F	DIRECTED ENERGY TECHNOLOGY	115,604	115,604
012	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	164,909	164,909
013	0602890F	HIGH ENERGY LASER RESEARCH	42,037	42,037
		SUBTOTAL APPLIED RESEARCH	1,217,342	1,217,342
		ADVANCED TECHNOLOGY DEVELOPMENT		
014	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	37,665	47,665
		Metals Affordability Initiative		[10,000]
015	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	18,378	18,378
016	0603203F	ADVANCED AEROSPACE SENSORS	42,183	42,183
017	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	100,733	100,733
018	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	168,821	168,821
019	0603270F	ELECTRONIC COMBAT TECHNOLOGY	47,032	47,032
020	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	54,897	54,897
021	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	12,853	12,853
022	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	25,448	25,448
023	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	48,536	48,536
024	0603605F	ADVANCED WEAPONS TECHNOLOGY	30,195	30,195
025	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	42,630	52,630
		Maturation of advanced manufacturing for low-cost sustainment		[10,000]
026	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	46,414	46,414
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	675,785	695,785
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	5,032	5,032
029	0603438F	SPACE CONTROL TECHNOLOGY	4,070	4,070
030	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	21,790	21,790
031	0603790F	NATO RESEARCH AND DEVELOPMENT	4,736	4,736
033	0603830F	SPACE SECURITY AND DEFENSE PROGRAM	30,771	30,771
034	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	39,765	39,765
036	0604015F	LONG RANGE STRIKE	1,246,228	556,228
		Delayed EMD contract award		[-690,000]
037	0604317F	TECHNOLOGY TRANSFER	3,512	8,512
		Technology transfer program increase		[5,000]
038	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	54,637	54,637
040	0604422F	WEATHER SYSTEM FOLLOW-ON	76,108	51,108
		Unjustified increase and analysis of alternatives		[-25,000]
044	0604857F	OPERATIONALLY RESPONSIVE SPACE	6,457	19,957
		SSA, Weather, or Launch Activities		[13,500]
045	0604858F	TECH TRANSITION PROGRAM	246,514	246,514
046	0605230F	GROUND BASED STRATEGIC DETERRENT	75,166	75,166
049	0207110F	NEXT GENERATION AIR DOMINANCE	8,830	8,830
050	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	14,939	14,939
051	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	142,288	142,288
052	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	81,732	96,732
		Increase USCC Cyber Operations Technology Development		[15,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	2,062,575	1,381,075
		SYSTEM DEVELOPMENT & DEMONSTRATION		
055	0604270F	ELECTRONIC WARFARE DEVELOPMENT	929	929
056	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	60,256	60,256
057	0604287F	PHYSICAL SECURITY EQUIPMENT	5,973	5,973
058	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	32,624	32,624
059	0604421F	COUNTERSPACE SYSTEMS	24,208	24,208
060	0604425F	SPACE SITUATION AWARENESS SYSTEMS	32,374	32,374
061	0604426F	SPACE FENCE	243,909	243,909
062	0604429F	AIRBORNE ELECTRONIC ATTACK	8,358	8,358
063	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	292,235	292,235
064	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	40,154	40,154
065	0604604F	SUBMUNITIONS	2,506	2,506
066	0604617F	AGILE COMBAT SUPPORT	57,678	57,678
067	0604706F	LIFE SUPPORT SYSTEMS	8,187	8,187
068	0604735F	COMBAT TRAINING RANGES	15,795	15,795
069	0604800F	F-35—EMD	589,441	589,441
071	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD	84,438	184,438
		EELV Program—Rocket Propulsion System Development		[100,000]
072	0604932F	LONG RANGE STANDOFF WEAPON	36,643	16,143

**“SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
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Line	Program Element	Item	FY 2016 Request	Agreement Authorized
		<i>Contract delay</i>		[–20,500]
073	0604933F	ICBM FUZE MODERNIZATION	142,551	142,551
074	0605213F	F–22 MODERNIZATION INCREMENT 3.2B	140,640	140,640
075	0605214F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	3,598	3,598
076	0605221F	KC–46	602,364	402,364
		<i>Program decrease</i>		[–200,000]
077	0605223F	ADVANCED PILOT TRAINING	11,395	11,395
078	0605229F	CSAR HH–60 RECAPITALIZATION	156,085	156,085
080	0605431F	ADVANCED EHF MILSATCOM (SPACE)	228,230	228,230
081	0605432F	POLAR MILSATCOM (SPACE)	72,084	72,084
082	0605433F	WIDEBAND GLOBAL SATCOM (SPACE)	56,343	52,343
		<i>Excess to need</i>		[–4,000]
083	0605458F	AIR & SPACE OPS CENTER 10.2 RDT&E	47,629	47,629
084	0605931F	B–2 DEFENSIVE MANAGEMENT SYSTEM	271,961	271,961
085	0101125F	NUCLEAR WEAPONS MODERNIZATION	212,121	212,121
086	0207171F	F–15 EPAWSS	186,481	186,481
087	0207701F	FULL COMBAT MISSION TRAINING	18,082	18,082
088	0305176F	COMBAT SURVIVOR EVADER LOCATOR	993	993
089	0307581F	NEXTGEN JSTARS	44,343	44,343
091	0401319F	PRESIDENTIAL AIRCRAFT REPLACEMENT (PAR)	102,620	102,620
092	0701212F	AUTOMATED TEST SYSTEMS	14,563	14,563
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	3,847,791	3,723,291
		MANAGEMENT SUPPORT		
093	0604256F	THREAT SIMULATOR DEVELOPMENT	23,844	23,844
094	0604759F	MAJOR T&E INVESTMENT	68,302	73,302
		<i>Airborne Sensor Data Correlation Project</i>		[5,000]
095	0605101F	RAND PROJECT AIR FORCE	34,918	34,918
097	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	10,476	10,476
098	0605807F	TEST AND EVALUATION SUPPORT	673,908	673,908
099	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	21,858	21,858
100	0605864F	SPACE TEST PROGRAM (STP)	28,228	28,228
101	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	40,518	40,518
102	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	27,895	27,895
103	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	16,507	16,507
104	0606116F	SPACE TEST AND TRAINING RANGE DEVELOPMENT	18,997	18,997
106	0606392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE	185,305	176,727
		<i>Excess to need</i>		[–8,578]
107	0308602F	ENTREPRISE INFORMATION SERVICES (EIS)	4,841	4,841
108	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	15,357	15,357
109	0804731F	GENERAL SKILL TRAINING	1,315	1,315
111	1001004F	INTERNATIONAL ACTIVITIES	2,315	2,315
		SUBTOTAL MANAGEMENT SUPPORT	1,174,584	1,171,006
		OPERATIONAL SYSTEMS DEVELOPMENT		
112	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	350,232	350,232
113	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	10,465	10,465
114	0604445F	WIDE AREA SURVEILLANCE	24,577	24,577
117	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	69,694	10,694
		<i>Forward financing, excluding funding for audit readiness</i>		[–59,000]
118	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	26,718	26,718
119	0605278F	HC/MC–130 RECAP RDT&E	10,807	10,807
121	0101113F	B–52 SQUADRONS	74,520	74,520
122	0101122F	AIR–LAUNCHED CRUISE MISSILE (ALCM)	451	451
123	0101126F	B–1B SQUADRONS	2,245	2,245
124	0101127F	B–2 SQUADRONS	108,183	108,183
125	0101213F	MINUTEMAN SQUADRONS	178,929	178,929
126	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM	28,481	28,481
127	0101314F	NIGHT FIST—USSTRATCOM	87	87
128	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	5,315	5,315
131	0105921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES	8,090	8,090
132	0205219F	MQ–9 UAV	123,439	123,439
134	0207131F	A–10 SQUADRONS	16,200	16,200
		<i>A–10 restoration: operational flight program development</i>		[16,200]
135	0207133F	F–16 SQUADRONS	148,297	198,297
		<i>AESA Radar Integration</i>		[50,000]
136	0207134F	F–15E SQUADRONS	179,283	192,079
		<i>Transfer from procurement</i>		[12,796]
137	0207136F	MANNED DESTRUCTIVE SUPPRESSION	14,860	14,860
138	0207138F	F–22A SQUADRONS	262,552	262,552
139	0207142F	F–35 SQUADRONS	115,395	53,921
		<i>Program delay</i>		[–61,474]
140	0207161F	TACTICAL AIM MISSILES	43,360	43,360
141	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	46,160	46,160
143	0207224F	COMBAT RESCUE AND RECOVERY	412	412
144	0207227F	COMBAT RESCUE—PARARESCUE	657	657
145	0207247F	AF TENCAP	31,428	31,428
146	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	1,105	1,105
147	0207253F	COMPASS CALL	14,249	14,249

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Line	Program Element	Item	FY 2016 Request	Agreement Authorized
148	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	103,942	103,942
149	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	12,793	12,793
150	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	21,193	21,193
151	0207412F	CONTROL AND REPORTING CENTER (CRC)	559	559
152	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	161,812	161,812
153	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	6,001	6,001
155	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	7,793	7,793
156	0207444F	TACTICAL AIR CONTROL PARTY-MOD	12,465	12,465
157	0207448F	C2ISR TACTICAL DATA LINK	1,681	1,681
159	0207452F	DCAPES	16,796	16,796
161	0207590F	SEEK EAGLE	21,564	21,564
162	0207601F	USAF MODELING AND SIMULATION	24,994	24,994
163	0207605F	WARGAMING AND SIMULATION CENTERS	6,035	6,035
164	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,358	4,358
165	0208006F	MISSION PLANNING SYSTEMS	55,835	55,835
167	0208087F	AF OFFENSIVE CYBERSPACE OPERATIONS	12,874	12,874
168	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	7,681	7,681
171	0301017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	5,974	5,974
177	0301400F	SPACE SUPERIORITY INTELLIGENCE	13,815	13,815
178	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	80,360	80,360
179	0303001F	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	3,907	3,907
180	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	75,062	75,062
181	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	46,599	46,599
183	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE	2,470	2,470
186	0304260F	AIRBORNE SIGINT ENTERPRISE	112,775	112,775
189	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,235	4,235
192	0305110F	SATELLITE CONTROL NETWORK (SPACE)	7,879	5,879
		Unjustified increase in systems engineering		[-2,000]
193	0305111F	WEATHER SERVICE	29,955	29,955
194	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	21,485	21,485
195	0305116F	AERIAL TARGETS	2,515	2,515
198	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	472	472
199	0305145F	ARMS CONTROL IMPLEMENTATION	12,137	12,137
200	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	361	361
203	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER	3,162	3,162
204	0305174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	1,543	1,543
205	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	7,860	7,860
206	0305182F	SPACELIFT RANGE SYSTEM (SPACE)	6,902	6,902
207	0305202F	DRAGON U-2	34,471	34,471
209	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	50,154	60,154
		Wide Area Surveillance Capability		[10,000]
210	0305207F	MANNED RECONNAISSANCE SYSTEMS	13,245	13,245
211	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	22,784	22,784
212	0305219F	MQ-1 PREDATOR A UAV	716	716
213	0305220F	RQ-4 UAV	208,053	203,053
		Program delays		[-5,000]
214	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	21,587	21,587
215	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	43,986	43,986
216	0305238F	NATO AGS	197,486	138,400
		Transfer to Procurement for NATO AWACS		[-59,086]
217	0305240F	SUPPORT TO DCGS ENTERPRISE	28,434	28,434
218	0305265F	GPS III SPACE SEGMENT	180,902	180,902
220	0305614F	JSPOC MISSION SYSTEM	81,911	81,911
221	0305881F	RAPID CYBER ACQUISITION	3,149	3,149
222	0305913F	NUDET DETECTION SYSTEM (SPACE)	14,447	14,447
223	0305940F	SPACE SITUATION AWARENESS OPERATIONS	20,077	20,077
225	0308699F	SHARED EARLY WARNING (SEW)	853	853
226	0401115F	C-130 AIRLIFT SQUADRON	33,962	33,962
227	0401119F	C-5 AIRLIFT SQUADRONS (IF)	42,864	22,864
		Forward financing		[-20,000]
228	0401130F	C-17 AIRCRAFT (IF)	54,807	54,807
229	0401132F	C-130J PROGRAM	31,010	31,010
230	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	6,802	6,802
231	0401219F	KC-10S	1,799	1,799
232	0401314F	OPERATIONAL SUPPORT AIRLIFT	48,453	48,453
233	0401318F	CV-22	36,576	36,576
235	0408011F	SPECIAL TACTICS / COMBAT CONTROL	7,963	7,963
236	0702207F	DEPOT MAINTENANCE (NON-IF)	1,525	1,525
237	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	112,676	68,400
		Program growth		[-44,276]
238	0708611F	SUPPORT SYSTEMS DEVELOPMENT	12,657	12,657
239	0804743F	OTHER FLIGHT TRAINING	1,836	1,836
240	0808716F	OTHER PERSONNEL ACTIVITIES	121	121
241	0901202F	JOINT PERSONNEL RECOVERY AGENCY	5,911	5,911
242	0901218F	CIVILIAN COMPENSATION PROGRAM	3,604	3,604
243	0901220F	PERSONNEL ADMINISTRATION	4,598	4,598
244	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,103	1,103
246	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	101,840	101,840
246A	9999999999	CLASSIFIED PROGRAMS	12,780,142	12,780,142

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Line	Program Element	Item	FY 2016 Request	Agreement Authorized
SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT			17,010,339	16,848,499
TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF			26,473,669	25,544,751
RESEARCH, DEVELOPMENT, TEST & EVAL, DW				
BASIC RESEARCH				
001	0601000BR	DTRA BASIC RESEARCH INITIATIVE	38,436	38,436
002	0601101E	DEFENSE RESEARCH SCIENCES	333,119	333,119
003	0601110D8Z	BASIC RESEARCH INITIATIVES	42,022	42,022
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	56,544	56,544
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	49,453	54,453
		STEM program increase		[5,000]
006	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS	25,834	35,834
		Program increase		[10,000]
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	46,261	46,261
SUBTOTAL BASIC RESEARCH			591,669	606,669
APPLIED RESEARCH				
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,352	19,352
009	0602115E	BIOMEDICAL TECHNOLOGY	114,262	114,262
010	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	51,026	51,026
011	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES	48,226	48,226
012	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	356,358	356,358
014	0602383E	BIOLOGICAL WARFARE DEFENSE	29,265	29,265
015	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	208,111	208,111
016	0602668D8Z	CYBER SECURITY RESEARCH	13,727	13,727
018	0602702E	TACTICAL TECHNOLOGY	314,582	309,582
		Multi-azimuth defense fast intercept round engagement system		[-5,000]
019	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	220,115	201,721
		Program decrease		[-18,394]
020	0602716E	ELECTRONICS TECHNOLOGY	174,798	174,798
021	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES	155,415	155,415
022	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH	8,824	8,824
023	1160401BB	SOF TECHNOLOGY DEVELOPMENT	37,517	37,517
SUBTOTAL APPLIED RESEARCH			1,751,578	1,728,184
ADVANCED TECHNOLOGY DEVELOPMENT				
024	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	25,915	25,915
026	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	71,171	111,171
		Program increase		[40,000]
027	0603133D8Z	FOREIGN COMPARATIVE TESTING	21,782	21,782
028	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT	290,654	290,654
030	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	12,139	12,139
031	0603177C	DISCRIMINATION SENSOR TECHNOLOGY	28,200	28,200
032	0603178C	WEAPONS TECHNOLOGY	45,389	7,367
		High Power Directed Energy—Missile Destruct		[-26,055]
		Move to support Multiple Object Kill Vehicle		[-11,967]
033	0603179C	ADVANCED C4ISR	9,876	9,876
034	0603180C	ADVANCED RESEARCH	17,364	17,364
035	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	18,802	18,802
036	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY	2,679	2,679
037	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY	64,708	51,458
		Unjustified growth		[-13,250]
038	0603286E	ADVANCED AEROSPACE SYSTEMS	185,043	185,043
039	0603287E	SPACE PROGRAMS AND TECHNOLOGY	126,692	126,692
040	0603288D8Z	ANALYTIC ASSESSMENTS	14,645	14,645
041	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	59,830	49,830
		Program decrease		[-10,000]
042	0603294C	COMMON KILL VEHICLE TECHNOLOGY	46,753	7,195
		MOKV Concept Development		[-39,558]
043	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	140,094	140,094
044	0603527D8Z	RETRACT LARCH	118,666	108,666
		Program decrease		[-10,000]
045	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	43,966	23,966
		Program decrease		[-20,000]
046	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	141,540	116,540
		Program decrease		[-25,000]
047	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	6,980	6,980
050	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	157,056	142,056
		Unjustified growth		[-15,000]
051	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	33,515	41,015
		Efforts to counter-ISIL and Russian aggression		[7,500]
052	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	16,543	16,543
053	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	29,888	29,888
054	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	65,836	65,836
055	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	79,037	89,037
		Trusted Source Implementation for Field Programmable Gate Arrays Study		[10,000]
056	0603727D8Z	JOINT WARFIGHTING PROGRAM	9,626	5,000
		Program decrease		[-4,626]

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057	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	79,021	79,021
058	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	201,335	201,335
059	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	452,861	432,861
		Excessive program growth		[-20,000]
060	0603767E	SENSOR TECHNOLOGY	257,127	257,127
061	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	10,771	10,771
062	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	15,202	15,202
063	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	90,500	65,500
		Unjustified growth		[-25,000]
066	0603833D8Z	ENGINEERING SCIENCE & TECHNOLOGY	18,377	18,377
067	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	82,589	82,589
068	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	37,420	37,420
069	0303310D8Z	CWMD SYSTEMS	42,488	42,488
070	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	57,741	57,741
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	3,229,821	3,066,865
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
071	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	31,710	31,710
073	0603600D8Z	WALKOFF	90,567	90,567
074	0603714D8Z	ADVANCED SENSORS APPLICATION PROGRAM	15,900	15,900
075	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	52,758	52,758
076	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	228,021	228,021
077	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	1,284,891	1,284,891
077A	0603XXXX	MULTIPLE-OBJECT KILL VEHICLE		81,525
		Divert attitude control systems technology to support Multi-Object Kill Vehicle		[10,000]
		Establish MOKV Program of Record		[71,525]
078	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	172,754	172,754
079	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	233,588	233,588
080	0603890C	BMD ENABLING PROGRAMS	409,088	409,088
080A	0603XXXX	WEAPONS TECHNOLOGY—HIGH POWER DE		26,055
		High Power Directed Energy—Missile Destruct		[26,055]
081	0603891C	SPECIAL PROGRAMS—MDA	400,387	400,387
082	0603892C	AEGIS BMD	843,355	843,355
083	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	31,632	31,632
084	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	23,289	23,289
085	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	450,085	437,785
		Future Spirals concurrency with multiple ongoing efforts and excess growth		[-12,300]
086	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	49,570	49,570
087	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	49,211	49,211
088	0603906C	REGARDING TRENCH	9,583	9,583
089	0603907C	SEA BASED X-BAND RADAR (SBX)	72,866	72,866
090	0603913C	ISRAELI COOPERATIVE PROGRAMS	102,795	267,595
		Arrow 3		[19,500]
		Arrow System Improvement Program		[45,500]
		David's Sling		[99,800]
091	0603914C	BALLISTIC MISSILE DEFENSE TEST	274,323	274,323
092	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	513,256	513,256
093	0603920D8Z	HUMANITARIAN DEMINING	10,129	10,129
094	0603923D8Z	COALITION WARFARE	10,350	10,350
095	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	1,518	11,518
		Program Increase		[10,000]
096	0604115C	TECHNOLOGY MATURATION INITIATIVES	96,300	96,300
097	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	469,798	469,798
098	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT.	3,129	3,129
103	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	25,200	25,200
105	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	137,564	137,564
106	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	278,944	298,944
		Redesigned kill vehicle development		[20,000]
107	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST	26,225	26,225
108	0604878C	AEGIS BMD TEST	55,148	55,148
109	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	86,764	86,764
110	0604880C	LAND-BASED SM-3 (LBSM3)	34,970	34,970
111	0604881C	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT	172,645	172,645
112	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	64,618	64,618
114	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	2,660	2,660
115	0305103C	CYBER SECURITY INITIATIVE	963	963
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES	6,816,554	7,106,634
		SYSTEM DEVELOPMENT AND DEMONSTRATION		
116	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	8,800	8,800
117	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	78,817	88,817
		Concept development by the Army of a CPGS option		[5,000]
		Concept development by the Navy of a CPGS option		[5,000]
118	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	303,647	303,647
119	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	23,424	23,424
120	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	14,285	14,285

**“SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)”**

Line	Program Element	Item	FY 2016 Request	Agreement Authorized
121	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	7,156	7,156
122	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	12,542	42
		DCMA program decrease		[-12,500]
123	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	191	191
124	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	3,273	3,273
125	0605027D8Z	OUSD(C) IT DEVELOPMENT INITIATIVES	5,962	5,962
126	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	13,412	13,412
127	0605075D8Z	DCMO POLICY AND INTEGRATION	2,223	2,223
128	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM	31,660	31,660
129	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS)	13,085	13,085
130	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	7,209	7,209
131	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	15,158	13,794
		Early to need		[-1,364]
132	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)	4,414	4,414
		SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION	545,258	541,394
		MANAGEMENT SUPPORT		
133	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	5,581	5,581
134	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	3,081	3,081
135	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	229,125	229,125
136	0604942D8Z	ASSESSMENTS AND EVALUATIONS	28,674	21,674
		Program decrease		[-7,000]
138	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	45,235	45,235
139	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	24,936	24,936
141	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO)	35,471	35,471
144	0605142D8Z	SYSTEMS ENGINEERING	37,655	37,655
145	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	3,015	3,015
146	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	5,287	5,287
147	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	5,289	5,289
148	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	2,120	2,120
149	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	102,264	102,264
158	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER	2,169	2,169
159	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	13,960	13,960
160	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	51,775	51,775
161	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	9,533	9,533
162	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	17,371	21,371
		Program increase		[4,000]
163	0605898E	MANAGEMENT HQ—R&D	71,571	71,571
164	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,123	4,123
165	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	1,946	1,946
166	0204571J	JOINT STAFF ANALYTICAL SUPPORT	7,673	7,673
169	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	10,413	10,413
170	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	971	971
171	0305193D8Z	CYBER INTELLIGENCE	6,579	6,579
173	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—MHA	43,811	43,811
174	0901598C	MANAGEMENT HQ—MDA	35,871	35,871
176	0903230D8W	WHS—MISSION OPERATIONS SUPPORT—IT	1,072	1,072
177A	999999999	CLASSIFIED PROGRAMS	49,500	49,500
		SUBTOTAL MANAGEMENT SUPPORT	856,071	853,071
		OPERATIONAL SYSTEM DEVELOPMENT		
178	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	7,929	7,929
179	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA.	1,750	1,750
180	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS)	294	294
181	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	22,576	22,576
182	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT	1,901	1,901
183	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	8,474	8,474
184	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	33,561	33,561
186	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,061	3,061
187	0208045K	C4I INTEROPERABILITY	64,921	64,921
189	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING	3,645	3,645
193	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	963	963
194	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	10,186	10,186
195	0303126K	LONG-HAUL COMMUNICATIONS—DCS	36,883	36,883
196	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	13,735	13,735
197	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	6,101	6,101
198	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	43,867	43,867
199	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	8,957	8,957
200	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	146,890	146,890
201	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	21,503	21,503
202	0303153K	DEFENSE SPECTRUM ORGANIZATION	20,342	20,342
203	0303170K	NET-CENTRIC ENTERPRISE SERVICES (NCES)	444	444
205	0303610K	TELEPORT PROGRAM	1,736	1,736
206	0304210BB	SPECIAL APPLICATIONS FOR CONTINGENCIES	65,060	65,060
210	0305103K	CYBER SECURITY INITIATIVE	2,976	2,976
215	0305186D8Z	POLICY R&D PROGRAMS	4,182	4,182

**“SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)”**

Line	Program Element	Item	FY 2016 Request	Agreement Authorized
216	0305199D8Z	NET CENTRICITY	18,130	18,130
218	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,302	5,302
221	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,239	3,239
225	0305327V	INSIDER THREAT	11,733	11,733
226	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,119	2,119
234	0708011S	INDUSTRIAL PREPAREDNESS	24,605	19,245
		DLA Uniform Research		[-5,360]
235	0708012S	LOGISTICS SUPPORT ACTIVITIES	1,770	1,770
236	0902298J	MANAGEMENT HQ—OJCS	2,978	2,978
237	1105219BB	MQ-9 UAV	18,151	23,151
		Medium Altitude Long Endurance Tactical (MALET) MQ-9 Unmanned Aerial Vehicle		[5,000]
238	1105232BB	RQ-11 UAV	758	758
240	1160403BB	AVIATION SYSTEMS	173,934	189,134
		MC-130 Terrain Following/Terrain Avoidance Radar Program		[15,200]
241	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	6,866	6,866
242	1160408BB	OPERATIONAL ENHANCEMENTS	63,008	63,008
243	1160431BB	WARRIOR SYSTEMS	25,342	25,342
244	1160432BB	SPECIAL PROGRAMS	3,401	3,401
245	1160480BB	SOF TACTICAL VEHICLES	3,212	3,212
246	1160483BB	MARITIME SYSTEMS	63,597	63,597
247	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	3,933	3,933
248	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	10,623	10,623
248A	9999999999	CLASSIFIED PROGRAMS	3,564,272	3,564,272
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	4,538,910	4,553,750
UNDISTRIBUTED				
249	XXXXXXX	DEFENSE WIDE CYBER VULNERABILITY ASSESSMENT		200,000
		Assess all major weapon systems for cyber vulnerability		[200,000]
251	XXXXXXX	TECHNOLOGY OFFSET INITIATIVE		300,000
		Supports innovative technology development		[300,000]
		SUBTOTAL UNDISTRIBUTED		500,000
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	18,329,861	18,956,567
OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT				
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	76,838	76,838
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	46,882	46,882
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	46,838	46,838
		SUBTOTAL MANAGEMENT SUPPORT	170,558	170,558
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	170,558	170,558
		TOTAL RDT&E	69,784,963	70,005,814”.

Mr. ROGERS of Alabama (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from Alabama?

There was no objection.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

- H.R. 308, by the yeas and nays;
- H.R. 1338, by the yeas and nays;
- H.R. 1384, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

KEEP THE PROMISE ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 308) to prohibit gaming activities on certain Indian lands in Arizona until the expiration of certain gaming compacts, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Young) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 263, nays 146, not voting 24, as follows:

[Roll No. 626]

YEAS—263

Abraham
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr

Barton
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (MI)
Bishop (UT)
Black

Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)

Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Capps
Cárdenas
Carter (GA)
Carter (TX)
Cartwright
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Conyers
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart

Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Engel
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hahn

Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Katko
Kelly (MS)
Kelly (PA)
Kildee
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight

Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lipinski
LoBiondo
Lofgren
Long
Loudermilk
Love
Lowenthal
Lucas
Luetkemeyer
Luján, Ben Ray
(NM)
Lummis
MacArthur
Marino
McCarthy
McCaul
McCollum
McHenry
McKinley
McMorris
Rodgers
McNerney
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent

NAYS—146

Adams
Amash
Bass
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capuano
Carney
Carson (IN)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Eshoo
Esty
Foster
Frankel (FL)

Nunes
Olson
Palazzo
Pallone
Palmer
Paulsen
Pearce
Pelosi
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rodgers (AL)
Rodgers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner

Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Takano
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Walberg
Walden
Walker
Walorski
Walters, Mimi
Wasserman
Schultz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pascrell
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Rangel
Rice (NY)
Roybal-Allard
Sánchez, Linda
T.
Sarbanes
Schiff
Schradler
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky

Walz
Waters, Maxine
Beatty
Cleaver
DeFazio
Fattah
Gutiérrez
Hinojosa
Hultgren
King (IA)

Watson Coleman
Welch
Lawrence
Lieu, Ted
Lowey
Marchant
McGovern
Richmond
Rohrabacher
Ruppersberger

Wilson (FL)
Yarmuth
Rush
Ryan (OH)
Sanchez, Loretta
Schakowsky
Takai
Titus
Wagner
Whitfield

NOT VOTING—24

□ 1901

Mr. SHERMAN, Ms. ESHOO, Messrs. SEAN PATRICK MALONEY, KENNEDY, MILES EDWARDS, BROWN of Florida, Messrs. SCHRADER, JONES, MASSIE, LANGEVIN, POLIS, and HIMES changed their votes from “yea” to “nay.”

Messrs. WOMACK, AGUILAR, and ASHFORD changed their votes from “nay” to “yea.”

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

MOMENT OF SILENCE IN REMEMBRANCE OF THE VICTIMS OF THE TERRORIST ATTACKS IN FRANCE

The SPEAKER. The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in memory of the victims of the terrorist attacks in France.

DIGNIFIED INTERMENT OF OUR VETERANS ACT OF 2015

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1338) to require the Secretary of Veterans Affairs to conduct a study on matters relating to the burial of unclaimed remains of veterans in national cemeteries, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 24, as follows:

[Roll No. 627]

YEAS—409

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford

Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishok

Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn

Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Castright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael
F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold

Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Fox
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn

Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lee
Levin
Lewis
Lipinski
LoBiondo
Loebach
Lofgren
Long
Loudermilk
Love
Lowenthal
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Lynch
MacArthur
Maloney
Carolyn
Maloney, Sean
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe

Reed	Sensenbrenner	Van Hollen	[Roll No. 628]	Nugent	Rothfus	Tipton
Reichert	Serrano	Vargas	YEAS—407	Nunes	Rouzer	Tonko
Renacci	Sessions	Veasey		O'Rourke	Roybal-Allard	Torres
Ribble	Sewell (AL)	Vela		Olson	Royce	Trott
Rice (NY)	Sherman	Velázquez		Palazzo	Ruiz	Tsongas
Rice (SC)	Shinkus	Visclosky		Pallone	Russell	Turner
Rigell	Shuster	Walberg		Palmer	Ryan (OH)	Upton
Roby	Simpson	Walden		Pascarella	Salmon	Valadao
Roe (TN)	Sinema	Walker		Paulsen	Sánchez, Linda	Van Hollen
Rogers (AL)	Sires	Walorski		Payne	T.	Vargas
Rogers (KY)	Slaughter	Walters, Mimi		Pearce	Sanford	Veasey
Rokita	Smith (MO)	Walz		Pelosi	Sarbanes	Vela
Rooney (FL)	Smith (NE)	Wasserman		Perlmutter	Scalise	Velázquez
Ros-Lehtinen	Smith (NJ)	Schultz		Perry	Schiff	Visclosky
Roskam	Smith (TX)	Waters, Maxine		Peters	Schrader	Walberg
Ross	Smith (WA)	Watson Coleman		Peterson	Schweikert	Walden
Rothfus	Speier	Weber (TX)		Pingree	Scott (VA)	Walker
Rouzer	Stefanik	Welch		Pittenger	Scott, Austin	Walorski
Roybal-Allard	Stewart	Wenstrup		Pitts	Sensenbrenner	Walters, Mimi
Royce	Stutzman	Westerman		Pocan	Serrano	Walz
Ruiz	Swalwell (CA)	Westmoreland		Poe (TX)	Sessions	Wasserman
Russell	Takano	Williams		Poliquin	Sewell (AL)	Schultz
Ryan (OH)	Thompson (CA)	Wilson (FL)		Polis	Sherman	Shinkus
Salmon	Thompson (MS)	Wilson (SC)		Pompeo	Shimkus	Shuster
Sánchez, Linda	Thompson (PA)	Wittman		Posey	Simpson	Watson Coleman
T.	Thornberry	Womack		Price (NC)	Price, Tom	Weber (TX)
Sanford	Tiberi	Woodall		Quigley	Quigley	Webster (FL)
Sarbanes	Tipton	Yarmuth		Rangel	Rangel	Welch
Scalise	Tonko	Yoder		Reed	Reed	Wenstrup
Schiff	Torres	Yoho		Reichart	Reichart	Westerman
Schrader	Trott	Young (AK)		Renacci	Renacci	Westmoreland
Schweikert	Tsongas	Young (IA)		Ribble	Ribble	Williams
Scott (VA)	Turner	Young (IN)		Rice (NY)	Rice (NY)	Wilson (FL)
Scott, Austin	Upton	Zeldin		Rice (SC)	Rice (SC)	Wilson (SC)
Scott, David	Valadao	Zinke		Rigell	Rigell	Wittman

NOT VOTING—24

Cleaver	Lieu, Ted	Sanchez, Loretta
DeFazio	Lowey	Schakowsky
Fattah	Marchant	Stivers
Gutiérrez	McGovern	Takai
Hinojosa	Richmond	Titus
Hultgren	Rohrabacher	Wagner
King (IA)	Ruppersberger	Webster (FL)
Lawrence	Rush	Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CARTER of Georgia) (during the vote). There are 2 minutes remaining.

□ 1909

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONOR AMERICA'S GUARD-RESERVE RETIREES ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1384) to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. COSTELLO) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 0, not voting 26, as follows:

Abraham	DelBene	Johnson (OH)
Adams	Denham	Johnson, E. B.
Aderholt	Dent	Johnson, Sam
Aguiar	DeSantis	Jolly
Allen	DeSaulnier	Jones
Amash	DesJarlais	Jordan
Ashford	Joyce	Joyce
Babin	Diaz-Balart	Kaptur
Barletta	Dingell	Katko
Barr	Doggett	Keating
Barton	Dold	Kelly (IL)
Bass	Donovan	Kelly (MS)
Beatty	Doyle, Michael	Kelly (PA)
Becerra	F.	Kennedy
Benishak	Duckworth	Kildee
Bera	Duffy	Kilmer
Beyer	Duncan (SC)	Kind
Bilirakis	Duncan (TN)	King (NY)
Bishop (GA)	Edwards	Kinzing (IL)
Bishop (MI)	Ellison	Kirkpatrick
Bishop (UT)	Ellmers (NC)	Kline
Black	Emmer (MN)	Knight
Blackburn	Engel	Kuster
Blum	Esty	Labrador
Blumenauer	Farenthold	LaHood
Bonamici	Farr	LaMalfa
Bost	Fincher	Lamborn
Boustany	Fitzpatrick	Lance
Boyle, Brendan	Fleischmann	Langevin
F.	Fleming	Larsen (WA)
Brady (PA)	Flores	Larson (CT)
Brady (TX)	Forbes	Latta
Brat	Fortenberry	Lee
Bridenstine	Foster	Levin
Brooks (AL)	Fox	Lewis
Brooks (IN)	Frankel (FL)	Lipinski
Brown (FL)	Franks (AZ)	LoBiondo
Brownley (CA)	Frelinghuysen	Loeb
Buchanan	Fudge	Lofgren
Buck	Gabbard	Long
Bucshon	Galleo	Loudermilk
Burgess	Garamendi	Love
Bustos	Garrett	Lowenthal
Butterfield	Gibbs	Lucas
Byrne	Gibson	Luetkemeyer
Calvert	Gohmert	Lujan Grisham
Capps	Goodlatte	(NM)
Capuano	Gosar	Lujan, Ben Ray
Cárdenas	Gowdy	(NM)
Carney	Graham	Lummis
Carson (IN)	Granger	Lynch
Carter (GA)	Graves (GA)	MacArthur
Carter (TX)	Graves (LA)	Maloney,
Cartwright	Graves (MO)	Carolyn
Castor (FL)	Grayson	Maloney, Sean
Castro (TX)	Green, Al	Marino
Chabot	Green, Gene	Massie
Chaffetz	Griffith	Matsui
Chu, Judy	Grijalva	McCarthy
Cicilline	Grothman	McCaul
Clark (MA)	Guinta	McClintock
Clarke (NY)	Guthrie	McCollum
Clawson (FL)	Hahn	McDermott
Clay	Hanna	McHenry
Clyburn	Hardy	McKinley
Coffman	Harper	McMorris
Cohen	Harris	Rodgers
Cole	Hartzer	McNerney
Collins (GA)	Hastings	McSally
Collins (NY)	Heck (NV)	Meadows
Comstock	Heck (WA)	Meehan
Conaway	Hensarling	Meeks
Connolly	Herrera Beutler	Meng
Conyers	Hice, Jody B.	Messer
Cook	Higgins	Mica
Cooper	Hill	Miller (FL)
Costa	Himes	Miller (MI)
Costello (PA)	Holding	Moolenaar
Courtney	Honda	Mooney (WV)
Cramer	Hoyer	Moore
Crawford	Huelskamp	Moulton
Crenshaw	Huffman	Mullin
Crowley	Huizenga (MI)	Mulvaney
Cuellar	Hunter	Murphy (FL)
Culberson	Hurd (TX)	Murphy (PA)
Cummings	Hurt (VA)	Nadler
Curbelo (FL)	Israel	Napolitano
Davis (CA)	Issa	Neal
Davis, Danny	Jackson Lee	Neugebauer
Davis, Rodney	Jeffries	Newhouse
DeGette	Jenkins (KS)	Noem
Delaney	Jenkins (WV)	Nolan
DeLauro	Johnson (GA)	Norcross

NOT VOTING—26

Amodei	King (IA)	Rush
Cleaver	Lawrence	Sanchez, Loretta
DeFazio	Lieu, Ted	Schakowsky
Eshoo	Lowey	Scott, David
Fattah	Marchant	Takai
Gutiérrez	McGovern	Titus
Hinojosa	Richmond	Wagner
Hudson	Rohrabacher	Whitfield
Hultgren	Ruppersberger	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1917

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. LAWRENCE. Mr. Speaker, I was unable to vote due to the necessity of my attending to representational duties and participation in Michigan. Had I been in attendance, I would have voted: "yes"—H.R. 308—Keep the Promise Act, "yes"—H.R. 1338—Dignified Interment of Our Veterans' Act of 2015, "yes"—H.R. 1384—Honor America's Guard-Reserve Retirees Act.

PERSONAL EXPLANATION

Ms. SCHAKOWSKY. Mr. Speaker, this evening, I was unavoidably detained and unable to cast votes on the House floor. Had I been present, I would have voted "aye" on

H.R. 1338 and H.R. 1384. I would have voted "nay" on H.R. 308.

PERSONAL EXPLANATION

Mr. FATTAH. Mr. Speaker, on the following rollcall Nos. I would have voted: "no" on rollcall 626, "yes" on rollcall 627, "yes" on rollcall 628.

PERSONAL EXPLANATION

Mr. DEFAZIO. Mr. Speaker, I was absent on November 16, 2015, due to recovery from eye surgery, and missed the following votes. Had I been present I would have voted:

On Motion to Suspend the Rules and Pass H.R. 308, I would have voted "present."

On Motion to Suspend the Rules and Pass H.R. 1338, I would have voted "aye."

On Motion to Suspend the Rules and Pass H.R. 1384, I would have voted "aye."

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1737, REFORMING CFPB INDIRECT AUTO FINANCING GUIDANCE ACT; PROVIDING FOR CONSIDERATION OF H.R. 511, TRIBAL LABOR SOVEREIGNTY ACT OF 2015; AND FOR OTHER PURPOSES

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 114-340) on the resolution (H. Res. 526) providing for consideration of the bill (H.R. 1737) to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending; providing for consideration of the bill (H.R. 511) to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act; and for other purposes, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1694

Mrs. BUSTOS. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 1694.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

IMPROVING REGULATORY TRANSPARENCY FOR NEW MEDICAL THERAPIES ACT

Mr. GRIFFITH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 639) to amend the Controlled Substances Act with respect to drug scheduling recommendations by the Secretary of Health and Human Services, and with respect to registration of manufacturers and distributors seeking to conduct clinical testing, with the Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendment.

The Clerk read as follows:
Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Improving Regulatory Transparency for New Medical Therapies Act".

SEC. 2. SCHEDULING OF SUBSTANCES INCLUDED IN NEW FDA-APPROVED DRUGS.

(a) EFFECTIVE DATE OF APPROVAL.—

(1) EFFECTIVE DATE OF DRUG APPROVAL.—Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) is amended by adding at the end the following:

"(x) DATE OF APPROVAL IN THE CASE OF RECOMMENDED CONTROLS UNDER THE CSA.—

"(1) IN GENERAL.—In the case of an application under subsection (b) with respect to a drug for which the Secretary provides notice to the sponsor that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, approval of such application shall not take effect until the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act.

"(2) DATE OF APPROVAL.—For purposes of this section, with respect to an application described in paragraph (1), the term 'date of approval' shall mean the later of—

"(A) the date an application under subsection (b) is approved under subsection (c); or

"(B) the date of issuance of the interim final rule controlling the drug."

(2) EFFECTIVE DATE OF APPROVAL OF BIOLOGICAL PRODUCTS.—Section 351 of the Public Health Service Act (42 U.S.C. 262) is amended by adding at the end the following:

"(n) DATE OF APPROVAL IN THE CASE OF RECOMMENDED CONTROLS UNDER THE CSA.—

"(1) IN GENERAL.—In the case of an application under subsection (a) with respect to a biological product for which the Secretary provides notice to the sponsor that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, approval of such application shall not take effect until the interim final rule controlling the biological product is issued in accordance with section 201(j) of the Controlled Substances Act.

"(2) DATE OF APPROVAL.—For purposes of this section, with respect to an application described in paragraph (1), references to the date of approval of such application, or licensure of the product subject to such application, shall mean the later of—

"(A) the date an application is approved under subsection (a); or

"(B) the date of issuance of the interim final rule controlling the biological product."

(3) EFFECTIVE DATE OF APPROVAL OF ANIMAL DRUGS.—

(A) IN GENERAL.—Section 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b) is amended by adding at the end the following:

"(q) DATE OF APPROVAL IN THE CASE OF RECOMMENDED CONTROLS UNDER THE CSA.—

"(1) IN GENERAL.—In the case of an application under subsection (b) with respect to a drug for which the Secretary provides notice to the sponsor that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, approval of such application shall not take effect until the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act.

"(2) DATE OF APPROVAL.—For purposes of this section, with respect to an application described in paragraph (1), the term 'date of approval' shall mean the later of—

"(A) the date an application under subsection (b) is approved under subsection (c); or

"(B) the date of issuance of the interim final rule controlling the drug."

(B) CONDITIONAL APPROVAL.—Section 571(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ccc(d)) is amended by adding at the end the following:

"(4)(A) In the case of an application under subsection (a) with respect to a drug for which the Secretary provides notice to the sponsor that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, conditional approval of such application shall not take effect until the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act.

"(B) For purposes of this section, with respect to an application described in subparagraph (A), the term 'date of approval' shall mean the later of—

"(i) the date an application under subsection (a) is conditionally approved under subsection (b); or

"(ii) the date of issuance of the interim final rule controlling the drug."

(C) INDEXING OF LEGALLY MARKETED UNAPPROVED NEW ANIMAL DRUGS.—Section 572 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ccc-1) is amended by adding at the end the following:

"(k) In the case of a request under subsection (d) to add a drug to the index under subsection (a) with respect to a drug for which the Secretary provides notice to the person filing the request that the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, a determination to grant the request to add such drug to the index shall not take effect until the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act."

(4) DATE OF APPROVAL FOR DESIGNATED NEW ANIMAL DRUGS.—Section 573(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ccc-2(c)) is amended by adding at the end the following:

"(3) For purposes of determining the 7-year period of exclusivity under paragraph (1) for a drug for which the Secretary intends to issue a scientific and medical evaluation and recommend controls under the Controlled Substances Act, the drug shall not be considered approved or conditionally approved until the date that the interim final rule controlling the drug is issued in accordance with section 201(j) of the Controlled Substances Act."

(b) SCHEDULING OF NEWLY APPROVED DRUGS.—Section 201 of the Controlled Substances Act (21 U.S.C. 811) is amended by inserting after subsection (i) the following:

"(j)(1) With respect to a drug referred to in subsection (f), if the Secretary of Health and Human Services recommends that the Attorney General control the drug in schedule II, III, IV, or V pursuant to subsections (a) and (b), the Attorney General shall, not later than 90 days after the date described in paragraph (2), issue an interim final rule controlling the drug in accordance with such subsections and section 202(b) using the procedures described in paragraph (3).

"(2) The date described in this paragraph shall be the later of—

"(A) the date on which the Attorney General receives the scientific and medical evaluation and the scheduling recommendation from the Secretary of Health and Human Services in accordance with subsection (b); or

"(B) the date on which the Attorney General receives notification from the Secretary of Health and Human Services that the Secretary has approved an application under section 505(c), 512, or 571 of the Federal Food, Drug,

and Cosmetic Act or section 351(a) of the Public Health Service Act, or indexed a drug under section 572 of the Federal Food, Drug, and Cosmetic Act, with respect to the drug described in paragraph (1).

“(3) A rule issued by the Attorney General under paragraph (1) shall become immediately effective as an interim final rule without requiring the Attorney General to demonstrate good cause therefor. The interim final rule shall give interested persons the opportunity to comment and to request a hearing. After the conclusion of such proceedings, the Attorney General shall issue a final rule in accordance with the scheduling criteria of subsections (b), (c), and (d) of this section and section 202(b).”

(c) **EXTENSION OF PATENT TERM.**—Section 156 of title 35, United States Code, is amended—

(1) in subsection (d)(1), in the matter preceding subparagraph (A), by inserting “, or in the case of a drug product described in subsection (i), within the sixty-day period beginning on the covered date (as defined in subsection (i))” after “marketing or use”; and

(2) by adding at the end the following:

“(i)(1) For purposes of this section, if the Secretary of Health and Human Services provides notice to the sponsor of an application or request for approval, conditional approval, or indexing of a drug product for which the Secretary intends to recommend controls under the Controlled Substances Act, beginning on the covered date, the drug product shall be considered to—

“(A) have been approved or indexed under the relevant provision of the Public Health Service Act or Federal Food, Drug, and Cosmetic Act; and

“(B) have permission for commercial marketing or use.

“(2) In this subsection, the term ‘covered date’ means the later of—

“(A) the date an application is approved—

“(i) under section 351(a)(2)(C) of the Public Health Service Act; or

“(ii) under section 505(b) or 512(c) of the Federal Food, Drug, and Cosmetic Act;

“(B) the date an application is conditionally approved under section 571(b) of the Federal Food, Drug, and Cosmetic Act;

“(C) the date a request for indexing is granted under section 572(d) of the Federal Food, Drug, and Cosmetic Act; or

“(D) the date of issuance of the interim final rule controlling the drug under section 201(j) of the Controlled Substances Act.”

SEC. 3. ENHANCING NEW DRUG DEVELOPMENT.

Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended by adding at the end the following:

“(i)(1) For purposes of registration to manufacture a controlled substance under subsection (d) for use only in a clinical trial, the Attorney General shall register the applicant, or serve an order to show cause upon the applicant in accordance with section 304(c), not later than 180 days after the date on which the application is accepted for filing.

“(2) For purposes of registration to manufacture a controlled substance under subsection (a) for use only in a clinical trial, the Attorney General shall, in accordance with the regulations issued by the Attorney General, issue a notice of application not later than 90 days after the application is accepted for filing. Not later than 90 days after the date on which the period for comment pursuant to such notice ends, the Attorney General shall register the applicant, or serve an order to show cause upon the applicant in accordance with section 304(c), unless the Attorney General has granted a hearing on the application under section 1008(i) of the Controlled Substances Import and Export Act.”

SEC. 4. RE-EXPORTATION AMONG MEMBERS OF THE EUROPEAN ECONOMIC AREA.

Section 1003 of the Controlled Substances Import and Export Act (21 U.S.C. 953) is amended—

(1) in subsection(f)—

(A) in paragraph (5)—

(i) by striking “(5)” and inserting “(5)(A)”;

(ii) by inserting “, except that the controlled substance may be exported from a second country that is a member of the European Economic Area to another country that is a member of the European Economic Area, provided that the first country is also a member of the European Economic Area” before the period at the end; and

(iii) by adding at the end the following:

“(B) Subsequent to any re-exportation described in subparagraph (A), a controlled substance may continue to be exported from any country that is a member of the European Economic Area to any other such country, if—

“(i) the conditions applicable with respect to the first country under paragraphs (1), (2), (3), (4), (6), and (7) are met by each subsequent country from which the controlled substance is exported pursuant to this paragraph; and

“(ii) the conditions applicable with respect to the second country under paragraphs (1), (2), (3), (4), (6), and (7) are met by each subsequent country to which the controlled substance is exported pursuant to this paragraph.”; and

(B) in paragraph (6)—

(i) by striking “(6)” and inserting “(6)(A)”;

and

(ii) by adding at the end the following:

“(B) In the case of re-exportation among members of the European Economic Area, within 30 days after each re-exportation, the person who exported the controlled substance from the United States delivers to the Attorney General—

“(i) documentation certifying that such re-exportation has occurred; and

“(ii) information concerning the consignee, country, and product.”; and

(2) by adding at the end the following:

“(g) **LIMITATION.**—Subject to paragraphs (5) and (6) of subsection (f) in the case of any controlled substance in schedule I or II or any narcotic drug in schedule III or IV, the Attorney General shall not promulgate nor enforce any regulation, subregulatory guidance, or enforcement policy which impedes re-exportation of any controlled substance among European Economic Area countries, including by promulgating or enforcing any requirement that—

“(1) re-exportation from the first country to the second country or re-exportation from the second country to another country occur within a specified period of time; or

“(2) information concerning the consignee, country, and product be provided prior to exportation of the controlled substance from the United States or prior to each re-exportation among members of the European Economic Area.”

Mr. GRIFFITH (during the reading). Mr. Speaker, I ask unanimous consent that the reading of the Senate amendment be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from Virginia?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE USE OF EMANCIPATION HALL FOR THE UNVEILING OF THE MARBLE BUST OF VICE PRESIDENT RICHARD CHENEY ON DECEMBER 3, 2015

Mrs. COMSTOCK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk (S. Con. Res. 24) the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of the marble bust of Vice President Richard Cheney on December 3, 2015, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The text of the concurrent resolution is as follows:

S. CON. RES. 24

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR THE UNVEILING OF THE MARBLE BUST OF VICE PRESIDENT RICHARD CHENEY.

(a) **IN GENERAL.**—Emancipation Hall in the Capitol Visitor Center is authorized to be used for a ceremony to unveil the marble bust of Vice President Richard Cheney on December 3, 2015.

(b) **PREPARATIONS.**—The Architect of the Capitol and the Capitol Police Board shall take such action as may be necessary with respect to physical preparations and security for the ceremony described in subsection (a).

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR A CEREMONY TO COMMEMORATE THE 150TH ANNIVERSARY OF THE RATIFICATION OF THE 13TH AMENDMENT

Mrs. COMSTOCK. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of House Concurrent Resolution 93, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 93

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR CEREMONY TO COMMEMORATE 150TH ANNIVERSARY OF RATIFICATION OF 13TH AMENDMENT.

(a) **AUTHORIZATION.**—Emancipation Hall in the Capitol Visitor Center is authorized to be

used on December 9, 2015, for a ceremony to commemorate the 150th anniversary of the ratification of the 13th Amendment to the Constitution of the United States, which abolished slavery in the United States.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3403

Ms. GRANGER. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of the bill H.R. 3403.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

SURFACE TRANSPORTATION EXTENSION ACT OF 2015, PART II

Mr. HARDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3996) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3996

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; RECONCILIATION OF FUNDS; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Surface Transportation Extension Act of 2015, Part II”.

(b) RECONCILIATION OF FUNDS.—The Secretary of Transportation shall reduce the amount apportioned or allocated for a program, project, or activity under this Act in fiscal year 2016 by amounts apportioned or allocated pursuant to the Surface Transportation Extension Act of 2015, including the amendments made by that Act, for the period beginning on October 1, 2015, and ending on November 20, 2015.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; reconciliation of funds; table of contents.

TITLE I—SURFACE TRANSPORTATION PROGRAM EXTENSION

Subtitle A—Federal-Aid Highways

Sec. 1001. Extension of Federal-aid highway programs.

Sec. 1002. Administrative expenses.

Subtitle B—Extension of Highway Safety Programs

Sec. 1101. Extension of National Highway Traffic Safety Administration highway safety programs.

Sec. 1102. Extension of Federal Motor Carrier Safety Administration programs.

Sec. 1103. Dingell-Johnson Sport Fish Restoration Act.

Subtitle C—Public Transportation Programs

Sec. 1201. Formula grants for rural areas.

Sec. 1202. Apportionment of appropriations for formula grants.

Sec. 1203. Authorizations for public transportation.

Sec. 1204. Bus and bus facilities formula grants.

Subtitle D—Hazardous Materials

Sec. 1301. Authorization of appropriations.

TITLE II—REVENUE PROVISIONS

Sec. 2001. Extension of Highway Trust Fund expenditure authority.

TITLE I—SURFACE TRANSPORTATION PROGRAM EXTENSION

Subtitle A—Federal-Aid Highways

SEC. 1001. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS.

(a) IN GENERAL.—Section 1001(a) of the Highway and Transportation Funding Act of 2014 (128 Stat. 1840) is amended by striking “November 20, 2015” and inserting “December 4, 2015”.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) HIGHWAY TRUST FUND.—Section 1001(b)(1)(B) of the Highway and Transportation Funding Act of 2014 (128 Stat. 1840) is amended by striking “for the period beginning on October 1, 2015, and ending on November 20, 2015, ^{51/366} of the total amount” and inserting “for the period beginning on October 1, 2015, and ending on December 4, 2015, ^{65/366} of the total amount”.

(2) GENERAL FUND.—Section 1123(h)(1) of MAP-21 (23 U.S.C. 202 note) is amended by striking “and \$4,180,328 out of the general fund of the Treasury to carry out the program for the period beginning on October 1, 2015, and ending on November 20, 2015” and inserting “and \$5,327,869 out of the general fund of the Treasury to carry out the program for the period beginning on October 1, 2015, and ending on December 4, 2015”.

(c) USE OF FUNDS.—

(1) IN GENERAL.—Section 1001(c)(1)(B) of the Highway and Transportation Funding Act of 2014 (128 Stat. 1840) is amended—

(A) by striking “November 20, 2015,” and inserting “December 4, 2015.”; and

(B) by striking “^{51/366}” and inserting “^{65/366}”.

(2) OBLIGATION CEILING.—Section 1102 of MAP-21 (23 U.S.C. 104 note) is amended—

(A) by striking subsection (a)(4) and inserting the following:

“(4) \$7,134,218,915 for the period beginning on October 1, 2015, and ending on December 4, 2015.”;

(B) in subsection (b)(12) by striking “, and for the period beginning on October 1, 2015, and ending on November 20, 2015, only in an amount equal to \$639,000,000, less any reductions that would have otherwise been required for that year by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), then multiplied by ^{51/366} for that period” and inserting “, and for the period beginning on October 1, 2015, and ending on December 4, 2015, only in an amount equal to \$639,000,000, less any reductions that would have otherwise been required for that year by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), then multiplied by ^{65/366} for that period”;

(C) in subsection (c)—

(i) in the matter preceding paragraph (1) by striking “November 20, 2015” and inserting “December 4, 2015”; and

(ii) in paragraph (2) in the matter preceding subparagraph (A) by striking “for the period beginning on October 1, 2015, and end-

ing on November 20, 2015, that is equal to ^{51/366} of such unobligated balance” and inserting “for the period beginning on October 1, 2015, and ending on December 4, 2015, that is equal to ^{65/366} of such unobligated balance”; and

(D) in subsection (f)(1) in the matter preceding subparagraph (A) by striking “November 20, 2015” and inserting “December 4, 2015”.

SEC. 1002. ADMINISTRATIVE EXPENSES.

Section 1002 of the Highway and Transportation Funding Act of 2014 (128 Stat. 1842) is amended—

(1) by striking subsection (a)(2) and inserting the following:

“(2) \$78,142,077 for the period beginning on October 1, 2015, and ending on December 4, 2015.”; and

(2) in subsection (b)(2) by striking “and for the period beginning on October 1, 2015, and ending on November 20, 2015, subject to the limitations on administrative expenses for the Federal Highway Administration and Appalachian Regional Commission” and inserting “and for the period beginning on October 1, 2015, and ending on December 4, 2015, subject to the limitations on administrative expenses for the Federal Highway Administration and Appalachian Regional Commission”.

Subtitle B—Extension of Highway Safety Programs

SEC. 1101. EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS.

(a) EXTENSION OF PROGRAMS.—

(1) HIGHWAY SAFETY PROGRAMS.—Section 31101(a)(1)(D) of MAP-21 (126 Stat. 733) is amended to read as follows:

“(D) \$41,734,973 for the period beginning on October 1, 2015, and ending on December 4, 2015.”.

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 31101(a)(2)(D) of MAP-21 (126 Stat. 733) is amended to read as follows:

“(D) \$20,157,104 for the period beginning on October 1, 2015, and ending on December 4, 2015.”.

(3) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 31101(a)(3)(D) of MAP-21 (126 Stat. 733) is amended to read as follows:

“(D) \$48,306,011 for the period beginning on October 1, 2015, and ending on December 4, 2015.”.

(4) NATIONAL DRIVER REGISTER.—Section 31101(a)(4)(D) of MAP-21 (126 Stat. 733) is amended to read as follows:

“(D) \$887,978 for the period beginning on October 1, 2015, and ending on December 4, 2015.”.

(5) HIGH VISIBILITY ENFORCEMENT PROGRAM.—

(A) AUTHORIZATION OF APPROPRIATIONS.—Section 31101(a)(5)(D) of MAP-21 (126 Stat. 733) is amended to read as follows:

“(D) \$5,150,273 for the period beginning on October 1, 2015, and ending on December 4, 2015.”.

(B) LAW ENFORCEMENT CAMPAIGNS.—Section 2009(a) of SAFETEA-LU (23 U.S.C. 402 note) is amended—

(i) in the first sentence by striking “November 20, 2015” and inserting “December 4, 2015”; and

(ii) in the second sentence by striking “November 20, 2015,” and inserting “December 4, 2015.”.

(6) ADMINISTRATIVE EXPENSES.—Section 31101(a)(6)(D) of MAP-21 (126 Stat. 733) is amended to read as follows:

“(D) \$4,528,689 for the period beginning on October 1, 2015, and ending on December 4, 2015.”.

(b) COOPERATIVE RESEARCH AND EVALUATION.—Section 403(f)(1) of title 23, United States Code, is amended by striking “and \$348,361 of the total amount available for apportionment to the States for highway safety programs under section 402(c) in the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and \$443,989 of the total amount available for apportionment to the States for highway safety programs under section 402(c) in the period beginning on October 1, 2015, and ending on December 4, 2015.”

(c) APPLICABILITY OF TITLE 23.—Section 31101(c) of MAP-21 (126 Stat. 733) is amended by striking “November 20, 2015,” and inserting “December 4, 2015.”

SEC. 1102. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.

(a) MOTOR CARRIER SAFETY GRANTS.—Section 31104(a)(11) of title 49, United States Code, is amended to read as follows:

“(11) \$38,715,847 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(b) ADMINISTRATIVE EXPENSES.—Section 31104(i)(1)(K) of title 49, United States Code, is amended to read as follows:

“(K) \$45,997,268 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(c) GRANT PROGRAMS.—

(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—Section 4101(c)(1) of SAFETEA-LU (119 Stat. 1715) is amended by striking “and \$4,180,328 for the period beginning on October 1, 2015, and ending on November 20, 2015” and inserting “and \$5,327,869 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(2) BORDER ENFORCEMENT GRANTS.—Section 4101(c)(2) of SAFETEA-LU (119 Stat. 1715) is amended by striking “and \$4,459,016 for the period beginning on October 1, 2015, and ending on November 20, 2015” and inserting “and \$5,683,060 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT GRANT PROGRAM.—Section 4101(c)(3) of SAFETEA-LU (119 Stat. 1715) is amended by striking “and \$696,721 for the period beginning on October 1, 2015, and ending on November 20, 2015” and inserting “and \$887,978 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT PROGRAM.—Section 4101(c)(4) of SAFETEA-LU (119 Stat. 1715) is amended by striking “and \$3,483,607 for the period beginning on October 1, 2015, and ending on November 20, 2015” and inserting “and \$4,439,891 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(5) SAFETY DATA IMPROVEMENT GRANTS.—Section 4101(c)(5) of SAFETEA-LU (119 Stat. 1715) is amended by striking “and \$418,033 for the period beginning on October 1, 2015, and ending on November 20, 2015” and inserting “and \$532,787 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(d) HIGH-PRIORITY ACTIVITIES.—Section 31104(k)(2) of title 49, United States Code, is amended by striking “and up to \$2,090,164 for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and up to \$2,663,934 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(e) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code,

is amended by striking “and up to \$4,459,016 for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and up to \$5,683,060 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(f) OUTREACH AND EDUCATION.—Section 4127(e) of SAFETEA-LU (119 Stat. 1741) is amended by striking “and \$557,377 to the Federal Motor Carrier Safety Administration for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and \$710,383 to the Federal Motor Carrier Safety Administration for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(g) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA-LU (49 U.S.C. 31301 note) is amended by striking “and \$139,344 for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and \$177,596 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

SEC. 1103. DINGELL-JOHNSON SPORT FISH RESTORATION ACT.

Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a) in the matter preceding paragraph (1) by striking “November 20, 2015” and inserting “December 4, 2015”; and

(2) in subsection (b)(1)(A) by striking “November 20, 2015,” and inserting “December 4, 2015.”

Subtitle C—Public Transportation Programs

SEC. 1201. FORMULA GRANTS FOR RURAL AREAS.

Section 5311(c)(1) of title 49, United States Code, is amended—

(1) in subparagraph (A) by striking “and \$696,721 for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and \$887,978 for the period beginning on October 1, 2015, and ending on December 4, 2015”; and

(2) in subparagraph (B) by striking “and \$3,483,607 for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and \$4,439,891 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

SEC. 1202. APPORTIONMENT OF APPROPRIATIONS FOR FORMULA GRANTS.

Section 5336(h)(1) of title 49, United States Code, is amended by striking “and \$4,180,328 for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and \$5,327,869 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

SEC. 1203. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION.

(a) FORMULA GRANTS.—Section 5338(a) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking “and \$1,197,663,934 for the period beginning on October 1, 2015, and ending on November 20, 2015” and inserting “and \$1,526,434,426 for the period beginning on October 1, 2015, and ending on December 4, 2015”; and

(2) in paragraph (2)—
(A) in subparagraph (A) by striking “and \$17,947,541 for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and \$22,874,317 for the period beginning on October 1, 2015, and ending on December 4, 2015”; and

(B) in subparagraph (B) by striking “and \$1,393,443 for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and \$1,775,956 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(C) in subparagraph (C) by striking “and \$621,287,295 for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and \$791,836,749 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(D) in subparagraph (D) by striking “and \$35,992,623 for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and \$45,872,951 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(E) in subparagraph (E)—

(i) by striking “and \$84,693,443 for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and \$107,942,623 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(ii) by striking “and \$4,180,328 for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and \$5,327,869 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(iii) by striking “and \$2,786,885 for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and \$3,551,913 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(F) in subparagraph (F) by striking “and \$418,033 for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and \$532,787 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(G) in subparagraph (G) by striking “and \$696,721 for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and \$887,978 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(H) in subparagraph (H) by striking “and \$536,475 for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and \$683,743 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(I) in subparagraph (I) by striking “and \$301,805,738 for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and \$384,654,372 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(J) in subparagraph (J) by striking “and \$59,611,475 for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and \$75,975,410 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(K) in subparagraph (K) by striking “and \$73,281,148 for the period beginning on October 1, 2015, and ending on November 20, 2015,” and inserting “and \$93,397,541 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(b) RESEARCH, DEVELOPMENT DEMONSTRATION AND DEPLOYMENT PROJECTS.—Section 5338(b) of title 49, United States Code, is amended by striking “and \$9,754,098 for the period beginning on October 1, 2015, and ending on November 20, 2015” and inserting “and \$12,431,694 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(c) TRANSIT COOPERATIVE RESEARCH PROGRAM.—Section 5338(c) of title 49, United States Code, is amended by striking “and \$975,410 for the period beginning on October 1, 2015, and ending on November 20, 2015” and inserting “and \$1,243,169 for the period beginning on October 1, 2015, and ending on December 4, 2015.”

(d) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—Section 5338(d) of title 49, United States Code, is amended by striking “and \$975,410 for the period beginning on October 1, 2015, and ending on November 20,

2015" and inserting "and \$1,243,169 for the period beginning on October 1, 2015, and ending on December 4, 2015".

(e) HUMAN RESOURCES AND TRAINING.—Section 5338(e) of title 49, United States Code, is amended by striking "and \$696,721 for the period beginning on October 1, 2015, and ending on November 20, 2015" and inserting "and \$887,978 for the period beginning on October 1, 2015, and ending on December 4, 2015".

(f) CAPITAL INVESTMENT GRANTS.—Section 5338(g) of title 49, United States Code, is amended by striking "and \$265,729,508 for the period beginning on October 1, 2015, and ending on November 20, 2015" and inserting "and \$338,674,863 for the period beginning on October 1, 2015, and ending on December 4, 2015".

(g) ADMINISTRATION.—Section 5338(h) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking "and \$14,491,803 for the period beginning on October 1, 2015, and ending on November 20, 2015" and inserting "and \$18,469,945 for the period beginning on October 1, 2015, and ending on December 4, 2015";

(2) in paragraph (2) by striking "and not less than \$696,721 for the period beginning on October 1, 2015, and ending on November 20, 2015," and inserting "and not less than \$887,978 for the period beginning on October 1, 2015, and ending on December 4, 2015,"; and

(3) in paragraph (3) by striking "and not less than \$139,344 for the period beginning on October 1, 2015, and ending on November 20, 2015," and inserting "and not less than \$177,596 for the period beginning on October 1, 2015, and ending on December 4, 2015".

SEC. 1204. BUS AND BUS FACILITIES FORMULA GRANTS.

Section 5339(d)(1) of title 49, United States Code, is amended—

(1) by striking "and \$9,127,049 for the period beginning on October 1, 2015, and ending on November 20, 2015," and inserting "and \$11,632,514 for the period beginning on October 1, 2015, and ending on December 4, 2015,";

(2) by striking "\$174,180 for such period" and inserting "\$221,994 for such period"; and

(3) by striking "\$69,672 for such period" and inserting "\$88,798 for such period".

Subtitle D—Hazardous Materials

SEC. 1301. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 5128(a)(4) of title 49, United States Code, is amended to read as follows:

"(4) \$7,594,344 for the period beginning on October 1, 2015, and ending on December 4, 2015."

(b) HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.—Section 5128(b)(2) of title 49, United States Code, is amended to read as follows:

"(2) FISCAL YEAR 2016.—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(i), the Secretary may expend for the period beginning on October 1, 2015, and ending on December 4, 2015—

"(A) \$33,388 to carry out section 5115;

"(B) \$3,871,585 to carry out subsections (a) and (b) of section 5116, of which not less than \$2,424,180 shall be available to carry out section 5116(b);

"(C) \$26,639 to carry out section 5116(f);

"(D) \$110,997 to publish and distribute the Emergency Response Guidebook under section 5116(i)(3); and

"(E) \$177,596 to carry out section 5116(j)."

(c) HAZARDOUS MATERIALS TRAINING GRANTS.—Section 5128(c) of title 49, United States Code, is amended by striking "and \$557,377 for the period beginning on October 1, 2015, and ending on November 20, 2015," and inserting "and \$710,383 for the period be-

ginning on October 1, 2015, and ending on December 4, 2015".

TITLE II—REVENUE PROVISIONS

SEC. 2001. EXTENSION OF HIGHWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking "November 21, 2015" in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting "December 5, 2015", and

(2) by striking "Surface Transportation Extension Act of 2015" in subsections (c)(1) and (e)(3) and inserting "Surface Transportation Extension Act of 2015, Part II".

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of such Code is amended—

(1) by striking "Surface Transportation Extension Act of 2015" each place it appears in subsection (b)(2) and inserting "Surface Transportation Extension Act of 2015, Part II", and

(2) by striking "November 21, 2015" in subsection (d)(2) and inserting "December 5, 2015".

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Section 9508(e)(2) of such Code is amended by striking "November 21, 2015" and inserting "December 5, 2015".

The SPEAKER pro tempore (Mr. RATCLIFFE). Pursuant to the rule, the gentleman from Nevada (Mr. HARDY) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada.

GENERAL LEAVE

Mr. HARDY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 3996.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. HARDY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3996, which extends the Federal surface transportation programs to December 4, 2015.

On November 5, the House overwhelmingly passed a multiyear surface transportation bill, with more than 360 Members voting in support. Since then, the House and Senate have made good progress in resolving the differences between our two proposals. The conference committee still needs time to publicly meet, which we will do on Wednesday, complete our negotiations, and produce a final measure that helps improve America's infrastructure. Today's extension provides a time for that process to occur, while avoiding a shutdown of transportation programs.

The bill allows the States to continue to fund transportation projects and prevents 4,100 U.S. Department of Transportation employees from being furloughed.

H.R. 3996 funds these programs at the authorized levels for fiscal year 2014. No offsets or transfers of funding to the

highway trust fund are necessary for the extension since the trust fund will remain solvent during the period.

I urge support of H.R. 3996.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today the House must consider yet another short-term extension to keep highway transit safety and HAZMAT investments limping along, this time for only 2 weeks. We must pass this bill today, however, to avert a shutdown of Federal transportation programs, which expire in just 4 days.

This stopgap measure is a means to a much-needed end, which the House and the Senate are working diligently to accomplish a long-term surface transportation bill to provide certainty to States and to address our Nation's crumbling roads, bridges, and transit systems.

Every State department of transportation, every county, every city, every contractor, every construction worker, every commuter stuck in traffic, every business that uses our roads and bridges to move goods wants Congress to break through its own gridlock and wants us to come up with a long-term bill.

I would very much like to thank Chairman SHUSTER, Ranking Member DeFAZIO, Subcommittee Chair GRAVES, and all the members who have worked together in the most bipartisan manner—it is bipartisanship that I believe is a model for how this House should operate—in order to craft a surface transportation authorization bill that passed by voice vote out of the Committee on Transportation and Infrastructure and that received robust support when considered by the House after many amendments were also considered.

The conference committee is now diligently doing its work, and I look forward to continuing our talks with the Senate to produce a comprehensive bill for the President to sign. Until such time as the conference committee can complete its work, we must keep programs up and running, Mr. Speaker. This extension does just that.

This extension is a necessary step to avert a shutdown, and I will, therefore, support it. It is my sincere hope that this is the last extension, and I earnestly believe it will be because of the bipartisanship this bill has enjoyed, the very last extension we will need because it is beyond time to get serious about how we are going to fund our transportation future.

I urge my colleagues to support this bill.

I thank the gentleman for coming forward this evening. I have no further speakers.

Mr. Speaker, I yield back the balance of my time.

Mr. HARDY. Mr. Speaker, I urge my colleagues to join me in supporting this important legislation.

I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, today, the House must consider yet another short-term extension to keep highway, transit, highway safety, and hazmat investments limping along, this time for two weeks.

We must pass this bill today to avert a shutdown of Federal transportation programs, which expire in just four short days.

This stopgap measure is a means to a much-needed end toward which the House and Senate are working diligently: a long-term surface transportation bill to provide certainty to States and to address our nations' crumbling roads, bridges, and transit systems.

Every State Department of Transportation, every county, every city, every contractor, every construction worker, every commuter stuck in traffic, every business that uses our roads and bridges to move goods wants Congress to break through its own gridlock and come up with a long-term bill.

I would like to thank Chairman SHUSTER, Ranking Member DEFAZIO, Subcommittee Chairman GRAVES, and all of the members who have worked together in a bipartisan manner to craft a surface transportation authorization bill that passed by voice vote out of the Transportation and Infrastructure Committee and that received robust support when considered by the House.

The Conference Committee is now diligently doing its work, and I look forward to continue our talks with the Senate to produce a comprehensive bill for the President to sign. Until such time as the Conference Committee can complete its work, we must keep programs up and running. This extension does just that.

This extension is a necessary step to avert a shutdown, and I will therefore support it. It is my sincere hope that this is the last extension we will need, because it is beyond time to get serious about how we are going to fund our transportation future.

I urge my colleagues to support this bill.

Ms. JACKSON LEE. Mr. Speaker, a senior member of the Homeland Security, I rise to speak on H.R. 3996, Surface Transportation Extension Act II of 2015," which reauthorizes federal-aid highway and transit programs for two weeks through December 4, 2015.

Mr. Speaker, instead of this 14-day temporary extension, I would have strongly preferred that we were debating a final Conference Report on H.R. 22, the Surface Transportation Reauthorization and Reform Act of 2015, which provides for what used to be the customary six-year reauthorization of surface transportation programs to provide certainty and stability to the needed effort to repair, rebuild, and revitalize the nation's crumbling infrastructure.

The Senate Amendment to the Conference Report on H.R. 22, the Surface Transportation Reauthorization and Reform Act of 2015, passed by a vote of 65–34, nearly a two-thirds majority, while the version of the bill passed by the House version of the bill, which included two Jackson Lee amendments, passed by an overwhelming bipartisan majority of 363–64.

Mr. Speaker, I reluctantly support this emergency but temporary measure because as the

Department of Transportation has reported, if we do not act now highway trust fund balances will reach dangerously low levels by November 20 and result in a reduction of payments to states by an average of 28 percent.

Many states have already canceled or delayed planned construction projects, threatening 700,000 thousands of jobs, including 106,100 jobs in my home state of Texas.

Mr. Speaker, the Highway Trust Fund was created in 1956 during the Eisenhower Administration to help finance construction of the Interstate Highway System, which modernized the nation's transportation infrastructure and was instrumental in making the United States the world's dominant economic power for two generations.

Our national leaders then understood that investing in our roads and bridges strengthened our economy, created millions of good-paying jobs, and improved the quality of life for all Americans.

It is currently composed of two accounts that fund federal-aid highway and transit projects built by states.

Federal funding from the trust fund accounts for a major portion of state transportation spending.

The Highway Trust Fund is financed by gasoline and diesel taxes, which until the last decade produced a steady increase in revenues sufficient to accommodate increased levels of spending on highway and transit projects.

However, those tax rates—18.4 cents/gallon federal tax on gasoline and a 24.4 cents/gallon tax on diesel fuel—have remained unchanged since 1993 and were not indexed to inflation so the value of those revenues has eroded over the years, and, combined with the fact that vehicles have been getting increasingly better mileage, the revenues deposited into the Highway Trust Fund beginning last decade have not kept pace with highway and transit spending from the trust fund.

Consequently, since 2008, Congress has periodically had to transfer at the 11th hour general Treasury revenues into the trust fund to pay for authorized highway and transit spending levels and avoid a funding shortfall.

The total amount to date is more than \$74 billion.

Obviously, this practice is economically inefficient and injects uncertainty in the highway construction plans, projects, and schedules of state and local transportation agencies, not to mention the anxiety it causes to workers and businesses who economic livelihood is dependent on those projects.

Mr. Speaker, the last transportation authorized by Congress for 4 years or more, SAFETEA-LU, expired on September 30, 2009, at the end of FY 2009.

Because Congress and the Administration could not agree to a new reauthorization, it was necessary to resort to stop-gap temporary extensions on no less than eight occasions spanning a period of 910 days before Congress finally enacted the Moving Ahead for Progress in the 21st Century Act" (MAP–21 Act) on July 6, 2012, which reauthorized highway and transportation programs through Fiscal Year 2014, a little more than two years, or until September 30, 2014.

MAP–21 was intended as a short-term measure to give Congress and the Administra-

tion breathing room to reach agreement on a long-term reauthorization bill.

Yet, as Mr. LEVIN, the Ranking Member of the Ways and Means Committee, has often pointed out, since gaining the majority in 2010, our Republican colleagues have failed to take any action to sustain the Highway Trust Fund over the long-term and shore up vital infrastructure projects and has not held even a single hearing on financing options for the Highway Trust Fund.

Mr. Speaker, it is long past time for this Congress, and especially the House majority, to focus on the real problems and challenges facing the American people.

And one of the biggest of those challenges is ensuring that America has a transportation policy and the infrastructure needed to compete and win in the global economy of the 21st Century.

To do that we have to extend the reauthorization of current transportation programs and to authorize the transfer of the funds to the Highway Trust Fund needed to fund authorized construction projects and keep 700,000 workers, including 106,100 in Texas on the job.

But that is only a start and just a part of our job.

The real work that needs to be done in the remaining days of this Congress is to reach an agreement on H.R. 22 that the President can sign that is fair, equitable, fiscally responsible, creates jobs and leads to sustained economic growth.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. HARDY) that the House suspend the rules and pass the bill, H.R. 3996.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1930

POLICYHOLDER PROTECTION ACT OF 2015

Mr. POSEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1478) to provide for notice to, and input by, State insurance commissioners when requiring an insurance company to serve as a source of financial strength or when the Federal Deposit Insurance Corporation places a lien against an insurance company's assets, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1478

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Policyholder Protection Act of 2015".

SEC. 2. ENSURING THE PROTECTION OF INSURANCE POLICYHOLDERS.

(a) *SOURCE OF STRENGTH.*—Section 38A of the Federal Deposit Insurance Act (12 U.S.C. 1831o–1) is amended—

(1) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively; and

(2) by inserting after subsection (b) the following:

“(c) *AUTHORITY OF STATE INSURANCE REGULATOR.*—

“(1) *IN GENERAL.*—The provisions of section 5(g) of the Bank Holding Company Act of 1956 (12 U.S.C. 1844(g)) shall apply to a savings and loan holding company that is an insurance company, an affiliate of an insured depository institution that is an insurance company, and to any other company that is an insurance company and that directly or indirectly controls an insured depository institution, to the same extent as the provisions of that section apply to a bank holding company that is an insurance company.

“(2) *RULE OF CONSTRUCTION.*—Requiring a bank holding company that is an insurance company, a savings and loan holding company that is an insurance company, an affiliate of an insured depository institution that is an insurance company, or any other company that is an insurance company and that directly or indirectly controls an insured depository institution to serve as a source of financial strength under this section shall be deemed an action of the Board that requires a bank holding company to provide funds or other assets to a subsidiary depository institution for purposes of section 5(g) of the Bank Holding Company Act of 1956 (12 U.S.C. 1844(g)).”

(b) *LIQUIDATION AUTHORITY.*—The Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) is amended—

(1) in section 203(e)(3) (12 U.S.C. 5383(e)(3)), by inserting “or rehabilitation” after “orderly liquidation” each place that term appears; and

(2) in section 204(d)(4) (12 U.S.C. 5384(d)(4)), by inserting before the semicolon at the end the following: “, except that, if the covered financial company or covered subsidiary is an insurance company or a subsidiary of an insurance company, the Corporation—

“(A) shall promptly notify the State insurance authority for the insurance company of the intention to take such lien; and

“(B) may only take such lien—

“(i) to secure repayment of funds made available to such covered financial company or covered subsidiary; and

“(ii) if the Corporation determines, after consultation with the State insurance authority, that such lien will not unduly impede or delay the liquidation or rehabilitation of the insurance company, or the recovery by its policyholders”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. POSEY) and the gentlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. POSEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. POSEY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I want to thank my colleague on the Financial Services Committee, Mr. SHERMAN, for all of his help

and support on the Policyholder Protection Act as well as the chairman and ranking member of the committee for their support.

I have devoted a great deal of time to insurance issues both as a State legislator in Florida and as a Member of Congress. For over 3 years, I have been pushing legislation to address problems that Dodd-Frank created for insurance companies and, more importantly, their policyholders.

I credit former Congresswoman Judy Biggert for bringing these issues to light and for offering a positive solution focused on protecting consumers.

After a lot of hard work, multiple hearings, drafts, redrafts, and so forth, we now have before us this bipartisan, commonsense legislation that will ensure that State regulators continue to have the tools they need to protect policyholders back home.

Mr. Speaker, insurance policyholders shouldn't be on the hook for an affiliated company's failure or financial distress. But, unfortunately, that is an all-too-real scenario under the current law.

Today, in certain circumstances, insurance assets—those set aside to pay out policyholders' claims—could be used as a source of strength to offset risky bets of an organization affiliated with the insurance company.

This practice could threaten the solvency of an insurer and undermine its ability to keep promises it makes to its customers, customers who rely on their policies to protect their families' homes, their livelihoods, and their retirement.

It is simply wrong to force middle class families to put their homeowner's or life insurance policies at risk because of bad bets that someone might have made on Wall Street. Therefore, our bill clarifies that State regulators can wall off these assets from contagion, regardless of how an insurance company is structured.

The bottom line here is that insurance policies shouldn't be raided, period, and certainly not to bail out a financial institution that made poor decisions. Consumers deserve certainty that they will be protected, which is why our bill will also require the FDIC to notify State regulators and consult with them before taking a lien on insurance company assets. In the rare event that this action is being considered, this legislation requires that the FDIC first consider the impact that taking such a lien could have on policyholders.

Taken together, these measures safeguard insurance assets and make certain that they continue to be used for their primary purpose, which is to pay out the claims of policyholders.

The Policyholder Protection Act enjoys broad support from insurance regulators, State regulators, guaranty funds, consumers representatives, and the industry.

Mr. Speaker, I am proud of our work on this commonsense consumer protection bill. I urge all of my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 1478, the Policy Protection Act. I applaud my colleagues, Mr. POSEY of Florida and Mr. SHERMAN of California, on their diligent work that they have put into crafting this legislation in the Financial Services Committee. I supported this legislation in committee.

The bill, in a nutshell, ensures that insurance company assets are, first and foremost, used to protect and pay policyholders' claims.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. SHERMAN) to further discuss this bill.

Mr. SHERMAN. I thank the gentlewoman for yielding.

Mr. Speaker, it has been a pleasure to work with the gentleman from Florida on this bill. I was pleased to join him in introducing this legislation.

This is a commonsense bill. It has, I believe, total support. We voted on it in committee. It was supported unanimously. It has no objection from any of the regulators, such as the FDIC, or others.

It is supported by most insurance commissioners all over the country, including Dave Jones, Insurance Commissioner in California. It is supported by the American Council of Life Insurers, Property Casualty Insurers, and the Big I. So this bill has industry and the regulators behind it, Democrats and Republicans. It is unanimous.

What does the bill do? It deals with the circumstance where you have an insurance company that is a subsidiary of a financial services holding company, and it basically lays out the principle that the assets of the insurance company are there to pay insurance claims.

The State regulator of the insurance company regulates that insurance subsidiary and makes sure that the assets are there to provide insurance reserves and to pay insurance claims. Those assets cannot be invaded to pay for bad bets made by affiliated companies.

So, first, the bill says that State-regulated insurance company resources cannot be used as a source of strength for an affiliated financial firm that is being liquidated under title II of Dodd-Frank.

Second, the financial regulator may not place a lien on the assets of the State-regulated insurance company under title II unless the State insurance commissioner consents. It is the State insurance commissioner's fundamental duty to protect the policyholders.

Finally, the State insurance commissioner has the primary authority to determine whether to liquidate or rehabilitate insurance companies.

The insurance commissioners did an excellent job during the meltdown of 2008 to make sure that policyholders were paid. This bill reaffirms that the State regulators have the ability to wall off insurance company assets to protect policyholders. The bill will make sure that those assets are not jeopardized by complex bets, risk-taking, or poor management of affiliated companies.

In a nutshell, we want to make sure that those who have insurance feel secure. This bill will do that.

Mr. POSEY. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. LUETKEMEYER), the chairman of the Housing and Insurance Subcommittee.

Mr. LUETKEMEYER. Mr. Speaker, I thank the gentleman from Florida for yielding.

A majority of the Financial Services Committee and, in fact, the majority of Congress recognizes the need to preserve the current State-based model of insurance regulation. It is an important conversation because our model, different from others around the world, centers on the protection of policyholders before anything else.

H.R. 1478, the Policyholder Protection Act, introduced by the gentleman from Florida (Mr. POSEY) and the gentleman from California (Mr. SHERMAN) works to guarantee the policyholder protections that have served the U.S. insurance system and consumers so well.

The bill guarantees the authorities of State regulators to protect an insurance company from contagion, ensuring that policyholders can be paid for claims regardless of how that insurer is organized.

It also codifies the existing role of the FDIC to consult with State regulators and requires full consideration of all implications a resolution could have on policyholders. The legislation also ensures that the States maintain authority over an insurer's resolution process.

Insurers typically hold large amounts of capital. They do so because the primary function of an insurer is to pay claims. Mr. POSEY's bill makes sure those assets which go towards payment of claims aren't used to offset other activities of affiliated businesses.

There is a genuine concern that other affiliates could raid an insurance affiliate's assets to prop up another entity within its company's holdings. This should never be allowed. This bill prevents that from happening. In other words, it says "hands off" to other assets of the insurance company.

The Policyholder Protection Act enjoys broad bipartisan support. It was passed unanimously by the Financial

Services Committee because it codifies protections for insurance policyholders.

I congratulate the gentleman from Florida and the gentleman from California on their bill and thank them for their work on behalf of the consumers. I urge all my colleagues to join me in supporting this legislation.

Ms. MOORE. Mr. Speaker, I yield myself such time as I may consume.

This bill, which Mr. SHERMAN and Mr. POSEY have worked so diligently on, brings parity among State law, Federal bank holding company laws, and now the savings and loan holding companies.

It clarifies that the FDIC's backup receivership authority is not triggered if a State insurance regulator decides to rehabilitate rather than to liquidate a troubled insurance company.

I certainly commend this bill to my colleagues. The Financial Services Committee has looked it over carefully. I urge support of this balanced proposal.

Mr. Speaker, I yield back the balance of my time.

Mr. POSEY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. POSEY) that the House suspend the rules and pass the bill, H.R. 1478, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SECURITIES AND EXCHANGE COMMISSION REPORTING MODERNIZATION ACT

Mr. HENSARLING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3032) to amend the Securities Exchange Act of 1934 to repeal a certain reporting requirement of the Securities and Exchange Commission.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3032

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Securities and Exchange Commission Reporting Modernization Act".

SEC. 2. ELIMINATION OF REPORTING REQUIREMENT.

Paragraph (6) of section 21(h) of the Securities Exchange Act of 1934 (15 U.S.C. 78u(h)) is repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HENSARLING) and the gentlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

□ 1945

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HENSARLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3032, the Securities and Exchange Commission Reporting Modernization Act.

I want to thank the gentlewoman from Arizona (Ms. SINEMA) and the gentleman from Virginia (Mr. HURT), for their very diligent and bipartisan work that resulted in the Financial Services Committee favorably reporting H.R. 3032 on a unanimous vote.

I would also like to thank SEC Chair Mary Jo White and her fellow Commissioners for providing their unanimous recommendation to eliminate this reporting requirement, which the Congress previously repealed for all other regulatory agencies.

No matter how modest the legislation may be, legislative efforts to eliminate unnecessary and otherwise extraneous reporting requirements are exactly the type of proactive suggestions our regulators should provide to the committee for consideration.

Despite the Senate's unwillingness to pass equally bipartisan bills to spur growth, promote capital formation, and create jobs, I hope our colleagues in the Senate can agree that this exceedingly minor change is worthy of swift enactment.

Again, I want to thank the gentlewoman from Arizona (Ms. SINEMA) and the gentleman from Virginia (Mr. HURT) for their bipartisan work.

Mr. Speaker, I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I yield myself such time as I may consume.

I am so happy to join the chairman of the Financial Services Committee and Ms. SINEMA in overwhelmingly supporting H.R. 3032.

This bill, of course, will relieve the SEC from unnecessary administrative burdens and enable the already overwhelmed agency to focus resources to other, more mission-critical tasks, examinations, and enforcement.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Arizona (Ms. SINEMA) to talk about her great legislation.

Ms. SINEMA. Mr. Speaker, I thank Congresswoman MOORE and Chairman HENSARLING for their bipartisan support of this bill. I also thank Congressman ROBERT HURT for being the lead Republican sponsor of this bipartisan legislation.

Mr. Speaker, I rise today in support of our bill, H.R. 3032, the Securities and Exchange Commission Reporting Modernization Act.

Our regulatory system is inefficient, complicated and confusing, which is why it is so important that outdated regulations are reviewed with the goal of modifying them or repealing them to reduce waste and to make them work for everyday Americans.

That is why I have introduced this bipartisan legislation with Congressman HURT, to repeal an unnecessary and outdated reporting requirement in the United States Securities and Exchange Commission.

Since 1995, the SEC has been the only Federal agency required to compile this obscure annual report. It is a waste of taxpayer dollars, and it is a paperwork burden that diverts time and resources from protecting investors.

Modernizing the SEC's reporting requirements will allow the Commission to better focus on its mission of protecting investors; maintaining fair, orderly, and efficient markets; and facilitating capital formation.

I am committed to working with my colleagues on both sides of the aisle to ensure that our financial markets work for everyone, and I hope that Members will join me in support of this bipartisan legislation.

Mr. HENSARLING. Mr. Speaker, I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I have no more speakers, so I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, I have no further requests for time, so I urge all of my colleagues to support this commonsense, bipartisan bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HENSARLING) that the House suspend the rules and pass the bill, H.R. 3032.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

COMMODITY EXCHANGE ACT AND SECURITIES EXCHANGE ACT OF 1934 AMENDMENTS

Mr. HENSARLING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1317) to amend the Commodity Exchange Act and the Securities Exchange Act of 1934 to specify how clearing requirements apply to certain affiliate transactions, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1317

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TREATMENT OF AFFILIATE TRANSACTIONS.

(a) COMMODITY EXCHANGE ACT AMENDMENTS.—Section 2(h)(7)(D) of the Commodity Exchange Act (7 U.S.C. 2(h)(7)(D)) is amended—
(1) by redesignating clause (iii) as clause (v);
(2) by striking clauses (i) and (ii) and inserting the following:

“(i) *IN GENERAL*.—An affiliate of a person that qualifies for an exception under subparagraph (A) (including affiliate entities predominantly engaged in providing financing for the purchase of the merchandise or manufactured goods of the person) may qualify for the exception only if the affiliate—

“(I) enters into the swap to hedge or mitigate the commercial risk of the person or other affiliate of the person that is not a financial entity, and the commercial risk that the affiliate is hedging or mitigating has been transferred to the affiliate;

“(II) is directly and wholly-owned by another affiliate qualified for the exception under this subparagraph or an entity that is not a financial entity;

“(III) is not indirectly majority-owned by a financial entity;

“(IV) is not ultimately owned by a parent company that is a financial entity; and

“(V) does not provide any services, financial or otherwise, to any affiliate that is a nonbank financial company supervised by the Board of Governors (as defined under section 102 of the Financial Stability Act of 2010).

“(ii) *LIMITATION ON QUALIFYING AFFILIATES*.—The exception in clause (i) shall not apply if the affiliate is—

“(I) a swap dealer;

“(II) a security-based swap dealer;

“(III) a major swap participant;

“(IV) a major security-based swap participant;

“(V) a commodity pool;

“(VI) a bank holding company;

“(VII) a private fund, as defined in section 202(a) of the Investment Advisers Act of 1940 (15 U.S.C. 80-b-2(a));

“(VIII) an employee benefit plan or government plan, as defined in paragraphs (3) and (32) of section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002);

“(IX) an insured depository institution;

“(X) a farm credit system institution;

“(XI) a credit union;

“(XII) a nonbank financial company supervised by the Board of Governors (as defined under section 102 of the Financial Stability Act of 2010); or

“(XIII) an entity engaged in the business of insurance and subject to capital requirements established by an insurance governmental authority of a State, a territory of the United States, the District of Columbia, a country other than the United States, or a political subdivision of a country other than the United States that is engaged in the supervision of insurance companies under insurance law.

“(iii) *LIMITATION ON AFFILIATES' AFFILIATES*.—Unless the Commission determines, by order, rule, or regulation, that it is in the public interest, the exception in clause (i) shall not apply with respect to an affiliate if the affiliate is itself affiliated with—

“(I) a major security-based swap participant;

“(II) a security-based swap dealer;

“(III) a major swap participant; or

“(IV) a swap dealer.

“(iv) *CONDITIONS ON TRANSACTIONS*.—With respect to an affiliate that qualifies for the exception in clause (i)—

“(I) the affiliate may not enter into any swap other than for the purpose of hedging or mitigating commercial risk; and

“(II) neither the affiliate nor any person affiliated with the affiliate that is not a financial

entity may enter into a swap with or on behalf of any affiliate that is a financial entity or otherwise assume, net, combine, or consolidate the risk of swaps entered into by any such financial entity, except one that is an affiliate that qualifies for the exception under clause (i).”; and

(3) by adding at the end the following:

“(vi) *RISK MANAGEMENT PROGRAM*.—Any swap entered into by an affiliate that qualifies for the exception in clause (i) shall be subject to a centralized risk management program of the affiliate, which is reasonably designed both to monitor and manage the risks associated with the swap and to identify each of the affiliates on whose behalf a swap was entered into.”.

(b) SECURITIES EXCHANGE ACT OF 1934 AMENDMENT.—Section 3C(g)(4) of the Securities Exchange Act of 1934 (15 U.S.C. 78c-3(g)(4)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (E);

(2) by striking subparagraphs (A) and (B) and inserting the following:

“(A) *IN GENERAL*.—An affiliate of a person that qualifies for an exception under this subsection (including affiliate entities predominantly engaged in providing financing for the purchase of the merchandise or manufactured goods of the person) may qualify for the exception only if the affiliate—

“(i) enters into the security-based swap to hedge or mitigate the commercial risk of the person or other affiliate of the person that is not a financial entity, and the commercial risk that the affiliate is hedging or mitigating has been transferred to the affiliate;

“(ii) is directly and wholly-owned by another affiliate qualified for the exception under this paragraph or an entity that is not a financial entity;

“(iii) is not indirectly majority-owned by a financial entity;

“(iv) is not ultimately owned by a parent company that is a financial entity; and

“(v) does not provide any services, financial or otherwise, to any affiliate that is a nonbank financial company supervised by the Board of Governors (as defined under section 102 of the Financial Stability Act of 2010).

“(B) *LIMITATION ON QUALIFYING AFFILIATES*.—The exception in subparagraph (A) shall not apply if the affiliate is—

“(i) a swap dealer;

“(ii) a security-based swap dealer;

“(iii) a major swap participant;

“(iv) a major security-based swap participant;

“(v) a commodity pool;

“(vi) a bank holding company;

“(vii) a private fund, as defined in section 202(a) of the Investment Advisers Act of 1940 (15 U.S.C. 80-b-2(a));

“(viii) an employee benefit plan or government plan, as defined in paragraphs (3) and (32) of section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002);

“(ix) an insured depository institution;

“(x) a farm credit system institution;

“(xi) a credit union;

“(xii) a nonbank financial company supervised by the Board of Governors (as defined under section 102 of the Financial Stability Act of 2010); or

“(xiii) an entity engaged in the business of insurance and subject to capital requirements established by an insurance governmental authority of a State, a territory of the United States, the District of Columbia, a country other than the United States, or a political subdivision of a country other than the United States that is engaged in the supervision of insurance companies under insurance law.

“(C) *LIMITATION ON AFFILIATES' AFFILIATES*.—Unless the Commission determines, by order, rule, or regulation, that it is in the public interest, the exception in subparagraph (A) shall not

apply with respect to an affiliate if such affiliate is itself affiliated with—

- “(i) a major security-based swap participant;
- “(ii) a security-based swap dealer;
- “(iii) a major swap participant; or
- “(iv) a swap dealer.

“(D) CONDITIONS ON TRANSACTIONS.—With respect to an affiliate that qualifies for the exception in subparagraph (A)—

“(i) such affiliate may not enter into any security-based swap other than for the purpose of hedging or mitigating commercial risk; and

“(ii) neither such affiliate nor any person affiliated with such affiliate that is not a financial entity may enter into a security-based swap with or on behalf of any affiliate that is a financial entity or otherwise assume, net, combine, or consolidate the risk of security-based swaps entered into by any such financial entity, except one that is an affiliate that qualifies for the exception under subparagraph (A).”; and

(3) by adding at the end the following:

“(F) RISK MANAGEMENT PROGRAM.—Any security-based swap entered into by an affiliate that qualifies for the exception in subparagraph (A) shall be subject to a centralized risk management program of the affiliate, which is reasonably designed both to monitor and manage the risks associated with the security-based swap and to identify each of the affiliates on whose behalf a security-based swap was entered into.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HENSARLING) and the gentlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HENSARLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1317. I would like to thank the gentlewoman from Wisconsin (Ms. MOORE) and the gentleman from Ohio (Mr. STIVERS), both very good members of the Financial Services Committee, as well as Ms. FUDGE and Mr. GIBSON from the Agriculture Committee, for their bipartisan work over, frankly, several years to clarify an important provision of title VII of the Dodd-Frank Act.

H.R. 1317 is necessary to, once and for all, provide true relief for businesses that neither caused nor contributed to the financial crisis. The scope of Dodd-Frank's title VII, which governs the derivatives markets, captured thousands upon thousands of unsuspecting businesses who merely want to provide stable prices to their customers and ensure that there are predictable costs to produce those products.

While we were able to address one of those negative impacts that Dodd-Frank was having on end users earlier

this year as part of the TRIA Reauthorization, nonfinancial end users, regrettably, are still subject to the onerous and costly requirements of title VII.

As long as a nonfinancial company uses a central treasury unit to consolidate their derivatives positions, H.R. 1317 will exempt the company's affiliates and subsidiaries from having to comply with title VII's many requirements.

As many know, the House of Representatives last December unanimously passed a substantially similar bill to provide this desperately needed relief. Unfortunately, that bill met with the same fate so many other bipartisan bills that have been produced by the Financial Services Committee and the House: they passed on a good-faith, bipartisan basis but, unfortunately, have been disregarded by the Senate.

Despite the significant differences between internal businesses or inter-affiliate derivatives trade and derivatives between unrelated counterparties, the Dodd-Frank Act treats all trades the same, which needlessly increase the cost of hedging risk for end users such as manufacturers, chemical companies, and utility companies, who, in turn, would do what, Mr. Speaker?

Regrettably, pass those increased costs and market fluctuations on to their customers.

In fact, Tom Quaadman, of the U.S. Chamber of Commerce's Center for Capital Markets Competitiveness, noted during the legislative hearing on H.R. 1317 that “without this critical bipartisan language, end users and consumers would face increased costs, and companies may be forced to abandon proven and efficient methods for managing their risk.”

H.R. 1317 is not for Wall Street; it is clearly for Main Street, and I hope all my colleagues will join me in supporting this commonsense, bipartisan legislation.

I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I yield myself such time as I may consume.

I do want to thank the chairman for his patience in getting this over the line. Hopefully, the Senate will see it our way this time.

I also want to thank the ranking member, Ms. WATERS, for her diligence in working to get this legislation to the floor and, of course, my friend from Ohio (Mr. STIVERS), for working with me on this bill. All of them have been tremendous partners.

A long, long, long, long time ago, Mr. STIVERS shook my hand and said that he would continue to work with me until we got this legislation right, and he made good on his word.

I also want to thank my friends on the Agriculture Committee, the gentlewoman from Ohio (Ms. FUDGE) and the gentleman from New York (Mr. GIB-

SON). I credit all of these colleagues with helping this bill pass the Financial Services Committee 57-0, and the Agriculture Committee by voice vote.

We have a bill that sort of works for everyone: business, consumer groups, and regulators.

These central treasury units, Mr. Speaker, are financial affiliates of commercial companies. They are, indeed, the corporate best practices because they permit efficient aggregation of the risk of a corporate entity and provide for a single point of contact between the company and financial counterparties.

This legislation appropriately treats central treasury units like other inter-affiliate transactions in the aggregation and monitoring of risk in businesses, which is exactly what the end user exemption in Dodd-Frank always intended.

For example, if you are a company, you have many inputs and outputs that require you to hedge, like wheat in beer-making or aluminum cans in beer-making, and you need to make sure that you hedge and lock in the price before production.

This bill permits the CTU to transact hedging transactions under the Dodd-Frank end user exemption as principal and as an agent, which is the logic that the CFTC agrees with. The legislation enshrines that logic into statute with appropriate flexibility for the regulator and companies.

So I urge all my colleagues to support H.R. 1317. We need to get this legislation across the finish line to the President's desk because our end users need this in order to conduct business.

Mr. Speaker, I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield as much time as he may consume to the gentleman from Georgia (Mr. AUSTIN SCOTT), an outstanding member of the Agriculture committee.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I rise today in support of H.R. 1317. This bill makes targeted reforms that narrowly expand end user clearing relief to preserve the ability of end users to utilize necessary risk management tools in line with congressional intent.

This House most recently passed similar language as part of the Agriculture Committee's comprehensive reauthorization of the CFTC. Today's suspension is another step forward in a bipartisan effort to protect end users from the unintended regulatory consequences that have begun to occur.

The derivatives market provides an efficient place for commercial end users to manage and hedge the diverse risks associated with the day-to-day operations of the businesses in this country. These essential risk-management practices allow businesses like our agricultural producers or utility companies to protect themselves

against unfavorable market fluctuations and to invest their resources to grow and create jobs.

As someone who has a degree in risk management, I can't stress enough that effective policy in the derivative space must take into account these efficient and proven business strategies. That is why Congress clearly sought to exempt the end users from the law's costly and burdensome clearing requirements in the drafting of the Dodd-Frank legislation.

Unfortunately, despite these efforts, current law does not adequately take into account the common risk-management practices of many companies who utilize separate legal entities known as centralized treasury units, or CTUs, to hedge the risk of their end user affiliates.

CTUs are used by a variety of businesses to centralize the hedging activities of multiple affiliates into a single market-facing entity. While a CTU is appropriately classified as a "financial entity," the transaction it enters into to hedge the commercial market risk of the end user affiliates should also be exempted from the clearing requirement as if the end user affiliate had hedged those risks itself.

This allows firms to use CTUs to consolidate and reduce enterprisewide risk, as well as to centralize hedging expertise. While current law provides clearing exemptions for CTUs that act as an "agent" for affiliates, the exemption does not currently extend to CTUs that practice as a "principal" to the trades which manage the end user risks of commercial affiliates.

As most CTUs act as principals to the transactions hedging the risks of end user affiliates, this glitch in the law effectively prohibits commercial end users who utilize CTUs from accessing the end user clearing exception.

□ 2000

H.R. 1317 makes targeted but important statutory changes to clarify that the law's essential end user clearing exception remains available for all end users, regardless of their corporate structure.

As policymakers, it is our responsibility to ensure that regulation does not pose an unnecessary detriment to legitimate business practices. H.R. 1317 is an opportunity for us to resolve one of those issues today. This bill provides needed reforms to ensure our regulatory framework protects the integrity of our markets while allowing end user access to the tools needed to conduct their businesses.

A large bipartisan group of Members from all points of the ideological spectrum have worked diligently to produce this legislation which passed unanimously out of both the House Financial Services and the Agriculture Committees.

Mr. Speaker, I would like to close by thanking each of them, and specifically Representatives MOORE, STIVERS, FUDGE, and GIBSON, for their hard work. I urge my colleagues to join me in supporting H.R. 1317.

Mr. HENSARLING. Mr. Speaker, I have no further speakers, but I just wish to urge all of my colleagues to support, again, a very bipartisan and very commonsense bill. This relief is needed for end users for proper risk management. It will indeed help these companies with economic growth.

Again, Mr. Speaker, I urge all of my colleagues to support the legislation.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HENSARLING) that the House suspend the rules and pass the bill, H.R. 1317, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EQUITY IN GOVERNMENT COMPENSATION ACT OF 2015

Mr. HENSARLING. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2036) to suspend the current compensation packages for the chief executive officers of Fannie Mae and Freddie Mac, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2036

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Equity in Government Compensation Act of 2015".

SEC. 2. DEFINITIONS.

In this Act:

(1) **DIRECTOR.**—The term "Director" means the Director of the Federal Housing Finance Agency.

(2) **ENTERPRISE.**—The term "enterprise" means—

(A) the Federal National Mortgage Association and any affiliate thereof; and

(B) the Federal Home Loan Mortgage Corporation and any affiliate thereof.

SEC. 3. REASONABLE PAY FOR CHIEF EXECUTIVE OFFICERS.

(a) **SUSPENSION OF CURRENT COMPENSATION PACKAGE AND LIMITATION.**—The Director shall suspend the compensation packages approved for 2015 for the chief executive officers of each enterprise and, in lieu of such packages, subject to the limitation under subsection (b), establish the compensation and benefits for each such chief executive officer at the same level in effect for such officer as of January 1, 2015, and such compensation and benefits may not thereafter be increased.

(b) **LIMITATION ON BONUSES.**—Subsection (a) shall not be construed to affect the applicability of section 16 of the STOCK Act (12 U.S.C. 4518a) to the chief executive officer of each enterprise.

(c) **APPLICABILITY.**—Subsection (a) shall only apply to a chief executive officer of an enterprise if the enterprise is in conservatorship or receivership pursuant to section 1367 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4617).

SEC. 4. FANNIE AND FREDDIE CHIEF EXECUTIVE OFFICERS NOT FEDERAL EMPLOYEES.

Any chief executive officer affected by any provision under section 3 shall not be considered a Federal employee.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HENSARLING) and the gentlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HENSARLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 2036, the Equity in Government Compensation Act. I would like to thank the gentleman from California (Mr. ROYCE) for his diligent work to craft the language which is the basis for this bill.

Mr. Speaker, S. 2036 will simply reinstate the limits on the salaries of the CEOs at the government-sponsored enterprises Fannie Mae and Freddie Mac that were eliminated earlier this year.

Since entering a Federal conservatorship in September of 2008, Fannie Mae and Freddie Mac have received nearly \$187.5 billion in taxpayer money making the GSE conservatorship by far the costliest of all taxpayer bailouts due to the financial crisis.

This is not the first time there has been public outcry over the compensation of Fannie Mae's and Freddie Mac's CEOs during their conservatorship. Following several years of substantial salaries and bonuses, congressional and public concern caused then-FHFA Director Ed DeMarco to cap the compensation for the GSE's chief executives at \$600,000. Earlier this year, now-FHFA Director Mel Watt repealed those salary caps allowing the GSEs to raise their CEO pay to as much as the 25th percentile of comparable companies. This ultimately allowed both GSEs to increase their CEO pay from the previous cap of \$600,000 to \$4 million annually, all at the expense of the American taxpayer who is still backing these institutions.

Director Watt's decision to eliminate the salary caps has provoked disapproval not only from Members of

Congress but the administration as well. Notably, both the Treasury Department and the White House opposed FHFA's decision to raise the GSE's CEO pay. Treasury recommended that "existing limits on compensation continue given the taxpayers' ongoing backstop of both enterprises."

Additionally, White House Press Secretary Josh Earnest expressed the White House's opposition, adding that "the reason that these entities are different than some of the financial entities that you see in the private sector is they benefit significantly from a backstop that is provided by the taxpayers. And because of that taxpayer assistance, I think it is entirely legitimate for the executives of those institutions to be subject to compensation limits."

While some claim that the GSEs should be able to pay salaries commensurate with the private sector, these arguments failed to consider that the GSEs have yet to repay their debt to the U.S. taxpayers for their unprecedented bailouts. The 2015 New York Federal Reserve Bank Staff Report stated that taxpayers are entitled to "a substantial risk premium," and the government has never collected the commitment fee taxpayers are owed.

Treasury Secretary Jack Lew concurred in his June 17, 2015, testimony before the Financial Services Committee, which I chair, that "the risk is being borne by taxpayers on an ongoing basis, and the conservatorship is not over."

Mr. Speaker, while Congress continues to debate the best framework for comprehensive housing finance reform, enactment of S. 2036 is a positive step forward based on a simple principle: What people do with their money is their business; what they do with taxpayer money is our business.

Mr. Speaker, I ask that my colleagues join me in supporting S. 2036.

Mr. Speaker, I reserve the balance of my time.

CONGRESS OF THE UNITED STATES,
COMMITTEE ON OVERSIGHT AND
GOVERNMENT REFORM,
Washington, DC, November 16, 2015.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services.

DEAR MR. CHAIRMAN: I write concerning H.R. 2243, the Equity in Government Compensation Act of 2015. As you know, the Committee on Financial Services received an original referral and the Committee on Oversight and Government Reform a secondary referral when the bill was introduced on May 8, 2015. I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Oversight and Government Reform will forego action on the bill.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 2243 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation. Further, I request your support for the appointment of conferees from the Com-

mittee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

As you know, I introduced H.R. 1577, the Fannie Mae and Freddie Mac Transparency Act of 2015, which makes those entities subject to the Freedom of Information Act when in conservatorship or receivership. The bill shares the same goal as H.R. 2243 in that it aims to ensure accountability, transparency and fairness within our Government-sponsored enterprises. The Committee appreciates your willingness to examine my bill and work towards its consideration by the full House.

I would ask that a copy of our exchange of letters on H.R. 2243 be included in the bill report filed by the Committee on Financial Services, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Sincerely,

JASON CHAFFETZ,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, November 16, 2015.

Hon. JASON CHAFFETZ,
Chair, Committee on Oversight and Government Reform.

DEAR CHAIRMAN CHAFFETZ: Thank you for your November 16th letter regarding H.R. 2243, the "Equity in Government Compensation Act of 2015."

I am most appreciative of your decision to forego action on H.R. 2243 so that it may move expeditiously to the House floor. I acknowledge that although you are waiving action on the bill, the Committee on Oversight and Government Reform is in no way waiving its jurisdictional interest in this or similar legislation. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to review H.R. 1577, the "Fannie Mae and Freddie Mac Transparency Act of 2015," for potential action by the Financial Services Committee. I will also include your letter and this letter in the Committee's report on H.R. 2243 and in the Congressional Record during floor consideration of the same.

Sincerely,

JEB HENSARLING,
Chair, Committee on Financial Services.

Ms. MOORE. Mr. Speaker, we understand that FHFA Director Watt is doing everything in his power to conserve the assets of the GSEs. However, I agree with the chairman, Mr. HENSARLING, that we disagree that the CEOs of these two companies in conservatorship, whose operations are controlled by their regulator, should be paid multimillion-dollar compensation packages.

The Treasury, which is the GSE's largest shareholder, opposes these proposed pay packages for the GSE CEOs, and so do we. So, Mr. Speaker, I therefore support S. 2036 and would urge my colleagues to support this legislation.

Mr. Speaker, I have no other speakers.

I yield back the balance of my time.
Mr. HENSARLING. Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas (Mr. HILL), a very hardworking member of the Financial Services Committee.

Mr. HILL. I thank the chairman and appreciate his work on bringing this important bill to the floor, and I thank my friend, Chairman ROYCE, from California, for sponsoring the House version of this measure, H.R. 2243, and I stand in full support with the Senate version tonight, S. 2036.

Mr. Speaker, since being placed in voluntary conservatorship, the Federal Housing Finance Agency, in my judgment, has really abdicated their responsibility with the Treasury in acting truly as a conservator. Fannie Mae and Freddie Mac have received almost \$200 billion in government assistance, by far our costliest taxpayer bailout resulting from the financial crisis.

This is also not the first time that the GSEs, the government-sponsored enterprises, were placed in conservatorship and that the FHFA has been scrutinized for awarding increased pay to the CEOs. That has been previously discussed in detail here. And largely in response to that criticism of FHFA's failure to properly administer these entities in conservatorship, the GSE's CEO compensation was capped in 2012 at \$600,000. Now, miraculously, they are being approved for millions in pay increases despite the fact that these entities are still, Mr. Speaker, in conservatorship.

It is for that reason, Mr. Speaker, on July 30 that I wrote Mel Watt, the Director of the Federal Housing Finance Agency, and awarded him my monthly Golden Fleece Award for poor stewardship of taxpayer resources. I include my letter to Mr. Watt in the RECORD.

JULY 30, 2015.

Hon. MEL WATT,
Director, Federal Housing Finance Agency,
Washington, DC.

DEAR DIRECTOR WATT: I write today to inform you of my recent Golden Fleece Award to the Federal Housing Finance Agency (FHFA) for its approval of approximately \$4 million in raises for each of the CEOs of the government-sponsored enterprises (GSEs) Fannie Mae and Freddie Mac.

Since being placed in voluntary conservatorship by FHFA in 2008, Fannie Mae and Freddie Mac have received almost \$200 billion in government assistance, by far the costliest taxpayer bailout resulting from the financial crisis. This is also not the first time since the GSEs were placed in conservatorship that FHFA has been scrutinized for awarding increased pay to their CEOs. In 2009, FHFA approved \$42 million in pay packages to the GSEs' top 12 executives. In 2011, FHFA approved \$12.79 million in bonus pay for some of the top executives at Fannie and Freddie. Largely in response to this criticism, the GSEs' CEO compensation was capped in 2012 at \$600,000.

Both the U.S. Treasury Department and the White House have also opposed FHFA's decision to raise Fannie and Freddie CEOs' salaries. Specifically, Treasury recommended that "existing limits on compensation continue given the taxpayers' ongoing backstop of both enterprises," while White House Press Secretary Josh Earnest stated that "the reason that these entities are different than some of the financial entities that you see in the private sector is they

benefit significantly from a backstop that's provided by that taxpayers. And because of that taxpayer assistance, I think it is entirely legitimate for the executives of those institutions to be subject to compensation limits." Additionally, Treasury Secretary Jack Lew stated in his June 17, 2015 testimony before the House Financial Services Committee that "the risk is being borne by taxpayers on an ongoing basis and the conservatorship is not over." Despite this opposition, FHFA has once again raised these salaries to \$4 million.

While the recovery of the housing market has helped Fannie and Freddie repay the federal government, and I fully support the private sector compensating its executives as it sees fit, Fannie and Freddie still have taxpayer backing, are not private companies, and should not be compensated as such.

While Congress still must work to enact necessary reforms to our GSEs, FHFA must be accountable and responsible for ensuring the protection of our hardworking taxpayers' dollars. I am committed to eradicating this type of inefficient and ineffective policy and regulation by our federal agencies, and today's Golden Fleece highlights the clear lack of judgement by FHFA in approving these raises. I invite your immediate attention to this issue, and please keep me apprised of your efforts at improvement.

Sincerely,

FRENCH HILL,
Member of Congress.

Mr. HILL. Treasury Secretary Jack Lew has given his opposition, the White House has provided a statement of opposition, and yet Mel Watt continues. It is for these reasons that I fully support the effort of Mr. ROYCE and Mr. VITTER in capping the compensation until these entities are returned to financial health.

Mr. HENSARLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I look forward to the day where we can work to have a sustainable housing finance system in America, one that is sustainable for homeowners so they are not put into homes they cannot afford to keep; one that is sustainable for our economy, so that we promote economic growth and reduce our tendency to have these recessions; and certainly one sustainable for the taxpayers, because the taxpayers should never ever again be called upon to bail out government-sponsored enterprises to the tune of almost \$200 billion.

Regardless of how effective the current CEOs are of Fannie Mae and Freddie Mac, \$4 million compensation packages are not part of a sustainable housing finance system. Again, they are under government conservatorship. The taxpayer is still at risk. This does not pass the smell test, it doesn't pass the laugh test, and it certainly doesn't pass the taxpayer protection test.

So I am very happy with the work by the gentleman of California (Mr. ROYCE) that provided the House language that was underpinning the Senate language that we are debating tonight. I am glad that this is bipartisan. I don't often find myself in agreement

with the administration, but I am prepared to take "yes" for an answer, and I urge all of my colleagues to adopt this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I strongly support the Equity in Government Compensation Act.

This bill is based on legislation I authored which passed out of the House Financial Services Committee by a vote of 57 to 1 earlier this year. Similar text was approved by the Senate unanimously.

This legislation will eliminate multi-million dollar salaries for the CEOs of taxpayer-bailed out and taxpayer-backed Fannie Mae and Freddie Mac, payouts that are an affront to the American people.

To the naysayers that claim that the GSEs have already "repaid" the taxpayers for their bailouts, I asked Treasury Secretary Jack Lew about this very theory.

He responded clearly that that "the risk [for Fannie and Freddie] is being borne by taxpayers on an ongoing basis and the conservatorship is not over."

The quantifiable toll taken by the financial crisis and the GSEs' actions on the American people is staggering: over 4 million Americans lost their homes; 8.8 million Americans lost their jobs; and \$19.2 trillion was lost in household wealth.

We have a duty and obligation to our constituents to protect them from a return to the GSEs' pre-crisis model of private gains and public losses.

To those who discuss the need for GSE reform during debate of this bill, I say: I agree with you that it's time to put our housing system on a firmer foundation. I will put my record in support of reforming the GSEs up against that of any Member of Congress.

The status quo of Fannie Mae and Freddie Mac dominating 90% of the secondary mortgage market is unsustainable.

My ultimate goal is still comprehensive housing finance reform that brings private capital into the system to eliminate the boom-and-bust cycle that wreaked havoc on the American economy; a task that takes on all the more urgency as Fannie and Freddie slip into the red and invite new taxpayer bailouts.

However, this bill is about CEO pay today at the GSEs, not what we want them to look like tomorrow.

Four million dollar a year salaries at the GSEs are simply symptoms of a disease. While we work on finding a cure, we should treat the patient. This bill will do just that.

Mr. Speaker, I thank the gentleman from Texas for his leadership on this issue as Chairman of the Financial Services Committee, the gentleman from New Jersey for his support on this bill, and the senior Senator from Louisiana for his quick action.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HENSARLING) that the House suspend the rules and pass the bill, S. 2036.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SUPERSTORM SANDY RELIEF AND DISASTER LOAN PROGRAM IMPROVEMENT ACT OF 2015

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 208) to improve the disaster assistance programs of the Small Business Administration.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

(1) On page 2, strike lines 1 through 5 and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the "Recovery Improvements for Small Entities After Disaster Act of 2015" or the "RISE After Disaster Act of 2015".

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

DIVISION A—SUPERSTORM SANDY RELIEF AND DISASTER LOAN PROGRAM IMPROVEMENTS

Sec. 1001. Short title.

Sec. 1002. Findings.

TITLE I—DISASTER ASSISTANCE IMPROVEMENTS

1101. Revised disaster deadline.

1102. Use of physical damage disaster loans to construct safe rooms.

1103. Reducing delays on closing and disbursement of loans.

1104. Safeguarding taxpayer interests and increasing transparency in loan approvals.

1105. Disaster plan improvements.

DIVISION B—RECOVERY IMPROVEMENTS FOR SMALL ENTITIES

Sec. 2001. Short title.

TITLE I—IMPROVEMENTS OF DISASTER RESPONSE AND LOANS

Sec. 2101. Additional awards to small business development centers, women's business centers, and SCORE for disaster recovery.

Sec. 2102. Collateral requirements for disaster loans.

Sec. 2103. Assistance to out-of-State business concerns to aid in disaster recovery.

Sec. 2104. FAST program.

Sec. 2105. Use of Federal surplus property in disaster areas.

Sec. 2106. Recovery opportunity loans.

Sec. 2107. Contractor malfeasance.

Sec. 2108. Local contracting preferences and incentives.

Sec. 2109. Clarification of collateral requirements.

TITLE II—DISASTER PLANNING AND MITIGATION

Sec. 2201. Business recovery centers.

TITLE III—OTHER PROVISIONS

Sec. 2301. Increased oversight of economic injury disaster loans.

Sec. 2302. GAO report on paperwork reduction.

Sec. 2303. Report on web portal for disaster loan applicants.

DIVISION A—SUPERSTORM SANDY RELIEF AND DISASTER LOAN PROGRAM IMPROVEMENTS

SEC. 1001. SHORT TITLE.

This division may be cited as the "Superstorm Sandy Relief and Disaster Loan Program Improvement Act of 2015".

SEC. 1002. FINDINGS.

(2) On page 3, strike line 5 and insert the following:

TITLE I—DISASTER ASSISTANCE IMPROVEMENTS

SEC. 1101. REVISED DISASTER DEADLINE.

(3) On page 3, line 14, insert “nonprofit entity,” after “homeowner.”

(4) On page 4, line 9, strike the quotation marks and the second period and insert the following:

“(C) INSPECTOR GENERAL REVIEW.—Not later than 6 months after the date on which the Administrator begins carrying out this authority, the Inspector General of the Administration shall initiate a review of the controls for ensuring applicant eligibility for loans made under this paragraph.”

(5) On page 4, line 10, strike “SEC. 4.” and insert “SEC. 1102.”

(6) On page 4, line 24, insert “, if such safe room or similar storm shelter is constructed in accordance with applicable standards issued by the Federal Emergency Management Agency” after “disasters”.

(7) On page 5, strike lines 1 through 21 and insert the following:

SEC. 1103. REDUCING DELAYS ON CLOSING AND DISBURSEMENT OF LOANS.

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting before the undesignated matter following paragraph (9) the following:

(8) On page 5, line 22, strike “(11)” and insert “(10)”.

(9) On page 6, strike lines 5 through 8 and insert the following:

SEC. 1104. SAFEGUARDING TAXPAYER INTERESTS AND INCREASING TRANSPARENCY IN LOAN APPROVALS.

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting before the undesignated matter following paragraph (10), as added by section 1103 of this Act, the following:

(10) On page 6, line 9, strike “(12)” and insert “(11)”.

(11) Beginning on page 6, strike line 14 and all that follows through page 7, line 20, and insert the following:

SEC. 1105. DISASTER PLAN IMPROVEMENTS.

(12) Beginning on page 8, strike line 6 and all that follows through page 9, line 6, and insert the following:

DIVISION B—RECOVERY IMPROVEMENTS FOR SMALL ENTITIES

SECTION 2001. SHORT TITLE.

This division may be cited as the “Recovery Improvements for Small Entities After Disaster Act of 2015” or the “RISE After Disaster Act of 2015”.

TITLE I—IMPROVEMENTS OF DISASTER RESPONSE AND LOANS

SEC. 2101. ADDITIONAL AWARDS TO SMALL BUSINESS DEVELOPMENT CENTERS, WOMEN'S BUSINESS CENTERS, AND SCORE FOR DISASTER RECOVERY.

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting before the undesignated matter following paragraph (11), as added by section 1104 of this Act, the following:

“(12) ADDITIONAL AWARDS TO SMALL BUSINESS DEVELOPMENT CENTERS, WOMEN'S BUSINESS CENTERS, AND SCORE FOR DISASTER RECOVERY.—

“(A) IN GENERAL.—The Administration may provide financial assistance to a small business development center, a women's business center described in section 29, the Service Corps of Retired Executives, or any proposed consortium of such individuals or entities to spur disaster recovery and growth of small business concerns located in an area for which the President has declared a major disaster.

“(B) FORM OF FINANCIAL ASSISTANCE.—Financial assistance provided under this paragraph shall be in the form of a grant, contract, or cooperative agreement.

“(C) NO MATCHING FUNDS REQUIRED.—Matching funds shall not be required for any grant, contract, or cooperative agreement under this paragraph.

“(D) REQUIREMENTS.—A recipient of financial assistance under this paragraph shall provide counseling, training, and other related services, such as promoting long-term resiliency, to small business concerns and entrepreneurs impacted by a major disaster.

“(E) PERFORMANCE.—

“(i) IN GENERAL.—The Administrator, in cooperation with the recipients of financial assistance under this paragraph, shall establish metrics and goals for performance of grants, contracts, and cooperative agreements under this paragraph, which shall include recovery of sales, recovery of employment, reestablishment of business premises, and establishment of new small business concerns.

“(ii) USE OF ESTIMATES.—The Administrator shall base the goals and metrics for performance established under clause (i), in part, on the estimates of disaster impact prepared by the Office of Disaster Assistance for purposes of estimating loan-making requirements.

“(F) TERM.—

“(i) IN GENERAL.—The term of any grant, contract, or cooperative agreement under this paragraph shall be for not more than 2 years.

“(ii) EXTENSION.—The Administrator may make 1 extension of a grant, contract, or cooperative agreement under this paragraph for a period of not more than 1 year, upon a showing of good cause and need for the extension.

“(G) EXEMPTION FROM OTHER PROGRAM REQUIREMENTS.—Financial assistance provided under this paragraph is in addition to, and wholly separate from, any other form of assistance provided by the Administrator under this Act.

“(H) COMPETITIVE BASIS.—The Administration shall award financial assistance under this paragraph on a competitive basis.”

SEC. 2102. COLLATERAL REQUIREMENTS FOR DISASTER LOANS.

(a) IN GENERAL.—Section 7(d)(6) of the Small Business Act (15 U.S.C. 636(d)(6)) is amended in the third proviso—

(1) by striking “\$14,000” and inserting “\$25,000”; and

(2) by striking “major disaster” and inserting “disaster”.

(b) SUNSET.—Effective on the date that is 3 years after the date of enactment of this Act, section 7(d)(6) of the Small Business Act (15 U.S.C. 636(d)(6)) is amended in the third proviso—

(1) by striking “\$25,000” and inserting “\$14,000”; and

(2) by inserting “major” before “disaster”.

(c) REPORT.—Not later than 180 days before the date on which the amendments made by subsection (b) are to take effect, the Administrator of the Small Business Administration shall submit to Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the effects of the amendments made by subsection (a), which shall include—

(1) an assessment of the impact and benefits resulting from the amendments; and

(2) a recommendation as to whether the amendments should be made permanent.

SEC. 2103. ASSISTANCE TO OUT-OF-STATE BUSINESS CONCERNS TO AID IN DISASTER RECOVERY.

(a) IN GENERAL.—Section 21(b)(3) of the Small Business Act (15 U.S.C. 648(b)(3)) is amended—

(1) by striking “(3) At the discretion” and inserting the following:

“(3) ASSISTANCE TO OUT-OF-STATE SMALL BUSINESS CONCERNS.—

“(A) IN GENERAL.—At the discretion”; and

(2) by adding at the end the following:

“(B) DISASTER RECOVERY ASSISTANCE.—

“(i) IN GENERAL.—At the discretion of the Administrator, the Administrator may authorize a small business development center to provide advice, information, and assistance, as described in subsection (c), to a small business concern located outside of the State, without regard to geographic proximity to the small business development center, if the small business concern is located in an area for which the President has declared a major disaster.

“(ii) TERM.—

“(I) IN GENERAL.—A small business development center may provide advice, information, and assistance to a small business concern under clause (i) for a period of not more than 2 years after the date on which the President declared a major disaster for the area in which the small business concern is located.

“(II) EXTENSION.—The Administrator may, at the discretion of the Administrator, extend the period described in subclause (I).

“(iii) CONTINUITY OF SERVICES.—A small business development center that provides counselors to an area described in clause (i) shall, to the maximum extent practicable, ensure continuity of services in any State in which the small business development center otherwise provides services.

“(iv) ACCESS TO DISASTER RECOVERY FACILITIES.—For purposes of this subparagraph, the Administrator shall, to the maximum extent practicable, permit the personnel of a small business development center to use any site or facility designated by the Administrator for use to provide disaster recovery assistance.”

(b) SENSE OF CONGRESS.—It is the sense of Congress that, subject to the availability of funds, the Administrator of the Small Business Administration should, to the extent practicable, ensure that a small business development center is appropriately reimbursed for any legitimate expenses incurred in carrying out activities under section 21(b)(3)(B) of the Small Business Act, as added by subsection (a).

SEC. 2104. FAST PROGRAM.

(a) DEFINITIONS.—Section 34(a) of the Small Business Act (15 U.S.C. 657d(a)) is amended—

(1) by redesignating paragraphs (3) through (9) as paragraphs (4) through (10), respectively; and

(2) by inserting after paragraph (2) the following:

“(3) CATASTROPHIC INCIDENT.—The term ‘catastrophic incident’ means a major disaster that is comparable to the description of a catastrophic incident in the National Response Plan of the Administration, or any successor thereto.”

(b) PRIORITY.—Section 34(c)(2) of the Small Business Act (15 U.S.C. 657d(c)(2)) is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) in subparagraph (B)(vi)(III), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(C) shall give special consideration to an applicant that is located in an area affected by a catastrophic incident.”

(c) ADDITIONAL ASSISTANCE.—Section 34(c) of the Small Business Act (15 U.S.C. 657d(c)) is amended by adding at the end the following:

“(5) ADDITIONAL ASSISTANCE FOR CATASTROPHIC INCIDENTS.—Upon application by an applicant that receives an award or has in effect a cooperative agreement under this section and that is located in an area affected by a catastrophic incident, the Administrator may—

“(A) provide additional assistance to the applicant; and

“(B) waive the matching requirements under subsection (e)(2).”.

SEC. 2105. USE OF FEDERAL SURPLUS PROPERTY IN DISASTER AREAS.

Section 7(j)(13)(F) of the Small Business Act (15 U.S.C. 636(j)(13)(F)) is amended—

- (1) by inserting “(i)” after “(F)”;
- (2) by adding at the end the following:

“(ii)(I) In this clause—

“(aa) the term ‘covered period’ means the 2-year period beginning on the date on which the President declared the applicable major disaster; and

“(bb) the term ‘disaster area’ means the area for which the President has declared a major disaster, during the covered period.

“(II) The Administrator may transfer technology or surplus property under clause (i) on a priority basis to a small business concern located in a disaster area if—

“(aa) the small business concern meets the requirements for such a transfer, without regard to whether the small business concern is a Program Participant; and

“(bb) for a small business concern that is a Program Participant, on and after the date on which the President declared the applicable major disaster, the small business concern has not received property under this subparagraph on the basis of the status of the small business concern as a Program Participant.

“(III) For any transfer of property under this clause to a small business concern, the terms and conditions shall be the same as a transfer to a Program Participant, except that the small business concern shall agree not to sell or transfer the property to any party other than the Federal Government during the covered period.

“(IV) A small business concern that receives a transfer of property under this clause may not receive a transfer of property under clause (i) during the covered period.

“(V) If a small business concern sells or transfers property in violation of the agreement described in subclause (III), the Administrator may initiate proceedings to prohibit the small business concern from receiving a transfer of property under this clause or clause (i), in addition to any other remedy available to the Administrator.”.

SEC. 2106. RECOVERY OPPORTUNITY LOANS.

Section 7(a)(31) of the Small Business Act (15 U.S.C. 636(a)(31)) is amended—

(1) in subparagraph (A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively; and

(B) by inserting before clause (ii), as so redesignated, the following:

“(i) The term ‘disaster area’ means the area for which the President has declared a major disaster, during the 5-year period beginning on the date of the declaration.”; and

(2) by adding at the end the following:

“(H) RECOVERY OPPORTUNITY LOANS.—

“(i) IN GENERAL.—The Administrator may guarantee an express loan to a small business concern located in a disaster area in accordance with this subparagraph.

“(ii) MAXIMUMS.—For a loan guaranteed under clause (i)—

“(I) the maximum loan amount is \$150,000; and

“(II) the guarantee rate shall be not more than 85 percent.

“(iii) OVERALL CAP.—A loan guaranteed under clause (i) shall not be counted in determining the amount of loans made to a borrower for purposes of subparagraph (D).

“(iv) OPERATIONS.—A small business concern receiving a loan guaranteed under clause (i) shall certify that the small business concern was in operation on the date on which the applicable major disaster occurred as a condition of receiving the loan.

“(v) REPAYMENT ABILITY.—A loan guaranteed under clause (i) may only be made to a small business concern that demonstrates, to the satisfaction of the Administrator, sufficient capacity to repay the loan.

“(vi) TIMING OF PAYMENT OF GUARANTEES.—

“(I) IN GENERAL.—Not later than 90 days after the date on which a request for purchase is filed with the Administrator, the Administrator shall determine whether to pay the guaranteed portion of the loan.

“(II) RECAPTURE.—Notwithstanding any other provision of law, unless there is a subsequent finding of fraud by a court of competent jurisdiction relating to a loan guaranteed under clause (i), on and after the date that is 6 months after the date on which the Administrator determines to pay the guaranteed portion of the loan, the Administrator may not attempt to recapture the paid guarantee.

“(vii) FEES.—

“(I) IN GENERAL.—Unless the Administrator has waived the guarantee fee that would otherwise be collected by the Administrator under paragraph (18) for a loan guaranteed under clause (i), and except as provided in subclause (II), the guarantee fee for the loan shall be equal to the guarantee fee that the Administrator would collect if the guarantee rate for the loan was 50 percent.

“(II) EXCEPTION.—Subclause (I) shall not apply if the cost of carrying out the program under this subsection in a fiscal year is more than zero and such cost is directly attributable to the cost of guaranteeing loans under clause (i).

“(viii) RULES.—Not later than 270 days after the date of enactment of this subparagraph, the Administrator shall promulgate rules to carry out this subparagraph.”.

SEC. 2107. CONTRACTOR MALFEASANCE.

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting before the undesignated matter following paragraph (12), as added by section 2101 of this Act, the following:

“(13) SUPPLEMENTAL ASSISTANCE FOR CONTRACTOR MALFEASANCE.—

“(A) IN GENERAL.—If a contractor or other person engages in malfeasance in connection with repairs to, rehabilitation of, or replacement of real or personal property relating to which a loan was made under this subsection and the malfeasance results in substantial economic damage to the recipient of the loan or substantial risks to health or safety, upon receiving documentation of the substantial economic damage or the substantial risk to health and safety from an independent loss verifier, and subject to subparagraph (B), the Administrator may increase the amount of the loan under this subsection, as necessary for the cost of repairs, rehabilitation, or replacement needed to address the cause of the economic damage or health or safety risk.

“(B) REQUIREMENTS.—The Administrator may only increase the amount of a loan under subparagraph (A) upon receiving an appropriate certification from the borrower and person performing the mitigation attesting to the reasonableness of the mitigation costs and an assignment of any proceeds received from the person engaging in the malfeasance. The assignment of proceeds recovered from the person engaging in the malfeasance shall be equal to the amount of the loan under this section. Any mitigation activities shall be subject to audit and independent verification of completeness and cost reasonableness.”.

SEC. 2108. LOCAL CONTRACTING PREFERENCES AND INCENTIVES.

Section 15 of the Small Business Act (15 U.S.C. 644) is amended by inserting after subsection (e) the following:

“(f) CONTRACTING PREFERENCE FOR SMALL BUSINESS CONCERNS IN A MAJOR DISASTER AREA.—

“(1) DEFINITION.—In this subsection, the term ‘disaster area’ means the area for which the President has declared a major disaster, during the period of the declaration.

“(2) CONTRACTING PREFERENCE.—An agency shall provide a contracting preference for a small business concern located in a disaster area if the small business concern will perform the work required under the contract in the disaster area.

“(3) CREDIT FOR MEETING CONTRACTING GOALS.—If an agency awards a contract to a small business concern under the circumstances described in paragraph (2), the value of the contract shall be doubled for purposes of determining compliance with the goals for procurement contracts under subsection (g)(1)(A).”.

SEC. 2109. CLARIFICATION OF COLLATERAL REQUIREMENTS.

Section 7(d)(6) of the Small Business Act (15 U.S.C. 636(d)(6)) is amended by inserting after “which are made under paragraph (1) of subsection (b)” the following: “; Provided further, That the Administrator, in obtaining the best available collateral for a loan of not more than \$200,000 under paragraph (1) or (2) of subsection (b) relating to damage to or destruction of the property of, or economic injury to, a small business concern, shall not require the owner of the small business concern to use the primary residence of the owner as collateral if the Administrator determines that the owner has other assets of equal quality and with a value equal to or greater than the amount of the loan that could be used as collateral for the loan: Provided further, That nothing in the preceding proviso may be construed to reduce the amount of collateral required by the Administrator in connection with a loan described in the preceding proviso or to modify the standards used to evaluate the quality (rather than the type) of such collateral”.

TITLE II—DISASTER PLANNING AND MITIGATION

SEC. 2201. BUSINESS RECOVERY CENTERS.

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting before the undesignated matter following paragraph (13), as added by section 2108 of this Act, the following:

“(14) BUSINESS RECOVERY CENTERS.—

“(A) IN GENERAL.—The Administrator, acting through the district offices of the Administration, shall identify locations that may be used as recovery centers by the Administration in the event of a disaster declared under this subsection or a major disaster.

“(B) REQUIREMENTS FOR IDENTIFICATION.—Each district office of the Administration shall—

“(i) identify a location described in subparagraph (A) in each county, parish, or similar unit of general local government in the area served by the district office; and

“(ii) ensure that the locations identified under subparagraph (A) may be used as a recovery center without cost to the Government, to the extent practicable.”.

TITLE III—OTHER PROVISIONS

SEC. 2301. INCREASED OVERSIGHT OF ECONOMIC INJURY DISASTER LOANS.

(a) IN GENERAL.—Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting before the undesignated matter following paragraph (14), as added by section 2201 of this Act, the following:

“(15) INCREASED OVERSIGHT OF ECONOMIC INJURY DISASTER LOANS.—The Administrator shall increase oversight of entities receiving loans under paragraph (2), and may consider—

“(A) scheduled site visits to ensure borrower eligibility and compliance with requirements established by the Administrator; and

“(B) reviews of the use of the loan proceeds by an entity described in paragraph (2) to ensure compliance with requirements established by the Administrator.”.

(b) SENSE OF CONGRESS RELATING TO USING EXISTING FUNDS.—It is the sense of Congress that no additional Federal funds should be made available to carry out the amendments made by this section.

SEC. 2302. GAO REPORT ON PAPERWORK REDUCTION.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report evaluating steps that the Small Business Administration has taken, with respect to the application for disaster assistance under section 7(b) of the Small Business Act (15 U.S.C. 636(b)), to comply with subchapter I of chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”) and related guidance.

SEC. 2303. REPORT ON WEB PORTAL FOR DISASTER LOAN APPLICANTS.

Section 38 of the Small Business Act (15 U.S.C. 657f) is amended by adding at the end the following:

“(c) REPORT ON WEB PORTAL FOR DISASTER LOAN APPLICATION STATUS.—

“(1) IN GENERAL.—Not later than 90 days after the date of enactment of this subsection, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report relating to the creation of a web portal to track the status of applications for disaster assistance under section 7(b).

“(2) CONTENTS.—The report under paragraph (1) shall include—

“(A) information on the progress of the Administration in implementing the information system under subsection (a);

“(B) recommendations from the Administration relating to the creation of a web portal for applicants to check the status of an application for disaster assistance under section 7(b), including a review of best practices and web portal models from the private sector;

“(C) information on any related costs or staffing needed to implement such a web portal;

“(D) information on whether such a web portal can maintain high standards for data privacy and data security;

“(E) information on whether such a web portal will minimize redundancy among Administration disaster programs, improve management of the number of inquiries made by disaster applicants to employees located in the area affected by the disaster and to call centers, and reduce paperwork burdens on disaster victims; and

“(F) such additional information as is determined necessary by the Administrator.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on July 13, this Chamber overwhelmingly passed H.R. 208, which was a corrective measure for those who suffered twice: first, by a disaster and, second, by the SBA's inability to provide disaster assistance. Since that time, we have experienced more natural disasters, with the President issuing major disaster declarations for the wildfires in California and across the country in South Carolina for the severe storms and flooding that recently occurred.

As we know too well, a major natural disaster can happen anywhere, at any time, and to anyone in this great Nation. A natural disaster exposes us to the worst nature has to offer, yet it oftentimes brings out the best in people. Communities band together, neighbors help neighbors, and volunteers donate their time and energy, all in an effort to rebuild.

Over the last decade, America has faced some of its worst natural disasters, with Hurricane Katrina in 2005 and, more recently, Hurricane Sandy in 2012.

In the aftermath of any disaster, it is imperative that Federal Government programs operate efficiently and effectively so victims are able to rebuild and return their lives to normal as soon as possible.

Following both Hurricane Katrina and Hurricane Sandy, there have been startling reports regarding the Small Business Administration's inability to properly administer the disaster loan program. The bill before us today, as amended by the Senate, has the great fortune of being authored by two individuals who have seen firsthand how challenging the SBA disaster loan process is in the aftermath of these catastrophic storms.

The amendment we seek to concur in today comes from Senator VITTER, the chairman of the Senate Committee on Small Business and Entrepreneurship, who, as we all know, represents the great State of Louisiana, which was devastated by Hurricane Katrina. Senator VITTER's amendment strengthens the already strong underlying bill, which was authored by our committee's ranking member, Ms. VELÁZQUEZ, whose district in New York City was ravaged by Superstorm Sandy.

I would like to thank them both for their leadership and hard work on these issues and for working together to craft legislation which takes into account the needs of disaster victims and taxpayers.

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This amendment further ensures that the SBA will be able to respond quickly

to the needs of disaster victims. It makes commonsense improvements to the program, such as allowing SBA's resource partners who already have a presence in the disaster area to engage with small businesses as soon as the area is declared a disaster, meaning small businesses can resume operating faster and getting people back to work.

It also recognizes that sometimes those resource partners will have been affected by the disaster and allows small-business development centers, SBDCs, from other States to go into affected areas temporarily and to aid victims. I know in my home district, Ohio's First District, having Kentucky so close, this would be essential if either State's SBDC suffered due to a natural disaster.

Further, the amendment builds on the underlying bill's concerns regarding the SBA's struggle with electronic disaster loan applications following Superstorm Sandy. This amendment ensures that Congress will be informed of the status of the electronic application web portal so that we can provide oversight and prevent failures that happened in previous disasters from recurring. These changes, among others, will ensure that the SBA is fully capable of responding to the next disaster.

Again, I want to offer a special thanks to our committee's ranking member, Ms. VELÁZQUEZ, for her insight and leadership on this issue and for working in a bipartisan, bicameral manner, as she does.

I have seen that as chair of the Small Business Committee that I chair now, but I have also been the ranking member under her when she was chair, and it was always bipartisan. We have worked together in a very collegial manner, and I thank her for that.

I want to thank her for this bill and developing it. It will help to ensure those affected by disasters can rebuild quickly and that the interests of the taxpayers are protected. This legislation, as amended and passed by the Senate, has broad bipartisan support.

I urge my colleagues to support and concur on H.R. 208, as amended by the Senate.

I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, when Hurricane Sandy made landfall in 2012, New York City was one of the hardest hit areas. Thousands of homes suffered damage, infrastructure was disrupted, and our city's small businesses were impacted physically and economically.

After a disaster like this, it is not uncommon for as many as 40 percent of impacted small businesses to fail, depressing commerce and slowing the community's recovery.

The Small Business Administration's disaster lending functions are meant to provide quick credit to small businesses and homeowners that have been impacted by catastrophes.

With entrepreneurs' and homeowners' livelihoods at stake, it is vital that the SBA's disaster programs operate effectively. That is why in 2008, after Katrina, Congress passed reforms meant to improve SBA's disaster response.

It became evident following Hurricane Sandy that there is still much work to be done. The Government Accountability Office, the inspector general, and Small Business Committee Democrats have all documented shortcomings in SBA's administration of the disaster loan program.

Our committee found, for instance, that small businesses waited 46 days to get their application processed by SBA, a threefold increase over previous Atlantic storms. The IG found the agency lacked clear guidance which resulted in confusion for borrowers, inconsistent application of underwriting criteria, and loans going to ineligible entities.

H.R. 208 addresses these shortcomings and ensures those affected by Hurricane Sandy are treated fairly. To begin, the bill would allow businesses to apply again for loans. As SBA was so unprepared for a disaster of this scale, it is important that those impacted have another chance at securing assistance.

This bill would also correct many of the problems identified by the IG. SBA will be required to provide up-front notification to borrowers on necessary documentation as well as establish clear written policies for loan officers. By clearing up confusion for both borrowers and SBA staff, H.R. 208 will ensure funds flow more swiftly to businesses after future catastrophes.

Lastly, the measure incorporates a number of bipartisan reforms from our Senate colleagues. Under these provisions, for instance, businesses would no longer be prohibited from posting their assets as collateral. This is important as, previously, many entrepreneurs have had to use personal assets for loan collateral.

Mr. Speaker, this is a truly bipartisan, bicameral effort that focuses on better assisting small businesses impacted by natural disasters.

I want to thank Chairman CHABOT for his leadership and support on this legislation. I also wanted to thank Chairman VITTER, Ranking Member SHAHEEN, and Senators MENENDEZ and BOOKER for their hard work in crafting this bill.

I urge my colleagues to support it.

I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself the balance of my time.

When disasters strike, getting small businesses back on their feet quickly can help local economies recover. For that to happen, the SBA's disaster lending initiatives must work as intended, providing emergency capital to

firms that have suffered physical and economical damage.

H.R. 208 would allow businesses that encounter delays to reapply for assistance and be made whole. It also improves how the agency functions going forward, speeding help to small businesses and homeowners when they are most in need. This is a bipartisan bill, and it will do much good for entrepreneurs impacted by Sandy and for businesses impacted by future disasters.

I want to thank Chairman VITTER, Ranking Member SHAHEEN, Senators MENENDEZ and BOOKER, and especially Chairman CHABOT for working in a bipartisan manner to get this bill to the President.

I also would like to take this opportunity to thank the staff for the Senate Small Business Committee and our staff for the House Small Business Committee: Adam Minehardt, Justin Pelletier, Emily Murphy, Barry Pinelas, and Corey Cooke.

I encourage my colleagues to vote "yes."

I yield back the balance of my time.
Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, we never know when or where the next disaster will strike. But, unfortunately, we do know that there will be another disaster. In fact, there will be more disasters. Given this, we must ensure that the SBA is truly prepared to help victims in the aftermath of those disasters.

H.R. 208 rights the wrongs imposed by the SBA on those who suffered from the effects of Sandy. But H.R. 208 does more than just correct past mistakes. It imposes obligations on the SBA to ensure the agency learns from history and does not repeat those mistakes.

I urge my colleagues to vote to concur on the Senate amendment H.R. 208.

I yield back the balance of my time.

Mr. COLE. Mr. Speaker, I rise today in support of H.R. 208. Again, I want to again thank and recognize the support and assistance of both Chairman CHABOT and Ranking Member VELÁZQUEZ for including back in July my legislation, H.R. 2397, the Tornado Family Safety Act of 2015 as part of this legislation.

The Small Business Administration is currently afforded the authority to issue physical disaster loans for 120 percent of the value of property destroyed but not covered by insurance. The purpose of the additional 20 percent is so that individuals and business can modify structures to reduce damage from future disasters. In Oklahoma, the threat of tornadoes is ongoing, and we are always in between tornadoes. Planning is essential in order to mitigate against damage and loss of life. This is why the legislation I introduced, The Tornado Family Safety Act of 2015, was included in the House bill in July.

This section would allow those affected by disasters to use SBA disaster loans to build safe rooms as a mitigating measure against future similar disasters. It reinforces the intent

of Congress that already exists in statute—The SBA should already be including the construction of safe rooms as a use for physical disaster loans because it is mitigating measure. The SBA's existing interpretation of existing language in the Small Business Act is incorrect.

Because of misinterpretation of this section previously, the SBA should now understand that physical disaster loans can also be used for other types of storm shelters as well, including, but not limited to structures that protect occupants from not only tornadoes, but from other natural disasters such as hurricanes, floods and wildfires.

The Senate Amendment makes modifications to the House-passed bill. Specifically, it requires safe rooms or similar storm shelters eligible for disaster loans under the bill to be constructed according to applicable standards issued by the Federal Emergency Management Agency.

It is important to note that loans may not be used to upgrade homes or make additions unless as required by local building codes and secondary or vacation homes are not eligible for these loans. The SBA does not duplicate insurance claim payments. Generally, loans are made over 30 years and interest rates are not more than 4 percent for those cannot obtain credit elsewhere and for those that can obtain alternative credit, the rate does not exceed 8 percent for the loan.

While local and state governments have an obligation to meet the increase in shelter demand, the construction of the shelters is expensive. Under guidelines from the Federal Emergency Management Agency (FEMA) and the International Code Council (ICC), a safe room should withstand 250 mph winds and the impact of a 15-pound plank hitting a wall at 100 mph, according to the Insurance Institute for Business and Home Safety.

Safe rooms designed to the FEMA and ICC standards are recommended for both tornadoes and hurricanes. For individual homes, a safe room could range anywhere from \$3,000 to \$12,000.

For anyone who has experienced Mother Nature's most indiscriminate and unpredictable tenors, you can truly understand the extent to which they devastate lives and property.

Again, Mr. Speaker, I support the Senate amendment which makes minor modifications to language in the House-passed bill and adds provisions of S. 1470, the Recovery Improvements for Small Entities (RISE) After Disaster Act of 2015, to the House-passed version.

As I have stated before on the floor of the House, I hope every Member reflects on the situation of our fellow Americans during a time of crisis or disaster. While we may hope that our communities remain peaceful and safe from crisis; we certainly must support those that do not escape such natural and man-made calamities.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 208.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

AMERICAN EDUCATION WEEK

(Mr. HONDA asked and was given permission to address the House for 1 minute.)

Mr. HONDA. Mr. Speaker, this week is American Education Week.

Today I rise to choose my bill, the Equity and Excellence in American Education Act, which will move us towards a more equitable education funding system. We can wait no longer to act, knowing we are not providing each and every child with a quality education.

My legislation is a starting point to establish equity as a foundational principle of our education system, especially in funding. Each and every child deserves to have an enriched education based on equity. Equity acknowledges all children are different with different needs. Equity means supporting families and students at the beginning with quality preschool and K-5 educational strategies based on equity.

Rather than saying, "What can we do with the funding we traditionally receive?", we instead start with the question, "How much do we need to meet the needs of each and every child?" and build a system which reflects that funding. This will be a challenge, but one we must take on.

HONORING THE VICTIMS OF THE NOVEMBER 13, 2015, TERROR ATTACK IN PARIS

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, I stand in the well of the House witnessed by the portraits of George Washington and his protege, an invaluable ally to America, the Marquis de Lafayette.

On Friday, November 13, the world watched in horror as they witnessed the terrorist attacks in Paris that claimed the lives of 129 civilians from over 15 different countries.

These brothers and sisters, mothers and fathers, friends and loved ones, whose lives were taken away too soon from us and those who were gravely wounded from this attack will not be forgotten. My thoughts and prayers are with the victims, their families and friends, and the strong resilient people of France.

This massacre at the hands of barbarous terrorists was an attack on the civilized world, and we will not let these horrific actions stand. We stand strong.

Today the flags at the U.S. Capitol fly at half-staff. We stand in solidarity with France, honor the victims of this attack, and in the call to combat this massing menace, place our undying

faith in our two democracies bound together by young Lafayette's faithful and courageous service.

HONORING REVEREND RONALD B. CHRISTIAN

(Mr. PAYNE asked and was given permission to address the House for 1 minute.)

Mr. PAYNE. Mr. Speaker, back in my home State of New Jersey, we had the honor of having a going-home celebration for a remarkable individual from my community. He was known as Reverend Ron. His name was Ronald B. Christian.

Reverend Ron's ministry was unique because Reverend Ron looked at the least of us and took them in without judgment to help them with their ills, whether they have drug issues or issues with the criminal justice system.

He never, never judged because he had seen the worst that life could show you because he had gone through some of it himself. And one day God stood him up and said: Now serve my people.

This great man passed away several weeks ago, but I wanted to honor him on the floor of the United States Congress. He was a unique individual. He was one of God's children.

On the outside of his church, it said "Sinners welcome," and he never wavered, and he never turned his back. We will miss the Reverend Ronald B. Christian from Christian Love Baptist Church.

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RESILIENT FEDERAL FORESTS ACT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, Pennsylvania's Fifth Congressional District, which I am proud to represent, includes the Allegheny National Forest. The forest covers more than 500,000 acres, and the use of its hardwoods has supported the communities of the Elk, Forest, McKean, and Warren Counties for generations.

Mr. Speaker, since these small towns depend on the harvesting of trees from the Allegheny National Forest, I am deeply concerned by the news that, while the amount of timber cut in the forest has increased in recent years, the number sold has sharply declined.

In fact, timber sales have gone down 19 percent in the past 5 years. Furthermore, a majority of the timber harvested is being sold as pulp and not as the high-value hardwood which is used to create furniture, flooring, and as veneers.

This is one of the reasons I cosponsored the Resilient Federal Forests Act, which passed the House earlier

this year, as it would enhance the management efforts in our national forests to make sure our quality hardwoods are being used in the right ways.

CONGRESSIONAL BLACK CAUCUS: RACE RELATIONS IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Illinois (Ms. KELLY) is recognized for half the remaining time, until 10 p.m., as the designee of the minority leader.

GENERAL LEAVE

Ms. KELLY of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Ms. KELLY of Illinois. Mr. Speaker, it is my honor and privilege to lead tonight's Congressional Black Caucus Special Order hour. For 60 minutes, we have the opportunity to speak directly to the American people.

Before we get to business, I do want to take a moment to express my condolences and the prayers of the Congressional Black Caucus and this Congress to our allies in France after Friday night's attacks in Paris.

Our hearts go out to the victims and their families. No act of terror can shake the resolve of the French people to live free, and nothing will impede France's ability to live prosperously. I want the people of France to know that the American people and this Congress stand in solidarity with the people of France tonight. I say this with full faith and confidence that no act of terror will deter France or the United States from embracing the principles of liberty, equality, and brotherhood.

Our hearts also go out to those who recently lost loved ones and friends in Beirut and Nigeria.

Mr. Speaker, in this hour, the Congressional Black Caucus will have a conversation with America about the issue of race relations in this country. This isn't a new topic of discussion. To be honest, I really wish there were no need and no appetite remaining in America so as to have to address this topic.

It is amazing that the same nation that saw pilgrims journey to our shores on the Mayflower and that the same nation that saw Founding Father Ben Franklin make groundbreaking discoveries in electric science is the same nation that was able to land a man on the Moon and harness the electromagnetic spectrum for our mobile devices. We still wrestle with the same problem that confronted Ben Franklin and the Founding Fathers so long ago: the issue of race relations in America.

As President Obama so eloquently remarked, the answer to the slavery

question was already embedded within our Constitution—a Constitution that had at its very core the ideal of equal citizenship under the law, a Constitution that promised its people liberty and justice and a union that could be and should be perfected over time.

Yet these words were not enough to deliver slaves from bondage or to provide men and women of every color and creed with their full rights and obligations as citizens of the United States.

It is this inherited sin that has guided a national history of challenging race relations in America, from slavery to the Three-Fifths Compromise, to a nation divided and broken over the issue of slavery, to poll taxes and literacy tests, to separate but equal, to Japanese internment, to anti-Semitism, to the Tuskegee experiment, to *Brown v. The Board of Education*, to the loving Confederate flags at State houses, to the Confederate statues in this Capitol, and to parishioners executed during a Charleston Bible study, executed in the hopes that it would spark a race war. It is the sad truth that, while race relations do not define us as a nation, ignoring and perverting these relations has left a painful blemish on our national record.

Mr. Speaker, many times this year the Congressional Black Caucus has come before you in this hour to discuss the issue of Black voter suppression in America, the mass incarceration of African American males in America, the issue of Black Lives Matter, community fears over unfair and unequal treatment at the hands of bad apple law enforcement officers, and the economic concerns of communities of color.

These concerns aren't made up. The impact and evidence of these concerns can be found everywhere for proof. Look at Amendments 13 through 15. Look at the issue of African Americans having higher rates of mortality than any other racial ethnic group for 8 of the top 10 causes of death. Look at the Black Lives Matter protests that we have had across the country. These concerns are our reality, and we must know these things to be true. We know more must be done to strengthen our national record on race.

Tonight I want to use my time to discuss race relations in America, but I want to do so in a way that looks forward and not behind. I want to have a conversation about strengthening our national foundation and about healing the racial wounds of our past. In this conversation about race relations in America, I will highlight areas of need and opportunity that should be examined. Tonight's conversation should be a strong step toward progress.

It is my true honor and pleasure to coanchor this hour with my distinguished colleague from New Jersey, a man who has committed his time in Congress to strengthening communities and bridging cultures.

I yield to the gentleman from New Jersey, the Honorable DONALD PAYNE, Jr., my colleague.

Mr. PAYNE. Mr. Speaker, I thank the gentlewoman from Illinois. It has been as a labor of love that we have represented the Congressional Black Caucus in these Special Order hours this year.

Our year is coming to a close. As we look back at the issues that we have discussed over the course of this year, it has been an honor and a privilege to work alongside my colleague, R. KELLY.

As for tonight's issue, we have seen in recent weeks a number of racially charged incidents that have set off protests on college campuses across the country. From the University of Missouri to Yale, students have protested the inadequate responses of their school administrations to racism and harassment against minority students. We have seen the failure of many college administrations to properly address overt racism against minority students on campus.

Adding to the anxiety felt by these students have been threats of violence against African American students and faculty. In many instances, there is a disconnect between students of color and the university leaders.

In many of these instances, administrators have openly acknowledged that their responses to minority students have come too late and that their behavior has failed to take into consideration the concerns of students and the injustices against those students.

This is an extension of the debate over interactions—often deadly—between law enforcement and African Americans. Many African Americans feel marginalized and unsafe in going about their normal day.

This year an overarching theme of our Special Order hours has been equality and justice. We have discussed how, despite the strides our Nation has made on the journey to a more just society, minorities are still the subject of racism and racial discrimination and face persistent inequities across the board, from health to income, to criminal justice.

Through our conversations and through the ongoing national debate about racial equality, we are highlighting how occurrences like those at the University of Missouri are not isolated incidents of racism; they are part of a larger system of discrimination.

There is a history of racial discrimination, inequality, and bias that still affects African American communities across this Nation. We need to recognize this.

There also needs to be a recognition of the pain and anxiety and fears that it creates in some of these young Americans. As we are seeing right now, many minority students feel that they do not have a home on campus. Many

minority students are concerned about their safety at school.

Following reports of threats on social media, students at the University of Missouri were afraid to attend classes. All students deserve a safe environment in which to live and learn. We can't discount the fears of these students; yet, that is exactly what we see happening. It is why so many students across the country are coalescing in support of racial justice.

How can we move forward from here?

Our national conversation about racial justice needs to remain ongoing. As a Nation, we must continue to confront incidents of racism and harassment and bring light to the complacency that too often enables these occurrences in the first place. It has to be more than just a conversation. We have to use the voices of our students and of our communities to drive concrete action on their behalf.

Schools need to ensure the diversity not only of their student bodies, but also of their faculties and staffs to increase racial understanding and bring a broader perspective to their institutions.

Schools also need to make sure that marginalized students have access to services that enable them to share their experiences and to seek assistance to meet their needs. School administrators need to be held accountable for their failure to make their campuses inclusive and safe for all students.

There needs to be an urgency of their handling of racial incidents, and any hate crimes or civil rights violations need to be investigated internally and by law enforcement, as appropriate.

We must never waver in our efforts to address racial disparities and to eliminate racism in our country. The Congressional Black Caucus is committed to addressing racial disparities by developing initiatives and by working with grassroots and national organizations, such as Black Lives Matter, the NAACP, and the Urban League, to ensure that they know that they have someone in their corner and that there is an effort to work together.

□ 2045

The Congressional Black Caucus is also holding a number of forums to bring African American community resources into the areas of business development, small-business assistance, financial empowerment, inequality, and education.

As a caucus, we will continue to lend our support to those fighting for justice, equality, and opportunity for all.

With that, Mr. Speaker, I yield back to my colleague, ROBIN KELLY.

Ms. KELLY of Illinois. I thank Representative PAYNE for those words.

One thing that you talked about with the University of Missouri, I thought it was great that when they did protests

and sit-ins, that there were White students, football players, and coaches that also sat with them and gave them support. They were one. So even though bad things had happened, it was good to see that there were all kinds of students and their coaches empathetic with what was going on.

I yield to the gentleman from New Jersey.

Mr. PAYNE. Absolutely. To that point, this is the United States of America, and we have to come together as a Nation to eradicate this ill that has plagued this Nation since its inception. So we need people that understand and like-minded people to also join in. This is not a one-sided discussion. This is a discussion that we need to be having that encapsulates the entire Nation.

Ms. KELLY of Illinois. In my diversity training that I have done for many years now, we have always talked about groups need allies. Allies give you support and encouragement and the strength to go on.

At this time, I yield to the gentleman from California (Ms. BARBARA LEE).

Ms. LEE. Mr. Speaker, I thank Congresswoman KELLY and Congressman PAYNE for organizing this Special Order and for your continued leadership on so many vital issues and for staying the course and holding down the fort for the Congressional Black Caucus. It is so important that our message of unity and our message—which really describes what many of the issues are that all of our communities are faced with—that that message goes out. Both of you have really been tremendous in this effort.

So I rise this evening to join this critical conversation on race relations in America and to challenge our colleagues to work with the Congressional Black Caucus to realize progress for racial justice and equality.

I join Congresswoman KELLY and Congressman PAYNE in sending my condolences to the families and the victims of the horrific terrorist attacks in Paris, Lebanon, Nigeria, and also in Egypt. Know that we join in this quest for global peace and security throughout the world.

Now, tonight's Special Order is an important part of our work to address the discrimination and racism that still plagues our Nation, specifically as it relates to African Americans, but we know that it impacts all communities of color. It is manifested in many ways, and it affects our entire country. As Congressman PAYNE said so eloquently, we are the United States. So when one is affected, all are affected.

All across the country at universities like Mizzou and Yale; in places like Baltimore and Ferguson; and in high schools like Spring Valley High in Columbia, South Carolina, we are witnessing the painful impact of institutional racism in our communities.

Very recently, we saw this in my home district at Berkeley High School. In one of the most progressive and enlightened cities in the country, Black students were subjected to threatening messages on campus. But I am so proud of the students at Berkeley. They walked off—it was not only Black students; it was all students—and marched out peacefully through the city to protest these terrible, despicable messages.

This is unacceptable. All students have a right to learn free from violence and from threats. As long as Black students and any student of color feels unsafe in their classrooms, our work for justice remains incomplete.

This crisis isn't limited to our schools. Tragically, people of color face institutional racism from the moment they are born. According to a report released earlier this year by the Joint Economic Committee and the Congressional Black Caucus, more than one in three Black children are born into poverty.

This cycle of poverty and inequality continues in our school system where Black students account for 42 percent of preschool student expulsions. Mind you, now, that is preschool. That is students from about 2 years old to 4 years old. Black students account for 42 percent of preschool student expulsions, despite accounting for only 18 percent of enrollment. I can't figure out how any student aged 2 to 4 is expelled from school. That is outrageous. Yet 42 percent of preschool student expulsions are African American babies. These kids don't even get a start, let alone a head start.

Outside of the classroom, African Americans are overpoliced, overcriminalized, and underemployed. A report published by the New York Times in April found that there are an estimated 1.5 million Black men between the ages of 24 to 54 who are missing from civic life, just missing it. These missing men, who account for one in every six Black men, have been victims of mass incarceration or premature death. And this crisis of inequality extends to the structures of the community and have persisted from generations.

Over the past four decades, the average unemployment rate for Blacks has been double the rate for White Americans. For many Black families, it feels like this is a permanent recession.

Mr. Speaker, this must be our call to action. That is why I am so proud of our young people throughout the country and students who are standing up to racism and injustice in their communities. It is time for Congress to listen to the young people, saying that Black Lives Matter and Black students matter.

Earlier this month, I held a forum on racial justice in my district to address these issues. More than 300 East Bay

residents from all backgrounds attended and raised their voices for justice. This was the second forum that I have held throughout the last 3 months. Now, I have been able to reach over 1,000 East Bay residents.

So, tonight, in this dialogue, which Congressman PAYNE and Congresswoman KELLY have talked about, this dialogue leads to action. Hopefully, our colleagues would think about hosting these types of forums and listen to what people are saying, listen to what the impact of some of our policies are on their daily lives. We must be part of the conversation and the solution, but we must listen. We must hear the pain and the suffering that people are experiencing as a result of discrimination and racial injustice.

Now, the Congress must act to start addressing the systemic racism that degrades our institutions and threatens our communities. It is past time for us to get serious about us addressing the lack of opportunity for Black and minority families in this country. Right now, today, in this Chamber, there is legislation that can start moving the needle forward.

We need to empower our communities to build greater trust between law enforcement and communities of color, and we need to address chronic recidivism, which would be a huge step toward returning some of our missing men to their families and communities. To do this, Congress should pass the Safe Justice Act, sponsored by Congressman SENSENBRENNER and Congressman SCOTT. Congress should also pass the Stop Militarizing Law Enforcement Act, H.R. 1232, to stop the militarization of our Nation's police forces. We also should pass the Police Accountability Act, H.R. 1102, and the Grand Jury Reform Act, H.R. 429, so we can ensure that deadly force cases are heard by a judge and that there is more accountability for police officers.

As we reform our broken criminal justice system and work to help repair those families hurt by mass incarceration, we will be strengthening America. We will have people who really can make a contribution, not only to their families and their communities, but to the entire country.

The Federal Government shouldn't continue to put up barriers to work for those trying to rebuild their lives after making a mistake and should ban the box totally by Federal contractors and by Federal agencies. We also need to repeal the lifetime ban on Pell grants for those formerly incarcerated as it relates to drug felonies, the ineligibility for public assistance and food stamps.

We need to remove these barriers so that people of color, primarily African American men and Latino men, can get back into society, get a job, and take care of their families. Once again, this

is an example of public policy that racism wreaks its ugly head in our own institutions and policies.

Finally, Mr. Speaker, we must address the poverty that plagues communities of color all across the country. We have the Whip's Task Force on Poverty, Income Inequality, and Opportunity, which I am proud to chair with our whip, Mr. HOYER. We are working with more than 100 of our colleagues now to advance policies that give all families, including African American families living below the poverty line both in urban communities and in rural communities, a fair shot.

This effort includes our Half in Ten Act, H.R. 258, which calls for a national strategy to cut poverty in half in the next decade. That is more than 22 million Americans lifted out of poverty into the middle class in just the next 10 years by being strategic and coordinating our existing programs.

Our Pathway Out of Poverty Act, H.R. 2721, would create good-paying jobs. It would lift families out of poverty into the middle class while strengthening our safety net for those who are still struggling. Ultimately, the only way to end institutional racism is to give African Americans and people of color a seat at the table, and we need to pass legislation and policies that begin to remove these barriers.

My mentor, the Honorable Congresswoman Shirley Chisholm, used to say: "If they don't give you a seat at the table, bring in a folding chair." That is what our young people are doing around the country.

So I want to thank all of the people across our country who are bringing in folding chairs and ensuring that these important conversations happen. We hear you. We support you, and we will keep fighting for you for ensuring liberty and justice for all, which means just that. It means for all. In doing so, we will make the United States a stronger country.

Mr. Speaker, I thank Congresswoman KELLY and Congressman PAYNE for organizing this very important Special Order. I know that out of this discussion, we are laying out what can be done, and it doesn't take another generation to end racial injustice in our country.

Ms. KELLY of Illinois. Representative LEE, I like your analogy about "if you are not at the table, bring your folding chair." I would like to say: "If you are not at the table, your issues would be on the menu." But I like the folding chair analogy also.

I think a good point that you bring up that people don't realize, when we talk about African American men in jail, incarcerated, people might think, well, if they are doing something wrong, they should be in jail.

To use Ferguson as an example, while comprising two-thirds of Ferguson's population, African Americans rep-

resent 85 percent of vehicles stopped, 90 percent of citations, and 93 percent of arrests made by the Ferguson Police Department. But while African American drivers are twice as likely as White drivers to be searched on a vehicle stop, contraband was found on Black drivers 26 percent less frequently than White drivers.

So these discrepancies, coupled with incidents of overly aggressive police tactics and a police force that is racially and ethnically underrepresented of the large Ferguson community, instill the culture of distrust and anonymity. So you can see why these things happen.

I yield to the gentlewoman from California.

Ms. LEE. Mr. Speaker, I thank Congresswoman KELLY for raising that issue because I think this is a clear example of what we talk about when we talk about racial injustice. It is very clear that many of our policies—Federal, local, and State policies—the impact and the result end up being a result that has racial components, and that is what our young people are talking about when they are talking about systemic and institutional racism.

Ms. KELLY of Illinois. I yield to the gentleman from New Jersey.

Mr. PAYNE. Mr. Speaker, I thank the gentlewoman from California as well for always making very clear and thoughtful comments and for being a leader in this House for many years and taking bold steps in your beliefs and your principles. Sometimes when it looked grim, that you might be stepping out, history has been kind to you and shown that you were right. So I appreciate your leadership in this United States House of Representatives.

One of the issues that we also find around racism is mass incarceration, which is a topic that has come to the forefront. The President is taking bold steps in that direction to try to have a discussion and correct those issues. There is no reason why the United States of America, which comprises 5 percent of the world's population, has 25 percent of the incarcerated population in the world. That number is mind-boggling.

We are talking about these schools that are having racial issues and they are not being addressed.

□ 2100

There is no mistake that when you look at the issue even around cocaine and the disparity in the length of time that you receive for having crack cocaine, which has predominantly been in African American communities, as opposed to powdered cocaine, which has predominantly been in the major population's community, but the sentences for crack cocaine are so much stiffer and longer that you can see a racial component in even those sentences given out by the justice system.

We are dealing with a systemic institutional issue, and sometimes I even think that it has been so ingrained and embedded in the larger population that it is not even realized that there are issues. This is the way of life. This is the way things are. This is how it has been. We have to break that cycle. It is just unconscionable that these young people who have done what we have asked them to do—do well in school, move on to college, and get an education so you can be a productive citizen in this country—have to worry about these types of issues as they are trying to get their education.

Ms. LEE. Mr. Speaker, first, let me thank the gentleman for his kind remarks, but also for really digging deeper into this subject and really raising, in many ways, the unconscious biases that are reflected oftentimes in the policies and in the laws of the land.

One example that Chairman BUTTERFIELD and myself, co-chair for the Congressional Black Caucus, and Reverend Jackson have really been true leaders in, and that is the effort with the tech industry in terms of the diversity of the tech industry.

We have learned and the data shows that many companies next door to me in the Silicon Valley, 2 to 5 percent may be African Americans and Latinos—maybe. To their credit, they are trying to figure out how to address this; but one of the areas that some of the companies are exploring now is looking at unconscious bias and how that is reflected in the hiring policies of their managers as it relates to the discrimination actually that takes place against people of color, especially African Americans.

It is embedded in this whole system here in our country, both in the private and in the public sector, and we have to really begin to talk about it to raise the level of awareness so people understand we are not talking about individuals and we are not going after people. We are talking about biases that are embedded in our programs and policies and in the law of the land.

Mr. PAYNE. Absolutely.

Ms. KELLY of Illinois. I also think something that contributes to that, your ZIP Code shouldn't dictate the quality of your education, like it shouldn't dictate the quality of your health care. In too many places in this country, your ZIP Code does dictate the quality of your education and the schools that have every sport, every technology, and those kinds of things, and schools that barely have books.

They are not going to be at the same level when they graduate from high school, if they even make it through high school; and that is part of it, too, just the STEM, as we talk about, or STEAM, just the type of education that students are getting because of the way in some cases the schools are funded or the concentration of poverty

in the school system, in some school systems.

Mr. PAYNE. We are talking about the school systems. We are talking about Silicon Valley. I am doing a lot of work now with the insurance companies and finding out that based on your economic background and where you live and what your ZIP Code is will constitute what your rates on car insurance are. There is a built-in formula to that as well. It is just amazing how systemic and institutionalized these issues are.

Even a young man like me, who was raised by my father not to get in trouble and do the right thing, I was still a young man, and sometimes I didn't do the right things. One time I was in downtown Newark, New Jersey, and I made a U-turn on one of the major thoroughfares in the city. A policeman pulls up on his motorcycle.

Just my luck, I would make the U-turn and there would be a policeman coming, but that is the story of my life.

This police officer approached me, very angry, very mean, yelling at me. It was my cousin's car, so I wasn't exactly sure where the credentials were in the car. I was about 20 years old at the time. The police officer finally says to me: Boy, if you don't find those documents—and he didn't use "boy." He used a word that we can't use on the floor of this House of Representatives. But he said: If you don't find those documents, I will throw you so far under the jail that they will never find you.

That was very frightening because he looked like he meant it.

I was able to produce my license, and at the time my father was a councilman in the city of Newark. It was amazing the change in his attitude. He became very concerned about my welfare and my well-being all of a sudden. He says: Well, don't you know that that is dangerous, and you shouldn't do that? You know, you could hurt yourself or hurt someone else. All of a sudden, I became someone because of what my last name is.

I am concerned about all the young men that can't produce something like that at that point in time. There are more of those stories, of the ones unable to produce than the ones that can produce. What does that say for young men in this country? There are many stories like that coming up that I could stand here and tell for several hours of experiences that I have had with the institutional racism in this country.

Ms. LEE. Congressman PAYNE, you are talking about racial profiling and driving while Black, which so many of us experience throughout the country. I am glad we are having this discussion and you raised it because you come from a middle class family. You come from a great family.

Mr. PAYNE. Thank you.

Ms. LEE. Your father was a giant and raised you and your family to be law-

abiding citizens, and still this happened to you.

Also, with regard to redlining, this is another level that we have to look at as it relates to racism. When you look at how financial institutions targeted African American and minority communities with subprime loans, our communities lost all of our wealth as a result of that, and now have to start all over in terms of wealth accumulation. So you just go one aspect after another of what America has done in terms of the past that has not been corrected yet, and we have to really do that.

Congresswoman KELLY, I just want to mention the phenomenal job you are doing as the chair of our Health Braintrust. We had a meeting this weekend in South Carolina with our great leader, Mr. CLYBURN. We talked about health disparities in communities of color. You are talking about ZIP Codes. I know in my district—I mentioned this at the forum—there is a gap. Depending on where you live, depending on the ZIP Code, life expectancy where Black people live can be 10 to 15 years shorter.

Ms. KELLY of Illinois. Right. In the leading causes of death, African Americans are number one in eight of them.

Ms. LEE. The mortality rate, that is right.

Ms. KELLY of Illinois. We don't want to be number one in 8 out of 10.

Ms. LEE. That is right. That is right. The importance of the work you are doing in closing healthcare disparities, which sometimes people don't understand, there are racial and ethnic disparities that, again, are reflected in our historical policies that have really severely impacted communities of color and African Americans.

Ms. KELLY of Illinois. Representatives, we have about 5 more minutes. I don't know if you have anything to add.

Mr. PAYNE. I just want to thank you for working with us through this year in bringing these topics to the floor. We want the viewing public to understand that we have raised these issues because they are issues that plague our country. We are looking for African Americans and Latinos to have the same opportunities as everyone else. It is not about special treatment or anything. It is about equal treatment. Everyone should rise based on their ability. Just having an equal opportunity is key.

Ms. LEE. I will just close by saying, we pledge allegiance to the flag, and we say, "and liberty and justice for all," and that is what we mean.

Ms. KELLY of Illinois. Thank you, Representative LEE and Representative PAYNE.

Mr. Speaker, as we reflect on this evening's topic, the issue of race relations in America, we want to talk about, just in closing, what can we do. We must do more, we must care more,

and we must understand more about the diverse cultures that make up this Nation.

A long time ago, as director of community affairs for the Village of Matteson, it has been 19 years now I have worked with a team hosting diversity dinners in our area to grow friendships and nurture relations among residents of the south suburbs of Chicago.

Tonight as we discuss race relations in America, I want to reflect on what I see as the way to bridge the differences we experience in understanding in different communities.

Earlier this year, I along with colleagues, Democrat and Republican, hosted the Second Annual Congressional Diversity Dinner. Forty Members of Congress—Black, White, Asian, and Hispanic from both parties, including both Republican and Democratic leadership—showed up and enjoyed a meal with their colleagues. During the dinner, we weren't Democrats or Republicans. We were colleagues with some great stories to share.

At this year's dinner, I saw a microcosm of our Nation, a crowd made up of Members from coast to coast with truly diverse backgrounds coming together to enjoy each other's company. If we can put aside our racial and partisan blinders to break bread together, I am confident we can find ways to work together. That is what America wants and needs, and that type of leadership is the kind of leadership we deserve.

Today we have the opportunity to celebrate diversity and show that America is only strengthened when we embrace the fact that we are a beautiful, I will say, pot of stew. There is much that communities can do to stanch out the rhetoric that divides us and find creative ways to bring people together. It was a small action, but that was what the diversity dinner sought to do.

Now it is time for us to come together to address the reforms needed to rebuild trust between communities. Let's show the American people that we are a diverse people, we are proud of it, and we celebrate it.

Mr. Speaker, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, this has been a challenging year for race relations in the United States. Between the recent events at college campuses across the country and several incidents involving law enforcement, it is clear that strong racial tensions still exist within our communities.

Renewed efforts to disenfranchise select groups of voters by gutting the Voting Rights Act or segregating neighborhoods in violation of the Fair Housing Act have contributed to the divisive elements of our society. These efforts run counter to everything that we as a nation have tried to eliminate in bringing diverse individuals together under common values—and there is still much work to be done.

The fight for racial equality and inclusion has been a constant struggle for individuals of color throughout our long history. Despite important victories during the Civil Rights era, a new struggle has emerged in our time to tackle more subtle and implicit racial biases that exist within our society.

Recognizing these challenges and maintaining open and civil dialogue is the only way that we can seek to end these senseless divisions once and for all. While it is also important to learn from the lessons of our past, how we decide to move forward will truly come to define the future of our nation.

As we look to overcome our differences, we must reflect on our values and determine what kind of future we would like to see for our children. Do we want to leave behind a divided nation where individuals quarrel over race or socioeconomic status? Or do we want to live in a nation united under equal opportunity and justice for each and every American? I, for one, choose to support an equal and just America.

Mr. Speaker, there will continue to be challenges ahead. However, the lessons that we carry with us into the future will help guide our decisions to build for a stronger and more prosperous America. I urge my colleagues to speak out against this blatant discrimination so that we can heal our country and move forward as a nation.

FIGHTING TERRORISM AROUND THE WORLD

The SPEAKER pro tempore (Mr. ROUZER). Under the Speaker's announced policy of January 6, 2015, the gentleman from Pennsylvania (Mr. COSTELLO) is recognized until 10 p.m. as the designee of the majority leader.

GENERAL LEAVE

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I appreciate the opportunity to host this Special Order tonight.

Less than 100 hours ago, we were provided another tragic reminder of the world that we live in, a world where radical terrorists are engaged in a violent war against the U.S. and our allies. Our thoughts, prayers, and condolences go to our ally, France, here this evening.

□ 2130

Prior to Friday night's events in Paris, tonight's Special Order was going to focus on recent incidents of terrorist-led violence across Israel. Yet Friday night's events are not dissimilar from the escalation of violence we have seen across Israel in recent months and in other places of the world.

The attacks have been indiscriminate in their targets. The attacks have been intended to instill fear. And the attacks are a direct affront to the daily lives and the way of life of innocent, peaceful civilians.

I want to share with you the words of Prime Minister Netanyahu this weekend:

"In Israel, as in France, terrorism is terrorism, and standing behind it is radical Islam and its desire to destroy its victims. The time has come for the world to wake up and unite in order to defeat terrorism. The time has come for countries to condemn terrorism against us to the same degree that they condemn terrorism everywhere else in the world.

"We should remember—we are not to blame for the terrorism directed against us, just as the French are not to blame for the terrorism directed against them. The terrorists who attack us have the same murderous intent as those in Paris."

Mr. Speaker, we know that ISIS has claimed responsibility for the Paris attacks, but while we can condemn those attacks here this evening, it seems very evident to me, and I think Americans all across this country, as we ask, I think, the same question: Are we safe, and are the policies of this administration and its foreign policy and the refugee admissions policy making us safer, or are they cause for concern and require more discernment and a more scrutinizing eye by this Congress and the American people?

This year alone, there have been at least 49 alleged supporters of ISIS in America charged with related crimes, and it is reported that there is an estimated 20,000 foreign fighters in Iraq and Syria likely holding Western passports.

In May, FBI Director James Comey said:

Thousands in the U.S. may be consuming ISIS propaganda on the Internet.

Tonight, in light of the horrific terrorist attack in Paris and the escalating violence in Israel, as we stand to express our solidarity with our friends and allies affected by violent and extreme acts of terror, we must also be thinking about what we as Americans can do to defeat—not contain—but eliminate radical jihadists and terrorists who are hell-bent on undermining the U.S., our allies, and our way of life.

A little bit later I will speak more on my views on our present foreign policy and the refugee admissions policy, but we have over the course of the next hour many Members from across the United States of America condemning indiscriminate terrorist attacks, radical Islamic jihad, and violence across the world.

Mr. Speaker, I yield to our first speaker this evening, the gentlewoman from North Carolina (Mrs. ELLMERS).

Mrs. ELLMERS of North Carolina. I want to thank the gentleman from

Pennsylvania for his leadership on this issue and for holding this very important leadership hour talking about the issues that obviously affect our allies in the world but also the safety of the American people.

As we are discussing these issues and the views that are taking place and the discussion and the debate that is going to be had on this issue, I think it is important, again, that we remember this is an American national security issue, and we in the House have to be as vigilant and as strong as we can be on the issue.

The attacks carried out on Friday by radical Islamic extremists can only be described as barbaric, and we are responding with force. Yet, this morning, the President announced at a G-20 summit in Turkey that there "wouldn't be any major changes to the approach taken against ISIS."

The President's passive approach has proven to be no deterrent to these Islamic extremists, and it is time that he implement a clear and comprehensive strategy to completely destroy ISIS abroad, on their soil, so that we are not fighting them on ours.

This is an issue of American national security. Additionally, this is why again and again I have repeatedly called on the need to secure our border and repair our broken immigration system to keep these threats out.

It has never been a matter of if, but a matter of when, we might face this type of attack here at home. Time has shown that it is up to us in the House to be the voice of strength for the American people.

As we work together to determine a stronger path forward, we will proudly stand with our allies—as they did with us—against these extreme forces of evil.

We will continue to hold the people of France in our prayers.

Mr. COSTELLO of Pennsylvania. I would like to thank the gentlewoman from North Carolina for her participation.

I yield to the gentleman from Mississippi (Mr. KELLY.)

Mr. KELLY of Mississippi. I thank the gentleman from Pennsylvania (Mr. COSTELLO) for leading this important Special Order today.

We stand with our allies across the world who have repeatedly and recently experienced violent acts of terrorism, specifically in Israel and France. We pray for the victims and their families, and we stand united in our efforts to bring these attackers, these terrorists, to justice.

It is clear that we are at war with radical Islam. How do you expect to destroy your enemy if you can't even identify them or call them by name? They know who we are. They call us the infidels. And they will quit at no cost to destroy us all. We must identify and attack our enemy.

The world is safer when America chooses to lead. We must put forward a coordinated and comprehensive strategy to eliminate ISIS, not a policy of containment. We can no longer underestimate the desire and ability for them to attack us in our homes. Our men and women in uniform will destroy the enemy, wherever they are, if we give them clear guidance and a strategy which they can enforce.

These acts of terrorism seek to make us less free. They are carried out on the mission of instilling fear, uncertainty, and hate. But the terrorists do not get to win. Americans and those other countries that promote freedom and democracy will continue to live our lives, go to work, provide for our families, and advocate for those same freedoms around the world.

Now is the time to have faith in God, hug your loved ones a little tighter, and continue our commitment to eliminate the threat of ISIS, radical Islam, and other terrorist organizations around the world.

God bless our servicemembers, and God bless America.

Mr. COSTELLO of Pennsylvania. I want to thank the gentleman from Mississippi for his participation.

Mr. Speaker, I yield to the gentleman from Nevada (Mr. HARDY).

Mr. HARDY. I would like to thank my colleague from Pennsylvania for his efforts to host us here this evening and for the opportunity to speak.

As the events of Paris unfolded over the weekend, I watched in horror with the rest of the world as violent terror once again touched the soil of America's oldest allies. I echo the cares and concerns of the world that terror is growing. And we must stand united against it. Terror does not respect borders or nationalities. Its effects are felt in the smallest village and in the world's most recognizable cities.

Nearly 500 innocent people were killed or injured in Paris this weekend, only 10 months after the extremists attacked the Charlie Hebdo offices, murdering 17. Last week, 43 people were killed and 239 were injured by a suicide bomber in Beirut. Mounting evidence shows that terrorists were likely involved in the deaths of 224 people aboard a Russian jet that went down in Egypt last month. In Israel, our friends have been battling this increased violence for weeks, with no predictable end in sight.

Each of these events happened in the last 2 months, and there are countless other victims of hate around the world whose loss too often goes unnoticed. Those losses have continuously happened over the past 6 to 7 years, and some of them seem to fall on deaf ears and unseeing eyes.

No matter the location, the fact is that too many parents in these nations worry if their children will come home safe at night. It is times like these that

defenders of freedom need to remember the common threads that bind us together against the power of evil. France was not the beginning, nor will it be the end.

On the heels of this tragedy, ISIS has taken credit and released a video promising that something "worse is coming." Something worse is coming. We should not neglect that threat.

Our own CIA Director said earlier today that he "anticipates this is not the only operation that ISIL has in the pipeline. The Paris attack is not something that was planned in a matter of days."

The President has stated a shared goal that we want to "degrade and destroy" ISIS. While that is the goal of all, in the meantime, we are obligated to the American people to contain and control these crazed attackers.

ISIS has expanded to Egypt, Yemen, Afghanistan, and to Pakistan. Teenagers from England and Europe have attempted to, or successfully supported, ISIS on the ground. As sickening as these actions are, it is more terrifying to think that those recruits might bring their new training back home. How long until we see terrorism touching our U.S. soil again?

This is not just a threat to the eastern hemisphere. This is a global threat that requires a global response. The U.S. cannot be the only one involved, but we also cannot fail to act. When America fails to lead, there is too often a vacuum that we have seen filled with the nightmares of hateful leaders who disregard innocent lives in their quest for power and control.

We must be vigilant for the sake of life in America and across the world. We must continue to fight these extremists and stand as a united front against the rising tide of evil.

Mr. COSTELLO of Pennsylvania. I thank the gentleman from Nevada for participating in tonight's Special Order.

I yield to the gentleman from Indiana (Mr. YOUNG).

Mr. YOUNG of Indiana. I want to thank my colleague from Pennsylvania for his hard work and leadership on this issue.

Mr. Speaker, tonight, this Hoosier rises in solidarity with our French brethren.

Fourteen years ago, on September 11, when radical terrorists struck at the heart of the United States, France stood by us. In one of America's darkest hours, when no words seemed to adequately express the shock and sadness we felt, it was our French allies who famously evoked the phrase: "We are all Americans."

Sadly, last Friday evening, on November 13, 2015, France was similarly subjected to multiple acts of terror in Paris. Now, it is our turn to offer our support to the fallen, to their families, and to all of France. Today, Mr. Speak-

er, we Americans stand with the people of France.

Our ties with France date back hundreds of years, to the days of the American Revolutionary War. Our shared values, our respect for liberty, equality, and democracy, have bound our two great nations through centuries of conflict and peace.

So, tonight, on behalf of the citizens of Indiana, I send my sincere thoughts and prayers to the Parisians so devastated by this atrocity. Together, we will restore France. Together, we will defend civilization against barbarianism, and together we can endeavor to eliminate ISIS.

In the wake of this sorrow, we must reflect on what led to this attack on innocent civilians. And then we must, as we say in the Marines, "adapt, improvise, and overcome."

We must find ways to prevent future attacks from occurring on our soil and the soil of our allies across the Atlantic. This won't be without risk. Leadership never is. At this critical juncture, I hope Congress stands ready to support the administration, to encourage its development of a winning strategy that doesn't purport to merely contain ISIS but instead turns the tide of radicalism in the region and eradicates this radical brand of terror.

□ 2130

This is no time for half measures, Mr. Speaker. It will be imperative for the United States to coordinate with France and our other NATO allies on a joint strategy to defeat ISIS, to eliminate this evil.

This is, of course, no time for political posturing, empty rhetoric or gamesmanship. It is a time for unity. I look forward to working with my colleagues and working with our Commander in Chief on a war strategy that will annihilate the radical Islamic state, keep the American people safe, and return Syria to its people.

Mr. COSTELLO of Pennsylvania. I thank the gentleman from Indiana.

Mr. Speaker, I yield to the gentleman from Texas (Mr. BABIN).

Mr. BABIN. Mr. Speaker, tonight we stand with our brothers and sisters in Israel and France to express our support and our commitment to these, our allies overseas.

We have witnessed the violence in Israel in recent weeks whipped up by the leadership of the Palestinian Authority, knowing now that radical Islamic militants are determined to continue their assault on the democracies of the world and western civilization.

On Friday, the 13th, the world witnessed an unspeakable tragedy brought about by ISIS. This is a terrorist organization that has repeatedly plagued the Middle East with gruesome beheadings, violent killings, the rape of women, and the enslavement of children.

Now they have unleashed a terror rampage on our ally, France, and they promise to bring it to America as well.

Our President has called this slaughter “a setback.” So now Congress must recognize both the gravity and the tragedy of what has recently occurred and respond accordingly.

What will it take, I ask, for this administration to admit that we are in a life-and-death struggle with radical Islam?

Chinese philosopher Sun Tzu once gave this admonition: Know thy enemy. The enemy must be identified in order to defeat him.

My thoughts and prayers are with the victims of the recent terrorist attacks, and I hope that the United States will stand by them and the people of Israel as well as France during these times.

To the people of France: I am very sorry—*Je suis vraiment desole*.

Mr. COSTELLO of Pennsylvania. I thank the gentleman from Texas.

Mr. Speaker, I yield to my colleague from New York (Mr. ZELDIN).

Mr. ZELDIN. Mr. Speaker, tonight I rise in solidarity with the people of France in the aftermath of last Friday's horrific terror attacks in Paris.

I also commend the French for their swift leadership in decisively and powerfully taking immediate action. They are delivering justice to those responsible for the cowardly attack on their innocent people.

This latest attack wasn't just on France. No. This was an attack on all free nations targeted and threatened by the brutal and savage tactics of Islamic terrorists who oppose the basic freedoms and liberties of the free world.

This is not an isolated incident or a final stand. Far from it. It could be France today and the United States tomorrow.

I should point out that there is but one mandatory function constitutionally of the Federal Government. That is to provide for our national defense. This is a constitutional duty and a moral imperative that trumps any day of the week the charity of opening our doors to a Syrian who will blow himself or herself up on our streets in the name of Allah.

I say, if an ISIS member wants to meet Allah, that we give them every opportunity to do so with a bomb from the air or a round of ammo from the end of a Navy SEAL rifle that you would never want to be on the wrong end of if you are the bad guy.

The good news is this: It doesn't require an occupation or an enduring ground operation. I don't want that. No one wants that. But it does mean that our entire strategy must evolve quickly and effectively.

We may have help from very motivated and a diverse capability of French, British, German, and now even

Russians. We must understand that losing is not an option.

What we can't do is put 50 Special Operations Forces on the ground in Syria, in the middle of a war zone, and then tell them they are not there on a combat operation. You can't tell that to them, their family, the entire free world. It is just divorced from the reality of what they will face every day on the ground.

If you aren't going to send our servicemembers to win, do not send them at all.

I would be happy to support a strategy to win if I actually believed the President had one.

First and foremost, ID the threat. You cannot defeat a threat that you cannot or will not identify.

Next, execute a strategy to win, not just tread water. It is not about getting them jobs. It is about wiping them off the face of the Earth. You annihilate the enemy. You don't contain it, especially not this enemy.

You eliminate the threat. You don't literally, as a matter of policy, escort that threat across our borders.

Here at home we must not move forward with the President's plan to bring in several tens of thousands of refugees, especially and so importantly, because we cannot identify who the bad ones are.

Not one Syrian refugee should be brought into America without knowing with confidence that they do not pose a threat. We must not bury our heads in the sand or try to click our heels together to an alternate reality.

Last week was Veterans Day. We were again reminded of the sacrifices that have been made through generations to protect our way of life. Let's honor their memory, treasure American greatness, stand up for freedom, and make sure what happened in Paris on Friday does not happen on our own home turf tomorrow.

Mr. COSTELLO of Pennsylvania. That was excellent. Thank you, Mr. ZELDIN.

Mr. Speaker, I yield to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the gentleman from Pennsylvania for yielding.

Mr. Speaker, I rise tonight to offer my deepest sympathies and condolences from the citizens of Ohio's Ninth Congressional District to the people of France, our longstanding brothers and sisters in liberty. To all whose loved ones were killed or hurt in the barbaric attacks in Paris last weekend, we offer our prayers of comfort and consolation.

Our sincerest thanks are extended to the law enforcement officials who bravely brought order, the health officials who ministered to those who tragically lost their lives, and to the hundreds suffering injury.

Around the world, freedom-loving people are repeating the words of La Marseillaise, the national anthem of

France. This powerful song of liberty against tyranny roused that nation when it was written at the start of the French Revolution, just a few years after America's own fight for liberty.

One verse seems especially appropriate to recite tonight. Translated into English, it says: Sacred love of the Fatherland: Liberty, cherished liberty, fight with thy defenders. Fight with thy defenders.

This is a message for the world today. America is fighting alongside those who defend liberty. Surely, France.

We stand with those who fight for liberty—*Combats avec tes defenseurs*.

The American people have long cherished and defended the spirit of liberty alongside the people of France, and there is no greater symbol of that in our harbor, New York Harbor, than the Statue of Liberty, which reminds us always of the triumph of freedom over subjugated people.

In modern times, France has been a founding member of NATO and a permanent member of the United Nations Security Council, and we will work together to defeat this enemy as we have together defeated Nazism, communism, and now, as well, this new threat.

We will have the finest intelligence assets that our nations have placed on the ground in countries around the world.

We have used our intelligence assets here at home to keep out and prevent those who would harm our people from coming inside our borders. We always worry. We keep trying to make the security even better. But we have come a long way since 9/11.

Each American can play an important role by reporting suspect behavior they observe, and you can help our law enforcement officials ferret out dangerous elements that could prey upon our own people.

On the home front, every citizen can help by paying attention to what you see and, if suspicious, report it to your local law enforcement officials and, in an emergency, to 911.

Also important is strengthening the bonds of community, at home, at work, at school. Build bridges in your own community, including religious confessions. Let's build bridges across religious confessions in this country. Let no denomination feel isolated or abandoned at this tense time.

We stand with the people of France. We feel their loss. We stand with you as partners in liberty and forever keep in our hearts the enduring call: Liberty, equality, and fraternity—*liberte, egalite, fraternite*.

Mr. COSTELLO of Pennsylvania. I thank the gentlewoman from Ohio.

Mr. Speaker, the gentleman from New York mentioned a minute ago about our constitutional obligation and the moral imperatives that we have to defend our homeland and our

national defense, and I couldn't agree with him more.

In that spirit, I want to start to conclude my comments by saying something I think most agree with, and that is we need to enhance our intelligence and our vetting process of those who come to our country, including potential Syrian refugees, to reflect the seriousness of threats posed by ISIS.

I want to go into a little bit of information that is easy to come by if you have paid attention to this issue, as I have, and the reality of the situation on the ground in Syria.

As a result of over 4 years of Syrian civil war, we are seeing the worst humanitarian crisis since World War II, and we can and we will, as America, continue to be a leader in the provision of aid and relief. But we can't afford to put the cart before the horse when it comes to admission policies here.

This year alone over half a million Syrian people are seeking refuge in Europe, and our European allies are looking to us for assistance. However, it is gravely concerning, I think, when your FBI Director, in this case, James Comey, said earlier this year that our government is unable to conduct thorough background checks on the 10,000 Syrian refugees that the administration will allow in the United States. His quote: We have no record of them, and you can only query what you have collected.

Mr. Speaker, the concerns and objections that I am raising aren't just mine. They are the multitude of phone calls and e-mails that my office has received today and I suspect all Members have received today.

It is not isolationist. It is not anti-humanitarian. It is common sense, and it is in the name of making sure that we are protecting our people and securing our homeland from threats.

It is not unreasonable to conduct due diligence on who is coming into our country, and we can't move forward with a policy of admit first and ask later. We have to close the gaps in our screening process of refugees entering into our country.

The Homeland Security Committee chairman, Mr. McCAUL, recently introduced legislation H.R. 3573, the Refugee Resettlement Oversight and Security Act. It would make substantial improvements to our refugee program and enhance congressional oversight of the administration's refugee proposals.

Many don't know that Congress right now does not have much, if any, say over our refugee admission policy. This bill is intended to change that. It would require, amongst other things, GAO to review the security gaps in the current screening process.

The President, as I mentioned, has proposed resettling at least 10,000 Syrian refugees currently residing outside the Syria conflict zone in refugee camps to the U.S. this fiscal year.

I quote from correspondence I had the opportunity to review today that Chairman McCAUL wrote to the President: "We remain concerned that these resettlements are taking place without appropriate regard for the safety of the American people."

□ 2145

Nothing is more fundamental. Nothing gets at the core of what our Constitution is intended to protect as that statement.

In his correspondence, Mr. Speaker, he cites to a couple pieces of testimony that he received this past summer from various officials. Leaders from the FBI, the National Counterterrorism Center, and the Department of Homeland Security have all said to our Homeland Security Committee that they lack the on-the-ground intelligence necessary to thoroughly vet Syrian refugees who seek to resettle here.

National Counterterrorism Center Director Nicholas Rasmussen testified on October 21 that you have to rely on a vet. When you are vetting an applicant's information, his opinion is this: "It isn't what we'd like it to be."

FBI Director Comey explained during that same hearing: "If someone has not made a ripple in the pond in Syria in a way that would get their identity or their interests reflected in our database, we can query our database until the cows come home, but nothing will show up because we have no record of that person. You can only query what you have collected."

I mentioned a piece of that statement a little earlier. That is the full statement. And it gets to the point that, as we are concerned about our security and we are trusting the administration to properly vet those who seek to come here, we have to rely on intelligence, and our intelligence leaders are offering something less than full confidence that their intelligence on those Syrian refugees is something that we need to look a lot further at. That is what I think we need to do.

Finally, Department of Homeland Security Secretary Johnson said: "It is true that we are not going to know a whole lot about the Syrians that come forth in this process."

Now, I know tomorrow at 5:30, I believe, we will have a confidential briefing from the FBI Director and our Director on Homeland Security.

Mr. Speaker, my point here this evening was just to raise some issues that, frankly, were on the front of my mind and many others in my district and many other Members of Congress even before the tragedy that happened in Paris on Friday. What happened on Friday only reinforces in me and many others that ISIS isn't contained, and, in fact, a strategy of containment is actually a dangerous one; and further, as we are looking at the Syrian readmission policy, it cannot be allowed to

remain as it presently is. Be it through legislation or be it through this administration's providing us more detail and allowing Congress and the American people to get a better understanding of what is and isn't happening I think would go a long way towards making us feel a lot safer. In fact, if reforms need to be made, if the program needs to be halted at the present time, then that is what should be done.

Mr. Speaker, I want to thank my colleagues for participating in the Special Order this evening.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DEFAZIO (at the request of Ms. PELOSI) for today through November 19 on account of medical leave, recovering from eye surgery.

Mrs. LAWRENCE (at the request of Ms. PELOSI) for today on account of official business in district.

Mr. RUPPERSBERGER (at the request of Ms. PELOSI) for today through November 19 on account of medical reason.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1004. An act to amend title 36, United States Code, to encourage the nationwide observance of two minutes of silence each Veterans Day; to the Committee on Veterans' Affairs.

S. 1203. An act to amend title 38, United States Code, to improve the furnishing of health care to veterans by the Department of Veterans Affairs, to improve the processing by the Department of claims for disability compensation, and for other purposes; to the Committee on Veterans' Affairs; in addition, to the Committee on Armed Services; to the Committee on Education and the Workforce; and to the Committee on the Budget for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 2280. An act to promote pro bono legal services as a critical way in which to empower survivors of domestic violence; to the Committee on the Judiciary.

ADJOURNMENT

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 49 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, November 17, 2015, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3418. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Importation of Two Hybrids of Unshu Orange From the Republic of Korea Into the Continental United States [Docket No.: APHIS-2013-0085] (RIN: 0579-AD87) received November 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

3419. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's Reports to Congress on the Fifth, Sixth, and Seventh Reviews of the Backlog of Postmarketing Requirements and Postmarketing Commitments by the Food and Drug Administration, pursuant to 21 U.S.C. 355(k)(5)(C); Public Law 110-85, Sec. 921; to the Committee on Energy and Commerce.

3420. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Efficiency Standards for New Federal Commercial and Multi-Family High-Rise Residential Buildings' Baseline Standards Update [Docket No.: EERE-2014-BT-STD-0047] (RIN: 1904-AD39) received November 9, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3421. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's interim final rule — Allowing Importers to Provide Information to U.S. Customs and Border Protection in Electronic Format [Docket No.: NHTSA-2015-0076] (RIN: 2127-AL63) received November 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3422. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Theft Prevention Standard; Final Listing of 2016 Light Duty Truck Lines Subject to the Requirements of This Standard and Exempted Vehicle Lines for Model Year 2016 [Docket No.: NHTSA-2015-0043] (RIN: 2127-AL59) received November 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3423. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Defect and Noncompliance Notification [Docket No.: NHTSA-2015-0048] (RIN: 2127-AL60) received November 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3424. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Louisiana; Major Source Permitting State Implementation Plan [EPA-R06-OAR-2006-0131; FRL-9936-45-Region 6] received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3425. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; TN; Knox County Emissions Statements [EPA-R04-OAR-2015-0456; FRL-9936-57-Region 4] received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3426. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Ohio; Test Methods; Error Correction [EPA-R05-OAR-2009-0807; FRL-9936-54-Region 5] received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3427. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval and Air Quality Designation; TN; Reasonably Available Control Measures and Redesignation for the TN Portion of the Chattanooga 1997 Annual PM2.5 Nonattainment Area [EPA-R04-OAR-2014-0904; FRL-9936-55-Region 4] received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3428. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Ohio; Revised Format for Materials Being Incorporated by Reference [EPA-R05-OAR-2015-0637; FRL-9933-71-Region 5] received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3429. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; North Carolina Infrastructure Requirements for the 2008 8-hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2014-0795; FRL-9936-60-Region 4] received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3430. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri; Control of Petroleum Liquid Storage, Loading and Transfer [EPA-R07-OAR-2015-0268; FRL-9936-72-Region 7] received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3431. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval of California Air Plan Revisions, Placer County Air Pollution Control District [EPA-R09-OAR-2015-0643; FRL-9935-65-Region 9] received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3432. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Acetamiprid; Pesticide Tolerances [EPA-HQ-OPP-2014-0740; FRL-9936-12] received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3433. A letter from the Associate Administrator, Environmental Protection Agency, transmitting the National Environmental Education Advisory Council 2015 Report to the U.S. Environmental Protection Agency Administrator, as required by the National Environmental Education Act of 1990, Pub. L. 101-619, Sec. 9, U.S.C. 5508(a), (104 Stat. 3333); to the Committee on Energy and Commerce.

3434. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters [EPA-HQ-OAR-2002-0058; FRL-9936-20-OAR] (RIN: 2060-AS09) received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3435. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Michigan; Sewage Sludge Incinerators State Plan and Small Municipal Waste Combustors Negative Declaration for Designated Facilities and Pollutants [EPA-R05-OAR-2015-0701; FRL-9936-96-Region 5] received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3436. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of California Air Plan Revisions, Imperial County Air Pollution Control District [EPA-R09-OAR-2015-0289; FRL-9936-65-Region 9] received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3437. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Plans; California; Multiple Districts; Prevention of Significant Deterioration [EPA-R09-OAR-2015-0257; FRL-9934-89-Region 9] received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3438. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Allocations of Cross-State Air Pollution Rule Allowances from New Unit Set-Asides for the 2015 Compliance Year [FRL-9936-99-OAR] received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3439. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Washington: Additional Regulations for the Benton Clean Air Agency Jurisdiction [EPA-R10-OAR-2015-0600; FRL-9936-97-Region 10] received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3440. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Modification of Significant New Uses of Certain Chemical Substances [EPA-HQ-OPPT-2014-0649; FRL-9935-43] (RIN: 2070-AB27) received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3441. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Amitraz, Carfentrazonethyl, Ethephon, Malathion, Mancozeb, et al.; Tolerance Actions [EPA-HQ-OPP-2014-0194; FRL-9935-01] received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3442. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Arizona; Phased Discontinuation of Stage II Vapor Recovery Program [EPA-R09-OAR-2014-0256; FRL-9936-77-Region 9] received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3443. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Mexico; Non-attainment New Source Review Permitting State Implementation Plan Revisions for the City of Albuquerque-Bernalillo County [EPA-R06-OAR-2009-0648; FRL-9936-86-Region 6] received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3444. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Addition of 1-Bromopropane; Community Right-to-Know Toxic Chemical Release Reporting [EPA-HQ-TRI-2015-0011; FRL-9937-12-OEI] (RIN: 2025-AA41) received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3445. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Tamarind seed gum, 2-hydroxypropyl ether polymer; Tolerance Exemption [EPA-HQ-OPP-2015-0421; FRL-9936-25] received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3446. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Standards for Business Practices of Interstate Natural Gas Pipelines; Coordination of the Scheduling Processes of Interstate Natural Gas Pipelines and Public Utilities [Docket Nos.: RM96-1-038 and RM14-2-003; Order No.: 587-W] received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3447. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Commencement of Assessment of Annual Charges [Docket No.: RM15-18-000, Order No.: 815] received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3448. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's letter endorsing industry guidance — Endorsement of Electric Power Research Institute Final Draft Report 3002004396, "High Frequency Program: Application Guidance for Functional Confirmation and Fragility"

received September 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3449. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting notification of the Air Force's proposed Issuance of Letter of Offer and Acceptance to the Government of France, Transmittal No. 16-03, pursuant to 22 U.S.C. 2373(d); Foreign Assistance Act, Sec. 620C(d); (92 Stat. 739); to the Committee on Foreign Affairs.

3450. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting the Army's Proposed Issuance of Letter of Offer and Acceptance to the Government of Finland, Transmittal No. 15-60, pursuant to 22 U.S.C. 2373(d); Foreign Assistance Act, Sec. 620C(d); (92 Stat. 739); to the Committee on Foreign Affairs.

3451. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting the Air Force's Proposed Issuance of Letter of Offer and Acceptance to the Government of the United Kingdom, Transmittal No. 15-76, pursuant to 22 U.S.C. 2373(d); Foreign Assistance Act, Sec. 620C(d); (92 Stat. 739); to the Committee on Foreign Affairs.

3452. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a memorandum of justification stating that the company listed is no longer engaging in conduct sanctionable by the Iran Sanctions Act, as amended, and the Secretary of State has received reliable assurances that the company will not engage in such activities in the future, pursuant to 50 U.S.C. 1701 note; Public Law 104-172, Sec. 9(b)(2); to the Committee on Foreign Affairs.

3453. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency, with respect to the Central African Republic, that was declared in Executive Order 13667 of May 12, 2014, pursuant to 50 U.S.C. 1703(c), Sec. 204(c), and, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); to the Committee on Foreign Affairs.

3454. A communication from the President of the United States, transmitting notification that the national emergency declared in Executive Order 12170 of November 14, 1979, with respect to Iran, is to continue in effect beyond November 14, 2015, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (H. Doc. No. 114-75); to the Committee on Foreign Affairs and ordered to be printed.

3455. A communication from the President of the United States, transmitting the termination of the national emergency declared in Executive Order 13348 of July 22, 2004, with respect to the actions and policies of former Liberian President Charles Taylor, pursuant to 50 U.S.C. 1701; Public Law 107-115, Sec. 531; (H. Doc. No. 114-76); to the Committee on Foreign Affairs and ordered to be printed.

3456. A communication from the President of the United States, transmitting notification that the continuation of the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938, as amended, is to continue in effect for one year beyond November 14, 2015, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (H. Doc. No. 114-77); to the Committee on Foreign Affairs and ordered to be printed.

3457. A letter from the Special Inspector General for Afghanistan Reconstruction, transmitting the twenty-ninth quarterly report to Congress on Afghanistan Reconstruction, in accordance with Sec. 1229 of Pub. L. 110-181; to the Committee on Foreign Affairs.

3458. A letter from the Comptroller, Department of Defense, transmitting notification of the release of the Department of Defense Agency Financial FY 2015 Report, in accordance with the provisions of 31 U.S.C. Secs. 902 and 3515; and in accordance with provisions of 10 U.S.C. Sec. 480, the report will be submitted electronically to Congress on or before November 16, 2015; to the Committee on Oversight and Government Reform.

3459. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting the Office's Statistical Programs of the United States Government report for FY 2016; to the Committee on Oversight and Government Reform.

3460. A letter from the President, Overseas Private Investment Corporation, transmitting the Corporation's annual report on its audit and investigative activities, pursuant to 5 U.S.C. app. Sec. 8G(h)(2); Public Law 95-452, Sec. 8G(h)(2), (as added by Public Law 100-504, Sec. 104(a)); (102 Stat. 2525); to the Committee on Oversight and Government Reform.

3461. A letter from the Principal Deputy Assistant Secretary, Policy, Management and Budget, Department of the Interior, transmitting notification that the Department has made additional payments to eligible local governments under the 2015 Payments in Lieu of Taxes Program; to the Committee on Natural Resources.

3462. A letter from the Endangered Species Listing Branch Chief, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Threatened Species Status for Black Pinesnake With 4(d) Rule [Docket No.: FWS-R4-ES-2014-0046; 4500030113] (RIN: 1018-BA03) received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3463. A letter from the Endangered Species Listing Branch Chief, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Brickellia mosieri (Florida Brickell-bush) and Linum carteri var. carteri (Carter's Small-flowered Flax) [Docket No.: FWS-R4-ES-2013-0108] (RIN: 1018-AZ64) received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3464. A letter from the Chief, Branch of Recovery and State Grants, Ecological Services Program, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Black-footed Ferrets in Wyoming [Docket No.: FWS-R6-ES-2015-0013; FXES11130900000C6-145-FF09E42000] (RIN: 1018-BA42) received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3465. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Atka Mackerel in the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XE224) received November 6, 2015, pursuant to 5 U.S.C.

801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3466. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2015-2016 Biennial Specifications and Management Measures; Inseason Adjustments [Docket No.: 140904754-5188-02] (RIN: 0648-BF40) received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3467. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coral, Coral Reefs, and Live/Hard Bottom Habitats of the South Atlantic Region; Amendment 8; Correction [Docket No.: 140214145-5582-02] (RIN: 0648-BD81) received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3468. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Resources of the South Atlantic; Trip Limit Reduction for Gag Grouper [Docket No.: 130403320-4891-02] (RIN: 0648-XE245) received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3469. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Technical Amendment to Regulations [Docket No.: 150727647-5877-01] (RIN: 0648-BF30) received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3470. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; "Other Rockfish" in the Central and Western Regulatory Areas of the Gulf of Alaska [Docket No.: 140918791-4999-02] (RIN: 0648-XE213) received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3471. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Report to Congress on the Eighth Annual Government-to-Government Violence Against Women Tribal Consultation, pursuant to 42 U.S.C. 14045d(c); Public Law 109-162, Sec. 903(c); to the Committee on the Judiciary.

3472. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Direct Final Rulemaking Procedures [NHTSA-2013-0042] (RIN: 2127-AL32) received November 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

3473. A letter from the Secretary, Department of Veterans Affairs, transmitting a let-

ter to amend the previous submission, dated October 2, 2015, for FY 2015, which inaccurately reported total Pershing Hall Revolving Fund expenditures, pursuant to Pub. L. 102-86, Sec. 403(d)(6)(C); to the Committee on Veterans' Affairs.

3474. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's temporary regulations — Preparer Tax Identification Number (PTIN) User Fee Update [TD 9742] (RIN: 1545-BN03) received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3475. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations — General Allocation and Accounting Regulations Under Section 141; Remedial Actions for Tax-Exempt Bonds [TD 9741] (RIN: 1545-BB23; 1545-BC07; 1545-BH48) received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3476. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Salvage Discount Factors and Payment Patterns for 2015 (Rev. Proc. 2015-54) received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3477. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Unpaid Losses Discount Factors and Payment Patterns for 2015 (Rev. Proc. 2015-52) received November 6, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3478. A letter from the Chief, Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Customs and Border Protection's Bond Program [CBP Dec. 15-15] [USCBP-2006-0013] (RIN: 1515-AD56 [formerly 1505-AB54]) received November 12, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Homeland Security.

3479. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, "Report to Congress on the Administration, Cost and Impact of the Quality Improvement Organization Program for Medicare Beneficiaries for Fiscal Year 2013", pursuant to 42 U.S.C. 1320c-10; Aug. 14, 1935, ch. 531, title XI, Sec. 1161 (as amended by Public Law 97-248, Sec. 143); (96 Stat. 392); jointly to the Committees on Energy and Commerce and Ways and Means.

3480. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting legislative proposals which would significantly strengthen the protections afforded to servicemembers and their families under existing civil rights laws; jointly to the Committees on Armed Services, Veterans' Affairs, the Judiciary, House Administration, and Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House on November 5, 2015 the following report was filed on November 9, 2015.]

Mr. HENSARLING: Committee on Financial Services. H.R. 1737. A bill to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending (Rept. 114-329). Referred to the Committee of the Whole House on the state of the Union.

[Submitted November 16, 2015]

Mr. HENSARLING: Committee on Financial Services. H.R. 1317. A bill to amend the Commodity Exchange Act and the Securities Exchange Act of 1934 to specify how clearing requirements apply to certain affiliate transactions, and for other purposes; with an amendment (Rept. 114-311, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1210. A bill to amend the Truth in Lending Act to provide a safe harbor from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio, and for other purposes (Rept. 114-330). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 2912. A bill to establish a commission to examine the United States monetary policy, evaluate alternative monetary regimes, and recommend a course for monetary policy going forward (Rept. 114-331). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 3189. A bill to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes; with an amendment (Rept. 114-332, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. McCAUL: Committee on Homeland Security. H.R. 3859. A bill to make technical corrections to the Homeland Security Act of 2002 (Rept. 114-333). Referred to the Committee of the Whole House on the state of the Union.

Mr. McCAUL: Committee on Homeland Security. H.R. 3875. A bill to amend the Homeland Security Act of 2002 to establish within the Department of Homeland Security a Chemical, Biological, Radiological, Nuclear, and Explosives Office, and for other purposes; with an amendment (Rept. 114-334). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2270. A bill to redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr. Nisqually National Wildlife Refuge, to establish the Medicine Creek Treaty National Historic Site within the wildlife refuge, and for other purposes; with amendments (Rept. 114-335). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 2360. A bill to amend title 38, United States Code, to improve the

approval of certain programs of education for purposes of educational assistance provided by the Department of Veterans Affairs; with an amendment (Rept. 114-336). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 3032. A bill to amend the Securities Exchange Act of 1934 to repeal a certain reporting requirement of the Securities and Exchange Commission (Rept. 114-337). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1478. A bill to provide for notice to, and input by, State insurance commissioners when requiring an insurance company to serve as a source of financial strength or when the Federal Deposit Insurance Corporation places a lien against an insurance company's assets, and for other purposes; with an amendment (Rept. 114-338). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 2243. A bill to suspend the current compensation packages for the senior executives of Fannie Mae and Freddie Mac and establish compensation for such positions in accordance with rates of pay for senior employees in the Executive Branch of the Federal Government, and for other purposes; with an amendment (Rept. 114-339, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE: Committee on Rules. House Resolution 526. Resolution providing for consideration of the bill (H.R. 1737) to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending; providing for consideration of the bill (H.R. 511) to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act; and for other purposes (Rept. 114-340). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Government Reform discharged from further consideration. H.R. 2243 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Government Reform discharged from further consideration. H.R. 3189 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SHUSTER (for himself, Mr. DEFAZIO, Mr. BRADY of Texas, and Mr. LEVIN):

H.R. 3996. A bill to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, Ways and Means, Natural Resources, and Science, Space, and Technology, for a period to be subsequently determined

by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. considered and passed.

By Mr. CUMMINGS (for himself, Mr. CLYBURN, Ms. NORTON, Ms. BROWN of Florida, and Mrs. BUSTOS):

H.R. 3997. A bill to amend MAP-21 to establish a veterans business enterprises program, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE:

H.R. 3998. A bill to direct the Federal Communications Commission to commence proceedings related to the resiliency of critical telecommunications networks during times of emergency, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUDSON (for himself, Mr. FARENTHOLD, Mr. BILIRAKIS, Mr. WESTMORELAND, Mr. ZINKE, Mr. POMPEO, Mr. CONAWAY, Mr. BLUM, Mr. EMMER of Minnesota, Mr. BURGESS, Mr. CULBERSON, Mr. JOYCE, Mrs. ELLMERS of North Carolina, Mr. CRAMER, Mr. MULLIN, Mr. BARLETTA, Mr. GOWDY, Mr. GIBBS, Mr. LUTKEMEYER, Mr. ZELDIN, Mr. ROSKAM, Mr. HOLDING, Mr. LONG, Mr. GROTHMAN, Mr. ROUZER, Mr. JONES, Mr. WILLIAMS, Mr. BENISHEK, Mr. LAMALFA, Mr. PALAZZO, Mr. FLEISCHMANN, Mr. SMITH of Missouri, Mr. FLORES, Mr. YOH, Mr. LOUDERMILK, and Mr. MCCAUL):

H.R. 3999. A bill to require that the Secretary of Homeland Security certify that refugees admitted to the United States from Iraq or Syria are not security threats to the United States prior to admission; to the Committee on the Judiciary.

By Mr. FLORES:

H.R. 4000. A bill to harmonize requirements of the 2008 and 2015 ozone national ambient air quality standards, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BUCK (for himself, Mr. GOODLATTE, and Mr. CONYERS):

H.R. 4001. A bill to make technical amendments to title 18 of the United States Code based on the Law Revision Counsel's footnotes in that title; to the Committee on the Judiciary.

By Mr. SENSENBRENNER (for himself, Mr. GOODLATTE, Mr. CONYERS, Mr. LABRADOR, Ms. JACKSON LEE, and Mr. COLLINS of Georgia):

H.R. 4002. A bill to amend title 18, United States Code, to make various improvements in Federal criminal law, and for other purposes; to the Committee on the Judiciary.

By Mrs. MIMI WALTERS of California (for herself, Mr. GOODLATTE, Mr. CONYERS, Mr. BUCK, Mr. BISHOP of Michigan, and Ms. JACKSON LEE):

H.R. 4003. A bill to require reports on agency rules with criminal penalties for the violation thereof, to evaluate the necessity and prudence of such rules remaining in effect; to the Committee on the Judiciary.

By Ms. BASS (for herself, Mr. DANNY K. DAVIS of Illinois, Mr. SCOTT of Virginia, and Mr. YOUNG of Alaska):

H.R. 4004. A bill to amend the Higher Education Act of 1965 to repeal the suspension of eligibility for grants, loans, and work assistance for drug-related offenses; to the Committee on Education and the Workforce.

By Ms. BASS (for herself, Ms. HAHN, Ms. ROYBAL-ALLARD, Mr. CÁRDENAS, Mr. TED LIEU of California, Mrs. NAPOLITANO, Mr. SCHIFF, and Ms. MAXINE WATERS of California):

H.R. 4005. A bill to amend titles 23 and 49, United States Code, to allow local hiring for transportation projects; to the Committee on Transportation and Infrastructure.

By Mr. BRAT (for himself and Mr. MOULTON):

H.R. 4006. A bill to provide the public with access to the laws of the United States, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTER of Georgia:

H.R. 4007. A bill to amend the Immigration and Nationality Act to require U.S. Immigration and Customs Enforcement, upon the request of a law enforcement official, to make a prompt determination of whether to issue a detainer in the case of an alien arrested for a violation of Federal, State, or local law; to the Committee on the Judiciary.

By Ms. JUDY CHU of California (for herself, Mr. SCOTT of Virginia, Mr. RANGEL, Ms. NORTON, Mr. CICILLINE, and Mr. ELLISON):

H.R. 4008. A bill to protect victims of crime or serious labor violations from deportation during Department of Homeland Security enforcement actions, and for other purposes; to the Committee on the Judiciary.

By Mr. ENGEL (for himself, Mrs. CAROLYN B. MALONEY of New York, and Mr. HASTINGS):

H.R. 4009. A bill to amend chapter 44 of title 18, United States Code, to treat flamethrowers the same as machineguns; to the Committee on the Judiciary.

By Mr. GALLEGO (for himself, Mr. GRIJALVA, Ms. MCSALLY, Mr. GOSAR, Mrs. KIRKPATRICK, Ms. SINEMA, Mr. SALMON, Mr. SCHWEIKERT, and Mr. FRANKS of Arizona):

H.R. 4010. A bill to designate the facility of the United States Postal Service located at 522 North Central Avenue in Phoenix, Arizona, as the "Ed Pastor Post Office"; to the Committee on Oversight and Government Reform.

By Mr. GALLEGO (for himself, Mrs. KIRKPATRICK, Ms. PINGREE, Mr. HONDA, and Ms. ESTY):

H.R. 4011. A bill to increase the number of graduate medical education positions treating veterans, to improve the compensation of health care providers, medical directors, and directors of Veterans Integrated Service Networks of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAYSON:

H.R. 4012. A bill to provide for a supplementary payment to Social Security beneficiaries, supplemental security income

beneficiaries, and recipients of veterans benefits, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HONDA (for himself, Ms. JUDY CHU of California, Mr. DELANEY, Ms. EDWARDS, Mr. ELLISON, Mr. FATTAH, Ms. FUDGE, Mr. GRIJALVA, Mr. HINOJOSA, Ms. LEE, Mr. MCDERMOTT, Mr. MCNERNEY, and Mr. TAKANO):

H.R. 4013. A bill to create an equitable and excellent education system in the United States so that every child, regardless of race, ethnicity, social class, or State of residence, can receive a high-quality, academically rigorous education in a local public school; to the Committee on Education and the Workforce, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself and Mr. ENGEL):

H.R. 4014. A bill to direct the Secretary of Transportation to establish a distracted driving education grant program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PALLONE:

H.R. 4015. A bill to amend title III of the Public Health Service Act to authorize and support the creation of cardiomyopathy education, awareness, and risk assessment materials and resources by the Secretary of Health and Human Services through the Centers for Disease Control and Prevention and the dissemination of such materials and resources by State educational agencies to identify more at-risk families; to the Committee on Energy and Commerce.

By Mr. PAULSEN (for himself, Mr. THOMPSON of California, Mr. NUNES, and Mr. SMITH of Missouri):

H.R. 4016. A bill to amend the Internal Revenue Code of 1986 to extend the limitation on the carryover of excess corporate charitable contributions; to the Committee on Ways and Means.

By Mr. ROHRBACHER (for himself, Mr. KING of Iowa, Mr. CHABOT, Mr. SAM JOHNSON of Texas, Mr. DUNCAN of Tennessee, Mr. KELLY of Pennsylvania, Mr. WEBSTER of Florida, and Mr. POE of Texas):

H.R. 4017. A bill to recognize that Christians and Yazidis in Iraq, Syria, Pakistan, Iran, and Libya are targets of genocide, and to provide for the expedited processing of immigrant and refugee visas for such individuals, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSS (for himself, Mr. MURPHY of Florida, Mr. CURBELO of Florida, Mr. HASTINGS, Ms. BROWN of Florida, and Mr. POSEY):

H.R. 4018. A bill to amend the Truth in Lending Act to establish deferred presentment transaction requirements, and for other purposes; to the Committee on Financial Services.

By Mr. SCHIFF (for himself, Mr. HUFFMAN, Mr. GRIJALVA, Mr. KILMER,

Ms. CLARK of Massachusetts, Mr. TED LIEU of California, Ms. LEE, Mr. POCAN, and Mr. KEATING):

H.R. 4019. A bill to amend the Marine Mammal Protection Act of 1972 to prohibit the taking, importation, and exportation of Orcas and Orca products for public display, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WILSON of Florida:

H.R. 4020. A bill to increase the number and percentage of students who graduate from high school college and career ready with the ability to use knowledge to solve complex problems, think critically, communicate effectively, collaborate with others, and develop academic mindsets, and for other purposes; to the Committee on Education and the Workforce.

By Ms. WILSON of Florida:

H.R. 4021. A bill to award grants to encourage State educational agencies, local educational agencies, and schools to utilize technology to improve student achievement and college and career readiness, the skills of teachers and school leaders, and the efficiency and productivity of education systems at all levels; to the Committee on Education and the Workforce.

By Mr. WILSON of South Carolina (for himself, Mr. FRANKS of Arizona, Mr. SESSIONS, Mr. GOSAR, Mr. HILL, Mr. RIBBLE, Mr. DUNCAN of Tennessee, Mr. GOHMERT, Mr. DUNCAN of South Carolina, Mr. OLSON, Mr. ALLEN, Mr. SANFORD, Mr. GOWDY, Mr. WESTMORELAND, and Mr. CULBERSON):

H.R. 4022. A bill to amend the National Labor Relations Act to reform the National Labor Relations Board, the Office of the General Counsel, and the process for appellate review, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BUTTERFIELD (for himself, Mr. CLYBURN, Mrs. BEATTY, Mr. BECERRA, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CONYERS, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Ms. EDWARDS, Mr. ELLISON, Ms. FUDGE, Mr. AL GREEN of Texas, Ms. NORTON, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mrs. LAWRENCE, Ms. LEE, Mr. LEWIS, Mr. THOMPSON of Mississippi, Ms. MOORE, Mr. PAYNE, Mr. FATTAH, Mr. MEEKS, Ms. PLASKETT, Ms. PELOSI, Mr. RANGEL, Mr. RICHMOND, Mr. SCOTT of Virginia, Mr. DAVID SCOTT of Georgia, Ms. SEWELL of Alabama, Ms. MAXINE WATERS of California, Mrs. WATSON COLEMAN, Ms. ADAMS, Ms. BASS, Ms. WILSON of Florida, Mr. VEASEY, Mr. HASTINGS, Mr. CARSON of Indiana, Ms. KELLY of Illinois, Mr. RUSH, Mr. HOYER, Mrs. CAROLYN B. MALONEY of New York, Ms. MCCOLLUM, Ms. DeLAURO, and Mr. SCALISE):

H. Con. Res. 93. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 150th anniversary of the ratification of the 13th Amendment; to the Committee on House Administration. considered and agreed to.

By Mr. ROYCE (for himself and Mr. ENGEL):

H. Res. 524. A resolution condemning in the strongest terms the terrorist attacks in Paris, France, on November 13, 2015, that resulted in the loss of at least 129 lives; to the Committee on Foreign Affairs.

By Mr. POE of Texas:

H. Res. 525. A resolution urging the Administration to work with North Atlantic Treaty Organization member states to invoke Article 5 of the North Atlantic Treaty in response to the Paris attacks; to the Committee on Foreign Affairs.

By Mr. JOYCE (for himself, Mr. TAKANO, Mr. ASHFORD, Ms. ESTY, and Mr. HONDA):

H. Res. 527. A resolution supporting the goals and ideals of American Education Week; to the Committee on Oversight and Government Reform.

By Ms. JACKSON LEE (for herself, Ms. JUDY CHU of California, Mr. DOLD, Mr. RANGEL, Ms. HAHN, Ms. KELLY of Illinois, Ms. FUDGE, Mrs. WATSON COLEMAN, Ms. SEWELL of Alabama, and Ms. WILSON of Florida):

H. Res. 528. A resolution expressing the sense of the House of Representatives regarding the Victims of the Terror Protection Fund; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII,

149. The SPEAKER presented a memorial of the General Assembly of the State of Ohio, relative to House Resolution Number 107, requesting the Congress of the United States to renew funding for Save the Dream Ohio through the United States Department of the Treasury's Hardest Hit Fund, to continue to provide assistance to homeowners in the state of Ohio at risk of foreclosure; which was referred to the Committee on Financial Services.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SHUSTER:

H.R. 3996.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (related to laying and collecting Taxes, and providing for the common defense and general Welfare of the United States), Clause 3 (related to regulation of Commerce with foreign Nations, and among the several States, and with Indian Tribes), and Clause 7 (related to establishment of Post Offices and Post Roads).

By Mr. CUMMINGS:

H.R. 3997.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have Power to . . . provide for the common defense and general Welfare of the United States;

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. PALLONE:

H.R. 3998.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3 of the U.S. Constitution. That provision gives Congress the power “to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.”

By Mr. HUDSON:

H.R. 3999.

Congress has the power to enact this legislation pursuant to the following:

The Foreign Commerce Clause (art. I, sec. 8, cl. 3); The Naturalization Clause (art. I, sec. 8, cl. 4); Necessary and Proper Clause (art. I, sec. 8, cl. 18).

By Mr. FLORES:

H.R. 4000.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the Constitution of the United States.

By Mr. BUCK:

H.R. 4001.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, of the Constitution

By Mr. SENSENBRENNER:

H.R. 4002.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8, Clause 3

By Mrs. MIMI WALTERS of California:

H.R. 4003.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. BASS:

H.R. 4004.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 1.

Article. I.

Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Ms. BASS:

H.R. 4005.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 1.

Article. I.

Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. BRAT:

H.R. 4006.

Congress has the power to enact this legislation pursuant to the following:

The volumes of the United States Statutes at Large compile the legal acts of the government of the United States, including legislative measures enacted pursuant to powers throughout Article I of the Constitution and constitutional amendments proposed under Article V of the Constitution. It is both necessary and proper (Article I, Section 8, Clause 18) for the legal history of the United States to be accessible to the People in an accessible format on the Internet.

By Mr. CARTER of Georgia:

H.R. 4007.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. JUDY CHU of California:

H.R. 4008.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the United States Constitution

By Mr. ENGEL:

H.R. 4009.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. Art. I § 8.

By Mr. GALLEG0:

H.R. 4010.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. GALLEG0:

H.R. 4011.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. GRAYSON:

H.R. 4012.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. HONDA:

H.R. 4013.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. ISRAEL:

H.R. 4014.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8 of the United States Constitution.

By Mr. PALLONE:

H.R. 4015.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. PAULSEN:

H.R. 4016.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. ROHRABACHER:

H.R. 4017.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 4 of the U.S. Constitution which gives Congress the power “To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States.”

By Mr. ROSS:

H.R. 4018.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: “The Congress shall have power To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.”

By Mr. SCHIFF:

H.R. 4019.

Congress has the power to enact this legislation pursuant to the following:

The Orca Responsibility and Care Advancement Act is constitutionally authorized under Article I, Section 8, Clause 3, “the Commerce Clause” and Article I, Section 8, Clause 18, “the Necessary and Proper Clause.” Additionally, the Preamble to the Constitution provides support of the authority to enact legislation to promote the General Welfare.

By Ms. WILSON of Florida:

H.R. 4020.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution

By Ms. WILSON of Florida:

H.R. 4021.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution

By Mr. WILSON of South Carolina:

H.R. 4022.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. ROGERS of Alabama, Mr. HUELSKAMP, and Mr. AUSTIN SCOTT of Georgia.

H.R. 140: Mr. SESSIONS.

H.R. 188: Mr. COURTNEY.

H.R. 213: Mr. MURPHY of Pennsylvania and Mr. HARPER.

H.R. 221: Mr. RUSSELL.

H.R. 250: Mr. BRADY of Pennsylvania and Ms. BORDALLO.

H.R. 320: Mr. ROHRABACHER.

H.R. 379: Mr. FORBES, Mr. RYAN of Ohio, Mrs. COMSTOCK, and Ms. ROYBAL-ALLARD.

H.R. 402: Mr. FLEMING.

H.R. 407: Mr. KILDEE.

H.R. 452: Mr. DENHAM.

H.R. 463: Mr. FLEMING.

H.R. 503: Mr. BRAT.

H.R. 517: Mr. RYAN of Ohio.

H.R. 535: Mr. LOWENTHAL.

H.R. 563: Mr. WEBER of Texas, Mr. SCOTT of Virginia, Mr. POE of Texas, and Mr. GUTIERREZ.

H.R. 578: Mr. FLEMING.

H.R. 592: Mr. GRIJALVA.

H.R. 662: Mr. SIMPSON and Mr. DONOVAN.

H.R. 663: Mr. FARENTHOLD.

H.R. 664: Mr. CAPUANO.

H.R. 700: Mr. MCDERMOTT.

H.R. 707: Mr. MICA.

H.R. 716: Ms. ADAMS.

H.R. 766: Mr. MESSER.

H.R. 793: Mr. DAVID SCOTT of Georgia, Ms. KAPTUR, Mr. RUPPERSBERGER, and Mr. RUSH.

H.R. 816: Mr. ZELDIN.

H.R. 835: Mr. LANCE.

H.R. 842: Mr. BEYER.

H.R. 845: Mr. COFFMAN and Mr. LOWENTHAL.

H.R. 865: Mr. ASHFORD.

H.R. 870: Ms. CLARKE of New York.

H.R. 885: Mr. KILDEE.

H.R. 921: Mr. TROTT.

H.R. 969: Mr. GRAYSON.

H.R. 973: Mr. POCAN, Mr. CONNOLLY, and Mr. ENGEL.

H.R. 985: Mr. TED LIEU of California, Mrs. DAVIS of California, and Mr. WESTERMAN.

H.R. 994: Ms. JACKSON LEE, Mr. HASTINGS, and Mr. HIGGINS.

- H.R. 997: Mr. LOUDERMILK and Mr. DESJARLAIS.
H.R. 1062: Mr. SANFORD and Mr. MCHENRY.
H.R. 1111: Ms. KAPTUR.
H.R. 1142: Mr. KATKO and Mr. ASHFORD.
H.R. 1174: Mr. MEEKS, Mr. TAKAI, and Mr. JOHNSON of Georgia.
H.R. 1197: Mr. WALBERG, Mr. CONYERS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mrs. BUSTOS, Mr. POLIQUIN, Ms. KAPTUR, Mr. NEWHOUSE, Mr. POE of Texas, Mr. DEFazio, Mr. MEEKS, and Mrs. LAWRENCE.
H.R. 1205: Mr. DUNCAN of South Carolina.
H.R. 1284: Mr. CARSON of Indiana, Mr. VARGAS, Ms. LEE, Ms. MATSUI, and Mr. VAN HOLLEN.
H.R. 1301: Mr. SAM JOHNSON of Texas.
H.R. 1309: Mr. MACARTHUR.
H.R. 1312: Mr. MCNERNEY.
H.R. 1399: Mr. CLEAVER, Mr. SIMPSON, Mr. FOSTER, Mr. PRICE of North Carolina, Mr. LEWIS, Ms. BORDALLO, and Mr. FLEISCHMANN.
H.R. 1427: Mr. LAHOOD and Mr. BABIN.
H.R. 1453: Mr. CRAMER and Mr. WHITFIELD.
H.R. 1460: Ms. MAXINE WATERS of California.
H.R. 1475: Mr. JENKINS of West Virginia.
H.R. 1512: Mr. COOPER.
H.R. 1516: Mr. HONDA.
H.R. 1545: Mr. MARINO and Mr. BARLETTA.
H.R. 1552: Mr. VARGAS and Mr. McDERMOTT.
H.R. 1559: Mr. COSTA, Mr. RUPPERSBERGER, and Mr. NEWHOUSE.
H.R. 1567: Ms. ESTY, Ms. WILSON of Florida, and Ms. JUDY CHU of California.
H.R. 1571: Mrs. CAPPS and Mr. FOSTER.
H.R. 1582: Mr. ZELDIN.
H.R. 1594: Mr. BRADY of Pennsylvania.
H.R. 1603: Mr. MCCLINTOCK.
H.R. 1608: Mr. KEATING, Mr. CURBELO of Florida, Mr. GALLEGO, Ms. CASTOR of Florida, Mr. YARMUTH, Ms. GRAHAM, and Mr. BOST.
H.R. 1625: Mr. DELANEY and Mr. CAPUANO.
H.R. 1706: Ms. CLARK of Massachusetts.
H.R. 1714: Mr. VISCLOSKEY.
H.R. 1726: Mr. BUTTERFIELD.
H.R. 1728: Mr. ENGEL.
H.R. 1748: Mr. BUCHANAN, Mr. FITZPATRICK, Mr. WALZ, Ms. BROWN of Florida, Mr. NOLAN, and Ms. ROS-LEHTINEN.
H.R. 1751: Ms. TITUS.
H.R. 1763: Ms. PINGREE, Mr. JEFFRIES, Mr. LEWIS, Mr. PRICE of North Carolina, Mrs. NAPOLITANO, and Mr. GALLEGO.
H.R. 1769: Mr. RYAN of Ohio, Mr. CLEAVER, Mr. SMITH of Texas, Mr. BEN RAY LUJÁN of New Mexico, Mr. VAN HOLLEN, and Mrs. WALORSKI.
H.R. 1784: Mr. POCAN.
H.R. 1859: Mr. ASHFORD.
H.R. 1901: Mr. HENSARLING.
H.R. 1902: Mr. SCHIFF.
H.R. 1978: Mr. KILDEE.
H.R. 1982: Mr. PALAZZO.
H.R. 2017: Mr. ROONEY of Florida.
H.R. 2050: Ms. WASSERMAN SCHULTZ and Mr. FOSTER.
H.R. 2096: Mr. LOEBSACK.
H.R. 2144: Mr. GRAVES of Missouri.
H.R. 2156: Mr. BABIN.
H.R. 2209: Mr. BROOKS of Alabama.
H.R. 2241: Mr. REICHERT.
H.R. 2254: Mr. PALLONE.
H.R. 2280: Ms. ESHOO.
H.R. 2293: Ms. STEFANIK and Mr. DENHAM.
H.R. 2382: Mr. BOST.
H.R. 2404: Mr. CONAWAY and Mr. SMITH of Texas.
H.R. 2442: Mr. GALLEGO.
H.R. 2460: Mr. TAKAI.
H.R. 2515: Ms. WILSON of Florida and Mr. KIND.
H.R. 2516: Mr. COOPER.
H.R. 2522: Mr. DANNY K. DAVIS of Illinois and Mr. POCAN.
H.R. 2540: Mr. TED LIEU of California, Ms. BROWNLEY of California, and Mr. COSTELLO of Pennsylvania.
H.R. 2568: Mr. FARENTHOLD.
H.R. 2597: Mr. COSTELLO of Pennsylvania.
H.R. 2635: Mr. SERRANO and Ms. VELÁZQUEZ.
H.R. 2641: Mr. CICILLINE.
H.R. 2646: Ms. SPEIER.
H.R. 2660: Mr. CARSON of Indiana, Ms. TITUS, Mr. VAN HOLLEN, and Mr. VARGAS.
H.R. 2698: Mr. FLEISCHMANN, Mr. RODNEY DAVIS of Illinois, and Mr. BOUSTANY.
H.R. 2713: Mr. LOEBSACK and Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 2715: Ms. TITUS, Mr. DEUTCH, Ms. WILSON of Florida, Mr. TAKANO, Mr. RYAN of Ohio, Mr. SCHIFF, Mr. VARGAS, and Mr. ROSS.
H.R. 2716: Mr. CULBERSON.
H.R. 2739: Mrs. MILLER of Michigan.
H.R. 2759: Mr. TED LIEU of California.
H.R. 2766: Mr. SHERMAN.
H.R. 2799: Mr. MCNERNEY.
H.R. 2849: Mr. CUMMINGS.
H.R. 2867: Mr. MCNERNEY, Mr. CARTWRIGHT, Ms. ESHOO, Mr. DAVID SCOTT of Georgia, Ms. CLARK of Massachusetts, Mr. SWALWELL of California, Mr. FARR, Mr. GRIJALVA, Mr. POCAN, Mr. CONNOLLY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. CAPPS, Mr. DEUTCH, Mr. VARGAS, and Mr. PASCARELL.
H.R. 2878: Mr. FARENTHOLD.
H.R. 2880: Mr. LOWENTHAL, Mr. DOGETT, Ms. ADAMS, Ms. MAXINE WATERS of California, and Mr. CLEAVER.
H.R. 2896: Mr. NEWHOUSE and Mrs. COMSTOCK.
H.R. 2901: Mr. MACARTHUR and Mr. PALAZZO.
H.R. 2903: Ms. KAPTUR.
H.R. 2915: Mr. CLEAVER.
H.R. 2920: Mr. KILDEE.
H.R. 2957: Mrs. NAPOLITANO and Mr. SMITH of Washington.
H.R. 2972: Ms. KUSTER and Mr. SEAN PATRICK MALONEY of New York.
H.R. 3040: Mr. JONES.
H.R. 3061: Mr. McDERMOTT.
H.R. 3094: Mr. WESTERMAN.
H.R. 3096: Mr. TED LIEU of California.
H.R. 3164: Mr. FATTAH.
H.R. 3222: Mr. WESTERMAN.
H.R. 3225: Mr. POCAN, Mr. FARENTHOLD, and Mr. NEUGEBAUER.
H.R. 3229: Mrs. McMORRIS RODGERS, Mr. JOHNSON of Georgia, Mr. ROE of Tennessee, Mr. BURGESS, and Mr. ISRAEL.
H.R. 3278: Mr. RYAN of Ohio.
H.R. 3294: Mr. TED LIEU of California.
H.R. 3314: Mr. BISHOP of Utah, Mr. SHUSTER, Mr. POMPEO, Mr. HARPER, Mr. MEADOWS, Mr. CULBERSON, Mr. BARLETTA, Mr. GOHMERT, Mr. POLIQUIN, Mr. BRAT, Mr. ZELDIN, Mr. HUIZENGA of Michigan, Mr. CALVERT, and Mr. LUCAS.
H.R. 3319: Mr. PETERS.
H.R. 3323: Mr. WESTMORELAND.
H.R. 3326: Mr. BENISHEK, Mr. PAULSEN, Mr. THOMPSON of Mississippi, Mrs. WALORSKI, Mr. NEWHOUSE, and Mr. NEUGEBAUER.
H.R. 3328: Mrs. COMSTOCK.
H.R. 3338: Ms. SLAUGHTER.
H.R. 3339: Mr. MCGOVERN and Ms. TITUS.
H.R. 3351: Mr. HASTINGS.
H.R. 3355: Mr. HASTINGS, Mr. COOPER, and Mrs. HARTZLER.
H.R. 3381: Ms. DELAURO, Ms. BROWNLEY of California, Ms. LORETTA SANCHEZ of California, and Mr. GRIJALVA.
H.R. 3406: Mr. CRENSHAW.
H.R. 3410: Ms. MCCOLLUM.
H.R. 3411: Mr. TED LIEU of California.
H.R. 3427: Mr. MEEKS, Ms. LINDA T. SANCHEZ of California, Mr. GARAMENDI, Mr. PALLONE, and Mr. BEYER.
H.R. 3437: Mr. BABIN.
H.R. 3459: Mr. COLLINS of New York, Mr. KELLY of Mississippi, Mr. BENISHEK, and Mr. FORTENBERRY.
H.R. 3516: Mr. ROGERS of Alabama, Mr. HUDSON, and Mr. JONES.
H.R. 3520: Mr. JOYCE and Mr. NEAL.
H.R. 3535: Mr. ISRAEL.
H.R. 3541: Mr. HASTINGS and Mr. COHEN.
H.R. 3542: Mr. TAKAI.
H.R. 3546: Ms. MCCOLLUM, Mr. SCHIFF, Mr. CONNOLLY, Ms. DELAURO, and Ms. SLAUGHTER.
H.R. 3549: Mr. WALZ.
H.R. 3552: Mr. SERRANO and Ms. VELÁZQUEZ.
H.R. 3553: Mr. SERRANO and Ms. VELÁZQUEZ.
H.R. 3566: Mrs. BLACK.
H.R. 3573: Mr. PERRY, Mr. ZINKE, Mr. SESSIONS, Mr. YOHO, Mrs. WALORSKI, Mr. POE of Texas, Mr. BURGESS, Mr. EMMER of Minnesota, Mr. PITTENGER, Mr. ASHFORD, Mr. DUFFY, Mr. WESTMORELAND, Mr. RIGELL, Mrs. WAGNER, Mr. ROGERS of Alabama, Mr. MCKINLEY, Mr. MCHENRY, Mr. HUDSON, Mr. SHIMKUS, Mr. ROONEY of Florida, Mr. GROTHMAN, Mr. BOST, Mr. FORTENBERRY, Mr. GUINTA, Mr. LUCAS, Mr. SALMON, Mr. PITTS, Mr. KING of Iowa, Mr. COSTELLO of Pennsylvania, Mr. FLEISCHMANN, Mr. GIBBS, Mr. ZELDIN, Mr. WESTERMAN, Mr. HUIZENGA of Michigan, Mr. SCALISE, Mr. CALVERT, and Mr. HOLDING.
H.R. 3588: Mr. GRAYSON.
H.R. 3666: Mrs. MILLER of Michigan.
H.R. 3684: Mr. MACARTHUR.
H.R. 3690: Mr. GUTIÉRREZ.
H.R. 3691: Mr. RYAN of Ohio.
H.R. 3700: Mr. BARR and Mr. POSEY.
H.R. 3705: Mr. POLIQUIN.
H.R. 3706: Mr. YOUNG of Alaska, Ms. MOORE, Mr. SCHRADER, Mr. FITZPATRICK, Mr. LOWENTHAL, Mr. CRENSHAW, and Ms. TITUS.
H.R. 3711: Mr. GRIJALVA, Ms. LORETTA SANCHEZ of California, Mr. BECERRA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CASTRO of Texas, Mr. HINOJOSA, Mr. AGUILAR, Mr. CÁRDENAS, Ms. ROYBAL-ALLARD, and Ms. LINDA T. SANCHEZ of California.
H.R. 3713: Mr. HANNA, Mr. OLSON, Ms. JENKINS of Kansas, Mr. WELCH, and Ms. SCHAKOWSKY.
H.R. 3714: Mr. HUELSKAMP, Mr. HANNA, and Mr. ASHFORD.
H.R. 3760: Ms. NORTON, Mr. GALLEGO, Ms. LEE, Mr. LOWENTHAL, Mr. HASTINGS, and Ms. MAXINE WATERS of California.
H.R. 3761: Mr. LOEBSACK and Mr. ENGEL.
H.R. 3765: Mr. DENHAM.
H.R. 3785: Mr. JOHNSON of Georgia, Mr. YARMUTH, Mrs. CAPPS, Mr. FOSTER, Mr. CUMMINGS, and Mr. LOWENTHAL.
H.R. 3790: Mr. CARTWRIGHT and Mr. RICHMOND.
H.R. 3799: Mr. NEWHOUSE, Mr. CRAWFORD, and Mr. SMITH of Texas.
H.R. 3802: Mr. HARRIS and Ms. GRANGER.
H.R. 3804: Mr. GROTHMAN.
H.R. 3805: Mr. HONDA, Mr. CÁRDENAS, and Mr. NUGENT.
H.R. 3806: Mr. SMITH of Washington, Mr. REICHERT, Mrs. McMORRIS RODGERS, and Mr. HECK of Washington.
H.R. 3808: Mr. ROSS, Mr. STIVERS, Mr. CONNOLLY, Ms. MOORE, Mr. DELANEY, Mr. SESSIONS, and Mr. MESSER.
H.R. 3815: Mr. WELCH and Mr. POE of Texas.
H.R. 3830: Ms. SLAUGHTER.

H.R. 3833: Mr. MURPHY of Florida, Ms. ADAMS, Mr. HASTINGS, Mr. RICHMOND, Ms. MOORE, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Mr. LEWIS, Mr. VEASEY, Ms. MAXINE WATERS of California, Mr. BISHOP of Georgia, Ms. JACKSON LEE, Ms. BROWN of Florida, Ms. SEWELL of Alabama, Ms. CLARKE of New York, Mr. RANGEL, Ms. LEE, Mr. THOMPSON of Mississippi, and Mrs. CAROLYN B. MALONEY of New York.

H.R. 3841: Mr. MEEKS, Mr. GRIJALVA, and Mr. POCAN.

H.R. 3842: Mr. CARTER of Texas and Mr. RATCLIFFE.

H.R. 3852: Mr. TONKO and Mr. HASTINGS.

H.R. 3859: Mr. CARTER of Georgia.

H.R. 3862: Mr. MOULTON, Mr. ELLISON, Mr. LOWENTHAL, and Mr. PRICE of North Carolina.

H.R. 3870: Mr. MARCHANT.

H.R. 3880: Mr. FLEISCHMANN, Mrs. NOEM, Ms. MCSALLY, Mr. HUNTER, Mr. RUSSELL, Mr. ROHRBACHER, and Mr. WOMACK.

H.R. 3914: Mr. NUNES and Mr. JONES.

H.R. 3918: Mr. GIBBS.

H.R. 3921: Ms. KAPTUR.

H.R. 3926: Mr. THOMPSON of California and Mr. JEFFRIES.

H.R. 3927: Mr. VAN HOLLEN and Ms. MAXINE WATERS of California.

H.R. 3928: Mr. ROHRBACHER.

H.R. 3940: Mr. BABIN, Mr. NEAL, Mr. CARTER of Texas, Mr. DAVID SCOTT of Georgia, Mr. BARR, Mr. NUNES, Mr. KELLY of Pennsylvania, Mrs. WALORSKI, Mr. THOMPSON of California, Mr. STEWART, Mr. HENSARLING, Mr. FLORES, Mr. SAM JOHNSON of Texas, Mr. ROKITA, Mr. COSTELLO of Pennsylvania, Mr. PAULSEN, and Mr. TIPTON.

H.R. 3943: Ms. DELAURO and Mr. RANGEL.

H.R. 3944: Ms. DELAURO, Mr. RANGEL, and Ms. KAPTUR.

H.R. 3946: Mr. WALDEN.

H.R. 3956: Mr. NUNES.

H.R. 3957: Mr. POSEY and Mr. CLAWSON of Florida.

H.R. 3965: Mr. FARR.

H.R. 3973: Ms. DELAURO.

H.R. 3977: Mr. HONDA.

H.R. 3980: Mr. CRAMER.

H.R. 3982: Mr. LEWIS.

H.R. 3984: Mr. MEEHAN.

H.R. 3986: Mr. GUTIERREZ, Mrs. WATSON COLEMAN, Mr. RANGEL, and Mr. ROONEY of Florida.

H.R. 3988: Mr. BLUMENAUER.

H.J. Res. 22: Mr. HIGGINS.

H.J. Res. 25: Mr. GRAYSON.

H.J. Res. 33: Mr. GIBBS.

H.J. Res. 71: Mr. CULBERSON, Mr. ROKITA, Ms. MCSALLY, Mr. ALLEN, Mr. CARTER of Georgia, Mr. PALMER, and Mr. HENSARLING.

H.J. Res. 72: Mr. CULBERSON, Mr. ROKITA, Ms. MCSALLY, Mr. ALLEN, Mr. CARTER of Georgia, Mr. PALMER, and Mr. HENSARLING.

H. Con. Res. 19: Mr. CONNOLLY and Mr. COFFMAN.

H. Con. Res. 50: Ms. ESTY.

H. Res. 131: Mr. COOPER.

H. Res. 207: Mr. VALADAO and Ms. PLASKETT.

H. Res. 210: Ms. GABBARD and Ms. MENG.

H. Res. 289: Ms. VELÁZQUEZ.

H. Res. 386: Ms. MAXINE WATERS of California.

H. Res. 438: Mr. COOPER.

H. Res. 467: Mr. MCDERMOTT.

H. Res. 469: Mr. COFFMAN and Mr. COSTELLO of Pennsylvania.

H. Res. 494: Mr. POSEY, Mr. RATCLIFFE, Mr. ROGERS of Alabama, Mr. LOUDERMILK, Mr. WESTERMAN, Mr. NEUGEBAUER, Mr. FLORES, Mr. PEARCE, Mr. CONAWAY, Mr. LAMBORN, Mr. LAMALFA, Mr. CRAMER, Mr. YOHO, Mr. CULBERSON, Mr. WEBER of Texas, Mr. STEWART, Mr. FRANKS of Arizona, Mr. GIBBS, Mr. HARRIS, Mr. BOST, Mr. WENSTRUP, Mr. RICE of South Carolina, Mr. BABIN, and Mr. ZINKE.

H. Res. 501: Mr. ROSS.

H. Res. 502: Ms. JUDY CHU of California, Ms. MCCOLLUM, Ms. ROYBAL-ALLARD, Mr. FARR, Mr. TAKANO, and Ms. MAXINE WATERS of California.

H. Res. 505: Mr. HASTINGS, Mr. SMITH of Washington, Mr. YARMUTH, Ms. BORDALLO,

Mr. ELLISON, Ms. KAPTUR, Mr. LEWIS, Ms. SCHAKOWSKY, Mrs. BEATTY, Mr. PERLMUTTER, Mr. KIND, Ms. MATSUI, Ms. SLAUGHTER, Mrs. CAROLYN B. MALONEY of New York, Mr. TED LIEU of California, Mr. LOEBSACK, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. BECERRA.

H. Res. 506: Mr. YARMUTH and Ms. KUSTER.

H. Res. 510: Mr. GOODLATTE, Mr. WILLIAMS, and Mr. WENSTRUP.

H. Res. 511: Mr. PAYNE.

H. Res. 513: Mr. TAKANO, Mr. SMITH of New Jersey, Ms. MAXINE WATERS of California, Mr. PALLONE, Mr. POLIS, Mr. TONKO, Mr. GARAMENDI, Mr. SCHWEIKERT, and Mr. POCAN.

H. Res. 514: Mr. MILLER of Florida, Mr. HUELSKAMP, Mr. RATCLIFFE, Mr. HARRIS, and Mr. WALBERG.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 1694: Mrs. BUSTOS.

H.R. 3403: Ms. GRANGER.

PETITIONS, ETC.

Under clause 3 of rule XII,

35. The SPEAKER presented a petition of the City of Miami Commission, relative to Resolution R-15-0454, urging the President and members of Congress to provide transparency, public participation, and collaboration during the discussions of the Trans-Pacific Partnership Agreement and to consider the opinions of hard working Americans while deliberating the terms and ramifications of the agreement; which was referred to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

ROTARY CLUB OF WICHITA FALLS,
TEXAS CELEBRATES 100 YEARS
OF SERVICE

HON. MAC THORNBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. THORNBERRY. Mr. Speaker, I rise today to congratulate the Rotary Club of Wichita Falls, Texas, on its milestone of providing 100 years of service inside and outside of our community.

The Rotary Club of Wichita Falls consists of 90 dedicated men and women who make a difference on the local, national, and international level. The Club's motto is "Service Above Self," and this organization certainly abides by this statement with its many service projects and support for numerous organizations throughout the Wichita Falls area and beyond.

The wide variety of organizations supported by the Club includes the Boy Scouts, YMCA, Youth Leadership, and the Boys and Girls Club. In fact, the Boys and Girls Club has maintained a connection to the Rotary Club for an impressive 86 years and continues to flourish with its support. These programs provide needed growth and leadership opportunities for developing future leaders. The Club also plays a key role in a variety of adult programs, which includes the Adult Literacy Council, The Food Bank, American Red Cross, Habitat for Humanity, and the Salvation Army, just to name a few.

Additionally, the Wichita Falls Rotary Club provides many services and support for Sheppard Air Force Base (AFB), a base that plays a key role in training and equipping U.S. Air Force personnel. A highly notable program is the Squadron Adoption Program with the goal to establish and maintain exemplary relations between the permanent party military stationed at Sheppard AFB and the proactive leadership of the communities throughout Wichita County. Units from both the 82nd Training Wing and the 80th Flying Training Wing participate in this program. Groups like the Rotary Club play an important role in ensuring our military receives the support and gratitude they deserve. The Rotary Club also helps remind us that our country remains strong because of the sacrifice made by our men and women in the military.

Another important program the Rotary Club has adopted is the flag project, which consists of Rotary members placing American flags around the City of Wichita Falls. With this project alone, the Club has managed to raise and donate approximately \$700,000 to local and worldwide Rotary projects. These services are proof that the dedicated men and women of the Wichita Falls Rotary Club can make a difference.

Serving others is one of the highest callings for any of us. For 100 years the Rotary Club

of Wichita Falls has been serving and contributing in important ways. They deserve our congratulations and our appreciation as they move to their next 100 years of service.

THE 25TH PASTORAL ANNIVERSARY
OF REVEREND ANTHONY
L. TRUFANT

HON. HAKEEM S. JEFFRIES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. JEFFRIES. Mr. Speaker, I rise today in celebration of the 25th pastoral anniversary of Reverend Anthony L. Trufant, senior pastor of Emmanuel Baptist Church. During his tenure, Pastor Trufant has overseen the church's exponential growth, community engagement, and raised its profile as one of the most innovative churches in the country. In recognition of his pastoral anniversary and invaluable service to our community Reverend Trufant was honored on November 13, 2015 at the Liberty Warehouse in Brooklyn, NY.

Rev. Trufant became the Pastor of Emmanuel Baptist Church in Brooklyn's Clinton Hill neighborhood in 1990. Under his leadership the ministry stretches from New York to New Orleans, from Haiti's hovels to the townships of South Africa. Rev. Trufant has not only worked to improve the quality of life for our communities in Brooklyn but has partnered with Global Faith Works in Johannesburg, Pretoria and Cape Town. Emmanuel Baptist Church hosts their annual Mission of Thanks to South Africa where they support women entrepreneurs and Thaba Primary, a school for the local youth. These programs have helped countless individuals over the past 25 years and continue to aid people today.

Reverend Trufant was raised in Chicago, Illinois and earned a Bachelor of Arts from Morehouse and a Master of Divinity from Colgate Rochester. Rev. Trufant was licensed to preach in July 1981 and ordained in May 1988 by the Third Baptist Church in San Francisco, California. Rev. Trufant has also received a diploma in pastoral counseling from the Post Graduate Center for Mental Health and has completed coursework towards a Doctor of Ministry at Hebrew Union College.

Pastor Trufant is married to Muriel Lynette Goode Trufant, Esq. and is the father of two wonderful daughters, Sharise Emmanuelle and Toni Niara.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in celebrating Reverend Anthony L. Trufant on his 25th Pastoral Anniversary. For his commitment to the people of Brooklyn and his service to the least of those among us, he is worthy of the highest praise.

RECOGNIZING NDI NEW MEXICO
FOR ITS WORK EDUCATING NEW
MEXICO'S CHILDREN

HON. BEN RAY LUJÁN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I rise today to recognize NDI New Mexico as a leader in excellent educational programming in the performing arts for New Mexico's children.

NDI New Mexico was founded in 1994 in Santa Fe. Over the last twenty years, NDI New Mexico has grown from serving 100 children in one school to reaching almost 10,000 children through in-school, after-school, summer, and advanced training classes in communities across the state. NDI New Mexico's mission is to provide inspirational programming in the arts that have a unique power to engage and motivate children. These programs have lasting effects on developing positive self-esteem and motivating students to learn inside and outside of the classroom. A recent long-term analysis of NDI's programming shows that students have on average a 1.0 higher GPA and higher standardized test score results than their non-participating peers. These results show the incredible impact that NDI has on its students' educational successes.

After-school and outreach programs are an important part of kids' educational opportunities. NDI's program gives students lessons in artistic expression, self-esteem, a strong work ethic, and a commitment to health and fitness. With over 90 programs in 34 communities across New Mexico, NDI works to improve educational outcomes and bridge opportunity gaps for New Mexico's students through the performing arts.

The strengths and impacts of NDI on New Mexico's children has been recognized throughout our communities, as it has been awarded Albuquerque Business First's Non Profit of the Year award in the Arts, Culture and Humanities category and Russell Baker, its Executive Director, was named Top CEO in the Non-Profit category. These awards celebrate NDI's outstanding, distinctive programs that aim to help children develop discipline, a standard of excellence, and a belief in themselves that will carry over into all aspects of their lives.

Once again, I congratulate NDI New Mexico for its quality educational programming, and thank the entire team for its exceptional work for New Mexico's children.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

RECOGNIZING NORTHWEST INDIANA'S NEWLY NATURALIZED CITIZENS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and sincerity that I take this time to congratulate thirty individuals who took their oath of citizenship on Friday, November 13, 2015. This memorable occasion, presided over by Magistrate Judge Paul R. Cherry, was held at the United States Courthouse and Federal Building in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the world to the United States in search of better lives for their families. Oath ceremonies are a shining example of what is so great about the United States of America—that people from all over the world can come together and unite as members of a free, democratic nation. These individuals realize that nowhere else in the world offers a better opportunity for success than here in America.

On November 13, 2015, the following people, representing many nations throughout the world, took their oaths of citizenship in Hammond, Indiana: Lenka Krstevska, Bertha Esthela Corral, David Tugba Tom, Raul Alonso Moreno Gonzalez, David Alarcon Hernandez, Yulia Yurevna Abair, Serena Taisir Ibrahim, Donna Ruth Ajayi, Hayet Adjerid, Celestino Olivares Manzo, Mijoon Lee, Thuy Thi Hong Le, Ezekiel Attah, Catherine Marjorie Charles, Francisco Alonso, Astrid Mariela Arnold, Chao Jung Chou, Maria Rosario Franco, Nancy Fuentes, Mayra Nancy Martinez, Jeff Nguefack Mbeleke, Maria Clemencia Mireles, Duncan Kanyi Nganga, Agnes Hop Nguyen, Veronica Giovana Perez, Mario Renteria, Oscar Martinez Ruiz, Yareli Sandoval, Perla Villanueva, and Dilcia Victoria Young.

Although each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupation, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, a country “. . . of the people, by the people, and for the people.” They realize that the United States is truly a free nation. By seeking American citizenship, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Constitution, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Mr. Speaker, I respectfully ask you and my other distinguished colleagues to join me in congratulating these individuals who became citizens of the United States of America on November 13, 2015. They, too, are American citizens, and they, too, are guaranteed the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic nation, congratulate them and welcome them.

CONGRATULATING THE DALLAS TEXANS U-14

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. RICHMOND. Mr. Speaker, I rise today to congratulate the Dallas Texans U-14 on their success in World Youth Cup of 2015.

The United States sent 43 teams to compete at this year's Gothia Cup, the world's largest and most international youth football tournament. The Gothia Cup prides itself on its participants' diversity and understands football as a global, unifying force. The Dallas Texans U-14 team, one of 215 teams competing in the U-14 boy's age group, was the only winner from the United States this year. In the final play off, the Dallas Texans won 3-0. There were 38 countries represented in the U-14 age bracket.

The Dallas Texans won 9 games over the course of 6 days. The boys on the Dallas Texans U-14 team were Logan Brown, Triston Edgington, Evan Hu, Anthony Perea, Seth Weprin, Omar Thompson Jr., Donovan Praslin, Arthur Ramirez, Tristan Robles, Noah Adames, Matthew Santos, Caleb Young, Benedict Lube, Cade York, Jorge Amaya-Gonzalez, Andrew Moore, and Joseph McGee. They are represented by their coach Hassan Nazari.

When the Gothia Cup started in 1975, it included 275 teams from 5 nations. In 2015, it attracted 1,754 teams from 74 nations. Overall, the Cup hosted 40,200 players. The Gothia cup has a long, rich history that continues to expand as more countries send young, active players.

PADGETT STRATEMANN & CO.'S
70TH ANNIVERSARY

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. SMITH of Texas. Mr. Speaker, this year marks the 70th anniversary of Padgett Stratemann & Co., a newly selected Texas Treasure Business Award recipient. Run by the Texas Historical Commission, the Texas Treasure Business Award Program pays tribute to the state's well-established businesses and their historical contributions to the state's economic growth and prosperity.

Founded in 1945 by Sidney Padgett, Padgett Stratemann & Co. focuses on accounting and business advisory services. It has been a thriving member of the Central and South Texas business community. With over 200 employees in San Antonio, Austin, and Houston, the company is committed to the communities through financial and in-kind support of numerous non-profit organizations. By displaying professionalism, service, and quality, Padgett Stratemann & Co. exemplifies what it means to be an award-winning Texas-based business enterprise.

HONORING NESHANNOCK VOLUNTEER FIRE COMPANY

HON. MIKE KELLY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. KELLY of Pennsylvania. Mr. Speaker, today, I congratulate the Neshannock Township Volunteer Fire Company on 75 years of faithful service to their community. Since 1940, the Neshannock Township Volunteer Fire Company has provided fire protection, emergency medical response, and technical rescue services to the nearly 10,000 citizens of Neshannock Township, as well as the surrounding communities of Lawrence County, Pennsylvania. The fire company, made up entirely of volunteers, responds to around 400 incidents per year, including structure fires, car accidents, medical emergencies, and hazardous material incidents. The volunteer responders complete at least 70 hours of training each year, with many members undertaking more than 100 hours of training annually.

I commend these volunteer responders for donating their time and efforts, especially for selflessly putting themselves in harm's way to keep their friends and neighbors safe. Communities across America rely on the generosity and courage of men and women like volunteer firefighters to maintain the safety and security of their farms, neighborhoods, towns, and villages. I congratulate the Neshannock Township Volunteer Fire Company for reaching this significant milestone and I wish them many more successful years of service.

IN CELEBRATION OF ANN WEST
ON HER YEARS OF SERVICE TO
PINKERTON ACADEMY

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. GUINTA. Mr. Speaker, I rise today to recognize the many contributions Ann West has made to Pinkerton Academy and their performing arts program over the past 56 years. Ann is directing her last play with the Pinkerton Players on November 15, 2015 and I am pleased to join with Pinkerton Academy and the Stockbridge Theatre in recognizing the many contributions she has made to both the school and performing arts in her community.

Ann founded the Pinkerton Players, Pinkerton Academy's own performing arts group in 1988. Since that time she has directed dozens of plays and musicals such as *Our Town*, *The Pink Panther* and *A Christmas Carol* to name just a few. She was also instrumental in building both of the school's auditoriums—the Shephard Auditorium in 1963 and the Stockbridge Theatre that was built to replace the auditorium in 2002.

In addition to her time with the Pinkerton Players, Ann has served as an educator in many subjects at Pinkerton Academy, and

heading up the English department at the school. She is a past president and active member of the board for the New Hampshire Council for Teachers of English, and an Executive Board Member for the New England Association of Teachers of English.

I am proud to join with my fellow Granite Staters in recognizing the many contributions Ann West has made to both Pinkerton Academy and her community over the last 56 years, and I wish her the best in all future endeavors.

IN TRIBUTE TO MR. THOMAS P.
HOLIAN

HON. DONALD S. BEYER, JR.
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES
Monday, November 16, 2015

Mr. BEYER. Mr. Speaker, I wish to pay tribute to an outstanding civil servant and constituent of mine, Thomas P. Holian, Deputy Chief Counsel of the Federal Highway Administration, FHWA, who is retiring after 37 years of Federal service.

Tom is a graduate of Fordham University and received his juris doctor from New York Law School. Tom joined the FHWA as an Attorney Advisor in the Office of the Chief Counsel in 1978. From 1978 to 1982, he worked in the Chief Counsel's Office of Legislation and Regulations on such matters as the Surface Transportation Assistance Act of 1978, the Motor Carrier Act of 1980, and the Surface Transportation Assistance Act of 1982. Tom also served as a Trial Attorney in the Chief Counsel's Motor Carrier and Highway Safety Law Division where he handled motor carrier safety enforcement cases and regulatory and litigation work associated with driver qualification requirements, the Americans With Disabilities Act, and controlled substance and alcohol testing of commercial motor vehicle drivers. Tom also served as the first Executive Director of the FHWA's National Motor Carrier Advisory Committee.

Tom joined the Senior Executive Service in December 1999 when he was selected to serve as the Deputy Chief Counsel for Legislation and Regulations in the Office of the Chief Counsel. In this position through February 2008, Tom was responsible for directing a staff in providing legal advice and services on all aspects of the FHWA's legislative and regulatory programs. In this role, he greatly contributed to the implementation of the Transportation Equity Act for the 21st Century (TEA-21) and the Safe, Accountable, Flexible, Efficient Transportation Equity Act—A Legacy for Users (SAFETEA-LU). Tom also led the team responsible for drafting much of the TEA-21 reauthorization bill that became SAFETEA-LU. Prior to this appointment, Tom was an Associate Chief Counsel and served as the FHWA's Regulations Officer responsible for leading the comprehensive review of FHWA's regulations in response to Presidential directives in 1992 and 1995, as well as FHWA's ISTEA and TEA-21 regulatory implementation.

Tom became the Deputy Chief Counsel, the senior career attorney in the FHWA, in March

2008. As Deputy Chief Counsel, Tom supervises and coordinates the activities of a staff comprised of 60 employees, of whom 50 are attorneys responsible for providing legal services regarding all aspects of the FHWA's programs. The Office of Chief Counsel consists of three headquarters divisions and five field divisions, four of which provide services to Federal-aid Division Offices and the Resource Center, and one that provides services to the Federal Lands Highway. Tom directly advises the most senior officials in the FHWA and the U.S. Department of Transportation. Tom and his staff work with State and local government transportation attorneys and other customers to enhance their understanding of Federal laws and procedures relating to transportation.

Tom will be retiring this month after 39 years of Federal service. After his long career and especially his seven and a half years as Deputy Chief Counsel, Tom leaves FHWA a well-respected, dedicated public servant, who has used his knowledge and skills throughout his 37-year FHWA career to make significant contributions to the advancement of transportation law.

I am proud to represent Tom and so many other Federal workers. We are fortunate to have dedicated, talented, creative, hard-working, and patriotic public servants like Tom. I ask my colleagues to join me in thanking Tom for serving the American public with such distinction and devotion and wishing him much success as he leaves Federal service. We also need to thank his wife Ginny and their three children for supporting him in his public career.

RECOGNIZING AND COMMENDING
VICKIE FISH ON HER RETIREMENT
AS EXECUTIVE DIRECTOR
OF GUAM GIRL SCOUTS, INC.

HON. MADELEINE Z. BORDALLO
OF GUAM

IN THE HOUSE OF REPRESENTATIVES
Monday, November 16, 2015

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Mrs. Vickie Fish on her retirement as the Executive Director of Guam Girl Scouts, Inc. Vickie joined the Guam Girl Scouts in 1996.

Vickie was born in Milton, Wisconsin and received a Bachelor of Arts degree in Art Education from Carthage College in Kenosha, Wisconsin. She left the mainland in 1974 after college to begin her service in the Peace Corps as a teacher and trainer in the Kingdom of Tonga, and she has made the Pacific her home since. She went on to be an acculturation counselor for Pacific Island students at Kahuku Elementary and High School in Hawaii and a program coordinator and trainer in Saipan before making Guam her home.

During her nearly 20 years of service with the Guam Girl Scouts, Inc., Vickie has served as the Chairman of the USA Girl Scouts Overseas Delegation during the Girl Scouts of the USA National Council Session. She is also a member of the Community Board of Directors for Sugar Plum Tree, a local organization that arranges an annual Christmas present drive.

During her time with Guam Girl Scouts, Vickie was able to develop positive relation-

ships between the local Guam chapter and the national staff, as well as with local businesses, government agencies, organizations and individuals. Vickie led the Guam Girl Scouts with clean annual audits and full compliance with government reporting requirements. She also established a wide base of individual and corporate financial support within the community. Vickie and her team were credited for growing the membership in the Guam Girl Scouts to nearly 1,000 members and increasing awareness of what the Girl Scout program offers to all girls.

Additionally, Vickie helped expand many program activities throughout her time with the Guam Girl Scouts. These programs encouraged girls to seek higher education, develop leadership skills, respect and enjoy cultural differences, live healthy lives, and volunteer their time to others, among many other things. Vickie helped young girls understand the needs of others regardless of age, income or resources. She coordinated relief drives and programs for those facing hardship caused by natural disasters and other life-changing events. She always did her best to improve and honor, not only Guam Girl Scouts, but Girl Scouts of the USA with special celebrations and events.

Vickie worked diligently throughout her time on Guam and demonstrated true and genuine care for the people she served. I congratulate Vickie Fish on her retirement as Executive Director of Guam Girl Scouts, Inc. I join the people of Guam in commending her for her service and thanking Vickie for her many contributions to our island community.

TRIBUTE TO ALUMINUM INDUSTRY
IN CONNECTION WITH AMERICA
RECYCLES DAY

HON. DAVID LOEBSACK
OF IOWA

IN THE HOUSE OF REPRESENTATIVES
Monday, November 16, 2015

Mr. LOEBSACK. Mr. Speaker, we celebrate America Recycles Day on November 15. I rise today to pay tribute to the aluminum industry, which has a prominent role in my district, indeed throughout Iowa, and which probably does more than any sector of our economy to advance the cause of recycling.

Before recounting the many ways in which aluminum, perhaps more than any other material, contributes to the success of recycling programs across the country, let me make clear why we in Iowa benefit so much from the aluminum industry and its hard-working employees.

The aluminum industry is an integral part of the economy of Iowa. The industry operates over 20 facilities, handling all aspects of aluminum manufacturing, throughout Iowa. All told, these facilities employ thousands of workers, and thousands more indirectly and through suppliers. Estimates are that the economic output, between the manufacturing and wholesaling operations in the aluminum industry in Iowa, are around \$2.0 billion. Over one billion dollars more in economic impact in the state derives from suppliers and other indirect contributions to the aluminum industry.

Thankfully, these are good-paying jobs. Estimates are that wages paid are close to \$800 million annually in Iowa as a result of the aluminum industry's footprint in Iowa, taking into account direct and indirect employment. And the state and local governments as a whole benefit, to the tune of well over \$100 million in revenue from the aluminum industry.

With that backdrop, I am pleased to salute the impact of the aluminum industry on recycling. The list of ways in which recycling pays huge dividends to our nation is long. First, recycling aluminum saves more than 90 percent of the energy that would be needed to create a comparable amount of the metal from raw materials. Think of it this way: by recycling a single aluminum can, you are saving enough energy to power a large screen television for more than 2 hours. Rather than the expense and energy consumption associated with mining and processing raw materials to make aluminum products, recycling used aluminum can be done at a tiny fraction of the energy utilization.

That is why recycling is a core business of the aluminum industry. In the U.S., the industry collects nearly 12 billion pounds of aluminum each year for recycling, almost all of which goes back into North American supply. In fact, more than 70 percent of U.S. aluminum production today is in recycled metal—an exact reversal of the trend in 1980. What's more nearly 75% of all aluminum ever produced around the world is still in use today.

A used aluminum can is recycled and back on the shelf as a new can in as few as 60 days—something that happens over and over again. And last year, the domestic aluminum industry recycled nearly 60 billion cans—that saved the equivalent energy of taking 1 million cars off the road for a year.

Aluminum saves energy in other ways as well. It can be a tremendous factor in enabling buildings to achieve modern energy efficiency standards. The first LEED-certified building in California, for instance, received this recognition in part because of creative uses of aluminum that cools the building naturally.

But energy savings are only part of the story. Companies across the country are incorporating environmental and sustainability objectives into corporate commitments, and aluminum is a major piece of their ability to meet their goals.

Perhaps the best aspect of aluminum's recycling story is its role in job creation. No matter our political persuasion, Mr. Speaker, each of us is committed to the creation of U.S. jobs, and aluminum has a wonderful story to tell here. The collection of aluminum at the curb or in the alley creates thousands of jobs around the country, as does the sorting of aluminum at processing centers. Even more jobs are created at plants that receive recycled aluminum, and turn it into new product. More than 157,000 workers are directly employed in the industry, and for each aluminum industry job, an additional 3.3 employment positions are created elsewhere.

This story will be enhanced by the commitment of car and truck manufacturers to the widespread use of aluminum in vehicle bodies and parts in the interest of increasing fuel economy by lightweighting vehicles. As these vehicles are no longer in use, rather than

being thrown on the scrap heap, they too can be recycled, thereby creating even more jobs.

The aluminum industry is a major economic driver in my state and district. In recognition of America Recycles Day, it is appropriate to tip our hat to an industry that has such a positive influence on our nation's economy, and its people.

HONORING IDA SCHWARTZ IN
CELEBRATION OF HER 100TH
BIRTHDAY

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. GUINTA. Mr. Speaker, I would like to express my congratulations to Ida Schwartz in celebration of reaching her 100th birthday.

As she reflects on the great memories that have highlighted the past hundred years, I know she will think fondly on all that she's accomplished and the positive impact she's had on New Hampshire.

It is with great admiration that I congratulate Ms. Schwartz on achieving this wonderful milestone, and wish her the best on all future endeavors.

TRIBUTE TO LISA RAWLINS

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. SCHIFF. Mr. Speaker, I rise today to honor Lisa Rawlins, who is retiring as Senior Vice President, Public Affairs for Warner Bros. Entertainment Inc. after twenty-five years of exemplary service.

Ms. Rawlins, who holds a degree in cinema from the University of Southern California, began her career in story development for Ransohoff Productions and NBC. While working on film production issues and handling the press in former Governor George Deukmejian's office, Lisa saw the need to help combat the problem of runaway film and television production in California. In 1984, she established the California Film Commission, and in 1985, became the first Director of the California Film Commission, and served in that capacity for six years. During her time at the film commission, she wrote film-based legislation, streamlined the film permit process for state agencies, and developed a municipal filming ordinance for cities throughout California. In addition, Lisa founded the Film Liaisons in California, Statewide (FLICS), a network of dozens of local film offices throughout the state.

Lisa joined Warner Bros. Entertainment Inc. in 1990 as Vice President of Production and Studio Affairs, where she focused on local and state government relations and successful advocacy for television and feature film productions, balanced with consideration of production impact on local communities. During her tenure at Warner Bros., she created their environmental sustainability program, leading the

industry in green production and building, conservation, and waste reduction. In her capacity as Senior Vice President, Public Affairs, she managed community affairs, corporate responsibility, government affairs, environmental sustainability and philanthropy.

A selfless and generous volunteer in the Burbank community, Lisa has served on the boards of several non-profit organizations including the Burbank Chamber of Commerce, Burbank YMCA, Project Restore, Coalition for Clean Air and the Burbank Unified School District's Partnership Advisory Council. An advocate for the creation of a one-stop film office for Los Angeles City and County, which ultimately became FilmLA, Ms. Rawlins currently serves as a member of FilmLA's Board of Directors.

A visionary in the television and motion picture industry, Lisa Rawlins has been an invaluable asset to the film and television field and has left a legacy that will be enjoyed and utilized by generations to come. I ask all Members to join me in thanking Lisa Rawlins for over three decades of distinguished service to the motion picture and television community and the greater Burbank region.

RECOGNIZING THE DREAM FOUNDATION'S "DREAMS FOR VETERANS" PROGRAM AND MR. GEORGE "RAY" WEST

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mrs. CAPPS. Mr. Speaker, today I rise to recognize the Dream Foundation's new "Dreams for Veterans" program. As we pause to commemorate Veterans Day, I would like to acknowledge their unique and invaluable service to terminally-ill military veterans.

Dreams for Veterans is dedicated to serving terminally-ill veterans during their time of greatest need. They are the first national program specifically serving and honoring these individuals by fulfilling their final dream. Over the past year, Dreams for Veterans granted more than 100 dreams to veterans and are on track to double that number this year.

This spring, the Dream Foundation, which is based in my Congressional district, helped my constituent George "Ray" West realize his final dream of traveling with his family to Yosemite National Park. I had the pleasure of meeting Mr. West at the "Dreams for Veterans" inaugural ceremony in Washington, DC earlier this year.

Mr. West is a U.S. Navy Veteran who served between 1944 and 1946. He was stationed first in Sampson, NY and later in Utah and Nevada. He eventually settled with his family in my hometown of Santa Barbara, CA.

Mr. West and his wife Jean first visited Yosemite on their honeymoon in 1950. The couple loved Yosemite so much that they have celebrated each anniversary by returning to the park. Ray had been diagnosed with heart disease and leukemia when he contacted the Dream Foundation to help his family travel to Yosemite at least one final time.

Each day, more than 1,800 of our nation's heroes die, accounting for nearly one-quarter

of all American deaths. In addition to giving dream recipients and their families the opportunity to make the most of the time they have left, a final dream also improves their end of life care by addressing the emotional and psychological needs of terminally ill patients and those of their loved ones and caretakers.

The Dreams for Veterans program allows recipients the opportunity to reconnect with their former military service and provides a unique chance to reconcile memories and achieve a sense of closure. This one-of-a-kind program engages the military community by providing opportunities to refer applicants, contribute resources, or volunteer as Veteran Dream Hosts—volunteers who participate in Veteran-to-Veteran Dream deliveries.

The Dream Foundation is a leader in our community and has touched and inspired so many during its 21-year history of delivering final dreams to terminally ill adults. They fulfill more than 2,500 final dreams every year, working with hundreds of volunteers and more than 600 hospices and health care organizations nationwide.

RECOGNIZING THE AMERICAN CANCER SOCIETY AS THEY MARK 31 YEARS OF THE RELAY FOR LIFE

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Ms. BORDALLO. Mr. Speaker, I rise today to recognize and congratulate the American Cancer Society as they mark 31 years of the Relay For Life and bringing hope to communities across the country in the face of cancer. The American Cancer Society does lifesaving work and I join the organization in celebrating the progress it has made in the fight against cancer.

The American Cancer Society Relay For Life was first started in 1985 when Dr. Gordy Klatt ran and walked for 24 hours around a track in Tacoma, Washington to make a statement about cancer awareness. Dr. Gordy Klatt's efforts helped the American Cancer Society fight the nation's biggest health concern, and now, the Relay movement includes 3.5 million people around the world. The Relay For Life is now in more than 5,200 communities and 20 countries around the world. The Relay For Life brings together cancer survivors, caregivers, and all those touched by cancer. It gives everyone a chance to remember those who have lost their battle with cancer and empowers those who must continue the fight.

The Relay For Life began in Guam in the early 1990s and has steadily grown with most teams returning every year. 79 teams made up of families and businesses, and 280 cancer survivors and caregivers participated in the 2015 Guam Relay For Life. Together, the teams raised \$470,000 and Guam Relay For Life was recognized for raising the second highest amount in the High Plains, South Territory which includes Guam, Hawaii, Texas, Kansas, Missouri, Oklahoma and Nebraska. Though Guam is a small community, it con-

tinues to be recognized on the national level based on its achievements and commitment to the fight against cancer.

Cancer does not discriminate. It touches all of our people, young and old, and the people of Guam stand behind the American Cancer Society, and has taken an active commitment to join the cause of fighting cancer. The Relay For Life is celebrated annually throughout the world and survivors and caregivers proudly wear the color purple to symbolize royalty as they are honored during the Relay For Life. This year, the Guam community is beginning its 2016 Relay For Life festivities with "Paint Guam Purple" week from November 8 to November 13, 2015. The goal of the "Paint Guam Purple" campaign is to make a visual statement of how the Relay For Life brings hope to a community and help increase participation, fundraising and volunteerism. Groups and individuals are encouraged to wear purple, decorate the town purple, and participate in activities to engage others to become involved.

On behalf of the people of Guam, I join the American Cancer Society in honoring cancer survivors, caregivers, those who have lost the battle to cancer and all those touched by the disease by pledging to "Paint Guam Purple" through the week of November 8 to November 13, 2015. I congratulate the American Cancer Society Relay For Life and I look forward to their future contributions and success.

HONORING JEWISH WAR VET- ERANS, MAURICE KUBBY POST 749

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. O'ROURKE. Mr. Speaker, I am privileged to recognize the Jewish War Veterans, Maurice Kubby Post 749, as a distinguished Veteran Service Organization in El Paso, Texas. The Post has been active in our community since April 1965 and was named in honor of fellow El Pasoan, Maurice Kubby. Kubby was an Army veteran and founding member of Post 749, and served several times as the organization's Commander.

As one of six posts in Texas, Post 749 serves El Paso and Las Cruces area veterans of the Jewish faith. One of the most important efforts undertaken by the Jewish War Veterans is their dedication to combatting anti-Semitism and bigotry. The organization works diligently to eradicate these negative sentiments and foster a stronger American-Israeli relationship through sponsored trips to Israel each year.

The organization is well recognized in our community for supporting veteran, civilian and Jewish religious activities. Jewish War Veterans Post 749 works to provide assistance to all veterans and their families in our area. The Post volunteers with local organizations such as the Fisher House to help veterans and their families and participates annually in Fort Bliss's Veterans Week, which aims to raise awareness for Veteran Service Organizations throughout the country. Post 749 also offers

scholarships to students and is actively involved in youth outreach through the Boy Scouts.

Jewish War Veterans, Maurice Kubby Post 749 is an asset to our community and I thank them for their commitment to honoring our veterans and promoting tolerance as one of their core values within our El Paso community.

HONORING TYLER DODD

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Tyler Dodd of Rolla, Missouri on achieving the rank of Eagle Scout. This award is the highest rank attainable in the Boy Scouts of America, with only a small percentage of its members reaching this achievement.

Tyler has demonstrated a true enthusiasm towards service and spent countless hours helping others as he advanced through the ranks of the Boy Scouts. Tyler has held several leadership positions, such as Patrol Leader, during which he used his skills and knowledge to help younger scouts with their own progression through the Boy Scouts. His achievements extend outside of the Boy Scouts as well; Tyler is a member of the National Honor Society—Rolla Chapter and a section leader in the Rolla High School Marching Band.

Tyler possesses the important values such as honesty, loyalty, and civility that inspire others. His commitment to good citizenship, physical fitness, and education is an asset to our community, as well as the nation. Tyler is a role model for young and old alike, and it is my pleasure to recognize his achievements before the United States House of Representatives.

HONORING THE GRAYSLAKE CENTRAL BOYS CROSS COUNTRY TEAM

HON. ROBERT J. DOLD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. DOLD. Mr. Speaker, I rise today to honor Grayslake Central's boys cross country team on their first place finish at the 2A state championship. This victory marks the first time in the school's history that the boys cross country team has won state.

Consistently strong all year, the Rams won conference, regional, and sectional championships. This hard work culminated at the state championship, where, led by Coach Jimmy Cantella, six out of seven runners achieved their personal best time. Junior Jack Aho won the race with a time of 14:25, followed by junior Matt Aho in seventh place. Other all-state athletes include senior John Girmscheid who came in twenty-third and sophomore Eli Minsky who rounded out the top twenty-five. The final three competitors who helped Grayslake cinch the tide were seniors Jack

Battaglia who came in twenty-sixth, Danny Vincent at fifty-first, and Alden Aaberg at one hundred and eighth.

Mr. Speaker, the Grayslake Central boys cross country team is an inspiration to the school and community, and I am proud to recognize these young men for demonstrating the power of teamwork and perseverance.

HONORING DANNY TRULL, SR.

HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. VEASEY. Mr. Speaker, I rise today to honor Mr. Danny Trull, Sr., on his retirement as the United Auto Workers Union's (UAW) Assistant Director for his service to the men and women of the United Automobile Workers, and for his years of service on the Texas State Democratic Executive Committee. Mr. Trull's well-deserved retirement comes after a forty-two year tenure in organized labor. During this time, Mr. Trull has been dedicated to advocating for worker's rights, promoting the values of the Democratic Party, and supporting the local, state and national labor movement.

During his years of work with the labor movement, Mr. Trull has made a direct impact on his community through his numerous roles at UAW and with the Democratic Party of Texas. Mr. Trull began his career at UAW on July 9, 1973, when he started working for Tyler Refrigeration and became a member of Local 514. Upon the closing of Local 514, he became a member of Local 276 and went on the International Staff in 1987, working in the Time Study Department. In 1996, he transferred to Region 5 as a Service Representative based in the Dallas office and continued to serve Region 5 out of the Dallas office when he was transferred to the National CAP Department in 2007. He was appointed to his current position of Assistant Regional Director in 2012, from which he is retiring at the end of this year.

Aside from his work with UAW, Trull has continued to be a community leader as a delegate to state and national Democratic Conventions, and as a State Democratic Executive Committee member in 2002. Mr. Trull is a well-known champion for Texas jobs and workers, coordinating UAW political activity in the state and region and fighting for higher wages and benefits for hardworking Americans. The automobile industry is a powerful economic engine in the 33rd Congressional District and will continue to be for years because of Mr. Trull's lifelong commitment to his community and the people who live and work there. I wish him all the best.

In honor of Mr. Trull's retirement and his dedication and leadership within the public service community, this statement will be submitted on Monday, November 16, 2015.

HONORING THE LIFE OF PFC. MARK JOSEPH ALLSTOTT

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. YOUNG of Indiana. Mr. Speaker, I rise today to recognize Pfc. Mark Joseph Allstott, of French Lick, Indiana.

I ask you all to join me in honoring the life of a fellow Hoosier veteran.

Allstott enlisted in the United States Army two short months after high school graduation. As a United States Infantryman, Allstott personified bravery and dignity while serving with his fellow Wolfhounds in the 27th Infantry Regiment.

Before deploying to South Vietnam, Allstott told his sister of foreboding premonitions that indicated he would not return home from the war. Rather than respond with fear, Allstott gave away all of his earthly possessions and went to serve his country.

Fellow Wolfhounds developed a great level of respect for Allstott's fearlessness. In correspondences to his family, soldiers spoke of Allstott's bravery in the face of peril, his easy-going manner, and his warmth to fellow comrades.

Allstott's true character is best summarized by one Wolfhound brethren who wrote, "... his mind was always on another buddy and the job to be done for the honor of his country instead of his own being. Not only did your son not turn his back on any of us in any firefight. All of us knew we could depend on him"

Allstott was a true American hero and it is a privilege to stand here today in celebration of his noble life, which ended on the battlefield in South Vietnam in February of 1968.

On that day in February, as the Wolfhounds maneuvered to capture an enemy position, it is said Allstott's final actions saved a member of his unit from capture. As a United States soldier, there is no greater honor than laying down one's life to save a brother-in-arms.

While more than forty years have passed since Allstott gave his last measure of devotion, the cause he fought for lives on in the ripples throughout history his heroic efforts will have caused.

It is a privilege to honor Pfc. Mark Allstott's bold and courageous life. Such distinguished service to the United States of America continues to serve as an inspiration to us all.

LETTER FROM GOVERNOR GREG ABBOTT

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. BURGESS. Mr. Speaker, I submit the following letter from Governor Greg Abbott:

NOVEMBER 16, 2015.

Hon. BARACK OBAMA,
President of the United States,
Washington, DC.

DEAR PRESIDENT OBAMA: As governor of Texas, I write to inform you that the State

of Texas will not accept any refugees from Syria in the wake of the deadly terrorist attack in Paris.

Further, I—and millions of Americans—implore you to halt your plans to accept more Syrian refugees in the United States. A Syrian "refugee" appears to have been part of the Paris terror attack. American humanitarian compassion could be exploited to expose Americans to similar deadly danger. The reasons for such concerns are plentiful.

The FBI director testified to Congress that the federal government does not have the background information that is necessary to effectively conduct proper security checks on Syrian nationals. Director Comey explained: "We can query our database until the cows come home, but there will be nothing show up because we have no record of them."

The threat posed to Texas by ISIS is very real. ISIS claimed credit last May when two terrorist gunmen launched an attack in Garland, Texas. Less than two weeks later, the FBI arrested an Iraqi-born man in North Texas and charged him with lying to federal agents about traveling to Syria to fight with ISIS. And in 2014, when I served as Texas attorney general, we participated in a Joint Terrorism Task Force that arrested two Austin residents for providing material support to terrorists—including ISIS.

Given the tragic attack in Paris and the threats we have already seen in Texas, coupled with the FBI director's acknowledgment that we do not have the information necessary to effectively vet Syrian nationals, Texas cannot participate in any program that will result in Syrian refugees—any one of whom could be connected to terrorism—being resettled in Texas.

Effective today, I am directing the Texas Health & Human Services Commission's Refugee Resettlement Program to not participate in the resettlement of any Syrian refugees in the State of Texas. And I urge you, as president, to halt your plans to allow Syrians to be resettled anywhere in the United States. Neither you nor any federal official can guarantee that Syrian refugees will not be part of any terroristic activity. As such, opening our door to them irresponsibly exposes our fellow Americans to unacceptable peril.

Respectfully,

GREG ABBOTT,
Governor.

RECOGNIZING CHRISTIAN LIFE CENTER

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. FITZPATRICK. Mr. Speaker, I rise today to congratulate the Christian Life Center on its 25th anniversary.

With the prayers and planning of a small, but committed, group of Christians, the Christian Life Center was born in 1990. In the years since, the Center has continued to grow in faith and mission at its beautiful complex in Bensalem Township, Bucks County.

Through its tireless work, the Christian Life Center has taken the Gospel into homes and hearts throughout its community while growing a welcoming place of worship for Christian families and individuals dedicated to their faith, each other.

My best wishes for ongoing devotion and continued growth in the coming years.

RECOGNIZING VETERANS DAY

HON. AUMUA AMATA COLEMAN RADEWAGEN

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mrs. RADEWAGEN. Mr. Speaker, as we come together today to recognize the service of all who have served in our nation's armed forces, let us take a moment to remember those who paid the ultimate sacrifice in defense of our freedoms and could not be here today to join in the celebration. Let us also remember those young men and women who at this very moment are in far off lands, standing between the forces of oppression and freedom loving people everywhere.

We must also not forget the sacrifices made by the families of our service members, who go long periods of time without seeing their loved ones, and often have to perform the duties of two parents, while the other willfully places themselves in harm's way for our grateful nation.

As you know, our beautiful island, while small geographically in comparison to other states and territories, has the highest rate of enlistment into our nation's armed forces, a fact that I persistently remind Congress of. In fact, it is 10 times that of the states. This means that in American Samoa, today is just a little more special, and I want to personally salute all from our island who have served.

May God continue to bless the United States and those who stand to protect her.

RECOGNIZING THE TEXAS VETERANS COMMISSION OF EL PASO, TEXAS

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. O'ROURKE. Mr. Speaker, I am honored to stand today in recognition of the Texas Veterans Commission offices located in El Paso, Texas. Created in 1927, the Texas Veterans Commission has a longstanding tradition of honoring Texas Veterans.

Working as a state appointed advocate, the Texas Veterans Commission represents Texas and its veterans before the U.S. Department of Veterans Affairs. The commission operates in four areas: claims representation and counseling services for veteran's benefits; educational benefits; employment assistance; and grant services for veteran service organizations, charities, and government agencies. The El Paso offices have extended these important services to veterans in my district and have been helpful in getting these individuals the benefits they deserve.

The local offices are well known for their work in the community. Specifically, the Commission has dedicated itself to combatting vet-

eran unemployment with fairs such as "Hiring Red, White and You!" Since the first job fair in 2012, the Commission has been able to connect over 1,500 job seeking veterans with potential employers and information on opportunities in the El Paso community.

The El Paso Texas Veterans Commission offices have improved the quality of life for our community's veterans and their families. I am grateful for the work of Bruce S. Biegel, Karen L. Rooks, Frances Holden and the entire staff for their unyielding advocacy and assistance to our veterans.

IN REMEMBRANCE OF REVEREND ALBERT E. CHEW, JR.

HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. VEASEY. Mr. Speaker, I rise today in remembrance of Reverend Albert E. Chew, Jr. for his service to Shiloh Missionary Baptist Church after 56 years of service to the church and his community. His passing on November 6, 2015 leaves a void in the Fort Worth community, and I join in giving our condolences to the Chew family.

Born in Bremond, Texas, Reverend Chew was the son of a Baptist preacher. He attended high school in both Bremond and Waco, Texas before pursuing a college education at Bishop College and Prairie View A&M and completing seminary studies at Brite College of the Bible in Fort Worth, Texas.

Reverend Chew served as a pastor at numerous Texas churches since 1946, but for the last fifty-six years, he served the community at Shiloh Missionary Baptist Church. During his time at Shiloh, he not only impacted the Northside neighborhood, but also the greater Fort Worth community through his community involvement.

Chew was a charter member of the Fort Worth Human Relations Commission, an organization that combated discriminatory practices in the city. Alongside former City Councilman Bert Williams, Chew played a significant role in integrating Colonial Country Club, becoming one of its first black members.

Reverend Chew served as Moderator Emeritus and the Treasurer of the Missionary Baptist General Convention of Texas, a position that he held for the past thirty-five years. He was also the first Vice-President of the National Baptist Convention of America, Inc. Until his passing, he served as the head of the Black Ecumenical Leadership Alliance, an organization he helped found that brings Christian ministers together in an effort to impact and change the lives of people throughout Fort Worth, Texas and the world.

Reverend Chew not only gave back to his church community, but also served his country during World War II. As a troop coordinate in the United States Army, Reverend Chew demonstrated an unwavering commitment to his country. He was also committed to bettering the conditions of the African American community and played an active role in his local NAACP chapter.

In honor of Reverend Albert E. Chew, Jr., for his lifelong commitment to both his local

and church communities; this statement will be submitted on Monday, November 16, 2015.

RECOGNIZING DR. CAROL GOMEZ SUMMERHAYS' ELECTION AS PRESIDENT OF THE AMERICAN DENTAL ASSOCIATION

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. HONDA. Mr. Speaker, I rise today to recognize Dr. Carol Gomez Summerhays, an accomplished dentist who recently was elected as the first Filipina President of the American Dental Association, a first in the 156-year history of the ADA. Her election is a tremendous accomplishment for women and the Filipino-American community.

It is my honor to commend Dr. Summerhays on a lifetime of service and commitment to the field of dentistry and community service. Involved in a number of professional and civic organizations, she is a great choice to head this prestigious organization.

A graduate of the University of Southern California on a full scholarship through the Armed Forces Health Professions Act, she's owned a respected private practice for 32 years. Dr. Summerhays is a past president of the California Dental Association and a current member of the American College of Dentists, Academy of General Dentistry, the American Association of Women Dentists, the Hispanic Dental Association, and the Pankey Institute.

In addition to her numerous professional accomplishments, Dr. Summerhays served on Active Duty as a lieutenant in the United States Navy Dental Corps for four years.

Dr. Summerhays' time in the military was part of her life-long commitment to community service. As a board member of Rotary International Thousand Smiles, she helped establish a dental clinic in Ensenada, Mexico. She's also provided charitable dental services to St. Vincent De Paul's Homeless Shelter, Regional Access Medical LA, and USC's East LA Dental Clinic.

Her community involvement extends to the San Diego County Dental Society, the Salvation Army Women's Auxiliary Board, and the American Cancer Society-La Jolla League.

I commend Dr. Summerhays for her 37 years of distinguished leadership. I am proud to be a part of the Asian American community where our professionals go beyond what is required in order to make a positive impact on others.

I rise today to offer her my most heartfelt congratulations for her exceptional achievements in the field of dentistry and her continued commitment to community service.

RECOGNIZING THE SIKH
MASSACRE OF 1984

HON. JERRY McNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. McNERNEY. Mr. Speaker, today, I want to honor those who were killed during the November 1984 anti-Sikh pogroms and massacre in Delhi, India. I also want to bring attention to the current desecration of the Sikh's Holy Scriptures. Sikhs are a minority group that should be officially recognized and I ask that this Congress support the plight of the Sikh people to gain recognition in India and halt the persecution against the Indian Sikh community.

TRIBUTE TO SWEET ALICE HARRIS

HON. KAREN BASS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Ms. BASS. Mr. Speaker, today I recognize and celebrate 50 years and community improvement in Watts and South Los Angeles, California, under the inspiration and leadership of Sweet Alice Harris.

Sweet Alice, as she is universally known, began speaking up against the health disparities and lack of access to services that she saw in her neighborhood five decades ago. She founded the organization Parents of Watts to give voice to those who were no longer willing to accept the circumstances in which they found themselves and their children after decades of civic neglect. Parents of Watts provided a platform for community organizing and self-empowerment.

Watts and greater South Los Angeles might be a very different place without Sweet Alice Harris. Fifty years ago she began clearly and effectively insisting that her children, her neighbors and her community should have the same access to education, health care, safety and employment that others have. Through her unrelenting, focused advocacy, her effective story-telling, and her development of relationships with both the neediest and the most powerful in Los Angeles, she has improved the quality of life for people well beyond her immediate reach.

I offer my personal thanks and congratulations to Sweet Alice on 50 years of service. I remember the founding of Parents of Watts, an organization that has grown to provide an array of services to a diverse segment of the community, including emergency food and shelter for the homeless, college preparation for teenagers, drug counseling, health seminars and parenting classes. I am pleased that this work has been recognized over the years, including by Essence Magazine, the California Lieutenant Governor's Woman of the Year Award, the Minerva Award from the California Governor & First Lady's Conference on Women, President George H. W. Bush's #702 Points of Light Award, and an honorary Doctor of Humane Letters from the University of Southern California.

With a list of accomplishments too lengthy to list here, her greatest success is that her work will continue to benefit Watts and South Los Angeles for the foreseeable future. It is an honor to recognize her work.

HONORING VIETNAM VETERANS
OF AMERICA, LUCIO G. MORENO,
CHAPTER 574

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. O'ROURKE. Mr. Speaker, I rise today to honor Chapter 574 of the Vietnam Veterans of America (VVA) for their service to our country and support of Vietnam War Veterans, including those in El Paso. The Lucio G. Moreno Chapter has worked to assure that these veterans and their families are not forgotten in my district.

Named in honor of lifelong El Pasoan and United States Marine Corps Veteran Lucio G. Moreno, Chapter 574 expanded under Mr. Moreno's fifteen years of leadership as President. The chapter is now the second largest in Texas and has advocated for improved healthcare access for our service members and veterans.

Chapter 574 is an active force in our local community and the State of Texas. The Lucio G. Moreno Chapter held the Texas State Council convention for 37 VVA state chapters earlier this year, providing a space for Veterans to gather and discuss current issues facing veterans today such as reform efforts within the VA and access to benefits. The organization regularly performs color guard duty at my Town Hall meetings and volunteers their time to support local high school ROTC programs throughout El Paso.

The chapter has also worked to create a more welcoming environment for service members returning home. These Vietnam Veterans felt that their own homecoming and readjustment was difficult; they strive to ensure that "never again will one generation of veterans abandon another."

I am honored to recognize the Lucio G. Moreno Chapter 574 of Vietnam Veterans of America and their work to diligently serve our community and our veterans.

HONORING CPL. ARNOLD ABEL

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. YOUNG of Indiana. Mr. Speaker, I rise today to recognize Cpl. Arnold Gordon Abel, of French Lick, Indiana.

I ask you all to join me in honoring the life of a fellow Hoosier veteran.

Cpl. Abel entered the military at the age of 19 and served in South Vietnam. As a United States Infantryman, Abel personified bravery and dignity while serving with his fellow Chargers in the 196th Infantry Brigade.

At home in Indiana, family and friends share fond memories of Abel and the character he embodied.

Abel was renowned for his steadfast work ethic. In the months leading up to his initial deployment in October of 1967, Abel spent much of his leave time working for his former employer at the Hayden Jones construction company. His former employer praised the young man for exhibiting a maturity and dedication well beyond his years.

Abel was cherished by his parents, Grace and Carl, and by his sisters, Brenda and Kathleen. He was a true American patriot and it is a privilege to stand here today in celebration of his life, which ended on the battlefield in South Vietnam on January 10th, 1968.

Each year on Veterans' Day, Americans around the world join together to pay tribute to all who served and to the soldiers who gave their last full measure of devotion fighting for the freedoms for which their nation still stands today.

While over four decades have passed since Cpl. Abel laid down his life in service to the United States of America, his noble sacrifice lives on in the memories of family, friends, and the many people whose lives are better for having crossed his path.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,649,024,795,838.78. We've added \$8,022,147,746,925.70 to our debt in 6 years. This is over \$8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNIZING THE 50TH ANNIVERSARY
OF COMMUNITY HEALTH
CENTERS IN AMERICA

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. LYNCH. Mr. Speaker, I rise today to recognize an outstanding landmark to community health and welfare. This year marks the 50th anniversary of the nation's Community Health Center program. Community Health Centers (CHC) are the family doctor to over 23 million Americans and, as such, are the largest network of primary care providers in the country. The CHC model is distinguished by its comprehensive range of health services, recognizing the particular needs and characteristics of the communities they serve. Community Health Centers are located in medically underserved areas, providing needed care for communities and populations that do not have adequate access to care. Community involvement in CHCs is guaranteed by the requirement that Federal Qualified Health Centers

must have governing boards of directors that have patients of the center holding at least 51% of the board seats.

In Massachusetts we are particularly proud because the nation's first community health center opened in December 1965 on Columbia Point in Boston's Dorchester neighborhood. Drs. Jack Geiger and Count Gibson of Tufts Medical School founded the Columbia Point Health Center in order to meet the needs of the residents of an isolated public housing project, cut off from the City's health resources. Drs. Geiger and Gibson opened a rural center shortly thereafter in the Delta region of Mississippi. From that start, the community health center program expanded throughout the country. In 1966, the esteemed late Senator Edward M. Kennedy visited the Columbia Point Health Center and immediately understood its mission and its value. He became the greatest champion health centers have ever known. Over the next 50 years, with his leadership and support, the Community Health Center program expanded tremendously.

Mr. Speaker, there are now over 1,270 community health centers providing services at 9,000 sites across the country. CHCs have become the primary source of medical, dental, behavioral health, substance abuse treatment, social services and other community health services for neighborhoods and rural communities that would otherwise be inadequately served. CHCs have also provided employment and career opportunities for thousands of local residents.

Mr. Speaker, fifty years ago it all began here, in Massachusetts. I am proud to rise today to recognize and honor what has become a national model for providing services to our country's underserved areas and urge my colleagues to join me in acknowledging the efforts of our Community Health Centers.

HONORING WILLIAM S. MORIARTY

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor William S. Moriarty from Carter County, Missouri for his exemplary service to not only his community, but also his country.

Bill began serving his country in the Marine Corps during the Vietnam War. His heroic actions were acknowledged when he received the Silver Star, one of the highest military awards. After a long and successful career in the military that spanned over 22 years, he retired at the rank of Lieutenant Colonel. However, his impact on the military did not end there as Bill has since spent countless hours helping other veterans in our area register for benefits.

Bill has proven to be an invaluable asset to the community through his numerous volunteer efforts. He makes a direct impact on the lives of others by lecturing on the dangers of drugs at local schools, donating his time at his local senior center, and working with the Meals on Wheels Program. Bill also volunteers through broader forums by serving on a

branch of the University of Missouri Extension Council and as part of the Disaster Response Commission for Missouri.

Bill is an exceptional model of a true American who serves others and it is my pleasure to recognize his efforts and accomplishments before the United States House of Representatives.

TRIBUTE TO DR. ROBERT J. BEALL

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. McGOVERN. Mr. Speaker, I rise today to honor the work and achievements of Dr. Robert Beall, who recently stepped down as president and chief executive officer of the Cystic Fibrosis Foundation. In his 35 years with the Foundation, Dr. Beall's efforts to advance cystic fibrosis research and treatment have had an extraordinary impact. When Dr. Beall began work with the Foundation in 1980, the median predicted life expectancy of a patient with cystic fibrosis was 18 years. Today, it is more than 40 years.

In 1976, Dr. Beall was first introduced to the disease when he attended the Cystic Fibrosis Foundation's meeting outside of San Diego. There, he was shocked to see how little scientific understanding there was about the disease. In the words of Dr. Beall, "the foundation was so small at that point that the parents were bringing all the food and operating the projector—and I met the parents . . . Kids were dying then at a very young age. After I met the parents, I went back to the National Institutes of Health and said: 'I want to do this.'" Dr. Beall went on to manage the National Institutes of Health's cystic fibrosis program. There, he earned a National Institutes of Health Merit Award for his significant contributions to the field.

In 1980, Dr. Beall joined the Cystic Fibrosis Foundation where he served first as their executive vice president for medical affairs and, beginning in 1994, as their president and CEO. During Dr. Beall's time with the Foundation, medical awards for cystic fibrosis research grew from \$4 million to over \$85 million and supported groundbreaking research including the discovery in 1989 of the genetic defect responsible for the disease. Further, under Dr. Beall's oversight, the Foundation established 114 care centers and cutting-edge research facilities. We also have Dr. Beall to thank for developing and advancing the innovative concept of venture philanthropy. With this practice, Dr. Beall created the Therapeutics Development Program to connect researchers with biotech companies. Thanks to Dr. Beall's work, many children diagnosed with cystic fibrosis have lived into adulthood and it is no longer a pediatric disease. Today, more than 50 percent of patients are over 18 years of age.

As co-chair of the Cystic Fibrosis Caucus, I have had the privilege of working with Dr. Beall and seeing firsthand his passion and commitment to finding a cure for cystic fibrosis. His steadfast leadership and innovative

thinking has improved the lives of thousands of people with cystic fibrosis and their families.

Today, I ask all Americans to join me in thanking Dr. Beall for his tireless dedication to helping people with cystic fibrosis and in wishing him the best in his new endeavors.

HONORING THE LIFE OF SPC. CHARLES BEALS

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. YOUNG of Indiana. Mr. Speaker, I rise today to recognize Spc. Charles Beals, of French Lick, Indiana.

I ask you all to join me in honoring the life of a fellow Hoosier veteran.

Spc. Beals enlisted in the United States Army five months after high school graduation. By January of 1970, he had been assigned to Advanced Infantry Training and deployed to Vietnam the following spring. As a member of the renowned 506th Infantry Regiment of the 101st Airborne Division, Beals personified bravery and dignity while serving with his fellow Screaming Eagles.

A friend to all, Charles is said to have brought laughter with him wherever he went. He was a cherished son and a loving brother to his nine siblings.

Charles Beals gave his last full measure of devotion fighting on the hilltops of Vietnam. He sacrificed for his platoon, his brothers and sisters, and for every American who knows freedom today.

Like too many young American men who deployed, Spc. Beals's remains have yet to be recovered. I join his family, friends, and brothers-in-arms in praying for closure. I pray for his eventual return to rest alongside his family and loved ones in Indiana.

Each year on Veterans' Day, Americans around the world join together to pay tribute to all who served and to the soldiers who gave their lives fighting for the liberties for which their nation still stands today.

It is a privilege to honor Spc. Charles Beals's courageous life and recognize his distinguished service to his country.

HONORING THE 2015 DISTINGUISHED CITIZEN AWARD RECIPIENTS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. VISCLOSKY. Mr. Speaker, it is with great respect that I take this time to recognize the 2015 Distinguished Citizen Award recipients, presented annually by the Boy Scouts of America Calumet Council. To commemorate this special occasion, the organization hosted a celebratory event on Tuesday, November 10, 2015, at Gamba Ristorante in Merrillville, Indiana. Since 1992, the Boy Scouts of America Calumet Council has presented the Distinguished Citizen Award to individuals who have

made a significant positive impact on their community in Northwest Indiana and across the state. This year, the Boy Scouts of America Calumet Council honored Mamon and Cynthia Powers.

Mamon and Cynthia Powers were born and raised in Gary, Indiana. Mamon graduated from Froebel High School as an honors student, and Cynthia was valedictorian of her class at Gary's Tolleston High School. Following High School, Mamon graduated from Purdue University with a bachelor's degree in civil engineering. Cynthia earned her bachelor's and master's degrees in English and college administration at Indiana State University. Soon after graduating from college, Mamon and Cynthia began working with Mamon's father at Powers & Sons Construction Company, while both maintained other full-time jobs. In 1970, they formed Powers Realty, Incorporated. Eventually, they purchased a Century 21 franchise which Cynthia began managing and proved to be immensely successful in every aspect of the business. Already making their mark in the business world, the couple wed in 1972. Over the years, Mamon has served as secretary and treasurer of Powers & Sons Construction Company. In 1987, he was named president and was later named the company's chairman and chief executive officer. Under his leadership, Powers & Sons changed its focus from residential to commercial and industrial construction and has become one of the largest African American owned construction companies in the world.

Aside from their work, Mamon and Cynthia give an extraordinary amount of their time and efforts to charitable endeavors. With over forty-five years of service to the community and to their alma maters, Purdue and Indiana State University, they are to be commended. Mamon serves as the chairman of the Methodist Hospitals Board of Directors. He is a member of the Fifth Third Bank—Chicago Regional Board of Directors, and he is also a member of the World Presidents' Organization and Chief Executives' Organization. In addition, Mamon is a former member and vice chairman of the Board of Trustees of Purdue University.

Cynthia is a member of Indiana State University's Alumni Association Board, a member of the Indiana University Northwest Board of Advisors, treasurer of The Friends of Emerson School for the Visual and Performing Arts, a member of the Northern Indiana Chapter of the Links, Inc., and a Golden Life Member of Delta Sigma Theta Sorority, to name a few. Cynthia is also the former chairperson and member of the YWCA of Northwest Indiana. In addition, and most significant to both Cynthia and Mamon, is their service to the NAACP of Gary and the First AME Church, where Mamon serves as trustee and Cynthia is a long-time choir member and past youth choir director. Mamon and Cynthia have been honored and awarded many times for their outstanding work throughout Northwest Indiana and beyond. They serve as an inspiration to us all and have helped lead Northwest Indiana toward a new and bright future. To be their friend is a blessing.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in honoring

the Boy Scouts of America Calumet Council and its 2015 Distinguished Citizen Award recipients, Mamon and Cynthia Powers. For their lifetime of leadership and tireless dedication to their community and to those in need, Mamon and Cynthia are worthy of the highest praise.

**HONORING ELEANOR MAGERA ON
HER 100TH BIRTHDAY**

HON. ROBERT J. DOLD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. DOLD. Mr. Speaker, I rise today to honor Eleanor L. Magera on her 100th birthday. Eleanor has lived in Lake Villa Township for many years, spending the last 12 years at Cedar Village in Lake Villa. Maintaining a youthful persona, Eleanor is known for her positive and independent attitude, positively influencing everyone who has the pleasure of making her acquaintance.

Eleanor was born in Beachwood, Michigan on November 15, 1915. One of 11 children, Eleanor would go on to have her own big family with her husband of 60 years, Richard "Dick" Magera, who passed away in May of 2000. Together they had two children, Martin and Dorothy, six grandchildren, many great-grandchildren, and a great-great-grandchild. Eleanor remains active not only by walking the floors of Cedar Village on a daily basis, but by leading a group exercise class three days a week. She also keeps her mind sharp through her love of board games, even earning the title of the "Queen of Scrabble."

Mr. Speaker, Eleanor L. Magera is a neighbor and friend to all those who reside in Lake Villa Township, and I am proud to recognize her for the continued service and inspiration she brings to the community.

CALLING UPON THE CFPB TO PROTECT OUR NATION'S VETERANS BY ISSUING A STRONG PAYDAY LENDING RULE

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Ms. SLAUGHTER. Mr. Speaker, I rise today to honor our nation's veterans by asking the Consumer Financial Protection Bureau (CFPB) to issue a strong rule protecting our former servicewomen and men from predatory payday lending schemes. The CFPB should ensure that the federal rule leaves no room for the payday lending industry to circumvent laws in states like New York that have set strong, enforceable prohibitions on payday lending.

Payday lenders have long targeted members of the military with promises of quick cash but realities of triple digit interest rates and even more debt. While the Obama Administration recently addressed many of these issues by closing loopholes in the 2006 Military Lending Act, our veterans are left vulnerable—and vulnerable they are indeed. The

Department of Housing and Urban Development estimates that nearly 50,000 veterans are homeless on any given night, and the National Coalition for Homeless Veterans estimates another 1.4 million veterans are at risk of homelessness due to poverty and a lack of community support networks. We must do better by those who risked their lives in service to this country.

It is because of financial challenges like those faced by our veterans—the struggle to find affordable housing, health care and a living wage—that payday lending has thrived where it is permitted. But where it has not been permitted, such as in New York, people have found ways other than abusive, unfair, and predatory payday loans to address their financial needs. The rules issued by the CFPB must uphold the strong protections states like New York have in place. At a minimum, the CFPB should:

Require a meaningful "ability to repay" standard, without exceptions or safe harbors;

Provide that a violation of state usury law is an unfair, deceptive and abusive act and practice (UDAAP);

Provide that payday loans are subject to the law of the state where the borrower resides;

Prohibit abusive bank account access by payday lenders; and

Include enforceable protections against abuses by lead generators and other third-party marketing affiliates that sell people's sensitive personal and financial information to payday lenders.

On the battlefield, our military pledges to leave no servicemember behind. Our promise to them must be no less when they return home. They promised to protect and defend this nation, and we owe the same to them. I urge my colleagues to join me in asking the CFPB to issue a strong rule that is fair and that honors those who served this country.

PERSONAL EXPLANATION

HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Ms. MAXINE WATERS of California. Mr. Speaker, I was necessarily absent from the House on February 26, 2015. Had I been present, I would have voted NO on H. Res. 125, the rule for H.R. 5, Roll Call 93.

CONGRATULATING CATHY WHITEHEAD

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mrs. BLACKBURN. Mr. Speaker, today I ask my colleagues to join me in congratulating and recognizing the extraordinary work of Chester County teacher Cathy Whitehead. Cathy's leadership skills among her colleges and her ability to tailor her instruction to each student's needs have led her to be named the 2015–16 Tennessee Teacher of the Year.

Cathy Whitehead has dedicated the past six years to teaching Middle Tennessee youth at West Chester Elementary School. Over those years she has earned a shining reputation for delivering high-quality personalized instruction, including creating project-based opportunities for advanced students.

Cathy's devotion to education spans beyond her classroom. She has served in several leadership positions in her district and regularly leads professional development classes for her peers.

When receiving the state's top teaching honor during the annual Teacher of the Year banquet, Cathy said, "Every student can learn, and every student can grow, the potential is there. It's up to us to help them see it." I ask my colleagues to join me in celebrating Cathy Whitehead's dedication, passion, and commitment to helping tomorrow's leaders learn their potential today.

HONORING THE LIFE OF PFC.
RICHARD WOLFINGTON, JR.

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. YOUNG of Indiana. Mr. Speaker, I rise today to recognize Pfc. Richard Wolfington, Jr. of Indianapolis, Indiana.

I ask you all to join me in honoring the life of a fellow Hoosier veteran.

Wolfington was a fellow United States Marine. He enlisted at the age of 20 and deployed to South Vietnam in 1967. He served with great distinction and valor alongside fellow members of the renowned Fighting Third.

During his tour, Wolfington suffered combat injuries while defending a Vietnamese village. After weeks of hospitalization, Wolfington returned to the exact battlefield where he was wounded to rejoin his brothers-in-arms.

Wolfington was a true American hero. It is a privilege to stand here today in celebration of his life, which tragically ended upon his return to battle.

Each year on Veterans' Day, Americans around the world join together to pay tribute to all who served and to the soldiers who gave their lives fighting for the liberties for which their nation still stands today.

Like so many young American men of his generation, Wolfington endured the realities of war with noble dignity and gave his last full measure of devotion in service to his country. Oorah Marine.

It is a privilege to honor his courageous life and recognize Pfc. Richard Wolfington, Jr. for distinguished service in the United States Marine Corps.

IN RECOGNITION OF NATIONAL
FEDERATION OF THE BLIND OF
PENNSYLVANIA'S 75TH ANNIVERSARY

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor the National Federation of the

Blind who celebrate 75 years of service for the vision impaired. Established in November 1940 by Jacobus tenBroek, The National Federation of the Blind has prided itself for the better part of a century as being the voice of the blind Americans.

The Federation's initial convention took place in Wilkes-Barre, PA, uniting organizations of the blind from across seven states under one constitution. Once established, the NFB advocated for financial security, equal employment opportunity and equal access to housing, transportation and places of public accommodation.

Today, the National Federation of the Blind is America's largest organization of the blind with affiliates in all 50 states and over 50,000 members. Within the Federation are dozens of subsidiaries, such as the National Association of Blind Students, the National Association of Blind Lawyers, The National Association of Blind Merchants, the National Association of the Blind in Communities of Faith, and the National Association of Guide Dog Users. This vast network helps to educate the general public as well as legislators and policy makers at the local, state, and national levels. In addition, the NFB facilitates mentoring relationships, provides Braille certification courses, and has a division dedicated to educating the public about the use of guide dogs.

It is an honor to recognize the National Federation of the Blind for celebrating their 75th Anniversary. I congratulate them on the great strides they have made to advance the welfare of men and women with vision impairments. May they continue their honorable work promoting and defending the interests of the blind in America.

CELEBRATION OF THE 250TH ANNIVERSARY OF THE REPUDIATION ACT IN FREDERICK COUNTY, MARYLAND

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. VAN HOLLEN. Mr. Speaker, I rise today to salute the Sergeant Lawrence Everhart Chapter of the National Society of the Sons of the American Revolution and the Frederick and Carrollton Manor Chapters of the National Society of the Daughters of the American Revolution on their collaboration in celebrating the 250th anniversary of the Repudiation Act in Frederick County, Maryland. This event was a defining moment in our nation's history and established a critically-important precedent in our judicial system.

On November 23, 1765, the twelve justices of the Frederick County Court took the bold and unprecedented step to repudiate "taxation without representation." The British had passed the Stamp Act on March 22, 1765, which was to take effect on November 1st of that year. The new tax was imposed on all American colonists and required them to pay a tax on every piece of printed paper. This was the first internal tax levied directly on American colonists by the British government. Obviously unpopular, the Stamp Act raised the

constitutional question of taxation without representation and the extent of the legislative powers of Parliament over the colonies.

The most significant reaction to the Act was expressed in Frederick County. The Frederick Court unanimously ordered that "all proceedings shall be Valid and Effectual without the use of Stamps" because, first, a "Legal Publication" had not been made "of any Act of Parliament" and, second, there was no stamped paper in "the province and the Inhabitants have no means of Procuring any." They further wrote "that it would be an Instance of the most wanton Oppression to deprive any person of a Legal Remedy for the Recovery of his property for omitting that which it is Impossible to perform."

This decision came to be known as the Repudiation Act and earned the justices the honor of being called the "Twelve Immortals." Thanks to this extraordinary ruling, the constitutional principles of representative government and political self-determination, critical to the success of the coming American Revolution, became engrained throughout the colonies. Indeed, it is noteworthy that these early jurists established through their bold ruling the principle of judicial independence, striking down the decree of Parliament and reinforcing the obligation of courts to protect the rights and liberties of people.

The judges' ruling set off great rejoicing in the streets of Frederick. A parade was held through the streets highlighted by a funeral procession. The community was so thankful for this decision that they covered a coffin in anti-Stamp Act slogans and symbolically laid the Stamp Act to rest.

This year, on the 250th anniversary, the celebration will include a reenactment of the parade that carried the coffin containing the now-deceased Stamp Act through the streets of Frederick. The current Clerk of the Frederick County Court, Sandra Dalton, will read the words that were recorded in 1765. A new sign will be dedicated on the grounds of the City Hall, recognizing the courage of the twelve judges who protected the rights and liberties of all people.

Mr. Speaker, Frederick County, Maryland has a proud history of patriotism and standing up against tyranny. I am proud that the community is gathering to celebrate this defining moment in our history.

TROOP 395 EAGLE SCOUTS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate three outstanding young men who have earned the rank of Eagle Scout with Missouri City Boy Scout Troop 395.

These three Scouts are among less than five percent of all Boy Scouts to earn such a prestigious rank by dedicating countless hours towards organizing and working on service projects with Troop 395. For his Eagle Scout project, Ethan Spendlove, a senior at Ridge Point High School, built a shade canopy for a local community garden. Matheus Meneses, a

senior at Elkins High School, built a corral trap for wild hogs at an area nature preserve. Tyler Echard, a sophomore at Ridge Point High School, built bat houses in his neighborhood to help lower the mosquito population. These Eagle Scouts exemplify the finest qualities of citizenship and leadership. We are extremely proud of their selfless dedication to our community and for demonstrating such strong leadership.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Ethan, Matheus, and Tyler for earning Eagle Scout. They have bright futures as community leaders ahead.

HONORING THE LIFE OF NOHEMI GONZALEZ

HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mrs. NAPOLITANO. Mr. Speaker, it is with great sadness that I rise to honor the life of Nohemi "Mimi" Gonzalez, a 23-year-old senior at California State University, Long Beach, who was killed in the senseless terrorist attacks in Paris on Friday, November 13, 2015. Nohemi, a native of the San Gabriel Valley, was in the Petit Cambodge restaurant with another Long Beach State student when she was fatally shot by the Islamic State group, also known as ISIS. Nohemi was in Paris studying at the Strate College of Design during a semester abroad program.

A proud independent and energetic first-generation Mexican-American, Nohemi was born on October 19, 1992, in Whittier, where she grew up. She graduated early from Whittier High School and became a first-generation college student. Gonzalez was studying Industrial Design, paying her way through school with help from an on-campus job in the school's design shop. Nohemi was full of life. Her classmates called her a firecracker and a rabbit—hopping around the Cal State Long Beach campus's design school eager to help anyone who needed it. She loved life and was eager to learn and partake in our American dream.

Nohemi is survived by her mother, Beatrice and step-father, Jose Hernandez, residents of El Monte. Beatrice wanted her daughter to be remembered as a young Latina who worked hard to get ahead. I wish to express my sincere sympathy to her parents as well as her extended family, friends, and the entire Cal State Long Beach community, who have all been devastated by the loss of one so loved. I ask that all of my colleagues join me to honor the life of Nohemi Gonzalez and remember all those who lost their lives in Paris.

EXPRESSING CONDOLENCES TO THE VICTIMS OF THE TERRORIST ATTACKS IN PARIS AND SOLIDARITY WITH THE PEOPLE OF FRANCE

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise today in sorrow over the loss of so many innocent lives cut short by the outrageous and heinous acts of terrorism that shocked and rocked the people of Paris last Friday and earned the lasting enmity of peaceful and freedom loving people around the world.

Right now, our prayers are with the victims and their families at this terrible time.

And we stand in unyielding solidarity with the people of France, which like the United States, is one of the most welcoming nations in the world.

Mr. Speaker, for centuries Paris has been known to the world as the City of Light.

The title is richly deserved because Paris has been a world leader in the march of human progress in the arts, culture, science, democratic theory and governance, and embraces the challenges and opportunities of the modern world.

Those who think that they can terrorize the people of France or the values that they cherish underestimate a nation that has faced and prevailed against far more sinister and lethal adversaries.

And they will again, but they will not confront these adversaries alone.

They will be joined by the United States and the other countries of the civilized world.

The French are justly proud of their national motto, "Liberte, egalite, fraternite," (liberty, equality, fraternity) and no act of terrorism by cowardly perpetrators will succeed in leading them to renounce their heritage of freedom and justice.

It is a heritage that we here in the United States share.

And that is why the civilized world must and will rededicate itself to combating and defeating radical jihadism.

And as has been done many times throughout the long and special relationship between the United States and France, we will face and overcome threats to our way of life together.

We will not bow and will never break; we will not falter or fail.

We will respond. We will endure. We will overcome.

The terrorist attacks in Paris on Friday were horrific acts on innocent civilians perpetrated by depraved individuals who misuse the peaceful religion of Islam for their own misguided purposes.

Their horrible and heinous acts are their responsibility, and theirs alone, and for which they can be assured that they alone will be held accountable.

But that will come another day; today I ask a moment of silence for the victims killed and injured in the terrorist attacks last Friday in Paris.

HONORING MICHAEL FITZGERALD AND FINER FOODS FOR THEIR THANKSGIVING GENEROSITY

HON. ROBERT J. DOLD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. DOLD. Mr. Speaker, I rise today to recognize and honor Michael Fitzgerald of Finer Foods. Since 1934, Finer Foods and the Fitzgerald family have put food on tables of Chicagoland's restaurants, grocery stores and cafeterias. Finer Foods is truly one of Chicago's iconic family businesses.

For the last five years, Michael and Finer Foods have graciously donated and delivered turkeys and Thanksgiving fixings for families in North Chicago, Waukegan and Zion, Illinois. I have personally witnessed how this generosity has impacted the lives of people suffering temporary economic hardship during the Thanksgiving season.

On behalf of the people of the 10th Congressional and the hundreds of families who enjoyed Thanksgiving dinner, I want to offer our sincere and heartfelt thank you.

JOSHUA OKOLO CAN THINK

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Joshua Okolo of Katy, Texas for winning the Texas Summer THINK Challenge.

Joshua, a student at Fielder Elementary, dedicated his summer to keeping his mind sharp. Over the course of the summer, he completed over 2,000 math problems—approximately 52 hours of math. What a great way to spend a summer. Thank you to his parents and teachers for encouraging Joshua to love and excel in math. We are all proud of your hard work.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Joshua for winning the Texas Summer THINK Challenge. What a way to strengthen your math skills.

RECOGNIZING COMMUNITY FOUNDATION WEEK

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. TIBERI. Mr. Speaker, I rise today to honor community foundations all across the country that embody the generosity of spirit that is such an important American value. Community Foundation Week was founded in 1989 and every November 12th–18th it honors the tremendous contributions of these organizations made up of Americans voluntarily working together to improve their communities. Since the first community foundation was founded in my home state of Ohio in 1914

these groups have filled a unique place in American society and provide assistance and inspiration to millions of people.

Today there are more than 750 community foundations in the United States, with 84 in Ohio, and several who serve communities in the 12th District such as the Delaware County Foundation, the Dublin Foundation, the Granville Foundation, the Licking County Foundation, the Morrow County Foundation, the Muskingum County Community Foundation, the Richland County Foundation, and the Columbus Foundation. These foundations work with their communities to make meaningful contributions in many areas like education, the arts, social services, and healthcare, and have provided millions of dollars over the years to these causes.

As just one example of the huge impact these foundations can have, the Licking County Foundation is working to transform a parking lot in downtown Newark into the Canal Market District through a \$4 million fund established by the Evans Foundation. The district will feature new walkways and green spaces centered around the Canal Market Plaza, three new structures that will form an open air farmer's market and provide a venue for many different events from the spring through the fall. This project would not be possible without years of working with local leaders, business owners, and the citizens of the community. Since the project was announced last year, Denison University, Licking Memorial Health Systems, the City of Newark, Bon Appétit Management, USDA Rural Development and the Ohio and Licking County Farm Bureaus have all come forward to help with the district. This project will provide economic benefits to Newark, as well as increased access to fresh food.

The Columbus Foundation, the seventh largest community foundation in the nation, provides other great examples of the importance of community foundations. Recently, the Columbus Foundation set up a trust using a generous gift by David and Nanci Gobey that will allow graduates of Columbus City Schools to keep the instrument they have been using in high school. As a member of the marching band in high school and at The Ohio State University, I personally experienced how the arts can have an everlasting impact on one's life. The arts and art education are important for personal and intellectual growth of students and people of all ages. Music programs have been shown to increase academic performance, and programs like the one the Columbus Foundation facilitated help keep music in our schools and our students' lives despite a tough budgetary environment.

These examples merely hint at the outstanding work done by community foundations in central Ohio and all across the nation. I am honored to recognize Community Foundation Week this year, and acknowledge the tireless philanthropic efforts of these organizations to improve communities all across the country.

NLRB REFORM ACT

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. WILSON of South Carolina. Mr. Speaker, for too long, the partisan bias of the National Labor Relations Board—has caused instability in how the NLRB will interpret labor policy rules, harming employees and destroying jobs. The President's 'Big Labor Bully' has constantly abused its authority by overregulating and restricting right-to-work states.

Today, I have introduced the NLRB Reform Act to end the bias in the NLRB by adding a sixth member—establishing equal representation for each political party. It will benefit employers and employees and will help create jobs by reining in the unfair general counsel and enforcing timely decision-making.

A non-partisan board would restore fairness to promote new jobs. Last week, I announced my introduction of this legislation at Nephron Pharmaceuticals in Lexington County with CEO Lou Kennedy, Representative Todd Atwater, President of the South Carolina Manufacturer's Alliance Louis Gossett, and former CEO of the South Carolina Chamber of Commerce Otis Rawl; and at CommuniGraphics in North Augusta, with owners Mark and Tracy Cook, and Representative Bill Hixon.

In conclusion, God Bless Our Troops and may the President by his actions never forget September 11th in the Global War on Terrorism. Our sympathy for America's First Ally, France, as the latest target in the Global War on Terrorism.

RECOGNIZING THE 40TH ANNIVERSARY OF ARC OF YATES

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. REED. Mr. Speaker, I rise today to congratulate Arc of Yates on its 40th anniversary.

Arc of Yates is a non-profit organization located in Penn Yan, New York. Since 1975, it has provided services to individuals with developmental disabilities, empowering them to lead "self-directed" and "meaningful" lives.

Arc of Yates serves more than 400 children, adults, and seniors across the Finger Lakes region. It provides a wide range of services, including day habilitation, residential living, employment training, and various educational opportunities. In addition, Arc of Yates offers several clinical programs, focusing on social work, nursing, and nutrition.

Last month, Arc of Yates reopened its facility in Penn Yan, less than eighteen months after it was badly damaged by devastating floods. This resiliency is a testament to their commitment to serving our local families and communities.

I commend the staff and volunteers of Arc of Yates on everything they have achieved in the past forty years, and I look forward to their continued efforts to empower our neighbors with disabilities to live independent and inclusive lives.

TEXAS REAL ESTATE COMMISSION APPOINTMENT

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. OLSON. Mr. Speaker, I rise to congratulate Rayito Stephens of Pearland, Texas on her appointment to the Texas Real Estate Commission by Governor Greg Abbott.

Mrs. Stephens is a licensed realtor and broker with over twenty-one years of experience. Throughout her career, she has been involved in almost every aspect of the real estate industry from home construction to real estate negotiation. She shows her big, Texas-sized heart by dedicating her time to helping veterans and people with disabilities become homebuyers. Rayito's appointment is a reflection of her impressive career and dedication to others.

On behalf of the Twenty-Second Congressional District of Texas, congratulations to Rayito Stephens on her appointment to the Texas Real Estate Commission. Governor Abbott made a great decision in selecting you.

H.R. 1694

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mrs. BUSTOS. Mr. Speaker, earlier today I asked unanimous consent that my name be removed as a co-sponsor of H.R. 1694.

I urged a change in the language to strengthen support for our veteran business owners by establishing a dedicated funding stream. Unfortunately the bill sponsor declined to make this change.

I urge my colleagues to instead support H.R. 3997 which would much more effectively ensure that our veteran business owners have the opportunity to compete and succeed.

TRIBUTE TO DEB WEILAGE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Deb Weilage of Council Bluffs, Iowa, for being named a Parent Educator of the Year. She was honored recently at the Parents as Teachers Conference in Dallas, Texas.

Deb, along with four other parent educators from around the country, accepted the award before 1,300 conference participants. Each of them there were representing early childhood, child care, health, mental health, social services, and government agencies from across the nation and around the world. The Parent Educator of the Year award is intended to honor those individuals and affiliate programs whose practices exemplify the mission of Parents as Teachers.

Mr. Speaker, it is an honor to represent leaders like Deb in the United States Congress, and it is with great pride that I recognize and applaud her for utilizing her talents to better the state of Iowa. I invite my colleagues in the United States House of Representatives to join me in congratulating her on receiving this esteemed designation, and wishing her the best of luck in all her future endeavors.

INTRODUCTION OF EXPRESSING
THE SENSE OF THE HOUSE OF
REPRESENTATIVES REGARDING
THE VICTIMS OF TERROR PRO-
TECTION FUND—HOUSE RESOLU-
TION 528

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2015

Ms. JACKSON LEE. Mr. Speaker, the past 36 hours have been a very trying time for the world family as we grapple with the reality of terrorists wreaking havoc in our world.

One only needs to look at the current news events across the globe to appreciate the imperative of countering violent extremism, empowering and protecting victims of terror, refugees and displaced persons.

In the past three months alone, ISIS has claimed responsibility for crimes, atrocities and terroristic attacks, claiming lives in Saudi Arabia, Yemen, Egypt, Beirut and Paris.

Daesh-ISIS and other terrorist networks that have pledged allegiance to ISIS today pose the gravest extremist threat faced by our generation and those of our children.

But we must not be moved by their evil ways, for eventually, the arc of the moral universe always tips on the side of justice of peace of equity of the rule of law.

This is why I remain steadfast in my commitment to combatting violent extremism and protecting victims.

Today, I introduced legislation expressing the sense of the House of Representatives regarding the creation of a Victims of Terror Protection Fund.

I urge support of this legislation.

As a result of terrorism in the region and Boko Haram in particular in Nigeria, recent reports inform us that Nigeria has the highest number of displaced persons in Africa and the third largest in the world, following Syria and Colombia.

As we know, the recent coordinated attacks in Paris, following military interventions by at least two United Nations Security Council permanent members: Russia and France highlights the fact that we are dealing with an enemy of humanity and compels us to launch an international and coordinated strategy to diminish ISIS to protect our children and our children's children.

Moreover, the recent events underscore the importance of a Comprehensive Convention on International Terrorism to degrade and permanently destroy ISIS and its vitriolic ideology that is inflicting pain on innocent people.

As we all know, humanitarian crises triggered by sectarian and ideological violence has plagued our world at a disheartening rate.

According to one United Nations High Commissioner for Refugees (UNHCR's) annual Global Trends report, which is based on data compiled by governments and non-governmental partner organizations, and from the organization's own records, over 60 million people have been forcibly displaced across the globe.

Moreover, according to a report by the International Displacement Monitor Center, an estimated 3,300,000 persons have been displaced and 5,500 killed as a result of the violence wreaked by Boko Haram.

One United Nations Children's Fund (UNICEF) report asserts that as the most populous nation in Africa with 174,000,000 persons, 1,500,000 people have fled their homes to escape Boko Haram.

In April, 2014, 276 girls were terrorized and kidnapped from their dormitories in Chibok by Boko Haram.

In addition to the still missing Chibok girls, approximately 3,300,000 persons are displaced in the Lake Chad Basin which sits on the edge of the Sahara which encompasses Chad, Cameroon, Niger and Nigeria.

We must not forget these girls or displaced persons and must work to provide the support they will need to recover from the trauma they have suffered.

The victims will be in dire need of humanitarian assistance which the Victims of Terror Protection Fund can provide.

The Victims of Terror Protection Fund should be modeled after the cases of Khazistan and Equatorial Guinea where prior kleptocracy initiatives have been created to benefit communities and victims in need of support.

A kleptocracy is when a government in power exploits or steals national resources, which unfortunately has happened all too often across the globe.

Here, the United States Department of Justice through its Kleptocracy Asset Recovery Initiative has identified the forfeited "Abacha Funds," funds stolen by former Nigerian dictator Sanni Abacha.

Indeed, the "Abacha Funds" is the largest kleptocracy forfeiture action ever brought in the United States resulting in a \$450,000,000 judgment of the forfeited assets facilitated by Justice's remarkable Kleptocracy Asset Recovery Initiative.

The Abacha Administration embezzled Nigerian public funds under other false claims, that the Administration was investing in national security measures to protect Nigeria and the Nigerian people.

As we all see now, as a result of or in part because of the Abacha Administration's failure to invest in and implement security measures, the security in Nigeria and the region is tenuous, with the country and region currently under continuous threat by the ISIS affiliated group Boko Haram.

Indeed, Boko Haram and other sectarian terrorists have trafficked, kidnapped, murdered and caused the displacement of millions of children, women and men.

Recovered victims displaced by terrorist activity as well as refugees, migrants and internally displaced persons fleeing for their lives will be in dire need of protection and support.

A Victim of Terror Protection Fund can supply health aid, educational support, employ-

ment training, economic empowerment, dignity and overall improved social welfare of these victims.

I continue to have a deep appreciation of the patriotism, resilience, and commitment of the Nigerian people under the leadership of their newly democratically elected President Muhammadu Buhari.

As an emerging democracy, Nigeria is a country that has faced its set of challenges, conflicts, and contradictions analogous to the human condition itself.

Yet, resiliency flows through the veins and into the hearts of the Nigerian people.

That is why I urge my colleagues to support the victims through the protection fund to protect, support and address the unprecedented migrant and refugee crisis across the Mediterranean triggered by violent extremism, conflict and natural disasters.

Boko Haram is an existential threat to the human rights, well being and security of the Nigerian people and their regional neighbors with its relentless drive to commit genocide.

Part of the strategy to help address the scourge of Boko Haram's atrocity should be through the creation of a Victim of Terror Protection Fund and accessibility of military technical assistance to Nigeria and its regional neighbors pursuant to the UN Security Council and neighboring African countries call for accelerated military collaboration to combat this extremist group.

This is why I commend the U.S. Administration's announcement that it is deploying 300 U.S. troops to Africa to set up a drone base to track fighters from Boko Haram, which continues to seek to destabilize Nigeria and neighboring countries during its blood thirsty assault on innocent people.

The U.S. forces' presence will be critical to combatting Boko Haram, which now appears to continue to wage its vicious insurgency in Nigeria and now spilling into neighboring Cameroon, Chad and Niger and leaving an estimated 20,000 people dead.

In light of these atrocities and its pleading of allegiance to the Islamic State (ISIS), we must remain vigilant of Boko Haram, since both groups are fighting to establish a caliphate across the Middle East and in Africa.

Our global strategy for ending the suffering, preventing displacement and creating solutions for displaced persons in Africa requires a multi-pronged strategy which would involve a sustained humanitarian response, government and civil society capacity building, and the creation of resilient political and security infrastructures and landscapes.

This proposed Victims of Terror Protection Fund is one of the strategies for addressing the growing African migrant and refugee crisis.

I commend President Buhari's commitment to Nigerian security and his directive to local authorities to tighten vigilance in vulnerable places.

I hope we continue to build a stronger alliance with President Buhari and Nigeria.

To succeed at all our objectives, Nigeria must have continued U.S. support in protecting victims of terror, technical training, logistical and infrastructural capabilities and professionalizing its military force to battle Boko Haram.

Nigeria has emerged from so many trials and tribulations stronger, more united, more

focused, and committed to reestablishing the stability, peace, security, growth, and development of the country.

I invite all Members including those who have supported previous efforts, letters and resolutions related to combatting terrorism and Boko Haram and the promotion of U.S. Nigeria relations to join me in sponsoring this resolution expressing a sense of the House of Representatives regarding the Victims of Terror Protection Fund.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, November 17, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

NOVEMBER 18

9:30 a.m.

Committee on Armed Services
Subcommittee on SeaPower

To receive a closed briefing on undersea critical infrastructure protection.

SVC-217

Committee on Environment and Public Works

To hold hearings to examine the international climate negotiations.

SD-406

10 a.m.

Committee on Health, Education, Labor, and Pensions

Business meeting to consider H.R. 2820, to reauthorize the Stem Cell Therapeutic and Research Act of 2005, S. 1719, to provide for the establishment and maintenance of a National Family Caregiving Strategy, and the nominations of Victoria A. Lipnic, of Virginia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2020 (Reappointment), and Michael Herman Michaud, of Maine, to be Assistant Secretary of Labor for Veterans' Employment and Training.

SD-430

Committee on the Judiciary

To hold hearings to examine National Adoption Month, focusing on stories of success and meeting the challenges of international adoptions.

SD-226

11 a.m.

Committee on Commerce, Science, and Transportation

Business meeting to consider S. 571, to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, S. 1143, to make the authority of States of Washington, Oregon, and California to manage Dungeness crab fishery permanent and for other purposes, S. 1518, to make exclusive the authority of the Federal Government to regulate the labeling of products made in the United States and introduced in interstate or foreign commerce, S. 1685, to direct the Federal Communications Commission to extend to private land use restrictions its rule relating to reasonable accommodation of amateur service communications, S. 1886, to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009 and for other purposes, S. 1916, to include skilled nursing facilities as a type of health care provider under section 254(h) of the Communications Act of 1934, S. 2044, to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, S. 2206, to reduce the incidence of sexual harassment and assault at the National Oceanic and Atmospheric Administration, to reauthorize the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and to reauthorize the Hydrographic Services Improvement Act of 1998, the nominations of Anthony Rosario Coscia, of New Jersey, to be a Director of the Amtrak Board of Directors for a term of five years (Reappointment), and Derek Tai-Ching Kan, of California, to be a Director of the Amtrak Board of Directors for a term of five years, and routine lists in the Coast Guard.

SR-253

2 p.m.

Joint Economic Committee

To hold hearings to examine millennial voices on advancing the American dream.

SD-106

2:15 p.m.

Committee on Indian Affairs

Business meeting to consider S. 817, to provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon, and S. 818, to amend the Grand Ronde Reservation Act to make technical corrections; to be immediately followed by a hearing to examine S. 410, to strengthen Indian education, S. 1163, to amend the Native American Programs Act of 1974 to provide flexibility and reauthorization to ensure the survival and continuing vitality of Native American languages, and S. 1928, to support the education of Indian children.

SD-628

2:30 p.m.

Committee on Veterans' Affairs

To hold hearings to examine pending calendar business.

SR-418

NOVEMBER 19

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the nominations of Alissa M. Starzak, of New York, to be General Counsel of the Department of the Army, Franklin R. Parker, of Illinois, to be an Assistant Secretary of the Navy, John Conger, of Maryland, to be a Principal Deputy Under Secretary, and Stephen P. Welby, of Maryland, to be an Assistant Secretary, all of the Department of Defense.

SD-G50

Committee on Energy and Natural Resources

Business meeting to consider S. 329, to amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook in the State of Connecticut as components of the National Wild and Scenic Rivers System, S. 556, to protect and enhance opportunities for recreational hunting, fishing, and shooting, S. 782, to direct the Secretary of the Interior to establish a bison management plan for Grand Canyon National Park, S. 1583, to authorize the expansion of an existing hydroelectric project, S. 1592, to clarify the description of certain Federal land under the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 to include additional land in the Kaibab National Forest, S. 1694, to amend Public Law 103-434 to authorize Phase III of the Yakima River Basin Water Enhancement Project for the purposes of improving water management in the Yakima River basin, S. 1941 and H.R. 2223, bills to authorize, direct, expedite, and facilitate a land exchange in El Paso and Teller Counties, Colorado, S. 1942 and H.R. 1554, bills to require a land conveyance involving the Elkhorn Ranch and the White River National Forest in the State of Colorado, S. 2046, to authorize the Federal Energy Regulatory Commission to issue an order continuing a stay of a hydroelectric license for the Mahoney Lake hydroelectric project in the State of Alaska, S. 2069, to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon, S. 2083, to extend the deadline for commencement of construction of a hydroelectric project, H.R. 373, to direct the Secretary of the Interior and Secretary of Agriculture to expedite access to certain Federal land under the administrative jurisdiction of each Secretary for good Samaritan search-and-recovery missions, H.R. 1324, to adjust the boundary of the Arapaho National Forest, Colorado, and the nominations of Suzette M. Kimball, of West Virginia, to be Director of the United States Geological Survey, Department of the Interior, and Victoria Marie Baecher Wassmer, of Illinois, to be Under Secretary, John Francis Kotek, of Idaho, to be an Assistant Secretary (Nuclear Energy), and Cherry Ann Murray, of Kansas, to be Director of the Office of Science, all of Department of Energy.

SD-366

10 a.m.

Committee on Foreign Relations
Subcommittee on East Asia, the Pacific,
and International Cybersecurity Policy
To hold hearings to examine democratic
transitions in southeast Asia.

SD-419

Committee on Homeland Security and
Governmental Affairs
Permanent Subcommittee on Investiga-
tions
To hold hearings to examine human traf-
ficking.

SD-342

Committee on the Judiciary

Business meeting to consider S. 247, to
amend section 349 of the Immigration
and Nationality Act to deem specified
activities in support of terrorism as re-
nunciation of United States nation-
ality, and S. 1318, to amend title 18,
United States Code, to provide for pro-
tection of maritime navigation and
prevention of nuclear terrorism.

SD-226

2 p.m.

Committee on Homeland Security and
Governmental Affairs
To hold hearings to examine lessons from
the Paris terrorist attacks, focusing on
ramifications for the homeland and ref-
ugee resettlement.

SD-342

Select Committee on Intelligence
To receive a closed briefing on certain
intelligence matters.

SH-219

DECEMBER 1

10 a.m.

Committee on Energy and Natural Re-
sources
To hold an oversight hearing to examine
the Well Control Rule and other regu-
lations related to offshore oil and gas
production.

SD-366

DECEMBER 3

10 a.m.

Committee on Energy and Natural Re-
sources
To hold an oversight hearing to examine
implementation of the Alaska National
Interest Lands Conservation Act of
1980, including perspectives on the
Act's impacts in Alaska and sugges-
tions for improvements to the Act.

SD-366

POSTPONEMENTS

NOVEMBER 18

10 a.m.

Committee on Foreign Relations
To hold hearings to examine United
States refugee resettlement and the
intersection of foreign and domestic
policy.

SD-419

SENATE—Tuesday, November 17, 2015

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who formed the mountains and hills, give our Senators strength for this season of challenge. Provide them such wisdom, courage, and integrity that they will cause justice to roll down like waters. Above the noise and din of human voices, may they hear the whisper of Your guidance. Inspire them to do what is right as You reveal the right to them.

Thank You that Your love and mercy are from everlasting to everlasting. And Lord, continue to bless the people of France as they find strength in You.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. PERDUE). Under the previous order, the leadership time is reserved.

MOMENT OF SILENCE FOR THE VICTIMS OF THE PARIS ATTACKS

The PRESIDING OFFICER. Under the previous order, the Senate will now observe a moment of silence for the victims of the Paris attacks.

(Moment of silence.)

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

ENERGY REGULATIONS

Mr. MCCONNELL. Mr. President, the Obama administration is trying to impose deeply regressive energy regulations that would eliminate good-paying jobs, punish the poor, and make it even harder for Kentuckians to put food on the table. Their effect on the global carbon levels? Essentially a rounding error. Their effect on poor and middle-

class families? Potentially devastating. Yet the deep-pocketed leftwingers who increasingly call the shots in the Obama White House don't seem to care. Just like with their decision on Keystone last month, the Obama administration is putting facts and compassion to the side in order to advance their ideological agenda.

Higher energy bills and lost jobs may be a mere trifle to some on the left, but it is a different story for millions of middle-class Americans in Kentucky and across the country. Senators from both parties are saying that we should be standing up for the middle class instead. That is why we have joined together to work toward overturning these two-pronged regulations.

I am happy to report that the bipartisan measures we filed last month to overturn these regressive regulations have now been made available for consideration by the full Senate. The first measure pertains to regulations on existing energy sources, while the second pertains to regulations on new sources. Together they represent a comprehensive solution.

Senator CAPITO has been a leader in this effort, and I thank her for her hard work. That hard work will continue as the Senate and House both take up the measures and pass them. That is the right thing to do for middle-class Kentuckians and middle-class Americans who have suffered enough under this administration already.

BURMA

Mr. MCCONNELL. Mr. President, on several occasions this year I have come to the floor and noted that this year's Burmese election would represent a crucial test for the country's path to political reform. The lead-up to this November's election was marked by a number of discouraging developments: the disenfranchisement of the Rohingya population and the defeat of commonsense constitutional reform proposals back in the summer. Yet, despite these setbacks, I am pleased to note that last week's election in Burma seems to have been a success.

I would like to take this opportunity to congratulate my friend Daw Aung San Suu Kyi and her National League for Democracy party for their overwhelming victory. It was a truly remarkable achievement. At the same time, I would also like to commend Burmese President Thein Sein for his gracious remarks following the NLD victory and for his commitment to abide by the results of the election. The same should be said of Burma's

commander in chief. He also appears to have accepted the results of the election and has pledged to support the NLD during the transition.

In many ways, the key test for a young democracy is not the first election but the first election in which there is a transfer of power from the ruling power to the opposition. The transfer of authority in Burma will therefore be pivotal. Accordingly, I would urge both the President and the commander in chief to continue on the positive course they have charted since the election and to meet with Daw Suu in the coming days to map out an appropriate transition plan.

The NLD now has a mandate to govern and has sufficient strength in Parliament to choose a President and one of the two Vice Presidents, although Daw Suu herself is prohibited from these positions. The prohibition itself reflects one of the many challenges that lie ahead. Others include addressing the problem of the military's quota of seats in the Parliament, promoting reconciliation among ethnic groups, and healing the divide among those of differing religious faiths.

For now, it is worth acknowledging the good news last week in Burma. The road to bring the bilateral relationship to where it stands today has been a long one indeed. The transition of power has the potential to be a watershed in Burma history. It provides an opportunity to reinvigorate the reform effort in that country.

HONORING SENATOR BARBARA MIKULSKI

Mr. MCCONNELL. Mr. President, President Obama recently announced the list of individuals he plans to honor with a Presidential Medal of Freedom. One of them is our colleague from Maryland. I know she was honored by it. I know that someone she mentioned on the floor yesterday—her great-grandmother—would feel a similar sense of honor too. This is a woman who played an important role in our colleague's life, one the Senator speaks of often. She emigrated from Poland when she was 16 years old with little more than a few pennies in her pocket. She couldn't even vote when she arrived. "She never thought," our colleague said, "that her own great-granddaughter would one day be a United States Senator. But then, it is only in America where my story would have been possible."

That is something all of us can appreciate, and we recognize our colleague from Maryland, the longest

serving woman in Congress, for the President's choice to honor her in this way.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

CLEAN POWER PLAN

Mr. REID. Mr. President, the Clean Power Plan that has been promulgated by the President will avoid 3,600 premature deaths, 1,700 heart attacks, 90,000 asthma attacks, and 300,000 missed work and school days in just the next 15 years. It will also lower power bills by reducing wasted energy. It is the right thing to do, and the President will protect this because it is the right thing for the health of America.

HONORING SENATOR BARBARA MIKULSKI

Mr. REID. Mr. President, President Obama has announced to our gratification that our own Senator BARBARA MIKULSKI will receive the Presidential Medal of Freedom. She is an inspiring figure. She and I came to the Senate together and we will leave the Senate together. She has been a friend, an ally, and one of the most articulate people I have ever served with. She has a way with words that are just BARBARA MIKULSKI's way of speaking. I so admire her for that and all the other things I mentioned.

She has spent decades as a leader in Congress, what will be 30 years in the Senate, and during that period of time she has done social work, which is what she did by profession, and has focused on the poor, the middle class, and the disadvantaged. She has inspired a generation of women and has been a mentor to both sides of the aisle.

We are all happy to see this great woman—and she is a great woman—receive the recognition she so rightly deserves from the President of the United States and a grateful country. We should all congratulate Senator MIKULSKI on receiving this great honor.

EXPRESSING OUR CONDOLENCES TO THE PEOPLE OF FRANCE

Mr. REID. Mr. President, at 11 a.m.—a few minutes from now—a number of us will be down in S-117, which is the Foreign Relations Room. At that time, we will receive Ambassador Gerard Araud, who is the Ambassador from France to the United States. We are going to be there to express our condolences to the people of France by doing what has been done for a long time when these tragedies occur. We will

sign a book of condolences. I look forward to doing that, and I hope my colleagues will join in doing that at some time during the day.

NOMINATIONS

Mr. REID. Mr. President, for the first 6 years of Barack Obama's Presidency, Republicans have tried to block nearly every nomination that has come to the Senate.

From a record backlog of judicial nominees to the first-ever filibuster of a Secretary of Defense, Republicans abdicated their constitutional responsibility to provide their advice and consent regarding these nominations. In fact, the Republicans have blocked President Obama's nominees more than all the other Presidential nominees in history combined. Think about that. They have blocked more of this President's nominations than all the preceding Presidents in the history of our country. Seventy-one percent of all cloture motions filed on nominees during the history of the country were for President Obama's nominees. Seventy-three percent of cloture motions on judicial nominees were for Obama nominees. Ninety-seven percent of cloture motions on district court judges were for Obama nominees.

When Republicans assumed power of the Senate in January, some may have expected that their obligation to govern would bring an end to their obstruction, but it didn't. We all know what happened last year. We all know they were holding up all nominations they didn't like—not all of them but all of those they didn't like, and that is most all of them.

Something that has been traditional in this country, the National Labor Relations Board—they refused to allow us to have a vote. They filibustered every one of them, which meant that the National Labor Relations Board, which is so important to working men and women in this country, could not go forward. They didn't even have a quorum. The second highest court—some say the most important court in the land—is the DC Court of Appeals. They refused to allow any votes on nominees. They filibustered every one of them. We have five vacancies.

Well, something had to be done, and it was done. It was done for the right reason, and it was good for the country. Those people have now been confirmed. We have a better country as a result of that.

When the Republicans assumed power, they kept talking about how they wanted to get the Senate back to work. Sadly, we all know that has been an absolute joke. We have had more revotes than in the history of the country during the time they have been in power here. We have done less than any Senate in the history of the country. So getting the Senate back to work is not very honest.

Sadly, those who were hoping that the Republicans would get serious about governing have been terribly disappointed. Republicans are still doing everything they can to block even the most qualified nominees.

Many of these nominations are vitally important to our national security. I will list the people who have been blocked from having a vote in the Senate—and they have even gone one step further; they are not even holding hearings to allow them to come to the floor. Here are some who we could vote on and we should vote on: The Under Secretary of Defense for Personnel and Readiness, the Assistant Secretary of Defense for International Security, Under Secretary of the Air Force, Secretary of the Army, Under Secretary of the Army, Under Secretary of Treasury for Terrorism and Financial Crimes. Those positions are unfilled.

Think about the Secretary of Treasury for Terrorism and Financial Crimes. They are not even bringing it to a vote. As the United States continues to fight ISIS and its terrorism, shouldn't we confirm the person in Treasury who is responsible for terrorism and financial crimes?

How about the Secretary of the Army—do you think that is important? Being disappointed doesn't go very far if all my Republican colleagues say is a resounding no. But this is all part of the Republican trend of grinding the nomination process to a halt.

So far this year the Republican Senate has confirmed 100 fewer civilian nominees than it did during the most comparable Senate session in 2007, for example. That number also lags well behind any other recent session.

Judicial emergencies are triple what they were at the beginning of this year. What is a judicial emergency? It means you have a judge who has more work than he can handle. Jury trials are not allowed to go forward, especially civil jury trials. Hearings on important issues, restraining orders, and other important issues are not held. In 2007 at this same stage we had confirmed 34 judges; this year, 10.

Consider the nomination of a man by the name of Felipe Restrepo for the Third Circuit in Philadelphia. He was nominated more than 1 year ago. The seat to which Judge Restrepo has been nominated is a judicial emergency, meaning there are more cases than the judges are able to handle. The seat has been vacant since July 2013. Judges have said: We may do the work, but we are not doing it the way we should be doing it because we are so busy on everything. That seat, I will repeat, has been vacant since July of 2013.

He is an American success story. He was born in Colombia and came to the United States as a toddler. In 1993 he became a U.S. citizen. He is eminently qualified, having graduated from the University of Pennsylvania—one of the

Ivy League schools—and Tulane University Law School. He worked as a public defender and started his own practice focusing on civil rights and criminal defense issues. Since 2013 he has served with distinction as a district judge in the Eastern District of Pennsylvania. The Senate confirmed him in his current judge position unanimously.

More than a year ago, Senator CASEY and Senator TOOMEY—a Democrat and a Republican—jointly recommended Judge Restrepo to the President of the United States for this appointment to be a circuit court judge. Senator TOOMEY said at the time: “I believe [Judge Restrepo] will also make a superb addition to the Third Circuit.” But despite his public statements of support, the Republican Senator from Pennsylvania refused to allow the Judiciary Committee to move forward with a hearing on his nomination by refusing to turn in something called a blue slip, as it is blue. It has been tradition in the Senate forever that you need both Senators to turn in their blue slips. He won’t turn his in, which has delayed confirmation of a qualified man who has been recommended to the President. He could advance Judge Restrepo by signing a piece of paper, but he has long refused to do so. It is kind of baffling when he makes public statements about what a great guy he is.

After the media started asking questions about the delay, the junior Senator from Pennsylvania told the *Huffington Post*:

No, I’m not blocking him. But I’ve got to run for this lunch.

The junior Senator from Pennsylvania couldn’t wait for his lunch, but this judge and the people who he is responsible for taking care of are waiting. This Third Circuit is overwhelmed with work. It is a judicial emergency. Other judges are doing more work than they should be doing. They need him. So even though he couldn’t wait for lunch, he is making millions of Americans wait for a judge they desperately need.

In July his nomination was finally voted out of committee by voice—meaning there was no controversy—showing, of course, that it should be voted on now, immediately. That was in July. Remember, that was a year after he was nominated. We are now in November. Why has a qualified judge’s nomination sat on the floor since July waiting for a lunch that has never been completed?

It is past time that the Senate confirmed Judge Restrepo. Senator TOOMEY should demand and ask the majority leader to allow us to vote on Judge Restrepo before we leave for Thanksgiving—and in the process, sign that little piece of paper. We would be happy to work with Republicans to confirm this good man today.

Unfortunately, it is not just this junior Senator from Pennsylvania—they should also confirm Judge Mary Barzee Flores to the Southern District of Florida. Unfortunately, Judge Barzee Flores’s nomination has been held up due to the same delaying tactics that Senator TOOMEY used to stall Judge Restrepo. But this nominee is being delayed by one of the many Republicans running for President, the junior Senator from Florida.

Senators NELSON and RUBIO jointly signed and recommended that she become a judge in the Southern District of Florida. She was nominated on February 26, 2015—8 months ago—but since then the junior Senator from Florida is running for President. He doesn’t have time to mess with a judicial emergency. The Miami-based seat is considered another judicial emergency. It has been without a Senate-confirmed judge for more than a year.

Like her counterpart in Pennsylvania, she has an impeccable record. In fact, her nomination won wide praise in the Florida press. She is a familiar face to many in the legal community in South Florida, having served on the Eleventh Judicial Circuit of Florida in Miami for more than a decade. Prior to her judicial service, Judge Flores worked as a public defender for 13 years. By any measure, she is well qualified and deserves a hearing in the Judiciary Committee.

Senator NELSON indicated his support 8 months ago, but the junior Senator from Florida refuses to sign off on Judge Barzee Flores and is the only obstacle stopping the nomination from moving forward. It is puzzling that Senator RUBIO is delaying a judge whom he helped recommend to President Obama. Without his approval, the chairman of the Judiciary Committee cannot schedule a hearing on the Barzee Flores nomination.

Even with his busy schedule traveling around the country—I recognize he doesn’t vote here. He does not like to be in the Senate. He said so. He does not like the Senate. That is why I said he should resign. He talked about other Senators who missed votes. Any Senator who ran for President during my time in the Senate loved the Senate. They may have missed votes, but they never, never denigrated the Senate. Senator RUBIO has done just that. So even with his busy schedule running for President and missing votes in the Senate, he should be able to find seconds to sign his blue slip that would allow Judge Flores to move forward with a hearing.

The junior Senator from Florida simply needs to sign a piece of paper to advance a qualified nominee whom he recommended to fill a judicial emergency in Florida, but like the junior Senator from Pennsylvania, he refuses to do so. His constituents are paying a price, a big price.

Sadly, Republicans’ strategy for the sake of obstruction is by no means limited—sadly, I say it again—to the junior Senators from Florida and Pennsylvania.

Right now, Republicans are blocking important State Department nominations.

The junior Senator from Arkansas is preventing three Ambassadors from getting their rightful vote on the Senate floor.

The junior Senator from Texas is blocking one of the most qualified nominees before the Senate, Gayle Smith. She was nominated 6 months ago as the next Administrator of the U.S. Agency for International Development. With this refugee problem facing the world, facing our country, wouldn’t it be nice if we had someone whose job it was to oversee this for our government? But, no, there is some extraneous issue the junior Senator from Texas—who is also running for President—is more concerned about than this important Agency.

I have spoken at length about the obsession of the senior Senator from Iowa with blocking more than 20 qualified State Department nominees. The nominees he has blocked are people who have worked as Foreign Service officers for a long, long time for different periods of time. When it comes time that they get automatic changes in their status, they get a few more dollars and get a different title. He is blocking these. That is so sad. There is no need for it.

If Republicans were serious about governing, they would change course and stop blocking these nominations. Every moment that Republicans delay, they are hurting our country in many different ways: our justice system, our foreign policy system, and our ability to respond to the havoc that is taking place in the Middle East right now. Let’s put an end to all of this obstruction. Let’s move forward with votes on these qualified consensus nominees as we have done historically. It wasn’t until this Republican crowd arrived in the Senate that they started doing it. We have never had this before. We may have held somebody up for a while, but they basically put a stamp of disapproval on anything that President Obama wants to do.

We are not going to stand by silently and allow these nominations to linger in the Senate. We are going to continue to demand that they schedule votes on these qualified, dedicated public servants so they can work on behalf of our great country.

Mr. President, would the Chair announce the business of the day.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 11

a.m., with Senators permitted to speak therein for up to 10 minutes each.

The Democratic whip is recognized.

TERRORIST ATTACKS AGAINST FRANCE

Mr. DURBIN. Mr. President, earlier in this session we observed a moment of silence to exhibit our solidarity with the people of France. I add my voice to others here today in sharing my deepest condolences and solidarity with the people of that great nation. As a result of barbaric violence that occurred over the weekend, we are finding this solidarity coming together from across the world, standing behind the people of France in their hour of need.

These events that occurred in Paris were heartbreaking and infuriating. America knows well from the tragic events of September 11 that this kind of savagery is a challenge to the civilized world, one which we must collectively stand and defeat.

As French President Hollande said to a joint session of the French Parliament, when France is attacked in such a manner, the whole world is attacked. I agree.

The people of Russia are also victims of such violence in the recent downing of their airplane departing Egypt, another tragedy for which ISIS has claimed credit. The people of Lebanon and Turkey have suffered horrific bombings in their capitals in the last few weeks from these same terrorist groups, and the brave reformers in Tunisia—one of the few countries to emerge from the Arab spring with an inclusive and inspiring democracy—have faced similar violence against innocent people at their museums and tourist destinations.

The perpetrator of all of these monstrous attacks is ISIS, which has filled the void created by the wars in Iraq, Syria, and the broader political chaos of the Arab spring. These murderous henchmen have conducted the most heinous of acts: beheadings, mass rape, torture, and the murder of innocents in a sick attempt to intimidate the civilized world and to feed their own warped ideology.

I have supported President Obama's leadership in organizing a global coalition to defeat ISIS and will continue to do so. I applaud Secretary Kerry for his efforts to negotiate an end to the Syrian civil war, but we must do more.

When France is attacked and President Hollande reaches out to his allies, he is reaching out to the North Atlantic Treaty Organization, NATO, of which the United States is a member. He should reach out as well—and we all should reach out—to Russia which, as I mentioned earlier, has been victimized by this terrorist group in the downing of that aircraft. Then reach out to the Saudis and Muslim leaders around the world. Join us in a coalition to destroy

ISIS, first in their occupied territory in Syria and in Iraq, and then in their murderous web of recruitment and hate around the world.

Several people in the United States have reacted to the tragedy in France by calling for us to suspend refugees coming to this country. Many of these people have not reflected on the refugee situation in our country. Each year, the United States of America accepts about 70,000 refugees from around the world. These refugees are each carefully investigated, reviewed and vetted. That process takes anywhere from 18 to 24 months before a refugee from any part of the world is allowed to enter the United States. We do everything humanly possible and take extraordinary efforts to make certain dangerous people do not arrive on our shores. That vetting process must continue and when it comes to suspicious circumstances, must be doubled in its intensity to make certain our Nation is safe, but for those who are focusing on that as the answer to what happened in Paris, they are very shortsighted.

One out of four of the refugees coming to the United States in the last fiscal year came not from the Middle East but from Burma. In addition to that, we find many refugees coming to the United States from Iraq. It turns out that over 3,000 refugees came from Iran. In each and every instance, we should apply the standard of strict vetting and the highest standards of investigation. I certainly stand by that, but those who say we should turn away refugees coming to the United States have forgotten the lesson of history. It was May of 1939, a ship docked in Florida. The ship was named the *SS St. Louis*. On that ship were almost 1,000 Jews from Europe who were trying to escape persecution. Sadly, the United States turned them away and they had to return to Europe. They were afraid for their lives. The Nazis had engaged in Kristallnacht and violence against Jewish people, and these refugees were coming to our shores seeking refugee status. In May of 1939 we turned them away. They returned to Europe and over 200 of them died in the Holocaust.

Since that time the United States has taken a different approach to refugees. We have been a country sensitive to the reality that in many parts of the world people are living in fear of death every day and can only find safety on our shores. Over the years we have accepted 750,000 refugees from Vietnam; we have accepted over 500,000 Cuban refugees, including the fathers of two U.S. Senators, one who is running for President; we accepted over 200,000 Soviet Jews who were escaping persecution in the former Soviet Union; we have accepted refugees from around the world—from Somalia, from Bosnia. The list is long. That is an indication of who we are and our values.

Now, we need to be careful when any refugee comes to the United States. We

should give them a thorough investigation, but for us to step back and say we are going to stop being a refuge for refugees from around the world is a retreat from America's values. Let us make sure the process for refugees, immigrants, and visitors is the very best. Let us carefully follow through on each one of them, but let us not turn our backs on many around the world who fear for their lives and are looking for the safety of the United States. That has been part of our heritage for over 60 years and it should continue.

What can we do? We know we have an obligation to keep America safe, and we know ISIS and terrorists like them are trying to find ways into the United States. First, we must acknowledge the obvious. For more than 14 years, with the exception of the Boston Marathon, involving lone-wolf terrorists, we have kept America safe. It has been through the good work of our men and women in the intelligence community, the military, the FBI, and in so many different aspects of our government.

So what can we do in the Senate to make sure they are able to do their job effectively? Why don't we do our job in the Senate. Why don't we pass the appropriations bills for these agencies. Imagine, here we are, over a month into this fiscal year, and the Senate has not passed the appropriations for the FBI, the appropriations for the Department of Homeland Security. What are we waiting for? Instead, we have vote after revote after revote over old issues that have been resolved on the floor of the Senate months ago. This week, if we want to fight terrorism and protect the United States, let us pass the appropriations bills for all of the agencies of our government. It is time to do it and to do it now.

Secondly, we need to make sure our country has the tools to fight terrorism, the kind of terrorism we have seen in Paris, France. We know we need to change the approach when it comes to the encryption of data and communications so that we have access to the communications of terrorists. Technology is leaping ahead of our capacity. We are told by our agencies of government that to keep America safe we have to deal with encryption standards today. That is the reality of the challenge to the United States.

Some would dwell on refugees. I think we ought to be careful on every single refugee that comes to this country, but there is more we can do. Pass the appropriations for the agencies that keep us safe, put in new standards so we can deal with the encryption where would-be terrorists are hiding their communications from our surveillance even under court order.

Third, we need to come together—France, the NATO nations, Russia, those Muslim countries that abhor this extremism that is exhibited by ISIS—and wipe ISIS off the map in Iraq and

Syria. We need to rely on local forces there who have been so effective, like the Kurds, who are willing to fight the ISIS troops on the ground and to defeat them. Eliminating them from Iraq and Syria is no guarantee they will not continue their efforts around the world, but let us have a common enemy in ISIS and come together in a large global coalition to fight them and stop their efforts.

I come to the floor with some emotion today because my wife and I, for years, have visited France. We consider it to be a wonderful country with great people. We have had our differences on foreign policy from time to time, but any student of history knows the French stood with us when it came to our Revolution. The French have been by our side time and again, and we have been by their side in both World War I, World War II, and in so many other theaters.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DURBIN. Mr. President, I will conclude by saying, from the birth of our Nation to this day, France has always been one of our closest allies. America stands arm in arm with the people of France.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, like the speaker before me, I rise to offer my condolences to the nation of France. As the previous speaker said, she is one of our oldest allies, and the people of America stand proud with her during this tragic time.

AFFORDABLE CARE ACT

Mr. HELLER. Mr. President, I rise to share my concerns about the devastating impact of the Affordable Care Act and, specifically, the Cadillac tax. The Cadillac tax is a 40-percent excise tax set to take place in 2018 on employer-sponsored health insurance plans. In Nevada, 1.3 million workers who have employer-sponsored health insurance plans will be hit by this Cadillac tax. These are public employees in Carson City, service industry workers on the strip in Las Vegas, and small business owners and their retirees across the State of Nevada.

My colleagues from across the country have heard the same concerns I have: This 40-percent tax will increase costs, significantly reduce benefits or result in employers getting rid of employer-sponsored health coverage all together. Is this what we want? Is this what we voted for? Is this what the other side voted for?

This is precisely why Senator MARTIN HEINRICH of New Mexico and I have sponsored the Middle Class Health Benefits Tax Repeal Act of 2015, the only bipartisan piece of legislation to fully repeal this onerous tax. My bill has 19 bipartisan cosponsors.

Over the summer, when I committed to taking a leadership role to fully repeal this tax, I waited for months for a sign that my colleagues across the aisle would work together to repeal this tax. There was a lot of talk, but there was no action. To date there is still little action from these same colleagues, which is why I ask them once again to join me in repealing this bad tax.

This shouldn't be a bipartisan issue. Yet my colleagues across the aisle have turned it into one. That is why I commend Senator HEINRICH for joining me in working together in a bipartisan manner to fully repeal this tax, and this repeal needs to happen and happen quickly for the employers to be able to plan for the future. Whether it is through our bill or any of the must-pass measures the Chamber takes up in the next 6 weeks before the end of this year—for example, tax extenders—the Cadillac tax needs to be fully repealed.

As a member of the Senate Committee on Finance, this is something I have engaged my colleagues on and will continue to do so, especially as we hopefully look to move tax extenders before the end of this year. This is not just something that needs more bipartisan support in the Senate. There are over 218 cosponsors in the House of Representatives—nearly half of them are Democrats—and 83 organizations have endorsed our efforts to repeal the Cadillac tax. It is very rare these days to see this much agreement in Washington, DC. Organized labor, chambers of commerce, local and State governments, large and small businesses have come together with a bipartisan group putting forth a solution to fixing a problem affecting so many hard-working, tax-paying Americans.

The Cadillac tax doesn't officially go into effect until 2018, but the impact of this tax is being talked about more and more because employers are starting to make major changes today now to their workers' health care benefits in order to limit the impact of the tax or avoid the tax altogether.

I have heard from large companies, I have heard from small businesses and organized labor, such as the culinary union in Nevada, and they are all saying the same thing: The Cadillac tax needs to be fully repealed or our employees will experience massive changes to their health care.

We are talking about three things. We are talking about reduced benefits, we are talking about increased premiums, and we are talking about higher deductibles. Is this what we want? All of these lead to more money being taken out of the pockets of hard-working, tax-paying families.

According to the nonpartisan Kaiser Family Foundation, employees who have job-based insurance have witnessed their out-of-pocket expenses climb from \$900 in 2010 to \$1,300 in 2015,

on average. That is almost a 50-percent increase in their insurance coverage in the last 5 years. Employees working for small businesses now have deductibles over \$1,800. Kaiser also notes that deductibles have risen nearly seven times faster—seven times faster—than workers' earnings since 2010. Kaiser's president, Drew Altman, said:

It is quite a revolution. When deductibles are rising seven times faster than wages . . . it means that people can't pay their rent . . . they can't buy their gas. They can't eat.

As deductibles rise, another way employers are planning on avoiding ObamaCare's massive new tax is by eliminating health savings accounts and flexible spending accounts. Over 33 million Americans use FSAs, or flexible spending accounts, and 13.5 million Americans use health savings accounts, or HSAs. They may see these accounts vanish in the coming years as companies scramble to avoid the law's 40-percent tax hike.

HSAs and FSAs are used for things like hospital and maternity services, they are used for childcare, they are used for dental care, physical therapy, and access to mental health services. Access to these lifesaving services could all be gone for tens of millions of Americans if the Cadillac tax is not fully repealed.

Every day there is a new article in the national press talking about how middle-class workers, tax-paying Americans, are going to be hit by this tax. Towers Watson, a management and consulting firm, did a survey of large businesses that typically offer the most comprehensive coverage. They found in 2018 more than half of the employers are planning to significantly cut what they contribute to insure employee spouses and children. The United Parcel Service, UPS, is one of those companies that have already said they plan on limiting plan eligibility for spouses of employees.

Shaun O'Brien, assistant policy director of the AFL-CIO, said recently that "employers are coming to the table asking for cuts in benefits based on their preliminary projections around the 40 percent excise tax."

To make matters worse, the chief financial officer of a waste and recycling company, Action Environmental, recently told the Wall Street Journal that his company would consider getting rid of its employee coverage altogether because of ObamaCare's Cadillac tax. He said: "I'd be lying if I said we haven't had that discussion."

Delta Airlines expects ObamaCare will cost it \$100 million per year. One reason for the new costs is the 40-percent excise tax on Delta's employee health benefits, as if Americans don't already have enough issues with airlines these days.

Out of all the news we see from the Cadillac tax, none of it—zero—is positive. The goal of health care reform

should be to help those who do not have health coverage and lower costs for those who already have insurance. This tax doesn't achieve either of these goals, and everyone knows it.

I will do everything I can to see that this tax is fully repealed. There is a real urgency that we get this done. I will work with anybody in this Chamber to see that the Cadillac tax is fully repealed by the end of the year. Once again, whether it is my bipartisan bill or a year-end package such as the tax extenders, we need to repeal this very bad tax. Fully repealing the Cadillac tax is an opportunity for Republicans and Democrats to join forces and to work together to repeal a bad tax for one purpose: to help 151 million workers keep the health care insurance they like.

The PRESIDING OFFICER. The Senator from Minnesota.

TERRORIST ATTACKS AGAINST FRANCE

Ms. KLOBUCHAR. Mr. President, I rise today to join all of our Senate colleagues in sending our deepest condolences to the families and loved ones of the victims in the attacks in Paris. Our hearts go out to the people of France. The United States stands firmly and united in solidarity with France, just as France—our Nation's oldest ally—has stood in solidarity with us. We must work to find those responsible for those attacks and bring them to justice.

We remain steadfast as a country, and talking to people in my own State, I know this. We remain steadfast in our resolve to defeat ISIS, to root out this evil. From those planning these attacks in Belgium to those training camps in Syria, our military—our strong and mighty U.S. military—has already provided critical leadership with France in escalating the airstrikes in Syria and Iraq, and we must continue to do that. In the coming months we must focus on building this international coalition against ISIS, as well as providing critical intelligence in going after these perpetrators.

Just yesterday Russia announced that it was in fact a bomb that brought down the plane over Egypt. Not all the facts are known yet, but ISIS has claimed responsibility. There is no limit to what these people will do. That plane was filled with innocent families and children coming back from vacation, just as the concert hall in France was filled with young people there for the music. They now lie maimed in hospitals all over Paris or, worse, their families are burying them in the ground.

What can our country do? First, we must have a unified agenda to keep America safe and to stand by our allies. We must do all we can to build this coalition and to fight this evil at

its root with resolve. We have unprecedented technology that should allow us to fight this fight. We have biometrics. We have ways that we can assist other countries.

Secondly, we must do all we can to enhance our own security. We know our first responders throughout the last decade have done amazing work in thwarting attacks. We must continue to support them. If we do more in terms of legislation, we must make sure that we are doing something that will actually make a difference. We are having a security briefing with all Senators tomorrow, and we must listen to our security and intelligence experts to make sure that what we are proposing will make a difference.

Third, we must give our first responders and our military on the frontline the resources they need. I know Senators SHELBY and MIKULSKI are working hard, with their counterparts in the House of Representatives, to craft a budget bill. We must take up that bill as soon as it is completed. Of course, we have had some positive success in reaching a budget that didn't make deep cuts into our military or our homeland security capabilities. That was positive. Now we must bring it home with the budget.

The fourth and final action I will mention today as part of this unified agenda to keep our country safe and to support our allies is to make sure we have our own frontline positions filled. As was mentioned earlier, this includes the Treasury Under Secretary for Terrorism and Financial Crimes, a position that must be filled, and military positions, including positions within our own Army.

We have a judiciary that has to take on these terrorism cases. I can't comment about what is going on in every jurisdiction in the country, but I know Minnesota has one of the highest caseloads. We have a well-qualified applicant named Wilhelmina Wright, a former prosecutor, who passed through the Judiciary Committee without dissent, thanks to the good work of the chair of this committee, Senator GRASSLEY, and Senator LEAHY. Her name is one that is coming up before the Senate.

Given that we have 15 indictments out of Minnesota alone—and that number growing—against ISIS, home-grown terrorists, and people who were trying to fight for ISIS abroad and given that our great law enforcement in Minnesota on the Federal and the local level were able to track them down and our aggressive U.S. attorney's office was able to make the cases, we need judges to handle those cases. We have one of the highest caseloads already in the country.

I appreciate the work of the Judiciary Committee, on a bipartisan basis, in bringing this nomination to the floor. It is one of several that need to

get done. Again, these are frontline positions—frontline positions dealing directly with the terrorism that we are talking about.

Finally, we have to fill the State Department positions that are open—USAID, which provides critical assistance to our allies and our friends that are taking on these fights. The fact that we don't have anyone confirmed in that position is very disturbing. We have someone I know Senator CORKER is supporting that we would like to get through and we must get through—Ms. Smith.

We also have open ambassador positions—again, noncontroversial nominees—in the European continent, in countries that have not had an ambassador for years. I bring up one nominee from the State of Minnesota, and that is for the country of Norway, which has been a critical ally. Norway is one of our country's strongest and most dependable international allies. It was a founding member of the NATO alliance, an ally we will be relying on heavily as we look at fighting ISIS. Its military has participated in operations with the United States in the Balkans and in Afghanistan. Norwegians have worked alongside Americans in standing up the Ukraine, and they have worked with us in countering ISIS.

Yet we have not had an ambassador for over 2 years. I recognize part of this is because the initial nominee ended up withdrawing—someone put forward by this administration. That happened. Now we have a noncontroversial nominee, along with a nominee for the country of Sweden. The nominee for Norway, Sam Heins, from the State of Minnesota, has gotten through the Foreign Relations Committee and was approved by voice vote. No one raised any questions about the qualifications of Mr. Heins for this position.

Given that Europe is on the frontline of these ISIS attacks, we must join with Europe and make sure that we not only have our military positions filled, our State Department positions filled, our USAID positions filled, and our judiciary at home with the nominees before the Senate so that we can have a strong, united front, but we also have to make sure we fill the positions for these ambassadors.

Again, I am not pushing controversial nominees. These are people who will be serving in these positions for the remaining year. But I ask that the Senate take up these nominations, as well as get the budget done, which we are well on our way to do, as well as come together on commonsense solutions for our own security, as well as making sure that we put together and lead, in America and with our allies, an international coalition to root out ISIS.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FLAKE). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

The majority leader.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY

Mr. MCCONNELL. Mr. President, pursuant to the provisions of the Congressional Review Act, I move to proceed to S.J. Res. 24, a joint resolution providing for congressional disapproval of a rule submitted by the EPA.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 294, S.J. Res. 24, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units."

The PRESIDING OFFICER. The motion is not debatable.

The question occurs on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the joint resolution.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 24) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units."

The PRESIDING OFFICER. Pursuant to the Congressional Review Act, there will now be up to 10 hours of debate, equally divided, between those favoring and opposing the joint resolution.

The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I rise to speak in support of my resolution of disapproval under the Congressional Review Act against EPA's greenhouse gas regulation targeting existing power sources.

I am so proud to be here with my colleague from North Dakota Senator HEIDI HEITKAMP. We have 47 cosponsors on this bipartisan effort to stop the existing coal plant rule. We have had a lot of discussion about this. It affects all of our States differently, but I think it is important to talk not just

about what this does to our individual States but what this is going to do to us as a country.

If the administration's proposed Clean Power Plan moves forward, hardship will be felt all across the country. Fewer job opportunities, higher power bills, and less reliable electricity will result. West Virginia and other coal-producing States, such as Kentucky and Wyoming, are feeling the pain of prior EPA regulations. Nearly 7,000 WARN notices, or notifications to employees—let me ask, does everybody know what a WARN notice is? If you have gotten one, you will never forget it because basically what a WARN notice says to that employee is that you could be laid off within the next 60 days.

In West Virginia, 7,000 of those notices have gone out to West Virginia families, West Virginia coal miners, in the year 2015, and more than 2,600 of those were just issued last month alone. Our neighboring State of Kentucky—the State of the majority leader—lost more than 10 percent of its coal jobs during the first quarter of this year.

Kentucky's coal employment now stands at the lowest level since the 1920s. The Energy Information Administration's most recent annual coal report for 2013 showed that the average number of coal mine employees dropped by roughly 10 percent in other coal-producing States, such as Alabama, Utah, and Virginia.

According to the Mine Safety and Health Administration, coal mining employment nationally has dropped by a massive 31 percent in just the last 4 years. If you travel to the State of West Virginia—particularly our coal area—it does not take you long to see that. The impact of this war on coal extends far beyond the coal industry. These regulations are affecting all aspects of Americans' lives. Last month, West Virginia's Governor announced that most State agencies would have to endure 4 percent cuts, largely because of shrinking energy tax revenues. For the first time in many years, the Governor cut our education budget in the State of West Virginia because of this war on coal. That means less money for roads, for schools, and for health care services, but the terrible impact that prior regulations have had on West Virginia and the Nation would get far worse if the EPA's Clean Power Plan goes into effect.

The Clean Power Plan is the most expensive environmental regulation the EPA has ever proposed on our Nation's power sector. Compliance spending is estimated to total between \$29 billion and \$39 billion per year. Household spending power—the money American families have in their pockets—will be reduced by \$64 billion to \$79 billion by this rule.

A new study by NERA, a respected economic analysis firm, of the final

rule found that electricity prices in West Virginia would increase between 13 and 22 percent, but certainly West Virginia will not be alone, as we are going to hear through this debate, in enduring higher energy prices and job loss. NERA projects that all of the lower 48 States will see their electricity prices go up under the Clean Power Plan. As many as 41 States could see electricity prices increase by at least 10 percent. That is just from this regulation. I am sure my colleague from North Dakota represents one of those affected states. Twenty-eight States would see electricity prices that would increase by at least 20 percent.

What does that mean for our economy? The National Rural Electric Cooperative Association found that a 10-percent increase in electricity prices could mean a loss of 1.2 million jobs across the country. Half a million of those jobs would be in rural communities in rural States such as West Virginia and North Dakota.

The National Black Chamber of Commerce found that the Clean Power Plan would increase poverty among blacks by 23 percent and poverty among Hispanics by 26 percent. Affordable energy matters, especially to those living on fixed incomes. Households earning less than \$30,000 a year spend an average of 23 percent of their income on energy costs. These families, these children, these workers, these elderly are the ones who will suffer most under this administration's policy.

Energy reliability also matters. Coal is the source of our baseload generation, and the administration wants to replace coal with intermittent sources. What does that mean? That means that on a hot day, when the air-conditioner is running and factories are operating, we could be confident that a coal-fired powerplant will be supplying the energy needed to cool our homes and keep our businesses running.

In the cold winter of 2014, when the demand for electricity surged, coal was the energy source utilities relied on to keep people warm. Renewable sources—and we want more. We want more variable ones and more frequent ones. Renewable sources are an important part of our country's energy mix, but there are always going to be days when the wind isn't blowing and the Sun isn't shining, and it is critical we preserve more reliable energy resources to meet the demand of powering our economy.

Where I would like to see us go is innovation. Innovation, not across-the-board regulations, should be our focus, but these regulations will not spur innovation. The Clean Power Plan sets a standard for new plants that cannot be met by the most commercially available technology we have today. That not only flies in the face of the Clean Air Act but also makes gradual improvements in technology that would improve our environment impossible

implement. The effect will be to instead choke off our most reliable and affordable source of energy and devastate the livelihoods of many folks around this country.

Prior to this administration, our country did a laudable job of protecting and improving our environment while promoting economic growth. Last week marked the 25th anniversary of the 1990 Clean Air Act amendments, which were signed into law by President George H.W. Bush and supported by Senators across the political spectrum. Our air is now the cleanest it has been in decades. We continue, and we must continue, to reduce harmful pollutants such as sulfur dioxide as our energy consumption increases and our population grows.

Since 2005, U.S. carbon dioxide emissions have fallen by 13 percent. According to the EIA, West Virginia has emitted 19 percent less carbon dioxide since the year 2000. We should continue on this track. We should continue to protect our environment but not at the expense of our families, our communities, and our economy. I am serious when I say, if you come to West Virginia, you will easily see this.

With this rulemaking, the EPA is attempting to impose the same type of cap-and-trade system that Congress rejected 5 years ago. Having failed at its attempt at cap and trade, the administration has taken a second bite at the apple by claiming authority under the Clean Air Act to impose a regulatory cap-and-trade program. That is not the way it should be. This raises an obvious question. If EPA had cap-and-trade authority, as the administration is asserting now, why did the administration go to such lengths to try to pass cap-and-trade legislation? The answer is clear. The Clean Air Act does not authorize a mandatory cap-and-trade program. With its Clean Power Plan, EPA ignores 40 years of history and prior regulations that consistent with the law, always based standards on controls installed at an existing plant.

Let me be clear. In the 40-year history of the Clean Air Act, EPA has never issued an existing plant program quite like this. As one EPA official summed it up to the New York Times, "The legal interpretation is challenging. This effectively hasn't been done."

Rather than regulating existing plants using the best technology, EPA is instead attempting to regulate the entire energy grid. This has not been done before because the Clean Power Act does not authorize EPA to do this. Both States and the private sector are doing what they can to fight back over this overreach.

West Virginia is 1 of 27 States that has filed lawsuits to block this rule. Additionally, 24 national trade associations, 37 rural electric cooperatives, 10 major companies, and 3 labor unions

representing over 800,000 employees are challenging the EPA's final Clean Power Plan.

In less than 2 weeks, international climate negotiations will begin. The world is watching to see whether the United States will foolishly move forward with costly regulations that will do virtually nothing to protect our environment.

Under the Congressional Review Act, the Senate now has the chance to take a real up-or-down vote on whether the EPA's Clean Power Plan can and should move forward. This is a legal binding resolution that if successful will prevent the Clean Power Plan or a similar rule from taking effect.

Passing this resolution will send a clear message to the world that a majority of the Congress does not stand behind the President's efforts to address climate change with economically catastrophic regulations. Passing this resolution will also demonstrate to the American people that the Senate understands the need for affordable and reliable energy. Congress should pass this resolution and place this critical issue squarely on the President's desk. America's economic future is at stake, and it is time to send a clear signal that enough is enough.

I am very privileged to be offering this resolution with Senator HEITKAMP from North Dakota. She has been a champion on this issue. She has a different energy mix in her State and different energy concerns, but I think it goes to the heart of North Dakotans and West Virginians about the economic impact of such a very far-reaching and untried regulation in an area that is so far-reaching. I thank the Senator for her steadfast support. It has been my pleasure to be working with Senator HEITKAMP.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I want to express my great thanks to my colleague from West Virginia, Senator CAPITO, who has been absolutely a champion on this issue, but also a champion on looking at new technologies and a champion to actually see what we can do moving forward with the great innovation that is the history of this country and the history of coal country.

If you look over the life of the Clean Air Act, you will see literally billions of dollars of investment in cleaner energy, billions of dollars of investment in pollution control, billions of dollars of commitment to the environment by the industries we represent, whether it is a utility industry that has an interesting resource mix that includes coal or whether it is those facilities that utilize the energy looking at energy efficiency.

The numbers that Senator CAPITO gave you in terms of America's achievement on reduction of CO₂ hap-

pened without any involvement or any interference by the Environmental Protection Agency.

North Dakota's situation is unique as it relates to the Clean Power Plan rules, and that is why North Dakota filed its own separate piece of litigation because we have a different story to tell, I believe, a story that involves lignite, which isn't the coal that is mined in West Virginia, but it certainly, for those of us in the center of the country, has become an important fuel source for a generation of electricity for generations.

When you look at it and you think about where we are with fuel sources, you remember that there was a period of time when utility companies in this country were told you cannot use natural gas to generate electricity and, as a result, billions of dollars of investment were deployed to find a way to have a redundant, reliable, and affordable source of energy, and that redundant, reliable, and affordable source of energy was coal. Now things have transitioned. North Dakota is truly all of the above as it relates to our energy resources in this country and providing the electricity and the reliability of our electricity in the region.

When we look at where we are right now, we have created an incredible level of uncertainty for utility companies in this country. What do I mean by that? If you are sitting as a member of the board of directors in a utility company right now and know you are going to have baseload growth moving forward, how do you build out your resources to meet the demand, which is required by our regulatory environment? Now you are told: Look, by this year, those of you in North Dakota have to reduce your CO₂ output by 45 percent. Guess what. The original rule, as drafted, had an 11-percent reduction, and now we are up to 44 percent. In what world is that an appropriate leap as we move forward in terms of looking at compliance with this new regulation? The EPA is not authorized to issue rules that are impossible. The baseline and fundamental principle of both the Clean Air Act and the Clean Water Act is about using the best available technology—what is actually there and commercially available in that space. I have sat down with people who run utility companies in my State, and they have told me it is virtually impossible. Not only do we have a rule that is impossible, but we have an issue that I think the good Senator from West Virginia talked about that is even more serious. We have one agency of the Federal Government not empowered by any law in this country basically controlling our energy deployment, our electrical deployment. We have ignored FERC, and we have ignored all the other agencies that are responsible for the transmission of electricity.

If you look at the history of this country and compare our history with many of our competitors across the world, the one thing we do better than our competitors is our reliable electricity. No matter what time of the day it is, you can reach over and turn on a light switch in the United States of America and the lights come on.

If you are building a new manufacturing facility and need new energy, that energy is made available to you. Having electricity deployed at the end of the mile in my State, which can be as remote as another 20, 30 miles away from anyone else is a miracle. That is really a miracle of the commitment we have made to make sure we have power in America. This rule jeopardizes that commitment. This rule is wrongheaded and it is a dramatic change from the draft rule, especially as it relates to the State of North Dakota. This rule represents an attitude that says: We don't care what the law says. We don't care that you have rejected cap and trade. We don't care that you have rejected a carbon tax. We are going to unilaterally adopt those public policies as public policies in America. I don't think any of that should happen. I think it is time that we push back at all levels.

As I said many times on the floor, whether it is the waters of the United States or the Clean Power Plan rule, the challenge we have is trying to do what this Congress is responsible for doing, which is to legislate. It is not to have a fight about whether we like the EPA or not. It is not to have a fight about whether this rule is right or not. It is about the appropriate public policy. When we simply leave it to the regulatory agencies, we end up with litigation and uncertainty for those people sitting in the boardroom who have a critical responsibility for delivering power in the United States of America.

I gladly join my colleague from West Virginia as we pursue this matter. I think we all know that this legislation will likely pass. We also know what the likely outcome will be once it reaches the President's desk. We need to continue to have these conversations. We need to continue to talk about what the consequences are, not just for the coal miners in West Virginia and North Dakota but for the redundant, reliable, and affordable delivery of electricity in our country.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I listened to every word as my friend spoke, and I respect the words from my colleague from West Virginia very much, but I just want to be clear. I could not disagree with them more. Why would the majority leader and my friends push for the overturning of a Clean Power Plan rule that will, in

fact, save lives—that is a fact because when the air gets cleaner, you save lives—and will also protect our planet from the ravages of climate change? I don't know why they would take that stand. I really don't. When we are sworn in here, above all we are supposed to protect the health and safety of the people of our Nation, not protect one utility over the other. That is the private sector. We are here to protect lives and to protect the planet. I am going to go into depth as to why I feel this is very wrongheaded.

I particularly have great respect for our majority leader. Senator MCCONNELL has the power to bring anything before the body that he chooses. That is his right, and he has done that. But I must question this—given what happened in Paris and the need to keep America safe: Why are we going after the Clean Air Act today? It doesn't make sense. We should be moving to the omnibus budget agreement. We should be looking at every part of that budget to make America safe.

For example, in the EPA budget, we could look at ways to improve chemical safety and how to protect our reservoirs. We could look at the Department of Homeland Security and how we can step up security at our ports, airports, border checkpoints, and railroads. We could look at funding biometrics, which could help us fight against homeland terrorism.

In the State Department, we could look at ways to enhance security at our embassies and consulates. There is a lot of talk about Benghazi, Benghazi, Benghazi, but the Republican budget cut embassy security. How about looking at that? Why don't we look at the Office of Personnel Management and look at ways we could boost our cyber defenses after one of the largest data breaches in our government's history. The Department of Justice needs to make sure the FBI and local law enforcement have the resources they need to keep our families safe.

I compliment everyone who came to the table and got a universal agreement on the budget for the next 2 years. Why are we looking at repealing a Clean Power Plan rule instead of taking up that budget agreement and looking—in a bipartisan way—at every single agency that we fund to make sure they are doing everything to keep America safe?

I was talking to one of my colleagues from New York, and he pointed out that the terrorists have been after us since 9/11. So we know we have been doing something right. Let's look at what we are doing right and see if there is anything we are not doing right. Let's beef it up and make sure that our refugee policy is the right policy. We have a lot of work to do, but, no, here we go again.

Just 2 weeks ago Senate Republicans led an attack on one of our Nation's

landmark environmental laws, the Clean Water Act, and we defeated them. Now they are back again, and this time they are against clean air. They are attacking the Clean Air Act and the President's commonsense proposals to address dangerous climate change. Of course, most of them don't even believe climate change is happening. They say: Well, we are not scientists. That is right; you are not. So why not listen to the 98 percent of scientists who know this is happening?

The Senate is considering at least one Congressional Review Act resolution, and the one we are talking about now has to do with existing powerplants. Senator CAPITO has introduced that legislation that would block the Clean Power Plan for existing powerplants from going into effect. This is dangerous. It is dangerous because we would be throwing out the first rules to reduce carbon pollution for powerplants that emit 31 percent of our Nation's total carbon emissions. If we are ever going to attack the problem of too much carbon pollution, we have to go to use our powerplant side, and I commend the President for his courage and for doing the right thing.

I have heard colleagues say that the process wasn't good. What more do you want? The process used to develop these rules was extremely open and inclusive. The EPA met with State officials and a broad range of stakeholders. They held 600 meetings for the Clean Power Plan alone. How many more meetings do they want—1,000? The EPA received more than 6 million comments from the public on both the existing powerplant rule and the new powerplant rule.

Senator MCCONNELL's resolution to block the standards for new powerplants and Senator CAPITO's resolution, which we are talking about now, to block the Clean Power Plan would not only toss out these extensive outreach efforts, but the hubris of this is that this resolution would prohibit the Environmental Protection Agency from ever undertaking similar rulemakings, leaving no plan in place to address carbon pollution from this source. Let me repeat that. Not only does this resolution toss out this rule that would clean our skies, but they say that we can never do it again. This is an attack on the American people.

I remind my colleagues that the EPA is setting these carbon pollution standards not because they decided one day to go after the coal companies. They did not. They are doing it because under the Clean Air Act, they have to do it. It is an authority they have that has been confirmed by the Supreme Court. I don't know if my colleagues want to hear this, but I am sorry, because I will repeat it: In the *Massachusetts v. EPA* case, the Supreme Court found very clearly that carbon pollution is covered under the Clean Air

Act. George W. Bush fought it for 8 years. He fought it for 8 years, but the Supreme Court wrote the following in their decision: "Because greenhouse gases fit well within the Clean Air Act's capacious definition of 'air pollutant,' we hold that EPA has the statutory authority to regulate the emissions of such gasses."

All that talk about how the EPA is overreaching and that carbon isn't dangerous and you don't have to fix it is so much baloney. The Court found it straightforwardly in *Massachusetts v. EPA* in 2007. Following that decision, the Obama administration issued an endangerment finding showing that current and future concentrations of carbon pollution are harmful to public health and welfare.

Once that decision is made, we have to act. We can't make believe this planet isn't endangered. We can't make believe pollution from powerplants does not cause problems for our people. We have to act. The administration is well within its rights. If they did not act, they would be sued, and they would lose because they have to protect the people from too much carbon pollution. It is required under the Clean Air Act and was sustained by the Supreme Court in 2007. Not only do the Republicans oppose standards for old plants, but they even oppose standards for newly constructed plants. Both of these resolutions—both of them—are harmful to public health and the environment, and many groups oppose them.

So I am going to show my colleagues some of the groups that oppose this Republican resolution, and America can decide whom it wants to stand with. The Republicans want to overturn the Clean Air Act rule, or these people.

How about public health groups—the Allergy and Asthma Network, the American Lung Association, the Public Health Association, the Thoracic Society, the Asthma and Allergy Foundation of America, Children's Environmental Health Network, Health Care Without Harm, Trust for America's Health. That is as American as apple pie. These are the people who stand up and protect our health and the health of our families. Whom do we want to stand with—the Republicans, who are pushing this on us on a day when we should be making America safe from the terrorists, or these groups?

Business groups: the American Sustainable Business Council, Business for Innovative Climate and Energy Policy, and Environmental Entrepreneurs.

Consumer groups: Center for Accessible Technology, Citizens Action Coalition, Greenlining Institute, National Consumer Law Center, Ohio Partners for Affordable Energy, Public Citizen, TURN, the Utility Reform Network, Virginia Citizens Consumer Council, the Washington State Community Action Partnership, and A World Institute for a Sustainable Humanity.

Latino groups—why do they care? Because a lot of times they live in communities that suffer from filthy air. The abc Foundation Green Forum, Citizens Energy, the City Project, Common Ground for Conservation/America. There are more Latino groups. It goes on and on: Emerald Cities Collaborative, GreenLatinos, Ideas For Us, Latino Coalition for a Healthy California, National Hispanic Medical Association, National Latino Evangelical Coalition, Solar Four.

I will just mention a few environmental groups: Alliance of Nurses for Healthy Environments.

Could I just say, if we were to ask people "Whom do you trust more—the Senate or the nurses?" dare I say the results? I would guess it would be 99 percent in favor of nurses as opposed to us. And why don't we listen to them? They don't want to see these rules overturned.

Appalachian Voices, Arkansas Public Policy Panel, Center for Biological Diversity, Clean Air Task Force, Clean Water Action, Climate Parents, Conservation Voters for Idaho, Conservation Voters for South Carolina, Defenders of Wildlife, Earth Justice, Elders Climate Action, Environment America and 24 State affiliates, and Environmental Advocates of New York. It goes on.

These groups whose names I am reading oppose this action by my Republican friends because they want clean air, they want to protect their families, and they want to fight climate change.

Environmental Justice Leadership Forum, Environmental Law Policy Center, Health Care Without Harm, Interfaith Power & Light and 28 State affiliates, League of Conservation Voters and 7 State affiliates, Maine Conservation Voters, Montana Environmental Information Center, Natural Resources Defense Council, New Virginia Majority, PDA Tucson, PennEnvironment, Physicians for Social Responsibility, Protect Our Winters, Rachel Carson Council, Sierra Club, Southern Environmental Law Center, Southern Oregon Climate Action Now, Union of Concerned Scientists, Virginia Organizing, Voices for Progress, Western Organization of Resource Councils, Wisconsin Environment, World Wildlife Fund.

Mr. President, I ask unanimous consent that a list of groups that oppose this rule change be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GROUPS THAT OPPOSE S.J. RES. 23 AND 24

PUBLIC HEALTH GROUPS

Allergy and Asthma Network, American Lung Association, American Public Health Association, American Thoracic Society, Asthma and Allergy Foundation of America, Children's Environmental Health Network,

Health Care Without Harm, Trust for America's Health.

BUSINESS GROUPS

American Sustainable Business Council, Business for Innovative Climate & Energy Policy (BICEP), Environmental Entrepreneurs.

CONSUMER GROUPS

Center for Accessible Technology, Citizens Action Coalition, Citizens Coalition, Greenlining Institute, Low-Income Energy Affordability Network, National Consumer Law Center, NW Energy Coalition, Nuclear Information and Resource Service, Ohio Partners for Affordable Energy, Public Citizen, Public Utility Law Project of New York, TURN—The Utility Reform Network, Virginia Citizens Consumer Council, WA State Community Action Partnership, A World Institute for a Sustainable Humanity (A W.I.S.H.).

LATINO COMMUNITY GROUPS

The *Abc Foundation Green Forum, Citizen Energy, The City Project, Common Ground for Conservation/America Verde, Dewey Square Group/Latinovations, EcoRico Entertainment, LLC, Emerald Cities, GreenLatinos, Hispanic Association of Colleges and Universities, IDEAS for Us, Latino Coalition for a Healthy California, League of United Latin American Citizens, MANA—A Latina Organization, Mi Familia Vota, National Hispanic Medical Association, National Latino Evangelical Coalition, PolicyLink Center for Infrastructure Equity, Sachamama, SolarFour, Voces Verdes.

ENVIRONMENTAL GROUPS

350.org, ActionAid USA, Alliance of Nurses for Healthy Environments, Appalachian Voices, Arkansas Public Policy Panel, Center for Biological Diversity, Clean Air Task Force, Clean Water Action, Climate Action Alliance of the Valley, Climate Law & Policy Project, Climate Parents, Conservation Voters for Idaho, Conservation Voters of South Carolina, Defenders of Wildlife, Earthjustice, Elders Climate Action, Environment America and 24 state affiliates, Environmental Advocates of New York, Environmental Investigation Agency, Environmental Justice Leadership Forum on Climate Change, Environmental Law and Policy Center, Environmental and Energy Study Institute, Environmental Defense Action Fund, Health Care Without Harm, Interfaith Power & Light and 28 state affiliates, International Forum on Globalization.

KyotoUSA, League of Conservation Voters and 7 state affiliates, League of Women Voters, Maine Conservation Voters, Montana Environmental Information Center, Natural Resources Defense Council, New Virginia Majority, PDA, Tucson, PennEnvironment, Physicians for Social Responsibility and 4 state affiliates, Polar Bears International, Protect Our Winters, Rachel Carson Council, Sierra Club, Southern Environmental Law Center, Southern Oregon Climate Action Now, The Climate Reality Project, Union of Concerned Scientists, Virginia Organizing, Voices for Progress, WE ACT for Environmental Justice, Western Organization of Resource Councils, Wisconsin Environment, World Wildlife Fund.

Mrs. BOXER. So we can see clearly—and I think the letter from the American Sustainable Business Council makes a very important statement:

History shows that smart clean energy policies are good for our environment, our economy, and business. We urge you . . . to

oppose both resolutions to disapprove the established safeguards.

Another letter from many of these leading public health organizations—quote:

Please make your priority the health of your constituents and vote No on these Congressional Review Act resolutions. . . .

I find it very hard to comprehend that a majority of this Senate, led by my Republican friends, would side with the special interests above the people who simply want to breathe clean air, who simply want to see us dedicated to the fight against climate change.

These groups understand the importance of taking action to reduce carbon pollution. When we reduce that dangerous pollution from powerplants, the Clean Power Plan will deliver important health benefits.

This is what I hope the American people will understand. This is science. By the year 2030, if we defeat this Republican effort, here is what will happen to our communities: We will prevent up to 3,600 premature deaths, we will prevent up to 1,700 heart attacks, we will prevent up to 90,000 asthma attacks in children, and we will prevent 300,000 missed workdays and school days.

Why on Earth does anyone want to vote to repeal a rule that will prevent 3,600 premature deaths, 1,700 heart attacks, 90,000 asthma attacks, and 300,000 missed workdays and school days? Why? The answer is special economic interests. That is the answer. It is a disgrace, a total and complete disgrace. We should be fighting for our families, not for the special interests. These are the cobenefits of reducing carbon. A lot of times we will hear my colleagues say: Carbon isn't dangerous. We breathe it out. It is not dangerous. The fact is, when we make these improvements to the powerplants to reduce carbon pollution, there are cobenefits. These are the cobenefits. They are, in fact, articulated.

The Clean Power Plan will cut emissions from existing plants 32 percent below 2012 levels by 2030.

The other thing is it is going to save \$85 a year on utility bills. So everyone who says that this is terrible and that it is going to raise our energy bills doesn't know the facts.

The Clean Power Plan also includes help to low-income Americans through the Clean Energy Incentive Program, which prioritizes early investment in energy efficiency projects in low-income communities. So if we reduce our use of energy because we are conserving energy, we are using less energy, we are cleaning the environment, and our bills go down. That is what we call low-hanging fruit—conservation.

The American people support efforts to reduce dangerous carbon pollution. According to a League of Conservation Voters poll in August, 60 percent of voters support the Clean Power Plan, while just 31 percent oppose it.

So I have to ask my colleagues, my friends whom I constantly fight with on this, why do you side with the special interests against the people—the people who will benefit from longer lives, fewer sick days, fewer schooldays lost, and fewer asthma attacks? Why? And why do you turn against 60 percent of the voters who support the Clean Power Plan? The only answer I can come up with is they are not really thinking about the majority of the American people; they are thinking about the special interests who call here all the time and push us to do things to help them.

There was another report in January of 2015 by Stanford University. We have all heard of Stanford University. It is pretty well thought of. A lot of my colleagues went there and graduated from there. The Stanford University poll found that 83 percent of Americans, including 61 percent of Republicans, say that if nothing is done to reduce emissions, climate change will be a serious problem in the future. It also found that 74 percent of Americans say the Federal Government should take substantial steps to combat climate change.

Look, all of this furor against these rules doesn't go with the American people; it goes against where the American people are. As I said, 83 percent of Americans, including 61 percent of Republicans, say reduce these emissions. We have to stop climate change. We already see the ravages around us. We already see climate refugees. We already see extreme weather. It is destabilizing. It is dangerous.

According to the same poll, 74 percent of Americans say the Federal Government should be taking substantial steps to combat climate change. Yes, the President has listened and he has put forward these rules that are substantial steps because the emissions come from these powerplants—31 percent of the carbon emissions. So instead of just standing up here and demagoguing and saying this is horrible and frightening the American people, why not join hands with us and do this right?

My State is a leader in clean energy. We are creating jobs hand over fist. We are doing great in California because we care about climate and we care about jobs, and those things go hand in hand. When we install a solar rooftop, we can't outsource that job, we have to hire someone in our State. That is why we have so much strong support in our State, because we see the results of pushing forward aggressively for clean energy. People are happy about it. They are proud of it. They are doing well. Climate change is real.

We have to take reasonable steps to reduce carbon pollution, as with the Clean Power Plan. And all we see from our Republican friends, God bless them—I am very close with a lot of

them—is attack after attack after attack on the environment, attacks against the Clean Water Act, attacks against the Clean Air Act, attacks against the Safe Drinking Water Act.

These resolutions that are coming before us ignore the long and successful history of the Clean Air Act. We heard the same arguments against the original Clean Air Act that we are hearing today. In the 40 years since the Clean Air Act was enacted, our GDP—our gross domestic product—has risen not 100 percent but 207 percent. If we go back to those debates—and I have gone back to them—we would hear the very same voices coming from the very same side of the aisle decrying the Clean Air Act: Oh, this is going to be a disaster. Well, it not only wasn't a disaster, it was a resounding success. And where we export our ideas to the world, clean energy is an area where we are exporting those ideas.

Supporting the Clean Air Act makes good fiscal sense. The benefits of this landmark law, the Clean Air Act, amount to more than 40 times the cost of regulation. Let me say that again. For every dollar we have spent complying with the Clean Air Act, we have gotten more than \$40 of benefits in return.

As I mentioned, my State—I am so very proud of it—we are on a path to meet or exceed our goals of reducing climate pollution to 1990 levels by 2020, just 5 years from now. That is required in our State—AB 32. By the way, Big Oil and big polluters tried to overturn it on the ballot, and the people said: Go home. We are happy. We like this. We embrace it. And they turned back the millions of dollars spent by Big Dirty Oil, and we won. Clean air won.

We are on the path to achieving our ultimate goal of reducing emissions by 80 percent by 2050. Imagine. During the first year and a half of my State's carbon reduction program called cap and trade, we added 491,000 jobs. So all this fearmongering about jobs lost is so much fearmongering because, guess what, look at my State—491,000 jobs added. And that job creation actually outpaces the national growth rate of jobs. California has been a leader in reducing its carbon footprint, and the United States must take steps to address this threat.

I am just going to go back and read to my colleagues the main prediction of mainstream scientists made many years ago about what would happen if we weren't aggressive on climate.

One, temperature extremes, they said, would be more frequent. NOAA scientists predicted that 2015 would be the hottest year since recordkeeping began and it will displace 2014. So the first prediction by the scientists that temperature extremes would be more frequent has been proven true—2015 will be the highest year on record, and before that 2014 was the hottest year on record.

Secondly, they told us when I took over the chair of the EPW committee—which I regretted having to hand over the gavel to my friend Senator INHOFE, but I did hold it for about 6 years, if my memory is correct. A little over 6 years I had the gavel, but who is counting. The fact is, we called the scientists before the committee. They said temperature extremes would be more frequent. That has proven out. They said heat waves would be more frequent. That has proven out. They said areas affected by drought will increase, and Lord knows the West knows that has been proven. Wildfires would be bigger and more frequent, they said. We know in the West that is true. Tropical storms and hurricanes will be more intense. Just ask New Jersey and New York. There will be more heavy precipitation and flooding events. We have seen that with our own eyes. We have seen cars floating down the streets in Texas. Polar sea ice will shrink. That is a fact. Sea levels will rise. That is a fact. All of these predictions by climate experts have become a reality today.

So I ask my friends, Why are you willing to gamble? Why are you willing to take this gamble and walk away from trying to reduce the ravages of climate change? That is immoral in the face of what we know from the scientists and with what we know from reality in the States. We see all the predictions coming true. The fact is that climate change endangers the health of our families and our planet. We cannot delay action to reduce carbon pollution.

I thank President Obama for his leadership on this critical issue. These rules are an essential element of the leadership on climate change. There is no doubt about it. At the end of this month President Obama and other leaders will gather to reach an agreement on how all of the nations will work to reduce carbon pollution that is causing climate change. Nearly 160 nations have reduced their plans.

I ask my Republican colleagues that if you don't like President Obama's plan, don't just repeal it, tell us how you would reduce harmful carbon pollution. Tell us how you are going to save all these lives. Tell us how. Explain to us how you are going to prevent 3,600 premature deaths, 1,700 heart attacks, 90,000 asthma attacks in kids, and 300,000 missed workdays and schooldays. Where is your plan? Don't just get up there and say it is going to cost more for electricity, because the fact is, we have a special part of this rule that addresses the costs and will actually save money for consumers because we will push the low-hanging fruit of energy efficiency.

These resolutions will take us backward, prevent us from acting to avert the worst impacts of climate. This Republican initiative is going to endanger

the health of millions of our children and families from dangerous carbon pollution and will stop the cobenefits to them from going into effect.

I know we are going to have a robust debate. As I said at the start, I think we ought to be debating the omnibus budget agreement. I think we ought to be debating how to keep America safe from the terrorists instead of figuring out ways to repeal a law that if you are successful, will in fact mean adverse health consequences for our people. We should be debating how to keep America safe today. We are not debating that. I am very sorry about that, and I agree with my colleagues on both sides of the aisle who say they know the end result of this. Yes, there is a majority of people here who are going to vote to repeal these clean power rules. We know that. Yes, we know that will go to the President and, yes, we know the President will veto that and, yes, we know when that comes back we are going to sustain the President. We know the outcome.

Why not get to work on keeping America safe? Go to this omnibus budget resolution, look throughout the budget and see ways we can make sure our people are kept safe from terrorists and, for goodness' sake, while we are at it, keep them safe from pollution. That is something we have in our hands. What is before us today will not keep them safe from pollution, and I look forward to this being rejected at the end of the day.

I thank the Presiding Officer, and I yield the floor.

THE PRESIDING OFFICER. The Senator from Indiana.

TERRORIST ATTACKS AGAINST FRANCE

MR. COATS. Mr. President, I do agree we should be debating what is happening in the world, particularly on the issue of ISIS and its impact not only on America, not only on Europe but on the world, and that is what I intend to do.

We have all witnessed the horrific attacks in Paris and this unprecedented form of evil that we have seen disrupt the lives of free people. All Americans—Republicans, Democrats, Independents—all Americans stand in solidarity with Paris and the French people. This isn't just an attack on Paris. This is an attack on the free world, the civilized world.

Don't just take my word for this conclusion because ISIS has already made such a declaration; that is, we are coming after you. We are coming after all those who don't abide by our messianic message of our purpose in the world to destroy you because you don't agree with us.

Sadly, the tragedy we have seen in Paris reinforces that the battle against terrorism and extremism will not only be fought in the Middle East. The United States and Western nations are dealing with escalating security chal-

lenges that cannot be resolved through diplomacy and are not being resolved by the current strategy of this White House.

A headline today in the Wall Street Journal is: "Pressure Grows for Global Response." We, the United States, need to show the world that threats to our principal freedoms are entirely unacceptable. Unfortunately, President Obama continues to fail to provide the American people with the leadership we so desperately need.

Consider his response yesterday to the tragic events in Paris versus the response of the French President. The French President, Francois Hollande, said: France is at war. We are in a war against jihadist terrorism, which is threatening the entire world.

I want to repeat that: France is at war. We are in a war against jihadist terrorism, which is threatening the whole world.

Virtually at the same time, President Obama, in a shockingly dismissive tone, doubled down on his so-called strategy to deal with this global threat. What has his strategy to date accomplished? Well, ISIS has expanded into more than half a dozen countries. They are not contained as the President said. Ask the people in Paris if ISIS is contained. Ask the people who have been subjected to attacks inspired by ISIS across the world: Is ISIS contained? I don't think so.

Time after time, the President has shown he simply doesn't get it. In 2012, he boasted Al-Qaeda was on the path to defeat. In 2014, he dismissed the Islamic State as the "JV team," saying that ISIS "is not a direct threat to us nor something that we have to wade into." Last Thursday he said, "I don't think [the Islamic State] is gaining strength" and saying "we have contained them."

What will it take for this President to wake up and see what is happening around the world as a result of the ever-expanding threat of ISIS terrorism? The President did say yesterday that if people have other ideas to bring them forward. So what I would like to do is offer a few suggestions for the President to consider. In fact, I actually brought forward suggestions over a year ago, but of course none of them have been accepted or acted upon by the President that I am aware of.

When I first addressed this subject in the summer of 2014, I outlined several areas in which urgent action was required. First, and more important, I called for the administration immediately to articulate a comprehensive plan to defeat ISIS. We have a problem out there. Put a plan together to address the problem and do it in a comprehensive way so we have a goal to achieve and a strategy to work out to achieve that goal. This comprehensive plan has been entirely absent from this

Congress and from the American people. What we have seen instead are incremental responses—responses that contradict what the President had earlier said—to events that have taken place behind the curve, not ahead of the curve, too little and too late. I called for efforts to reach out to nations across the globe to work together to defeat ISIS, including working with Islamic states and communities to oppose this outrageous ISIS perversion of the Islamic faith.

I want to say that, again, for those who simply say this is a decision that affects America only, all we are calling for are our boots on the ground, that is entirely wrong. The President should know it, and I think he does know it. I, among many, have called for efforts to reach out to nations across the globe to work together to defeat ISIS, including working with Islamic states and communities to oppose the outrageous ISIS perversion of the Islamic faith.

I called for a diplomatic effort to persuade Saudi Arabia, Turkey, Qatar, and other regions to join with us to resist more forcefully ISIS aggression. Last year I called for much greater security assistance for our potential partners in the fight against ISIS. The United States should move quickly to provide more arms, training, and other requested assistance to Iraqi Kurdistan's Peshmerga forces—proven fighters who are willing to stand up and confront ISIS. They needed our support. They needed weapons from us. They needed training and guidance from us, but they were ready to engage in the fight. I said we also needed to find effective ways to support and directly arm the reliable, vetted Sunni tribes and Sunni leaders in Iraq who are essential partners in combatting ISIS extremism that ultimately are Sunni Islam's greatest threat.

It is true, the question of where have they been, where are they. We need more than just sending a check to cover payment for somebody else to fight a proxy war. We need their engagement. They are in the crosshairs of ISIS. Why haven't they stepped up? Where is the flocking to the center square of town saying enough is enough? Where are the imams saying that this is a perversion of our religion? Where are the people in the crosshairs of ISIS simply rising up together and saying we need to address this?

As I said, we also need to find effective ways to support the Sunni tribes and Sunni leaders. Those efforts have been slow, indirect, and insufficient. I called for us to provide lethal assistance to the Free Syrian Army. The administration's effort in this regard was an absurd \$500 million, multiyear effort to train and arm 40 fighters, most of whom were promptly killed or captured. Yes, I called for increased spe-

cialized military action by our own Armed Forces. I, with many others, am willing to stand here and say enough. I have called for increased specialized military action by our own Armed Forces—intelligence, surveillance, reconnaissance, and special forces—not a massive invasion. This has to be a global effort, as I just talked about. It has to include Sunni nations. It has to include Muslims who believe their faith and their culture is being brutally perverted by ISIS.

It is clear ISIS cannot be defeated without U.S. participation. Nations of the world look to the United States to either have their backs or to work with them to stand side by side. We have capabilities and capacity that other nations don't have. Coalitions cannot be formed without our engagement. Our bombing campaign—this strategy of bombing against ISIS targets—has been far from adequate. There have been an average of just a handful a day, many of which have planes turning around and landing back at the airfield with bombs still attached to their wings because they simply haven't had the kind of targeting and directing to ensure that the rules of combat are confirmed.

Contrast this anemic bombing campaign with the bombing campaign before the first Gulf War, which was several thousand sorties a day. In Bosnia it was several hundred a day. Clearly, our anemic air strategy is not defeating ISIS. Frankly, military history shows that air action only cannot achieve the goal of defeating an enemy.

Lastly, I called on the Obama administration and Congress to reassess our border security and do whatever is necessary to make us stronger. One element of that effort is legislation I introduced earlier this year, a bill that would enact changes to the Visa Waiver Program and provide additional tools to enhance border security—changes that, in my opinion, are absolutely necessary to fill and plug a gaping hole in our border security.

Let me talk about that for a moment. The current Visa Waiver Program allows citizens from several dozen nations to travel to the United States without a visa. They are citizens of these nations. In order to expedite the travel process, we entered into the Visa Waiver Program. That works fine if you don't have a situation like the one that exists today, with ISIS and other forces—Al-Qaeda and others—trying to bring people into the United States, to plant people here to carry out evil acts against American people.

My bill would amend the Visa Waiver Program by tightening existing pre-travel clearance procedures and making them more focused on counterterrorism efforts. We have to now recognize the reality that exists here in terms of abuse of the Visa Waiver Pro-

gram or the possibility of abuse and inserting terrorists into the United States.

The bill would ensure stricter compliance with information sharing agreements by those countries that participate in the Visa Waiver Program and suspend their participation if they do not come into compliance at a 100-percent level. We can't afford any glitches. We cannot afford 99 percent. We have to go all the way.

The bill would also authorize the Secretary of State to revoke any passport issued to a U.S. citizen who is suspected of engaging in terrorist activities and would update the definition of "treason" to include support of terrorist organizations.

When introducing this, I remember the response: Oh, that is too tough. Nothing is too tough these days to keep Americans safe. We need to implement these provisions that I introduced many months ago, because I believe it is a solution that addresses the real and growing threat of terrorist attacks carried out by individuals with Western passports.

Unfortunately, these things I have mentioned and have introduced earlier have not been adopted in any meaningful way. Now, a year and a half later, we are in a much more difficult position, with ISIS stronger and expanded to new areas and new countries. The threat to us all is comprehensive, multifaceted, and nearly global. It demands a global, comprehensive response.

So I would urge the President to seriously consider these and other proposals, and I would like to mention one other proposal this morning. In addition to what I have previously stated, I believe it is now time to consider whether NATO should take on a vital new mission. NATO responded in Bosnia in 1994 and brought about peace. It can do so again.

When I served as ambassador to Germany for 4 years, I had direct contact with NATO and NATO nations, and I know the accumulation of resources, of training, of capability that is available through NATO, and it is a multi-nation, comprehensive coalition. It can play a vital role in dealing with this terrorist threat.

We need a comprehensive, realistic, articulate plan if we are going to destroy ISIS, and NATO action should be part of that plan, whether or not France invokes the article 5 collective defense provision of the NATO treaty—which I think they should do, and perhaps they will do—which requires all NATO nations to come to the support of and do what is necessary to address a threat to one of the nations. If one of the NATO nations is threatened, we all stand together to deal with it.

Former NATO Commander ADM James Stavridis issued his own six-step plan for NATO engagement and leadership to destroy ISIS, and we should

look at that and take it seriously. He suggests NATO should assign one of the major alliance commands to lead the operational planning for forceful military efforts against ISIS in both Syria and Iraq and bring all the alliance resources to bear. In addition, he suggests our NATO allies should be joined in this effort by other non-member European states, such as Sweden and Finland, which are similarly threatened by ISIS terrorism. Most importantly, he said NATO must work creatively to bring in the regional powers, such as the Kurdish Peshmerga, Saudi Arabia, and other Arab states in a broad coordinated effort against ISIS under NATO leadership.

This is the mechanism and this is an organization that is trained, has the equipment, has the capability, and can form the coalition necessary with our Arab friends and neighborhoods—the Saudis, the Sunnis and others—that need to be a part of this if we are going to be successful.

NATO's efforts against ISIS, Admiral Stavridis says, should also include assistance to Turkey—after all, Turkey is a NATO member—to better secure their borders against the flow of jihadists in and out of Syria. This is NATO at its best and is something I think should be seriously considered by this White House as a way of moving forward to develop a coalition to address the great threat we are facing.

Let me now say one other thing, because Admiral Stavridis also suggests the possibility of forming some type of a coalition with Russia. We are seeing a strong Russian response today—last evening—once it was determined and proven the Russian airliner was brought down by a bomb and by ISIS. ISIS has taken credit for it, and ISIS will receive the wrath of the Russian military as a result, in direct contrast to what we have done for attempts on our own people.

I am not a big fan of Putin. I am not a big fan of the current Russia government. I spoke out strongly about Russia's invasion of the Ukraine and the annexation of Crimea, and have strongly advocated for Russia's diplomatic isolation. In fact, I so strongly advocated for it that Russia put me on a list of seven people who are banned from entering Russia for life. Well, I have been to Russia, and I don't need to go back. So it is no big deal. Apparently it was a big deal to them. But now we are facing an emergency situation.

Russian forces are deployed in Syria. Russian efforts need to be coordinated with NATO efforts, if we go the NATO route. We are already coordinating in terms of some of our flights. As we learned in 1941, national emergencies can create strange bedfellows.

Whatever option is considered, the irreducible minimum is real: determined U.S. leadership. This tragic civil war

and escalating terrorist threat have continued and grown much too long without an effective American response. Oh, yes, we have had a response—mostly rhetorical—but clearly a strategy that has not succeeded, and clearly something that is not deterring ISIS from growing stronger and spreading further. It simply has not been effective. So whether it is through NATO, whether it is through a coalition of the willing, vigorous American leadership is absolutely essential for the future of all of us.

In conclusion, let me say this. In 2014, the leader of ISIS, Abu Bakr al-Baghdadi, said:

Our last message is to the Americans: Soon we will be in direct confrontation, and the sons of Islam have prepared for such a day. So watch, for we are with you, watching.

This is the enemy we are dealing with. This is not some vague threat; this is a direct threat. We have seen how they carry out their direct threats, and we stand in the crosshairs. And, yes, it is very possible and probably very true that they are with us here now, watching, waiting, planning, contriving for another Paris, for another Baghdad, for another attack—hopefully none, but something that could be possibly much greater than what we saw in Paris. They have created their homeland in Syria, but they have told us what we don't want to hear, but which is probably true, that they are here and they are watching and they are waiting.

So the question is, does President Obama grasp what we are up against? Last year he laid out the goal of defeating ISIS, but President Obama still has not put forward the comprehensive strategy to accomplish that goal, and yesterday he doubled down on the same policies that have led to our current foreign policy failures. The effort to defeat ISIS will be successful only with leadership from the President of the United States. Let me say that again. The effort to defeat ISIS will be successful only with the leadership from the President of the United States.

So, President Obama, as Republicans, as Democrats, as Independents, as Americans, we desperately need for you to provide that leadership at this critical time. President Obama, are you up to the job or do we have to wait another year to put a leader in the White House?

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, it is a pleasure and privilege to follow the distinguished Senator from Indiana. His concerns for national security are well established, and I enjoy working with him, particularly in the area of cyber security. But I would note, in the wake of his eloquent remarks about our national security situation, that we are not here on the floor to discuss

national security. We are here on the floor right now because the Republican leadership is taking a run at the President's Clean Power Plan.

Paris has not recovered from the devastation of the other day, and we have important bills that the chairman of the Committee on Appropriations has worked very hard on to get ready and that would improve the capacity of our Department of Justice, our FBI, and our Department of Homeland Security to address this threat. Are we on those bills? No. The majority leader has decided we are going to take a run at a climate regulation.

Now, with ISIS and terrorism being the issue of the day, one might think: OK, I can understand why we are going to climate change. We have known for years that our intelligence community, our defense leaders, and the men and women in uniform we count on to protect us have said climate change breeds terrorism. It creates the conditions—the Quadrennial Defense Review and the intelligence reports have said—that spawn the kind of despair that leads to terrorism. It is a catalyst of conflict.

So one might say: OK, sure, it makes sense we should address climate change because it is a catalyst for conflict. And we would find voices—I think the distinguished Senator from Indiana mentioned Admiral Stavridis. We love Admiral Stavridis in Rhode Island because he has been associated with the Naval War College. He has said that the cascading interests and broad implications stemming from the effects of climate change should cause today's global leaders to take stock, and he has said many other eloquent things on climate change too. But we are not here to do something about climate change and help reduce it as a catalyst of conflict. What the majority leader has brought us here to do is to undo American leadership in this area.

One might say: OK, they have a better plan. The Republicans have a plan they think is better than the Clean Power Plan, and therefore they want to foul up the Clean Power Plan so they can put a clean power plan of their own in place. There is no such thing. There is no Republican strategy to deal with climate change. In fact, a majority of my colleagues on that side can't even admit that it is real.

So that is where we are. We are on a measure that clearly won't pass under the Congressional Review Act, clearly will go to the President and be vetoed and be sustained on the veto. So this will never become law. It is just a big exercise in time-wasting.

While the smoke is still clearing over Paris, we are still engaged in this big exercise in time-wasting. Why? To send a signal. To send a signal to the big coal interests, the big oil interests, the Koch brothers, and the tea partiers that "We are with you." The American

public isn't with you. Even Republicans aren't with you. If we look at recent polling, other than the tea party—and by the way, 70 percent in the tea party thinks global warming isn't happening—isn't happening. I don't know whom they are talking to. They are not talking to fishermen in my State. They are not talking to foresters out West. They are not talking to farmers in the Midwest. It is happening. We might go further as to discussing what to do about it, but the tea party is so irresponsible that they think, in a strong majority, it is not even happening. But they are not the ones we should be listening to because 83 percent of Americans—including 60 percent of Republicans—and by the way, with the November elections coming up, 86 percent of Independents say that if nothing is done to reduce emissions, global warming will be a very or somewhat serious problem in the future. So we are now going against what 83 percent of Americans, including 61 percent of Republicans and 86 percent of Independents, would direct us to do, in order to keep the faith with the big coal and oil and Koch brothers industries that fund so much of this operation here.

So 56 percent of Republicans—and 54 percent of conservative Republicans—say that the climate is changing and that mankind is contributing a lot or probably a little to the change. A majority of Republicans now believe there is solid evidence of global warming—again, 56 percent. When we look at young Republicans, this is where it gets very interesting. Young Republicans—under the age of 35—think climate denial by politicians in Congress is “ignorant, out of touch or crazy.” That is where young Republicans are on this.

Yet the majority leader has brought us here to interrupt any conversation we might be having over national security, slowing down any progress on the domestic security appropriations bills that might go forward, against the interests of young Republicans and everybody else virtually across the country, all to help out Big Coal, Big Oil, the Koch brothers, and to cater to this small, little tea party contingent, 70 percent of whom don't even believe climate change is happening. There is a point where you can't take views seriously. Frankly, if this group by 70 percent thinks it is not even happening, there is a point where we have to say: Run along, fellows; we want to play with the grownups here who understand what is going on.

So here we are on this bill. I will say that I like to do a little research when there is somebody speaking on the Senate floor. I thought the Senator from Indiana was going to talk about climate change, so I did home State Indiana, university, and climate change, to see what comes up. What came up was

an article published by the University of Indiana that says “Indiana University experts comment on climate change report.” That is the headline. The No. 1 lead under it is “Changing climate will affect Midwest crops, forests, public health.” That is the lead, Indiana University. The second lead is “Report signals need to move away from fossil fuels.” So they get it at the University of Indiana.

Here is the quote: “Climate change, once thought to be a problem for future generations, ‘has moved firmly into the present. . . .’” That was an article from May 6, 2014, more than a year ago, and still we are on the floor fighting about vain and doomed-to-failure efforts to attack the only climate change plan that is out there.

I invite my Republican colleagues: If you have a better plan than the climate plan the President has put forward, let's hear it. But I am here to say they have nothing—nothing—zero. So bring up that subject if you want. Highlight for the American people that this is a party in tow to coal and oil and Koch brothers' interests. Highlight for the American people that you are running in direct opposition to what the American people believe, to what even young Republicans believe. I don't get it, but have fun with it.

The last thing I will mention is this. I am from the Ocean State. I am about to be followed by my distinguished colleague and friend from Wyoming. Rhode Island has a little bit of a different situation. We are on the ocean. This denial business really doesn't work for us. We can go down to Narragansett Bay and measure that the bay is 3 to 4 degrees warmer, mean water temperature, than it was 30 years ago. That is not just a statistic; that signals the end of the winter flounder fishery in Rhode Island. We used to catch winter flounder. It was a robust crop. It is gone, more than 90 percent wiped out, largely because that warming has changed the ecosystem in which the winter flounders grew. So it is gone. We paid a price for that.

We can go to Naval Station Newport and look at the tide gauge. It is up 10 inches since the hurricane of 1938 came through. Google “Hurricane of 1938, Rhode Island.” Take a look at the images. We got smashed by that hurricane, and now there are 10 inches more water that can stack up with storm surge into an even bigger cocked fist against my State. That is directly related to the warming oceans—unless somebody wants to repeal the law of thermal expansion around here. But I don't think we get to do that in the Senate. That is one of God's laws. That is one of the laws of nature.

So our seas are warming, and our seas are rising. We have virtually lost our winter flounder fishery. We are losing our lobster fishery. We are getting clobbered, and we can't deny this stuff.

The effect carbon has on the oceans can be replicated in a high school science lab. Ramp up the carbon dioxide in saltwater and seawater and it turns acidic. The ocean is turning acidic at the fastest rate ever since mankind has been on this planet.

Go to the western coast and look at a little tiny sea snail called the pteropod, the sea butterfly. God's evolution has metamorphosed this little snail to having a foot that is actually a wing that swims it through the ocean. It is one of the core species. If we had good ocean sense here, everybody would know what a pteropod was. It is all over the place. It is a huge food source. It is the bottom floor of the food pyramid.

In the study just done, more than 50 percent of the pteropods in the Pacific from California north had severe shell damage—more than half of the species had severe shell damage from acidification of those seas. People in Oregon and Washington have had their oyster farms wiped out as the acidified water came in and ate away the shells of these little creatures. You do not survive long in an environment in which you are soluble, and that is the predicament we are creating for these of God's species.

Pope Francis said something very simple: We don't have that right. We don't have that right. Those pteropods aren't this generation's species. They are God's species. They are the Earth's species. It is not for us to tell our grandchildren and our great-grandchildren: We don't care. Go ahead, die right out. We are going to protect our big industry friends. That is just wrong.

We should not be on this bill. This is a time-waster. This is a disgrace. This has no business being here. The American people know better, and that may be the reason we are trying to get off it as quickly as we can. But I am here to say it is not enough to get off trying to knock down our one plan for dealing with climate change; we ought to be thinking about how we enhance wind and solar in Texas, wind and solar in Wyoming, protect the great forests of this country, protect the great shores of this country, and protect the species offshore. We are changing their world on them by making the oceans more acidic than they have been in the lifetime of our species.

I know the Senator from Wyoming is here to rebut everything I have said, but he has that right.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Wyoming.

ORDER OF PROCEDURE

Mr. BARRASSO. Mr. President, I ask unanimous consent that I be recognized for 10 minutes, followed by Senator SHAHEEN for 10 minutes, Senator CORNYN for 10 minutes, Senator NELSON for 10 minutes, and finally Senator

MANCHIN for 10 minutes; that following Senator MANCHIN's remarks, the Senate recess until 2:15 p.m. for the weekly conference meetings, and that the time in recess count against the majority time on the CRA.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, it is fascinating to listen to my colleague and friend from Rhode Island because I have the National Journal Daily printed today. It has back-to-back pages talking about the terror, the horror in Paris. Obviously the thoughts and heartfelt condolences of the people of this country continue to go out to our friends in France, who have stood by us, and we will stand by them.

One page talks about how President Obama has continued to underestimate ISIS. This is in today's paper, quoting President Obama, saying: "The analogy we use around here sometimes, and I think is accurate, is if a JV team puts on Lakers uniforms, that doesn't make them Kobe Bryant."

The President has continued to underestimate ISIS.

The other side of the page: "ISIS vs. Climate Change." It talks about the Democratic debate Saturday night—national television—after the tragic events in Paris the night before. The moderator asked one of the leading Democrats running for President—running second in the polls now—if that candidate had a chance to back off on his claims that climate change is the greatest security threat facing the country. That candidate said: "In fact, climate change is directly related to the growth of terrorism." That is the position I just heard from the Senator from Rhode Island. It is a position we hear from a leading candidate for President on the Democratic side of the aisle. I would wonder how many Americans believe that who—if they heard that statement, believe that is true.

That is why I come to the floor today to talk about President Obama's plans—his plans to tear down the American energy reliability, American energy stability, things that are important for our national security, because he wants to remake energy into a form he prefers. The President has a strategy to do it. He has made it clear. He said that when he was running for President in 2008. He bragged that his plan—he said if it went through, that "electricity rates would necessarily skyrocket." And ever since then, President Obama has been pushing to make that happen, even though he couldn't get it passed. When he tried to get part of his plan through Congress, even the Democrats rejected it. They knew that the American people didn't want it and that the American economy couldn't afford it.

Did President Obama listen to the American people? Absolutely not. Did

he accept the overwhelming judgment of Congress—a bipartisan approach—that his extreme attacks on American energy were a bad idea? No, he didn't listen to that, either. The President is much more interested in the opinion of far-left, extreme environmentalists than he is in the opinion of hard-working Americans. He has done everything he can to give his plans the effect of law without asking Congress to actually pass them as laws. He has had his Environmental Protection Agency draw up regulations—regulations that would shut down American energy producers and damage our own economy. That is what the President's own Energy Information Administration has said. The agency put out a report—a report that found that the EPA's new rule on carbon dioxide emissions would close coal-fired powerplants, would raise electricity prices, and would reduce the gross domestic product of our Nation.

That is just one of many rules this administration has been pushing into force without legal support. Every one of these rules will mean hard-working Americans will lose their jobs and hard-working families will be paying higher electric bills. Put it all together, and the price tag could reach hundreds of billions of dollars.

Who is asking President Obama to do this? Who is asking to pay more in their electric bill every month? People don't want it, and the President doesn't have the authority to do it. That is why he is not asking Congress to weigh in on his plans. That is why he is pushing these rules by unelected, unaccountable bureaucrats instead of going to the people and their representatives. The American people do have a voice, and they are making their voice heard through us today.

We are here talking about two rules in particular. These are the restrictions on existing powerplants and on new powerplants, plants that haven't even been built yet. These are the core of what the President calls his Clean Power Plan.

We are here to say today that these rules go too far. The Obama administration has tried this before. It has pushed through other regulations that people didn't want and can't afford. The administration has said that it gets to decide what is best, that it gets to decide what people should do. The courts legitimately have said: not so fast.

This summer, the Supreme Court rejected a different EPA rule because the administration never bothered—this is what the Court said—to take into account the costs of the rule. The Supreme Court said: "One would not say that it is even rational"—this is the Supreme Court talking about the President's rules; it isn't even rational—"never mind 'appropriate,' to impose billions of dollars of economic

costs in return for a few dollars in health or environmental benefits."

Two courts have blocked the EPA's rule on waters of the United States. One of the courts said that the rule was likely the result of "a process that is inexplicable, arbitrary, and devoid of a reasoned process."

All of these rules are suffering from the same kinds of problems. The Obama administration, once again, has been acting far beyond its own authority and far beyond anything that is rational or appropriate for our Nation. The same day that President Obama put out the new rule on his so-called Clean Power Plan, 26 States filed lawsuits in Federal court to stop the disastrous rule. Twenty-three States sued to block the rule on new powerplants. Twenty-seven States have sued to block the rule on existing powerplants. I believe these States are going to win in court because the rules are so extreme and this administration is so out of control.

President Obama doesn't really care about any of that. He thinks he still wins even when he loses in court. He thinks if he can drag it out long enough, businesses will have to spend the money and comply anyway.

That is actually what the President's EPA chief said before the last regulation got rejected by the Supreme Court. She went on television a few days before the decision and said that it didn't matter what the Supreme Court said. She said that it didn't matter if the administration loses because the rule has already been in place for 3 years.

That is exactly what the Obama administration is counting on this time as well. That is why it is so important that Congress act today to block these rules from taking effect. We are debating the two measures that will do that. The measure by Senator MCCONNELL and Senator MANCHIN—this is bipartisan—would block the rule for new powerplants, and the second measure by Senator CAPITO and Senator HEITKAMP—again, a Republican and Democrat working together—would block the rule for existing powerplants.

These are bipartisan resolutions of disapproval under the Congressional Review Act. They are our chance for Congress to stand up for the people that we represent. America can't afford these illegal rules to go into effect and be there for 3 years before the Court tosses them out.

There is another reason that Congress needs to vote to strike down these expensive, burdensome regulations immediately. Later this month, the President will be participating in the international talks on climate change. This is a meeting of about 200 countries from around the world to limit the amount of carbon dioxide and other emissions that each country can produce.

The President desperately wants his so-called Clean Power Plan so people will say he is leading on the issue. Without these illegal regulations, he has nothing to offer. Congress needs to make clear that the American people do not support these regulations. Foreign diplomats at the climate conference need to understand that these rules will not stand up in court.

President Obama's ego is writing checks that his administration can't cash. Any climate deal based on these flawed rules is simply not worth the paper it is printed on. It is time for President Obama to be honest about what he can and cannot do. If he will not admit that, then Congress is going to have to make it clear so that everyone understands. The American people do have a voice. They will not allow these reckless and destructive regulations to shut down American energy production.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I rise today to speak in support of the Clean Power Plan and against the efforts by the majority to undermine the plan. The Clean Power Plan is vital to the environmental and economic well-being of both New Hampshire and this country. It is an important and historic step that will mitigate the effects of climate change by reducing carbon pollution from our Nation's dirtiest powerplants.

Powerplants account for nearly 40 percent of all U.S. carbon emissions. That is more than every car, every truck, and every plane in the United States combined. If we are to be successful in addressing climate change, we have to reduce the amount of pollution that is coming from this sector, and we cannot delay.

My home State of New Hampshire is doing its part to reduce carbon emissions by making smart investments in renewable energy and energy efficiency, but we do need a Federal plan to make sure our country moves forward together.

As Senator WHITEHOUSE and Senator BOXER have said so eloquently, the verdict on climate change is in. It is a reality that must be addressed. Study after study reinforces the overwhelming consensus that global temperatures are steadily rising and contributing to more extreme weather events and changes in our environment.

We are seeing that firsthand in New Hampshire, where climate records show a steady increase in yearly temperatures and annual precipitation amounts continue to grow. As a result, climate change is affecting New Hampshire's tourism and outdoor recreation economy, which are really so important to our State. Tourism is the second largest industry in New Hamp-

shire. Each year hundreds of thousands of sportsmen and wildlife watchers come to New Hampshire to enjoy our natural resources. Hunting, fishing, and outdoor recreation contribute nearly \$4.2 billion to the New Hampshire economy each year. But rising temperatures are affecting our fall foliage season, which has just ended. We are seeing fewer snow days, which impacts skiing and snowmobiling, and ice out on our lakes is happening earlier each year.

We heard Senator WHITEHOUSE talking about the impact on fisheries in Rhode Island. We have seen that in New Hampshire as well, where cod stocks in the North Atlantic and the Gulf of Maine have been reduced so precipitously that it has devastated New Hampshire's fishing industry.

We are also seeing changes in our State's maple syrup industry. New Hampshire produces more than 100,000 gallons of maple syrup annually. It is the third largest maple producer in the New England States. Maple syrup production is entirely dependent on weather conditions. Any change, no matter how slight, can throw off production and endanger the industry. Trees require warm days and cold nights to create the optimal sugar content and sap production. The changing climate is putting more stress on sugar maples, affecting syrup production.

According to a report by the New Hampshire Citizens for a Responsible Energy Policy, "current modeling forecasts predict that maple sugar trees eventually will be completely eliminated as a regionally important species in the northeastern United States."

If we look at this chart, we can see the red here is elm, ash, and cottonwood. We see the green is oak and pine and oak and hickory. This is 1960 to 1990. This is a current look at what is happening with our trees in New Hampshire and New England. This darker red that we see here, which is almost all of New Hampshire, is maple, beech and birch trees. That is what things look like today. By 2070, you can see there are no more maple trees left in New Hampshire and all of New England. There are very few elm, ash, and cottonwoods. There is a little bit in New York. They have all moved to the West and the North.

If we fail to act on climate change, we are going to lose these trees, lose the industry, and lose our fall foliage because maples are so important to the fall foliage. Climate change is also a threat to our wildlife and their habitats.

In New Hampshire, the moose is a vital part of our State's culture, and yet, as a result of climate change, we have seen a 40-percent decline in the moose population. It is hard to see. You can see that this moose looks very distressed, as does this one. What looks like little knobs on this moose's tail

are ticks. Those ticks are there because with the warmer winters, insects and ticks are not dying off. They infested our moose population, which is down 40 percent.

Climate change is also impacting the health of New Hampshire's families. New Hampshire has one of the highest childhood asthma rates in the country. Rising temperatures increase smog levels. They heighten the effects of allergy season. All of those things imperil the health of vulnerable populations in New Hampshire, which is already the tailpipe. New England is the tailpipe of the central part of the country. So all of the pollution that is being created in the Midwest by those powerplants that are spewing out fossil fuels is coming on the air currents to New Hampshire and to New England.

I am proud to say that Granite Staters have recognized the effects of climate change, and New Hampshire has been a leader in reducing pollution. We are one of nine Northeastern States that are part of the Regional Greenhouse Gas Initiative. As a result, New Hampshire has already reduced its power sector carbon pollution by 49 percent since 2008. Because of the initiative of the State and local communities, New Hampshire is on track to meet the Clean Power Plan's carbon reduction goals 10 years early. We are going to be there by 2020, rather than 2030.

In addition, New Hampshire is investing in clean energy, using proceeds from emissions permits sold at RGGI auctions. The Regional Greenhouse Gas Initiative is a cap-and-trade system that is working in the nine Northeastern States. In 2012, New Hampshire invested 94 percent of those funds from the program in energy efficiency and renewable energy programs that directly benefit New Hampshire residents.

I had a chance last week to visit the western part of the State and a town named Peterborough. Actually, "Our Town," the play by Thornton Wilder, is written about Peterborough. They have built the largest solar array in New Hampshire, and they are using it to power their wastewater treatment. Selling excess power into the grid and reducing the town's other energy costs, they are saving between \$25,000 and \$50,000 a year.

What is so exciting to me is that when this project came up at a town meeting for a vote, it passed unanimously. Yesterday I had a chance to visit Middleton, NH. I went to Lavalley/Middleton Lumber. It is a sawmill that produces pine boards for Diprizio Lumber. In 2006, they installed a very large wood-fired boiler. They are able to use the byproducts from the sawmill to fire the boiler, using combined heat and power. Not only are they able to heat their complex, but they are also able to provide the generation that they need for power to run

the mills. As a result of this, they are saving \$700,000 a year on their power bills.

New Hampshire has shown that we can take advantage of moving to renewable energy sources. We can make smart energy choices that benefit the environment and yet strengthen our economy. Nationally, the Clean Power Plan is projected to cut carbon emissions by millions of tons per year and generate tens of billions of dollars a year in health and climate benefits.

It is good for the economy. That is why 81 major companies, including four in New Hampshire, have signed a letter pledging to support new initiatives that may emerge from the global conference on climate change in Paris in December. America's Clean Power Plan is a powerful demonstration of our global leadership on climate change, and it will allow the United States to lead with credibility and authority at the Paris conference.

We all know—or at least those people who are willing to acknowledge what the research shows—that climate change represents an enormous challenge, but solutions are within reach if we put in place policies that allow for action. We have a responsibility to help protect our children and our grandchildren from the severe consequences of global warming by taking action now. It is time to move forward with the Clean Power Plan without delay. It is time to stop short-circuiting efforts to reduce carbon pollution in this country.

I urge my colleagues to stop standing in the way of this important effort to reduce our dependence on fossil fuels.

THE PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senator from Alabama be recognized to speak and that following his remarks, I be permitted to speak.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

TERRORIST ATTACKS AGAINST FRANCE AND
SYRIAN REFUGEES

Mr. SHELBY. Mr. President, the terrorist attacks that rocked the city of Paris and the entire world on Friday, I believe we all agree, were horrific and unthinkable. The people of France stood by our side after the horrendous events of September 11, 2001, and the American people will stand by them during this tragic time. Cowardly and barbaric acts of violence against innocent civilians absolutely should not be tolerated anywhere in our society, and we must take any and all steps available to prevent a similar attack from occurring right here in the United States.

Early reports from the terrorist attacks in Paris on Friday indicate that the refugee programs in Europe allowed at least one of the attackers to

enter France. In light of these reports, the United States should take notice. We are now faced with an opportunity to make a commonsense, responsible decision that would put Americans at ease and put an end to the risk of radical Islamic terrorists infiltrating our Nation through the refugee resettlement program. I believe we simply cannot trust this administration to put in place the rigorous vetting system needed to ensure that the refugees who enter our Nation will not be future threats to our people in our own homeland. It is, without a doubt, in the best interest of the American people and our national security to immediately halt any plans to allow Syrian refugees to resettle in the United States.

We know we live in an increasingly dangerous world, and I believe the Obama administration's lack of leadership on foreign policy has exacerbated the problem. We cannot continue to let President Obama's ill-conceived policies put Americans at risk. This administration is either asleep or out of touch with the danger lurking in the world.

I ask the American people today: What is it going to take to wake up this administration? Will it take another horrific attack on our own soil and our own people?

I believe it is more than time to put an end to relocating Syrian refugees in our country, and that is why I will work tirelessly with my colleagues in the Senate to reverse President Obama's extremely dangerous position that threatens the American people and our homeland.

I yield the floor.

THE PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, on Friday we all watched in horror the tragic events that unfolded in the city of Paris. We saw radical Islamic terrorists brutally target innocent civilians in places that no one should feel unsafe—a soccer stadium, a concert hall, and a cafe. These attacks on our Nation's oldest ally have struck us here at home to our very core.

We know what it is like to be attacked in our homeland, and therefore we know what the French people are going through. As we continue to keep the French people in our thoughts and prayers, we should do everything in our power to assist them. As the facts unfold and if, indeed, ISIS did plan and execute these attacks as they have claimed, then the United States and our allies have an obligation to join France in responding swiftly and forcefully.

These attacks are a tragic reminder that the threat of ISIS stretches well beyond the Middle East. ISIS is not a JV team, nor have they been contained as the President of the United States has claimed. More than a year ago, I stood here on the Senate floor and said

that we would not vote to give the President a blank check in Syria without a clear strategy with achievable objectives to defeat the terrorist threat. Nevertheless, over the course of this last year, the President has failed to come up with any sort of coherent strategy to deal with this threat. What we have seen and heard are speeches, interviews, and vague assurances that have attempted to distract the American public from the stark reality that the President's so-called strategy against ISIS is not achieving his stated objective of degrading and ultimately destroying ISIS. This whole idea that you can, through bombing attacks, defeat a threat like ISIS and, once the threat is cleared, hold that real estate or hold that land is just a pipe dream.

The United States and our partners are facing a robust enemy of more than 20,000 core and foreign fighters that have continued to murder their way across Syria and Iraq, decimating populations there and elsewhere as their influence and power grows. Over the last year, the administration's paralysis over how to defeat this terrorist threat has plunged Syria deeper and deeper into violence and chaos. What started as a civil war in Syria back in 2011 has now cost the lives of roughly 1 million Syrians. Millions of people have been internally displaced within Syria and outside of its borders into surrounding countries, such as Turkey, Jordan, Lebanon, and elsewhere, and now we are seeing that wave of refugees extend to Europe, and, indeed, some have now made their way to our shores.

By allowing ISIS to take over such a large portion of territory, President Obama has neglected one of the key recommendations of the 9/11 Commission, which advised the U.S. Government following that fateful day on September 11, 2001, to "identify and prioritize actual or potential terrorist sanctuaries." Instead, the President has stood and watched like a spectator while this terrorist army, over the course of many months, has carved out its own safe haven right in the heart of the Middle East, and in doing so, has erased the border between Syria and Iraq where they control large swaths of territory.

The capture of these swaths of territory and the spread of the violent, extremist ideology has not been the only consequence. The civil unrest in Syria has fueled the influx of nearly one-half million refugees who have flooded Eastern Europe and elsewhere.

Under questioning in the House Committee on Homeland Security last month, FBI Director James Comey was asked about the security precautions the Federal Government was taking when screening refugees. Director Comey confirmed what many of us have feared, and that is if a Syrian refugee was not already known to law enforcement and intelligence officials, it

is difficult, if not impossible, for us to vet that individual's background for potential terror ties to various terrorist groups. He explained it by saying: "If someone has never made a ripple in the pond in Syria in a way that would get their identity or their interest reflected in our database, we can query our database until the cows come home but . . . there will be nothing . . . because we will have no record on that person."

I am proud of our history of opening our doors to innocent people fleeing violence or religious persecution. That is part of who we are as a country. But following Friday's attack, we should pause our Syrian refugee program until we can be sure that the individuals are being fully vetted for potential terror ties so we can ensure the public safety of all Americans, which is our first responsibility. Compassion for those refugees is important, as I said, but protecting our homeland and keeping the American people safer is the first order of business. With the latest public threat from ISIS yesterday directed at us here in the United States, we must remain vigilant against the ongoing threat that may come from those already inside our country.

The attack in Paris has drawn attention to the degree to which law enforcement and intelligence officials are able to track, surveil, and apprehend potential threats before they turn deadly, but with changing technology and damaging intelligence leaks, that is becoming increasingly challenging.

In that same House hearing in October, the Director of the National Counterterrorism Center noted that potential homegrown threats were finding ways to communicate "outside of our reach" and therefore, off our radar.

As law enforcement officials have noted, this includes the use of Internet service providers outside the United States as well as the increasingly widespread use of encryption capabilities and new technologies. Yet, as the threat of ISIS evolves and intensifies, the world is looking toward the United States as an example of strength. So I propose in the wake of this deadly attack that our administration and the Federal Government do three things.

First, the President needs to hit the pause button on Syrian refugee resettlement until the Department of Homeland Security can verify with certainty that our processes are enhanced to ensure that applicants do not have ties to ISIS or any other terror groups.

Secondly, the President needs to lay out a clear strategy for destroying perhaps the best resourced, best armed terrorist group on the planet. This is long overdue, and his failure to do so is one of the reasons we find ourselves where we are today. It is in the best interest of the Syrian people to stay in Syria if they can, but with circumstances being what they are, we

can understand from a human perspective why they would seek a safe haven wherever they can find it. This refugee crisis is directly related to the President's failure to have any effective strategy to deal with the situation on the ground in Syria. It is destabilizing governments in the region, which have huge refugee populations and which have to deal with the economic and other challenges of dealing with that situation. It is important to see the refugee crisis—including the 10,000 Syrian refugees who appeared in New Orleans just this last week—is a result of a failure of any strategy to deal with this conflict in Syria.

There are suggestions that have been made that I think bear some consideration, such as having safe zones and no-fly and no-drive zones enforced by the international community. Before I spoke, I believe the Senator from Indiana suggested maybe this would be an appropriate mission for NATO. Maybe so. We ought to talk about and reach some decisions about that.

Finally, the President of the United States has the obligation to explain to the American people how he is going to defend our interests and keep our people safe here at home.

As I said, one of the biggest threats is homegrown terrorists radicalized over social media and the Internet. Perhaps even more concerning to me than the threat of a potential attacker entering the United States is a self-radicalized attacker that is already here. This homegrown threat, I believe, poses a much more imminent danger to our people—a sad fact we learned the hard way at Fort Hood, TX, in 2009, and in Garland, TX, earlier this year.

In conclusion, all indications from the White House are the President will not change a thing. He is going to stay the course in spite of the gathering risk and danger of terrorist attacks being exported or being incited within our own borders. Now, more than ever, the Nation needs the kind of strong leadership that is commensurate with the challenges we are facing. That is the kind of leadership that the American people expect and the kind of leadership that they deserve.

I yield the floor.

The PRESIDING OFFICER (Mr. WICKER). The Senator from Florida.

Mr. NELSON. Mr. President, I will have more to say about the refugee crisis and the necessity of the considerable vetting of those refugees, as well as any other refugees, as we protect ourselves here at home. I will have more to say about that later.

U.S. COMMERCIAL SPACE LAUNCH COMPETITIVENESS ACT

Mr. President, I want to bring to the attention of the Senate that last night the House passed a bill we modified—the U.S. Commercial Space Launch Competitiveness Act. It will now go to the President to be signed into law.

This bill contains the language we helped to negotiate as a compromise between two different bills that had passed the House and the Senate earlier this year.

This bipartisan legislation, which passed the Senate unanimously, is a major effort that recognizes the tremendous growth of the commercial space industry. It is an industry that now represents more than 75 percent of the \$330 billion global space economy—\$330 billion. It is an industry here in the United States that will continue to grow as more companies enter into new and exciting space ventures, such as launching thousands of small satellites that will provide worldwide Internet access, such as recovering valuable resources from distant asteroids, and such as sending tourists on incredible journeys that one day may even include overnight stays in space hotels.

These are the innovative kinds of commercial space activities this little country boy dreamed about years ago when I had the privilege of helping pass the first Commercial Space Launch Act way back in 1984. It is an industry where we are starting to see a resurgence of activity here in the United States. For example, just 10 years ago, there was only one American commercial space launch, compared at that time to eight launches from Russia and five from Europe. Last year there were 11 American commercial launches, accounting for nearly half of the worldwide commercial launches and earning \$1.1 billion in revenue—more than both Russia and Europe for the very first time. Much of this growth has been seeded by a commercial industry supporting the needs of our space program; in particular, the International Space Station. Folks just do not realize that we have an International Space Station up there right now that is as long as from one goalpost on a football field all the way to the other goalpost. That is how big this is. There are six human beings up there on orbit right now. Two American companies are now supplying the International Space Station with critical cargo and supplies, along with our international partners. Soon, U.S. companies will begin launching NASA astronauts and international partner astronauts to the space station.

That is why this bill is so important. It paves the way for NASA to begin launching government astronauts on American-made commercial rockets so we do not have to depend on our crews getting to and from the space station just on the very proven and reliable Russian Soyuz.

Commercial companies are also making great use of the space station for medical research, and one company is even 3D-printing tools right now on the space station. So the bill extends the operations of the International Space Station to provide certainty to industry and to the international community that the station will be around not

just to 2016, not just to 2020 but now, as we put it in the bill, at least to 2024. I think we will see efforts later on that it will even be extended beyond 2024. It is fitting that I mention that because this month we are celebrating the 15th anniversary of continuous human presence aboard the ISS—15 years we have had humans up there on an around-the-clock basis.

The commercial space sector is also revitalizing old government infrastructure such as the historic launch pads that lined Florida's space coast. It has been a privilege for me to spend some time there at the Cape and at the Kennedy Space Center. It is an amazing transformation of Cape Canaveral into a bustling space port, but I have seen how challenging it can be for commercial companies to get to do business out there on the Air Force territory.

That is why this bill requires the FAA, NASA, and the Air Force to work together to reduce the administrative burden on industry operating on government property and to do that by streamlining the Federal launch requirements and processes.

This bill is a major update to our commercial space legislation. It will encourage the growing commercial space industry for many years into the future—an industry of vital economic, scientific, and national security importance.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I thank all of my colleagues who have worked with me on these resolutions to stop the EPA's destructive new regulations such as the new source performance standards. They are truly unrealistic and unreasonable and threaten our security and prosperity.

I have always said we are all entitled to our opinion and our views, we are just not entitled to our own facts. As I go through this presentation, I will show my colleagues the facts that we will not be able to give us the energy we need if we go down this destructive path.

The CRA resolution I have introduced with Senate Majority Leader MITCH MCCONNELL will disapprove and stop the EPA's rule for emissions from new coal-fired powerplants. I thank my colleague from West Virginia Senator CAPITO and the Senator from North Dakota Senator HEITKAMP for joining me in this fight by introducing a separate resolution to disapprove the EPA's rule for emissions from existing coal-fired powerplants. It is time for Congress to step in and stop these rules from harming not only hard-working West Virginians but the American consumer. I am pleased these measures are being brought to the floor for a vote today.

Never before has the Federal Government forced an industry to do something that is technologically impos-

sible—until now. I have always said that if a regulation is not obtainable, it is unreasonable, and that is the fact we have in front of us.

The EPA has based its final rule for new coal-fired powerplants in the United States largely on a still-developing powerplant unit in Canada, which is called the Boundary Dam CCS Project. The EPA asserted in the final rule that the Boundary Dam facility has been operating full carbon capture sequestration successfully at a commercial scale since October 2014. That is found to be totally untrue. Canadian press reports have recently disclosed that the Boundary Dam project has failed to operate successfully at full CCS for any meaningful period of time.

The reports also identify the CCS system of the demonstration plant as being a key issue in the delays for getting the plant up and running. After 1 year of operation, the project was forced to replace certain important features at a cost of \$60 million. There have always been nearly \$23 million in nonperformance penalties and lost revenues.

The plant's management company, which is SaskPower, has acknowledged these recent reports and are now pushing back the project's operational date to the end of 2016, but there are no guarantees this will prove true either. SaskPower is also claiming that the project will need at least a year of stable operation to prove the technical operation and the economics of the project, which would aid in determining commercial viability. SaskPower has announced it will not be able to make an informed decision about carbon capture sequestration until 2018. Yet the EPA here in the United States of America is demanding that all U.S. coal-fired generation industry implement this technology now. That is what I have said all along: If it is not obtainable, which it has not been—we have not spent the money trying to develop this technology, and it hasn't worked—shouldn't we at least make sure it works before we force a complete overhaul of the system or people to meet standards that are unobtainable.

These recent revelations prove that CCS is still technically unproven and still potentially damaging in a powerplant application. Therefore, it is foolish for this administration to require it now for new U.S. coal plants.

Last week I wrote a letter to Administrator McCarthy about these reports because forcing coal to meet standards when experts know that the required technology is not adequately demonstrated on a commercial scale makes absolutely no sense at all. Instead, I believe the EPA should scrap this impossible-to-meet rule or amend it to require advanced technology that has actually been implemented which would offer improved environmental performance and is commercially viable.

For the administration, this rule is more about desirability rather than feasibility, with little regard for rising consumer prices, the effects on jobs, and the impact on the reliability of our electric grid.

This administration thinks the country can do without coal. I will simply tell my colleagues this: They are in total denial. They might not like it, they might not want it, but it is built into the plan for the next 20 to 30 years. They have flat out ignored their own data that says that coal will produce more than 30 percent of our electricity through 2040.

It is completely contradictory that the EPA continues to impose unreasonable and unattainable rules in an attempt to regulate coal into extinction. The people who suffer are hard-working West Virginians and consumers across this great country. If these regulations go into effect, no new coal plants could begin new operations, more Americans would lose their jobs, and economic uncertainty would grow.

The Nation's coal-fired powerplants currently have an average age of 45 years, the average age of all coal plants in America today, which produce close to 40 percent of our power. Many will need to be replaced in the near future, and regulations that prohibit building new coal-fired powerplants can soon become a serious issue for the Nation's electricity grid and the reliability we all depend upon.

Although the Energy Information Administration—the EIA—within the Department of Energy still projects 37 percent of electricity generation will come from coal in 2040—I remind you, this administration that has put together rules that are unattainable and unreasonable is saying they are still going to need 37 percent of the electricity this country will need by 2040 from coal. The currently operating plants, without new additions, will average 65 years of age by that time. If nothing is done, these plants are averaging 65 years of age to produce the type of power this country needs. The history of coal plant operations already tells us coal plants at that age will not achieve the levels of hours of reliable operation required to meet the 2040 forecast.

The coal industry must be allowed to add the new coal-fired powerplant additions, such as the ultra-supercritical, which we know is technology that works. We know it works, but this is not the direction they are going. They are putting something that is unattainable in place. That is why we need to block this plan, the Clean Power Plan, that the President has brought before us because it cannot be attained and we are going to be in a deficit.

There is no doubt this President's agenda has already had a crushing impact on my State of West Virginia and other energy States around the country. We have to say enough is enough.

In West Virginia we want clean air, we want clean water, and we are doing everything humanly possible. We have cleaned up the environment more in the last two decades than ever before.

If you look around the world, there is more coal being burned than has ever been burned before. The United States burns less than 1 billion tons of coal a year. Over 7 billion tons of coal are being burned elsewhere in the world, with 4 billion tons being burned just in China. I would venture to say nobody is meeting the standards that we are required to here for the technology that is going to be needed to be attained.

I will continue to explore all available options to prevent these unattainable regulations from impacting the State of West Virginia and the United States.

I would ask the President—this administration—to work with us to find and develop the technology that would allow us to use a product that we have in abundance in this country—which is coal—in the cleanest fashion. We can then export that technology around the world to clean up the overall environment and to help the environment around the globe.

Right now Congress needs to move forward to stop these rules that are crippling our energy production, jeopardizing the energy grid, and putting our workers out of good-paying jobs. I urge all my colleagues to support these resolutions that are put forward today when we vote.

Thank you.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:17 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY—Continued

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as in morning business and that I be allowed to speak without a time limit.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona is recognized.

ISIL

Mr. MCCAIN. Mr. President, it has been more than 1 year since President Obama spoke to the Nation about the threat posed by ISIL and escalated U.S. military operations against it. The

goal at that time, the President said, was to degrade and destroy ISIL. One year ago, the goal was to degrade and destroy ISIL. It is impossible to look at where we are today and claim that the President's strategy is succeeding or that it is likely to succeed on anything approaching an acceptable timetable and level of risk.

No one should take this as a criticism of the men and women in uniform, as well as their civilian counterparts in the field, who are doing the best they can under the strategic and operational constraints they face, especially in the face of the White House's desire to revisit the Vietnam war tactics and to micromanage the military's campaign.

It is not that we have done nothing against ISIL; it is that there is no compelling reason to believe anything we are doing will be sufficient to destroy ISIL. Thousands of airstrikes against ISIL's targets have conjured the illusion of progress, but they have produced little in the way of decisive battlefield effects.

I noted with some interest that we provided some targeting for the French, who carried out airstrikes. I wonder why we hadn't done any of that in the last year.

ISIL continues to dominate Sunni Arab areas in the world, in both Iraq and Syria, and efforts to reclaim major population centers in those areas, such as Mosul, have stalled, to say the least. Meanwhile, ISIL continues to expand globally. It is now operating in Afghanistan, Yemen, Libya, Lebanon, and Egypt, and other radical Islamist groups, such as Boko Haram in Nigeria and al-Shabaab in Somalia, have pledged allegiance to ISIL. This appearance of success only enhances ISIL's ability to radicalize, recruit, and grow.

In the past month, ISIL has commenced a new stage in its war on the civilized world by unleashing a wave of terrorist attacks around the globe. In Ankara, ISIL detonated two bombs outside a train station, killing 102 people and injuring over 400 more. In the skies over Egypt, ISIL destroyed a Russian civilian airliner with a bomb that killed all 224 passengers aboard. In Beirut, ISIL conducted 2 suicide bombings that killed 43 people and injured 239 more. In Baghdad, ISIL bombs killed 26 people and wounded more than 60 others. Finally, in the streets of Paris last week, as we all know, gunmen wearing suicide belts attacked innocent civilians at restaurants, bars, a soccer stadium, and a concert hall, killing at least 129 and wounding 352 other people.

The American people have experienced this kind of terror before, and we stand together with the people of Turkey, Russia, Lebanon, Iraq, France, and nearly 20 other nations whose citizens were murdered by these brutal atrocity committers. These attacks re-

veal nothing new about ISIL's character. ISIL is the face of evil in our world today. It has crucified its enemies, beheaded innocent journalists, burned a Muslim pilot alive in a cage, and it has condemned women and children and girls to slavery and torture and unspeakable sexual abuse. And when waging war on the living has failed to satisfy its savagery, ISIL has desecrated and destroyed many of the monuments to civilization that remain across the Middle East.

ISIL's latest attacks also reveal nothing new about its intentions. Everything that ISIL is doing is what their leaders have long said they would do. They have stated their aims explicitly and clearly. All we have to do is listen to their words. Indeed, as one author put it, ISIL has "toiled mightily to make their projects knowable."

What these attacks have demonstrated and what now should be clear is that ISIL is at war with us whether or not we admit we are at war with them. What should now be clear is that ISIL is determined to attack the heart of the civilized world—Europe and the United States—that it has the intent to attack us, the capabilities to attack us, and the sanctuary from which to plan those attacks. What should now be clear is that our people and our allies will not be safe until ISIL is destroyed—not just degraded but destroyed, and not eventually but as soon as possible.

Unfortunately—unfortunately—almost tragically, President Obama remains as ideologically committed as ever to staying the course he is on and impervious to new information that would suggest otherwise, as he made quite clear during his incredible press conference yesterday in Turkey. According to the President of the United States, anyone who disagrees with him is "popping off"—popping off.

I guess Michael Morell, former Deputy Secretary of the CIA, was just "popping off" when he said recently that "the downing of the Russian airliner, only the third such attack in 25 years, and the attacks in Paris, the largest in Europe since the Madrid bombings in 2004, make it crystal clear that our ISIS strategy is not working." That comes from Michael Morell, the former deputy head of the CIA under this President.

I guess Senator DIANNE FEINSTEIN, vice chair of the Senate Select Committee on Intelligence, was just "popping off" when she said that "ISIL is not contained, ISIL is expanding" and that we need new military strategy and tactics.

I guess GEN Jack Keane, one of my heroes and architect of the successful surge strategy in Iraq, was just "popping off" when he said, "We are, in fact, losing this war. Moreover, I can say with certainty that this strategy will not defeat ISIS." This strategy

will not defeat ISIS. That comes from the author of the surge which succeeded, which the President, by withdrawing all troops, allowed to go completely to waste, and the lives of brave young Americans were wasted.

I guess Hillary Clinton, the President's former Secretary of State and desired successor, was just "popping off" when she declared her support for a no-fly zone in Syria to "stop the carnage on the ground and from the air."

I guess GEN David Petraeus was just "popping off" when he testified to the Committee on Armed Services that the President's strategy has failed to create the military conditions to end the conflict in Syria and that ISIL will not be defeated until we do so.

I guess James Jeffrey, a career foreign officer and the President's Ambassador to Iraq, was just "popping off" when he wrote in the Washington Post today that the President needs to send thousands of ground troops to destroy ISIL.

What all of these national security leaders recognize is the reality that is staring us right in the face. It is the President who is once again failing to grasp it. He fails to understand even now that wars don't end just because he says they are over, that our terrorist enemies are not defeated just because he says they are, that the threat posed by ISIL is not contained because he desires it to be so, and that maybe, just maybe, the growing group of his bipartisan critics might just be right. And why won't he listen to them? Why won't he listen to these people of experience and knowledge and background? Whom does he listen to? Whom does the President listen to? He couldn't be listening to anybody knowledgeable and then make the comments he made at that press conference.

The President has had to go back on everything he said he would not do to combat the threats now emanating from Syria and Iraq. He said he would not arm moderate Syrian rebels because that would militarize the conflict. He was wrong. He said he would not intervene militarily in Iraq or Syria. He was wrong. He said he would not put boots on the ground in Syria. He was wrong. Now he says that his strategy is working, that all it needs is time, and that no further changes are required despite ISIL's campaign of terror. Now, get this straight. After the bombing in Paris, after the Russian airliner, after the other acts of terror, he needs time—he needs time—and no further changes are required. Does anybody believe him anymore?

What the President has failed to understand for nearly 5 years is that unless and until he leads an international effort to end the conflict in Syria and Iraq, the costs of this conflict will continue to mount. Those consequences have grown steadily, from mass atrocities and hundreds of thousands of dead

in Syria, to the repeated use of weapons of mass destruction, to the rise of the world's largest terrorist army and its rampage across Syria and Iraq, to destabilizing refugee flows that have shaken the stability of Syria's neighbors and are now potentially changing the character of European society. Now we see the latest manifestation of this threat: global terrorist attacks directed and inspired by ISIL that killed hundreds around the world.

The Paris attacks, obviously, should be a wake-up call for all Americans, most of all for the President. If we stay the course, if we don't change our strategy now, we will be attacked. I don't know where, when, or how, but it will happen. Do we need to wait for more innocent people to die before we address the reality that is right before us? ISIL has said it intends to attack Washington, DC. Do we not take them at their word? Do we think they are not capable of it? Do we think time is on our side? It is not. Time is not on our side.

The lesson of the September 11 attack was that mass murderers cannot be permitted safe havens. They cannot be permitted safe havens from which to plot our destruction. Do we really have to pay that price again through the blood of our citizens?

For nearly 5 years, we have been told there is no military solution to the conflict in Syria and Iraq, as if anyone believes there is. In fact, one of the things that is most frustrating about the President's rhetoric is that he sets up straw men. He says we either should do nothing or the Republicans or critics—now Democrats as well—are wanting to send in 100,000 troops. We do not. We do not. We believe and I am convinced that we can send in a force composed of Sunni Arabs, of Egyptians, of Turks, and Americans—about 10,000—establish the no-fly zone, allow the refugees a sanctuary, and make sure that no barrel bombing will be allowed in those areas. We can succeed. ISIS is not invincible. The United States of America and our allies are far stronger. We are the strongest Nation on Earth. To say we can't defeat ISIL—it is a matter of will, not a matter of whether or not it is a capability.

So I say to my colleagues and the American people, we can defeat ISIS and we can wipe them off the face of the Earth, but we have to have a strategy, and this President has never had a strategy.

For nearly 5 years we have been told that there is no military solution; that there are no good options; that our influence is limited, as if that is not always the case; that we won't succeed overnight, as if our problem is one of time, not policy; and that we can't solve every problem in the Middle East, as if that absolves us of our responsibility to make the situation better where we can. This isn't a question

of our capacity, our capabilities, or our options. We have always had options to address this growing threat. But the longer we wait, the difficulty and risk and cost increase.

Four years ago, LINDSEY GRAHAM and I came to this floor and said: We need to have a no-fly zone and we need to arm and train the Free Syrian Army, once Bashar al-Assad crossed the red line. We could have done it then, and it would have been one heck of a lot easier. But this President didn't want to do it, and we are faced with a more complex situation. Tens of thousands or a couple hundred thousand Syrians dead and millions of refugees later, the President of the United States still won't act. He still believes, as he stated in his press conference yesterday, that, somehow, everything is going fine—what delusion.

After the attack on France, article 5 of NATO's founding treaty should be invoked, which states that an attack on one is an attack on all. That is what we did after 9/11. The United States should work with our NATO allies and our Arab partners to assemble a coalition that will take the fight to ISIL from the air and on the ground. My friends, air attacks only will not succeed. It will not succeed. I am sorry to tell you. I apologize ahead of time. We need boots on the ground—not 100,000 but about 10,000, with the capabilities that are unique to American service men and women. We can defeat ISIL.

We have to step up the air campaign by easing overly restrictive rules of engagement. At the same time, we have to recognize that ISIL will only be defeated by ground combat forces. Those don't exist today. We must recognize that our indirect efforts to support our partners on the ground—the Iraqi Security Forces, the moderate Syrian opposition force, the Kurdish Peshmerga, and the Sunni tribal forces—are insufficient to outpace the growing threat we face.

As I mentioned, the United States must therefore work to assemble a coalition and ground force with a commitment on the order of 10,000 U.S. troops.

In Syria, we must hasten the end of the civil war. We must accept that Russia and Iran are not interested in a negotiated solution that favors U.S. interests. Russia and Iran have entirely different goals than the United States of America in Syria. Russia wants to keep Bashar Assad or his stooge in power, they want to keep their major influence in the region, and they want to protect their base there. The United States of America has none of those interests. They want to prop up the guy who has killed 240,000.

I appreciate the outpouring of concern of all my colleagues and all Americans about these refugees. The refugees are the result of a failure of Presidential and American leadership. They are not the cause of it. The cause of

these hundreds of thousands or millions of refugees is because our policy failed. Bashar al-Assad slaughtered them with barrel bombs, and we are now faced with the threat, in some respects, of a possibility that one or more of these refugees, having gone through Greece, now are or possibly could be—as the Director of the CIA said yesterday—in ongoing operations to try to orchestrate attacks on America.

It is often said that America doesn't go abroad in search of monsters to destroy. But that doesn't mean there are no monsters in the world that seek to destroy us. The longer we wait to accept this reality, the greater is the cost we will pay.

One of my great heroes and role models, as is the case with many of our colleagues, is Winston Churchill. I would never compare myself to Winston Churchill in any possible way, except that I do sometimes have empathy with Winston Churchill, who, during the 1930s, came to the floor of the Parliament and made comments and speeches that were very, very moving, but no one paid any attention to him. In fact, he was ridiculed. In fact, LINDSEY GRAHAM and I have been ridiculed from time to time because of our assessment of the situation and what needed to be done.

Winston Churchill, after the crisis had been resolved to some degree and the people of Britain and the world had awakened, said—and there is a parallel between the situation 4 years ago and what Winston Churchill had to say:

When the situation was manageable, it was neglected, and now that it is thoroughly out of hand we apply too late the remedies which then might have effected a cure. There is nothing new in the story. It is as old as the Sibylline Books. It falls into that long, dismal catalogue of the fruitlessness of experience and the confirmed unteachability of mankind. Want of foresight, unwillingness to act when action would be simple and effective, lack of clear thinking, confusion of counsel until the emergency comes, until self-preservation strikes its jarring gong—these are the features which constitute the endless repetition of history.

I say to my colleagues, we are observing the endless repetition of history—what once upon a time was a manageable situation. When the President of the United States said that it is not a matter of when Bashar al-Assad leaves but it is a matter of when, when the Chairman of the Joint Chiefs of Staff and then-Secretary of Defense testified before our committee that it is inevitable that Bashar al-Assad will go, when the President of the United States continuously said time after time that we have a strategy and it is not anything to worry about, when we get out of Iraq and we draw redlines in Syria and don't do it, when we don't take any action after the redline is crossed, when his national security team, composed of Secretary of State

Clinton, Secretary of Defense Panetta, and then-Director of CIA David Petraeus all recommended training and arming the Free Syrian Army, he rejected it.

So now we find ourselves with 240 thousand dead in Syria and more Syrian children in school in Lebanon than Lebanese children. Jordan, one of our best friends, has their very fabric threatened and unstable because of the huge number of refugees. We find a very unstable Middle East, and we find ISIL spread now to Libya, Lebanon, Yemen, and other nations. ISIL has now even established a foothold in Afghanistan, and the Iranians are doing the same.

It is not too late. It is not too late. We have to take up arms. We have to tell the American people what is at stake here. We have to inform the American people that what happened in Paris can happen here. Mr. Baghdadi, who was once in our prison camp at Camp Bucca for 4 years in Iraq, when he left said: "I'll see you guys in New York." He was not kidding. There is no doubt that what ISIL has just proved is that contrary to what this President believed, contrary even to what our intelligence told us, they have a reach. They have had a reach to make sure that a Russian airliner was destroyed. They have a reach to Paris. They have a reach to Beirut. They have a reach in northern Africa and other places in the world. There is no reason why we should not suspect that they have a reach to the United States of America. It is time we acted. It is time the United States of America, acting with our allies, takes out ISIL. We must go both to Iraq and to Syria and take them out. Their total defeat is the only thing that will eliminate this threat to the United States of America.

Yes, after they are destroyed there is a lot to do. Yes, there are things such as building economies and free societies and all of that. But there is only one thing that Mr. Baghdadi and his legions understand, and that is that we kill them and that we counter with everything we can this spread of this perverted form of an honorable religion called Islam. This is radical Islamic terrorism, whether the President ever wants to say it or not.

There is one additional point. The refugees are a huge problem. Obviously, we have to pause until we are sure that nobody is doing exactly what—apparently, at least—one of the terrorists who attacked Paris did, and that is, to go through Greece and into France. But at the same time, we need to understand that the refugee problem is an effect of a failed policy, not the cause of it.

Finally, I would say the President should do two things: One, call together the smartest people that we know. I named some of them: General

Petraeus, General Keane. There are a number of people. There is General Maddox, General Kelly, Bob Kagan. The names are familiar to many of us who follow national security. These people are the ones who made the surge succeed. Call them together over at the White House and say: Give me your advice. He must do that. What he has been listening to and what he is doing is failing.

I know that my friend and partner, LINDSEY GRAHAM, knows more about these issues than any other Member of this body—certainly anybody who is running for President of the United States. We will go over. We would be glad to go over and sit with the President. I want to cooperate with him. I want to work with him. We need to do that. I offer up my services and my advice and counsel, and anybody else on this side of the aisle.

This is a threat to the lives of the men and women who are living in this Nation. They deserve our protection, and they deserve a bipartisan approach and a bipartisan action in order to stop that.

So I stand ready. But right now, I have not been more concerned.

I leave my colleagues with two fundamental facts:

No. 1, there are now more refugees in the world than at any time since the end of World War II. No. 2, there are now more crises in the world than at any time since the end of World War II. We cannot sustain the failed policies that have led us to the situation that America and the world are in today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

AUTHORIZATION FOR USE OF MILITARY FORCE
AGAINST ISIL

Mr. FLAKE. Mr. President, over the weekend France suffered the worst attack that it has seen since World War II. The day before that, Beirut was rocked by two suicide bombs perpetrated by ISIL that killed more than 40 civilians. We just had confirmation that the Russian plane flying over Sinai was taken down by a terrorist bomb. Again, ISIL has claimed credit. These attacks have followed on the heels of an announcement 2 weeks earlier by the President that he has authorized deployment of up to 50 Special Forces in Syria. They will be there to support U.S.-backed Syrian rebels in the campaign against ISIL.

More than 1 year after the announcement of Operation Inherent Resolve, a mission to "degrade and ultimately defeat" ISIL, this conflict has escalated dramatically. The facts on the ground in the Middle East have changed dramatically. Russia is intervening militarily on behalf of Bashar al-Assad in Syria. Hundreds of thousands of Syrians left their homes and their country to escape ISIL and Assad, precipitating a massive humanitarian crisis that has

brought the European Union under great strain.

In addition to the deployment of U.S. Special Forces in Syria, news reports indicate that the United States will increase supplies and military weapons to U.S.-backed Syrian rebels fighting ISIL.

For all the changes that we have seen over the past year, one thing has not changed: The Congress of the United States has not voted to authorize the use of military force against ISIL. That needs to change. That is why I have come to the floor today. The Senator from Virginia, Mr. KAINE, who will speak in a moment, has come as well. We need an authorization for the use of military force.

The President maintains that the legal underpinnings of his authorization come from an AUMF provided to our previous President in the 107th Congress, back in 2001. The 2001 AUMF allowed the President the authority to use “all necessary and appropriate force” against those he determined “planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons.”

More than 10 years later, two provisions of the massive Fiscal Year 2012 National Defense Authorization Act expanded the 2001 AUMF to include “associated forces” of Al Qaeda and the Taliban. This is the expansion from which the administration derives its authority for today’s actions to go after the Islamic State in Iraq and Syria.

I am not standing here today to debate the merits of the administration’s argument as to whether they have the legal authority. That is not what is at issue right here. What is at issue is the ease with which Congress happily defers to old statutes and abdicates its authority to weigh in on what history will record as a long, complex, brutal conflict. This conflict has been going on for more than a year with very mixed results, and the consequences will change the geopolitical landscape in that region for decades.

Ten American servicemembers have died supporting Operation Inherent Resolve—one of them recently killed in action. Five others have been wounded. With thousands of servicemembers in support of Operation Inherent Resolve and attacks happening all over the world, the notion that a 14-year-old statute aimed at another enemy is any kind of a substitute for congressional authorization is insufficient. Operation Inherent Resolve warrants its own authorization not just because of its size and duration, because Americans are dying in pursuit of it, or because it is directed at an enemy that is a threat to our security; this mission warrants its own authorization because we want it to succeed. We want the world to know that the United States speaks with one voice.

Nearly a year ago, the Senate Foreign Relations Committee pressed the administration to come forward with a draft AUMF against ISIL. When it did not do so, the committee proceeded with its own AUMF, which spurred the administration to take action. Two months after that exercise, the administration sent up its own draft AUMF. That was more than 8 months ago. But efforts to produce an AUMF here in Congress have since stalled. In an effort to break the gridlock, as I mentioned, the Senator from Virginia, Mr. KAINE, and I introduced a resolution that we think represents a good compromise. It may not be perfect. It may represent only a starting point. But we need a starting point here, and we need to move forward. This issue is far too important not to try to get an agreement to move ahead.

I urge my colleagues to consider the importance of this operation against ISIL and the implications to foreign policies for many years ahead—specifically, the implications to this body, the Congress of the United States and the U.S. Senate. If we are not even willing to weigh in and authorize the use of force here, what does that say to our adversaries? What does that say to our allies? What does that say to the troops who are fighting on our behalf? How much longer can we go without an authorization for the use of force?

I wish to yield time to my colleague, the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. KAINE. Mr. President, I thank my colleague from Arizona for working so closely. This does not have to be a partisan issue. In fact, it should not be a partisan issue. My sense is that in this Congress, in both Houses, 80-plus percent of the Members believe strongly that the United States should be engaged in military action under some circumstances against this horrible threat of ISIL. Yet, despite that overwhelming consensus and despite the clear constitutional command in article I that we should not be at war without a vote of Congress, there has been a strange conspiracy of silence about this in the legislative branch for the last 16 months.

The Senator from Arizona and I introduced a resolution in January to authorize military force, building upon previous efforts in the Foreign Relations Committee, the President’s submitted authorization. We did it knowing that it is not perfect, knowing that not everyone would agree with every word, but we did it to show that we can be bipartisan and stand up against a threat such as ISIL.

As the Senator did, let’s review what has happened since August 8, 2014. The President on that day started airstrikes against ISIL and said he was doing it for two reasons: first, to protect American personnel who were

jeopardized at a consulate in Erbil, and second, to provide humanitarian support for members of a minority religious sect, the Yazidis, who were basically being hemmed in by ISIL in Sinjar in northern Iraq. Those were the two reasons.

At that point in August of 2014, ISIL and their activities were limited to Iraq and Syria. Sixteen months later, we have lost four American hostages who have been executed by ISIL. We have lost 10 American service men and women who were deployed to that theater. We have about 3,600 American troops who are deployed thousands of miles from home, risking their lives every day. We have spent \$5 billion—\$11 million a day—in the battle against ISIL. We have flown nearly 6,300 airstrikes with American aircraft against ISIL—ISIL, which was at first limited to Iraq and Syria and now has presence in Afghanistan, Libya, Yemen, and Somalia. They have undertaken attacks that they claim credit for in the Sinai in Egypt and in Lebanon.

This threat is mutating and growing. At the end of last week, on Friday the 13th, we saw the horror of ISIL with the grim assassination of innocents as they were enjoying dinner or going to music concerts or watching soccer games in Paris. ISIL put out a video a few days ago threatening similar attacks on Washington. ISIL is not going away. This is a threat.

The President started military action for a narrow and limited reason, but the threat has mutated. Like a cancer, it has grown, and it is now affecting nations all over the world. The question is, How long will Congress continue to be silent about this? I will say that I think this is a malady you can lay at the feet of both parties in both Houses. Congress has seemed to prefer a strategy of criticizing what the President is doing. And look, I am critical of some of the things the President is doing. In an earlier speech, the senior Senator from Arizona laid out some challenges with this strategy. But it is not enough for this body that has a constitutional authority in matters of war to just criticize the Commander in Chief. What we have done is sat on the sidelines and criticized, but we have not been willing either to vote to authorize what is going on, vote to stop what is going on, or vote to refine or revise what is going on. It is easy to be a critic. It is easy to sit in the stands and watch a play and say: Well, why didn’t the coach call a different play? But we are not fans here. We are the owners of the team. We are the article I branch, and we are not supposed to be at war without a vote of Congress.

I will hand it back to my colleague from Arizona, and then perhaps I can say a few concluding words that would be more about the kind of emotional rather than the legal side of this as we

are thinking about the challenges in Paris.

I think the events of last week—Egypt, Beirut, Paris—demonstrate that the voice of Congress is needed. The voice of Congress is needed to fulfill our article I responsibility. The voice of Congress is needed, as the Senator from Arizona mentioned, because we send a message by our voice to our allies, to the adversary, and to our troops. The voice of Congress is also needed because it has the effect of solving some of the problems Senator MCCAIN mentioned earlier. To the extent that the administration's strategy is not what we would want it to be, they have to present a strategy to Congress. We ask tough questions of the witnesses, and we refine it and it gets better. We do that all in the view of the American public so they can be educated about what is at stake. When you don't have the debate, you don't put before the American public the reasons for the involvement, and that is desperately needed.

With that, I thank my colleague from Arizona. I would like to say a few words at the end about why this is a matter of emotional significance to me.

I now defer to my colleague.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, I thank my colleague from Virginia.

Let me say that we both mentioned the importance of the message that needs to be sent from the U.S. Congress, the article I branch, the message to our troops who are fighting on our behalf and the message to our adversaries. They need to know that we are resolved, that we speak with one voice.

Let me talk for a second about the message to our allies. An authorization for use of force will dictate and will set the parameters for that use of force. Our allies need to know if we are all in or whether there are certain limitations. If we decide—if the Congress decides there are certain limitations to that use of force, our allies need to know that. They need to know their role and what they are required to do. That will be useful. If there are limitations, we need to spell them out. If there aren't, we need to let our adversaries know that as well.

But whatever the case, we need to debate this. We need to authorize this use of force. We have waited long enough. Frankly, we have waited far too long. We have asked the President for language. The President sent up language. I think that it is lacking in a few areas. I like some parts of it. But it needs to be debated here. If we asked the President for that language, then we need to take it up and actually do something with it. It is our responsibility. We are the article I branch. We are the branch that is supposed to declare war. We need to do that here.

Again, I invite my colleague from Virginia to close. I thank the President and say that it is time—it is well past time that we move on this. Hopefully the events of the past couple of weeks—the attacks that happened in Paris, the bombing of a plane, the other suicide bombings that have occurred—our commitment of new resources will convince us all that it is time to act here in Congress.

With that, I yield the floor.

Mr. Kaine. Mr. President, I thank the Senator from Arizona for joining together in this important area.

I had a sad epiphany on Friday as I was thinking about this. I think Senator FLAKE and I have children who are about the same age. I was thinking about young people—looking at our pages here, thinking about young people. Like many, when the attacks happened Friday, my first thoughts were, whom do I know in Paris? A lot of folks have relatives or have family or co-workers or former coworkers who were in Paris.

Like a lot of people, I got on the phone and I got on text to try to track down my niece. I have a niece who is a student at law school, a third-year law student. She is in Paris for a semester studying at the Sciences PO. She was in the restaurant area where the shootings occurred so close that she could hear them. She was not immediately affected, but she and her friends had to barricade themselves in the restaurant for a while, wondering what was going on.

We were able to determine that Elizabeth was fine. She assured all the family and the people who wanted to send her a plane ticket to come home that, no, she was fine. But over the weekend I started to think about how fine she really is, how fine our young people really are. Elizabeth was a Peace Corps volunteer in Cameroon a few years ago. After she came home, the village she lived in was essentially wiped out by Boko Haram. The next door neighbor, who was her protector and the protector of all the Peace Corps volunteers who came before, was killed, along with a lot of her other friends. Boko Haram has now pledged allegiance to ISIL.

She had the experience of losing friends in a terrorist attack in Cameroon, and now she has had the experience of being near a terrorist attack in Paris. It started to work on my conscience a little bit that this for her is now a norm. For me, at age 57, these events are not the norm. They are the extreme. But for Elizabeth or for my children—I have three kids, one in the military, and they all came of age after 9/11—we are living in a world that for so many of our young people, the norm is not peace and safety and complacency; the norm is war or terrorist attacks all over the globe. If that can be said about America's young people, it

is certainly the case for young people in France and young people in Syria and all over the region.

I hate that we are living in a world where young people are starting to think this is the norm rather than the exception. It seems to me as an adult, as somebody in a leadership position, that a part of what we need to do is rather than just allow us to drift without taking a position into the world where this is more and more normal, while acknowledging that we are humble people and we can't completely control our destiny, we have to take charge of a situation and not stand by and lob in criticism but try to shape it to the best of our ability. I think that was the genius of the drafters of the Constitution.

James Madison, a Virginian who drafted many of these provisions, was trying to do something incredibly radical. At the time, war was for the King or the Monarch or the Emperor, and Madison and the others who drafted the American Constitution, said: We are going to take that power to initiate war away from the Executive. Nobody else has really done this, and we are going to put the power in the hands of the people's elected representatives so that they will debate and soberly analyze when you should take that step of authorizing military action where, even under the best of circumstances, horrible things can happen and people can lose their lives.

Well, we have allowed this war to go on long enough without putting a congressional fingerprint on it. For our young people, for our troops, for our allies, and for our adversaries, it is my prayer that we in Congress will now take up that leadership mantle and try to shape this mutating and growing threat to the greatest degree we can.

With that, I yield the floor and again thank my colleague from Arizona.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Montana.

Mr. DAINES. Mr. President, the Obama administration's war on energy isn't just a war on coal, it is a war on American jobs, American families, and our national security. That is why it is no surprise that the President's anti-energy agenda is gaining opposition from both sides of the aisle. I am thankful for the bipartisan leadership demonstrated by leader MCCONNELL, Senator CAPITO, two Republicans, as well as Senator MANCHIN, Senator HEITKAMP, two Democrats, in standing up against the President's harmful regulations on our Nation's coal-fired plants. I am proud to have joined them as a cosponsor of the two bipartisan resolutions to stop the EPA from imposing its anti-coal regulations.

The Congressional Review Act resolution of disapproval we are considering today will block the Obama administration's regulations on existing

coal-fired plants. We are also seeing strong opposition from more than half of the States in the country, including my home State of Montana, which through three different lawsuits have requested an initial stay on the rule.

The Obama administration's reckless agenda is shutting down coal-fired powerplants across the United States. It is killing family waged jobs for union workers and for tribal members in Montana, and it is stifling investments that could lead to innovations to make coal even cleaner here in the United States. President Obama calls it the Clean Power Plan. It is not named correctly. It should be called the unaffordable energy plan. President Obama's unaffordable energy plan will have a negligible impact on global coal demand and global emissions, but it will lead to devastating consequences for affordable energy and these good-paying union and tribal jobs.

Here are the facts: The United States mines just 11 percent of the world's coal and consumes about 10.5 percent of the world's coal. Said another way, approximately 90 percent of all the coal that is mined and consumed occurs outside of the United States. Global demand for coal-fired energy will not disappear even if the United States were to shut down every last coal mine and coal-fired plant.

Coal use around the world has grown four times faster than renewables. There are plans for 1,200 coal plants in 59 countries. Let me say that again: 1,200 coal plants are planned in 59 countries, about three-quarters of which will be in China and India.

China alone consumes 4 billion tons of coal each year. Compare that to the United States, which is at 1 billion tons. In other words, China's coal consumption is four times greater than that of the United States. In fact, China will be building a new coal plant every 10 days for the next 10 years.

Look at Japan, for example. After the great earthquake in Japan, they lost their nuclear power capability. Japan is currently building 43 coal-fired plants.

By 2020, India may have built 2½ times as much coal capacity as the United States is about to lose.

The Obama administration's reckless war on energy will have little impact on global emissions, but here is what it will do: It will devastate significant parts of our economy. It will cause energy bills to skyrocket. It will be a loss of tax revenues for our schools, roads, and teachers. And it is going to destroy family-wage union and tribal jobs.

If this rule moves forward, countless coal-fired plants like the Colstrip powerplant in Montana will likely be shuttered, thereby putting thousands of jobs at risk. It will also make new coal-fired plants incredibly difficult to build.

The bottom line is this: Coal keeps the lights on in this country, and it

will continue to power the world for decades to come. In fact, in my home State of Montana, it provides more than half of our electricity.

I have told my kids—we have 4 children—when they plug in their phones, odds are it is coal that is powering that phone. Rather than dismissing this reality, the United States should be on the cutting edge of technological advances in energy development. We should be leading the way in powering the world, not disengaging. Unfortunately, President Obama's out-of-touch regulations take us in the opposite direction, and the people who can afford it the least will be impacted the greatest.

I urge my Senate colleagues to join in this bipartisan effort to stop the President's job-killing regulations on affordable energy and join us in standing up for American energy independence. With what we have seen happen in the world in the last week, our national security and energy independence are tied together. Stand up for American jobs. Stand up for hard-working American families.

I thank the Presiding Officer.

Mr. DURBIN. Mr. President, there is a desperate need for the Senate to address one of the greatest national security and public health risks we face as a country, something that has the ability to affect up to 3.4 percent, or \$260 billion, of U.S. economic output annually. What is this threat? It is climate change.

In its 2010 and 2014 Quadrennial Defense Reviews, the Department of Defense identified climate change as a risk that must be incorporated into the Nation's future defense planning. Last year, I held a hearing on this issue as chairman of the Defense Appropriations Subcommittee.

Pentagon experts explained the far-ranging effects of this threat . . . putting the U.S. at risk around the world . . . changing the landscape and vegetation of training areas . . . accelerating regional tensions and conflict. This summer, the Department issued a new report outlining in even greater detail the threats we face. It states, "The Department of Defense sees climate change as a present security threat, not strictly a long-term risk." It goes on to say that climate change is introducing "shocks and stressors" in the Arctic, the Middle East, Africa, Asia, and South America.

The report argues that global warming has had "measurable impacts" on vulnerable areas and regional conflicts, like Syria. Due to these impacts, military leaders are now forced to include ways to respond to the risks and challenges of climate change in their planning.

So if our Nation's senior military leaders are doing their part to address climate change, isn't it about time that we did the same? Well, we can

start by supporting the Environmental Protection Agency's efforts to limit carbon pollution from power plants—which account for over 40 percent of U.S. carbon pollution emissions. The rules would cut carbon pollution from power plants by over 30 percent and reduce emissions of the pollutants that cause soot and smog by 25 percent. That is equivalent to removing over 160 million cars from the road—or almost two-thirds of U.S. passenger vehicles.

The rules will also drive new investment in clean energy generation and energy efficiency technologies while growing the economy, shrinking household electricity bills, and putting the U.S. on a pathway to lead the world in creating new clean energy jobs. In addition, EPA's rules would lead to climate and health benefits worth up to \$54 billion annually, including avoiding 3,600 premature deaths; 90,000 asthma attacks in children; and up to 3,400 heart attacks and hospital visits. This is a win-win for America.

The State of Illinois has already started taking steps to reduce its emissions by adopting laws that promote the use of renewable energy and energy efficiency.

Our "community choice aggregation" law allows Illinoisans to choose their energy providers. Since the program was started, more than 90 communities have chosen to use 100 percent renewable electricity sources for their residential power.

Illinois's Renewable Portfolio Standard requiring the State to use 25 percent renewable electricity resources by 2025 is one of the strongest in the country.

And State law also requires utilities to reduce Illinois's energy demand by 2 percent each year through efficiency improvements.

With the support of these laws, Illinois now employs approximately 100,000 people in the clean energy industry—and meeting EPA's new targets would put even more Illinoisans to work designing, manufacturing, and installing clean energy systems. Most importantly, EPA's rules will allow the U.S. to face the challenge of climate change head on instead of ignoring the problem until it is too late.

Leading scientists warn that the world is running out of time to make the cuts in carbon emissions that are needed to prevent irreversible damage to the Earth's climate. According to the United Nations' Intergovernmental Panel on Climate Change, at least half the world's energy supply needs to come from low-carbon sources such as wind, solar, and nuclear by 2050 if we are going to avoid catastrophic climate changes. That gives us just 35 years to save the planet for future generations.

This may seem like a long time, but we have a lot to do. We need to start now, and EPA's rules are a great first step.

But I know some of my colleagues are opposed to the EPA's plan and anything this administration does to acknowledge the existence of climate change. So they have introduced two resolutions of disapproval to prevent EPA from listening to over 97 percent of climate scientists and acting to reduce greenhouse gas emissions. If the resolutions were to become law, they would prohibit EPA from proposing any new regulations that are "substantially the same" as their current rules for new and existing power plants.

But even supporters of these resolutions have to admit that we have a responsibility to be good stewards of our planet.

So I have to ask, if you don't like what the President is doing, what is your plan to make sure we leave future generations with a brighter, cleaner future? How do you propose we address the threat of climate change? And what is your plan to make sure that America leads the world in creating the well-paying, green jobs of the future? Denying the harmful effects of greenhouse gas emissions, as these resolutions do, is shortsighted and declares war on science and on public health. So I hope my colleagues will vote "no" on the resolutions of disapproval from Senator McCONNELL and Senator CAPITO.

The evidence is clear: we need to get serious about addressing the causes and effects of climate change. America has the resources and the inventiveness to create a new energy system that can protect our environment and economy and allow us to continue to choose our own destiny. But we can only do it by focusing on policies that address both the economic and environmental challenges facing the country by supporting critical, sustainable infrastructure. And we need to do it soon—our generation has a moral obligation to leave the world in as good of shape as what we inherited from our parents and grandparents.

Mr. LEAHY. Mr. President, there is irrefutable evidence, with more accumulating all the time, that humans have altered not just the weather of a region, but the climate of our entire planet.

From flooding felt across the country to extreme temperatures from north to south and east to west, these severe events are happening more and more frequently. Droughts are proliferating, wildfires are bigger, and more expensive, tropical storms and hurricanes are more intense. You can look no further than the damage wrought in Vermont in the wake of Tropical Storm Irene—a storm that had greatly weakened since first making landfall, but still so powerful as to deliver hundreds of millions of dollars in damage to our small State. It was enough to convince many Vermonters of the reality of climate change as they

watched roads washed away and iconic covered bridges yanked out of the footings that had supported them for generations.

The science and the data by now are clear that human activities are a factor in the climate change that is unfolding all around us and in every corner of the globe, but common sense alone should tell us, as we look about us and see all of the carbon and pollution that is being pumped into our thin and fragile atmosphere, that all of these human activities are contributing factors.

We must address the root causes of climate change, and that is what the administration's Clean Power Plan, bolstered by the rules for new and existing power plants, will do.

Today, we won't vote about how to support our roads and bridges. We won't vote to further advance educational opportunities for young children. We won't vote on ways to keep our government—of the people, for the people—open. Rather, we are summoned to heed the call of pressure groups, wealthy corporations, and moneyed interests and vote on a resolution of disapproval that denies the impact and the causes of climate change. These challenges under the Congressional Review Act fail to recognize the true cost of carbon pollution. The Clean Power Plan sets clear and flexible rules that signal to the marketplace that we cannot continue to spew harmful carbon pollution without limit. It finally puts an end to the free lunch for the fossil fuels industry.

These rules offer commonsense solutions that will not only address climate change, but will protect Americans' health with cleaner air. They will also unleash the creativity and inventiveness of American entrepreneurship and support investments in new technology. They will further set the stage for our vibrant and job-rich energy future. The flexibility in these rules means that States and companies will be able to decide the best ways to reduce their carbon emissions, whether through gains in efficiency and new technologies or through an increased use of natural gas or renewable fuels.

Vermonters are encouraged by these rules and about the Clean Power Plan—not only because together these proposals move the country forward to finally address climate change, but also because the plan and rules recognize the important work that Vermont and other Northeast States have been doing for the last decade through the Regional Greenhouse Gas Initiative, RGGI, to cap carbon emissions and offer credits to cleaner producers. In Vermont, we can breathe easier knowing that under these rules, we will have less pollution blowing into the State from power plants in the Midwest.

The majority in the Senate would rather roll back some of the most

meaningful environmental initiatives of our time, rather than help to improve the health of Americans across the country. The science is clear: Failing to address climate change will lead to more dangerous and costly extreme weather events and threaten the health and well-being of our families and our communities. We must stop putting the interests of polluters above public health. It is time to stop putting the future of our planet and of generations to come in danger and to act now to halt the devastating effects of climate change. Let us move beyond the energy policies of the last two centuries and move forward toward America's energy future.

Ms. COLLINS. Mr. President, strong clean air protections remain very important for our health and environment. I have voted previously to protect the EPA's ability to take action to reduce greenhouse gas emissions, and I will oppose the two resolutions of disapproval under the Congressional Review Act which would permanently block EPA from limiting carbon pollution from existing and new fossil fuel fired powerplants.

Finalized on August 3, 2015, the Clean Power Plan sets the first national limits on carbon pollution from existing fossil fuel fired powerplants, the Nation's single largest stationary source of greenhouse gas emissions. According to EPA estimates, the Clean Power Plan will reduce carbon dioxide emissions from the electric power sector by 32 percent, from 2005 levels, by 2030. The final plan includes additional flexibility and provides States with more time to submit plans and to achieve compliance with the requirements. The standards to limit carbon dioxide for new, modified, or reconstructed powerplants were also finalized on August 3. On November 4, 18 States, including Maine, and several cities asked a Federal court to allow them to defend the Clean Power Plan against legal challenge.

I am encouraged that the emissions targets under the Clean Power Plan for Maine are more realistic than were originally proposed in recognition of the fact that Maine already ranks first in the Nation in the percentage reduction in greenhouse gases due to the State's participation in the Regional Greenhouse Gas Initiative, RGGI. Through RGGI, Maine has already made substantial progress in reducing carbon emissions, increasing energy efficiency, spurring the adoption of clean energy technologies, and improving air quality and public health. By contrast, the EPA's original proposal would have unfairly disadvantaged and asked more of States that took action early than it would have from States that had not yet acted to reduce their emissions. The final rule represents a considerable improvement in this regard.

I continue to have some concerns, however, with the Clean Power Plan's

treatment of renewable biomass energy. Biomass energy is a sustainable, responsible, renewable, and economically significant energy source. Many States, including Maine, are relying on renewable biomass to meet their renewable energy goals. Because the final rule places the onus on States to demonstrate the eligibility of biomass for the Clean Power Plan, this approach will lead to more regulatory uncertainty. The EPA must appropriately recognize the carbon benefits of forest bioenergy in a way that helps States, mills, and the forest products industry and recognizes the carbon neutrality of wood. I will continue to seek regulatory certainty and clarity on this issue.

Climate change is a significant threat both here in the United States and around the world. It is a challenge that requires international cooperation, including from large emitters like China and India, to reduce greenhouse gas pollution worldwide. The upcoming climate summit in Paris provides a new opportunity for international efforts to curb greenhouse gas emissions in countries around the globe.

I have had the opportunity to meet in the field with some of the world's foremost climate scientists. I have traveled to Norway and to Alaska where I saw the dramatic loss of sea ice cover and the retreating Arctic glaciers. In Barrow, AK, on the shores of the Arctic Ocean, I saw telephone poles leaning over because the permafrost was melting, and I talked with native people who told me that they were seeing insects that had never before been this far north. I returned from this trip believing that U.S. leadership to slow climate change would be vitally important—in order to prevent the worst extreme weather events, shifts in agricultural production and disease patterns, and more air pollution.

For Maine, climate change poses a significant threat to our vast natural resources, from working forests, fishing, and agricultural industries, to tourism and recreation, as well as for public health. With heat waves, more extreme weather events, and sea level rise, the greenhouse gasses that drive climate change are a clear threat to our way of life. As a coastal State, Maine is particularly vulnerable to storm surges and flooding, and unpredictable changes in the Gulf of Maine threaten our iconic fisheries. Climate changes also raise significant public health concerns for Maine's citizens, from asthma to Lyme disease. Maine has one of the highest and fastest growing incident rates of Lyme disease, and its spread has been linked to higher temperatures that are ripe for deer ticks and their hosts. Sitting at the end of the air pollution tailpipe, Maine also has some of the highest rates of asthma in the country.

The Clean Air Act remains vital for protecting our health and the environ-

ment, and I will continue to support responsible and realistic efforts to reduce harmful pollution that affects us all.

Mrs. FEINSTEIN. Mr. President, I wish to speak in favor of the Clean Power Plan. This plan shows real American leadership when it comes to climate change, proof that we are taking responsibility for the world we leave to our children.

The debate over the Clean Power Plan is a question of whether we should take any action at all on climate change, a shocking question considering how long we have known about the ways we are harming the planet.

A recent report by Inside Climate News shows that Exxon scientists were warning the company's leadership about climate change as early as 1977. The Exxon scientists wrote: "There is general scientific agreement that the most likely manner in which mankind is influencing the global climate is through carbon dioxide release from the burning of fossil fuels."

Even before that, scientific advisers first cautioned the President about climate change in 1965—50 years ago this month—explaining that carbon dioxide from fossil fuels would "almost certainly cause significant changes" and "could be deleterious from the point of view of human beings."

And as far back as 1956, the New York Times reported early evidence connecting climate change with greenhouse gases from fossil fuel combustion. That prescient article concluded with a sad commentary: "Coal and oil are still plentiful and cheap in many parts of the world, and there is every reason to believe that both will be consumed by industry as long as it pays to do so."

Today, decades later, we not only have even more scientific evidence of climate change, we are actually seeing the real-world consequences of inaction.

This past September was the planet's warmest September in the 136-year history of weather records. The last 5 months in a row all set world records for hottest average temperatures.

Last year was the planet's hottest recorded year, and the last two decades include the 19 hottest years on record. Global sea levels rose 7 inches in the last century. And since the beginning of the industrial era, the acidity of the oceans has increased by 26 percent, which could destabilize the food chain.

My own home State of California is seeing firsthand the effects of higher temperatures and changing precipitation patterns. We are in the midst of an epic drought, which scientists say has been made 15 to 20 percent worse due to human-induced changes in the climate. This has made a drought into a disaster.

The Sierra snowpack, which accounts for a third of the State's drinking water, is down to 5 percent of its usual levels, the lowest in 500 years.

The wildfires in California are made even more terrifying by the hot, dry conditions. And the fire season now lasts 75 days longer than just 10 years ago, resulting in more and larger fires.

Southern California and the Central Valley have the worst air pollution in the country, home to six of the top seven regions of worst ozone smog pollution. This is made worse by hotter conditions.

But this is just the beginning. Unless we dramatically change course, children born today will witness calamitous changes to the world's climate systems in their lifetimes.

Sea levels will rise another 1 to 4 feet this century based on thermal expansion of the oceans and continued melting of land-based ice. This would inundate Miami Beach, the Ports of Los Angeles and Long Beach, and 85 percent of New Orleans.

In addition, a portion of the west Antarctic ice sheet large enough to raise global sea levels by 4 feet has begun an irreversible collapse. We have to slow down this process as much as possible and make sure the same doesn't happen to the rest of Antarctica or Greenland.

By midcentury, ice-free summers in the Arctic Ocean could be routine. The global volume of glaciers is projected to be reduced by up to 85 percent this century. And massive numbers of species will go extinct because many plant species cannot shift their geographical ranges quickly enough to keep up with the rate of climate change.

This future is unacceptable. We cannot leave future generations a planet in such terrible disrepair.

I will not see California become a desert State, with aquifers overrun by salt water and coastal cities overwhelmed by storm surges. My colleagues must understand that we will never relent in the fight to save the planet.

I understand some States are afraid of an economy without fossil fuel extraction. But I assure you that transitioning to a new economy will be easier than coping with the devastating effects of global warming.

That brings me to the issue we are debating today: the Clean Power Plan. Although the final rules were only recently completed by the EPA, the Supreme Court set us on this path 8 years ago when they found in effect that the Clean Air Act compelled the regulation of greenhouse gases.

It puts us on a path to cut national emissions from the electricity sector by 32 percent over the next 15 years, using tools that each State can tailor to its own unique situation. It is a remarkably flexible regulatory approach that will harness the ingenuity of the American people to confront and roll back the effects of climate change.

I know this approach can work because I have seen it work in California.

In the last 10 years, the State has implemented a number of changes: an economywide cap-and-trade program to return statewide emissions back to their 1990 levels by 2020; a renewable portfolio standard requiring 50 percent renewable electricity by 2030; regulations to double energy efficiency by 2030; a low carbon fuel standard to reduce greenhouse gas emissions from transportation fuels at least 10 percent by 2020; and a program to reach 1 million zero-emission vehicles by 2020.

Here is the thing: even though California is making these changes, the State continues to grow. The economy grew by 2.8 percent last year, with a 1.3 percentage point reduction in the unemployment rate. Both of those figures are better than the national average.

As a result, California is already on track to meet or exceed the Clean Power Plan's targets. And more importantly, California's leadership is showing others just how much we can accomplish.

Internationally, California's cap-and-trade program was used as a model for China's cities and provinces. Now, President Obama has leveraged the ambition of the Clean Power Plan to convince the Chinese to combine their regional cap-and-trade programs into a national carbon strategy.

This is how bold leadership achieves results. And this December in Paris, the Clean Power Plan will serve as the keystone of America's national climate ambitions, helping convince the world that we will be the leaders we promise to be in combatting climate change.

The Senate shouldn't be considering a rejection of the Clean Power Plan. Our real responsibility is to find ways to be even more ambitious.

Today's vote changes nothing. If Congress were to pass this resolution to disapprove of the Clean Power Plan, the President's veto would not be overridden. The Clean Power Plan will be implemented.

I believe the Clean Power Plan will not only reduce greenhouse gas emissions, but that process won't be nearly as difficult as some now fear. The Clean Power Plan will be seen as one of the many important steps we took to stabilize global temperatures.

I truly think we are making headway in the fight against global warming. Environmentally conscious individuals are marking changes in their own lives, and those are driving changes in the economy and in State policies. Those changes spurred reform on the national level, and now, we are seeing real action on the global stage.

Today's "show vote" on the Clean Power Plan won't diminish those successes.

Thank you.

Mr. REED. Mr. President, today I join many of my colleagues in opposing S.J. Res. 23 and S.J. Res. 24.

These measures are an attack on the Clean Power Plan's carbon pollution

protections for new and existing power plants.

Not only would these measures undo the health and economic benefits of the Clean Power Plan, they would also bar the EPA from issuing any standards in the future that are substantially similar.

The Clean Power Plan is an important step in reducing carbon pollution and taking action on climate change. It seeks to protect public health, cut energy costs for consumers, and create jobs in the clean energy economy. Additionally, these reductions—the first of its kind in our country for carbon pollution from power plants—are vital to meeting the commitments the United States has made to lowering emissions. Our country is not alone in making these commitments. China and other nations are also doing so—as will be discussed and hopefully furthered at the climate negotiations taking place next week in Paris. Because pollution crosses borders, protecting air quality is a globally shared responsibility.

Let me also emphasize that EPA has the legal authority to set standards on carbon pollution. In 2007, the Supreme Court ruled that the Clean Air Act authorizes the EPA to regulate greenhouse gas emissions from sources including power plants.

Despite criticism from the opposition, we have seen, since the enactment of the Clean Air Act 45 years ago, that economic growth and environmental protection are not mutually exclusive. According to the Department of Commerce, environmental laws including the Clean Air Act have made the U.S. the largest producer of environmental technologies in the world, supporting close to 1.7 million jobs and \$44 billion in exports annually.

The Clean Power Plan will build on this progress and help accelerate the development of renewable energy, creating thousands of jobs in the clean energy sector.

The Energy Information Administration, EIA, finds that the Clean Power Plan will increase the use of renewable energy, leading to thousands of clean energy jobs across the country, including in my home State of Rhode Island.

The 2015 Rhode Island Clean Energy Jobs Report states that Rhode Island's clean energy economy currently supports nearly 10,000 jobs and suggests that the State is expected to add approximately 1,600 new clean energy jobs over the next year.

Renewables, like wind and solar, are already generating power reliably and cost-effectively across America. Wind power is already showing it can be integrated onto the grid at a large scale while ensuring reliability.

Wind power plays an important role in Clean Power Plan compliance, with wind electricity generation capacity more than tripling over 2013 levels by 2040, according to the EIA.

This is why in Rhode Island we are building the first offshore wind farm, which is projected to increase energy capacity for the residents of Block Island.

Our commitment to clean energy is not only cost-effective, but vital to supporting our Nation's health. Climate change is impacting air pollution, which can cause asthma attacks, cardiovascular disease, and premature death, and fostering extreme weather patterns such as heat and severe storms, droughts, wildfires, and flooding that can harm low-income communities disproportionately.

The Clean Power Plan makes America healthier by improving the well-being and productivity of our children, workforce, and seniors through such benefits as reducing asthma attacks in children, lowering the rate of hospital admissions, and reducing the number of missed school and work days.

Action is needed to protect not just our economy's growing renewable energy field, but also our public health. This is why I stand with my colleagues in supporting the Clean Power Plan.

We must make clean air a priority.

I urge my colleagues to support the Clean Air Act and vote "no" on both S.J. Res. 23 and S.J. Res. 24.

Thank you.

The PRESIDING OFFICER. The Senator from Massachusetts.

SYRIAN REFUGEE CRISIS

Ms. WARREN. Mr. President, on Friday, ISIS terrorists massacred 129 people in Paris. Just the day before, ISIS terrorists massacred 43 people in Beirut. While these are merely the latest in a series of horrific attacks launched by ISIS over the last few years, these twin tragedies have riveted the attention of the world.

These events test us. It is easy to proclaim that we are tough and brave and good-hearted when threats feel far away, but when those threats loom large and close by, our actions will strip away our tough talk and reveal who we really are. We face a choice—a choice either to lead the world by example or to turn our backs to the threats and the suffering around us. Last month Senator SHAHEEN, Senator DURBIN, Senator KLOBUCHAR, and I traveled to Europe to see the Syrian refugee crisis up close. I come to the Senate floor today to speak about what I saw and to try to shed some light on the choice we face.

Over the past 4 years, millions of people have fled their homes in Syria, running for their lives, searching for a future for themselves and their families. Official estimates indicate that 2 million Syrians are now living in Turkey, more than 1 million in Lebanon, and more than one-half million in Jordan. The true numbers are probably much larger.

The crisis has put an enormous economic and political strain on those

countries. In late 2014, I traveled to Jordan where I visited a U.N. refugee processing center. I also met with Jordan's Foreign Minister, U.N. representatives, and American military personnel stationed in Amman. Even a year ago, it was clear that the humanitarian crisis was straining these host countries and that there was no end in sight.

In recent months, the crisis has accelerated. The steady stream of refugees fleeing Syria has become a flood, and that flood has swept across Europe. Every day refugees set out on a journey of hundreds of miles from Syria to the Turkish coast. When they arrive, they are met by human smugglers who charge \$1,000 a head for a place on a shoddy, overloaded, plastic raft that is floated out to sea, hopefully in the direction of one of the Greek islands.

I visited one of those islands last month. Lesbos is only a few miles from the Turkish coast, but the risks of crossing are immense. The water is rough, the shoreline is rocky, and these overcrowded, paper-thin rafts are dangerously unsteady. Parents do their best to protect their children. Little ones are outfitted with blowup pool floaties as a substitute for lifejackets in the hope that if their rafts go down, a \$1.99 pool toy will be enough to save the life of a small child—and the rafts do go down. According to some estimates, more than 500 people have died crossing the sea from Turkey to Greece so far this year.

Despite the risks, thousands make the trip every day. Greek Coast Guard officials told us that when refugees see a Coast Guard ship, they may even slash holes in their own rafts just so they will not be turned back.

I met with the mayor of Lesbos, who described how his tiny Greek island of 80,000 people has struggled to cope with those refugees who wash ashore—more than 100,000 people in October alone. Refugees are processed in reception centers on the island before boarding ferries to Athens, but Greece plainly lacks the resources necessary to handle these enormous numbers. Refugees pile into the reception centers, overflowing the facilities and sleeping in parks or beside the road. Last month, a volunteer doctor in Lesbos was quoted as saying: "There are thousands of children here and their feet are literally rotting, they can't keep dry, they have high fevers, and they're standing in the pouring rain for days on end." Recently, the mayor told a local radio program that the island had run out of room to bury the dead.

Greece's overwhelmed registration system is not only a humanitarian crisis but also a security risk. In meeting after meeting, I asked Greek officials about security screening for these migrants, and time after time I heard the same answer. It was all Greece could do simply to fingerprint these individuals

and write down their names before sending them off to Athens, and from there, to somewhere else in Europe. Now Greece's Interior Minister says that fingerprints taken from one of the Paris attackers may match someone who registered as a refugee at a Greek island entry point in early October. Whether this ultimately proves to be true, there is no question that a screening system that can do no more than confirm after the fact that a terrorist entered Europe is obviously not a screening system that is working.

The burden of dealing with Syrian refugees cannot fall on Greece alone. Greece and the other border countries dealing with this crisis need money and expertise to screen out security threats. Europe needs to provide that assistance as quickly as possible, and if we are serious about preventing another tragedy like the one in Paris, the United States must help. We must build adequate procedures to make sure that refugees, especially those who have entered Europe through this slipshod screening process, can enter the United States only after they have been thoroughly vetted and we are fully confident that they do not pose a risk to our Nation or our people.

The security threat is real and it must be addressed, but on our visit to Lesbos, we also had the chance to meet with refugees processed at the Moria reception center to see who most of them really are. From the outside, with its barbed wire and guard towers, Moria looks like a prison. At the entrance, the words "Freedom For All" are etched into the concrete encircling the facility, but speaking with refugees inside feels more like a 21st-century Ellis Island. We met doctors, teachers, civil engineers, and college students. We met young, educated, middle-class Syrians seeking freedom and opportunity for themselves and their families. They were seeking a safe refuge from ISIS, just like the rest of us.

The most heartbreaking cases are the unaccompanied children. These boys and girls are separated from the other refugees in a fenced-in outdoor dormitory area. I met a young girl in that fenced-in area—younger than my own granddaughters, sent out on this perilous journey alone. When I asked how old she was, she shyly held up seven fingers. I wondered, What could possibly possess parents to hand a 7-year-old girl and a wad of cash to human smugglers? What could possibly possess them to send a beloved child across the treacherous seas with no more protection than a pool floatie? What could make them send a child on a journey knowing that crime rings of sex slavery and organ harvesting prey on these children? What could possess them to send a little girl out alone with only the wildest, vaguest hope that she might make it through alive and find something—anything—better on the other side?

Today, we all know why parents would send a child on a journey alone. The events of the last week in Paris and in Beirut drive it home. The terrorists of ISIS—enemies of Islam and of all modern civilization, butchers who rape, torture, and execute women and children, who blow themselves up in a lunatic effort to kill as many people as possible—these terrorists have spent years torturing the people of Syria.

And what about the Syrian Government? President Bashar al-Assad has spent years bombing his own people. Day after day, month after month, year after year, Syrian civilians have been caught in the middle, subjected to suicide attacks, car bombings, and hotel bombings at the hands of ISIS or Assad or this faction or that faction—each assault more senseless than the last. Day after day, month after month, year after year, mothers, fathers, children, and grandparents are slaughtered.

In the wake of the murders in Paris and in Beirut last week, people in America, in Europe, and throughout the world are fearful. Millions of Syrians are fearful as well, terrified by the reality of their daily lives, terrified that their last avenue of escape from the horrors of ISIS will be closed, and terrified that the world will turn its back on them and their children.

Some politicians have already moved in that direction, proposing to close our country for people fleeing the massacre in Syria, but with millions of Syrian refugees already in Europe, already carrying European passports, already able to travel to the United States—and with more moving across Europe every day—that is not a real plan to keep us safe, and that is not who we are. We are a country of immigrants and refugees, a country made strong by our diversity, a country founded by those crossing the sea, fleeing religious persecution and seeking religious freedom. We are not a nation that delivers children back into the hands of ISIS murderers because some politician doesn't like their religion, and we are not a nation that backs down out of fear.

Our first responsibility is to protect this country. We must embrace that fundamental obligation, but we do not make ourselves safer by ignoring our common humanity and turning away from our moral obligation.

ISIS has shown itself to the world. We cannot and we will not abandon the people of France to this butchery, we cannot and we will not abandon the people of Lebanon to this butchery, and we cannot and we must not abandon the people of Syria to this butchery. The terrorists in Paris and in Beirut remind us that the hate of a few can alter the lives of many. Now we have a chance to affirm a different message—a message that we are a courageous people who will stand strong in

the face of terrorism. We have the courage to affirm our commitment to a world of open minds and open hearts. This must be our choice—the same choice that has been made over and over again by every generation of Americans. This is always our choice. It is the reason the people of Syria and people all around this world look to us for hope. It is the reason ISIS despises us, and it is the reason we will defeat them.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, let me thank my colleague Senator WARREN for those very eloquent remarks. She and the Senators she traveled with have taught us a lot. We have heard her comments, and she is right. Our values in the United States of America are accepting and open to refugees who flee violence and persecution, and that is the country we are.

So I thank very much the Senator from Massachusetts for her remarks. As I have said, we all have learned very much from her and the trip she took and from what she shared with us.

TERRORIST ATTACKS AGAINST FRANCE

Mr. President, before I begin my remarks today, in addition to the comments I have just made, I wanted to first pause for just a moment and say a few words about the Paris attacks last Friday.

The people of New Mexico and the people the world over are grieving for those who were killed and injured in the horrific attacks that have just been spoken about by Senator WARREN and others who have come to the floor today. Earlier today, we had a moment of silence to recognize them. I just want to say that our thoughts are with the French people, and we are united in our resolve to fight the murderous thugs of terrorism who thrive on hate, intolerance, and fear.

I met today with the French Ambassador to give him New Mexicans' heartfelt condolences. All of us on the Senate Foreign Relations Committee and the Senate leadership met today with the French Ambassador to say to him that we stand together with him against these murderous thugs.

Mr. President, today, because we are on this resolution of disapproval, we are discussing the issue of climate change and global warming. It is one of our greatest challenges and we have a choice. We can deny the reality. We can ignore the danger to our planet, to our economy, and to our security—that is one choice—or we can move forward. We can work together. We can find common ground with a diversified energy portfolio that includes clean energy, with an energy policy that makes sense, that creates jobs, that protects the environment, and that will keep our Nation strong. That is the choice we should make, that is the choice we

must make and, once again, that is the choice we are failing to make.

This year is almost over. It will likely be the warmest year on record. The current record holder is last year—2014. The impact is clear. People are seeing it all over the world, with rising sea levels and increased droughts.

The Southwest is at the eye of the storm. In New Mexico, temperatures are rising 50 percent faster than the global average, not just this year or last year but for decades. This has strained my State with terrible droughts and wildfires. When the rain does come, it often brings floods as well. In 2011, we had the largest fire in our State's history—the Las Conchas fire. Then, in 2012—just a year later—we had an even larger wildfire. The Whitewater-Baldy fire burned 259,000 acres. We have seen massive droughts. Our crops and natural resources are at risk.

Through all of this, Congress has failed to act. There have been many attempts in the past. We have had many bipartisan bills introduced in the Senate, including the McCain-Lieberman cap-and-trade proposal, the Bingaman-Specter cap-and-trade proposal, the Cantwell-Collins cap-and-dividend proposal, the Lieberman-Warner bill, the Kerry-Graham bill, and others. In the House of Representatives, I had my own bipartisan bill with Representative Tom Petri. In 2005, over half the Senate voted on a resolution affirming the need to implement mandatory reductions of greenhouse gas emissions in the United States. Each and every time Congress failed to make it to the finish line—failed to pass comprehensive legislation in both Houses to curb our greenhouse gas emissions. Meanwhile, the clock is ticking. Time is growing short, and we are going from bad to worse.

So the President and the EPA have used their authority under the Clean Air Act to implement restrictions and to control the pollution. They have done what needs to be done with the support of many of us in Congress and, as we know, with the support of the American people. The proposals are reasonable, they are critical, and they will make a difference to restricting emissions from new and existing powerplants. Some in the Senate have argued these proposals do too much and others argue they don't do enough, but instead of rolling up our sleeves and developing a comprehensive energy and climate strategy of our own, we are here today voting on a Republican resolution of disapproval of the Clean Power Plan rules. What a waste of our time, the American people's time, and the time we have left to seriously address this very important problem.

I started this speech talking about choices and again we are making the wrong one. We are wasting time when we should be working together and de-

veloping proposals that would address global warming and help push forward clean energy jobs. There are now more solar jobs in the United States than coal jobs. There are currently more than 98 solar companies in New Mexico, employing 1,600 people. Renewable energy jobs and solutions are in abundance in New Mexico, and this is true for many other States. A renewable electricity standard, which I have long fought for, would create 300,000 jobs. Most of these jobs are high-paying, local, and cannot be shipped overseas.

Congress could be using this time moving forward. Our country can lead the world in a clean energy economy. We have the technology, we have the resources, and we need the commitment. Instead, the Republican leadership in Congress is doubling down, trying to overturn the President and derailling the progress we are making. They do so knowing they will fail, knowing the President will veto it, and knowing the votes aren't there to override the veto. Once again, this is a lot of sound, a lot of fury, and a lot of wasted time. It makes a false claim that support for climate action does not exist in the United States, and it does so ahead of the Paris Climate Conference, where 153 countries, it is my understanding at this point, are going to gather and sign on to positive climate proposals.

Action on climate change is under attack in the U.S. Senate. That is true, make no mistake about it, but also make no mistake that all of these attacks will fail.

I have led the charge in our Appropriations Committee, on the subcommittee of which I am the ranking member, to fight against dangerous environmental riders. I will continue to fight them, and they will fail.

My colleagues and I are here today in opposition to this resolution of disapproval and we also are here to ask that we move on, to ask that we work together and face the very real threat of climate change.

We will go to Paris next month, and we will get a solid, strong agreement from the international community. The United States will continue to lead on this issue even if our Republican colleagues continue to fight it each step of the way.

With that, I yield the floor to my good friend from Massachusetts Senator ED MARKEY, who has been an incredible champion in terms of working legislation and who had a big part a Congress or two ago getting climate change legislation out of the House of Representatives.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I thank the Senator from New Mexico for his historic leadership on these issues.

The consequences of climate change are evidenced around the world. Temperatures are increasing, sea level is

rising, glaciers are receding, rainfall is changing, and people's health is suffering. These impacts can worsen the tensions that are fueling terrorism and conflicts around the world. The Pentagon and the CIA have both issued reports that found that instability from changes in the climate can contribute to conditions that breed insurgencies.

As we look around the world, we can see how climate change is a threat multiplier and a catalyst for conflict today. That is why partnering with developing countries so they can grow their economies in a climate-smart way is a crucial part of our foreign policy. That is why we need to support the Green Climate Fund and other financing and aid programs that will help countries increase their resiliency in the face of climate change impacts, because those impacts are very real, and scientists agree that it is humans who are causing them.

The year 2014 was the hottest year in a global record that stretches back to 1880. The first half of this year is now the hottest January to June in that same record. As temperatures continue to soar upwards on land, our seas are getting hotter as well.

While we have to deal with the consequences of climate change that are already gripping our Nation and our planet, there is still time to prevent future catastrophes. That is why President Obama has been using the tool he has in the Clean Air Act to reduce carbon pollution. He has used it to further increase the fuel efficiency of America's cars and trucks.

He has released the historic Clean Power Plan, but Republicans want to undo that plan with the Congressional Review Act. Undoing the Clean Power Plan would be bad for our economy, for our national security, and for our health. The Clean Power Plan captures the scientific urgency and the economic opportunity needed to avoid the worst consequences of climate change. The Clean Power Plan provides flexibility to the States to find solutions to reducing carbon pollution that work best for their situations. The Clean Power Plan will be at the heart of a supercharged renewables renaissance in every single State in the Union. It will create jobs and save consumers billions on their electricity bills. It will avert almost 100,000 asthma attacks a year and prevent thousands of premature deaths. The climate and health benefits of this rule are estimated to be \$34 to \$54 billion every year by the year 2030.

With the Clean Power Plan, we can create wealth and health for our country. In Massachusetts, we know firsthand that by cutting carbon pollution, we can grow our economy and save families money. It is a formula that works. We did it through the Regional Greenhouse Gas Initiative, or RGGI, which is a model for the Clean Power Plan. Since the program went into ef-

fect in 2009, the program has added on the order of \$3 billion worth of economic value to participating States and it has saved consumers more than \$1.5 billion.

Massachusetts now has nearly 100,000 people working in the clean energy sector in our State. It is the fastest growing job-creation sector in our economy. All of this has happened just over the last 10 years.

As a nation, we have a choice: We can continue to pump harmful carbon pollution into our skies and foreign oil into our cars or we can pump new life into our economy, creating jobs and saving Americans money on their energy bills.

Climate deniers call this plan a war on coal, but it is really a war on carbon pollution. The Clean Power Plan is a signal to the marketplace to invest in clean energy, and it is a signal to the world that America will lead the global effort for climate action and be the global leader. You cannot preach temperance from a bar stool. If we want to be a leader, we have to stand up and say: Here is what we are going to do.

By reducing U.S. carbon pollution, the United States will be the leader and not the laggard in the international climate negotiations beginning at the end of this month in Paris. U.S. leadership has helped secure climate pledges for Paris from more than 150 countries. We now have the opportunity to forge an international climate agreement that includes all countries doing their fair share for a global solution to global warming.

We aren't tackling climate change alone. Efforts are underway in legislatures around the world to develop laws and develop national responses to climate change. But without the Clean Power Plan, America would not be able to have any credibility in Paris in 2½ weeks in saying: We are going to reduce our greenhouse gases. You must, as another sovereign country, reduce your greenhouse gases.

Coal companies, the Koch brothers, and other allies of the fossil fuel industry may oppose the United States and the world acting on climate, but scientific facts, economic opportunity, and history are not on their side.

Today we are debating a resolution to overturn the Clean Power Plan, and should it pass, the President will veto it and Republicans won't have the votes to overturn the veto. What the Republicans are doing today is nothing more than a political Kabuki theater. Instead of wasting time tilting at legislative windmills, we should be passing tax extenders to help build more wind turbines and more solar panels in the United States of America. That is what we should be debating out here on the floor of the Senate today.

If the Republicans don't like the Clean Power Plan, then I ask them what is their plan to prevent climate

change, expand energy, and create jobs. That is the real question we should be debating on the Senate floor today. The reality is that they have no plan. The reality is that as a party they are in denial that the planet is dangerously warming. The reality is that they want to keep the wind and solar tax breaks off of the books, giving incentives for Americans to innovate in this area. The reality is that the fossil fuel industry is still driving the agenda of the Republican Party here in Congress. That is the reality. That is why we are having this vote here on the floor of the Senate today, because the Republican Party is siding with Big Coal and Big Fossil Fuel in order to keep us on a pathway that does not allow us to unleash this renewable energy revolution.

The green generation—the young generation in our country—wants to be the leaders. They are innovators and they can find investors to help them with their new technology. They are professors and they are producers who want to work together in order to unleash this revolution.

The next generation already did this with telecommunications. They moved us from a black rotary dial phone to an iPhone in about 8 years. The technology was locked up. There was no innovation that was possible. The utility industry that was the telephone industry had a stake in everyone still renting a black rotary dial phone. The utility industry, which is the electrical generating industry, has a stake in slowing down the pace at which we move to wind and solar and to new technologies of the 21st century that are the match for the iPhone in the telecommunications sector. That is what we are debating on the floor—the path to the future. That is what we are debating on the floor—the 19th-century technologies versus the 21st-century technologies.

That is what we are debating on the floor—the status quo or an innovation economy where young people are able to move into these new sectors and invent these new technologies and exploit them around the planet. We did that in telecommunications. It is branded Google, eBay, Amazon and YouTube, around the planet. We did it in the blink of an eye once we unleashed the potential. We can do the same in the green energy sector, but defeating the Clean Power Plan vote the Republicans brought out on the floor is the key to unleashing this potential not only in our own country but across the planet.

I urge a "no" vote on this historic set of regulations that President Obama is putting on the books. It is what will give us credibility when he goes to Paris in the beginning of December in order to negotiate this historic deal.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Thank you very much, Mr. President.

I rise today to oppose the Congressional Review Act to derail the Clean Power Plan.

It was Theodore Roosevelt who said, "Of all the questions that can come before this nation, short of the actual preservation of its existence in a great war, there is none which compares in importance with the great central task of leaving this land even a better land for our descendants than it is for us."

Theodore Roosevelt was at the core of the conservation movement in the Republican Party. It is a Republican Party far removed from the party it is today. Roosevelt's determination to "leave this land a little better" has been replaced by complete abdication of responsible leadership for the stewardship of our planet.

The Clean Power Plan that this resolution concerns is the single most significant step this country has taken now or in the past to combat climate change. Many citizens do not know that over the past few decades we have seen the carbon pollution rise in the atmosphere, and it is now in the upper level of 400 parts per million. As that carbon dioxide concentrates and comes to a higher level, it traps the heat, and that heat is producing profound consequences. We haven't had this level of carbon pollution for 3 million years—long before humans walked this planet and when sea levels were as much as 80 feet higher than they are today. So this is no ivory tower issue; it is very real, not only in the measurement of pollution in the air but in the facts on the ground.

In my home State of Oregon, we are seeing impacts on our forests. We see impacts of pine beetles spreading and creating a big red zone of dead trees. We see it in impacts in terms of fiercer forest fires and a longer forest fire season—a season that has grown 60 days in 40 years. We see it in terms of the diminishing snowpack in the Cascades, which not only makes our trout streams warmer and smaller, but it decreases the water we have for agriculture, and we have a massive drought year after year. The three worst ever droughts have been in the last 15 years in the Klamath Basin in the south. We see it in terms of our sea production—our oysters, which are struggling to create shells when they are small because the Pacific Ocean is 30 percent more acidic now than it was before the industrial revolution.

Carbon pollution is really a war on rural America. It is a war on forestry, our fishing, and our farming, and that cannot be allowed to stand.

There is no question that we have conclusive evidence of global warming. Globally, 14 of the 15 warmest years on record have all occurred in the last 15 years. They have all occurred in this century, and 2014 was the warmest year

ever on a global basis. This year, 2015, is on course to be even warmer yet. This translates into damage to our rural economy not only in terms of our forestry, our fishing, and our farming, but also in terms of the economic impact that occurs from the damage. The damage we see today is going to only get worse in the years ahead. These rural industries will suffer, and American livelihoods will suffer.

It is irresponsible to continue business as usual. We need to dramatically change course. We need to pivot from a fossil fuel energy economy to a renewable energy economy.

The Clean Power Plan sets achievable standards to reduce carbon dioxide emissions by 32 percent of 2005 levels by the year 2030—strong but achievable standards. We have the technology today, but do we have the political will? Or is this body going to be ensnared by the powerful lobbying of the Koch brothers and the fossil fuel industry, which have announced they are going to spend \$1 billion in the next election to make sure their policies are the ones adopted in this room and that their policies will guide our future.

Well, how about this? How about we have policies that are the policies related to the welfare of American citizens, related to the welfare of our farmers, our fishing industry, and our forest industry? How about we fight for rural America instead of being led astray by the Koch brothers and the fossil fuel industry?

We know the Clean Power Plan will have a powerful, positive impact that will provide significant public health benefits, reducing premature deaths from powerplant emissions by nearly 90 percent, and that will avoid 3,600 premature deaths, will lead to 90,000 fewer asthma attacks for children, and will prevent 300,000 missed work and school days. We know this plan will create tens of thousands of jobs while driving new investments in cleaner, more modern, and more efficient technologies. We know it will save the American family nearly \$85 on their annual energy bill.

Fewer deaths are a good thing. More jobs are a good thing. Saving families money is a good thing. So let's fight for good things. Let's not follow the path my Republican colleagues are proposing, in which they are saying no to reducing bills for families, they are saying no to creating good-paying jobs, they are saying no to improving public health, and they are saying no to saving lives. Well, let's say yes.

It has been said that we are the first generation to feel the impacts of global warming and the last generation that can do something about it. This is a moral challenge to our generation of humans on this planet—on our beautiful blue-green planet. This responsibility rests not with some future generation or some past generation but

with all of us right now. This resolution to try to torpedo the most effective measure America has ever adopted in the past or in the present is, in fact, deeply, deeply misguided.

Let's turn back to the test President Theodore Roosevelt put before us when he said that there is no more important mission than leaving this land even a better land for our descendants than it is for us. Our children and our children's children are counting on us to act. They are counting on us to save jobs, to save lives, and to save our planet. We must not fail this test.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I rise to speak in support of the administration's Clean Power Plan. I think the first thing that must be said—and said over and over, especially this week, with so many critical issues facing our country, with appropriations bills pending, with the transportation bill pending, with perhaps a motion to go to conference on the education reauthorization—is that we are wasting floor time, that this piece of legislation has no chance. The threshold under the Congressional Review Act is 51 votes, and while it is very likely the threshold will be met, let's take this through the legislative process.

This will eventually, if it passes the House—when it passes the House—reach the President's desk. Can you imagine that President Obama is going to enact legislation that overturns his signature and environmental achievement? Whether you agree or not with the Clean Power Plan, the idea that he is going to sign this into law is preposterous. So it faces a veto. So then the only question is this: Can you get 67 votes in the Senate? And the answer is a resounding no.

So let's put this in context. This is an important debate, but this is not likely to result in any kind of legislation one way or the other. But here is what this is about. The Clean Air Act requires the EPA—it doesn't authorize the EPA; it requires the EPA—to regulate airborne pollutants. So it doesn't allow the EPA to pick among airborne pollutants and place limits; it requires that any airborne pollutant have limits.

In 2007 the Supreme Court of the United States determined that CO₂—carbon—was in fact an airborne pollutant, which is kind of intuitive and consistent with what every expert in the field understands. So the only question is this: Do you believe in the Clean Air Act? Do you believe there should be an exception in the Clean Air Act for carbon pollution? Do you disagree with the consensus among scientists that carbon is a pollutant? That is what we are voting on today. So carbon is a pollutant, and this is a pretty straightforward policy issue, and it is a pretty

straightforward scientific issue. The EPA must regulate emissions.

Let's also understand how CRA works. This vehicle is to overturn the Clean Power Plan. The way the statute runs is that it doesn't give the administration—or any future administration—any flexibility to do a different version of the same thing. It prohibits the administration from doing anything that is “substantially similar.”

So the difficulty, of course, is that hasn't actually been tested too many times in court. But the assumption most attorneys on both sides of this question are operating under is that it would not just invalidate this Clean Power Plan but prohibit the EPA from regulating carbon on a going-forward basis.

So if you have a specific concern, if you have a specific objection to the way this thing is administered, that is fair enough, but you don't have the ability to tell EPA to go and do this again and submit it again. It will actually be illegal under a CRA. So CRA is an extremely blunt instrument. It is an extremely radical thing to do, and that is what we are contending with.

So why, if all of that is true, is there a CRA vote this week? My instinct is that it is designed to create confusion, to kick up dust, and to raise the possibility that the American government does not stand behind the Clean Power Plan as we go into the final throes of the Paris climate talks.

Now, we have an opportunity here. We have 160 countries for the first time in history committing to different versions—all executed from within their own governmental systems, but they are all committing to different versions—of emissions reductions. Some of them have cap and trade, some have incentives, some of them have regulations, some have financing programs, but all of them are committing to various programs to reduce carbon emissions. This is a significant international achievement.

In previous climate negotiations, folks who opposed international climate action would actually go to these negotiations to create confusion, to imply the American government was somehow not going to stand by its commitments. That is why I wanted to go through how the CRA works and what the inevitable outcome of this piece of legislation will be, which is that it will be vetoed and that veto will be sustained.

The hope, I think, among people who oppose international climate action is that there is enough confusion going into Paris that someone can point to America's national legislature and say: Well, there is no consensus. That is true. There is no political consensus. But there is no practical way to overturn the Clean Power Plan, and there is no going back. I mean that is the most important aspect of this. This

year, 2015, of all the new power generation in the United States, the majority of it was clean energy. The majority of new power generation in the United States was clean energy—how exciting.

I am not exactly sure why people fear the clean energy future so much. I understand we need to make a transition. The State of Hawaii depends on low-sulfur fuel oil for the vast majority of its electricity. I understand we can't make that transition overnight, and I understand there is going to be disruption and there is going to be difficulty as we make a transformation of this magnitude, but we are going to have to make this transformation. It doesn't have to be a bad thing. It can create innovation jobs, it can attract investment capital, and it can be a new American economy.

This is already happening. This is not pie in the sky any more. This is already underway. The majority of new power generation in the United States is clean energy. Let's keep the momentum up. Let's support the Clean Power Plan.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I ask unanimous consent to speak for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Louisiana is recognized.

Mr. VITTER. Mr. President, I first want to thank very much the Senator from Delaware for his courtesy in this regard.

(The remarks of Mr. VITTER pertaining to the introduction of S. 2284 are printed in today's RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

Mr. VITTER. I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

SYRIAN REFUGEES

Mr. CARPER. Mr. President, I come to the floor to address the issue of climate change, but I am inclined to follow up on comments by our friend from Louisiana who has just spoken.

As the Presiding Officer knows, I am no longer the chairman of the homeland security committee, but I am the senior Democrat. I have served on the committee for about 15 years. The issue of the security of our homeland, whether from cyber attacks or terrorists or any other of number of threats, is something I care a whole lot about.

I am sure all of us recall when we had a special visitor who addressed a joint session of the Congress on the other side of the Capitol. His name is Francis, and he is the Pope. It was a Papal visit. He addressed a joint session of Congress. I am not Catholic, but I was moved, and I know a lot of our colleagues were moved, especially when he invoked the Golden Rule in

front of a national television audience, when he called on all of us to treat other people the way we would want to be treated, and also when he invoked the words of Matthew 25: When I was hungry did you feed me, when I was naked did you clothe me, when I was thirsty did you give me to drink, when I was a stranger in your land did you take me in?

When I hear of the prospect of a thousand or so Syrian refugees coming to this country this year—and more next year—I think of the desperate plight of people who are trying to escape the hellacious situation in Syria and who have been living, in some cases months or years, in refugee camps. What kind of moral imperative do we have with respect to them? What kind of moral imperative? What kind of moral imperative do we have at the same time to ensure that the folks we allow to come in as refugees to this country—that we are going to protect those of us who live here from possible threats that might be caused by that immigration?

This week I learned a few things I didn't know before. There is a lot more I have to learn. Among the things I have learned this week is that when refugees—whether in Turkey or someplace else in that or the other side of the world, in Pakistan or any other place—seek to come to this country, they don't get to just come. It is not like they say: I am applying under refugee status to come to the United States, and I would like to come this week or this month or even this year. The average wait for folks in refugee status trying to get someplace out of a refugee camp—and it could be here, but especially here, the average wait for refugees is not a week, it is not a month, it is not a year. It is 1.5 years. For those of Syrian descent, the wait could be even longer.

I am not going to go through all the hurdles folks have to go through, but it is a screening process that begins not with the Department of Homeland Security in this country. It is a screening process that begins way before that with the U.N. High Commissioner for Refugees. They first register refugees, they gather biometric data, and they gather other background information. Only those who pass the U.N. assessment are ever referred to the United States for possible resettlement. Where they are looking to accept maybe 1,000 Syrian refugees this year, the U.N. High Commissioner for Refugees may interview 3,000, 4,000, 5,000 refugees, or more, to come up with a list of 1,000 that we would even consider. Those refugees are interviewed not when they get off a plane here, but overseas, before they ever get on a plane. Before they ever get on a plane, they go through multiple background checks and vetting and use biographical checks conducted by the State Department, security advisory opinions from

intelligence and other agencies for certain cases, National Counterterrorism Center checks with intelligence agencies for support, the Department of Homeland Security and the FBI biometrics checks, and the Department of Defense biometric screening.

Then, after going through all of that, if they get here, they have the opportunity to be interviewed again face-to-face by the Department of Homeland Security folks who are trained to interview people alleging to be refugees. They could be something else. Then, if they get approved to stay here as a refugee, we continue to monitor them for an extended period of time.

A year or so ago there was great concern with Ebola. We had a lot of people coming across the border from Mexico, and they were going to have Ebola and infect us all and a lot of people were going to die. Not one American died from Ebola contracted here.

So I would have us take a deep breath, try to gather the facts, and really understand what somebody has to go through as a refugee to get here. It is not overnight; it is not a 1-week or a 1-month deal. If I were a bad guy wanting to come here and create mischief, I sure wouldn't go as a refugee. I wouldn't cool my jets for a year and a half, trying to get through that process. I would find another way.

Mr. President, that is not what I wanted to talk about. I want to talk a bit about one of our favorite subjects, climate change and global warming.

I will start off with a map here of New Jersey, Maryland, Philadelphia. In between Philadelphia and the Delmarva Peninsula is my State, the State of Delaware. This is probably hard to see from up there or on television, but the outline of this map is Delaware today. A couple hundred years from now, if we don't continue to make progress in reducing carbon dioxide, Delaware will not look like the outline of that map. It is not going to look like the green. It will be somewhere between the outline of that map and the green that we see here that depicts Delaware. For us, this is real. These are our homes, these are our farms, the places we live and raise our families. So for us, this is something that is serious.

Long before I ever moved to Delaware, I served as a naval flight officer in the Navy during the Vietnam war and served in Southeast Asia and other places. Long before I ever did that, long before I went to Ohio State to study economics, long before I moved to Virginia, I was born in West Virginia. I was born in a coal mining town. My dad, coming out of Shady Spring High School in Beaver, WV, was for a short while a coal miner. Even after my sister and I had grown up and left West Virginia—she after being in the third grade and I in the second grade—we would come back and visit

my mom's parents, my grandparents, in Beaver, WV, right outside of Beckley. A coal miner named Mr. Meaders lived next door to my grandparents. He had a big field of about 2 to 4 acres right next to my grandparents' house. He would come home from work at about 4 or 5 in the afternoon. He always had his coal mining clothes on. He had mined coal for decades. He also owned a cow, and he kept his cow in a shed on that 3-, 4-, 5-acre field. When he would come home, he would clean up, and then he would milk his cow and he would let us milk his cow. Mr. Meaders didn't make his living off the milk from that cow. He made his living as a coal miner. And he wasn't the only person in West Virginia who made their living mining coal. There are still a number of people in West Virginia whose income is derived from mining coal.

West Virginia is one of the top five coal-producing States in the country, among Wyoming, Kentucky, Illinois, and Pennsylvania. The number of people employed in the coal mining business in each of those States today—as opposed to when my sister and I were little kids running out with Mr. Meaders to milk his cow—has come down a whole lot. But for these people, these are good-paying, life-sustaining jobs for their families.

So we try to figure out—not just in Delaware, not just in America, but around the world—how do we reduce the threat from high levels of carbon in our atmosphere? Is there a way to do that? Is there a way to do that that is also respectful of the needs of people in Wyoming, West Virginia, Pennsylvania, Illinois, and Kentucky, who are trying to make a living and all they want to do is mine coal? That is what they have done maybe all their lives and want to be able to continue to do that. The Golden Rule—again, is there a way we can somehow adopt a policy or policies that are mindful of their needs to be able to sustain and support their own families, and at the same time to make sure in doing that, they don't endanger the rest of us? That is the dilemma we are in. We have a moral imperative to look out for the coal miners and their families in those States I mentioned, and we have a moral imperative to look out for everybody else, including the folks here and up and down the east coast and west coast, and others whose lives are going to be changed if we don't continue to make progress. We want to continue to make progress with respect to reducing the amount of carbon in our air.

I think we can try to at least address both moral imperatives—to try to make sure the folks who for generations have mined coal can continue to do that in a way that is not just economically sustainable but environmentally sustainable, and do so in a way that actually looks out for the le-

gitimate interests of a whole lot of us who come from States where we don't mine coal.

One of the biggest sources of carbon dioxide in our atmosphere continues to be coal-fired plants. We generate electricity. It used to be that about 40 percent of the electricity in the United States came from coal-fired plants, maybe another 20 percent or so from nuclear powered plants, another 20 percent or so from natural gas-fired plants, and the rest from hydroelectric, solar, wind, and so forth. That mix has changed a little bit. Today, coal is down to about 30 percent. Natural gas, in terms of generating capacity, is up to about 30 percent. Nuclear is still in there at about 20, adding a couple nuclear plants in the next few years, maybe building some smaller, modular plants. We are generating ever more electricity from wind, a bit more from solar and from geothermal and hydro. But coal is down from 40 to maybe 30 percent, and the projection is that maybe by 2030 it will be down from 30 percent to as low as 20 or 25 percent. That is going to create some hardship for the folks in those States, including my native State. Is there some way that we can actually help them while at the same time helping those of us who aren't from those five States?

For as long as I can remember, I have heard people, including from this floor, for many years talking about Robert Byrd, who was the former majority leader, dean of the Senate, and maybe the longest-serving person in the House and Senate in the history of our country. He was a big champion of clean coal technology. Since approximately 1997, we have pursued clean coal, carbon capture, and sequestration. I am told that just in this last decade we have spent about \$20 billion, since maybe 2005—something like that, in the last decade—and we have a success story. We have had a lot of disappointments, but we have a success story. I want to share that with our colleagues today.

The success story on U.S. clean coal is a project in Southwest Texas, in Houston, where there is NRG, a big utility company. That project is a clean-coal project generating electricity. It is going to come online sometime next year. There are other projects under way, and we are continuing to invest a lot of money in clean-coal technology. We need to continue to do more.

The last thing I want to say is this. We face many threats to our Nation these days. ISIS is certainly one of those. There are also other terrorist threats. Cyber security is certainly a threat we face. We have an obligation to our grandchildren and their grandchildren to be able to make sure we address those threats.

This is not a battle that the United States can win alone on those fronts—

nor with respect to our climate change concerns. It is going to take a coalition of many nations, and we are one of those nations. We are one of the nations that put as much CO₂ in the air as anybody else. We have an obligation to try to figure out how to reduce that amount and how to reduce the threat. We need to be a leader and not just say to other nations that they should do this but also that they follow our example. What we are trying to do is to lead by our example.

At our church, our pastor sometimes will say: I am preaching to the choir, but even choirs need to be preached to. The other thing he will say from time to time is this: I would rather see a sermon than hear a sermon. For the rest of the world, they don't want to hear a sermon from us on climate change. They want to see the sermon.

What we are trying to do over the next 15, 20 years is to reduce our CO₂ emissions since 2005 by about 30 percent and leave it up to the States—not EPA calling shots and not micromanaging—to figure out what works best in their States and to help them help us meet that national target. Thirty percent reduction from 2005 to 2030—that is the deal. That is the goal. My hope is that we will do our part. We will provide the leadership that is needed, not by what we say but by what we do.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 5:30 p.m. today, all time on S.J. Res. 24 be considered expired and the Senate vote on passage of S.J. Res. 24; further, that following the disposition of S.J. Res. 24, the majority leader be recognized to make a motion to proceed to S.J. Res. 23; that if the motion to proceed is agreed to, then all time under the Congressional Review Act be considered expired and that the Senate vote on passage of S.J. Res. 23.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized for such time as I shall consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, at 5:30 p.m. today, two votes are going to take place on the two CRAs—one by Senator CAPITO and one by Senator MCCONNELL, as he just referred to.

The Congressional Review Act is something really good that has come along for a reason. A lot of people don't understand that the bureaucracy gets out of hand sometimes. I was listening very attentively to my friend from Delaware. When I see some of the regulations that come through, I am wondering: How in the world could this

happen? These are things that we have voted on over and over, as with the case of cap and trade, which is what we are talking about now. Our first one was the McCain-Lieberman act of 2003, then again in 2005, and then the Warner-Lieberman act of 2008. And Waxman-Markey didn't even come to the Senate floor because they knew they didn't have the votes for it. Each one of these was rejected by the elected Members of the Senate and by a larger margin each year.

It is interesting what this President has done. He has taken the things that people don't want and has said: Well, if we can't do it through legislation, we will do it through regulation.

We have seen time and again that he has followed this. It is really going to come to a screeching halt this time because there are some things that are going on that people are not aware of. There are a lot of legal problems with Obama's carbon rules—especially his power plan.

Right now we have 27 States, 24 national trade associations, 37 rural electric co-ops, 10 major companies, and 3 labor unions representing just under 1 million workers. They are now challenging the final rule in court. This chart shows you the States that are challenging the rule in court. A lot of these entities have requested a judicial stay, which would likely put these rules on hold until early next year. While the courts work through the numerous other challenges, time is going to go by and time is certainly not their friend.

I was listening carefully to what my friend from Delaware was saying. One observation I have is that the people have caught on. In 2002 it was very lonely standing here at this podium in this Chamber, and no one else wanted to be a part of that discussion. Yet, at that time, the ranking of people, insofar as what they thought about the legitimacy of the argument that the world was coming to an end because of global warming, was either No. 1 or No. 2. I am talking about the polls that were across the nation at that time.

Now that same poll last March that said that global warming was the No. 1 concern back in 2002 is now No. 15. People have caught on. They realize that the cost is going to be exorbitant, and they realize it is not going to accomplish anything. I don't have any doubt that once the courts assess the merits of these challenges, the Obama administration's power plan will not survive judicial scrutiny.

President Obama and Administrator McCarthy are equally aware of their legal vulnerabilities, which is why Obama's Agency deliberately slow-walked the implementation process to try to prevent any CRAs or negative court rulings prior to the International Climate Conference in December. It has already been done over there. It is

going to get very active here in a matter of just a few days.

POLITICO had an article a week ago that reported that the administration has asked the DC Circuit to postpone decisions until after December 23. What does that tell you? It tells you that they don't want to go over to the International Climate Conference for the big show and then walk in and find out that nothing is going to happen over here in this country and where the people are in terms of this issue.

The Agency's lack of legal authority is not the only reason for bipartisan opposition to the administration's carbon regulations. The President's power plan alone would cost \$292 billion, resulting in double-digit electricity price increases in 46 States. That is conservative. We have documentation from MIT and from many of the organizations saying that the cost of this type of cap and trade is somewhere in the range of between \$300 billion and \$400 billion a year.

The Presiding Officer and I are very concerned about the State of Oklahoma. In the State of Oklahoma, every time I hear a figure that talks about trillions or billions of dollars, I find out how many families in my State of Oklahoma paid Federal income tax, and I do the math. This would cost somewhere around \$3,000 a family—an average family in Oklahoma. You couple that with the fact that nothing is happening only here. If you believed in all the dangers that you hear about with CO₂ emissions, if you really believe that to be true, that would not be true in terms of what we are talking about now. The first Administrator of the EPA who was supported by President Obama when asked the question if we were to pass this regulation or pass the legislation on cap and trade, would this have the effect of reducing CO₂ emissions worldwide, said no, it wouldn't because it would only affect the United States of America. If that is the case, then it is not going to affect the other countries.

In fact, you can carry it one step further. If we have very tight restrictions in this country where our manufacturing base is forced to go to other countries, and then there are countries that don't have any emission requirements at all, it has the effect of increasing, not decreasing, the emissions.

We had a hearing in the Environment and Public Works Committee, which I chair, and we had as one of the witnesses Harry Alford. Harry Alford is the President of the National Black Chamber of Commerce. He talked about how any type of a cap-and-trade scheme is unfair to very poor people. He estimated that the Obama power plan would result in an estimated job loss of nearly 200,000 jobs for Black Americans and more than 300,000 jobs for Hispanics. The increased energy cost undermines global competitiveness for American small business and

energy-intensive industries. These companies will ultimately shut down here at home where the electricity bill becomes unaffordable and create jobs instead for our competitors, such as China.

I can remember talking to China at the various meetings such as the International Climate Conference meeting that is coming up at the end of next month. They are hoping that something will happen where we are going to restrict our manufacturing base because they are the beneficiaries of that.

The EPA has consistently acknowledged this. The former Administrator, Lisa Jackson, says that U.S. action alone is not going to have any reduction. Her job didn't last too long after she made that statement.

The current Administrator, Gina McCarthy, testified that the President's power plan is not about pollution control but rather about sending a signal to the rest of the world that the United States is serious about addressing global warming. The minuscule benefits that might come would be hardly measurable to this country.

Lastly, I would like to mention something that people don't talk about very often, and that is, there is something good about the process that we have available to us, the CRA—the Congressional Review Act. There are a lot of people who are of liberal nature, and they like overregulation. They don't mind it a bit. I am talking about Senators and House Members now. They go back to their States, and they get hit by all the business communities that say: We can't compete because of the overregulation of EPA. The response is always this: Well, I have nothing to do with that; the unelected bureaucrats are doing that.

That is not true. You need to carry this message back with you. The CRA is there so that a person cannot tell the people at home that he is opposed to regulations that he is really supporting, because what is going to happen tonight—I can tell you right now—is that both of them are going to pass. But they are not going to pass them by a two-thirds margin. That means that they will go to the House, and they will pass them. They will go to the President's desk, and he will veto them. Therefore, it is going to take two-thirds to override a veto. They will come back for a vote. Those individuals who always rejoice in not having to vote and getting on record are going to have to vote on them. That is a neat deal. It is going to happen. You are here in on it right now.

That reminds me a little bit about Copenhagen, back in 2009. I remember so well that they were all going over there. That was back when the Democrats controlled the House, the Senate, and the White House. They made it a real issue. They put on quite a show

over there. President Obama went over. PELOSI went over. John Kerry went over. They all talked about the 192 nations that were there and how we were going to pass cap and trade as legislation. This is 2009. I went over at the very last conference and told them they were telling the truth. We are not going to pass it. In fact, there weren't 30 votes in the Senate that would pass it at that time. Of course, that is what ended up being the case.

There is a real setback that happened 6 days ago. You may have noticed that Secretary of State Kerry made the public statement that nothing would be binding on the United States that came out of the International Climate Conference. Immediately, the President of France and all the others were outraged, saying that he must have been confused. They used the word “confused.”

Right now the big fight that is going on is not Republican or conservatives and liberals. It is between those participants who are all for restrictions on emissions. That is what is going on now. I think the vote this afternoon is going to be a very important one. I can assure you that anyone who wants to vote against this can go ahead and do it. But keep in mind that this is going to pass. It is going to be vetoed by the President. It is going to come back for a veto override. Everyone is going to be on record. Here it is. These are the States that are currently anticipating the process of putting together legal action to stop this outcome. It is a very important vote this afternoon.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. AYOTTE). Without objection, it is so ordered.

TERRORIST ATTACKS AGAINST FRANCE AND SYRIAN REFUGEES

Mr. THUNE. Madam President, I wish to begin by echoing the condolences shared by millions around the world regarding last week's attacks in Paris. Our thoughts and prayers go out to the families and loved ones of those who died. As a nation, we remain committed to supporting and defending the people of France in whatever way we can.

The attacks in Paris last week remind us again of the dangerous world in which we live. Although Paris has become the focus of attention, the day before the attacks in France, two ISIS suicide bombers in Beirut blew themselves up, killing 40 people in a bustling urban area. Our thoughts and prayers go out to the people in Beirut and to all those who have suffered loss

at the hands of this horrific terrorist organization.

ISIS remains one of the most brutal and indiscriminate terrorist organizations in recent history. Its campaign of violence is not limited to a specific region, nationality or religion. As the events in Paris have shown us, the threat posed by ISIS reaches well beyond the borders of Iraq and Syria. If it can, ISIS will spread its campaign of violence to innocent people all over the world.

The United States, as a champion of freedom and democracy, has a duty to stand up against ISIS's brand of radical Islam and stomp it out wherever it exists. ISIS represents a clear and present danger to the American people and our allies and it must be stopped.

President Obama, when asked about ISIS the day before the Paris attacks, made the following statement. He said:

I don't think they're gaining strength. . . . From the start our goal has been first to contain, and we have contained them.

“We have contained them.” Those were his words. Unfortunately, ISIS does not appear to be contained. My colleague from California, the ranking member of the Intelligence Committee, responded this week by saying:

I've never been more concerned. I read the intelligence faithfully. ISIL is not contained. ISIL is expanding.

Yet yesterday President Obama, unbelievably, doubled down on this failing strategy by stating: “We have the right strategy and we're going to see it through. . . .” And when referring to the Paris attacks, he called them a “setback.” Based on the number of casualties and population of France, this attack was the equivalent of a 9/11. I would hardly call such an attack a mere “setback.” When it comes to the U.S. strategy against ISIS, one thing is clear: ISIS cannot simply be contained. ISIS must be defeated.

From what we have learned so far, most of the terrorists involved in last week's Paris attack were individuals who already resided in France and Belgium. That means these are individuals who became radicalized at home, received training or support from ISIS, and in some cases traveled to Iraq or Syria for training and then returned to France to carry out these attacks. Since ISIS first occupied territory in Iraq and Syria and began recruiting foreign fighters, the possibility of these combatants returning home has been a concern to the United States and to our allies, and this attack in Paris demonstrates the validity of that concern. As a nation we must remain vigilant in defending our homeland against this type of attack by radicalized individuals holding U.S. or European passports.

I also wish to speak for a moment about the Syrian refugee crisis because it ties into everything that has happened in that region of the world. As

we are all aware, the regime of Bashar al-Assad is responsible for the civil war in Syria that allowed ISIS to gain a foothold and to expand. Assad used chemical weapons on his own people and hundreds of thousands of lives have been lost as a result of the conflict he created. It is completely understandable that the peace-loving people of that country want out.

Just this week, several of my colleagues sent a letter to President Obama expressing concerns about the possibility of ISIS infiltrating the Syrian refugee population and asking what is being done to thoroughly vet these refugees. Over half the Governors in this Nation have stated they don't want Syrian refugees resettled in their States. I share their concerns. The United States should not accept Syrian refugees as long as there is a threat posed by ISIS. If we cannot be 100 percent certain that additional refugees from Syria do not put Americans at risk, the President's plan to accept up to 10,000 additional refugees this year should be rejected. If the President tries to act unilaterally, Congress should cut off funding to prevent the President from taking any action that would put the American people at risk.

If we are going to be serious about solving the Syrian refugee crisis, the answer is not deciding which countries are accepting how many refugees, the answer is to defeat ISIS and remove Bashar al-Assad from power so the peace-loving people of Syria can return home.

On that point, I want to speak about a realistic strategy for defeating ISIS. So far the United States has relied almost entirely on airstrikes. Prior to the attacks in Paris, France was already the coalition partner conducting the second greatest number of airstrikes against ISIS. Those airstrikes have been ramped up in recent days, but this is not a fundamental shift in our strategy. Airstrikes are important, but ultimately they cannot be a solution in and of themselves.

It was President Obama's politically motivated decision to withdraw troops from Iraq that ultimately led to ISIS expanding into Iraq to begin with. President Obama stated yesterday that boots on the ground would be a mistake, but it was his decision to withdraw U.S. troops that is partially responsible for creating this problem, and now we are at a point where retaking territory from ISIS will require ground forces. There is no way around it. If President Obama is going to be realistic about defeating ISIS, he needs to form a coalition capable of taking the war to ISIS on the ground. That does not require the United States committing ground troops, but it does require the United States leading by example and forming a coalition capable of fighting both in the air and on the ground. The President needs to

stop talking about containment and start acting on a strategy that will root out and defeat ISIS wherever it can be found.

I thank the Presiding Officer and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Madam President, I ask to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Madam President, I have the honor of being the ranking Democrat on the Senate Foreign Relations Committee, and earlier today I had a chance to be with the other Members of the Senate and the Ambassador from France to express our solidarity, our condolences about those who lost their lives in the attack last Friday night, and to express America's resolve to work with our French partners to root out ISIL.

Let it be clear, our policy is to degrade, defeat, and destroy ISIL wherever it may be, any place in the world. We will retake the properties and lands they currently control, and we will destroy their operation. That is our commitment, and that is what we must do. We will protect U.S. citizens, our homeland. That is one of our most solemn responsibilities. We will do that by having the strongest possible security screening measures for those who enter our country. We will do that by enhancing our intelligence-gathering capacity not only here in the United States because we have taken major steps since the attack on our country on September 11, but we need a seamless system with our allies in Europe and our global partners to share timely information so we can track those who want to do harm to us and so we can apprehend foreign-trained fighters who have joined the terrorists and then go back to Europe or try to enter the United States. We need to know where they are, apprehend them, and get them out of our community.

Let me mention a couple of issues that have come to light just recently; that is, our policies with regard to refugees. I want to make it clear that we have to have the most stringent security screening, so that when we are settling refugees, we don't allow anyone with any association to terrorist organizations to be able to enter the United States.

I also think it is important that we understand the current procedures and processes that are in place and how it differs dramatically from Europe. In Europe, they literally have millions of refugees who are fleeing Syria and who

get into Europe. They usually get in at a border country to the Middle East, over water, and then of course enter Europe and can travel throughout that continent. There is virtually no screening.

In the United States, before we will resettle a refugee under the auspices of the United Nations, there is a requirement for an in-person interview, biographic checks, interagency checks, biometric screening, including fingerprinting, initial case review by the Department of Homeland Security before an in-person interview, and it goes on and on and on.

My constituents and the Presiding Officer's constituents want to make sure that those security screenings are strong enough to make sure terrorists can't get into the United States, and we have a responsibility to make sure that in fact is the case, but I also point out that millions travel to the United States freely through our borders because it is a small world and people travel. They travel here for vacation, and they travel here for family. We have relationships with many countries, a program known as the Visa Waiver Program, where individuals can travel to the United States without obtaining a visa. It is interesting that if a person has a French passport, they can enter the United States without a visa. So we need to make sure that anyone who attempts to come to America, we know that; that if they are dangerous, we have that information, and as a result we can prevent them from entering our country.

I say all of this because I hope that what happened in France will energize us in unity to carry out our most important responsibility, which is to keep America safe and keep Americans safe. We need to do everything we can, whether it is going after terrorists or protecting our homeland, to make sure Americans are kept safe.

Madam President, shortly we will be voting on the Congressional Review Act, the regulatory review act which will allow us to vote on two regulations on the Clean Power Plan rules that have been promulgated by the administration. I urge my colleagues to reject these resolutions that would prevent these regulations from going forward. In other words, I urge my colleagues to allow these regulations to go forward that deal with the Clean Power Plan rules.

There are four reasons I say that. First and foremost is the public health reason. We have a responsibility for the public health of the people of this Nation, and clean air is critically important. The number of children who suffer from asthma will go up dramatically if we don't clean up our air. Premature deaths will go up. There is a direct cost to our public health as a result of ignoring what we can do for cleaner air in America.

Clean air has an effect on our economy. When a parent can't go to work because they have a child suffering from asthma because the air is not clean to breathe, that is a day lost from work. It affects our economy. We also know that if we rely more on clean energy and renewable energy sources, that is stronger for economic growth. It creates more jobs. So for the sake not just of our health but for the sake of our economy, it is important that we take the appropriate steps to make sure we have clean air.

Yes, there is also the issue of our environment. Climate change is real. We should follow the recommendations of the experts, not necessarily the politicians. The experts tell us that our activities on Earth are affecting the rate of change in climate, that they affect the stability of the world in which we live, and that we can do something about it for a more positive outcome.

The extreme weather conditions that we have seen all too often—I could talk about what has happened in my own State of Maryland and the impact it has had on the Chesapeake Bay. We know that. Scientists are telling us that. It is because the carbon emissions are accelerating as a result of our activities on Earth. Scientists say we can do something about it. Scientists have told us we can do better in the way we generate power in reducing carbon emissions. That is not a heavy lift; it is something we can do.

Shortly, the world will meet in Paris to come together, I hope, on a way that we can join, as an international global community, in a strategy to reduce our carbon emissions. The United States must exercise leadership. President Obama has done part of that leadership by the promulgation of these power plan rules.

Lastly, this is a matter of national security. We know that we have a limited amount of fossil fuels. We know that. We also know that renewable energy sources are becoming more energy independent, and that is smart for our national security concerns.

So for all of those reasons, I urge my colleagues to reject the resolution that would prevent these regulations from going forward.

I just want to give by way of example what is happening in my own State of Maryland. Maryland is well underway in complying with these rules. We are there. We will be there. We have shown that we can make these types of investments, and by the way, we would create more jobs in doing this. Creating clean power generation will help our economy. As I said earlier, it helped Maryland's economy. So we have been able to move forward in aggressive steps for clean energy production. But Marylanders breathe air that is polluted by the generation of power in other States. We need a national policy. It can't be done just by a State.

We need a national policy, and that is what these clean power rules do.

I urge my colleagues to follow the best science. Allow America to continue to be the world leader. Do what is right for the public health, for our economy, for our environment, for our future, and reject these efforts that would block these rules.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I rise to speak in opposition to the Environmental Protection Agency's new rules on carbon dioxide, which I believe need to be rescinded.

On August 3, 2015, the EPA released its so-called Clean Power Plan. This final plan will impose a 32-percent reduction nationwide in CO₂ emissions in the existing electric power sector compared with 2005 levels. This is an increase from a 30-percent reduction outlined in last year's proposed rule.

North Dakota's mandated reductions, however, far exceed those levels. The EPA originally proposed an 11-percent reduction, but then in the final rule that went from 11 percent to a 45-percent reduction. Let me repeat that. For our State, the EPA put out a proposed rule and said North Dakota has to reduce by 11 percent. Then, without re-issuing a new proposed rule or anything else, EPA said in the final rule, no, it is not an 11-percent reduction in the State of North Dakota, it is a 45-percent reduction. Not only does that create real problems in real terms as far as our industry addressing that level of reduction, but I think it raises real questions as to whether EPA followed the law and regulation in promulgating the rule.

It is critical to communicate the impacts this rule will have on our State and across the country, especially in our electricity generation and mining sectors. People need to know that thousands of workers' families and communities across the country will be negatively impacted by this rule.

On September 30, 2015, I hosted a meeting with North Dakota's coal industry and regulators to meet with Janet McCabe, the EPA Assistant Administrator in charge of issuing the new carbon dioxide rule. We directly communicated our State's opposition to the rule. We also called on the EPA to provide greater flexibility by recognizing the investments and advances made by industry in reducing CO₂ levels and North Dakota's unique coal and geographic resources.

As a result of the meeting, EPA officials agreed to provide flexibility for the State to submit its State implementation plan, its SIP. Essentially, instead of requiring a plan in 1 year, we will be able to provide a draft plan in 1 year, with 3 years to submit the final SIP. We also received a commitment from the EPA to send technical staff to

North Dakota so that the Agency can hear firsthand from North Dakota regulators and officials about the challenges in complying with the Agency's mandate.

Also, here in the Senate, I am working with colleagues on several legislative efforts to halt and repeal this rule. As a member of the Senate Appropriations Committee, I worked to include language in the fiscal year 2016 interior and environmental funding bill to block the EPA from implementing this rule. We are working to include this priority in the fiscal year 2016 Omnibus appropriations bill that Congress will take up in the coming weeks.

I have also joined with Senator CAPITO of West Virginia to introduce a bipartisan bill, the Affordable Reliable Energy Now Act, or the ARENA Act. This legislation would empower State Governors to protect ratepayers from increases and ensure the reliability of the electric grid. At the same time, it would prevent the EPA from mandating unproven technology or withholding highway funds from States not in compliance with the rule.

Further, I am cosponsoring the resolutions of disapproval under the Congressional Review Act to repeal the new EPA regulation which we are considering on the Senate floor right now and which we will be voting on in a little more than half an hour. The Congressional Review Act, or CRA, authorizes Congress, by a majority vote, to repeal actions by a Federal agency after they are formally published and submitted to Congress.

In North Dakota, we have successfully adopted an "all of the above" approach to energy development, and we have demonstrated that we can utilize our natural resources to do it with better environmental stewardship. EPA's new rules on carbon dioxide neither reflect our State-led approach nor accounts for the significant investment our industry and workers have already made to improve the way electricity is generated in our State, and that is true across the country.

I encourage my colleagues to vote for Senator CAPITO's CRA which disapproves the EPA's carbon rule for existing electric utility sources, as well as Leader MCCONNELL's CRA to disapprove the EPA's rule for new sources.

We can produce more energy with better environmental stewardship, but the way to do it is not by shutting down powerplants and destroying jobs as well as raising costs on hard-working families and small businesses. Instead, we need to create a business environment that will attract more investments so that the industry can develop and deploy new technologies that help us produce more energy more dependably and more cost-effectively while at the same time promote better environmental stewardship. That is the

right way to do it. That is the way we are doing it in North Dakota.

Thank you, Madam President.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, I rise today to speak about this battle and regulatory war being waged by the Environmental Protection Agency.

Just 2 weeks ago, the Senate considered two measures aimed at rolling back ill-thought-out rules by the EPA—the waters of the United States rule. The body did the right thing in stating our bipartisan resolve against the rule.

Unfortunately, here we are again, another week, another proposed rule to massively expand the EPA's power, and another attempt by this administration to stomp out America's coal industry. That is exactly what the Clean Power Plan is—a miscalculated regulation aimed at keeping coal in the ground at any cost.

This latest travesty of a rule, known as the Clean Power Plan, requires States to develop and implement plans to reduce carbon emissions between 2022 and 2030 in order to accomplish interim and final emission goals established by the EPA. Let me clarify that. This is actually not one rule but three separate rules which, taken together, would be more aptly named the "No Power Plan." The Clean Power Plan includes a final rule to revise carbon pollution standards for new, modified, and reconstructed power plants; a final rule to revise carbon pollution standards for existing power plants; and thirdly, a Federal plan for enactment and enforcement of the other two rules. Simple, right? No.

Under the guise of flexibility and cooperation, the CPP requires States to choose between two types of plans, described by the EPA as an "emission standards" approach or a "state measures" approach. Some States, such as my home State of Wyoming, will have some terrible choices to make under the CPP. Under the final rule, by the year 2030, Wyoming's carbon emissions will have to be 44 percent lower than in 2005, which is the baseline year the EPA uses for the plan. That is more than double the 19-percent reduction the EPA imposed upon Wyoming in the proposed rule, which was released about 18 months ago, in June of 2014.

As Wyoming's Governor Matt Mead said recently when my home State joined 23 others in suing the EPA to strike down the rule, "The fact that the agency more than doubled the damage to Wyoming in the final rule shows arbitrary and capricious action."

Not only that, this plan puts the onus on the States to figure out how they are going to do it, and that is so the EPA can avoid a cost-benefit analysis that they are required to do. But not if they force the States to do it!

But, of course, if the States don't do it, then the EPA will have to do it, which means the agency should have done a cost-benefit analysis to begin with. But the EPA doesn't have a very good track record on cost-benefit analyses.

One of the regulations, the mercury air toxins rule, is going to provide about \$500 million in benefits over a 10-year period. It is hard to determine what those benefits are or how the EPA did the calculations. None of it is transparent. But the compliance cost for that \$500 million in benefits is up to \$43 billion a year. Couldn't we incentivize somebody to come up with a better system for a whole lot less than \$43 billion a year, to save \$500 million over 10 years? That is another example of an arbitrary and capricious action.

So how does Wyoming wind up with such a huge burden under the Clean Power Plan? Because the Clean Power Plan supposes it will achieve carbon emission reductions from electricity generating units that burn fossil fuels—coal, oil, and natural gas. States that produce these fuels are the hardest hit. Wyoming is the largest coal-producing State in the Nation. Wyoming produces 40 percent of the Nation's coal, and coal represents almost 40 percent of the electricity generated in this country. It is abundant, affordable, clean and, most important, it is stockpiled. If the power plants that produce energy from fossil fuels like coal are forced to shutter their doors to make dramatic structural changes, it will have tangible negative impacts on fossil fuel consumers. If that doesn't alarm you, it should, because according to the National Mining Association, every person in America uses 20 pounds of coal a day.

Of course, when we are talking about CO₂, we are also breathing CO₂, and plants need CO₂. There is an interesting invention in Wyoming. A guy figured out how to grow plants vertically, and Whole Foods has some of his mechanisms to be able to do that, and you can actually cut your own vegetables while you are in the store. I asked him why he isn't doing greenhouses with this. He said: Not enough CO₂. Yes, plants rely on CO₂ to live. I suggested that he locate near a power plant, where they can absorb the CO₂ and use the waste heat from any power plants and help feed America at the same time. We need to be more innovative in what we are doing instead of just trying to put businesses out of business because we don't like the business.

As I said, under the Clean Power Plan, Wyoming will have to reduce its carbon emissions by 44 percent. That isn't just a problem for Wyoming or the 27,000 people employed in the coal industry and the ripple effect it has on people who work with the things that people in the coal industry use. If you represent Illinois or Missouri, you

should be worried about CPP, too, because in 2013 each of those States received more than 10 percent of Wyoming's coal. Wisconsin, Kansas, Arkansas, and Michigan each got 5 percent of Wyoming's coal. Wyoming's coal was distributed to Georgia, Alabama, Colorado, Louisiana, Minnesota, and Arizona. If I didn't list your State, don't think this issue doesn't affect you. More than a dozen other States and foreign entities got smaller amounts of Wyoming coal in 2013.

According to the National Mining Association, which commissioned the report on the Clean Power Plan after it was released, the plan would cost \$366 billion and bring double-digit electric rate increases to 43 States. That is more than a 10-percent increase to 43 States. All this because of the administration's vendetta against coal and power plants that burn it and provide energy.

Just this week the EPA held a hearing in Denver and received public comments on the proposed Federal plan to implement the Clean Power Plan. That is right. Even though 26 States are suing the EPA to block the plan's implementation, the Agency is going ahead with a rule to implement it. At that hearing, Mickey Shober, a county commissioner from Campbell County, WY, also known as the energy capital of the Nation, had a chance to speak. Campbell County has 11 surface mines that produce over 340 million tons of coal every year, the majority of which is delivered by train to about 30 States across the country for electricity generation. All in all, Campbell County coal provides about one-quarter of the Nation's electricity every year. That is one county. So when a Campbell County commissioner gets up to talk about power generation, everyone should pay attention.

As Commissioner Shober pointed out, the coal industry has historically stepped up and dealt with every new regulation and challenge the Federal Government has thrown at it, but the new technology and innovation—the type that will have to be utilized, if there is any way for new and existing power plants to comply with this rule—takes time and takes money. As the commissioner said, America's energy industry always rises to the challenge, but the EPA isn't fighting fair this time. This rule needs to be scrapped in its current form, and that is exactly what these joint resolutions of disapproval will do.

Congress has provided billions of dollars in incentives for solar and wind energy. Wyoming produces a lot of solar and wind—primarily solar, because Denver is the Mile High City and you have to go uphill to get to Wyoming. There are high plateaus across the southern part of the State. The first wind turbines that went in Wyoming had to be redesigned because the wind

blew so hard that it blew the rotors off. At 80 miles an hour, the rotors on wind turbines will not stand up. They will generate a tremendous amount of power. Most of that power goes out of State, and other States use it but claim offsets from their wind power because it doesn't carry any of these bad connotations from the EPA. Wyoming has to claim all of carbon emissions from the coal and the coal-fired power plants, though most of the electricity produced is sent out of State. So Wyoming gets no credit for the energy it provides, but we get all the disadvantages associated with providing energy.

General Electric wanted to build a test facility in Wyoming to figure out better ways to burn coal. They went through all the permitting process to the point of building it. Then they said: Wait a minute. Under this President, who is trying to get rid of coal, who would we sell our product to? So they postponed the project.

I have spoken of why this rule is bad for my home State of Wyoming and why it is bad for any State that consumes fossil fuels, but I would be remiss if I didn't address the reasons the Clean Power Plan is bad for the United States. At the end of this month, the President is going to send his team of environmental experts and negotiators to the U.N. Climate Summit in Paris. That summit aims to map out a global accord to limit greenhouse gas emissions. The emissions goals described in CPP, which have been rejected by industry and rejected by almost half the States, are at the heart of this administration's plan to contribute to the overall global emissions reduction. To make commitments to our allies based on the plan which doesn't have the support of the American public is nothing short of irresponsible and disingenuous. We are living in a dangerous, complicated, frightening world—a world that forces our Nation to rely daily on its friends for priceless assets, such as shared intelligence and safe havens at which to strategically position our military troops around the globe. The very least America can give our allied partners in return is our candor.

Incidentally, I heard the comments about the growing cases of asthma. There has been a reduction in the amount of CO₂, so why would these coal-fired power plants be elevating that health problem? One problem that we have out West is called regional haze here, but we call it smoke from forest fires. This summer we had tremendous smoke from forest fires and it wasn't just smoke, it was ash as well. There hasn't been a power plant putting out ash in decades, but when we don't do the proper stewardship of our forests, we let them burn. If we allowed some of that to be cut into boards for houses, it could reduce the cost of housing, and the CO₂ would be trapped forever, not burned up and released into the air and blamed on coal.

I am hoping my colleagues will come together today to show our constituents where we and the world stand on the Clean Power Plan.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. I yield back our remaining time.

The PRESIDING OFFICER. All time is yielded back.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall it pass?

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted "yea."

The PRESIDING OFFICER (Mr. GARDNER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 46, as follows:

[Rollcall Vote No. 306 Leg.]

YEAS—52

Alexander	Fischer	Paul
Barrasso	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heitkamp	Rounds
Cassidy	Heller	Sasse
Coats	Hoeven	Scott
Cochran	Inhofe	Sessions
Corker	Isakson	Shelby
Cornyn	Johnson	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	Manchin	Toomey
Daines	McCain	Vitter
Donnelly	McConnell	Wicker
Enzi	Moran	
Ernst	Murkowski	

NAYS—46

Ayotte	Feinstein	Mikulski
Baldwin	Franken	Murphy
Bennet	Gillibrand	Murray
Blumenthal	Heinrich	Nelson
Booker	Hirono	Peters
Boxer	Kaine	Reed
Brown	King	Reid
Cantwell	Kirk	Sanders
Cardin	Klobuchar	Schatz
Carper	Leahy	Schumer
Casey	Markey	Shaheen
Collins	McCaskill	Stabenow
Coons	Menendez	
Durbin	Merkley	

Tester	Warner	Whitehouse
Udall	Warren	Wyden

NOT VOTING—2

Graham	Rubio
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The joint resolution (S.J. Res. 24) was passed, as follows:

S.J. RES. 24

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Environmental Protection Agency relating to "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units" (published at 80 Fed. Reg. 64662 (October 23, 2015)), and such rule shall have no force or effect.

The PRESIDING OFFICER. The majority leader.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY

Mr. MCCONNELL. Mr. President, I move to proceed to S.J. Res. 23.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 293, S.J. Res. 23, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units."

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the joint resolution.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 23) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units."

The PRESIDING OFFICER. Under the previous order, all time is yielded back.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall it pass?

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 46, as follows:

[Rollcall Vote No. 307 Leg.]

YEAS—52

Alexander	Fischer	Paul
Barrasso	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heitkamp	Rounds
Cassidy	Heller	Sasse
Coats	Hoeben	Scott
Cochran	Inhofe	Sessions
Corker	Isakson	Shelby
Cornyn	Johnson	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	Manchin	Toomey
Daines	McCain	Vitter
Donnelly	McConnell	Wicker
Enzi	Moran	
Ernst	Murkowski	

NAYS—46

Ayotte	Gillibrand	Peters
Baldwin	Heinrich	Reed
Bennet	Hirono	Reid
Blumenthal	Kaine	Sanders
Booker	King	Schatz
Boxer	Kirk	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Leahy	Stabenow
Cardin	Markey	Tester
Carper	McCaskill	Udall
Casey	Menendez	Warner
Collins	Merkley	Warren
Coons	Mikulski	Whitehouse
Durbin	Murphy	Wyden
Feinstein	Murray	
Franken	Nelson	

NOT VOTING—2

Graham Rubio

The joint resolution (S.J. Res. 23) was passed, as follows:

S.J. RES. 23

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Environmental Protection Agency relating to "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units" (published at 80 Fed. Reg. 64510 (October 23, 2015)), and such rule shall have no force or effect.

MORNING BUSINESS

TRIBUTE TO GEORGE J. KATIS

• Ms. AYOTTE. Mr. President, today I wish to recognize and honor George J. Katis, an exceptional community leader and businessman in New Hampshire.

George Katis cares deeply about the well-being of children in New Hampshire, and he has an exemplary record of advocacy on their behalf, especially through his leadership with the Nashua Goes Back to School program. This initiative helps provide free backpacks stocked with school supplies to Nashua's neediest schoolchildren. Since helping found the program in Nashua,

George also helped start Manchester Goes Back to School, which serves more than 4,000 Manchester kids and their families each year.

George has generously devoted his time and energy to programs that build homes for wounded warriors, and he is also a strong supporter of athletics in our local communities. A baseball connoisseur, he has served on the board of directors of the Ted Williams Museum and Foundation since 2003. George started and continues to fund several Ted Williams Museum Scholarships, including the Johnny Pesky Scholarship, the Ben Topkin Scholarship, and the Ted Williams Scholarship for deserving students. George serves on the Granite State Baseball Dinner committee, which has raised more than \$1.28 million since 2007 for several charitable organizations—including the Children's Hospital at Dartmouth-Hitchcock, the Ted Williams Museum, and the Fisher Cats Foundation.

In addition to his dedication to philanthropic efforts, George is a leader in New Hampshire's business community and has helped support the region's economy and provide good-paying jobs. As a dedicated and engaged citizen, George has made tremendous contributions to our State, and I am pleased to recognize his tireless efforts to make a positive difference in the lives of children in New Hampshire. •

RECOGNIZING THE VETERANS AT ARKANSAS HOSPICE AT CHI ST. VINCENT HOSPITAL

• Mr. COTTON. Mr. President, I hereby recognize the military veterans currently residing at the Arkansas Hospice at CHI St. Vincent Hospital in Little Rock, AR, as well as the caregivers, staff, and volunteers at CHI St. Vincent who also served their country in uniform, and their families who have made their own sacrifices in support of our troops.

These men and women put their lives on the line in defense of our freedom and our values. They have kept America safe. They have defended our Constitution and our freedom. They have saved lives. They have gone abroad and waged war not to conquer, loot, and pillage, but to liberate and to secure "a just, and a lasting peace" with our fellow man, in the words of the President who commanded over our most awful war.

Our veterans served their country with courage, pride, and distinction. We owe them a debt of gratitude that we can never fully repay. Now, as many of the veterans at CHI St. Vincent are approaching their final moments of life, let us honor them and the cause for which they fought. •

RECOGNIZING THE 341ST MISSILE WING

• Mr. DAINES. Mr. President, today I wish to pay tribute to the men and women of the 341st Missile Wing at Malmstrom Air Force Base in Montana who proudly defend our Nation by ensuring safe, secure, and effective nuclear forces and combat ready airmen. They are the best of the best.

During the fifth Global Strike Challenge, the 341st Missile Wing "brought home" the coveted Blanchard trophy for Best Intercontinental Ballistic Missile, ICBM, Wing in the Air Force.

Additionally, the members of the wing earned the following awards during the competitions: Best Security Forces M240 Crew; Best Helicopter Search and Rescue Team; Best ICBM Missile Handling Team; Best Missile Communication Maintenance Team; Best Facilities Maintenance Team; Best Missile Munitions Team Trophy, Blackburn Trophy, Best ICBM Maintenance; Klotz Trophy, Best ICBM and Helicopter Operations; Neary Trophy Best Emergency War Order Crew; and Innovation Trophy.

The citizens of Montana and this Nation are proud of the great warriors stationed in Great Falls at the 341st Missile Wing who daily ensure our country and our allies are safe from nuclear attack. •

RECOGNIZING WASHINGTON ELEMENTARY SCHOOL

• Ms. HEITKAMP. Mr. President, I want to congratulate the students, faculty, and parents of Washington Elementary School, located in Valley City, ND, on being awarded the 2015 National Blue Ribbon School Award.

Founded in 1982, the National Blue Ribbon Schools Program recognizes public and private elementary, middle, and high schools where students perform at very high levels or where significant improvements are being made in students' academic achievement. A National Blue Ribbon Schools flag overhead has become a mark of excellence in education recognized by everyone from parents to policymakers in thousands of communities. Since the program's founding, the U.S. Department of Education has bestowed this coveted award to just over 7,500 of America's best schools.

Washington Elementary School serves nearly 265 students in grades 4 through 6 and was the only school in North Dakota to receive the honor of exemplary high-performing school in 2015. Receiving recognition as a National Blue Ribbon School signifies the hard work and dedication of the educators, students, and parents involved, and I have no doubt its students are on a path to success. At Washington Elementary, every staff member understands that every student, regardless of background, is important and deserving of the best. To support its students,

the school provides access to a reading program that has been vital in ensuring targeted assistance for those students who require additional support. Through this program and others, the school continues to excel and surpass necessary benchmarks.

As school leadership states, “The success of Washington Elementary cannot be attributed to one person, program, or initiative. Rather it is the collective effort of all the outstanding people involved—the students, staff, parents, and community members who continue to strive for excellence each and every day.” It is through this dedication that the school provides access to a reading pilot program that enhances reading and language skills, a math and science curriculum supplemented by STEM activities, and history courses that emphasize creativity and flexibility in teaching.

The Valley City Public Schools mission statement reads, “Together we are building a legacy of excellence, one student at a time.” This mission embodies all that Washington Elementary is working to accomplish by looking at the needs of each individual student as well as providing a safe and respectful learning environment that breeds success. I wish the very best to the community of Valley City and congratulations to all engaged at Washington Elementary for achieving this high honor. Thank you for your commitment to our children and leaders of tomorrow.●

REMEMBERING MELVIN HANCOCK

● Mr. MANCHIN. Mr. President, I wish to recognize with tremendous pride the life and legacy of a very dear friend and an extraordinary West Virginian, Roy Melvin Hancock. Melvin was an inspiration to so many because of his deep-rooted passion for the city of Beckley. It is a privilege to formally recognize the impact that Melvin had on southern West Virginia through his dedication and determination to building a stronger community.

There was truly no one who loved Beckley more than Melvin. Throughout his life, Melvin had a persistent calling to make Raleigh County a better place. His love of Beckley even earned him the title of “Mr. Beckley.”

It was through the YMCA of Southern West Virginia that Melvin launched his lifelong mission of community improvement. After graduating from Woodrow Wilson High School and Marshall University, Mel returned to Beckley in 1970 and started his remarkable 25-year career at the YMCA.

Melvin’s meaningful contributions and achievements during his career at the YMCA are truly immeasurable. As a leader at the YMCA, Melvin wanted to make sure that Beckley’s finest residents were recognized for their inspirational work in the community; therefore, he created the Spirit of Beckley

Award. For the past 29 years, this annual award has been given to those who strive to make Beckley a better place. This year, Melvin was posthumously honored with the award. There is truly no one more deserving.

Because of Melvin’s leadership and guidance, there are numerous YMCA programs that still exist today. Melvin understood that, in order to create a stronger community, it is critical to inspire our young ones. That is why he concentrated many of the Y’s programs on expanding opportunities for our kids. He grew the organization’s programs, camps, and tournaments in a variety of sports, and he established the Biddy-Buddy Basketball Tournament, the Annual Invitational Swim Meet, the YMCA Day Camps, and the YMCA Pre-School. He was also instrumental in the development of the Paul Cline Memorial Soccer Complex facility.

In addition to his efforts to promote Beckley’s youth, Melvin also was the organization’s lead fundraiser, establishing the annual international dinner, coordinating the membership drive, and raising the funds for the current YMCA facility that serves local families.

There is no doubt that the YMCA of Southern West Virginia would not be what it is today without the dream and devotion of Melvin Hancock. He went above and beyond in creating opportunities for Beckley residents through the YMCA and in reaching the goals he wanted to accomplish for the organization and for the area’s families and kids.

After ending a purposeful career at the YMCA, Melvin went on to lead the fundraising efforts at Mountain State University. There, he helped fulfill many university development projects, including the Robert C. Byrd Library, Carter Hall, the Max Lewin Bell Tower, the John W. Eye Conference Center, the gymnasium, and the dormitories. The university flourished under his direction.

Melvin continued his great work after leaving Mountain State University through fundraising efforts at Friends of Coal, the Fellowship of Christian Athletes, and Ronald Blue and Associates.

After his retirement, he continued to be an active member of the community by pushing for the renovation of the Bobby Pruett Stadium and through substitute teaching in Raleigh and Fayette County schools. He especially loved the little ones in pre-K, kindergarten, special education and physical education. The students loved “Mr. Mel.”

Melvin was dedicated to giving back to the Beckley community until his very final days. His last endeavor was a special project for the Women’s Resource Center to help those who have been victims of domestic abuse.

Melvin not only loved his community, but he was devoted to his family—his wife, children, and the many members of his extended family. He was active in his church, he loved history, he was passionate about antique automobiles, he enjoyed being outdoors, he was loyal to his alma maters, and, of course, he loved to dance.

It is such an honor to celebrate Melvin’s life and recognize his many accomplishments that have helped to shape the Beckley community. I will forever be grateful for Melvin’s unwavering leadership and for his countless years of service. Melvin’s memory will continue to serve as inspiration for me and so many others to dedicate ourselves to the betterment of our communities.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mrs. Neimann, one of his secretaries.

PRESIDENTIAL MESSAGE

2015 NATIONAL DRUG CONTROL STRATEGY—PM 32

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on the Judiciary:

To the Congress of the United States:

I am pleased to transmit the 2015 National Drug Control Strategy, my Administration’s 21st century approach to drug policy that works to reduce illicit drug use and its consequences in the United States. This evidence-based plan, which balances public health and public safety efforts to prevent, treat, and provide recovery from the disease of addiction, seeks to build a healthier, safer, and more prosperous country.

Since the release of my Administration’s inaugural National Drug Control Strategy in 2010, we have seen significant progress in addressing challenges we face along the entire spectrum of drug policy—including prevention, early intervention, treatment, recovery support, criminal justice reform, law enforcement, and international cooperation. However, we still face serious drug-related challenges. Illicit drug use is a public health issue that jeopardizes not only our well-being, but also the progress we have made in strengthening our economy—contributing to addiction, disease, lower student academic performance, crime, unemployment, and lost productivity.

Therefore, we continue to pursue a drug policy that is effective, compassionate, and just. We are working to erase the stigma of addiction, ensuring

treatment and a path to recovery for those with substance use disorders. We continue to research the health risks of drug use to encourage healthy behaviors, particularly among young people. We are reforming our criminal justice system, providing alternatives to incarceration for non-violent, substance-involved offenders, improving re-entry programs, and addressing unfair sentencing disparities. We continue to devote significant law enforcement resources to reduce the supply of drugs via sea, air, and land interdiction, and law enforcement operations and investigations. We also continue to partner with our international allies, helping them address transnational organized crime, while addressing substance use disorders and other public health issues.

I thank the Congress for its continued support of our efforts. I look forward to joining with them and all our local, State, tribal, national and international partners to advance this important undertaking.

BARACK OBAMA.
THE WHITE HOUSE, November 17, 2015.

MESSAGES FROM THE HOUSE

At 3:44 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 799. An act to address problems related to prenatal opioid use.

S. 2036. An act to suspend the current compensation packages for the chief executive officers of Fannie Mae and Freddie Mac, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1073. An act to amend the Homeland Security Act of 2002 to secure critical infrastructure against electromagnetic threats, and for other purposes.

H.R. 1317. An act to amend the Commodity Exchange Act and the Securities Exchange Act of 1934 to specify how clearing requirements apply to certain affiliate transactions, and for other purposes.

H.R. 1338. An act to require the Secretary of Veterans Affairs to conduct a study on matters relating to the burial of unclaimed remains of veterans in national cemeteries, and for other purposes.

H.R. 1384. An act to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law.

H.R. 1478. An act to provide for notice to, and input by, State insurance commissioners when requiring an insurance company to serve as a source of financial strength or when the Federal Deposit Insurance Corporation places a lien against an insurance company's assets, and for other purposes.

H.R. 2583. An act to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, and for other purposes.

H.R. 3032. An act to amend the Securities Exchange Act of 1934 to repeal a certain reporting requirement of the Securities and Exchange Commission.

H.R. 3144. An act to require consultation with the Aviation Security Advisory Committee regarding modifications to the prohibited item list, require a report on the Transportation Security Oversight Board, and for other purposes.

H.R. 3996. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 24. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of the marble bust of Vice President Richard Cheney on December 3, 2015.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 93. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 150th anniversary of the ratification of the 13th Amendment.

The message further announced that the House has passed the following bill, with amendment, in which it requests the concurrence of the Senate:

S. 599. An act to extend and expand the Medicaid emergency psychiatric demonstration project.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 639) to amend the Controlled Substances Act with respect to drug scheduling recommendations by the Secretary of Health and Human Services, and with respect to registration of manufacturers and distributors seeking to conduct clinical testing.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 2262) to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes.

The message also announced that the House has agreed to the amendments of the Senate to the bill (H.R. 208) to improve the disaster assistance programs of the Small Business Administration.

ENROLLED BILL SIGNED

At 4:22 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 1356. An act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1073. An act to amend the Homeland Security Act of 2002 to secure critical infrastructure against electromagnetic threats, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1317. An act to amend the Commodity Exchange Act and the Securities Exchange Act of 1934 to specify how clearing requirements apply to certain affiliate transactions, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 1338. An act to require the Secretary of Veterans Affairs to conduct a study on matters relating to the burial of unclaimed remains of veterans in national cemeteries, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1384. An act to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law; to the Committee on Veterans' Affairs.

H.R. 1478. An act to provide for notice to, and input by, State insurance commissioners when requiring an insurance company to serve as a source of financial strength or when the Federal Deposit Insurance Corporation places a lien against an insurance company's assets, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2583. An act to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 3032. An act to amend the Securities Exchange Act of 1934 to repeal a certain reporting requirement of the Securities and Exchange Commission; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3144. An act to require consultation with the Aviation Security Advisory Committee regarding modifications to the prohibited item list, require a report on the Transportation Security Oversight Board, and for other purposes; to the Committee on Commerce, Science, and Transportation.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2288. A bill to prohibit members and staff of the Federal Reserve System from lobbying for or against legislation, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, November 17, 2015, she had presented to the President of the United States the following enrolled bill:

S. 1356. An act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the

Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3510. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Tamarind seed gum, 2-hydroxypropyl ether polymer; Tolerance Exemption" (FRL No. 9936-25) received during adjournment of the Senate in the Office of the President of the Senate on November 13, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3511. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Amitraz, Carfentrazone-ethyl, Ethephon, Malathion, Mancozeb, et al.; Tolerance Actions" (FRL No. 9935-01) received in the Office of the President of the Senate on November 10, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3512. A communication from the Chairman, Farm Credit System Insurance Corporation, transmitting, pursuant to law, the Corporation's draft strategic plan for fiscal years 2016 through 2021; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3513. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Membership in a Registered Futures Association" (RIN3038-AE09) received in the Office of the President of the Senate on November 9, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3514. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the quarterly exception Selected Acquisition Reports (SARs) as of September 30, 2015 (OSS-2015-1808); to the Committee on Armed Services.

EC-3515. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report of a delay in submission of a report relative to Department of Defense 2015 purchases from foreign entities; to the Committee on Armed Services.

EC-3516. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency with respect to Iran that was declared in Executive Order 12170 on November 14, 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC-3517. A communication from the Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Section 108 Loan Guarantee Program: Payment of Fees to Cover Credit Subsidy Costs" (RIN2506-AC35) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3518. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-3519. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Yemen that was originally declared in Executive Order 13611 on May 16, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-3520. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Responsibilities of Boards of Directors, Corporate Practices and Corporate Governance Matters" (RIN2590-AA59) received during adjournment of the Senate in the Office of the President of the Senate on November 13, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3521. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Persons and Modifications of Certain Entries to the Entity List; and Removal of Certain Persons from the Entity List" (RIN0694-AG74) received during adjournment of the Senate in the Office of the President of the Senate on November 13, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3522. A communication from the President of the United States, transmitting, pursuant to law, an Executive Order that terminates the national emergency declared in Executive Order 13348 of July 22, 2004, and revokes Executive Order 13348, received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3523. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency declared in Executive Order 12938 with respect to the proliferation of weapons of mass destruction, received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-3524. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Standards for Business Practices of Interstate Natural Gas Pipelines; Coordination of the Scheduling Processes of Interstate Natural Gas Pipelines and Public Utilities" ((RIN1902-AF08) (Docket Nos. RM96-1-038 and RM14-2-003)) received in the Office of the President of the Senate on November 9, 2015; to the Committee on Energy and Natural Resources.

EC-3525. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Worker Safety and Health Program; Technical Amendments" (RIN1992-AA50) received in the Office of the President of the Senate on November 10, 2015; to the Committee on Energy and Natural Resources.

EC-3526. A communication from the Executive Director, the United States World War One Centennial Commission, transmitting, pursuant to law, a report relative to the

United States World War One Centennial Commission; to the Committee on Energy and Natural Resources.

EC-3527. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters" ((RIN2060-AS09) (FRL No. 9936-20-OAR)) received in the Office of the President of the Senate on November 10, 2015; to the Committee on Environment and Public Works.

EC-3528. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Modification of Significant New Uses of Certain Chemical Substances" ((RIN2070-AB27) (FRL No. 9935-43)) received in the Office of the President of the Senate on November 10, 2015; to the Committee on Environment and Public Works.

EC-3529. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Washington: Additional Regulations for the Benton Clean Air Agency Jurisdiction" (FRL No. 9936-97-Region 10) received in the Office of the President of the Senate on November 10, 2015; to the Committee on Environment and Public Works.

EC-3530. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of California Air Plan Revisions, Imperial County Air Pollution Control District" (FRL No. 9936-65-Region 9) received in the Office of the President of the Senate on November 10, 2015; to the Committee on Environment and Public Works.

EC-3531. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Air Plans; California; Multiple Districts; Prevention of Significant Deterioration" (FRL No. 9934-89-Region 9) received in the Office of the President of the Senate on November 10, 2015; to the Committee on Environment and Public Works.

EC-3532. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New Mexico; Nonattainment New Source Review Permitting State Implementation Plan Revisions for the City of Albuquerque-Bernalillo County" (FRL No. 9936-86-Region 6) received in the Office of the President of the Senate on November 10, 2015; to the Committee on Environment and Public Works.

EC-3533. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Arizona; Phased Discontinuation of State II Vapor Recovery Program" (FRL No. 9936-77-Region 9) received in the Office of the President of the Senate on November 10, 2015; to the Committee on Environment and Public Works.

EC-3534. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Allocations of Cross-State Air Pollution Rule Allowances from New Unit Set-

Asides for the 2015 Compliance Year” (FRL No. 9936-99-OAR) received in the Office of the President of the Senate on November 10, 2015; to the Committee on Environment and Public Works.

EC-3535. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Michigan; Sewer Sludge Incinerators State Plan and Small Municipal Waste Combustors Negative Declaration for Designated Facilities and Pollutants” (FRL No. 9936-96-Region 5) received in the Office of the President of the Senate on November 10, 2015; to the Committee on Environment and Public Works.

EC-3536. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Addition of 1-Bromopropane; Community Right-to-Know Toxic Chemical Release Reporting” ((RIN2025-AA41) (FRL No. 9937-12-OEI)) received during adjournment of the Senate in the Office of the President of the Senate on November 13, 2015; to the Committee on Environment and Public Works.

EC-3537. A communication from the Endangered Species Listing Branch Chief, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Threatened Species Status for Black Pinesnake With 4(d) Rule” (RIN1018-BA03) received during adjournment of the Senate in the Office of the President of the Senate on November 6, 2015; to the Committee on Environment and Public Works.

EC-3538. A communication from the Chief of the Branch of Recovery and State Grants, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Black-footed Ferrets in Wyoming” (RIN1018-BA42) received during adjournment of the Senate in the Office of the President of the Senate on November 6, 2015; to the Committee on Environment and Public Works.

EC-3539. A communication from the Endangered Species Listing Branch Chief, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Brickellia mosieri (Florida Brickell-bush) and Linum carteri var. carteri (Carter’s Small-flowered Flax)” (RIN1018-AZ64) received during adjournment of the Senate in the Office of the President of the Senate on November 6, 2015; to the Committee on Environment and Public Works.

EC-3540. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “Report to Congress on the Administration, Cost and Impact of Quality Improvement Organization (QIO) Program for Medicare Beneficiaries for Fiscal Year (FY) 2013”; to the Committee on Finance.

EC-3541. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled “Federal Awarding Agency Regulatory Implementation of Office of Management and Budget’s Uniform Administrative Requirements, Cost Principles, and Audit

Requirements for Federal Awards” (RIN0960-AH73) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Finance.

EC-3542. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; CY 2016 Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts” (RIN0938-AS36) received during adjournment of the Senate in the Office of the President of the Senate on November 13, 2015; to the Committee on Finance.

EC-3543. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; CY 2016 Premiums for the Uninsured Aged and for Certain Disabled Individuals Who Have Exhausted Other Entitlement” (RIN0938-AS37) received during adjournment of the Senate in the Office of the President of the Senate on November 13, 2015; to the Committee on Finance.

EC-3544. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; Medicare Part B Monthly Actuarial Rates, Premium Rate, and Annual Deductible Beginning January 1, 2016” (RIN0938-AS38) received during adjournment of the Senate in the Office of the President of the Senate on November 13, 2015; to the Committee on Finance.

EC-3545. A communication from the Chief of the Trade and Commercial Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Customs and Border Protection’s Bond Program” (RIN1515-AD56) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Finance.

EC-3546. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2015-1809); to the Committee on Foreign Relations.

EC-3547. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-018); to the Committee on Foreign Relations.

EC-3548. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-111); to the Committee on Foreign Relations.

EC-3549. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-089); to the Committee on Foreign Relations.

EC-3550. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-085); to the Committee on Foreign Relations.

EC-3551. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to loan guarantees to Israel; to the Committee on Foreign Relations.

EC-3552. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-053); to the Committee on Foreign Relations.

EC-3553. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-054); to the Committee on Foreign Relations.

EC-3554. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-063); to the Committee on Foreign Relations.

EC-3555. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-071); to the Committee on Foreign Relations.

EC-3556. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15-080); to the Committee on Foreign Relations.

EC-3557. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the Food and Drug Administration’s reports relative to the Fifth, Sixth, and Seventh Reviews of the Backlog of Postmarketing Requirements and Postmarketing Commitments; to the Committee on Health, Education, Labor, and Pensions.

EC-3558. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled “Final Rules under the Affordable Care Act for Grandfathered Plans, Pre-existing Condition Exclusions, Lifetime and Annual Limits, Rescissions, Dependent Coverage, Appeals, and Patient Protections” (RIN1210-AB72) received in the Office of the President of the Senate on November 16, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-3559. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department of Transportation’s Semiannual Report of the Inspector General for the period from April 1, 2015 through September 30, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3560. A communication from the Deputy Under Secretary for Management and Chief Financial Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled “Public Assistance Program Alternative Procedures: Fiscal Year 2015 Report to Congress—Second Quarterly Status Report”; to the Committee on Homeland Security and Governmental Affairs.

EC-3561. A communication from the Deputy Under Secretary for Management and Chief Financial Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled “Public Assistance Program Alternative Procedures: Fiscal Year 2015 Report to Congress—First Quarterly Status Report”; to the Committee on

Homeland Security and Governmental Affairs.

EC-3562. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Department of Defense (DoD) Agency Financial Report for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3563. A communication from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration's Performance and Accountability Report for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3564. A communication from the Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, a report relative to the Administration's fiscal year 2015 Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC-3565. A communication from the Acting Commissioner of Social Security, transmitting, pursuant to law, the Agency Financial Report for Fiscal Year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3566. A communication from the Deputy Under Secretary for Management and Chief Financial Officer, Department of Homeland Security, transmitting, pursuant to law, the fiscal year 2015 Agency Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC-3567. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, the Annual Financial Report for the Office of Government Ethics for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3568. A communication from the Director, Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Commission's Agency Financial Report for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3569. A communication from the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Placement of Eluxadoline into Schedule IV" (Docket No. DEA-419F) received during adjournment of the Senate in the Office of the President of the Senate on November 13, 2015; to the Committee on the Judiciary.

EC-3570. A communication from the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Extension of Temporary Placement of Three Synthetic Phenethylamines in Schedule I" (Docket No. DEA-424) received in the Office of the President of the Senate on November 13, 2015; to the Committee on the Judiciary.

EC-3571. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an annual report relative to the activities and operations of the Public Integrity Section, Criminal Division, and the nationwide federal law enforcement effort against public corruption; to the Committee on the Judiciary.

EC-3572. A communication from the Secretary of the Senate, transmitting, pursuant to law, the report of the receipts and expend-

itures of the Senate for the period from April 1, 2015 through September 30, 2015, received in the Office of the President of the Senate on November 10, 2015; ordered to lie on the table.

EC-3573. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Resources of the South Atlantic; Trip Limit Reduction for Gag Grouper" (RIN0648-XE245) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3574. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coral, Coral Reefs, and Live/Hard Bottom Habitats of the South Atlantic Region; Amendment 8; Correction" (RIN0648-BD81) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3575. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2015-2016 Biennial Specifications and Management Measures; Inseason Adjustments" (RIN0648-BF40) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3576. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Technical Amendment to Regulations" (RIN0648-BF30) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3577. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries" (RIN0648-XE242) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3578. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Herring Fishery; Georges Bank Haddock Catch Cap Harvested" (RIN0648-XE266) received in the Office of the President of the Senate on November 16, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3579. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Island Management Area" (RIN0648-XE269) received in the Office

of the President of the Senate on November 16, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3580. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Snapper-Grouper Fishery of the South Atlantic; 2015 Commercial Accountability Measure and Closure for South Atlantic Yellowtail Snapper" (RIN0648-XE216) received in the Office of the President of the Senate on November 16, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3581. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2015 Gulf of Alaska Pollock Seasonal Apportionments" (RIN0648-XE293) received in the Office of the President of the Senate on November 16, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3582. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Wakeeney, KS" ((RIN2120-AA66) (Docket No. FAA-2015-1832)) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3583. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Vancouver, WA" ((RIN2120-AA66) (Docket No. FAA-2015-3322)) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3584. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Vadalia, LA" ((RIN2120-AA66) (Docket No. FAA-2015-1389)) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3585. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Tomah, WI" ((RIN2120-AA66) (Docket No. FAA-2015-1387)) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3586. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Hart/Shelby, MI" ((RIN2120-AA66) (Docket No. FAA-2015-1835)) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3587. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of

Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Tekamah, Nebraska" ((RIN2120-AA66) (Docket No. FAA-2015-1394)) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3588. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace for the following Louisiana towns: Jonesboro, LA and Winnfield, LA" ((RIN2120-AA66) (Docket No. FAA-2015-0843)) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3589. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace for the following Missouri towns: Chillicothe, MO; Cuba, MO, Farmington, MO; Lamar, MO; Mountain View, MO; Nevada, MO; and Poplar Bluff, MO" ((RIN2120-AA66) (Docket No. FAA-2015-0842)) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3590. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D Airspace and Revocation of Class E Airspace; Columbus, Ohio State University Airport, OH, and Amendment of Class E Airspace" ((RIN2120-AA66) (Docket No. FAA-2015-1649)) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3591. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace; Vincennes, IN" ((RIN2120-AA66) (Docket No. FAA-2015-2049)) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3592. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (78); Amdt. No. 3664" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3593. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (33); Amdt. No. 3663" (RIN2120-AA65) received dur-

ing adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3594. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (9); Amdt. No. 3661" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3595. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (50); Amdt. No. 3662" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3596. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Changes to Production Certificates and Approvals" (RIN2120-AK20) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3597. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Disclosure of Seat Dimensions to Facilitate Use of Child Safety Seats on Airplanes During Passenger-Carrying Operations" (RIN2120-AK17) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3598. A communication from the Senior Assistant Chief Counsel for Hazmat Safety Law, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Carriage of Battery-Powered Electronic Smoking Devices in Passenger Baggage" (RIN2137-AF12) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3599. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Allowing Importers to Provide Information to U.S. Customs and Border Protection in Electronic Format" (RIN2127-AL63) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3600. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Defect and Noncompliance Notification" (RIN2127-AL60)

received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3601. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Theft Prevention Standard; Final Listing of 2016 Light Duty Truck Lines Subject to the Requirements of This Standard and Exempted Vehicle Lines for Model Year 2016" (RIN2127-AL59) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3602. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Direct Final Rulemaking Procedures" (RIN2127-AL32) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3603. A communication from the Deputy Chief of the Auctions and Spectrum Access Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Application Procedures for Broadcast Incentive Auction Scheduled to Begin on March 29, 2016; Technical Formulas for Competitive Bidding" ((DA 15-1183) (AU Docket No. 14-252, GN Docket No. 12-268, and WT Docket No. 12-269)) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3604. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-4209)) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3605. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-0498)) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3606. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-1985)) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3607. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to

law, the report of a rule entitled "Airworthiness Directives; Technify Motors GmbH Reciprocating Engines" ((RIN2120-AA64) (Docket No. FAA-2015-1383)) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3608. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney Turbo-prop Engines" ((RIN2120-AA64) (Docket No. FAA-2015-0869)) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3609. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-0933)) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3610. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters" ((RIN2120-AA64) (Docket No. FAA-2015-3940)) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3611. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Various Sikorsky-Manufactured Transport and Restricted Category Helicopters" ((RIN2120-AA64) (Docket No. FAA-2009-1088)) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2015; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 515. A bill to protect children from exploitation, especially sex trafficking in tourism, by providing advance notice of intended travel by registered child-sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known child-sex offender is seeking to enter the United States, and for other purposes.

By Mr. CORKER, from the Committee on Foreign Relations, without amendment:

S. Res. 310. A resolution condemning the ongoing sexual violence against women and children from Yazidi, Christian, Shabak, Turkmen, and other religious communities by Islamic State of Iraq and Syria militants and urging the prosecution of the perpetrators and those complicit in these crimes.

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 2184. A bill to direct the President to establish guidelines for United States foreign development and economic assistance programs, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. CORKER for the Committee on Foreign Relations.

*Roberta S. Jacobson, of Maryland, a Career Member of the Senior Executive Service, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Mexican States.

Nominee: Roberta S. Jacobson.

Post: Ambassador to United Mexican States.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: \$500, 9/9/2012, Barack Obama.
2. Spouse: Jonathan Jacobson: none.
3. Children and Spouses: Gil Jacobson, none. Daniel Jacobson, none.
4. Parents: Gloria Berk Steinfeld—Deceased; Julian Stanley Steinfeld—Deceased.
5. Grandparents: Henrietta Simon Berk—Deceased; David Theodore Berk—Deceased; Jacob Steinfeld—Deceased; Ceil Bernstein Steinfeld—Deceased.
6. Brothers and Spouses: Jeffrey Steinfeld, none; Karen Steinfeld, none.
7. Sisters and Spouses: Richard Swanson, \$500, 1/24/2011, Arnold/Porter PAC; \$500, 4/12/2011, Arnold/Porter PAC; \$500, 6/14/2011, Arnold/Porter PAC; \$500, 9/16/2011, Arnold/Porter PAC; \$500, 1/20/2012, Arnold/Porter PAC; \$2,000, 8/30/2012, Obama for America; \$5,000, 9/18/2011, Obama Victory Fund; \$2,500, 12/9/2011, Obama Victory Fund; \$2,500, 6/4/2012, Obama Victory Fund; \$1,000, 10/08/2013, Michael Bennet; \$5,000, 12/31/2013, Dem. Senatorial Campaign Committee; \$1,000, 12/02/2013, Mark Warner; \$2,000, 6/26/2012, Virginia Colorado Fund; \$3,000, 3/23/2015, Bennet for Colorado; \$2,500, 6/21/2012, Democratic National Committee; \$2,500, 12/9/2011, Democratic National Committee. Caryn Swanson: \$2,300, 3/23/2015, Bennet for Colorado.

*Peter William Bodde, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Libya.

Nominee: Peter William Bodde.

Post: Libya.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.
2. Spouse: none.
3. Children & Spouses: none.
4. Father: William Bodde, Jr.: \$600.00, 2012, Democratic National Committee; \$570, 2014, Democratic National Committee.
5. Grandparents: none.

5. Brothers and Spouses: none.
6. Sisters and Spouses: none.

*Elisabeth I. Millard, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Tajikistan.

Nominee: Elisabeth Inge Millard.

Post: Dushanbe.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: N/A.
2. Spouse: August V.B. Millard—(deceased): \$100.00, 10/11/12, Romney; \$50, 7/2/10, McCain; \$50, 2/16/10, McCain; \$50, 4/21/10, McCain; \$200, 4/23/12, Sias.
3. Children and Spouses: Charlotte and Lorenzo McWilliams: N/A; Olivia and John Davis: N/A; Alexandra Millard: N/A; James Millard: N/A; Richard Millard: N/A.
4. Parents: Lennart and Margaretha Hesselvik: N/A.
5. Grandparents: Inga and Bernt Odenblad: N/A; August and Ingrid Hesselvik: N/A.
6. Brothers and Spouses: Fredrik and Lena Hesselvik: N/A; Pelle Hesselvik: N/A.
7. Sisters and Spouses: Ingrid Hesselvik: N/A.

*Marc Jonathan Sievers, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Sultanate of Oman.

Nominee: Marc J. Sievers.

Post: Muscat, Oman.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: \$100, 8/2014, Elan Carr.
2. Spouse: Michelle Raphael: Joint Donation, 8/2014, Elan Carr.
3. Children and Spouses: Miriam H. Sievers, none; David N. Sievers, none; Samuel A. Sievers, (minor).
4. Parents: Anita R. Sievers, none; Allen M. Sievers, (deceased).
5. Grandparents: deceased.
6. Brothers and Spouses: none.
7. Sisters and Spouses: none.

*Deborah R. Malac, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Uganda.

Nominee: Deborah Ruth Malac.

Post: Ambassador to the Republic of Uganda.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Deborah Ruth Malac: None.
2. Spouse: Ronald Kenneth Olson: \$25.00, 02/06/2014, DSCC; 25.00, 07/07/2014, Democratic

National Committee; \$50.00, 08/15/2014, Friends of Mark Warner.

3. Children and Spouses: Nicholas Stefan Olson and Shana Wrobel Olson: none.

Gregory Michael Olson: \$25.00 08/15/2014, Obama Campaign. Katharine Elaine Olson: none.

4. Parents: Marian Bartak Malac and Barry Forrest Malac: \$5.00, 02/19/2014, Republican National Committee; \$15.00, 03/15/2014, Republican National Senatorial Committee; \$20.00, 05/24/2014, Republican National Committee; \$10.00, 06/16/2014, Republican National Committee; \$10.00, 07/21/2014, Republican National Committee; \$10.00, 09/10/2014 Republican National Committee; \$15.00, 09/20/2014, Republican National Congressional Committee; \$10.00, 10/16/2014, Republican National Committee; \$10.00, 03/11/2013, Republican National Senatorial Committee; \$15.00, 04/23/2013, Republican National Committee; \$5.00, 07/25/2013, Republican National Committee; \$10.00, 08/26/2013, Republican National Congressional Committee; \$10.00, 04/09/2012, Republican National Committee; \$15.00, 06/22/2012, Republican National Committee; \$15.00, 07/17/2012, Republican National Senatorial Committee; \$10.00, 09/18/2012, Republican National Committee; \$15.00, 09/23/2012, Republican National Senatorial Committee; \$15.00, 10/06/2012, Republican National Committee; \$15.00, 04/04/2011, Republican National Congressional Committee; \$15.00, 11/02/2011, Republican National Congressional Committee.

5. Grandparents: Rev. Joseph Paul Bartak—deceased; Minnie Polk Bartak—deceased; Rev. Gustav Malac—deceased; Antonie Malac—deceased.

6. Brothers and Spouses: Roy David Malac and Carolyn Malac: none; Timothy Alan Malac and Theresa Malac: none.

7. Sisters and Spouses: none.

*Lisa J. Peterson, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Swaziland.

Nominee: Lisa J. Peterson.

Post: Kingdom of Swaziland.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: \$0.00, N/A, N/A.

2. Spouse: \$0.00, N/A, N/A.

3. Children and Spouses: \$0.00, N/A, N/A.

4. Parents: \$0.00, N/A, N/A.

5. Grandparents: \$0.00, N/A, N/A.

6. Brothers and Spouses: Scott Peterson: \$10.00, 01/25/2011, Tea Party; \$10.00, 06/2012, Scott Walker.

7. Sisters and Spouses: Karen Gould: \$100 (est.), unknown, Barack Obama; \$50 (est.), unknown, Elizabeth Warren; \$50 (est.), unknown, Alison Grimes; \$100 (est.), unknown, Democratic Senate and Congressional Campaign Committees.

*H. Dean Pittman, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mozambique.

Nominee: Howard Dean Pittman.

Post: Mozambique.

The following is a list of all members of my immediate family and their spouses. I

have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, and donee:

1. Self: \$500, 10/16/2012, Barak Obama.

2. Spouse: NA.

3. Children and Spouses: NA.

4. Parents: Elizabeth A. Pittman: none; Paul Pittman—deceased.

5. Grandparents: Hattie D. Pittman—deceased; Patrick H. Pittman—deceased; Mary M. MacDonald—deceased; Fredrick MacDonald—deceased.

6. Brothers and Spouses: NA.

7. Sisters and Spouses: Shane Pittman, none; Michael L. McLenagan, none; Elise Pittman, none.

*John Morton, of Massachusetts, to be Executive Vice President of the Overseas Private Investment Corporation.

*Kenneth Damian Ward, of Virginia, a Career Member of the Senior Executive Service, for the rank of Ambassador during his tenure of service as United States Representative to the Organization for the Prohibition of Chemical Weapons.

*Linda I. Etim, of Wisconsin, to be an Assistant Administrator of the United States Agency for International Development.

*Thomas A. Shannon, Jr., of Virginia, a Career Member of the Senior Foreign Service, Class of Career Ambassador, to be an Under Secretary of State (Political Affairs).

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. VITTER (for himself, Mr. LEE, Mr. TILLIS, Mr. PERDUE, Mr. CASSIDY, and Mr. BARRASSO):

S. 2284. A bill to suspend the admission and resettlement of aliens seeking refugee status because of the conflict in Syria until adequate protocols are established to protect the national security of the United States and for other purposes; to the Committee on the Judiciary.

By Mr. BURR:

S. 2285. A bill to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes; to the Committee on Indian Affairs.

By Mr. LEE (for himself, Mr. BARRASSO, and Mr. FLAKE):

S. 2286. A bill to address the forest health, public safety, and wildlife habitat threat presented by the risk of wildfire, including catastrophic wildfire, on National Forest System land and public land managed by the Bureau of Land Management by requiring the Secretary of Agriculture and the Secretary of the Interior to expedite forest management projects relating to hazardous fuels reduction, forest health, and economic development, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. UDALL:

S. 2287. A bill to amend the Department of Energy Organization Act to improve tech-

nology transfer at the Department of Energy by reducing bureaucratic barriers to industry, entrepreneurs, and small businesses, as well as ensure that public investments in research and development generate the greatest return on investment for taxpayers, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PAUL:

S. 2288. A bill to prohibit members and staff of the Federal Reserve System from lobbying for or against legislation, and for other purposes; read the first time.

By Mr. Kaine (for himself, Ms. COLLINS, Mr. SCHATZ, and Mrs. MURRAY):

S. 2289. A bill to modernize and improve the Family Unification Program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEE (for himself and Mr. CRUZ):

S. 2290. A bill to amend the Head Start Act to authorize block grants to States for pre-kindergarten education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KIRK (for himself, Mr. BLUMENTHAL, Mr. GRASSLEY, Mrs. GILLIBRAND, Mr. JOHNSON, Ms. BALDWIN, and Mr. RUBIO):

S. 2291. A bill to amend title 38, United States Code, to establish procedures within the Department of Veterans Affairs for the processing of whistleblower complaints, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TESTER (for himself and Mrs. FISCHER):

S. 2292. A bill to reform laws relating to small public housing agencies, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MURRAY:

S. 2293. A bill to enhance Social Security benefits for children, divorced spouses, and widows and widowers, and for other purposes; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself and Ms. COLLINS):

S. 2294. A bill to create a division within the Congressional Budget Office to perform regulatory analysis of economically significant rules; to the Committee on the Budget.

By Mr. COTTON:

S. 2295. A bill to extend the termination date for the authority to collect certain records and make permanent the authority for roving surveillance and to treat individual terrorists as agents of foreign powers under the Foreign Intelligence Surveillance Act of 1978, and for other purposes; to the Committee on the Judiciary.

By Mr. FLAKE (for himself, Mr. ALEXANDER, Mr. BARRASSO, Mrs. CAPITO, Mr. CASSIDY, Mr. COATS, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. ENZI, Mrs. ERNST, Mrs. FISCHER, Mr. HATCH, Mr. HELLER, Mr. INHOFE, Mr. JOHNSON, Mr. LANKFORD, Mr. LEE, Mr. MCCAIN, Mr. MCCONNELL, Mr. MORAN, Mr. PAUL, Mr. RISCH, Mr. ROBERTS, Mr. SESSIONS, Mr. THUNE, Mr. TILLIS, Mr. VITTER, Mr. WICKER, and Mr. ISAKSON):

S.J. Res. 25. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Administrator of the Environmental Protection Agency relating to "National Ambient Air Quality Standards for Ozone"; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MORAN (for himself and Mr. BOOKER):

S. Res. 314. A resolution expressing support for designation of the third Tuesday in November as "National Entrepreneurs' Day"; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 314

At the request of Mr. GRASSLEY, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 330

At the request of Mr. HELLER, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Delaware (Mr. COONS), the Senator from Minnesota (Mr. FRANKEN) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 330, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 551

At the request of Mrs. FEINSTEIN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 551, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 613

At the request of Mrs. GILLIBRAND, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 613, a bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals.

S. 627

At the request of Ms. AYOTTE, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 627, a bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes.

S. 637

At the request of Mr. CRAPO, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 928

At the request of Mrs. GILLIBRAND, the name of the Senator from Florida

(Mr. RUBIO) was added as a cosponsor of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 950

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 950, a bill to amend the Internal Revenue Code of 1986 to provide for a refundable adoption tax credit.

S. 968

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 968, a bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 1133

At the request of Mr. FRANKEN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1133, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 1390

At the request of Mr. GARDNER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1390, a bill to help provide relief to State education budgets during a recovering economy, to help fulfill the Federal mandate to provide higher educational opportunities for Native American Indians, and for other purposes.

S. 1540

At the request of Mrs. MCCASKILL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1540, a bill to improve the enforcement of prohibitions on robocalls, including fraudulent robocalls.

S. 1685

At the request of Mr. WICKER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1685, a bill to direct the Federal Communications Commission to extend to private land use restrictions its rule relating to reasonable accommodation of amateur service communications.

S. 1830

At the request of Mr. BARRASSO, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1830, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 1890

At the request of Mr. HATCH, the name of the Senator from Minnesota

(Ms. KLOBUCHAR) was added as a cosponsor of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1926

At the request of Ms. MIKULSKI, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 1926, a bill to ensure access to screening mammography services.

S. 2021

At the request of Mr. BOOKER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2021, a bill to prohibit Federal agencies and Federal contractors from requesting that an applicant for employment disclose criminal history record information before the applicant has received a conditional offer, and for other purposes.

S. 2044

At the request of Mr. THUNE, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2044, a bill to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes.

S. 2067

At the request of Mr. WICKER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 2067, a bill to establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

S. 2072

At the request of Mr. HATCH, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Indiana (Mr. DONNELLY) were added as cosponsors of S. 2072, a bill to require the Administrator of the Environmental Protection Agency to establish a program under which the Administrator shall defer the designation of an area as a nonattainment area for purposes of the 8-hour ozone national ambient air quality standard if the area achieves and maintains certain standards under a voluntary early action compact plan.

S. 2095

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2095, a bill to establish certain requirements with respect to pollock and golden king crab.

S. 2123

At the request of Mr. GRASSLEY, the names of the Senator from Iowa (Mrs.

ERNST) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 2123, a bill to reform sentencing laws and correctional institutions, and for other purposes.

S. 2193

At the request of Mr. CRUZ, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2193, a bill to amend the Immigration and Nationality Act to increase penalties for individuals who illegally re-enter the United States after being removed and for other purposes.

S. 2196

At the request of Mr. CASEY, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2196, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 2200

At the request of Mrs. FISCHER, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2200, a bill to amend the Fair Labor Standards Act of 1938 to strengthen equal pay requirements.

S. 2213

At the request of Mr. BLUMENTHAL, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2213, a bill to prohibit firearms dealers from selling a firearm prior to the completion of a background check.

S. 2234

At the request of Mr. BLUNT, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 2234, a bill to award the Congressional Gold Medal, collectively, to the members of the Office of Strategic Services (OSS) in recognition of their superior service and major contributions during World War II.

S. 2263

At the request of Mr. BLUNT, the names of the Senator from Arkansas (Mr. CORTON) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 2263, a bill to encourage effective, voluntary private sector investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to private sector employers recognizing such investments, and for other purposes.

S.J. RES. 1

At the request of Ms. AYOTTE, her name was added as a cosponsor of S.J. Res. 1, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

S. RES. 148

At the request of Mr. WYDEN, the names of the Senator from Oregon (Mr.

MERKLEY) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 237

At the request of Mr. BOOZMAN, the names of the Senator from Maryland (Mr. CARDIN), the Senator from North Carolina (Mr. TILLIS) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. Res. 237, a resolution condemning Joseph Kony and the Lord's Resistance Army for continuing to perpetrate crimes against humanity, war crimes, and mass atrocities, and supporting ongoing efforts by the United States Government, the African Union, and governments and regional organizations in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield and promote protection and recovery of affected communities.

S. RES. 282

At the request of Mrs. SHAHEEN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. Res. 282, a resolution supporting the goals and ideals of American Diabetes Month.

S. RES. 302

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 302, a resolution expressing the sense of the Senate in support of Israel and in condemnation of Palestinian terror attacks.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. VITTER (for himself, Mr. LEE, Mr. TILLIS, Mr. PERDUE, Mr. CASSIDY, and Mr. BARASSO):

S. 2284. A bill to suspend the admission and resettlement of aliens seeking refugee status because of the conflict in Syria until adequate protocols are established to protect the national security of the United States and for other purposes; to the Committee on the Judiciary.

Mr. VITTER. Mr. President, I rise to strongly urge the adoption of my bill, S. 2284, to stop the Syrian refugee resettlement program, unless and until we have complete and adequate safeguards in place for the security of our homeland and all of our States. It is very clear to me that we do not have those safeguards right now.

What my bill would do is stop the program for 270 days, demand a thorough review of all security issues related to the program, demand that changes be made and brought before Congress, and that the program only

continue with the consent of Congress after we are assured the homeland and all of our States will be fully protected. Again, it is very clear to me that is not the case now.

I expressed strong concerns and opposition to this program from the very beginning. When I first learned of it in September, I wrote Secretaries Kerry and Johnson regarding the real dangers of taking in thousands upon thousands of refugees from a country and an area of the world where enemies of the United States are all around them, and that clearly it posed a danger of those terrorist enemies infiltrating the refugee resettlement process. Tragically, we saw that happen and we saw the horrible results in Paris last Friday. As we all know now, at least one of those terrorists in Paris got into France under the Syrian refugee resettlement program there, and that is the same danger that is posed to us.

Now, I have looked at this. I have had briefings on this. It is clear to me that we do not have adequate safeguards against this. Let me just cite one example of testimony in this regard. FBI Director James Comey has testified that the Federal Government doesn't have the ability to fully vet 10,000 or more Syrians refugees. Recently, during a hearing before the House Committee on Homeland Security, Mr. Comey stated:

We can only query against that which we have collected. And so if someone has never made a ripple in the pond in Syria in a way that would get their identity or their interest reflected in our database, we can query our database until the cows come home, but there will be nothing show up because we have no record of them.

That puts in simple, straightforward terms the real danger—that we cannot properly vet all of these refugees. And this is not from just any part of the world or any country. This is from a hotbed of anti-American terrorist elements.

There is an additional grave danger with the program as it stands now, and that is our complete inability to track these individuals once they are in our country. Unfortunately, I have an example of this right from my home State of Louisiana. Just last week, a Syrian refugee was resettled into Baton Rouge. As of today, he is no longer there. He has gone missing. Allegedly, he, on his own, is relocating to Washington, DC. But from the briefings I have had from the State police, no one is in contact with him, no law enforcement or government agency is tracking him in any way, and he may or may not check in to a social service agency in Washington, DC. They have his information. Apparently, they are not in contact with him.

Now, this is within a week of his being resettled into where he was supposed to be, in Baton Rouge, LA, which I object to as a Louisianian. Again, he allegedly is coming to Washington. By

the way, our Nation's capital is under high security alert. And no one knows exactly where he is. No one is tracking him adequately at all.

This clearly underscores the inadequacy of our current program. We need to put a stop to this until proper, full, and aggressive safeguards are in place. My bill, S. 2284, would do that. I am very happy the House of Representatives is acting and considering similar legislation.

I believe Congressman GRAVES will be introducing my legislation in the House, and the House may take up this matter as soon as Thursday. I hope that they do, because it is very time sensitive and our security is at stake. I hope that we do, by considering this and similar ideas absolutely as soon as possible. We must put a stop to this. We must put real security measures in place. We must not allow the flow to continue until we do.

By Mr. KAINE (for himself, Ms. COLLINS, Mr. SCHATZ, and Mrs. MURRAY):

S. 2289. A bill to modernize and improve the Family Unification Program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. KAINE. Mr. President, children raised in loving and supportive households grow up to become more productive individuals, benefiting both the individual child and society at large. However, housing instability is linked to poor outcomes for children. Unsafe housing conditions and homelessness can threaten a child's safety. These conditions are often the reason for an investigation by the local child welfare agency, out-of-home placement, or a delay in family reunification.

Homelessness can also lead parents to voluntarily place their children in foster care while they search for housing. Families may also be separated because of shelter policies that exclude teenagers, especially boys. Further, youth aging out of the foster care system are particularly vulnerable to homelessness because they must make the transition to adulthood without support, financial or otherwise, from parents or other trusted guardians.

In Virginia, the Governor's office reported that as of September 2015 there were 5,140 total children in the Virginia foster care program. For fiscal year 2015, the average annual cost of foster care in Virginia was almost \$47,000. Further, in 2013 Virginia had approximately 550 youth age out of the foster care system at age 18 without being connected to families. Nationally, over one-fifth of children who age out of the foster care system will experience homelessness at some time after age 18.

The Family Unification Program, FUP, an interagency collaboration between the Department of Housing and Urban Development, HUD, and the De-

partment of Health and Human Services to provide housing vouchers to youth aging out of foster care and families involved with the child welfare system. Some of these vouchers also include supportive services, such as money management skills, job preparation, educational counseling, and proper nutrition and meal preparation. Research has shown that housing vouchers, coupled with supportive services, promotes family stabilization and reduces youth homelessness.

While these vouchers have yielded some success, the connections between HUD and HHS are often inadequate to provide effective assistance. Further, no dedicated source of funding is available for the supportive services promised, and too often families and youth are left without the help they need.

That is why I am pleased to introduce with my colleagues Senator COLLINS, Senator SCHATZ, and Senator MURRAY, the Family Unification, Preservation and Modernization Act. This legislation modernizes and improves FUP vouchers, as well as creates and provides supportive housing for at-risk youth and families involved with the child welfare system. By utilizing a housing first model, similar to the one used to combat veterans' homelessness, this legislation will ensure safe and stable housing for youth and families. This bill also strengthens the connections between local public housing agencies and child welfare agencies to promote family stabilization and reunification, replaces the arbitrary 18-month time limit for youth vouchers with a more workable 36-month time limit, expands youth eligibility to those who are 18 to 24 who have left foster care at age 14 or older or will leave foster care within 90 days and are homeless or at risk of becoming homeless, provides competitive grants for supportive services specifically targeted to FUP recipients, and promotes self-sufficiency by providing incentive payments to successful, data-driven interventions that improve outcomes.

My wife Anne and I have been long-term supporters in improving our child welfare system. When I served as Governor, we worked together to reform Virginia's foster care system. I am proud to introduce this commonsense, bipartisan legislation that will ensure family preservation and reduce youth homelessness.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 314—EXPRESSING SUPPORT FOR DESIGNATION OF THE THIRD TUESDAY IN NOVEMBER AS "NATIONAL ENTREPRENEURS' DAY"

Mr. MORAN (for himself and Mr. BOOKER) submitted the following resolution; which was referred to the Com-

mittee on Commerce, Science, and Transportation:

S. RES. 314

Whereas, since the founding of the United States, innovation, creativity, industriousness, and entrepreneurship have formed the economic fiber of the United States;

Whereas entrepreneurs have long been vital to the economic growth of the United States by advancing innovation, improving productivity, and creating jobs;

Whereas the willingness of entrepreneurs to assume risk has resulted in unparalleled contributions to the development of the United States;

Whereas entrepreneur-led innovation has built and continues to sustain a critical United States competitive advantage;

Whereas more than 400,000 new businesses were created in the United States in 2013;

Whereas research shows that businesses 5 years or younger were responsible for nearly every net new job in the economy of the United States between 1982 and 2011;

Whereas entrepreneurs and the businesses created by entrepreneurs accounted for the creation of nearly 2,300,000 jobs in 2013;

Whereas, despite economic instability, over 50 percent of the population of the United States believes good opportunities exist for starting businesses and, in 2014, entrepreneurship rose to its highest level in 16 years, indicating that entrepreneurial spirit remains strong in the United States;

Whereas collaboration and cooperation among a broad coalition of organizations, including nonprofit entrepreneurial incubators, angel investors, venture capitalists, crowd-funding initiatives, and other early-stage investors, catalyze entrepreneurial ventures;

Whereas the Federal Government must continue to promote entrepreneurship in all communities by ensuring that entrepreneurs find the necessary resources to pursue their ideas;

Whereas support for all entrepreneurs, including women and minorities, who own and manage businesses of all sizes, from sole proprietorships to large enterprises, strengthens the overall economy of the United States;

Whereas entrepreneurial literacy skills serve as one of the 21st-century content areas critical to success in communities and workplaces;

Whereas 54 percent of young people (ages 18-34) in the United States envision starting a business or have already started a business;

Whereas positive outcomes for youth who participate in entrepreneurship education programs include improved academic performance, increased critical thinking skills, and heightened occupational aspirations;

Whereas, to maintain the position of the United States as a world economic leader, government, entrepreneurs, institutions of higher education, and businesses of all sizes must be united in a comprehensive effort to welcome and cultivate entrepreneurial activities in the United States;

Whereas entrepreneurs face various barriers that the Federal Government must work to reduce so that all entrepreneurs in the United States have a chance at success;

Whereas entrepreneurship remains a strong path for economic progress for all people of the United States; and

Whereas the third Tuesday in November would be an appropriate date to designate as "National Entrepreneurs' Day": Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of "National Entrepreneurs' Day";

(2) recognizes the considerable contributions of entrepreneurs to the United States; and

(3) honors those entrepreneurs who ignite innovation and inspire the next generation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2809. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

SA 2810. Mr. DAINES (for Mr. RUBIO (for himself, Mrs. SHAHEEN, Mr. SHELBY, Mr. BROWN, Mr. MCCAIN, Mr. ROBERTS, Mr. KIRK, Ms. COLLINS, Ms. AYOTTE, Mr. HATCH, Mr. LANKFORD, Mr. CRUZ, Mr. ISAKSON, and Mr. ROUNDS)) proposed an amendment to the bill H.R. 2297, to prevent Hizballah and associated entities from gaining access to international financial and other institutions, and for other purposes.

SA 2811. Mr. DAINES (for Mr. RUBIO (for himself and Mrs. SHAHEEN)) proposed an amendment to the bill H.R. 2297, supra.

TEXT OF AMENDMENTS

SA 2809. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

After section 119C, insert the following:

SEC. 119D. Section 213(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note) is amended by adding at the end the following:

"(3) NOTIFICATIONS AND CONSULTATIONS.—Not less than 90 days before applying a categorical exclusion under this subsection to a new procedure at an OEP airport, the Administrator shall—

"(A) notify and consult with the operator of the airport at which the procedure would be implemented; and

"(B) consider consultations or other engagement with the community in the which the airport is located to inform the public of the procedure.

"(4) REVIEW OF CERTAIN CATEGORICAL EXCLUSIONS.—

"(A) IN GENERAL.—The Administrator shall review a decision of the Administrator made on or after February 14, 2012, and before the date of the enactment of this paragraph to grant a categorical exclusion under this subsection with respect to a procedure to be implemented at an OEP airport that was a material change from procedures previously in effect at the airport to determine if the implementation of the procedure had a significant effect on the human environment in the community in which the airport is located if the operator of that airport requests such a review and demonstrates that there is good cause to believe that the implementation of the procedure had such an effect.

"(B) CONTENT OF REVIEW.—If, in conducting a review under subparagraph (A) with respect to a procedure implemented at an OEP airport, the Administrator, in consultation with the operator of the airport, determines that implementing the procedure had a significant effect on the human environment in the community in which the airport is located, the Administrator shall—

"(i) consult with the operator of the airport to identify measures to mitigate the effect of the procedure on the human environment; and

"(ii) in conducting such consultations, consider the use of alternative flight paths.

"(C) HUMAN ENVIRONMENT DEFINED.—In this paragraph, the term 'human environment' has the meaning given that term in section 1508.14 of title 40, Code of Federal Regulations (as in effect on the day before the date of the enactment of this paragraph)."

SA 2810. Mr. DAINES (for Mr. RUBIO (for himself, Mrs. SHAHEEN, Mr. SHELBY, Mr. BROWN, Mr. MCCAIN, Mr. ROBERTS, Mr. KIRK, Ms. COLLINS, Ms. AYOTTE, Mr. HATCH, Mr. LANKFORD, Mr. CRUZ, Mr. ISAKSON, and Mr. ROUNDS)) proposed an amendment to the bill H.R. 2297, to prevent Hizballah and associated entities from gaining access to international financial and other institutions, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Hizballah International Financing Prevention Act of 2015".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Statement of policy.

TITLE I—PREVENTION OF ACCESS BY HIZBALLAH TO INTERNATIONAL FINANCIAL AND OTHER INSTITUTIONS

Sec. 101. Report on imposition of sanctions on certain satellite providers that carry al-Manar TV.

Sec. 102. Sanctions with respect to financial institutions that engage in certain transactions.

TITLE II—REPORTS AND BRIEFINGS ON NARCOTICS TRAFFICKING AND SIGNIFICANT TRANSNATIONAL CRIMINAL ACTIVITIES OF HIZBALLAH

Sec. 201. Report and briefing on narcotics trafficking by Hizballah.

Sec. 202. Report and briefing on significant transnational criminal activities of Hizballah.

Sec. 203. Rewards for Justice and Hizballah's fundraising, financing, and money laundering activities.

Sec. 204. Report on activities of foreign governments to disrupt global logistics networks and fundraising, financing, and money laundering activities of Hizballah.

TITLE III—MISCELLANEOUS PROVISIONS

Sec. 301. Rule of construction.

Sec. 302. Regulatory authority.

Sec. 303. Termination.

SEC. 2. STATEMENT OF POLICY.

It shall be the policy of the United States to—

(1) prevent Hizballah's global logistics and financial network from operating in order to curtail funding of its domestic and international activities; and

(2) utilize all available diplomatic, legislative, and executive avenues to combat the global criminal activities of Hizballah as a means to block that organization's ability to fund its global terrorist activities.

TITLE I—PREVENTION OF ACCESS BY HIZBALLAH TO INTERNATIONAL FINANCIAL AND OTHER INSTITUTIONS

SEC. 101. REPORT ON IMPOSITION OF SANCTIONS ON CERTAIN SATELLITE PROVIDERS THAT CARRY AL-MANAR TV.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees and leadership a report on the following:

(1) The activities of all satellite, broadcast, Internet, or other providers that have knowingly entered into a contractual relationship with al-Manar TV, and any affiliates or successors thereof.

(2) With respect to all providers described in paragraph (1)—

(A) an identification of those providers that have been sanctioned pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism); and

(B) an identification of those providers that have not been sanctioned pursuant to Executive Order 13224 and, with respect to each such provider, any information indicating that the provider has knowingly entered into a contractual relationship with al-Manar TV, and any affiliates or successors of al-Manar TV.

(b) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form to the greatest extent possible, but may include a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.—In this section, the term "appropriate congressional committees and leadership" means—

(1) the Speaker, the minority leader, the Committee on Foreign Affairs, the Committee on Financial Services, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the majority leader, the minority leader, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate.

SEC. 102. SANCTIONS WITH RESPECT TO FINANCIAL INSTITUTIONS THAT ENGAGE IN CERTAIN TRANSACTIONS.

(a) PROHIBITIONS AND CONDITIONS WITH RESPECT TO CERTAIN ACCOUNTS HELD BY FOREIGN FINANCIAL INSTITUTIONS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall prescribe regulations to prohibit, or impose strict conditions on, the opening or maintaining in the United States of a correspondent account or a payable-through account by a foreign financial institution that the President determines, on or after such date of enactment, engages in an activity described in paragraph (2).

(2) ACTIVITIES DESCRIBED.—A foreign financial institution engages in an activity described in this paragraph if the foreign financial institution—

(A) knowingly facilitates a significant transaction or transactions for Hizballah;

(B) knowingly facilitates a significant transaction or transactions of a person identified on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury and the property and interests in property of which are

blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) for acting on behalf of or at the direction of, or being owned or controlled by, Hizballah;

(C) knowingly engages in money laundering to carry out an activity described in subparagraph (A) or (B); or

(D) knowingly facilitates a significant transaction or transactions or provides significant financial services to carry out an activity described in subparagraph (A), (B), or (C).

(3) **PENALTIES.**—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under this subsection to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of such section 206.

(4) **PROCEDURES FOR JUDICIAL REVIEW OF CLASSIFIED INFORMATION.**—

(A) **IN GENERAL.**—If a finding under this subsection, or a prohibition, condition, or penalty imposed as a result of any such finding, is based on classified information (as defined in section 1(a) of the Classified Information Procedures Act (18 U.S.C. App.)) and a court reviews the finding or the imposition of the prohibition, condition, or penalty, the President may submit such information to the court ex parte and in camera.

(B) **RULE OF CONSTRUCTION.**—Nothing in this paragraph shall be construed to confer or imply any right to judicial review of any finding under this subsection or any prohibition, condition, or penalty imposed as a result of any such finding.

(b) **WAIVER.**—

(1) **IN GENERAL.**—The President may waive, on a case-by-case basis, the application of a prohibition or condition imposed with respect to a foreign financial institution pursuant to subsection (a) for a period of not more than 180 days, and may renew the waiver for additional periods of not more than 180 days, on and after the date on which the President—

(A) determines that such a waiver is in the national security interests of the United States; and

(B) submits to the appropriate congressional committees a report describing the reasons for such determination.

(2) **FORM.**—The report required by paragraph (1)(B) shall be submitted in unclassified form, but may contain a classified annex.

(c) **SPECIAL RULE TO ALLOW FOR TERMINATION OF SANCTIONABLE ACTIVITY.**—The President shall not be required to apply sanctions to a foreign financial institution described in subsection (a) if the President certifies in writing to the appropriate congressional committees that—

(1) the foreign financial institution—

(A) is no longer engaging in the activity described in subsection (a)(2); or

(B) has taken and is continuing to take significant verifiable steps toward terminating the activity described in that subsection; and

(2) the President has received reliable assurances from the government with primary jurisdiction over the foreign financial institution that the foreign financial institution will not engage in any activity described in subsection (a)(2) in the future.

(d) **REPORT ON FOREIGN CENTRAL BANKS.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act,

and every 180 days thereafter, the Secretary of the Treasury shall submit to the appropriate congressional committees a report that—

(A) identifies each foreign central bank that the Secretary determines engages in one or more activities described in subsection (a)(2)(D); and

(B) provides a detailed description of each such activity.

(2) **FORM OF REPORT.**—Each report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(e) **IMPLEMENTATION.**—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(f) **DEFINITIONS.**—

(1) **IN GENERAL.**—In this section:

(A) **ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.**—The terms “account”, “correspondent account”, and “payable-through account” have the meanings given those terms in section 5318A of title 31, United States Code.

(B) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(i) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

(ii) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(C) **FINANCIAL INSTITUTION.**—The term “financial institution” means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (M), (N), (P), (R), (T), (Y), or (Z) of section 5312(a)(2) of title 31, United States Code.

(D) **FOREIGN FINANCIAL INSTITUTION.**—The term “foreign financial institution” has the meaning given that term in section 1010.605 of title 31, Code of Federal Regulations.

(E) **HIZBALLAH.**—The term “Hizballah” means—

(i) the entity known as Hizballah and designated by the Secretary of State as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or

(ii) any person—

(I) the property or interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); and

(II) who is identified on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury as an agent, instrumentality, or affiliate of Hizballah.

(F) **MONEY LAUNDERING.**—The term “money laundering” includes the movement of illicit cash or cash equivalent proceeds into, out of, or through a country, or into, out of, or through a financial institution.

(2) **OTHER DEFINITIONS.**—The President may further define the terms used in this section in the regulations prescribed under this section.

TITLE II—REPORTS AND BRIEFINGS ON NARCOTICS TRAFFICKING AND SIGNIFICANT TRANSNATIONAL CRIMINAL ACTIVITIES OF HIZBALLAH

SEC. 201. REPORT AND BRIEFING ON NARCOTICS TRAFFICKING BY HIZBALLAH.

(a) **REPORT.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees and leader-

ship a report on the activities of Hizballah related to narcotics trafficking worldwide.

(2) **FORM.**—The report required by paragraph (1) shall be submitted in unclassified form to the greatest extent possible, but may include a classified annex.

(b) **BRIEFING.**—Not later than 30 days after the submission of the report required by subsection (a), the President shall provide to the appropriate congressional committees and leadership a briefing on—

(1) the report;

(2) procedures for designating Hizballah as a significant foreign narcotics trafficker under the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.); and

(3) Government-wide efforts to combat the narcotics trafficking activities of Hizballah.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.**—In this section, the term “appropriate congressional committees and leadership” means—

(1) the Speaker, the minority leader, the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the majority leader, the minority leader, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate.

SEC. 202. REPORT AND BRIEFING ON SIGNIFICANT TRANSNATIONAL CRIMINAL ACTIVITIES OF HIZBALLAH.

(a) **REPORT.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees and leadership a report on the significant transnational criminal activities of Hizballah, including human trafficking.

(2) **FORM.**—The report required by paragraph (1) shall be submitted in unclassified form to the greatest extent possible, but may include a classified annex.

(b) **BRIEFING.**—Not later than 30 days after the submission of the report required by subsection (a), the President shall provide to the appropriate congressional committees and leadership a briefing on—

(1) the report;

(2) procedures for designating Hizballah as a significant transnational criminal organization under Executive Order 13581 (75 Fed. Reg. 44,757); and

(3) Government-wide efforts to combat the transnational criminal activities of Hizballah.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.**—In this section, the term “appropriate congressional committees and leadership” means—

(1) the Speaker, the minority leader, the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the majority leader, the minority leader, the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate.

SEC. 203. REWARDS FOR JUSTICE AND HIZBALLAH'S FUNDRAISING, FINANCING, AND MONEY LAUNDERING ACTIVITIES.

(a) **REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report

that details actions taken by the Department of State through the Department of State rewards program under section 36 of the State Department Basic Authorities Act (22 U.S.C. 2708) to obtain information on fundraising, financing, and money laundering activities of Hizballah and its agents and affiliates.

(b) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall provide a briefing to the appropriate congressional committees on the status of the actions described in subsection (a).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SEC. 204. REPORT ON ACTIVITIES OF FOREIGN GOVERNMENTS TO DISRUPT GLOBAL LOGISTICS NETWORKS AND FUNDRAISING, FINANCING, AND MONEY LAUNDERING ACTIVITIES OF HIZBALLAH.

(a) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that includes—

(A) a list of countries that support Hizballah or in which Hizballah maintains important portions of its global logistics networks;

(B) with respect to each country on the list required by subparagraph (A)—

(i) an assessment of whether the government of the country is taking adequate measures to disrupt the global logistics networks of Hizballah within the territory of the country; and

(ii) in the case of a country the government of which is not taking adequate measures to disrupt such networks—

(I) an assessment of the reasons that government is not taking such adequate measures; and

(II) a description of measures being taken by the United States to encourage that government to improve measures to disrupt such networks;

(C) a list of countries in which Hizballah, or any of its agents or affiliates, conducts significant fundraising, financing, or money laundering activities;

(D) with respect to each country on the list required by subparagraph (C)—

(i) an assessment of whether the government of the country is taking adequate measures to disrupt the fundraising, financing, or money laundering activities of Hizballah and its agents and affiliates within the territory of the country; and

(ii) in the case of a country the government of which is not taking adequate measures to disrupt such activities—

(I) an assessment of the reasons that government is not taking such adequate measures; and

(II) a description of measures being taken by the United States to encourage that government to improve measures to disrupt such activities; and

(E) a list of methods that Hizballah, or any of its agents or affiliates, utilizes to raise or transfer funds, including trade-based money laundering, the use of foreign exchange houses, and free-trade zones.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form to the greatest extent possible, and may contain a classified annex.

(3) GLOBAL LOGISTICS NETWORKS OF HIZBALLAH.—In this subsection, the term “global logistics networks of Hizballah”, “global logistics networks”, or “networks” means financial, material, or technological support for, or financial or other services in support of, Hizballah.

(b) BRIEFING ON HIZBALLAH’S ASSETS AND ACTIVITIES RELATED TO FUNDRAISING, FINANCING, AND MONEY LAUNDERING WORLDWIDE.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State, the Secretary of the Treasury, and the heads of other applicable Federal departments and agencies shall provide to the appropriate congressional committees a briefing on the disposition of Hizballah’s assets and activities related to fundraising, financing, and money laundering worldwide.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs, the Committee on Financial Services, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. RULE OF CONSTRUCTION.

Nothing in this Act or any amendment made by this Act shall apply to the authorized intelligence activities of the United States.

SEC. 302. REGULATORY AUTHORITY.

(a) IN GENERAL.—The President shall, not later than 120 days after the date of the enactment of this Act, promulgate regulations as necessary for the implementation of this Act and the amendments made by this Act.

(b) NOTIFICATION TO CONGRESS.—Not less than 10 days before the promulgation of regulations under subsection (a), the President shall notify the appropriate congressional committees of the proposed regulations and the provisions of this Act and the amendments made by this Act that the regulations are implementing.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SEC. 303. TERMINATION.

This Act shall terminate on the date that is 30 days after the date on which the President certifies to Congress that Hizballah—

(1) is no longer designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); and

(2) is no longer designated for the imposition of sanctions pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).

SA 2811. Mr. DAINES (for Mr. RUBIO (for himself and Mrs. SHAHEEN)) pro-

posed an amendment to the bill H.R. 2297, to prevent Hizballah and associated entities from gaining access to international financial and other institutions, and for other purposes; as follows:

Amend the title so as to read: “To prevent Hizballah and associated entities from gaining access to international financial and other institutions, and for other purposes.”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on November 17, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on November 17, 2015, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on November 17, 2015, at 2:30 p.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Physician Owned Distributors: Are They Harmful to Patients and Pay-ers?”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 17, 2015, at 2:30 p.m., to conduct a hearing entitled “Options for Reforming U.S. Overseas Broadcasting.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on November 17, 2015, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building, to conduct a hearing entitled “Nomination of Dr. Robert Califf to serve as FDA Commissioner.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on November 17, 2015, at 2:30 p.m., in room SR-418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on November 17, 2015 at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT, AGENCY ACTION, FEDERAL RIGHTS, AND FEDERAL COURTS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Oversight, Agency Action, Federal Rights, and Federal Courts be authorized to meet during the session of the Senate on November 17, 2015, at 2:15 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "The War on Police: How the Federal Government Undermines State and Local Law Enforcement."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

Mr. CORNYN. Mr. President, I ask unanimous consent that the Subcommittee on Regulatory Affairs and Federal Management of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 17, 2015, at 10 a.m., to conduct a hearing entitled, "Examining Ongoing Challenges at the U.S. Secret Service and their Government-Wide Implications."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. MANCHIN. Mr. President, I ask unanimous consent that Ken Kern, a fellow in my office, be granted floor privileges during the consideration of the Congressional Review Act resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Zachary Fergus, have privileges of the floor for the balance of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEZBOLLAH INTERNATIONAL FINANCING PREVENTION ACT OF 2015

Mr. DAINES. Mr. President, I ask unanimous consent that the Com-

mittee on Banking, Housing, and Urban Affairs be discharged from further consideration of H.R. 2297 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title. The senior assistant legislative clerk read as follows:

A bill (H.R. 2297) to prevent Hezbollah and associated entities from gaining access to international financial and other institutions, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. BROWN. Mr. President, today we will act on a measure I cosponsored to provide new authorities to the President to extend the wide array of existing U.S. sanctions on Hezbollah to any international banks determined by the Treasury Department to facilitate its activities. I commend my colleagues Senators SHAHEEN and RUBIO for introducing an earlier form of this measure and for pressing to ensure Senate action on it.

The bill also requires that a range of new policymaking information be provided to Congress from the administration on Hezbollah's malign activities, including its narcotics trafficking and other criminal activity and its terrorism-related and propaganda activity throughout the Middle East.

Especially in the wake of the Iran nuclear agreement, which I supported and which is now being implemented, it is critical that we continue to do everything we can to shut down Iran's terrorist proxies like Hezbollah, and to impose powerful financial and other sanctions on those who enable its operational or financial networks.

Hezbollah clearly has the potential to continue to threaten Israel, and this must continue to be an important focus of our efforts to confront it directly and to confront those who would finance and support its efforts wherever they may be.

In addition, with regional and international spillover effects of the civil war in Syria, we must also keep in mind the damage being done by Hezbollah's extensive support of the dictatorial Assad government.

The Assad government's violent suppression of the Syrian people's courageous campaign in early 2011 to secure their universal rights resulted in the murder of countless innocent Syrians. The violent crackdown of peaceful protesters and the denial of their legitimate democratic aspirations directly led to fledgling armed opposition groups throughout Syria. Since then, Hezbollah has provided training, logistics, and direct personnel to the Government of Syria's ruthless and criminal efforts to violently crush the opposition, driving many into the arms of extremist groups like ISIL and the Nusra Front.

For years, Iran has provided Hezbollah with training, weapons, and explosives as well as political, diplomatic, monetary, and organizational aid. However, Hezbollah has been enterprising in supplementing its revenue stream through criminal activities like drug trafficking, money laundering, and counterfeiting among others.

The Iran nuclear agreement was necessarily focused exclusively on preventing Iran from obtaining a nuclear weapon. That is because a nuclear-armed Iran would pose an exponentially greater danger to the security of the United States, our ally Israel, and the entire world. In my view, the agreement was the only viable option to prevent such a disastrous scenario.

But now we must do more to confront Hezbollah, as part of our broader efforts to strengthen regional security and antiterrorism efforts in the Middle East. Our goal here is simple: to shut down Hezbollah's funding networks which support its terrorist, narco-trafficking, and other criminal activities.

This bill gives the administration new tools to more aggressively pursue foreign banks that finance Hezbollah and requires key reporting to Congress on whether current efforts by other countries to combat Hezbollah's activities are adequate so that we might reassess our policy on an ongoing basis. In addition, it requires the administration to provide regular briefings for Congress on Hezbollah's narco-trafficking activities and other criminal activities, including prospects for explicit designation under the Foreign Narcotics Kingpin Designation Act or as a transnational criminal organization.

The bill imposes tough, targeted new sanctions measures on Hezbollah and its financiers, while minimizing unintended consequences against innocent third-party banks or countries that have worked hard to combat Hezbollah's reach. I am confident, for example, after consulting with State Department and Treasury officials, that the bill will be implemented to avoid overcompliance by U.S., European, and other financial institutions that could otherwise inadvertently damage Lebanon's banking sector, a key bulwark of its economy. That is especially important as Lebanon's economy is already under pressure, burdened with the highest number of refugees per capita in the world.

I commend this bipartisan legislation to my colleagues. I thank Senators SHAHEEN and RUBIO and Chairman SHELBY for working with me to ensure its passage.

Mr. DAINES. I ask unanimous consent that the substitute amendment be agreed to, the bill, as amended, be read a third time and passed, the title amendment be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2810) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 2297), as amended, was passed.

The amendment (No. 2811) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: "To prevent Hizballah and associated entities from gaining access to international financial and other institutions, and for other purposes."

MEASURE READ THE FIRST TIME—S. 2288

Mr. DAINES. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 2288) to prohibit members and staff of the Federal Reserve System from lobbying for or against legislation, and for other purposes.

Mr. DAINES. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

ORDERS FOR WEDNESDAY, NOVEMBER 18, 2015

Mr. DAINES. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, November 18; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, until 11 a.m.; further, that the cloture motion with respect to the motion to proceed to H.R. 2577 be withdrawn; finally, that at a time to be determined by the majority leader, in concurrence with the Democratic leader, the Senate proceed to the consideration of H.R. 2577.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. DAINES. If there is no further business to come before the Senate, I

ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator DURBIN for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Illinois.

DACA AND DAPA ANNIVERSARY

Mr. DURBIN. Mr. President, it was 1 year ago this week that President Obama announced he would use his Executive authority to reform our broken immigration system. The President said we should prioritize the deportation of those who have been convicted of serious crimes or those who pose any threat to America's security. The Department of Homeland Security only has funding to deport a small fraction of the undocumented immigrants in the country.

So the President said: Let's make a priority. Let's focus our limited resources on deporting those who could do us harm. It seemed like common sense to most people. At the same time, the President said we should not waste our resources deporting young immigrant students who grew up in this country and would, in fact, if they were deported, tear their families apart.

The President's policies focused on deporting felons, not families—criminals, not children. In 2012 President Obama established the Deferred Action for Childhood Arrivals, known as DACA. DACA provides temporary—let me underline the word "temporary"—immigrant status to immigrant students who arrived in the United States as children. This program is based on the DREAM Act, a bill I introduced 14 years ago in the Senate. That bill was introduced to give undocumented students who grew up in America a chance to earn their path to citizenship. We call them DREAMers. It was known as the DREAM Act. They were brought to the United States as kids, some as infants. They grew up in our country pledging allegiance every day in the classroom to the only flag they have ever known—the U.S. stars and stripes. They are proud and patriotic Americans in every sense but one: They are undocumented. They only want a chance to work, to be part of America's future.

We have already invested in these young people. We have put quite a bit of our resources into making them what they are today. It makes no sense to walk away from this investment, does it, if that child, grown up now, could be an asset to the future of America?

So far, more than 700,000 of these young people have received the DACA protection, temporary status to stay in the United States. What have they done with this opportunity? They have decided to do more to help our coun-

try—to become engineers, teachers, small business owners.

DACA, I am sorry to say, is not a popular program with many of my Republican colleagues. They have tried to shut it down. They want to deport these DREAMers—2½ million young people who were brought to the United States as infants and children, who have grown up in this country, have no serious criminal record, and who only want to be part of our future. Instead, the critics say, turn them away, deport them—many times to countries they cannot even remember.

A year ago this week, President Obama established a new program that built on DACA's success. It is called the Deferred Action for Parental Accountability, or DAPA. Under that program, undocumented immigrants who have lived in the United States for more than 5 years and have American children would be required to come forward, register with the government, pay a fee, submit themselves to a criminal and national security background check, and pay their fair share of taxes. This is potentially 11 million people. Are we safer as a nation if these 11 million—or a large part of them—come forward, register with the government, pay their taxes, and submit themselves to a criminal background check? If they have a serious problem, if they have committed a crime, out they go. I am not going to defend them. But let's give these people a chance to get temporary status in this country by paying their taxes, paying a fee, submitting to a background check, and registering with our government. If the government determines these parents haven't committed any serious crimes and don't pose any threat to us, the President's order, on a temporary basis, says they can work and will not be deported—temporary.

President Obama also expanded this to cover all DREAMers who came to the United States as children and have lived here for at least 5 years. Why did he take these actions? Because for years Congress has failed to fix our broken immigration system.

I remember the day—it was June 27, 2013, 2½ years ago—the Senate passed comprehensive legislation to fix our broken immigration system. The vote was 68 to 32. A substantial number of Republican Senators joined with Democrats in voting for this comprehensive reform. We had spent, eight of us—the group of 8, as we were called—months negotiating back and forth and back and forth on the toughest issues involving immigration. We reached a bipartisan agreement, brought the bill to the floor, and it passed. We were in the majority at that time on the Democratic side, but we reached across the aisle to make sure enough Republicans could support us so that we could have a bipartisan solution to our immigration challenge.

Unfortunately, the Republican majority in the House of Representatives at that time would not even consider—wouldn't even consider—the immigration reform bill we passed. In the face of that, the President had no choice. He could allow our broken immigration system to continue or step forward and try to make America safer and more just.

The Center for American Progress, incidentally, says the economic benefit of the President's Executive orders would have been significant. Both DACA for children and DAPA for their parents would increase my State's gross domestic product by almost \$15 billion over 10 years and increase the earnings of all Illinois residents by almost \$8 billion.

Unfortunately, both DAPA and the expansion of the earlier DACA have been blocked by lawsuits that have been filed by Republicans who oppose the measure. These Republicans, who have the majority in the House and Senate, refuse to even consider any legislation to fix our broken immigration system.

Well, last week, in a decision that was no surprise, a Republican-appointed judge—actually, a bank of judges on the Fifth Circuit Court of Appeals—sided with the Republicans who had filed a lawsuit and upheld an injunction that blocks DAPA and the expanded DACA Program. The Obama administration announced they will appeal to the Supreme Court. The Supreme Court has been clear in the past that Presidents have the authority to set Federal immigration policy. I believe the President's actions will ultimately be upheld.

Over the years, I have come to the floor more than 60 times to tell stories about DREAMers. I used to give speeches about the general issue, and people didn't pay much attention. But then I started telling the stories of the actual people who would be affected by the DREAM Act and by DACA. Today, I want to tell you another one.

This is Fernando Meza Gutierrez. Fernando's family came to the United

States from Mexico when he was 9 years old. He grew up in Los Angeles, CA, and he was an outstanding student. In high school, he was an advanced placement scholar, and he received an international baccalaureate diploma and the Achievement Award in Foreign Language for French. He was a student athletic trainer, president of the French club, and tutored his fellow students in French, Spanish, and in math.

Fernando was also active in his community. He volunteered at nursing homes, participated in canned food drives, beach cleanup, and Thanksgiving dinners for the homeless.

Fernando continued his studies at Santa Clara University. Remember, as an undocumented student, he didn't qualify for a penny in Federal assistance—no loans, no Pell grants. But at Santa Clara University, Fernando graduated cum laude with a double major in biology and French. During his time at Santa Clara, Fernando won the award for the best presentation in molecular biology at the West Coast Biological Sciences Undergraduate Research Conference. He worked at a research laboratory, where he studied how cells choose what kind of tissue they will become during their development. Unlike the other students, Fernando could not be paid for his work because he was an undocumented immigrant.

Fernando also continued to be active in his community. He was a certified emergency medical technician, responding to on-campus medical emergencies. He participated in food drives, tutored high school students, worked with HIV patients in San Francisco, and volunteered for soup kitchens.

Fernando is currently a third-year doctoral student at the University of California in San Francisco, studying biochemistry and molecular biology. He is working in a lab in the Hellen Diller Comprehensive Cancer Center. He focuses his research on how cancer cells get rid of proteins that are defective and potentially harmful or proteins that are no longer needed. His

work could provide valuable insights into many diseases and disorders, including cancer and autism. Fernando also mentors high school students and undergraduate students pursuing careers in biomedical science.

Fernando sent me a letter, and this is what he said:

I'm thankful to this country for giving me the opportunity to grow up in a safe environment, for the education I receive, for the amazing people that have been a part of my life, and for the culture in which I grew up. All these factors have shaped my world view, my aspirations. . . . DACA will allow me to contribute to America's biomedical research work and potentially make discoveries that could improve the lives of Americans and people around the world. This country has given me an opportunity to pursue my passion for biomedical research. In the future, I want to use my expertise to contribute to this country and to make sure that the United States remains the world's leader in biomedical discoveries.

Fernando and many DREAMers like him have a lot to contribute to America. I don't understand those who want to deport this young man, who say: We don't need you, we don't need your talents, we don't need your hard work, and we don't need your research. Of course we do. America will be a better country if Fernando becomes a part of its future. That is what the DREAM Act does. That is what DACA does. That is what we are trying to achieve.

Instead of trying to deport young men and women like Fernando, I hope the other party will support meaningful immigration reform that is fair and comprehensive.

Mr. President, I yield the floor.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

The PRESIDING OFFICER (Mr. DAINES). The Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:48 p.m., adjourned until Wednesday, November 18, 2015, at 10 a.m.

HOUSE OF REPRESENTATIVES—Tuesday, November 17, 2015

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. FLEISCHMANN).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 17, 2015.

I hereby appoint the Honorable CHARLES J. "CHUCK" FLEISCHMANN to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

WEST VIRGINIA'S DRUG EPIDEMIC

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, it has been nearly 4 weeks since President Obama visited my district in Charleston, West Virginia, to discuss the ongoing drug epidemic that is plaguing my State.

West Virginia has the highest overdose rate in the country, with 29 out of every 100,000 people each year dying from drug overdoses. This is an issue that affects all West Virginians.

We all know someone who has been addicted or has been directly affected by drug abuse. Drug addiction knows no boundaries. It affects the young and the old, the rich and the poor, the Black and the White. That is why we have to do everything we can to fight back.

We have to help coordinate efforts on the Federal, State, and local levels. One of the best ways to ensure that we have a cohesive strategy is to work with the HIDTA program, also known as the High Intensity Drug Trafficking Area.

The HIDTA program was created by Congress to provide assistance to Federal, State, and local law enforcement agencies operating in areas determined to be high drug-trafficking regions of the United States.

The purpose of the program is to reduce drug trafficking and illegal drug production in the United States by doing the following:

First, facilitating cooperation among Federal, State, and local law enforcement agencies to share information and implement coordinated enforcement activities;

Second, enhancing law enforcement intelligence sharing;

Third, providing reliable law enforcement intelligence to law enforcement agencies needed to design effective enforcement strategies and operations;

Fourth, supporting coordinated law enforcement strategies which maximize use of available resources to reduce the supply of illegal drugs in designated areas and in the United States as a whole.

One of the counties in my district, Jefferson County, has recently applied to the HIDTA program. It is imperative that Jefferson County become a designated area.

On August 6, I sent a letter along with my colleagues in West Virginia, Congressman DAVID MCKINLEY and Congressman EVAN JENKINS, to Michael Botticelli, the Director of the Office of National Drug Control Policy, urging him to make Jefferson County a HIDTA area. It is of the utmost importance to include Jefferson County as a Washington-Baltimore HIDTA-designated county to help combat the growing drug epidemic not only in our State, but also in our entire country.

Jefferson County is dangerously close to three major drug markets: Washington, D.C., which is 60 miles away, right here; Baltimore, which is 70 miles away, here; and Philadelphia, which is 171 miles away. Our Interstate Highway System directly links all three areas to Jefferson County, and a traveler can reach both D.C. and Baltimore in a little more than an hour, making it incredibly easy to bring drugs into our community.

There is also a large number of tourists that visit Jefferson County each year. It is estimated that around 4.3 million visitors come to Jefferson County annually to visit a number of tourist attractions, including the Harpers Ferry National Historical Park, eight historical homes of President George Washington's family, Charles

Town racetrack, Shepherd University, and many others. While Jefferson County greatly benefits from a large number of tourists, it is a growing concern that the ratio of police to visitors is growing too wide.

The most dramatic reason for Jefferson County to become a HIDTA is the high drug use statistics of the eastern panhandle of West Virginia. Cocaine use the past year is 16 percent above the national average, and nonmedical use of pain relievers is 15 percent above the national average. Illicit drug use other than marijuana in the past month is 27 percent above the national average.

It is time to act now before the situation in the eastern panhandle of West Virginia becomes grimmer. Jefferson County needs to be designated as a HIDTA county.

THE AFTERMATH OF TERRORIST ATTACKS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, we are all horrified by the barbaric attacks in Paris designed to slaughter innocent people and inspire terror. We stand with the French people and are all committed to redoubling our efforts to ensure we keep Americans safe and intensify our efforts to eradicate these evil, sinister forces that appear almost to be a different species.

It is important, however, that we think through clearly where we are, what we have done, and what makes sense going forward to protect Americans and redouble our efforts against this enemy. We must not jump to conclusions and do something before it is carefully planned and analyzed.

I was here in the aftermath of the horror of 9/11, the killing of innocent Americans in the Twin Towers and the Pentagon, and but for the bravery of passengers on United Airlines flight 93, we might well have had our Capitol destroyed.

The Federal Government acted after 9/11, but it is not clear our actions were thought out the way they should. We assembled a clumsy behemoth, the Department of Homeland Security, the largest department we have created since 1947. In retrospect, it is not clear that was the wisest course of action. Think about the excessive bureaucracy, charges of waste, fraud, and inefficiency in that department. Look at the clumsy response to Katrina.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

We passed the PATRIOT Act instead of the bipartisan legislation produced by the Committee on the Judiciary. Look at the vast, sprawling, shadowy intelligence network, so large nobody actually knows precisely how big it is. Remember, the failure of 9/11 to stop the attack was not for lack of intelligence. It was a failure to be able to use the knowledge we have. There is a danger at times of drowning in data.

The impulse to lash out led to the disastrous war in Iraq. The aftermath of that effort has done more to empower ISIS. It not only drew people to the movement, but we created a space where they can operate, grow, and lash out at us.

Now we hear what can only be described as crazy talk in the Republican Presidential primaries not just about sealing the borders, but having a religious test for refugees fleeing terror.

Remember, the 9/11 attackers did not sneak across the borders, but exploited weaknesses in our visa system. Even in Europe, it appears that most of the people involved with the attack did not sneak in, hidden with Syrian refugees. They were actually people already in Europe, radicalized and moving freely about.

It is appropriate to be concerned, angry, and determined to protect innocent people, to hunt down and eliminate these horrific threats. I just hope that we learn from our past mistakes about impulse and overreach that may not produce its intended results but, instead, may leave us with more problems and vulnerability.

Remember how a college dropout was able to expose vast amounts of sensitive American data. Edward Snowden had been a private contractor who had worked for the government just a few months.

Working in a highly charged political environment does not tend to bring out the best in Congress. We need to be careful about getting this right, that we have the support of the American people, and that Congress in a really frustrating time in American politics takes the time and energy to craft effective action. Let's try and get on the same page rather than a rapid response, which history shows is not necessarily the right response.

Decidedly, turning our back on Syrian refugees is un-American, unpatriotic, and morally weak. Turning our back on an entire population due to broad-brush characterizations of those who practice a certain faith goes against our core values as a country. I think America is better than that.

Seeking compassion for Syrian refugees can be done securely. The facts make that clear. A failure to do so would put us on the wrong side of history. It would be one of those mistakes we make under pressure and would only make us less safe rather than more.

REFORMING CFPB INDIRECT AUTO FINANCING GUIDANCE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, I rise today in strong support of H.R. 1737, the Reforming CFPB Indirect Auto Financing Guidance Act.

Businesses across West Virginia's Third District are already facing hardships from the Consumer Financial Protection Bureau's rules. Those businesses that make, sell, finance, or service motor vehicles in my State are especially worried about the CFPB's 2013 rulemaking affecting their industry.

The 2013 rule could raise credit costs and push consumers out of the marketplace entirely. It should be consumers, not government bureaucrats, deciding what works best for them.

This bill would rescind that flawed rule and replace it with commonsense guidance for transactions related to indirect auto financing. The bill would give consumers, especially those with low and moderate incomes, a chance to receive the best financing options available for them to purchase a new auto vehicle.

I fully support passage of this bill and hope we can continue to work in a bipartisan fashion to reform CFPB rulemaking.

REACTING TO THE TERRORIST ATTACKS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, we are shocked, horrified, and deeply saddened by the news coming from Paris. As a member of the Permanent Select Committee on Intelligence, I know there is much to fear, both for our allies and for us.

But in light of the attacks on our ally France last Friday, I urge my colleagues to keep a cool head and not to react exactly the way that ISIS and other terrorists hope we do, with fear, with chaos, and with lashing out. But, sadly, that is what we have already seen Republican Governors, elected leaders, candidates, and media figures do.

I have been here long enough to know a thing or two about opportunism. Maybe it is too much to resist when you are one of 15 candidates for President of the United States. Politicians, pundits, and celebrities will be tempted to say whatever they can to get the news cameras pointed at them.

The Governor of Illinois, my home State, could not resist saying our State was closed to Syrians fleeing the terror of ISIS and the Assad regime. The Governor of Louisiana, the son of immigrants, running for President of the United States, a nation of immigrants,

said "no" to refugees. The Governors of a dozen other States did so, too. A Senator whose parents came as refugees from Cuba fleeing there has said "no," too.

This is despicable and cowardly and precisely the kind of reaction ISIS wanted. ISIS could not have written a better script. The free people of the world are turning their backs on people seeking safety and freedom. When we sent Jews back to Germany and when we sent Japanese to internment camps, we regretted it, and we will regret this as well.

We have had candidates actually say that refugees seeking safety in the strongest nation in the world must first pass a test to prove they are from an acceptable religion. In the United States of America they said this. In the 21st century. An acceptable religion in America.

Now, of course, the Governors of Illinois, Texas, and Louisiana, and most of the other States that are scared of ISIS, are Republican. Because it is a Federal matter, they are overstepping their powers with executive orders because they cannot actually stop refugees from resettling in their States, and they know it. How sad.

□ 1015

Instead, they have instructed State agencies not to assist people fleeing terror. We are a better country than that.

No matter how scared Republican leaders become, we must not abandon our commitment to being a nation without equal in a world, a nation that does not fear or shy away from any challenge. It is our commitment to religious equality and the freedom to worship as we please that has made us a great nation. And this is no time to abandon that tradition.

Our bravery, the bravery of our military, and the bravery of our commitment to freedom and equality have shown for almost 250 years what American exceptionalism is truly all about.

It is not the time to lose sight of ourselves and say America is too weak, that America cannot handle 20,000 or 200,000 refugees fleeing for their lives. It is not the time for America to consider raising the white flag and say to those waving the black flag: "Yes, ISIS, you are right. We dislike and fear Muslims, and we do not care if you perish or not."

A lot of us love this country too much to see it abandon core principles and values because religious extremists commit acts of terror designed precisely to terrorize us.

On Thursday, the Immigration Subcommittee will hold a hearing on refugees from Syria and the Middle East, as well it should, but you can already imagine what we will hear. Republicans will most likely raise fears that Muslim terrorists disguised as refugees

would somehow pass exhaustive criminal background checks because they have been lying in wait in those camps overseas for years on the slim chance they could do damage to America. They will raise suspicions, instill fear of Muslims, maybe even fear of a President they have been saying is a Muslim, and it will probably be a pretty sad display.

Let us as legislators, leaders, and patriots rise above petty politics, rise above sectarian fears, and rise above the underlying layer of xenophobia that often surfaces in this country at moments like this throughout our history. And let us maintain America's commitment to being a beacon of hope for those fleeing oppression, violence, and intolerance.

A haven for the religiously persecuted, whether they are Buddhists from Tibet, Christians from Iran, or pilgrims from Europe, is who we are. We are a nation that lives by the motto: "Out of many, one." We will not run in fear from that motto today or any day. This is America.

CALIFORNIA HIGH-SPEED RAIL BOONDOGGLE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. LAMALFA) for 5 minutes.

Mr. LAMALFA. Mr. Speaker, as a Californian, I know full well that we are suffering from a record drought; but what we already know is that California officials pushing the State's high-speed rail proposal won't be deterred by skyrocketing costs, an absence of private investment, or the \$55 million—and growing—funding gap. What we didn't know was the extent of secrecy and mismanagement taxpayers would face at the hands of State officials pushing this project.

Just this month, we learned that in 2013 the agency's main contractor projected that the first phase's costs had risen 31 percent. This information was concealed by the High-Speed Rail Authority and only released 2 years later after pressure from Congress.

While the lack of transparency is unacceptable, especially given that taxpayers are ultimately on the hook for this project, the fundamental issue here is that the entire project is a ruse—in literal terms, a train wreck—in that State officials knew this for some time and that those same officials hid this from the public.

In 2008, voters were promised an 800-mile system that would link Sacramento, San Francisco, Los Angeles, and San Diego, cost about \$34 billion, and would have less than one-third of the costs paid by the State through its taxpayers. The system was promised to travel from San Francisco to Los Angeles in under 2 hours and 40 minutes.

Fast forward to 2011 when the price had shot up from \$34 billion to \$100 bil-

lion, the plan was reduced to only L.A. to San Francisco, and the State was quick to grab billions of—unknown at the time—Federal stimulus that came along later, funding that could have been used for critical needs like roads or water infrastructure that California needs so desperately, as well as now shifting cap-and-trade dollars recently created to try and prop up high-speed rail and its deficient budget dollars.

As a State senator at the time, the first bill I introduced was one that would require them to come up with the ultimate full plan of the cost of doing high-speed rail. Having not succeeded in getting that through a majority that still liked it as it was, my next legislation was to say, now that we know this is over \$100 billion, let's put this back on the ballot and in front of the voters, since the price has tripled and they were deceived at what it would cost at the time. That, too, met defeat, as those in the majority still wished to continue this boondoggle.

Today, the Governor claims the price has fallen to \$68 billion for what would be an illegal system, based on what the voters passed under Prop 1A. However, the estimate ignores the costs of tunneling through the Tehachapi Mountains, ignores cost spikes in the initial construction segment, and ignores the rising costs of lands acquisition due to people having to fight because they are having their homes, their farms, and their small businesses paved over by this project.

The promises made in 2008 ranged from low ticket prices to questionable job figures, including the fact that they were claiming there would be a million new jobs from high-speed rail. When we pinned them down in committee a little bit later, they said, well, that would mean a million job-years. That number has since been pared down. All these have been proven false. In fact, these claims are so misleading that a State court has forbidden the legislature from writing ballot measure descriptions.

Earlier this week, I sent out a survey to residents in my weekly e-newsletter to constituents in California's First District, my own district, asking them to share their thoughts on high-speed rail as it is now. I listed a number of suggested actions we could take on high-speed rail, from leaving it as is to defunding it, and asked which best represents our constituents' position on the project now.

Of the nearly 1,600 answers we received, their views are pretty clear. Nearly half of them said they thought funding for high-speed rail should be redirected to invest in water storage and water infrastructure to help our State right now in this drought.

About 20 percent thought the State should subpoena the cost documents and require High-Speed Rail Authority officials to testify why the figures were

concealed. Approximately 18 percent thought California's high-speed rail should undergo Federal investigation in response to these allegations, given that the project involves the use of Federal funds. A scant 7 percent thought we should keep going forward with high-speed rail and believed the current price tag is a worthwhile investment of public funds. Lastly, 4 percent supported investing in high-speed rail, provided the project stayed within the old constraints, the old prices—the ones they saw on the ballot. So, at best, you see 11 percent that might support high-speed rail and 4 percent that might under the old price, which is nowhere near what was projected.

People don't like this project, don't trust those advocating for it, and they deserve better than to see their own tax dollars used to lie to them. No new Federal dollars will come from here to help this project be propped up anymore.

It is time we start prioritizing funding for projects that actually address real problems facing California, such as the current drought. It is time to apply common sense to this situation. We have a State whose economy depends on a sound water supply, yet in the midst of a historic drought, we are still chasing this high-speed rail boondoggle.

Rather than throwing billions of dollars away, let's get to what people demand and will help our economy and the people of California.

CONGRESSIONAL RESEARCH SERVICE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, when the average American wants to learn about a policy, where do they turn for information? Often, the answer is the 24-hour news cycle, often filled by talking heads and sensationalism; or, to social media and message boards, where anyone can post anything—credible or completely misinformed.

The American public is no longer being informed by the likes of Walter Cronkite and Edward Murrow, and it is making our public debate increasingly partisan, polarized, and misinformed.

What few realize or like to admit is that there is a way Congress can help elevate the debate and educate our constituents with neutral, unbiased, nonpartisan information from the Congressional Research Service, or CRS.

For over 100 years, CRS has served as Congress' publicly funded think tank. Because they serve policymakers on both sides of the aisle, CRS researchers produce exemplary work that is accurate, nonpartisan, and easy to understand.

Despite the fact that CRS receives over \$100 million from taxpayers each

year, its reports are not made available to the public. Instead, constituents must request individual reports through a congressional office. This has led to several undesirable consequences.

Well-connected lobbyists have the easiest access to these reports, unlike the average American. Second, while nonprofits make some reports available online, there is no guarantee that they will remain available and up-to-date. And most outrageously, a small industry has sprung up reselling these reports for exorbitant fees. In other words, businesses are making a profit by selling publicly funded work, work that ultimately belongs to the people.

Keeping these reports in the hands of Congress and beltway insiders is selfish and indefensible. I understand that allowing the public to access these reports will not answer all the questions constituents have about the work that happens on Capitol Hill, but it underscores the broader need for increased transparency in Congress and government.

Public trust in government has reached historic lows, causing too many Americans to simply give up on Washington and the mission of government. The best way to rebuild the public's trust and promote a more efficient and effective government is by furthering government accountability through increased transparency.

It is time to recognize that educators, students, media, and everyday citizens deserve access to CRS reports and that this access gives our constituents vital information about the issues, policies, and budgets we are debating here in Congress.

That is why Congressman LANCE and I introduced H. Res. 34, which directs the Clerk of the House of Representatives to maintain a centralized public database for nonconfidential CRS reports. This resolution gives the public tools to cut through the misinformation they face, gives them access to something they are already paying for, and empowers the American people to hold Congress accountable for the decisions we make.

The steps toward a more open and transparent government may seem modest to some, but, in reality, they have a huge impact on how government serves the people. The mission of government matters, and if we are truly here to serve the people, then we owe it to them to operate in an open and transparent manner.

Let's give the public the information we are basing our decisions on. I urge my colleagues to stand up for transparency and accountability by supporting H. Res. 34. Information is power, and that is exactly what the American people deserve.

NATURAL GAS EXPANSION IN CENTRAL PENNSYLVANIA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise in recognition of the efforts of the Susquehanna Economic Development Association's Council of Governments, otherwise known as SEDA-COG, in working to expand the availability of natural gas in areas across central Pennsylvania.

Mr. Speaker, natural gas is not only produced right here in the United States of America, but it is also economical and versatile, with uses that range from home heating to cooking and drying clothes.

While Pennsylvania sits on one of the largest natural gas reserves in the Nation, many areas of the State are unserved or underserved by natural gas providers. Converting to natural gas can lead to big savings for consumers who currently rely on other home heating fuels such as propane and oil.

To help address this issue, SEDA-COG's \$160,000 pilot project will provide natural gas to these areas in order to attract manufacturers and to give homeowners the option to connect. To do that, this organization has joined with gas suppliers such as UGI Utilities and Columbia Gas of Pennsylvania, starting with at least three projects in central Pennsylvania that will expand natural gas access to hundreds of potential users.

In addition, the project will focus on the sustainability of delivering natural gas through "virtual pipelines," where compressed gas would be delivered by a truck to be used by large commercial businesses located nearby.

If successful, SEDA-COG officials say that they could expand this model to fuel users connected by a small pipeline network, including residential areas such as housing developments.

Mr. Speaker, I commend the innovative spirit of SEDA-COG and its partners, and I look forward to learning more about how these projects could benefit other areas of Pennsylvania.

130TH ANNIVERSARY OF DUBOIS BUSINESS COLLEGE

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in honor of the 130th anniversary of the DuBois Business College, which has several campuses located in Pennsylvania's Fifth Congressional District.

The college was founded in 1885 by a local businessman who recognized a need for skilled businessowners, operators, and employees. The school's original location was once known as the largest building in America devoted exclusively to commercial education.

□ 1030

In the many years since, DuBois Business College has expanded not just

to a new location in DuBois, but also to include branch campus locations in Oil City, Philipsburg, and Huntingdon.

Today the college has a student body of more than 400 and offers a variety of associate's degree and diploma programs, all of which can be completed in less than 2 years. This provides a quick transition for students into the workforce.

Mr. Speaker, I am honored to welcome administrators and students from DuBois Business College to Capitol Hill today. I look forward to congratulating them in person, and I wish them well in their continued success.

RESTORATION TUESDAY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Ms. SEWELL) for 5 minutes.

Ms. SEWELL of Alabama. Mr. Speaker, today is Restoration Tuesday. I rise today to support voting rights for all Americans.

I was proud to stand alongside Members who support the restoration of the Voting Rights Act of 1965 recently and to launch the #restorethevote legislative strategy. This national effort will help mobilize support for H.R. 2867, the Voting Rights Advancement Act of 2015, a bill that I sponsored with Representatives JUDY CHU and LINDA SÁNCHEZ to restore critical Federal oversight to jurisdictions who have a recent history of voter suppression.

Since elections are held on Tuesdays, every Tuesday that Congress is in session, like today, we will declare it to be Restoration Tuesday. So today I am speaking on the floor of the House of Representatives on the need to restore the Voting Rights Act of 1965.

Our call for restoring the VRA is urgent, Mr. Speaker. As our colleague JOHN LEWIS so eloquently says, there is no other work more important in this or any Congress than protecting the full access of all Americans to the democratic process.

If we do not act, the 2016 election will be the first Presidential election in 50 years without the protections offered to millions of voters by the Voting Rights Act of 1965. We must act now.

I therefore urge all of my colleagues from both sides of the aisle, my Republican and my Democratic colleagues, to join me on Tuesdays and speak in support of the Voting Rights Act and to sign onto the Voting Rights Restoration and Advancement Act of 2015, which restores key components of the Voting Rights Act of 1965.

Ultimately, this bill, H.R. 2657, will restore key components of the Voting Rights Act of 1965. The bill will provide more protection to more people in more States. It is about broadening, expanding, advancing the Voting Rights Act.

Nothing is more American than voting. So every Tuesday Congress is in

session we will be wearing the #restorethevote pin. The red, white, and blue pin is a symbol of our unwavering commitment to restoring the voices of the excluded, ending discriminatory practices, and providing transparency in the voting process.

Fifty years ago, in 1965, President Lyndon Johnson signed the Voting Rights Act into law. His voice and his words still resonate today. The vote, he said, is the most powerful instrument ever devised by man for breaking down injustice.

The Voting Rights Act of 1965 was pivotal in preventing voter discrimination and preventing it from occurring across the United States. The act gave millions of African Americans a voice, a voice that has been heard throughout our Nation for nearly 50 years.

Now the Voting Rights Advancement Act will expand that not just to African American voters, but to all voters. That is exactly what we should be about. We should be about expanding voting rights opportunities so that all Americans are protected.

As a daughter of Selma, Alabama, I am painfully aware that the injustices suffered on the Edmund Pettus Bridge 50 years ago have not been fully vindicated. As States across the country are passing laws to restrict access to the ballot box, we are ever mindful that old battles have indeed become new again.

The recent decision by the State of Alabama, for example, to close 31 DMV offices in majority Black counties in spite of Alabama's photo ID law is just one example of a modern-day barrier to voting.

The Supreme Court issued Congress a challenge in the Shelby decision. It didn't say that pre-clearance was unconstitutional. Rather, it said: Congress, come up with a modern-day formula to address modern-day barriers to voting.

Well, this example in Alabama of 31 DMV offices closing when indeed the State requires a photo ID and a driver's license is the most popular form of ID is one example.

These counties that were discriminated against by this recent law in Alabama were the very counties where foot soldiers and activists like Jimmie Lee Jackson and Jonathan Daniels died for the opportunity and the right for others to vote. If Federal pre-clearance provisions were still in effect, these DMV closings would not have occurred.

To restrict the ability of any American to vote is an assault on all Americans' equal participation in our electoral process. No one benefits when American voices are silenced at the polls.

Mr. Speaker, I applaud certain States like the States of California and Oregon, two States that are now automatically registering citizens who request a driver's license to actually vote.

So, Mr. Speaker, on this Restoration Tuesday, I am asking all of my colleagues to join me in support of H.R. 2867, the Voting Rights Advancement Act, and I am asking all Americans to join us in our efforts for #restorethevote and #restorationtuesday.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Neiman, one of his secretaries.

HANFORD LAND TRANSFER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington (Mr. NEWHOUSE) for 5 minutes.

Mr. NEWHOUSE. Mr. Speaker, I rise today to recognize the opening of the Manhattan Project National Historical Park, a significant part of which is in my Congressional District in the State of Washington.

Decades of successful cleanup efforts at the Hanford nuclear site have come to fruition with the dedication of the historic B Reactor as a part of this national park. The B Reactor was the world's first full-scale plutonium production reactor, helping our country end World War II and the cold war.

The new park will highlight the sacrifices and the contributions of thousands of workers who built the facility and the scientists whose groundbreaking research played a critical role in the Manhattan Project.

More than 50,000 visitors have toured the site since 2009, and the park will attract thousands more to learn about our region's history. The park will provide future generations with a unique educational experience.

I applaud the efforts of the community who has worked for years to make this national park a reality. I will continue to support the opening of additional sites for public access in order to preserve and tell the story of Hanford.

NOHEMI GONZALEZ AND THE ATTACKS ON PARIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. LOWENTHAL) for 5 minutes.

Mr. LOWENTHAL. Mr. Speaker, the people of France and the people of the United States have shared a common bond of liberty and equality for over 200 years. In the face of the recent terrorist attacks in Paris, that bond brings us now even closer in unity and in solidarity.

We stand with the French people as they mourn. We stand with the friends and families of those who were killed, like Nohemi Gonzalez, a young Cali-

fornia State University, Long Beach, student studying abroad in Paris.

We also stand with our Cal State, Long Beach, family in their mourning. Nohemi's death is a very personal loss for each and every one of us. It tears at the very bonds of fraternity that embrace every member of our Cal State, Long Beach, family and the Long Beach community.

Nohemi was a daughter, a friend, and a mentor. Just 23 years of age, she was a vibrant student and what those who knew her have called "a shining star."

Nohemi committed herself to learning. She traveled across the globe to express and to explore her talents, her creativity, and the world. Now all that seems broken.

Yes, we grieve for Nohemi. But we also grieve for all the victims in Paris. We grieve for their families, their friends, and all their loved ones. We grieve for each and every one of them.

Today we are all part of the human family. As a family, we mourn Nohemi Gonzalez, our shining star. But in our mourning, let us remember something very, very important.

This was not an attack on Paris, though Paris was the target. This was not an attack on the French people, though the French people were the target. This was an attack on what unites us, our shared humanity and our shared values of liberty.

In that humanity, in those values, we will find the strength to stand strong in the face of senseless violence because, in the end, humanity that unites us is what frightens those who would do us harm.

ISLAMIC EXTREMISM ATTACK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kansas (Mr. YODER) for 5 minutes.

Mr. YODER. Mr. Speaker, America and her allies are under attack by Islamic extremism. The despicable act of terrorism the world witnessed over the weekend in Paris, France, serves as a stark reminder that the threat posed by ISIS knows no borders.

French officials have indicated that at least one of the Paris attackers linked to ISIS was admitted into Europe as a refugee from Syria. Nevertheless, the administration has made it clear that, in spite of this, it will continue to seek to bring up to 10,000 Syrian refugees to America in the coming year.

The President's refugee proposal places the interests of other nations ahead of the safety and security of the American people. Because we are unable to verify whether the next attacker is within their midst, we must halt the flow of any refugees into the United States from Syria.

Mr. Speaker, in light of these attacks, now is not the time to open our borders to refugees from countries who

wish to do our citizens harm. Congress stands ready to legislate or use the power of the purse should this administration refuse to change course on this misguided policy.

HONORING RETIRED U.S. ARMY MASTER SERGEANT JACK C. HARLAN, JR.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. LAHOOD) for 5 minutes.

Mr. LAHOOD. Mr. Speaker, I rise today to honor retired U.S. Army Master Sergeant Jack C. Harlan, who received the Military Order of the Purple Heart on Veterans Day last week in Peoria, Illinois.

I was privileged to pin the medal on the lapel of Master Sergeant Harlan's dress blues in front of hundreds of spectators and veterans gathered at Peoria's World War I and World War II memorial.

The veterans event, held annually to honor our servicemen and -women, this year brought a special opportunity to witness Master Sergeant Harlan receive his distinguished medal. It had been approved recently by John McHugh, our Secretary of the Army.

Master Sergeant Harlan has 18 years of service to our Nation, carrying out tours in Afghanistan and Iraq. While on deployment for Operation Iraqi Freedom in 2007, a vehicle carrying Master Sergeant Harlan and a small transition team on combat control was suddenly struck by an IED.

□ 1045

Harlan was knocked unconscious from the blast and suffered concussive injuries from the attack.

Mr. Speaker, Master Sergeant Jack Harlan is a son of central Illinois and has served our country with valor. He has since been honorably discharged from the United States Army and has returned home to help serve his fellow veterans. We honor him with this Purple Heart.

CELEBRATING THE LIFE AND HONORING THE MEMORY OF GUNNERY SERGEANT HENRY "HANK" GREEN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. JOLLY) for 5 minutes.

Mr. JOLLY. Mr. Speaker, I rise today to celebrate the life and honor the memory of Gunnery Sergeant Henry "Hank" Green. Hank passed away on November 5 at the age of 95.

Mr. Speaker, Hank was one of the first marines to land on Guadalcanal as a member of the First Marine Raider Battalion known as Edson's Raiders. He was recognized for his bravery during the battle known as Bloody Ridge in September 1942 when he took over a machine gun where his closest friend

had lost his life. Hank then laid siege throughout the night firing at, in his words, "anything that moved."

During this heroic post, Mr. Speaker, Hank was wounded three times, and he was eventually awarded the Purple Heart.

Hank would go on to see combat in three more locations near the Solomon Islands before being discharged as a gunnery sergeant in 1946.

Upon his return home from war, Hank worked with his father-in-law at H&H Auto Parts in Canton, Ohio, where he grew the business into two very successful locations. In 2002, Hank retired to Florida, first moving to Fort Myers and then making his final home in St. Petersburg.

Mr. Speaker, Hank was a well-known and well-respected man who had an infectious love of baseball. He served his country with distinction, made a lasting impact on his community, and will be sorely missed by the lives he touched.

May God bless Hank, his family, and friends. And may God bless the country Hank so proudly fought for: the United States of America.

FAIRNESS TO VETERANS FOR INFRASTRUCTURE INVESTMENT ACT OF 2015

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. CLYBURN) for 5 minutes.

Mr. CLYBURN. Mr. Speaker, I rise today to express my strong opposition to H.R. 1694, which was debated by this House under the suspension of the rules yesterday.

H.R. 1694 purports to be about fairness to veterans. Well, Mr. Speaker, there is nothing fair about pitting veterans against women- and minority-owned businesses for an already meager goal of 10 percent of Federal highway and transit construction contracts.

If the sponsor of H.R. 1694 really wanted to create a new veterans preference system at the Department of Transportation, he would have worked with Mr. CUMMINGS and Ms. NORTON when offered the opportunity to do so over a year ago. If my colleague really wanted to create a new veterans preference system, he would have cosponsored legislation to establish a specific and separate contracting goal for veteran-owned small businesses through the creation of a veteran-owned business enterprise program.

The gentleman from Pennsylvania has done neither. Instead, he chose to put forth legislation that threatens to inflict irreparable harm on the entire Disadvantaged Business Enterprise program by opening it up to additional legal challenges and undermining its core purpose. The DBE program was created by Congress to combat dis-

crimination against minority- and women-owned small businesses. It is and must remain narrowly tailored to serve a compelling governmental interest in order to withstand the Supreme Court's test of strict scrutiny.

While I support the sponsor's stated goal of helping veterans and, more specifically, helping veteran-owned businesses compete for Federal highway and transit construction contracts, I reject the notion that the best way to do so is by undermining the Disadvantaged Business Enterprise program.

Mr. Speaker, this is not a zero-sum game. We do not need to pit these two constituencies—both of whom continue to suffer through disproportionately high unemployment rates—against each other. We can and should help both veteran and disadvantaged businesses succeed.

That is why I joined Representatives CUMMINGS, NORTON, BROWN, and BUSTOS in sponsoring H.R. 3997, legislation that would create a new veteran-owned business enterprise program at the Department of Transportation that is wholly separate and apart from the existing DBE program. It is the better and more direct way of helping veteran-owned businesses compete for Department of Transportation contracts, and it does so without harming the Disadvantaged Business Enterprise program.

Mr. Speaker, I urge my colleagues to vote "no" on H.R. 1694.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 50 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Compassionate God, we give You thanks for giving us another day.

As the Members of the people's House regather, we ask that they be endowed by Your spirit with wisdom and purpose to address the issues facing our Nation. There is great disagreement about what we are called to in these days, when perhaps the greatest need is a sense of unified focus. Help them to leave behind rancorous accusation so that the dangers that threaten us all can be responsibly addressed together.

We ask Your blessing upon the people of France, Lebanon, Nigeria, and so

many other nations coping with the horrific aftermath of terrorist attacks within their borders. Protect those who work furiously to meet the needs of those most impacted by these events, and bless those who mourn the loss of loved ones.

And finally, as all such serious matters press upon us, engender in us thankful hearts for the blessings we have enjoyed and which we possess today.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Indiana (Mrs. BROOKS) come forward and lead the House in the Pledge of Allegiance.

Mrs. BROOKS of Indiana led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

STOP THE FLOW OF SYRIAN REFUGEES

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, President Obama needs to stop immediately any flow of Syrian refugees into America. Top law enforcement officials have made it clear: We don't know who these people are, and we don't have the capability to vet them. With last Friday's ISIS attacks in Paris that did include a Syrian refugee, this halt is imperative.

We cannot allow terrorism to slip through the cracks. That is why I am a cosponsor of H.R. 3314, a bill to stop the admission of refugees into the United States. We must do all we can to protect our homeland. Stopping these people from coming here is the right and commonsense thing to do.

Mr. Speaker, the President has a duty to protect America. If he doesn't stop risking our security, then we in Congress must make him stop.

CONDOLENCES TO FRANCE

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Mr. Speaker, I rise this morning to express my condolences and support to our allies in France after last week's attacks on civilians in Paris, an act that is undeniably the work of cowards.

Our hearts go out to the victims and their families, but there is comfort in the knowledge that France will rebound, and we will continue to stand by their side. They are resilient. No act of terror can shake the resolve of the French people to live free, and nothing and no one will intimidate France from living prosperously.

I want the people of France to know the American people and this Congress stand in solidarity with you. I say this in full faith and confidence to the cowards who plot against innocent civilians and the principles of freedom. No act of terror will usurp the principles of liberty, equality, and brotherhood.

In addition to France, innocent lives were lost in Beirut and Nigeria. We have terrorist violence and killing all over the world. As a member of the Foreign Affairs Committee and a proud American, I strongly believe we need to strengthen the international coalition in order to create a united front to combat terrorist forces that serve to undermine peace and democracy.

GLOBAL WAR ON TERRORISM STRIKES PARIS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I join with my colleague from Illinois. This is certainly a bipartisan issue.

On Friday, the world watched in horror as Paris endured multiple murderous attacks by Islamist radicals. My thoughts and prayers go out to the citizens of France, the oldest ally of the American people.

I know it is certain that the French values of liberty, equality, and fraternity will never weaken in the face of terror. President Francois Hollande yesterday reminded the world that France is a country of freedom.

In the last month of the global war on terrorism, Daesh, or ISIL, has murdered 244 on a Russian jetliner, 41 have been murdered in Beirut, Lebanon, and now 129 were murdered across Paris, with a direct threat to attack Washington and Rome. The President should change course to eliminate safe havens for Islamist radicals.

Terrorists are trying to break our will with acts of cruel cowardice, but they are mistaken. We will fight together to protect our values and to protect American families.

As co-chair of the French Caucus, and of French heritage, I especially appreciate our friendship with the citizens of France.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism. France is the latest direct target in the global war on terrorism.

RECOGNIZING RON BROWN

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Mr. Speaker, I rise to recognize Ron Brown of Walnut Creek, California. After 15 years of service to Save Mount Diablo and over 40 years in the nonprofit sector, Ron has announced his retirement at the end of 2015.

Under his leadership, Save Mount Diablo grew from a modest staff of 3 to its current staff of 18 people. It has participated in land use advocacy, land purchase for inclusion in parks, and relationship building with local government and developers, all with the objective of preserving the ecosystem that supports the Mount Diablo region. This has resulted in \$25 million raised to preserve thousands of acres of land.

Ron now looks forward to dedicating his time to enjoying the land he has worked so hard to protect. He will soon spend many days fishing and camping with his grandchildren.

Community members from across the East Bay will be gathering this week to recognize Ron and celebrate the contributions he has made.

Congratulations, Ron, on a remarkable and impactful career that has positively changed the landscape of the East Bay.

AMERICAN EDUCATION WEEK

(Mr. COSTELLO of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to recognize the 94th annual American Education Week and give thanks to the teachers and staff who dedicate themselves to the success and advancement of our children.

Mr. Speaker, as the son and brother of a public schoolteacher, I am proud to cosponsor H. Res. 527, which supports the goals and ideals of American Education Week.

For our public schoolteachers, what they do each and every day is more than just a job. It is a dedication to improve the lives and nourish the minds of their students and to strengthen the communities in which they live and work.

American Education Week is just one small way we can recognize the service

of our public schoolteachers. Teachers are a part of the building blocks of a healthy republic.

To our schoolteachers and staff, I rise today to say thank you for all you do day in and day out.

HONORING NOHEMI GONZALEZ

(Ms. LINDA T. SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LINDA T. SANCHEZ of California. Mr. Speaker, it is with a heavy heart that I rise today to honor the memory of a young, bright student who was taken from this world far too soon.

Nohemi Gonzalez, a 23-year-old design student at California State University, Long Beach, was one of the many innocent victims who were tragically murdered in the Paris terrorist attacks on Friday, November 13, while she dined at a restaurant with three friends who were all students at California State University, Long Beach. She was in Paris for a semester abroad, studying at the Strate College of Design.

Nohemi grew up in my district, in Whittier, and graduated from Whittier High School. She was a first-generation Mexican American student who was passionate about design and life. Nohemi was a talented student, a star in the design department, and she inspired and touched the lives of many. In her own words, she was high-spirited, orderly, and self-driven. She had a bright future ahead of her.

I know it is not enough, and it will never be enough, but I hope that Nohemi's family and friends can find some solace in the outpouring of love and support from our community. We grieve for and with you.

At this time, I would like to ask my colleagues to take a moment today to honor Nohemi, the 131 other victims, and those who are in critical condition still fighting for their lives.

REMEMBERING BRUCE DAYTON

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, Minnesota lost a leader, a philanthropist, and a pillar in the community with the passing of Bruce Dayton this past week. Many will remember Bruce for his role in taking the family-owned Dayton's Department Store public and turning it into Target, the major brand that we know today, but there were many more sides to Bruce.

For one, Bruce was a long-time patron of the arts, donating more than \$80 million and 2,000 works of art to the Minneapolis Institute of Art. I had the opportunity and privilege of serving as a trustee with Bruce at the Institute,

where I saw his legacy of generosity. He also donated land to conservation efforts in our State. Bruce's civic-mindedness and business visions are reasons why the Minneapolis Star Tribune said he helped "build a modern Minnesota."

Mr. Speaker, the passing of Bruce Dayton is a loss for all of Minnesota, and I offer my condolences to Governor Dayton and everyone in the Dayton family.

SOLAR INVESTMENT TAX CREDIT

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, since Congress passed the solar investment tax credit in 2005, solar installations have grown by 1,600 percent, Americans have invested \$72 billion in solar, and 8,000 businesses in all 50 States have created 160,000 jobs in the solar industry.

Much of this economic success story is due to the investment tax credit, which is scheduled to expire at the end of next year. If the investment tax credit expires, the solar industry could see a 71 percent decline, needlessly costing the American economy 100,000 jobs.

This uncertainty is already affecting the market. Consumers need confidence in the tax policy before they decide whether to make an investment into the solar industry. I ask my colleagues to join me in urging the Ways and Means Committee to expeditiously prioritize a long-term extension of this critical, job-creating tax incentive.

TERRORIST ATTACKS IN PARIS

(Mr. MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MURPHY of Pennsylvania. Mr. Speaker, the recent terrorist attacks in Paris are a stark reminder that we cannot risk the safety of our country.

I am asking Pennsylvania Governor Wolf to suspend the Commonwealth's participation in the President's Syrian refugee resettlement initiative. The administration has not provided any details of a thorough screening plan to thwart ISIS infiltration.

Meanwhile, the Director of National Intelligence, the Director of the FBI, and the Secretary of Homeland Security have told Congress they cannot properly screen refugees coming from Syria and the surrounding regions for national security threats.

We have an obligation to protect Americans from those who seek to take advantage of our generosity at the expense of innocent lives.

The President and Governor are pushing to make America the home for tens of thousands of refugees. We have

50,000 homeless veterans within the USA and 1,500 in Pennsylvania. If we want to welcome someone home, let's start instead with our homeless veterans.

□ 1215

SMALL BUSINESS STRATEGY

(Mr. ASHFORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ASHFORD. Mr. Speaker, I rise today in support of Small Business Saturday. Small Business Saturday takes place every year the Saturday after Thanksgiving. This event is an opportunity for Americans to reinvest in our communities by supporting our local businesses. Small businesses are the lifeblood of our local economies and a key to unlocking the American Dream.

As a former small-business owner, I know the value that small businesses bring to our local communities. My family owned and operated the Nebraska Clothing Company in Omaha for generations. This experience taught me the importance of the entrepreneurial spirit to our economy and our communities.

Nebraska is the proud home of over 166,000 small businesses. Nearly half of all working Nebraskans are employed by local companies.

Beyond the facts and figures, small businesses are essential to the health of our communities. Local companies have local ties. They hire local employees, contribute to local causes, and provide a high level of personal service.

This holiday shopping season we have an opportunity to show our appreciation for small businesses. I encourage all Americans to get out and support Small Business Saturday on November 28.

REMEMBERING ABDUL-RAHMAN KASSIG AND THE NEED TO STAY VIGILANT AGAINST ISIS

(Mrs. BROOKS of Indiana asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BROOKS of Indiana. Mr. Speaker, on Friday the world again was shocked and stunned when eight gunmen wreaked havoc on Paris, the City of Lights. The day before a pair of suicide bombings struck Beirut, and today we learned that the Russian passenger plane carrying 224 innocent people that crashed last month was blown up using a homemade explosive device.

Violent extremism can't be contained in far-off places. It is a cancer that will inevitably spread across the globe, dividing our societies, undermining our personal security, and sparing none from the true definition of terror.

One year ago yesterday violent extremism touched my home State of Indiana. Abdul-Rahman Kassig, a 26-year-old humanitarian aid worker from Indianapolis, was mercilessly killed by the ISIS coward known as Jihadi John.

Abdul-Rahman is exactly the type of person that ISIS is targeting in hopes of expanding their caliphate, an apolitical medical aid worker committed to treating the wounded and bringing some sense of relief to the 7.6 million displaced Syrians in Lebanon and Syria.

The Islamic State's twisted ideology will not allow it to cease until our entire way of life is destroyed. That is why it is absolutely vital that the United States redouble our efforts to take the leadership role that the world demands of us, develop a strategy that will not just degrade, but will ultimately destroy, the ISIS network. Abdul-Rahman and the victims of terror and their families deserve this, and the security of our Nation depends on it.

OUR NATION IS A NATION OF IMMIGRANTS

(Mr. CÁRDENAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CÁRDENAS. Mr. Speaker, I rise to praise our Nation, a Nation of hundreds of years of immigrants. Since the Mayflower landed full of pilgrims seeking religious liberty, we have been a land built by immigrants.

Today in this great country 5 million immigrant kids and their parents know no other country. They are working hard building our Nation, their Nation. They are our new Plymouth Rock. They are the foundation on which we will build the next generation of our country.

Now three Justices have decided to block that generation, but if our Nation stays true to itself, that won't last long.

One year after our President took action, I urged the Supreme Court to approve President Obama's immigration policy. If you want to work hard and help keep building this great Nation of ours, this Nation of immigrants, you are welcome.

FUTURE FARMERS OF AMERICA

(Mr. WESTERMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WESTERMAN. Mr. Speaker, I rise today to recognize and celebrate the extraordinary accomplishments of various student members of Arkansas' Future Farmers of America. As their Congressman and as a past State FFA president, I am very proud of their achievements.

During the 88th National FFA Convention, Hermitage High School students were announced as the winning team of the National FFA Livestock Evaluation Event.

Ms. Taylor McNeel, an agricultural business major at Southern Arkansas University, was also named the 2015-2016 National FFA president. As president, Ms. McNeel will travel more than 100,000 miles to further the FFA mission of advancing agricultural literacy and preparing future generations for the challenges of feeding a growing population.

I congratulate these Fourth District students and applaud their inspiring efforts to serve others and hold true to the best traditions of our national life.

SIKH AMERICAN AWARENESS AND APPRECIATION MONTH

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, I rise today to recognize November as Sikh American Awareness and Appreciation Month. This month we recognize the contributions from Sikh Americans throughout our country who have given much to our Nation.

Since the turn of the 20th century, in California's San Joaquin Valley, the Sikh Americans have come, like immigrants from all around the world, to have a better life for themselves and their families.

In addition to sharing their rich culture and values, they have made countless contributions to our economy. They are farmers, business owners, physicians, and are engaged in every walk of life in so many fields.

They bring distinctive pride to the many endeavors and have a very strong work ethic, like all immigrant families. Their commitment to faith, family, and hard work is part of their rich diversity that sets our country apart from others, because we welcome immigrants. After all, we are a land of immigrants.

As we strive to appreciate the contributions of all religions and cultures in our Nation, I ask my colleagues to join me in celebrating Sikh American Awareness and Appreciation Month.

HONORING THE LIFE AND SERVICE OF CARL BOYETT

(Mr. DENHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor the life of a beloved Modesto community leader. Carl Boyett passed at the age of 70 last week.

On July 16, 1945, Carl was born to Stanton and Carol Boyett. After grad-

uating Downey High School, he was offered an appointment to the United States Coast Guard Academy.

He joined the United States Army in 1967, where he displayed the utmost bravery during the tour of duty in Vietnam. He served valiantly during the Tet Offensive and advanced to the rank of sergeant.

After returning to civilian life in 1970, Carl began working for his family company, Boyett Petroleum. In 2004, he became the CEO and provided masterful leadership and results-oriented vision to the company, which just celebrated its 75th anniversary.

Carl had a generous spirit, participating in numerous enterprises with evidence of lasting contributions to our community. He demonstrated time and again a desire to share his resources and talents with others, and throughout the course of his life, he was the recipient of numerous awards and honors.

Mr. Speaker, please join me in honoring and recognizing my friend for his unwavering leadership, many accomplishments, and contributions on behalf of the Modesto community and the Nation.

God bless him always.

REMEMBERING TIM VALENTINE

(Mr. PRICE of North Carolina asked and was given permission to address the House for 1 minute.)

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to honor Tim Valentine, former Representative from North Carolina's Second District, who passed away last week.

Tim was a judicious, conscientious legislator who worked effectively on the Public Works and Transportation and the Science, Space, and Technology Committees. On that latter committee, he was my mentor. We frequently collaborated.

Members across the political spectrum valued Tim as a cooperative, congenial colleague, easy to work with, but not afraid to engage in vigorous debate or to take a courageous stand when the need arose.

Tim was known for his wit and good humor and his gift for friendship. He had a remarkable ability to defuse any tense situation with humor. He made me look forward to coming to the House floor each day, where he invariably would have a good story to tell or a quip to make that brightened the day, a quip that often cut to the heart of the matter we were dealing with.

Tim was a treasured friend and colleague. I am grateful for his life and work, personally, and also on behalf of the institution in which we served and the citizens on whose behalf he labored.

Lisa and I attended a beautiful service in Tim's honor last Saturday. We extend our love and best wishes to his wife, Barbara, and the rest of his family.

WE MUST KEEP THE A-10 JETS FLYING

(Ms. MCSALLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCSALLY. Mr. Speaker, it was recently reported that over 100 ISIS oil tanker trucks were destroyed in Syria in an attempt to finally cut off the terrorist group's oil revenue. And what asset did we call on to efficiently and effectively get the job done? None other than the A-10 Warthog.

The mission took advantage of the A-10's unique and lethal capabilities. The pilots employed their powerful 30-millimeter guns and 500-pound bombs to obliterate the trucks.

Time and time again, we have seen the A-10's number called up to protect us. Twelve A-10s were recently deployed to Turkey to strike ISIS targets like these fuel trucks. A-10s are also deployed in Europe to deter Russian aggression and along the border with North Korea.

Despite the administration's persistent and flawed arguments for seeking to mothball this irreplaceable asset, A-10s continue to demonstrate their value on the battlefield.

Now, when the world turns to us to destroy this dangerous and growing threat, we turn to the A-10. It proves again that, until we have a suitable replacement for this one-of-a-kind attack jet, we must keep it flying.

CONGRESS MUST FUND THE GOVERNMENT

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, like many Members, I was pleased that Congress last month passed a bipartisan budget agreement that avoids yet another manufactured political crisis from hanging over the heads of America's hardworking families.

But Congress must still act to pass legislation to fund the government before December 11. Especially now, with very real national security threats, Congress must take the politics as usual out of the question, pass a clean bill without poison pill riders, and fund our government.

When I go home, I hear from my constituents every day that they just want Congress to do their job. They say it is time for responsible, bipartisan governing. I couldn't agree more.

I am ready—I know other Democrats are, and I know Republicans are as well—to continue to work together to avoid a government shutdown. But, without action, that won't happen.

Passing a budget and a funding bill that will keep the government open means we can work on the priorities of the American people, helping them send their kids to school, afford to buy

a house, and, of course, protect national security.

We have to act together, and we have to do it soon.

WEAR RED WEDNESDAY TO BRING BACK OUR GIRLS

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, tomorrow is Wear Red Wednesday to Bring Back Our Girls, a day that I ask my colleagues to join me in remembering those affected by the ISIS-linked Boko Haram. In light of Friday's reprehensible terrorist attacks in Paris, our remembrance will be especially important.

As we lower our heads in somber prayer for the Parisian victims and raise our voices in disgust over ISIS' horrifying acts, I hope that we will also remember the millions of people around the world who have had their lives destroyed by ISIS and its affiliates. This, of course, includes the 15,000 people ISIS-linked Boko Haram has murdered in West Africa.

We will continue to wear red every Wednesday until we free the Chibok girls from Boko Haram, and we will continue to tweet, tweet, tweet #bringbackourgirls, #joinrepwilson.

Please continue to pray for the people of Paris and continue to pray for the victims of Africa.

PROVIDING FOR CONSIDERATION OF H.R. 1737, REFORMING CFPB INDIRECT AUTO FINANCING GUIDANCE ACT; PROVIDING FOR CONSIDERATION OF H.R. 511, TRIBAL LABOR SOVEREIGNTY ACT OF 2015; AND FOR OTHER PURPOSES

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 526 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 526

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1737) to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall

be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 511) to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit with or without instructions.

SEC. 3. Upon adoption of this resolution—

(a) the House shall be considered to have: (1) taken from the Speaker's table the bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; (2) stricken all after the enacting clause of such bill and inserted in lieu thereof the provisions of H.R. 5, as passed by the House; and (3) passed the Senate bill as so amended; and

(b) it shall be in order for the chair of the Committee on Education and the Workforce or his designee to move that the House insist on its amendment to S. 1177 and request a conference with the Senate thereon.

SEC. 4. In the engrossment of H.R. 3762, the Clerk shall strike title I and redesignate the subsequent titles accordingly.

□ 1230

The SPEAKER pro tempore (Mr. POE of Texas). The gentleman from Oklahoma is recognized for 1 hour.

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), my friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COLE. Mr. Speaker, yesterday, the Rules Committee met and reported a rule for consideration of two important measures. First, the resolution provides a structured rule for consideration of H.R. 1737, the Reforming Consumer Financial Protection Bureau Indirect Auto Financing Guidance Act. The rule provides for 1 hour of debate equally divided and controlled by the chair and ranking member of the Financial Services Committee, makes in order three amendments submitted to the Rules Committee which were germane to the legislation, and provides for a motion to recommit.

In addition, the resolution provides a closed rule for consideration of H.R. 511, the Tribal Labor Sovereignty Act of 2015. The rule provides 1 hour of debate equally divided and controlled by the chair and ranking member of the Education and Workforce Committee, and provides for a motion to recommit.

In addition, Mr. Speaker, the rule facilitates a conference with the Senate on reauthorization of the Elementary and Secondary Education Act by replacing the text of S. 1177 with the text of H.R. 5, as passed by the House, and provides for a motion by the chair of the Committee on Education and the Workforce to request a conference with the Senate.

Finally, the rule directs the Clerk to strike a provision from the reconciliation bill which was already enacted into law in the Bipartisan Budget Act of 2015, facilitating consideration of the bill by the Senate.

Mr. Speaker, H.R. 1737 passed out of the Financial Services Committee by a vote of 47–10. It nullifies a guidance put forward by the Consumer Financial Protection Bureau which the CFPB was specifically exempted from making in the first place. In addition to the CFPB's disregard for its statutory limitation, the CFPB's methodology is severely flawed. According to a study by Charles River Associates, the CFPB's methodology overestimates minorities by up to 41 percent, leading many to question the reliability of these results.

In addition, and more importantly to me, Mr. Speaker, the rule provides for consideration of H.R. 511, the Tribal Labor Sovereignty Act of 2015. When Congress passed the National Labor Relations Act in 1935, it specifically recognized all governments were excluded. Subsequent regulations and case law further recognized this exemption applies to territories, possessions, the District of Columbia, and State-operated port authorities. From the 1970s until 2004, the NLRB recognized that tribal governments are exempt from the NLRA as sovereign governments. Unfortunately, in 2004, the NLRB decided to reverse 69 years of prior precedent and strip tribes of their ability of self-government.

In our first terms in Congress, Chairman KLINE and I both worked to try and restore the sovereignty this board had stripped away. While unsuccessful at that time, I am happy we are now able to rectify this injustice.

H.R. 511, the Tribal Labor Sovereignty Act would unequivocally state that tribal governments are not subject to the National Labor Relations Act. I respect my friends who hold different opinions, but in this case, they are simply wrong. In the NLRB's 2004 decision, they made an arbitrary distinction between commercial activity and government activity. If you are a tribe and it is commercial activity, they said the NLRB could regulate it. But that same standard isn't applied to any other government exempted from the NLRA, regardless of whether it engages in commercial activities or not. Their nature, as a government, precludes their regulation under the NLRA.

Practically every county and city in this country has a golf course. Most States have a lottery. The National Park Service operates hotels. Virginia and other States sell alcohol. Many cities operate convention centers. All of these activities are not regulated under the NLRA. It should be the same with tribes.

In addition, Mr. Speaker, I am pleased that this rule sets up a process for us to go to conference on an ESEA reauthorization. The last time we considered an ESEA reauthorization was 13 years ago. It is far past time to reauthorize this critical program.

Mr. Speaker, I urge support for the rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the gentleman's yielding me the time.

Mr. Speaker, on January 5, 2011, newly elected Speaker John Boehner announced: "To my friends in the minority, I offer a commitment: openness, once a tradition of this institution but increasingly scarce in recent decades, will be the new standard . . . You will always have the right to a robust debate in an open process that allows you to represent your constituents, to make your case, offer alternatives, and be heard."

What we were promised was openness, but what we got was absolutely the opposite.

Mr. Speaker, I rise today to mark the breaking of a record, perhaps the worst kind of record: this has officially become the most closed session of Congress in American history. We are living it now.

Today marks the 45th closed rule in this session of Congress, and with each new closed rule that the majority approves, we will break the record anew.

Under a closed rule, no amendments are allowed on the House floor, which limits debate and silences half of the American people who are represented by the minority of the House.

It is true that the trend toward more closed rules has been growing over the past 20 years under the leadership of both political parties, but my Republican colleagues have taken the trend to new heights. The Republican Congress, for example, passed more closed rules in 1 week in October of 2013 than in an entire year under Democrat control.

It is the work of the Rules Committee to report each rule that comes to the floor, and according to our statistics, in this session of Congress, the majority has chosen a closed rule more times than any other kind of rule.

Under this regime, the majority has wasted taxpayer money on their obsession with taking health care away from millions of people and held more than 60 votes to repeal or dismantle ObamaCare. They have spent over \$5 million of taxpayer money on a duplicative, politicized Benghazi special committee even after nine other House and Senate committees and one State Department committee had found nothing nefarious nor illegal. Benghazi was, yes, a tragedy, but it was not a conspiracy. To continue with their wasteful, politicized special committees, they created a special committee to investigate Planned Parenthood, even after grilling the president of Planned Parenthood, Cecile Richards, for 5 hours in a hearing and the chairman later declared that no law had been broken.

Ladies and gentlemen, this is what you get here for your taxpayer dollars.

While Americans are riding over rutted roads, traveling over unsafe bridges, using crowded and outdated airports, and our schools are crumbling around our children, this majority insists on wasting millions of dollars and our time not on governance, but on purely political goals. These distractions keep true regular order nothing but a mirage. This is the work that we got under Speaker Boehner's promise of openness.

As it turns out, Speaker RYAN promised the same openness for his tenure. On November 5, 2015, just after taking office, he said to a gaggle of reporters: "I want to have a process that is more open, more inclusive, more deliberative, more participatory, and that's what we're trying to do." We have heard that before.

He even explained the importance of an open legislative process and said: "So that every citizen of this country, through their elected Representatives, has the opportunity to make a difference. That is the people's House. This is the branch of government closest to the people."

Will we get that openness? Today gives us very little reason for hope.

Let me remind us that while we may have a new hand wielding the gavel, no amount of good intentions can overcome the dynamics in the radical Republican Conference because it remains the same.

Mr. Speaker, for this body to function as the Founding Fathers intended, we need debate and we need openness. For our constituents to be heard and for our institutions to thrive, we need debate and we need openness.

Democrats have always been willing to provide the votes to move the country forward on any bill that would come to the floor, and I would like to extend my well wishes to our new Speaker, PAUL RYAN, and express again our willingness to work together for the American people, because that is why we have been sent here.

Let me mention, if I may, that today, when we are concerned about bringing refugees and immigration, that we have been begging for 2 years or more for this House to take up an immigration bill, and the majority has refused to do so.

Mr. Speaker, I reserve the balance of my time.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is not surprising I would differ from my good friend on whether or not we have an open process here. Frankly, I think we can all point to times in the past where each of us believe the other has been less than open. I recall, during the Democratic majority, we literally would bring appropriations bills to the floor with absolutely closed rules, something that violates the tradition of this House.

In terms of this legislation, I hope I am forgiven, but again, I find very little relevance of discussions of Benghazi and Planned Parenthood to this particular debate. I don't think it has anything to do.

The legislation in front of us really deals with two bills: H.R. 1737, the Consumer Financial Protection Bureau bill, actually seeks to simply restrain an agency from exercising authority that it is prohibited from exercising under the legislation, and all the amendments that were germane to that piece of legislation were indeed made in order.

H.R. 511, the Tribal Labor Sovereignty Act, frankly, is just simply: Does the NLRB have this jurisdiction or not? It doesn't take a lot of amendments. It is just a straight question. Our assertion is, obviously, that it does not. It has claimed authority it should not have, and we are simply restoring that to tribal governments.

□ 1245

So I actually think the rule in question facilitates the debate, allows those who have different ideas to present them if they are relevant, and I think we will end up with a good result.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

If we defeat the previous question, I will offer an amendment to the rule to bring up H.R. 430, a bill to clean up the secret money in politics and give the American people the fair and transparent political system that they deserve.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. VAN HOLLEN), to discuss our proposal, the ranking member of the Committee on the Budget.

Mr. VAN HOLLEN. Mr. Speaker, I thank the ranking member of the Rules Committee, who began the discussion here by pointing out that here we go again. We say there is new leadership in town on the Republican side, but it is the same old closed process: closed rule, limit democracy, don't allow a full debate, and don't allow the people's House to decide on important questions for the country. When you have a closed rule, you are starting to close down democracy; you are limiting the ability of this House to make decisions on behalf of all the American people.

So we have, as part of the previous question, if you defeat the previous question, a proposal to also improve transparency and openness in the full political process, because this is the people's House, and we would hope that it would do the people's business. But we also know that there are a lot of special interests out there that are spending millions and millions and millions of dollars trying to get their way and substitute their special interests for the public interests. They are spending millions of dollars to try to elect candidates who will do their bidding.

What this proposal does is just say we need to be transparent and open about who is spending all that money. People in those interests can continue to spend money to try and elect candidates, but don't do it secretly. Do it openly.

So what we are asking is for this House to take up what is called the Disclose Act. The Disclose Act simply says that voters have a right to know which special interests around the country are spending millions and millions of dollars to try to influence their voting decision, because we believe that sunlight and transparency helps

build accountability and that accountability helps build a stronger democracy.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman an additional 2 minutes.

Mr. VAN HOLLEN. Mr. Speaker, I thank the gentlewoman.

So after the Citizens United decision, that terrible decision, what happened? Special interests were able to spend millions and millions of dollars at a time. They weren't constrained by any limits on what kind of contributions they could make. So we got a lot more money, but we also got something else. We got essentially a political underground in spending. We had this system now where people try and channel their moneys in secret ways to hide themselves from the public.

So if we get to vote on the Disclose Act, we will see where we stand on the simple question of whether this body supports transparency, because, honestly, if you have got nothing to hide, you have got nothing to fear.

Right now we have these commercials out there. They say, "Paid for by Committee for a Better America," "Paid for by mom and apple pie," but the people who are paying for them don't want the voters to know who they are. They want it to be a closed process. We are asking that they disclose their identity.

In fact, in the Citizens United case, eight of the nine Supreme Court Justices said they were for more disclosure. And, in fact, recently, Justice Kennedy, who was one of the five in the 5-4 majority, said that the disclosure that he thought would work is not working. But they said the legislature can always act on this issue and improve the transparency and disclosure of the political process. Even Justice Scalia said that would be good for the political process.

We want to know who is spending all that money to try and influence decisions of the people's House. What is wrong with a little sunshine? What is wrong with transparency? Doesn't that improve accountability, and doesn't that strengthen our democracy?

The SPEAKER pro tempore. The time of the gentleman has again expired.

Ms. SLAUGHTER. I yield the gentleman an additional 30 seconds.

Mr. VAN HOLLEN. I thank the gentlewoman.

I understand that we are going to continue to have these closed rules apparently that are not going to make this an open process here, but for goodness' sake, Mr. Speaker, let's at least allow the American people to know who is spending all that money to try to influence voting decisions and, ultimately, influence the kind of legislation that comes to the floor of this House, because we need to be focused

on the people's business, not the business of secret special interests.

Let the sunshine in. Let's allow transparency. Let's defeat the previous question so that we can vote on the Disclose Act and give the voters the right to know that they deserve.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am encouraged by the debate so far because my good friends on the other side said absolutely nothing about H.R. 1737 and H.R. 511, so I assume that they support these bipartisan pieces of legislation.

Just to reiterate, with all due respect to my friends, we are not here to talk about campaign finance reform, always a worthy subject of discussion. I remember a number of years bringing up campaign finance reform, trying to get rid of taxpayer subsidies for political conventions. We finally got that done and redirected that money to research for pediatric diseases but could never get it made in order when my friends were on the other side of the aisle, so I understand the frustrations. But again, we have got two important bills to consider, and I think that is where we ought to focus our attention.

In H.R. 1737, the Consumer Financial Protection Bureau has literally gone beyond the mandate laid out in Dodd-Frank. So I must say I am mystified that I am up here defending a provision of Dodd-Frank, but in this case, it is actually the right thing to do. They have tried to extend their authority into auto lending, which is specifically prohibited under the statute, so we are trying to make that crystal clear.

H.R. 511 does something that, frankly, this House can be very proud of. It recognizes and extends and restores tribal sovereignty in a very important area. That has actually been an area of bipartisan cooperation.

We worked together in the Violence Against Women Act across party lines to extend tribal sovereignty with respect to domestic crime and domestic violence committed by non-Indians on Indian land against Indian citizens. Now we are trying in the labor area to once again restore tribal sovereignty to what it was before 2004 when the National Labor Relations Board, frankly, acted outside of its authority and seized jurisdiction it simply doesn't have under any statute ever passed by Congress.

I would invite my friends to focus on those two areas, hope they do, and certainly look forward to working with them in a bipartisan manner to pass both of those bills.

With that, Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

In closing, it really is a shame that the only way we can talk about campaign finance is to put it in our pre-

vious question because it is never a subject for debate here. That really is a shame because we have terrible situations going on in campaign finance unaccounted for, which is something that we have never had before in this country, certainly since the Watergate issue, where we cleaned up campaign finance considerably and did well with it. But now all that is gone and anything goes.

Mr. Speaker, this rule we are doing today strikes a provision of the reconciliation bill that the House passed last month in the latest futile Republican attempt to undermine the Affordable Care Act. This provision is unprecedented, is unacceptable, and we oppose it. The stricken provision eliminates an auto enroll requirement that employers who offer health insurance automatically enroll new employees in the health plan. The rule strikes this provision from the reconciliation bill because it became law as part of last month's bipartisan budget agreement.

My Republican colleagues may describe this as a simple housekeeping measure, but no matter what is done, the reconciliation bill will not become a serious piece of legislation.

The bill passed by the House would add 16 million people to the ranks of the uninsured, would increase health insurance premiums by up to 20 percent for millions of others, and would reduce women's access to important health services by ending Medicaid funding to Planned Parenthood clinics.

The best piece of housekeeping that Congress could do on the reconciliation bill is to set it aside and put an end, once and for all, to this fantasy of repealing affordable health coverage for millions of Americans. Instead, let us focus on the policies that actually help American families, such as improving access to education and to good-paying jobs.

Mr. Speaker, I hope that people paid some attention to this debate today. There is so much going on in the House that one wonders if we have.

Let me just reiterate that this is the most closed Congress in history. At every turn, the majority has chosen to shut out debate and silence the will of Members. We have heard again this morning the minority party, our constituents, and the democratic process itself are ailing. Mr. Speaker, and we must do something about it.

I urge my colleagues to vote "no" and to defeat the previous question so that we can take up Mr. VAN HOLLEN's good measure here and try to clean up, as even the members of the Supreme Court who voted to give us Citizens United would like to see us make some change there because they recognize that what they did has been a complete failure. Somehow they had this awesome wonderland idea that everybody would just continue to put their name down on their contributions, and we

have certainly found that that is not the case. We don't even know what country a lot of the money is coming from.

Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question and also to vote "no" on the rule.

I yield back the balance of my time.

Mr. COLE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I am somewhat mystified by the debate that my friends on the other side have offered. It has got a lot to do with campaign finance reform. Unfortunately, there is nothing in the legislation before us that deals with that.

I beg to differ in terms of whether or not the rules here are closed or inappropriate. Frankly, every amendment offered to H.R. 1737 that was germane was actually made in order; and, frankly, amendments on H.R. 511 simply aren't necessary. It is a yes or no type of question. Either the NLRB has jurisdiction that we think it has claimed inappropriately over Indian tribes and labor matters or it does not, and we think that clarifies things considerably.

So again, we also are a little bit surprised to see what we do think is a housekeeping matter in terms of striking something out of the reconciliation bill objected to. I just remind my friends they voted overwhelmingly for the budget deal itself that included that measure. There is nothing untoward going on here. We are just trying to move forward legislation that we think is important and remove things that have already been enacted into law. So it is, indeed, as suggested, a housekeeping matter.

Mr. Speaker, in closing, I want to encourage all Members to support the rule. H.R. 1737 undoes a regulation that should never have been made in the first place, and H.R. 511 restores a right, the right of self-governance, that should have never been taken away from tribal governments.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 526 OFFERED BY
Ms. SLAUGHTER OF NEW YORK

At the end of the resolution, add the following new sections:

SEC. 5. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 430) to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, and other entities, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on House Administration, the chair and ranking minority member of the Committee on the Judiciary,

and the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 6. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 430.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting House Resolution 526, if ordered, suspending the rules and passing H.R. 1694 and H.R. 3114.

The vote was taken by electronic device, and there were—yeas 245, nays 178, not voting 10, as follows:

[Roll No. 629]

YEAS—245

Abraham	Collins (NY)	Gibson
Aderholt	Comstock	Gohmert
Allen	Conaway	Goodlatte
Amash	Cook	Gosar
Amodei	Costello (PA)	Gowdy
Babin	Cramer	Granger
Barletta	Crawford	Graves (GA)
Barr	Crenshaw	Graves (LA)
Barton	Culberson	Graves (MO)
Benishek	Curbelo (FL)	Griffith
Bilirakis	Davis, Rodney	Grothman
Bishop (MI)	Denham	Guinta
Bishop (UT)	Dent	Guthrie
Black	DeSantis	Hanna
Blackburn	DesJarlais	Hardy
Blum	Diaz-Balart	Harper
Bost	Dold	Harris
Boustany	Donovan	Hartzler
Brady (TX)	Duffy	Heck (NV)
Brat	Duncan (SC)	Hensarling
Bridenstine	Duncan (TN)	Herrera Beutler
Brooks (AL)	Ellmers (NC)	Hice, Jody B.
Brooks (IN)	Emmer (MN)	Hill
Buchanan	Farenthold	Holding
Buck	Fincher	Hudson
Bucshon	Fitzpatrick	Huelskamp
Burgess	Fleischmann	Huizenga (MI)
Byrne	Fleming	Hultgren
Calvert	Flores	Hunter
Carter (GA)	Forbes	Hurd (TX)
Carter (TX)	Fortenberry	Hurt (VA)
Chabot	Fox	Issa
Chaffetz	Franks (AZ)	Jenkins (KS)
Clawson (FL)	Frelinghuysen	Jenkins (WV)
Coffman	Gabbard	Johnson (OH)
Cole	Garrett	Johnson, Sam
Collins (GA)	Gibbs	Jolly

Jones	Mullin	Sensenbrenner
Jordan	Mulvaney	Sessions
Joyce	Murphy (PA)	Shimkus
Katko	Neugebauer	Shuster
Kelly (MS)	Newhouse	Simpson
Kelly (PA)	Noem	Smith (MO)
King (IA)	Nugent	Smith (NE)
King (NY)	Nunes	Smith (NJ)
Kinzinger (IL)	Olson	Smith (TX)
Kirkpatrick	Palazzo	Stefanik
Kline	Palmer	Stewart
Knight	Paulsen	Stivers
Labrador	Pearce	Stutzman
LaHood	Perry	Thompson (PA)
LaMalfa	Pittenger	Thornberry
Lamborn	Pitts	Tiberi
Lance	Poe (TX)	Tipton
Latta	Poliquin	Trott
LoBiondo	Pompeo	Turner
Long	Posey	Upton
Loudermilk	Price, Tom	Valadao
Love	Ratcliffe	Wagner
Lucas	Reed	Walberg
Luetkemeyer	Reichert	Walden
Lummis	Renacci	Walker
MacArthur	Ribble	Walorski
Marchant	Rice (SC)	Walters, Mimi
Marino	Rigell	Weber (TX)
Massie	Roby	Webster (FL)
McCarthy	Roe (TN)	Wenstrup
McCaul	Rogers (AL)	Westerman
McClintock	Rogers (KY)	Westmoreland
McHenry	Rohrabacher	Whitfield
McKinley	Rokita	Williams
McMorris	Roskam	Wilson (SC)
Rodgers	Ross	Wittman
McSally	Rothfus	Womack
Meadows	Rouzer	Woodall
Meehan	Royce	Yoder
Messer	Russell	Yoho
Mica	Salmon	Young (AK)
Miller (FL)	Sanford	Young (IA)
Miller (MI)	Scalise	Young (IN)
Moolenaar	Schweikert	Zeldin
Mooney (WV)	Scott, Austin	Zinke

NAYS—178

Adams	DeSaulnier	Lawrence
Aguilar	Deutch	Lee
Ashford	Dingell	Levin
Bass	Doggett	Lewis
Beatty	Doyle, Michael	Lieu, Ted
Becerra	F.	Lipinski
Bera	Duckworth	Loeb sack
Beyer	Edwards	Lofgren
Bishop (GA)	Ellison	Lowenthal
Blumenauer	Engel	Lowe
Bonamici	Esty	Lujan Grisham
Boyle, Brendan	Farr	(NM)
F.	Fattah	Lujan, Ben Ray
Brady (PA)	Foster	(NM)
Brown (FL)	Frankel (FL)	Lynch
Brownley (CA)	Fudge	Maloney,
Bustos	Gallego	Carolyn
Butterfield	Garamendi	Maloney, Sean
Capps	Graham	Matsui
Capuano	Grayson	McCollum
Cárdenas	Green, Al	McDermott
Carney	Green, Gene	McGovern
Carson (IN)	Grijalva	McNerney
Cartwright	Gutiérrez	Meeks
Castor (FL)	Hahn	Meng
Castro (TX)	Hastings	Moulton
Chu, Judy	Heck (WA)	Murphy (FL)
Cicilline	Higgins	Nadler
Clark (MA)	Himes	Napolitano
Clarke (NY)	Honda	Neal
Clay	Hoyer	Nolan
Cleaver	Huffman	Norcross
Clyburn	Israel	O'Rourke
Cohen	Jackson Lee	Pallone
Connolly	Jeffries	Pascarell
Conyers	Johnson (GA)	Pelosi
Cooper	Johnson, E. B.	Perlmutter
Costa	Kaptur	Peters
Courtney	Keating	Peterson
Crowley	Kelly (IL)	Pingree
Cuellar	Kennedy	Pocan
Cummings	Kildee	Polis
Davis (CA)	Kilmer	Price (NC)
Davis, Danny	Kind	Quigley
DeGette	Kuster	Rangel
DeLaney	Langevin	Rice (NY)
DeLauro	Larsen (WA)	Richmond
DelBene	Larson (CT)	Roybal-Allard

Ruiz Sherman Vargas
Rush Sirema Veasey
Ryan (OH) Sires Vela
Sánchez, Linda Slaughter Velázquez
T. Smith (WA) Visclosky
Sanchez, Loretta Speier Walz
Sarbanes Swalwell (CA) Wasserman
Schakowsky Takano
Schiff Thompson (CA) Schultz
Schrader Thompson (MS) Waters, Maxine
Scott (VA) Tonko Watson Coleman
Scott, David Torres Welch
Serrano Tsongas Wilson (FL)
Sewell (AL) Van Hollen Yarmuth

NOT VOTING—10

DeFazio Payne Takai
Eshoo Rooney (FL) Titus
Hinojosa Ros-Lehtinen
Moore Ruppertsberger

□ 1329

Messrs. SIREs, VELA, and LARSON of Connecticut changed their votes from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Ms. ESHOO. Mr. Speaker, I was not present during rollcall No. 629 on November 17, 2015 due to an Energy and Commerce Committee hearing.

I would like to reflect that on rollcall No. 629, I would have voted “no.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 243, nays 181, not voting 9, as follows:

[Roll No. 630]

YEAS—243

Abraham	Collins (NY)	Gibson
Aderholt	Comstock	Gohmert
Allen	Conaway	Goodlatte
Amodei	Cook	Gosar
Babin	Costello (PA)	Govdy
Barletta	Cramer	Granger
Barr	Crawford	Graves (GA)
Barton	Crenshaw	Graves (LA)
Benishek	Culberson	Graves (MO)
Billirakis	Curbelo (FL)	Griffith
Bishop (MI)	Davis, Rodney	Grothman
Bishop (UT)	Denham	Guinta
Black	Dent	Guthrie
Blackburn	DeSantis	Hanna
Blum	DesJarlais	Hardy
Bost	Diaz-Balart	Harper
Boustany	Dold	Harris
Brady (TX)	Donovan	Hartzler
Brat	Duffy	Heck (NV)
Bridenstine	Duncan (SC)	Hensarling
Brooks (AL)	Duncan (TN)	Herrera Beutler
Brooks (IN)	Ellmers (NC)	Hice, Jody B.
Buchanan	Emmer (MN)	Hill
Buck	Farenthold	Holding
Bucshon	Fincher	Hudson
Burgess	Fitzpatrick	Huelskamp
Byrne	Fleischmann	Huizenga (MI)
Calvert	Fleming	Hultgren
Carter (GA)	Flors	Hunter
Carter (TX)	Forbes	Hurd (TX)
Chabot	Fortenberry	Hurt (VA)
Chaffetz	Fox	Issa
Clawson (FL)	Franks (AZ)	Jenkins (KS)
Coffman	Frelinghuysen	Jenkins (WV)
Cole	Garrett	Johnson (OH)
Collins (GA)	Gibbs	Johnson, Sam

Jolly	Mulvaney	Sessions
Jones	Murphy (PA)	Shimkus
Jordan	Neugebauer	Shuster
Joyce	Newhouse	Simpson
Katko	Noem	Smith (MO)
Kelly (MS)	Nugent	Smith (NE)
Kelly (PA)	Nunes	Smith (NJ)
King (IA)	Olson	Smith (TX)
King (NY)	Palazzo	Stefanik
Kinzinger (IL)	Palmer	Stewart
Kline	Paulsen	Stivers
Knight	Pearce	Stutzman
Labrador	Perry	Thompson (PA)
LaHood	Pittenger	Thornberry
LaMalfa	Pitts	Tiberi
Lamborn	Poe (TX)	Tipton
Lance	Poliquin	Trott
Latta	Pompeo	Turner
LoBiondo	Possey	Upton
Long	Price, Tom	Valadao
Loudermilk	Ratcliffe	Wagner
Love	Reed	Walberg
Lucas	Reichert	Walden
Luetkemeyer	Renacci	Walker
Lummis	Ribble	Walorski
MacArthur	Rice (SC)	Walters, Mimi
Marchant	Rigell	Weber (TX)
Marino	Roby	Webster (FL)
Massie	Roe (TN)	Wenstrup
McCarthy	Rogers (AL)	Westerman
McCaul	Rogers (KY)	Westmoreland
McClintock	Rohrabacher	Whitfield
McHenry	Rokita	Williams
McKinley	Rooney (FL)	Wilson (SC)
McMorris	Roskam	Wittman
Rodgers	Ross	Womack
McSally	Rothfus	Woodall
Meadows	Rouzer	Yoder
Meehan	Royce	Yoho
Messer	Russell	Young (AK)
Mica	Salmon	Young (IA)
Miller (FL)	Sanford	Young (IN)
Miller (MI)	Scalise	Zeldin
Moolenaar	Schweikert	Zinke
Mooney (WV)	Scott, Austin	
Mullin	Sensenbrenner	

NAYS—181

DeLauro	Kind
DeBene	Kirkpatrick
DeSaulnier	Kuster
Ashford	Langevin
Bass	Larsen (WA)
Dingell	Larson (CT)
Doggett	Lawrence
Doyle, Michael	Lee
F.	Levin
Duckworth	Lewis
Edwards	Lieu, Ted
Ellison	Lipinski
Engel	Loeb
Eshoo	Loeb
F.	Loftgren
Brady (PA)	Lowenthal
Brown (FL)	Lowey
Brownley (CA)	Lujan Grisham
Bustos	(NM)
Frankel (FL)	Luján, Ben Ray
Fudge	(NM)
Gabbard	Lynch
Gallagher	Maloney
Garamendi	Maloney, Sean
Graham	Matsui
Grayson	McCollum
Green, Al	McDermott
Green, Gene	McGovern
Grijalva	McNerney
Gutiérrez	Meeks
Hahn	Meng
Hastings	Moulton
Heck (WA)	Murphy (FL)
Higgins	Nadler
Himes	Napolitano
Honda	Neal
Hoyer	Nolan
Huffman	Norcross
Israel	O'Rourke
Jackson Lee	Pallone
Jeffries	Pelosi
Johnson (GA)	Perlmutter
Johnson, E. B.	Peters
Kaptur	Peterson
Keating	Pingree
Kelly (IL)	Pocan
Kennedy	Polis
Kildee	
Kilmer	

Price (NC)	Scott (VA)	Tsongas
Quigley	Scott, David	Van Hollen
Rangel	Serrano	Vargas
Rice (NY)	Sewell (AL)	Veasey
Richmond	Sherman	Vela
Roybal-Allard	Sinema	Velázquez
Ruiz	Sires	Visclosky
Rush	Slaughter	Walz
Ryan (OH)	Smith (WA)	Wasserman
Sánchez, Linda	Speier	Schultz
T.	Swalwell (CA)	Waters, Maxine
Sanchez, Loretta	Takano	Watson Coleman
Sarbanes	Thompson (CA)	Welch
Schakowsky	Thompson (MS)	Wilson (FL)
Schiff	Tonko	Yarmuth
Schrader	Torres	

NOT VOTING—9

DeFazio	Pascarell	Ruppertsberger
Hinojosa	Payne	Takai
Moore	Ros-Lehtinen	Titus

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1337

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. MOORE. Mr. Speaker, on rollcall Nos. 629 and 630, had I been present, I would have voted “no” and “no.”

FAIRNESS TO VETERANS FOR INFRASTRUCTURE INVESTMENT ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1694) to amend MAP-21 to improve contracting opportunities for veteran-owned small business concerns, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. FITZPATRICK) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 285, nays 138, not voting 10, as follows:

[Roll No. 631]

YEAS—285

Abraham	Brady (TX)	Collins (NY)
Aderholt	Brat	Comstock
Aguilar	Bridenstine	Conaway
Allen	Brooks (AL)	Connolly
Amodei	Brooks (IN)	Cook
Ashford	Brownley (CA)	Cooper
Babin	Buchanan	Costa
Barletta	Buck	Costello (PA)
Barr	Bucshon	Courtney
Benishek	Burgess	Cramer
Bera	Byrne	Crawford
Billirakis	Calvert	Crenshaw
Bishop (MI)	Carter (GA)	Cuellar
Bishop (UT)	Carter (TX)	Culberson
Black	Chabot	Curbelo (FL)
Blackburn	Chaffetz	Davis, Rodney
Blum	Cielline	Delaney
Bost	Clawson (FL)	DeBene
Boustany	Coffman	Denham
Boyle, Brendan	Cole	Dent
F.	Collins (GA)	DeSantis

DesJarlais
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Engel
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gabbard
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kilmer
Kind

King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Latta
Lipinski
LoBiondo
Loebach
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Lummis
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Murphy (PA)
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Olson
Palazzo
Palmer
Pascarell
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom

NAYS—138

Adams
Amash
Bass
Beatty
Becerra
Beyer
Bishop (GA)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)

Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Conyers
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
DeLauro
DeSaulnier

Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Russell
Ryan (OH)
Salmon
Scalise
Schneider
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Trott
Tsongas
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Deutch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gallego
Grayson
Green, Al

Grijalva
Gutiérrez
Hastings
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Kelly (IL)
Kildee
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lofgren
Lowenthal
Lowey
Luján, Ben Ray
(NM)
Maloney,
Carolyn

Barton
DeFazio
Diaz-Balart
Hinojosa

Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Murphy (FL)
Nadler
Napolitano
O'Rourke
Pallone
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Rush
Sanchez, Linda
T.
Sanchez, Loretta
Sanford
Sarbanes

NOT VOTING—10

Payne
Ros-Lehtinen
Ruppersberger
Takai

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remain-

□ 1343

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FUNDS TO THE ARMY CORPS OF ENGINEERS TO ASSIST WITH CURATION AND HISTORIC PRESERVATION ACTIVITIES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3114) to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. GIBBS) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 3, not voting 8, as follows:

[Roll No. 632]

YEAS—422

Abraham
Adams
Aderholt

Aguilar
Allen
Amodei

Ashford
Babin
Barletta

Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Thompson (PA)
Titus
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Clever
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan

Doyle, Michael
F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxy
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating

Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebach
Lofgren
Long
Love
Lowenthal
Lowe
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Lynch
MacArthur
Maloney,
Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascarell

Paulsen	Ryan (OH)	Trott
Pearce	Salmon	Tsongas
Pelosi	Sánchez, Linda	Turner
Perlmutter	T.	Upton
Perry	Sánchez, Loretta	Valadao
Peters	Sarbanes	Van Hollen
Peterson	Scalise	Vargas
Pingree	Schakowsky	Veasey
Pittenger	Schiff	Vela
Pitts	Schrader	Velázquez
Pocan	Schweikert	Visclosky
Poe (TX)	Scott (VA)	Wagner
Poliquin	Scott, Austin	Walberg
Polis	Scott, David	Walden
Pompeo	Sensenbrenner	Walker
Posey	Serrano	Walorski
Price (NC)	Sessions	Walters, Mimi
Price, Tom	Sewell (AL)	Walz
Quigley	Sherman	Wasserman
Rangel	Shimkus	Schultz
Ratcliffe	Shuster	Waters, Maxine
Reed	Simpson	Watson Coleman
Reichert	Sinema	Weber (TX)
Renacci	Sires	Webster (FL)
Ribble	Slaughter	Welch
Rice (NY)	Smith (MO)	Wenstrup
Rice (SC)	Smith (NE)	Westerman
Richmond	Smith (NJ)	Westmoreland
Rigell	Smith (TX)	Whitfield
Roby	Smith (WA)	Williams
Roe (TN)	Speier	Wilson (FL)
Rogers (AL)	Stefanik	Wilson (SC)
Rogers (KY)	Stewart	Wittman
Rohrabacher	Stivers	Womack
Rokita	Stutzman	Woodall
Rooney (FL)	Swalwell (CA)	Yarmuth
Roskam	Takano	Yoder
Ross	Thompson (CA)	Yoho
Rothfus	Thompson (MS)	Young (AK)
Rouzer	Thompson (PA)	Young (IA)
Roybal-Allard	Thornberry	Young (IN)
Royce	Tiberi	Zeldin
Ruiz	Tipton	Zinke
Rush	Tonko	
Russell	Torres	

NAYS—3

Amash	Loudermilk	Sanford
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NOT VOTING—8

Bass	Payne	Takai
DeFazio	Ros-Lehtinen	Titus
Hinojosa	Ruppersberger	

□ 1351

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 526, S. 1177, as amended, is considered as passed.

TRIBAL LABOR SOVEREIGNTY ACT
OF 2015

Mr. ROE of Tennessee. Mr. Speaker, pursuant to House Resolution 526, I call up the bill (H.R. 511) to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 526, the amendment in the nature of a substitute recommended by the Com-

mittee on Education and the Workforce, printed in the bill, shall be considered as adopted, and the bill, as amended, shall be considered read.

The text of the bill, as amended, is as follows:

H.R. 511

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Tribal Labor Sovereignty Act of 2015”.

SEC. 2. DEFINITION OF EMPLOYER.

Section 2 of the National Labor Relations Act (29 U.S.C. 152) is amended—

(1) in paragraph (2), by inserting “or any Indian tribe, or any enterprise or institution owned and operated by an Indian tribe and located on its Indian lands,” after “subdivision thereof,”; and

(2) by adding at the end the following:

“(15) The term ‘Indian tribe’ means any Indian tribe, band, nation, pueblo, or other organized group or community which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

“(16) The term ‘Indian’ means any individual who is a member of an Indian tribe.

“(17) The term ‘Indian lands’ means—

“(A) all lands within the limits of any Indian reservation;

“(B) any lands title to which is either held in trust by the United States for the benefit of any Indian tribe or individual or held by any Indian tribe or individual subject to restriction by the United States against alienation; and

“(C) any lands in the State of Oklahoma that are within the boundaries of a former reservation (as defined by the Secretary of the Interior) of a federally recognized Indian tribe.”.

The SPEAKER pro tempore. The gentleman from Tennessee (Mr. ROE) and the gentleman from Virginia (Mr. SCOTT) each will control 30 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 511.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 511, the Tribal Labor Sovereignty Act of 2015. There are more than 550 federally recognized Native American tribes across the United States. Each of these tribes has a unique history and distinct culture that have helped shape who they are today. And each tribe has an inherent right to self govern, just like any other sovereign government does.

That right is rooted in the Constitution and has been reaffirmed by courts for almost 200 years. Because of it, tribal leaders are able to make decisions that affect their people in a way

that makes the most sense for their tribe and best protects the interests of their members—or, rather, they should be able to make those decisions.

We are here today because, for the past 10 years, the National Labor Relations Board has ignored longstanding labor policy and involved itself in tribal activities. Since its 2004 San Manuel Indian Bingo and Casino decision, the Board has used a subjective test to decide on a case-by-case basis whether a tribal business or tribal land is for commercial purposes, and if it is, the Board has asserted its jurisdiction over that business.

Now, if the Board were to do the same with a school, a park, or any other enterprise owned and operated by a State or local government, no Member of Congress would stand for it. Why, then, should we stand back and allow the NLRB to impose its will on businesses owned and operated by Native American tribes? The answer is simple: we shouldn't. In fact, we have a responsibility to protect tribal sovereignty, and that is exactly what H.R. 511 will do.

The bill under consideration will amend the National Labor Relations Act to reaffirm that the NLRB cannot assert its authority over enterprises or institutions owned or operated by a tribe on tribal land. It very simply reasserts a legal standard that was in place for decades and returns to tribes the ability to manage their own labor relations—as they have a sovereign right to do.

I want to thank the gentleman from Indiana (Mr. ROKITA), my colleague, for his leadership on this issue and for continuing the work of those in Congress who have helped lead the fight to protect tribal sovereignty over the years. It is time for all of us to join that fight, stand with the Native American community, and restore to Indian tribes the ability to govern their own labor relations.

I urge my colleagues to vote “yes” on the Tribal Labor Sovereignty Act of 2015.

Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to the Tribal Labor Sovereignty Act of 2015, legislation that would strip employees of protections afforded under the National Labor Relations Act at any enterprise owned by an Indian tribe and located on Indian lands.

At issue are two solemn and deeply-rooted principles: one, the right of Indian tribes to possess as distinct independent political communities retaining their original rights in matters of local self-government; and, two, the rights of workers to organize, bargain collectively, and engage in concerted activities for their mutual aid and protection.

Rather than attempting to reconcile these two competing principles, H.R. 4511 chooses sovereignty for some over the longstanding rights of others. This bill strips hundreds of thousands of workers of their voice in tribal-owned workplaces such as casinos, hotels, and mines. It should be noted that some 600,000 workers are employed in tribal casinos, but fully 75 percent are not members of tribes.

This legislation would jettison a carefully drawn balance between tribal sovereignty and workers' rights that was adopted in 2004 by a Republican-led NLRB. That decision, known as the San Manuel Indian Bingo and Casino, restricted the jurisdiction of the NLRB if it touches on the exclusive rights of self-governance in purely intramural matters or aggregated rights guaranteed under treaties.

Furthermore, the NLRB stated that it would also take into account and accommodate the unique status of Indians in their society and legal culture in deciding NLRB jurisdiction.

The San Manuel decision has been upheld in every appeals court where it has been challenged, and it is based on legal precepts that have been upheld by appellate courts over 30 years. The courts have also noted that the tribal casinos are commercial enterprises, not government agencies like the Department of Education, serving predominantly non-tribal clients and hiring predominantly non-tribal members to operate.

By depriving these workers of the right to organize and bargain collectively, this legislation ensures that low-paid service workers in tribal casinos will lose the opportunity to share in the fruits of the wealth that they are creating for the tribe, and depriving them of the opportunity to climb the ladder into the middle class.

□ 1400

The bill also sets up a double standard. As a member of the International Labor Organization, the United States is obligated, as a government, to respect and promote the rights outlined in the ILO Declaration of Fundamental Principles and Rights at Work, including "the freedom of association and effective recognition of the right to collectively bargain."

The Democrats and Republicans have insisted that our trading partners abide by and enforce these basic labor rights, and Congress has repeatedly ratified these obligations in trade agreements. But today the House will vote on a bill that does just the opposite when it comes to the freedom of association and the right to collectively bargain at tribal enterprises.

Mr. Speaker, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. MOOLENAAR).

Mr. MOOLENAAR. Mr. Speaker, Federal rulemaking continues to hurt the people of Michigan's Fourth Congressional District.

As we have already seen, Federal departments and agencies have proposed overreaching water rules that create uncertainty for Michigan farmers, energy rules that raise electric rates on hardworking families, and healthcare rules that disrupt patients' coverage.

Now Federal rulemaking is interfering with the sovereignty of Native American tribes. The National Labor Relations Board has claimed jurisdiction over the commercial businesses on tribal lands, intruding on the self-governance of the Saginaw Chippewa in my district.

Today I rise in support of H.R. 511, the Tribal Labor Sovereignty Act, to restore self-governance for the Saginaw Chippewa and all tribes and to stop the National Labor Relations Board from further hindering business owners and entrepreneurs with more regulations and costs.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. I thank the gentleman for yielding.

Mr. Speaker, I am very proud of my record in support of tribal sovereignty. I have been a member of the Native American Caucus since 2012. I supported the legislative fix to *Carcieri v. Salazar*, a Supreme Court decision that overturned 75 years of Federal Indian policy.

I cosponsored the Non-Disparagement of Native American Persons or Peoples in Trademark Registration Act, and I have actually stood out in the street calling for the Washington football team to change its name because of the ugliness of what that represents.

And, of course, I was proud, proud to be a sponsor and a supporter of the Violence Against Women Act, which authorized tribal governments to exercise special domestic violence criminal jurisdiction over any individual that commits domestic violence, dating violence or any kind of violence, and to protect men and women on the tribal areas.

In short, I am a person who is very proudly and affirmatively for tribal sovereignty and tribal rights.

However, the right to form and work in a labor organization and the right to have rights on your job is also a very important right, and I cannot see why we cannot fashion legislation which protects both tribal sovereignty and the right of labor.

This bill unfortunately takes rights away from some in order to purportedly give them to the other.

I urge my friends who are tempted to vote for this legislation to ask themselves what they are giving up and what they are getting.

We could fashion legislation to look out for tribes. We could work together. But, instead, what we are doing is simply using a wedge issue to try to divide two very important principles, labor rights and tribal rights.

I am going to vote against this. I hope that all Members do. I hope that people who believe in tribal rights and sovereignty know that this is not about not supporting sovereignty, because I support it. But I believe that this Tribal Labor Sovereignty Act is going to do something very damaging to all workers, including tribal members.

We should be supporting all people, including tribal members' right to form unions, to be in a labor organization, which is their very best shot at getting into the middle class.

We know that union members earn \$207 a week more than nonunion counterparts. This is why some business interests, not all, hate unions, because they just don't want to have a fair economy. They want to hoard the wealth of the company for themselves.

Workers who are in the union are far more likely to have retirement benefits, paid sick leave, and other medical benefits. Workers who have organized at their casinos have turned low-wage service sector jobs into good-paying jobs with benefits. This legislation would take those jobs away.

Therefore, I must oppose it, and I urge all my colleagues to do the same.

Mr. ROE of Tennessee. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. HUNTER), my friend and colleague on the Education and the Workforce Committee and a veteran of this great Nation.

Mr. HUNTER. Mr. Speaker, I thank the good doctor from Tennessee. I want to thank my Republican colleagues, Mr. ROKITA especially, for bringing this important matter to a vote today.

Mr. Speaker, I rise in support of H.R. 511, the Tribal Labor Sovereignty Act.

In this House, we often speak about the importance of ensuring and protecting tribal sovereignty. This bill does just that. The measure treats tribal governments like we do any other government entity in this country by excluding them from the onerous coverage under the National Labor Relations Act.

In my district in San Diego and Riverside County, California, I represent 18 different tribes in Congress. That is more than anybody else in this House. They vary in size, tradition, and economic wealth, but they share one thing in common. They are all sovereign nations.

This sovereignty ensures that they have jurisdiction over their territory. And, remember, the American people made a promise to these tribes that they can govern themselves on their own land. This should especially apply in areas that this bill seeks to address.

I think it is ludicrous that the National Labor Relations Board thinks that they have purview over American Indian tribes.

I urge my colleagues to support H.R. 511.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. NORCROSS).

Mr. NORCROSS. Mr. Speaker, we live in the land of opportunity, and certainly many of the people who are being discussed here today understand that, for a very long time, it was not fair and not equal, because that is what we are truly discussing today, having a level playing field.

This year is the 80th anniversary of the National Labor Relations Act, which, quite frankly, gave rise to the middle class as we know it here in America today. But time after time, on both sides of the aisle, we hear how the discrepancies between those who are on the lower end and the one-percenters is growing wider.

So why am I talking about this when we are talking about this tribal bill? Because that is what we are really talking about.

See, there is a mechanism in place already that addresses this issue. It is a three-part test that has worked very well not only with the NLRB, but in the courts it has been working very well.

So this is a bill that is looking for a problem, because the true test of what is going on here today is trying to take those rights of having a level playing field away from those who don't have a voice. Well, we stand here today as that voice.

My career was as an electrician who later had the opportunity to become a business agent. I have been to National Labor Relations Boards many, many times. I have lost some. I have won some. But one thing I can tell you is it was a fair fight. And that is what we want to give those on tribal lands, a fair fight.

Just because they are tribal lands doesn't mean that none of our laws, history, and traditions apply to them. In fact, just the opposite. That three-part test has stood the test of time and has given a fair shot.

So what we are really talking about today is those who have the most abusing those who have the least, not giving them an opportunity to have a voice in the workplace so that they can have the American Dream.

I would urge my colleagues to vote against this very unfair, misguided bill and to give those who need it most that voice. That is what we are elected to do. I urge my colleagues to vote against this.

Mr. ROE of Tennessee. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. ALLEN).

Mr. ALLEN. I thank the chairman for his good work on this bill.

Mr. Speaker, I rise today in support of legislation that I am proud to co-sponsor, the Tribal Labor Sovereignty Act of 2015.

It has long been a priority of this Congress to protect tribal sovereignty. These lands and their people should be free from bureaucratic intrusion, as they are sovereign nations.

However, the National Labor Relations Board has once again overstepped its authority to expand its jurisdiction over tribal lands, creating a cloud of uncertainty for tribal leaders.

This legislation allows tribes to operate as they should, free from the threat of intrusion from the National Labor Relations Board. Much like states' rights, this legislation puts the power back in the hands of local tribal governments so they can make decisions in their best interest.

During a time of political and partisan gridlock, empowering tribes and the lives of their people is a bipartisan issue that both sides should be able to find common ground on. We need to protect tribal lands from Washington's constant overreach.

I will continue to work to ensure tribal sovereignty is not infringed upon.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. POCAN).

Mr. POCAN. Mr. Speaker, I thank Ranking Member SCOTT.

Mr. Speaker, I rise to oppose H.R. 511. One of the most important things we can do in this body is help the middle class to have every opportunity for their family.

While the economy has been rebounding, unfortunately, wages for the middle class have remained flat. Productivity is up. Profits are up. CEO pay is up. But wages for most workers have remained flat. Now we have a bill before us that will make it harder for hundreds of thousands of workers by taking away National Labor Relations Act protections from them.

Now, the promoters of this legislation say this bill is designed to protect sovereignty. While I strongly support tribal sovereignty, this bill is not about that.

There are a number of Federal laws that tribes are compelled to follow in addition to the National Labor Relations Act: the Occupational Safety and Health Act, the Employee Retirement Income Security Act, the Family and Medical Leave Act, and the public accommodations of the Americans with Disabilities Act, just for starters.

This bill isn't about meaningful sovereignty. It is about selective sovereignty because it only excludes labor rights, which makes this a labor bill, not a sovereignty bill.

It would even affect workers who already have collective bargaining agreements, stripping away the rights they have collectively fought for and have agreed to.

Many of the advocates for this bill are hardly credible on this. The U.S. Chamber and other organizations have never taken strong stances on tribal issues in the past, issues like spearfishing and mascot names in my home State of Wisconsin or funding to address the crumbling infrastructure of Bureau of Indian Affairs schools.

But suddenly they support sovereignty. Well, history says otherwise. If this bill is about sovereignty, exempt OSHA and ERISA and FMLA and ADA, for starters—that would be a sovereignty bill—or require the tribes at least to have their own labor relations boards, which they don't have.

This bill only exempts labor protections for hundreds of thousands of workers, both tribal members and non-members. Those affected workers will be denied their fundamental rights under this bill, and that is what this is really about.

Mr. Speaker, if this body wants to help tribes, I am here to help. If you want to make it easier for Federal tribes to be recognized via the Carcieri fix, I am in.

If you want to provide more adequate funding for Indian Health Services and exempt them from future sequestration cuts, where do I sign up?

If you want to provide funding for the maintenance infrastructure as well as the educational needs for Bureau of Indian Affairs schools, I am with you.

□ 1415

If you want to address some of the Tax Code disparities that hinder tribes from encouraging economic development on their lands, especially renewable energy projects, let's do that bill. But we are not addressing the real pressing issues that affect tribes in our country. Instead, we are only going after workers' rights in the veil of tribal sovereignty, and that is wrong.

Mr. Speaker, I urge a "no" vote.

Mr. ROE of Tennessee. Mr. Speaker, in hearing testimony at our subcommittee hearing, a number of Indian tribes have labor boards at their particular reservation, so I just want to have that in for the RECORD.

Also, all we are asking for is to treat the Indian tribes exactly the same as local or State governments are treated. If they are sovereign, they are sovereign; if they are not, they are not.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, there is no need today to catalog the litany of promises made and broken by this government to the American Indian nations. The sum total of these broken promises amounted to the banishment of these, the first Americans, to the most desolate and undesirable lands in the Nation. We left them with one thing and one thing

only. We left them sovereignty over their lands.

In the past half century, many of these tribes have created, from that sovereignty, great engines of prosperity with which to provide for themselves and their posterity; and suddenly, our government's disinterest in their welfare, its benign neglect of their affairs, has changed. Now that they are prosperous, our government has developed a canine appetite to intervene in their affairs.

For 70 years after the enactment of the National Labor Relations Act, the Federal Government recognized the internal independence of these tribal governments established of, by, and for their rightful members. It recognized that unless Congress specified otherwise, the Indian nations were free to conduct their own affairs on their sovereign lands and to organize their enterprises according to their own traditions, customs, conditions, and necessities—that is, until 2004, when the National Labor Relations Board decided to shatter these decades of legal precedents and usurp the legislative powers of the Congress.

The NLRA was never intended to apply to governments, and the American Indian nations have always been recognized as governments—that is, until the NLRB decided to radically and fundamentally change the law that created it in the first place.

The question before the House is whether Congress will reassert its authority over a rogue executive agency and, for a change, honor the promises of tribal sovereignty made to these nations more than 100 years ago.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. I thank the gentleman from Virginia (Mr. SCOTT) for yielding and for his leadership in support of working men and women.

Mr. Speaker, like my colleagues, I am a strong supporter of tribal sovereignty and believe that we must recognize the rights of tribal governments. But I am also a strong supporter of labor rights, the ability of hardworking men and women to join together in collective bargaining to improve their workplace and the lives of their families.

Union membership has many advantages: higher wages, better benefits, and safer working conditions. It is no coincidence that we have seen the middle class shrink dramatically at the same time that union membership has declined. That is why we need to act to expand labor rights and why we should be concerned about the bill before us.

I believe that the 2004 National Labor Relations Board decision in San Manuel Indian Bingo & Casino struck the appropriate balance between respecting tribal sovereignty and uphold-

ing labor rights. In its decision, the NLRB stated the National Labor Relations Act does not apply if it would undermine the "exclusive rights of self-governance in purely intramural matters" or "abrogate Indian treaty rights." However, the NLRB clarified that labor law would apply if an entity is a purely commercial enterprise and employs or caters to individuals who are not tribal members. That is an appropriate test, whether we are talking about casinos or construction companies, hotels and resorts, or mines or power plants.

H.R. 511 would overturn the NLRB's carefully crafted decision and could take away existing bargaining rights from hundreds of thousands of workers. We know that workers at tribally owned casinos have benefited from union membership. A UNITE HERE! union study of tribal casino workers in California documented higher wages, lower healthcare costs, and less worker reliance on public benefits like Medicaid to meet the needs of their families. Employers, too, gain when workers are more productive and turnover is reduced.

We have real-world examples of how unions have helped workers. Gary Navarro, a Pomo Nation member employed at Graton Casino & Resort, testified before the Education and the Workforce Committee that "I became active in my union because of unjust treatment of casino workers by the managers and how nothing could be done about even sexual harassment because of sovereignty. Exercising our right to organize turned out to be the only way to protect ourselves and our coworkers."

Madeline, a worker at Foxwoods, was suspended because she was forced to clock out when she went to see a nurse for a work-related injury, which put her over the casino's attendance points system. Her union won her reinstatement and backpay. And the company provided a mandatory OSHA training program for management.

Jenny Langlois, at Foxwoods, benefited from a union contract that gave her the time she needed to receive treatment for breast cancer.

Mr. Speaker, H.R. 511 would result in the loss of those gains, and, by eliminating NLRA rights, could deny them to many more workers in the future. By doing so, it would leave those workers without any avenue to bargain collectively, ensure fair compensation, or seek redress for workplace injuries.

Three out of four of the 600,000 workers employed in tribal casinos are not tribal members. They do not have full access to internal, tribal mechanisms for filing grievances or petitioning for changes in policy. And while some tribal governments have labor laws that apply to commercial operations, many don't, and there is no guarantee that those who have them will not change

or eliminate them in the future. By eliminating NLRA rights, workers could have no place to turn to push for labor rights, to appeal unfair firings or disciplinary action, or to take action against sexual harassment.

H.R. 511 would affect more than the gaming industry, including construction workers, miners, and hotel workers. That is why the International Labour Organization has stated that it "would appear likely that an exclusion of certain workers from the NLRA and its mechanisms would give rise to a failure to ensure to these workers their fundamental freedom of association rights absent any assurances that there were tribal labor laws that provide the same rights to all workers."

But there is no such requirement in H.R. 511. It would preempt NLRA coverage. But there are other Federal laws that apply to tribes, including the Occupational Safety and Health Act, title III of the Americans with Disabilities Act, the Family and Medical Leave Act, and the Employee Retirement Income Security Act. Why should we single out the NLRA, the law that gives workers bargaining rights? Or will we be asked to eliminate those other important protections in the future?

Mr. Speaker, proponents of the bill argue that it is designed to provide equal treatment for tribal nations with State and local governments, but there are key distinctions.

First, we are talking here not about people who work directly for tribal governments but for workers in commercial enterprises. Most States and localities don't operate huge commercial entities that hire the majority of workers from outside of their jurisdictions.

Second, if State or local workers want to push for laws to obtain or protect collective bargaining rights, they have the ability to participate in the political process and vote in elections. That is one reason that the vast majority of State and local public employees have those rights. Non-tribal workers at tribal-operated commercial enterprises lack that ability. They don't vote in tribal elections, and they have no direct ability to affect labor policies for tribal governments.

Mr. Speaker, we should fight for workplace rights and support the balanced approach taken by the NLRB. I ask my colleagues to join in opposing this bill.

Mr. ROE of Tennessee. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. EMMER.)

Mr. EMMER of Minnesota. I thank the gentleman from Tennessee.

Mr. Speaker, I rise in support of the Tribal Labor Sovereignty Act of 2015.

Minnesota is a proud home to seven Ojibwe reservations and four Dakota communities. We have a strong and deep Native American history and are proud of the work we have accomplished through centuries of working together.

The Federal Government has long recognized that Native American tribes have the capacity and ability to govern themselves in an efficient and meaningful manner that is consistent with their heritage. The legislation being discussed today is of grave importance to the communities that have contributed so much to our Nation's history.

The intent of the National Labor Rights Act passed in 1935 was never to include tribal governments within its jurisdiction. It is unfortunate that some are seeking to take advantage of a once well-intended law, but it is now up to Congress to do the right thing and expressly clarify that tribal governments are exempt from the National Labor Relations Act.

Mr. SCOTT of Virginia. Mr. Speaker, could you tell us how much time remains on both sides.

The SPEAKER pro tempore (Mr. MARCHANT). The gentleman from Virginia has 12 minutes remaining. The gentleman from Tennessee has 21¼ minutes remaining.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the minority whip.

Mr. HOYER. I thank the gentleman from Virginia for yielding.

Mr. Speaker, I want to also say to my friend from Tennessee (Mr. ROE), he and I are good friends and have done a lot of work together, but on this we disagree.

I want to say, Mr. Speaker, that if the National Labor Relations Act were at issue on this floor today, my belief is—I may be wrong—that many of the people who will vote for this bill would be for repealing the National Labor Relations Act. That is a fair place to be, I suppose, but that is essentially what we are talking about here.

I can't think of anyone in this House who does not believe strongly in the principle of protecting the sovereignty of American tribes and their governments. I know surely that is where I am. I presume all 434 of my colleagues are there. It is the least we can do, having treated the Native Americans so badly when we got here and thereafter.

We agree that when tribal governments are carrying out inherently government functions—that is the key. It is the key for the courts; it ought to be the key for us—their sovereignty is fully, and should be, secure under current law. But this bill goes a lot further than reinforcing that understanding.

Instead, this bill extends the current understanding of sovereignty not from what it is, but it is in an effort to undermine the rights for working men and women in this country, which is why, for all Americans, we cannot get a minimum wage bill on this floor, which is \$7.25, which is now 7 years in being, and would be, if we paid the

same in 1968 for the minimum wage, \$10.68 today. It is the same principle, we can't get it on the floor. For all Americans—not just Indian Americans—for all Americans, Native Americans, it undermines their rights, rights that every Member of this House also ought to support.

Democrats are proud to stand shoulder to shoulder with Native American tribal communities across this country, and we are going to continue working with them to fight for more investment in education. Hear me. We need to put our money where our mouth is: Native American housing, health care, education, along with continuing to protect their sovereignty in governing themselves according to their cultures and traditions.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SCOTT of Virginia. Mr. Speaker, I yield the gentleman from Maryland an additional 1 minute.

Mr. HOYER. I thank the gentleman.

Mr. Speaker, what we do not support is taking away protections from American workers, Native and non-Native alike, who work in commercial enterprises owned by tribes. All of our people deserve the chance to earn a decent living, be safe at work, and reach for a better life. This bill is not a step in the right direction.

Courts have ruled that tribes must also comply with other laws. I want to adopt the comments of the gentleman from Illinois.

Courts have ruled that tribes must also comply with the Fair Labor Standards Act and the Occupational Safety and Health Act and many criminal laws, among others. Should we repeal that and have unhealthy working conditions in commercial enterprises? Perhaps that is the next bill you will bring forward in the name of Native sovereignty.

□ 1430

Why is the NLRA being singled out from among these laws of general applicability by the proponents of this bill? I suggested why at the beginning of my comments: because that side does not support National Labor Relations Act rights.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SCOTT of Virginia. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. HOYER. Given that there is no logical distinction to explain why these other laws should apply to tribes but the NLRA should not, the only plausible explanation is that this legislation is a precursor of other legislation and says, once again, we do not support the rights of Americans to collectively bargain for pay, benefits, safety, and working conditions.

Mr. Speaker, I urge my colleagues to send a strong and unequivocal mes-

sage—two messages: A, we support strongly the sovereignty of our tribes, but, secondly, we also support the decency and safety and pay of working Americans, tribes and non-tribes alike.

I urge my colleagues to vote “no.”

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Just for clarification, Mr. Speaker, many Federal labor laws specifically exclude Indian tribes from the definition of employer, including title VII of the Civil Rights Act of 1964, title I of the Americans with Disabilities Act, and the Worker Adjustment and Retraining Notification Act. In contrast, statutes of general application, including the NLRA; Uniformed Services Employment and Reemployment Rights Act; Age Discrimination in Employment Act, ADEA; Fair Labor Standards Act; Family and Medical Leave Act; and Employee Retirement Income Security Act, ERISA, are silent in their application to Indian tribes. Federal courts have held that the statutes of general application—specifically, FLSA and ERISA—do apply. Otherwise, they do not.

At this time, I yield 1 minute to the gentlewoman from South Dakota (Mrs. NOEM), my good friend, which I had the privilege of visiting her beautiful State about a month ago.

Mrs. NOEM. Mr. Speaker, I want to remind everyone, in light of the debate that we have had today here on the floor, that this bill is extremely bipartisan. It is supported by tribes all across the Nation. It is something that they have been asking us for. In fact, in the last two Congresses, I carried the bill. I was the sponsor of it because it needs to be done, and I was asked to do so by tribes across the country.

This is an issue of sovereignty. No other level of government in the country is subject to the National Labor Relations Act. It is time that Congress clarifies the law and reaffirms its commitment to tribal governments and self-determination.

The bipartisan policy of economic development through self-determination has helped create economic opportunity in Indian country. Tribes across the country and in my home State of South Dakota work daily to overcome the high rates of poverty and unemployment that they face. They continue to develop their businesses and lands for the benefit of their people and communities. The last thing that they need is to have the National Labor Relations Board meddling in their economic development affairs when they are trying to make life better for the people who live in their communities.

I urge my colleagues to support tribal sovereignty, support tribal governments, and vote “yes” on this important legislation.

Mr. SCOTT of Virginia. Mr. Speaker, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Mr. Speaker, I thank the fine gentleman from Tennessee.

Mr. Speaker, I am pleased to be able to speak on this bill today.

While this administration has been eager to recognize tribes, too often it fails to also recognize their sovereign rights, imposing onerous Federal requirements on tribes' management of their own lands and livelihoods, which is very important in my own First District of California, home of many recognized tribes.

This measure rectifies a clear overreach yet again of this administration by rolling back National Labor Relations Board regulations that impose Federal labor laws on tribal businesses located on their own tribal land never intended under the NLRA.

Mr. Speaker, sovereign status doesn't mean that tribes may manage their own affairs only now and then, or only when the administration chooses. It means tribes have a right to self-government in every aspect of their affairs.

It is time that this House reaffirm its constitutional role, defined in article I, section 8, and lead the Federal Government in its relations with Indian tribes, not this overreaching board.

Mr. SCOTT of Virginia. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma (Mr. RUSSELL) and thank him for his service to this great Nation.

Mr. RUSSELL. Mr. Speaker, I thank the gentleman from Tennessee.

Really this whole matter and discussion is pretty simple: Article I, section 8, Congress shall have the power "to regulate commerce with foreign nations and among the several States and with the Indian tribes"—explicit language in the Constitution that we all defend and that I have defended since I was 18.

It is the purview of this Congress, not the rulemakers of the National Labor Relations Board, to regulate commerce.

This Nation must continue to recognize the rights of Indian tribal sovereignty, and this Congress must uphold the Constitution and sovereign treaties with those tribes.

Those opposed to this bill, Mr. Speaker, say that it will take away the rights of workers. As a Representative from Oklahoma, whose Fifth District has more than 13 percent Native American, our largest minority, our constituents know that the actions of the rulemakers will take away the rights of sovereign tribes. Congress must restore these rights with the passage of this bill.

Mr. SCOTT of Virginia. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Tennessee has 17 minutes remaining.

Mr. ROE of Tennessee. Mr. Speaker, I yield 1 minute to the gentleman from North Dakota (Mr. CRAMER).

Mr. CRAMER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, self-reliance and self-governance need to be more than liberal buzzwords if we are going to make a difference, if they are going to have any meaning at all. And I find some of the comments of the opposition to be quite rich in contradiction. Unfortunately, they are similar to the comments that President Obama had this morning when he announced his opposition to this legislation, stating that he could not support the bill unless tribal governments adopted his view. In other words, they have to be identical to his views in order to have sovereignty. Well, this isn't sovereignty at all.

The President often likes to say that he honors and respects tribal sovereignty. In fact, I heard him say that he respects it as much as any President, right while standing in the powwow grounds in Cannon Ball, North Dakota, last summer.

Yet when presented with this opportunity—and it is not the only opportunity we presented, by the way—the Native American Energy Act and gas-gathering pipeline bills have done the same thing, trying to give sovereignty where sovereignty is to be given. And, actually, it is not given to them; it is held by them.

So I call on Congress and President Obama to respect the rights of tribes and pass this legislation into law.

Mr. SCOTT of Virginia. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 1 minute to the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM).

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise in support of the Tribal Labor Sovereignty Act, which would clarify Federal law, restore parity for tribal governments, and protect tribal autonomy.

As you have heard today, tribes have a right to govern themselves, manage their own land, and regulate tribal enterprises according to their own culture, traditions, and law. They have the right to regulate labor relations with their employees as a result, and I expect tribal governments to view this legislation, in fact, as an opportunity to strengthen their own worker protections.

No worker, as you have also heard today, should be without a voice or an ability to petition their employer for stronger benefits or a better work environment. In fact, many tribes across

the country and in New Mexico have developed labor ordinances that, in fact, protect these rights.

During negotiations of the 1999 tribal-State gaming compact, Indian tribes in California agreed to adopt the Model Tribal Labor Relations Ordinance in order to strengthen worker protections.

Although this bill does not prevent similar tribal efforts to protect workers, I am disappointed that it doesn't do anything to promote stronger tribal labor practices.

Congress should provide tribes the resources they need to develop and implement labor laws and regulations at Native American enterprises. Employee protections and tribal autonomy are not opposing values.

I urge my colleagues to support this bill and to work for protecting workers' rights.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I want to read portions of a Statement of Administration Policy, issued by the Executive Office of the President:

"The administration is deeply committed to respecting tribal sovereignty and maintaining government-to-government relationships with Indian tribes as well as to protecting American workers and enforcing Federal labor laws. The administration cannot support H.R. 511, the Tribal Labor Sovereignty Act of 2015, as currently drafted, because it does not include the provisions as explained below."

Going on:

"The administration is encouraged by the efforts of some tribal governments to balance these important interests and find common ground when formulating compacts to operate casinos on tribal land under the Federal Indian Gaming Regulatory Act. In several of these compacts, tribes have agreed to establish their own labor relations policies. Though these compacts differ on minor details, what they have in common is that they generally protect tribal self-governance while also ensuring that most casino workers retain important and effective labor rights.

"It is thus possible to protect both tribal sovereignty and workers' rights, and the administration can only support approaches that accomplish that result. Therefore, the administration can support a bill which recognizes tribal sovereignty in formulating labor relations law and exempts tribes from the jurisdiction of the National Labor Relations Board only if the tribes adopt labor standards and procedures applicable to tribally owned and operated commercial enterprises reasonably equivalent to those in the National Labor Relations Act."

Mr. Speaker, I include in the RECORD the Statement of Administration Policy.

STATEMENT OF ADMINISTRATIVE POLICY
H.R. 511—TRIBAL LABOR SOVEREIGNTY ACT OF
2015

(Rep. Rokita, R-IN, Nov. 17, 2015)

The Administration is deeply committed to respecting tribal sovereignty and maintaining government-to-government relationships with Indian tribes as well as to protecting American workers and enforcing Federal labor laws. The Administration cannot support H.R. 511, the Tribal Labor Sovereignty Act of 2015, as currently drafted, because it does not include the provisions as explained below.

The President's commitment to tribal sovereignty has taken many forms—from establishing the White House Council on Native American Affairs, to reaffirming tribal authority to prosecute non-Indians under the Violence Against Women Act, and to promoting tribal self-determination by signing into law the Helping Expedite and Advance Responsible Tribal Homeownership (HEARTH) Act so that tribes may lease their lands without the approval of the Secretary of the Interior.

At the same time, the President is firmly dedicated to protecting American workers. The Administration vigorously enforces Federal labor laws and has repeatedly emphasized the importance of strengthening workers' rights to collective bargaining.

The Administration is encouraged by the efforts of some tribal governments to balance these important interests and find common ground when formulating compacts to operate casinos on tribal land under the Federal Indian Gaming Regulatory Act. In several of these compacts, tribes have agreed to establish their own labor relations policies. Though these compacts differ on minor details, what they have in common is that they generally protect tribal self-governance while also ensuring that most casino workers retain important and effective labor rights.

It is thus possible to protect both tribal sovereignty and workers' rights, and the Administration can only support approaches that accomplish that result. Therefore, the Administration can support a bill which recognizes tribal sovereignty in formulating labor relations law and exempts tribes from the jurisdiction of the National Labor Relations Board only if the tribes adopt labor standards and procedures applicable to tribally-owned and operated commercial enterprises reasonably equivalent to those in the National Labor Relations Act. Amended legislation would also need to include an authorization for funding to support the development and implementation of tribal labor laws and regulations.

Mr. SCOTT of Virginia. Mr. Speaker, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I guess what sovereignty means for an Indian reservation is you can be sovereign as long as we tell you what to do.

I yield 2 minutes to the gentleman from New Mexico (Mr. PEARCE). New Mexico has been a very active voice on this issue.

Mr. PEARCE. Mr. Speaker, I thank the gentleman for yielding.

H.R. 511, the Tribal Labor Sovereignty Act, says it all. All we are trying to do is to provide Native American tribes the sovereignty and autonomy they deserve, ensuring that they

have the same rights as other businesses off the reservation, and that they have the same standards as States and local governments.

Now, we have heard on this floor from those who reject the bill, those who oppose it, about where after is decency, safety, and pay. I am proud of New Mexico. I represent the tribes. And I will tell you we are falling far short of those objectives of those who oppose the bill.

Many of the tribes are looking to get into their own businesses now. They want to compete off reservation. They want to put tribal members to work. But they are hamstrung by the National Labor Relations Board, which currently chooses on a case-by-case basis which tribes are regulated and which are not. They are dependent on the government to give them permission. That is not what sovereignty sounds like in New Mexico, and tribes across this country are rejecting the status quo, saying: Let us move forward. Let us be in charge of our own destiny. We do not want to be responsible—we don't want to be wards of the government any longer. Give us our freedom to compete.

I see tribal companies that could compete easily if they are allowed to by this government. And just the phrase being "allowed to by this government" is one that chafes, and should chafe, Native Americans.

So the resulting confusion from the current status quo, which is trying to provide decency, safety, and pay, and is not doing that, the confusion from some being chosen and some not being chosen is one that needs to be overturned. H.R. 511 does that. I rise to support it, and appreciate the gentleman's time.

□ 1445

Mr. SCOTT of Virginia. Mr. Speaker, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 2 minutes to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. I thank the gentleman for yielding.

Mr. Speaker, I rise today in strong support of H.R. 511.

When Congress originally passed the National Labor Relations Act in 1935, Congress exempted Federal, State, and local governments from the definition of employer. What we have seen since then, Mr. Speaker, is that local units of government have allowed labor unions to develop, and we have seen the growth and the development of the middle class because labor unions have been in place.

Nowhere in the NLRA are Indian tribes mentioned. For nearly 60 years, the NLRB treated tribes as local units of government and the Board declined to apply the NLRA over tribal activities in Indian Country. However, in 2004, the NLRB abruptly reversed

course with the San Manuel ruling, asserting that the NLRA does apply to tribal enterprises. The ruling meant that tribes would no longer be treated as local units of government.

H.R. 511 is a narrow legislative fix that simply adds tribal governments to the list of other governments that are specifically excluded from the definition of employer in the NLRA. This bill simply ensures that the American Indian tribes are treated with parity, as our other local units of government are treated.

As a longtime labor advocate, I support this bill because I believe in tribal sovereignty. I have seen tribes afford their workers good pay, good health care and benefits. I respect their sovereignty, and I respect them to do as our cities and our States do. Sovereignty means respecting the individual authority and the decision-making of our country's first nations. That is what H.R. 511 does.

Mr. ROE of Tennessee. Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. POCAN).

Mr. POCAN. Mr. Speaker, I rise for a few of the things we have not heard on the other side of the aisle. I have heard a lot about sovereignty, but we have asked explicitly about other areas, one being OSHA. We have asked explicitly about ERISA. We have asked explicitly about the ADA. Why aren't those in here if this is a sovereignty bill and not just an antilabor bill?

In fact, on the Education and the Workforce Committee, I don't think a month goes by, Mr. Speaker, that we don't have a hearing that attacks the National Labor Relations Board and their actions or some other labor-related activity. It happens as often as you can imagine.

Yet, here we are being told this is really about sovereignty, but we don't really engage in a debate about sovereignty. Where we have a problem is on the labor front and what it would mean to working people—to the hundreds of thousands of people, 700,000 people-plus—who would lose their rights if this were to be passed.

One of the things that was said that is simply not correct is that a number of tribes have their own labor practices. Here is the reality. According to labor employment law in Indian Country—in a book from 2011 that is specifically about labor law and tribes—of the 567 federally recognized tribes, "few tribes have implemented labor ordinances, other than right-to-work provisions, to govern labor organizations and collective bargaining."

In fact, when you look at specific tribes, what has been passed, all too often, unfortunately, are things like right to work, which takes away the ability to have that collective bargaining right.

If we are going to have this debate about sovereignty, let's talk about sovereignty, let's talk about the funding for the Bureau of Indian Affairs' schools, let's talk about lifting some of those tax laws that make it harder for them to invest in renewable energy. Let's talk about those laws and not just the ones you want to.

This is like when I was a kid. When I had to take a pill, it came in the middle of something sweet. You are trying to take something really bad, like taking away workers' rights, and are putting it in a tribal bill because we support the tribes and because we support the unions, and you want to split that up.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SCOTT of Virginia. I yield the gentleman an additional 1 minute.

Mr. POCAN. I thank the gentleman.

Mr. Speaker, the bottom line is we just want to have that debate. Let's talk about sovereignty. But I am not hearing anything about the other issues that affect the tribes.

I have a tribe in my district, as we have many tribes in Wisconsin, and I have had a good, long relationship in my time in the legislature with these tribes. I have fought on behalf of changing Indian mascot names. I have fought on behalf of making sure that they have spearfishing rights in the State of Wisconsin.

The U.S. Chamber and all of those groups were never there. The U.S. Chamber is only here because they want to go after workers' rights. This bill is only here because you want to go after workers' rights. Let's just be honest about it.

If you want to have a debate on sovereignty, talk about the many issues we have brought up, because that is not what this bill is about. I support tribal sovereignty. I also support the many people who work in these facilities. We have to ensure that they still have the protections. I urge a "no" vote.

Mr. ROE of Tennessee. Mr. Speaker, certainly what we are after here today are the rights of Native Americans, whose rights have been trampled on by this country. We have had treaty after treaty that we have ignored. Maybe we can finally, with this piece of legislation, get one right here.

I yield 5 minutes to the gentleman from Indiana (Mr. ROKITA), my very good friend and the chairman of the Subcommittee on Early Childhood, Elementary, and Secondary Education.

Mr. ROKITA. I thank the gentleman not only for the time, but for his leadership on the committee and in helping bring the bill to the point it is today.

Mr. Speaker, this bill is not a new product. It has been around for about 10 years. But it hasn't gone as far as it has gone today. That is a compliment to all of the proponents of the bill, to Members like KRISTI NOEM, who has

talked earlier and who had this bill in the past, to Members like Chairman JOHN KLINE, who has carried it in the past, and all the way back to J.D. Hayworth. We thank them all for getting us here. I, for one, am a Member who has picked up this product and has run with it to help get it here.

I have been to 13 tribal communities this year alone, understanding what the problems are with this activist Department of Labor and National Labor Relations Board. That is why this bill is so popular, and in my talking with nearly every Member of this body, that is why so many Members have supported it. I expect and would ask for a strong vote today for sovereignty, for parity.

Mr. Speaker, the history is this: The National Labor Relations Act was silent as to tribal communities in terms of being regulated as an employer. State governments and local governments were specifically exempted from the act.

Then, because of an error in a court decision as well as an activist Department of Labor, we are in this position where the jurisdiction of tribal communities under the act has now been invented.

This bill corrects that and says in no uncertain terms—and very explicitly in just three pages—that tribal communities are to be exempted from the act if they are to be sovereign. All we are asking for is parity with State and local governments.

Let me give you an example.

Let's say you have a municipally owned and operated golf course in your community—or if it were a State government, then it would be the State government, owned by the State—and that municipality didn't want to have union activities and it wrote its own set of rules for its employees. That would be fine under the act.

By not allowing the very same right or luxury to a tribal government, we are treating them unlike other State and local governments. That is why in this context they are not sovereign. That is why this bill is needed.

The gentleman from Wisconsin who just spoke reminds us that there are agencies in this bill that aren't covered. I would say to him: What a great idea for tribal labor sovereignty, act two.

But the logic that just because every agency isn't covered under what is only meant to cover the NLRA somehow negates the good that this bill does—the right answer that comes with a "yes" vote—is ridiculous. Just because it doesn't do everything doesn't mean you can't do anything.

So I would say to the Members of this body, on that fact alone, you should vote "yes."

It is also true that many tribal communities have unions, that many tribal communities have rules that govern

their labor and employees, and those who want to oppose this bill, in my estimation, Mr. Speaker, simply want to insert their judgments, their biases, for their preferred rule or for their preferred union in place of duly elected members of a tribal government.

So I would say to those opponents: What makes you smarter than the people who elect the tribal government? What makes you better and your judgment superior to those who have been duly elected by the members of a tribal nation?

The fact of the matter is the arguments that have been made by the opposition do not apply to what is right here. The right thing is to ask ourselves: Are tribal communities sovereign or are they not? Should they at least be in parity with State and local governments or should they not?

I would say, Mr. Speaker, to every Member here and remind everybody—Republican, Democrat—that this is a bipartisan bill. We just had two Democratic Members speak in favor of this bill.

If you want to do what is right—if you believe in the sovereignty of tribal communities, if you believe they should at least have the same parity, judgment, and authority as State and local governments do—then you should vote "yes" on H.R. 511. I urge all Members to do that, Republican and Democrat.

Mr. SCOTT of Virginia. Mr. Speaker, is the gentleman prepared to close?

Mr. ROE of Tennessee. Yes. I am prepared to close.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself the balance of my time.

We have heard about the fact that the National Labor Relations Act is silent. That is true. But in terms of laws of general application, they are applied to tribes based on the balancing test, and the courts applied that test. That test is a half a century old. The activist NLRB that ruled in 2004 was during the George W. Bush administration. So we don't know how activist they could be interpreted.

There are a lot of laws that we have found and have discussed that apply to tribes, like the Fair Labor Standards Act, OSHA, ERISA. They have to withhold taxes. They have to pay their employer share of Social Security and Medicare, and on and on. The criminal laws go on and on as well as laws of general application.

Mr. Speaker, I would like to quote from a letter from the International Labour Office, which is basically talking about the international labor obligations we have. They write:

"While elements of indigenous peoples' sovereignty have been invoked by the proponents of this Bill, the central question revolves around the manner in which the United States Government can best assure throughout its territory the full application of the

fundamental principles of freedom of association and collective bargaining. From an ILO perspective, while the variety of mechanisms for ensuring freedom of association and collective bargaining rights may differ depending on distinct sectorial considerations or devolution of labor competence, it is critical that the State (the national authority) takes ultimate responsibility for ensuring respect for freedom of association and collective bargaining rights throughout its territory.

“Given the concerns that you have raised, it would be critically important that, at the very least, a complete legal and comparative review be undertaken to support assurances that all rights, mechanisms and remedies for the full protection of internationally recognized freedom of association rights are available to all workers on all tribal lands. In the absence of such assurances, it would appear likely that an exclusion of certain workers from the NLRA and its mechanisms would give rise to a failure to ensure to these workers their fundamental freedom of association rights.” Therefore, it would be in violation of the ILO.

This isn't about labor rights. This is about whether or not we are going to fulfill our obligations under the International Labour Organization as a government that subscribes to those.

Finally, Mr. Speaker, I include for the RECORD the full letter from the ILO and several other letters in opposition to the legislation.

INTERNATIONAL LABOUR OFFICE,
Geneva, Switzerland.

Mr. R. L. TRUMKA,
President, AFL-CIO,
Washington, DC.

DEAR MR. TRUMKA, I acknowledge receipt of your letter dated 22 October 2015 requesting an informal opinion and guidance from the International Labour Organization in respect of a Bill being considered by the United States Congress.

In particular, you have raised concerns about the Tribal Labor Sovereignty Act (H.R. 511) which you state would deny protection under the National Labor Relations Act (NLRA) of a large number of workers employed by tribal-owned and tribal-operated enterprises located on tribal territory and ask for the informal opinion of the Office as to whether such an exclusion of workers employed on tribal lands would be in conformity with the principles of freedom of Association which are at the core of the ILO Constitution and the ILO's Fundamental Principles and Rights at Work.

In conformity with the regular procedure concerning requests for an informal opinion from the International Labour Office in respect of draft legislation and its possible impact on international labour standards and principles, the views set out below should in no way be considered as prejudging any comments or observations that might be made by the ILO supervisory bodies within the framework of their examination of the application of ratified international labour standards or principles on freedom of association.

Your links to committee reports of the congressional majority and minority and other background information have enabled

the Office to consider the views of the parties both for and against the proposed amendment and they all appear to confirm recognition of the United States' obligation to uphold freedom of association and collective bargaining. While the proponents of the Bill assert that this can be achieved through the labour relations' regimes autonomously determined by the tribal nations, the opponents—and you yourself in your request—maintain that excluding tribal lands from the NLRA will in effect result in a loss (or at the very least inadequate protection) of their trade union rights. Not only do you refer to tribal labour relations ordinances which in your view provide inadequate protections in this regard, but you also refer to instances where there are no tribal labour relations ordinances at all.

While elements of indigenous peoples' sovereignty have been invoked by the proponents of this Bill, the central question revolves around the manner in which the United States Government can best assure throughout its territory the full application of the fundamental principles of freedom of association and collective bargaining. From an ILO perspective, while the variety of mechanisms for ensuring freedom of association and collective bargaining rights may differ depending on distinct sectorial considerations or devolution of labour competence, it is critical that the State (the national authority) takes ultimate responsibility for ensuring respect for freedom of association and collective bargaining rights throughout its territory.

As you have indicated, the 2004 San Manuel Indian Bingo and Casino decision assures possible recourse to the National Labor Relations Board (NLRB), an overarching mechanism aimed at ensuring the protection of freedom of association, while also maintaining deference to the sovereign interests of the tribal nations so as to avoid touching on exclusive rights of self-governance.

Full abdication of review via an exclusion from the scope of the NLRA for all workers employed on tribal lands as described might make it very difficult for the United States Government to assure the fundamental trade union rights of workers. In cases like those mentioned where there are no tribal labour relations ordinances, undue restrictions on collective bargaining, excessive limitations on freedom of association rights or lack of protection from unfair labour practices, workers on tribal territories would be left without any remedy for violation of their fundamental freedom of association rights, short of a constitutional battle. Furthermore, the exclusion proposed, with no avenue for federal review or overarching mechanism for appeal should there be an alleged violation of freedom of association, would give rise to discrimination in relation to the protection of trade union rights which would affect both indigenous and non-indigenous workers simply on the basis of their workplace location.

Given the concerns that you have raised, it would be critically important that, at the very least, a complete legal and comparative review be undertaken to support assurances that all rights, mechanisms and remedies for the full protection of internationally recognized freedom of association rights are available to all workers on all tribal lands. In the absence of such assurances, it would appear likely that an exclusion of certain workers from the NLRA and its mechanisms would give rise to a failure to ensure to these workers their fundamental freedom of association rights.

In accordance with ILO procedure concerning requests for informal opinions on draft legislation, this communication will also be brought to the attention of the United States Government and the representative employers' organization, the U.S. Council for International Business.

Yours sincerely,

CORINNE VARGHA,
Director of the International Labour
Standards Department.

UNITED AUTO WORKERS,

Washington, DC, November 16, 2015.

DEAR REPRESENTATIVE: On behalf of the more than one million active and retired members of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), I urge you to vote against the Tribal Labor Sovereignty Act (H.R. 511). This misguided bill would deny protection under the National Labor Relations Act (NLRA) to hundreds of thousands of workers employed by tribal casinos alone. Tribal casinos have created over 628,000 jobs. This legislation does not only apply to casinos. It could impact dozens of other businesses, including power plants, mining operations, and hotels.

UAW deeply believes in tribal sovereignty and has a strong record in supporting civil rights throughout our history. This bill, however, is misleading. It is an attack on fundamental collective bargaining rights and would strip workers in commercial enterprises of their rights and protections under the NLRA. Supporters of the bill argue that the bill creates parity for the tribes with state and local governments who are not covered under the NLRA. However, there are some significant differences.

For starters, non-tribal members cannot petition a tribe for labor legislation, while workers employed by a state or local government have a voice with their elected leaders. This is an important difference since 75 percent of Native American gaming employees are not tribal members. In addition, tribes are exempt from employment laws (Title VII of the Civil Rights Act) that apply to state and local governments. Finally, private sector contractors work extensively on behalf of state and local governments and they generally have to comply with the NLRA. In summary, the parity argument does not hold up under scrutiny.

Tribal casinos have a significant and growing presence throughout our country. In 2013, 449 tribal gaming facilities made \$28 billion in revenues. Seventy five percent of the workforce is non-tribal members. In fact, at Foxwoods, where the UAW represents the workers (and many other casinos), well over 95% percent of employees and patrons are not tribal members. These employees are working for a tribal enterprise which is simply a commercial operation competing with non-tribal businesses.

Having a union and a legally binding contract has made a real difference in the lives of UAW members who work as dealers and assistant floor supervisors. Hundreds of dealers have been promoted to benefited and supervisory positions because of provisions in the contract that maintain minimum percentages of full-time, part-time and supervisory positions. Work rules, wages, and benefits have all improved because of the right to collectively bargain. H.R. 511 would put all of these hard fought gains in jeopardy. Under the terms of this bill, when a labor contract expires, a tribe could unilaterally terminate the bargaining relationship with the union without legal consequence under

the NLRA, because the employer's obligation to bargain could be eliminated.

H.R. 511 seeks to overturn a decision by the National Labor Relations Board (NLRB) in *San Manuel Indian Bingo and Casino*, 341 NLRB No. 138 (2004). In that decision the Board concluded that applying the NLRA would not interfere with the tribe's autonomy and the effects of the NLRA would not "extend beyond the tribe's business enterprise and regulate intramural matters." The ruling does not apply in instances where its application would "touch exclusive rights of self-governance in purely intramural matters" or "abrogate Indian treaty rights." The NLRB has taken a nuanced view on this matter and has ruled on a case-by-case basis. Congressional interference is not justified. Finally, it would create a dangerous precedent that could be used to weaken hard fought worker and civil right protections for employees on tribal lands (minimum wage, OSHA, ERISA).

At a time of growing wealth inequality and shrinking middle class, the last thing Congress should do is deprive workers of their legally enforceable right to form unions and bargain collectively. We urge you to oppose H.R. 511.

Sincerely,

JOSH NASSAR,
Legislative Director.

INTERNATIONAL BROTHERHOOD
OF TEAMSTERS,
Washington, DC, November 6, 2015.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: The International Brotherhood of Teamsters urges you to oppose H.R. 511, the Tribal Labor Sovereignty Act (H.R. 511). This legislation would exempt all tribally-owned and -operated commercial enterprises on Indian lands broadly defined from the National Labor Relations Act (NLRA).

If H.R. 511 were to become law, hundreds of thousands of workers at these enterprises, including Teamsters, would be stripped of their protections and rights under the NLRA, including the right to organize and collective bargaining. It would deprive both tribal members and non-member employees of the right to form or join unions and to bargain collectively for better wages, hours, and working conditions. We should be working to expand the rights and ability of workers to earn a decent living for themselves and their families and to secure a safe and healthy workplace.

While tribal casinos have been the focus of discussion, this legislation affects not just casino workers. Since the 1980's tribes have expanded business interests beyond casinos. They now operate many different revenue producing commercial enterprises—construction companies, mining operations, power plants, hotels, water parks and ski resorts, to name a few.

In 2004, the National Labor Relations Board (NLRB) (in *San Manuel*) ruled that tribal casino workers should have NLRA protections. Shortly after the *San Manuel* decision, legislation, in the form of amendments, was twice offered to block the NLRB from enforcing the *San Manuel* decision. These amendments were rejected. Since then, the NLRB has proceeded in a measured fashion asserting jurisdiction on a case-by-case basis.

The NLRB will not assert jurisdiction where it would interfere with internal governance rights in purely intramural matters or abrogate treaty rights. Otherwise, the

NLRB will protect workers' rights at tribally owned enterprises by asserting jurisdiction. With its case-by-case approach, *San Manuel* takes a careful approach to balancing tribal sovereignty interests with Federal labor law.

It should be noted that other important federal laws that protect workers apply to Indian businesses, such as the Occupational Safety and Health Act, the Fair Labor Standards Act, the Employee Retirement Income Security Act, and Title III of the Americans with Disabilities Act. Indeed, courts have denied attempts to gain exemptions on numerous occasions ruling commercial tribal enterprises should not be excluded from such laws. NLRA rights and protections should not be treated differently.

Proponents assert that they are seeking the same exemption as state and local governments. However, this is wrong. The NLRA only exempts actual government employees and not private sector employees performing contracted out government functions. Also, a substantial majority of workers at these enterprises are not Indian or tribe members, and thus have no ability to influence tribal governance, since non-tribal members are prohibited from petitioning a tribe.

The bill could also undermine enforcement of existing labor contracts and the decision workers made to organize and bargain collectively. When a collective bargaining agreement expires, a tribe could unilaterally terminate the relationship with the union without consequence under the NLRA. The employer's obligation to bargain could be eliminated.

Employees of tribal enterprises have no constitutional rights to protect against employers. Only the NLRA gives them free speech rights. Absent the NLRA they have no protection. Workers cannot be left without any legally enforceable right to form unions and bargain collectively just because they are employed by at tribally owned enterprise.

Finally, the United States requires its trading partners to implement and abide by internationally recognized labor standards, while H.R. 511 deprives workers at these tribal enterprises of these core rights: the right to organize and bargain collectively.

To focus solely on the NLRA raises the question of the true motivation for this legislation. It is regrettable that the principle of tribal sovereignty is being used to cloak an attack on the basic rights of workers to organize and bargain collectively. The Teamsters Union respects tribal sovereignty. However, we do not believe that this principle should be used to deny workers their collective bargaining rights and freedom of association. We urge you to oppose the Tribal Labor Sovereignty Act and to Vote No on H.R. 511.

Sincerely,

JAMES P. HOFFA,
General President.

UNITED FOOD & COMMERCIAL
WORKERS INTERNATIONAL UNION,
Washington, DC, November 17, 2015.

To All Democrats of the House of Representatives.

DEAR REPRESENTATIVE: As you know, the House of Representatives is scheduled to vote this week on the Tribal Labor Sovereignty Act (H.R. 511). This bill is a blatant attack upon hardworking families, and their right to organize and earn a better life. As such, we will be scoring H.R. 511 in our upcoming congressional scorecard. We urge you to stand with millions of hard-working men and women and vote against this bill.

Our union family is proud to represent 1,000 men and women who work hard every single day to support their families at casinos that operate on Indian land. If this proposed legislation passes, their ability to negotiate a better life, their rights, and the rights of countless others, will be forever worsened.

Every American, and every worker, has the right to earn a better life, and those rights should never be jeopardized or taken away.

We urge, regardless of party, to do what is right for your constituents, hardworking families, and this nation and vote NO on H.R. 511.

Sincerely,

ANTHONY M. PERRONE,
International President.

AMERICAN FEDERATION OF LABOR
AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Washington, DC, November 16, 2015.

DEAR REPRESENTATIVE: The AFL-CIO urges you to oppose the Tribal Labor Sovereignty Act (H.R. 511), which would deny protection under the National Labor Relations Act to a large number of workers who are employed by tribal-owned and -operated enterprises located on Indian land. Among these workers are over 600,000 tribal casino workers, the vast majority of whom are not Native Americans. In recent years, there has been a substantial expansion of enterprises that would be impacted by this legislation—not only casinos, but mining operations, power plants, smoke shops, saw mills, construction companies, ski resorts, high-tech firms, hotels, and spas. These are commercial businesses competing with non-Indian enterprises. The Tribal Labor Sovereignty Act, as proposed, would strip all workers in these many commercial enterprises of their rights and protections under the NLRA.

The bill, introduced by Representative Rokita, seeks to overturn a decision by the National Labor Relations Board (NLRB) in *San Manuel Indian Bingo and Casino*, 341 NLRB No. 138 (2004), which applied the National Labor Relations Act (NLRA) to a tribal casino enterprise.

In *San Manuel*, the NLRB looked to Supreme Court and circuit court precedent to articulate a test for whether the NLRB should assert jurisdiction over tribal enterprises, whether located on tribal lands or outside them. (Before *San Manuel*, NLRB jurisdiction was determined based solely on location: on tribal land, no jurisdiction, off tribal land, jurisdiction. Under the *San Manuel* test, the NLRA will not apply if its application would "touch exclusive rights of self-governance in purely intramural matters." Nor will the NLRA apply if it would "abrogate Indian treaty rights." The Board in *San Manuel* also considered other factors, including that the casino in question was a typical commercial enterprise, it employed non-Native Americans, and it catered to non-Native American customers.

In *San Manuel*, the Board concluded that applying the NLRA would not interfere with the tribe's autonomy, and the effects of the NLRA would not "extend beyond the tribe's business enterprise and regulate intramural matters." However, the test articulated in *San Manuel* provides for a careful balancing of the tribal sovereignty interests with the Federal Labor law protections provided through the NLRA. In a companion case, the Board tipped the balance the other way, and the NLRB didn't assert jurisdiction. *Yukon Kuskokwim Health Corporation*, 341 NLRB No. 139 (2004).

The AFL-CIO does support the principle of sovereignty for tribal governments, but does not believe this principle should be used to deny workers their collective bargaining rights and freedom of association. While the AFL-CIO continues to support the concept of tribal sovereignty in truly internal, self-governance matters, it is in no position to repudiate fundamental human rights that belong to every worker in every nation. Workers cannot be left without any legally enforceable right to form unions and bargain collectively in instances where they are working for a tribal enterprise which is simply a commercial operation competing with non-tribal businesses.

This view has been confirmed by the International Labor Organization (ILO), an agency of the United Nations, in response to a question about whether excluding workers employed on tribal lands from the NLRA would be in conformity with the principles of freedom of Association which are at the core of the ILO Constitution and the ILO's Fundamental Principles and Rights at Work. In response, the Director for the International Labour Standards Division wrote that in the absence of tribal ordinances offering full protection of internationally recognized rights, "it is critical that the State (the national authority) takes ultimate responsibility for ensuring respect for freedom of association and collective bargain throughout its territory." In other words, if the tribes themselves don't guarantee these basic rights, and many do not, the U.S. government must not abdicate its responsibility to protect them.

Notwithstanding the importance of the principle of tribal sovereignty, the fundamental human rights of employees are not the exclusive concern of tribal enterprises or tribal governments. In fact, the vast majority of employees of these commercial enterprises, such as the casinos, are not Native Americans. They therefore have no voice in setting tribal policy, and no recourse to tribal governments for the protection of their rights.

The AFL-CIO must oppose any effort to exempt on an across-the-board basis all tribal enterprises from the NLRA, without regard to a specific review of all the circumstances, as is currently provided by current NLRB standards. Where the enterprise is mainly comprised of Native American employees, with mainly Native American customers, and involving self-governance or intramural affairs, that may be the appropriate result. However, where the business employs primarily non-Native American employees and caters to primarily non-Native American customers, there is no basis for depriving employees of their rights and protections under the National Labor Relations Act.

Sincerely,

WILLIAM SAMUEL,
Director, Government Affairs Department.

UNITE HERE!
Las Vegas, NV.

DEAR REPRESENTATIVE: UNITE HERE represents over 275,000 hardworking union members in the hospitality industry and strongly urges you to oppose the Tribal Labor Sovereignty Act (H.R. 511).

Quite simply, if this bill were to become law, American citizens working for Native American businesses would lose their U.S. rights under the NLRA, including "full freedom of association" and "self-organization" without "discrimination." The legislation as drafted would exempt all businesses owned and operated by Indian nations of the Na-

tional Labor Relations Act (NLRA) on broadly-defined "Indian lands". Tribal businesses, including but not limited to Indian-owned casinos, have workforces and customers that are almost all non-Indian. Over the last 30 years, as Indian enterprises entered the stream of interstate commerce, a number of federal laws protecting the workplace have been applied to Indian businesses: Employee Retirement Income Security Act (ERISA), Occupational Safety and Health Act (OSHA), Fair Labor Standards Act (FLSA), and National Labor Relations Act (NLRA).

Congress should not treat the rights Americans have under the NLRA any differently than these other important laws that protect all other American workers.

In this time of growing income inequality in our country, Congress should be working to expand the rights of American workers and their ability to earn a decent living for themselves and their families, not finding ways to take them away. H.R. 511 is no different than the law signed by Governor Scott Walker in Wisconsin that attacked the basic rights of workers to organize and collectively bargain. Again, our union urges you to oppose H.R. 511.

Sincerely,

D.R. TAYLOR,
President.

UNITED STEEL WORKERS,
November 16, 2015.

DEAR REPRESENTATIVE: The United Steelworkers (USVW) represents hundreds of workers in the gambling industry in Nevada and Ohio, and has recently filed a Petition with the National Labor Relations Board (NLRB) to represent over 100 workers at the Saganing Eagles Landing Resort and Casino in Sandish, MI. Saganing Eagles Landing Resort and Casino is owned and operated by the Saginaw Chippewa Indian Tribe but employs a majority of non-tribal workers. If H.R. 511, were to become law it would exempt all Indian-owned commercial enterprises operated on Indian lands from the protections of the National Labor Relations Act depriving Indian and non-Indian employees across the nation their right to form or join unions, and collective bargaining for better wages, hours and working conditions.

H.R. 511 would prohibit the NLRB from examining, on a case-by-case basis, whether or not to assert jurisdiction on workers' petitions to form unions and collectively bargain. It is long standing federal policy that private sector workers should be able to engage in collective bargaining with their employer. In cases where Tribal enterprises are involved, the NLRB, after a complete examination on a case-by-case basis, determines whether the enterprise is governmental or commercial. To ensure both fairness for workers and sovereignty on tribal matters, the NLRB has adopted a three prong test:

1. The enterprise is 'exclusively involved in Tribal self-governance and purely intramural matters';
2. Application of the NLRA would 'abrogate rights guaranteed by Indian treaties'; or
3. There is proof 'by legislative history or some other means' that Congress intended NLRA not to apply to Indians on their reservations.

H.R. 511 would stop the NLRB from applying this test, and deny workers the protections of the Act. Collective bargaining allows workers to negotiate with their employer for better wages and working conditions, and reduces incidents of workplace discrimination and sexual harassment. Unfortunately, many workers in the gambling

industry experience sexual harassment and discrimination due to the nature of the work environment. Woman are often required to wear provocative uniforms and interact with inebriated customers in a 24/7 work environment.

On June 16, 2015 before the House Education and Workforce Committee, Gary Navarro (a member of the Pomo Nation, one of the largest tribes in California, and a worker at the Native-owned Graton Casino & Resort) illustrated this very point. Mr. Navarro testified he witnessed fellow co-workers suffer harassment by supervisors stating:

"I became active in my union because of unjust treatment of casino workers by their managers and how nothing could be done about even sexual harassment because of sovereignty. Exercising our right to organize turned out to be the only way to protect ourselves and our co-workers. Don't strip us of these rights."

Since the 1980s Tribes have expanded their business interests, operating many different revenue producing commercial enterprises on Indian lands—not just casinos. Tribes operate and employ both Tribal members and non-members working in mines, smoke shops, power plants, saw mills, construction companies, ski resorts, hotels and spas, gift and farmers markets. Many of these enterprises are dangerous with high incidents of worker injury and death, and jobs are not typically well paid. Only through the benefit of collective bargaining can workers be assured of improving their wages, hours and working conditions, including their safety. Because the vast majority of workers employed by Tribal enterprises are NOT Tribal members, they would have no ability to influence Tribal policy or governance.

In 2011 before the Senate Indian Affairs Committee, the National Indian Gaming Commission testified that of 566 federally-recognized tribes, 246 operate 460 gaming facilities in 28 states, and that the vast majority of employees (up to 75 percent) were non-Tribal members. That same testimony reported in 2009 that tribal casinos generated gross gaming revenue of \$27.2 billion, only a fraction of the estimated \$100 billion U.S. gambling industry revenue. As of September 2014 the Federal Gaming Commission estimated there were 733,930 people directly employed by the gambling industry in the United States. Gambling industry jobs are typically low-wage jobs, and it is only through collective bargaining that workers can enjoy some of the profits from their hard labor.

In 2004, the Bush Administration NLRB ruled for the first time that Tribal casino workers should have the benefit of NLRA protections, San Manuel, 341 NLRB No. 138 (2204). Yet, since the San Manuel ruling, the NLRB has stepped very carefully, taking jurisdiction on a case-by-case. Just this spring the NLRB declined jurisdiction citing the 1830 Treaty of Dancing Rabbit Creek and 1866 Treaty of Washington stating:

"We have no doubt that asserting jurisdiction over the Casino and the Nation would effectuate the policies of the Act. However, because we find that asserting jurisdiction would abrogate treaty rights specific to the Nation." Chickasaw Nation Windstar World Casino, 362 NLRB 109 92015).

Similarly the NLRB declined jurisdiction: "... when an Indian tribe is fulfilling a traditionally tribal or governmental function that is unique to its status, fulfilling just such a unique governmental function [providing free health care services solely to

tribal members],” Yukon Kuskokwim Health Corporation, 341 NLRB 139 (2004).

Finally, the Tribes asking for this bill assert they are seeking the same NLRA exemption as state and local governments. This argument is erroneous, because the NLRA only exempts actual government employees and not private sector employees performing contracted-out governmental functions. Hundreds of thousands of private sector workers employed by private sector contractors perform state, local and federal governmental functions; thus, are covered under the NLRA.

Casinos and resorts are not inherently governmental operations, and casino employees are not performing inherently governmental functions by serving cocktails, running Keno numbers, or dealing cards. On June 16, While Tribal witnesses asserted air traffic controllers and casino workers should be treated similarly under the law as critical governmental workers and be prohibited from striking, common sense would suggest otherwise.

Finally, depriving Tribal casino employees of their ability to gain the industry standard negotiated by their counterparts working for hugely profitable commercial gambling operators like Trump, MGM or Wynn Enterprises should not be decided by Congress as a blanket exemption to the NLRA. H.R. 511 would deprive thousands of workers of their fundamental labor law protection under the guise of Tribal Sovereignty. H.R. 511 is union busting—plain and simple, and would deny Indian and non-Indian workers alike their ability to collectively negotiate wages, hours and working conditions and improve their lives and the livelihood of their families. Please vote NO on H.R. 511.

Thank you for your consideration and please contact Alison Reardon, USW Legislative Representative for additional information.

Sincerely,

HOLLY R. HART,
Assistant to the International President,
Legislative Director.

Mr. SCOTT of Virginia. Mr. Speaker, I yield back the balance of my time.

□ 1500

Mr. ROE of Tennessee. Mr. Speaker, I thank my friend, Mr. SCOTT. He is a delight to work with, and I want to thank him for working with me on this.

Policymakers on both sides of the aisle have long agreed on the importance of protecting sovereignty of Native American tribes. Today, we have an opportunity to prove that we are committed to that bipartisan goal.

In my packet here, I have literally page after page of tribes that have supported this piece of legislation. To me, being sovereign means that you are able to make your own decisions. What we are seeing the NLRB do is nibble away a little bit at a time at the authority that the local tribes have over local matters. Look, the political job I had before I came to Congress was being mayor of a city. I had more rights than the Native Americans who occupy this land, many of them my district, the Cherokee Nation.

The Tribal Labor Sovereignty Act of 2015 is a simple, commonsense measure; but it means a great deal, particularly

to those in the Native American community. As tribal representatives have said, this bill will prevent unnecessary and unproductive overreach into tribal affairs. It will empower tribal governments to make decisions that are the best for their people, and it will ensure the Federal Government honors and respects the sovereignty of the tribal nations.

Just as importantly, it shows that we are serious about honoring the commitments and making good on promises we have made to Native Americans and broken many, many, many times.

I urge my colleagues to vote “yes” on H.R. 511.

Mr. Speaker, I yield back the balance of my time.

Mr. BLUM. Mr. Speaker, I rise today to offer my support of the bipartisan H.R. 511, the Tribal Labor Sovereignty Act. I wish to recognize the work of my colleague, Mr. ROKITA, as well as the efforts of the Committee on Education and the Workforce on this legislation.

If enacted, this important legislation would amend the National Labor Relations Act to ensure that any enterprise or institution owned and operated by an Indian tribe would be treated with parity by any state or local government.

This legislation is necessary to reverse a 2004 National Labor Relations Board’s ruling which increased the jurisdiction of the NLRA to cover tribal operations. H.R. 511 promotes tribal sovereignty and allows the tribal governments to regulate appropriate labor practices on lands without the further overreach and infringement of the federal government.

Because of these reasons, Mr. Speaker, I urge my colleagues to support the Tribal Labor Sovereignty Act to ensure that our Native American citizens can achieve parity with other exempted governments.

Vote “yes” on H.R. 511.

Mr. CALVERT. Mr. Speaker, I have the privilege of representing a district that covers a large portion of the reservation that is home to the Pechanga Band of Luiseño Indians.

From my meetings and visits with members of the Pechanga tribe, as well as with Native Americans from across the country, I know that there is perhaps no greater priority than protecting tribal sovereignty.

In 2004, the National Labor Relations Board issued a ruling that, I believe, inappropriately applied the National Labor Relations Act to tribally owned businesses on tribal lands. That ruling was contrary to previous court-established precedents because it clearly conflicts with the Constitution’s recognition of tribes as sovereign governments. That’s exactly why in 2011, a U.S. District Court in Oklahoma ruled in Chickasaw Nation v. National Labor Relations Board that tribal businesses on tribal land do not fall under the jurisdiction of the Board on grounds of tribal sovereignty.

Since that ruling, the National Labor Relations Board has filed an appeal and similar legal conflicts have arisen with other tribes across the country.

Rather than allow these lawsuits and legal proceedings to carry on indefinitely, Congress should step in and reaffirm Native American tribal sovereignty by clarifying that the National

Labor Relations Act does not apply to tribally owned businesses.

As a proud original cosponsor of the Tribal Labor Sovereignty Act and friend of our Native American tribes, I encourage all of my colleagues to support this long overdue bill.

The SPEAKER pro tempore (Mr. SIMPSON). All time for debate has expired.

Pursuant to House Resolution 526, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ROE of Tennessee. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

APPOINTMENT OF CONFEREES ON S. 1177, STUDENT SUCCESS ACT

Mr. KLINE. Mr. Speaker, pursuant to House Resolution 526, I offer a motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Kline moves that the House insist on its amendment to S. 1177 and request a conference with the Senate thereon.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 1 hour.

Mr. KLINE. Mr. Speaker, this is a motion to authorize a conference on S. 1177. This bill, with the House amendment, helps improve elementary and secondary education in the Nation.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. KLINE).

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on S. 1177:

Mr. KLINE, Ms. FOXX, Messrs. ROE of Tennessee, THOMPSON of Pennsylvania, GUTHRIE, ROKITA, MESSER, GROTHMAN, RUSSELL, CURBELO of Florida, SCOTT of Virginia, Mrs. DAVIS of California, Ms. FUDGE, Mr. POLIS, Ms. WILSON of Florida, Ms. BONAMICI, and Ms. CLARK of Massachusetts.

There was no objection.

TRIBAL LABOR SOVEREIGNTY ACT
OF 2015

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on passage of the bill (H.R. 511) to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The vote was taken by electronic device, and there were—yeas 249, nays 177, not voting 7, as follows:

[Roll No. 633]

YEAS—249

Abraham	Frelinghuysen	McCaul
Aderholt	Garrett	McClintock
Aguilar	Gibbs	McCollum
Allen	Gohmert	McHenry
Amash	Goodlatte	McMorris
Amodel	Gosar	Rodgers
Ashford	Gowdy	McSally
Babin	Granger	Meadows
Barletta	Graves (GA)	Messer
Barr	Graves (LA)	Mica
Barton	Graves (MO)	Miller (FL)
Becerra	Griffith	Miller (MI)
Benishek	Grothman	Moolenaar
Beyer	Guinta	Mooney (WV)
Bilirakis	Guthrie	Moore
Bishop (MI)	Hanna	Mullin
Bishop (UT)	Hardy	Mulvaney
Black	Harper	Neugebauer
Blackburn	Harris	Newhouse
Blum	Hartzler	Noem
Boustany	Heck (NV)	Nugent
Brady (TX)	Heck (WA)	Nunes
Brat	Hensarling	Olson
Bridenstine	Herrera Beutler	Palazzo
Brooks (AL)	Hice, Jody B.	Palmer
Brooks (IN)	Hill	Paulsen
Buchanan	Holding	Pearce
Buck	Hudson	Perry
Bucshon	Huelskamp	Peterson
Burgess	Huizenga (MI)	Pittenger
Byrne	Hultgren	Pitts
Calvert	Hunter	Poe (TX)
Cárdenas	Hurd (TX)	Poliquin
Carter (GA)	Hurt (VA)	Pompeo
Carter (TX)	Issa	Posey
Chabot	Jenkins (KS)	Price, Tom
Chaffetz	Jenkins (WV)	Rangel
Clawson (FL)	Johnson (OH)	Ratcliffe
Coffman	Johnson, Sam	Reed
Cole	Jolly	Reichert
Collins (GA)	Jones	Renacci
Collins (NY)	Jordan	Ribble
Comstock	Kelly (MS)	Rice (SC)
Conaway	Kelly (PA)	Rigell
Cook	Kildee	Roby
Cramer	Kilmer	Roe (TN)
Crawford	Kind	Rogers (AL)
Crenshaw	King (IA)	Rogers (KY)
Cuellar	Kline	Rohrabacher
Culberson	Knight	Rokita
Curbelo (FL)	Labrador	Rooney (FL)
DelBene	LaHood	Roskam
Denham	LaMalfa	Ross
Dent	Lamborn	Rothfus
DeSantis	Lance	Rouzer
Deutch	Latta	Royce
Diaz-Balart	Lieu, Ted	Ruiz
Duffy	Long	Russell
Duncan (SC)	Loudermilk	Salmon
Duncan (TN)	Love	Sanchez, Loretta
Ellmers (NC)	Lucas	Sanford
Emmer (MN)	Luetkemeyer	Scalise
Farenthold	Lujan Grisham	Schrader
Fincher	(NM)	Schweikert
Fleischmann	Luján, Ben Ray	Scott, Austin
Fleming	(NM)	Sensenbrenner
Flores	Lummis	Sessions
Forbes	Marchant	Sewell (AL)
Fortenberry	Marino	Shimkus
Fox	Massie	Shuster
Franks (AZ)	McCarthy	Simpson

Smith (MO)	Upton	Westmoreland
Smith (NE)	Valadao	Whitfield
Smith (TX)	Wagner	Williams
Stefanik	Walberg	Wilson (SC)
Stewart	Walden	Wittman
Stivers	Walker	Womack
Stutzman	Walorski	Woodall
Thompson (PA)	Walters, Mimi	Yoder
Thornberry	Walz	Yoho
Tiberi	Weber (TX)	Young (AK)
Tipton	Webster (FL)	Young (IA)
Trott	Wenstrup	Young (IN)
Turner	Westerman	Zinke

NAYS—177

Adams	Frankel (FL)	Murphy (FL)
Bass	Fudge	Murphy (PA)
Beatty	Gabbard	Nadler
Bera	Gallego	Napolitano
Bishop (GA)	Garamendi	Neal
Blumenauer	Gibson	Nolan
Bonamici	Graham	Norcross
Bost	Grayson	O'Rourke
Boyle, Brendan F.	Green, Al	Pallone
Brady (PA)	Green, Gene	Pascarell
Brown (FL)	Grijalva	Payne
Brownley (CA)	Gutiérrez	Pelosi
Bustos	Hahn	Perlmutter
Butterfield	Hastings	Peters
Capps	Higgins	Pingree
Capuano	Himes	Pocan
Carney	Honda	Polis
Carson (IN)	Hoyer	Price (NC)
Cartwright	Huffman	Quigley
Castor (FL)	Israel	Rice (NY)
Castro (TX)	Jackson Lee	Richmond
Chu, Judy	Jeffries	Roybal-Allard
Cicilline	Johnson (GA)	Rush
Clark (MA)	Johnson, E. B.	Ryan (OH)
Clarke (NY)	Joyce	Sánchez, Linda T.
Clay	Kaptur	Sarbanes
Cleaver	Katko	Schakowsky
Clyburn	Keating	Schiff
Cohen	Kelly (IL)	Scott (VA)
Connolly	Kennedy	Scott, David
Conyers	King (NY)	Serrano
Cooper	Kinzing (IL)	Sherman
Costa	Kirkpatrick	Sinema
Costello (PA)	Kuster	Sires
Courtney	Langevin	Slaughter
Crowley	Larsen (WA)	Smith (NJ)
Cummings	Larson (CT)	Smith (WA)
Davis (CA)	Lawrence	Speier
Davis, Danny	Lee	Swalwell (CA)
Davis, Rodney	Levin	Takano
DeGette	Lewis	Thompson (CA)
Delaney	Lipinski	Thompson (MS)
DeLauro	LoBiondo	Tonko
DeSaulnier	Loeb sack	Torres
Dingell	Lofgren	Tsongas
Doggett	Lowenthal	Van Hollen
Dold	Lowe	Vargas
Donovan	Lynch	Veasey
Doyle, Michael F.	MacArthur	Vela
Duckworth	Maloney	Velázquez
Edwards	Maloney, Sean	Visclosky
Ellison	Matsui	Wasserman
Engel	McDermott	Schultz
Eshoo	McGovern	Waters, Maxine
Esty	McKinley	Watson Coleman
Farr	McNerney	Welch
Fattah	Meehan	Wilson (FL)
Fitzpatrick	Meeks	Yarmuth
Foster	Meng	Zeldin
	Moulton	

NOT VOTING—7

□ 1534

Messrs. COSTELLO of Pennsylvania, MACARTHUR, and Ms. KAPTUR changed their vote from “yea” to “nay.”

Messrs. SALMON, KIND, and Ms. SEWELL of Alabama changed their vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. DESJARLAIS. Mr. Speaker, I regrettably missed rollcall vote No. 633, passage of H.R. 511—the Tribal Land Sovereignty Act of 2015. As a cosponsor of this bill, had I been present, I would have voted “yes.”

PERSONAL EXPLANATION

Mr. RUPPERSBERGER. Mr. Speaker, I was not able to vote today for medical reasons.

Had I been present on rollcall vote 629, I would have voted “no.”

Had I been present on rollcall vote 630, I would have voted “no.”

Had I been present on rollcall vote 631, I would have voted “yes.”

Had I been present on rollcall vote 632, I would have voted “yes.”

Had I been present on rollcall vote 633, I would have voted “no.”

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 3770

Mr. VEASEY. Mr. Speaker, I ask unanimous consent to remove myself as a cosponsor of H.R. 3770.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

CONDEMNING TERRORIST AT-
TACKS IN PARIS, FRANCE, ON
NOVEMBER 13, 2015

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 524) condemning in the strongest terms the terrorist attacks in Paris, France, on November 13, 2015, that resulted in the loss of at least 129 lives, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 524

Whereas on Friday, November 13, 2015, three groups of Islamist terrorists launched coordinated attacks against six sites across Paris, France, resulting in the loss of at least 129 innocent lives and the severe wounding of many hundreds;

Whereas the attacks on the Bataclan concert hall, the Stade de France, Le Petit Cambodge restaurant, Le Belle Equipe bar, and on the Avenue de la Republique in the 10th district, represent the largest terrorist attack in Europe since the Madrid, Spain, train bombings of 2004;

Whereas American student Nohemi Gonzalez, 23, of El Monte, California, is among the innocent lives lost in these terrorist attacks, with several Americans injured;

Whereas French first responders and law enforcement reacted swiftly and heroically, in one instance blocking entrance of a suicide bomber to the Stade de France, doubtlessly saving dozens of lives;

Whereas seven terrorists were killed, most in suicide bombings and one in a shoot-out with police, and French intelligence and law enforcement are still pursuing those possibly connected to the attacks;

Whereas French President Francois Hollande vowed that “we will fight, and we will be ruthless”;

Whereas NATO Secretary General Jens Stoltenberg stated that the Alliance would stand with France and remain “strong and united” against terrorism;

Whereas President Barack Obama stated, “Once again we’ve seen an outrageous attempt to terrorize innocent civilians. This attack is not just on Paris . . . this is an attack on all of humanity and the universal values that we share. We stand prepared and ready to provide whatever assistance that the Government and the people of France need to respond.”;

Whereas the so-called “Islamic State of Iraq and Syria” (ISIS) claimed responsibility for the attack;

Whereas the precise coordination of these attacks at multiple sites across Paris, along with the recent downing of a Russian airline in Egypt and the double suicide bombing in a shopping district in Beirut—brutal attacks also claimed by ISIS—indicates the planning, operational, and logistical capabilities of ISIS appear to have advanced significantly, and their focus now includes large scale external attacks;

Whereas the continued and enhanced coordination of law enforcement and intelligence efforts amongst European countries is critical to inhibiting the movement and support for ISIS-affiliated terrorist cells;

Whereas continued and enhanced intelligence cooperation, law enforcement engagement, and information sharing on emerging threats and identified Islamist extremists greatly improves security for the people of the United States, Europe, and our allies around the world;

Whereas the loss of innocent lives in Paris strengthens our resolve to defeat ISIS and its terrorist affiliates which pose a growing threat to international peace and stability;

Whereas France is an indispensable ally in our joint coalition efforts to defeat ISIS;

Whereas France has long been an ally and friend to the United States since the birth of our Nation, throughout the major conflicts of the 20th century, and has provided significant assistance to key United States strategic priorities such as combating terrorism in northern Africa; and

Whereas we stand in solidarity with our French allies in their time of national mourning, ready to provide assistance in bringing to justice all those involved with the planning and execution of these attacks, as well as identifying and thwarting any planning to undertake similar assaults in the future: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns in the strongest terms the terrorist attacks in Paris, France, on November 13, 2015, that resulted in the loss of at least 129 lives;

(2) expresses its condolences to the families and friends of those individuals who were

killed in the attacks and expresses its sympathies to those individuals who have been injured;

(3) supports the Government of France in its efforts to bring to justice all those involved with the planning and execution of these terrorist attacks;

(4) remains concerned regarding the flow of foreign fighters to and from the Middle East and West and North Africa and the threat posed by these individuals upon their return to their local communities; and

(5) expresses its readiness to assist the Government and people of France to respond to the growing terrorist threat posed by the Islamic State of Iraq and Syria (ISIS) and its terrorist affiliates.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H. Res. 524, condemning the series of terrorist attacks in France carried out by Islamist extremists last week.

It was just after 9 p.m. on Friday, November 13, when a night of terror fell over Paris, France. That is when ISIS launched three waves of terrorist attacks on the French capital, killing at least 129 people and wounding more than 350 others. At least one American, Nohemi Gonzalez of El Monte, California, was killed in the attacks, while several more were injured.

The first wave involved three suicide bombers at the Stade de France, where thousands, including the French President, were watching a soccer game between France and Germany.

The second wave involved shooting at several restaurants, bars, and cafes in an area known for its nightlife in Paris. A suicide bomber blew himself up on a nearby street.

And the third wave involved a mass shooting at the Bataclan music hall, where an American rock band was playing music. The attackers took theater attendees hostage and started to systematically shoot members of the audience. They detonated suicide vests as the police launched an assault on the theater. This is where most of the killing that night took place.

In claiming responsibility for the attacks, ISIS called them “the first storm.” The Paris attacks came a day after ISIS carried out a double suicide bombing in Beirut, Lebanon, and 2 weeks after ISIS claimed responsibility for downing a Russian passenger jet in Egypt’s Sinai Peninsula.

Indeed, U.S. officials, including the CIA Director, have warned that these three attacks demonstrate a commitment by ISIS to conduct attacks outside of Syria and Iraq, reaching further and further from their home base. And yesterday, ISIS released a video threatening attacks here on Washington, D.C., which U.S. counterterrorism officials are taking seriously.

Mr. Speaker, there are no words we can say today that will comfort the families and friends of the 129 people murdered in these terrorist attacks. The victims included Parisians from every walk of life. And there are no words strong enough to condemn these terrorists and their radical ideology. ISIS is waging war on anyone who disagrees with their violent world view. And, frankly, they view everyone else as apostates to be killed.

Alarming, their fighting force continues to grow, thanks in part to a steady stream of foreign recruits. More than 30,000 fighters have made it to Syria and Iraq from more than 100 countries. Of those, it is estimated that more than 4,500 hold Western passports, with more than 250 Americans among them. This “terrorist diaspora” is a plane-ride from Europe—and even from the United States.

This resolution puts the House on record as condemning in the strongest terms possible the Paris attacks and extends the sympathy of every American to those affected by this tragedy. It reaffirms our support for France, America’s sister republic and oldest ally.

This is a time to not just express sorrow for those killed but also a time to show resolve in this fight.

Our intelligence-sharing with allies, already strong, will need to get sharper; border checks will need to be improved; online recruitment of terrorists need to be checked; and coalition efforts to destroy ISIS will need to be stepped up.

I urge all Members to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this measure. First of all, I would like to associate myself with the remarks of Chairman ROYCE. I think that all of us share the horror of what happened in Paris just a few short days ago.

Like so many around the world, we are heartbroken. We are outraged. We are stunned. The perpetrators of these brutal and brazen attacks in Paris are our enemies, just as they are the enemies of France. We must remain vigilant in the face of this challenge.

Terrorists, Mr. Speaker, want to make their enemies live their lives in fear and retreat from the freedom which underpins our society. But I think the fanatics responsible for this

attack underestimate the French people.

Across the centuries, Paris and France have seen far worse: a bloody revolution, the darkest days of two World Wars, a Nazi occupation that marched columns of German troops beneath the Arc de Triomphe and down the Champs-Élysées. And all the while, the Republic emerged even stronger and more committed to the values of liberty, equality, and fraternity—values that we share and that bind the U.S. and France together.

The people of France will endure and the City of Light will shine even brighter. Last week's attacks were an atrocity, but they won't break the spirit of the French people. And as France grieves and moves forward, the United States will be standing shoulder to shoulder alongside our oldest ally in friendship and solidarity.

But, let's be clear: friendship and solidarity aren't all that is needed in the wake of these attacks. What is needed is clarity, resolve, and action.

Clearly, ISIS is an enemy that must be defeated. So we need to ramp up our information sharing and intelligence efforts with our allies and partners to figure out how ISIS orchestrated this plot and to prevent future attacks.

□ 1545

We need to keep pushing for a resolution to Syria's civil war, which has created the conditions for ISIS to flourish. We need to increase our support for those on the ground in Syria and Iraq that are already fighting ISIS so that they can keep building on their recent successes. We need to stem the flow of foreign fighters traveling to the Middle East to join the ranks of ISIS and figure out how to counter the radicalization of vulnerable populations. And we need bring to justice those responsible for the Paris attacks to send a clear, strong message that murder and terrorism will never go unanswered.

These terrorists, they are not religious people. They are fascists. They think they can use terror to further their political ends. They won't succeed.

This resolution conveys our deepest condolences to the French people. Just as importantly, it shows that the United States stands ready to assist France in its time of need and to respond to the growing threat of ISIS.

I urge all my colleagues to support this measure.

Long live France. Long live liberty. Vive la France. Vive la liberté.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. ROHRBACHER), chairman of the Foreign Affairs Subcommittee on Europe, Eurasia, and Emerging Threats.

Mr. ROHRBACHER. Mr. Speaker, first of all, I would like to thank the

chairman, Chairman ROYCE, and Ranking Member ENGEL for the great leadership they are providing at this moment in our history when we need that type of leadership the most.

What we are witnessing is an attack on Western civilization. Radical Islamic terrorists are seeking to terrorize the West into a retreat.

We fought and defeated an evil ideology that would have implanted an atheist dictatorship on the world not that long ago. We defeated this evil force, Communism, just as we defeated the Nazism and Japanese militarism before that.

Today, the West again is confronted with an evil force that would threaten the world. Again, America must stand tall, and we must provide the leadership to save mankind from this evil threat. We will defeat radical Islamic terrorism. We are Americans. We will lead the way.

We say to the people of France at this moment of suffering: Lafayette, we are here.

Mr. ENGEL. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. SCHIFF), who is the ranking member of the House Intelligence Committee.

Mr. SCHIFF. I thank the gentleman for yielding.

Mr. Speaker, as co-chair of the House's France Caucus, I rise to speak today with a heavy heart. The barbaric attacks by ISIL-affiliated extremists in Paris on Friday evening were a savage attempt to shake the foundations of the civilized world.

The victims, their families, and their loved ones are in our thoughts and our hearts, and we send them our deepest condolences in this enormously difficult time.

The indiscriminate brutality of last Friday's rampage has shocked the conscience of people around the world. But let us be clear, the forces of ISIL cannot extinguish the City of Light, and we will not reap the panic and fear that they are attempting to sow.

The United States stands with France today, as we have done for more than two centuries, as a partner, a friend, and an ally. We will confront this evil together and, in the names of all of those who have suffered so mercilessly at the hands of ISIL, we will defeat it. Violence, intolerance, and repression are no match for liberty, equality, and fraternity—liberté, égalité, and fraternité.

I stand today in solidarity with the people of France and the people of all nations who would choose freedom over tyranny.

Mr. ROYCE. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. I thank the chairman for yielding.

Mr. Speaker, as co-chairman of the Congressional French Caucus, I too ex-

tend my heartfelt condolences and prayers to the victims of the tragic terrorist attack in Paris, to their families, Parisians, and the entire nation of France as we mourn the loss of innocent life.

We are unified in our dedication to the protection and preservation of liberty and committed to ensuring those who have perpetrated these attacks are brought to justice.

ISIS poses a clear and present danger to the United States and to our allies across the world. They are a threat to all those who promote freedom. Our strength is in our solidarity. The United States and our allies, including those in NATO, must stand together with great resolve to defeat this threat and ensure the security of freedom-loving people across the world.

I urge passage of the resolution.

Mr. ENGEL. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY), a very well-respected member of the Foreign Affairs Committee.

Mr. CONNOLLY. I thank my friend.

Mr. Speaker, I rise today with the chairman and ranking member of the House Foreign Affairs Committee to condemn the November 13 attacks in Paris.

This is a time of mourning for many families who have lost their loved ones. Let's pause for a moment to reflect on the lives that were cut short and honor their memory with a solemn promise to bring to justice those responsible for this senseless violence.

The violent extremists who carried out those attacks have wounded a great nation and an ally of the United States.

From the American Revolution to the liberation of Paris, our two countries have established a special bond forged in the darkest hours of our shared history. The full measure of our creation is, in part, owed to the people of France, and we must come to their aid in this difficult time.

In doing so, we must act not out of fear, but out of confidence: confident that we have the means to maintain the safety and security of free societies in which we live, and confident that those societies are worth preserving. It is in this manner that a liberated Paris will endure.

I support this legislation.

Mr. ROYCE. Mr. Speaker, I yield 1 minute to the gentleman from Mississippi (Mr. HARPER).

Mr. HARPER. Mr. Speaker, our prayers go out to the families whose loved ones were murdered or wounded in the pointless acts of violence carried out in Paris on November 13.

These were attacks on innocent people by Islamic terrorists, recruited, trained, equipped, and directed by a deranged group of people known as ISIS. These are our enemies. They may be difficult to know, but not impossible to defeat, and we will defeat them.

I commend the French President for calling this what it is: an act of war. This is, indeed, a war declared on Western civilization—in fact, all of civilization—by Islamic terrorists who are so consumed with pure evil that they believe that the slaughter of innocence is the path to paradise.

We will never give up in this war. France is the oldest ally of the United States. In fact, a portrait of the Marquis de Lafayette, whose assistance was integral to the birth of our Nation, hangs in this very Chamber. If France is at war, the United States must be at war as well.

In the strongest terms, I condemn Islamic terrorism around the world, and I pledge solidarity and commitment to our French brothers and sisters.

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman from New York and the gentleman from California.

I think many of us will come to the floor and emphasize that we stand with both Mr. ROYCE and Mr. ENGEL for this very strong statement of commitment by the people of the United States to stand with the people of France.

My heart cried and my soul was disturbed as the video began to unfold and the most heinous acts of attacking innocent persons, persons who had gone to a stadium to be with friends and relatives; maybe fathers with young sons; maybe families with two or three or four children, maybe brothers and sisters, as was noted by one of the soccer players whose sister was lost, who had come to see him play; maybe as the beautiful young woman from California experiencing her dreams, a beautiful designer—I pay tribute to her courage and inspiration—who just was enjoying the ambience and culture of France in the beautiful outdoor cafes that many travel to France just to experience. She lost her life, a beautiful flower, someone that America can be proud of, someone who was going to be a young lady who would obtain her dreams.

They didn't care about that. All they cared about was the vile violence of the killing.

So I am very much in solidarity, as we move forward, to not allow and tolerate ISIS-ISIL continuing their violent ways. I want peace, Mr. Speaker. All of us want peace. But ISIL must be eliminated, and we must do things differently here in this country.

We have been vigilant. We have changed our ways since 9/11. We do "see something, say something." But I believe as we proceed, we must act not out of fear, but of rational thought.

We must deal with the radicalization of young people; and the efforts of the administration, countering violent terrorism, extremism, has been an effective tool of meeting Muslim communities all over America, letting them

know that if they see something, they can say something.

We must address the question of vulnerabilities in places like airports and large venues, not be shameful about enhancing security, but recognizing that our values of democracy and freedom and access are very important. I think we can do that. We did it after 9/11 with the USA PATRIOT Act, and we have continued to do it.

It is our heritage to be free and to have a democratic process. It is our heritage to our friends who first established these tenets of democracy that we followed here in the United States.

So, to the people of France, we know that you will act, but we ask you to be mindful of the wonderful leadership that you have given of democracy and freedom and the tenets of liberty. We know that liberty and freedom are not free, but it is important to be able to acknowledge these horrible and outrageous and heinous acts.

Mr. Speaker, I rise in support of H. Res. 524, and I call upon America to be vigilant, diligent, but not to act in fear.

Mr. Speaker, I rise today in sorrow and outrage but in strong support of H. Res. 524, a bipartisan resolution that condemns "in the strongest terms the terrorist attacks in Paris, France, on November 13, 2015, that resulted in the loss of at least 129 lives."

The first two decades of the new millennium will forever be known for barbaric attacks on innocent civilian populations by terrorists on a scale not seen since the end of World War II.

If the succeeding decades are to redeem the first two, then the civilized world must act in concert, with one accord and one resolve, to defeat the terrorists who refuse to make peace with the modern world and instead make war on people who wish only to remain free and enjoy the blessings of liberty.

Mr. Speaker, we stand in unyielding solidarity with the people of France, which like the United States, is one of the most welcoming nations in the world.

Right now, our prayers are with the victims and their families at this terrible time.

Mr. Speaker, for centuries Paris has been known to the world as the City of Light.

The title is richly deserved because Paris has been a world leader in the march of human progress in the arts, culture, science, democratic theory and governance, and in embrace the challenges and opportunities of the modern world.

Those who think that they can terrorize the people of France or the values that they cherish underestimate a nation that has faced and prevailed against far more sinister and lethal adversaries.

And they will again, but they will not confront these adversaries alone.

They will be joined by the United States and the other countries of the civilized world.

The French are justly proud of their national motto, "Liberté, égalité, fraternité" (liberty, equality, fraternity), and no act of terrorism by cowardly perpetrators will succeed in leading them to renounce their heritage of freedom and justice.

It is a heritage that we here in the United States share.

And that is why the civilized world must and will rededicate itself to combating and defeating radical jihadism.

And as has been done many times throughout the long and special relationship between the United States and France, we will face and overcome threats to our way of life together.

We will not bow and will never break; we will not falter or fail.

We will respond. We will endure. We will overcome.

The terrorist attacks in Paris on Friday were horrific acts on innocent civilians perpetrated by depraved individuals who misuse the peaceful religion of Islam for their own misguided purposes.

Their horrible and heinous acts are their responsibility, and theirs alone, and for which they can be assure that they alone will be held accountable.

We will never forget what happened on Friday, November 13, 2015, which will be forever known in France and throughout the civilized world as "Black Friday."

And we will always remember the many innocent lives cut short by the outrageous and heinous acts of terrorism that shocked and rocked the people of Paris last Friday and earned the lasting enmity of peaceful and freedom loving people around the world.

I ask a moment of silence for the victims killed and injured in the terrorist attacks last Friday in Paris.

Mr. ROYCE. Mr. Speaker, I yield 1 minute to the gentlewoman from Missouri (Mrs. WAGNER).

Mrs. WAGNER. Mr. Speaker, I rise to support H. Res. 524.

Like all Americans, I was shocked and saddened by the terrorist attacks in Paris, France. As Americans, we must stand united with the people of France.

The stories of innocent civilians being slaughtered on the streets of Paris serve as stark reminders that we must do everything in our power to prevent this type of attack from occurring in the United States of America.

Investigations have revealed that one of the terrorists entered Europe with migrants fleeing the Syrian civil war. In light of these reports, it is essential that we pause the process of refugees coming into the United States.

Mr. Speaker, the attacks in Paris show the danger of open border policies. The United States must not allow any refugees into our country without exhaustive security screenings.

My congressional district and the Greater St. Louis region have a long and admirable track record of welcoming refugees fleeing war and turmoil. However, the safety and the security of the American people must always be our number one priority.

We mourn with our brothers and sisters of France. I am Paris. Je suis Paris.

Mr. ENGEL. Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE. I yield 1 minute to the gentleman from Indiana (Mr. MESSER).

Mr. MESSER. Mr. Speaker, I rise today to express my prayers and deepest sympathies to the people of Paris.

As Americans, we share in the shock, the horror, and the tremendous sense of loss you now feel following the ruthless, unprovoked terrorist attack against your great country. We stand with you against ISIS in defense of our shared values of freedom, liberty, and equality under the law.

Mr. Speaker, the world needs America to lead with clarity and resolve in the fight against terror. Contrary to the President's assertion that ISIS is contained, the world now knows they are not. Hope is not a strategy in defeating terror.

ISIS has openly declared war on America, France, and our very way of life. We must respond. This is a war, and America needs to lead, defeating ISIS before it is too late.

□ 1600

Mr. ENGEL. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. YOHIO), a member of the Committee on Foreign Affairs.

Mr. YOHIO. I thank the chairman.

Mr. Speaker, first, I want to express my, my family's, and our country's thoughts, sympathies, and prayers with the people of France in their loss and in their pain. I am here to stand in solidarity with the French people, France, and all the people and families from around the world who lost loved ones in this tragic and cowardly act.

This is not just an attack on France and innocent people, but people in the West and all societies that love peace, liberty, freedom, and value human life, people who believe that their rights come from a Creator and that we are free to determine the life we choose to live in a civil society, not forced to choose a life from the Dark Ages at the barrel of a gun or live in the threat of terrorism.

I applaud French President Hollande in his rapid response and wholeheartedly agree and support his words that this will be a merciless response. May the terrorists and ISIL's presence on Earth be short. Long live France.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume for the purpose of closing.

Mr. Speaker, make no mistake, as we have heard from our colleagues on both sides of the aisle, the United States grieves with France after these horrible attacks. The United States stands ready to assist France in its time of need. But we must look toward the root causes of the atrocity and direct our resolve toward defeating the growing threat of ISIS.

This includes intelligence and information collaboration with our allies

and partners. This includes finding a diplomatic solution to the Syrian civil war. This includes addressing the refugee crisis and the separate grievances and risks that this humanitarian crisis breeds. This includes stemming ISIS's recruitment and radicalization efforts of disillusioned Westerners to join their ranks.

We must address the complex and multifaceted layers that contribute to the Paris attacks all while bringing those responsible to justice. We must send a clear and very loud message that international terrorism will not go unanswered.

Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), our Democratic whip.

Mr. HOYER. Mr. Speaker, I want to thank the chairman and the ranking member for bringing this resolution to the floor. It is sad that we bring this resolution to the floor, and it is sad that too often we see the results of terrorism around the world.

Mr. Speaker, I rise in strong support—as I think all Members will—of this resolution expressing Congress' solidarity with the people of Paris and all of France after Friday's terror attacks.

Americans know that Paris is the "City of Light."

On Friday evening, 129 very bright and vibrant lights were suddenly extinguished, leaving a dark void in the heart of that city and in the hearts of millions across France, America, and the world. Our flag on this Capitol stands at half-staff in memory of those 129 souls.

As we mourn them, pray for their families, and offer our aid to the wounded, we stand with a firm resolve to deny the perpetrators a chance to instill in us that which they seek: fear.

These attacks were carried out by individuals who follow a hopeless ideology, who look with awe to a twisted image of the past because they are blind to a better future the rest of us can envision. Without a belief in tomorrow, there is only fear and the acts of cowardice it inspires.

But the French Republic and the American Republic were neither born in fear nor do we live in fear. We were born in hope and in courage. We were born looking forward. Both our nations were founded upon the same ideals of liberty, democracy, and individual rights espoused by Rousseau and Jefferson, Montesquieu and Paine.

The Marquis de Lafayette is the only substantial painting—other than the Father of our Nation, George Washington—to be pictured in this hall of democracy, in this hall of free people. It was the French with the liaison of Marquis de Lafayette as France stood with us for freedom, for equality, and, yes, for fraternity, brotherhood between us and them.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ENGEL. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. HOYER. Mr. Speaker, across the river from the Eiffel Tower, in the middle of a major traffic circle in Paris, one can see a majestic statue of his brother-in-arms, George Washington, raising his sword high in a triumphant salute.

Lafayette and his French officers suffered hunger and cold at Valley Forge to help secure for the American people our freedom. Generations later American Rangers scaled the craggy cliffs of Pointe-du-Hoc to help the people of France regain theirs.

Our history binds us together. So does our future. That is because we believe in tomorrow. Ever hopeful, we believe that the unknown which lies ahead can be shaped by our hands into a better world than the one we know today. That is what sets us apart from our enemies. That is why those who perpetrated Friday's attacks will never, never, never win.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. ENGEL. Mr. Speaker, I yield the gentleman an additional 2 minutes.

Mr. HOYER. It is why, no matter what historians in the future call ISIS or ISIL or Daesh, they will surely be using only the past tense. It is why the people of France and America and all who cherish the freedom to think, to speak, to worship, and to strive for a better tomorrow must stand together, as we have before, and shine the bright light of our values and our principles into the darkness we confront.

We are all French today—nous sommes français.

It will not be quick. It will not be easy. It will test our resolve. It will test our will. But with Lafayette watching over us in this House, with George Washington standing guard over the City of Paris, and with Lady Liberty holding her torch high, surely France and America and all those who love liberty and justice throughout the world will continue to cast a light of hope, strength, and freedom upon our world.

May God bless our French brothers and sisters. We send them our sympathy, and we pledge them our resolve.

Mr. ROYCE. Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, let me just say in closing we have heard impassioned speeches from all our colleagues on both sides of the aisle, and this is certainly something with which we agree, certainly something that Congress needs to send a very, very strong message, that terrorism will never triumph, that we have the resolve here in America to join with our friends around the world to stop the scourge of terrorism, and that we stand with the people of France in these very, very troubling times.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, our hearts go out to the people of Paris. I want to thank my colleague, Mr. ENGEL, who worked to make sure that we brought this resolution to the floor today working together so that we in this Congress speak with one voice—speak with one voice—about the attack on France, the foundation, the heart of Europe, the heart of the Enlightenment, and the heart of the concept of freedom, liberty, and equality under the law which animated so much of the thinking of civilization itself.

Indeed, it is an attack on that civilization. It is an attack on those freedoms, the freedom of religion, the freedom of speech, and the freedom of assembly and democracy that are so closely held by us here in the United States and by our original ally, France, in our own effort to achieve the dream of that freedom. It is that freedom that is under assault.

The unfortunate reality, Mr. Speaker, is that these attacks in Paris are indicative of a resurgent terrorism that is continuing to build.

I mentioned that there were some 30,000 fighters. Those fighters, my friends, came from all over the world. They came from across the globe on a virtual caliphate called the Internet in order to join Islamic State and in order to join what they call their caliphate. The intent of their caliphate is to put an end to the freedom that is enjoyed by those that they consider apostates, the freedom enjoyed by civilization itself.

The great sorrow that we express here today on this floor is over the fact that, of those young people murdered and maimed in this attack, the vast majority of them were under 30 years of age. They had their whole lives ahead of them when they were targeted, civilians targeted for this kind of mayhem.

Mr. Speaker, the resolve we show with our brothers and sisters in France is a resolve that freedom will be the rallying cry. Civilization will be the test. Freedom of religion, freedom of speech, and freedom of assembly under democracy are the rights of civilized people. Those who bring barbarism and attack the institutions and attack civilians are the threat to that civilization.

We reaffirm our support for France, and we reaffirm our support for the French Government and the words and the actions that they have taken in the wake of this attack.

Yes, here in this Chamber we have Lafayette's portrait. At the end of that War for Independence—and this is why his portrait is here—he said to us, "Humanity has now won its battle. Liberty has a country." And after we achieved

our freedom, France went on to achieve their freedom.

But now liberty is under assault. That is why today we bring this resolution to the floor of this House, to say that America must continue to stand shoulder to shoulder with the French in their fight against tyranny, in their fight against this terror, and in the hope that this will give an example to the rest of the world in standing up to ISIS and to make certain that our basic liberties are protected around this world.

I am going to quote David Petraeus, who recently gave us these remarks. He said that Syria is a geopolitical Chernobyl. He said, "Like a nuclear disaster, the fallout from the meltdown of Syria threatens to be with us for decades, and the longer it is permitted to continue, the more severe the damage will be."

We have had this relationship tested many times. France has had its relationship with us tested many times. Tonight we stand together with France in our commitment to see this through and to make certain that ISIS is not merely contained, but to make certain that ISIS is ultimately destroyed.

Mr. Speaker, I yield back the balance of my time.

Ms. SINEMA. Mr. Speaker, we come together to honor the victims of the horrific terrorist attacks in Paris and to condemn these barbaric acts.

These attacks claimed the lives of 129 innocent people and wounded more than 350 others. Our hearts ache for the victims and their families.

Today, our resolve to punish the perpetrators and destroy the Islamic State and other terrorists is only stronger.

We stand in solidarity with the French people. Together we will defeat terrorism around the world and here in the U.S.

The Islamic State is one of the world's most violent and dangerous terrorist groups. To keep our country safe, we must be one step ahead of them, cutting off their funding and stopping their efforts.

As a member of the Task Force to Investigate Terrorism Financing, I offered an amendment, accepted as part of the National Defense Authorization Act, to direct the Secretary of Defense, in coordination with the Secretary of State and the Secretary of the Treasury, to shut down ISIL's oil revenues and report on resources needed for these efforts. I also included language in the Intelligence Authorization Act directing the Intelligence Community to dedicate the necessary resources to defeat the Islamic State's revenue mechanisms.

The attacks in Paris underscore the urgency with which we must pursue the defeat of ISIL. These murders foment violence, destabilize the Middle East, and present a clear threat to the United States and our allies.

I will continue to work with my colleagues on both sides to destroy ISIL and strengthen the safety and security of Arizona families.

We stand with the people of France. We stand with all decent peoples around the world who respect and cherish life.

Mr. NEWHOUSE. Mr. Speaker, at Cornwallis' surrender at Yorktown, it's reported that the Marquis de Lafayette praised America saying, "Humanity has gained its suit; Liberty will nevermore be without an asylum." To this day his words ring true; America continues to uphold justice over tyranny and terror, and spreads the values of individual freedom across the globe. However, Lafayette's words also remind us that America has never been alone in that struggle.

Since the inception of our nation, the French people have been our compatriots in advancing the causes of justice and liberty. Last week, our oldest friend—an ally of peace and justice—was brutally and senselessly attacked by terrorists. As they have been there during our struggles, we must now be there for the French people. While we mourn together now, we must also unite and stand against global terrorism. The terrorists responsible must be brought to justice for these horrendous acts, ensuring both of our nations remain defenders of liberty for generations to come.

□ 1615

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, H. Res. 524, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 4 o'clock and 16 minutes p.m.), the House stood in recess.

□ 1721

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RUSSELL) at 5 o'clock and 21 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1210, PORTFOLIO LENDING AND MORTGAGE ACCESS ACT; PROVIDING FOR CONSIDERATION OF H.R. 3189, FED OVERSIGHT REFORM AND MODERNIZATION ACT OF 2015; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM NOVEMBER 20, 2015, THROUGH NOVEMBER 27, 2015

Mr. STIVERS, from the Committee on Rules, submitted a privileged report (Rept. No. 114-341) on the resolution (H. Res. 529) providing for consideration of the bill (H.R. 1210) to amend the Truth in Lending Act to provide a safe harbor

from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio, and for other purposes; providing for consideration of the bill (H.R. 3189) to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes; and providing for proceedings during the period from November 20, 2015, through November 27, 2015, which was referred to the House Calendar and ordered to be printed.

2015 NATIONAL DRUG CONTROL STRATEGY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114-79)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Agriculture, Committee on Armed Services, Committee on Education and the Workforce, Committee on Energy and Commerce, Committee on Financial Services, Committee on Foreign Affairs, Committee on Homeland Security, Committee on the Judiciary, Committee on Natural Resources, Committee on Oversight and Government Reform, Committee on Transportation and Infrastructure, Committee on Veterans Affairs, Committee on Ways and Means, and the Permanent Select Committee on Intelligence, and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit the 2015 National Drug Control Strategy, my Administration's 21st century approach to drug policy that works to reduce illicit drug use and its consequences in the United States. This evidence-based plan, which balances public health and public safety efforts to prevent, treat, and provide recovery from the disease of addiction, seeks to build a healthier, safer, and more prosperous country.

Since the release of my Administration's inaugural National Drug Control Strategy in 2010, we have seen significant progress in addressing challenges we face along the entire spectrum of drug policy—including prevention, early intervention, treatment, recovery support, criminal justice reform, law enforcement, and international cooperation. However, we still face serious drug-related challenges. Illicit drug use is a public health issue that jeopardizes not only our well-being, but also the progress we have made in

strengthening our economy—contributing to addiction, disease, lower student academic performance, crime, unemployment, and lost productivity.

Therefore, we continue to pursue a drug policy that is effective, compassionate, and just. We are working to erase the stigma of addiction, ensuring treatment and a path to recovery for those with substance use disorders. We continue to research the health risks of drug use to encourage healthy behaviors, particularly among young people. We are reforming our criminal justice system, providing alternatives to incarceration for non-violent, substance-involved offenders, improving re-entry programs, and addressing unfair sentencing disparities. We continue to devote significant law enforcement resources to reduce the supply of drugs via sea, air, and land interdiction, and law enforcement operations and investigations. We also continue to partner with our international allies, helping them address transnational organized crime, while addressing substance use disorders and other public health issues.

I thank the Congress for its continued support of our efforts. I look forward to joining with them and all our local, State, tribal, national and international partners to advance this important undertaking.

BARACK OBAMA.
THE WHITE HOUSE, November 17, 2015.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 5 o'clock and 26 minutes p.m.), the House stood in recess.

□ 2210

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. JENKINS of West Virginia) at 10 o'clock and 10 minutes p.m.

APPOINTMENT OF ADDITIONAL CONFEREES ON H.R. 22, SURFACE TRANSPORTATION REAUTHORIZATION AND REFORM ACT OF 2015

The SPEAKER pro tempore. Without objection, the Chair appoints the following additional conferees on H.R. 22:

From the Committee on Armed Services, for consideration of section 1111 of the House amendment, and modifications committed to conference:

Messrs. THORNBERRY, ROGERS of Alabama, and Ms. LORETTA SANCHEZ of California.

From the Committee on Energy and Commerce, for consideration of sections 1109, 1201, 1202, 3003, Division B,

sections 31101, 31201, and Division F of the House amendment and sections 11005, 11006, 11013, 21003, 21004, subtitles B and D of title XXXIV, sections 51101 and 51201 of the Senate amendment, and modifications committed to conference:

Messrs. UPTON, MULLIN, and PAL-LONE.

From the Committee on Financial Services, for consideration of section 32202 and Division G of the House amendment and sections 52203 and 52205 of the Senate amendment, and modifications committed to conference:

Messrs. HENSARLING, NEUGEBAUER, and Ms. MAXINE WATERS of California.

From the Committee on the Judiciary, for consideration of sections 1313, 24406, and 43001 of the House amendment and sections 32502 and 35437 of the Senate amendment, and modifications committed to conference:

Messrs. GOODLATTE, MARINO, and Ms. LOFGREN.

From the Committee on Natural Resources, for consideration of sections 1114-16, 1120, 1301, 1302, 1304, 1305, 1307, 1308, 1310-13, 1316, 1317, 10001, and 10002 of the House amendment and sections 11024-27, 11101-13, 11116-18, 15006, 31103-05, and 73103 of the Senate amendment, and modifications committed to conference:

Messrs. THOMPSON of Pennsylvania, LAHOOD, and GRIJALVA.

From the Committee on Oversight and Government Reform, for consideration of sections 5106, 5223, 5504, 5505, 61003, and 61004 of the House amendment and sections 12004, 21019, 31203, 32401, 32508, 32606, 35203, 35311, and 35312 of the Senate amendment, and modifications committed to conference:

Messrs. MICA, HURD of Texas, and CONNOLLY.

From the Committee on Science, Space, and Technology, for consideration of sections 3008, 3015, 4003, and title VI of the House amendment and sections 11001, 12001, 12002, 12004, 12102, 21009, 21017, subtitle B of title XXXI, sections 35105 and 72003 of the Senate amendment, and modifications committed to conference:

Mr. SMITH of Texas, Mrs. COMSTOCK, and Ms. EDWARDS.

From the Committee on Ways and Means, for consideration of sections 31101, 31201, and 31203 of the House amendment, and sections 51101, 51201, 51203, 52101, 52103-05, 52108, 62001, and 74001 of the Senate amendment, and modifications committed to conference:

Messrs. BRADY of Texas, REICHERT, and LEVIN.

There was no objection.

The SPEAKER pro tempore. The Clerk will notify the Senate of the additional conferees.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. ROS-LEHTINEN (at the request of Mr. MCCARTHY) for today on account of attending a family funeral.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1356. An act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 10 a.m. tomorrow for morning-hour debate.

There was no objection.

Accordingly (at 10 o'clock and 15 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, November 18, 2015, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3481. A letter from the Secretary, Department of Transportation, transmitting the Department's Semiannual Report for the period ending September 30, 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); to the Committee on Oversight and Government Reform.

3482. A letter from the Director, Office of Financial Management, United States Capitol Police, transmitting the Statement of Disbursements for the United States Capitol Police for the period April 1, 2015 through September 30, 2015, pursuant to 2 U.S.C. 1910(a); Public Law 109-55, Sec. 1005; (H. Doc. No. 114-78); to the Committee on House Administration and ordered to be printed.

3483. A letter from the Deputy Under Secretary for Management and Chief Financial Officer, Department of Homeland Security, transmitting the Department's "Public Assistance Program Alternative Procedures — First Quarterly Status Report for FY 2015", pursuant to House Report 113-481 accompanying the Fiscal Year 2015 Department of Homeland Security Appropriations Act of 2015, Pub. L. 114-4; to the Committee on Transportation and Infrastructure.

3484. A letter from the Deputy Under Secretary for Management and Chief Financial Officer, Department of Homeland Security, transmitting the Department's "Public Assistance Program Alternative Procedures — Second Quarterly Status Report for FY 2015", pursuant to House Report 113-481 accompanying the Fiscal Year 2015 Department of Homeland Security Appropriations Act of 2015, Pub. L. 114-4; to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. STIVERS: Committee on Rules. House Resolution 529. Resolution providing for consideration of the bill (H.R. 1210) to amend the Truth in Lending Act to provide a safe harbor from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio, and for other purposes; providing for consideration of the bill (H.R. 3189) to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes; and providing for proceeding during the period from November 20, 2015, through November 27, 2015 (Rept. 114-341). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CHABOT (for himself, Mr. GOODLATTE, Mr. CONYERS, Ms. JACKSON LEE, and Mr. FORBES):

H.R. 4023. A bill to eliminate unused sections of the United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. COOK (for himself and Mr. AGUILAR):

H.R. 4024. A bill to direct the Secretary of the Interior to convey certain public lands in San Bernardino County, California, to the San Bernardino Valley Water Conservation District, and to accept in return certain exchanged non-public lands, and for other purposes; to the Committee on Natural Resources.

By Mr. ROSS (for himself, Mr. POSEY, Mr. TIPTON, and Mr. COLLINS of New York):

H.R. 4025. A bill to prohibit obligation of Federal funds for admission of refugees from Syria, and for other purposes; to the Committee on the Judiciary.

By Mrs. BLACK (for herself and Mr. FLORES):

H.R. 4026. A bill to provide that a concealed handgun license shall be treated as a verifying identity document for purposes of aircraft passenger security screening, and to prohibit the Federal Government from collecting or storing information about an individual relating to a concealed handgun license; to the Committee on Homeland Security, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELBENE (for herself, Ms. JUDY CHU of California, Ms. NORTON, Ms. SEWELL of Alabama, and Mr. SEAN PATRICK MALONEY of New York):

H.R. 4027. A bill to reauthorize the women's business center program of the Small Business Administration, and for other purposes; to the Committee on Small Business.

By Mr. HUFFMAN (for himself and Mr. DESAULNIER):

H.R. 4028. A bill to amend the Individuals with Disabilities Education Act to direct the

Secretary to provide additional funds to States to establish and make disbursements from high cost funds; to the Committee on Education and the Workforce.

By Mr. JOYCE (for himself and Mr. RYAN of Ohio):

H.R. 4029. A bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 with respect to participant votes on the suspension of benefits under multiemployer plans in critical and declining status; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALAZZO:

H.R. 4030. A bill to amend the Immigration and Nationality Act to provide that refugees may not be resettled in any State where the governor of that State has taken any action formally disapproving of the resettlement of refugees in that State, and for other purposes; to the Committee on the Judiciary.

By Mr. BYRNE:

H.R. 4031. A bill to prohibit obligation of Federal funds for admission of refugees from Syria, and for other purposes; to the Committee on the Judiciary.

By Mr. POE of Texas (for himself, Mr. SESSIONS, Mr. DUNCAN of South Carolina, Mr. BLUM, Mr. LOUDERMILK, Mr. WESTERMAN, Mr. SMITH of Texas, Mr. FARENTHOLD, Mr. LAMALFA, Mr. SALMON, Mr. BABIN, Mr. WEBER of Texas, Mr. COLLINS of Georgia, Mr. CONAWAY, and Mr. MASSIE):

H.R. 4032. A bill to amend the Immigration and Nationality Act to provide for a limitation on the resettlement of refugees; to the Committee on the Judiciary.

By Mr. CRAWFORD:

H.R. 4033. A bill to temporarily suspend the admission of refugees from Syria and Iraq into the United States and to give States the authority to reject admission of refugees into its territory or tribal land; to the Committee on the Judiciary.

By Mr. FLEMING:

H.R. 4034. A bill to require fencing along and operational control of the southwest border, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Natural Resources, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLEMING:

H.R. 4035. A bill to protect consumers by prohibiting the Administrator of the Environmental Protection Agency from promulgating as final certain energy-related rules that are estimated to cost more than \$100,000,000 and will cause significant adverse effects to the economy; to the Committee on Energy and Commerce.

By Mr. FLEMING:

H.R. 4036. A bill to prohibit any regulation regarding carbon dioxide or other greenhouse gas emissions reduction in the United States until China, India, and Russia implement similar reductions; to the Committee on Energy and Commerce.

By Mr. FLEMING:

H.R. 4037. A bill to prohibit the Administrator of the Environmental Protection Agency from proposing, finalizing, implementing, or enforcing any prohibition or restriction under the Clean Air Act with respect to the emission of methane from the

oil and natural gas source category; to the Committee on Energy and Commerce.

By Mr. MCCAUL (for himself and Mr. HUDSON):

H.R. 4038. A bill to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; to the Committee on the Judiciary.

By Ms. ADAMS (for herself, Ms. JUDY CHU of California, Ms. KELLY of Illinois, Mrs. LAWRENCE, Mr. PAYNE, Mr. TAKAI, and Ms. VELÁZQUEZ):

H.R. 4039. A bill to amend the Internal Revenue Code of 1986 to establish a small business start-up tax credit for veterans; to the Committee on Ways and Means.

By Mr. BLUMENAUER (for himself, Ms. EDWARDS, Mr. McDERMOTT, Mr. PASCRELL, Mr. HONDA, Mr. VAN HOLLEN, Ms. MCCOLLUM, Mr. LOWENTHAL, Mr. TED LIEU of California, Mr. HIGGINS, Mr. NEAL, Ms. LINDA T. SÁNCHEZ of California, Ms. LEE, Mr. QUIGLEY, Mr. CARTWRIGHT, Ms. NORTON, Mr. RANGEL, Mr. HUFFMAN, and Mr. GRIJALVA):

H.R. 4040. A bill to amend the Internal Revenue Code of 1986 to modify and extend certain tax incentives relating to energy; to the Committee on Ways and Means.

By Mr. CÁRDENAS (for himself, Mr. FARENTHOLD, Mr. CARTWRIGHT, Mr. GALLEGU, Mr. GUTIÉRREZ, Mr. HONDA, Mr. COHEN, Mr. FOSTER, and Ms. JUDY CHU of California):

H.R. 4041. A bill to establish a task force to share best practices on computer programming and coding for elementary schools and secondary schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CASTRO of Texas:

H.R. 4042. A bill to provide grants for high-quality prekindergarten programs; to the Committee on Education and the Workforce.

By Ms. CLARK of Massachusetts:

H.R. 4043. A bill to amend the Higher Education Act of 1965 to improve the financial aid process for homeless children and youths and foster care children and youth; to the Committee on Education and the Workforce.

By Mr. CLAWSON of Florida:

H.R. 4044. A bill to prohibit obligation of Federal funds for admission of refugees from certain countries; to the Committee on the Judiciary.

By Mr. CROWLEY (for himself and Mr. ELLISON):

H.R. 4045. A bill to establish USAccounts, and for other purposes; to the Committee on Ways and Means.

By Mr. DUFFY (for himself, Mr. RYAN of Wisconsin, Mr. POCAN, Mr. KIND, Ms. MOORE, Mr. SENSENBRENNER, Mr. GROTHMAN, and Mr. RIBBLE):

H.R. 4046. A bill to designate the facility of the United States Postal Service located at 220 East Oak Street, Glenwood City, Wisconsin, as the Second Lt. Ellen Ainsworth Memorial Post Office; to the Committee on Oversight and Government Reform.

By Mr. ENGEL (for himself, Ms. ROSELEHTINEN, Mr. ISRAEL, and Mr. COLE):

H.R. 4047. A bill to amend chapter 329 of title 49, United States Code, to ensure that new vehicles enable fuel competition so as to reduce the strategic importance of oil to the United States; to the Committee on Energy and Commerce.

By Mr. GRAVES of Louisiana (for himself, Mr. BOUSTANY, Mr. ABRAHAM, and Mr. FLEMING):

H.R. 4048. A bill to suspend the admission and resettlement of aliens seeking refugee status because of the conflict in Syria until adequate protocols are established to protect the national security of the United States and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Intelligence (Permanent Select), Rules, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOVE (for herself, Mr. NEUGEBAUER, and Mr. HUIZENGA of Michigan):

H.R. 4049. A bill to amend the Bank Holding Company Act of 1956 to exempt certain non-financial companies and smaller banking entities from the application of the Volcker Rule; to the Committee on Financial Services.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 4050. A bill to provide for the identification of certain dangerous railroad locations, and for the safety of passenger operations at such locations; to the Committee on Transportation and Infrastructure.

By Ms. NORTON:

H.R. 4051. A bill to amend title 28, United States Code, to change the residency requirements for certain officials serving in the District of Columbia, and for other purposes; to the Committee on the Judiciary.

By Ms. MAXINE WATERS of California (for herself, Mrs. WATSON COLEMAN, Mr. FATTAH, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Ms. JACKSON LEE, Mr. AL GREEN of Texas, Mr. BUTTERFIELD, Mr. RANGEL, Mr. MEEKS, Mr. HONDA, Mr. JEFFRIES, and Mr. HASTINGS):

H.R. 4052. A bill to amend the Public Health Service Act to prioritize the treatment of veterans with traumatic brain injuries through the National Health Service Corps, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MAXINE WATERS of California:

H.R. 4053. A bill to authorize the Secretary of Veterans Affairs to make grants for repair and remodeling of community centers, clinics, and hospitals that serve veterans; to the Committee on Veterans' Affairs.

By Ms. MAXINE WATERS of California (for herself, Mr. CONYERS, and Mr. HONDA):

H.R. 4054. A bill to revise the 90-10 rule under the Higher Education Act of 1965 to count veterans' education benefits under such rule, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Armed Services, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANKS of Arizona (for himself, Ms. BASS, Ms. LEE, Mr. DANNY K. DAVIS of Illinois, Mr. WITTMAN, Mr. POE of Texas, Mr. HUIZENGA of Michigan, Mr. HUELSKAMP, Mr. EMMER of Minnesota, Mr. LUETKEMEYER, Mr. BISHOP of Georgia, Mr. PASCRELL, Mr. SIRE, Mr. WHITFIELD, Mrs. WALORSKI, Ms. CLARKE of New York, Mr. McDERMOTT, Mr. RUSSELL, Mrs. LAWRENCE, Mr. BLUM, Mrs. KIRKPATRICK, Ms. HAHN, Mr. BILIRAKIS, Mr. LANGEVIN, Mr. NORCROSS, Mrs. HARTZLER, and Mr. ROE of Tennessee):

H. Res. 530. A resolution expressing support for the goals of "National Adoption Day" and "National Adoption Month" by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CHABOT:

H.R. 4023.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3, and Article I, section 8, clause 18.

By Mr. COOK:

H.R. 4024.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. ROSS:

H.R. 4025.

Congress has the power to enact this legislation pursuant to the following:

"No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

—U.S. Constitution, Article I, section 9, clause 7

By Mrs. BLACK:

H.R. 4026.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution.

By Ms. DELBENE:

H.R. 4027.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. HUFFMAN:

H.R. 4028.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

Article I, Section 8, Clause 18

By Mr. JOYCE:

H.R. 4029.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. PALAZZO:

H.R. 4030.

Congress has the power to enact this legislation pursuant to the following:

Article I Sec. 8, Clause 4 and Article I, Sec. 8, Clause 18 of the Constitution of the United States of America.

By Mr. BYRNE:

H.R. 4031.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4: "Congress shall have Power To . . . establish a uniform Rule of Naturalization . . ."

By Mr. POE of Texas:

H.R. 4032.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 18

By Mr. CRAWFORD:

H.R. 4033.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the United States Constitution. "The Congress shall have the Power . . . To establish a uniform Rule of Naturalization . . ."

By Mr. FLEMING:

H.R. 4034.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 1, Section 8, Clause 4, which states "The Congress shall have Power to establish a uniform Rule of Naturalization," and Article 4, Section 3, Clause 2, which states "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States."

By Mr. FLEMING:

H.R. 4035.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 1, Section 8, Clause 3, which states "The Congress shall have Power to regulate Commerce among the several States."

By Mr. FLEMING:

H.R. 4036.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 1, Section 8, Clause 3, which states "The Congress shall have Power to regulate Commerce among the several States."

By Mr. FLEMING:

H.R. 4037.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 1, Section 8, Clause 3, which states "The Congress shall have Power to regulate Commerce among the several States."

By Mr. MCCAUL:

H.R. 4038.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 4 of the United States Constitution

By Ms. ADAMS:

H.R. 4039.

Congress has the power to enact this legislation pursuant to the following:

"Article 1, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof"

By Mr. BLUMENAUER:

H.R. 4040.

Congress has the power to enact this legislation pursuant to the following:

The Constitution of the United States provides clear authority for Congress to pass legislation regarding income taxes. Article I of the Constitution provides that "Congress shall have Power to lay and collect Taxes . . ." (Section 8, Clause 1).

By Mr. CARDENAS:

H.R. 4041.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. CASTRO of Texas:

H.R. 4042.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

The United States Constitution, Art. I, Sec. 8, Clause 18

By Ms. CLARK of Massachusetts:

H.R. 4043.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, U.S Constitution

By Mr. CLAWSON of Florida:

H.R. 4044.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 2 of the United States Constitution

By Mr. CROWLEY:

H.R. 4045.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 Section 8 of Article 1:

The Congress shall have the power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. DUFFY:

H.R. 4046.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, The Congress shall have the Power to . . . establish Post Offices and Post Roads

By Mr. ENGEL:

H.R. 4047.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under the following provisions of the United States Constitution:

Article I, Section 1;

Article I, Section 8, Clause 1;

Article I, Section 8, Clause 3; and

Article I, Section 8, Clause 18.

By Mr. GRAVES of Louisiana:

H.R. 4048.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

By Mrs. LOVE:

H.R. 4049.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: "The Congress shall have power . . . To regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 4050.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Ms. NORTON:

H.R. 4051.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution.

By Ms. MAXINE WATERS of California:

H.R. 4052.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. MAXINE WATERS of California:

H.R. 4053.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. MAXINE WATERS of California:

H.R. 4054.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 78: Mr. KILDEE.
H.R. 167: Mr. PALLONE.
H.R. 317: Mr. NOLAN.
H.R. 540: Mr. POSEY.
H.R. 546: Mr. TAKAI, Mr. GOSAR, and Mr. SEAN PATRICK MALONEY of New York.
H.R. 592: Mr. KENNEDY and Mr. LOBIONDO.
H.R. 604: Mr. SESSIONS.
H.R. 605: Mr. BARLETTA.
H.R. 646: Ms. DELAURO and Mr. COURTNEY.
H.R. 654: Mr. POE of Texas.
H.R. 711: Ms. JACKSON LEE and Mr. VELA.
H.R. 731: Ms. MOORE.
H.R. 771: Mr. ROSKAM.
H.R. 814: Mr. BARLETTA, Mr. MACARTHUR, and Mr. NEUGEBAUER.
H.R. 845: Mr. TIPTON.
H.R. 879: Mr. BABIN and Mr. MULLIN.
H.R. 921: Mr. LAHOOD and Mr. KINZINGER of Illinois.
H.R. 985: Mr. ROKITA, Mr. LUCAS, Mr. ASHFORD, and Mr. BRIDENSTINE.
H.R. 1019: Mr. HASTINGS.
H.R. 1093: Mr. ROTHFUS.
H.R. 1173: Mr. CAPUANO.
H.R. 1206: Mr. HUDSON.
H.R. 1247: Ms. ADAMS.
H.R. 1248: Mr. SMITH of Missouri.
H.R. 1255: Mr. VAN HOLLEN.
H.R. 1258: Mr. PIERLUISI.
H.R. 1288: Ms. ROYBAL-ALLARD, Ms. WILSON of Florida, Mr. LOEBACK, Mr. LOWENTHAL, and Mr. SHERMAN.
H.R. 1292: Mr. CRAMER and Ms. JUDY CHU of California.
H.R. 1310: Mrs. LAWRENCE.
H.R. 1346: Mr. CUMMINGS.
H.R. 1401: Ms. STEFANIK, Mr. SALMON, Mr. CRENSHAW, and Mr. WILSON of South Carolina.
H.R. 1427: Mr. SWALWELL of California, Mr. COURTNEY, Mr. VARGAS, Ms. FRANKEL of

Florida, Mr. FATTAH, Mr. CICILLINE, Mr. SCHIFF, and Ms. KAPTUR.
H.R. 1492: Ms. LEE.

H.R. 1567: Mr. HUFFMAN, Mr. HANNA, and Mr. SEAN PATRICK MALONEY of New York.
H.R. 1604: Mr. CARTER of Georgia.

H.R. 1610: Mr. WOODALL, Mr. GRAVES of Missouri and Mr. FINCHER.

H.R. 1670: Mr. BRADY of Pennsylvania, Mr. DESJARLAIS, Mr. NUGENT, Mr. YOUNG of Iowa, Mr. RODNEY DAVIS of Illinois, Ms. DUCKWORTH, Mr. LOEBSACK, Mr. ROUZER, and Mr. BARR.

H.R. 1779: Ms. DUCKWORTH.

H.R. 1786: Mrs. WAGNER, Mr. HUNTER, and Mr. KNIGHT.

H.R. 1793: Mrs. LUMMIS.

H.R. 1805: Mr. NEWHOUSE.

H.R. 1818: Mr. WALBERG and Mr. KATKO.

H.R. 1929: Mr. YOUNG of Iowa.

H.R. 1941: Mr. WEBSTER of Florida and Mr. CRAWFORD.

H.R. 2016: Mr. DESAULNIER, Mr. GUTIÉRREZ, and Mr. CUMMINGS.

H.R. 2017: Ms. JENKINS of Kansas and Mr. YOUNG of Iowa.

H.R. 2125: Mr. NADLER.

H.R. 2154: Mr. ISRAEL.

H.R. 2342: Mr. BISHOP of Georgia.

H.R. 2366: Mr. LAMBORN.

H.R. 2403: Mr. PAYNE, Mrs. BEATTY, and Mr. Polis.

H.R. 2434: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 2515: Mr. CURBELO of Florida and Mr. BLUMENAUER.

H.R. 2519: Mr. ROUZER.

H.R. 2526: Mr. JOLLY.

H.R. 2533: Mr. LAMALFA.

H.R. 2657: Mr. THOMPSON of California, Mr. LAHOOD, and Mr. CROWLEY.

H.R. 2689: Mrs. KIRKPATRICK and Mr. GRIJALVA.

H.R. 2759: Mr. DESAULNIER.

H.R. 2817: Mr. QUIGLEY and Ms. GRANGER.

H.R. 2847: Mr. RANGEL, Mr. NOLAN, Mr. McDERMOTT, Mrs. BEATTY, and Ms. DELBENE.

H.R. 2849: Mr. DESAULNIER.

H.R. 2858: Mr. RODNEY DAVIS of Illinois.

H.R. 2874: Mr. YOUNG of Iowa, Mr. GOSAR, Mr. BABIN, and Mr. KLINE.

H.R. 2903: Mr. WELCH and Mr. BRADY of Pennsylvania.

H.R. 2905: Mr. ROTHFUS.

H.R. 3105: Ms. WILSON of Florida.

H.R. 3110: Mr. ROGERS of Kentucky, Mr. BARR, Mr. BOUSTANY, and Mr. QUIGLEY.

H.R. 3119: Mr. TROTT and Ms. KUSTER.

H.R. 3136: Mr. LUCAS.

H.R. 3137: Mr. BARR.

H.R. 3177: Mr. BARLETTA.

H.R. 3183: Mr. CLAWSON of Florida.

H.R. 3220: Mr. MEEHAN and Mr. PASCRELL.

H.R. 3222: Mr. COFFMAN, Mr. YODER, Mr. PITTINGER, Mr. COLLINS of Georgia, and Mr. LOUDERMILK.

H.R. 3225: Mr. RIBBLE.

H.R. 3226: Mr. GRIJALVA.

H.R. 3250: Mr. KINZINGER of Illinois and Mr. BARLETTA.

H.R. 3268: Mr. BUCK.

H.R. 3296: Mr. HENSARLING.

H.R. 3299: Mr. TURNER.

H.R. 3309: Mr. MOONEY of West Virginia.

H.R. 3314: Mr. SCALISE, Mr. LOUDERMILK, Mr. BYRNE, Mr. SANFORD, Mr. GOWDY, Mr. WILLIAMS, Mr. GRAVES of Georgia, Mr. CARTER of Georgia, Mr. BOUSTANY, Mr. LANCE, Mr. LAMBORN, Mr. THOMPSON of Pennsylvania, Mr. MILLER of Florida, and Mr. FLORES.

H.R. 3316: Mr. CARSON of Indiana, Ms. TSONGAS, Ms. TITUS, Ms. LEE, Mr. MURPHY of Pennsylvania, Mr. ELLISON, Mr. VAN HOLLEN,

Mr. VARGAS, Mr. ENGEL, Mr. HUFFMAN, and Mr. SEAN PATRICK MALONEY of New York.

H.R. 3326: Mr. LUCAS, Ms. BROWNLEY of California, Mr. LOBIONDO, and Mr. WELCH.

H.R. 3339: Mr. REED, Mr. BLUMENAUER, Ms. DELAULO, and Mrs. HARTZLER.

H.R. 3340: Mr. POE of Texas.

H.R. 3375: Mr. LARSEN of Washington.

H.R. 3397: Mr. BARR, Mr. GUTHRIE, and Mr. HUIZENGA of Michigan.

H.R. 3406: Mr. DEFAZIO.

H.R. 3423: Ms. DUCKWORTH and Ms. MCSALLY.

H.R. 3445: Mr. BLUMENAUER.

H.R. 3471: Mr. MARCHANT.

H.R. 3513: Mr. GARAMENDI, Ms. SLAUGHTER, Mr. JEFFRIES and Ms. KAPTUR.

H.R. 3516: Mr. BYRNE, Mr. YOUNG of Alaska, and Mr. FLEISCHMANN.

H.R. 3537: Mr. ALLEN.

H.R. 3541: Mr. SERRANO.

H.R. 3556: Ms. JUDY CHU of California and Mrs. KIRKPATRICK.

H.R. 3573: Mr. HARPER, Mr. NEUGEBAUER, Mr. SMITH of Nebraska, Mr. WEBER of Texas, Mr. ROSS, Mr. YOUNG of Iowa, Mr. ABRAHAM,

Mr. GOSAR, Mr. CRENSHAW, Mr. SCHWEIKERT, Mr. BILIRAKIS, Mr. KINZINGER of Illinois, Mr. KELLY of Mississippi, Mr. GRAVES of Georgia,

Mr. SANFORD, Mr. RATCLIFFE, Mrs. COMSTOCK, Mr. GUTHRIE, Mr. LANCE, Mr. WALKER, Mr. RUSSELL, Mr. MILLER of Florida, Mr. LAMBORN, Mr. WITTMAN, Mr. THOMPSON of Pennsylvania, Mr. FITZPATRICK, Mr. CARTER of Texas, Mr. COLLINS of New York, Mr. YOUNG of Indiana, Mr. SHUSTER, Mr. MARCHANT and Mr. CLAWSON of Florida.

H.R. 3591: Mr. PASCRELL and Mr. LOBIONDO.

H.R. 3665: Mr. LOEBSACK.

H.R. 3683: Mr. ROSS and Mrs. CAPPS.

H.R. 3706: Mr. SESSIONS and Mr. CARSON of Indiana.

H.R. 3711: Mr. GALLEGU.

H.R. 3724: Mr. CUELLAR, Mr. PALAZZO, Mr. MULLIN, and Mr. SMITH of Missouri.

H.R. 3730: Mr. MULVANEY.

H.R. 3733: Mr. TED LIEU of California.

H.R. 3756: Mr. MCNERNEY, Mr. LOWENTHAL, Mr. HARDY, Ms. ROS-LEHTINEN, Mr. DESAULNIER, and Mr. COSTA.

H.R. 3760: Mr. CONNOLLY, Ms. SCHAKOWSKY, Mr. POCAN, and Mr. GUTIÉRREZ.

H.R. 3765: Mr. BABIN and Mr. BYRNE.

H.R. 3793: Mrs. DAVIS of California, Mr. QUIGLEY, Mr. COHEN, Mr. TAKANO, and Mrs. WATSON COLEMAN.

H.R. 3799: Mr. GROTHMAN, Mr. MILLER of Florida, and Mr. CARTER of Georgia.

H.R. 3802: Mr. PALAZZO, Mr. BYRNE, and Mr. RODNEY DAVIS of Illinois.

H.R. 3803: Ms. JENKINS of Kansas and Mr. HENSARLING.

H.R. 3834: Mr. GRIJALVA and Mr. CARSON of Indiana.

H.R. 3845: Mr. BLUM, Mr. NEWHOUSE, and Mr. LAHOOD.

H.R. 3860: Mr. BARLETTA.

H.R. 3865: Mr. LUETKEMEYER.

H.R. 3869: Mr. MESSER.

H.R. 3870: Mr. RANGEL, Mr. BRADY of Pennsylvania, Mr. JONES, and Ms. BORDALLO.

H.R. 3886: Mr. RODNEY DAVIS of Illinois and Mr. HANNA.

H.R. 3892: Mr. KING of Iowa and Mr. PALAZZO.

H.R. 3914: Mr. MILLER of Florida.

H.R. 3919: Mr. LEWIS.

H.R. 3940: Mr. GRIFFITH, Mr. CARTER of Georgia, Ms. JENKINS of Kansas, Mr. BILIRAKIS, Mr. HUDSON, Mr. BISHOP of Georgia, Mr. GRAYSON, Mr. MOONEY of West Virginia, and Mr. ABRAHAM.

H.R. 3956: Mr. VALADAO.

H.R. 3977: Mr. HUFFMAN.

H.R. 3986: Mr. RODNEY DAVIS of Illinois.

H.R. 3991: Ms. SPEIER and Mr. HONDA.

H.R. 3997: Mr. NADLER, Mr. LARSEN of Washington, Mrs. NAPOLITANO, Ms. JACKSON LEE, Ms. EDWARDS, Mrs. WATSON COLEMAN, Mr. CROWLEY, Mr. DEFAZIO, Mrs. KIRKPATRICK, Mr. CARSON of Indiana, Ms. SLAUGHTER, Mr. CLAY, Mr. LARSON of Connecticut, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUPPERSBERGER, Mr. TONKO, Mr. BISHOP of Georgia, Mr. KILDEE, Mr. DEUTCH, Mrs. DAVIS of California, Mr. MURPHY of Florida, Mr. ASHFORD, Mr. CAPUANO, Mr. CASTRO of Texas, Mrs. LOWEY, Mr. CARTWRIGHT, Mr. CARNEY and Ms. MCCOLLUM.

H.R. 4000: Mr. BILIRAKIS, Mr. LONG and Mr. FARENTHOLD.

H.R. 4003: Mr. TROTT and Mr. FORBES.

H.J. Res. 22: Mr. GUTIÉRREZ.

H.J. Res. 33: Mrs. BLACK, Mrs. ELLMERS of North Carolina and Mrs. ROBY.

H.J. Res. 71: Mrs. LUMMIS, Mr. HUELSKAMP, Mr. TIPTON, Mr. BOST, Mr. BUCSHON, Mr. ROHRABACHER, Mr. CHAFFETZ, Mr. BARLETTA and Mr. ROGERS of Kentucky.

H.J. Res. 72: Mrs. LUMMIS, Mr. HUELSKAMP, Mr. TIPTON, Mr. BOST, Mr. BUCSHON, Mr. ROHRABACHER, Mr. CHAFFETZ, Mr. BARLETTA and Mr. ROGERS of Kentucky.

H. Res. 28: Mr. VALADAO.

H. Res. 32: Ms. JACKSON LEE, Mr. PASCRELL, Mr. FINCHER and Mr. FITZPATRICK.

H. Res. 394: Mr. PASCRELL.

H. Res. 416: Mr. PALAZZO and Mr. LOEBSACK.

H. Res. 432: Mr. TAKANO and Mr. FOSTER.

H. Res. 485: Mr. KINZINGER of Illinois.

H. Res. 513: Mr. HUFFMAN.

H. Res. 520: Mrs. BEATTY and Mr. JEFFRIES.

H. Res. 524: Mr. BOST, Mr. DONOVAN, Mr. SHERMAN, Mr. WEBER of Texas, Mr. BERA,

Mr. ROHRABACHER, Mr. SALMON, Mr. HIGGINS, Mr. DUNCAN of South Carolina, Mr. LOWENTHAL, Mr. WILSON of South Carolina,

Mr. CONNOLLY, Ms. ROS-LEHTINEN, Mr. CICILLINE, Mr. MEADOWS, Mr. SIREN, Mr. McCAUL, Mr. DEUTCH, Mr. CLAWSON of Florida, Mr. YOHO, Ms. FRANKEL of Florida, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. TROTT, Ms. BASS, Ms. MENG, Mr. RIBBLE, Mr. ISSA, Mr. MARINO, Mr. KEATING, Mr. MEEKS, Ms. GABBARD, Mr. DESJARLAIS and Mr. GRAYSON.

H. Res. 527: Mr. COSTELLO of Pennsylvania.

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CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative DENNY HECK (WA) or a designee, to H.R. 3189, the Fed Oversight Reform and Modernization Act of 2015, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 3770: Mr. VEASEY.

EXTENSIONS OF REMARKS

RECOGNIZING WORLD WAR II VETERAN LEO BATES OF BANGOR TOWNSHIP, MI

HON. DANIEL T. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. KILDEE. Mr. Speaker, I ask the United States House of Representatives to join me in recognizing World War II Veteran Leo Bates of the 93rd Bombardment Group.

Mr. Bates joined the United States Army Air Corps in 1942, shortly after his graduation from high school. He served valiantly for three years as a radio operator, where he flew 30 missions across Europe. It is my honor to recognize the veterans of World War II and their families for their patriotism and sacrifice.

While this Veterans Day presents a clear opportunity to remember the sacrifices of our veterans, I want to make sure our nation does not forget their exemplary commitment to service and democracy. Mr. Bates shares this passion, which he incorporates by crafting and selling beautiful walking sticks to support fellow veterans. Along with his walking sticks come some incredible war stories, which he plans to share at Bay Area nursing homes this Veterans Day.

It is my honor to represent many of the fine men and women who served our country, such as Leo Bates, and my duty to respectfully preserve their memories with the same dedication with which these veterans defended our freedoms.

Mr. Speaker, I applaud all American veterans, and particularly Leo Bates and extend my deepest appreciation to them for their years of service to our great country.

CELEBRATING THE LIFE OF MRS. JUDITH DAVIS WHITACRE

HON. SUZAN K. DELBENE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Ms. DELBENE. Mr. Speaker, I rise today to celebrate the life of my aunt, Mrs. Judith Davis Whitacre.

Judy was born on today's date in 1936 in Cleveland, Ohio—the third daughter of Ruth and Powell Davis. She passed away on Thursday, October 29.

She was a loving mother, grandmother, and wife, and she constantly placed people at the top of her priority list.

Through her life, she was a Head Start volunteer teacher, Northwest Opportunity Center volunteer driver, Dryden School PTA volunteer tutor, Cub Scout Den Leader & coordinator for Pack 129, and volunteer at the homeless shelter PADs.

She also gladly helped out at church. Whether as church school teacher, couples group presidents with Jock, Elder, kitchen coordinator, or hand bell choir member, Judy was always willing to spend her time serving others.

She enjoyed sailing, crafts, and traveling, but most of all she loved people. Judy will be remembered for putting others before herself and as a committed volunteer whose dedication has touched so many in her community. My heart goes out to Jock, Harold, and Tammy, Gregory and Kathleen, and their kids.

RECOGNIZING PATRICIA "PATTY" GARBARINO AS BUSINESSWOMAN OF THE YEAR

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. HUFFMAN. Mr. Speaker, I rise today to congratulate Patricia "Patty" Garbarino, who was chosen by the San Rafael Chamber of Commerce as the Women of Industry Business Leader for 2015. As President of the Marin Sanitary Service (MSS), Ms. Garbarino's business acumen, institutional knowledge, and commitment to conservation have impacted tens of thousands of lives in Marin County.

Ms. Garbarino has been a role model for women in our community, successfully running her family business in a traditionally male-dominated industry. Founded in 1948, MSS today employs three generations of Garbarinos, and serves more than 30,000 residential and commercial clients in San Rafael and surrounding areas. Along with their curbside service, the company accepts and processes hazardous and non-hazardous materials on-site, and has been an industry leader for recycling programs nationwide. Today, MSS recycles nearly three-quarters of the waste it collects, in large part due to Ms. Garbarino's oversight.

Ms. Garbarino's savvy leadership and environmental stewardship have made a lasting impact in Marin County. Not only does she manage MSS with intelligence and integrity, but she continues to be an active and valued member of our community. Ms. Garbarino has served on the Marin County Planning Commission, Marin County Office of Education Board, and Marin Conservation League board, among others, and continues to exemplify citizenship and compassion with her dedication to our community.

Mr. Speaker, Patty Garbarino's impressive accomplishments and leadership have left a lasting impact in San Rafael and beyond. I urge my colleagues to join me in extending our congratulations to her on this recognition.

RECOGNIZING MS. ELIZABETH HUCKABONE FOR HER OUTSTANDING COMMITMENT TO THE BUFFALO COMMUNITY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. HIGGINS. Mr. Speaker, I stand before you today to recognize and honor Ms. Elizabeth Huckabone on her retirement after serving 39 years as President and Chief Executive Officer of Belmont Housing Resources of Western New York. Ms. Huckabone dedicated her career to improving the lives of those less fortunate in her community.

Her strong commitment to ensuring access to affordable housing in the city of Buffalo as well as Erie County led to her role as one of the co-founders of Belmont Housing Resources of Western New York. Since 1977, Belmont has offered more than one hundred thousand low-income households critical rental assistance. Under Ms. Huckabone's leadership, Belmont has expanded its services over the decades to include management and development of affordable rental housing properties, as well as counsel on tenants' rights, homeownership, and mortgage default mitigation.

A graduate of the State University of New York College at Buffalo, Ms. Huckabone was previously a director of the Erie County Fair Housing Partnership, National Leased Housing Association and the Elmwood Franklin School. Ms. Huckabone's dedication and determination has been recognized as a recipient of the National Association of Home Builders Property Manager Merit Award and the National Conference for Community and Justice Award. Most recently and deservedly so, this tireless champion of fair housing was awarded the 2015 LISC Buffalo Community Builder Award in recognition of her remarkable career.

I am pleased to add my congratulations on her retirement and deep appreciation for her significant contributions as family, friends and colleagues gather together on November 23 to honor Elizabeth Huckabone's visionary leadership. It is anticipated that in her unassuming way, she will acknowledge Belmont's dedicated and talented staff, its inclusive culture, and the many community collaborations forged in order to increase the agency's impact on behalf of the people it serves. But for all who know her, admire her and will miss her, we simply say thank you for all you have done to help those in need to find a place to call home.

Mr. Speaker, thank you for allowing me a few moments to recognize Ms. Elizabeth Huckabone. I ask that my colleagues join me in congratulating Ms. Huckabone for her selfless commitment to public service. Her desire to build a better future for Buffalo has uplifted

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

countless families in need and underscores the compassion held deeply by Western New Yorkers.

HONORING PASTOR LARRY THOMPSON

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to congratulate Pastor Larry Thompson for his 21 years of excellence as the pastor of the First Baptist Church of Fort Lauderdale and his dedication to his community.

Pastor Thompson is the longest serving pastor at the First Baptist Church, and his commitment to his congregation and community is commendable. The congregation of the First Baptist Church has become more diverse during his tenure, which is a lasting legacy for the community. He has inspired people around the world by broadcasting his services online. His sermons have been viewed in more than 90 countries and are translated into Creole, Spanish, Portuguese, and Romanian.

In honor of his retirement and years of service to his community, I am pleased to recognize Pastor Thompson and wish him the best in his future endeavors.

HONORING AURORA CHIEF OF POLICE GREGORY THOMAS UPON HIS RETIREMENT

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. FOSTER. Mr. Speaker, I rise today in honor of Chief Gregory Thomas of the Aurora Police Department. With a long and illustrious career serving the citizens of Aurora and the community, starting as a cadet in 1978 and culminating in Chief of Police in 2008, Chief Thomas has distinguished himself as a valuable and dedicated member of the Aurora community.

Chief Thomas has had a prestigious and long career, having worked in the Patrol Division, Criminal Investigation Division, and Administrative Services Division of the Aurora Police Department. Chief Thomas was assigned to the Field Training Program, Special Response Team, Employee Review Board, and Investigative Deadly Force Team.

As Chief of Police, Chief Thomas presided over a vast reduction in crime throughout the city and was always available to discuss matters with the community. Over the course of his career, Chief Thomas has received numerous awards including the Kendall County Medal of Valor, the Exchange Club of Aurora Police Officer of the Year, and has been nominated as the Kane County Officer of the Year.

Mr. Speaker, I ask my colleagues to join me in honoring Chief Gregory Thomas's exemplary service to the people of Aurora and congratulating him on a prominent career.

NATIONAL RECOGNITION FOR MEMORIAL HERMANN KATY HOSPITAL

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Memorial Hermann Katy Hospital in Katy, Texas for earning national recognition for its excellent surgical patient care.

Memorial Hermann Katy was one of three Texas hospitals and one of 52 hospitals nationwide to earn meritorious rankings from the American College of Surgeons National Surgical Quality Improvement Program (ACS NSQIP). Hospitals across the country are assessed based on how well they protect and care for surgical patients. This ranking reflects their commitment to practicing high-quality care, patient safety, and surgical care improvements. Memorial Hermann Katy provides its community with peace of mind should a medical emergency arise.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Memorial Hermann Katy. Thank you for putting patient safety above all else.

CONGRATULATING MR. PATRICK WHALEN FOR HIS DEDICATION TO THE BUFFALO NIAGARA MEDICAL CAMPUS AND WESTERN NEW YORK

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. HIGGINS. Mr. Speaker, I stand before you today to recognize and honor Mr. Patrick Whalen as he steps down as the Chief Operating Officer of the Buffalo Niagara Medical Campus. A driving force in Buffalo's transformation, Mr. Whalen has helped ignite the renaissance underway in Western New York.

Mr. Whalen has played a crucial role in the development of the Buffalo Niagara Medical Campus since 2008. As COO, Mr. Whalen demonstrated a true collaborative spirit in partnering with top medical, clinical, and research institutions and with the Fruit Belt and Allentown neighborhoods, the City of Buffalo and Erie County to establish world-class healthcare facilities. His leadership and organizational abilities most recently included his role as Conference Chair at the 2015 MedTech Association conference held in Buffalo.

Mr. Whalen has traveled throughout the world to deliver remarks and share his vision at professional conferences and talks. His expertise is especially welcomed by our partners to the north, where Mr. Whalen was a founding member of the Canadian/American Border Trade Alliance and his efforts were recognized with the Canadian Consulate Ambassador Award. Mr. Whalen's deep understanding of the value of a strong partnership with Canada came from decades of private sector experience and entrepreneurship including the

founding of Fulfillment Systems International. As President and CEO, he pioneered the concept of consolidated cross-border shipping that transformed the international distribution industry.

Mr. Whalen's commitment to Western New York goes well beyond his contributions to the Buffalo Niagara Medical Campus and his productive relationship with Canada. Mr. Whalen consistently demonstrates his passion for serving the community through humanitarian organizations and service. He previously sat on the Board of Directors of the Greater Buffalo Chapter of the American Red Cross and the Rotary Club of Buffalo. In recognition of his dedicated service, Mr. Whalen was presented with the University at Buffalo School of Management Community Service Award.

Mr. Speaker, thank you for allowing me a few moments to recognize Mr. Patrick Whalen as his family, friends and colleagues will gather on November 18 in appreciation for all he has accomplished and to wish him continued success in future endeavors. I ask that my colleagues join me in congratulating Mr. Whalen for his energetic passion, his grassroots and international perspective and his innovative contributions to his city and his country. His dedication to the growth and revitalization of Western New York community continue to heighten Buffalo's reputation and improve the health and well-being of all.

CELEBRATING THE 40TH ANNIVERSARY OF BROWNSVILLE COFFEE SHOP #2

HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. VELA. Mr. Speaker, I rise today to recognize Ms. Jovita Chase as she celebrates the 40th anniversary of her restaurant, Brownsville Coffee Shop #2.

For four decades, Jovita has dedicated her life to serving residents of Brownsville, Texas delicious, well-priced meals. Her restaurant, which features food that is made from scratch, is a favorite of the Brownsville Police Department, the Cameron County Sheriff's Office, teachers, local elected officials and those seeking a hearty meal in a comfortable, homey environment. The restaurant's specialties include homemade flour tortillas and gorditas.

Brownsville Coffee Shop #2 was established in 1964 by Jovita's mother, Rafaela Alviar, who opened several coffee shops in downtown Brownsville. After Rafaela passed away, Jovita and her brother, Andres, took over management of these local institutions. Andres continues to run Brownsville Coffee Shop #1, which has been in business for 42 years.

In addition to providing a gathering place for the community, Jovita supports higher education by awarding scholarship funds to local students in honor of her mother. She also gives back by hosting a monthly meal for the Good Neighbor Settlement House, and she not only provides her employees with a paycheck but also helps them develop a strong work ethic and leadership skills.

Our community benefits greatly from institutions like the Brownsville Coffee Shop #2. Jovita Chase and her restaurant have had a lasting, positive impact on South Texas, and I rise today to share my congratulations along with those of her customers and employees.

SAL QUARTARARO

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. ZELDIN. Mr. Speaker, I rise today to commemorate the service of Sal Quartararo.

On December 7, 1941, Salvatore (Sal) Quartararo, and his three brothers and two sisters, the children of Anna and Peter who immigrated to the U.S. from Italy in the 1890s, sat in their lower east side Manhattan apartment as President Roosevelt's fateful words came over the radio. The Japanese had attacked Pearl Harbor, and for Sal and his family, life was about to change. One by one, Sal and his brothers; Ignatius, Liborio (Larry), and Philip (Phil) entered military service; his brothers in the Army and Army Air Corps, and Sal in the Navy.

The brothers ensured their family was well represented in this two front war. Ignatius served in the infantry as a Private Tech Five stationed in Italy, Larry in the Army Air Corps as an aerial photographer in the Pacific, Phil a Sergeant and cook in the Army and at sea, Sal served on board the USS *Sioux*, an Auxiliary Tug (ATF-75) as a Radio Man Second Class. During his time in the South Pacific, Sal saw action in both Okinawa and Iwo Jima.

With four sons now serving overseas, their father Peter proudly displayed four American flags on the checker cab he drove in Manhattan. Fortunately, through God's grace, Ignatius, Larry, Phil, and Sal would all return home safely. They each married, led productive lives, raised wonderful families and like most, moved to the suburbs—Sal and his family relocated to Elmont, and later Kings Park, Long Island.

Now, 64 years later, we recognize Sal Quartararo and his three brothers, Ignatius, Larry and Phil for serving honorably and concurrently during World War II. The brothers' dedication and bravery during their service, work ethic and family values they demonstrated upon their return home are a tribute to the "Greatest Generation".

HONORING REV. DR. JEFFERY R. WHEELER

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. ENGEL. Mr. Speaker, I rise today to recognize a spiritual leader in the Mount Vernon community, Reverend Dr. Jeffery R. Wheeler, who has led, as Pastor the Mt. Calvary Methodist Episcopal Church congregation in Mount Vernon, NY with great distinction and integrity.

Originally born and raised in Mount Vernon, Reverend Wheeler received his license to the ministry in 1998 and was ordained in 1999 at the Hunter Hills First Baptist Church in Atlanta, Georgia. In 2006, Rev. Wheeler relocated back to New York and was consecrated and elevated to the office of Ordained Traveling Elder in the New York-Washington Annual Conference of the Christian Methodist Episcopal Church under the auspices of Senior Bishop Thomas L. Hoyt, Jr., Presiding Prelate.

After 20 years away from home, in July of 2011 Reverend Wheeler returned home to Mt. Vernon, NY to pastor where he grew up, worshipped with his family, and began in ministry, at Mount Calvary Christian Methodist Episcopal Church. Reverend Wheeler also began serving as the Director of the New York-New England Ministry to Men. Reverend Wheeler has served in a multitude of capacities within the ministry, including: Staff Ministerial Coordinator accountable for 13 staff ministers, Pastor of Praise & Worship and Ministerial Liaison for the Music Department, Singles Ministry and Family Enrichment Ministry. He has also traveled extensively abroad to conduct Preaching Revivals & Gospel Music Workshops in Oslo, Norway, Stockholm, Sweden, Brighton and London, England, South Africa, and Tokyo, Japan.

A scholar, Reverend Wheeler earned his Masters of Religious Studies from Yale University, in New Haven and his Masters of Theology Degree and Doctorate of Divinity Degree from the Huger Theological Institute/Lighthouse Seminary New York, NY. In December 2013, The Abundant Life Theological Seminary conferred a second Doctorate of Divinity Degree upon Reverend Wheeler.

This year, Mt. Calvary C.M.E. is holding a luncheon in Reverend Wheeler's honor celebrating his years as Pastor. Congratulations to Reverend Wheeler on this great honor.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House Chamber for votes on Monday, November 16, 2015. Had I been present, I would have voted "nay" on roll call vote 626, "nay" on roll call vote 627, "yea" on roll call vote 628, and "yea" on roll call vote 629.

HONORING MAYOR OF HARLINGEN, TEXAS CHRIS BOSWELL ON RECEIVING THE DISTINGUISHED CITIZEN AWARD

HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. VELA. Mr. Speaker, I rise today to honor Harlingen, Texas Mayor Chris Boswell who has been awarded the Distinguished Citizen Award by the Rio Grande Council of the Boy Scouts of America.

Each year the Boy Scouts of America recognize a noteworthy and extraordinary leader in the Rio Grande Valley community. The award is presented to an individual in honor of their service to the community, and honorees are recognized for their efforts to inspire young people to be leaders.

Chris Boswell was first elected Mayor of Harlingen in May 2007 and was re-elected in 2010 and 2013. Prior to being Mayor, he served twice as president of the Lower Rio Grande Valley Development Council. He was also president of the Cameron County Bar Association.

Mayor Boswell served 10 years as a Cubmaster and 7 years as an Assistant Scoutmaster. His leadership culminated in his serving as president of the Rio Grande Council and later as President of Area 2 which governs 11 scout councils in Texas and Louisiana.

Harlingen and the entire Rio Grande Valley have benefitted greatly from his leadership, vision and expertise, and I rise today to congratulate Mayor Chris Boswell on this well-deserved honor.

IN HONOR OF COY THOMPSON'S PURPLE HEART PINNING CEREMONY

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. HUDSON. Mr. Speaker, I rise today to commemorate the Purple Heart pinning ceremony for United States Army Sergeant Coy Thompson of North Carolina's 8th Congressional District. It is an honor to extend these remarks today and to thank Sergeant Thompson for his brave and selfless service to our nation.

Sergeant Thompson served in the United States Army during the Vietnam War with honor and distinction through his support of ground forces during aerial missions. During the Tet Offensive, Sergeant Thompson was wounded in the line of duty after being hit with fragments of shrapnel from a near-by explosion. After returning to the United States, Sergeant Thompson was awarded with the Air Medal for his actions in support of operations against the enemy. Later, Sergeant Thompson was awarded the Bronze and Silver Stars, as well as the Purple Heart.

On Sunday, November 8, 2015, a special ceremony was held at the Enochville Church of God in Kannapolis, North Carolina to celebrate Sergeant Thompson and recognize him for his valor and service to our nation. Sergeant Thompson was surrounded by family and friends who gathered to witness this special ceremony in which he was pinned with his many medals. Fellow service members were also present and told stories of Sergeant Thompson's courage and love for our country.

I am overjoyed that the Marine Corps League of Cabarrus County and his community recognized Sergeant Thompson for his valiant actions during the Vietnam War. The men and women in uniform who have answered the call to defend our nation represent

the best our country has to offer and they deserve our continued admiration. Events like this special ceremony serve as a reminder that we must never take their service and sacrifice for granted, and that we as a nation must continually find ways to recognize these heroic patriots for their unparalleled dedication to our freedom.

Mr. Speaker, please join me today in once again commemorating this very special occasion, and to thank United States Army Sergeant Coy Thompson for his service and dedication to our country.

WORLD DAY OF ROAD SAFETY REMEMBRANCE

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. VAN HOLLEN. Mr. Speaker, I rise in recognition of the 20th Anniversary of the World Day of Road Safety Remembrance.

Despite greater awareness of the dangers associated with traveling on the world's roads today and improvements in road safety, more than a million people die each year as a result of road crashes. These crashes remain the single greatest cause of death for healthy Americans abroad. In the U.S., more than 30,000 die in crashes, while more than 2 million are injured annually.

The good news is that the number of road deaths is stabilizing even though the number of motor vehicles worldwide has increased. According to the World Health Organization, in the last three years, 79 countries have seen a decrease in the absolute number of traffic fatalities.

The bad news is that road users around the world are unequally protected. The risk of dying in a road traffic crash still depends, in great part, on where people live and how they move around. A big gap still separates high income countries from low and middle income ones where 90% of road traffic deaths occur in spite of having just 54% of the world's vehicles. Europe has the lowest death rates per capita. Africa has the highest.

Though road safety strategies are saving lives, the pace of change is too slow. More countries are acting on road safety, but further action is required. In its recent report "Improving Global Road Safety," WHO has called for all new roads to be constructed to at least a 3 Star safety standard, using the International Road Assessment Program methodology. Initiatives will be presented this week among government officials, NGOs and international organizations during the 2nd Global Ministerial Conference on Road Safety in Brasilia, which coincides with the 20th anniversary of observing the World Day of Remembrance. Among the groups in attendance will be the Association for Safe International Road Travel. Since its founding, ASIRT has been a leading and powerful advocate in support of global road safety.

On this World Day of Remembrance, we are reminded of how much progress has been made regarding road safety and how far we still need to go. I encourage my colleagues

and the public to reflect on the importance of the task that lies ahead and to commit themselves to the work of preventing the needless deaths caused by road crashes.

HONORING CHIEF CARLOS CABRERA

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to congratulate Fire Chief Carlos Cabrera for his 26 years of excellence in the West Palm Beach Fire Department and his dedication to protecting his community. West Palm Beach is a safer place thanks to him.

Chief Cabrera, the first Hispanic fire department chief in West Palm Beach, had a career of outstanding achievement and service. During the course of his career Chief Cabrera extinguished hundreds of fires, saved many lives, and even delivered seven babies.

In honor of his retirement and years of service to his community, I am pleased to recognize Chief Cabrera and wish him the best in his future endeavors.

WASHINGTON, D.C., CELEBRATING A CAPITOL HILL EXHIBIT BY THE SIMON WIESENTHAL CENTER AND UNESCO

HON. KAREN BASS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Ms. BASS. Mr. Speaker, it is with great pleasure that I recognize and congratulate the Simon Wiesenthal Center and its Museum of Tolerance for commitment to leadership in promoting tolerance worldwide. I am proud to represent these important institutions as part of California's 37th Congressional District. Located in Los Angeles, they have a worldwide mission.

Together with UNESCO, the Wiesenthal Center has created a traveling exhibition, opening today in Washington, D.C., entitled Book. People. Land.: The 3,500 Year Relationship Between the Jewish People and the Holy Land. This exhibit, sponsored by the U.S., Canada and Israel, aims to highlight the Jewish values of scholarship, human dignity and justice, and links them through history to the Jewish homeland.

My friends and fellow Foreign Affairs Committee members, Chair ED ROYCE and Ranking Member ELIOT ENGEL, cooperated in arranging this Capitol Hill opening. Book. People. Land. will soon travel to Israel's Knesset and Vatican City under the supervision of its Project Director, Wiesenthal Center Associate Dean Rabbi Abraham Cooper.

As the public and invited guests celebrate this partnership with UNESCO, the opening of this exhibit, and the Wiesenthal Center's message of human dignity, I am proud to recognize all those involved in this important undertaking.

COMMEMORATING THE BRIDGE DEDICATION CEREMONY FOR MR. ALLEN T. SMALL

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. HUDSON. Mr. Speaker, I rise today to honor the life of Mr. Allen Thurman Small and to commemorate the North Carolina Department of Transportation's Bridge Dedication ceremony in his honor. This is a fitting dedication for a man who gave so much to the City of Concord and the state of North Carolina.

Up until the day he tragically passed in 2006, Mr. Small was a public servant who deeply cared about his community. He served as a member of the Concord City Council from 1997 through 2006 and spent more than three decades in public education. During his public education career, Mr. Small was an educator and principal at three different Concord-area schools: Wolf Meadow Elementary School, Coltrane-Webb Elementary School, and Logan High School. Mr. Small, who was the first African-American to serve as principal of a desegregated school in Concord, was committed to ensuring every student received a high quality education that prepared them to be engaged citizens of the community.

During his tenure on the city council, Mr. Small dedicated his time and resources toward bringing jobs back to Concord and growing the city's economy, all in the hopes of leaving the children he devoted so much of his life to with a better future than he ever had. Following his passing, Mr. Small's city council seat has been occupied by his wife, Ella Mae, who has served the City of Concord with honor and distinction, and has continued to build upon Mr. Small's legacy as a dedicated public servant.

On Monday, November 9th, the North Carolina Department of Transportation held a bridge dedication ceremony for Mr. Small in his beloved City of Concord. The "Allen T. Small Bridge" is located on Cabarrus Avenue West over the Norfolk Southern Railroad, and serves as a gateway in to the heart of downtown Concord.

Mr. Speaker, please join me today in commemorating the life of Mr. Allen Thurman Small for his service to the Concord community and his commitment to bettering the lives of everyone in his community, particularly those of our area's young students.

HONORING JAMES CORRIVEAU ON HIS RETIREMENT

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize Mr. James Corriveau, the Public Works Director, Supervisory General Engineer at Fort Drum, New York.

Mr. James Corriveau has dedicated 39 years of public service to our great nation with a combined Active Duty, Reserve Component

and Federal Civil Service. Mr. Corriveau first joined the Army as an Engineer in 1974. He began working at Fort Drum in 1978 and has held multiple positions on post, all to betterment of the Army, the installation and our soldiers assigned to the 10th Mountain Division.

Mr. Corriveau served our nation proudly as an active duty Army Engineer Officer. Following his active duty and Army Reserve careers he continued his call to serve our brave North Country soldiers and their families as a true civil servant. Throughout his esteemed career at Fort Drum he wore many hats, including Civil Engineer, Chief of Operations and Maintenance, Chief of Business Operations, Deputy Director of Public Works, and the Residential Communities Initiative Program Manager. Mr. Corriveau played an integral role in the internal operations and base expansion at Fort Drum, an essential component for the livelihood for our servicemembers, their loved ones, and also the needs of our U.S. Military training and capabilities.

Mr. James Corriveau is the recipient of numerous awards including the Decoration for Exceptional Civilian Service, which is the highest award granted to Army civilian personnel and was most deserved by Mr. Corriveau for his selfless and resolute works. During his time in both military and civilian service, Mr. Corriveau has also been awarded the Special Act Award, the Commander's Award for Civilian Service, the Meritorious Civilian Service Award, and the Superior Civilian Service Award.

On this day, I want to take a moment to thank Mr. James Corriveau for his years of service to our nation. James, congratulations on your retirement . . . you are a true patriot and the North Country community thanks you for making this your home. Your humble leadership and key knowledge will be missed by many.

RECOGNIZING THE BRAVE ACTIONS OF SEVEN OFFICERS OF THE AURORA POLICE DEPARTMENT

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. FOSTER. Mr. Speaker, I rise today in recognition of Greg Christoffel, Ed Doepel, Nick Gartner, Jeff Hahn, Erik Swastek, Josh Sullivan and Chris Coronado of the Aurora Police.

For their efforts in saving the life of 14 year old Annie Prosser in 2013, these brave men were awarded the U.S. Marshals' Law Enforcement Officer of the Year awards. Out of the more than 2,500 nominees for the award, only 50 were chosen and it is a matter of great pride and honor that officers from the Eleventh District were chosen among this elite group.

The rescue of Ms. Prosser was conducted in water approximately six feet deep and at a temperature below freezing, after the car she was riding in was found overturned in a pond in Aurora, Illinois. These officers just happened to be nearby, investigating a separate

incident. When they saw the danger Ms. Prosser was in, they went above and beyond the call of duty and dove right in to rescue her. This heroic action exemplifies the Aurora Police Department's strong commitment to serving our community and to their character as public servants.

Mr. Speaker, I ask my colleagues to join me in rising in recognition of the honor bestowed upon these brave officers.

TRIBUTE TO DR. ROBERT J. BEALL

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. MARINO. Mr. Speaker, I rise today to recognize the service of Dr. Robert J. Beall for his service to the Cystic Fibrosis Foundation, and the indelible mark he has made in the CF community and in the world of health and medicine over the past several decades.

Dr. Beall announced on October 1, 2015 that he is stepping down as Chief Executive Officer of the Cystic Fibrosis Foundation, a role he has held for more than 20 years. Under Dr. Beall's leadership, the CF Foundation has become known for its pioneering and successful approach to supporting biomedical research and developing lifesaving treatments for those with cystic fibrosis.

When Dr. Beall joined the Foundation in 1980, the median predicted age of survival for a person with the disease was 18 years of age—today it is more than 40 years. For the first time in history, over half of the people living with CF are above 18 years of age, and therefore cystic fibrosis is no longer a pediatric disease.

As a proud parent of a wonderful adult daughter with cystic fibrosis, I am personally thankful for Dr. Beall's leadership in this community. His tireless efforts have led this Foundation and the cystic fibrosis research community to remarkable successes in the development of innovative new therapies and dramatic improvement in the quality of life for those with CF.

Through his innovation and leadership, Dr. Beall put the cystic fibrosis community on the road to success, and I have no doubt that his dedication over the past two decades has drastically accelerated our search for a life altering cure for CF patients.

I am honored to serve as Co-Chair of the Congressional Cystic Fibrosis Caucus alongside Congressman JIM MCGOVERN of Massachusetts, and I look forward to continuing the legacy of Dr. Beall through our work the CF community as well as fellow leaders in Congress.

PERSONAL EXPLANATION

HON. C. A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. RUPPERSBERGER. Mr. Speaker, on roll call no. 627 I was not able to vote due to a medical procedure.

Had I been present, I would have voted yes.

HONORING MICHAEL MCKINNON ON HIS RETIREMENT

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize retired U.S. Army Lieutenant Colonel Michael McKinnon, the current Deputy to the Garrison Commander at Fort Drum, New York.

Lieutenant Colonel Michael McKinnon has spent his life dedicated to serving and protecting our national security and freedoms, with a combined 37 years of public service. Lt. Col. McKinnon served his nation honorably and with distinction for 23 years of active duty service. After retirement from the U.S. Army, Lt. Col. McKinnon has continued to serve our nation as a civil servant for over 14 years.

Lieutenant Colonel McKinnon's first introduction to Fort Drum was with the 2nd Brigade as the Logistics Officer. Lt. Col. McKinnon was then assigned to the 3rd Battalion, 14th Infantry as the Battalion Executive Officer and served with them in Somalia during Operation Restore Hope. In 1995, after a stint in Kansas, Lieutenant Colonel McKinnon returned to the 10th Mountain Division where he served as Deputy Chief of Staff, Deputy G-3 and Director of Logistics.

As an army officer, Lieutenant Colonel McKinnon received the Legion of Merit, six Meritorious Service Medals, five Army Commendation Medals, three Army Achievement Medals, the Armed Forces Expeditionary Medal, as well as the Expert Infantry, Ranger Tab and Parachutist and Air Assault badges.

Following Lieutenant Colonel Mike McKinnon's retirement from the active army, he returned to the North Country and to Fort Drum where he has served our community proudly as the Deputy to the Garrison Commander. As a civil servant, Lieutenant Colonel McKinnon received the Superior Civilian Service Award and the Commander's Award for Civilian Service.

It is apparent Mike has led the efforts for our servicemembers within the North Country and over the years has played an instrumental role in supporting soldiers, civilians, families, Fort Drum and the 10th Mountain Division. The recipient of multiple awards and decorations, Lieutenant Colonel McKinnon embodies all the qualities of a selfless hero, who has answered the call to serve.

Lieutenant Colonel McKinnon, congratulations on your years of service to our great nation and your retirement. Your guidance and expertise will truly be missed at Fort Drum and by our North Country community.

IN HONOR OF KRUSHI PATEL AND HER WINNING SUBMISSION TO THE 2015 VETERANS DAY ESSAY CONTEST FROM NEW YORK'S 14TH CONGRESSIONAL DISTRICT

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. CROWLEY. Mr. Speaker, I rise today to congratulate the winner of the 2015 Veterans Day essay contest from New York's 14th Congressional District. Krushi Patel, a student from I.S. 61 in Corona, Queens submitted the winning essay on the topic, "What Veterans Day Means To Me." Krushi's essay reads as follows:

Veterans, whether they are in the army, navy, or marines, put their lives at stake for the safety and security of others. These people spend day and night away from those they love, just so that we can be close to those we love. They are on the border and in battle so that we can live a life with peace and freedom. They do so much for us, that it would be impossible to pay them back. That is why we should honor all veterans for their heroism and determination on Veterans Day. We should tell them that we deeply appreciate the sacrifices they took to keep us and our country safe; that they will always have a special place in our hearts. It's not easy to be away from your family, for months and years at a time. The thought of it brings tears in our eyes. However, for the security and honor of our nation, they put their families one step behind. These people do what may seem unimaginable for most people. These people volunteer themselves for the nation they were born in. That is why we salute them.

Last year, on December, 15, 2014, my class went to a Veterans' Organization. We met various former soldiers from wars like World War II and the Vietnamese War. These people were so inspiring. They told stories. These people were a primary source of these historic wars. We got to learn from people who had been eyewitnesses. They became idols to me. They had fought for our country with persistence and bravery. However, they didn't ask for anything in return. They had no stove or TV. These people were so delighted to see us. We sang Christmas carols. We didn't really want to leave. We were years apart in age, but that didn't get in the way of us having a good time.

Veterans Day is a time to thank all former and current veterans, a time to thank them for fighting for our freedom and peace. It's a day when I spend some of my time to respect and look up to those who put themselves in danger for the benefit of strangers. That is why we tell them that they are true heroes. Veterans fought for peace and freedom in this world. We must thank and salute these people. Veterans Day is a time to be proud of being an American.

Veterans Day is about the love and devotion you have for the country that you are willing to cut your life short for it. The respect veterans have for our country and its people is why they are willing to leave their family behind for service. The love that burns inside of them for this nation is so great. "Some people

live an entire lifetime and wonder if they have ever made a difference in the world, but the Marines don't have that problem."—Ronald Reagan

PERSONAL EXPLANATION

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mrs. BEATTY. Mr. Speaker, unfortunately on November 16, 2015, I missed roll call vote no. 626. Had I been present, I would have voted "nay" on final passage of Keep the Promise Act of 2015, H.R. 308.

METHODIST SUGAR LAND MAKES THE GRADE

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate a great hospital in my backyard, Houston Methodist Sugar Land Hospital, for once again getting an "A" grade for patient safety in the most recent Hospital Safety Score ratings.

Twice a year, hospitals across the country are rated based on how well they protect patients while they're under the hospital's care. Houston Methodist Sugar Land was among less than one-third of hospitals to earn an "A" grade. This grade reflects their commitment to patients through continual staff training and updated best practices. Methodist Sugar Land provides its community with peace of mind should a medical emergency arise.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Houston Methodist Sugar Land. Thank you for putting patient safety above all else.

RECOGNIZING THE 25TH ANNIVERSARY OF THE SUNY EMPIRE STATE COLLEGE

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize the 25th Anniversary of the SUNY Empire State College located at Fort Drum and the 30th Anniversary of the College's participation in the SUNY North Country Consortium on October 21, 2015.

Since 1985, SUNY Empire State College has supported our nation's servicemembers, military spouses, dependents and our brave veterans. Soon after the 10th Mountain Division was reactivated at Fort Drum, SUNY partnered with other statewide and community organizations in order to serve those who protect our national security. SUNY College provides our specific North Country student population with access and support to high-quality public education.

SUNY Empire State College accepts academic credit for military training recommended by the American Council on Education in order to help reduce costs and accelerate the amount of time it takes to complete a degree for these service members. According to Military Times magazine, SUNY Empire State College is listed among the "Best for Vets: Colleges" and "Best for Vets: Business Schools".

Congratulations SUNY Empire State College on the 25th anniversary of your location at Fort Drum and for your 30 years of service to the veterans, soldiers, military spouses and dependents who serve and work in the North Country. I want to wish SUNY Empire State College continued success in educating this most deserving, nontraditional student population.

PERSONAL EXPLANATION

HON. MARK TAKAI

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. TAKAI. Mr. Speaker, on Monday, November 16, I was absent from the House due to illness. Due to my absence, I am not recorded on any legislative measures for the day. I would like the record to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted "no" on Roll Call 626, the Keep the Promise Act.

I would have voted "yes" on Roll Call 627, the Dignified Interment of Our Veterans Act of 2015.

I would have voted "yes" on Roll Call 628, the Honor America's Guard-Reserve Retirees Act.

ALBERT M. WOOLLEY

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. ZELDIN. Mr. Speaker, I rise today to recognize the service of Albert M. Woolley.

Staff Sergeant Albert M. Woolley was born on February 13, 1925, in Victoria, Texas. On November 17, 1942, at the age of 17, with his parent's consent, and alongside his cousins and friends, he enlisted to serve in World War II.

After completing the training for his military occupation specialty, motor vehicle maintenance, Albert was assigned to the 9th Army Air Corps and sent to England. At the age of 19, Albert took part in the heroic Invasion of Normandy, partaking in the 2nd wave and landing on Utah Beach. Albert recalls almost drowning when having to stand on the back of the landing craft and jumping into the tremendous waves with 60 pounds of equipment on his back. Sinking instantly, he was grabbed by another soldier, fortunately very tall, who pulled him up to the surface. Together, they swam to the shore where they were soon separated, never to see each other again. Advancing up Normandy Beach, Albert and his

fellow soldiers victoriously combated a barrage of German machine gun and sniper fire strafing the shoreline.

Following the infamous D-Day landing, Albert served in the French Campaign supporting Allied Forces until being honorably discharged on November 10, 1945. After five years on American soil, Albert was recalled in 1950 to active service, in support of the Korean Conflict, remaining overseas until the Armistice. After returning home, he continued his service and received orders to Westhampton, New York in 1964, only to soon again be in the Pacific. In 1967, Albert was given orders to Danang, Vietnam, fighting in and surviving the TET Offensive of 1968.

In October 1977, Staff Sergeant Albert M. Woolley retired after 30 years of service. During this time, he received amongst numerous other decorations; two Air Force Longevity Service Awards, four Good Conduct Medals, and the Vietnam Campaign, Vietnam Service and French Campaign ribbons.

Albert M. Woolley, who has been married to his wife Victoria for 68 years, is the proud father of five children. Their family has now grown to include 16 grandchildren and 10 great-grandchildren. Albert has served both his country and family well through his hard work and great sacrifice.

PERSONAL EXPLANATION

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. McGOVERN. Mr. Speaker, I was unavoidably absent due to official business on Monday, November 16, 2015. On Roll Call Vote Number 626, on the bill H.R. 308, Keep the Promise, had I been present I would have voted "No".

On Roll Call Vote Number 627, on H.R. 1338, the Dignified Interment of Our Veterans' Act of 2015, I would have voted "Yea".

On Roll Call Vote Number 628, on H.R. 1384, the Honor America's Guard-Reserve Retirees Act, had I been present I would have voted "Yea".

HONORING JAMES J. VENERUSO

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. ENGEL. Mr. Speaker, I rise today to honor a leader in my district, James J. Veneruso, who has been actively involved in a wide array of professional and community organizations for many years.

A former Adjunct professor at Iona College and the College of Mount Saint Vincent, Mr. Veneruso served as the Editor of the Delaware Corporate Law Review and the Westchester County Law Journal, the President of the John Marshall Honor Society, and was on the founding Board of Editors of the Pace Law Review. He is admitted to practice law in New York and Florida, and is now the managing

partner of the law firm of Veneruso, Curto, Schwartz & Curto, LLP located in Yonkers, New York.

In addition to his professional developments, Mr. Veneruso serves on the Board of Trustees of Saint Joseph's Medical Center, as legal counsel and Board member of Habitat for Humanity of Westchester, and as a member of Yonkers Partners in Education, Inc., and the Italian American Forum. He currently serves on the Business Development Board of Sterling National bank, and actively served on the Board of the Bronx Overall Economic Development Corporation.

Mr. Veneruso lives in Yonkers with his wife, Lillian. They have three children and four grandchildren. The surrounding community has recognized and celebrated Mr. Veneruso's contributions to the area with countless honors. He has been recognized as the Most Socially Conscious Attorney by the Westchester County Bar Association and the Westchester Business Journal, and has received the "American Dream Award" by the Habitat for Humanity of Westchester.

This year Saint Joseph's Medical Center is honoring Mr. Veneruso with the 2015 Outstanding Service Award. I want to congratulate Mr. Veneruso on this honor and thank him for his contributions to our community's continued growth and success.

INTRODUCTION OF BRIDGE TO A CLEAN ENERGY FUTURE ACT OF 2015

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. BLUMENAUER. Mr. Speaker, today I am introducing legislation to support the continued development of clean energy in the United States. The impacts of a changing climate are far-reaching, representing a threat not only to our ecosystems but to our national security as well. To help avoid the worst effects of carbon pollution, consumers must have a dependable supply of energy that is clean and renewable. That much of this energy—and many of the devices used to produce it—is American-made means that our country retains the innovation, export opportunities, and manufacturing jobs that are so important to a twenty-first century economy.

The Bridge to a Clean Energy Future Act of 2015 extends critical clean energy incentives to provide market certainty and to strengthen investment in renewable technologies. In doing this, it will support thousands of jobs in clean energy industries, advance U.S. manufacturing, and enable our transition to clean, renewable energy.

For example, this legislation extends the Production Tax Credit for wind energy through 2016, offering parity with the duration of the Investment Tax Credit enjoyed by solar energy investments, while also granting the solar industry access to credits at the start of a project's construction, as is currently available for the wind industry. The bill also provides a range of other important incentives, such as expanding the advanced energy project credit,

which aids U.S. manufacturers across the clean energy industry.

Strengthening the finance environment for the construction and development of renewable energy installations not only will help us to combat climate change and diversify our energy market, it will also strengthen the U.S. economy by creating American jobs, by supporting American manufacturers, and encouraging American innovation. From a strong base at home, American clean energy firms are also able to export technologies around the world, creating new markets for American expertise.

This bill is more than fully offset by repealing incentives for fossil energy that are unnecessary and wasteful taxpayer giveaways to some of the most profitable companies in the world doing business in an industry that is a major contributor to climate change.

RECOGNIZING AURORA ACTIONAIRES FOR FORTY YEARS OF COMMUNITY SERVICE

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. FOSTER. Mr. Speaker, I rise today in recognition of the Aurora Actionaires and the forty years of community service they have dedicated to the City of Aurora, Illinois. The Aurora Actionaires is comprised of twenty-three African American women seeking to serve their community.

We should all be proud of the contributions these women have made to the community. With their motto, "We Care. We Act. We Serve," the Aurora Actionaires have assisted the elderly, donated to the needy, and provided college scholarships to many Aurora high school graduates.

Mr. Speaker, I ask my colleagues to join me in commemorating the 40th Anniversary of the Aurora Actionaires and thanking these dedicated women for their service.

ACKNOWLEDGING THE RETIREMENT OF BROWNSTOWN DEPUTY SUPERVISOR GREG MAHAR

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Greg Mahar, a community leader in southeast Michigan for decades. This month he will retire after twenty four years of service as Deputy Supervisor of Brownstown Township. Appointed to the role in 1992, Greg has supported and enjoyed the trust of three different township supervisors. His name is synonymous with Brownstown.

In 1967, almost 50 years ago, Greg began his career in public service. The young man that tirelessly organized his community block club would one day literally put Brownstown on the map. From promoting business by identifying Brownstown on Interstate 75 signage; to negotiating money-saving contracts to

promoting access to a transparent local government, there are few major projects in Brownstown that Greg has not been critical to their success. Every resident of Brownstown Township has been impacted by his tireless efforts.

Greg has been a role model in this community because, as he puts it, helping people is just who he is. He has raised the funds for numerous local charities, and finds solutions for needs in the community that are not being met. Not only has he dedicated his time and resources to multiple efforts and programs, he even sacrificed his trademark mustache in support of a cure for leukemia. Now clean-shaven, Greg still serves as the go-to guy for anyone in the community who is trying to uplift their neighbors.

Mr. Speaker, I ask my colleagues to join me today in honoring Mr. Greg Mahar for his twenty four years of service to Brownstown and his lasting impact on the Downriver communities. We thank him for his leadership, and wish him many years of happiness and success.

THE INTRODUCTION OF THE DISTRICT OF COLUMBIA FEDERAL OFFICIALS RESIDENCY REQUIREMENT EQUALITY ACT OF 2015

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Ms. NORTON. Mr. Speaker, today, I introduce the District of Columbia Federal Officials Residency Requirement Equality Act of 2015, a bill that would amend federal law to require certain officials who serve D.C. to actually live within its boundaries. In nearly every other jurisdiction in the United States, federal district court judges, U.S. Attorneys, and U.S. Marshals are required by federal law to reside within the jurisdictions where they have been appointed—but these same officials appointed to serve the people of the District are not bound by these same requirements. The only other jurisdictions where these officials are not required to live within their appointed jurisdictions are the Southern District of New York and the Eastern District of New York. However, this is because New York City is the only city in the country that is divided between two federal districts—but the District is not similarly situated. My bill would put D.C. on equal footing with almost every other jurisdiction by ensuring that our Marshals, judges, and U.S. attorney live among the residents they have been appointed to represent.

Clearly, the idea that these federal officials ought to live in the jurisdictions they serve is a significant one—which is why the residency requirement for other jurisdictions is enshrined in federal law. Yet, D.C. was exempt from this requirement based on the now-outdated notion that the District is too congested and small to house these appointed officials. The District of Columbia is a vibrant and bustling city with a diverse populace who deserve direct engagement on the part of its federal judges, U.S. attorney, and Marshals. My bill recognizes the fact that D.C. deserves the same type of com-

munity involvement by these federal officials as nearly every jurisdiction.

I urge my colleagues to support this bill.

PERSONAL EXPLANATION

HON. C. A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. RUPPERSBERGER. Mr. Speaker, on roll call no. 628, I was not able to vote due to a medical procedure. Had I been present, I would have voted "yes."

HONORING DR. PETER K. WAYNE

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. ENGEL. Mr. Speaker, I rise today to honor a leader in my district, Dr. Peter K. Wayne, who has had an unquestionable impact on the health and well-being of our community for many years.

Born in Queens, NY, Dr. Wayne spent his childhood in Long Island, and after obtaining his Biochemical Sciences degree from Harvard College, he completed his seven-year MD-PhD degree at Albert Einstein College of Medicine in the Bronx. Following additional training in internal medicine and gastroenterology, Dr. Wayne joined St. Joseph's Medical Center in Yonkers, where he has treated countless residents from the neighborhood.

Beyond his service to our community through his medical practice, Dr. Wayne has served as President of the Medical Board, and has been serving as Chief of Gastroenterology for most of this millennium. In addition to his service on the boards of countless Gastrointestinal research groups and societies, Dr. Wayne has been recognized for his participation in clinical trials of drug therapies for hepatitis B and hepatitis C.

Dr. Wayne and his wife, Ellen Tremper, have four children, each contributing to their communities with the same vigor in their respective fields that Dr. Wayne has served ours. Dr. Wayne's passion for, and dedication to, his work is made clear in and out of the office. He advocates for bicycle safety, develops his personally-crafted electronic medical record program, and supports the St. Joseph's Endoscopy Unit, which hosts a clinic for the uninsured and underinsured to be evaluated by a staff of board-certified endoscopists.

This year, St. Joseph's Medical Center is honoring Dr. Peter Wayne with the 2015 Outstanding Service Award. I want to congratulate Dr. Wayne on this honor and thank him for his years of dedicated service to our community.

IN HONOR OF 100 SEASONS OF SHSU BEARKAT FOOTBALL

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. BRADY of Texas. Mr. Speaker, in Texas, fall means football, and this fall marks a special football milestone for Sam Houston State University. Our Bearkats are celebrating 100 seasons of hard fought contests on the college football gridiron.

What happens at Elliot T. Bowers Stadium today has its roots in a cotton patch in the outfield of Joseph Pritchett Field in Huntsville, Texas. On October 6, 1912 the team from Sam Houston Teachers College faced off against a "pugnacious", as one observer remarked, Rice Institute to begin the inaugural season of Sam Houston football. Since then, football has been a continuous sport at Sam Houston, except for the war years—1918, during World War I, and 1943, 1944 and 1945, during World War II.

The inaugural season saw Sam Houston end with an even 2–2 record. That first team was comprised of just 19 students with the average player weighing in at just 135 pounds. Their leather helmets cost \$3 each and fully-padded pants of heavy canvas were \$12. Today, the Bearkat squad has 100 players with an average weight of over 200 pounds. And it cost about \$800 to outfit each player for game day.

This year's "Century Season" brings with it a legacy of big rivalries and even bigger accomplishments.

In October, Sam Houston State returned home victorious over Stephen F. Austin State University in the 90th edition of the Battle of the Piney Woods. This timeless rivalry between the Bearkats and the Lumberjacks began in 1923 and is one of the three oldest continuous rivalries in Texas college football.

Sam Houston has competed and won championships in four different leagues: the Texas Intercollegiate Athletic Association, Lone Star Conference, Gulf Star Conference and Southland Conference.

The team played its first bowl game, the Shrimp Bowl, in 1952. In 1964, our Bearkats were National Association of Intercollegiate Athletics (NAIA) Co-National Champions.

Sam Houston State boasts six Southland Conference Championships, the most recent just last year.

Bearkat teams have made eight Football Championship Subdivision Playoff appearances, including trips to the National Championship Game in 2012 and 2013 and the National Semi-Finals in 2004 and 2014.

And, our Bearkats are also close to another major milestone—their 1000th game. With such an exciting first century, we can't wait to see what the next hundred years will bring. Eat 'Em Up, Kats!

HONORING THE POSTHUMOUS INDUCTION OF CLARK GOODWIN INTO THE JESSE HELMS CENTER FOUNDATION'S CHARLES A. CANNON FREE ENTERPRISE HALL OF FAME

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. HUDSON. Mr. Speaker, I rise today to honor H. Clark Goodwin for his posthumous induction into the Jesse Helms Center Foundation's Charles A. Cannon Free Enterprise Hall of Fame on November 17, 2015.

Clark Goodwin left a lasting legacy of service not only across Union County and North Carolina's 8th Congressional District, but across the entire state and nation. He was born and raised in Union County, attending Monroe High School and Wingate Junior College—Senator Jesse Helms' alma mater—before attending the University of North Carolina at Chapel Hill.

After college, Clark began a career in banking that would last nearly 45 years and would see him become a leader in the industry. He began his career back in Union County, and eventually went to Albemarle where he became President of NC Federal Savings and Loan. Clark then returned to Union County in 1982 to start the Bank of Union.

Aside from his success in business, Clark always stepped up to help his community. He served as Chairman of the Monroe Economic Development Commission for 17 years and was recognized as the Monroe Chamber of Commerce Man of the Year in 2013 for his leadership and public service. Clark was a founding board member of the Jesse Helms Center Foundation, where he served for 25 years in various leadership roles. He also served on the Wingate University Board of Trustees for more than 45 years. In honor of his service, Wingate University awarded him an Honorary Doctorate of Humane Letters degree in 2012.

Clark Goodwin symbolized everything the Jesse Helms Center Foundation stands for—free enterprise and principled leadership through education, public policy promotion and historical preservation. His work and philanthropic endeavors helped enrich the lives of countless folks across the 8th District, and for that we all owe Clark Goodwin a debt of gratitude. I can think of no one more deserving of a spot in the Free Enterprise Hall of Fame than Mr. Clark Goodwin.

Mr. Speaker, please join me today in honoring Clark Goodwin for his posthumous induction into the Jesse Helms Center Foundation's Charles A. Cannon Free Enterprise Hall of Fame.

TOM HEINLY WINS PRINCIPAL OF THE YEAR

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Tom Heinly, Head of School at

The Honor Roll School in my hometown of Sugar Land, for being named K–12 Principal of the Year by Nobel Learning Communities, Inc (NCLI), the school's parent organization.

Mr. Heinly has served as Head of School of The Honor Roll School for two years. Before joining the team at Honor Roll, Tom spent 18 years in public elementary and middle schools. Throughout his career he has helped his students become leaders and carries out that same mission at The Honor Roll School. He continually demonstrates great leadership with his positive attitude and dedication to his students and colleagues. By fostering a community that works as a team, everybody achieves success. The Honor Roll School is lucky to have him.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Tom Heinly on winning Principal of the Year.

HONORING ERIC POLLARD

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. ENGEL. Mr. Speaker, I rise today to honor Eric Pollard, a true public servant whose leadership, loyalty, and dedication to his work has left an indelible mark on the Yonkers Public School System.

Teachers, administrators, coworkers and parents all have wonderful things to say about Eric and the job he has done as Head Custodian of the School 16 Annex, located at 759 North Broadway in Yonkers. His reputation proceeds him, due to his work ethic and dedication to the school. Principal Cynthia Eisner has lauded Eric, saying, "he makes sure that everything is not only in working order, but it is in tip top shape." In addition to his custodial duties, Eric helps with arrivals and dismissals, serving as a de facto traffic officer, clearing the bus lanes of cars to ensure a smooth dismissal every day. The school's Assistant Principal, JoAnn DiMaria, has also praised Eric for his "leadership, loyalty, and dedication of the highest caliber in association with his responsibilities as Head Custodian. He supports and collaborates with custodial staff in the Main Building while consistently maintaining an immaculate environment where our children can learn."

A Yonkers resident himself, Eric resides with his wife, Lisa, and daughters Kamesha and Aaliyah in the district. He is one of six children born to Mildred and Claude Lee Sr. and has been a resident of Yonkers since 1967. He attended PS 8, graduated from Roosevelt High School, and has been employed the Board of Education as a custodian since 1992. Eric is Yonkers through and through, and he epitomizes the hard work and dedication the community is known for.

On November 17th Eric is being honored with the 2015 Civil Service Employee of the Year Award, hosted by the Exchange Club of Yonkers and the Yonkers Public School system. It is my pleasure to congratulate Eric on this wonderful honor, and thank him for his years of service to the community.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,653,507,360,573.44. We've added \$8,062,630,311,660.36 to our debt in 6 years. This is over \$8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING THE LIFE AND LEGACY OF THE LATE NAUSEAD LYVELLE STEWART, ESQ.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the life and legacy of an extraordinary public servant, the late Nausead Lyvelle Stewart.

Nausead was born August 15, 1931, in Starkville, Mississippi to Tommy James Stewart and Rosa Rogers Stewart. Upon graduation from Oktibbeha County Training High School, she chose to attend Tougaloo College where she graduated with honors in History and Home Economics. Afterwards, she taught high school history for thirteen years in West Point, Mississippi, while acquiring her M.A. degree from Atlanta University.

Nausead entered the University of Mississippi School of Law in 1967 and graduated with honors in May, 1970, where she was the first African American law student to serve on the law journal. In law school, she roomed with Constance Slaughter Harvey, who finished the law school a semester earlier, as the first African American female graduate. Nausead contributed immensely to the legal profession and the pursuit of equal justice for all.

Upon graduation, she, along with her classmate Geraldine Harrington Carnes, was hired by the Lawyers Constitutional Defense Committee (LCDC) to assist the then director, Armand Derfner and Jim Lewis with civil rights litigation.

A year later, when LCDC closed its Mississippi Office, Nausead was hired to work across the street at Anderson, Banks, Nichols and Leventhal to assist with the NAACP Legal Defense Fund (LDF) civil rights litigation. That work consisted primarily of dealing with the post desegregation discriminatory practices in teacher and administrator hiring and retention. Nausead played a primary role in assuring, through litigating several cases, that the "Uniform Singleton Decree" which provided for the utilization of objective non-racial standards in determining which education professionals would be retained should desegregation result in a loss of positions due to duplication. It also

provided a first right of refusal for subsequent new openings to any professionals who were not rehired because of such duplication. Additionally, Nausead worked on other successful employment class actions against large employers in our state. A case law query will reveal some of the great work that she did during this era and continuing in to the 1980s.

In 1975, Nausead became a partner and the firm name was changed to Anderson, Banks, Nichols and Stewart.

Three years later, Nausead left the firm to assume the position as head of the Jackson Office for the Lawyers Committee for Civil Rights Under Law, thus completing the circle of having been a lawyer for the three foremost civil rights legal offices in the 1960s and 70s, the Lawyers Committee, NAACP LDF, and LCDC.

In the 1980s, the Lawyers Committee closed its Jackson Office, whereupon, Nausead joined the Walker and Walker firm in Jackson, headed by John L. Walker and William Walker, Jr. While working there, Nausead handled the firm's appellate work and motion practice and was a mentor for James E. Graves, Jr. and Regina Quinn who also worked there during her tenure. In 1982, Nausead offered her services to the citizens of Hinds County for the County Court Judge position thus becoming the first African American female judicial candidate.

After practicing law with the Walker and Walker firm for several years, Nausead assumed a position with Minact Inc. where she engaged in grant writing and compliance until her retirement.

On July 18, 2000 and during her retirement, Nausead served as a Jackson Civil Service Commissioner after having been appointed by Jackson Mayor Harvey Johnson and served until May 2, 2006.

Nausead took great pride in community services on numerous boards of community organizations and received awards for her work with those organizations. She was a member of Alpha Kappa Alpha Sorority, Inc. which she joined while at Tougaloo College.

Nausead was preceded in death by her aforementioned parents. She is survived by her sister, Doris Anderson; brother, and Thomas J. Stewart, Jr.

Mr. Speaker, on November 10, 2015, we lost a treasure in Nausead. I ask that my colleagues join me in recognizing a diligent advocate, a conscientious worker, and a selfless servant leader whose life was dedicated to the cause of humanity, Nausead Lyvelle Stewart.

HONORING PETER DiPAOLA

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. ENGEL. Mr. Speaker, I rise today to honor a dear friend and a true community leader, Pelham Town Supervisor Peter DiPaola, who has served his community in elected office with distinction for close to 25 years.

A resident of Pelham Manor since 1952, Peter has always had a love affair with

Pelham Manor and its residents. He attended Siwanoy Elementary School while his future wife attended Prospect Hill, beginning a family legacy in the Pelham Elementary School system that has lasted three generations.

In 1991, Peter began his life of public service as a member of the Pelham Manor Planning Board, and never looked back. To call Peter's career in elected office diverse or extensive would be an understatement. He served as Pelham Manor Trustee, with oversight for administration, planning, and finance; Fire Commissioner; Police Commissioner; Commissioner of Public Works; was elected Mayor of the Village of Pelham Manor in 2001; Town Councilman in 2004; and finally Pelham Town Supervisor in 2012, the role in which he currently still serves.

As Town Supervisor, Peter has worked diligently to maintain the beauty and charm that has defined Pelham for decades. In spite of state mandated tax caps, he has overseen a redesign and improvement of the Town Court, a renovation of Gazebo Park, an expansion of the offerings by the Pelham Recreation Department, as well as an improvement of town services and programs, all while staying under the 2 percent tax cap. He has also worked hard to obtain vital funding through local, state, and federal grants, some of which my office has helped procure, for initiatives ranging from Superstorm Sandy repairs to improvements to Trotta Park. Peter's ability to deliver the services Pelham's residents have come to expect from their local government, while exhibiting strict fiscal responsibility, has been masterful, and as Pelham's Congressman I have always counted myself fortunate to have such a wonderful partner in government.

Peter and I may not come from the same side of the aisle, but we have always had a great relationship, built on a foundation of mutual respect, while working together in the spirit of bipartisanship. As the American Legion Pelham Post 50 honors Peter at their annual Veterans Week Dinner Dance, I want to take a moment to honor him as well, and thank his wife, children, and grandchildren for sharing him with the entire community. There is no more fitting honoree than Peter, and he is most deserving of this recognition.

HONORING THE DEDICATION OF BRITNEE FERGIN'S TO HER FAMILY

HON. JOHN FLEMING

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. FLEMING. Mr. Speaker, I rise to honor the story of Britnee Fergins of Shreveport, Louisiana. Care of family is a powerful expression of our humanity, and Britnee has provided us a touching example through the care of her father and her son. She stepped up to answer the noble calling to serve as the caretaker for her father, Percy Sr., who is a ninety year old World War II veteran. Caring for a family member can be a very rewarding experience, but it can also be a very challenging one. This challenge is only magnified when a loved one is diagnosed with Alzheimer's, a

devastating disease which strips individuals of their memory and lives, all while placing an exhausting amount of stress on their caretakers. Nevertheless Britnee has persevered in her love and care for her father, and has faithfully devoted her time and resources. However she is more than her father's caregiver, as she also is a dedicated mom to her spirited two year old son. Britnee is a hero both to her father and her son, an example of courage, and a role model of selfless dedication. Thank you, Britnee, for all that you have done and sacrificed on behalf of your family. I am proud to recognize your service during the National Caregiver Month, and I salute the thousands who do the same thing unheralded.

IN HONOR OF THE LATE BRIGADIER GENERAL JAMES ABRAHAM

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. TIBERI. Mr. Speaker, I rise today to recognize the late Brigadier General James M. Abraham who entered eternal life on November 8, 2015.

General Abraham's many achievements are a testament to patriotism and service above self. In his nearly ninety-three years on Earth, "General Jim" was a voice for change and a force for good in his local community, as a state leader, and in his national service.

James Abraham first answered the call to national service when he enlisted in the United States Army, proudly serving in the 3rd Army under General George S. Patton. Continuing his service over the next four decades in both the regular Army and the Army National Guard, General Abraham's career culminated with his posting as the Assistant Adjutant General for the State of the Ohio Army National Guard. Many times over he was recognized for his leadership skills and professionalism, receiving the Legion of Merit, four bronze stars, three Army Commendation Medals, the Normandy Medal, the French diploma of appreciation, and induction into the Ohio Veterans Hall of Fame.

Yet General Abraham's contributions out of uniform are of similar distinction and remain worthy of recognition. Jim lived his life as an innovator, facilitating new ways to do business in local government, holding numerous patents, and publishing three books. His keen intellect and thoughtful leadership style also served the citizens of Gahanna, Ohio when he took the reins as service safety director. To recognize his many years in local governance, the residents of Gahanna named their city hall in his honor as a fitting testament to his tireless efforts on their behalf.

A proud alumnus of Ohio University, General Abraham dedicated much of his time to supporting the Bobcat family. He is credited with successfully preventing the deactivation of the Ohio University ROTC program which continues to shape the future of our military. He also created new methods of instruction which have been applied to other universities across the nation. For his unwavering commitment to the university, its students, and higher

education he was awarded an honorary doctorate in 2015. This capstone recognition served as his final public salute for his innumerable accomplishments and a life well lived.

I am proud to have known General Abraham as both a friend and colleague. Over the years, he advised countless public officials on veterans' issues, engineering ventures, and leadership in difficult times. He served as the chairman of my Service Academy Nomination Board as well as that of former Congressman John R. Kasich, helping select the best and brightest to carry our armed forces into the future. Lastly, his calm and steady demeanor has provided me immeasurable resolve in difficult times.

I am deeply saddened by the loss of my friend, the General. Though my words today fall short of the recognition he rightfully deserves, I believe his reputation and legacy across Central Ohio will remain examples for Ohioans, and carry on as a testimony to his exceptionalism. His spirit is best captured in one of his many inspirational exhortations that in our lives "Each plateau that is reached should only be the launching point for the next achievement." Our most fitting tribute is to live our lives accordingly, and continue to reach for higher goals.

On behalf of the citizens of Ohio's 12th Congressional District, I say farewell to General James M. Abraham, one of our finest neighbors. I am honored to pay tribute to him today.

HONORING ANGELO MARTINELLI

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. ENGEL. Mr. Speaker, I rise today to recognize a leader in the Yonkers community, Angelo R. Martinelli, who for 20 years has led the Yonkers Chamber of Commerce as Chairman with great distinction and integrity.

Originally born in the Bronx in 1927, Angelo grew up in Mount Vernon, attending A.B. Davis High School. Following his graduation in 1945, he enlisted in the United States Army where he served until 1946 as a Sergeant.

After leaving the Army, Angelo returned home to work in his family's business, The Yonkers Daily Times, while swiftly moving to buy the Gazette Press in 1948. This shift, as well as meeting the love of his life, Carol Madatto, led to the purchase of their first home in Yonkers in 1960, where Angelo still currently lives.

In 1974, Angelo ran and was elected Mayor of the City of Yonkers, serving from 1974–1979 and again from 1982–1987. He has earned a reputation as an effective and forceful advocate of municipal government interests, like seniors, anti-crime programs, and the reactivation of the Yonkers Police Athletic League. In 1983, with the closing of the PAL seeming imminent, Mayor Martinelli helped form a new Board of Directors, and today the PAL is a vibrant organization, with Angelo continuing to serve as its President since 1991. Angelo was the owner and Chairman of the Board of Gazette Press, Inc., and is cur-

rently Chairman of the Board for Today Media, Inc. From 1990 until May, 2012 he served as a director of Hudson Valley Bank.

In January 1984, Mercy College conferred upon him an Honorary Doctorate of Humane Letters. In January 1995 he became Chairman of the Yonkers Chamber of Commerce, a position he still holds. In August 2015, HBO aired the miniseries, "Show Me a Hero," with Angelo, who was delighted to be portrayed by actor Jim Belushi.

But Angelo's passion was always his family. He and Carol, to whom he was married to and loved for 65 years, have six sons, Michael, Paul, Robert, Richard, Thomas and Ralph, and five daughters-in-laws, 12 grandchildren, and five great grandchildren. Angelo is an active parishioner of St. Eugene's Church, Yonkers.

This year, the Yonkers Chamber of Commerce is honoring Angelo at the 122nd Annual Business Hall of Fame Dinner, commemorating his 20 years of service as Chairman of the Board. I want to thank him for his incredible leadership and for helping to make Yonkers the great city it is today.

RICHARD LANDY

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. ZELDIN. Mr. Speaker, I rise today to commemorate the service of Richard Landy.

On December 8, 1942, at the age of 18, Richard Landy stepped forward to serve his country during World War II. He was assigned to serve in one of the most dangerous units in the armed forces, the newly established Naval Armed Guard. This assignment placed men in constant danger and threat of attack while guarding the often ill equipped merchant and naval support ships. Armed only with machine and deck guns, these men were tasked to protect these ships, the lifeline of the war effort, from enemy submarines, surface raiders and aircraft.

During his time in service, Richard sailed on Landing Ship-Tank Class Landing Ships, such as the *Francis Drake* and *Duquesne*. His service began in the Mediterranean theatre during the Normandy Invasion, crossing the English Channel as his LST deployed American troops on Utah and Omaha Beaches as well as Free French Forces on Sword Beach. A signalman 2nd class, Richard served in three theaters of operation; the Mediterranean, the Pacific and Europe, receiving the Bronze Star Medal for each. With the thanks of a grateful nation, Richard was honorably discharged on January 3, 1946.

HONORING THE LIFE OF ROBERT "BOB" LOQUACI

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. COSTA. Mr. Speaker, I rise today to honor the life of Robert "Bob" Loquaci, who

passed away on October 31, 2015 at the age of 92. Bob was an extraordinary person, and he will always be remembered as a man who lived his life with purpose and dedication to public service.

Robert "Bob" Loquaci was born in Madera, CA on June 1, 1923 to Urbano Loquaci and Eda Pistoresi Loquaci. He was born to be a farmer; he began farming grapes with his father as soon as he was old enough to help. Love came at a young age for Bob, who met the love of his life, Dora Karahadian, when they were both teenagers. Bob would go on to serve his nation by joining the U.S. Navy in the Pacific during the World War II. When Bob returned from his service, he married Dora. They were married for 70 years and together, they had two sons, David and Leslie, who have continued the family farming legacy.

Mr. Loquaci's passion for agriculture was passed on from his father at a young age. Throughout his life, he served his farming community in different leadership positions. Bob served both as a Founding Director and President of the Raisin Bargaining Association. Mr. Loquaci represented the domestic raisin industry by testifying in Washington D.C., where President Nixon later signed a law making imported raisins meet U.S. food safety standards. Bob also traveled twice to Japan to open the market for U.S. raisins and to promote raisins sales. Bob also served as: founding Director of the California Association of Winegrape Growers (CAWG), Director of the Raisin Administrative Committee, was a Charter Member of the Nisei Farmers' League, and was an active member of the Western Growers Association, Madera Farm Bureau, and Madera Grange.

Bob was a strong supporter of his community and was dedicated to helping those around him. He co-founded the Madera Agriculture Youth Association (MAYA) to support agricultural endeavors of local youth. He was also generous; he was an annual supporter and buyer of the Madera Junior Livestock sale. He was extremely involved, including being a Charter and Lifetime Member of the Madera Elk's Club, a Director of the Madera County Fair Board, a Trustee of La Vina School Board, a Director of the Chamber of Commerce, a member of the VFW, and he was a member of other service clubs as well.

Bob lived his life to the fullest, surrounded by family and friends. His commitment to family and to his community will forever live in the lives of the people he touched. Bob is survived by his loving wife, his two son's David and his wife, Joan and by Leslie and his wife, Laddyne, three grandchildren and four great-grandchildren. I am honored and humbled to join his family in celebrating the life of this amazing man, who will never be forgotten.

Mr. Speaker, I ask my colleagues to join me in paying tribute to a man of great service and dedication. His memory will live on through his family and be remembered by our entire community. We are all better for having known Mr. Robert "Bob" Loquaci, a remarkable Californian and Central Valley native.

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. KING of Iowa. Mr. Speaker, on roll call nos. 626, 627, and 628, had I been present, I would have voted "Yes."

HONORING ANNIE OLIVER

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2015

Mr. ENGEL. Mr. Speaker, I rise today to honor a leader in my district, from my home-

town of the Bronx. To celebrate life for 100 years is a historic milestone, and it's my pleasure to speak about the centurion Annie Oliver.

Born on October 30th, 1915, Annie Ruth Still was originally from Birmingham, Alabama, and is the eldest of two sisters. Following her graduation from the esteemed Park High School in 1944, Annie made the move to New York City to begin work.

In the fateful year of 1957, Annie made two life changing decisions, marrying her husband George Oliver, to whom they would share a lifetime of happiness with two sons, Will Jr. and Floyd, and joining the Church on The Hill AME Zion of New York City.

It was here she began her 58 year tenure of service to her community and love of God. During her outstanding service, Annie Oliver served as President of the Stewardess Board for 26 years, President of the User Board,

President of Class Number 1, and currently serving in capacity as "Mother of the Church". She also serves as a member of the Board of Trustees for The Church on the Hill and is the longest serving member of their congregation.

After marrying husband George, the family moved to the Bronx, where she still currently resides. Annie began working at Made in America, a 40 year tenure and then an additional 25 years serving at Emerson Radio&TV, and the Beral Motor Company. She lives, loves, and always worked in the Bronx. She is beloved by her family, including 5 grandchildren and 6 great-grandchildren.

This year, on Friday, October 30th, 2015, her family, church family, and friends will be celebrating Mother Annie Oliver's 100th birthday milestone. I wish her the happiest of birthdays and congratulations on this remarkable milestone and on her incredible life.

SENATE—Wednesday, November 18, 2015

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, who established the Heavens, give our lawmakers a faith that will hold strong and steady in life's storms. Help them to remember that You are with them every moment of every day. Blessed by Your loving providence, may they trust You to surround our Nation with the shield of Your favor. Give them a quiet confidence for facing the difficulties of our times. Lord, make our Senators instruments of Your will for the healing of our Nation and world. Thank You for the rewards You give to those who live for You.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

TRANSPORTATION-HUD APPROPRIATIONS BILL

Mr. MCCONNELL. Mr. President, from the outset, the new Senate has worked to realize a smarter and more inclusive appropriations process. That is why we passed a budget, moving past 6 years of inaction. That is why we passed all 12 appropriations bills through committee, moving past 6 years of inaction. Nearly all of those bills passed on a bipartisan basis. That is why it is so disappointing to see voices on the other side try to tie them up in gridlock.

We never lost sight of the goal. We never stopped trying to move the Senate forward and our country ahead. Because we kept pushing, we are steadily overcoming the partisan gridlock of the past and steadily moving back to regular order on appropriations. Last week we passed one bipartisan appropriations bill—the bill that funds

America's veterans. Today we will begin to advance another—the bill that funds America's transportation and housing infrastructure.

I would like to recognize the Senator from Maine, Ms. COLLINS, for her work in crafting a bipartisan bill that makes smart investments in critical transportation and infrastructure priorities. This is a bipartisan bill that will help ensure our transportation systems are reliable, efficient, and safe. This is a bipartisan bill that will increase the efficiency and affordability of Federal housing programs.

For example, the expanded Moving to Work Program it contains will offer a helping hand to lower income Americans. Moving to Work is one of the many success stories of the bipartisan welfare reform effort of the 1990s, and by expanding it from 39 to 339 housing authorities, we can help more Americans achieve the self-sufficiency that is at the core of our national dream.

Americans who strive for a better life deserve real opportunity. They deserve serious policies that can make positive differences in their lives. That is what Moving to Work aims to achieve. It is just one more reason to pass the bipartisan transportation infrastructure bill before us.

Again, I want to thank our colleague from Maine for her important work across the aisle to craft it. We look forward to debating the bill today.

MEASURE PLACED ON THE CALENDAR—S. 2288

Mr. MCCONNELL. Mr. President, I understand that there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 2288) to prohibit members and staff of the Federal Reserve System from lobbying for or against legislation, and for other purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

EVERY CHILD ACHIEVES ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask that the Chair lay before the Senate the House message accompanying S. 1177.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House insist upon its amendment to the bill (S. 1177) entitled "An Act to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves," and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

COMPOUND MOTION

Mr. MCCONNELL. Mr. President, I move to disagree to the amendment of the House, agree to the request from the House for a conference, and authorize the Presiding Officer to appoint conferees.

CLOTURE MOTION

Mr. President, I send a cloture motion to the desk for the motion to go to conference with respect to S. 1177.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to disagree to the amendment of the House, agree to the request from the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Mitch McConnell, David Perdue, Shelley Moore Capito, Daniel Coats, John Cornyn, John Barrasso, John Hoeven, Cory Gardner, Johnny Isakson, Lamar Alexander, Michael B. Enzi, Kelly Ayotte, Mark Kirk, John Thune, John Boozman, Chuck Grassley, Bill Cassidy.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

APPROPRIATIONS PROCESS

Mr. REID. Mr. President, I too agree with the distinguished Republican leader that it is good we are moving through the appropriations process. The key to getting this done is December 11. I have checked with the subcommittees, I have been in touch with the White House, and they have made significant progress. I would hope they will be working hard during the recess that we are going to have for Thanksgiving. By the time we get back here it is going to be time to start making some really difficult decisions, which

we have to do. I look forward to the appropriations process succeeding, and next year I hope we can move through the bills individually. That would be the best thing to happen to the Senate in a long time.

Mr. President, on the bill that is before the Senate at this stage, the education bill, we have two of the finest Senators I have had the pleasure of serving with who are the managers of this legislation, the distinguished senior Senator from the State of Washington, of course, a member of the Senate Democratic leadership, and the distinguished senior Senator from Tennessee, LAMAR ALEXANDER. They have worked together well, and it is easy to work well with either one of them. They understand what a legislator is. A legislator can't get everything they want, but they have to work for the good of the country. These two have done that with this legislation.

Had I been writing this legislation and advocating on behalf of this legislation, I probably would have done it a little differently than they did, but it is a fine piece of legislation, put together by two very fine Senators. I look forward to it being completed in the immediate future.

SURFACE TRANSPORTATION FUNDING

Mr. President, one of the Founding Fathers, Benjamin Franklin, said: "You may delay, but time will not." For far too long Republicans have delayed doing anything to address our Nation's insolvent transportation system or to address other vitally important infrastructure problems. As PAUL RYAN said earlier this year on the House floor:

Instead of fixing the problem, we've dodged it. Five times we've come up with temporary solutions and transferred money from the general fund into the trust fund—which, in English, means we've patched a pothole and not fixed the problem.

Sadly, that is what has happened, and it looks like it is going to happen again—which is too bad—and we are going to have another short-term extension because the conferees couldn't work out their differences.

My Republican colleagues have delayed, but time has marched on, and it has wreaked havoc on our Nation's tens of thousands of roads that are in disrepair. This is a problem and a very dangerous one. We have 61,000 roads and bridges that have been deemed structurally deficient.

Just a short distance from where we are here—just a couple of miles—is the Memorial Bridge that connects Arlington National Cemetery with the National Mall. That bridge is corroded and it is failing. They have closed down several lanes of that bridge. Vehicles that pass over this Memorial Bridge are subject to weight restrictions. Why? Because of the bad condition of the road and the bridge itself. Construction experts are working now to

fix the problem, but here is the kicker: The Memorial Bridge is just 1 of 14 structurally deficient bridges in our Nation's Capital, according to the American Road and Transportation Builders Association. There are 14 structurally deficient bridges in our Nation's Capital alone. It is a staggering figure.

But around the country, we have about 60,000 others where we have a problem. The problem is bigger than thousands of these decrepit bridges. The American Society of Civil Engineers estimates that one-third of all U.S. roads are in poor or mediocre condition. That is 1.3 million miles of roadway. The former Secretary of the Treasury and an academic said in a steering committee chaired by Senator KLOBUCHAR recently that each year an American motorist who drives a car in effect is paying an extra \$2,000 in damage to their car. Drive around and feel the crashes as you hit those big potholes.

It is not only in Washington, DC. It is all over the country, and that is to say nothing of the time and resources wasted each year because of our struggling transportation system in other ways. We Americans waste nearly 7 billion hours in our cars due to traffic congestion. We waste 3 billion gallons of fuel. We need real, long-term investment in America's surface transportation infrastructure.

Right now we are spending about \$90 billion a year, including State and local funds, just to maintain the current poor condition. People don't like to hear this but the fact is that we need to do more.

The Federal Highway Administration estimates it will take \$170 billion a year to improve the condition of our roads and bridges. If we don't increase that funding, it will only get worse. The American Society of Civil Engineers maintains that by 2020 the United States will need to invest \$3.6 trillion in our infrastructure to bring it up to par. If Congress continues the current baseline funding, in the next 6 years our transportation infrastructure will be a disaster, but it looks like that is where we are headed with the new highway bill.

Instead of maintaining the status quo, now is the time for Congress to increase surface transportation funding. There is no reason for any Republican to balk at spending more money for our Nation's roads and bridges. We can be conservative and still support fixing our roads and bridges. Think about \$2,000 per driver because of the condition of the roads and highways.

We need look no further than the senior Senator from Oklahoma. Is there anybody in the world who could say JIM INHOFE is not a conservative? Of course he is. But he has worked hard with liberal BARBARA BOXER to address this critical need. Their bill is not ev-

erything I would like—and that is an understatement—but I appreciate their efforts. We need other Republicans to step up, as did INHOFE, and do the right thing. We need a long-term highway bill with increased funding for our roads and our bridges. We shouldn't delay. Now is the time to be bold with adequate resources to address our infrastructure needs.

SARAH WINNEMUCCA AND NATIVE AMERICAN HERITAGE MONTH

Mr. REID. Mr. President, in the Capitol Visitor Center, there is a statue of a Nevada Paiute woman named Sarah Winnemucca. Each State gets two statues; one of ours is Sarah Winnemucca. I wish the other one would just go away, but it all has to be done legislatively. That is a subject for another discussion. I am referring to the other one from Nevada.

The statue of Sarah Winnemucca is beautiful. The artist was a 23-year-old young man. When the contest was being held to find out who would get the benefit of being able to sculpt it for Statuary Hall and they brought in his design, the judges gasped. It was so unbelievable. Her skirt is blowing in the breeze. He depicted her with a shellflower in one hand and her autobiography in the other, her dress blowing in the wind. I admire that statue. In fact, I have a smaller version of that statue in my Capitol office.

Think about her accomplishments. She was the first Native American to publish an autobiography. She was a scholar who spoke five languages. She was a defender of her people. She even met with the President of the United States, Rutherford B. Hayes, to negotiate settlement for the Paiute Tribe.

Sarah Winnemucca was courageous and resolute. She was good for her people and good for her country. She is one of Nevada's heroes.

November marks Native American Heritage Month. During this month, we honor the contributions of American Indian, Alaska Native, and Native Hawaiian cultures and their impact on the United States. We honor the contributions of Native Americans such as Sarah Winnemucca.

Native American heritage is a pillar of America's foundation and certainly the foundation of so many different States. Nevada has 22 separate tribal organizations. We feel that is an important part of our history in the State of Nevada. The Native American cultures are uniquely embedded within the fabric of our Nation, and their contributions must never be forgotten.

Would the Chair announce the business of the day.

COMPOUND MOTION

The PRESIDING OFFICER. The compound motion to go to conference on S. 1177 is the pending business.

The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, the Senator from Washington and I are

here to recommend to Members of the Senate that we vote yes on allowing the majority leader and the minority leader to appoint conferees so our committee can continue its work on a bill to fix No Child Left Behind.

The vote we are about to have is not a vote on the merits of the bill. The reason it is not a vote on the merits of the bill is because there is no bill.

What we are asking for is the usually routine request to permit us to take our legislation, which passed the Senate 81 to 17, and to meet with Members of the House of Representatives, who passed a similar bill, and see whether we can come up with a bill that the conference would recommend to the House and the Senate to approve. When that occurs—and it could occur this week—then Senators would have at least a week to consider whether to vote for or against the bill.

I emphasize to Senators and their staffs who may be watching that this is a routine request. This is the kind of request that the Senate should almost always approve, giving our leaders a chance to allow us to continue our committee work, especially given this bill.

Newsweek magazine recently reminded us what everybody knows. Everybody knows this law needs to be fixed. We are 7 years overdue.

The Senator from Washington and I spent an entire year working with our committee, which is as diverse as any committee in the Senate, to produce a result. The process allowed numerous amendments. Everybody who wanted an amendment got one in committee. As a result of the process, all 22 voted to report the bill to the Senate. It was a remarkable event considering the diversity of views on our committee. Then we came to the floor of the Senate. We had a full debate. We considered more than 70 amendments. The vote was 81 to 17—a remarkable event. This is a bill which has alligators lurking in every part of the pond, and the Senate is about to get a result on something that affects 100,000 public schools, 3.5 million teachers, and 50 million students.

Since the Senate passed its bill and the House passed its bill, the Senator from Washington and I have been meeting with our counterparts, the chairman and ranking member of the House education committee. Our staffs have been talking, and we have been trying to take the two bills, which are very similar, and see if we could suggest to the conference a way that we could get a result. We don't have the result because we haven't had a meeting of the conference. We can't have a meeting of the conference until the leaders are allowed to appoint the Members of the conference.

On Monday evening, the Rules Committee of the House of Representatives reported a rule to allow the leader to

appoint members of the conference, and they did it yesterday, Tuesday, by voice vote. We should be able to do this by consent.

I would think everybody in the Senate would want us to go to work to see if we can produce a result on this bill. We will have a chance, apparently, in a few minutes to vote yes, we want to allow our leaders to appoint conferees so that we can see if we can get a result. This is not a vote on the merits of the bill. Almost everybody voted for the bill in the Senate last time, but even if you didn't, this is not a vote on the merits of the bill. If you want to vote "no" later—which I hope you don't; I hope we will come up with something you will support—you will have a chance to do that and you will have a week to do it.

We have 22 members of our committee. That is about a quarter of the Senate. We have been talking for years. We have offered amendments. The members of the committee have had the staff draft for the last several days. They have been briefed for the last several days. No amendments can be offered, no bill can be offered until the conference actually meets. So this is a vote to allow leaders to appoint conferees so that we can move ahead on the urgent business of seeing whether we can produce a bill that we will recommend to the House and to the Senate that we will fix No Child Left Behind.

I thank the Senator from Washington for her leadership. It was her advice that led us down this path which so far has produced a good result. I thank the majority leader for making time to put this bill on the floor. I also thank the Democratic leader, Senator REID, who has worked to make this easy for us to do during this process.

We have had excellent cooperation from Senators. I think everybody wants a result, and we hope we can go to work to do it. So vote yes to give us a chance to finish our work, and then take a look at our work. You will have a week to read it. We will be pleased to visit with you about it. And then I hope you vote yes again, but that will be the vote on the merit. This is a vote simply on whether you trust the leaders to appoint conferees to allow the committees to finish our work.

Mr. President, I reserve the last 5 minutes before the debates ends for any additional comments I might make.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, we are all in agreement that Congress absolutely needs to work together to finally fix the broken No Child Left Behind law for our students, our teachers, our parents, and the communities in my home State of Washington and across the country. Today we will have

the chance to take another step forward toward that goal.

As the Presiding Officer heard from our chairman, Senator ALEXANDER, since February of this year, he and I have worked together on a bipartisan education bill that would remove the harmful one-size-fits-all mandates of No Child Left Behind, while also including Federal guardrails to make sure all of our students have access to a quality education.

We improved on our bipartisan bill in the HELP Committee with the help of our colleagues and a number of amendments that were agreed to, and in July the Senate voted to pass that bipartisan bill with a vote of 81 to 17. The House also passed their bill in July.

Since then, Chairman ALEXANDER and I—as he just mentioned—have been working with House Education and the Workforce Committee Chairman KLINE and Ranking Member SCOTT. The four of us have had very good conversations about making sure the conference is successful, and I hope we will be able to continue our bipartisan work in the conference, continue to bring in the priorities and ideas of our fellow Senators and Members of the House, and make sure that the final product we will bring forward is something that can pass both Chambers and that President Obama can sign into law. But first we need to take the next step in the legislative process by approving this compound motion to name conferees and allow the Senate to proceed to conference with the House.

In the Senate, we want to appoint every member of the HELP Committee. Our committee members have worked very hard to craft the Senate bill, and we want to make sure their voices are heard in the conference meeting.

I urge our Members to support this compound motion in a few minutes so we can continue this incredibly important work to finally fix No Child Left Behind.

I once again thank Chairman ALEXANDER for the tremendous job he has done in moving the legislation to this point.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. Mr. President, shortly the Senate will vote on the motion to appoint conferees—or what is often called the motion to go to conference—for a bill that reauthorizes the Elementary and Secondary Education Act, the ESEA, which is the legislation governing our Federal K–12 education policy. Because most Americans have

probably never heard of this obscure parliamentary procedure—the motion to appoint conferees, that is—I wish to take just a moment to explain how it works or at least how it should work.

When the House and the Senate each pass separate but similar bills, the two Chambers have the ability to convene what is called a conference, a conference committee. A conference is essentially a meeting where delegates from each Chamber come together to iron out any differences between their respective—similar but somewhat different—bills and then put together what is called a conference report, which is a single piece of legislation that reconciles any disparities between the House-passed bill and the Senate-passed counterpart to that bill. Once the delegates to the conference—the conferees, as they are sometimes known—agree on a conference report, they bring it back to their respective Chambers, to the House and the Senate, for a final vote.

It is important to note that once the conference report is sent to the House and the Senate for a final vote, there is no opportunity to amend the legislation. It is an up-or-down vote. Each Chamber can either approve or reject the conference report in its entirety. If each Chamber votes to approve the conference report, then it is sent to the President, who can either sign it into law or veto it. So what we are doing today is voting on the motion to appoint conferees for the reauthorization of the Elementary and Secondary Education Act.

Earlier this year, both the House and the Senate passed their own ESEA reauthorizations and now we are voting to proceed to the conference process and to appoint certain Senators to participate in that process as conferees. Historically, and according to the way the conference process is supposed to work, this vote is not that big of a deal. Voting on the motion to appoint conferees is usually, and mostly, a matter of routine, but it is not a vote that should be rushed through on a moment's notice because it is the last opportunity for Senators and Representatives who are not conferees, such as I, to influence the outcome of the conference process.

We can do that by offering what are called motions to instruct the conferees. For example, let's say I was not chosen to be a conferee on a particular bill, but there was an issue related to the bill that was important to me and to the people I represent. In that case I could ask the Senate to vote on a set of instructions that would be sent to the conference to inform the conference's deliberations and influence the substance of the conference report.

This is how the conference process is supposed to work, but it is not how the conference process has been conducted with respect to this bill—the Element-

tary and Secondary Education Act reauthorization. Sure, we are still voting to appoint conferees and those conferees will still convene a conference and that conference will still produce a conference report. So from the surface it will still look like the conference process is happening, is unfolding in the manner in which it is supposed to, but beneath the surface we know that all of this has already been prearranged, precooked, predetermined by a select few Members of Congress working behind closed doors free from scrutiny, and we know this vote was scheduled on extremely short notice so it would be difficult, if not impossible, for the rest of us to influence the substance of the conference report through motions to instruct.

Why does this matter? We know the American people care deeply about K-12 education policy, but why should they care about this obscure parliamentary procedure in the Senate? They should care, and we know they do care, because the process influences the policy. In this case, the process expedites the passage of policies we know don't work, policies to which the American people are strongly opposed. For instance, it is my understanding this bill would authorize \$250 million in new spending on Federal pre-K programs—what amounts to a downpayment on the kind of universal, federally run pre-K programs advocated by President Obama. This would be a disaster not only for American children and American families but for our 21st century economy that increasingly requires investments in human capital.

We know a good education starting at a young age is an essential ingredient for upward economic mobility later in life. A mountain of recent social science research proves what experience and intuition have been teaching mankind for millennia; that a child's first few years of life are critical in their cognitive and emotional development. Yet we also know that too many of America's public schools, especially those public schools in low-income and disadvantaged neighborhoods, often fail to prepare their students to succeed. Nowhere has the top-down, centrally planned model of public education failed more emphatically than in our Nation's public pre-K programs. The epitome of Federal pre-school programs is Head Start, which has consistently failed to improve the lives and educational achievements of the children it ostensibly serves.

According to a 2012 study by President Obama's own Department of Health and Human Services, whatever benefits children gain from the program disappear by the time they reach the third grade, but because bureaucracies invariably measure success in terms of inputs instead of on the basis of actual outcomes, Head Start and its \$8 billion annual budget is the model

for Democrats as they seek to expand Federal control over childcare programs in communities all across this country.

This bill also doubles down on the discredited common-core approach to elementary and secondary education the American people have roundly and consistently rejected. Parents and teachers across America are frustrated by the heavy-handed, overly prescriptive approach to education policy by Washington, DC. I have heard from countless moms and dads in Utah who feel as though anonymous government officials living and working 2,000 miles away have a greater say in the education of their own children than they do. The only way to improve our K-12 education system in America is to empower parents, educators and local policymakers to meet the unique needs of their communities and serve the low-income families the status quo is leaving behind.

With early childhood education, we could start block-granting the Head Start budget to the States. This would allow those closest to the children and families being served to design their own programs rather than spending all their time complying with onerous, one-size-fits-all mandates and designate eligible public and private preschools to receive grants. We know this works because many States are already doing it. In my home State of Utah, for instance, the United Way of Salt Lake has partnered with two private financial institutions, Goldman Sachs and J.B. Pritzker, to provide first-rate early education programs to thousands of Utah children. They call it a pay-for-success loan. With no upfront cost or risk to the taxpayers, private capital is invested in the Utah High Quality Preschool Program, which is implemented and overseen by the United Way. If, as expected, the preschool program results in increased school readiness and improved academic performance, the State of Utah repays the private investors with the public funds it would have spent on remedial services the children would have needed between kindergarten and the 12th grade had they not participated in the program.

Washington policymakers should not look at Utah's pay-for-success initiatives and other local success stories like them as potential Federal programs but rather as a testament to the power of State and local control, of State and local ingenuity. We should not expand Washington's control over America's schools and pre-K programs. Instead, Congress must advance reforms that empower parents with flexibility and with choice to do what is in the best interests of their children. The policies in this bill, as I understand them, move in the opposite direction.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I know there are a number of Senators who have important appointments. I know the Senator from Oklahoma has a military funeral he wants to attend, so I intend to make about 3 or 4 minutes of concluding remarks and then yield back the rest of the Republican time.

I would say this to my friend from Utah. Critics of this body say we are not able to get a result. We are often able to get a result, and this vote is about whether we are able to get a result. That is what this vote is about.

We have big differences. That is why we are sent here—to resolve our big differences. If all we want to do is announce our differences, we could stay home and speak on a street corner. After we announce our differences, our job is to get a result. We are not the Iraqi Parliament, we are the United States Senate. Under our rules, after we have had a full process, our leaders—the Republican leader and the Democratic leader—appoint Members of the Senate to work with Members of the House and see if we can get a result—see if we can get a result.

As I said earlier, this went through committee—22 members on the committee. As diverse a committee as we have, unanimously they recommended a result, with many amendments. This came to the floor, we had more than 70 amendments, and with a vote of 81 to 17 we got a result. We have our instructions. It came from this Senate—81 to 17. We have our instructions.

We will work with Members of the House of Representatives, if given permission, and see if we can get a final bill. All 22 members of our committee will be on that conference. There will be more Members than that on the conference. So all of the education committee members will be continuing our work to get a result. Why would we slow this down when the American people have waited 7 years for us to get a result on fixing No Child Left Behind?

So, Mr. President, however you voted on the bill earlier—and almost everyone voted for it—I hope you will support Senator MCCONNELL, Senator REID, Senator MURRAY and me and our committee and our efforts to continue our work to get a result. This is not a vote on the merits of the bill because there is no bill. We are asking for permission to go write a bill and then we will bring it back here and Senators will have at least a week to consider it and then they can vote yes or no. We need a result. I urge a “yes” vote.

I yield back our time.

Mrs. MURRAY. I yield back all time on the Democratic side.

The PRESIDING OFFICER. Is there objection to yielding back all time? The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent to speak for 1 minute.

The PRESIDING OFFICER. Is there objection?

Mr. ALEXANDER. Reserving the right to object, I ask unanimous consent to speak for 1 more minute following his comments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. Mr. President, I thank my friend and distinguished colleague from Tennessee for his remarks.

In light of the fact that this bill does involve a complicated process, in light of the fact that this bill—the original Senate bill—was many hundreds of pages long, in light of the fact that the conference report is likely to be lengthy, I would hope and I would urge my colleagues to have a say in the matter. I hope we will all work toward a process that can result in at least allowing the American people to see this bill before it comes back in conference report form—at least a week or so before we actually have a vote on the conference report. I think the American people deserve to see what is in it before their representatives in the House and in the Senate have an opportunity to vote on it. I hope that will be the case and I hope my colleagues will agree to that.

Mr. ALEXANDER. Mr. President, as the Senator from Utah knows, that is the case. I said that to him yesterday and I just said it on the floor. We hope to complete our work this week. We may or we may not, but the bill will be out for at least a week for Members of this body to consider it.

We considered it in committee with many amendments, on the floor with many amendments, and 22 Members of the Senate are reading the staff recommendations right now. We hope to get a bill. We will get a result. And, yes, all Members—I am glad we are having this discussion. We haven’t had conferences in years around here. Senator MIKULSKI has mentioned that. Maybe this discussion will help us understand how to get a result in the Senate.

I yield the floor, and I call for a vote.

The PRESIDING OFFICER. All time is yielded back.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to disagree to the amendment of the House, agree to the request from the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Mitch McConnell, David Perdue, Shelley Moore Capito, Daniel Coats, John Cornyn, John Barrasso, John Hoeven, Cory Gardner, Johnny Isakson, Lamar Alex-

ander, Michael B. Enzi, Kelly Ayotte, Mark Kirk, John Thune, John Boozman, Chuck Grassley, Bill Cassidy.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the compound motion to go to conference for S. 1177 shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER (Mr. SASSE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 91, nays 6, as follows:

[Rollcall Vote No. 308 Leg.]

YEAS—91

Alexander	Flake	Murray
Ayotte	Franken	Nelson
Baldwin	Gardner	Perdue
Barrasso	Gillibrand	Peters
Bennet	Grassley	Portman
Blumenthal	Hatch	Reed
Blunt	Heinrich	Reid
Booker	Heitkamp	Roberts
Boozman	Heller	Rounds
Boxer	Hirono	Sanders
Brown	Hoeven	Sasse
Burr	Inhofe	Schatz
Cantwell	Isakson	Schumer
Capito	Johnson	Scott
Cardin	Kaine	Sessions
Carper	King	Shaheen
Casey	Kirk	Shelby
Cassidy	Klobuchar	Stabenow
Coats	Lankford	Sullivan
Cochran	Leahy	Tester
Collins	Manchin	Thune
Coons	Markey	Tillis
Corker	McCain	Toomey
Cornyn	McCaskey	Udall
Cotton	McConnell	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Enzi	Mikulski	Wicker
Ernst	Moran	Wyden
Feinstein	Murkowski	
Fischer	Murphy	

NAYS—6

Crapo	Daines	Paul
Cruz	Lee	Risch

NOT VOTING—3

Graham	Rubio	Vitter
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The PRESIDING OFFICER. On this vote, the yeas are 91, the nays are 6.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked, the question occurs on agreeing to the compound motion.

The motion was agreed to.

The Presiding Officer appointed Mr. ALEXANDER, Mr. ENZI, Mr. BURR, Mr. ISAKSON, Mr. PAUL, Ms. COLLINS, Ms. MURKOWSKI, Mr. KIRK, Mr. SCOTT, Mr. HATCH, Mr. ROBERTS, Mr. CASSIDY, Mrs. MURRAY, Ms. MIKULSKI, Mr. SANDERS, Mr. CASEY, Mr. FRANKEN, Mr. BENNET, Mr. WHITEHOUSE, Ms. BALDWIN, Mr.

MURPHY, and Ms. WARREN conferees on the part of the Senate.

The PRESIDING OFFICER. The majority leader.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Mr. MCCONNELL. Mr. President, pursuant to the previous order, I ask that the Senate proceed to the consideration of H.R. 2577.

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 2577, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Thereupon, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

H.R. 2577

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, \$110,738,000, of which not to exceed \$2,734,000 shall be available for the immediate Office of the Secretary; not to exceed \$1,025,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed \$20,109,000 shall be available for the Office of the General Counsel; not to exceed \$10,141,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed \$13,867,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed \$2,546,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed \$27,411,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed \$2,029,000 shall be available for the Office of Public Affairs; not to exceed \$1,769,000 shall be available for the Office of the Executive Secretariat; not to exceed \$1,434,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed \$10,793,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed \$16,880,000 shall be available for the Office of the Chief Information Officer: Provided, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: Provided further, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Sen-

ate Committees on Appropriations: Provided further, That not to exceed \$60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: Provided further, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107-71, there may be credited to this appropriation up to \$2,500,000 in funds received in user fees: Provided further, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs: Provided further, That not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall transmit to Congress the final Comprehensive Truck Size and Weight Limits Study, as required by section 32801 of Public Law 112-141: Provided further, That the amount herein appropriated for the Office of the Under Secretary for Transportation Policy shall be reduced by \$100,000 for each day after 60 days after the date of enactment of this Act that such report has not been submitted to Congress: Provided further, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending reports required to be submitted to the House and Senate Committees on Appropriations: Provided further, That the Secretary shall provide in electronic form all signed reports required by Congress.

RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, \$13,000,000, of which \$8,218,000 shall remain available until September 30, 2018: Provided, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: Provided further, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation infrastructure, \$500,000,000, to remain available through September 30, 2019: Provided, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to be awarded to a State, local government, transit agency, or a collaboration among such entities on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region: Provided further, That projects eligible for funding provided under this heading shall include, but not be limited to, highway or bridge projects eligible under title 23, United States Code; public transportation projects eligible under chapter 53 of title 49, United States Code; passenger and freight rail transportation projects; and port infrastructure investments (including inland port infrastructure): Provided further, That the Secretary may use up to 20 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: Provided further, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and the investment in a variety of transportation modes: Provided further, That a grant funded under this heading

shall be not less than \$10,000,000 and not greater than \$100,000,000: Provided further, That not more than 25 percent of the funds made available under this heading may be awarded to projects in a single State: Provided further, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: Provided further, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: Provided further, That not less than 30 percent of the funds provided under this heading shall be for projects located in rural areas: Provided further, That for projects located in rural areas, the minimum grant size shall be \$1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: Provided further, That of the amount made available under this heading, the Secretary may use an amount not to exceed \$25,000,000 for the planning, preparation or design of projects eligible for funding under this heading: Provided further, That grants awarded under the previous proviso shall not be subject to a minimum grant size: Provided further, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: Provided further, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: Provided further, That the Secretary may retain up to \$20,000,000 of the funds provided under this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration, and the Maritime Administration, to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program.

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, \$5,000,000, to remain available through September 30, 2017.

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, implementation of enhanced security controls on network devices, and enhancement of cyber security workforce training tools, \$8,000,000, to remain available through September 30, 2017.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$9,678,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, \$6,000,000.

INTERAGENCY INFRASTRUCTURE PERMITTING IMPROVEMENT CENTER

For necessary expenses to establish an Interagency Infrastructure Permitting Improvement Center (IIPIC) that will implement reforms to improve interagency coordination and the expediting of projects related to the permitting and environmental review of major transportation

infrastructure projects including one-time expenses to develop and deploy information technology tools to track project schedules and metrics and improve the transparency and accountability of the permitting process, \$4,000,000, to remain available until expended: Provided, That there may be transferred to this appropriation, to remain available until expended, amounts from other Federal agencies for expenses incurred under this heading for activities not related to transportation infrastructure: Provided further, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department as provided for under the previous proviso.

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed \$190,039,000 shall be paid from appropriations made available to the Department of Transportation: Provided, That such services shall be provided on a competitive basis to entities within the Department of Transportation: Provided further, That the above limitation on operating expenses shall not apply to non-DOT entities: Provided further, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: Provided further, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, \$336,000, as authorized by 49 U.S.C. 332: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$18,367,000.

In addition, for administrative expenses to carry out the guaranteed loan program, \$597,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, \$3,084,000, to remain available until September 30, 2017: Provided, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, \$175,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: Provided, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: Provided further, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: Provided further, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local

cost share: Provided further, That amounts authorized to be distributed for the essential air service program under subsection 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: Provided further, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 102. The Secretary or his or her designee may engage in activities with States and State legislators to consider proposals related to the reduction of motorcycle fatalities.

SEC. 103. Notwithstanding section 3324 of title 31, United States Code, in addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide payments in advance to vendors that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order 13150 and section 3049 of Public Law 109-59: Provided, That the Department shall include adequate safeguards in the contract with the vendors to ensure timely and high-quality performance under the contract.

SEC. 104. The Secretary shall post on the Web site of the Department of Transportation a schedule of all meetings of the Credit Council, including the agenda for each meeting, and require the Credit Council to record the decisions and actions of each meeting.

SEC. 105. Notwithstanding any other provision of law, none of the funds appropriated or made available under this Act shall be used to finalize or implement sections 256.1 through 256.5 and 399.80 of the Department of Transportation's proposed rulemaking, as published in the Federal Register on Friday, May 23, 2014 (79 FR 29969), relating to Transparency of Airline Ancillary Fees and Other Consumer Protection Issues.

FEDERAL AVIATION ADMINISTRATION OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 112-95, \$9,897,818,000 of which \$8,180,000,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed \$7,505,293,000 shall be available for air traffic organization activities; not to exceed \$1,258,411,000 shall be available for aviation safety activities; not to exceed \$17,425,000 shall be available for commercial space transportation activities; not to exceed \$748,969,000 shall be available for finance and management activities; not to exceed \$60,089,000 shall be available for NextGen and operations planning activities;

not to exceed \$100,880,000 shall be available for security and hazardous materials safety; and not to exceed \$206,751,000 shall be available for staff offices: Provided, That not to exceed 2 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: Provided further, That no transfer may increase or decrease any appropriation by more than 2 percent: Provided further, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108-176: Provided further, That the amount herein appropriated shall be reduced by \$100,000 for each day after March 31 that such report has not been submitted to the Congress: Provided further, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: Provided further, That the amount herein appropriated shall be reduced by \$100,000 per day for each day after March 31 that such report has not been submitted to Congress: Provided further, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: Provided further, That none of the funds in this Act shall be available for new applicants for the second career training program: Provided further, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: Provided further, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: Provided further, That of the funds appropriated under this heading, not less than \$154,400,000 shall be for the contract tower program, including the contract tower cost share program: Provided further, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and

furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, \$2,600,000,000, of which \$467,000,000 shall remain available until September 30, 2016, and \$2,133,000,000 shall remain available until September 30, 2018: Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: Provided further, That no later than March 31, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2017 through 2021, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: Provided further, That the amount herein appropriated shall be reduced by \$100,000 per day for each day after March 31 that such report has not been submitted to Congress.

RESEARCH, ENGINEERING, AND DEVELOPMENT
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$163,325,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2018: Provided, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(AIRPORT AND AIRWAY TRUST FUND)
(INCLUDING TRANSFER OF FUNDS)
(INCLUDING RESCISSION)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, \$3,600,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: Provided, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of \$3,350,000,000 in fiscal year 2016, notwithstanding section 47117(g) of title 49, United States Code: Provided further, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to

install bulk explosive detection systems: Provided further, That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multi-phased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: Provided further, That notwithstanding any other provision of law, of funds limited under this heading, not more than \$107,100,000 shall be obligated for administration, not less than \$15,000,000 shall be available for the Airport Cooperative Research Program, not less than \$31,000,000 shall be available for Airport Technology Research, and \$10,000,000, to remain available until expended, shall be available and transferred to "Office of the Secretary, Salaries and Expenses" to carry out the Small Community Air Service Development Program: Provided further, That in addition to airports eligible under section 41743 of title 49, such program may include the participation of an airport that serves a community or consortium that is not larger than a small hub airport, according to FAA hub classifications effective at the time the Office of the Secretary issues a request for proposals.

(RESCISSION)

Of the amounts authorized for the fiscal year ending September 30, 2016, under section 48112 of title 49, United States Code, all unobligated balances are permanently rescinded.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION
ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2016.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: Provided, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on "below-market" rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 112. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303 and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. None of the funds in this Act shall be available for paying premium pay under subsection 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 115. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

SEC. 116. The Secretary shall apportion to the sponsor of an airport that received scheduled or unscheduled air service from a large certified air carrier (as defined in part 241 of title 14 Code of Federal Regulations, or such other regulations as may be issued by the Secretary under the authority of section 41709) an amount equal to the minimum apportionment specified in 49 U.S.C. 47114(c), if the Secretary determines that airport had more than 10,000 passenger boardings in the preceding calendar year, based on data submitted to the Secretary under part 241 of title 14, Code of Federal Regulations.

SEC. 117. None of the funds in this Act may be obligated or expended for retention bonuses for an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.

SEC. 118. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number from any display of the Federal Aviation Administration's Aircraft Situational Display to industry data that is made available to the public, except data made available to a Government agency, for the non-commercial flights of that owner or operator.

SEC. 119. None of the funds in this Act shall be available for salaries and expenses of more than 9 political and Presidential appointees in the Federal Aviation Administration.

SEC. 119A. None of the funds made available under this Act may be used to increase fees pursuant to section 44721 of title 49, United States Code, until the FAA provides to the House and Senate Committees on Appropriations a report that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

SEC. 119B. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

SEC. 119C. None of the funds in this Act may be used to close a regional operations center of the Federal Aviation Administration or reduce its services unless the Administrator notifies the House and Senate Committees on Appropriations not less than 90 full business days in advance.

FEDERAL HIGHWAY ADMINISTRATION
LIMITATION ON ADMINISTRATIVE EXPENSES
(HIGHWAY TRUST FUND)
(INCLUDING TRANSFER OF FUNDS)

Not to exceed \$429,348,000, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration or transferred to the Appalachian Regional Commission in accordance with section 104 of title 23, United States Code.

FEDERAL-AID HIGHWAYS
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

Funds available for the implementation or execution of Federal-aid highways and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of Public Law 112-141 shall not exceed total obligations of \$40,256,000,000 for fiscal year 2016: Provided, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the

underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: Provided further, That such fees are available until expended to pay for such costs: Provided further, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)
(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out Federal-aid highways and highway safety construction programs authorized under title 23, United States Code, \$40,995,000,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY
ADMINISTRATION

SEC. 120. (a) For fiscal year 2016, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under section 202 or 204 of title 23, United States Code); and

(B) for which obligation limitation was provided in a previous fiscal year;

(3) determine the proportion that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (11) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(12) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under the Moving Ahead for Progress in the 21st Century Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highways and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the National Highway Performance Program in

section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for such fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to \$639,000,000 for each of those fiscal years);

(9) Federal-aid highways programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to \$639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA-LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation; and

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2016, only in an amount equal to \$639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of Public Law 112-141) and 104 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) division E of the Moving Ahead for Progress in the 21st Century Act.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highways and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highways programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: Provided, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction programs.

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: Provided, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.

SEC. 123. None of the funds in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: Provided, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 124. From the unobligated balances of funds apportioned among the States prior to October 1, 2012, under sections 104(b) of title 23, United States Code (as in effect on the day before the date of enactment of Public Law 112-141), the amount of \$22,348,000 shall be made available in fiscal year 2016 for the administrative expenses of the Federal Highway Administration: Provided, That this provision shall not

apply to funds distributed in accordance with section 104(b)(5) of title 23, United States Code (as in effect on the day before the date of enactment of Public Law 112-141); section 133(d)(1) of such title (as in effect on the day before the date of enactment of Public Law 109-59); and the first sentence of section 133(d)(3)(A) of such title (as in effect on the day before the date of enactment of Public Law 112-141): Provided further, That such amount shall be derived on a proportional basis from the unobligated balances of apportioned funds to which this provision applies: Provided further, That the amount made available by this provision in fiscal year 2016 for the administrative expenses of the Federal Highway Administration shall be in addition to the amount made available in fiscal year 2016 for such purposes under section 104(a) of title 23, United States Code.

SEC. 125. Section 127 of title 23, United States Code, is amended by adding at the end the following:

“(m) OPERATION OF CERTAIN SPECIALIZED HAULING VEHICLES ON CERTAIN TEXAS HIGHWAYS.—

“(1) IN GENERAL.—If any segment of United States Route 59, United States Route 77, United States Route 281, United States Route 84, or routes otherwise made eligible for designation as Interstate Route 69, is designated as Interstate Route 69, a vehicle that could operate legally on that segment before the date of such designation may continue to operate on that segment, without regard to any requirement under subsection (a).

“(2) DESCRIPTION OF HIGHWAY SEGMENTS.—The highway segments referred to in paragraph (1) are any segment of United States Route 59, United States Route 77, United States Route 281, United States Route 84, and routes otherwise made eligible for designation as Interstate Route 69 in Texas.

“(n) OPERATION OF CERTAIN SPECIALIZED VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.—If any segment of United States Route 63 between the exits for Arkansas Highway 14 and Arkansas Highway 75 is designated as part of the Interstate System—

“(1) a vehicle that could legally operate on the segment before the date of such designation at the posted speed limit may continue to operate on that segment; and

“(2) a vehicle that can only travel slower than the posted speed limit on the segment and could otherwise legally operate on the segment before the date of such designation may continue to operate on that segment during daylight hours.”.

SEC. 126. (a) A State or territory, as defined in section 165 of title 23, United States Code, may use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associated obligation limitation, provided that the Department of Transportation for the State or territory for which the earmarked amount was originally designated or directed notifies the Secretary of Transportation of its intent to use its authority under this section and submits a quarterly report to the Secretary identifying the projects to which the funding would be applied. Notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary of Transportation is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

(b) In this section, the term “earmarked amount” means—

(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the fiscal year in which this Act becomes effective, and administered by the Federal Highway Administration; or

(2) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the fiscal year in which this Act becomes effective, and administered by the Federal Highway Administration.

(c) The authority under subsection (a) may be exercised only for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of the effective date of this Act, and shall be applied to projects within the same general geographic area within 50 miles for which the funding was designated, except that a State or territory may apply such authority to unexpended balances of funds from projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher.

(d) The Secretary shall submit consolidated reports of the information provided by the States and territories each quarter to the House and Senate Committees on Appropriations.

SEC. 127. (a) IN GENERAL.—Section 3112(c)(5) of title 49, United States Code, is amended—

(1) by striking “Nebraska may” and inserting “Nebraska and Kansas may”; and

(2) by striking “the State of Nebraska” and inserting “the relevant state”.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—Section 3112(c) of such title is amended—

(1) by striking the subsection designation and heading and inserting the following:

“(c) SPECIAL RULES FOR WYOMING, OHIO, ALASKA, IOWA, NEBRASKA, AND KANSAS.—”;

(2) by striking “; and” at the end of paragraph (3) and inserting a semicolon; and

(3) by striking the period at the end of paragraph (4) and inserting “; and”.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31104(i) of title 49, United States Code, and sections 4127 and 4134 of Public Law 109-59, as amended by Public Law 112-141, \$259,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: Provided, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of \$259,000,000 for “Motor Carrier Safety Operations and Programs” for fiscal year 2016, of which \$9,000,000, to remain available for obligation until September 30, 2018, is for the research and technology program, and of which \$34,545,000, to remain available for obligation until September 30, 2018, is for information management: Provided further, That \$1,000,000 shall be made available for commercial motor vehicle operator grants to carry out section 4134 of Pub-

lic Law 109-59, as amended by Public Law 112-141.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31104(a), 31106, 31107, 31109, 31309, 31313 of title 49, United States Code, and sections 4126 and 4128 of Public Law 109-59, as amended by Public Law 112-141, \$313,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of \$313,000,000 in fiscal year 2016 for “Motor Carrier Safety Grants”; of which \$218,000,000 shall be available for the motor carrier safety assistance program, \$30,000,000 shall be available for commercial driver’s license program improvement grants, \$32,000,000 shall be available for border enforcement grants, \$5,000,000 shall be available for performance and registration information system management grants, \$25,000,000 shall be available for the commercial vehicle information systems and networks deployment program, and \$3,000,000 shall be available for safety data improvement grants: Provided further, That, of the funds made available herein for the motor carrier safety assistance program, \$32,000,000 shall be available for audits of new entrant motor carriers.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. (a) Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107-87 and section 6901 of Public Law 110-28.

(b) Section 350(d) of the Department of Transportation and Related Agencies Appropriation Act, 2002 (Public Law 107-87) is hereby repealed.

SEC. 131. The Federal Motor Carrier Safety Administration shall send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or another manner of delivery which records the receipt of the notice by the persons responsible for the violations.

SEC. 132. None of the funds limited or otherwise made available under this Act, or any other Act, hereafter, shall be used by the Secretary to enforce any regulation prohibiting a State from issuing a commercial learner’s permit to individuals under the age of eighteen if the State had a law authorizing the issuance of commercial learner’s permits to individuals under eighteen years of age as of May 9, 2011.

SEC. 133. None of the funds limited or otherwise made available under the heading “Motor Carrier Safety Operations and Programs” may be used to deny an application to renew a Hazardous Materials Safety Program permit for a motor carrier based on that carrier’s Hazardous Materials Out-of-Service rate, unless the carrier has the opportunity to submit a written description of corrective actions taken, and other documentation the carrier wishes the Secretary to consider, including submitting a corrective action plan, and the Secretary determines the actions or plan is insufficient to address the safety concerns that resulted in that Hazardous Materials Out-of-Service rate.

SEC. 134. Funds appropriated or otherwise made available by this Act or any other Act shall be used hereafter to enforce sections 395.3(c) and 395.3(d) of title 49, Code of Federal Regulations, only if the final report issued by the Secretary required by section 133 of division K of Public Law 113-235 finds that the July 1, 2013 restart provisions resulted in statistically significant net safety benefits and the Inspector General certifies that the final report meets the statutory requirements of Public Law 113-235.

SEC. 135. Funds made available by this Act or any other Act may be used to develop, issue, or implement any regulation that increases levels of minimum financial responsibility for transporting passengers or property as in effect on January 1, 2014, under regulations issued pursuant to sections 31138 and 31139 of title 49, United States Code, only 60 days after the Secretary provides a report to the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure, and the Senate Committee on Commerce, Science, and Transportation on the impact of raising the minimum financial responsibility for transporting passengers or property. The report shall include an assessment of catastrophic crashes in which damages exceeded the insurance limits, the impact of higher insurance premiums on carriers, and the capacity of the insurance industry to underwrite increases in current minimum financial responsibility limits.

SEC. 136. Section 13506(a) of title 49, United States Code, is amended:

(1) in subsection (14) by striking “or”;

(2) in subsection (15) by striking “.” and inserting “; or”; and

(3) by inserting at the end, “(16) the transportation of passengers by motor vehicles operated by youth or family camps that provide overnight accommodations and recreational or educational activities at fixed locations.”.

SEC. 137. (a) Section 31111(b)(1)(A) of title 49, United States Code, is amended by striking “or of less than 28 feet on a semitrailer or trailer operating in a truck tractor semitrailer-trailer combination,” and inserting “or, notwithstanding section 31112, of less than 33 feet on a semitrailer or trailer operating in a truck tractor semitrailer-trailer combination.”.

(b) Section 31111(f) of title 49, United States Code, the term “chief executive officer of a State” shall include “chief executive officer of a State Department of Transportation”.

(c) The Secretary of Transportation is directed to conduct a study comparing crash data between 28 foot and 33 foot semitrailers or trailers operating in a truck tractor-semitrailer-trailer configuration. The Secretary shall submit its study to the House and Senate Committees on Appropriations no later than three years after the date of enactment of this Act.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, \$130,500,000, of which \$20,000,000 shall remain available through September 30, 2017.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, and chapter 303 of title 49, United States Code, \$118,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That none of the funds under this heading shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2016, are in excess of \$118,500,000, of which \$113,500,000 shall be for programs authorized under 23 U.S.C. 403 and \$5,000,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: Provided further, That within the \$118,500,000 obligation limitation for operations and research, \$20,000,000 shall re-

main available until September 30, 2017, and shall be in addition to the amount of any limitation imposed on obligations for future years.

HIGHWAY TRAFFIC SAFETY GRANTS AND OTHER PURPOSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402, 403, and 405, section 2009 of Public Law 109-59, as amended by Public Law 112-141, section 31101(a)(6) of Public Law 112-141, chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, to remain available until expended, \$575,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2016, are in excess of \$575,500,000 for programs authorized under 23 U.S.C. 402, 403, and 405, section 2009 of Public Law 109-59, as amended by Public Law 112-141, section 31101(a)(6) of Public Law 112-141, chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, of which \$235,000,000 shall be for “Highway Safety Programs” under 23 U.S.C. 402; \$272,000,000 shall be for “National Priority Safety Programs” under 23 U.S.C. 405; \$29,000,000 shall be for “High Visibility Enforcement Program” under section 2009 of Public Law 109-59, as amended by Public Law 112-141; \$25,500,000 shall be for “Administrative Expenses” under section 31101(a)(6) of Public Law 112-141: Provided further, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: Provided further, That not to exceed \$500,000 of the funds made available for “National Priority Safety Programs” under 23 U.S.C. 405 for “Impaired Driving Countermeasures” (as described in subsection (d) of that section) shall be available for technical assistance to the States: Provided further, That with respect to the “Transfers” provision under 23 U.S.C. 405(a)(1)(G), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: Provided further, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(1)(G) within 5 days: Provided further, That \$10,000,000 of the total obligation limitation made available shall be applied toward unobligated balances of contract authority under the program for which funds were authorized in section 2005 of Public Law 109-59, as amended, and shall be used for programs authorized under 23 U.S.C. 403: Provided further, That \$4,000,000 of the total obligation limitation made available shall be applied toward unobligated balances of contract authority under the program for which funds were authorized in section 2005 of Public Law 109-59, as amended, and shall be used to cover the expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code: Provided further, That the additional \$14,000,000 made available for obligation from unobligated balances of contract authority under section 2005 of Public Law 109-59, as amended, shall be available in the same manner as though such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share payable on account of any program, project, or activity carried out

with such funds made available under this heading shall be 100 percent and such funds shall remain available for obligation until expended.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional \$130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

SEC. 142. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$199,000,000, of which \$15,900,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$39,100,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, such authority to exist as long as any such direct loan or loan guarantee is outstanding: Provided, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2016.

RAILROAD SAFETY GRANTS

For necessary expenses related to railroad safety grants, \$50,000,000, of which not to exceed \$25,000,000 shall be available to carry out 49 U.S.C. 20167; not to exceed \$15,000,000 shall be made available to carry out 49 U.S.C. 20158; and not to exceed \$10,000,000 shall be made available for projects as defined in section 22501 of title 49, United States Code, to remain available until expended.

OPERATING GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation, in amounts based on the Secretary's assessment of the Corporation's seasonal cash flow requirements, for the operation of intercity passenger rail, as authorized by section 101 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432), \$288,500,000, to remain available until expended: Provided, That the amounts available under this paragraph shall be available for the Secretary to approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: Provided further, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: Provided further, That not later than 60 days after enactment of this Act, the Corporation shall transmit, in electronic format, to

the Secretary and the House and Senate Committees on Appropriations the annual budget, business plan, the 5-Year Financial Plan for fiscal year 2016 required under section 204 of the Passenger Rail Investment and Improvement Act of 2008 and the comprehensive fleet plan for all Amtrak rolling stock: Provided further, That the budget, business plan and the 5-Year Financial Plan shall include annual information on the maintenance, refurbishment, replacement, and expansion for all Amtrak rolling stock consistent with the comprehensive fleet plan: Provided further, That the Corporation shall provide monthly performance reports in an electronic format which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes as well as progress against the milestones and target dates of the 2012 performance improvement plan: Provided further, That the Corporation's budget, business plan, 5-Year Financial Plan, semiannual reports, monthly reports, comprehensive fleet plan and all supplemental reports or plans comply with requirements in Public Law 112-55: Provided further, That none of the funds provided in this Act may be used to support any route on which Amtrak offers a discounted fare of more than 50 percent off the normal peak fare: Provided further, That the preceding proviso does not apply to routes where the operating loss as a result of the discount is covered by a State and the State participates in the setting of fares.

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for capital investments as authorized by sections 101(c), 102, and 219(b) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432), \$1,101,500,000, to remain available until expended, of which not to exceed \$160,200,000 shall be for debt service obligations as authorized by section 102 of such Act: Provided, That of the amounts made available under this heading, not less than \$50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act: Provided further, That after an initial distribution of up to \$200,000,000, which shall be used by the Corporation as a working capital account, all remaining funds shall be provided to the Corporation only on a reimbursable basis: Provided further, That of the amounts made available under this heading, up to \$50,000,000 may be used by the Secretary to subsidize operating losses of the Corporation should the funds provided under the heading "Operating Grants to the National Railroad Passenger Corporation" be insufficient to meet operational costs for fiscal year 2016: Provided further, That the Secretary may retain up to one-half of 1 percent of the funds provided under this heading to fund the costs of project management and oversight of activities authorized by subsections 101(a) and 101(c) of division B of Public Law 110-432, of which up to \$500,000 may be available for technical assistance for States, the District of Columbia, and other public entities responsible for the implementation of section 209 of division B of Public Law 110-432: Provided further, That the Secretary shall approve funding for capital expenditures, including advance purchase orders of materials, for the Corporation only after receiving and reviewing a grant request for each specific capital project justifying the Federal support to the Secretary's satisfaction: Provided further, That except as otherwise provided herein, none of the funds under this heading may be used to subsidize operating losses of the Corporation: Provided further, That none of the funds under this heading may be used for capital projects not approved by the Secretary of Transportation or on the Corpora-

tion's fiscal year 2015 business plan: Provided further, That in addition to the project management oversight funds authorized under section 101(d) of division B of Public Law 110-432, the Secretary may retain up to an additional \$5,000,000 of the funds provided under this heading to fund expenses associated with implementing section 212 of division B of Public Law 110-432, including the amendments made by section 212 to section 24905 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third-party liability for such damages, and any amounts collected under this section shall be credited directly to the Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.

SEC. 151. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of \$35,000 for any individual employee: Provided, That the President of Amtrak may waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: Provided further, That the President of Amtrak shall report to the House and Senate Committees on Appropriations each quarter of the calendar year on waivers granted to employees and amounts paid above the cap for each month within such quarter and delineate the reasons each waiver was granted: Provided further, That the President of Amtrak shall report to the House and Senate Committees on Appropriations by March 1, 2016, a summary of all overtime payments incurred by the Corporation for 2015 and the three prior calendar years: Provided further, That such summary shall include the total number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2015 and for the three prior calendar years.

SEC. 152. Of the unobligated balances of funds available to the Federal Railroad Administration, the following funds are hereby rescinded: \$4,201,385 of the unobligated balances of funds made available from the following accounts in the specified amounts—"Rail Line Relocation and Improvement Program", \$2,241,385; and "Railroad Research and Development", \$1,960,000: Provided, That such amounts are made available to enable the Secretary of Transportation to assist Class II and Class III railroads with eligible projects pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended: Provided further, That such funds shall be available for applicant expenses in preparing to apply and applying for direct loans and loan guarantees as well as the credit risk premiums notwithstanding any other restriction against the use of Federal funds for such credit risk premiums: Provided further, That these funds shall remain available until expended.

SEC. 153. Of the unobligated balances of funds available to the Federal Railroad Administration, the following funds are hereby rescinded: \$5,000,000 of the unobligated balances of funds made available to fund expenses associated with implementing section 212 of division B of Public

Law 110-432 in the Capital and Debt Service Grants to the National Railroad Passenger Corporation account of the Consolidated and Further Continuing Appropriations Act, 2015 and \$11,922,000 of the unobligated balances of funds made available from the following accounts in the specified amounts—"Grants to the National Railroad Passenger Corporation", \$267,019; "Next Generation High-Speed Rail", \$4,944,504; and "Safety and Operations", \$6,710,477: Provided, That such amounts are made available to enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation as authorized by section 101(c) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432) for state-of-good-repair backlog and infrastructure improvements on Northeast Corridor shared-use infrastructure identified in the Northeast Corridor Infrastructure and Operations Advisory Commission's approved 5-year capital plan: Provided further, That these funds shall remain available until expended and shall be available for grants in an amount not to exceed 50 percent of the total project cost, with the required matching funds to be provided consistent with the Commission's cost allocation policy.

FEDERAL TRANSIT ADMINISTRATION ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, \$107,000,000, of which not less than \$5,000,000 shall be available to carry out the provisions of 49 U.S.C. 5329 and not less than \$1,000,000 shall be available to carry out the provisions of 49 U.S.C. 5326: Provided, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: Provided further, That upon submission to the Congress of the fiscal year 2017 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2017.

TRANSIT FORMULA GRANTS (LIQUIDATION OF CONTRACT AUTHORIZATION) (LIMITATION ON OBLIGATIONS) (HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112-141, and section 20005(b) of Public Law 112-141, \$9,500,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: Provided, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112-141, and section 20005(b) of Public Law 112-141, shall not exceed total obligations of \$8,595,000,000 in fiscal year 2016.

TRANSIT RESEARCH

For necessary expenses to carry out 49 U.S.C. 5312 and 5313, \$32,500,000, to remain available until expended: Provided, That \$30,000,000 shall be for activities authorized under 49 U.S.C. 5312 and \$2,500,000 shall be for activities authorized under 49 U.S.C. 5313.

TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out 49 U.S.C. 5314 and 5322(a), (b) and (e), \$3,153,000, to remain available until expended: Provided, That \$2,653,000 shall be for activities authorized under 49 U.S.C. 5314 and \$500,000 shall be for activities authorized under 49 U.S.C. 5322(a), (b) and (e).

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out 49 U.S.C. 5309, \$1,585,000,000, to remain available until expended: Provided, That when distributing funds among Recommended New Starts Projects, the Administrator shall first fully fund those projects covered by a full funding grant agreement, then fully fund those projects whose section 5309 share is less than 40 percent, and then distribute the remaining funds so as to protect as much as possible the projects' budgets and schedules.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110-432, \$150,000,000, to remain available until expended: Provided, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: Provided further, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress to improve its safety management system in response to the Federal Transit Administration's 2015 safety management inspection: Provided further, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress toward full implementation of the corrective actions identified in the 2014 Financial Management Oversight Review Report: Provided further, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system before approving such grants: Provided further, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of title VI of Public Law 110-432 (112 Stat. 4968).

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION
(INCLUDING RESCISSION)

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading "Fixed Guideway Capital Investment" of the Federal Transit Administration for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2020, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2015, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. The Secretary may not enforce regulations related to charter bus service under part 604 of title 49, Code of Federal Regulations, for any transit agency that during fiscal year 2008 was both initially granted a 60-day period to come into compliance with part 604, and then was subsequently granted an exception from said part.

SEC. 164. Notwithstanding the requirements of 49 U.S.C. 5334 and 2 CFR 200.313, conditions imposed as a result of any and all Federal public transportation assistance related to and for the

use, encumbrance, transfer or disposition of property originally built as a prototype having icebreaking capabilities will be fully and completely satisfied by the property's use—

- (1) in the areas of Arctic research;
- (2) to map the Arctic;
- (3) to collect and analyze data in the Arctic;
- (4) to support activities that further Arctic exploration, research, or development; or
- (5) for educational purposes or humanitarian relief efforts.

SEC. 165. Projects selected for the pilot program for expedited project delivery under section 20008(b) of MAP-21 shall be exempt from the requirements of 49 U.S.C. 5309(d), (e), (g), and (h). Notwithstanding this exemption, in determining whether a recipient has the financial capacity to carry out the eligible project, the Secretary of Transportation shall apply the requirements and considerations of 49 U.S.C. 5309(f).

SEC. 166. Of the unobligated amounts made available for fiscal year 2011 or prior fiscal years to carry out the discretionary bus and bus facilities program under 49 U.S.C. 5309, \$10,000,000 is hereby rescinded.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for fiscal year 2016.

OPERATIONS AND MAINTENANCE
(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities of those portions of the St. Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, \$28,400,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662.

MARITIME ADMINISTRATION
MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$186,000,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$170,000,000, of which \$22,000,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies, and of which \$5,000,000 shall remain available until expended for National Security Multi-Mission Vessel design for State Maritime Academies and National Security, and of which \$2,400,000 shall remain available through September 30, 2017, for the Student Incentive Program at State Maritime Academies, and of which \$1,000,000 shall remain available until expended for training ship fuel assistance payments, and of which \$18,000,000 shall remain available until expended for facilities maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy, and of which \$2,000,000 shall remain available through September 30, 2017, for Maritime Environment and Technology Assistance grants, contracts, and cooperative agreements, and of which \$5,000,000 shall remain available until expended for the Short Sea Transportation Program (America's Marine Highways) to make grants for the purposes pro-

vided in title 46 section 55601(b)(1) and 55601(b)(3): Provided, That 50 percent of the funding made available for the United States Merchant Marine Academy under this heading shall be available only after the Secretary of Transportation, in consultation with the Superintendent and the Maritime Administrator, completes a plan detailing by program or activity how such funding will be expended at the Academy, and this plan is submitted to the House and Senate Committees on Appropriations: Provided further, That not later than January 12, 2016, the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3507 of Public Law 110-417.

ASSISTANCE TO SMALL SHIPYARDS

To make grants to qualified shipyards as authorized under section 54101 of title 46, United States Code, as amended by Public Law 113-281, \$5,000,000 to remain available until expended: Provided, That the Secretary shall issue the Notice of Funding Availability no later than 15 days after enactment of this Act: Provided further, That from applications submitted under the previous proviso, the Secretary of Transportation shall make grants no later than 120 days after enactment of this Act in such amounts as the Secretary determines: Provided further, That not to exceed 2 percent of the funds appropriated under this heading shall be available for necessary costs of grant administration.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, \$4,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized, \$8,135,000, of which \$5,000,000 shall remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That not to exceed \$3,135,000 shall be available for administrative expenses to carry out the guaranteed loan program, which shall be transferred to and merged with the appropriations for "Operations and Training", Maritime Administration.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: Provided, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall remain available until expended: Provided further, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, \$22,500,000: Provided, That \$1,500,000 shall be transferred to "Pipeline Safety" in order to fund "Pipeline Safety Information Grants to Communities" as authorized

under section 60130 of title 49, United States Code: Provided further, That no later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall initiate a rule-making to expand the applicability of comprehensive oil spill response plans, and shall issue a final rule no later than one year after the date of enactment of this Act.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$49,000,000, of which \$2,300,000 shall remain available until September 30, 2018: Provided, That up to \$800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: Provided further, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, \$146,623,000, of which \$19,500,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2018; and of which \$127,123,000 shall be derived from the Pipeline Safety Fund, of which \$66,309,000 shall remain available until September 30, 2018: Provided, That not less than \$1,058,000 of the funds provided under this heading shall be for the One-Call state grant program.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carryout 49 U.S.C. 5128(b), \$188,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2017: Provided, That notwithstanding the fiscal year limitation specified in 49 U.S.C. 5116, not more than \$28,318,000 shall be made available for obligation in fiscal year 2016 from amounts made available by 49 U.S.C. 5116(i), and 5128(b) and (c): Provided further, That notwithstanding 49 U.S.C. 5116(i)(4), not more than 4 percent of the amounts made available from this account shall be available to pay administrative costs: Provided further, That none of the funds made available by 49 U.S.C. 5116(i), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his or her designee: Provided further, That notwithstanding 49 U.S.C. 5128(b) and (c) and the current year obligation limitation, prior year recoveries recognized in the current year shall be available to develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of crude oil, ethanol and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: Provided further, That the prior year recoveries made available under this heading shall also be available to carry out 49 U.S.C. 5116(b) and (j).

ADMINISTRATIVE PROVISIONS—PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

SEC. 180. The Secretary of Transportation is directed to evaluate and report to the House and Senate Committees on Appropriations within 60

days of enactment of this Act an alternative risk-based compliance regime for the siting of small-scale liquefaction facilities that generate and package liquefied natural gas for use as a fuel or delivery to consumers by non-pipeline modes of transportation. In evaluating such alternative risk-based compliance regime, the Secretary should consider the value of adopting quantitative risk assessment methods, the benefit of incorporating modern industry standards and best practices, including the provisions in the 2013 edition of the National Fire Protection Association Standard 59A, and the need to encourage the use of the best available technology.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, \$87,472,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation: Provided further, That the funds made available under this heading may be used to investigate, pursuant to section 4172 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, \$32,375,000: Provided, That notwithstanding any other provision of law, not to exceed \$1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: Provided further, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2016, to result in a final appropriation from the general fund estimated at no more than \$31,125,000.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 190. During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 191. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 192. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: Provided, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 193. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18

U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary of Transportation shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 194. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's "Federal-Aid Highways" account, the Federal Transit Administration's "Technical Assistance and Training" account, and to the Federal Railroad Administration's "Safety and Operations" account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 195. None of the funds in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive a discretionary grant award, any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement is announced by the department or its modal administrations from:

(1) any discretionary grant or federal credit program of the Federal Highway Administration including the emergency relief program;

(2) the airport improvement program of the Federal Aviation Administration;

(3) any program of the Federal Railroad Administration;

(4) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs;

(5) any program of the Maritime Administration; or

(6) any funding provided under the headings "National Infrastructure Investments" in this Act:

Provided, That the Secretary of Transportation gives concurrent notification to the House and Senate Committees on Appropriations for any "quick release" of funds from the emergency relief program: Provided further, That no notification shall involve funds that are not available for obligation.

SEC. 196. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 197. Amounts made available in this or any other Act that the Secretary of Transportation determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: Provided, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the

purposes and period for which such appropriations are available: Provided further, That where specific project or accounting information associated with the improper payment or payments is not readily available, the Secretary may credit an appropriate account, which shall be available for the purposes and period associated with the account so credited; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: Provided further, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: Provided further, That for purposes of this section, the term "improper payments" has the same meaning as that provided in section 2(d)(2) of Public Law 107-300.

SEC. 198. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: Provided, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 199. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board of the Department of Transportation to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 199A. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

SEC. 199B. The Secretary of Transportation is authorized to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

SEC. 199C. The Department of Transportation may use funds provided by this Act, or any other Act, to implement a pilot program under title 49 U.S.C. or title 23 U.S.C. for geographic, economic, or any other hiring preference not otherwise authorized by law, or to amend a rule, regulation, policy or other measure that forbids a recipient of a Federal Highway Administration or Federal Transit Administration grant from imposing such hiring preference on a construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

(1) that except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the project requires resides in the jurisdiction;

(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its

existing employees in order to satisfy such hiring preference; and

(3) that any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

This title may be cited as the "Department of Transportation Appropriations Act, 2016".

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, \$14,500,000: Provided, That not to exceed \$25,000 of the amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, \$568,244,000, of which not to exceed \$44,657,000 shall be available for the Office of the Chief Financial Officer; not to exceed \$96,000,000 shall be available for the Office of the General Counsel; not to exceed \$208,604,000 shall be available for the Office of Administration; not to exceed \$61,475,000 shall be available for the Office of the Chief Human Capital Officer; not to exceed \$50,000,000 shall be available for the Office of Field Policy and Management; not to exceed \$17,036,000 shall be available for the Office of the Chief Procurement Officer; not to exceed \$3,270,000 shall be available for the Office of Departmental Equal Employment Opportunity; not to exceed \$4,400,000 shall be available for the Office of Strategic Planning and Management; and not to exceed \$82,802,000 shall be available for the Office of the Chief Information Officer: Provided, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901-5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: Provided further, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the housing mission area: Provided further, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: Provided further, That the Secretary shall provide in electronic form all signed reports required by Congress.

PROGRAM OFFICE SALARIES AND EXPENSES

PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of Public and Indian Housing, \$207,000,000.

COMMUNITY PLANNING AND DEVELOPMENT

For necessary salaries and expenses of the Office of Community Planning and Development, \$107,000,000.

HOUSING

For necessary salaries and expenses of the Office of Housing, \$382,000,000.

POLICY DEVELOPMENT AND RESEARCH

For necessary salaries and expenses of the Office of Policy Development and Research, \$23,100,000.

FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, \$69,500,000.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, \$6,800,000.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) ("the Act" herein), not otherwise provided for, \$15,934,643,000, to remain available until expended, shall be available on October 1, 2015 (in addition to the \$4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2015), and \$4,000,000,000, to remain available until expended, shall be available on October 1, 2016: Provided, That the amounts made available under this heading are provided as follows:

(1) \$17,982,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: Provided, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2016 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection, HOPE VI, and Choice Neighborhoods vouchers: Provided further, That in determining calendar year 2016 funding allocations under this heading for public housing agencies, including agencies participating in the Moving To Work (MTW) demonstration, the Secretary may take into account the anticipated impact of changes in targeting and utility allowances, on public housing agencies' contract renewal needs: Provided further, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their MTW agreements: Provided further, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency's allocation otherwise established pursuant to this paragraph: Provided further, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2016: Provided further, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: Provided further, That public housing agencies participating in the MTW demonstration shall be

funded pursuant to their MTW agreements and shall be subject to the same pro rata adjustments under the previous provisos: Provided further, That the Secretary may offset public housing agencies' calendar year 2016 allocations based on the excess amounts of public housing agencies' net restricted assets accounts, including HUD held programmatic reserves (in accordance with VMS data in calendar year 2015 that is verifiable and complete), as determined by the Secretary: Provided further, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies' calendar year 2016 MTW funding allocation: Provided further, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: Provided further, That up to \$75,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD-VASH) vouchers; and (4) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding: Provided further, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;

(2) \$130,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI and Choice Neighborhood Initiative vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106-569, as amended, or under the authority as provided under this Act: Provided, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: Provided further, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: Provided further, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by

notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: Provided further, That the Secretary, for the purposes under this paragraph, may use unobligated balances, including recaptures and carryovers, remaining from amounts appropriated in prior fiscal years under this heading for voucher assistance for nonelderly disabled families and for disaster assistance made available under Public Law 110-329;

(3) \$1,620,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to \$10,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, Veterans Affairs Supportive Housing vouchers, and other special purpose incremental vouchers: Provided, That no less than \$1,610,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2016 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105-276): Provided further, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: Provided further, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and shall be subject to the same uniform percentage decrease as under the previous proviso: Provided further, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) \$107,643,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: Provided, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading;

(5) \$75,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: Provided, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 204 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such as-

sistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: Provided further, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: Provided further, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over;

(6) \$20,000,000 shall be made available for new incremental voucher assistance through the Family Unification Program as authorized by section 8(x) of the Act: Provided, That the assistance made available under this paragraph shall continue to remain available for family unification upon turnover; and

(7) The Secretary shall separately track all special purpose vouchers funded under this heading.

HOUSING CERTIFICATE FUND (INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading "Annual Contributions for Assisted Housing" and the heading "Project-Based Rental Assistance", for fiscal year 2016 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: Provided, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be rescinded: Provided further, That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the "Act") \$1,742,870,000, to remain available until September 30, 2019: Provided, That notwithstanding any other provision of law or regulation, during fiscal year 2016, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: Provided further, That for purposes of such section 9(j), the term "obligate" means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: Provided further,

That up to \$3,000,000 shall be to support ongoing Public Housing Financial and Physical Assessment activities: Provided further, That up to \$1,000,000 shall be to support the costs of administrative and judicial receiverships: Provided further, That of the total amount provided under this heading, not to exceed \$23,000,000 shall be available for the Secretary to make grants, notwithstanding section 204 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2016: Provided further, That of the amount made available under the previous proviso, not less than \$6,000,000 shall be for safety and security measures: Provided further, That of the total amount provided under this heading \$35,000,000 shall be for supportive services, service coordinator and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437e-6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): Provided further, That of the total amount made available under this heading, \$15,000,000 shall be for a Jobs-Plus initiative modeled after the Jobs-Plus demonstration: Provided further, That the funding provided under the previous proviso shall provide competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 117 of the Workforce Investment Act of 1998, and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: Provided further, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: Provided further, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: Provided further, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice: Provided further, That for funds provided under this heading, the limitation in section 9(g)(1)(A) of the Act shall be 25 percent: Provided further, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: Provided further, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: Provided further, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2016 to public housing agencies that are designated high performers: Provided further, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act.

PUBLIC HOUSING OPERATING FUND

For 2016 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C.

1437g(e)), \$4,500,000,000, to remain available until September 30, 2017.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable mixed income neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, \$65,000,000, to remain available until September 30, 2018: Provided, That grant funds may be used for resident and community services, community development, and affordable housing needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: Provided further, That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: Provided further, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: Provided further, That grantees shall undertake comprehensive local planning with input from residents and the community, and that grantees shall provide a match in State, local, other Federal or private funds: Provided further, That grantees may include local governments, tribal entities, public housing authorities, and nonprofits: Provided further, That for-profit developers may apply jointly with a public entity: Provided further, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437a), and grants under this heading shall be subject to the regulations issued by the Secretary to implement such section: Provided further, That of the amount provided, not less than \$40,000,000 shall be awarded to public housing agencies: Provided further, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: Provided further, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: Provided further, That no more than \$5,000,000 of funds made available under this heading may be provided to assist communities in developing comprehensive strategies for implementing this program or implementing other revitalization efforts in conjunction with community notice and input: Provided further, That the Secretary shall develop and publish guidelines for the use of such competitive funds, including but not limited to eligible activities, program requirements, and performance metrics.

FAMILY SELF-SUFFICIENCY

For the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937, to promote the development of local strategies to coordinate the use of assistance under sections 8(o) and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, \$75,000,000, to remain available until September 30, 2017: Provided, That the Secretary may, by Federal Register notice, waive or specify alternative requirements under sections b(3), b(4), b(5), or c(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiv-

ing assistance under different provisions of the Act, as determined by the Secretary: Provided further, That owners of a privately owned multifamily property with a section 8 contract may voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: Provided further, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program.

INDIAN BLOCK GRANTS

For the Indian Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), \$650,000,000, to remain available until September 30, 2020: Provided, That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: Provided further, That notwithstanding the previous proviso, no Indian tribe shall receive an allocation amount greater than 10 percent: Provided further, That of the amount provided under this heading, \$2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: Provided further, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed \$17,452,007: Provided further, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act.

In addition to amounts made available under the first paragraph under this heading, \$60,000,000, to remain available until September 30, 2018, shall be for grants to Indian tribes for carrying out the Community Development Block Grant program under title I of the Housing and Community Development Act of 1974 notwithstanding section 106(a)(1) of such Act, of which, up to \$4,000,000 may be used for emergencies that constitute imminent threats to health and safety notwithstanding any other provision of law (including section 204 of this title): Provided, That not to exceed 20 percent of any grant made with funds appropriated under this paragraph shall be expended for planning and management development and administration.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a), \$7,000,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to \$1,111,111,000, to remain available until expended: Provided further, That up to \$750,000 of this amount may be for administrative contract expenses including management processes and

systems to carry out the loan guarantee program.

**COMMUNITY PLANNING AND DEVELOPMENT
HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS**

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), \$330,000,000, to remain available until September 30, 2017, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2018: Provided, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(3) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: Provided further, That notwithstanding 42 U.S.C. 12903, the Secretary shall allocate 90 percent of the funds by formula, of which 75 percent shall be among cities that are the most populous unit of general local government in a metropolitan statistical area with a population greater than 500,000 and have more than 2,000 persons living with the human immunodeficiency virus (HIV), and States with more than 2,000 persons living with HIV outside of metropolitan statistical areas, as reported to and confirmed by the Director of the Centers for Disease Control and Prevention (CDC) as of December 31 of the most recent calendar year for which such data is available, and of which 25 percent shall be among States and metropolitan statistical areas based on fair market rents and area poverty indexes, as determined by the Secretary: Provided further, That a grantee's share shall not reflect a loss greater than 10 percent or a gain greater than 20 percent of the share of total available formula funds that the grantee received in the preceding fiscal year: Provided further, That any grantee that received a formula allocation in fiscal year 2015 shall continue to be eligible for formula allocation in this fiscal year: Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For carrying out the Community Development Block Grant program under title I of the Housing and Community Development Act of 1974, as amended (the "Act" herein) (42 U.S.C. 5301 et seq.), \$2,900,000,000, to remain available until September 30, 2018: Provided, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: Provided further, That a metropolitan city, urban county, unit of general local government, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: Provided further, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subparagraph (e)(2): Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

**COMMUNITY DEVELOPMENT LOAN GUARANTEES
PROGRAM ACCOUNT**

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2016, com-

mitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of \$300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: Provided, That the Secretary shall collect fees from borrowers, notwithstanding section 108(m), to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, \$66,000,000, to remain available until September 30, 2019: Provided, That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act shall not apply to allocations of such amount: Provided further, That the requirements under provisos 2 through 6 under this heading for fiscal year 2012 and such requirements applicable pursuant to the "Full-Year Continuing Appropriations Act, 2013", shall not apply to any project to which funds were committed on or after August 23, 2013, but such projects shall instead be governed by the Final Rule titled "Home Investment Partnerships Program: Improving Performance and Accountability; Updating Property Standards" which became effective on such date: Provided further, That with respect to funds made available under this heading pursuant to such Act and funds provided in prior and subsequent appropriations acts that were or are used by community land trusts for the development of affordable homeownership housing pursuant to section 215(b) of such Act, such community land trusts, notwithstanding section 215(b)(3)(A) of such Act, may hold and exercise purchase options, rights of first refusal or other preemptive rights to purchase the housing to preserve affordability, including but not limited to the right to purchase the housing in lieu of foreclosure: Provided further, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

**SELF-HELP AND ASSISTED HOMEOWNERSHIP
OPPORTUNITY PROGRAM**

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, \$50,000,000, to remain available until September 30, 2018: Provided, That of the total amount provided under this heading, \$10,000,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: Provided further, That \$35,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than \$5,000,000 shall be made available for rural capacity building activities: Provided further, That \$5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments and Indian Tribes serving high need rural communities: Provided further, That an additional \$5,700,000, to remain available until expended, shall be for a program to rehabilitate and modify homes of disabled and low-income veterans as authorized under section 1079 of Public Law 113-291.

HOMELESS ASSISTANCE GRANTS

For the Emergency Solutions Grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the continuum of care program as authorized under subtitle C of title IV of such Act; and the Rural Housing Stability Assistance program as authorized under subtitle D of title IV of such Act, \$2,235,000,000, to remain available until September 30, 2018: Provided, That any rental assistance amounts that are recaptured under such Continuum of Care program shall remain available until expended: Provided further, That not less than \$250,000,000 of the funds appropriated under this heading shall be available for such Emergency Solutions Grants program: Provided further, That not less than \$1,918,000,000 of the funds appropriated under this heading shall be available for such Continuum of Care and Rural Housing Stability Assistance programs: Provided further, That up to \$7,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: Provided further, That up to \$2,000,000 of the funds appropriated under this heading shall be available to the Secretary, in coordination with the Secretary of Health and Human Services, for a national study on the prevalence, needs, and characteristics of homelessness among youth as authorized under section 345 of the Runaway Homeless Youth Act (42 U.S.C. 5714-25), notwithstanding section 204 of this title: Provided further, That up to \$33,000,000 of the funds appropriated under this heading shall be to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 10 communities, including at least four rural communities, can dramatically reduce youth homelessness: Provided further, That such projects shall be eligible for renewal under the Continuum of Care program subject to the same terms and conditions as other renewal applicants: Provided further, That up to \$5,000,000 of the funds appropriated under this heading shall be available to provide technical assistance on youth homelessness, and collection, analysis, and reporting of data and performance measures under the comprehensive approaches to serve homeless youth, in addition to and in coordination with other technical assistance funds provided under this title: Provided further, That all funds awarded for supportive services under the Continuum of Care program and the Rural Housing Stability Assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: Provided further, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless a specific statutory prohibition on any such use of any such funds exists: Provided further, That the Secretary may renew on an annual basis expiring contracts or amendments to contracts funded under the Continuum of Care program if the program is determined to be needed under the applicable Continuum of Care and meets appropriate program requirements, performance measures, and financial standards, as determined by the Secretary: Provided further, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible: Provided further, That with respect to funds provided under this heading for the Continuum of Care program for fiscal years 2016 and 2017, permanent housing rental assistance may be administered by private nonprofit organizations: Provided further, That youth aged 24

and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under 42 U.S.C. 11302(a) or (b) to receive services: Provided further, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading: Provided further, That in awarding grants with funds appropriated under this heading, the Secretary shall ensure that incentives created through the application process fairly balance priorities for different populations, including youth, families, veterans, and people experiencing chronic homelessness: Provided further, That any unobligated amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: Provided further, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Continuum of Care renewals in fiscal year 2016: Provided further, That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the Emergency Solutions Grant program within 60 days of enactment of this Act.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) ("the Act"), not otherwise provided for, \$10,426,000,000, to remain available until expended, shall be available on October 1, 2015 (in addition to the \$400,000,000 previously appropriated under this heading that became available October 1, 2015), and \$400,000,000, to remain available until expended, shall be available on October 1, 2016: Provided, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph: Provided further, That of the total amounts provided under this heading, not to exceed \$215,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): Provided further, That the Secretary of Housing and Urban Development may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z-1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z-1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701g); project rental assistance contracts for supportive housing for persons with disabilities

under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667): Provided further, That amounts recaptured under this heading, the heading "Annual Contributions for Assisted Housing", or the heading "Housing Certificate Fund", may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: Provided further, That, notwithstanding any other provision of law, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: Provided further, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

For amendments to capital advance contracts for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, \$420,000,000 to remain available until September 30, 2019: Provided, That of the amount provided under this heading, up to \$77,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: Provided further, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: Provided further, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: Provided further, That upon request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until September 30, 2019: Provided further, That amounts deposited in this account pursuant to the previous proviso shall be available, in addition to the amounts otherwise provided by this heading, for the purposes funded under this heading, and if such purposes have been fully funded, may be used by the Secretary to support demonstration programs to test housing with services models for the elderly: Provided further, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwith-

standing the purposes for which such funds originally were appropriated.

HOUSING FOR PERSONS WITH DISABILITIES

For amendments to capital advance contracts for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act and for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, \$137,000,000, to remain available until September 30, 2019: Provided, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: Provided further, That, in this fiscal year, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and that upon termination of such contract are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to be available until September 30, 2019: Provided further, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided by this heading for the purposes authorized under this heading: Provided further, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwithstanding the purposes for which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, \$47,000,000, to remain available until September 30, 2017, including up to \$4,500,000 for administrative contract services: Provided, That grants made available from amounts provided under this heading shall be awarded within 180 days of enactment of this Act: Provided further, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management/literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: Provided further, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements as appropriate, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z-1) in State-aided, noninsured rental housing projects, \$30,000,000, to remain available until expended:

Provided, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such sections of law.

MANUFACTURED HOUSING STANDARDS PROGRAM
PAYMENT TO MANUFACTURED HOUSING FEES
TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to \$10,000,000, to remain available until expended, of which \$10,000,000 is to be derived from the Manufactured Housing Fees Trust Fund: Provided, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: Provided further, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2016 appropriation: Provided further, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: Provided further, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: Provided further, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION
MUTUAL MORTGAGE INSURANCE PROGRAM
ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed \$400,000,000,000, to remain available until September 30, 2017: Provided, That during fiscal year 2016, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed \$5,000,000: Provided further, That the foregoing amount in the previous proviso shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: Provided further, That for administrative contract expenses of the Federal Housing Administration, \$130,000,000, to remain available until September 30, 2017: Provided further, That to the extent guaranteed loan commitments exceed \$200,000,000,000 on or before April 1, 2016, an additional \$1,400 for administrative contract expenses shall be available for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$30,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of

the National Housing Act (12 U.S.C. 1715z-3 and 1735c), shall not exceed \$30,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2017: Provided, That during fiscal year 2016, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed \$5,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
GUARANTEES OF MORTGAGE-BACKED SECURITIES
LOAN GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed \$500,000,000,000, to remain available until September 30, 2017: Provided, That \$23,000,000 shall be available for necessary salaries and expenses of the Office of Government National Mortgage Association: Provided further, That to the extent that guaranteed loan commitments exceed \$155,000,000,000 on or before April 1, 2016, an additional \$100 for necessary salaries and expenses shall be available until expended for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$3,000,000: Provided further, That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act, as amended, shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH
RESEARCH AND TECHNOLOGY
(INCLUDING TRANSFER OF FUNDS)

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, \$50,000,000, to remain available until September 30, 2017.

Of the amounts made available in this title under each of the headings specified in the report accompanying this Act, the Secretary may transfer to this account up to 0.1 percent from each such account, and such transferred amounts shall be available until September 30, 2017, for (1) technical assistance and capacity building; and (2) research, evaluation, and program metrics: Provided, That the Secretary may not transfer more than \$40,000,000 to this account.

With respect to amounts made available under this heading, notwithstanding section 204 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, or State or local governments and their agencies for research projects: Provided, That any such partners to any such cooperative agreements must contribute at least 50 percent of the cost of the project: Provided further, That for any such cooperative agreements, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions.

FAIR HOUSING AND EQUAL OPPORTUNITY
FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by

title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, \$65,300,000, to remain available until September 30, 2017, of which \$38,600,000 shall be to carry out activities pursuant to such section 561: Provided, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: Provided further, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: Provided further, That of the funds made available under this heading, \$300,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND
HEALTHY HOMES
LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, \$110,000,000, to remain available until September 30, 2017, of which \$25,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: Provided, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of the law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: Provided further, That of the total amount made available under this heading, \$45,000,000 shall be made available on a competitive basis for areas with the highest lead paint abatement needs: Provided further, That each recipient of funds provided under the previous proviso shall contribute an amount not less than 25 percent of the total: Provided further, That each applicant shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: Provided further, That amounts made available under this heading in this or prior appropriations Acts, and that still remain available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, \$250,000,000, shall remain available until September 30, 2017: Provided, That any amounts transferred to this Fund under this Act shall remain available until expended: Provided further, That any

amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$126,000,000: Provided, That the Inspector General shall have independent authority over all personnel issues within this office.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSIONS)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the funds made available under this title may be used during fiscal year 2016 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the city of New York, New York, on behalf of the New York-Wayne-White Plains, New York-New Jersey Metropolitan Division (hereafter “metropolitan division”) of the New York-Newark-Edison, NY-NJ-PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by:

(1) allocating to the city of Jersey City, New Jersey, the proportion of the metropolitan area’s or division’s amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan area or division that is located in Hudson County, New Jersey; and

(2) allocating to the city of Paterson, New Jersey, the proportion of the metropolitan area’s or division’s amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the amount allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Op-

portunity Act (42 U.S.C. 12903(c)), to the city of Wilmington, Delaware, on behalf of the Wilmington, Delaware-Maryland-New Jersey Metropolitan Division (hereafter “metropolitan division”), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division’s amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan division that is located in New Jersey. The State of New Jersey shall use amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(c) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the city of Raleigh, North Carolina, on behalf of the Raleigh-Cary North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(d) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allocated for fiscal year 2016 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be based on the proportion of the metropolitan statistical area’s amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan statistical area that is located in that State. Any amounts allocated to a State under this section shall be used to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

SEC. 204. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 205. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1).

SEC. 206. Unless otherwise provided for in this title or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 207. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for fiscal year 2016 for such corporation or agency except as hereinafter provided: Provided, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 208. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 209. A public housing agency or such other entity that administers Federal housing assistance for the Housing Authority of the county of Los Angeles, California, and the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 for the Housing Authority of the county of Los Angeles, California and the States of Alaska, Iowa and Mississippi that chooses not to include a resident of public housing or a recipient of section 8 assistance on the board of directors or a similar governing board shall establish an advisory board of not less than six residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 210. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 211. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2016 and 2017, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

(b) PHASED TRANSFERS.—Transfers of project-based assistance under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the project or projects to which the assistance is transferred, to ensure that such project or projects meet the standards under subsection (c).

(c) The transfer authorized in subsection (a) is subject to the following conditions:

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

(A) For occupied units in the transferring project: The number of low-income and very low-income units and the configuration (i.e., bedroom size) provided by the transferring project shall be no less than when transferred to the receiving project or projects and the net dollar amount of Federal assistance provided to the transferring project shall remain the same in the receiving project or projects.

(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

(3) The receiving project or projects shall meet or exceed applicable physical standards established by the Secretary.

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

(5) The tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy.

(6) The Secretary determines that this transfer is in the best interest of the tenants.

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

(9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974, as amended) of any FHA-insured mortgage, except to the extent that appropriations are provided in advance for the amount of any such increased cost.

(d) For purposes of this section—

(1) the terms “low-income” and “very low-income” shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term “multifamily housing project” means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure including projects undergoing market to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

(C) housing that is assisted under section 202 of the Housing Act of 1959, as amended by sec-

tion 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;

(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

(F) housing or vacant land that is subject to a use agreement;

(3) the term “project-based assistance” means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act;

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959; and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act;

(4) the term “receiving project or projects” means the multifamily housing project or projects to which some or all of the project-based assistance, debt, and statutorily required low-income and very low-income use restrictions are to be transferred;

(5) the term “transferring project” means the multifamily housing project which is transferring some or all of the project-based assistance, debt, and the statutorily required low-income and very low-income use restrictions to the receiving project or projects; and

(6) the term “Secretary” means the Secretary of Housing and Urban Development.

(e) PUBLIC NOTICE AND RESEARCH REPORT.—

(1) The Secretary shall publish by notice in the Federal Register the terms and conditions, including criteria for HUD approval, of transfers pursuant to this section no later than 30 days before the effective date of such notice.

(2) The Secretary shall conduct an evaluation of the transfer authority under this section, including the effect of such transfers on the operational efficiency, contract rents, physical and financial conditions, and long-term preservation of the affected properties.

SEC. 212. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005; and

(7) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess

of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 213. The funds made available under NAHASDA for Native Alaskans under the heading “Indian Block Grants” in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 214. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715e–20(g)), the Secretary of Housing and Urban Development may, until September 30, 2016, insure and enter into commitments to insure mortgages under such section 255.

SEC. 215. Notwithstanding any other provision of law, in fiscal year 2016, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (“MAHRAA”) and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 216. The commitment authority funded by fees as provided under the heading “Community Development Loan Guarantees Program Account” may be used to guarantee, or make commitments to guarantee, notes, or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: Provided, That any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

SEC. 217. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of

Housing and Urban Development in connection with the operating fund rule: Provided, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 218. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): Provided, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 219. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD sub-office under the accounts "Executive Offices" and "Administrative Support Offices," as well as each account receiving appropriations for "Program Office Salaries and Expenses", "Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account", and "Office of Inspector General" within the Department of Housing and Urban Development.

SEC. 220. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2016 and subsequent fiscal years, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2016 and subsequent fiscal years, the Secretary may make the NOFA available only on the Internet at the appropriate Government Web site or through other electronic media, as determined by the Secretary.

SEC. 221. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations. The annual budget submission for the program offices and the Office of General Counsel shall include any such projected litigation costs for attorney fees as a separate line item request. No funds provided in this title may be used to pay any such litigation costs for attorney fees until the Department submits for review and approval a spending plan for such costs to the House and Senate Committees on Appropriations.

SEC. 222. The Secretary of the Department of Housing and Urban Development is authorized to transfer up to 5 percent or \$5,000,000, whichever is less, of the funds appropriated for any office funded under the heading "Administrative Support Offices" to any other office funded under such heading: Provided, That no appropriation for any office funded under the heading "Administrative Support Offices" shall be increased or decreased by more than 5 percent or \$5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: Provided further, That

the Secretary is authorized to transfer up to 5 percent or \$5,000,000, whichever is less, of the funds appropriated for any account funded under the general heading "Program Office Salaries and Expenses" to any other account funded under such heading: Provided further, That no appropriation for any account funded under the general heading "Program Office Salaries and Expenses" shall be increased or decreased by more than 5 percent or \$5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: Provided further, That the Secretary may transfer funds made available for salaries and expenses between any office funded under the heading "Administrative Support Offices" and any account funded under the general heading "Program Office Salaries and Expenses", but only with the prior written approval of the House and Senate Committees on Appropriations.

SEC. 223. The Disaster Housing Assistance Programs, administered by the Department of Housing and Urban Development, shall be considered a "program of the Department of Housing and Urban Development" under section 904 of the McKinney Act for the purpose of income verifications and matching.

SEC. 224. (a) The Secretary of Housing and Urban Development shall take the required actions under subsection (b) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance:

(1) receives a Real Estate Assessment Center (REAC) score of 30 or less; or

(2) receives a REAC score between 31 and 59 and:

(A) fails to certify in writing to HUD within 60 days that all deficiencies have been corrected; or

(B) receives consecutive scores of less than 60 on REAC inspections.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(b) The Secretary shall take the following required actions as authorized under subsection (a)—

(1) The Secretary shall notify the owner and provide an opportunity for response within 30 days. If the violations remain, the Secretary shall develop a Compliance, Disposition and Enforcement Plan within 60 days, with a specified timetable for correcting all deficiencies. The Secretary shall provide notice of the Plan to the owner, tenants, the local government, any mortgagees, and any contract administrator.

(2) At the end of the term of the Compliance, Disposition and Enforcement Plan, if the owner fails to fully comply with such plan, the Secretary may require immediate replacement of project management with a management agent approved by the Secretary, and shall take one or more of the following actions, and provide additional notice of those actions to the owner and the parties specified above:

(A) impose civil money penalties;

(B) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(C) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered; or

(D) seek judicial appointment of a receiver to manage the property and cure all project defi-

ciencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies.

(c) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other remedies set forth above. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 ("MAHRAA") and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall report semi-annually on all properties covered by this section that are assessed through the Real Estate Assessment Center and have physical inspection scores of less than 30 or have consecutive physical inspection scores of less than 60. The report shall include:

(1) The enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times; and

(2) Actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties.

SEC. 225. None of the funds made available by this Act, or any other Act, for purposes authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2016.

SEC. 226. None of the funds in this Act may be available for the doctoral dissertation research grant program at the Department of Housing and Urban Development.

SEC. 227. Section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) is amended—

(1) in subsection (m)(1), by striking "fiscal year" and all that follows through the period at the end and inserting "fiscal year 2016."; and

(2) in subsection (o), by striking "September" and all that follows through the period at the end and inserting "September 30, 2016.".

SEC. 228. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, non-profit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

SEC. 229. Of the amounts made available for salaries and expenses under all accounts under this title (except for the Office of Inspector General account), a total of up to \$5,000,000 may be transferred to and merged with amounts made available in the "Information Technology Fund" account under this title.

SEC. 230. None of the funds made available by this Act nor any receipts or amounts collected under any Federal Housing Administration program may be used to implement the Homeowners Armed with Knowledge (HAWK) program.

SEC. 231. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

SEC. 232. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect to grants under section 106 of such Act (42 U.S.C. 5306).

SEC. 233. Subsection (b) of section 225 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12755) is amended by adding at the end the following new sentence: "Such 30-day waiting period is not required if the grounds for the termination or refusal to renew involve a direct threat to the safety of the tenants or employees of the housing, or an imminent and serious threat to the property (and the termination or refusal to renew is in accordance with the requirements of State or local law)."

SEC. 234. None of the funds under this title may be used for awards, including performance, special act, or spot, for any employee of the Department of Housing and Urban Development who is subject to administrative discipline in fiscal year 2016, including suspension from work.

SEC. 235. The language under the heading "Rental Assistance Demonstration" in the Department of Housing and Urban Development Appropriations Act, 2012 (Public Law 112-55) is amended:

(1) in proviso four, by striking "185,000" and inserting "200,000";

(2) in proviso eighteen, by inserting "for fiscal year 2012 and hereafter," after "Provided further, That"; and

(3) in proviso nineteen, by striking "which may extend beyond fiscal year 2016 as necessary to allow processing of all timely applications."

SEC. 236. Section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) is amended by—

(1) inserting at the end of subsection (j)—

"(7) TREATMENT OF REPLACEMENT RESERVE.—The requirements of this subsection shall not apply to funds held in replacement reserves established in subsection (9)(m)."; and

(2) inserting at the end of subsection (m)—

"(n) ESTABLISHMENT OF REPLACEMENT RESERVES.—

"(1) IN GENERAL.—Public Housing authorities shall be permitted to establish a Replacement Reserve to fund any of the capital activities listed in subparagraph (d)(1).

"(2) SOURCE AND AMOUNT OF FUNDS FOR REPLACEMENT RESERVE.—At any time, a public housing authority may deposit funds from that agency's Capital Fund into a replacement reserve subject to the following:

"(A) At the discretion of the Secretary, public housing agencies may transfer and hold in a Replacement Reserve, funds originating from additional sources.

"(B) No minimum transfer of funds to a replacement reserve shall be required.

"(C) At any time, a public housing authority may not hold in a replacement reserve more than the amount the public housing authority has determined necessary to satisfy the anticipated capital needs of properties in its portfolio assisted under 42 U.S.C. 1437g as outlined in its

Capital Fund 5 Year Action Plan, or a comparable plan, as determined by the Secretary.

"(D) The Secretary may establish by regulation a maximum replacement reserve level or levels that are below amounts determined under subparagraph (C), which may be based upon the size of the portfolio assisted under 42 U.S.C. 1437g or other factors.

"(3) In first establishing a replacement reserve, the Secretary may allow public housing agencies to transfer more than 20 percent of its operating funds into its replacement reserve.

"(4) EXPENDITURE.—Funds in a replacement reserve may be used for purposes authorized by subparagraph (d)(1) and contained in its Capital Fund 5 Year Action Plan.

"(5) MANAGEMENT AND REPORT.—The Secretary shall establish appropriate accounting and reporting requirements to ensure that public housing agencies are spending funds on eligible projects and that funds in the replacement reserve are connected to capital needs."

SEC. 237. Section 9(g)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)) is amended by—

(1) inserting "(A)" immediately after the paragraph designation;

(2) by striking the period and inserting the following at the end: "; and"; and

(3) inserting the following new paragraph:

"(B) FLEXIBILITY FOR OPERATING FUND AMOUNTS.—Of any amounts appropriated for fiscal year 2016 or any fiscal year thereafter that are allocated for fiscal year 2016 or any fiscal year thereafter from the Operating Fund for any public housing agency, the agency may use not more than 20 percent for activities that are eligible under subsection (d) for assistance with amounts from the Capital Fund, but only if the public housing plan for the agency provides for such use."

SEC. 238. Section 526 (12 U.S.C. 1735f-4) of the National Housing Act is amended by inserting at the end of subsection (b)—

"(c) The Secretary may establish an exception to any minimum property standard established under this section in order to address alternative water systems, including cisterns, which meet requirements of State and local building codes that ensure health and safety standards."

SEC. 239. The Secretary of Housing and Urban Development shall increase, pursuant to this section, the number of Moving-to-Work agencies authorized under section 204, title II, of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1996 (Public Law 104-134; 110 Stat. 1321) by adding to the program 300 public housing agencies that are designated as high performing agencies under the Public Housing Assessment System (PHAS). No public housing agency shall be granted this designation through this section that administers in excess of 22,000 aggregate housing vouchers and public housing units. Of the agencies selected under this section, no less than 150 shall administer 600 or fewer aggregate housing voucher and public housing units, no less than 125 shall administer 601–5,000 aggregate housing voucher and public housing units, and no more than 20 shall administer 5,001–22,000 aggregate housing voucher and public housing units. Of the 300 agencies selected under this section, five shall be agencies with portfolio awards under the Rental Assistance Demonstration that meet the other requirements of this section. Selection of agencies under this section shall be based on ensuring the geographic diversity of Moving-to-Work agencies. The Secretary may, at the request of a Moving-to-Work agency and one or more adjacent public housing agencies in the same area, designate that Moving-to-Work agency as a regional agency. A regional Moving-to-Work

agency may administer the assistance under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and g) for the participating agencies within its region pursuant to the terms of its Moving-to-Work agreement with the Secretary. The Secretary may agree to extend the term of the agreement and to make any necessary changes to accommodate regionalization. A Moving-to-Work agency may be selected as a regional agency if the Secretary determines that unified administration of assistance under sections 8 and 9 by that agency across multiple jurisdictions will lead to efficiencies and to greater housing choice for low-income persons in the region. For purposes of this expansion, in addition to the provisions of the Act retained in section 204, section 8(r)(1) of the Act shall continue to apply unless the Secretary determines that waiver of this section is necessary to implement comprehensive rent reform and occupancy policies subject to evaluation by the Secretary, and the waiver contains, at a minimum, exceptions for requests to port due to employment, education, health and safety. No public housing agency granted this designation through this section shall receive more funding under sections 8 or 9 of the United States Housing Act of 1937 than it otherwise would have received absent this designation. The Secretary shall extend the current Moving-to-Work agreements of previously designated participating agencies until the end of each such agency's fiscal year 2028 under the same terms and conditions of such current agreements, except for any changes to such terms or conditions otherwise mutually agreed upon by the Secretary and any such agency and such extension agreements shall prohibit any statutory offset of any reserve balances equal to four months of operating expenses. Any such reserve balances that exceed such amount shall remain available to any such agency for all permissible purposes under such agreement unless subject to a statutory offset. In addition to other reporting requirements, all Moving-to-Work agencies shall report financial data to the Department of Housing and Urban Development as specified by the Secretary, so that the effect of Moving-to-Work policy changes can be measured.

SEC. 240. Section 3(a) of the United States Housing Act of 1937 (42 U.S.C. 1437a(a)) is amended by adding at the end the following new paragraph:

"(6) REVIEWS OF FAMILY INCOME.—

"(A) FREQUENCY.—Reviews of family income for purposes of this section shall be made—

"(i) in the case of all families, upon the initial provision of housing assistance for the family; and

"(ii) no less than annually thereafter, except as provided in subparagraph (B)(i);

"(B) FIXED-INCOME FAMILIES.—

"(i) SELF CERTIFICATION AND 3-YEAR REVIEW.—

In the case of any family described in clause (ii), after the initial review of the family's income pursuant to subparagraph (A)(i), the public housing agency or owner shall not be required to conduct a review of the family's income pursuant to subparagraph (A)(ii) for any year for which such family certifies, in accordance with such requirements as the Secretary shall establish, that the income of the family meets the requirements of clause (ii) of this subparagraph and that the sources of such income have not changed since the previous year, except that the public housing agency or owner shall conduct a review of each such family's income not less than once every 3 years.

"(ii) ELIGIBLE FAMILIES.—A family described in this clause is a family who has an income, as of the most recent review pursuant to subparagraph (A) or clause (i) of this subparagraph, of which 90 percent or more consists of fixed income, as such term is defined in clause (iii).

“(iii) **FIXED INCOME.**—For purposes of this subparagraph, the term ‘fixed income’ includes income from—

“(I) the supplemental security income program under title XVI of the Social Security Act, including supplementary payments pursuant to an agreement for Federal administration under section 1616(a) of the Social Security Act and payments pursuant to an agreement entered into under section 212(b) of Public Law 93-66;

“(II) Social Security payments;

“(III) Federal, State, local and private pension plans; and

“(IV) other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts that are of substantially the same amounts from year to year.

“(C) **INFLATIONARY ADJUSTMENT FOR FIXED INCOME FAMILIES.**—

“(i) **IN GENERAL.**—In any year in which a public housing agency or owner does not conduct a review of income for any family described in clause (ii) of subparagraph (B) pursuant to the authority under clause (i) of such paragraph to waive such a review, such family's prior year's income determination shall, subject to clauses (ii) and (iii), be adjusted by applying an inflationary factor as the Secretary shall, by regulation or notice, establish.

“(ii) **EXEMPTION FROM ADJUSTMENT.**—A public housing agency or owner may exempt from an adjustment pursuant to clause (i) any income source for which income does not increase from year to year.”.

SEC. 241. Section 8(x)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), is amended by striking “18 months” and inserting “36 months”.

SEC. 242. (a) **ESTABLISHMENT.**—The Secretary of Housing and Urban Development shall establish a demonstration program during the period beginning on the date of enactment of this Act, and ending on September 30, 2020, entering into budget-neutral, performance-based agreements that result in a reduction in energy or water costs with such entities as the Secretary determines to be appropriate under which the entities shall carry out projects for energy or water conservation improvements at not more than 150,000 residential units in multifamily buildings participating in—

(1) the Project-Based Rental Assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), other than assistance provided under section 8(o) of that Act;

(2) the supportive Housing for the Elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or

(3) the supportive Housing for Persons with Disabilities program under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)).

(b) **REQUIREMENTS.**—

(1) **PAYMENTS CONTINGENT ON SAVINGS.**—

(A) **IN GENERAL.**—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable years for which an energy or water cost savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).

(B) **PAYMENT METHODOLOGY.**—

(i) **IN GENERAL.**—Each agreement under this section shall include a pay-for-success provision—

(I) that will serve as a payment threshold for the term of the agreement; and

(II) pursuant to which the Department of Housing and Urban Development shall share a percentage of the savings at a level determined by the Secretary that is sufficient to cover the administrative costs of carrying out this section.

(ii) **LIMITATIONS.**—A payment made by the Secretary under an agreement under this section shall—

(I) be contingent on documented utility savings; and

(II) not exceed the utility savings achieved by the date of the payment, and not previously paid, as a result of the improvements made under the agreement.

(C) **THIRD PARTY VERIFICATION.**—Savings payments made by the Secretary under this section shall be based on a measurement and verification protocol that includes at least—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established preretrofit;

(ii) annual third party confirmation of actual utility consumption and cost for owner-paid utilities;

(iii) annual third party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

(iv) annual third party determination of savings to the Secretary.

(2) **TERM.**—The term of an agreement under this section shall be not longer than 12 years.

(3) **ENTITY ELIGIBILITY.**—The Secretary shall—

(A) establish a competitive process for entering into agreements under this section; and

(B) enter into such agreements only with entities that demonstrate significant experience relating to—

(i) financing and operating properties receiving assistance under a program described in subsection (a);

(ii) oversight of energy and water conservation programs, including oversight of contractors; and

(iii) raising capital for energy and water conservation improvements from charitable organizations or private investors.

(4) **GEOGRAPHICAL DIVERSITY.**—Each agreement entered into under this section shall provide for the inclusion of properties with the greatest feasible regional and State variance.

(c) **PLAN AND REPORTS.**—

(1) **PLAN.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the House and Senate Committees on Appropriations a detailed plan for the implementation of this section.

(2) **REPORTS.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall—

(A) conduct an evaluation of the program under this section; and

(B) submit to the House and Senate Committees on Appropriations a report describing each evaluation conducted under subparagraph (A).

(d) **FUNDING.**—For each fiscal year during which an agreement under this section is in effect, the Secretary may use to carry out this section any funds appropriated for the renewal of contracts under a program described in subsection (a).

SEC. 243. (a) **ESTABLISHMENT.**—The Secretary of Housing and Urban Development may establish, through notice in the Federal Register, a demonstration program to incent public housing agencies, as defined in section 3(b)(6) of the United States Housing Act of 1937 (in this section referred to as “the Act”), to implement measures to reduce their energy and water consumption.

(b) **ELIGIBILITY.**—Public housing agencies that operate public housing programs that meet the demonstration requirements, as determined by the Secretary, shall be eligible for participation in the demonstration.

(c) **INCENTIVE.**—The Secretary may provide an incentive to an eligible public housing agency that uses capital funds, operating funds, grants,

utility rebates, and other resources to reduce its energy and/or water consumption in accordance with a plan approved by the Secretary.

(1) **BASE UTILITY CONSUMPTION LEVEL.**—The initial base utility consumption level under the approved plan shall be set at the public housing agency's rolling base consumption level immediately prior to the installation of energy conservation measures.

(2) **FIRST YEAR UTILITY COST SAVINGS.**—For the first year that an approved plan is in effect, the Secretary shall allocate the utility consumption level in the public housing operating fund using the base utility consumption level.

(3) **SUBSEQUENT YEAR SAVINGS.**—For each subsequent year that the plan is in effect, the Secretary shall decrease the utility consumption level by one percent of the initial base utility consumption level per year until the utility consumption level equals the public housing agency's actual consumption level that followed the installation of energy conservation measures, at which time the plan will terminate.

(4) **USE OF UTILITY COST SAVINGS.**—The public housing agency may use the funds resulting from the energy conservation measures, in accordance with paragraphs (2) and (3), for either operating expenses, as defined by section 9(e)(1) of the Act, or capital improvements, as defined by section 9(d)(1) of the Act.

(5) **DURATION OF PLAN.**—The length in years of the utility conservation plan shall not exceed the number of percentage points in utility consumption reduction a public housing agency achieves through the energy conservation measures implemented under this demonstration, but in no case shall it exceed 20 years.

(6) **OTHER REQUIREMENTS.**—The Secretary may establish such other requirements as necessary to further the purposes of this demonstration.

(7) **EVALUATION.**—Each public housing agency participating in the demonstration shall submit to the Secretary such performance and evaluation reports concerning the reduction in energy consumption and compliance with the requirements of this section as the Secretary may require.

(d) **TERMINATION.**—Public housing agencies may enter into this demonstration for 5 years after the date on which the demonstration program is commenced.

SEC. 244. (a) **AUTHORITY.**—Subject to the conditions in subsection (d), the Secretary of Housing and Urban Development may authorize, in response to requests received in fiscal years 2016 through 2020, the transfer of some or all project-based assistance, tenant-based assistance, capital advances, debt, and statutorily required use restrictions from housing assisted under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013) to other new or existing housing, which may include projects, units, and other types of housing, as permitted by the Secretary.

(b) **CAPITAL ADVANCES.**—Interest shall not be due and repayment of a capital advance shall not be triggered by a transfer pursuant to this section.

(c) **PHASED AND PROPORTIONAL TRANSFERS.**—

(1) Transfers under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the housing to which the assistance is transferred, to ensure that such housing meets the conditions under subsection (d).

(2) The capital advance repayment requirements, use restrictions, rental assistance, and debt shall transfer proportionally from the transferring housing to the receiving housing.

(d) **CONDITIONS.**—The transfers authorized by this section shall be subject to the following conditions:

(1) the owner of the transferring housing shall demonstrate that the transfer is in compliance

with applicable Federal, State, and local requirements regarding Housing for Persons with Disabilities and shall provide the Secretary with evidence of obtaining any approvals related to housing disabled persons that are necessary under Federal, State, and local government requirements;

(2) the owner of the transferring housing shall demonstrate to the Secretary that any transfer is in the best interest of the disabled residents by offering opportunities for increased integration or less concentration of individuals with disabilities;

(3) the owner of the transferring housing shall continue to provide the same number of units as approved for rental assistance by the Secretary in the receiving housing;

(4) the owner of the transferring housing shall consult with the disabled residents in the transferring housing about any proposed transfer under this section and shall notify the residents of the transferring housing who are eligible for assistance to be provided in the receiving housing that they shall not be required to vacate the transferring housing until the receiving housing is available for occupancy;

(5) the receiving housing shall meet or exceed applicable physical standards established or adopted by the Secretary; and

(6) if the receiving housing has a mortgage insured under title II of the National Housing Act, any lien on the receiving housing resulting from additional financing shall be subordinate to any federally insured mortgage lien transferred to, or placed on, such housing, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, or rehabilitation of the receiving housing.

(e) **PUBLIC NOTICE.**—The Secretary shall publish a notice in the Federal Register of the terms and conditions, including criteria for the Department's approval of transfers pursuant to this section no later than 30 days before the effective date of such notice.

SEC. 245. (a) Of the unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the heading "General and Special Risk Program Account", and for the cost of guaranteed notes and other obligations under the heading "Native American Housing Block Grants", \$12,000,000 is hereby rescinded.

(b) All unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the headings "Rural Housing and Economic Development", and "Homeownership and Opportunity for People Everywhere Grants" are hereby rescinded.

SEC. 246. Funds made available in this title under the heading "Homeless Assistance Grants" may be used to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113-76, section 524 of division G of Public Law 113-235, and such authorities enacted for Performance Partnership Pilots in an appropriations Act for fiscal year 2016. Such participation shall be targeted to improving the housing situation of disconnected youth.

SEC. 247. Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development for administrative costs associated with funds appropriated to the Department for specific disaster relief and related purposes and designated by Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act, including information technology costs and costs for administering and overseeing such specific

disaster related funds, shall be transferred to the Program Office Salaries and Expenses, Community Planning and Development account for the Department, shall remain available until expended, and may be used for such administrative costs for administering any funds appropriated to the Department for any disaster relief and related purposes in any prior or future act, notwithstanding the purposes for which such funds were appropriated: Provided, That amounts transferred pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be transferred only if the President subsequently so designates the entire transfer and transmits such designation to the Congress.

SEC. 248. None of the funds made available under this title shall be used to enforce compliance with the Green Physical Needs Assessment for public housing agencies with 250 housing units or less.

This title may be cited as the "Department of Housing and Urban Development Appropriations Act, 2016".

TITLE III RELATED AGENCIES ACCESS BOARD SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, \$8,023,000: Provided, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902, \$25,660,000: Provided, That not to exceed \$2,000 shall be available for official reception and representation expenses.

NATIONAL RAILROAD PASSENGER CORPORATION OFFICE OF INSPECTOR GENERAL SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, \$23,999,000: Provided, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: Provided further, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: Provided further, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern

such selections, appointments, and employment within the Corporation: Provided further, That concurrent with the President's budget request for fiscal year 2017, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2017 in similar format and substance to those submitted by executive agencies of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902), \$105,170,000, of which not to exceed \$2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101-8107), \$140,000,000, of which \$5,000,000 shall be for a multi-family rental housing program.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, \$3,530,000. Title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11314) is amended in section 204(a) by striking "level V" and inserting "level IV".

TITLE IV GENERAL PROVISIONS—THIS ACT

SEC. 401. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 402. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 403. The expenditure of any appropriation under this Act for any consulting service through a procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 404. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or “new age” belief systems as defined in Equal Employment Opportunity Commission Notice N-915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants’ personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2016, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates a new program;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose;

(5) augments existing programs, projects, or activities in excess of \$5,000,000 or 10 percent, whichever is less;

(6) reduces existing programs, projects, or activities by \$5,000,000 or 10 percent, whichever is less; or

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the explanatory statement accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: Provided, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: Provided further, That the report shall include:

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and

(C) an identification of items of special congressional interest: Provided further, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by \$100,000 per day for each day after the required date that the report has not been submitted to the House and Senate Committees on Appropriations.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2016 from appropriations made available for salaries and expenses for fiscal year 2016 in this Act, shall remain available through September 30, 2017, for each such account for

the purposes authorized: Provided, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: Provided, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: Provided further, That any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107-118) shall be considered a public use for purposes of eminent domain.

SEC. 408. All Federal agencies and departments that are funded under this Act shall issue a report to the House and Senate Committees on Appropriations on all sole-source contracts by no later than July 30, 2016. Such report shall include the contractor, the amount of the contract and the rationale for using a sole-source contract.

SEC. 409. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 410. None of the funds made available in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

SEC. 411. None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the “Buy American Act”).

SEC. 412. None of the funds made available in this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 413. None of the funds made available in this Act may be used for first-class airline accommodations in contravention of sections 301–10.122 and 301–10.123 of title 41, Code of Federal Regulations.

SEC. 414. (a) None of the funds made available in this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that

is party to the U.S.–E.U.–Iceland–Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.–E.U.–Iceland–Norway Air Transport Agreement.

(b) Nothing in this section shall prohibit, restrict or otherwise preclude the Secretary of Transportation from granting a foreign air carrier permit or an exemption to such an air carrier where such authorization is consistent with the U.S.–E.U.–Iceland–Norway Air Transport Agreement and United States law.

SEC. 415. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: Provided, That for purposes of this section the term “international conference” shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

This Act may be cited as the “Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016”.

The PRESIDING OFFICER. The Senator from Maine.

COMMITTEE-REPORTED AMENDMENT WITHDRAWN

Ms. COLLINS. Mr. President, I ask unanimous consent that the committee-reported amendment be withdrawn.

The PRESIDING OFFICER. Is there objection?

Mr. WICKER. Mr. President, reserving the right to object, I understand that we are moving to consideration of the Transportation and HUD appropriations bill. Is that correct, Mr. President?

The PRESIDING OFFICER. The Senator is correct.

Mr. WICKER. Reserving the right to object, just for point of clarification, I am under the assumption that the bill will move under regular order requiring a 50-vote threshold for all amendments.

I ask, through the Chair, if the Senator from Maine can tell me if I am operating under the correct assumption.

Ms. COLLINS. Mr. President, I want to assure the Senator from Mississippi that for germane amendments, regular order will be in effect.

Mr. WICKER. Mr. President, I thank the Senator for her assurance, and I withdraw my objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is withdrawn.

AMENDMENT NO. 2812

(Purpose: In the nature of a substitute)

Ms. COLLINS. Mr. President, I send a substitute amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS] proposes an amendment numbered 2812.

Ms. COLLINS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

AMENDMENT NO. 2813 TO AMENDMENT NO. 2812

Ms. COLLINS. Mr. President, I send a first-degree amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS] proposes an amendment numbered 2813 to amendment No. 2812.

Ms. COLLINS. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To make a technical amendment)

On page 55, line 22, strike "2015" and insert "2016".

Ms. COLLINS. Mr. President, I am pleased to begin the floor consideration of the fiscal year 2016 appropriations bill for Transportation, Housing and Urban Development, and related agencies. This bill funds programs that are essential to the American people. Our bill provides \$18.5 billion for the Department of Transportation and \$38.5 billion for the Department of Housing and Urban Development to meet the housing needs of low-income, disabled, and older Americans, to shelter the homeless and to boost our economy and to create jobs through much-needed investments in our roads, bridges, seaports, railroads, transit systems, and airports.

Let me begin my remarks by thanking the chairman of the full committee, Senator COCHRAN, and the vice chairman, Senator MIKULSKI, for their leadership in advancing these appropriations bills. As Chairman COCHRAN has previously noted, this is the first time in 6 years that the Appropriations Committee has approved all 12 of the funding bills, and I will point out that we did so months ago. I also wish to thank and acknowledge the hard work of the ranking member of the subcommittee, Senator JACK REED. I am very pleased that he is cosponsoring this legislation and that we are offering these substitute amendments that have just been filed together. The two of us have worked very closely in drafting this bill, and we have listened to the recommendations from Members on both sides of the aisle. Through considerable negotiation and compromise, we have crafted a bipartisan bill that targets limited resources to those programs that meet our most essential transportation and housing needs.

As a result of hard work and compromise by many of our colleagues and

the administration, the recent bipartisan budget bill allows the legislation before us today to be made even more effective. As I mentioned, I have offered on behalf of Senator REED and myself a substitute that reflects the new allocation made possible by the budget agreement. This additional funding has allowed for further investments in key programs, such as increasing the HOME Program by \$830 million for a total of \$900 million, increasing the Community Development Block Grant Program by \$100 million for a total of \$3 billion. I must note that those are the current funding levels.

The bill also provides \$255 million in additional funds for the FAA's facilities and equipment account for a total of \$2.8 billion, which is the budget-requested level to ensure that critical aviation programs are not delayed. These programs offer a wide range of support, from space-based surveillance, data communications, to everyday basic needs, ensuring that power systems are fully supplied to support the aviation and air traffic systems that operate 24 hours, 7 days a week.

We have also allocated an additional \$100 million for the TIGER Program for a total of \$600 million for this important and much-in-demand program that supports infrastructure, economic development, and job creation throughout the Nation. In fact, every State in the Nation has benefited from the TIGER Program.

We are bringing the Maritime Security Program up by \$24 million for a total of \$210 million to match the recently passed authorized level.

Finally, we are providing an additional \$311 million for FTA's Capital Investment Grants Program, for a total of approximately \$1.9 billion, which supports transit systems across the country.

This bill is critical to meeting the vast needs of our Nation's crumbling infrastructure. We have all heard of the low grades that the American Association of Civil Engineers has given to our bridges and highways. Many of us—particularly those of us who represent large rural States—know about the deplorable conditions of far too many of our roads and highways and the need for the State departments of transportation to post bridges that are no longer able to accommodate weight loads and modern traffic.

The TIGER Program will help us meet the needs of our crumbling infrastructure. This highly competitive program creates jobs and supports economic growth in every one of our States. The need for the program is demonstrated by the statistics. Listen to this, my colleagues: The Department of Transportation has received 627 eligible applications requesting more than \$10 billion for fiscal year 2015 from all over the country, but only

39 of those 627 eligible applications were able to be funded. Only \$500 million of the more than \$10.1 billion in requested funds could be granted. This is a successful program with an overwhelming demand, and I am happy that the new allocation allows us to give it a modest increase. It doesn't begin to match the application level for this program, which, again, is a reflection of our infrastructure needs in this country.

Turning to air travel, the aviation investments will continue to modernize our Nation's air traffic system and help to keep rural communities connected to the transportation network. These investments are creating safer skies and a more efficient airspace to move the flying public.

I have been very troubled by the devastating rail accidents that have occurred in recent years. In 2013, the runaway train near the Maine border in the Province of Quebec, Canada, devastated the community of Lac-Mégantic, and the inferno killed 47 people. First responders from Maine responded to the calls for help from their Canadian counterparts and helped to put out that terrible fire. More recently, we saw an Amtrak train in Pennsylvania derail, killing eight passengers. We have seen case after case of railcars turning over and spilling hazardous substances. This is a real problem, and it is one this bill addresses. To improve rail safety, our legislation provides \$50 million in new funding for infrastructure improvements, rail grade crossings, and positive train control safety technology.

In addition to rail, we have included several important provisions to enhance truck safety on our Nation's highways. For example, our bill requires the Department of Transportation to finalize a rule mandating electronic logging devices within 60 days of enactment. This rule is critical to ensuring that bad actors will not be able to falsify their records. It will bring greater accountability to the industry. It helps those good truck drivers, the vast majority of our truck drivers. It separates them from the bad apples who are falsifying their logs.

The bill also requires the Department of Transportation to publish a proposed rule on speed governors, which limit the speed at which trucks can operate. The Department has delayed this important rulemaking 22 times since 2011. It is far past time to get this important safety rule completed and to implement it. It isn't just the ranking member and I who think so, this is also supported by the trucking industry itself.

We need to make progress in both the areas of electronic logs and speed governors, and our bill will ensure that that occurs.

We also provide funding for the Office of Defects Investigation at the National Highway Traffic Safety Administration to analyze consumers' complaints and trends related to vehicle safety defects. The Presiding Officer may recall that this agency came under scrutiny this past year for failing to discover and act on defective airbags, as well as faulty ignition safety switches. We must ensure that remedies are implemented promptly and make certain the public is better informed of critical defects.

Our bill also provides for critical housing programs. It preserves existing rental assistance for vulnerable families and individuals, and it improves the Federal response to the problem of youth homelessness. Both of these were priorities for me. I wanted to make sure that those vulnerable, low-income families, our disabled citizens, and low-income seniors did not lose the subsidized housing to which they are entitled and in which they are already living. So that is a very important provision. I would note, when we look at the budget of the Department of Housing and Urban Development, that more than 83 percent of the budget is devoted to these programs that are so vital to ensuring safe and affordable housing for some of the most vulnerable Americans.

Improving the Federal response to homelessness is also an important priority for me. That is why we placed a special emphasis in this bill on the growing problem of youth homelessness, and we have funded additional vouchers for what is known as the VASH Program that is aimed at our homeless veterans. Sufficient funding is provided to keep pace with the rising cost of housing vulnerable families. I will note that doing so this year has been especially challenging, given the administration's decision to lower mortgage insurance premiums, because that reduced FHA receipts by nearly \$1.1 billion, but despite this challenge, this bill, by setting priorities, ensures that the more than 4.7 million individuals and families currently housed will not have to worry about losing their assistance. Again, let me emphasize, without this assistance, many of these families, many of our disabled Americans, and many of our low-income seniors could become homeless. We are preventing that.

The increase in youth homelessness is especially troubling and warrants more attention. Reflecting this concern, \$40 million is provided to expand efforts to reduce youth homelessness. In addition, the bill includes funding for more than 2,500 family unification vouchers to assist our young people who are exiting the foster care system, and it extends the amount of time these youth can use their vouchers.

I am sure if the Presiding Officer talked to foster youth in his State, the

situation would be the same as mine. He would find that when they reach a certain age, they are no longer eligible for care by foster families and they have nowhere to go. Oftentimes, they end up in shelters. That is not an acceptable situation. So by expanding these family unification vouchers, we are hoping to ensure that these youth are not homeless or forced to live in shelters.

These efforts build on our success in reducing veterans' homelessness. We have had real success in this area. VASH is a program that actually works. We have reduced the number of homeless veterans by one-third, but the job is not done. We have a goal in this country of ending homelessness among our veterans who have served our country. We provide an additional 10,000 vouchers for our homeless veterans so we can complete our work and reach that goal.

Our bill is also an important source for local development. We worked hard to provide \$3 billion for the Community Development Block Grant Programs. This is an extremely popular program with the States and communities because it allows them to tailor Federal funds to support local economic and job creation projects. In fact, in my State, it is one of the most popular economic development programs—and I think that is true across America—because it isn't a top-down Federal Government dictating how the funds are used; instead, there is great flexibility in providing funds to States and communities, and they decide what is needed. They match the funds. There is often private sector money involved as well which may be used to revitalize the downtown to build affordable housing or whatever that particular community decides will spur economic development and create jobs. This is a job creation program, and it is one that is flexible and recognizes that those at the local and State level know best what their economic development and job creation priorities are.

The bill before us does not solve all of the problems facing housing and transportation in this country. We simply do not have the money to do that, even with the higher allocation, in this era where we are facing a \$17 trillion debt. This is a fiscally responsible bill. It reflects priorities. We cannot fund every good program out there. We have to make choices. We certainly don't want to fund programs that are not effective. We have put our money on our priority programs that will make a real difference.

I appreciate the opportunity to present our appropriations bill to this Chamber. Again, I want to thank my ranking member, Senator JACK REED, with whom we have worked very closely on the substitute amendment.

As we begin debate on the Transportation-HUD appropriations bill, I urge

my colleagues to consider the careful balance struck by the compromise that our subcommittee and our full committee worked so hard to achieve.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise with my colleague Senator COLLINS in support of the Transportation, Housing and Urban Development appropriations bill before us.

I begin first by commending the chairman for her extraordinary work, her thoughtful, careful consideration of all of these issues, and her willingness to include priorities of members on both sides. As always, she did this in a fair, considerate, and transparent manner, along with the staff who also did a remarkable job. So I thank her for her leadership and for her consideration.

As a result of the budget agreement, we have a higher allocation—an allocation that will allow us to make more responsible investments in key transportation and housing initiatives that will help grow our economy, create jobs, strengthen neighborhoods, and better meet our affordable housing goals throughout the country. We need to improve housing stability for our most vulnerable citizens, and this allocation will allow us to preserve HUD's housing and homeless assistance programs, which are vital to our Nation's security and the progress and opportunity for all of our people.

Over half of HUD's rental assistance goes to support someone who is elderly or disabled or both, so these programs are particularly important for seniors and for Americans with disabilities who need the kind of security that only adequate housing can give. Without these programs, frankly, many of these individuals would be homeless or paying more than half of their income in rent alone and, as a result, unable to support the other basics of life, including food and clothing and just basically getting around.

Overall, this bill makes important contributions toward improving the safety of our roads—another area of our responsibility is transportation—in helping people better connect to jobs and opportunities. It is often overlooked that housing is critical in every aspect, particularly in being able to get and maintain a job, and that certainly is something we want to encourage. Also, these investments can serve as a catalyst for economic development, enhancing the community, preserving community assets, allowing Federal resources to leverage—many times over, in some cases—private resources and local resources.

Among the critical transportation investments that this bill provides is \$16 billion to the Federal Aviation Administration, fully funding the agency's budget request for air traffic control, safety oversight, and its facilities and

equipment. Again, so much of our commercial activity depends upon a solid aviation infrastructure. We are fully funding their request, ensuring that they have adequate infrastructure, particularly when it comes to air traffic control in an age in which there are technological revolutions, causing them to reinvest constantly in better equipment and better preparation. For the past 3 years, in fact, maintenance on the agency's basic infrastructure has been deferred so the air traffic control challenges could be met and could be fully funded, but that is not a sustainable long-term strategy. The bill in front of us today, under the leadership of the chairman, puts the FAA back on track, and we want to keep it on track.

As the chairman has pointed out, in the transportation area, \$600 million is allocated for the TIGER Program, which fully funds local solutions to transportation problems. One of the commendable aspects—and there are many in this program—is these are localities coming to the Department of Transportation with specific requests that they know will help their economy, that will help move people and goods and services and improve the competitiveness of not only the locality but the Nation.

In addition to that, \$41 billion in highway grants and another \$8.6 billion in transit formula grants are allocated that States and local government rely on every year.

In addition to these provisions, the bill makes strong investments in Amtrak and rail safety, providing \$50 million for rail safety grants and targeted new investments along the Northeast corridor, which is one of the major thoroughfares of commerce and travel in our country.

It also allows the Federal Railroad Administration to hire 84 new inspectors and safety staff to address the safe transportation of passengers and energy products. We have seen repeated incidents of tragic accidents caused by outdated equipment and caused by many factors. We hope that with this legislation, we will not only reduce them but eliminate them.

We have also seen accidents in the center of the United States, in the far West, where products were being transported by rail and there were problems there too. Again, these energy products are necessary for the whole economy, and we need to be on the job inspecting, to ensure that they are moving safely through all of our communities.

These investments are necessary. They are necessary for safety, they are necessary for efficiency, and they are necessary to build the kind of transportation system that supports jobs and economic growth. I think most people—and most people back home, certainly—understand the connection between good infrastructure, good jobs, and a prosperous economy. They get it, and this legislation gets it also.

At the Department of Housing and Urban Development, the bill makes important investments in our communities. Again, as the chairman has pointed out, the Community Development Block Grant Program—CDBG—is an extraordinarily effective tool for local governments to spur innovation and economic investment. Again, as the chairman indicated, it comes from the bottom up, not the top down. It allows mayors and city councils and local planning agencies that are able to utilize this money in combination with other resources to fund projects that make their communities more effective and more efficient. It is based upon their perspective, not our perspective, and it is a very efficient and very helpful program. It gives communities the tools to address their ailing infrastructure problems, and it brings critical services to many who need them the most.

The legislation also includes additional resources for affordable housing production through the HOME Program—an investment we know is necessary as our Nation faces a lack of affordable housing nationwide.

The bill also protects some of our most vulnerable citizens by providing critical resources to prevent and end homelessness, among veterans and youth in particular. This bill provides an additional 10,000 vouchers to move us closer to eliminating homelessness among our Nation's veterans. Just a few days ago we celebrated Veterans Day, but we can't celebrate it 1 day a year, we have to celebrate it every day. One way we can do that is to put the resources where they need to be so every veteran, we hope, can achieve affordable, decent, and safe housing. In that way, we celebrate their service every day, and this bill tries to do that. We have already seen success in this regard—about a 33-percent reduction in veterans' homelessness since 2009—but it is not good enough. There is still work to be done. That is a commitment that Senator COLLINS and I share, and her leadership has helped us move forward to achieve that objective.

Youth experiences in homelessness is another phenomenon, and the chairman spoke very eloquently about the fact that we are able to target resources to help some of these programs for young people to find homes. In particular, the chairman made the point about young people who are aging out of foster care. We have a fairly substantial system to help young people until they reach their adulthood, and after that it seems to go away. And so with resources we are helping children through foster homes and suddenly they have to go and they are on their own. This legislation is going to help them make a transition, at least to have the housing they need so they can use their skills productively for the benefit of everyone.

It also helps us improve coordination across the government so that these young people don't fall through the cracks. Some of it is resources and some of it is just working together cooperatively in a governmentwide approach and the legislation helps encourage that.

As I said and as I am repeating what the chairman said so well, homelessness is a barrier to education, employment, and opportunity. If you have to move three or four times a year and you are a young child, your education is going to be very challenging from school to school to school. If you are a person who doesn't have an address or moves frequently, how do you get that callback for the job interview if they can't find you and you can't find them? All of this instability can be significantly reduced and opportunity better achieved if we have dependable housing, and that is at the essence of our proposal today. So it applies to youth, families, and it applies to a whole span of Americans. Again, let me thank the Senator for her leadership in crafting this bill. On the whole it achieves a balanced compromise that responds to the priorities of the Members of this Chamber within the allocation we received.

We don't have unlimited resources so we had to figure out innovative ways to deliver better results with what we have, and I think we have gone a long way in doing that. We also have to continue to look to the future: making smart investments today that will help us build a much better tomorrow with a better transportation system, better housing options and, again, this legislation does that.

As with any legislative proposal, there are aspects of the legislation that could be improved. I hope we can improve them going forward. There are provisions, for example, with respect to addressing the safety of double 33 trailers which already passed the Senate on a bipartisan basis. Those are issues that we can and must work on to go forward, but overall this proposal does a great deal to respond to the needs of the American public.

Again, let me thank the chairman. It has been very challenging, but it is very enjoyable to work with her. We also have quickly an omnibus we must prepare. So we are literally going from the floor to meet with our colleagues, so hopefully we can pull this all together so we will have the opportunity to present to the full Senate a bill that is thoughtful and achieves the needs of our people.

With that, Mr. President, I yield the floor.

THE PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that at 5 p.m.,

on Monday, November 30, the Senate proceed to executive session to consider the following nomination: Calendar No. 268; that there be 30 minutes of debate equally divided in the usual form; that following the use or yielding back of time, the Senate vote on the nomination without intervening action or debate; that following disposition of the nomination, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Maine.

Ms. COLLINS. Mr. President, I just want to make a brief announcement before yielding to Senator BLUNT and Senator KLOBUCHAR, and that is that we are open for business as far as amendments are concerned.

I would invite my colleagues to start sharing their proposals with Senator REED, with me, and with our staffs so we can see if there are some that can be cleared, and perhaps, later in the day, we can move by unanimous consent a package of those that are acceptable and noncontroversial to both sides. The sooner we can get going on the review of those amendments, the better. I would encourage my colleagues to proceed.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

EXPRESSING SUPPORT FOR THE GOALS OF NATIONAL ADOPTION DAY AND NATIONAL ADOPTION MONTH

Mr. BLUNT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 315, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 315) expressing support for the goals of both National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BLUNT. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 315) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

Mr. BLUNT. Mr. President, before I start my remarks, let me say how pleased I am to see Senator REED and Senator COLLINS here with this important bill, the opportunity to amend the bill and do the business we should be doing.

This Senator is also glad to be here with Senator KLOBUCHAR. She and I co-chair the Senate side of the congressional caucus on adoption, and the resolution that was just agreed to adopts November as National Adoption Month, and November 21 as National Adoption Day. While we are here talking about this, all of our States have kids who need to be adopted.

If you went to the Missouri Department of Social Services Web site today, you would find 114 foster youth who are ready and waiting to be adopted. If you looked around the country today, you would find that there are 415,000 children in the U.S. foster care system and 108,000 of those kids are waiting to be adopted. Last year 22,000 young men and women aged out of the foster care system and they never got that opportunity for the permanent home, the forever home that could make such a difference in their lives, not only as a kid but their lives as an adult.

I have two or three kids I want to talk about. Austin is 12. He is full of energy. He has a great smile. He is extremely active, as lots of 12-year-old boys are. He loves to be outside. He enjoys, as he would phrase it, "going on adventures." He likes animals. He would like to live on a farm one day. He likes basketball. He likes being on his basketball team, but mostly he would like to have a family. Mostly his dream is the dream that he would have a family to encourage him and support him.

There are two other young brothers, aged 11 and 7. When you first meet Mykez, you can tell he is relaxed. He is laid back. He is an easy guy to be with. In his free time he likes being active. He likes to be on his bike. He likes to play football. If it is possible being outdoors, he would like to be outdoors, but he is also happy with a video game or with the TV. At school he likes history class the best, but his best grade in school is art. His brother Jameer appears to be pretty shy and quiet, but once he gets to know you, he easily turns on the charm. He is a football and basketball guy as well, but he enjoys quiet activities such as drawing, reading, and coloring. He loves being with his brother. He loves video games. His favorite class is math, earning his highest grade there. But what they would like is a family. They would like a family that would allow them to keep

in contact with their siblings but would also give them some structure, some attention, and some consistency that has been missing in their life.

Marissa is 5. She has some challenges. She is a sweet, loving girl. She is happy, curious, and loves to laugh. She has a hard time right now expressing herself in lots of other ways. She is working on building her vowels and consonant sounds. She works on her sign language vocabulary. She has a spunky attitude, but she would melt the heart of a future family if those things ever become connected.

There are tens of thousands of children all over the country just like them who just need a family—tens of thousands of children where a family could make all the difference in the world, not only when they are growing up but when they are adults and they have that family to turn back to.

Nobody is better to work with on these issues than Senator KLOBUCHAR. I ask unanimous consent to enter into a colloquy with her and then come back to me in a little bit after she has had a chance to talk about the importance of National Adoption Month and National Adoption Day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. KLOBUCHAR. Mr. President, I actually would have a question, first, of Senator BLUNT, because I know he is the parent of an adopted child from Russia.

I heard a rumor they are traveling to every State in the Union; is that correct?

Mr. BLUNT. We are trying.

Ms. KLOBUCHAR. OK, good. I wanted to get that on the record because I know he wanted to come to North Dakota, which is everyone's dream, and so Senator BLUNT asked for some advice from me to go to the great State of North Dakota.

Your child whom you adopted is Russian, and we have so many issues with some of these countries, from Russia to the Congo. I know families in Minnesota who have adopted children from Russia, and they were just ready to adopt the sibling. They met the brother or sister—and of course the kids know the brother or sister—and then the curtain was brought down, and those kids were literally pawns in a political game when Russia stopped all adoptions.

Senator BLUNT is hosting a meeting with the people involved in adoptions in the Congo. We have had a similar situation where the visas were pulled and the parents who visited these kids and are ready to adopt these kids haven't been able to do that.

I wondered if Senator BLUNT could comment on the situation with these countries and what the Senator thinks we can do.

Mr. BLUNT. I think this is a problem, and there are lots of families in

the United States who would love to have kids from wherever in the world kids are who need families. The two examples you have just given are some of the frustrations of international adoption in just the last few years, where thousands of kids were coming to the United States from other countries such as China, Ethiopia, Guatemala, the Democratic Republic of the Congo, and certainly from Russia.

The tragedy of so many of these stories is that the child has suddenly seen that opportunity, they have bonded with families, and they have gone through the whole process. Many people, when Russia stopped Russian adoptions, were ready to go to court, had been to Russia multiple times and had exchanged visits and photos. Not only is it that the family is ready for the adoption to occur, but, more importantly, the person who is to be adopted is ready for the adoption to occur.

Just to show what can happen, in the case of Russia, the kids who were closest to being adopted by American families, the Russian Government suddenly created incentives to put them at the top of a list that doesn't get much attention, which gave special incentives to Russian families to adopt these kids before the American families who were ready to welcome them could adopt them.

We are having a meeting today with the Ambassador from the Democratic Republic of the Congo, and I am grateful the Ambassador would come. Our real concern there is that there are many kids in the Congo who had actually been adopted. There was a commission that had been put in place to study the question of why they can't get their exit visas now to leave with the families the courts in the Democratic Republic of the Congo have said could adopt these kids and that group has been disbanded. All that is necessary there is the exit opportunity—the exit permission—to leave the country to go with the families who have already legally adopted them.

The Senator and I and several of our colleagues are going to meet with the Ambassador today. We are glad he is coming. We would like to see that meeting result in going back and looking at cases where their government has already decided this is a great match for these kids and these families and figure out how to let those families get their kids to the United States.

Ms. KLOBUCHAR. Thank you. This is also very important in my State. As I mentioned, we have the highest rate of international adoptions in the country. We have families who have opened their hearts and their homes to kids from every country, including Vietnam, Guatemala, Nepal, and Haiti.

In my background as county attorney, for 8 years I oversaw the lawyers who worked with foster care and adoptions. We made it a huge priority to

try to speed up the process for kids to be adopted from foster care. Right now in our country nearly 400,000 children are living without permanent families in the foster care system. Over 100,000 of these children are eligible for adoption, but too many of them will languish for years in foster care—often times with very good families for them, but obviously a permanent home is what you want.

We talked about international adoptions around the world. There are estimated to be nearly 18 million orphans who have lost both parents and are living in orphanages or on the streets who want, again, a permanent home.

Senator BLUNT talked about some examples from his own State. One example is the Hatch family. Emerson Hatch was one of these orphaned children. They started the process to adopt her from India in 2000. Emerson was one of 300 kids living in an orphanage built to house 34 children.

The Indian Government refused to release her, and the family had to endure a 2-year wait, an earthquake, and a contested election in India before they were finally able to get her out of India with 1 minute to spare before her passport expired. She was malnourished, 2 years old but only weighed 14 pounds and was in poor health.

But with a lot of love and the help of the Adoption Medicine Clinic at the University of Minnesota, Emerson and the Hatch family are thriving. She is in high school, and the family is passionate about giving orphans permanent, loving homes.

There are many things that this Senate can do. The first, as Senator BLUNT explained, is leading efforts when countries put up barriers for no good reason. Obviously, sometimes you will have legal issues in countries with corruption or other reasons why there is a pause in adoptions. But when countries are putting up barriers for no good reasons and for reasons that are fairly transparent, we must lead and work with other Senators across the aisle to get this done.

The second is legislation. We have had a number of successful bills passed in the Senate. The bill I am probably proudest of is something that I did with Senator SESSIONS and Senator INHOFE, which was to allow older siblings to come in internationally when a younger sibling had been adopted. What was happening is kids would turn 17 after holding the family together as the oldest sibling, and then they would no longer be eligible for adoption.

We had a family out of the Philippines with nine children, and the oldest two kids helped hold them together in an orphanage and then they turned too old to be adopted. That family I will never forget. The Merkourises came to me and said: Well, we have these choices. We can adopt the seven kids and leave the two behind—it was

like a “Sophie's Choice”—or we can leave them all there because we want them to stay together or you can change the law. That was the discussion.

So I worked with my colleagues. I will never forget. The Merkourises came with pictures of these children on their iPads and went around to the offices of House Members and Senators who were holding up the bill and showed them to their staff members. The staff members would call our staff crying and said: OK, well, we won't hold it up anymore. And we were able to get that passed.

To Senator BLUNT, I was able to be with that family in their home, a farmhouse that they have expanded. It was like a Philippine version of “The Sound of Music.” They are an incredible family. I just talked to them a few months ago, and they are doing very well.

This is, I would argue to our colleagues, a bipartisan area in Congress. It is something we can do across the aisle, but it is also something where we can make significant difference—not just in one family's life but in many, many families' lives.

I thank the Senator for his work and his continued leadership in this area.

Mr. BLUNT. I would say in this regard that there are several things we are trying to do that we are still working on with Senator KLOBUCHAR and others together. Clearly, there are great stories to be told.

One thing we don't want to forget with National Adoption Month and National Adoption Day is the many families and the many individuals who benefit from adoptions. It is very easy to talk about the frustrations of trying to make things work better—the foster kids who aren't adopted, the international kids who should be here who have families who want them to be here.

We also want to talk about the many success stories. We had an Angels in Adoption event just a few weeks ago and recognized from virtually every State a family that had done something extraordinary, such as the family who took a family from the Philippines. Expanding the farmhouse is probably job one if you are going to bring nine more people into your house.

The Supporting Adoptive Families Act, the Timely Mental Health for Foster Youth Act, and the Adoption Tax Credit Refundability Act all need attention to make adoption work and to make it easier. It is life changing for everybody involved and, in most cases, it is life changing not just for the family but for anybody who really knows the family and sees what happens when people are able to reach out, become a family, and make a difference in the moment but also to make a difference forever.

I will let Senator KLOBUCHAR finish, but working on these issues is important, and it is bipartisan. You are never going to find anybody who says: Well, we don't need that. But we do need to be sure we are paying the kind of attention that we need to make this work better, to make it easier, and to increase the chances that adoptive families not only are able to become adoptive families but that they are also able and more likely to be successful adoptive families.

Again, I thank Senator KLOBUCHAR for her leadership and for her work.

Ms. KLOBUCHAR. Thank you.

As you know, our work is never done. We have a number of bills out there for which we have bipartisan support and that we are going to work on.

I think my last statement would be that our kids deserve so much more than just a roof over their heads and a bed to sleep in. Each and every child deserves a loving home, a nurturing family, and a brighter future. That is what National Adoption Month is all about, and that is why Senator BLUNT and I are on the floor today. That is why all of us have a responsibility to carry on this torch and to keep fighting for these children.

I thank Senator BLUNT.

I yield the floor.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

Ms. KLOBUCHAR. Mr. President, I ask to speak on one other subject briefly for 2 minutes.

The PRESIDING OFFICER. The Senator from Minnesota.

DEPARTMENT OF VETERANS AFFAIRS PERFORMANCE BONUSES

Ms. KLOBUCHAR. Mr. President, I rise today to express my concern that the Department of Veterans Affairs chose to issue performance bonuses to senior executives, including the director of the St. Paul Regional Office of the Veterans Benefits Administration, despite recent revelations of improper and dishonest conduct.

According to a report released by the VA's Office of the Inspector General in September, two VBA executives used their positions to assign themselves to different jobs that involve fewer responsibilities while maintaining their higher salaries. They actually assigned themselves to a different job where they had to work less and then kept their high salaries.

One of them was a woman named Kim Graves, the director of the Veterans Benefits Administration St. Paul Regional Office since October 2014. The inspector general found that Ms. Graves used her influence as director of the VBA's Eastern Area Office to compel the relocation of the previous St. Paul office director. So she moved that

person and then moved herself into the job. She then proceeded to submit her own name for consideration and fill the vacancy that she had just created.

Taking on the job of directing the St. Paul Regional Office was actually a step down in responsibility for Ms. Graves. In the inspector general's words, she "went from being responsible for oversight of 16 [regional offices] to being responsible for only 1 [regional office]," but she kept her Senior Executive Service salary of \$173,949 per year. She also received over \$129,000 in relocation expenses.

In spite of this behavior, Ms. Graves received an \$8,687 performance bonus this year. The St. Cloud VA health care system chief of staff, Susan Markstrom, received a performance bonus as well the same year she was reported with some mismanagement issues.

A chief of staff collecting bonuses while running off nurses and doctors and a senior executive using her position to push out one of her colleagues and give herself a plum assignment with fewer responsibilities but the same high salary are the kinds of actions that create a breach of trust. I am generally proud of Veterans Affairs. We obviously have issues in our health system with backlogs and other problems, but there are a lot of hard-working people who work in Veterans Affairs who should be lauded for that work because our veterans deserve nothing but the best.

But in this case, I thank the inspector general for being willing to look into this difficult case and shedding light on what has been happening. The conduct is unacceptable and further erodes trust.

It is commendable that the VA inspector general took action by referring these two cases to the U.S. attorney for possible criminal prosecution. The VA needs to do right by our veterans and taxpayers by holding bad actors accountable and implementing reforms to prevent exploitation such as this from ever happening again.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CASSIDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. 310

Mr. CASSIDY. Mr. President, I rise today in support of S. 310, the Eliminating Government-funded Oil-painting Act, or the EGO Act. I would like to thank my colleagues, Chairman RON JOHNSON and Ranking Member TOM CARPER of the Committee on Homeland Security and Governmental Affairs. Their committee considered the EGO

Act in its business meeting of June 24, 2015, and reported it favorably without amendment.

The Eliminating Government-funded Oil-painting Act is commonsense legislation that bans the Federal Government from spending taxpayer dollars on oil paintings of Presidents, Vice Presidents, Cabinet Secretaries, or Members of Congress. These paintings can cost as much as \$40,000 and are often placed in a back hall of a government bureaucracy, never to be seen by the public.

I will note that \$40,000 is the same as the average annual wage of a worker in Louisiana. Think about it—that worker worked a whole year, and what she earned is what the Federal Government will spend on the painting of a Cabinet Secretary who serves for 6 months, and then the painting is put in the back of a building, never to be seen.

With trillions in debt, there is more to do in our obligation to spend taxpayers' money wisely, but this is a start.

I offer my strong support for the EGO Act and urge its passage.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 165, S. 310; I further ask that the bill be read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CASSIDY. Mr. President, I have no clue why the esteemed Democratic leader objects. All I can say is that is an incredible insensitivity to working families. I have no clue.

There is a family out there right now struggling, not sure if they can pay their rent or their mortgage. They are going to lose their car. Their children will go to school in old clothes and maybe hungry because the amount of money they earn per year is not enough. They look at people in Washington like a new version of "The Hunger Games"—it is the Capital of this country, and all the riches of this country are brought here to the Capital for paintings of government officials, to be hidden away, while they struggle to make their mortgage, their car note, and to make sure their child is properly fed.

That people in government would be insensitive to those families shows the problem. That people in Washington would be insufficiently aware that the average family is making \$40,000 a year—the same as what one of these paintings can cost—and not care is an indictment of those who do not care.

I regret that there is objection to this, but we will bring it up later.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here to speak in what is probably my 119th "Time to Wake Up" speech related to climate change.

I would like to take this occasion to express my appreciation to a person whom the TV cameras can probably see behind me sitting on the staff bench, Joseph Majkut, who has been a fellow on my staff for over a year now. He has been very instrumental in helping me prepare these speeches. I am grateful to him.

Today, I ask that we imagine a dark castle with looming ramparts and tall towers. It is strongly built, and it is well defended. Its defenders are determined and implacable. They patrol those ramparts and from their castle battlements attack and harass their opponents. The castle's thick walls are built to keep out unwelcome things. In this castle, those unwelcome things are science—the science of climate change; truth—the truth of what carbon pollution does to our atmosphere and oceans; and decency—the human decency, in the face of that information, to try to do the right thing.

This is Denial Castle, the fortress of climate denial constructed by the big polluters. Like many castles, this castle is built on elements that date back to earlier wars. Some parts date back to tobacco companies denying that smoking causes cancer. Some parts of it date back to the lead industries denying that lead paint poisons children. Some parts go back to denial of what acid rain was doing to our New England lakes and denial of what pollution was doing to our atmosphere's ozone layer. There might even be a few bits dating back to denial that seatbelts and airbags were a good idea. But now it is the big carbon polluters who command Denial Castle. They now enjoy the power to pollute for free, so they attack climate science. They send out trolls to disrupt Web sites and blogs. They harass climate scientists. One minion became attorney general of Virginia and so harassed a University of Virginia scientist that Mr. Jefferson's university had to use university lawyers and the State supreme court to get the harassment stopped.

This castle has within it its own little stable of scientists to trot out like

trained ponies to create false doubt and uncertainty about the harm carbon pollution causes. Of course, the polluters have mouthpieces, such as the Wall Street Journal editorial page, to help spread their fog of doubt and denial. Most of all, they have weaponry. The weaponry on these dark ramparts is not just pointed outward at science and at the public; those polluter weapons point in, as well, at the Members of Congress who are held hostage inside the castle. This is not just a fortress; it is also a prison. Members know that if they try to escape, the full force of the polluters' political weaponry will fall on them. Many of the hostages are restless, but escape is hazardous. Some are actually happy to help man the ramparts. Look at the effort by Senate Republicans this week to override the Obama administration's Clean Power Plan—our Nation's most significant effort yet to assert global leadership in staving off the worst effects of climate change.

For those Republican Senators who want out of Denial Castle, escape is hazardous because Citizens United, that shameful Supreme Court decision, armed the polluters on the ramparts with a terrifying new weapon: the threat of massive, sudden, anonymous, unlimited political spending. A Republican in a primary has virtually no defense against that. One minute you are on course to reelection; the next moment a primary opponent has millions of dollars, pounding you with negative ads, and the polluter-funded attack machine has turned on you.

One polluter front group actually warned that anyone who crossed them would be "at a severe disadvantage," and that addressing carbon pollution with a price on carbon would be a "political loser." From a group backed by billionaires now threatening to wield, just in this election, \$750 million in political spending, that is not a very subtle threat.

Of course, a threatened attack doesn't actually have to happen to have its political effect. A threat, a quiet threat, a secret threat can be enough. We will never see those threats unless we are in the backroom where they are made. That is the unacknowledged danger of Citizens United.

What were the five Republican judges thinking when their Citizens United decision unleashed unlimited political spending and its dark twin, the silent threat of that unlimited political spending? This is not an idle concern. By 2 to 1, Americans think the Justices often let political considerations and personal views influence their decisions. Americans massively oppose the Citizens United decision—80 percent against, with 71 percent strongly opposed. Most tellingly, by a ratio of 9 to 1, Americans now believe our Supreme Court treats corporations more favor-

ably than individuals. Even self-identified conservative Republicans by a 4-to-1 margin now believe the Court treats corporations more favorably than individuals.

Linda Greenhouse, who long resisted drawing such a conclusion, has written that she finds it "impossible to avoid the conclusion that the Republican-appointed majority is committed to harnessing the Supreme Court to an ideological agenda." Other noted Court watchers such as Norm Ornstein at the conservative American Enterprise Institute and Jeffrey Toobin long ago reached a similar conclusion.

Let's look carefully at what those five Justices did in their 5-to-4 Citizens United decision. Let's start where they started, with the First Amendment to the Constitution. The First Amendment protects honest elections by allowing limitations on the influence of money. The First Amendment allows limitations on election spending when they reflect a reasonable concern about corruption.

If you are a judge who wants to unleash unlimited corporate money into elections, you need to get around that problem, which they did by making the factual finding that all this corporate money will not present even a risk of corruption, not a chance. That is obviously false, but they said it anyway, which is interesting. But wait, it gets more interesting still. To make that factual finding, they had to break a venerable rule—the rule that appellate courts don't do factfinding. They broke that rule.

They did something else, too. Every time Congress or the Supreme Court had examined corporate corruption in elections, they found a rich, sordid record of corporate corruption of elections. That is American history. The five Justices knew a record like that in the case would have made it pretty hard to find no risk of corporate corruption of elections. All the evidence would go the other way.

How did the five Justices make sure the case had no good evidentiary record on corporate corruption of elections? Very cleverly. They changed the question in the case—what the Court calls the question presented. They changed the question late in the case, after there was any chance to develop a factual record on that new question presented. It is very unusual, but it is exactly what they did. Then they overruled a hundred years of practice and precedent of earlier Courts.

One could argue that each one of these different steps was wrong. Certainly, the ultimate factual finding, that corporate money can't corrupt an election, is way wrong. But the worst wrong is that these steps are linked together in a chain of necessity you must follow to get that result.

What is the chance that these conservative Justices just happened to

change the question presented, which just happened to prevent there being a robust factual record on the very question where they just happened to need to make false factual findings about corruption; which just happened, this of all times, to be the time they broke the rule against appellate fact finding; all of which just happened to provide the exact findings of fact necessary to get around that First Amendment leash on corporate political spending?

Put all those steps together, and what you see is Justices behaving not like an umpire evenly calling balls and strikes, but like a locksmith carefully manufacturing a key, each of whose parts is precisely assembled to fit the tumblers and turn a particular lock. The result was amazing new weaponry for the corporate polluter apparatus, political Gatling guns in a field of muskets, which the polluters have deployed very effectively to silence debate about climate change.

Before Citizens United, Republicans regularly stood up to address climate change. A Republican nominee campaigning for President had a strong climate change platform. A Republican President spoke of its urgency. Republican Senators authored and sponsored big climate change bills. Republican Congressmen voted for the Waxman-Markey bill in the House or wrote articles favoring a carbon tax and then came over and became Senators.

But after Citizens United, there was virtual silence. The polluters used Citizens United's new political artillery to shut debate down.

Money can be speech, but it isn't always. Money can also be bribery, bullying, intimidation, harassment, shouting down, and drowning out. The legendary turn-of-the-century political fixer Mark Hanna once said:

There are two things that are important in politics. The first is money, and I can't remember what the second one is.

He didn't say that because money is free speech. Money is political artillery. Look at the munitions. My gosh, most dark money political ads in the last election were negative ads. At times, virtually all on the air have been negative ads. Many ads have been reviewed and deemed false or misleading. At times, a majority of the ads running were deemed false or misleading. That is not debate; that is artillery.

The power to fire that artillery opens the way for secret threats and promises to use or not use that artillery. It does cause corruption when a politician will not vote his conscience because he hears those whispered threats and fears that new artillery. But even with all this new political artillery, the Denier Castle is not as secure as it looks. It is built on a foundation of lies—lies that the science of climate change is unsettled, lies that there is no urgency to this, lies that there will be economic

harm if we fix the problem. The truth is exactly the opposite. The effects of carbon pollution are deadly real in our atmosphere and oceans. Time is running out to avoid the worst of the peril, and a sensible political response to climate change actually yields broad economic gains.

The Denier Castle's foundation of lies is slowly crumbling. The cracks are already beginning to appear. Twelve Republican House Members escaped from the castle—far enough to sponsor a climate resolution. Young Republicans—under 35—by a majority think climate denial is ignorant, out of touch, or crazy. Conservative heartland farmers see unprecedented weather in their fields and coastal fishermen see unfamiliar fish in their nets. Corporate climate leadership grows, from Walmart, Coke and Pepsi, Ford and GM, Mars and Unilever, General Mills and many others, and whole industries like the property casualty insurance industry. Of course, well-respected military leaders warn of climate change as danger, a catalyst of conflict. With all that comes the economic tide of lower and lower cost clean energy—energy which is probably cheaper already than fossil fuel, if the energy market weren't rigged by the polluters to favor their dirty product.

The blocks of the Denier Castle are loosening and beginning to fall. Mortar sifts down. The whole structure of deceit and denial is creaking and crumbling. Fear is starting to spread within the castle about what will happen when the lies are exposed and all the bullying revealed. Will there really be no price to pay for all that deceit and denial in a world of justice and consequences?

The Wall Street Journal editorial page has gotten so anxious that it accuses me of "treat[ing] [climate] heretics like Cromwell did Catholics," all because I, the junior Senator of the smallest State, had the temerity to say that mighty ExxonMobil, one of the biggest corporations in the history of the world and a Goliath if there ever were one, should maybe have to tell the truth in the place we trust in America to find the truth—an American courtroom. Exxon has gotten so frantic that their public relations people are starting to use bad language, things I can't even say on the Senate floor.

Even this week's Clean Power Plan challenge has an air of desperation—a last-ditch effort to show the fossil fuel industry that folks have done all they could before they stand down and evacuate the castle. The dark castle will fall, and it will fall abruptly. It will collapse. More hostages will break free, and a torrent will follow. When the lies and political influence are all exposed, there will come a day of reckoning. For all faithful stewards of God's Earth, and for our American democracy, that

will be a day of joy, a day of honor, and a day of liberation. Each one of us can push a little harder to make that day come a little sooner. Let us lean into our tasks and to our duty.

I yield the floor.

Ms. MIKULSKI. Mr. President, I want to commend Senators COLLINS and REED for their hard work on this bill. The Senators worked closely together, continuing a great tradition of the Appropriations Committee.

The Transportation, Housing and Urban Development (HUD), and Related Agencies bill has two critical missions. It is Congress' annual infrastructure bill, creating jobs in construction, and it meets compelling human needs by strengthening communities. While I support this bill, I also reaffirm my continued commitment to getting a 12-bill omnibus done by December 11—leaving no bill behind and no Christmas crisis.

This bill keeps Americans on the move, delivering Federal formula funding to every State for highways, byways, and mass transit. Thanks to the Bipartisan Budget Act of 2015, which increased the discretionary caps by \$50 billion, we are here today to take up the Collins and Reed amendment, adding nearly \$1.6 billion to the Senate Committee bill.

The Collins-Reed amendment increases funding for the Federal Aviation Administration, the Federal Transit Administration's New Starts program, and competitive TIGER grants. It recognizes the importance of the U.S. flag fleet and merchant marines to our national security by increasing funding for the Maritime Security Program. The amendment also restores funding to HUD's Community Development Block Grant and HOME programs. These are programs that every county executive and mayor talk to me about.

For my home State of Maryland, this bill fully funds the Washington Metropolitan Area Transit Authority. I am beyond frustrated with Metro, but will not waver in my support for Federal funding to improve the safety and operational reliability of the system because many of my constituents rely upon Metro every day. I included bill and report language requiring strict U.S. Department of Transportation, DOT, oversight of how these taxpayer dollars are spent. And I appreciate the support of Senators COLLINS and REED for my amendment to give DOT the power to appoint and oversee Metro's Federal board members, instead of the General Services Administration.

The bill provides funding for an important Maryland jobs corridor—the Purple Line, which is a new light rail system to be constructed in Montgomery and Prince George's Counties. HUD's Office of Healthy Homes and Lead Hazard Control also receives strong funding, which is critically important to my hometown of Baltimore.

Like many older cities in the Northeast, Baltimore has a significant lead paint problem.

This is a good bill. I urge my colleagues to offer only germane amendments, so we can complete our work before Thanksgiving and keep momentum going to complete a 12-bill omnibus before December 11.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Maine.

Ms. COLLINS. Mr. President, I am pleased to report that the ranking member and I have two amendments that have been cleared by both sides.

Mr. President, it appears that I am premature by a couple of moments, so I will suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EPILEPSY AWARENESS MONTH

Mr. WHITEHOUSE. Mr. President, I wish to speak for 5 minutes on Epilepsy Awareness Month. If the matter for which Senator WICKER is waiting comes to the floor, I will interrupt my speech immediately so I don't slow down his business at all. I know he has been waiting here for a while, but as long as we were in a quorum call, I will speak in recognition of November as Epilepsy Awareness Month.

Epilepsy is a chronic, debilitating condition that can produce violent, unpredictable seizures. It can be caused by traumatic events such as strokes, tumors, or brain injuries, but for a lot of patients the cause remains unknown. It is no easy thing to live with epilepsy. Yet millions of Americans do so every day, including an estimated 10,000 Rhode Islanders. They include Sawyer, a 12-year-old Warwick resident who recently started seventh grade. I think we all remember what it was like to be a young person in school. I am sure we all know someone who for one reason or another was labeled as different and had a harder time than most. Well, imagine how hard it must be to navigate that world while also struggling with the daily symptoms of epilepsy. It takes a brave person to confront that challenge head-on, and I think we can all admire Sawyer's courage every day as he goes to school and pursues his education amid challenging circumstances.

One reason Sawyer and his mom moved to Rhode Island was to take advantage of the support services provided by the Matty Fund, a local organization dedicated to helping those living with epilepsy and raising awareness of the condition. The organization was founded in 2003 by Richard and Deb Siravo in honor of their son Matty, whom they lost to epilepsy that same

year. The group provides services to local families, including Camp Matty, a day camp designed for kids with epilepsy.

Sawyer recently attended Camp Matty and spent time with other kids like him, as well as older camp counselors, who are living with epilepsy and thriving. According to the Matty Fund, Sawyer flourished during his time at the camp. The group's executive director, Marisol Garcies, tells me that Sawyer "could see in these teenagers and volunteers a glimpse of himself in a few short years, and it comforted him."

I am proud of the work the Matty Fund is doing to support Rhode Island kids like Sawyer, and I would also like to see us in Congress do more to give hope to him and millions of other Americans living with epilepsy.

Federal funding for epilepsy research through the National Institutes of Health was cut \$27 million from fiscal year 2012 to fiscal year 2013 as a result of the recent budget battles. Funding has been restored in the years since, but until we provide the kind of year-to-year funding certainty that big research initiatives need, there will continue to be trouble.

The researchers developing the next generation of medical treatments for epilepsy and countless other conditions shouldn't have to worry that their funding is at risk because Congress is having another political fight. That is why I am proud to be a cosponsor of Senator DURBIN's American Cures Act, which would create a trust fund dedicated to sustaining and expanding funding for health research at the NIH, CDC, Department of Defense, and Department of Veterans Affairs. In addition, I am currently working with my colleagues on the Health, Education, Labor and Pensions Committee to make NIH funding a mandatory part of our annual budget, ensuring that a baseline of Federal research dollars will be available year in and year out. I hope we can get it done.

In the meantime, let's all keep sending our thoughts and prayers to people like Sawyer, and to help to lift the stigma that is too often associated with epilepsy. These brave individuals fight every day to live a normal life against some very real obstacles, and we can help by giving them our admiration and encouragement.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, the ranking member and I have two amendments that have been cleared by both sides.

AMENDMENTS NOS. 2809 AND 2817 TO AMENDMENT NO. 2812

I ask unanimous consent that the following amendments be called up and agreed to en bloc: Senator MCCAIN's amendment No. 2809 and Senator MIKULSKI's amendment No. 2817.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendments en bloc by number.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for Mr. MCCAIN, proposes an amendment numbered 2809 to amendment No. 2812.

The Senator from Rhode Island [Mr. REED], for Ms. MIKULSKI, proposes an amendment numbered 2817 to amendment No. 2812.

The amendments are as follows:

AMENDMENT NO. 2809

(Purpose: To require the Administrator of the Federal Aviation Administration to review certain decisions to grant categorical exclusions for Next Generation flight procedures and to consult with the airports at which such procedures will be implemented)

After section 119C, insert the following:

SEC. 119D. Section 213(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note) is amended by adding at the end the following:

"(3) NOTIFICATIONS AND CONSULTATIONS.—Not less than 90 days before applying a categorical exclusion under this subsection to a new procedure at an OEP airport, the Administrator shall—

"(A) notify and consult with the operator of the airport at which the procedure would be implemented; and

"(B) consider consultations or other engagement with the community in the which the airport is located to inform the public of the procedure.

"(4) REVIEW OF CERTAIN CATEGORICAL EXCLUSIONS.—

"(A) IN GENERAL.—The Administrator shall review a decision of the Administrator made on or after February 14, 2012, and before the date of the enactment of this paragraph to grant a categorical exclusion under this subsection with respect to a procedure to be implemented at an OEP airport that was a material change from procedures previously in effect at the airport to determine if the implementation of the procedure had a significant effect on the human environment in the community in which the airport is located if the operator of that airport requests such a review and demonstrates that there is good cause to believe that the implementation of the procedure had such an effect.

"(B) CONTENT OF REVIEW.—If, in conducting a review under subparagraph (A) with respect to a procedure implemented at an OEP airport, the Administrator, in consultation with the operator of the airport, determines that implementing the procedure had a significant effect on the human environment in the community in which the airport is located, the Administrator shall—

"(i) consult with the operator of the airport to identify measures to mitigate the effect of the procedure on the human environment; and

"(ii) in conducting such consultations, consider the use of alternative flight paths.

"(C) HUMAN ENVIRONMENT DEFINED.—In this paragraph, the term 'human environment' has the meaning given that term in section 1508.14 of title 40, Code of Federal Regulations (as in effect on the day before the date of the enactment of this paragraph)."

AMENDMENT NO. 2817

(Purpose: To provide that the Secretary of Transportation shall have sole authority to appoint Federal Directors to the Board of Directors of the Washington Metropolitan Area Transit Authority)

At the appropriate place, insert the following:

SEC. ____ (a) In this section—

(1) the term “Compact” means the Washington Metropolitan Area Transit Authority Compact (Public Law 89-774; 80 Stat 1324);

(2) the term “Federal Director” means—

(A) a voting member of the Board of Directors of the Transit Authority who represents the Federal Government; and

(B) a nonvoting member of the Board of Directors of the Transit Authority who serves as an alternate for a member described in subparagraph (A); and

(3) the term “Transit Authority” means the Washington Metropolitan Area Transit Authority established under Article III of the Compact.

(b)(1) Notwithstanding section 601(d)(3) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432; 122 Stat. 4969) and section 1(b)(1) of Public Law 111-62 (123 Stat. 1998), hereafter the Secretary of Transportation shall have sole authority to appoint Federal Directors to the Board of Directors of the Transit Authority.

(2) The signatory parties to the Compact shall amend the Compact as necessary in accordance with paragraph (1).

The PRESIDING OFFICER. Under the previous order, the amendments (Nos. 2809 and 2817) are agreed to.

Ms. COLLINS. I thank the Presiding Officer.

Mr. President, just a very brief explanation on both of these amendments. Senator MIKULSKI's amendment simply allows the Secretary of Transportation to select the Federal appointees for the Washington metro system. That is done by the head of GSA right now, and obviously GSA is an agency with no transportation policy expertise, so this simply makes sense. It is non-controversial and has already been passed out of the Senate committee of jurisdiction.

Senator MIKULSKI has been very concerned, as have many of us, about the safety and operational issues with Metro, and I believe this amendment is an excellent one, and I am proud to lend my support.

Senator MCCAIN's amendment ensures that the Federal Aviation Administration reviews its procedures when there are complaints from a community about the noise of airplanes that are landing in a particular area and that they do a report.

I think both of these amendments make a great deal of sense, and I am pleased that we were able to clear them and get them adopted.

The PRESIDING OFFICER. The Senator from Mississippi.

AMENDMENT NO. 2815 TO AMENDMENT NO. 2812

Mr. WICKER. Mr. President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 2815.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. WICKER] proposes an amendment numbered 2815 to amendment No. 2812.

Mr. WICKER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To authorize the Secretary of Transportation to increase the minimum length limitation for a truck tractor-semitrailer-trailer combination from 28 to 33 feet if such change would not negatively impact public safety)

Beginning on page 45, strike line 16 and all that follows through line a on page 46 and insert the following:

SEC. 137. The Secretary of Transportation may promulgate a rulemaking to increase the minimum length limitation that a State may prescribe for a truck tractor-semitrailer-trailer combination under section 3111(b)(1)(A) of title 49, United States Code, from 28 feet to 33 feet if the Secretary makes a statistically significant finding, based on the final Comprehensive Truck Size and Weight Limits Study required under section 32801 of the Commercial Motor Vehicle Safety Enhancement Act of 2012 (title II of division C of Public Law 112-141), that such change would not have a net negative impact on public safety.

Mr. WICKER. Mr. President, I thank the chair and ranking member of the committee and, of course, the staff for working with us on this issue. This is an amendment that should be familiar to Members because essentially the same language was voted on in the form of a motion to instruct conferees last week. The essence of both that motion, which was adopted on a vote of 56 to 31, and this amendment today is to prevent a Federal mandate which has been contained in the committee version of this bill. That mandate would have required all 50 States to allow twin 33 tandem tractor-trailer rigs in each State. Some 12 States allow these twin 33 tandem tractor-trailer trucks and some 38 States prevent them. If the language were to remain in the appropriations bill, all 50 States, including the 38 States that have chosen not to accept these trucks, would be mandated.

I think the vote of the Senate was clear last week. I will simply point out that this will remove a Federal mandate and will assist small business truckers who don't have the capital to move to these new longer double trucks. It will promote public safety and, I would submit, save lives and save \$1.2 to \$1.8 billion every year in maintenance and repair because of the damage caused by these twin 33 trailers.

I appreciate the committee working with me to get a vote, and at this point I ask that the amendment be adopted.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, we are now prepared to have a voice vote on Senator WICKER's amendment; therefore, I know of no further debate on the Wicker amendment.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 2815) was agreed to.

Ms. COLLINS. I thank the Presiding Officer.

Mr. President, I am pleased that we are making progress, and I encourage other Members to come to the floor and share their proposals with us so we can continue to dispense with amendments.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ISIS

Mr. CORNYN. Mr. President, yesterday I spoke about the horrific terror attacks in Paris last week and why they were a stark reminder of two things: first, that the threat of ISIS stretches well beyond Syria and Iraq, and, second, that this terror army has grown in power. It has grown in influence and certainly has grown in territory.

Unfortunately, the administration and the Commander in Chief, in particular, have effectively stood by as spectators without developing an effective strategy to degrade and destroy ISIS as the President claims is his goal. Instead, we have seen airstrikes, which are necessary but not sufficient to deal with the threat of ISIS in Syria and in Iraq.

So more than a year ago, I, among others, called on the President to discuss with the Congress his strategy. My thought is that anytime Americans are sent into harm's way—and there are Americans in harm's way both in Iraq and perhaps throughout the region—there ought to be a clear purpose articulated by the Commander in Chief. It ought to be a joint undertaking between the Congress and the Executive because our men and women in uniform deserve the unqualified support of all Americans, and I think that can best be demonstrated and accomplished by building consensus for this action in Congress.

But what we have seen instead are speeches, interviews, and assurances that have really attempted to hide the fact that the President's so-called strategy against ISIS has been nothing more and nothing less than an abject

failure. The picture painted by the administration on the perceived success of this strategy has been overstated at best and disingenuous at worst. Between referring to ISIS, now numbering as many as 30,000 strong, as the “JV team” and just hours before the Paris attacks proclaiming in an interview with ABC that they were “contained,” the President has simply not shot straight with the American people.

The American people can take the truth; they just haven’t heard it yet about the nature of the threat and about an effective strategy to deal with that threat. As we have learned and as the 9/11 Commission observed, one of the worst things we could do for our own national security is allow safe havens for terrorists to develop in places such as Syria and Iraq, places where they can train, arm, and then they can export their attacks, and given the unique capability of ISIS, they can communicate by social media and over the Internet and radicalize people here in the United States, just as they apparently did with people in France.

Criticism of the President’s lack of a strategy is not a partisan issue. It is not limited to members of my political party. On Monday, in an interview on MSNBC, the ranking member on the Senate Intelligence Committee, the senior Senator from California, said: “ISIL is not contained,” adding, “I have never been more concerned.” That is Senator FEINSTEIN the ranking member—I believe they call them vice chair—of the Intelligence Committee. I couldn’t agree with my Democratic colleague from California more. ISIL, ISIS, Daesh—whatever you want to call it—has not been contained. I agree with her. I have never been more concerned about a terrorist threat, particularly since 9/11.

It is very clear that in the wake of the tragic events in Paris, what the administration is doing to combat ISIS is failing. It is not working. In Iraq, ISIS has captured city after city over the last 2 years where Americans have shed their blood, where Americans spent their treasure and took years to bring relative peace preceding President Obama’s precipitous withdrawal from Iraq.

I can only imagine how hard it is for some of our veterans who served in Iraq to hear the laundry list of familiar places that have been taken by ISIS almost overnight. Sadly, of course, this includes cities where the precious lives of American heroes were lost, places such as Mosul, Fallujah, and Ramadi. I can only imagine what an American veteran, having lost a limb or suffered other grievous injury, must feel, the rage they must have after seeing those hard-fought gains squandered. And I can’t help but think of the Gold Star Mothers, moms who have lost service men and women in combat and in serv-

ice to our country. What a terrible squandering of hard-fought-for gains. But that is what laid the predicate and created the vacuum for the threat we see today.

From where we stand today, Iraq is undeniably worse than when President Obama took office. He said he wanted to end the war in Iraq and Afghanistan, only to see, because of bad judgment and bad strategy, the war proliferate and get that much more serious—at least the war being conducted against us, our American interests, and our allies. As I said, the result of that bad policy and bad judgment is not one less war, it is a safe haven for ISIS that has been carved out of Syria and Iraq. The border between those two previously separated countries has been completely erased, as 30,000 fighters continue to plunge the region deeper into chaos.

I was struck by the comments of the Director of the Central Intelligence Agency, who spoke at the Center for Strategic and International Studies on Monday. He said that before the current administration, there were probably about 700 adherents left. That is the origin of this problem today which is known as Al Qaeda—700 or so adherents left. And as I have already alluded to, according to news reports, there are between 20,000 and 31,500 fighters across Iraq and Syria. Those are the numbers of troops ISIS can now muster as a result of our failed policies in Iraq and Syria. So according to the CIA Director’s own estimate, that means there has been an increase, just during the seven years of the Obama administration, of between 2,700 and 4,400 percent.

Mr. President, your strategy is not working.

As we all know, this is not just about a fight over there; this is about a fight that is coming here, to a neighborhood, to a city near you. According to the media reports on Monday, the CIA Director also warned that ISIS was likely planning additional attacks. On that same day, a new propaganda video popped up online in which ISIS issued a fresh threat to target Washington, DC.

Perhaps most concerning—and it is all concerning—is a serious threat we face at home from a jihadist who is already living here on U.S. soil. Most of the people who carried out the attacks in France were born and grew up in Belgium. Some of them immigrated, one under a fake Syrian passport, apparently. But we need to be concerned about homegrown radicalized terrorists, radicalized by ISIS or like-minded groups via the Internet. In Texas, we have seen this firsthand—the so-called homegrown threats that occurred at Fort Hood in 2009 and in Garland, TX, earlier this year.

But in the face of all of this—the President’s own CIA Director talking about the huge increase in the threat over the last 7 years of this failed

strategy—and given what has happened in Paris, given the threat against the United States and Washington, DC, in this propaganda video, why in the world would any reasonable person say “We don’t need to change a thing; we need to stay the course”—which is apparently what the President is saying. No rational person would say “Hey, this is working out just the way I had it planned.” You would reconsider and you would reevaluate in light of the evidence and the experience. That is what a reasonable person would do.

Well, the Washington Post, on November 16—I guess that was 2 days ago—issued an editorial called “President Obama’s false choice against the Islamic State.” In the first paragraph, they used a word to describe the President that I thought I understood the meaning of and I think I did, but I looked it up anyway. It is the word “petulant.” This is what they said:

Pressed about his strategy for fighting the Islamic State, a petulant-sounding President Obama insisted Monday, as he has before, that his critics have offered no concrete alternatives for action in Syria and Iraq, other than “putting large numbers of U.S. troops on the ground.”

Well, “petulant”—I did look it up. “Childishly sulky or bad-tempered” is one definition. So apparently the Washington Post wasn’t impressed with the President’s response either.

They went on to say that the President’s claim was faulty in a number of respects. First, nobody has proposed putting large numbers of U.S. troops on the ground—no one. So this is a straw man the President erects just so he can knock it down to try to discredit anybody who doesn’t drink the same Kool-Aid he does on this topic.

The Washington Post went on to say that a number of military experts have proposed a number of constructive ideas that would help us make better progress against this enemy, things such as deploying more Special Operations forces, including forward air controllers who can direct munitions, airstrikes, and bombing raids with much more accuracy than without them.

We could also make sure that we have more Americans to advise the Iraqis’ moderate Syrian forces and other people with similar interests on battlefield tactics to make them more effective. The President could send in more advisers to Iraqi battalions and more U.S. specialized assets. There is no one in the world who has a technological advantage on the United States when it comes to our military and our specialized assets, such as drones, for example, among other things.

Then there is the issue of the Kurds. The Peshmerga have been an impressive fighting force. They have been boots-on-the-ground in a large portion of Iraq, and they have been crying out for the sorts of weapons that they need

in order to be more effective. The administration has decided: Well, let's send everything through Baghdad. Sadly, most of those weapons don't end up making their way into the hands of the Kurds and the Peshmerga because of political differences between them.

So there is a lot we could do, and the President's straw man that he continually erects so he can just knock it down as he tries to ridicule and criticize anybody who has the temerity to question this failed strategy—it is just not working. It is not working for him, and people increasingly are losing confidence in his judgment.

To eradicate ISIS abroad and neutralize the threat this terror army poses at home, we need a proactive, multifaceted strategy. The President's approach, characterized by ineffectual airstrikes and half measures, has resulted in a tactical stalemate that has kept ISIS's morale high and recruitment steady.

We are blessed with some of the most elite military forces in the world, incredible human beings and great patriots. But not even they can hold on to territory after it is bombed because there simply are not enough of them. That is why, as the Washington Post suggested, it is so important to send in American advisers on tactics and people who will allow the boots on the ground, such as the Kurds, the Peshmerga, to be more effective. They can be the boots on the ground. They are the ones with the most direct interest in the outcome.

It doesn't take an expert military strategist to see that airpower alone will not defeat ISIS. Perhaps the greatest military leader we have had, and certainly in my adult lifetime, GEN David Petraeus, has said that. The President's own military advisers have told him that, but he simply won't listen to them—preferring, it seems to me, to sort of run out the clock on his administration and then have to hand off this terrible mess to his successor. But Heaven help us if in the meantime, as a result of this ineffective strategy and an emboldened ISIS, we see more attacks not over there but over here.

We already have U.S. boots on the ground in Iraq and Syria. I would just remind everyone that there are about 3,500 U.S. troops in Iraq and about 50 U.S. special operators in Syria, as the Obama administration has publicly stated. So if the President is going to put American boots on the ground, why not come up with a strategy, working together with our allies and those with aligned interests, to make them more effective and actually crush ISIS before ISIS hits us here in the homeland?

We know the White House has sought to micromanage the military campaign and impose unreasonable restrictions on what the troops who are there are allowed to do—so-called caveats. Our warfighters literally have had one arm

tied behind their back. This is simply just another recipe for continued failure, and it has to stop, it has to change.

We know that ISIS cannot be dislodged from territory it now holds unless we have effective partners on the ground. That means working closely, as I indicated, with partners such as Iraqi security forces, the Kurdish Peshmerga, the Sunni tribal forces, and supporting them with U.S. airpower and intelligence. To further bolster these ground partners, the President needs to consider embedding American troops as military advisers, as I just said. By employing U.S. troops as joint tactical air controllers, as I mentioned earlier from the Washington Post editorial—that was one of their suggestions—in support of those ground partners, we would make our airstrikes more precise and more lethal.

This is the type of thing that will be needed to clear and to hold territory after recapturing it from ISIS. It doesn't accomplish very much to bomb the living daylight out of some ISIS stronghold and not follow on with troops to hold that territory. We end up doing the same thing over and over again—bombing the same territory, they leave, and then they come back—because there is nothing there to hold that territory.

In the long run, the overall effort to dislodge ISIS from key tribal areas and population centers has to be undergirded by a political framework as well that will sustain the lasting rejection of ISIS's bankrupt ideology. No one is suggesting that military combat alone is going to solve this problem, but in order to bring the people who can—the so-called reconcilables, the people who are willing to try and work toward a long-lasting solution and eradicate the ones who will not—it will take a military strategy and a political framework.

I will just close on this. There has been a lot of concern about refugees. I have heard it in my office and we have all heard it from our constituents back home. Whose heart doesn't break for people who have been run out of their own homeland, who have seen family members murdered by a butcher like Assad in Syria? But this is not a new phenomenon. We have known since the Syrian civil war started, following the Arab Spring in 2011, that hundreds of thousands, indeed millions of Syrians have fled their country, have been dislocated within the country, have moved into refugee camps in Turkey and Jordan, in Lebanon, and now they are going to Europe and some of them are showing up here in the United States.

I would bet, if you ask every single one of them or most of the refugees, would you prefer to live in safety and security in your own land or do you

want to go somewhere else, they would say: I want to stay here. So we need a policy that will actually allow Syrians to stay in Syria and Iraqis to stay in Iraq, but in the absence of any kind of military strategy, no political framework, and no solution from the Commander in Chief, these poor people have nowhere else to go. So we need to create safe zones in Syria.

We can do that. We can create a no-fly zone in cooperation with our partners there in the Middle East. We need to create safe zones in Syria, where tens of thousands of refugees who are now trying to flee Syria could actually live, with our help. This means areas where innocent men, women, and children can be protected from attacks both from the air and from the ground, zones where they don't have to worry about being murdered 24 hours a day by ISIS or by the bloodthirsty regime of Bashar al-Assad.

Congress should not have to tell the Commander in Chief how to conduct a successful military campaign or what a strategy looks like. But you know what. It takes the Washington Post editorial to tell the President that what he is saying is the alternative is just not true and that there are constructive ways we can turn the tide against ISIS and provide more stability and safety to people who prefer to stay home and not flee to distant shores and create consternation here in the United States about whether we are adequately screening these refugees to make sure they are not a threat to us here.

It is my hope the President will consider thoughtful options that are being proposed by Members of Congress. I will bet there are thoughtful options being proposed by the President's own military advisers, but he is just simply not listening to them and stubbornly resisting reconsidering his failed strategy—petulant is what the Washington Post called it. Childishly sulky or bad temper, that is what they called the President's attitude.

The American people have seen some of their own countrymen and countrywomen murdered by ISIS in barbaric and horrific fashion in images transmitted around the globe. They are understandably apprehensive about our security as a nation and our receding leadership role in the world. What is basically happening is, as America retreats, the tyrants, the thugs, the terrorists, the bullies fill that void. In this case, just like before 9/11, that void is filled by bad people who want to not only harm the people nearby but the West—meaning the United States and our allies over here.

So the American people deserve a clear, credible strategy from the President, one that will combat this terror threat before the violence we saw last week in Paris shows up here on our own doorstep. More than ever our Nation needs strong leadership, and I

hope the President will finally rise to the challenge.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT). The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NIH RESEARCH

Mr. MORAN. Mr. President, as my colleagues know, we are in the process of discussing an appropriations bill—called an omnibus bill. For the first time in a long time we have passed an appropriations bill in the Senate. That is progress. We are working on a second one today as well. As we debate the priorities and spending levels for this final appropriations bill for this year, I want to highlight an opportunity we have to deliver on a promise to provide strong support for the National Institutes of Health and for the lifesaving biomedical research that results in that spending.

I would also mention that we have the opportunity to assist in financial support, in providing resources to advance the efforts of a couple of agencies that are greatly allied with NIH; that being the Food and Drug Administration, the Department of Defense and its medical research as it finds cures and treatments for our military men and women and the consequences of their service, as well as the Centers for Disease Control and Prevention.

What I want to highlight is that if we fulfill a promise in regard to medical and biomedical research, we can position our country to provide steady, predictable growth to NIH, the largest supporter of medical research in the world. This sustained commitment, which has been absent for so long, will benefit our Nation many times over and bring hope to many patients in today's generation and those that follow.

Unfortunately, we have not adequately and we have not always upheld our responsibility in this regard. The purchasing power of the National Institutes of Health has diminished dramatically. If you account for inflation, NIH receives 22 percent less funding than it did in 2003. This has negatively impacted our research capacity.

In the best of times, NIH research proposals were funded one out of three times. So if there were three proposals, one of them was accepted for funding. That ratio has now fallen to one in six, the lowest level in history.

The challenge is ours, and the moment to act is now for our moms, our dads, our family members, our friends, for people we don't even know, and for the fiscal condition of our country. If you care about people, you will be supportive of medical research; and if you care about the fiscal condition of our country, you will be caring about medical research.

I am a member of the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies of the Committee on Appropriations, which is responsible for the funding of NIH and these other agencies. Earlier this year, under the leadership of my colleague and friend from Missouri, the chairman, Senator BLUNT, my Senate appropriations colleagues and I were successful in significantly boosting NIH's budget in the Senate's fiscal year 2016 appropriations bill. We achieved more than a \$2 billion increase in NIH. This is an amount around \$1.95 billion more than the President's request and more than \$880 million above the number contained in the House's version of this legislation. This \$2 billion increase would be the greatest baseline boost to NIH since 2003. It bothers me when I say it is a boost to NIH because what it is a boost to is not a Federal agency but rather a boost to the results, the consequences of that investment in research.

With the recent 2-year budget deal that became law recently, it presents a path by which we are able to deliver a much needed budget increase to NIH and to prioritize important research that saves and improves lives, reduces health care costs, and fuels economic growth. This boost would be a tremendous step in putting NIH back on a sound path of predictable, sustainable growth, demonstrating to our Nation's best and brightest researchers, medical doctors, scientists, and students that Congress supports their work and will make sure they have the resources needed to carry out their important research.

The time to achieve this objective is now. If the United States is to continue providing leadership in medical breakthroughs, to develop cures and treat disease, we must commit significantly to supporting this effort. If we fail to lead, researchers will not be able to rely upon that consistency, we will jeopardize our current progress, stunt our Nation's competitiveness, and lose a generation of young researchers to other careers or to other countries' research.

Whenever Congress crafts appropriations bills we face a challenge. We all face this issue of balancing our priorities with the concern about making certain our Nation's fiscal course is on a better path than it has been. Therefore, it is extremely important for us to find those programs that are worthy of funding, that actually work, that are effective, that serve the American people and demonstrate a significant return to the taxpayer who actually pays the bill. Congress should set spending priorities and focus our resources on initiatives that have proven outcomes.

No initiative I know meets these criteria better than biomedical research conducted at the National Institutes of

Health and our other Federal allied agencies. NIH-supported research has raised life expectancy, improved quality of life, lowered overall health care costs, and is that economic engine our country so desperately needs as we try to compete in a global economy.

Today we are living longer and we are living healthier lives thanks to NIH research. Deaths from heart disease and stroke have dropped 70 percent in the last half century. U.S. cancer death rates are following about 1 percent each year, but as we know, much work remains. Diseases such as cancer, Alzheimer's disease, stroke, and mental illness touch all of us, touch all of our communities, touch all of our States, and dramatically affect our country.

Half of the men and one-third of all women in the United States will develop cancer in their lifetime. One in three Medicare dollars is spent caring for an individual with diabetes. Nearly one in five Medicare dollars is spent on people with Alzheimer's or other dementias. In 2050, it will be one in every three dollars. In other words, the cost of dementia and Alzheimer's grows dramatically over time.

New scientific findings are what yield the breakthroughs that enable us to confront these staggering financial challenges of these diseases and others. Therefore, in order to advance lifesaving medical research for patients around the world, balance our Federal budget, control Medicare and Medicaid spending, let's prioritize biomedical research and lead in science and in discovery.

I appreciate the opportunity, as we work to fashion this final appropriations bill before the deadline of December 11, to work with my colleagues across the Senate to make sure that biomedical research, NIH, and its allied agencies receive the necessary financial support that benefits all Americans today and in the future.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. PERDUE. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

GLOBAL SECURITY CRISIS

Mr. PERDUE. Mr. President, I rise today to speak about our persistent global security crisis, but I also want to connect how our national debt crisis affects that.

Our thoughts and prayers go out to the families of the victims of these tragic events of the last 3 weeks. This week the Senate Foreign Relations Committee hosted the French Ambassador to the United States. In that meeting we shared that our thoughts and prayers are with them and with the people of France. But, more than that, we stand in solidarity with them against these evil forces that manifested themselves in the streets of

Paris this past week. The horrific ISIS attacks in Paris—killing more than 130 and injuring more than 350 men, women, and some children—serve as a chilling reminder of the threat we continue to face from international terrorism every day.

Earlier this week, Russia confirmed that it was indeed a terrorist bomb that took down a Russian airliner over the Sinai Peninsula, killing all 224 people onboard. Just last night, we saw two aircraft—thank God, under a false alarm—grounded because of fear of a terrorist attack. In addition, ISIS claimed responsibility for twin suicide attacks in Beirut last week, killing 43 more people. This makes three international attacks in three short weeks.

ISIS continues to be a persistent threat to the West and to the security and stability of the Middle East. Unfortunately, as they have already said several times, these attacks only confirm what ISIS has in mind for the future. ISIS has been very clear about their intention to bring their version of terrorism to our own backyard, here in America. Indeed, ISIS even threatened Paris-styled attacks on our Nation's Capital in a recent video this week.

Earlier this week, CIA Director John Brennan said he would not consider the Paris attacks a one-off event. Director Brennan went on to say:

It's clear to me that ISIL has an external agenda, that they are determined to carry out these types of attacks. I would anticipate that this is not the only operation that ISIL has in the pipeline.

In light of the latest attacks by ISIS—beyond Iraq and Syria—I could not disagree more with our President, who says that his policies are indeed containing ISIS. The President and his administration continue to underestimate this threat. He even called them the JV team not too long ago. Despite the fact that ISIS has demonstrated its ability to perpetrate large-scale attacks beyond the borders of its so-called Caliphate, President Obama refuses to change his failed strategy.

Beyond the fault of the President, however, fault lies here in Congress as well. Washington is entirely too often focused on the crisis of the day instead of getting at the true underlying problems and solving them directly. It shouldn't take a tragedy like this for Washington to pay attention. Again, the latest terrorist attacks only underscore that we are facing a global security crisis of increasing magnitude, and this is inextricably linked to our own national debt crisis.

As a matter of fact, the biggest threat to our global security is still our Nation's own Federal debt. This is as true today as it was when Admiral Mullen, Chairman of the Joint Chiefs of Staff, in 2012, said the same thing.

In the past 6 years, Washington has spent \$21.5 trillion running the Federal Government. That is so large, I have a

hard time even grasping how significant that is. But what I can understand is this: Of that \$21.5 trillion we spent running the Federal Government, we have actually borrowed \$8 trillion of that \$21.5 trillion. With over \$100 trillion of future unfunded liabilities, on top of the \$18.5 trillion we have already built up, this is about \$1 million for every household in America. Every family in America today shares in this responsibility of about \$1 million per family.

We are so far past the tipping point, it may be at a point of being unmanageable. If interest rates alone were at their 30-year average of 5.5 percent, we would already be paying over \$1 trillion in interest. That is unmanageable. That is twice what we spend on our defense investment, and it is twice what we spend on our discretionary non-defense investment. It is unmanageable, and we are well past that tipping point.

Yet, Washington's own dysfunction and gridlock is keeping us from completing the budget process, as I speak today, and passing appropriations bills in the Senate. I might even argue, we may have seen the last truly voted-upon and approved appropriations in the Senate because of the abuses of the rules that we have seen both sides play in recent years. Shockingly, in the last 40 years, only 4 times has the budget process worked the way it was designed, as it was written into law in 1974.

For example, this year we have tried to get onto the defense appropriations bill. That means we are trying to take the appropriations bill that would fund the defense so we can defend Americans abroad and we can defend our interests here at home against threats like ISIS, and we are being blocked from even getting that bill—which passed with a vast majority of votes in committee—from getting to the floor for a vote. No less than three times have the people on the other side of the aisle blocked it from going to the floor for debate, amendment process, and a vote; and three times the Democrats have voted against allowing us to get the defense appropriations bill on the floor, thus making it a political football. It is something I don't understand, not being of the political process here. We have recent attacks from ISIS, and yet we can't even find consensus here in this body to fund our Defense Department. William Few, the very first Senator from Georgia, in whose seat I serve today, would absolutely be appalled. He would remind us of the United States Constitution. There are only 6 reasons why 13 colonies, of which Georgia was one, came together to form this miracle called the United States. One of those was to “provide for the common defense.” And here we are, through dysfunction and partisan politics, not acting appropriately to

fund the ability to provide for the common defense.

I hope we can learn from recent events and get serious about tackling this debt problem so we can use that resource to fund our strong foreign policy. We need a strong foreign policy to fight these threats abroad. But to have a strong foreign policy, we have to have a strong military. We proved that in the 1980s, when we brought down the Soviet Union with the strength of our economy and the power of our ideas. We are at risk today because of our own intransigence and national debt. To have a strong military, as we proved, we have to have a strong economy. That is in jeopardy because of this growing debt crisis.

To confront this global debt crisis, we have to get serious today. We have to break through. We have to get shoulder to shoulder and defend our country, which means we have to do the hard work on the floor of the Senate and pass the funding so we can defend ourselves against these new threats. Now is the time to solve this debt crisis so we can lead as a country again, to deal with this global security crisis, and to provide for the safety of Americans, wherever they are in the world.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TOOMEY). Without objection, it is so ordered.

TRANSPORTATION FUNDING

Mr. CARPER. Mr. President, let me start by congratulating our colleagues on the Environment and Public Works Committee on which I serve, as well as the banking, commerce, and finance committees, where I also serve, on the recent appointment of a House-Senate conference to attempt to produce a final product for a multiyear transportation plan for our country.

I am a strong supporter, as are many of my colleagues, of investments in our Nation's roads, highways, bridges, and transit systems. I have been so for 15 years as a Senator, for 8 years before that as a Governor, and for years before that as someone who focused an economic development and job creation within the State of Delaware.

I am pleased on one hand that after too many years of short-term extensions in transportation funding, we are set to make rebuilding and modernizing our country's transportation system a long-term national priority again, and God knows we need to. However, I regret that I still have deep concerns for how Congress has decided to pay for these investments. For decades

we have paid for our transportation systems—roads, highways, bridges, and transit systems—through the use of user fees in the form of Federal excise taxes and, in some cases, on gasoline and diesel fuel to support the funding of our Nation's transportation system for over a half century—over 50 years. I believe that approach remains the fairest and most efficient way to fund transportation projects. However, since 2008, we have strayed from a user-pays approach. Instead, we rely on \$75 billion worth of budget gimmicks, unrelated offsets, and debt to prop up our transportation trust fund to pay for transportation investments. Rather than right our course, both the House and Senate transportation proposals rely on tens of billions of dollars in additional budget gimmicks and unrelated offsets to fund this bill over the next 6 years. That is not the right way to pay for our infrastructure. I think it is the wrong way. It is not unfair, in my view, to ask the businesses and people who use our roads, highways, and bridges to help pay for them. We have done that for 50 years, we know how to do it, it is a reasonably simple system, and I think it is a fair system. We can adjust the earned-income tax credit in order to offset any increase in the user-fee cost that would have an impact on lower income families because this kind of increase in the tax could be seen as not progressive. Having said that, that is not what we are going to do, and what we are going to do instead is do what we have done for the last 7 years and use gimmicks and things that have nothing to do with transportation to ostensibly pay for transportation funding.

All that being said, this is a course that Congress has voted for, and despite my misgivings over the funding, there is still much to commend in both the House and Senate legislation, particularly on the authorization side that comes out of the Environment and Public Works Committee and out of the Transportation Infrastructure Committee in the House.

Among the areas that I believe should be supported and should certainly be preserved in Congress is a robustly funded freight program, competitive grants for major projects, funding to reduce dangerous diesel pollution, and research grants to explore alternatives to user fees—the gas and diesel tax. I hope these provisions are retained in whatever bill emerges from the conference committee. Other provisions, such as caps on investment of freight funding in rail, port, and water transportation projects and cuts to public transit funding in Northeastern States should also be dropped.

Finally, Congress will face the question of how to balance the benefits of long-term investment predictability with the urgent project investment needs around our country. While the

long-term predictability is certainly important, we must consider the significant unmet investment needs around our country and the huge economic benefits that transportation investments offer to America's businesses and families.

This legislation would best serve our country by maximizing annual investment levels for all service transportation programs over a shorter authorization period, and instead of having an inadequate amount of money to go to pay for transportation improvements over 6 years, I would hope our conferees would consider maybe using that same amount of money and just spread it over 5 years or even 4 years. We could use every dime of it, and then some, for the transportation needs of our country.

This may be the last talk I give on the Senate floor. I have given a bunch of speeches on transportation, not so much on the authorization side of it, but mostly about finding a way to pay for it. Writing the transportation authorization legislation—while not easy—is the easy part of the job. The hard part is figuring out how to pay for stuff. For a long time we have used a user-fee approach, such as the gas and diesel tax. We have done that since Dwight Eisenhower was President and when we were building the Interstate Highway System.

We last raised the gas and diesel taxes in 1993, so it has been 22 years. The gas tax today is 18 cents, and after inflation it is worth about a dime. The diesel tax was raised about 22 years ago and is about 23 cents, and today it is worth less than 15 cents.

A couple of days ago, I bought gasoline in Dover, and I think we paid just a tad over \$2 a gallon. Last week I was told there are 30,000 gas stations across America where people filled up and paid less than \$2 a gallon for gasoline.

Senator DURBIN, Senator FEINSTEIN, and I in the Senate, and others in the House, have offered legislation to restore the purchasing power of the gas and diesel tax. We are not looking to increase it by 25 cents, 50 cents or \$1, as some have suggested, but to simply raise it 4 cents a year for 4 years, and at the end of 4 years in 2020, index it to the rate of inflation. If we did that, we would generate something like \$220 billion that would be used for our roads, highways, bridges, and transit systems over the next 10 years.

Instead, we are not going to do that. We are going to take money from the increase in TSA fees, which ostensibly was to be used to protect people when they fly on airplanes, and instead we will use it for roads, highways, and bridges. We are taking the money that should go to bolster the strength of our borders so we can make sure we are able to detect drugs and other things that shouldn't be going across our borders—particularly the border crossings

where we have huge amounts of commerce moving in and out of our country into Mexico or into Canada—and instead we are going to take that money and ostensibly put it in roads, highways, and bridges.

I found a new way to avoid paying for roads, highways, bridges, and transit systems, and it is kind of a novel way, by saying to the Federal Reserve that we are going to reduce their reserves by \$60 billion. The Federal Reserve, or central bank, turns out to have a large portfolio of investments, and a lot of the investments they have are actually Treasury security. During the course of the year, the Federal Reserve, from all of their investments, earns a lot of money, and after they deduct their expenses from all the money they earned—through the interest income that they earn—they turn what is left over to Treasury. They actually remit money during the course of the year—not all at once but during the course of the year.

Last year, the Federal Reserve remitted something like a one-half trillion dollars in net interest and income to the Treasury. That is revenue that enables the Treasury to reduce our deficit. The House came up with the idea of just reaching in and taking \$60 billion out of the Federal Reserve and use that for roads, highways, and bridges instead of it being taken and turned over in due course to the Treasury to reduce the deficit.

Some people ask: What is wrong with doing this for transportation? What is wrong with doing this for homeland security? What is wrong with doing this for defense? What is wrong with doing this for agriculture or doing it for anything? I think this sets a terrible precedent and invites future Congresses to do the same thing. Instead of adhering to a policy that has served us well for many years and having those who use our roads, highways, and bridges pay for them, we are resorting to gimmicks and the kind of things we should not deign to do.

Having said that, there is a good deal to like, especially in the authorization language. I applaud those who have worked on this legislation, and I appreciate the chance to help shape and reform some of it, but I wish we had taken a different course with respect to actually paying for this work that needs to be done.

The last thing I will say is this: Our friends at McKinsey consulting firm, an international consulting firm, have an arm of McKinsey consulting called Global Institute. That arm of McKinsey reached out a year or so ago, and they tried to figure out if we were to invest robustly in our roads, highways, bridges, and transit systems, what kind of effect it would have on the unemployment in this country. What kind of effect it would have on the gross domestic product in this

country. If we were to truly make the kind of robust investments that are needed—not just the limp-along-level funding, which is woefully inadequate—they calculated that we would add 1.8 million jobs in America.

A lot of the long-term unemployed folks wish they could be hired back again to do construction projects and build roads, highways, bridges, and transit systems. Instead, they are sitting on the sidelines because we don't have the money to pay to hire them to build these projects.

The Global Institute of McKinsey also tells us that robust transportation investments would enable us to grow GDP annually by 1.5 percent. Think about that. We are lucky if we can get GDP up 3 percent per year in this country and so are most developed nations. Simply by making robust investments in our transportation systems—rebuilding America's transportation systems again—we could expect to grow GDP by as much as 1.5 percent per year. The level of funding that is in the legislation before us doesn't come even close to that. I think we missed an opportunity here.

At one of my hearings today, Patty, one of our witnesses, had a funny quote by Yogi Berra, who died earlier this year. She said one of my favorite Yogi Berra quotes: "When you come to the fork in the road, take it." We have come to the fork in the road with respect to transportation funding, and with apologies to Yogi Berra, I think we have taken the wrong fork in that road.

With that, I will call it a day and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HEINRICH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ISIL

Mr. HEINRICH. Mr. President, the attacks in Paris were an unconscionable act of terrorism. America stands with the people of France and people of Paris, as we support those grieving and those working to deliver justice to the people involved. Make no mistake; the heinous terrorist attacks in Paris were an act of war. ISIL has barbarically killed and tortured innocent civilians, including Americans, not just in Paris but also recently in Beirut and routinely in Iraq. They operate around the globe, are well funded, well armed, and have no intention of stopping until their radical goals are realized. They continue to prey upon the innocent and manipulate the vulnerable. In some areas ISIL operates freely because of the instability created by persistent ethnic, sectarian, and religious conflicts in Iraq and Syria. But this crisis

is not limited to Iraq and Syria, and the world's powers and their interests are quickly aligning in the urgent need to wipe the map clean of ISIL and its affiliates.

To be clear, there are smart ways that we can destroy this barbaric terrorist organization without entangling American troops in another endless and bloody ground war in the Middle East. America has a critical role to play in that effort, but it must be part of a larger strategy and coalition, employing a full range of military might, as well as economic and diplomatic power.

We can further engage in this fight in the following ways. First, we must relentlessly target ISIL headquarters in Raqqa and Mosul through air power and destroy ISIL's large oil infrastructure and refineries. Second, we must strangle the flow of foreign fighters on Syria's northern border. Third, we must compel Russia and other governments to reach a political end to the Syrian civil war so that we can unify and focus on fighting the Islamic State. Fourth, we need new measures to crack down on those who finance this terrorism and this extremism. Finally, it is time to drive a much harder bargain with an Iraqi leadership that still refuses to build a state that is politically inclusive and decentralized.

Defeating ISIL cannot be solely an American solution nor should American ground troops be on the frontlines. It is past time that our Arab allies began focusing their efforts, with our support, on ISIL, militarily and economically. Ultimately, local Arab ground forces are the only lasting solution to defeating ISIL because they will be the ones left to ensure peace and stability once the more immediate military operations are concluded.

Some say that we should deploy 10,000 American troops to Syria. However, we know that this strategy would require significantly more troops and would not permanently eliminate ISIL or kill their ideology. Instead, doing so may well exacerbate the conflict and further ISIL's recruitment efforts. We can say this because we have a historical reference, and that historical reference is not from some distant land or from another century.

For nearly a decade, our brave men and women in uniform were deployed in Iraq and were asked to clear and hold multiple large cities. At the peak, in 2007, nearly 170,000 Americans were deployed on the ground, providing security in communities all across Iraq. Nearly 4,500–4,494 to be exact—gave their lives. More than 32,000 were wounded.

These tragic losses happened in the very same area where ISIL now occupies a major city in Iraq, Mosul, and a major city in Syria across the border, Raqqa. The point of my bringing up the Iraq war is not to relitigate the past

but to keep in mind a very important lesson—that even when deploying nearly 200,000 American men and women to stabilize one country, the strategy of clearing and holding large territory is only a bandaid. It is not the permanent solution.

This is especially true when the political leadership in these countries is unwilling to create an inclusive representative government. The calls for sending 10,000 American troops to fight ISIL and to provide security both in Iraq and Syria would mean asking our sons and daughters to remain in these countries fighting year after year for decades into the future.

We know that when American forces are placed in the heart of these regional conflicts, it will only further delay the more lasting solution of having local partners on the ground and our allies in the Persian Gulf taking responsibility for this region, economically and militarily.

SYRIAN REFUGEE CRISIS

Lastly, I wish to talk a little bit about the issue of the Syrian refugee crisis.

Every single Syrian refugee must be subject to the highest levels of vetting and scrutiny, including repeated biometric screenings, before ever entering the United States of America. Syria is a war zone, and we have a duty to ensure that our own homeland security is intact.

The real priority, however, should be addressing the real security gaps that currently exist under the Visa Waiver Program—something on which Democrats and Republicans agree. Currently the Visa Waiver Program allows citizens of countries that qualify—38 countries, including 31 from Europe—to travel freely and stay in the United States for up to 90 days. Individuals who have purposefully traveled to Iraq or Syria, who have joined training camps or sympathized with ISIL's cause—that is where the real risk to the homeland lies.

The victims who have suffered at the hands of ISIL are not the problem, and we should instead be working to close the loopholes that allow dangerous individuals with violent intentions to potentially enter our country today.

In the coming days, I will be calling for reforms to our Visa Waiver Program so that we can focus on the real threats to our homeland. There is a difference between terrorists and victims of terrorism. The implicit assumption that Syrian refugees—many of whom have suffered brutally at the hands of ISIL—are a threat because of their country of origin is a rejection of American values and represents giving into our worst ethnic and religious prejudices.

I am grateful that when my own father and my grandparents fled Germany in the years leading up to World War II, this country chose to see them

for what they were—enthusiastic American immigrants seeking to escape the dangerous politics gripping their former nation. Had this brand of twisted anti-immigrant logic been applied to them, I can only wonder how very different my life would be today.

Let's remember that the enemy in this current scenario is ISIL, not the refugees who flee from their destruction. We simply will not have the moral standing as a nation to lead this international scenario if we ignore those who have lost everything at the hands of these barbaric terrorists.

ISIL has killed and tortured many innocent civilians and is actively plotting to do more harm. We should all agree that ISIL must be eliminated from this Earth, but let's learn from our past mistakes and set to this work in a way that is both strategic and effective.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

TERRORIST ATTACKS AGAINST FRANCE

Mr. FRANKEN. Mr. President, I rise today with a heavy heart to express my condolences to the people of France for the tragedy they have experienced. No words can describe the barbaric and senseless acts of terrorism committed against the innocent victims in Paris, people who are simply going about their lives, people who are just enjoying a meal with their family or attending a concert with friends. These barbaric acts were an affront to the people of France and to all humanity.

This is a time for solidarity with France and with all victims of terrorism. The world has rightly come together to condemn these barbaric acts. Now we have to work together and redouble our efforts to defeat ISIS and other terrorist groups in Syria and Iraq and elsewhere.

SYRIAN REFUGEE CRISIS

As we remember the victims of the attacks in Paris, we cannot forget all those who are fleeing the terror in Syria. The ongoing conflict in that country has created 4 million refugees. These are people who are fleeing Assad's barrel bombs, his brutal assault on them on the ground, and they are fleeing murderous terrorist attacks committed by ISIS and other groups. Of those 4 million refugees, 1.9 million are in Turkey; 650,000 are in Jordan, a country of 6.5 million people; and 1.2 million are in Lebanon, making up a fifth of Lebanon's entire population.

The White House has a very modest plan to bring 10,000 Syrian refugees into the United States over the next year. It is a tiny number compared to what other countries are doing. Even France—the country that just suffered

the terrorist attacks—is going to honor its commitment to take 30,000 refugees over the next 2 years. Each one of the 10,000 refugees we are accepting is important because it could be the difference between life and death for those individuals. That is why I was proud to join Senator DURBIN and other Members to urge the White House to do more—because we can and we should do more.

The United States has always been a refuge for the vulnerable, for those who are fleeing political repression or those who are persecuted simply because of their religion. The Syrian refugees the administration is prioritizing for entry are, in fact, the most vulnerable. These are survivors of violence and torture, people with medical conditions, and women and children.

The news site BuzzFeed has published a series of images of children, of young Syrian refugees. I encourage everyone to look at these images because they capture the vulnerability and desperation of the people we are trying to help, children like Ahmed, who is sleeping in this picture I have in the Chamber. As the BuzzFeed story says, Ahmed is a 6-year-old who carries his own bag over the long stretches his family walks by foot. His uncle says: "He is brave and only cries sometimes in the evenings." His uncle has taken care of Ahmed since his father was killed in their hometown in northern Syria.

There are children like Maram. Maram is an 8-year-old, and the story describes how her house was hit by a rocket. A piece of the roof landed right on top of her, and the head trauma caused her brain hemorrhage. She is no longer in a coma but has a broken jaw and cannot speak.

We can only hope these children won't share the fate of Aylan Kurdi, whose image I can't get out of my mind. He is the drowned 3-year-old boy whose photograph on that beach galvanized the world. He was part of a group of 23 who had set out in two boats to reach the Greek island of Kos, but the vessels capsized. Aylan drowned, as did his 5-year-old brother Galip, and so did the boys' mother, Rehan.

In the aftermath of the gruesome terrorist attacks in Paris, some have taken the view that we should turn our backs on these people, the very people who are fleeing from the terrorists. Some argue that we cannot both help these vulnerable men, women, and children and keep our country safe, but they paint a false choice. We can do both and we should do both.

I wish to take just a minute to describe the stringent and very extensive security screening procedures these individuals go through before they can even enter the country, procedures so extensive that it can take up to 2 years—usually between 1½ years and 2 years—for them to be cleared to come here.

These refugees are subject to the highest levels of security checks of any category of traveler entering the country. Those screenings include the involvement of our security and intelligence agencies, such as the National Counterterrorism Center, the FBI's Terrorist Screening Center, the Department of Homeland Security, the Department of State, and the Department of Defense.

All available biographic and biometric information of these refugees is vetted against law enforcement and intelligence community databases so that the identity of the individual can be confirmed. Every single refugee is interviewed by a trained official from the Department of Homeland Security.

Finally, the screening process accounts for the unique conditions of the Syria crisis and subjects these refugees to additional security screening measures.

We absolutely need to make sure these security measures are as stringent and as thorough as possible, and if there are ways to enhance these screening protocols, we should make sure we are doing that.

Each year the United States accepts tens of thousands of refugees from around the world, and there is no reason why some of those can't be Syrian refugees who are the most vulnerable. We can strike the right balance. We can protect our security and do our part to address the largest refugee crisis since World War II. But rather than showing compassion and standing up for American values, many of my colleagues on the other side of the aisle want to close the door to people who are fleeing the most horrendous forms of persecution. I believe that would betray our core values, and it would send a dangerous message to the world that we judge people based on the country they come from or from their religion, and that would make us less safe by feeding into ISIS's own propaganda that we are at war with Islam.

We are better than this. Remember the closing lines of the poem that is inscribed on the pedestal of the Statue of Liberty, the gift from France to the United States that is a symbol of freedom and of generous welcome to foreigners. The poem, "The New Colossus," was written by Emma Lazarus, who was involved in charitable work for refugees and deeply moved by the plight of Russian Jews—like my grandfather—who had fled to the United States. These are the closing lines of her poem:

Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tost to me,
I lift my lamp beside the golden door!

There should always be a place in this country for men, women, and children who are fleeing horror—the same

kind of horror that befell so many innocent people in Paris last week. This is not the time to score political points; this is the time when we come together and show leadership. This is the time—this is now the time—when we uphold the values of the United States of America.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I yield to the Senator from Kentucky for the purposes of describing an amendment that he has filed.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, make no mistake, we have been attacked in the past by refugees or by people posing as refugees. The two Boston bombers were here as refugees. They didn't take very kindly to what we gave them—education, food, clothing—and they chose to attack our country. In Bowling Green, KY, we had two Iraqi refugees who came through the refugee program, posing as refugees, and then promptly decided to buy Stinger missiles. Fortunately, they bought them from an FBI agent, and we caught them. But when we caught them, we discovered their fingerprints were already on bomb fragments in Iraq in our database, yet we had no clue and admitted them anyway.

I think we have an insufficient process for knowing who is here legally and illegally. We have 11 million people in our country illegally, and 40 percent of them have overstayed their visa. Do we know who they are? Do we know where they are? If we extrapolate those statistics to those who are visiting our country from the Middle East, do we know where the 150,000 students are who say they are going to school in our country from the Middle East? I don't think we do.

I don't think we should continue adding people to the rolls of those coming from the Middle East until we absolutely know who is in our country and what their intentions are. So my bill says this—my amendment says this: We are not going to bring them here and put them on government assistance.

When the poem beneath the Statute of Liberty said give me your tired, give me your poor, it didn't say come to our country and we will put you on welfare. In those days you came for opportunity. Many Christian churches have supported refugees. My church has supported refugees coming here. That is charity. But when you put them on welfare, that is not charity.

We borrow \$1 million a minute. We don't have enough money to do this; it is a threat to our national security. My amendment would end the housing assistance for refugees in order to send a message to the President: The people have spoken. We are unhappy with

your program. If you will not listen to the American people, we will take the money from the purse.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise in opposition to the Senator's amendment. All of us recognize that our first obligation as Americans is to ensure the security and well-being to the extent we can of our citizens. That is our first priority.

There are many flaws in the system for admitting people to this country. Those flaws go beyond the problem of people sneaking into our country illegally or overstaying their visas. They extend to the process we use under the Visa Waiver Program. Indeed, one of our colleagues Senator COATS has introduced a thoughtful bill to have us take a better look at that program and whether it is a way for citizens who have been radicalized to come from Western European countries into our country and to do us harm.

There are many ways we can improve the process. I am working with Senator CANTWELL on a bill having to do with biometrics to make sure we have more information. I look at the Senator's amendment, and he lists 34 countries that would be affected by his prohibition—34 countries. They include countries such as Turkey. Turkey is a NATO ally. Turkey is absolutely vital in the war against ISIS. It includes our strong ally Jordan. If Jordan and Turkey and Lebanon, countries that have already taken in 4 million refugees who are fleeing from Syria, are destabilized, what does that mean for the stability of that entire region?

Mr. President, last month I went on an official trip with several of my colleagues to get a better understanding of the migrant crisis that is engulfing Europe. We traveled to the two countries that are the entry points for many of the refugees fleeing the conflict in Syria and who also are coming from Afghanistan and Iraq and some countries in Africa as well, such as Libya. So we went to Italy, and we went to Greece.

At that time, in the middle of last month, 710,000 individuals had come in through Greece and to Italy to go on to other countries in Western Europe and in Scandinavia. We talked to the officials there, and I was not happy with the responses I received from Greek, Italian, and U.N. officials about their screening of refugees. Even though it is evident that the vast majority of refugees were people who were fearing for their lives and seeking safety, I was worried that ISIS fighters would embed themselves in this flood of refugees.

What the Greeks and the Italians, with help from the U.N. High Commissioner for Refugees, were doing was fingerprinting people, taking their photographs and then essentially sending

them on their way. And I asked: Are we comparing these fingerprints, these photos, this other information with our—the American—watch list for terrorists? Are we matching them up against our no-fly list, our TIDE database, which is the larger terrorist watch list? The answer was no, and that needs to change.

I also traveled to a shelter in Athens that was run by Doctors of the World, an organization with which I was previously unfamiliar, and there I met a very young mother with her adorable little girl. They were from Eritrea, and they had been part of the flood of refugees. They pose no harm to our country or to any of the countries in which they might ultimately settle, yet they might need a little bit of assistance, a little bit of help, because the mother was so young and her daughter only about age 2.

I also met two young girls from Afghanistan who both said to me: Please don't take our pictures and put them on Facebook, because we fear for our relatives back in Afghanistan.

Look what has happened in Afghanistan, as the Taliban has regained strength and now is once again oppressing women and girls, denying them an education, forcing them into early marriages.

Another country on this list is Nigeria—certainly a country we have to be very careful about because this is the country where ISIS has a stronghold and where Boko Haram is located. But it is also the country where hundreds of girls were kidnapped for trying to get an education.

In other words, we can't just list 34 countries, some of which are essential to work with us in the war against terrorism, against ISIS, such as Jordan and Turkey. We can't just list all these countries and say they are off limits.

We can't just automatically say no to an Iraqi interpreter who has worked with our special forces and now is in danger of losing his life and having his family slaughtered because he helped to save Americans' lives in Iraq. Are we saying we will not let a single person from 34 countries into our country no matter how many American lives they have saved, no matter whether they pose a threat to us?

Now, I want to make very clear that I do not think our process for screening people to come into this country is good enough. It is not. If it were good enough, we would not have people who could cause us harm in this country. But, you know, perhaps we should be focusing on those Americans—yes, even Americans—who have become radicalized and have traveled to Syria and Iraq and been trained to plot attacks here in this country: lone-wolf attacks, such as Major Hasan at Fort Hood, an American citizen who was radicalized online by an extremist Islamic cleric.

We can't apply a one-size-fits-all to 34 countries that include a NATO ally

and other allies that have been helpful in the war against terrorism or countries that include individuals who have helped the cause, who have saved American lives or who pose no threats to us, such as those two young Afghan girls I met at the shelter or the very young mother with her very young little girl.

We do need to tighten our process. We need to do more. You know, I would think that Members of this body who voted just months ago to weaken our ability, even under court orders, to provide surveillance of those who we suspect would do us harm would think again about what they have done in this time when the threats coming at us have never been greater. But this is a meat ax approach. It is too broad, and it does not really address the problem that we face today. We do need to address that problem. Perhaps we need a pause to redo our processes. But this is not the answer.

Finally, as I read this language, the way it is written, it may apply to refugees who already have been legally admitted to this country. Do we want to do that? We need to think about this. We need to get this right, and Senator PAUL's amendment is far too broad and is not the right answer to what is a real problem.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I associate myself with the comments of Senator COLLINS, who described the amendment extremely well. I, too, rise in opposition to the proposed amendment for all the reasons she listed. She was quite vivid and quite concrete in numerous examples: individuals in Afghanistan who have assisted us who are in jeopardy if they don't get an opportunity to come to the United States and people in Jordan who fight with us each day. Who can fail to recall the horrific scene of the young Jordanian pilot who was burned by ISIS? That was a Jordanian patriot fighting with the United States of America against the common enemy, ISIL. Unfortunately, he is deceased. But to tell his family members and his fellow countrymen that they can't come here as they qualify through rigorous procedures as a refugee and are granted asylum—all these reasons have been so well spoken by Senator COLLINS. So I won't go on, but I want to make clear that I, too, oppose the amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CRUDE OIL EXPORT BAN

Mr. HOEVEN. Mr. President, I rise today to make the case for lifting the 40-year-old ban on exporting crude oil. Lifting the ban is a smart move and it

is long overdue. It will benefit not only my home State of North Dakota but also our Nation and our allies. That is why I am proposing to include legislation lifting the ban in the new highway bill that Congress is on track to pass this month.

The highway bill is must-pass legislation, and the benefits of allowing crude oil exports are multiple. Taken together, they make a powerful case for allowing our producers to market their product on the world markets. Doing so would enhance domestic production, increase the global supply of crude oil, grow our economy, create good-paying jobs for our people, and make our Nation more secure. So let's look at these benefits one by one.

First and foremost, crude oil exports will benefit American consumers. The price of oil is based on supply and demand—the more oil on the market, the lower the price. The volatility and the global price of crude oil are felt right down to the consumer level. More global supply means lower prices for gasoline and other fuels and more money in consumers' pockets. Those facts are backed up by studies at both the U.S. Energy Information Administration and the nonpartisan Brookings Institution.

This spring, EIA Administrator Adam Sieminski confirmed these findings in testimony before the Energy and Natural Resources Committee, on which I serve, as does the Presiding Officer. In September, the EIA released a new report that reaffirms the benefits to consumers and businesses that would result from lifting the decades-old crude oil export ban.

Second, in addition to benefiting consumers, crude oil exports will benefit the American economy. Crude oil exports will increase revenues and boost overall economic growth. It will help increase wages, create jobs, and improve our balance of trade.

The one area of our economy that currently enjoys a favorable balance of trade is agriculture. That is because our farmers and ranchers successfully market their products around the globe.

Our crude oil producers should be allowed to do the same. Local economies also benefit. Service industries, retail, and other businesses in communities centered on oil development would see more economic activity and growth if this antiquated ban is lifted.

Crude oil exports will also benefit the U.S. energy industry. The EIA's latest study concluded that lifting the ban will reduce the discount for light sweet crude oil produced in States such as my State of North Dakota, as well as Texas and other States, and encourage more investment in domestic energy production.

The drop in the price of oil this year has slowed domestic production, but we continue to produce oil. Today my

State of North Dakota produces about 1.16 million barrels of oil a day, only down slightly from our peak of more than 1.2 million barrels of oil a day. The reason is that our producers are resilient and innovative. They are developing new technologies and new techniques to become more cost effective and efficient all the time. The American energy industry is here to stay.

The energy sector, moreover, provides high-paying jobs for our people. We know that from experience in North Dakota, which has had the fastest growing rate of per capita personal income in the country among all the States in recent years.

On a national level, crude oil exports will help to bring our energy policy into the 21st century. The crude oil export ban is an economic strategy implemented in the 1970s, and the world has changed dramatically since then. Back then, conventional wisdom was that there was a finite quantity of oil in the world and we pretty much knew where it was. Nobody envisioned the kind of energy revolution we are seeing in States such as North Dakota, Texas, Colorado, and many others. Consequently, the model has shifted from scarcity to abundance, and we need to have a comprehensive approach to energy that reflects the new reality. That means we need additional investments in technology, transportation, and energy infrastructure, such as pipelines, rail, roads, and other industry needs. By leveraging our natural resources and American innovation, the United States is in a position to demonstrate real global energy leadership.

Last but not least, crude oil exports will strengthen national security. U.S. crude oil will provide strategic geopolitical benefits, not only for us but also for our friends around the globe. It will provide our allies with alternative sources of oil and free them from their reliance on energy from Russia, Venezuela, Iran, and other unstable parts of the world.

As a further security advantage, adding more supply would add a buffer against volatile events in the Middle East and elsewhere in the world. We finally have an opportunity to curb the disproportionate influence OPEC has had on the world oil market for 5 decades, and we need to do it. The President's deal with Iran lifts sanctions against Iranian oil, bringing 1 million barrels a day of their product on to global markets. Clearly, it is inconsistent for us to maintain a ban on U.S. oil exports while the President lifts a ban on Iranian exports, sending jobs, revenues, and economic growth to places such as Iran while blocking the same benefits for American citizens.

The ban on crude oil exports has long outlived its usefulness, and repealing it is long overdue. For consumers, jobs, the economy, and national security, we

need to come together and lift the ban. We can do that by including legislation lifting the crude oil ban in the bipartisan highway bill set to pass Congress this month.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BOOKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

JAMES ZADROGA 9/11 HEALTH AND
COMPENSATION REAUTHORIZATION ACT

Mr. BOOKER. Mr. President, 14 years ago on November 17, 2001, families across New Jersey were still struggling with the grief of empty seats at dinner tables and closets full of clothes never to be worn again. It was 14 years ago that the news headlines were reflecting on one of the greatest tragedies our country had ever witnessed, which were the attacks on 9/11 of the World Trade Center, at the Pentagon, and in Pennsylvania.

Today, the trauma for that is no longer as raw as it once was, yet we are still affected forever, and much still tries the soul of our Nation. While the Sun still rises, the seasons still change, the wounds of that day may never heal. There are so many families across New Jersey who are still struggling with the aftermath of this terror, with the illnesses of loved ones who survived and who served as first responders in the 9/11 attacks.

While the debris has long been cleared and new towers now stand at the World Trade Center site, many of the thousands of brave first responders who sacrificed their safety for the good of our country are still battling very serious health issues. The exposure to debris, to dust, to other hazardous materials and chemicals on September 11 and the weeks and months that followed have caused countless chronic medical problems for tens of thousands of Americans, including many New Jerseyans. They and their families are still burdened every single day with the physical, emotional, and financial costs of the attacks on 9/11.

For too long in the wake of the attacks, there were significant gaps in the access and quality of care for survivors. One such survivor, James Zadroga, an NYPD officer and former Ocean County, NJ, resident, struggled with accessing care to treat his severe and chronic respiratory problems after serving as first responder in the wake of September 11, where we believe he acquired those serious health problems. James passed away just over 4 years after the attacks at the age of 34.

Thanks to the advocacy of the Zadroga family and the State and Federal lawmakers—people like Senator

Lautenberg and Senator MENENDEZ—a bill was passed into law to provide health care, treatment, and compensation for survivors like James Zadroga who are dealing with the aftermath and effects of the 9/11 attacks. Because of the James Zadroga 9/11 Health and Compensation Act of 2010, over 70,000 first responders and survivors are now enrolled in the World Trade Center Health Program and receiving quality care.

Over 5,000 survivors and first responders still require medical treatment because of their exposure and/or their service as first responders and because of the Zadroga act, they have had access. Because Congress failed to act, the World Trade Center Health Program expired in September 2015, and without congressional action, funding for the program will run out by next year. Additionally, funding for the September 11th Victim Compensation Fund will likely expire around the same time next year as well.

Earlier this month, the editorial board of one New Jersey newspaper, the Star-Ledger, had this to say about this body's failure to act:

The bill has overwhelming support from both parties. They understand this is an American problem, with victims from all 50 states, and they know this legislative solution is not radical. We take care of workers with dangerous jobs . . . especially heroes who risked their lives to help humanity while most of us watched from home, paralyzed by grief.

We have not just a patriotic responsibility but a moral obligation to ensure that the Americans who sacrificed so much for the good of our country in the wake of September 11, 2001, are treated with the respect and care they deserve. They are our heroes. They are our champions. They stood up and worked when many ran.

It is incumbent upon this Congress to follow the lead of Senator GILLIBRAND and heed the calls coming from our constituents to pass the James Zadroga 9/11 Health and Compensation Reauthorization Act. I am proud to stand with Senator GILLIBRAND and our colleagues in the Senate and in the House, advocates, and first responders who are urgently calling for the passage of this necessary legislation that reflects our values and our ideals.

I wish to close with the words of a courageous Newark Fire Department captain who responded to the 9/11 attacks at great personal risk and had the following to share with my office about the renewal of the Zadroga act:

As a member of New Jersey Task Force I, I responded on 9/11. This volunteer State Police team, participated in numerous search and rescue operations on that day. The thousands of firefighters that worked that day, developed medical issues thereafter, including myself. I have had three surgeries for thyroid cancer. I also developed the 9/11 cough, and have developed side effects from radiation treatment. . . . We are not looking to get rich. We just want to be able to con-

tinue serving as firefighters, without worrying about our health because of 9/11.

Those in this Chamber who somehow, remarkably, oppose this bill need to hear this man's words and my own as well. We cannot fail to act. By what we do here now, we not only take care of those heroes from 9/11 but we send a message to all Americans about how we stand up for those who stood for us, who fought for us. When the most perilous times came to be, they were there for us. This country is a nation that takes care of its heroes.

What we do here with this legislation will forever highlight this ideal and celebrate its truth or it will cast a dark shadow over it. I hope today and in the coming days that we move this legislation forward and be the light upon the great men and women who are so patriotically dedicated to our Nation.

Mr. President, before I yield the floor, I would like to also talk briefly about the Transportation appropriations bill this Chamber is considering.

I truly appreciate the hard work that Senator REED and Senator COLLINS have done to get this bill to a place that makes critical investments in transportation and housing and, in particular, for some of our most vulnerable citizens. Their work has been tireless, and I am happy to see much of the progress they are making.

However, this appropriations bill as it currently stands includes some provisions that would weaken highway safety. At a time when 4,000 people are losing their lives annually on American highways and 100,000 are injured due to large truck crashes, it is paramount that Congress do more to improve safety, not remove evidence-based safety policies.

New Jersey alone has some 38,000 miles of public roads that connect people of our State and get them where they need to be. It drives much of the commerce and economy of our State every day. New Jersey is strategically placed, which makes it a very important path through the State and for goods up and down the east coast as well. These roads also see a tremendous amount of truck traffic at all times of the day and night. If you have ever driven on the New Jersey Turnpike, you know what I mean.

I am concerned that we saw an increase in truck accidents from 2009 to 2012, an increase in crash injuries by 40 percent, and truck crash fatalities during this time have increased 16 percent. This is data. These are numbers. But they are also human lives; they are fellow Americans who have had their lives shattered by horrific accidents.

Truckdriver fatigue is a leading cause of these major truck accidents. These drivers who work extremely long days delivering the goods we depend upon deserve basic protections allowing them to get sufficient rest to do their job.

I filed an amendment on the hours of service rules, which were put in place to prevent truckdriver fatigue and ensure that the rules put in place after years of study and robust stakeholder feedback would still be enforceable. Some people believe we should suspend these rules, these commonsense policies, by calling for even more study. My amendment ensures the rules will remain enforceable while further study is conducted so that we don't see more lives put at risk as a result of these delay tactics. What we should be doing is ensuring that safety is first. If it proves not necessary, then pull back.

There are other provisions in this bill that I believe could jeopardize highway safety as well. I am pleased, though, that earlier today we were able to work together and pass an amendment to further study a proposal to allow heavier trucks, longer trucks on the road. Heavier trucks could cause greater damage and destruction to human life and property when these accidents occur. I am grateful to my colleagues for working together on this.

A final example of a commonsense provision we in Congress should address as we work to improve highway safety is the minimum level of insurance required by truckdrivers. When truck crashes do occur and the insurance doesn't cover the cost of these accidents, taxpayers are left to front the bill. We should look to the decades-old minimum levels of insurance and assess whether those minimum insurance standards need to be raised so that families torn apart by truck crashes aren't then thrust into debt because of medical bills.

I have met with some of these families. I have sat with them and heard their stories about how low levels of minimum insurance have left them in dire straits. As taxpayers, we should not be left without the funding to rebuild damaged roads and bridges in the aftermath of such significant crashes. It is time to modernize a minimum level of insurance for truckdrivers so that we are all better equipped in the aftermath of an accident.

Again, I have sat with far too many survivors and their family members. I have seen, talked, and engaged with them, hearing the truth of their stories. We cannot sit silently while truck accidents are increasing in our country and allow commonsense safety to be rolled back in these spending bills. Where there are meaningful and practical solutions to pressing highway safety challenges, these are discussions we need to have. This is a fight worth having, and I look forward to continuing to work with my colleagues to improve the safety on our Nation's highways. We have the capability, we have the know-how, and we have the science to help us to begin to reduce these tragic accidents and fatalities on our highways.

I believe we should show greater urgency in protecting human life and protecting Americans as they ride along our roads.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, very shortly we are going to be adjourning for a very important briefing, but first I feel I should just briefly respond to my friend from New Jersey on a few of the points he raised. I recognize that he is not a member of the Appropriations Committee, and I doubt he was hanging on my every word when I described what was in the bill earlier today, but the fact is we have some very important truck safety provisions that are in the bill. For example, we require the Department to issue long-delayed regulations that deal with requiring speed governors that limit the speed at which trucks can travel. That rulemaking has been delayed an astonishing 22 times. We require the Department to proceed to issue those rules within 60 days of the enactment of this bill. That is a very important provision.

If my colleague is worried about truckdrivers exceeding the speed limit and causing an accident, he should be applauding this bill, which says to the Department, in no uncertain terms: Stop delaying. It is past time to issue this regulation.

Another very important safety provision that is in this bill has to do with requiring electronic logs. This is an important safety provision because it will prevent those few bad actors in the trucking industry from falsifying their paper logs. We will know for certain how long they were behind the wheel and on the road, and we will know whether they are complying with the hours of service provisions. Those are just two of the very important provisions my friend from New Jersey may not be aware of given that he does not serve on the committee and may not have heard my speech this morning.

The Senator from New Jersey also mentioned other issues, such as the insurance requirements. I want to make it very clear to my colleagues that our bill does not prohibit the Department from proceeding with a rulemaking that might increase the minimum insurance requirement, but what it says, in a very logical way, is it should assess the impact—the impact on the insurance market, the impact on the truckdrivers, and the impact on the insurance industry. The fact is that approximately only 1 percent of crashes that occur exceed what is now the minimum insurance requirement. I still think it is worth looking at because it has been many years since this issue has been reviewed. We don't block the rulemaking. We just make sure there is a report that assesses what the impact

is before the Department imposes what could be a huge and unnecessary financial burden.

I did feel it was important to clarify those three points. There is much else I could say about this issue, but I recognize that undoubtedly the Presiding Officer and others are eager to get to the briefing.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate recess subject to the call of the Chair.

There being no objection, the Senate, at 5:05 p.m., recessed subject to the call of the Chair and reassembled at 6:25 p.m. when called to order by the Presiding Officer (Mr. PERDUE).

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

The PRESIDING OFFICER (Mr. PERDUE). The majority leader.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the Collins substitute amendment No. 2812.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 2812, the substitute amendment to H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Susan M. Collins, Jerry Moran, John Boozman, Steve Daines, John Hoeven, Cory Gardner, Dan Sullivan, Joni Ernst, Daniel Coats, Johnny Isakson, Orrin G. Hatch, Lamar Alexander, Mike Crapo, Richard Burr, Shelley Moore Capito, Michael B. Enzi.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk for the underlying bill, H.R. 2577.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 138, H.R. 2577, an act making appropriations for the Departments of Transportation,

and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Susan M. Collins, Jerry Moran, John Boozman, Steve Daines, John Hoeven, Cory Gardner, Dan Sullivan, Daniel Coats, Johnny Isakson, Orrin G. Hatch, Lamar Alexander, Mike Crapo, Richard Burr, Shelley Moore Capito, Michael B. Enzi, Joni Ernst.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call under rule XXII with respect to the cloture motions be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I wish to speak about an amendment I plan on offering tomorrow to the Transportation bill we are working on right now on the Senate floor. It is a common-sense amendment. It is an amendment about safety. It is an amendment about protecting our citizens. It is an amendment about cutting through redtape. It is an amendment about what the vast majority of Americans want us to do in the Senate, which is to start to get things done in this body. It is a simple amendment.

This is what my amendment does. It would allow States and communities throughout this country of ours the ability to expedite the Federal permitting process, the regulatory process on the construction and rebuilding of bridges. It is pretty simple. It doesn't get much more simple than that.

Everybody needs infrastructure. Every community in America needs bridges. It would only apply to bridges—critical pieces of infrastructure—bridges that are built in the same place, the same size, bridges that in the United States are falling apart.

We have talked about this on the Senate floor for the last several months. Our Nation's infrastructure is crumbling. The American Society of Civil Engineers gives America's infrastructure a D-plus. We are failing. For our infrastructure, in the classroom, we are the D-plus students.

This is, of course, bad for our Nation's economy. There is nothing more central to a country that wants to grow its economy, that wants to compete globally, than sound infrastructure for transportation. In a country of our size facing economic challenges, America's infrastructure can either drive growth and opportunity or it can slow down growth and opportunity and undermine it. Right now, that is what we are doing. We are slowing it down. We are undermining it. It is worse than that. It is worse than just undermining our own economic opportunity. The state of our infrastructure is actually dangerous for our citizens.

I agree that we must have stable funding for infrastructure. That is why I have been a strong supporter of the

DRIVE Act and this bill, in terms of a 6-year highway bill, under the DRIVE Act. But we also need to focus on something else that is driving up the cost of our Nation's infrastructure: redtape that is stopping critical projects in America from moving forward. Like so many construction projects in this country, the environmental review process our bridges face is deathly slow and cumbersome and enormously expensive. We live in a redtape nation, particularly when it comes to infrastructure. We can't build the way we used to in this country.

Consider just a few statistics. The average time for environmental reviews for a major transportation project in the United States in 2011 was 8 years. That is up from 3½ years just 10 years earlier. The average environmental impact statement when NEPA was written was 22 pages. Now the average environmental impact statement is over 1,000 pages.

Let me give one example that came up in the Commerce Committee. We were talking about airport infrastructure—again, critical to the country. Seattle had built a new runway. When I asked the witness who was in charge of that runway how long it took to build, he said 3 years. That is a pretty long time, but it is a big runway, kind of complicated. Then I asked how long it took to get the Federal permits and regulatory permission from the Federal Government to build that new runway. The answer: 15 years. Fifteen years. The entire room gasped.

No American wants this. We need to do a lot more to get back to common-sense permitting and regulatory reform for America's infrastructure.

So we are starting on critical pieces of infrastructure that everybody can agree with. That is what this amendment does. It focuses solely on bridges. Our bridges are an increasingly important issue. One in 10 of our Nation's bridges—roughly 607,000 bridges in the United States—is structurally insufficient. Let me repeat that in a different way. In the United States, there are more than 600,000 bridges in need of repair. The average age of our bridges is 42 years old. So we need to repair them. We need to rebuild them. But what we don't need is the Federal Government taking 6 to 7 or 8 to 9 years to give us permission to rebuild bridges. There is not one American who thinks that would be a good idea. Yet, if we keep the law the same, that is exactly what is going to happen.

Communities need to rebuild bridges, and it is going to take several years to get permission from agencies in this town to allow them to do it. To do what? To build on the same land, to just build a bridge. We need to change that.

Thousands of communities across the country are simply keeping their fingers crossed when Americans cross

structurally deficient bridges 215 million times a day. Let me repeat that. In this great country, Americans cross structurally deficient bridges 215 million times a day. So we need to fix them. They are being crossed by our trucks, carrying our Nation's commerce, our children in schoolbuses, parents trying to get home in time for dinner. These are people we should be protecting.

That is what my amendment does. It says that we are going to work to fix this infrastructure with the bill that we are working on, that my colleague from Maine is leading on with the DRIVE Act. But we are also going to be smart. We are not going to require Americans to take half a decade to get permission from the Federal Government to rebuild a bridge.

These bridges sustain our economy, they connect our communities, they connect us, they keep us safe, and we need to expedite the ability to fix our infrastructure in this country, starting with our bridges. That is all this amendment does. It is simple. It is common sense. I hope that if I can bring this to the floor, we will get a unanimous vote in favor of this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, let me commend my colleague from Alaska for raising this important issue.

First, it is important to understand that his amendment only applies to structurally deficient bridges. These are bridges that are deteriorating and that need extensive renovation or replacement. And it is important that we address the problem of structurally deficient bridges before they become unsafe to use. That is the risk, and that is what my colleague from Alaska is attempting to address with his amendment. He is proposing that if we are replacing a structurally deficient bridge in exactly the same place, that we do not need to start all over again with an environmental impact statement that may delay the replacement of this structurally deficient bridge for literally years, not to mention the enormous cost that is undertaken when with an environmental impact statement and all the attendant studies are done. He is correct that the amount of time to do this kind of analysis, as well as the length of these studies, has grown enormously in recent years, and that, too, is a problem when we are dealing with a structurally deficient bridge.

I believe this is a commonsense amendment. I would not want to waive environmental impact studies if the bridge were going to be built in a new location. Then we would need to do that kind of careful environmental analysis and review to make sure the environmental impact is well understood. But that is not what Senator

SULLIVAN is proposing. He is proposing that for this one category of bridges, we would not have to do the environmental impact statement if it is being rebuilt in exactly the same place. I think this makes sense. I think this is the kind of common sense that my colleague from Alaska has brought to Washington, and I commend him for his amendment.

I do know there are some concerns, I believe, on the other side of the aisle, and I appreciate the Senator from Alaska working with us. But I, for one, believe his amendment does make sense. It is narrowly tailored, and I believe it should be adopted by this body.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I wish to thank my colleague from Maine for her comments. I very much appreciate her support. We will work with the others if they have questions.

I have worked on a number of issues now in my first year in the Senate with my colleague from Rhode Island, and I certainly want to make sure he is comfortable with this commonsense amendment. But I guarantee my colleagues, whether it is in Maine or Alaska or Rhode Island, if our citizens look—it doesn't matter; Democrat or Republican—at an amendment like this, I think the vast majority of them would say: Of course. Of course that is what we should be doing—protecting our citizens, building infrastructure, protecting the environment, but not making things take forever. That is what we are trying to do.

So I appreciate the kind words of the Senator from Maine about the amendment, and I am hoping we can move forward on this tomorrow.

Thank you. I yield the floor.

Ms. COLLINS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

BUDGETARY REVISIONS

Mr. ENZI. Mr. President, section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 establishes statutory limits on discretionary spending and allows for various adjustments to those limits, while sections 302 and 314(a) of the Congressional Budget Act of 1974 allow the chairman of the Budget Committee to establish and make revisions to allocations, aggregates, and levels consistent with those adjustments. Today the Senate

agreed to consider H.R. 2577, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016, as reported by the Committee on Appropriations. The bill includes a provision related to the Department of Housing and Urban Development's administrative costs for disaster relief activities that results in \$1 million in outlays. This provision is designated as an emergency pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Deficit Control Act of 1985. The inclusion of this designation makes this spending eligible for an adjustment under the Congressional Budget Act.

As a result, I am increasing the budgetary aggregate for 2016 by \$1 million in outlays. I am also increasing the 2016 allocations to the Appropriations Committee by \$1 million in outlays.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REVISION TO BUDGETARY AGGREGATES

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

\$ in millions	2016
Current Spending Aggregates:	
Budget Authority	3,033,488
Outlays	3,091,973
Adjustments:	
Budget Authority	0
Outlays	1
Revised Spending Aggregates:	
Budget Authority	3,033,488
Outlays	3,091,974

REVISION TO SPENDING ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2016

(Pursuant to Sections 302 and 314(a) of the Congressional Budget Act of 1974)

	\$ in millions	2016		
Current Allocation:				
Revised Security Discretionary Budget Authority		523,091		
Revised Nonsecurity Category Discretionary Budget Authority*		494,191		
General Purpose Outlays*		1,157,344		
Adjustments:				
Revised Security Discretionary Budget Authority		0		
Revised Nonsecurity Category Discretionary Budget Authority		0		
General Purpose Outlays		1		
Revised Allocation:				
Revised Security Discretionary Budget Authority		523,091		
Revised Nonsecurity Category Discretionary Budget Authority		494,191		
General Purpose Outlays		1,157,345		
<hr/>				
Memorandum: Above Adjustments by Designation	Program Integrity	Disaster Relief	Emergency	Total
Revised Security Discretionary Budget Authority	0	0	0	0
Revised Nonsecurity Category Discretionary Budget Authority	0	0	0	0
General Purpose Outlays	0	0	1	1

REMEMBERING LA'DARIOUS WYLIE

Mr. SCOTT. Mr. President, I would like to recognize the life and remarkable heroism of La'Darious Wylie, an 11-year-old boy from Chester, SC, who showed his love for his younger sister by saving her life.

On October 27, La'Darious was standing at a schoolbus stop in Chester when he realized a car was heading toward his sister, Sha'Vonta McCrorey. His love for his sister led him to imme-

diately jump in front of the moving car and push his sister out of the way. At that moment, La'Darious saved his sister's life.

La'Darious sacrificed his life in order to save his sister's. This truly touched my heart and moved people across our Nation. La'Darious was brave and selfless during a dangerous situation, and his heroic act says a lot about who he was, even at such a young age: fearless, compassionate, and a leader.

I had an opportunity to speak with La'Darious's mother, Liz McCrorey, and my heart aches for her, La'Darious's sister Sha'Vonta, and his brother Carlos Wylie. My prayers are with them. I ask that everyone will keep them in their thoughts as they continue to heal and grieve.

I am positive La'Darious is in a better place. He was a true hero, and his family should be proud of that.

Today I ask that we honor and celebrate his life. His courage and ultimate sacrifice should never be forgotten.

God bless.

ADDITIONAL STATEMENTS

TRIBUTE TO JIM HARRIGER

• Mr. BLUNT. Mr. President, I wish to honor today the 22 years of service of Jim Harriger as the executive director of Springfield Victory Mission. Since starting his work at the mission, Jim has faithfully dedicated his life to addressing the needs of the most vulnerable members of the Springfield community.

Jim is truly an icon of the philanthropic community in my hometown of Springfield, MO. From the beginning, he has said he felt called by God to serve Springfield in this way. He exemplifies what it means to put faith into action.

At the beginning of his service in 1993, the mission consisted of just two small buildings on Commercial Street. Under Jim's effective leadership, the mission grew to include some of its most well-known programs including the culinary arts school; Victory Trade School; and a student-run restaurant, Cook's Kettle.

The mission has been a place of help and hope for lives affected by poverty and addiction. In the mission's service to those in need, Jim has promoted the idea that we should see a person's God-given potential, rather than defining them by their circumstances.

Lives have been changed, the hungry have been fed, the homeless have gained shelter, and the hopeless have found hope. The work of Victory Mission will continue, and both the mission and Springfield are better because of the work of Jim Harriger.

Jim is set to officially retire on January 31, 2016. There is no doubt that Jim will continue his exceptional work in the next chapter of his life. I join countless individuals in the Springfield community in expressing my gratitude for his many years of faithful service.●

TRIBUTE TO GREGG AND PEGGY NIBERT

• Mr. SCOTT. Mr. President, I would like to acknowledge Gregg and Peggy Nibert of Clinton, SC, for their dedication and willingness to provide children without families a loving and supportive home.

Mr. and Mrs. Nibert have opened up their hearts and homes through their exceptional service for children in the foster care system. Since entering the foster care program, Gregg and Peggy Nibert have fostered over 38 young children. The couple's very first child was a victim of shaken baby syndrome and blunt force trauma, and after 2

years in their care, the Niberts successfully advocated the child's adoption, resulting in placement with an amazing family.

Dedicating their lives to loving each child that has been placed in their home and extending their support toward fighting for political reform, the Niberts have been working toward providing foster care children with a voice and more rights within the legal system. The Niberts have been working on behalf of foster care children for years and have shown that love and care for others can change lives.

Gregg and Peggy Nibert are an outstanding example of foster parents who have a burning passion and desire not just to provide a home for these children but to love unconditionally and fight relentlessly for them as well. I applaud Gregg and Peggy Nibert for their continued commitment and compassion toward helping foster care children.●

MESSAGES FROM THE HOUSE

At 10:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 511. An act to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act.

H.R. 1694. An act to amend MAP-21 to improve contracting opportunities for veteran-owned small business concerns, and for other purposes.

H.R. 3114. An act to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes.

H.R. 3762. An act to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

The message also announced that the House insists upon its amendment to the bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints the following as managers of the conference on the part of the House: Mr. KLINE, Ms. FOXX, Messrs. ROE of Tennessee, THOMPSON of Pennsylvania, GUTHRIE, ROKITA, MESSER, GROTHMAN, RUSSELL, CURBELO of Florida, SCOTT of Virginia, Mrs. DAVIS of California, Ms. FUDGE, Mr. POLIS, Ms. WILSON of Florida, Ms. BONAMICI, and Ms. CLARK of Massachusetts.

The message further announced that the Speaker appoints the following Members as additional conferees in the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 22) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes:

From the Committee on Armed Services, for consideration of section 1111 of the House amendment, and modifications committed to conference: Messrs. THORNBERRY, ROGERS of Alabama, and Ms. LORETTA SANCHEZ of California.

From the Committee on Energy and Commerce, for consideration of sections 1109, 1201, 1202, 3003, division B, sections 31101, 31201, and division F of the House amendment and sections 11005, 11006, 11013, 21003, 21004, subtitles B and D of title XXXIV, sections 51101 and 51201 of the Senate amendment, and modifications committed to conference: Messrs. UPTON, MULLIN, and PALLONE.

From the Committee on Financial Services, for consideration of section 32202 and division G of the House amendment and sections 52203 and 52205 of the Senate amendment, and modifications committed to conference: Messrs. HENSARLING, NEUGEBAUER, and Ms. MAXINE WATERS of California.

From the Committee on the Judiciary, for consideration of sections 1313, 24406, and 43001 of the House amendment and sections 32502 and 35437 of the Senate amendment, and modifications committed to conference: Messrs. GOODLATTE, MARINO, and Ms. LOFGREN.

From the Committee on Natural Resources, for consideration of sections 1114-16, 1120, 1301, 1302, 1304, 1305, 1307, 1308, 1310-13, 1316, 1317, 10001, and 10002 of the House amendment and sections 11024-27, 11101-13, 11116-18, 15006, 31103-05, and 73103 of the Senate amendment, and modifications committed to conference: Messrs. THOMPSON of Pennsylvania, LAHOOD, and GRIJALVA.

From the Committee on Oversight and Government Reform, for consideration of sections 5106, 5223, 5504, 5505, 61003, and 61004 of the House amendment and sections 12004, 21019, 31203, 32401, 32508, 32606, 35203, 35311, and 35312 of the Senate amendment, and modifications committed to conference: Messrs. MICA, HURD of Texas, and CONNOLLY.

From the Committee on Science, Space, and Technology, for consideration of sections 3008, 3015, 4003, and title VI of the House amendment and sections 11001, 12001, 12002, 12004, 12102, 21009, 21017, subtitle B of title XXXI, sections 35105 and 72003 of the Senate amendment, and modifications committed to conference: Mr. SMITH of Texas, Mrs. COMSTOCK, and Ms. EDWARDS.

From the Committee on Ways and Means, for consideration of sections 31101, 31201, and 31203 of the House amendment, and sections 51101, 51201, 51203, 52101, 52103-05, 52108, 62001, and 74001 of the Senate amendment, and modifications committed to conference: Messrs. BRADY of Texas, REICHERT, and LEVIN.

ENROLLED BILLS SIGNED

At 5:40 p.m., a message from the House of Representatives, delivered by

Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 799. An act to address problems related to prenatal opioid use.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1694. An act to amend MAP-21 to improve contracting opportunities for veteran-owned small business concerns, and for other purposes; to the Committee on Environment and Public Works.

H.R. 3114. An act to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes; to the Committee on Environment and Public Works.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2288. A bill to prohibit members and staff of the Federal Reserve System from lobbying for or against legislation, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 3762. An act to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-106. A resolution adopted by the House of Representatives of the State of Ohio requesting the United States Congress to renew funding for Save the Dream Ohio to help homeowners in the state of Ohio avoid foreclosure; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE RESOLUTION NUMBER 107

Whereas, The national housing crisis that began in 2007 led to unprecedented home price declines and sustained and higher unemployment in certain parts of the country, including Ohio; and

Whereas, Families in these areas, including Ohio, struggled to make their monthly mortgage payments and to get out from under deeply underwater mortgages; and

Whereas, In 2008, Save the Dream Ohio was created as a multi-agency foreclosure prevention outreach initiative involving partners from state government, nonprofit housing counseling agencies, and legal aid organizations to address this crisis; and

Whereas, In 2010, the Ohio Housing Finance Agency received \$570.4 million from the United States Department of the Treasury's Hardest Hit Fund to administer Ohio's foreclosure prevention program through Save the Dream Ohio; and

Whereas, Save the Dream Ohio has worked with 32 United States Department of Housing and Urban Development-approved non-profit counseling agencies and over 350 mortgage servicers nationwide to provide assistance to over 24,000 homeowners at risk of foreclosure; and

Whereas, An additional \$60 million was designated for the Neighborhood Initiative Program to stabilize property values and prevent future foreclosures by removing and greening vacant and blighted properties; and

Whereas, Save the Dream Ohio had to stop accepting applications in August 2014, and payments on behalf of homeowners are expected to end in late 2016; United States Department of the Treasury guidelines specify that funds must be dispersed by December 31, 2017; and

Whereas, The Ohio Housing Finance Agency continues to administer the Save the Dream Ohio hotline to connect homeowners with HUD-approved housing counseling agencies and other resources: Now, therefore, be it

Resolved, That we, the members of the House of Representatives of the 131st General Assembly of the State of Ohio request the Congress of the United States to renew funding for Save the Dream Ohio through the United States Department of the Treasury's Hardest Hit Fund, to continue to provide assistance to homeowners in the state of Ohio at risk of foreclosure; and be it further

Resolved, That the Clerk of the House of Representatives transmit duly authenticated copies of this resolution to the Speaker and Clerk of the United States House of Representatives and the President Pro Tempore and Secretary of the United States Senate.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. COCHRAN, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals From the Concurrent Resolution for Fiscal Year 2016" (Rept. No. 114-167).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

*Anthony Rosario Coscia, of New Jersey, to be a Director of the Amtrak Board of Directors for a term of five years.

*Coast Guard nomination of Rear Adm. Kurt B. Hinrichs, to be Rear Admiral.

*Derek Tai-Ching Kan, of California, to be a Director of the Amtrak Board of Directors for a term of five years.

*Coast Guard nomination of Capt. Andrew S. McKinley, to be Rear Admiral (Lower Half).

*Coast Guard nominations beginning with Captain Matthew T. Bell and ending with Captain Anthony J. Vogt, which nominations were received by the Senate and appeared in the Congressional Record on September 21, 2015.

Mr. THUNE. Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination lists which were

printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

*Coast Guard nominations beginning with Ladonn A. Allen and ending with Jeffrey V. Yarosh, which nominations were received by the Senate and appeared in the Congressional Record on October 28, 2015.

*Coast Guard nominations beginning with Sharif A. Abdrabbo and ending with Wilbur A. Velarde, which nominations were received by the Senate and appeared in the Congressional Record on October 28, 2015.

By Mr. ALEXANDER for the Committee on Health, Education, Labor, and Pensions.

*Victoria A. Lipnic, of Virginia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2020.

*Michael Herman Michaud, of Maine, to be Assistant Secretary of Labor for Veterans' Employment and Training.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CORNYN:

S. 2296. A bill to amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use; to the Committee on Finance.

By Mr. COONS (for himself and Mr. CASSIDY):

S. 2297. A bill to amend title XVIII of the Social Security Act to encourage Medicare beneficiaries to voluntarily adopt advance directives guiding the medical care they receive; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. LEE, Mr. CRUZ, Mr. PERDUE, and Mr. PAUL):

S. 2298. A bill to specify the state of mind required for conviction for criminal offenses that lack an expressly identified state of mind, and for other purposes; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. 2299. A bill to amend the Tariff Act of 1930 to improve enforcement of the trade laws of the United States, and for other purposes; to the Committee on Finance.

By Mr. JOHNSON:

S. 2300. A bill to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself and Mr. MARKEY):

S. 2301. A bill to amend the Federal Food, Drug, and Cosmetic Act to strengthen requirements related to nutrient information on food labels, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRUZ:

S. 2302. A bill to temporarily restrict the admission to the United States of refugees from countries containing terrorist-controlled territory; to the Committee on the Judiciary.

By Mr. MCCAIN:

S. 2303. A bill to exempt the Department of Defense and other national security agencies from sequestration; to the Committee on the Budget.

By Mr. TESTER (for himself and Mr. SCHATZ):

S. 2304. A bill to provide for tribal demonstration projects for the integration of early childhood development, education, including Native language and culture, and related services, for evaluation of those demonstration projects, and for other purposes; to the Committee on Indian Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUNT (for himself, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. INHOFE, Mr. CASEY, Mr. BOOZMAN, Mrs. FEINSTEIN, Mr. THUNE, Ms. AYOTTE, Mr. COCHRAN, Mr. HATCH, Mr. PORTMAN, Mr. LANKFORD, Mr. MORAN, Mr. LEE, Mr. ENZI, Mr. ALEXANDER, Mr. MCCAIN, Mr. WYDEN, Mr. WICKER, Mr. DAINES, Ms. HEITKAMP, Mr. FRANKEN, Mr. PETERS, Mr. KING, Mr. HOEVEN, Mrs. MURRAY, Mr. TILLIS, Mrs. ERNST, and Mr. SCOTT):

S. Res. 315. A resolution expressing support for the goals of both National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children; considered and agreed to.

By Mrs. CAPITO (for herself, Ms. BALDWIN, Mr. KIRK, Ms. MIKULSKI, Ms. WARREN, and Mr. DURBIN):

S. Res. 316. A resolution supporting the goals and ideals of American Education Week; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MIKULSKI:

S. Res. 317. A resolution commemorating the 20th anniversary of the opening of the American Visionary Art Museum; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MCCONNELL (for himself and Mr. REID):

S. Res. 318. A resolution to authorize deposition testimony and representation in *Care One Management LLC, et al. v. United Healthcare Workers East, SEIU 1199, et al.*; considered and agreed to.

ADDITIONAL COSPONSORS

S. 237

At the request of Mr. WYDEN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 237, a bill to amend title 18, United States Code, to specify the circumstances in which a person may acquire geolocation information and for other purposes.

S. 330

At the request of Mr. HELLER, the names of the Senator from Louisiana

(Mr. VITTER) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 330, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 488

At the request of Mr. SCHUMER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 488, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 551

At the request of Mrs. FEINSTEIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 551, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 627

At the request of Ms. AYOTTE, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 627, a bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes.

S. 1714

At the request of Mr. MANCHIN, the names of the Senator from Montana (Mr. TESTER) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 1719

At the request of Ms. BALDWIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1719, a bill to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes.

S. 1726

At the request of Mr. MERKLEY, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1726, a bill to create protections for depository institutions that provide financial services to marijuana-related businesses, and for other purposes.

S. 1874

At the request of Mr. HATCH, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1874, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1886

At the request of Ms. CANTWELL, the name of the Senator from Massachu-

setts (Mr. MARKEY) was added as a cosponsor of S. 1886, a bill to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009 and for other purposes.

S. 1893

At the request of Mrs. MURRAY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1893, a bill to reauthorize and improve programs related to mental health and substance use disorders.

S. 1944

At the request of Mr. SULLIVAN, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 1944, a bill to require each agency to repeal or amend 1 or more rules before issuing or amending a rule.

S. 1998

At the request of Mr. HEINRICH, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1998, a bill to improve college affordability.

S. 2000

At the request of Mr. HOEVEN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 2000, a bill to amend title 38, United States Code, to allow the Secretary of Veterans Affairs to enter into certain agreements with non-Department of Veterans Affairs health care providers if the Secretary is not feasibly able to provide health care in facilities of the Department or through contracts or sharing agreements, and for other purposes.

S. 2071

At the request of Mr. CRAPO, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2071, a bill to amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare program, and for other purposes.

S. 2104

At the request of Mr. PORTMAN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2104, a bill to amend title XVIII of the Social Security Act to provide relief to Medicare Advantage plans with a significant number of dually eligible or low-income subsidy beneficiaries and to prevent the termination of two star plans.

S. 2196

At the request of Mr. CASEY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2196, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 2206

At the request of Mr. THUNE, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2206, a bill to reduce the

incidence of sexual harassment and assault at the National Oceanic and Atmospheric Administration, to reauthorize the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes.

At the request of Mr. SULLIVAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2206, *supra*.

S. 2216

At the request of Ms. COLLINS, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2216, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 2248

At the request of Mr. DURBIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2248, a bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

S. 2279

At the request of Mr. MERKLEY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2279, a bill to require the Secretary of Veterans Affairs to carry out a program to increase efficiency in the recruitment and hiring by the Department of Veterans Affairs of health care workers that are undergoing separation from the Armed Forces, to create uniform credentialing standards for certain health care professionals of the Department, and for other purposes.

S. 2295

At the request of Mr. COTTON, the names of the Senator from Florida (Mr. RUBIO), the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2295, a bill to extend the termination date for the authority to collect certain record and make permanent the authority for roving surveillance and to treat individual terrorist as agents of foreign powers under the Foreign Intelligence Surveillance Act of 1978 and for other purposes.

S. RES. 148

At the request of Mr. KIRK, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

AMENDMENT NO. 2811

At the request of Mrs. SHAHEEN, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Massachusetts (Mr. MARKEY), the Sen-

ator from Oregon (Mr. WYDEN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of amendment No. 2811 proposed to H.R. 2297, an act to prevent Hizballah and associated entities from gaining access to international financial and other institutions, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN:

S. 2296. A bill to amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use; to the Committee on Finance.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2296

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Workforce Health Improvement Program Act of 2015".

SEC. 2. EMPLOYER-PROVIDED OFF-PREMISES ATHLETIC AND FITNESS FACILITY SERVICES.

(a) TREATMENT AS FRINGE BENEFIT.—Subparagraph (A) of section 132(j)(4) of the Internal Revenue Code of 1986 is amended to read as follows:

"(A) IN GENERAL.—Gross income shall not include—

"(i) the value of any on-premises athletic facility provided by an employer to the employees of the employer, and

"(ii) so much of the fees, dues, or other membership expenses paid by an employer on behalf of the employees of the employer for membership in or use of an athletic or fitness facility described in subparagraph (C) as does not exceed \$900 per year per employee on behalf of whom such amounts are paid."

(b) ATHLETIC OR FITNESS FACILITIES.—Paragraph (4) of section 132(j) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

"(C) ATHLETIC OR FITNESS FACILITY.—For purposes of subparagraph (A)(ii), an athletic or fitness facility described in this subparagraph is a facility—

"(i) which provides instruction in a program of physical exercise, offers facilities for the preservation, maintenance, encouragement, or development of physical fitness, or serves as the site of such a program of a State or local government,

"(ii) which is not a private club owned and operated by its members,

"(iii) which does not offer golf, hunting, sailing, or riding facilities,

"(iv) the health or fitness component of which is not incidental to its overall function and purpose, and

"(v) which is fully compliant with applicable Federal and State anti-discrimination laws."

(c) EXCLUSION APPLIES TO HIGHLY COMPENSATED EMPLOYEES ONLY IF NO DISCRIMINATION.—Paragraph (1) of section 132(j) of the Internal Revenue Code of 1986 is amended—

(1) by striking "Paragraphs (1) and (2) of subsection (a)" and inserting "Subsections (a)(1), (a)(2), and (j)(4)", and

(2) by striking "EXCLUSIONS UNDER SUBSECTION (A)(1) AND (2)" in the heading and inserting "CERTAIN EXCLUSIONS".

(d) EMPLOYER DEDUCTION.—

(1) IN GENERAL.—Paragraph (3) of section 274(a) of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: "The preceding sentence shall not apply to amounts to which section 132(j)(4)(A)(ii) applies."

(2) CONFORMING AMENDMENT.—The last sentence of paragraph (4) of section 274(e) of such Code is amended by striking "subsection (a)(3)" and inserting "the first sentence of subsection (a)(3)".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 315—EXPRESSING SUPPORT FOR THE GOALS OF BOTH NATIONAL ADOPTION DAY AND NATIONAL ADOPTION MONTH BY PROMOTING NATIONAL AWARENESS OF ADOPTION AND THE CHILDREN AWAITING FAMILIES, CELEBRATING CHILDREN AND FAMILIES INVOLVED IN ADOPTION, AND ENCOURAGING THE PEOPLE OF THE UNITED STATES TO SECURE SAFETY, PERMANENCY, AND WELL-BEING FOR ALL CHILDREN

Mr. BLUNT (for himself, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. INHOFE, Mr. CASEY, Mr. BOOZMAN, Mrs. FEINSTEIN, Mr. THUNE, Ms. AYOTTE, Mr. COCHRAN, Mr. HATCH, Mr. PORTMAN, Mr. LANKFORD, Mr. MORAN, Mr. LEE, Mr. ENZI, Mr. ALEXANDER, Mr. MCCAIN, Mr. WYDEN, Mr. WICKER, Mr. DAINES, Ms. HEITKAMP, Mr. FRANKEN, Mr. PETERS, Mr. KING, Mr. HOEVEN, Mrs. MURRAY, Mr. TILLIS, Mrs. ERNST, and Mr. SCOTT) submitted the following resolution; which was considered and agreed to:

S. RES. 315

Whereas there are millions of unparented children in the world, including 415,129 children in the foster care system in the United States, approximately 108,000 of whom are waiting for families to adopt them;

Whereas 62 percent of the children in foster care in the United States are age 10 or younger;

Whereas the average length of time a child spends in foster care is approximately 2 years;

Whereas for many foster children, the wait for a loving family in which the children are nurtured, comforted, and protected seems endless;

Whereas, in 2014, over 22,000 youth "aged out" of foster care by reaching adulthood without being placed in a permanent home;

Whereas every day, loving and nurturing families are strengthened and expanded when committed and dedicated individuals make an important difference in the life of a child through adoption;

Whereas a 2007 survey conducted by the Dave Thomas Foundation for Adoption demonstrated that although "Americans overwhelmingly support the concept of adoption,

and in particular foster care adoption . . . foster care adoptions have not increased significantly over the past 5 years”;

Whereas while 4 in 10 people of the United States have considered adoption, a majority of the people of the United States have misconceptions about the process of adopting children from foster care and the children who are eligible for adoption;

Whereas 50 percent of the people of the United States believe that children enter the foster care system because of juvenile delinquency when, in reality, the vast majority of children who have entered the foster care system were victims of neglect, abandonment, or abuse;

Whereas 39 percent of the people of the United States believe that foster care adoption is expensive when, in reality, there is no substantial cost for adopting from foster care and financial support is available to adoptive parents after the adoption is finalized;

Whereas family reunification, kinship care, and domestic and inter-county adoption promote permanency and stability to a far greater degree than long-term institutionalization and long-term, often disrupted, foster care;

Whereas both National Adoption Day and National Adoption Month occur in the month of November;

Whereas National Adoption Day is a collective national effort to find permanent, loving families for children in the foster care system;

Whereas, since the first National Adoption Day in 2000, nearly 54,500 children have joined permanent families during National Adoption Day;

Whereas, in 2014, nearly 400 events were held in the United States finalizing the adoptions of approximately 4,500 children from foster care;

Whereas the President traditionally issues an annual proclamation to declare the month of November as National Adoption Month; and

Whereas National Adoption Day is on November 21, 2015; Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of both National Adoption Day and National Adoption Month;

(2) recognizes that every child should have a permanent and loving family; and

(3) encourages the people of the United States to consider adoption during the month of November and all throughout the year.

SENATE RESOLUTION 316—SUPPORTING THE GOALS AND IDEALS OF AMERICAN EDUCATION WEEK

Mrs. CAPITO (for herself, Ms. BALDWIN, Mr. KIRK, Ms. MIKULSKI, Ms. WARREN, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 316

Whereas November 16 through November 20, 2015 marks the 94th annual observance of American Education Week;

Whereas public schools are the backbone of the democracy of the United States, providing young people with the tools they need to maintain the precious values of freedom, civility, and equality;

Whereas, by equipping young people in the United States with both practical skills and

broader intellectual abilities, public schools give young people hope for, and access to, a productive future;

Whereas people working in the field of public education, including teachers, higher education faculty and staff, paraeducators, custodians, substitute educators, bus drivers, clerical workers, food service professionals, workers in skilled trades, health and student service workers, security guards, technical employees, and librarians, work tirelessly to serve children and communities throughout the United States with care and professionalism; and

Whereas public schools are community linchpins, bringing together adults, children, educators, volunteers, business leaders, and elected officials in a common enterprise: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of American Education Week; and

(2) encourages the people of the United States to observe American Education Week by reflecting on the positive impact of all those who work together to educate children.

SENATE RESOLUTION 317—COMMEMORATING THE 20TH ANNIVERSARY OF THE OPENING OF THE AMERICAN VISIONARY ART MUSEUM

Ms. MIKULSKI submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 317

Whereas the American Visionary Art Museum in Baltimore, Maryland, opened on November 24, 1995;

Whereas, in 1992, Congress designated the American Visionary Art Museum as the national repository and education center for visionary art;

Whereas the American Visionary Art Museum—

(1) is the first museum in North America that is wholly dedicated to assembling a comprehensive national collection of visionary art;

(2) perseveres due largely to the leadership of its founder, Rebecca Alban Hoffberger, who built the idea of assembling a comprehensive national collection of visionary art into an institution;

(3) encourages art as a means of expression for at-risk youth and other individuals who are often overlooked;

(4) seeks to end the stigma associated with disability by illuminating the power to overcome the adversity associated with disability through creativity;

(5) educates, inspires, and entertains over 125,000 visitors each year; and

(6) continues to fulfill its mission to increase awareness of uncommon art that is created out of extraordinary circumstances; and

Whereas it is in the best interest of the national welfare and each United States citizen—

(1) to preserve visionary art; and

(2) to celebrate visionary art as a unique art form: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 20th anniversary of the opening of the American Visionary Art Museum; and

(2) reaffirms that visionary art is a rare and valuable national treasure to which indi-

viduals in the United States should devote attention, support, and resources to ensure it is collected, preserved, and understood.

SENATE RESOLUTION 318—TO AUTHORIZE DEPOSITION TESTIMONY AND REPRESENTATION IN CARE ONE MANAGEMENT LLC, ET AL. V. UNITED HEALTHCARE WORKERS EAST, SEIU 1199, ET AL.

Mr. MCCONNELL (for himself and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 318

Whereas, in the case of *Care One Management LLC, et al. v. United Healthcare Workers East, SEIU 1199, et al.*, No. 2:12-cv-06371, pending in the United States District Court for the District of New Jersey, testimony has been sought from Rachel Pryor, a former employee in the office of Senator Richard Blumenthal, relating to her official responsibilities;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent former employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Rachel Pryor, former employee in the Office of Senator Richard Blumenthal, is authorized to testify in a deposition in the case of *Care One Management LLC, et al. v. United Healthcare Workers East, SEIU 1199, et al.*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Ms. Pryor in connection with the testimony authorized in section one of this resolution.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2812. Ms. COLLINS (for herself and Mr. REED) proposed an amendment to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

SA 2813. Ms. COLLINS (for herself and Mr. REED) proposed an amendment to amend SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra.

SA 2814. Mr. CORKER (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2815. Mr. WICKER (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2812

proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra.

SA 2816. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2817. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra.

SA 2818. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2819. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2820. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2821. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2822. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2823. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2824. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2825. Mr. ENZI (for himself, Mr. BARASSO, and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2826. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2827. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2828. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2829. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2830. Mr. FLAKE (for himself and Mrs. McCASKILL) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2831. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2832. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2833. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2834. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2835. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2836. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2837. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2838. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2839. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2840. Mr. LEE (for himself and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2841. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2842. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2843. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2844. Mr. CORNYN (for himself and Mr. REID) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2845. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2846. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2847. Mr. CARDIN submitted an amendment intended to be proposed to amendment

SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2848. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2849. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2850. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2851. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2852. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2853. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2854. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2812. Ms. COLLINS (for herself and Mr. REED) proposed an amendment to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, \$110,738,000, of which not to exceed \$2,734,000 shall be available for the immediate Office of the Secretary; not to exceed \$1,025,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed \$20,109,000 shall be available for the Office of the General Counsel; not to exceed \$10,141,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed \$13,867,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed \$2,546,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed \$27,411,000 shall

be available for the Office of the Assistant Secretary for Administration; not to exceed \$2,029,000 shall be available for the Office of Public Affairs; not to exceed \$1,769,000 shall be available for the Office of the Executive Secretariat; not to exceed \$1,434,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed \$10,793,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed \$16,880,000 shall be available for the Office of the Chief Information Officer: *Provided*, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed \$60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107-71, there may be credited to this appropriation up to \$2,500,000 in funds received in user fees: *Provided further*, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs: *Provided further*, That not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall transmit to Congress the final Comprehensive Truck Size and Weight Limits Study, as required by section 32801 of Public Law 112-141: *Provided further*, That the amount herein appropriated for the Office of the Under Secretary for Transportation Policy shall be reduced by \$100,000 for each day after 60 days after the date of enactment of this Act that such report has not been submitted to Congress: *Provided further*, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending reports required to be submitted to the House and Senate Committees on Appropriations: *Provided further*, That the Secretary shall provide in electronic form all signed reports required by Congress.

RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, \$13,000,000, of which \$8,218,000 shall remain available until September 30, 2018: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: *Provided further*, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation infrastructure, \$600,000,000, to remain available through September 30, 2019: *Provided*, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to be awarded to a State, local government, transit agency, or a collaboration among such

entities on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area, or a region: *Provided further*, That projects eligible for funding provided under this heading shall include, but not be limited to, highway or bridge projects eligible under title 23, United States Code; public transportation projects eligible under chapter 53 of title 49, United States Code; passenger and freight rail transportation projects; and port infrastructure investments (including inland port infrastructure): *Provided further*, That the Secretary may use up to 20 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: *Provided further*, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and the investment in a variety of transportation modes: *Provided further*, That a grant funded under this heading shall be not less than \$10,000,000 and not greater than \$100,000,000: *Provided further*, That not more than 25 percent of the funds made available under this heading may be awarded to projects in a single State: *Provided further*, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: *Provided further*, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: *Provided further*, That not less than 30 percent of the funds provided under this heading shall be for projects located in rural areas: *Provided further*, That for projects located in rural areas, the minimum grant size shall be \$1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: *Provided further*, That of the amount made available under this heading, the Secretary may use an amount not to exceed \$25,000,000 for the planning, preparation or design of projects eligible for funding under this heading: *Provided further*, That grants awarded under the previous proviso shall not be subject to a minimum grant size: *Provided further*, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: *Provided further*, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: *Provided further*, That the Secretary may retain up to \$20,000,000 of the funds provided under this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration, and the Maritime Administration, to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program.

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, \$5,000,000, to remain available through September 30, 2017.

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to

wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, implementation of enhanced security controls on network devices, and enhancement of cyber security workforce training tools, \$8,000,000, to remain available through September 30, 2017.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$9,678,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, \$6,000,000.

INTERAGENCY INFRASTRUCTURE PERMITTING IMPROVEMENT CENTER

For necessary expenses to establish an Interagency Infrastructure Permitting Improvement Center (IIPIC) that will implement reforms to improve interagency coordination and the expediting of projects related to the permitting and environmental review of major transportation infrastructure projects including one-time expenses to develop and deploy information technology tools to track project schedules and metrics and improve the transparency and accountability of the permitting process, \$4,000,000, to remain available until expended: *Provided*, That there may be transferred to this appropriation, to remain available until expended, amounts from other Federal agencies for expenses incurred under this heading for activities not related to transportation infrastructure: *Provided further*, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department as provided for under the previous proviso.

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed \$190,039,000 shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, \$336,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available

to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$18,367,000.

In addition, for administrative expenses to carry out the guaranteed loan program, \$597,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, \$3,084,000, to remain available until September 30, 2017: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, \$175,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: *Provided further*, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share: *Provided further*, That amounts authorized to be distributed for the essential air service program under subsection 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: *Provided further*, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 102. The Secretary or his or her designee may engage in activities with States and State legislators to consider proposals related to the reduction of motorcycle fatalities.

SEC. 103. Notwithstanding section 3324 of title 31, United States Code, in addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide payments in advance to vendors that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order 13150 and section 3049 of Public Law 109-59: *Provided*, That the Department shall include adequate safeguards in the contract with the vendors to ensure timely and high-quality performance under the contract.

SEC. 104. The Secretary shall post on the Web site of the Department of Transportation

a schedule of all meetings of the Credit Council, including the agenda for each meeting, and require the Credit Council to record the decisions and actions of each meeting.

SEC. 105. Notwithstanding any other provision of law, none of the funds appropriated or made available under this Act shall be used to finalize or implement sections 256.1 through 256.5 and 399.80 of the Department of Transportation's proposed rulemaking, as published in the Federal Register on Friday, May 23, 2014 (79 FR 29969), relating to Transparency of Airline Ancillary Fees and Other Consumer Protection Issues.

FEDERAL AVIATION ADMINISTRATION OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 112-95, \$9,897,818,000 of which \$8,180,000,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed \$7,505,293,000 shall be available for air traffic organization activities; not to exceed \$1,258,411,000 shall be available for aviation safety activities; not to exceed \$17,425,000 shall be available for commercial space transportation activities; not to exceed \$748,969,000 shall be available for finance and management activities; not to exceed \$60,089,000 shall be available for NextGen and operations planning activities; not to exceed \$100,880,000 shall be available for security and hazardous materials safety; and not to exceed \$206,751,000 shall be available for staff offices: *Provided*, That not to exceed 2 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 2 percent: *Provided further*, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108-176: *Provided further*, That the amount herein appropriated shall be reduced by \$100,000 for each day after March 31 that such report has not been submitted to the Congress: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: *Provided further*, That the amount herein appropriated shall be reduced by \$100,000 per day for each day after March 31 that such report has not been submitted to Congress: *Provided further*, That funds may be used to

enter into a grant agreement with a non-profit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than \$154,400,000 shall be for the contract tower program, including the contract tower cost share program: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, \$2,855,000,000, of which \$470,049,000 shall remain available until September 30, 2016, and \$2,384,951,000 shall remain available until September 30, 2018: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: *Provided further*, That not later than March 31, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2017 through 2021, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: *Provided further*, That the amount herein appropriated shall be reduced by \$100,000 per day for each day after March 31 that such report has not been submitted to Congress.

RESEARCH, ENGINEERING, AND DEVELOPMENT (AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of

subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$163,325,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2018: *Provided*, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(AIRPORT AND AIRWAY TRUST FUND)
(INCLUDING TRANSFER OF FUNDS)
(INCLUDING RESCISSION)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, \$3,600,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of \$3,350,000,000 in fiscal year 2016, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multi-phased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: *Provided further*, That notwithstanding any other provision of law, of funds limited under this heading, not more than \$107,100,000 shall be obligated for administration, not less than \$15,000,000 shall be available for the Airport Cooperative Research Program, not less than \$31,000,000 shall be available for Airport Technology Research, and \$10,000,000, to remain available until expended, shall be available and transferred to "Office of the Secretary, Salaries and Expenses" to carry out the Small Community Air Service Development Program: *Provided further*, That in addition to airports eligible under section 41743 of title 49, such program may include the participation of an airport that serves a community or consortium that is not larger than a small hub airport, according to FAA hub classifications effective at the time the Office of the Secretary issues a request for proposals.

(RESCISSION)

Of the amounts authorized for the fiscal year ending September 30, 2016, under section

48112 of title 49, United States Code, all unobligated balances are permanently rescinded.

ADMINISTRATIVE PROVISIONS—FEDERAL
AVIATION ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2016.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on "below-market" rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 112. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303 and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. None of the funds in this Act shall be available for paying premium pay under subsection 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 115. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

SEC. 116. The Secretary shall apportion to the sponsor of an airport that received scheduled or unscheduled air service from a large certified air carrier (as defined in part 241 of title 14 Code of Federal Regulations, or such other regulations as may be issued by the Secretary under the authority of section 41709) an amount equal to the minimum apportionment specified in 49 U.S.C. 47114(c), if the Secretary determines that airport had more than 10,000 passenger boardings in the preceding calendar year, based on data submitted to the Secretary under part 241 of title 14, Code of Federal Regulations.

SEC. 117. None of the funds in this Act may be obligated or expended for retention bonuses for an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.

SEC. 118. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Fed-

eral Aviation Administration, a blocking of that owner's or operator's aircraft registration number from any display of the Federal Aviation Administration's Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the noncommercial flights of that owner or operator.

SEC. 119. None of the funds in this Act shall be available for salaries and expenses of more than 9 political and Presidential appointees in the Federal Aviation Administration.

SEC. 119A. None of the funds made available under this Act may be used to increase fees pursuant to section 44721 of title 49, United States Code, until the FAA provides to the House and Senate Committees on Appropriations a report that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

SEC. 119B. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

SEC. 119C. None of the funds in this Act may be used to close a regional operations center of the Federal Aviation Administration or reduce its services unless the Administrator notifies the House and Senate Committees on Appropriations not less than 90 full business days in advance.

FEDERAL HIGHWAY ADMINISTRATION
LIMITATION ON ADMINISTRATIVE EXPENSES
(HIGHWAY TRUST FUND)
(INCLUDING TRANSFER OF FUNDS)

Not to exceed \$429,348,000, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration or transferred to the Appalachian Regional Commission in accordance with section 104 of title 23, United States Code.

FEDERAL-AID HIGHWAYS
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

Funds available for the implementation or execution of Federal-aid highways and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of Public Law 112-141 shall not exceed total obligations of \$40,256,000,000 for fiscal year 2016: *Provided*, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)
(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out Federal-aid highways and highway safety construction programs authorized under title 23, United States Code,

\$40,995,000,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

ADMINISTRATIVE PROVISIONS—FEDERAL
HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year 2016, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under section 202 or 204 of title 23, United States Code); and

(B) for which obligation limitation was provided in a previous fiscal year;

(3) determine the proportion that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (11) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(12) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under the Moving Ahead for Progress in the 21st Century Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highways and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the National Highway Performance Program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for such fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are

apportioned under title 23, United States Code, to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to \$639,000,000 for each of those fiscal years);

(9) Federal-aid highways programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to \$639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA-LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation; and

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2016, only in an amount equal to \$639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of Public Law 112-141) and 104 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) division E of the Moving Ahead for Progress in the 21st Century Act.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Fed-

eral-aid highways and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highways programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction programs.

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: *Provided*, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.

SEC. 123. None of the funds in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: *Provided*, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 124. From the unobligated balances of funds apportioned among the States prior to October 1, 2012, under sections 104(b) of title 23, United States Code (as in effect on the day before the date of enactment of Public Law 112-141), the amount of \$22,348,000 shall be made available in fiscal year 2016 for the administrative expenses of the Federal Highway Administration: *Provided*, That this provision shall not apply to funds distributed in

accordance with section 104(b)(5) of title 23, United States Code (as in effect on the day before the date of enactment of Public Law 112-141); section 133(d)(1) of such title (as in effect on the day before the date of enactment of Public Law 109-59); and the first sentence of section 133(d)(3)(A) of such title (as in effect on the day before the date of enactment of Public Law 112-141): *Provided further*, That such amount shall be derived on a proportional basis from the unobligated balances of apportioned funds to which this provision applies: *Provided further*, That the amount made available by this provision in fiscal year 2016 for the administrative expenses of the Federal Highway Administration shall be in addition to the amount made available in fiscal year 2016 for such purposes under section 104(a) of title 23, United States Code.

SEC. 125. Section 127 of title 23, United States Code, is amended by adding at the end the following:

“(m) OPERATION OF CERTAIN SPECIALIZED HAULING VEHICLES ON CERTAIN TEXAS HIGHWAYS.—

“(1) IN GENERAL.—If any segment of United States Route 59, United States Route 77, United States Route 281, United States Route 84, or routes otherwise made eligible for designation as Interstate Route 69, is designated as Interstate Route 69, a vehicle that could operate legally on that segment before the date of such designation may continue to operate on that segment, without regard to any requirement under subsection (a).

“(2) DESCRIPTION OF HIGHWAY SEGMENTS.—The highway segments referred to in paragraph (1) are any segment of United States Route 59, United States Route 77, United States Route 281, United States Route 84, and routes otherwise made eligible for designation as Interstate Route 69 in Texas.

“(n) OPERATION OF CERTAIN SPECIALIZED VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.—If any segment of United States Route 63 between the exits for Arkansas Highway 14 and Arkansas Highway 75 is designated as part of the Interstate System—

“(1) a vehicle that could legally operate on the segment before the date of such designation at the posted speed limit may continue to operate on that segment; and

“(2) a vehicle that can only travel slower than the posted speed limit on the segment and could otherwise legally operate on the segment before the date of such designation may continue to operate on that segment during daylight hours.”.

SEC. 126. (a) A State or territory, as defined in section 165 of title 23, United States Code, may use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associated obligation limitation, provided that the Department of Transportation for the State or territory for which the earmarked amount was originally designated or directed notifies the Secretary of Transportation of its intent to use its authority under this section and submits a quarterly report to the Secretary identifying the projects to which the funding would be applied. Notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary of Transportation is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

(b) In this section, the term “earmarked amount” means—

(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the fiscal year in which this Act becomes effective, and administered by the Federal Highway Administration; or

(2) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the fiscal year in which this Act becomes effective, and administered by the Federal Highway Administration.

(c) The authority under subsection (a) may be exercised only for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of the effective date of this Act, and shall be applied to projects within the same general geographic area within 50 miles for which the funding was designated, except that a State or territory may apply such authority to unexpended balances of funds from projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher.

(d) The Secretary shall submit consolidated reports of the information provided by the States and territories each quarter to the House and Senate Committees on Appropriations.

SEC. 127. (a) IN GENERAL.—Section 3112(c)(5) of title 49, United States Code, is amended—

(1) by striking “Nebraska may” and inserting “Nebraska and Kansas may”; and

(2) by striking “the State of Nebraska” and inserting “the relevant state”.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—Section 3112(c) of such title is amended—

(1) by striking the subsection designation and heading and inserting the following:

“(c) SPECIAL RULES FOR WYOMING, OHIO, ALASKA, IOWA, NEBRASKA, AND KANSAS.—”;

(2) by striking “; and” at the end of paragraph (3) and inserting a semicolon; and

(3) by striking the period at the end of paragraph (4) and inserting “; and”.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31104(i) of title 49, United States Code, and sections 4127 and 4134 of Public Law 109-59, as amended by Public Law 112-141, \$259,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: *Provided*, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of \$259,000,000 for “Motor Carrier Safety Operations and Programs” for fiscal year 2016, of which \$9,000,000, to remain avail-

able for obligation until September 30, 2018, is for the research and technology program, and of which \$34,545,000, to remain available for obligation until September 30, 2018, is for information management: *Provided further*, That \$1,000,000 shall be made available for commercial motor vehicle operator grants to carry out section 4134 of Public Law 109-59, as amended by Public Law 112-141.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31104(a), 31106, 31107, 31109, 31309, 31313 of title 49, United States Code, and sections 4126 and 4128 of Public Law 109-59, as amended by Public Law 112-141, \$313,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of \$313,000,000 in fiscal year 2016 for “Motor Carrier Safety Grants”; of which \$218,000,000 shall be available for the motor carrier safety assistance program, \$30,000,000 shall be available for commercial driver’s license program improvement grants, \$32,000,000 shall be available for border enforcement grants, \$5,000,000 shall be available for performance and registration information system management grants, \$25,000,000 shall be available for the commercial vehicle information systems and networks deployment program, and \$3,000,000 shall be available for safety data improvement grants: *Provided further*, That, of the funds made available herein for the motor carrier safety assistance program, \$32,000,000 shall be available for audits of new entrant motor carriers.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. (a) Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107-87 and section 6901 of Public Law 110-28.

(b) Section 350(d) of the Department of Transportation and Related Agencies Appropriation Act, 2002 (Public Law 107-87) is hereby repealed.

SEC. 131. The Federal Motor Carrier Safety Administration shall send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or another manner of delivery which records the receipt of the notice by the persons responsible for the violations.

SEC. 132. None of the funds limited or otherwise made available under this Act, or any other Act, hereafter, shall be used by the Secretary to enforce any regulation prohibiting a State from issuing a commercial learner’s permit to individuals under the age of eighteen if the State had a law authorizing the issuance of commercial learner’s permits to individuals under eighteen years of age as of May 9, 2011.

SEC. 133. None of the funds limited or otherwise made available under the heading “Motor Carrier Safety Operations and Programs” may be used to deny an application to renew a Hazardous Materials Safety Program permit for a motor carrier based on that carrier’s Hazardous Materials Out-of-Service rate, unless the carrier has the opportunity to submit a written description of corrective actions taken, and other documentation the carrier wishes the Secretary to consider, including submitting a corrective action plan, and the Secretary determines the actions or plan is insufficient to

address the safety concerns that resulted in that Hazardous Materials Out-of-Service rate.

SEC. 134. Funds appropriated or otherwise made available by this Act or any other Act shall be used hereafter to enforce sections 395.3(c) and 395.3(d) of title 49, Code of Federal Regulations, only if the final report issued by the Secretary required by section 133 of division K of Public Law 113-235 finds that the July 1, 2013 restart provisions resulted in statistically significant net safety benefits and the Inspector General certifies that the final report meets the statutory requirements of Public Law 113-235.

SEC. 135. Funds made available by this Act or any other Act may be used to develop, issue, or implement any regulation that increases levels of minimum financial responsibility for transporting passengers or property as in effect on January 1, 2014, under regulations issued pursuant to sections 31138 and 31139 of title 49, United States Code, only 60 days after the Secretary provides a report to the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure, and the Senate Committee on Commerce, Science, and Transportation on the impact of raising the minimum financial responsibility for transporting passengers or property. The report shall include an assessment of catastrophic crashes in which damages exceeded the insurance limits, the impact of higher insurance premiums on carriers, and the capacity of the insurance industry to underwrite increases in current minimum financial responsibility limits.

SEC. 136. Section 13506(a) of title 49, United States Code, is amended:

- (1) in subsection (14) by striking “or”;
- (2) in subsection (15) by striking “.” and inserting “; or”; and
- (3) by inserting at the end, “(16) the transportation of passengers by motor vehicles operated by youth or family camps that provide overnight accommodations and recreational or educational activities at fixed locations.”.

SEC. 137. (a) Section 3111(b)(1)(A) of title 49, United States Code, is amended by striking “or of less than 28 feet on a semitrailer or trailer operating in a truck tractor semitrailer-trailer combination,” and inserting “or, notwithstanding section 31112, of less than 33 feet on a semitrailer or trailer operating in a truck tractor semitrailer-trailer combination.”.

(b) Section 3111(f) of title 49, United States Code, the term “chief executive officer of a State” shall include “chief executive officer of a State Department of Transportation”.

(c) The Secretary of Transportation is directed to conduct a study comparing crash data between 28 foot and 33 foot semitrailers or trailers operating in a truck tractor-semitrailer-trailer configuration. The Secretary shall submit its study to the House and Senate Committees on Appropriations no later than three years after the date of enactment of this Act.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, \$130,500,000, of which \$20,000,000 shall remain available through September 30, 2017.

OPERATIONS AND RESEARCH (LIQUIDATION OF CONTRACT AUTHORIZATION) (LIMITATION ON OBLIGATIONS) (HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, and chapter 303 of title 49, United States Code, \$118,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2016, are in excess of \$118,500,000, of which \$113,500,000 shall be for programs authorized under 23 U.S.C. 403 and \$5,000,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: *Provided further*, That within the \$118,500,000 obligation limitation for operations and research, \$20,000,000 shall remain available until September 30, 2017, and shall be in addition to the amount of any limitation imposed on obligations for future years.

HIGHWAY TRAFFIC SAFETY GRANTS AND OTHER PURPOSES

(LIQUIDATION OF CONTRACT AUTHORIZATION) (LIMITATION ON OBLIGATIONS) (HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402, 403, and 405, section 2009 of Public Law 109-59, as amended by Public Law 112-141, section 31101(a)(6) of Public Law 112-141, chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, to remain available until expended, \$575,500,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2016, are in excess of \$575,500,000 for programs authorized under 23 U.S.C. 402, 403, and 405, section 2009 of Public Law 109-59, as amended by Public Law 112-141, section 31101(a)(6) of Public Law 112-141, chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, of which \$235,000,000 shall be for “Highway Safety Programs” under 23 U.S.C. 402; \$272,000,000 shall be for “National Priority Safety Programs” under 23 U.S.C. 405; \$29,000,000 shall be for “High Visibility Enforcement Program” under section 2009 of Public Law 109-59, as amended by Public Law 112-141; \$25,500,000 shall be for “Administrative Expenses” under section 31101(a)(6) of Public Law 112-141: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed \$500,000 of the funds made available for “National Priority Safety Programs” under 23 U.S.C. 405 for “Impaired Driving Countermeasures” (as described in subsection (d) of that section) shall be available for technical assistance to the States: *Provided further*, That with respect to the “Transfers” provision under 23 U.S.C. 405(a)(1)(G), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: *Provided further*, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(1)(G) within 5 days: *Provided further*, That

\$10,000,000 of the total obligation limitation made available shall be applied toward unobligated balances of contract authority under the program for which funds were authorized in section 2005 of Public Law 109-59, as amended, and shall be used for programs authorized under 23 U.S.C. 403: *Provided further*, That \$4,000,000 of the total obligation limitation made available shall be applied toward unobligated balances of contract authority under the program for which funds were authorized in section 2005 of Public Law 109-59, as amended, and shall be used to cover the expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code: *Provided further*, That the additional \$14,000,000 made available for obligation from unobligated balances of contract authority under section 2005 of Public Law 109-59, as amended, shall be available in the same manner as though such funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share payable on account of any program, project, or activity carried out with such funds made available under this heading shall be 100 percent and such funds shall remain available for obligation until expended.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional \$130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

SEC. 142. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

FEDERAL RAILROAD ADMINISTRATION SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$199,000,000, of which \$15,900,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$39,100,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, such authority to exist as long as any such direct loan or loan guarantee is outstanding: *Provided*, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2016.

RAILROAD SAFETY GRANTS

For necessary expenses related to railroad safety grants, \$50,000,000, of which not to exceed \$25,000,000 shall be available to carry out 49 U.S.C. 20167; not to exceed \$15,000,000

shall be made available to carry out 49 U.S.C. 20158; and not to exceed \$10,000,000 shall be made available for projects as defined in section 22501 of title 49, United States Code, to remain available until expended.

OPERATING GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation, in amounts based on the Secretary's assessment of the Corporation's seasonal cash flow requirements, for the operation of intercity passenger rail, as authorized by section 101 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432), \$288,500,000, to remain available until expended: *Provided*, That the amounts available under this paragraph shall be available for the Secretary to approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: *Provided further*, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: *Provided further*, That not later than 60 days after enactment of this Act, the Corporation shall transmit, in electronic format, to the Secretary and the House and Senate Committees on Appropriations the annual budget, business plan, the 5-Year Financial Plan for fiscal year 2016 required under section 204 of the Passenger Rail Investment and Improvement Act of 2008 and the comprehensive fleet plan for all Amtrak rolling stock: *Provided further*, That the budget, business plan and the 5-Year Financial Plan shall include annual information on the maintenance, refurbishment, replacement, and expansion for all Amtrak rolling stock consistent with the comprehensive fleet plan: *Provided further*, That the Corporation shall provide monthly performance reports in an electronic format which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes as well as progress against the milestones and target dates of the 2012 performance improvement plan: *Provided further*, That the Corporation's budget, business plan, 5-Year Financial Plan, semiannual reports, monthly reports, comprehensive fleet plan and all supplemental reports or plans comply with requirements in Public Law 112-55: *Provided further*, That none of the funds provided in this Act may be used to support any route on which Amtrak offers a discounted fare of more than 50 percent off the normal peak fare: *Provided further*, That the preceding proviso does not apply to routes where the operating loss as a result of the discount is covered by a State and the State participates in the setting of fares.

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for capital investments as authorized by sections 101(c), 102, and 219(b) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432), \$1,101,500,000, to remain available until expended, of which not to exceed \$160,200,000 shall be for debt service obligations as authorized by section 102 of such Act: *Provided*, That of the amounts made available under this heading, not less than \$50,000,000 shall be made available to bring Amtrak-served facilities and stations into

compliance with the Americans with Disabilities Act: *Provided further*, That after an initial distribution of up to \$200,000,000, which shall be used by the Corporation as a working capital account, all remaining funds shall be provided to the Corporation only on a reimbursable basis: *Provided further*, That of the amounts made available under this heading, up to \$50,000,000 may be used by the Secretary to subsidize operating losses of the Corporation should the funds provided under the heading "Operating Grants to the National Railroad Passenger Corporation" be insufficient to meet operational costs for fiscal year 2016: *Provided further*, That the Secretary may retain up to one-half of 1 percent of the funds provided under this heading to fund the costs of project management and oversight of activities authorized by subsections 101(a) and 101(c) of division B of Public Law 110-432, of which up to \$500,000 may be available for technical assistance for States, the District of Columbia, and other public entities responsible for the implementation of section 209 of division B of Public Law 110-432: *Provided further*, That the Secretary shall approve funding for capital expenditures, including advance purchase orders of materials, for the Corporation only after receiving and reviewing a grant request for each specific capital project justifying the Federal support to the Secretary's satisfaction: *Provided further*, That except as otherwise provided herein, none of the funds under this heading may be used to subsidize operating losses of the Corporation: *Provided further*, That none of the funds under this heading may be used for capital projects not approved by the Secretary of Transportation or on the Corporation's fiscal year 2015 business plan: *Provided further*, That in addition to the project management oversight funds authorized under section 101(d) of division B of Public Law 110-432, the Secretary may retain up to an additional \$5,000,000 of the funds provided under this heading to fund expenses associated with implementing section 212 of division B of Public Law 110-432, including the amendments made by section 212 to section 24905 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third-party liability for such damages, and any amounts collected under this section shall be credited directly to the Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.

SEC. 151. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of \$35,000 for any individual employee: *Provided*, That the President of Amtrak may waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations each quarter of the calendar year on waivers granted to employees and amounts paid above the cap for each month within such

quarter and delineate the reasons each waiver was granted: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations by March 1, 2016, a summary of all overtime payments incurred by the Corporation for 2015 and the three prior calendar years: *Provided further*, That such summary shall include the total number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2015 and for the three prior calendar years.

SEC. 152. Of the unobligated balances of funds available to the Federal Railroad Administration, the following funds are hereby rescinded: \$4,201,385 of the unobligated balances of funds made available from the following accounts in the specified amounts—"Rail Line Relocation and Improvement Program", \$2,241,385; and "Railroad Research and Development", \$1,960,000: *Provided*, That such amounts are made available to enable the Secretary of Transportation to assist Class II and Class III railroads with eligible projects pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended: *Provided further*, That such funds shall be available for applicant expenses in preparing to apply and applying for direct loans and loan guarantees as well as the credit risk premiums notwithstanding any other restriction against the use of Federal funds for such credit risk premiums: *Provided further*, That these funds shall remain available until expended.

SEC. 153. Of the unobligated balances of funds available to the Federal Railroad Administration, the following funds are hereby rescinded: \$5,000,000 of the unobligated balances of funds made available to fund expenses associated with implementing section 212 of division B of Public Law 110-432 in the Capital and Debt Service Grants to the National Railroad Passenger Corporation account of the Consolidated and Further Continuing Appropriations Act, 2015 and \$11,922,000 of the unobligated balances of funds made available from the following accounts in the specified amounts—"Grants to the National Railroad Passenger Corporation", \$267,019; "Next Generation High-Speed Rail", \$4,944,504; and "Safety and Operations", \$6,710,477: *Provided*, That such amounts are made available to enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation as authorized by section 101(c) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432) for state-of-good-repair backlog and infrastructure improvements on Northeast Corridor shared-use infrastructure identified in the Northeast Corridor Infrastructure and Operations Advisory Commission's approved 5-year capital plan: *Provided further*, That these funds shall remain available until expended and shall be available for grants in an amount not to exceed 50 percent of the total project cost, with the required matching funds to be provided consistent with the Commission's cost allocation policy.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, \$107,000,000, of which not less than \$5,000,000 shall be available to carry out the provisions of 49 U.S.C. 5329 and not less than \$1,000,000 shall be available to carry out the provisions of 49 U.S.C. 5326: *Provided*, That none of the funds provided or limited in

this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That upon submission to the Congress of the fiscal year 2017 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2017.

TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112-141, and section 20005(b) of Public Law 112-141, \$9,500,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5318, 5322(d), 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by Public Law 112-141, and section 20005(b) of Public Law 112-141, shall not exceed total obligations of \$8,595,000,000 in fiscal year 2016.

TRANSIT RESEARCH

For necessary expenses to carry out 49 U.S.C. 5312 and 5313, \$32,500,000, to remain available until expended: *Provided*, That \$30,000,000 shall be for activities authorized under 49 U.S.C. 5312 and \$2,500,000 shall be for activities authorized under 49 U.S.C. 5313.

TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out 49 U.S.C. 5314 and 5322(a), (b) and (e), \$3,153,000, to remain available until expended: *Provided*, That \$2,653,000 shall be for activities authorized under 49 U.S.C. 5314 and \$500,000 shall be for activities authorized under 49 U.S.C. 5322(a), (b) and (e).

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out 49 U.S.C. 5309, \$1,896,000,000, to remain available until expended: *Provided*, That when distributing funds among Recommended New Starts Projects, the Administrator shall first fully fund those projects covered by a full funding grant agreement, then fully fund those projects whose section 5309 share is less than 40 percent, and then distribute the remaining funds so as to protect as much as possible the projects' budgets and schedules.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110-432, \$150,000,000, to remain available until expended: *Provided*, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: *Provided further*, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress to improve its safety management system in response to the Federal Transit Administration's 2015 safety management inspection: *Provided further*, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress toward full implementa-

tion of the corrective actions identified in the 2014 Financial Management Oversight Review Report: *Provided further*, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system before approving such grants: *Provided further*, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of title VI of Public Law 110-432 (112 Stat. 4968).

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION (INCLUDING RESCISSION)

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading "Fixed Guideway Capital Investment" of the Federal Transit Administration for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2020, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2015, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. The Secretary may not enforce regulations related to charter bus service under part 604 of title 49, Code of Federal Regulations, for any transit agency that during fiscal year 2008 was both initially granted a 60-day period to come into compliance with part 604, and then was subsequently granted an exception from said part.

SEC. 164. Notwithstanding the requirements of 49 U.S.C. 5334 and 2 CFR 200.313, conditions imposed as a result of any and all Federal public transportation assistance related to and for the use, encumbrance, transfer or disposition of property originally built as a prototype having icebreaking capabilities will be fully and completely satisfied by the property's use—

- (1) in the areas of Arctic research;
- (2) to map the Arctic;
- (3) to collect and analyze data in the Arctic;
- (4) to support activities that further Arctic exploration, research, or development; or
- (5) for educational purposes or humanitarian relief efforts.

SEC. 165. Projects selected for the pilot program for expedited project delivery under section 20008(b) of MAP-21 shall be exempt from the requirements of 49 U.S.C. 5309(d), (e), (g), and (h). Notwithstanding this exemption, in determining whether a recipient has the financial capacity to carry out the eligible project, the Secretary of Transportation shall apply the requirements and considerations of 49 U.S.C. 5309(f).

SEC. 166. Of the unobligated amounts made available for fiscal year 2011 or prior fiscal years to carry out the discretionary bus and bus facilities program under 49 U.S.C. 5309, \$10,000,000 is hereby rescinded.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make

such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for fiscal year 2016.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities of those portions of the St. Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, \$28,400,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$210,000,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$170,000,000, of which \$22,000,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies, and of which \$5,000,000 shall remain available until expended for National Security Multi-Mission Vessel design for State Maritime Academies and National Security, and of which \$2,400,000 shall remain available through September 30, 2017, for the Student Incentive Program at State Maritime Academies, and of which \$1,000,000 shall remain available until expended for training ship fuel assistance payments, and of which \$18,000,000 shall remain available until expended for facilities maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy, and of which \$2,000,000 shall remain available through September 30, 2017, for Maritime Environment and Technology Assistance grants, contracts, and cooperative agreements, and of which \$5,000,000 shall remain available until expended for the Short Sea Transportation Program (America's Marine Highways) to make grants for the purposes provided in title 46 section 55601(b)(1) and 55601(b)(3): *Provided*, That 50 percent of the funding made available for the United States Merchant Marine Academy under this heading shall be available only after the Secretary of Transportation, in consultation with the Superintendent and the Maritime Administrator, completes a plan detailing by program or activity how such funding will be expended at the Academy, and this plan is submitted to the House and Senate Committees on Appropriations: *Provided further*, That not later than January 12, 2016, the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3507 of Public Law 110-417.

ASSISTANCE TO SMALL SHIPYARDS

To make grants to qualified shipyards as authorized under section 54101 of title 46, United States Code, as amended by Public Law 113-281, \$5,000,000 to remain available until expended: *Provided*, That the Secretary shall issue the Notice of Funding Availability no later than 15 days after enactment

of this Act: *Provided further*, That from applications submitted under the previous proviso, the Secretary of Transportation shall make grants no later than 120 days after enactment of this Act in such amounts as the Secretary determines: *Provided further*, That not to exceed 2 percent of the funds appropriated under this heading shall be available for necessary costs of grant administration.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, \$4,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized, \$8,135,000, of which \$5,000,000 shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That not to exceed \$3,135,000 shall be available for administrative expenses to carry out the guaranteed loan program, which shall be transferred to and merged with the appropriations for "Operations and Training", Maritime Administration.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: *Provided*, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall remain available until expended: *Provided further*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, \$22,500,000: *Provided*, That \$1,500,000 shall be transferred to "Pipeline Safety" in order to fund "Pipeline Safety Information Grants to Communities" as authorized under section 60130 of title 49, United States Code: *Provided further*, That not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall initiate a rulemaking to expand the applicability of comprehensive oil spill response plans, and shall issue a final rule no later than one year after the date of enactment of this Act.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$49,000,000, of which \$2,300,000 shall remain available until September 30, 2018: *Provided*, That up to \$800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities,

other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, \$146,623,000, of which \$19,500,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2018; and of which \$127,123,000 shall be derived from the Pipeline Safety Fund, of which \$66,309,000 shall remain available until September 30, 2018: *Provided*, That not less than \$1,058,000 of the funds provided under this heading shall be for the One-Call state grant program.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carryout 49 U.S.C. 5128(b), \$188,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2017: *Provided*, That notwithstanding the fiscal year limitation specified in 49 U.S.C. 5116, not more than \$28,318,000 shall be made available for obligation in fiscal year 2016 from amounts made available by 49 U.S.C. 5116(i), and 5128(b) and (c): *Provided further*, That notwithstanding 49 U.S.C. 5116(i)(4), not more than 4 percent of the amounts made available from this account shall be available to pay administrative costs: *Provided further*, That none of the funds made available by 49 U.S.C. 5116(i), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his or her designee: *Provided further*, That notwithstanding 49 U.S.C. 5128(b) and (c) and the current year obligation limitation, prior year recoveries recognized in the current year shall be available to develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of crude oil, ethanol and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: *Provided further*, That the prior year recoveries made available under this heading shall also be available to carry out 49 U.S.C. 5116(b) and (j).

ADMINISTRATIVE PROVISIONS—PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

SEC. 180. The Secretary of Transportation is directed to evaluate and report to the House and Senate Committees on Appropriations within 60 days of enactment of this Act an alternative risk-based compliance regime for the siting of small-scale liquefaction facilities that generate and package liquefied natural gas for use as a fuel or delivery to consumers by non-pipeline modes of transportation. In evaluating such alternative risk-based compliance regime, the Secretary should consider the value of adopting quantitative risk assessment methods, the benefit of incorporating modern industry standards and best practices, including the provisions in the 2013 edition of the National Fire Protection Association Standard 59A, and the need to encourage the use of the best available technology.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, \$87,472,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation: *Provided further*, That the funds made available under this heading may be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, \$32,375,000: *Provided*, That notwithstanding any other provision of law, not to exceed \$1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2016, to result in a final appropriation from the general fund estimated at no more than \$31,125,000.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 190. During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

SEC. 191. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 192. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 193. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary of Transportation shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 194. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private

sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's "Federal-Aid Highways" account, the Federal Transit Administration's "Technical Assistance and Training" account, and to the Federal Railroad Administration's "Safety and Operations" account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 195. None of the funds in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive a discretionary grant award, any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement is announced by the department or its modal administrations from:

(1) any discretionary grant or federal credit program of the Federal Highway Administration including the emergency relief program;

(2) the airport improvement program of the Federal Aviation Administration;

(3) any program of the Federal Railroad Administration;

(4) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs;

(5) any program of the Maritime Administration; or

(6) any funding provided under the headings "National Infrastructure Investments" in this Act:

Provided, That the Secretary of Transportation gives concurrent notification to the House and Senate Committees on Appropriations for any "quick release" of funds from the emergency relief program: *Provided further*, That no notification shall involve funds that are not available for obligation.

SEC. 196. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 197. Amounts made available in this or any other Act that the Secretary of Transportation determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: *Provided*, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available: *Provided further*, That where specific project or accounting information associated with the improper payment or payments is not readily available, the Secretary may credit an ap-

propriate account, which shall be available for the purposes and period associated with the account so credited; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That prior to the transfer of any such recovery to an appropriations account, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: *Provided further*, That for purposes of this section, the term "improper payments" has the same meaning as that provided in section 2(d)(2) of Public Law 107-300.

SEC. 198. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: *Provided*, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 199. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board of the Department of Transportation to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 199A. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

SEC. 199B. The Secretary of Transportation is authorized to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

SEC. 199C. The Department of Transportation may use funds provided by this Act, or any other Act, to implement a pilot program under title 49 U.S.C. or title 23 U.S.C. for geographic, economic, or any other hiring preference not otherwise authorized by law, or to amend a rule, regulation, policy or other measure that forbids a recipient of a Federal Highway Administration or Federal Transit Administration grant from imposing such hiring preference on a construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

(1) that except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the project requires resides in the jurisdiction;

(2) that the grant recipient will include appropriate provisions in its bid document en-

suring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and

(3) that any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

This title may be cited as the "Department of Transportation Appropriations Act, 2016".

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, \$14,500,000: *Provided*, That not to exceed \$25,000 of the amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, \$568,244,000, of which not to exceed \$44,657,000 shall be available for the Office of the Chief Financial Officer; not to exceed \$96,000,000 shall be available for the Office of the General Counsel; not to exceed \$208,604,000 shall be available for the Office of Administration; not to exceed \$61,475,000 shall be available for the Office of the Chief Human Capital Officer; not to exceed \$50,000,000 shall be available for the Office of Field Policy and Management; not to exceed \$17,036,000 shall be available for the Office of the Chief Procurement Officer; not to exceed \$3,270,000 shall be available for the Office of Departmental Equal Employment Opportunity; not to exceed \$4,400,000 shall be available for the Office of Strategic Planning and Management; and not to exceed \$82,802,000 shall be available for the Office of the Chief Information Officer: *Provided*, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901-5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the housing mission area: *Provided further*, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: *Provided further*, That the Secretary shall provide in electronic form all signed reports required by Congress.

PROGRAM OFFICE SALARIES AND EXPENSES

PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of Public and Indian Housing, \$207,000,000.

COMMUNITY PLANNING AND DEVELOPMENT

For necessary salaries and expenses of the Office of Community Planning and Development, \$107,000,000.

HOUSING

For necessary salaries and expenses of the Office of Housing, \$382,000,000.

POLICY DEVELOPMENT AND RESEARCH

For necessary salaries and expenses of the Office of Policy Development and Research, \$23,100,000.

FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, \$69,500,000.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, \$6,800,000.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) ("the Act" herein), not otherwise provided for, \$15,934,643,000, to remain available until expended, shall be available on October 1, 2015 (in addition to the \$4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2015), and \$4,000,000,000, to remain available until expended, shall be available on October 1, 2016: *Provided*, That the amounts made available under this heading are provided as follows:

(1) \$17,982,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2016 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection, HOPE VI, and Choice Neighborhoods vouchers: *Provided further*, That in determining calendar year 2016 funding allocations under this heading for public housing agencies, including agencies participating in the Moving To Work (MTW) demonstration, the Secretary may take into account the anticipated impact of changes in targeting and utility allowances, on public housing agencies' contract renewal needs: *Provided further*, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their MTW agreements: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this para-

graph) shall be obligated to the public housing agencies based on the allocation and prorate method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2016: *Provided further*, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements and shall be subject to the same prorate adjustments under the previous provisos: *Provided further*, That the Secretary may offset public housing agencies' calendar year 2016 allocations based on the excess amounts of public housing agencies' net restricted assets accounts, including HUD held programmatic reserves (in accordance with VMS data in calendar year 2015 that is verifiable and complete), as determined by the Secretary: *Provided further*, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies' calendar year 2016 MTW funding allocation: *Provided further*, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: *Provided further*, That up to \$75,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD-VASH) vouchers; and (4) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding: *Provided further*, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;

(2) \$130,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI and Choice Neighborhood Initiative vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Pub-

lic Law 106-569, as amended, or under the authority as provided under this Act: *Provided*, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: *Provided further*, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: *Provided further*, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: *Provided further*, That the Secretary, for the purposes under this paragraph, may use unobligated balances, including recaptures and carryovers, remaining from amounts appropriated in prior fiscal years under this heading for voucher assistance for nonelderly disabled families and for disaster assistance made available under Public Law 110-329;

(3) \$1,620,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to \$10,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, Veterans Affairs Supportive Housing vouchers, and other special purpose incremental vouchers: *Provided*, That no less than \$1,610,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2016 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105-276): *Provided further*, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and shall be subject to the same uniform percentage decrease as under the previous proviso: *Provided further*, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) \$107,643,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: *Provided*,

That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading;

(5) \$75,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: *Provided*, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 204 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: *Provided further*, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over;

(6) \$20,000,000 shall be made available for new incremental voucher assistance through the Family Unification Program as authorized by section 8(x) of the Act: *Provided*, That the assistance made available under this paragraph shall continue to remain available for family unification upon turnover; and

(7) The Secretary shall separately track all special purpose vouchers funded under this heading.

HOUSING CERTIFICATE FUND (INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading "Annual Contributions for Assisted Housing" and the heading "Project-Based Rental Assistance", for fiscal year 2016 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: *Provided*, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be rescinded: *Provided further*, That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the

purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the "Act") \$1,742,870,000, to remain available until September 30, 2019: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2016, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term "obligate" means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That up to \$3,000,000 shall be to support ongoing Public Housing Financial and Physical Assessment activities: *Provided further*, That up to \$1,000,000 shall be to support the costs of administrative and judicial receiverships: *Provided further*, That of the total amount provided under this heading, not to exceed \$23,000,000 shall be available for the Secretary to make grants, notwithstanding section 204 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2016: *Provided further*, That of the amount made available under the previous proviso, not less than \$6,000,000 shall be for safety and security measures: *Provided further*, That of the total amount provided under this heading \$35,000,000 shall be for supportive services, service coordinator and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z-6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): *Provided further*, That of the total amount made available under this heading, \$15,000,000 shall be for a Jobs-Plus initiative modeled after the Jobs-Plus demonstration: *Provided further*, That the funding provided under the previous proviso shall provide competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 117 of the Workforce Investment Act of 1998, and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: *Provided further*, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: *Provided further*, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: *Provided further*, That the Secretary shall

publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice: *Provided further*, That for funds provided under this heading, the limitation in section 9(g)(1)(A) of the Act shall be 25 percent: *Provided further*, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: *Provided further*, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: *Provided further*, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2016 to public housing agencies that are designated high performers: *Provided further*, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act.

PUBLIC HOUSING OPERATING FUND

For 2016 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), \$4,500,000,000, to remain available until September 30, 2017.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable mixed income neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, \$65,000,000, to remain available until September 30, 2018: *Provided*, That grant funds may be used for resident and community services, community development, and affordable housing needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: *Provided further*, That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: *Provided further*, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: *Provided further*, That grantees shall undertake comprehensive local planning with input from residents and the community, and that grantees shall provide a match in State, local, other Federal or private funds: *Provided further*, That grantees may include local governments, tribal entities, public housing authorities, and nonprofits: *Provided further*, That for-profit developers may apply jointly with a public entity: *Provided further*, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437x), and grants under this heading shall be subject to the regulations issued by the Secretary to implement such section: *Provided further*, That of the amount provided, not less than \$40,000,000 shall be awarded to public housing agencies: *Provided further*, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: *Provided further*, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health

and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: *Provided further*, That no more than \$5,000,000 of funds made available under this heading may be provided to assist communities in developing comprehensive strategies for implementing this program or implementing other revitalization efforts in conjunction with community notice and input: *Provided further*, That the Secretary shall develop and publish guidelines for the use of such competitive funds, including but not limited to eligible activities, program requirements, and performance metrics.

FAMILY SELF-SUFFICIENCY

For the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937, to promote the development of local strategies to coordinate the use of assistance under sections 8(o) and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, \$75,000,000, to remain available until September 30, 2017: *Provided*, That the Secretary may, by Federal Register notice, waive or specify alternative requirements under sections b(3), b(4), b(5), or c(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary: *Provided further*, That owners of a privately owned multifamily property with a section 8 contract may voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: *Provided further*, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program.

INDIAN BLOCK GRANTS

For the Indian Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), \$650,000,000, to remain available until September 30, 2020: *Provided*, That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That notwithstanding the previous proviso, no Indian tribe shall receive an allocation amount greater than 10 percent: *Provided further*, That of the amount provided under this heading, \$2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and

other obligations, any part of which is to be guaranteed, not to exceed \$17,452,007: *Provided further*, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act.

In addition to amounts made available under the first paragraph under this heading, \$60,000,000, to remain available until September 30, 2018, shall be for grants to Indian tribes for carrying out the Community Development Block Grant program under title I of the Housing and Community Development Act of 1974 notwithstanding section 106(a)(1) of such Act, of which, up to \$4,000,000 may be used for emergencies that constitute imminent threats to health and safety notwithstanding any other provision of law (including section 204 of this title): *Provided*, That not to exceed 20 percent of any grant made with funds appropriated under this paragraph shall be expended for planning and management development and administration.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), \$7,000,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to \$1,111,111,000, to remain available until expended: *Provided further*, That up to \$750,000 of this amount may be for administrative contract expenses including management processes and systems to carry out the loan guarantee program.

COMMUNITY PLANNING AND DEVELOPMENT HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), \$330,000,000, to remain available until September 30, 2017, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2018: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(3) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: *Provided further*, That notwithstanding 42 U.S.C. 12903, the Secretary shall allocate 90 percent of the funds by formula, of which 75 percent shall be among cities that are the most populous unit of general local government in a metropolitan statistical area with a population greater than 500,000 and have more than 2,000 persons living with the human immunodeficiency virus (HIV), and States with more than 2,000 persons living with HIV outside of metropolitan statistical areas, as reported to and confirmed by the Director of the Centers for Disease Control and Prevention (CDC) as of December 31 of the most recent calendar year for which such data is available, and of which 25 percent shall be among States and metropolitan statistical areas based on fair market rents and area poverty indexes, as determined by the Secretary: *Provided further*, That a grantee's share shall not reflect a loss greater than 10 percent or a gain

greater than 20 percent of the share of total available formula funds that the grantee received in the preceding fiscal year: *Provided further*, That any grantee that received a formula allocation in fiscal year 2015 shall continue to be eligible for formula allocation in this fiscal year: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For carrying out the Community Development Block Grant program under title I of the Housing and Community Development Act of 1974, as amended (the "Act" herein) (42 U.S.C. 5301 et seq.), \$3,000,000,000, to remain available until September 30, 2018: *Provided*, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That a metropolitan city, urban county, unit of general local government, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: *Provided further*, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subparagraph (e)(2): *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2016, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of \$300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: *Provided*, That the Secretary shall collect fees from borrowers, notwithstanding section 108(m), to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, \$900,000,000, to remain available until September 30, 2019: *Provided*, That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act shall not apply to allocations of such amount: *Provided further*, That the requirements under provisos 2 through 6 under this heading for fiscal year 2012 and such requirements applicable pursuant to the "Full-Year Continuing Appropriations Act, 2013", shall not apply to any project to which funds were committed on or after August 23, 2013, but such projects shall instead be governed by the Final Rule titled "Home Investment Partnerships Program; Improving Performance and Accountability; Updating Property Standards" which

became effective on such date: *Provided further*, That with respect to funds made available under this heading pursuant to such Act and funds provided in prior and subsequent appropriations acts that were or are used by community land trusts for the development of affordable homeownership housing pursuant to section 215(b) of such Act, such community land trusts, notwithstanding section 215(b)(3)(A) of such Act, may hold and exercise purchase options, rights of first refusal or other preemptive rights to purchase the housing to preserve affordability, including but not limited to the right to purchase the housing in lieu of foreclosure: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, \$50,000,000, to remain available until September 30, 2018: *Provided*, That of the total amount provided under this heading, \$10,000,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further*, That \$35,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than \$5,000,000 shall be made available for rural capacity building activities: *Provided further*, That \$5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments and Indian Tribes serving high need rural communities: *Provided further*, That an additional \$5,700,000, to remain available until expended, shall be for a program to rehabilitate and modify homes of disabled and low-income veterans as authorized under section 1079 of Public Law 113-291.

HOMELESS ASSISTANCE GRANTS

For the Emergency Solutions Grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the continuum of care program as authorized under subtitle C of title IV of such Act; and the Rural Housing Stability Assistance program as authorized under subtitle D of title IV of such Act, \$2,235,000,000, to remain available until September 30, 2018: *Provided*, That any rental assistance amounts that are recaptured under such Continuum of Care program shall remain available until expended: *Provided further*, That not less than \$250,000,000 of the funds appropriated under this heading shall be available for such Emergency Solutions Grants program: *Provided further*, That not less than \$1,918,000,000 of the funds appropriated under this heading shall be available for such Continuum of Care and Rural Housing Stability Assistance programs: *Provided further*, That up to \$7,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: *Provided further*, That up to \$2,000,000 of the funds appropriated under this heading shall be available to the Secretary, in coordination with the Secretary of Health and Human Services, for a national study on the

prevalence, needs, and characteristics of homelessness among youth as authorized under section 345 of the Runaway Homeless Youth Act (42 U.S.C. 5714-25), notwithstanding section 204 of this title: *Provided further*, That up to \$33,000,000 of the funds appropriated under this heading shall be to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 10 communities, including at least four rural communities, can dramatically reduce youth homelessness: *Provided further*, That such projects shall be eligible for renewal under the Continuum of Care program subject to the same terms and conditions as other renewal applicants: *Provided further*, That up to \$5,000,000 of the funds appropriated under this heading shall be available to provide technical assistance on youth homelessness, and collection, analysis, and reporting of data and performance measures under the comprehensive approaches to serve homeless youth, in addition to and in coordination with other technical assistance funds provided under this title: *Provided further*, That all funds awarded for supportive services under the Continuum of Care program and the Rural Housing Stability Assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: *Provided further*, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless a specific statutory prohibition on any such use of any such funds exists: *Provided further*, That the Secretary may renew on an annual basis expiring contracts or amendments to contracts funded under the Continuum of Care program if the program is determined to be needed under the applicable Continuum of Care and meets appropriate program requirements, performance measures, and financial standards, as determined by the Secretary: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible: *Provided further*, That with respect to funds provided under this heading for the Continuum of Care program for fiscal years 2016 and 2017, permanent housing rental assistance may be administered by private nonprofit organizations: *Provided further*, That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under 42 U.S.C. 11302(a) or (b) to receive services: *Provided further*, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading: *Provided further*, That in awarding grants with funds appropriated under this heading, the Secretary shall ensure that incentives created through the application process fairly balance priorities for different populations, including youth, families, veterans, and people experiencing chronic homelessness: *Provided further*, That any unobligated amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: *Provided further*,

That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Continuum of Care renewals in fiscal year 2016: *Provided further*, That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the Emergency Solutions Grant program within 60 days of enactment of this Act.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) ("the Act"), not otherwise provided for, \$10,426,000,000, to remain available until expended, shall be available on October 1, 2015 (in addition to the \$400,000,000 previously appropriated under this heading that became available October 1, 2015), and \$400,000,000, to remain available until expended, shall be available on October 1, 2016: *Provided*, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph: *Provided further*, That of the total amounts provided under this heading, not to exceed \$215,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): *Provided further*, That the Secretary of Housing and Urban Development may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z-1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z-1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667): *Provided further*, That amounts recaptured under this heading, the heading "Annual Contributions for Assisted Housing", or the heading "Housing Certificate Fund", may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That, notwithstanding any other provision of law, upon the request of the Secretary of Housing and

Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: *Provided further*, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

For amendments to capital advance contracts for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, \$420,000,000 to remain available until September 30, 2019: *Provided*, That of the amount provided under this heading, up to \$77,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: *Provided further*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That upon request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until September 30, 2019: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available, in addition to the amounts otherwise provided by this heading, for the purposes funded under this heading, and if such purposes have been fully funded, may be used by the Secretary to support demonstration programs to test housing with services models for the elderly: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwithstanding the purposes for which such funds originally were appropriated.

HOUSING FOR PERSONS WITH DISABILITIES

For amendments to capital advance contracts for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act and for project assistance contracts pursuant to section 202(h) of

the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, \$137,000,000, to remain available until September 30, 2019: *Provided*, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: *Provided further*, That, in this fiscal year, upon the request of the Secretary of Housing and Urban Development, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and that upon termination of such contract are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to be available until September 30, 2019: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided by this heading for the purposes authorized under this heading: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading may be used for the current purposes authorized under this heading notwithstanding the purposes for which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, \$47,000,000, to remain available until September 30, 2017, including up to \$4,500,000 for administrative contract services: *Provided*, That grants made available from amounts provided under this heading shall be awarded within 180 days of enactment of this Act: *Provided further*, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management/literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: *Provided further*, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements as appropriate, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z-1) in State-aided, noninsured rental housing projects, \$30,000,000, to remain available until expended: *Provided*, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to

one year for expiring contracts under such sections of law.

MANUFACTURED HOUSING STANDARDS PROGRAM

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to \$10,000,000, to remain available until expended, of which \$10,000,000 is to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2016 so as to result in a final fiscal year 2016 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2016 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: *Provided further*, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed \$400,000,000,000, to remain available until September 30, 2017: *Provided*, That during fiscal year 2016, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed \$5,000,000: *Provided further*, That the foregoing amount in the previous proviso shall be for loans to non-profit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: *Provided further*, That for administrative contract expenses of the Federal Housing Administration, \$130,000,000, to remain available until September 30, 2017: *Provided further*, That to the extent guaranteed loan commitments exceed \$200,000,000,000 on or before April 1, 2016, an additional \$1,400 for administrative contract expenses shall be available for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$30,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), shall not exceed \$30,000,000,000 in total loan principal, any

part of which is to be guaranteed, to remain available until September 30, 2017: *Provided*, That during fiscal year 2016, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed \$5,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act.

GOVERNMENT NATIONAL MORTGAGE
ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES
LOAN GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed \$500,000,000,000, to remain available until September 30, 2017: *Provided*, That \$23,000,000 shall be available for necessary salaries and expenses of the Office of Government National Mortgage Association: *Provided further*, That to the extent that guaranteed loan commitments exceed \$155,000,000,000 on or before April 1, 2016, an additional \$100 for necessary salaries and expenses shall be available until expended for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$3,000,000: *Provided further*, That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act, as amended, shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH
RESEARCH AND TECHNOLOGY
(INCLUDING TRANSFER OF FUNDS)

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, \$50,000,000, to remain available until September 30, 2017.

Of the amounts made available in this title under each of the headings specified in the report accompanying this Act, the Secretary may transfer to this account up to 0.1 percent from each such account, and such transferred amounts shall be available until September 30, 2017, for (1) technical assistance and capacity building; and (2) research, evaluation, and program metrics: *Provided*, That the Secretary may not transfer more than \$40,000,000 to this account.

With respect to amounts made available under this heading, notwithstanding section 204 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, or State or local governments and their agencies for research projects: *Provided*, That any such partners to any such cooperative agreements must contribute at least 50 percent of the cost of the project: *Provided further*, That for any such cooperative agreements, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions.

FAIR HOUSING AND EQUAL OPPORTUNITY
FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, \$65,300,000, to remain available until September 30, 2017, of which \$38,600,000 shall be to carry out activities pursuant to such section 561: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: *Provided further*, That of the funds made available under this heading, \$300,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND
HEALTHY HOMES

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, \$110,000,000, to remain available until September 30, 2017, of which \$25,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of the law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That of the total amount made available under this heading, \$45,000,000 shall be made available on a competitive basis for areas with the highest lead paint abatement needs: *Provided further*, That each recipient of funds provided under the previous proviso shall contribute an amount not less than 25 percent of the total: *Provided further*, That each applicant shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: *Provided further*, That amounts made available under this heading in this or prior appropriations Acts, and that still remain available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development of, modifications to, and infrastructure for Department-wide and program-specific information technology

systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, \$250,000,000, shall remain available until September 30, 2017: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$126,000,000: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

GENERAL PROVISIONS—DEPARTMENT OF

HOUSING AND URBAN DEVELOPMENT
(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSIONS)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the funds made available under this title may be used during fiscal year 2016 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a non-frivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the city of New York, New York, on behalf of the New York-Wayne-White Plains, New York-New Jersey Metropolitan Division (hereafter "metropolitan division") of the New York-Newark-Edison, NY-NJ-PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by:

(1) allocating to the city of Jersey City, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan area or division that is located in Hudson County, New Jersey; and

(2) allocating to the city of Paterson, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of

the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the amount allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the city of Wilmington, Delaware, on behalf of the Wilmington, Delaware–Maryland–New Jersey Metropolitan Division (hereafter “metropolitan division”), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division’s amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan division that is located in New Jersey. The State of New Jersey shall use amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(c) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2016 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the city of Raleigh, North Carolina, on behalf of the Raleigh–Cary North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(d) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allocated for fiscal year 2016 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be based on the proportion of the metropolitan statistical area’s amount that is based on the number of persons living with HIV, poverty and fair market rents, in the portion of the metropolitan statistical area that is located in that State. Any amounts allocated to a State under this section shall be used to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

SEC. 204. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 205. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for uti-

lizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1).

SEC. 206. Unless otherwise provided for in this title or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 207. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for fiscal year 2016 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 208. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 209. A public housing agency or such other entity that administers Federal housing assistance for the Housing Authority of the county of Los Angeles, California, and the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 for the Housing Authority of the county of Los Angeles, California and the States of Alaska, Iowa and Mississippi that chooses not to include a resident of public housing or a recipient of section 8 assistance on the board of directors or a similar governing board shall establish an advisory board of not less than six residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 210. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes

applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 211. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2016 and 2017, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

(b) PHASED TRANSFERS.—Transfers of project-based assistance under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the project or projects to which the assistance is transferred, to ensure that such project or projects meet the standards under subsection (c).

(c) The transfer authorized in subsection (a) is subject to the following conditions:

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

(A) For occupied units in the transferring project: The number of low-income and very low-income units and the configuration (i.e., bedroom size) provided by the transferring project shall be no less than when transferred to the receiving project or projects and the net dollar amount of Federal assistance provided to the transferring project shall remain the same in the receiving project or projects.

(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

(3) The receiving project or projects shall meet or exceed applicable physical standards established by the Secretary.

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

(5) The tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy.

(6) The Secretary determines that this transfer is in the best interest of the tenants.

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement

or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

(9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974, as amended) of any FHA-insured mortgage, except to the extent that appropriations are provided in advance for the amount of any such increased cost.

(d) For purposes of this section—

(1) the terms “low-income” and “very low-income” shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term “multifamily housing project” means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

(C) housing that is assisted under section 202 of the Housing Act of 1959, as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;

(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

(F) housing or vacant land that is subject to a use agreement;

(3) the term “project-based assistance” means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act;

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959; and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act;

(4) the term “receiving project or projects” means the multifamily housing project or projects to which some or all of the project-based assistance, debt, and statutorily required low-income and very low-income use restrictions are to be transferred;

(5) the term “transferring project” means the multifamily housing project which is transferring some or all of the project-based assistance, debt, and the statutorily required low-income and very low-income use restrictions to the receiving project or projects; and

(6) the term “Secretary” means the Secretary of Housing and Urban Development.

(e) PUBLIC NOTICE AND RESEARCH REPORT.—

(1) The Secretary shall publish by notice in the Federal Register the terms and conditions, including criteria for HUD approval, of transfers pursuant to this section no later than 30 days before the effective date of such notice.

(2) The Secretary shall conduct an evaluation of the transfer authority under this section, including the effect of such transfers on the operational efficiency, contract rents, physical and financial conditions, and long-term preservation of the affected properties.

SEC. 212. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005; and

(7) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 213. The funds made available under NAHASDA for Native Alaskans under the heading “Indian Block Grants” in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 214. Notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)), the Secretary of Housing and Urban Development may, until September 30, 2016, insure and enter into commitments to insure mortgages under such section 255.

SEC. 215. Notwithstanding any other provision of law, in fiscal year 2016, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (“MAHRAA”) and (2) environmental conditions that cannot be remedied in a cost-eff-

fective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 216. The commitment authority funded by fees as provided under the heading “Community Development Loan Guarantees Program Account” may be used to guarantee, or make commitments to guarantee, notes, or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: *Provided*, That any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

SEC. 217. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: *Provided*, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 218. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Provided*, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 219. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD sub-office under the accounts “Executive Offices” and “Administrative Support Offices,” as well as each account receiving appropriations for “Program Office Salaries and Expenses”, “Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account”, and “Office of Inspector General” within the Department of Housing and Urban Development.

SEC. 220. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2016 and subsequent fiscal years, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2016 and subsequent fiscal years, the Secretary may make the NOFA available only on the Internet at the appropriate Government Web site or through other electronic media, as determined by the Secretary.

SEC. 221. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations. The annual budget submission for the program offices and the Office of General Counsel shall include any such projected litigation costs for attorney fees as a separate line item request. No funds provided in this title may be used to pay any such litigation costs for attorney fees until the Department submits for review and approval a spending plan for such costs to the House and Senate Committees on Appropriations.

SEC. 222. The Secretary of the Department of Housing and Urban Development is authorized to transfer up to 5 percent or \$5,000,000, whichever is less, of the funds appropriated for any office funded under the heading "Administrative Support Offices" to any other office funded under such heading: *Provided*, That no appropriation for any office funded under the heading "Administrative Support Offices" shall be increased or decreased by more than 5 percent or \$5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary is authorized to transfer up to 5 percent or \$5,000,000, whichever is less, of the funds appropriated for any account funded under the general heading "Program Office Salaries and Expenses" to any other account funded under such heading: *Provided further*, That no appropriation for any account funded under the general heading "Program Office Salaries and Expenses" shall be increased or decreased by more than 5 percent or \$5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary may transfer funds made available for salaries and expenses between any office funded under the heading "Administrative Support Offices" and any account funded under the general heading "Program Office Salaries and Expenses", but only with the prior written approval of the House and Senate Committees on Appropriations.

SEC. 223. The Disaster Housing Assistance Programs, administered by the Department of Housing and Urban Development, shall be considered a "program of the Department of Housing and Urban Development" under section 904 of the McKinney Act for the purpose of income verifications and matching.

SEC. 224. (a) The Secretary of Housing and Urban Development shall take the required actions under subsection (b) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance:

(1) receives a Real Estate Assessment Center (REAC) score of 30 or less; or

(2) receives a REAC score between 31 and 59 and:

(A) fails to certify in writing to HUD within 60 days that all deficiencies have been corrected; or

(B) receives consecutive scores of less than 60 on REAC inspections.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(b) The Secretary shall take the following required actions as authorized under subsection (a)—

(1) The Secretary shall notify the owner and provide an opportunity for response within 30 days. If the violations remain, the Secretary shall develop a Compliance, Disposition and Enforcement Plan within 60 days, with a specified timetable for correcting all deficiencies. The Secretary shall provide notice of the Plan to the owner, tenants, the local government, any mortgagees, and any contract administrator.

(2) At the end of the term of the Compliance, Disposition and Enforcement Plan, if the owner fails to fully comply with such plan, the Secretary may require immediate replacement of project management with a management agent approved by the Secretary, and shall take one or more of the following actions, and provide additional notice of those actions to the owner and the parties specified above:

(A) impose civil money penalties;

(B) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(C) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered; or

(D) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies.

(c) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other remedies set forth above. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 ("MAHRAA") and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall report semi-annually on all properties covered by this section that are assessed through the Real Estate Assessment

Center and have physical inspection scores of less than 30 or have consecutive physical inspection scores of less than 60. The report shall include:

(1) The enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times; and

(2) Actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties.

SEC. 225. None of the funds made available by this Act, or any other Act, for purposes authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2016.

SEC. 226. None of the funds in this Act may be available for the doctoral dissertation research grant program at the Department of Housing and Urban Development.

SEC. 227. Section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) is amended—

(1) in subsection (m)(1), by striking "fiscal year" and all that follows through the period at the end and inserting "fiscal year 2016."; and

(2) in subsection (o), by striking "September" and all that follows through the period at the end and inserting "September 30, 2016.".

SEC. 228. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

SEC. 229. Of the amounts made available for salaries and expenses under all accounts under this title (except for the Office of Inspector General account), a total of up to \$5,000,000 may be transferred to and merged with amounts made available in the "Information Technology Fund" account under this title.

SEC. 230. None of the funds made available by this Act nor any receipts or amounts collected under any Federal Housing Administration program may be used to implement the Homeowners Armed with Knowledge (HAWK) program.

SEC. 231. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

SEC. 232. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect

to grants under section 106 of such Act (42 U.S.C. 5306).

SEC. 233. Subsection (b) of section 225 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12755) is amended by adding at the end the following new sentence: "Such 30-day waiting period is not required if the grounds for the termination or refusal to renew involve a direct threat to the safety of the tenants or employees of the housing, or an imminent and serious threat to the property (and the termination or refusal to renew is in accordance with the requirements of State or local law)."

SEC. 234. None of the funds under this title may be used for awards, including performance, special act, or spot, for any employee of the Department of Housing and Urban Development who is subject to administrative discipline in fiscal year 2016, including suspension from work.

SEC. 235. The language under the heading "Rental Assistance Demonstration" in the Department of Housing and Urban Development Appropriations Act, 2012 (Public Law 112-55) is amended:

(1) in proviso four, by striking "185,000" and inserting "200,000";

(2) in proviso eighteen, by inserting "for fiscal year 2012 and hereafter," after "Provided further, That"; and

(3) In proviso nineteen, by striking "which may extend beyond fiscal year 2016 as necessary to allow processing of all timely applications,".

SEC. 236. Section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) is amended by—

(1) inserting at the end of subsection (j)—
“(7) TREATMENT OF REPLACEMENT RESERVE.—The requirements of this subsection shall not apply to funds held in replacement reserves established in subsection (9)(n).”; and

(2) inserting at the end of subsection (m)—
“(n) ESTABLISHMENT OF REPLACEMENT RESERVES.—

“(1) IN GENERAL.—Public Housing authorities shall be permitted to establish a Replacement Reserve to fund any of the capital activities listed in subparagraph (d)(1).

“(2) SOURCE AND AMOUNT OF FUNDS FOR REPLACEMENT RESERVE.—At any time, a public housing authority may deposit funds from that agency's Capital Fund into a replacement reserve subject to the following:

“(A) At the discretion of the Secretary, public housing agencies may transfer and hold in a Replacement Reserve, funds originating from additional sources.

“(B) No minimum transfer of funds to a replacement reserve shall be required.

“(C) At any time, a public housing authority may not hold in a replacement reserve more than the amount the public housing authority has determined necessary to satisfy the anticipated capital needs of properties in its portfolio assisted under 42 U.S.C. 1437g as outlined in its Capital Fund 5 Year Action Plan, or a comparable plan, as determined by the Secretary.

“(D) The Secretary may establish by regulation a maximum replacement reserve level or levels that are below amounts determined under subparagraph (C), which may be based upon the size of the portfolio assisted under 42 U.S.C. 1437g or other factors.

“(3) In first establishing a replacement reserve, the Secretary may allow public housing agencies to transfer more than 20 percent of its operating funds into its replacement reserve.

“(4) EXPENDITURE.—Funds in a replacement reserve may be used for purposes au-

thorized by subparagraph (d)(1) and contained in its Capital Fund 5 Year Action Plan.

“(5) MANAGEMENT AND REPORT.—The Secretary shall establish appropriate accounting and reporting requirements to ensure that public housing agencies are spending funds on eligible projects and that funds in the replacement reserve are connected to capital needs.”.

SEC. 237. Section 9(g)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)) is amended by—

(1) inserting “(A)” immediately after the paragraph designation;

(2) by striking the period and inserting the following at the end: “; and”; and

(3) inserting the following new paragraph:

“(B) FLEXIBILITY FOR OPERATING FUND AMOUNTS.—Of any amounts appropriated for fiscal year 2016 or any fiscal year thereafter that are allocated for fiscal year 2016 or any fiscal year thereafter from the Operating Fund for any public housing agency, the agency may use not more than 20 percent for activities that are eligible under subsection (d) for assistance with amounts from the Capital Fund, but only if the public housing plan for the agency provides for such use.”.

SEC. 238. Section 526 (12 U.S.C. 1735f-4) of the National Housing Act is amended by inserting at the end of subsection (b)—

“(c) The Secretary may establish an exception to any minimum property standard established under this section in order to address alternative water systems, including cisterns, which meet requirements of State and local building codes that ensure health and safety standards.”.

SEC. 239. The Secretary of Housing and Urban Development shall increase, pursuant to this section, the number of Moving-to-Work agencies authorized under section 204, title II, of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1996 (Public Law 104-134; 110 Stat. 1321) by adding to the program 300 public housing agencies that are designated as high performing agencies under the Public Housing Assessment System (PHAS). No public housing agency shall be granted this designation through this section that administers in excess of 22,000 aggregate housing vouchers and public housing units. Of the agencies selected under this section, no less than 150 shall administer 600 or fewer aggregate housing voucher and public housing units, no less than 125 shall administer 601-5,000 aggregate housing voucher and public housing units, and no more than 20 shall administer 5,001-22,000 aggregate housing voucher and public housing units. Of the 300 agencies selected under this section, five shall be agencies with portfolio awards under the Rental Assistance Demonstration that meet the other requirements of this section. Selection of agencies under this section shall be based on ensuring the geographic diversity of Moving-to-Work agencies. The Secretary may, at the request of a Moving-to-Work agency and one or more adjacent public housing agencies in the same area, designate that Moving-to-Work agency as a regional agency. A regional Moving-to-Work agency may administer the assistance under sections 8 and 9 of the United States Housing Act of 1937 (42 U.S.C. 1437f and g) for the participating agencies within its region pursuant to the terms of its Moving-to-Work agreement with the Secretary. The Secretary may agree to extend the term of the agreement and to make any necessary changes to accommodate regionalization. A Moving-to-Work agency

may be selected as a regional agency if the Secretary determines that unified administration of assistance under sections 8 and 9 by that agency across multiple jurisdictions will lead to efficiencies and to greater housing choice for low-income persons in the region. For purposes of this expansion, in addition to the provisions of the Act retained in section 204, section 8(r)(1) of the Act shall continue to apply unless the Secretary determines that waiver of this section is necessary to implement comprehensive rent reform and occupancy policies subject to evaluation by the Secretary, and the waiver contains, at a minimum, exceptions for requests to port due to employment, education, health and safety. No public housing agency granted this designation through this section shall receive more funding under sections 8 or 9 of the United States Housing Act of 1937 than it otherwise would have received absent this designation. The Secretary shall extend the current Moving-to-Work agreements of previously designated participating agencies until the end of each such agency's fiscal year 2028 under the same terms and conditions of such current agreements, except for any changes to such terms or conditions otherwise mutually agreed upon by the Secretary and any such agency and such extension agreements shall prohibit any statutory offset of any reserve balances equal to four months of operating expenses. Any such reserve balances that exceed such amount shall remain available to any such agency for all permissible purposes under such agreement unless subject to a statutory offset. In addition to other reporting requirements, all Moving-to-Work agencies shall report financial data to the Department of Housing and Urban Development as specified by the Secretary, so that the effect of Moving-to-Work policy changes can be measured.

SEC. 240. Section 3(a) of the United States Housing Act of 1937 (42 U.S.C. 1437a(a)) is amended by adding at the end the following new paragraph:

“(6) REVIEWS OF FAMILY INCOME.—

“(A) FREQUENCY.—Reviews of family income for purposes of this section shall be made—

“(i) in the case of all families, upon the initial provision of housing assistance for the family; and

“(ii) no less than annually thereafter, except as provided in subparagraph (B)(i);

“(B) FIXED-INCOME FAMILIES.—

“(i) SELF CERTIFICATION AND 3-YEAR REVIEW.—In the case of any family described in clause (ii), after the initial review of the family's income pursuant to subparagraph (A)(i), the public housing agency or owner shall not be required to conduct a review of the family's income pursuant to subparagraph (A)(ii) for any year for which such family certifies, in accordance with such requirements as the Secretary shall establish, that the income of the family meets the requirements of clause (ii) of this subparagraph and that the sources of such income have not changed since the previous year, except that the public housing agency or owner shall conduct a review of each such family's income not less than once every 3 years.

“(ii) ELIGIBLE FAMILIES.—A family described in this clause is a family who has an income, as of the most recent review pursuant to subparagraph (A) or clause (i) of this subparagraph, of which 90 percent or more consists of fixed income, as such term is defined in clause (iii).

“(iii) FIXED INCOME.—For purposes of this subparagraph, the term ‘fixed income’ includes income from—

“(I) the supplemental security income program under title XVI of the Social Security Act, including supplementary payments pursuant to an agreement for Federal administration under section 1616(a) of the Social Security Act and payments pursuant to an agreement entered into under section 212(b) of Public Law 93-66;

“(II) Social Security payments;

“(III) Federal, State, local and private pension plans; and

“(IV) other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts that are of substantially the same amounts from year to year.

“(C) INFLATIONARY ADJUSTMENT FOR FIXED INCOME FAMILIES.—

“(i) IN GENERAL.—In any year in which a public housing agency or owner does not conduct a review of income for any family described in clause (ii) of subparagraph (B) pursuant to the authority under clause (i) of such paragraph to waive such a review, such family's prior year's income determination shall, subject to clauses (ii) and (iii), be adjusted by applying an inflationary factor as the Secretary shall, by regulation or notice, establish.

“(ii) EXEMPTION FROM ADJUSTMENT.—A public housing agency or owner may exempt from an adjustment pursuant to clause (i) any income source for which income does not increase from year to year.”

SEC. 241. Section 8(x)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), is amended by striking “18 months” and inserting “36 months”.

SEC. 242. (a) ESTABLISHMENT.—The Secretary of Housing and Urban Development shall establish a demonstration program during the period beginning on the date of enactment of this Act, and ending on September 30, 2020, entering into budget-neutral, performance-based agreements that result in a reduction in energy or water costs with such entities as the Secretary determines to be appropriate under which the entities shall carry out projects for energy or water conservation improvements at not more than 150,000 residential units in multifamily buildings participating in—

(1) the Project-Based Rental Assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), other than assistance provided under section 8(o) of that Act;

(2) the supportive Housing for the Elderly program under section 202 of the Housing Act of 1959 (42 U.S.C. 1701q); or

(3) the supportive Housing for Persons with Disabilities program under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)).

(b) REQUIREMENTS.—

(1) PAYMENTS CONTINGENT ON SAVINGS.—

(A) IN GENERAL.—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable years for which an energy or water cost savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).

(B) PAYMENT METHODOLOGY.—

(i) IN GENERAL.—Each agreement under this section shall include a pay-for-success provision—

(I) that will serve as a payment threshold for the term of the agreement; and

(II) pursuant to which the Department of Housing and Urban Development shall share a percentage of the savings at a level deter-

mined by the Secretary that is sufficient to cover the administrative costs of carrying out this section.

(ii) LIMITATIONS.—A payment made by the Secretary under an agreement under this section shall—

(I) be contingent on documented utility savings; and

(II) not exceed the utility savings achieved by the date of the payment, and not previously paid, as a result of the improvements made under the agreement.

(C) THIRD PARTY VERIFICATION.—Savings payments made by the Secretary under this section shall be based on a measurement and verification protocol that includes at least—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established preretrofit;

(ii) annual third party confirmation of actual utility consumption and cost for owner-paid utilities;

(iii) annual third party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

(iv) annual third party determination of savings to the Secretary.

(2) TERM.—The term of an agreement under this section shall be not longer than 12 years.

(3) ENTITY ELIGIBILITY.—The Secretary shall—

(A) establish a competitive process for entering into agreements under this section; and

(B) enter into such agreements only with entities that demonstrate significant experience relating to—

(i) financing and operating properties receiving assistance under a program described in subsection (a);

(ii) oversight of energy and water conservation programs, including oversight of contractors; and

(iii) raising capital for energy and water conservation improvements from charitable organizations or private investors.

(4) GEOGRAPHICAL DIVERSITY.—Each agreement entered into under this section shall provide for the inclusion of properties with the greatest feasible regional and State variance.

(c) PLAN AND REPORTS.—

(1) PLAN.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the House and Senate Committees on Appropriations a detailed plan for the implementation of this section.

(2) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall—

(A) conduct an evaluation of the program under this section; and

(B) submit to the House and Senate Committees on Appropriations a report describing each evaluation conducted under subparagraph (A).

(d) FUNDING.—For each fiscal year during which an agreement under this section is in effect, the Secretary may use to carry out this section any funds appropriated for the renewal of contracts under a program described in subsection (a).

SEC. 243. (a) ESTABLISHMENT.—The Secretary of Housing and Urban Development may establish, through notice in the Federal Register, a demonstration program to incent public housing agencies, as defined in section 3(b)(6) of the United States Housing Act of 1937 (in this section referred to as “the Act”), to implement measures to reduce their energy and water consumption.

(b) ELIGIBILITY.—Public housing agencies that operate public housing programs that

meet the demonstration requirements, as determined by the Secretary, shall be eligible for participation in the demonstration.

(c) INCENTIVE.—The Secretary may provide an incentive to an eligible public housing agency that uses capital funds, operating funds, grants, utility rebates, and other resources to reduce its energy and/or water consumption in accordance with a plan approved by the Secretary.

(1) BASE UTILITY CONSUMPTION LEVEL.—The initial base utility consumption level under the approved plan shall be set at the public housing agency's rolling base consumption level immediately prior to the installation of energy conservation measures.

(2) FIRST YEAR UTILITY COST SAVINGS.—For the first year that an approved plan is in effect, the Secretary shall allocate the utility consumption level in the public housing operating fund using the base utility consumption level.

(3) SUBSEQUENT YEAR SAVINGS.—For each subsequent year that the plan is in effect, the Secretary shall decrease the utility consumption level by one percent of the initial base utility consumption level per year until the utility consumption level equals the public housing agency's actual consumption level that followed the installation of energy conservation measures, at which time the plan will terminate.

(4) USE OF UTILITY COST SAVINGS.—The public housing agency may use the funds resulting from the energy conservation measures, in accordance with paragraphs (2) and (3), for either operating expenses, as defined by section 9(e)(1) of the Act, or capital improvements, as defined by section 9(d)(1) of the Act.

(5) DURATION OF PLAN.—The length in years of the utility conservation plan shall not exceed the number of percentage points in utility consumption reduction a public housing agency achieves through the energy conservation measures implemented under this demonstration, but in no case shall it exceed 20 years.

(6) OTHER REQUIREMENTS.—The Secretary may establish such other requirements as necessary to further the purposes of this demonstration.

(7) EVALUATION.—Each public housing agency participating in the demonstration shall submit to the Secretary such performance and evaluation reports concerning the reduction in energy consumption and compliance with the requirements of this section as the Secretary may require.

(d) TERMINATION.—Public housing agencies may enter into this demonstration for 5 years after the date on which the demonstration program is commenced.

SEC. 244. (a) AUTHORITY.—Subject to the conditions in subsection (d), the Secretary of Housing and Urban Development may authorize, in response to requests received in fiscal years 2016 through 2020, the transfer of some or all project-based assistance, tenant-based assistance, capital advances, debt, and statutorily required use restrictions from housing assisted under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013) to other new or existing housing, which may include projects, units, and other types of housing, as permitted by the Secretary.

(b) CAPITAL ADVANCES.—Interest shall not be due and repayment of a capital advance shall not be triggered by a transfer pursuant to this section.

(c) PHASED AND PROPORTIONAL TRANSFERS.—

(1) Transfers under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the housing to which the assistance is transferred, to ensure that such housing meets the conditions under subsection (d).

(2) The capital advance repayment requirements, use restrictions, rental assistance, and debt shall transfer proportionally from the transferring housing to the receiving housing.

(d) CONDITIONS.—The transfers authorized by this section shall be subject to the following conditions:

(1) the owner of the transferring housing shall demonstrate that the transfer is in compliance with applicable Federal, State, and local requirements regarding Housing for Persons with Disabilities and shall provide the Secretary with evidence of obtaining any approvals related to housing disabled persons that are necessary under Federal, State, and local government requirements;

(2) the owner of the transferring housing shall demonstrate to the Secretary that any transfer is in the best interest of the disabled residents by offering opportunities for increased integration or less concentration of individuals with disabilities;

(3) the owner of the transferring housing shall continue to provide the same number of units as approved for rental assistance by the Secretary in the receiving housing;

(4) the owner of the transferring housing shall consult with the disabled residents in the transferring housing about any proposed transfer under this section and shall notify the residents of the transferring housing who are eligible for assistance to be provided in the receiving housing that they shall not be required to vacate the transferring housing until the receiving housing is available for occupancy;

(5) the receiving housing shall meet or exceed applicable physical standards established or adopted by the Secretary; and

(6) if the receiving housing has a mortgage insured under title II of the National Housing Act, any lien on the receiving housing resulting from additional financing shall be subordinate to any federally insured mortgage lien transferred to, or placed on, such housing, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, or rehabilitation of the receiving housing.

(e) PUBLIC NOTICE.—The Secretary shall publish a notice in the Federal Register of the terms and conditions, including criteria for the Department's approval of transfers pursuant to this section no later than 30 days before the effective date of such notice.

SEC. 245. (a) Of the unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the heading "General and Special Risk Program Account", and for the cost of guaranteed notes and other obligations under the heading "Native American Housing Block Grants", \$12,000,000 is hereby rescinded.

(b) All unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under the headings "Rural Housing and Economic Development", and "Homeownership and Opportunity for People Everywhere Grants" are hereby rescinded.

SEC. 246. Funds made available in this title under the heading "Homeless Assistance Grants" may be used to participate in Per-

formance Partnership Pilots authorized under section 526 of division H of Public Law 113-76, section 524 of division G of Public Law 113-235, and such authorities enacted for Performance Partnership Pilots in an appropriations Act for fiscal year 2016. Such participation shall be targeted to improving the housing situation of disconnected youth.

SEC. 247. Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development for administrative costs associated with funds appropriated to the Department for specific disaster relief and related purposes and designated by Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act, including information technology costs and costs for administering and overseeing such specific disaster related funds, shall be transferred to the Program Office Salaries and Expenses, Community Planning and Development account for the Department, shall remain available until expended, and may be used for such administrative costs for administering any funds appropriated to the Department for any disaster relief and related purposes in any prior or future act, notwithstanding the purposes for which such funds were appropriated: *Provided*, That amounts transferred pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be transferred only if the President subsequently so designates the entire transfer and transmits such designation to the Congress.

SEC. 248. None of the funds made available under this title shall be used to enforce compliance with the Green Physical Needs Assessment for public housing agencies with 250 housing units or less.

This title may be cited as the "Department of Housing and Urban Development Appropriations Act, 2016".

TITLE III RELATED AGENCIES

ACCESS BOARD SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, \$8,023,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902, \$25,660,000: *Provided*, That not to exceed \$2,000 shall be available for official reception and representation expenses.

NATIONAL RAILROAD PASSENGER CORPORATION OFFICE OF INSPECTOR GENERAL SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad

Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, \$23,999,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the Corporation: *Provided further*, That concurrent with the President's budget request for fiscal year 2017, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2017 in similar format and substance to those submitted by executive agencies of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902), \$105,170,000, of which not to exceed \$2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101-8107), \$140,000,000, of which \$5,000,000 shall be for a multi-family rental housing program.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, \$3,530,000. Title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11314) is amended in section 204(a) by striking "level V" and inserting "level IV".

TITLE IV GENERAL PROVISIONS—THIS ACT

SEC. 401. None of the funds in this Act shall be used for the planning or execution of any

program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 402. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 403. The expenditure of any appropriation under this Act for any consulting service through a procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 404. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or “new age” belief systems as defined in Equal Employment Opportunity Commission Notice N-915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants’ personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2016, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates a new program;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose;

(5) augments existing programs, projects, or activities in excess of \$5,000,000 or 10 percent, whichever is less;

(6) reduces existing programs, projects, or activities by \$5,000,000 or 10 percent, whichever is less; or

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the explanatory statement accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*,

That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include:

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and

(C) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by \$100,000 per day for each day after the required date that the report has not been submitted to the House and Senate Committees on Appropriations.

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2016 from appropriations made available for salaries and expenses for fiscal year 2016 in this Act, shall remain available through September 30, 2017, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107-118) shall be considered a public use for purposes of eminent domain.

SEC. 408. All Federal agencies and departments that are funded under this Act shall issue a report to the House and Senate Committees on Appropriations on all sole-source contracts by no later than July 30, 2016. Such report shall include the contractor, the amount of the contract and the rationale for using a sole-source contract.

SEC. 409. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 410. None of the funds made available in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

SEC. 411. None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the “Buy American Act”).

SEC. 412. None of the funds made available in this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 413. None of the funds made available in this Act may be used for first-class airline accommodations in contravention of sections 301–10.122 and 301–10.123 of title 41, Code of Federal Regulations.

SEC. 414. (a) None of the funds made available in this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is party to the U.S.–E.U.–Iceland–Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.–E.U.–Iceland–Norway Air Transport Agreement.

(b) Nothing in this section shall prohibit, restrict or otherwise preclude the Secretary of Transportation from granting a foreign air carrier permit or an exemption to such an air carrier where such authorization is consistent with the U.S.–E.U.–Iceland–Norway Air Transport Agreement and United States law.

SEC. 415. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: *Provided*, That for purposes of this section the term “international conference” shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

This Act may be cited as the “Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016”.

SA 2813. Ms. COLLINS (for herself and Mr. REED) proposed an amendment to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the

fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 55, line 22, strike “2015” and insert “2016”.

SA 2814. Mr. CORKER (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) In this section:

(1) **ENTERPRISE.**—The term “enterprise” has the meaning given the term in section 1303 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4502).

(2) **GUARANTEE FEE.**—The term “guarantee fee”—

(A) means a fee in connection with any guarantee of the timely payment of principal and interest on securities, notes, and other obligations based on or backed by mortgages on residential real properties designed principally for occupancy of from 1 to 4 families; and

(B) includes—

(i) the guaranty fee charged by the Federal National Mortgage Association with respect to mortgage-backed securities; and

(ii) the management and guarantee fee charged by the Federal Home Loan Mortgage Corporation with respect to participation certificates.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Treasury.

(4) **SENIOR PREFERRED STOCK PURCHASE AGREEMENT.**—The term “Senior Preferred Stock Purchase Agreement” means—

(A) the Amended and Restated Senior Preferred Stock Purchase Agreement, dated September 26, 2008, as such Agreement has been amended on May 6, 2009, December 24, 2009, and August 17, 2012, respectively, and as such Agreement may be further amended and restated, entered into between the Department of the Treasury and each enterprise, as applicable; and

(B) any provision of any certificate in connection with such Agreement creating or designating the terms, powers, preferences, privileges, limitations, or any other conditions of the Variable Liquidation Preference Senior Preferred Stock of an enterprise issued or sold pursuant to such Agreement.

(b)(1) In the Senate and the House of Representatives, for purposes of determining budgetary impacts to evaluate points of order under the Congressional Budget Act of 1974, any previous budget resolution, and any subsequent budget resolution, provisions contained in any bill, resolution, amendment, motion, or conference report that increase, or extend the increase of, any guarantee fee of an enterprise shall not be scored with respect to the level of budget authority, outlays, or revenues contained in such legislation.

(2) The prohibition in paragraph (1) shall not apply to any legislation that—

(A) includes a specific instruction to the Secretary on the sale, transfer, relinquishment, liquidation, divestiture, or other disposition of senior preferred stock acquired pursuant to the Senior Preferred Stock Purchase Agreement; and

(B) provides for an increase, or extension of an increase, of any guarantee fee of an enter-

prise to be used for the purpose of financing reforms to the secondary mortgage market.

(c)(1) Notwithstanding any other provision of law or any provision of the Senior Preferred Stock Purchase Agreement, the Secretary may not sell, transfer, relinquish, liquidate, divest, or otherwise dispose of any outstanding shares of senior preferred stock acquired pursuant to the Senior Preferred Stock Purchase Agreement, until such time as Congress has passed and the President has signed into law legislation that includes a specific instruction to the Secretary regarding the sale, transfer, relinquishment, liquidation, divestiture, or other disposition of the senior preferred stock so acquired.

(2) Nothing in this subsection shall be construed to alter, supersede, or interfere with the final ruling of a court of competent jurisdiction with respect to any provision of the Senior Preferred Stock Purchase Agreement.

SA 2815. Mr. WICKER (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

Beginning on page 45, strike line 16 and all that follows through line 9 on page 46 and insert the following:

SEC. 137. The Secretary of Transportation may promulgate a rulemaking to increase the minimum length limitation that a State may prescribe for a truck tractor-semitrailer-trailer combination under section 3111(b)(1)(A) of title 49, United States Code, from 28 feet to 33 feet if the Secretary makes a statistically significant finding, based on the final Comprehensive Truck Size and Weight Limits Study required under section 32801 of the Commercial Motor Vehicle Safety Enhancement Act of 2012 (title II of division C of Public Law 112-141), that such change would not have a net negative impact on public safety.

SA 2816. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 416. None of the funds made available under this Act shall be used to provide housing assistance benefits for an individual who is convicted of—

(1) aggravated sexual abuse under section 2241 of title 18, United States Code;

(2) murder under section 1111 of title 18, United States Code, an offense under chapter 110 of title 18, United States Code; or

(3) any other Federal or State offense involving—

(A) sexual assault or domestic violence, as those terms are defined in 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)); or

(B) child abuse, as defined in section 212 of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.).

SA 2817. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) In this section—

(1) the term “Compact” means the Washington Metropolitan Area Transit Authority Compact (Public Law 89-774; 80 Stat 1324);

(2) the term “Federal Director” means—

(A) a voting member of the Board of Directors of the Transit Authority who represents the Federal Government; and

(B) a nonvoting member of the Board of Directors of the Transit Authority who serves as an alternate for a member described in subparagraph (A); and

(3) the term “Transit Authority” means the Washington Metropolitan Area Transit Authority established under Article III of the Compact.

(b)(1) Notwithstanding section 601(d)(3) of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432; 122 Stat. 4969) and section 1(b)(1) of Public Law 111-62 (123 Stat. 1998), hereafter the Secretary of Transportation shall have sole authority to appoint Federal Directors to the Board of Directors of the Transit Authority.

(2) The signatory parties to the Compact shall amend the Compact as necessary in accordance with paragraph (1).

SA 2818. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 44, line 6, strike “only if” and insert “until”.

SA 2819. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the general provisions of title I, add the following:

SEC. _____. Notwithstanding any other provision of law, any bridge eligible for assistance under title 23, United States Code, that is structurally deficient and requires reconstruction, reconstruction, or maintenance—

(1) may be reconstructed in the same location with the same capacity and dimensions as in existence on the date of enactment of this Act; and

(2) shall be exempt from any environmental reviews, approvals, licensing, and permit requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) sections 402 and 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344);

(C) division A of subtitle III of title 54, United States Code;

(D) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(E) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(F) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(G) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), except when the reconstruction occurs in designated critical habitat for threatened and endangered species;

(H) Executive Order 11990 (42 U.S.C. 4321 note; relating to the protection of wetland); and

(I) any Federal law (including regulations) requiring no net loss of wetland.

SA 2820. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

After section 119C, insert the following:

SEC. 119D. It is the sense of Congress that the National Oceanic and Atmospheric Administration and the Federal Aviation Administration should continue evaluating the benefits of all-digital cylindrical technology and other technologies to be incorporated into the multi-function phased array radar and consider providing appropriate funding for demonstrations of such technologies.

SA 2821. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 416. CLEARING TRAINS FROM GRADE CROSSINGS.

(a) **SHORT TITLE.**—This section may be cited as the “Moving Obstructed Trains In-between Openings Now Act” or the “**MO-TION Act**”.

(b) **GRADE CROSSING EXCEPTION.**—

(1) **AMENDMENT.**—Chapter 211 of title 49, United States Code, is amended by adding at the end the following:

“§ 21110. Grade crossing exception.

“Employees may be allowed to remain or go on duty for a period in excess of the limitations established under this chapter to the extent necessary to clear a blockage of vehicular traffic at a grade crossing.”.

(2) **CLERICAL AMENDMENT.**—The table of sections for chapter 211 of such title is amended by adding at the end the following: “21110. Grade crossing exception.”.

SA 2822. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms.

COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. _____. Section 127 of title 23, United States Code (as amended by section 125), is amended by adding at the end the following:

“(o) **LOGGING VEHICLES IN WISCONSIN.**—No limit or other prohibition under this section, except the limit described in this subsection, shall apply to a vehicle with a gross weight of 98,000 pounds or less if the vehicle is—

“(1) transporting raw or unfinished forest product; and

“(2) operating on Interstate Route 39 in Wisconsin from mile marker 175.8 to mile marker 189.”.

SA 2823. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. _____. Notwithstanding any other provision of law, any funds apportioned to a State for the national highway performance program under section 119 of title 23, United States Code, may be used for the replacement, rehabilitation, preservation, and protection of bridges on Federal-aid highways not on the National Highway System.

SA 2824. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 230.

SA 2825. Mr. ENZI (for himself, Mr. BARRASSO, and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

After section 119C, insert the following:

SEC. 119D. For fiscal year 2016, the Secretary of Transportation shall apportion to the sponsor of a primary airport under section 47114(c)(1)(A) of title 49, United States Code, an amount based on the number of passenger boardings at the airport during calendar year 2012 if the airport had—

(1) fewer than 10,000 passenger boardings during the calendar year used to calculate the apportionment for fiscal year 2016 under that section; and

(2) 10,000 or more passenger boardings during calendar year 2012.

SA 2826. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 44, strike line 13 and all that follows through page 45, line 5.

SA 2827. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I, insert the following:

SEC. _____. None of the funds made available under this title may be used for the Wave Streetcar project in Fort Lauderdale, Florida.

SA 2828. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I, insert the following:

SEC. _____. None of the funds made available under this title may be used for the Seattle Sound Transit University Link light rail project.

SA 2829. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I, insert the following:

SEC. _____. None of the funds made available under this title may be used for the VelociRFTA bus rapid transit project in Roaring Fork Valley, Colorado.

SA 2830. Mr. FLAKE (for himself and Mrs. MCCASKILL) submitted an amendment intended to be proposed to

amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 82, between lines 4 and 5, insert the following:

SEC. 199D. UNUSED EARMARKS.

(a) **SHORT TITLE.**—This section may be cited as the “Jurassic Pork Act”.

(b) **DEFINITIONS.**—In this section—

(1) the term “agency” has the meaning given the term “Executive agency” under section 105 of title 5, United States Code;

(2) the term “earmark” means—

(A) a congressionally directed spending item, as defined in rule XLIV of the Standing Rules of the Senate; and

(B) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives; and

(3) the term “unused DOT earmark” means an earmark of funds provided for the Department of Transportation as to which more than 90 percent of the dollar amount of the earmark of funds remains available for obligation at the end of the 9th fiscal year following the fiscal year during which the earmark was made available.

(c) **RESCISSION OF UNUSED DOT EARMARKS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), effective on October 1 of the 10th fiscal year after funds under an unused DOT earmark are made available, all unobligated amounts made available under the unused DOT earmark are rescinded and shall be transferred to the Highway Trust Fund.

(2) **EXCEPTION.**—The Secretary of Transportation may delay the rescission of amounts made available under an unused DOT earmark for 1 year if the Secretary determines that an additional obligation of amounts from the earmark is likely to occur during the 10th fiscal year after funds under the unused DOT earmark are made available.

(3) **APPLICABILITY.**—This subsection shall apply for fiscal year 2016 and each fiscal year thereafter to amounts made available for any fiscal year beginning before, on, or after the date of enactment of this Act.

(d) **AGENCY-WIDE IDENTIFICATION AND REPORT.**—

(1) **AGENCY IDENTIFICATION.**—Each agency shall identify and submit to the Director of the Office of Management and Budget an annual report—

(A) that identifies each earmark for a project of the agency that is ineligible for funding; and

(B) that discusses each project of the agency for which—

(i) amounts are made available under an earmark; and

(ii) as of the end of a fiscal year, unobligated balances remain available.

(2) **ANNUAL REPORT.**—The Director of the Office of Management and Budget shall submit to Congress and publically post on the website of the Office of Management and Budget an annual report regarding earmarks (including any earmark that is ineligible for funding) that includes—

(A) a listing and accounting for earmarks for which unobligated balances remain available, summarized by agency, which shall include, for each earmark—

(i) the amount of funds made available under the original earmark;

(ii) the amount of the unobligated balances that remain available;

(iii) the fiscal year through which the funds are made available, if applicable; and

(iv) recommendations and justifications for whether the earmark should be rescinded or retained in the next fiscal year;

(B) the number of rescissions resulting from this section and the annual savings resulting from this section for the previous fiscal year; and

(C) a listing and accounting for earmarks provided for the Department of Transportation scheduled to be rescinded under subsection (c) at the end of the fiscal year during which the report is submitted.

(3) **APPLICABILITY.**—This subsection shall apply for fiscal year 2016 and each fiscal year thereafter.

SA 2831. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. ____. (a) In this section, the terms “families” and “public housing” have the meanings given those terms in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(b) None of the funds made available under this Act or any other provision of law may be used to provide public housing or tenant-based or project-based assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to families with annual gross incomes for two consecutive years of more than \$100,000.

SA 2832. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. ____. (a) In this section, the term “covered agency” means—

(1) the Department of Housing and Urban Development;

(2) the Department of Transportation;

(3) the Federal Maritime Commission;

(4) the National Railroad Passenger Corporation;

(5) the National Transportation Safety Board;

(6) the Neighborhood Reinvestment Corporation; and

(7) the United States Interagency Council on Homelessness.

(b) Not later than 1 year after the date of enactment of this Act, and every year thereafter, the Director of the Office of Management and Budget shall submit to Congress and post on the website of the Office of Management and Budget a report on projects funded by a covered agency—

(1) that are more than 5 years behind schedule; or

(2) for which the amount spent on the project is not less than \$1,000,000,000 more than the original cost estimate for the project.

(c) Each report submitted and posted under subsection (b) shall include, for each project included in the report—

(1) a brief description of the project, including—

(A) the purpose of the project;

(B) each location in which the project is carried out;

(C) the year in which the project was initiated; and

(D) each primary contractor and grant recipient for the project;

(2) the original expected date for completion of the project;

(3) the current expected date for completion of the project;

(4) the original cost estimate for the project;

(5) the current cost estimate for the project;

(6) an explanation for a delay in completion or increase in the original cost estimate for the project; and

(7) recommendations to reduce the cost for the project that may require legislative action.

SA 2833. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. ____. (a) The Secretary of Housing and Urban Development shall prepare a report, and post such report on the public website of the Department of Housing and Urban Development (in this section referred to as the “Department”), regarding the number of homes owned by the Department and the cost to taxpayers of acquiring, maintaining, and selling such homes.

(b) The report required under this section shall include—

(1) the number of residential homes that the Department owned during the years 2010 through 2015;

(2) an itemized breakdown of the total annual financial impact, including losses and gains from selling homes and maintenance and acquisition of homes, of home ownership by the Department since 2010;

(3) a detailed explanation of the reasons for the ownership by the Department of the homes;

(4) a list of the 10 urban areas in which the Department owns the most homes and the rate of homelessness in each of those areas; and

(5) a list of the 10 States in which the Department owns the most homes and the rate of homelessness in each of those States.

SA 2834. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other

purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 416. Section 213(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note) is amended by adding at the end the following:

“(3) AIRSPACE MANAGEMENT ADVISORY COMMITTEE.—

“(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this paragraph, the Administrator shall establish an advisory committee to review and provide comments on proposals described in subparagraph (B) before any such proposal is made available for public comment and before any such proposal is implemented.

“(B) PROPOSALS DESCRIBED.—A proposal described in this subparagraph is a proposed change in regulations, policies, or guidance of the Federal Aviation Administration relating to airspace that affects airport operations, airport capacity, the environment, or communities in the vicinity of airports.

“(C) MEMBERSHIP.—The membership of the advisory committee established under subparagraph (A) shall include representatives of air carriers, airports of various sizes and types, and State aviation officials.

“(D) DUTIES.—Not later than 100 days after the establishment of the advisory committee under subparagraph (A), the advisory committee shall—

“(i) conduct a review of the practices and procedures of the Federal Aviation Administration for developing proposals described in subparagraph (B), including—

“(I) an assessment of the extent to which there is consultation, or a lack of consultation, with respect to such proposals—

“(aa) between and among the affected elements of the Federal Aviation Administration, including the Air Traffic Organization, the Office of Airports, the Flight Standards Service, the Office of NextGen, and the Office of Energy and Environment; and

“(bb) between the Federal Aviation Administration and affected entities, including airports, communities, and State and local governments;

“(ii) recommend revisions to such practices and procedures to improve communications and coordination between and among affected elements of the Federal Aviation Administration and with other affected entities with respect to proposals described in subparagraph (B) and the potential effects of such proposals;

“(iii) conduct a review of the management by the Federal Aviation Administration of database systems used to evaluate data relating to obstructions to air navigation or navigational facilities under part 77 of title 14, Code of Federal Regulations; and

“(iv) make recommendations to ensure that such data is publicly accessible and streamlined to ensure developers, airport operators, and other interested parties may obtain relevant information concerning potential obstructions when working to preserve and create a safe and efficient navigable airspace.”.

SA 2835. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016,

and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. _____. The Secretary of Housing and Urban Development may not make a payment to any person or entity with respect to a property assisted or insured under a program of the Department of Housing and Urban Development (in this section referred to as the “Department”) that—

(1) on the day before the date of enactment of this Act, is designated by the Department as “troubled” for “life-threatening deficiencies” or “poor” physical conditions on the Online Property Integrated Information System; and

(2) has been designated by the Department as “troubled” for “life-threatening conditions” or “poor” physical condition on the Online Property Integrated Information System not less than once during the 5-year period ending on the day before the date of enactment of this Act.

SA 2836. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. _____. A recipient of grant amounts from the Department of Housing and Urban Development may not use such amounts to pay any amount due on a loan provided to the recipient by the Department of Housing and Urban Development.

SA 2837. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. _____. None of the funds made available under this Act may be used by the Federal Government to interfere with State and local inspections of public housing dwelling units.

SA 2838. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 109, line 8, strike “\$900,000,000” and insert “\$66,000,000”.

SA 2839. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to

the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 416. None of the funds made available under this Act shall be used to implement, administer, or enforce any wage requirement under subchapter IV of chapter 31 of title 40, United States Code, except with respect to any contract that is in existence on or prior to the date that is 30 days after the date of enactment of this Act or made pursuant to an invitation for bids outstanding on the date that is 30 days after such date of enactment.

SA 2840. Mr. LEE (for himself and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) PROHIBITION ON USE OF FEDERAL FUNDS FOR HUD RULE.—Notwithstanding any other provision of law, no Federal funds may be used to implement, administer, or enforce the final rule of the Department of Housing and Urban Development entitled “Affirmatively Furthering Fair Housing” (80 Fed. Reg. 42272 (July 16, 2015)).

(b) PROHIBITION ON USE OF FEDERAL FUNDS FOR FEDERAL DATABASE.—Notwithstanding any other provision of law, no Federal funds may be used to design, build, maintain, utilize, or provide access to a Federal database of geospatial information on community racial disparities or disparities in access to affordable housing.

SA 2841. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 416. Of the amount appropriated by this Act for the Federal Aviation Administration for research, engineering, and development, \$1,000,000 shall be available for the implementation of the unmanned aircraft operator certification provisions of subpart C of part 107 of title 14, Code of Federal Regulations, as proposed in the notice of proposed rulemaking relating to operation and certification of small unmanned aircraft systems published in the Federal Register on February 23, 2015 (80 Fed. Reg. 9544), or other unmanned aircraft operator certification provisions comparable to such provisions.

SA 2842. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to

the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 416. (a) Of the amounts appropriated under this Act for the Federal Aviation Administration, \$2,000,000 shall be available to the Administrator of the Federal Aviation Administration to develop a comprehensive strategy for the integration of unmanned aircraft systems (as defined in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note)) into the national airspace system.

(b) In developing the strategy required by subsection (a), the Administrator shall—

(1) effectively leverage the capabilities of the test ranges for unmanned aircraft systems designated by the Federal Aviation Administration under section 332(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note) in integrating unmanned aircraft systems into the national airspace system; and

(2) consult with interested industry groups, the Administrator of the National Aeronautics and Space Administration, the Secretary of Homeland Security, the Secretary of Defense, the heads of other appropriate Federal agencies, and the operators of the test ranges described in paragraph (1).

(c) The strategy required by subsection (a) shall be submitted to Congress not later than 180 days after the date of the enactment of this Act.

SA 2843. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 194, between lines 2 and 3, insert the following:

SEC. 416. None of the amounts appropriated or otherwise made available under this Act may be used to provide or administer assistance to aliens admitted, on or after November 13, 2015, as refugees or asylees under section 1157 or 1158 of the Immigration and Nationality Act (8 U.S.C. 1157 and 1158) who were nationals of any of the following countries or territories:

- (1) Afghanistan.
- (2) Algeria.
- (3) Bahrain.
- (4) Bangladesh.
- (5) Egypt.
- (6) Eritrea.
- (7) Indonesia.
- (8) Iran.
- (9) Iraq.
- (10) Jordan.
- (11) Kazakhstan.
- (12) Kuwait.
- (13) Kyrgyzstan.
- (14) Lebanon.
- (15) Libya.
- (16) Mali.
- (17) Morocco.
- (18) Nigeria.
- (19) North Korea.
- (20) Oman.

- (21) Pakistan.
- (22) Qatar.
- (23) Russia.
- (24) Saudi Arabia.
- (25) Somalia.
- (26) Sudan.
- (27) Syria.
- (28) Tajikistan.
- (29) Tunisia.
- (30) Turkey.
- (31) United Arab Emirates.
- (32) Uzbekistan.
- (33) Yemen.
- (34) Palestinian Territories.

SA 2844. Mr. CORNYN (for himself and Mr. REID) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. _____. Not later than 30 days after the date of the enactment of this Act, the Secretary of Transportation shall—

(1) for purposes of determining eligibility for the Contract Tower Program under section 47124(b) of title 49, United States Code, conduct a benefit-to-cost ratio determination using existing cost-benefit methodologies for any airport sponsor that requested such a determination before such date of enactment; and

(2) determine that such an airport sponsor is eligible for the Contract Tower Program if the benefit-to-cost ratio meets the requirements for that ratio under such section 47124(b).

SA 2845. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 416. COMPENSATION FOR FEDERAL EMPLOYEES AFFECTED BY A LAPSE IN APPROPRIATIONS.

Section 1341 of title 31, United States Code, is amended—

(1) in subsection (a)(1), by striking “An officer” and inserting “Except as specified in this subchapter or any other provision of law, an officer”; and

(2) by adding at the end the following:

“(c)(1) In this subsection—

“(A) the term ‘covered lapse in appropriations’ means a lapse in appropriations that begins on or after October 1, 2015; and

“(B) the term ‘excepted employee’ means an excepted employee or an employee performing emergency work, as such terms are defined by the Office of Personnel Management.

“(2) Each Federal employee furloughed as a result of a covered lapse in appropriations shall be paid for the period of the lapse in appropriations, and each excepted employee who is required to perform work during a

covered lapse in appropriations shall be paid for such work, at the employee’s standard rate of pay at the earliest date possible after the lapse in appropriations ends, regardless of scheduled pay dates.

“(3) During a covered lapse in appropriations, each excepted employee who is required to perform work shall be entitled to use leave under chapter 63 of title 5, or any other applicable law governing the use of leave by the excepted employee, for which compensation shall be paid at the earliest date possible after the lapse in appropriations ends, regardless of scheduled pay dates.”.

SA 2846. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, between lines 9 and 10, insert the following:

SEC. 138. Section 14501(c)(2)(C) of title 49, United States Code, is amended by striking “the price of for-hire motor vehicle transportation by a tow truck, if such transportation is” and inserting “the regulation of tow truck operations”.

SA 2847. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. _____. The Secretary of Housing and Urban Development may use community development block grant funds under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) to fund public-private economic development projects between State and local entities and private entities to revitalize neighborhoods in distressed urban and rural communities—

(1) where more than 25 percent of the properties contain vacant and blighted structures, as provided by local code or other administrative records; and

(2) the blighted condition of such properties will be removed through rehabilitation, demolition, or other means.

SA 2848. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 163, line 23, insert “or under the Section Eight Management Assessment Program (SEMAP), if the public housing agency only administers vouchers under section 8 of

the United States Housing Act of 1937 (42 U.S.C. 1437f) after “(PHAS)”.

SA 2849. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 416. PROGRAM INCOME.

For purposes of any program, project, or activity carried out using amounts made available under this Act, the program income for a non-Federal entity shall be determined in accordance with the definition of the term “program income” under section 200.80 of title 2, Code of Federal Regulations.

SA 2850. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 416. NOTICE OF WAIVER REQUESTS.

(a) IN GENERAL.—An agency that receives funds under this Act and that requests a waiver of any requirement or guidance under part 200 of title 2, Code of Federal Regulations, (relating to uniform administrative requirements, cost principles, and audit requirements for Federal awards) shall submit notice to—

(1) the Committee on Appropriations, the Committee on the Judiciary, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Appropriations, the Committee on the Judiciary, and the Committee on Oversight and Government Reform of the House of Representatives.

(b) CONTENTS.—The notice submitted by an agency under subsection (a) shall—

(1) specifically identify each provision of part 200 of title 2, Code of Federal Regulations, for which the agency is seeking a waiver;

(2) provide a justification for the requested waiver; and

(3) include any materials provided to the Office of Management and Budget in support of the application for a waiver.

SA 2851. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. _____. None of the funds made available under this title for the public housing Oper-

ating Fund established under section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)) may be used by a public housing agency to pay asset management fees.

SA 2852. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 51, beginning on line 17, strike “outstanding:” and all that follows through line 21, and insert “outstanding.”.

SA 2853. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. _____. Notwithstanding any other provision of this Act, amounts made available under this Act may be used by the Surface Transportation Board to take action with respect to the construction of a high-speed rail project in California.

SA 2854. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. _____. Notwithstanding any other provision of this Act, amounts made available under this Act may be used for high-speed rail in the State of California or for the California High-Speed Rail Authority, including by the Federal Railroad Administration to administer a grant agreement with the California High-Speed Rail Authority that contains a tapered matching requirement.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on November 18, 2015, at 11 a.m., in room SR-253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on November 18, 2015, at 9:30 a.m., in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled “Examining the International Climate Negotiations.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on November 18, 2015, at 10 a.m., to conduct a classified briefing entitled “The Aftermath of Paris: America’s Role.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on November 18, 2015, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on November 18, 2015, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on November 18, 2015, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “National Adoption Month: Stories of Success and Meeting the Challenges of International Adoptions.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS’ AFFAIRS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session of the Senate on November 18, 2015, at 2:30 p.m., in room SR-418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SEAPOWERS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the

Senate on November 18, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of all nominations on the Secretary's desk in the Foreign Service; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

NOMINATIONS PLACED ON THE SECRETARY'S DESK

FOREIGN SERVICE

PN573-4 FOREIGN SERVICE nominations (20) beginning Bradley Duane Arsenault, and ending Jamshed Zuberi, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of June 10, 2015.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

AUTHORIZING USE OF EMANCIPATION HALL

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 93, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 93) authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 150th anniversary of the ratification of the 13th Amendment.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Ms. COLLINS. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 93) was agreed to.

SUPPORTING THE GOALS AND IDEALS OF AMERICAN DIABETES MONTH

Ms. COLLINS. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 282 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 282) supporting the goals and ideals of American Diabetes Month.

There being no objection, the Senate proceeded to consider the resolution.

Ms. COLLINS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 282) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of October 8, 2015, under "Submitted Resolutions.")

AUTHORIZING DEPOSITION TESTIMONY AND REPRESENTATION

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 318, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 318) to authorize deposition testimony and representation in *Care One Management LLC, et al. v. United Healthcare Workers East, SEIU 1199, et al.*

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, this resolution concerns testimony by a former Senate employee in an ongoing civil action pending in New Jersey Federal district court. The case arises out of a labor dispute between a company that owns and manages five assisted-living facilities and the union that represents the employees at those facilities.

Previously, Senator BLUMENTHAL's office has provided information in this matter, with Senate authorization. In response to a further request from Plaintiffs, Senator BLUMENTHAL is making available a former employee for a limited, additional deposition.

This resolution authorizes that former employee to testify in a deposition, and also authorizes the Senate

Legal Counsel to represent the former employee in this matter.

Ms. COLLINS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 318) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—H.R. 3762

Ms. COLLINS. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

Ms. COLLINS. Mr. President, I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

ORDERS FOR THURSDAY, NOVEMBER 19, 2015

Ms. COLLINS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, November 19; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leaders remarks, the Senate be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each; finally, that at 11 a.m., the Senate then resume consideration of H.R. 2577.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. COLLINS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:53 p.m., adjourned until Thursday, November 19, 2015, at 10 a.m.

CONFIRMATIONS

FOREIGN SERVICE

CEIVED BY THE SENATE AND APPEARED IN THE CON-
GRESSIONAL RECORD ON JUNE 10, 2015.

Executive nominations confirmed by
the Senate November 18, 2015:

FOREIGN SERVICE NOMINATIONS BEGINNING WITH
BRADLEY DUANE ARSENAULT AND ENDING WITH
JAMSHED ZUBERI, WHICH NOMINATIONS WERE RE-

HOUSE OF REPRESENTATIVES—Wednesday, November 18, 2015

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. JOLLY).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 18, 2015.

I hereby appoint the Honorable DAVID W. JOLLY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

REMEMBERING MY FRIEND, HOWARD COBLE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, I rise today to pay tribute to a dear friend of mine and an outstanding Member of this House who passed away on November 3.

Howard Coble served this House with honor, always concerned first and foremost with how the policies it enacted would affect those he served in North Carolina's Sixth Congressional District.

Howard Coble was a son of Greensboro, a Coast Guard veteran of the Korean war, a prosecutor, and a dedicated public servant. Howard believed strongly in this House and its role in our democracy.

In the 30 years we served together, we stood on opposite sides of debate far more than we were on the same side, but we had a close friendship that transcended politics or policy. Howard Coble was one of the kindest and most warm-hearted individuals I have encountered in my years of service in this Capitol.

Howard was incredibly proud of his North Carolina roots. He tried his best to make it to every parade and event in his district that he could. He was a champion of our Nation's first responders.

We served together in the Congressional Fire Services Caucus. Howard was steadfast in advocating for firefighter safety and for our Nation to meet its responsibility to those who fell in service to their communities.

On many occasions we participated together in ceremonies to honor the families of the fallen, and we met with those families as well. Howard's compassion and his devotion to these families were unparalleled.

He was also chair of the Congressional Trademark Caucus. We worked together on intellectual property issues over the years, an area critical to our economic competitiveness.

Mr. Speaker, like so many of our colleagues, I will miss Howard Coble very much.

There was a great incident that happened here on the floor of this House. In 1994 or 1993, Howard Coble came over to me. His chief of staff was a University of Maryland graduate. Howard Coble came over to me. Howard Coble was sort of a curmudgeon soul with a wonderful gravelly voice. He came over to me and said: STENY, you need to hire Debbie Yow at the University of Maryland as your athletic director.

Mr. Speaker, frankly, I didn't know what to think of this gravelly voiced, hard-nosed North Carolinian because he was not necessarily a Maryland fan himself, of course, there being four extraordinary teams in North Carolina.

I looked at Howard Coble. I didn't know Debbie Yow, but she was from North Carolina. As a matter of fact, her sister was the great coach at North Carolina State of the women's basketball team.

When I got back to my office, I called up Brit Kirwan, Mr. Speaker, who was the president of the University of Maryland at College Park at that point in time. I said: Brit, I don't know Debbie Yow, but Howard Coble believes she would be a good athletic director. If she can convince Howard Coble that one of the few women to head up an NCAA Division I athletic program would be a good athletic director, she must be really something.

We hired her just a few weeks later, and Howard Coble was right. She was extraordinary. She is now back in North Carolina.

But it was that kind of relationship I had with Howard Coble, as did so many

Members on this floor. He loved the House and served it with distinction and humor. He believed that working together across party lines was in the best interest of America.

Those of us who were privileged to serve with Howard will always remember his geniality, his intellect, his abiding love of country, and, of course, his State of North Carolina. He left a lasting imprint on his community, his State, his country, and this House.

Mr. Speaker, we thank him for his lifetime of service.

JONNY WADE'S FIGHT AGAINST CANCER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. RODNEY DAVIS) for 5 minutes.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize my friend, Jonny Wade, an 8-year-old from Jerseyville, Illinois, who is battling a rare form of brain and spinal cancer.

After being diagnosed with cancer on Christmas Day of 2014, Jonny has undergone several surgeries as well as multiple rounds of radiation and chemotherapy. Despite the diagnosis, Jonny continues to think of others, and his rallying cry remains, "I don't want any other kid to have cancer."

While he was unable to travel to Washington, as I invited him to do just a few short months ago, to come here to advocate for cancer research, I want to take this time, Mr. Speaker, to speak out on his behalf.

Cancer is the second leading cause of death for children, yet only 4 percent of cancer research funds go to children. Jonny and his twin brother Jacky have a special place in my heart because I am the parent of twin boys, too. While Jonny and Jacky may not be here with me today, they brought their cause to the Capitol.

Pediatric cancer is a relentless disease, and we cannot waver in our efforts to eradicate it. For Jonny and the thousands of children who are diagnosed with cancer each year, we must all work together to fully fund pediatric cancer research.

The favorite sport of Jonny and Jacky is baseball. These two guys right here like to go to baseball games and football games. Unfortunately for both of them, they are St. Louis Cardinals fans. Being an Atlanta Braves fan, I like to joke with them about their choice in teams.

But I have got a baseball right here, Mr. Speaker, and I want to thank all

the colleagues who signed this baseball for me. I wanted everybody to sign, but as you can see, there is no room left.

This baseball is for you, Jonny. I want to thank you for being the fighter that you are.

THE CULTURE OF OPPOSITION NEEDS TO CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, Chuck Rosenberg, the acting administrator of the Drug Enforcement Administration, recently called the notion of smoking medical marijuana a joke.

What is a joke is the job Rosenberg is doing as acting DEA administrator. He is an example of an inept, misinformed zealot who has mismanaged America's failed policy of marijuana prohibition.

Americans recognize it is time for a change in direction to legalize, regulate, and tax marijuana. Fifty-eight percent now support legalization, continuing an upward trend in public opinion polls and at the ballot box.

Over 75 percent of the American public supports medical marijuana, as do a majority of American physicians. Rosenberg claims medical marijuana is a joke, but the proven therapeutic value of cannabis has prompted 23 States, Guam, and the District of Columbia to approve its medical application and an additional 17 States have authorized its more limited use.

Rosenberg's claim that more research is necessary is true, but it reeks of hypocrisy because the DEA, under his leadership, has made badly needed cannabis research difficult, and often impossible. If Rosenberg was doing his job, he would have visited with some of the hundreds of thousands who have found medical marijuana has had a profound effect on their lives and that of their families.

President Obama is the first sitting President to tell the truth about cannabis. His administration has not acted to shut down the adult or medical marijuana reforms sweeping the country. Sadly, it isn't just his DEA administrator who is undercutting his policy.

Earlier this year the Department of Justice took an outrageously flawed position on the Rohrabacher-Farr amendment that passed with strong bipartisan support, which clearly specified that the Federal Government should not interfere with State legal medical marijuana operations.

The Department of Justice and the DEA contend that it only prevents action against States, not individuals. This is a ridiculous interpretation of the law and caused a Federal court in California to rule this interpretation "defies language and logic" in deciding against them.

More recently, the Senate passed the MILCON-VA appropriations bill, which

included an amendment offered by my colleague in Oregon, Senator MERKLEY, mirroring my legislation to allow VA doctors to recommend medical marijuana to their patients in accordance with State law.

Yet, on November 13, the Department of Veterans Affairs indicated they won't allow doctors and patients to participate in State legal marijuana laws, even if this bill becomes law.

Sadly, these actions by administration officials are indicative of a throwback ideology rooted in the failed war on drugs, which needs to stop.

They do not reflect the overwhelming body of evidence about the effects of medical marijuana, the reforms happening at the State level and in Congress, or the opinion of the American people.

They don't reflect the statements by the President himself and the official policy promulgated by former Deputy Attorney General Cole outlining the administration's commitment to stay out of the way of State marijuana laws.

There is overwhelming evidence that marijuana offers relief when nothing else has helped, including as a more effective pain management tool than highly addictive narcotics. Opioid overdoses are skyrocketing, and we have an epidemic of heroin abuse and overdose.

Sadly, the culture of opposition in the Federal Government continues. On one level, we have this amazing progress at the State and local level. We have made significant progress here in Congress with the introduction of over 20 bills in both Chambers dealing with the Federal treatment of cannabis and hemp, and the successful votes on three amendments in the House and three in Senate committees in this Congress.

This culture needs to change. Leadership needs to change. Rosenberg is clearly not the right fit for the DEA in this administration.

I would hope that the President directs the heads of all relevant agencies to adjust their policies, clarify regulations that deal with marijuana laws, establish policies that reflect changing State laws, and, most importantly, reflect the President's own position.

He has said that he has bigger fish to fry than interfere with State legalization efforts. It is time that the rest of his administration gets on board, and it should start with a new head of the Drug Enforcement Administration.

SYRIAN REFUGEE CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. CURBELO) for 5 minutes.

Mr. CURBELO of Florida. Mr. Speaker, last week's gruesome terrorist attacks in Paris were a disturbing reminder that the war on terror is ongoing

and that radical Islamic extremism represents a clear and present danger to all freedom-loving civilized people.

The time from September 11, 2001, up until today has been difficult for our Nation. We have seen our young men and women engaged in endless wars. We have lost thousands of American lives and spent a significant portion of our national treasure fighting in the Middle East. Costly mistakes were made in Afghanistan, Iraq, and Libya. We are understandably a war-weary people.

However, last Friday we were reminded that the consequences of inaction or of weak actions are far greater than any risks associated with making a serious and unwavering commitment to confronting and defeating radical terrorists.

ISIS is not a problem to be managed or contained. This ambitious terrorist organization is a dangerous enemy of the United States and our allies that must be eradicated. If we refuse to fight ISIS on their home turf, we will have to fight them in the streets of Paris and maybe in our own communities.

Just as the previous administration recognized that its Iraq strategy was failing and needed a jolt, it is now time for President Obama and his national security team to show that they are serious about destroying this dangerous threat to the stability of the world and to our own very lives.

□ 1015

Mr. Speaker, I have cosponsored a resolution authorizing the use of military force introduced by the gentleman from Illinois, my friend ADAM KINZINGER. It would guarantee the President and our military every tool necessary to defeat ISIS. This resolution deserves a vote so that we can fight to win a war that we cannot afford to lose.

CUBAN CRISIS

Mr. CURBELO of Florida. Mr. Speaker, since the announcement of the President's engagement policy with the Cuban dictatorship in December of last year, we have witnessed a 78 percent spike in the number of Cubans arriving into our country. An untold number have been lost to the sea.

But they aren't only coming by sea. Thousands of Cubans are illegally entering Central American nations, making the long trek north through Mexico and entering via our southern border. Too many are at the mercy of reprehensible human trafficking rings.

Costa Rican authorities report that the number of Cubans entering their country illegally has grown from 5,400 last year to 12,166 so far this year. This problem has become so severe that the Costa Rican Government had to temporarily close its borders this past weekend.

These trends show no signs of letting up, and I am concerned about another

migrant crisis overwhelming our Nation, particularly south Florida. This is a matter of our national security and requires the President's immediate attention.

Cubans on the island seem to be reacting to the administration's new policy with desperation and fear, risking their lives and their safety to escape the prison that is Castro's Cuba.

WHITE HOUSE ACCREDITATION ALTERNATIVE

Mr. CURBELO of Florida. Mr. Speaker, today I rise in support of the administration's proposal to provide an alternative to accreditation for providers who develop partnerships with accredited institutions. The introduction of a regulator to judge programs like computer coding boot camps can help challenge traditional accreditors to put more focus on the success of students after graduation.

This could be the groundwork for a true alternative to accreditation that would not replace the traditional system. Rather, it would enhance and allow other successful models to access funding resources to replicate and extend their reach.

Accreditors maintain an important role within higher education; however, alternative models can help deal with segments that traditional accreditors may not be able to address effectively. As a large number of students enroll in noninstitutional programs, we should encourage the growth of successful models that are providing students with a path to successful and rewarding careers.

Emphasizing outputs is an important step forward in helping the system of higher education in the United States evolve. As we continue our work toward reauthorizing the Higher Education Act here in the House, I look forward to collaborating with my colleagues to ensure that we are helping prepare students for success.

In education, one size does not fit all. This step by the administration is one in the right direction.

TRIBUTE TO A FRIEND, REGINALD "HATS" ADAMS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DANNY K. DAVIS) for 5 minutes.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise to pay tribute to Mr. Reginald "Hats" Adams, a dear friend whom I have known and worked with since the late 1960s.

In 1986, Hats was hired as the chief youth worker at the Mile Square Health Center. He had previously worked with the Boys and Girls Clubs of Chicago. After having the titles of community liaison and employee relations coordinator, he was named director of community affairs at Rush-Presbyterian-St. Luke's Medical Center in 1974 and held that position which he de-

fined and redefined several times to coincide with what he was doing.

Rush-Presbyterian-St. Luke's Medical Center is a large, complex, and diverse corporate entity which trains thousands of doctors, nurses, and other medical personnel and has an excellent record of patient care.

Much of Mr. Adams' work involved outreach to the broad community on the medical center's behalf. Over the years, he has worked with municipal, county, and State entities, while at the same time developing and maintaining close ties to grassroots organizations, social service agencies, and faith institutions.

Mr. Adams has always been seriously interested in and involved with young people. His youth development work is legendary. He has paid special attention to the educational concerns of minority students. As a result, Rush sponsors summer work study programs for minority college students, summer internships for high school students, and math and science enrichment programs for students at more than 60 elementary and high schools.

Through Mr. Adams' efforts, the Science and Math Excellence Network was launched in 1991. The network is a coalition of public and private organizations working directly with the local schools to improve science and math education for elementary students.

Rush and its corporate partners sponsor after-school science clubs, provide judging at local science fairs, offer summer training programs for teachers, and sponsor a mobile science lab that visits schools without laboratory facilities.

Each year, the network hosts an awards dinner to recognize the top science and math students at participating schools. Since 1991, the network also has coordinated the construction of 10 science laboratories in local schools, including several specially designed facilities for preschool-age children. Mr. Adams served as president of the network.

Notwithstanding his outstanding professional work and civic involvement, Mr. Adams has always been endeared to his personal family, church, and friends. He was passionate about his family, and at times was known to have his own seat staked out at church.

Mr. Adams was also actively involved in the affirmative action activities of the medical center and helped assure that minority vendors, contractors, and business interests had access to business opportunities at the medical center.

Hats was a man of great wisdom, courage, and determination, always protecting the interests of the medical center but never forgetting the community from which he came and was a part of.

The poet Kipling may have had Hats in mind when he wrote:

If you can walk with Kings and Queens and not lose the common touch; if neither foes nor loving friends can hurt you; if all men matter with you, but none too much; and finally, if you can give the unforgiven moment with 60 seconds' worth of distance run; yours will be the Earth and all that is in it; and what is more, you will be a man, my son.

Reginald "Hats" Adams, what a man. His life is gone, but his legacy lives on.

SYRIAN REFUGEES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, I rise today to discuss the issue of the Syrian refugees and the Islamic State terrorists who are coming across our southern border and, in relation to this, the Office of Refugee Resettlement loophole that exists there.

Also, Mr. Speaker, as I begin my remarks, I commend the House and our Speaker for speaking out and taking an action to condemn the Paris attacks.

This administration has announced its intention to resettle 10,000 Syrian refugees within the United States in fiscal year 2016. Now, I want you to think about that number, 10,000 in the year 2016. They will go to resettlement communities all across the country, if the administration has its way.

It is important to note that the Office of Refugee Resettlement, or the ORR as it is called, does not simply resettle refugees from overseas. In fact, the ORR has been resettling thousands of illegal aliens that are coming across our southern border.

I want to read to you from their 2013 report to Congress:

"Other Categories Eligible for Assistance and Services.

"Certain other persons admitted to the U.S. or granted status under other immigration categories also are eligible for refugee benefits."

In addition, certain persons deemed to be victims of a severe form of trafficking, though not legally admitted as refugees, are eligible for ORR benefits to the same extent as refugees.

That is correct; the ORR resettles illegal aliens not classified as refugees, providing another potential gateway for the Islamic State terrorists.

Frankly, we would know more about the ORR activities if they filed their annual reports, as required in section 413(a) of the Immigration and Nationality Act, and did it in a timely fashion. The last report we have from them is 2013. It is not transparent, it is not accountable, and it cannot be trusted.

I know this firsthand, Mr. Speaker. I wrote Secretary Burwell twice last year about resettlement activities at the ORR and have been investigating them since July 2014, when Congressman BRIDENSTINE and I traveled to a UAC facility at Fort Sill, Oklahoma.

Mr. Speaker, I include in the RECORD those letters to Secretary Burwell.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 21, 2014.

Hon. SYLVIA M. BURWELL,
Secretary, U.S. Department of Health and
Human Services, Washington, DC.

DEAR SECRETARY BURWELL: It has come to my attention that you have failed to submit an annual report to Congress regarding the activities of the Office of Refugee Resettlement (ORR) since Fiscal Year 2012. The Secretary is required by law to submit an annual report pursuant to Section 413(a) of the Immigration and Nationality Act "no later than the January 31 following the end of each fiscal year. . . ." Reports had been filed annually since 1980 before abruptly stopping after the FY2012 submission.

It is important that ORR operate transparently given its role in re-settling thousands of illegal aliens who crossed our Southern border last summer. ORR has released more than 45,000 Unaccompanied Alien Children (UAC) into our country to adult sponsors through September 30th of this year. My home state of Tennessee has had over 1,000 UACs released within its borders alone. I expect a thorough update on these activities.

I would also note that ORR's budget appears to have grown exponentially. ORR received over \$750,000,000 million in funding in FY2012. However, HHS requested almost \$1.5 billion for ORR in its FY2015 "Justification of Estimates for Appropriations Committees". Without annual reports being provided to Congress as part of the oversight process, it becomes increasingly difficult to approve requested funding.

I look forward to your immediate submission of ORR's FY2013 report to Congress. Also, I expect ORR's FY2014 report no later than January 31, 2015, as required by law.

Sincerely,

MARSHA BLACKBURN,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 17, 2014.

Hon. SYLVIA M. BURWELL,
Secretary, U.S. Department of Health and
Human Services, Washington, DC.

DEAR SECRETARY BURWELL: An article titled "Crossing alone: Children fleeing to U.S. land in shadowy system" was published in the Houston Chronicle on May 24th, 2014. The Chronicle's investigation revealed that over one-hundred "significant incident reports" were obtained from the Department of Health and Human Services (HHS) through a Freedom of Information Act Request (FOIA) and detailed instances where children were abused by Office of Refugee Resettlement (ORR) staff members between March 2011 and March 2013. The article contains several troubling statements:

1) "No shelter worker has been prosecuted under a 2008 federal provision that makes sexual contact with a detainee in ORR's care a felony."

2) "Youths in ORR custody in Texas were molested as they slept, sexually harassed and seduced by staff members during the past decade, records from state childcare licensing investigators and law enforcement show. They were shoved, kicked, punched and threatened with deportation if they reported abuses, investigators found."

3) "The Office of Refugee Resettlement relies on state childcare licensing and local police to investigate abuses of the children in its care, instead of notifying the FBI of serious allegations. In the hands of local police

and prosecutors, criminal cases have crumbled because of sloppy detective work, communication gaps with officials and jurisdiction confusion."

On May 17, 2012 the President issued a memorandum regarding implementation of the Prison Rape Elimination Act of 2003 (PREA). The memo stated that "Each agency is responsible for, and must be accountable for, the operations of its own confinement facilities, and each agency has extensive expertise regarding its own facilities, particularly those housing unique populations."

On March 7, 2013 the President signed the Violence Against Women Act (VAWA) into law. Section 1101 of VAWA amended PREA as follows: "Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2013, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children."

According to the Chronicle's investigation and a letter you received from fifty-nine House Democrats this week, your department has still not published a final rule. This delay directly violates Section 1101 of VAWA. Your failure to act timely is unacceptable given the seriousness of these issues. As a result, please provide responses and document production, as requested, relating to the following inquiries:

1) Has HHS published a final rule adopting final standards for the detection, prevention, reduction and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied children? If so, when did this occur?

2) Please explain why HHS delayed, or continues to delay, publishing a final rule, as required by law.

3) In FY2014, ORR released 53,518 unaccompanied alien children to sponsors within the United States. Please produce any significant incident reports filed by, or on behalf of, unaccompanied alien children against ORR employees in FY2014, regardless of the format in which they are stored. If you redact information, or are unable to produce said reports, outline any legal privileges or exemptions the department is relying upon.

4) Please disclose the number of ORR employees currently being investigated by law enforcement for sexual misconduct or abuse involving unaccompanied alien children.

5) Please disclose the number of ORR employees disciplined or investigated by HHS for sexual misconduct or abuse of unaccompanied alien children in FY2014.

6) What efforts has ORR undertaken to work with federal law enforcement to prosecute employees accused of child abuse within its facilities since 2011?

7) What initiatives has ORR undertaken on its own to protect children from abuse within its facilities since 2011? Please include any internal rules or memorandums that were drafted to address this issue.

ORR's failure to timely comply with the law is unacceptable and not in keeping with the Administration's pledges of transparency. Please provide responses to the above inquiries, along with requested documentation, within fifteen days of receipt of this correspondence.

Sincerely,

MARSHA BLACKBURN,
Member of Congress.

Mrs. BLACKBURN. We know that there are more than Mexicans and Cen-

tral Americans coming across that southern border, and we know that once they are here, the ORR has no way of tracking them and keeping up with them.

In April, a Judicial Watch report cited a Mexican army officer and police inspector who advised that ISIS was operating training bases in close proximity to the U.S. southern border. Another report from August 2014 advised that social media traffic indicated ISIS was planning to infiltrate the southern border in order to carry out a terrorist attack.

Due to these findings, all of our resettlement services must be temporarily suspended. I am currently working on a solution with several of my colleagues to address the loophole that allows nonrefugees to be resettled.

In the past 3 weeks, Islamic State terrorists have bombed a Russian jetliner, committed suicide bombings in Beirut, and massacred French citizens in Paris. They are now exporting their terror. There is simply no method that will allow us to determine with 100 percent accuracy whether Syrians or illegal aliens that we resettle into the U.S. are really ISIS jihadists.

Mr. Speaker, is the ISIS threat contained? No.

Can we guarantee that Syrian refugees who are resettled into the U.S. will not commit acts of terror against Americans? No.

Do we know who these people are? No.

Are they properly vetted? No.

Would it be responsible to bring Syrian refugees into this country after the attacks in Paris? No.

Do Americans across this country want the administration to resettle Syrian refugees into the U.S.? No.

Is the administration dangerously naive on this policy? Absolutely.

I encourage my colleagues to look closely at the issue.

SYRIAN REFUGEES

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. RANGEL) for 5 minutes.

Mr. RANGEL. Mr. Speaker, I would like to join with the millions of Americans that feel heart-based sympathy for the loss of our friends in Europe and France, particularly Paris, and, of course, to give sympathy to those people that are absolutely hysterical on this issue as relates to refugees, even though there is no evidence at all that it was refugees that were responsible for the attacks.

These types of unprovoked attacks do cause fear and, many times, irresponsible behavior on behalf of people, as they attempt to instill fear in all people to such an extent that it shatters the principles which this country was built on.

□ 1030

Nevertheless, there is enough for us to be concerned about. There is enough for us to be fearful about, and there has to be concern as to what are we going to do about it.

Those that read in the media and listen to it—and even Members of Congress—will find that we have people that are now saying that we can't win this war against ISIS unless we have more of our military on the ground fighting against the Assad government.

We talk about sending troops overseas to put their lives in harm's way as though it is just another foreign policy decision that Members of Congress can make without any regard at all to the constitutional responsibility we have to ourselves and to be an example for the world.

Whenever this great Nation is threatened, whenever our national security is threatened, the President should be coming to this House of Representatives and the Senate and sharing with us what are the threats to our national security. And when it becomes abundantly clear that we have to call upon our military in any way, we should have a declaration of war for the reasons that the President has given to us.

Our responsibility to our constituents is to share as much information as we can to tell them that war means sacrifice, loss of life.

Yet, today, we haven't had a declaration of war since Franklin Roosevelt. Tens of thousands of Americans have died.

In this recent crisis, less than 1 percent of eligible Americans have actually put themselves in harm's way because of executive mandate and the allowance of the Congress to allow this to happen. And we have lost, just in Afghanistan and Iraq, 7,000 American lives that some of us have to go to the funerals and explain the best that we can that, even though we are not at war, there would be American lives lost in foreign countries.

I submit to you that if we believe that our national security is threatened, we should have a declaration of war, we should have a draft, and we should have a way to pay for these wars, so that we would know that it is not easy sending your loved ones abroad and not even know the reasons that they are there.

It would seem to me that, as everyone heard, the President of France says they are at war against ISIS, that if we are at war against ISIS, whatever country they are representing, it should be brought to the American people. It should be brought to the Congress, and the President should ask us to declare war.

But it is just totally not fair for people in the House of Representatives to come here and to say that Americans should be sent overseas to fight an unknown enemy, to put their lives in

jeopardy and, perhaps, their families in jeopardy, without being able to say that they are fighting a war to preserve democracy in this country.

It just seems to me that whether you call them no feet on the ground, but boots on the ground, that if someone's coming back here with a flag-draped coffin, that we should be able to say they fought for America, they died for America, and that we are fighting for peace and to end a war that has yet to be declared.

SHOWING OUR SUPPORT FOR THE PEOPLE OF FRANCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. BARR) for 5 minutes.

Mr. BARR. Mr. Speaker, I rise today in strong support of our allies, the people of France, and in strong condemnation of the terrorist attacks in Paris, France, carried out by the Islamic State this past Friday.

The people of France have been our allies since the American Revolution, and having traveled to Normandy and seeing the American flag over Omaha Beach, it underscores the important alliance that we have had with the people of France throughout our history.

Ever since the founding of our country, we have been united with the people of France by our shared values of freedom and civil society and democracy. The attack on Friday was an attack on these values by barbaric terrorists who want to impose their brutal and twisted version of Islam and authoritarian rule across the world.

We grieve for the massive loss of life, not just for the French people, but also for the victims and their families around the globe, including Nohemi Gonzalez, an American student from El Monte, California.

We join the voices from around the world to condemn these attacks, but condemnation is not enough.

As I saw firsthand while visiting Iraq and Afghanistan last month, the President's strategy of withdrawal and containment is clearly not working.

By underestimating the threat, referring to ISIL as the JV team, declaring that ISIL has been contained just hours before the brutal attacks in Paris, President Obama has allowed this radical Islamic cancer on humanity to fester and grow.

Indeed, the key lesson of my trip to the Middle East is that American retreat has made the world a much less stable and a much more dangerous place. The weakness of the President's foreign policy and U.S. withdrawal from the Middle East has allowed our adversaries, ISIL, Russia, Iran, the Taliban, al Qaeda, Jabhat Al-Nusra, to fill the vacuum, to grow stronger and become a much greater threat to our homeland and our interests.

In contrast, our allies, Israel, the Jordanians, the government of Iraq,

the Kurdish regional government, the unity government in Afghanistan, they have all become more threatened and more vulnerable.

There is not a single place in the world which is safer or more stable today or where our adversaries are weaker or where our allies are stronger than on the day President Obama took office.

The President has, in recent days, lectured his critics to come up with their own plan and regurgitated his tired old attacks on his predecessor's successful national security policy.

But if there is any lesson to be learned from the Obama policy in Iraq, as contrasted with U.S. policy after World War II in Japan and Germany, it is that once you win a war, do not leave. A residual security force and continued diplomatic engagement to prevent sectarian divisions would have reassured moderate Sunnis and prevented the rise of ISIL.

The President implies that his critics would lead us into another unpopular ground war in the Middle East, but we do not need to fight the Iraq war again. We have already won that war.

But we do need to do more to combat ISIL. What about authorizing use of military force that doesn't constrain the Commander in Chief, which is what the President sent us?

Why don't we do what our ally, Prime Minister al-Abadi, in Baghdad, wants and has asked us for, which is more U.S. air power, more U.S. special operators on the ground for better coordination of the air campaign, more funding for the Iraqi train and equip fund?

We must do more to help the moderate forces, the indigenous forces on the ground, such as the Kurdish Peshmerga, to take back territory controlled by ISIL.

We must address the surge of refugees pouring out of Syria and other war-torn countries across the Middle East. These people are in desperate need of help, but the answer is not to resettle them halfway around the world here in the United States.

An open-ended resettlement program is, in fact, an admission of defeat, that their homes will never be safe for them to return to, so we had better assimilate them to new lands with new languages and new cultures.

That is not the best solution for these refugees. And because we know that at least one of these terrorists involved in the Paris attacks entered Europe by blending in with those trying to flee ISIL, it could pose a national security risk to the United States.

We shouldn't take the indigenous fighters away from the anti-ISIL campaign through an open-ended refugee program. Instead, let's actively protect them in their home country by helping them defeat ISIL and win the war.

The best thing we can do for these people is to defeat the enemy and to

end their reign of terror, rape and oppression. We need a new strategy, not to contain ISIL, but to eliminate them.

The refugee issue is a simple matter of common sense, but the problem is larger than the refugees. As we were reminded so tragically on Friday in Paris, failure to confront terrorists and radical ideologies abroad gives them an opportunity to grow and spread and attack us here at home.

So let's grieve and pray for the people of France, but let's do more. Let's rise up with them, with new resolve, to defend our shared commitment to liberty, security, and freedom.

THE PIONEERING SPIRIT OF 3M

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. EMMER) for 5 minutes.

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to applaud the 3M Company, a great Minnesota business, for recently being named one of the top 100 innovative organizations for the fifth consecutive year by Thomson Reuters in their fifth annual list of Top 100 Global Innovators.

Originally known as Minnesota Mining and Manufacturing Company, 3M started out as a small-scale mining company in northern Minnesota. However, mining turned out to be an unsuccessful venture, causing the company to suffer. Instead of accepting defeat, the company embraced a pioneering spirit and began to invent and produce other products.

More than a century later, 3M has evolved into a multinational company that produces more than 65,000 products which are used all over the world. Among the many products created, the Post-it Note and Scotch Tape remain among the most well-known.

As of today, one-third of 3M's sales come from products that were invented within the past 5 years, making it clear that this company defines American creativity and innovation.

Congratulations, 3M, and here is to another century of accomplishment.

DR. BITTMAN—IMPROVING FUTURE GENERATIONS

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to celebrate one of Minnesota's finest educators, Dr. Daniel Bittman. Dr. Bittman has been the superintendent of Sauk Rapids-Rice Public Schools since 2010 and this year has been named Superintendent of the Year by the Minnesota Association of School Administrators.

Dr. Bittman earned both a master's and doctorate of education from the University of Nevada, and has been working in education in Minnesota for more than 20 years.

As a result of his continued efforts and leadership, the students of Sauk Rapids-Rice schools are now performing at a higher level than ever before and thriving within a more engaged and supportive community.

Our children are the future of this country, and Dr. Bittman's dedication to his students shows that our future is bright.

Dr. Bittman, thank you for all you have done for our children and our communities and for all you will do in the future. Congratulations on being named Superintendent of the Year. You deserve it.

NATIONAL DIABETES MONTH

Mr. EMMER of Minnesota. Mr. Speaker, in honor of National Diabetes Month, I rise today to voice my concern for this disease that is plaguing our Nation.

Statistics show that nearly 30 million children and adults in the United States are currently living with diabetes. In my home State of Minnesota, more than 8 percent of adults have been diagnosed with this difficult and dangerous disease.

As if these harrowing statistics are not concerning enough, studies show that type 2 diabetes will continue to grow at widespread rates and that the future cost of diabetes will increase. In other words, our diabetes problem and the associated costs are going to get worse.

This disease can often be prevented. While genetics play a role in developing diabetes, diet and exercise play a role in the development as well. If we eat better and exercise—in short, if we live healthy lifestyles—many of us can prevent the onset of diabetes.

So I urge my colleagues here in Congress to join me in raising awareness for diabetes. If we all put in the effort, I believe that our country can overcome this epidemic.

ALZHEIMER'S AWARENESS MONTH

Mr. EMMER of Minnesota. Mr. Speaker, in honor of Alzheimer's Awareness Month, I would like to bring attention to a disease that is all too prevalent in our country.

Alzheimer's is the most common form of dementia, and today, approximately 5.3 million Americans are living with this disease. To put it in perspective, that is the same as the population of the State of Minnesota.

Alzheimer's is a cruel disease that knows no limits. From the 30-year-old mother of three young ones who is suffering from early onset Alzheimer's to the elderly grandfather who fails to recognize his loved ones, this is a disease that is devastating families across our country.

Unfortunately, statistics show that Alzheimer's rates are rapidly increasing. In fact, by 2050, the number of people age 65 years or older with Alzheimer's is estimated to triple.

□ 1045

Mr. Speaker, at this point in time, Alzheimer's cannot be prevented or cured, which is why we must work harder to ensure that one day life without the risk of Alzheimer's can become a reality.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and not to a perceived viewing audience.

ALZHEIMER'S DISEASE AWARENESS MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DOLD) for 5 minutes.

Mr. DOLD. Mr. Speaker, I rise today to recognize November as Alzheimer's Disease Awareness Month.

Mr. Speaker, approximately 5.3 million Americans are currently suffering from Alzheimer's. This disease is the sixth leading killer in the United States, yet there is currently no treatment or cure for this horrible disease.

This devastating disease will cost Medicare and Medicaid approximately \$150 billion in 2015 alone. It also places an incredible burden on caregivers. Oftentimes these caregivers are family members who sacrifice their own well-being to care for their loved ones.

We must work toward a cure, Mr. Speaker. This is one of the reasons why I was proud to be a cosponsor of the 21st Century Cures Act earlier this summer. The bill would provide an additional \$8.75 billion in additional funding for the National Institutes of Health. Think about that for a second, Mr. Speaker. An opportunity for us to be able to invest in research so that we can actually have a breakthrough in some of the diseases that are the biggest drivers of our healthcare costs. For instance, we spend \$330 billion each and every year treating diabetes; Alzheimer's and Parkinson's again will significantly eclipse that as we go forward.

So, Mr. Speaker, I believe that the best way to honor those who are impacted by Alzheimer's disease is by dedicating time and resources to finding that very cure. I will continue to do just that, and I urge my colleagues here in the Chamber, across the aisle, and over in the Senate to be able to join me so that we can, once and for all, find a cure for this horrible disease.

SYRIAN REFUGEES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, America has a long tradition of opening its arms to oppressed people from around the globe. While the human rights of those fleeing terror and destruction must be respected, it is vital that we work to ensure that our Nation's safety is in place in this time of turmoil and unrest.

The United States cannot indefinitely close itself to the stark realities of the world, nor should we hastily accept tens of thousands of people without proper screening. That is why I

have called on Pennsylvania Governor Tom Wolf to suspend efforts to bring Syrian refugees to Pennsylvania until there are verifiable and robust mechanisms in place to properly screen all participants for potential security risks.

To facilitate the thorough screening needed, I am supporting legislation prompting the Department of Homeland Security, in coordination with the Director of National Intelligence and the FBI, to provide new security assurances before admitting refugees into the country and for the Government Accountability Office to conduct a sweeping review of security gaps in the current refugee review process. This measure addresses both shortcomings in our existing programs and ensures a role for congressional oversight.

Mr. Speaker, the refugee crisis the world faces is a symptom of a larger problem: militant Islam and the efforts of groups like ISIS to destabilize and destroy others. We need a long-term solution to this problem, and that includes defeating ISIS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 48 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Christopher Weidner, St. Luke Lutheran Church, Gilbertsville, Pennsylvania, offered the following prayer:

O God, You are our help in ages past, our hope for years to come.

We remember Your servant leaders who have come before us, speaking light out of darkness, fashioning order out of chaos, and, mindful of the voiceless, daring decision and deploying power for the life of our Nation and the care of the Earth.

Move us by their witness, O God, and guide us by Your wisdom in every opportunity that comes before us now.

And when our way is uncertain, untraveled, or unclear, when failure or fatigue drive us apart, restore our footing, reconnect us, by the gravity of Your grace.

Remember us as one body, Members of this one House, faithful in our one service.

Give us courage, inspire our imagination, nudge us to dare the possible in

Your gift of today with our gifts for tomorrow, in Your holy name, we pray.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Nebraska (Mr. ASHFORD) come forward and lead the House in the Pledge of Allegiance.

Mr. ASHFORD led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND CHRISTOPHER WEIDNER

The SPEAKER. Without objection, the gentleman from Pennsylvania (Mr. COSTELLO) is recognized for 1 minute.

There was no objection.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise to welcome and introduce our guest chaplain for today, Pastor Christopher L. Weidner, the pastor of St. Luke Lutheran Church in Gilbertsville, Pennsylvania.

In 1985, Pastor Chris was ordained as a minister of the Southeastern Pennsylvania Synod of the Evangelical Lutheran Church in America. For 30 years, he has played an active and important role in our local community, engaging in programs such as the companionship ministries of the Evangelical Lutheran Church in Tanzania, the Southeastern Pennsylvania Synod Council Finance Committee, the Bear Creek Lutheran Camp board of directors, and he has helped provide affordable housing for seniors through the St. Luke Knolls program. Additionally, he volunteers his time as a hospital chaplain.

This coming Sunday, after 20 years, Pastor Chris will serve his final worship service at St. Luke's. We wish him blessings on the next chapter in his ministry.

It is with great pleasure that I welcome Pastor Christopher L. Weidner to the people's House today and offer our most heartfelt thanks for leading us in prayer this morning as our guest chaplain.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PALAZZO). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

TERROR WILL NOT PREVAIL

(Mr. RYAN of Wisconsin asked and was given permission to address the House for 1 minute.)

Mr. RYAN of Wisconsin. Mr. Speaker, the world stands with the people of France this week.

The events in Paris were horrifying. All of us were shaken by them. Yet we know that whenever terror like this strikes, the world community will rally together. Terror will not prevail. But these events should serve as a reminder: there is still evil out there. We cannot ignore it. We cannot contain it. We must defeat it. And we must protect our people.

The country is uneasy and unsettled, and they have every right to be—not because of what they are hearing from politicians, but what they have seen with their own eyes. All of us here, Republicans and Democrats, are hearing these concerns in our offices.

People understand the plight of those fleeing the Middle East, but they also want basic assurances for the safety of this country.

We are a compassionate nation. We always have been, and we always will be. But we also must remember that our first priority is to protect the American people. We can be compassionate, and we can also be safe.

That is what the bill that we are bringing up tomorrow is all about. It calls for a new standard of verification for refugees from Syria and Iraq. It would mean a pause in the program until we can be certain beyond any doubt that those coming here are not a threat. It is that simple. I don't think it is too much to ask.

I also want to point out that we will not have a religious test, only a security one. If the intelligence and law enforcement community cannot certify a person presents no threat, then they should not be allowed in. This is common sense, and it is our obligation.

Let me also say to Members and to the country that we cannot lose sight of the bigger threat in Syria. The refugee crisis is just a consequence of a failed policy in that region. The ultimate solution is a plan to defeat ISIS.

That is why we are sending to the President a bill this week that requires him to finally propose an overarching strategy to deal with Syria and the terrorist threat in that region. This threat is not going away until we acknowledge and confront the real danger that exists.

There is a long road ahead, but today, for this moment, I urge all of my colleagues to support the legislation tomorrow and to help keep America safe.

HONORING DR. ROBERT HEANEY

(Mr. ASHFORD asked and was given permission to address the House for 1 minute.)

Mr. ASHFORD. Mr. Speaker, I rise today in honor of Dr. Robert Heaney on the occasion of his 87th birthday. It is an honor to share a birthday, November 10, with such a distinguished member of our community.

Dr. Heaney is a world-renowned researcher in vitamin D deficiency. He is one of the most published researchers in the United States. He has published over 400 original papers, chapters, and reviews on science and education. His accomplishments speak to his perseverance and commitment to innovation in his field.

From 1971 to 1984, Dr. Heaney served as Professor Emeritus and Vice-President of Health Sciences for my law school alma mater, Creighton University, in Omaha.

In addition to his own achievements in his own field, he is no stranger to nutrition policy. Dr. Heaney helped redefine nutritional requirements by providing the link between malnutrition and long-term health problems. Most recently, he served as research director of Grassroots Health, a nonprofit organization committed to solving global vitamin D deficiency.

I wish Dr. Heaney a very happy 87th birthday, and here's to many more.

PRESIDENT SHOULD CHANGE COURSE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful this morning that General John Keane testified before a joint hearing of the Foreign Affairs and Homeland Security Committees. General Keane provided an overview:

"ISIS is part of the multigenerational struggle against radical Islam that will likely dominate the first half of the 21st century similar to the fight against communism, which dominated the second half of the 20th century. Fourteen years after 9/11, the U.S. has no comprehensive strategy or a global alliance to defeat radical Islam."

He explained further:

"What ISIS has accomplished in the last few weeks is unprecedented. While conducting a conventional war in Iraq and Syria, ISIS has staged terrorist attacks on a global scale against the people from countries who are fighting ISIS. The result is almost 900 casualties in 12 days, both killed and wounded, who are Russian, Lebanese, and mostly French in Paris."

The President should change course and accept the positive counsel of General Keane to defeat ISIS. Actions should be taken to prevent further attacks, since in the last 48 hours ISIS has threatened to attack Washington and Rome.

In conclusion, God bless our troops, and may the President, by his actions,

never forget September the 11th in the global war on terrorism.

HONORING THE LIFE OF NOHEMI GONZALEZ

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, I rise today to remember Nohemi Gonzalez, a 23-year-old Cal State Long Beach student whose life was cut short Friday night in the terrorist attacks in Paris.

Nohemi was a shining star of the Cal State Long Beach design department. She was in Paris for the semester, studying at the Strate School of Design and traveling Europe. It was her first time abroad. Nohemi has been described as a cheerful soul and a self-driven young woman who had everything at her feet.

My heart goes out to her mother, Beatriz; her longtime boyfriend, Tim; and all of her family and friends. I cannot imagine the pain they are feeling.

This tragedy has brought home the devastation of terrorism, which often seems isolated and worlds away. Her murder has stunned all Americans, but it is particularly painful for the southern California delegation in Congress and the Long Beach and El Monte communities that lost one of their own.

As we grieve for our own loss, we stand in solidarity with Paris and with the families of 129 victims killed in Friday's attacks. As French authorities continue raids to bring the perpetrators of this ungodly violence to justice, our hearts are with the people of France, our loyal friend and our earliest ally.

HONORING SHERIFF DENNY NAU ON HIS RETIREMENT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise in recognition of the contributions of Centre County, Pennsylvania, Sheriff Denny Nau, who will retire at the end of this year.

Denny has served in that office for more than two decades after being elected in 1991. Before being elected sheriff, he served as a Pennsylvania State Police trooper. Sheriff Nau is also a marine, joining after graduating high school.

Over his 24 years as Centre County Sheriff, Denny has influenced countless law enforcement officers. In fact, more than 40 of his former deputies are police officers in areas ranging from Altoona to Pittsburgh or are serving as State troopers.

Nau has overseen great growth by the Centre County Sheriff's Office along with transitions to new technology, from typewriters to the use of state-of-

the-art software to track cases, to a videoconference system to conduct hearings.

Mr. Speaker, Sheriff Denny Nau has provided a wonderful example of public service as a marine, a Pennsylvania State trooper, and high sheriff of Centre County. I wish my friend the best of luck in his retirement.

ALZHEIMER'S ASSOCIATION OF WESTERN NEW YORK

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, I rise to recognize the work of the Alzheimer's Association of Western New York.

There are 5.3 million Americans and their families living with Alzheimer's. That number is expected to triple by 2050. Two-thirds of Americans with Alzheimer's are women, and 200,000 are under the age of 65.

In western New York, 55,000 people have Alzheimer's or a related dementia. Last year, the Alzheimer's Association of Western New York provided 10,000 service contacts for these patients and is an invaluable resource to western New York families.

Alzheimer's is a disease whose cause is unknown but whose end is absolutely certain. This House must work together to increase funding for Alzheimer's research, and we must support the caregivers and volunteers who make a difference for millions of Americans and their families.

SYRIAN REFUGEES

(Mr. BOST asked and was given permission to address the House for 1 minute.)

Mr. BOST. Mr. Speaker, the most important obligation we have is to keep Americans safe.

As Paris has reminded us, there truly is evil in the world. We know that our seas and our borders alone will not protect us. We must act swiftly and smartly in the face of this evil.

While my heart hurts for innocent people suffering in Syria, our priority must be in keeping Americans safe. That is why I oppose the President's effort to bring refugees to our shores without a real plan to vet them. That is not leadership. That is sticking your head in the sand. And in matters of life and death, we must do better.

□ 1215

THE HOUSE OF REPRESENTATIVES IS SCARED

(Mr. HIMES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HIMES. Mr. Speaker, the House is scared today. You hear it in the

voices of my colleagues, and you hear it because the American people are scared as they come to learn the capabilities of these evil psychopaths at ISIS.

But, Mr. Speaker, this House, when we are scared, we do dumb things. We spend time forcing the cafeteria to rename french fries freedom fries. We invade Iraq because we are angry at what comes out of the Middle East.

Mr. Speaker, on May 13, 1939, the transatlantic liner, the *St. Louis*, sailed from Germany with almost 1,000 souls aboard, all Jews seeking to flee the murderous wrath of Adolf Hitler. This ship went to Cuba with the idea that it would come to the United States, but it was denied entry into the United States.

The refugees were reported to be Communists and anarchists, and we were scared of them—Jewish refugees fleeing Hitler.

The ship was turned back. Nearly a quarter of the 1,000 souls lost their lives in Hitler's Holocaust. It was not a good moment for the United States. It is a moral stain on our history.

So let's keep our people safe. We are the greatest country in the world. We can do that while not trading our moral values.

Mr. Speaker, we are exceptional because we are good and because we are moral. Let's not lose the moral part of that equation.

ATHENS AREA EMERGENCY FOOD BANK

(Mr. JODY B. HICE of Georgia asked and was given permission to address the House for 1 minute.)

Mr. JODY B. HICE of Georgia. Mr. Speaker, I rise today to congratulate the Athens Area Emergency Food Bank on the exemplary service that they provide to our community. This incredible organization cares for the lives of thousands of families in Georgia's 10th District and beyond.

For the past 35 years, the Athens Area Emergency Food Bank has put food on the table of more than 175,000 citizens who were facing economic hardship. This organization has delivered more than 3.25 million pounds of food to more than 65,000 families in northeast Georgia, and they have done so on a budget of \$80,000.

In closing, Mr. Speaker, I ask my colleagues to join me in applauding the service and commitment of the Athens Area Emergency Food Bank. Their steadfast commitment to the community is, indeed, inspiring. We are blessed to have such a dedicated organization as the Athens Area Emergency Food Bank serving our folks at home. I wish them the best in the years to come.

REFUGEE IMPACT ON THE SAFETY OF THE UNITED STATES

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, we know now that one of the terrorists who participated in the attack on Paris last Friday entered Europe by posing as a refugee. Unfortunately, we have no assurances that a similar tactic would not be successful here in the United States.

The Director of the FBI has testified before Congress that there is simply no way to vet many of the Syrian refugees. We cannot allow ISIS or any terrorist group to exploit the refugee resettlement program to sneak terrorists into our country by having lax background standards.

This is a real threat. ISIS has promised more attacks, and we must take that seriously. We need to, at the very least, pause and assess allowing Syrian refugees into the U.S. until we have a better screening procedure in place and focus on those that are persecuted, or even threatened with genocide, simply because of their being a religious minority.

TWENTIETH ANNIVERSARY OF THE LIVING VINE CHRISTIAN MATERNITY HOME

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize the Living Vine Christian Maternity Home in Savannah, Georgia. For 20 years, Living Vine has been a safe haven for over 350 women who are experiencing an unexpected pregnancy and have nowhere to turn for help.

Once at Living Vine, they are provided with food, shelter, education, medical care, and a chance to learn about child care, financial management, how to find a job, and much more.

Day in and day out, Living Vine teaches a perspective that embodies true success. No matter what has happened in the past, Living Vine teaches women that they are valuable as a human being, they are valuable as a woman, and they are something to be treasured.

The Living Vine Christian Maternity Home fulfills their purpose solely through private donations and through its new thrift store called Blessingdales.

I am honored to have this organization located in the First Congressional District of Georgia. I salute them for 20 years of success and wish them continued success for years to come.

HONORING THE LIFE OF MRS. DOROTHY "DOT" HELMS

(Mr. ROUZER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROUZER. Mr. Speaker, I pay tribute today to the extraordinary life of one of America's finest women who recently passed on to be with our Creator. Mrs. Dorothy Helms, also known to many of us as "Dot," was the longtime best friend and wife of the late U.S. Senator Jesse Helms.

As a member of the Helms Senate family, I grew to know both of them very well.

Senator Helms asked me one day, he said: "David, do you know where I get all my good ideas?" Without giving me a second to respond, he said, "Dot, you know."

For those of us who knew the two well, Dot was, in fact, the conservative of the family, and a strident and forceful communicator of her opinion on all matters.

Dot Helms was a trailblazer in her own right. She was one of the first women to graduate from the University of North Carolina with a degree in journalism and later went on to work for the News & Observer as a society page editor.

Meanwhile, Jesse Helms was there working as a sports reporter. The rest, of course, is history, and the two of them helped change history.

As much as Dot Helms will be missed by all of us, something tells me the tall, lanky fellow from Monroe, North Carolina, is delighted to have her back at his side.

ISIS IS NOT CONTAINED

(Mr. WENSTRUP asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WENSTRUP. Mr. Speaker, ISIS is not contained. It is not enough to try and contain terrorists in the Middle East. They have proven capable of a global reach.

More hope isn't going to win this, nor is sporadic, short-term planning. American leadership and an international coalition are required.

The U.S. should move to indefinitely suspend resettling Syrian refugees here. The records simply do not exist in a war-torn Syria to properly vet individuals with needed confidence.

All involved will be better served with an established safe haven in the Middle East and addressing the root cause that provides a motive for people to leave their own homeland.

Our first responsibility is to protect our Nation. No one wants to fight this war here. The world must defeat this ideology and its evildoers at their doorstep, not ours.

Our Nation recognizes that we need a short- and a long-term strategy, a

smart use of force, and a greater commitment to victory. Eliminating the threat we face from the enemies of freedom is the challenge of this generation of Americans.

Mr. Speaker, our children are counting on us.

IN MEMORY OF KENNETH GEORGE MASSREY

(Mrs. MIMI WALTERS of California asked and was given permission to address the House for 1 minute.)

Mrs. MIMI WALTERS of California. Mr. Speaker, I rise today in memory of Kenneth George Massrey, a dear friend who passed away on Sunday, October 25, 2015, at the age of 66.

Ken was a loving husband, father, brother and grandfather. He lived in San Juan Capistrano, California, where he was a successful entrepreneur, an avid sports fan, and a generous contributor to charity.

The oldest of five children, Ken was born in Warwick, Rhode Island, and, at the age of six, his family moved to California.

Ken received a scholarship to UCLA, where he was a catcher for the Bruins baseball team. He later graduated from Cal State Long Beach.

His professional career began at a California video security products firm, and in 1989, Ken launched his own company in Irvine, California, where he served as CEO for 26 years.

Ken is survived by his wife, Barbara; his daughters, Katie and Chrissie; his grandson, Griffin; his son-in-law, Ryan Downey; and his four siblings.

I am honored to have had the privilege of calling Ken a friend. I have very fond memories of our political discussions, and they were dynamic.

He will be deeply missed by all those who knew him, and his memory will live on.

DEADLY ATTACKS IN PARIS

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, this past Friday, the world watched in horror the unfolding of the deadliest attack on French soil since World War II.

The attacks in Paris killed 129 people from 26 countries, including one American, a young student from California. To all those affected by these terrible acts, I offer my deepest sympathies.

Around the world, tragedies of this scale have become distressingly familiar, but to see one happen in a country at peace, a country with which the United States has shared such a special relationship since our founding days, hits particularly hard.

Those who carried out these horrific attacks want us to react with divisiveness and hate; in fact, they depend on

it. They know they cannot survive in a world that stands united against them.

We must, of course, respond to this threat with strength. But we cannot forget our compassion toward those in France and those in the Middle East fleeing the very same dangers.

As Dr. Martin Luther King, Jr., once said: "Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that."

SUPPORT LIFESAVING CURES

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I rise today in support of lifesaving research at the National Institutes of Health.

As we debate the priorities for the upcoming omnibus appropriations act, one of our top initiatives must be an increase in support for research to cure and prevent disease. Cancer, Alzheimer's, Parkinson's, and more than 10,000 known diseases in our world affect millions of families throughout our country and in each and every one of our districts.

This year, 600,000 Americans will die of cancer. The best defense to saving those lives is enhancing and supporting funding at the National Institutes of Health.

Earlier this year, we passed the 21st Century Cures Act, which increased funding for the NIH by over \$3 billion in FY 2016. Passing with 344 votes, it also had the support of both parties, including 170 Republican votes.

Now is the time to meet the moment and to increase NIH by \$3 billion in the upcoming appropriations act.

Now is also the time to send a message of hope to each and every patient waiting for a cure, that Congress hears you, and Congress is going to do everything we can to find innovative cures and treatments that can ease suffering and save lives.

LOCAL BUSINESSES DESERVE OUR SUPPORT

(Mr. BLUM asked and was given permission to address the House for 1 minute.)

Mr. BLUM. Mr. Speaker, I rise today on behalf of small businesses in the United States and especially those in the First District of Iowa that I represent. As a career small businessman myself, I understand firsthand the difficulties our entrepreneurs face when starting and running a business.

Small business is the backbone of our economy and a place where the American Dream happens every day. In fact, 2 million of the roughly 3 million private sector jobs generated in 2014 were created by small businesses.

As I visit small businesses throughout the First District, I am amazed at

their innovation, determination, and optimism, often in the face of government policies that make doing business most difficult.

Mr. Speaker, local business deserves our support. I encourage my colleagues in Congress, as well as my constituents, to shop local on Small Business Saturday, November 28.

I also urge my colleagues to join me in cosponsoring the Small Business Saturday Resolution to highlight the contribution small businesses make to our economy.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 18, 2015.

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol,
House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 18, 2015 at 9:17 a.m.:

That the Senate agreed to S.J. Res. 24.
That the Senate agreed to S.J. Res. 23.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 18, 2015.

Hon. PAUL D. RYAN,
*The Speaker, U.S. Capitol,
House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 18, 2015 at 11:03 a.m.:

That the Senate passed with amendments H.R. 2297.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

□ 1230

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 18, 2015.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol,
House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 18, 2015 at 11:56 a.m.:

That the Senate disagrees to the Amendment of the House S. 1177.

And agrees to conference requested by the House Senate appoints conferees.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 1210, PORTFOLIO LENDING AND MORTGAGE ACCESS ACT; PROVIDING FOR CONSIDERATION OF H.R. 3189, FED OVERSIGHT REFORM AND MODERNIZATION ACT OF 2015; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM NOVEMBER 20, 2015, THROUGH NOVEMBER 27, 2015

Mr. STIVERS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 529 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 529

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1210) to amend the Truth in Lending Act to provide a safe harbor from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio, and for other purposes. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-34 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; (2) the further amendment printed in part A of the report of the Committee on Rules accompanying this resolution, if offered by Representative Norcross of New Jersey or his designee, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3189) to amend the Federal Reserve Act to establish require-

ments for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-35, modified by the amendment printed in part B of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part C of the report of the Committee on Rules. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. On any legislative day during the period from November 20, 2015, through November 27, 2015—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 4. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of this resolution as though under clause 8(a) of rule I.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 1 hour.

Mr. STIVERS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of

this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. STIVERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. STIVERS. Mr. Speaker, on Tuesday, the Rules Committee met and reported a rule for H.R. 1210, the Portfolio Lending and Mortgage Access Act, and H.R. 3189, the Fed Oversight Reform and Modernization Act of 2015. House Resolution 529 provides a structured rule for consideration of H.R. 1210 and H.R. 3189.

The resolution provides 1 hour of debate equally divided between the chair and ranking minority member of the Committee on Financial Services for H.R. 1210 and for H.R. 3189. The resolution provides for the consideration of one amendment to H.R. 1210 and consideration of six amendments to H.R. 3189. The resolution also provides a motion to recommit for each bill. In addition, the rule provides the normal recess authorities to allow the chair to manage pro forma sessions during next week's district work period.

Mr. Speaker, I rise today in support of the resolution and the underlying legislation.

Mr. Speaker, as you know, the 2008 financial crisis was caused, in part, by the subprime lending meltdown. Financial institutions would originate loans. They would sell off 100 percent of those loans with no skin in the game to some investment party, a third party, and they would keep their fee. But they wouldn't keep any of the risk.

This led to a lot of loans to individuals and families that had an inability to repay those loans, and that resulted in our crisis. The bottom line was these institutions had no skin in the game.

The situation became so egregious that, at one point, there was a term in the industry called a NINJA loan. NINJA stood for no income, no job, no assets.

Borrowers across the country were being given loans by loan originators. Those originators knew they were impossible to repay, but the originators didn't care because they took their fee and had no skin in the game.

When the borrowers began to default on these loans, banks and others holding these mortgages began to lose tremendous amounts of assets, which precipitated the financial collapse.

In response, Congress passed the Dodd-Frank Act, which reforms mortgage lending and makes a lot of changes. One of those is around the ability to repay.

The Dodd-Frank statute created a category of loans called qualified mortgages that are deemed to comply with

the law's ability-to-repay requirements. It provided a safe harbor from lawsuits, and it made sure that that safe harbor also covered regulatory action, provided that those loans met certain characteristics and underwriting criteria.

While it is important that we ensure the creditworthiness of potential homeowners and home buyers to avoid repeating our past mistakes, the current regulatory environment has unnecessarily restrained mortgage lending and has made it difficult for some creditworthy borrowers to obtain a loan. The bottom line of this crisis was that it was created by no skin in the game.

The Portfolio Lending and Mortgage Access Act would provide much-needed regulatory relief and allow consumers to buy a home and ensure not only that there is some skin in the game—there is 100 percent skin in the game. The banks and institutions that make these portfolio loans have 100 percent skin in the game. They lose dollar one when the loans go bad.

This bill provides that, when residential mortgages are held by that originator, the bank, if they hold them in their portfolio as opposed to being sold into the secondary market, they will be considered a qualified mortgage for the purpose of ability to repay.

It will make sure that more financial institutions have an incentive to make loans to individuals and the requirement for making those loans will be to take the entire risk, not pass that risk on to some un-named third-party investor, but keep that risk in their portfolio.

That is why it is called the Portfolio Lending Act. They will have 100 percent of the skin in the game. This legislation will also help borrowers gain access to mortgages that they badly need.

H.R. 3189, the Fed Oversight Reform and Modernization Act, pulls back the curtain at the Federal Reserve and makes it more accountable and transparent to the American people. The Federal Reserve has more power and responsibility today than ever before, and that is precisely why this law is so important. The institution needs to be modernized, and the decisions they make need to be transparent and predictable to the marketplace.

The FORM Act, as it is called, requires the Federal Reserve to transparently communicate its monetary policy decisions to the American people. It does not require them to choose any one method.

Some people talk a lot about the so-called Taylor rule. This bill does not require the Federal Reserve to use the Taylor rule or any other process. It just requires that, when they make decisions, they need to make that decision and the reasons behind it transparent to the American people and ex-

plain how they make their decisions. Whether they use a rule or whether they use some other process, it needs to be transparent.

This bill also requires the Federal Reserve to conduct a cost-benefit analysis that every other Federal agency already has to comply with so that we know whether the costs of complying with the regulations exceed or are less than the benefits of those regulations. It is simple common sense. Other agencies use this cost-benefit analysis today.

The FORM Act protects the Federal Reserve's independence, as it requires the Federal Reserve to generate a monetary strategy of their own choosing, but requires them to give more accounting of their actions and transparency to their actions. The bill ensures that the American people understand how the Federal Reserve makes the decisions they make and why they make the decisions they make.

Mr. Speaker, I know that I, along with many of our colleagues in the House, have believed for a long time that we should audit the Federal Reserve. I am pleased to inform my colleagues that this legislation requires an audit of the Fed, and it contains provisions that remove restrictions placed on the GAO's ability to conduct an audit of the Federal Reserve. It directs the GAO, in fact, to conduct an audit of the Federal Reserve within 12 months of enactment and requires the GAO to report to Congress within 90 days of completion of that audit.

As the Federal Reserve plays an outsized role in the health of our Nation's economy, it is imperative that we make sure that their opaque structure is made transparent so the American people understand the decisions the Federal Reserve makes and why they make them because it has such an incredible impact on our economy.

Mr. Speaker, I look forward to debating these bills with our colleagues in the House as well as the amendments yet to come, and I would ask adoption of both the underlying bills and support of the underlying bills.

I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman, my friend from Ohio, for yielding me the customary 30 minutes for debate.

I rise today, Mr. Speaker, in opposition to this rule, which provides for consideration of both H.R. 1210, the Portfolio Lending and Mortgage Access Act, and H.R. 3189, the Fed Oversight Reform and Modernization Act of 2015.

As the first matter of business, I would like to recognize that yesterday's rule, H. Res. 526, marked the 45th closed rule of this congressional session, making it the most closed session in history.

□ 1245

I join my colleagues in the minority in their distaste for this closed and ex-

clusive process and echo their calls to Speaker RYAN to maintain his pledge to usher in a more transparent and open debate process that includes input from Members of both parties.

Very occasionally I talk about when I first came to Congress in 1993. The radio at that time was hammering those who were perpetrating closed rules. My party was in the majority and was being rightly, in my opinion, accused in that regard. I didn't know what a closed rule was. I didn't come here and start on this committee. But now that I have had a considerable amount of experience on this committee, I have come to believe that it is wrong for either party in the majority to conduct a process that disallows Members in this body from having an opportunity to participate in refining the underlying bills that come here for our consideration.

Mr. Speaker, H.R. 1210 seeks to amend the Truth in Lending Act to provide that depository institution creditors be subject to a legal safe harbor for mortgage loans meeting specified limitations that, since origination, have been held on the institution's balance sheet. The bill would extend this legal safe harbor to mortgage originators that steer borrowers to a non-qualified mortgage loan if the originator and borrower are notified that the lender intends to hold the loan in its portfolio.

We have seen firsthand the consequences that ensue when underwriting standards are virtually abandoned by both large and small lenders. This phenomenon, which contributed to the financial crisis and a bank bailout to the tune of \$700 billion in taxpayer money, enabled predatory lenders to offer loans, the terms of which individuals could not afford or, worse, incentivize their brokers to steer families into more expensive loans, even when they qualified for lower rates and a standard mortgage product. African American and Latino borrowers and single persons were disproportionately affected by these bad loans.

This legislation would eliminate effective reforms that require lenders to verify a consumer's ability to repay and would allow lenders to once again steer families into the same risky mortgage products with the same predatory practices that destroyed the savings and investments of American families a few short years ago.

Today's rule also allows for consideration of H.R. 3189, the Fed Oversight Reform and Modernization Act. This bill will fundamentally change the way the Federal Reserve implements monetary policy. In doing so, this bill will change the current proven nonpartisan approach to monetary policy the Fed currently embraces and will replace it with a rule-based and politically partisan regime.

H.R. 3189 will tie the hands of the Federal Reserve whose objective with

regard to monetary policy is to maximize employment, stabilize prices, and moderate long-term interest rates. This legislation will require the Fed to engage in a rulemaking to provide a ridged mathematical formula for setting the interest rate. This notion is not only bad policy that will prevent the Fed from acting swiftly and nimbly to address a potential financial crisis, but Fed Chair Janet Yellen has stated that it "would be a grave mistake for the Federal Reserve to commit to conduct monetary policy according to a mathematical rule."

Additionally, this bill will create a partisan commission, with twice as many Republican Members as Democrats, to review the Federal Reserve monetary policy and make changes to its current vital role in determining that policy. The objectives of the Fed and the policy behind our money supply are much too important to be subjected to political pressure from a partisan commission.

This legislation will do serious harm to the Federal Reserve, leading us down a path of politicizing monetary policy and hamstringing the agency with onerous and unnecessary rulemakings.

Mr. Speaker, I reserve the balance of my time.

Mr. STIVERS. Mr. Speaker, I yield myself such time as I may consume.

I would like to address, Mr. Speaker, a couple of the gentleman from Florida's points about the process.

Under our new Speaker, we have had five rules. Four have been structured, and let's look at today's rule.

All of the germane amendments were made in order. In fact, to H.R. 1210, there is one amendment, and it is a Democratic amendment; to H.R. 3189, there are six amendments, and four are Democratic amendments. That is 75 percent of the amendments are Democratic amendments. That is a pretty open process. I am leaving out the fact that we also allow for a motion to recommit to each of the bills.

Mr. HASTINGS. Will the gentleman yield?

Mr. STIVERS. I yield to the gentleman from Florida.

Mr. HASTINGS. My question to you is, even though the germane amendments were made in order, under the structured rule, am I correct that other Members of the House of Representatives who did not, at the time, file an amendment before the Rules Committee that you and I serve, that they are precluded? That is basically what I am arguing.

Mr. STIVERS. Mr. Speaker, to the gentleman from Florida's point, it is true that, with a structured rule, somebody can't walk in off the street, a Member of Congress, that didn't come to the Rules Committee, and come up with an amendment right now that they are writing on a napkin and bring it in here.

But we did have an open process. We published the deadline, and we accepted not only ones that met the deadline, but late amendments. In fact, I think, of the amendments that we made in order, five of the seven amendments made in order today were actually filed late, so we did allow late amendments. That is off the top of my head. We will double-check the facts on five, but it was several of the amendments that were even filed late, we allowed.

It is true, though, that somebody can't just walk right in here. It is not an open rule. It is a structured rule. So you can't just walk in the day of the floor hearing in about 45 minutes and offer an amendment that nobody has ever seen before. So I understand the gentleman's point.

Mr. HASTINGS. Will the gentleman continue to yield?

Mr. STIVERS. I yield again to the gentleman from Florida.

Mr. HASTINGS. I thank the gentleman for yielding.

My ultimate point was that in this year, we have had 45 closed rules and, clearly, Members are precluded. That 45, I might add, has been achieved in this year, and that is more than in the previous session of Congress. That is the point I wish to make.

Mr. STIVERS. I appreciate the gentleman making his point.

Mr. Speaker, my point is, under the new Speaker, we have only had one closed rule.

Will we occasionally have a closed rule? Yes. When the other party was in charge, they had closed rules all the time, too. Closed rules will happen occasionally, but we will have an open process. I think having four out of five as structured rules is a pretty good measurement for the brand-new Speaker in our new day that we are experiencing.

I appreciate the gentleman's point, but the point is we are making the process more open. It may not be to the gentleman's liking, Mr. Speaker, but we are attempting to make the process more open and will continue to work on that.

I do want to make a couple of points, and then I will reserve the balance of my time.

With regard to the charge that somehow in H.R. 1210 this will result in risky mortgage loans—and that is why I went through the history of the crisis where people took a fee, securitized the loan. They privatized gains and socialized losses for the taxpayers to cover. The only way this portfolio lending bill works is if these lenders hold these loans in their own portfolio and take 100 percent of the downside risk. That is not placing it on anybody else. That was one of the reforms that was put in place, and Dodd-Frank was skin in the game. I can't think of anything more than 100 percent skin in the game. We think that will ensure that nobody

privatizes the gains and socializes the losses, and we think it is a reasonable step to allow people to get access to mortgages where somebody is willing to put their own money at risk.

With regard to the charge that this is going to somehow tie the Federal Reserve's hands in H.R. 3189, this bill is about transparency and accountability. It is making sure the Federal Reserve communicates whatever they use. If they want to use a Magic 8 Ball, they just have to tell everybody, "Hey, we are using a Magic 8 Ball."

I think there is nothing wrong with transparency. Transparency is great for the American economy, and it is great for the American people. The gentleman was just making the argument about how we need to be more open and transparent, and I think we need to demand it of the Federal Reserve.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I include in the RECORD Statements of Administration Policy.

STATEMENT OF ADMINISTRATION POLICY
H.R. 1210—PORTFOLIO LENDING AND MORTGAGE ACCESS ACT

(Rep. Barr, R-KY, Nov. 17)

As a result of the Ability-to-Repay rules issued by the Consumer Financial Protection Bureau, pursuant to the Truth in Lending Act, American consumers are protected against harmful mortgage products and abusive lending practices that were common in the run-up to the 2008 financial crisis. Among other protections, the Consumer Financial Protection Bureau's Qualified Mortgage (QM) rule requires a lender to make a good faith effort to determine that a borrower has the ability to repay a mortgage, and that the loan does not include excessive upfront points and fees. The final rule also contains special provisions and exemptions that are available only to small lenders or to small lenders that operate predominantly in rural or underserved areas.

H.R. 1210 would broaden the definition of qualified mortgages—those that qualify for the safe harbor—to include all mortgages held on a lender's balance sheet. Under the bill, depository institutions that hold a loan in portfolio would receive a legal safe harbor even if the loan contains terms and features that are abusive and harmful to consumers. The bill would limit the right of borrowers to file claims against holders of such loans and against mortgage originators who directed them to the loans. H.R. 1210 also would open the door to risky lending by allowing balloon loans made in any geographic area to qualify for the safe harbor as long as they are held in portfolio.

The Administration strongly opposes this bill because it would undermine critical consumer protections by exempting all depository financial institutions, large and small, from QM standards—including very basic standards like verifying a consumer's income—as long as the mortgage loans in question are held in portfolio by the institution. This bill would undermine the essential protections provided under the Qualified Mortgage rule. The Congressional Budget Office estimates that the mortgages offered legal protections under the bill would likely default at a greater rate than the qualified mortgages with current legal protections.

For these reasons, if the President were presented with H.R. 1210, his senior advisors would recommend that he veto the bill.

STATEMENT OF ADMINISTRATION POLICY
H.R. 3189—FED OVERSIGHT REFORM AND
MODERNIZATION ACT OF 2015

(Rep. Huizenga, R-MI, Nov. 17, 2015)

H.R. 3189 would establish requirements for policy rules, codify blackout periods of the Federal Open Market Committee, establish a cost-benefit requirement for other rulemakings by the Federal Reserve Board, and establish numerous, burdensome reporting requirements for the Federal Reserve Board and its members. The Administration therefore strongly opposes H.R. 3189.

The Federal Reserve is an independent entity designed to be free from political pressures, and its independence is key to its credibility and its ability to act in the long-term interest of the Nation's economic health. One of the most problematic provisions in the bill would require the Comptroller General to audit the conduct of monetary policy by the Federal Reserve Board and the Federal Open Market Committee. The operations of the Federal Reserve are already subject to numerous audit requirements that ensure it is accountable to the Congress and the American people. The only aspect of the Federal Reserve's operations not subject to audit is its monetary policy decision-making, and for good reason. Subjecting the Federal Reserve's exercise of monetary policy authority to audits based on political whims of members of the Congress—of either party—threatens one of the central pillars of the Nation's financial system and economy, and would almost certainly have negative impacts on the Federal Reserve's work to promote price stability and full employment.

H.R. 3189 also would impose numerous, burdensome requirements for the Federal Reserve Board rulemaking authorities, including the imposition of a duplicative requirement that the Federal Reserve Board undertake a proscriptive cost-benefit analysis and a post-adoption impact assessment when promulgating rules. When a Federal agency, including an independent agency such as the Federal Reserve, promulgates a regulation, the agency must adhere to the robust substantive and procedural requirements of Federal law, including the Administrative Procedure Act, the Regulatory Flexibility Act, the Paperwork Reduction Act, and the Congressional Review Act, among other statutes. Additionally, Executive Order 13579 encourages independent regulatory agencies to conduct reasoned cost-benefit analysis, engage in public participation to the extent feasible, and conduct a systematic retrospective review of regulations. The provisions in this bill, therefore, would create unnecessary, duplicative, and onerous requirements for an entity tasked with ensuring the financial safety and soundness of the Nation's financial system.

In addition, the bill would add a number of procedural hurdles that would impede the Federal Reserve's ability to engage with international regulatory bodies and divert its resources to unnecessary reporting requirements. These provisions, along with provisions imposing parallel notification and consultation requirements on several other Executive Branch entities, could impair the President's exercise of his exclusive constitutional authority to conduct the Nation's diplomatic relations.

If the President were presented with H.R. 3189, his senior advisors would recommend that he veto the bill.

Mr. HASTINGS. Mr. Speaker, I am trying to help us to get to a time constraint and, unfortunately, on either side we don't have a lot of speakers. Therefore, I would not ordinarily have done anything other than include in the RECORD Statements of Administration Policy. But to try to help us meet our deadline, what is said in the Statement of Administration Policy, H.R. 1210, Portfolio Lending and Mortgage Access Act, is:

"As a result of the Ability-to-Repay rules issued by the Consumer Financial Protection Bureau, pursuant to the Truth in Lending Act, American consumers are protected against harmful mortgage products and abusive lending practices that were common in the run-up to the 2008 financial crisis. Among other protections, the Consumer Financial Protection Bureau's qualified mortgage rule requires a lender to make a good faith effort to determine that a borrower has the ability to repay a mortgage, and that the loan does not include excessive upfront points and fees. The final rule also contains special provisions and exemptions that are available only to small lenders or to small lenders that operate predominantly in rural and underserved areas."

Skipping one paragraph, getting to the heart of what the administration says:

"The Administration strongly opposes this bill because it would undermine critical consumer protections by exempting all depository financial institutions, large and small, from QM standards—including very basic standards like verifying a consumer's income—as long as the mortgage loans in question are held in portfolio by the institution. This bill would undermine the essential protections provided under the qualified mortgage rule. The Congressional Budget Office estimates that the mortgages offered legal protections under the bill would likely default at a greater rate than the qualified mortgages with current legal protections."

"For these reasons, if the President were presented with H.R. 1210, his senior advisors would recommend that he veto the bill."

Mr. Speaker, not to belabor the point that my good friend from Ohio and I were speaking about with reference to rules, I join him in saying that the new Speaker at least has had only one closed rule. But I would remind him, of the 45 closed rules that we had previously, the new Speaker voted for every one of those closed rules. So if it is a precursor of what is to come, we will have to judge that in the future.

Now, as to H.R. 3189, the administration says—and I will cut to the heart of the matter:

"H.R. 3189 also would impose numerous, burdensome requirements for the Federal Reserve Board rulemaking au-

thorities, including the imposition of a duplicative requirement that the Federal Reserve Board undertake a proscriptive cost-benefit analysis and a post-adoption impact assessment when promulgating rules."

□ 1300

When a Federal agency, including an independent agency such as the Federal Reserve, promulgates a regulation, the agency must adhere to the robust act—the Regulatory Flexibility Act—the Paperwork Reduction Act, and the Congressional Review Act, among other statutes. Additionally, Executive Order No. 13579 encourages independent regulatory agencies to conduct reasoned cost-benefit analyses, to engage in public participation to the extent feasible, and to conduct a systematic, retrospective review of regulations.

The provisions in this bill, referring to H.R. 3189, would therefore create unnecessary, duplicative, and onerous requirements for an entity tasked with ensuring the financial safety and soundness of the Nation's financial system. In addition, the bill would add a number of procedural hurdles that would impede the Federal Reserve's ability to engage within our national regulatory bodies and divert its resources to unnecessary reporting requirements.

In addition and at the heart of the matter, the bill would add a number of procedural hurdles that are too numerous for me to mention at this time. These provisions, along with provisions imposing parallel notification and consultation requirements on several other executive branch entities, could impair the President's exercise of his exclusive constitutional authority to conduct the Nation's diplomatic relations.

Again, if the President were presented with H.R. 3189, his senior advisors would recommend that he veto the bill.

As I have said time and again, far too much important work still remains. In fact, Congress has only 9 legislative days before the December 11 deadline to avert yet another Republican government shutdown and pass an omnibus spending bill. The clock is ticking. Quite frankly, this Nation cannot afford to shut down once again due to my friends—the House Republicans—continued manufactured crisis.

The American people need and deserve better; so I urge my colleagues to vote "no" on the rule.

Mr. Speaker, I yield back the balance of my time.

Mr. STIVERS. Mr. Speaker, I yield myself the balance of my time.

I thank the gentleman from Florida for this civil debate on the rule.

I will remind my colleagues that these two bills are about reform and transparency. H.R. 1210 is reform that

will give more people access to mortgages and, at the same time, will require that these lenders have 100 percent skin in the game. H.R. 3189 is about transparency and accountability for the Federal Reserve to make sure they tell the American people how they make the decisions that they make. These are reasonable bills, important bills.

I urge my colleagues to support the rule and the underlying legislation.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. POE of Texas). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 243, nays 184, not voting 6, as follows:

[Roll No. 634]

YEAS—243

Abraham	Duncan (SC)	Katko
Aderholt	Duncan (TN)	Kelly (MS)
Allen	Ellmers (NC)	Kelly (PA)
Amash	Emmer (MN)	King (IA)
Amodel	Farenthold	King (NY)
Babin	Fincher	Kinzinger (IL)
Barletta	Fitzpatrick	Kline
Barr	Fleischmann	Knight
Barton	Flores	Labrador
Benishek	Forbes	LaHood
Billirakis	Fortenberry	LaMalfa
Bishop (MI)	Fox	Lamborn
Bishop (UT)	Franks (AZ)	Lance
Black	Frelinghuysen	Latta
Blackburn	Garrett	LoBiondo
Blum	Gibbs	Long
Bost	Gibson	Loudermilk
Boustany	Gohmert	Love
Brady (TX)	Goodlatte	Lucas
Brat	Gosar	Luetkemeyer
Bridenstine	Gowdy	Lummis
Brooks (AL)	Granger	MacArthur
Brooks (IN)	Graves (GA)	Marchant
Buchanan	Graves (LA)	Marino
Buck	Graves (MO)	Massie
Bucshon	Griffith	McCarthy
Burgess	Grothman	McCauley
Byrne	Guinta	McClintock
Calvert	Guthrie	McHenry
Carter (GA)	Hanna	McKinley
Carter (TX)	Hardy	McMorris
Chabot	Harper	Rodgers
Chaffetz	Harris	McSally
Clawson (FL)	Hartzler	Meadows
Coffman	Heck (NV)	Meehan
Cole	Hensarling	Messer
Collins (GA)	Herrera Beutler	Mica
Collins (NY)	Hice, Jody B.	Miller (FL)
Comstock	Hill	Miller (MI)
Conaway	Holding	Moolenaar
Cook	Hudson	Mooney (WV)
Costello (PA)	Huelskamp	Mullin
Cramer	Huizenga (MI)	Mulvaney
Crawford	Hultgren	Murphy (PA)
Crenshaw	Hunter	Neugebauer
Culberson	Hurd (TX)	Newhouse
Curbelo (FL)	Hurt (VA)	Noem
Davis, Rodney	Issa	Nugent
Denham	Jenkins (KS)	Nunes
Dent	Jenkins (WV)	Olson
DeSantis	Johnson (OH)	Palazzo
DesJarlais	Johnson, Sam	Palmer
Diaz-Balart	Jolly	Paulsen
Dold	Jones	Pearce
Donovan	Jordan	Perry
Duffy	Joyce	Pittenger

Pitts	Salmon
Poe (TX)	Sanford
Poliquin	Scalise
Pompeo	Schweikert
Posey	Scott, Austin
Price, Tom	Sensenbrenner
Ratcliffe	Sessions
Reed	Shimkus
Reichert	Shuster
Renacci	Simpson
Ribble	Smith (MO)
Rice (SC)	Smith (NE)
Rigell	Smith (NJ)
Roby	Smith (TX)
Roe (TN)	Stefanik
Rogers (AL)	Stewart
Rogers (KY)	Stivers
Rohrabacher	Stutzman
Rokita	Thompson (PA)
Rooney (FL)	Thornberry
Roskam	Tiberi
Ross	Tipton
Rothfus	Trott
Rouzer	Turner
Royce	Upton
Russell	Valadao

NAYS—184

Adams	Fudge	Napolitano
Agullar	Gabbard	Neal
Ashford	Gallo	Nolan
Bass	Garamendi	Norcross
Beatty	Graham	O'Rourke
Becerra	Grayson	Pallone
Bera	Green, Al	Pascarella
Beyer	Green, Gene	Payne
Bishop (GA)	Grijalva	Pelosi
Blumenauer	Gutiérrez	Perlmutter
Bonamici	Hahn	Peters
Boyle, Brendan	Hastings	Peterson
F.	Heck (WA)	Pingree
Brady (PA)	Higgins	Pocan
Brown (FL)	Himes	Polis
Brownley (CA)	Hinojosa	Price (NC)
Bustos	Honda	Quigley
Butterfield	Huffman	Rangel
Capps	Israel	Rice (NY)
Capuano	Jackson Lee	Richmond
Cárdenas	Jeffries	Roybal-Allard
Carney	Johnson (GA)	Ruiz
Carson (IN)	Johnson, E. B.	Rush
Cartwright	Kaptur	Ryan (OH)
Castor (FL)	Keating	Sánchez, Linda
Castro (TX)	Kelly (IL)	T.
Chu, Judy	Kennedy	Sanchez, Loretta
Cicilline	Kildee	Sarbanes
Clark (MA)	Kilmer	Schakowsky
Clarke (NY)	Kind	Schiff
Clay	Kirkpatrick	Schrader
Cleaver	Kuster	Scott (VA)
Clyburn	Langevin	Scott, David
Cohen	Larsen (WA)	Serrano
Connolly	Larson (CT)	Sewell (AL)
Conyers	Lawrence	Sherman
Cooper	Lee	Sinema
Costa	Levin	Sires
Courtney	Lewis	Slaughter
Crowley	Lieu, Ted	Smith (WA)
Cuellar	Lipinski	Speier
Cummings	Loeb	Swalwell (CA)
Davis (CA)	Loeb	Takano
Davis, Danny	Lofgren	Thompson (CA)
DeGette	Lowenthal	Thompson (MS)
Delaney	Lowey	Titus
DeLauro	Lujan Grisham	Tonko
DeBene	(NM)	Torres
DeSaulnier	Lujan, Ben Ray	Tsongas
Deutch	(NM)	Van Hollen
Dingell	Lynch	Vargas
Doggett	Maloney,	Veasey
Doyle, Michael	Carolyn	Vela
F.	Maloney, Sean	Velázquez
Duckworth	Matsui	Visclosky
Edwards	McCollum	Walz
Ellison	McDermott	Wasserman
Engel	McGovern	Schultz
Eshoo	McNerney	Waters, Maxine
Esty	Meeks	Watson Coleman
Farr	Meng	Welch
Fattah	Moore	Wilson (FL)
Foster	Moulton	Yarmuth
Frankel (FL)	Murphy (FL)	
	Nadler	

NOT VOTING—6

DeFazio	Hoyer	Ruppersberger
Fleming	Ros-Lehtinen	Takai

□ 1341

Mr. WELCH changed his vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR H.R. 8, NORTH AMERICAN ENERGY SECURITY AND INFRASTRUCTURE ACT OF 2015

(Mr. SESSIONS asked and was given permission to address the House for 1 minute.)

Mr. SESSIONS. Mr. Speaker, I will be sending around a Dear Colleague later this afternoon outlining the amendment process for H.R. 8, the North American Energy Security and Infrastructure Act of 2015. The amendment deadline will be Tuesday, November 24, 2015, at 12 p.m. Amendments should be drafted to the text posted on the Committee on Rules Web site. Please feel free to contact me or my staff if we may be of further assistance.

REFORMING CFPB INDIRECT AUTO FINANCING GUIDANCE ACT

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and submit extraneous materials on the bill (H.R. 1737) to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending.

The SPEAKER pro tempore Mr. RODNEY DAVIS of Illinois). Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 526 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1737.

The Chair appoints the gentleman from Texas (Mr. POE) to preside over the Committee of the Whole.

□ 1344

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1737) to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance

issued by the Bureau with respect to indirect auto lending, with Mr. POE of Texas in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time. The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

□ 1345

Mr. HENSARLING. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of H.R. 1737, the Reforming CFPB Indirect Auto Financing Guidance Act. It is an important, bipartisan bill cosponsored by 166 Members of the House, including 65 Democratic Members. It was approved by the Financial Services Committee that I chair with strong bipartisan support, including more than half of the committee's Democratic members who voted.

If Congress means what it says when we write a law, then the CFPB cannot be allowed to willfully ignore the law. Without this bill, the CFPB would have done a blatant end run around the Dodd-Frank Act as well as the Administrative Procedure Act.

I would like to thank Representative GUINTA of New Hampshire and Representative PERLMUTTER of Colorado for their leadership in providing the CFPB with an opportunity to live up to its claim of transparency and accountability. I want to thank the gentleman from Texas (Mr. WILLIAMS) as well for his outstanding work on this bill.

The CFPB's flawed bulletin on indirect auto lending attempts to regulate compensation paid to auto dealers despite the fact that auto dealers were specifically exempted in the Dodd-Frank Act from CFPB rulemaking.

By using this bulletin, the Bureau went far beyond merely clarifying existing law and instead, in trying to make new policy through this guidance, did this without using the normal rulemaking process and without public input.

This is an affront, Mr. Chairman, to due process. This is an affront to the rule of law and to basic fairness. Furthermore, the CFPB has not been transparent in revealing the methodology it used to determine whether fair lending violations existed in the auto finance market.

It took a year of constant pressure from Members of Congress and 13 different letters from 90 Democrat and Republican Members to get the CFPB to finally provide documentation regarding its disparate impacts.

In the white paper ultimately provided by the CFPB, they admitted that their own proxy methodology for determining racial disparities is flawed and

overestimates the number of African Americans by perhaps as much as 20 percent. Outside statisticians at the well-respected Charles River Associates found the figure could be off by as much as 41 percent.

According to a series of three articles published this past September in the American Banker, internal agency documents show the CFPB was aware that their disparate impact methodology significantly overstates racial impact. In other words, Mr. Chairman, they knowingly used junk science and may have no evidence of unintentional discrimination based on the disparate impact theory.

In those same internal memos, the American Banker newspaper also found that unaccountable CFPB bureaucrats chose to disregard the explicit exemption of auto dealers that Democrats, when they had a supermajority in both the Senate and the House and controlled the White House, put into Dodd-Frank.

They chose to disregard the formal rulemaking requirement set out by the Administrative Procedure Act and instead used high-profile enforcement actions against large auto lenders to pressure them to lower the caps they set on dealer reserve.

Now, not only does this call into question the CFPB's attempts to police the fairness of auto loans, its preferred outcomes will obviously increase costs for consumers.

As was noted earlier, the CFPB has pressured finance companies to lower the caps they set on dealer reserve or eliminate this discretion altogether. However, under this pricing model, The Wall Street Journal recently revealed that interest payments for some consumers could increase by as much as \$580 over the life of the loan.

This shows the dire need for the CFPB to follow a transparent process when issuing any subsequent auto finance guidance. That is what H.R. 1737 will ensure.

The bill is a simple bill. It requires the Bureau to, number one, provide notice and an opportunity for public comment. Number two, it says the CFPB must make any studies, data, or analysis used in writing the bulletin public. Number three, it must consult with other relevant regulators. Four, it must study the impact of the guidance on consumers as well as women-owned businesses, minority-owned businesses, and small businesses.

To those who claim this bill somehow undermines the CFPB's antidiscrimination efforts, let me quote from the views the Democrat members stated in our report:

H.R. 1737 does not alter the CFPB's examination or enforcement activity pursuant to ECOA. That is simply a red herring.

Mr. Chairman, I urge all my colleagues to support H.R. 1737.

Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman and Members, I rise today in opposition to H.R. 1737, which would impede the Consumer Financial Protection Bureau's important work of regulating discriminatory auto lending practices and protecting minority borrowers.

In spite of the fact that Chairman HENSARLING just talked about a study, what he didn't tell you is that was a study that was done by the automobile industry, who is supporting this bill.

H.R. 1737 would cancel important policy guidance the CFPB provided to lenders to help them comply with Federal fair lending laws.

The bill also imposes burdensome restrictions on the issuance of any future auto lending guidance by requiring that the CFPB undergo a public notice and comment period and conduct cost-benefit studies before issuing guidance, requirements that have historically only been applied to agency rulemakings.

These restrictions are clearly designed to substantially delay or effectively prevent the Bureau from issuing future antidiscrimination guidance to auto lenders, action that would undermine a lender's ability to comply with the law at the expense of minority borrowers. The long shadow of discrimination is still alive and well in some corners of the auto lending marketplace.

The CFPB has secured nearly \$140 million in relief to minority borrowers since December 2013 in landmark settlements against Ally Financial, Fifth Third Bank, and American Honda Finance Corporation, finding in each case that undisclosed dealer markups caused minority borrowers to overpay for their auto loans by an average of \$200 over the life of the loan compared to similarly situated White borrowers, even when considering the borrower's creditworthiness.

Mike Jackson, the CEO of the Nation's largest auto retailer, AutoNation, commended the CFPB's approach in its settlement with Honda, noting that other lenders should take a close look at the Honda settlement as a template for a solution.

Much like Mr. Jackson, I believe that the CFPB is doing a commendable job of tackling a decades-old problem of minority borrowers not getting a fair deal when they obtain financing from dealerships.

The Bureau's work in this regard should be supported, but instead, we are faced with H.R. 1737, yet another legislative proposal that would attempt to tie the Bureau's hands as it attempts to inform lenders of the steps that they can take to comply with Federal fair lending laws and to protect minority borrowers.

I wouldn't care if everybody were treated the same way—you charge everybody too much—but, when you single out a certain segment of our society that happens to be minorities and you charge them more than other borrowers, it is a problem.

H.R. 1737 follows a familiar script of industry-driven attempts to undermine the CFPB. Cost-benefit analysis, public notice and comment periods, outside rulemakings, unnecessary interagency consultation requirements are all designed to do the same thing, delay and undermine the important work of the CFPB.

Instead of addressing the underlying discrimination in indirect auto lending that the CFPB is seeking to address, H.R. 1737 takes away an important tool for lenders seeking to follow the law who have been relying on the guidance for almost 3 years to develop their compliance policies.

This is not a modest proposal designed to bring about transparency in the CFPB's oversight of auto lenders. Since issuing its guidance in March 2013, the CFPB has been transparent.

It has provided industry with its models for identifying potential fair lending violations. Its supervisory manual describes exactly what the Bureau is seeking when conducting fair lending exams and supervisory highlights that clearly set forth the kinds of business practices that the Bureau will focus on when it examines an indirect auto lender.

Furthermore, the CFPB's settlement agreements all follow a similar template that give lenders a glimpse into the kind of remediation that the Bureau will pursue should there be potential fair lending violations within a lender's portfolio.

H.R. 1737's supporters have yet to identify what information any additional transparency would yield or what additional information lenders need to comply with Federal fair lending laws.

If enacted, H.R. 1737 would actually place lenders at a disadvantage, just as scrutiny for fair lending violations from the CFPB and the DOJ intensifies. We should be working to support efforts to give industry as much information as possible so that they can comply with the law. H.R. 1737 does just the opposite, creating unnecessary uncertainty for lenders.

Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield 5 minutes to the gentleman from New Hampshire (Mr. GUINTA), the author of H.R. 1737, a real champion for due process and auto buyers.

Mr. GUINTA. I thank Chairman HENSARLING for his leadership on this very, very important issue.

Mr. Chairman, it has been over 2 years since the Consumer Financial Protection Bureau issued flawed auto

financing guidance that created much uncertainty in the auto lending market.

More than half of car buyers finance their purchase when they acquire an automobile. These consumers have the ability to receive great auto rates through dealer-assisted financing.

However, this flawed and unstudied guidance threatens to eliminate auto dealers' flexibility to discount the interest rates offered to their consumers, the customers.

My good friend across the aisle, Mr. PERLMUTTER of Colorado, and I have introduced H.R. 1737, along with 166 of our colleagues, both Republican and Democrat, to give the CFPB a chance to fix this faulty guidance. This bill was carefully written by Republicans and Democrats very simply and narrowly to provide clarity, fairness, and, most importantly, due process.

No Federal agency can set new policies through guidance. However, in March of 2013, the CFPB attempted to go outside the formal rulemaking process by blatantly disregarding consumers and small businesses, blatantly disregarding their ability and their right to comment on guidance that will directly affect them.

Mr. Chairman, H.R. 1737 asks that the CFPB rescind their flawed guidance and reissue it under a more transparent process by consulting other regulators and allowing the public notice and comment.

I want to be clear. This bill does not strip the CFPB of any rulemaking authority it currently has. H.R. 1737 gives the CFPB the golden opportunity to correct and reissue their guidance that would take into account consumers and bring clarity to the market.

Mr. Chairman, again, I want to reiterate that my colleagues and I are merely trying to promote transparency, accountability, and due process.

There are a small number of critics that believe this bill is unnecessary because the CFPB already has the tools to correct their auto guidance. Well, the CFPB could have fixed this issue without legislation over 2 years ago, but they disregarded 13 bipartisan letters that were sent urging them to correct the fallacies in their guidance.

I find it ironic that the agency that is supposed to protect the consumer is, in fact, harming them with this guidance. In fact, this guidance impacts much more than car buyers. It harms auto dealers, RV dealers, motorcycle dealers, international dealers, and even manufacturers.

□ 1400

Congress created the CFPB to protect consumers, not hurt them by silencing the voices of thousands of consumers and small businesses.

On August 31 of this year, The Wall Street Journal reported: "Some auto-

makers have responded by overhauling their loan pricing in ways that will likely mean higher costs for some borrowers."

If the CFPB really cares about developing policies that are truly in the best interest of consumers, they should amend their guidance to be more transparent and allow public participation.

Mr. Chairman, my bill is very simple and narrow, and, quite frankly, it is common sense. It only asks for five things: public notice and comment; make the data available to the public; consult with the Federal Reserve Board, the FTC, and the DOJ; create a consumer impact report; and conduct a study on women- and minority-owned businesses. That is the crux of the bill.

Mr. Chairman, I include in the RECORD letters of support from the National Automobile Dealers Association, the National Independent Automobile Dealers Association, the Recreation Vehicle Industry Association, American International Automobile Dealers Association, the National Auto Auction Association, Alliance of Automobile Manufacturers, the National RV Dealers Association, the Motorcycle Industry Council, American Financial Services Association, New Hampshire Automobile Dealers Association, and the Small Business and Entrepreneurship Council, the U.S. Chamber, and the U.S. Consumer Coalition.

I urge my colleagues to join the 166 Members in support of H.R. 1737.

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
November 17, 2015.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, strongly supports H.R. 1737, the "Reforming CFPB Indirect Auto Financing Guidance Act," and H.R. 1210, the "Portfolio Lending and Mortgage Access Act."

H.R. 1737 would change the Consumer Financial Protection Bureau's (CFPB) approach to the indirect auto lending market, and bring much-needed transparency. The CFPB has created enormous uncertainty in this market by issuing guidance without notice and comment, and undertaking enforcement and supervisory actions based upon post hoc statistical models—but has failed to share its analysis and assumptions, thus depriving lenders of the ability to anticipate the CFPB's analysis and to comply accordingly. H.R. 1737 would establish clear rules and put any guidance regarding indirect auto lending on a solid footing by eliminating any legal effect of the CFPB's 2013 guidance, and then imposing reasonable conditions on any future guidance on this topic.

The Chamber supports H.R. 1210, which would provide regulatory certainty to lenders—particularly small lenders such as community banks and credit unions—by allowing loans held on the books of a lender to be eligible for the safe harbor provided under

the Qualified Mortgage (QM) rule. It would also correct the CFPB's "one-size-fits-all" approach for the mortgage market. H.R. 1210 would facilitate a robust underwriting process by lenders and would also help qualified borrowers obtain mortgages by alleviating some of the uncertainty that currently exists under the QM rule.

Collectively, these bills would provide clear rules and establish certainty in the marketplace benefiting consumers and businesses. The Chamber urges the House of Representatives to pass these bills as expeditiously as possible.

Sincerely,

R. BRUCE JOSTEN,
*Executive Vice President,
Government Affairs.*

—
SMALL BUSINESS &
ENTREPRENEURSHIP COUNCIL,
November 17, 2015.

TO ALL MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The Small Business and Entrepreneurship Council (SBE Council) strongly supports H.R. 1737, the "Reforming CFPB Indirect Auto Financing Guidance Act." We urge you to vote for this bipartisan legislation when it is acted upon by the full House this week.

This important piece of legislation rescinds the problematic guidance issued by the Consumer Financial Protection Bureau (CFPB) on indirect auto financing. The guidance is based on assumptions and analysis the CFPB has not made public. In the end, CFPB's action would prevent consumers from negotiating and selecting a financing method that makes the most sense for them. This guidance would also raise costs. Small firms and self-employed individuals who purchase vehicles to conduct businesses would be impacted by this unnecessary auto-financing rule. To compete and survive, small businesses need flexibility in choosing their best financing arrangement.

H.R. 1737 requires that the CFPB be more transparent on future rules or guidance by making those proposed actions available for public review and comment. The CFPB would also be required to study the impact of its actions on consumers.

Thank you for your consideration, and for your support of America's entrepreneurs and small business owners.

Sincerely,

KAREN KERRIGAN,
President & CEO.

—
MOTORCYCLE INDUSTRY COUNCIL,
Arlington, VA, November 17, 2015.

Hon. FRANK GUINTA,
*House of Representatives, Cannon House Office
Building, Washington, DC.*

DEAR REPRESENTATIVE GUINTA: On behalf of the Motorcycle Industry Council (MIC), I write in support of H.R. 1737, the "Reforming CFPB Indirect Auto Financing Guidance Act." This important legislation was voted out of Committee with overwhelming support and currently has 166 cosponsors. We are encouraged that this bipartisan legislative measure will be considered by the full House of Representatives this week and look forward to continuing to work with you as the bill moves through the legislative process and ultimate enactment.

The MIC is a not-for-profit national industry association with offices in Irvine, California and metropolitan Washington, D.C. The MIC seeks to support motorcyclists by representing manufacturers, distributors, dealers and retailers of motorcycles, scooters, ATVs, ROVs, motorcycle/ATV/ROV

parts, accessories and related goods and services, and members of allied trades such as insurance, finance and others with a commercial interest in the industry.

H.R. 1737 is necessary as a result of 2013 Consumer Financial Protection Bureau (CFPB) guidance that threatens the ability of dealers to discount the annual percentage rate offered to consumers to finance vehicle purchases. The guidance was issued without adequate public input, consultation with sister agencies or study of the impacts of the guidance on consumers. Your legislation would address these issues by requiring the CFPB to provide notice and a period for public comment; make public any studies, data, and analyses upon which the guidance is based; consult with the Federal Reserve Board, the Federal Trade Commission and the Department of Justice; and study the cost and impact of the guidance on consumers as well as women-owned, minority-owned, and small businesses.

Thank you.

Sincerely,

DUANE TAYLOR,
Director, Federal Affairs.

—
NOVEMBER 18, 2015.

DEAR REPRESENTATIVE: We, the undersigned organizations who represent businesses that make, sell, finance, auction and service motor vehicles are writing to express our strong support for H.R. 1737, the "Reforming CFPB Indirect Auto Financing Guidance Act." This bipartisan bill, introduced by Reps. Guinta (R-NH) and Perlmutter (D-CO), would rescind the Consumer Financial Protection Bureau's (CFPB) flawed 2013 auto finance guidance and allow the CFPB to reissue it under a more transparent and better informed process.

H.R. 1737, drafted by members of the House Financial Services Committee on a bipartisan basis, has 166 bipartisan cosponsors. On July 29, the House Financial Services Committee passed H.R. 1737 by a vote of 47-10. In addition to rescinding the 2013 guidance, H.R. 1737 would require that, prior to issuing any new guidance related to indirect auto financing, the CFPB:

provide notice and a period for public comment;

make public any studies, data, and analyses upon which the guidance is based;

consult with the Federal Reserve Board, the Federal Trade Commission and the Department of Justice; and

study the cost and impact of the guidance on consumers as well as women-owned, minority-owned, and small businesses.

This is the entire scope of the bill. By design, H.R. 1737 does not impinge on the CFPB's structure, jurisdiction, or authorities.

H.R. 1737 is needed to produce a more informed guidance compared to the 2013 guidance, which lacked public input, transparency, consultation with the CFPB's sister agencies and, by the CFPB's own admission, any study of the impact of the guidance on consumers. As a consequence of being issued without these essential safeguards, the CFPB's guidance could potentially (1) eliminate a dealer's ability to discount credit in the showroom; (2) raise credits costs; and (3) push marginally creditworthy consumers out of the auto credit market entirely.

Apart from the fact that guidance should not be used as a means to make sweeping policy and market changes, the CFPB auto guidance does not effectively manage fair credit risk in the showroom, which is its purported goal. The Department of Justice

(DOJ), however, has created a better approach to address fair credit risk without decreasing competition and harming consumers. The DOJ model was used as a template for a comprehensive compliance program that the National Automobile Dealers Association, National Association of Minority Automobile Dealers, and American International Automobile Dealers Association issued last year to their respective members. This compliance program addresses fair credit risk where it matters—in the showroom—while preserving a dealer's ability to discount credit.

Thirteen Congressional letters signed by over 90 Members and Senators on both sides of the aisle have been written to the CFPB asking questions and expressing concern regarding its auto guidance. Nonetheless, many essential questions still remain unanswered. The open and transparent process required by H.R. 1737 would provide a framework for those questions to be answered, and to ascertain whether the CFPB's new policy can withstand public scrutiny.

Since the 1920s, credit has been the lifeblood of America's auto industry. H.R. 1737 is a moderate, bipartisan process bill that does not direct a result or tie the CFPB's hands, but merely gives the public an opportunity to scrutinize and comment on the CFPB's attempt to change the auto loan market via "guidance."

We respectfully ask you to protect consumers and vote "yes" on H.R. 1737. Thank you for your consideration.

Sincerely,

PETER WELCH,
*President, National
Automobile Dealers
Association.*

CHRIS STINEBERT,
*President and CEO,
American Financial
Services Association.*

STEVE JORDAN,
*CEO, National Independent
Automobile Dealers Association.*

CODY LUSK, AIADA,
*President, American
International Automobile
Dealers Association.*

MITCH BAINWOL,
*President and CEO,
Alliance of Automobile
Manufacturers.*

PHIL INGRASSIA,
*President, The National RV Dealers
Association.*

FRANK HUGELMEYER,
*President, Recreation
Vehicle Industry Association.*

FRANK HACKETT,
*CEO, National Auto
Auction Association.*

TIM BUCHE,
*President and CEO,
Motorcycle Industry
Council.*

—
UNITED STATES CONSUMER COALITION.
Majority Leader MCCARTHY,
*House of Representatives,
Washington, DC.*

MAJORITY LEADER MCCARTHY: On behalf of the U.S. Consumer Coalition, I write in support of H.R. 1737, the "Reforming CFPB Indirect Auto Financing Guidance Act." USCC thanks you for scheduling a House vote on

legislation that would rescind flawed guidance from the Consumer Financial Protection Bureau (CFPB) that was designed to eliminate the ability of consumers to access auto financing discounts.

USCC would also like to thank Representative Guinta and Chairman Hensarling for prioritizing the needs of American consumers by introducing and shepherding this legislation through Committee.

The U.S. Consumer Coalition (USCC) is a grassroots advocacy organization that works to protect consumers' rights to access free-market goods and services, and we believe that all Americans benefit from a thriving free-market economy. Unfortunately, the CFPB is actively engaging in efforts to regulate, restrict, and diminish consumer choice. As an advocate on behalf of America's consumers, defending their right to make decisions for themselves and their families without burdensome government interference, USCC supports H.R. 1737.

H.R. 1737 would grant consumers continued access to auto financing discounts that can save them millions of dollars every year. To further protect the rights of consumers, H.R. 1737 would also require more transparency in the CFPB's regulation and rule making process. Specifically, the bill would require the CFPB:

Provide a public notice and comment period before issuing any final guidance on indirect auto financing;

Make publicly available all information relied on by the CFPB for making such a rule;

Consult with other government agencies that share jurisdiction over the indirect auto lending market; and

Study the costs and impacts of the guidance to consumers and women-owned, minority-owned, and small businesses.

By the CFPB's own admission, the 2013 guidance was made without any study on the impact that it would have on consumers. It is imperative that such studies are done to show the direct, and indirect, impacts that the powerful CFPB can have on the every day lives of the American consumer.

USCC supports the reforms that H.R. 1737 seeks to make, as well as any effort to protect consumers' freedom and choice.

Sincerely,

BRIAN WISE,
President, USCC.

NEW HAMPSHIRE AUTOMOBILE
DEALERS ASSOCIATION, INC.,
Concord, NH, November 16, 2015.

Hon. FRANK GUINTA,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE GUINTA: On behalf of the 149 new car and truck dealers in New Hampshire, we are writing to express our strong support for H.R. 1737, the "Reforming CFPB Indirect Auto Financing Guidance Act." This bipartisan bill was introduced on April 8 by you and Rep. Ed Perlmutter (D-CO). H.R. 1737 would rescind the Consumer Financial Protection Bureau's (CFPB) flawed 2013 auto finance guidance and allow the CFPB to reissue it under an open and transparent process.

In addition to rescinding the 2013 guidance, H.R. 1737 would require that, prior to issuing any new guidance related to indirect auto financing, the CFPB:

provide notice and a period for public comment;

make public any studies, data, and analyses upon which the guidance is based;

consult with the Federal Reserve Board, the Federal Trade Commission and the Department of Justice; and

study the cost and impact of the guidance on consumers as well as women-owned, minority-owned, and small businesses.

By design, H.R. 1737 does not impinge on the CFPB's structure, jurisdiction, or authorities.

H.R. 1737 is needed to produce a more informed guidance compared to the 2013 guidance, which lacked public input, transparency, consultation with the CFPB's sister agencies and, by the CFPB's own admission, any study of the impact of the guidance on consumers. As a consequence of being issued without these essential safeguards, the CFPB's guidance could potentially (1) eliminate a dealer's ability to discount credit in the showroom; (2) raise credits costs; and (3) push marginally creditworthy consumers out of the auto credit market entirely.

Apart from the fact that guidance should not be used as a means to make sweeping policy and market changes, the CFPB auto guidance does not effectively manage fair credit risk in the showroom, which is its purported goal. The Department of Justice (DOJ), however, has created a better approach to address fair credit risk without decreasing competition and harming consumers. The DOJ model is being used as a template for a comprehensive compliance program that the National Automobile Dealers Association, National Association of Minority Automobile Dealers, and American International Automobile Dealers Association issued last year to their respective members. This optional compliance program addresses fair credit risk where it matters—in the showroom—while preserving a dealer's ability to discount credit.

H.R. 1737 establishes an orderly, transparent process whereby the CFPB can identify the DOJ model as a viable means to address fair credit risk.

Since the 1920s, credit has been the lifeblood of America's auto industry. H.R. 1737 is a moderate, bipartisan process bill that does not direct a result or tie the CFPB's hands, but merely gives the public an opportunity to scrutinize and comment on the CFPB's attempt to change the auto loan market via "guidance." Without this legislation, dealer-assisted financing remains at risk, along with the threat that the CFPB's policy may eliminate our customers' ability to obtain lower interest rates at dealerships.

On behalf of all New Hampshire small business auto dealers, thank you for your leadership on this important small business and consumer issue.

Sincerely,

DENNIS GAUDET,
New Hampshire Director,
National Automobile Dealers Association.

WILLIAM GURNEY,
Chairman, New Hampshire Automobile Dealers Association.

Ms. MAXINE WATERS of California. I yield 3 minutes to the gentleman from Texas (Mr. AL GREEN), who is the ranking member on the Oversight and Investigations Subcommittee.

Mr. AL GREEN of Texas. Mr. Chairman, I thank President Obama; I thank Mr. Cordray, who is the head of the CFPB; and I thank the ranking member for taking the position of protecting consumers.

Mr. Chairman, we live in a world where it is not enough for things to be right. They must also look right. And

here is what doesn't look right and, in fact, is not right.

It doesn't look right and is not right for a person to go into an auto dealership, agree on a price, and then be sent to a finance department where this indirect lending takes place. It doesn't look right for that person to then be quoted an interest rate and agree to that interest rate, not knowing that the interest rate that the person has agreed to is higher than the one the person qualified for.

This is what we are dealing with, consumers not knowing that they are paying more for their interest rates than they have qualified for. We dealt with this with the yield spread premium, same thing, slightly different, in that it dealt with home mortgages, but we outlawed that in Dodd-Frank. The CFPB is now trying its very best to make sure all people are treated fairly and equally when they apply for auto loans.

It doesn't look right for this to happen, and studies consistently show that minorities, African Americans, Hispanics, Asians, are charged more for these loans than others are charged. The empirical evidence is there for those who wish to see it.

It is not enough for things to be right; they must also look right. This bill just doesn't look right, and it doesn't smell right, and it is not right, and we ought not continue this kind of behavior in this country.

In a righteous world, we would be debating the type of fraud that is being perpetrated on consumers.

Mr. Chairman, I ask that people vote their conscience. But I will tell you that I am not going to support this kind of procedure that makes it entirely possible for invidious discrimination to continue. I came here to fight invidious discrimination. This is a part of that fight.

We must not allow this kind of behavior to continue when we have got a CFPB that is willing to stand up for minorities, we have got a President who has appointed this man, and we have got a ranking member who is fighting hard to make sure minorities are treated fairly.

To this end, I would say, consumers have no greater friend in the Congress of the United States of America than the Honorable MAXINE WATERS, who goes to bat every day to make sure that consumers, regardless of race, creed, color, national origin, or sexuality, are treated fairly.

Mr. HENSARLING. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. GARRETT), chairman of the Capital Markets and Government Sponsored Enterprises Subcommittee of our committee.

Mr. GARRETT. Mr. Chairman, it was just back in 2013, the CFPB, the Consumer Financial Protection Bureau, issued something called a bulletin.

What did it do? It tried to eliminate auto dealer discounts, essentially helping consumers, on the grounds that these discounts create a fair credit risk.

Now, there are two major problems with what they did. First, the CFPB's actions will actually raise costs, raise credit costs for families—these very same families that are having a tough time, as it is, in this economy because this is a bad economy right now—and make it harder for these family to purchase a car.

Secondly, the CFPB's action is expressly prohibited by law from regulating auto dealers by the authorizing statute in Dodd-Frank.

You see, the CFPB acted behind closed doors, without any transparency or input from the general public that they are supposed to be protecting, to circumvent, to go around the law, and found an indirect way to alter an industry that the CFPB is prohibited by law from doing.

If that is not the very definition of an out-of-control agency, I don't know what it is.

Mr. Chairman, it is time that we defend the rule of law in this country and defend transparent government against these unaccountable bureaucrats down the street at the CFPB.

That is why I am proud to sponsor the Reforming CFPB Indirect Auto Financing Guidance Act. And by doing so, by repealing their improper, unlawful actions and denying the ability to provide dealers discounts, denying the ability to provide them the discounts to the customers, and requiring a transparent process for all future actions, this bill will preserve the consumers' ability to get a discounted auto rate and preserve the ability to adhere to the principles of open, honest, transparent, lawful government.

So I urge my colleagues from both sides of the aisle to support H.R. 1737.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself such time as I may consume.

We must realize that what Mr. GARRETT just shared with us is certainly not what the CFPB has done. As a matter of fact, what the CFPB has done, it has said: Lender, you cannot say that I will take X amount of percentage of interest; I will take 5, 10 percent interest; and, dealer, you can mark it up another 3, 4, 5 percent.

So he has not exactly shared with you what happens with the CFPB.

I yield 3 minutes to the gentleman from Minnesota (Mr. ELLISON), a member of the Financial Services Committee.

Mr. ELLISON. I want to thank the gentlewoman for the time. The ranking member has been an outstanding advocate for American consumers, and I thank her.

I rise today to ask people to vote "no" on this piece of legislation and to

alert the American people of another attempt to make it easier to overcharge you when you make a purchase.

Today's threat to Americans' wallets occurs when you try to buy a car. Most people need to take out a loan to buy a car or a truck. They frequently get their financing through an auto dealer.

Car buyers don't realize that some dealers can raise the price or the interest rate offered by the partnering bank to make an additional profit.

For years, there has been a concern that African Americans and Latinos, despite negotiating harder and having good credit scores, pay a higher interest rate than white car buyers, charging some people 2 or 2.5 more percent than others, based on skin color.

It is also a violation of the law. The Equal Credit Opportunity Act prohibits discrimination in the financial marketplace. Lenders who partner with auto dealers have a responsibility to ensure that borrowers receive fair treatment. That is what the Consumer Financial Protection Bureau is trying to do.

The CFPB issued guidance recommending that the auto industry establish flat-rate pricing and some other approach to ensure that they are not discriminating against their customers. This makes sense to me and would be beneficial to consumers.

This bill, on which I urge a "no," nullifies the CFPB's guidance. It requires the bill to jump through a number of hoops that open the Bureau up to litigation before the CFPB can establish new guidance.

The National Association of Minority Auto Dealers opposes this bill. They say: "To date, the recent consent orders between the CFPB, DOJ and financial institutions and captive finance companies to settle discrimination claims have not resulted in any negative outcomes or loss of revenue for minority dealers. We are convinced that this matter should and, more importantly, can be resolved with a non-legislative fix."

Mr. Chairman, I say thank you to them.

When people are overcharged or treated unfairly in the marketplace, it harms their ability to build wealth and fully participate in this economy. If you want to do something about income inequality, you must say "no" to this bill.

Join the National Association of Minority Auto Dealers, the National Association for the Advancement of Colored People, the Center for Responsible Lending, the Consumers Union, Consumer Action, the National Council of La Raza, Americans for Financial Reform, American Association for Justice, ColorOfChange, Leadership Conference on Civil Rights and Human Rights, the Urban League, and more to vote "no" on this legislation.

I include in the RECORD the National Association of Minority Automobile

Dealers' letter opposing this legislation and the NAACP's letter opposing this legislation.

I just want to point out that discrimination in this country has been fought long and hard for centuries. Let's not stop now.

NATIONAL ASSOCIATION OF
MINORITY AUTOMOBILE DEALERS,
Largo, MD, November 13, 2015.

Hon. G.K. BUTTERFIELD,
RHOB,
Washington, DC.

DEAR CONGRESSMAN BUTTERFIELD: The National Association of Minority Automobile Dealers (NAMAD) is not in support of H.R. 1737, "Reforming CFPB Indirect Auto Financing Guidance Act", as we believe this issue can and should be resolved non-legislatively. This legislation does nothing to alter the Consumer Financial Protection Bureau's (CFPB) authority to enforce, or lenders' obligations under the Equal Credit Opportunity Act (Act).

We support the CFPB's mission to ensure that consumers are protected and treated fairly. Reversing guidance to lenders at a time of heightened regulatory scrutiny could delay lenders' efforts to comply with the Act.

Looking back on the great financial crisis of 2008, legislation enacted to bail out financial institutions and to aid General Motors and Chrysler through bankruptcy was not beneficial for minority dealers. Minority-owned dealers were disproportionately affected with a 40% (400 dealers) decline in its dealer body in comparison to non-minority dealers, who suffered only a 6% decline. Today, out of the 18,000 new automobile dealerships, only 1,100 are minority owned.

NAMAD finds that, to date, the recent consent orders between the CFPB, DOJ and financial institutions and captive finance companies to settle discrimination claims have not resulted in any negative outcomes or loss of revenue for minority dealers.

We are convinced that this matter should, and more importantly, can be resolved with a non-legislative fix. In particular, NAMAD believes that the Fair Credit Compliance Policy & Program it instituted in 2014 along with NADA and AIADA achieves this goal, as the program is designed to prevent any discriminatory practices for all consumers.

We do not support H.R. 1737, as the solution to discrimination in auto lending, but rather urge you and your colleagues to assist us in coming up with and implementing a non-legislative answer.

Sincerely,

DAMON LESTER,
President.

NOVEMBER 18, 2015.

Re NAACP Strong Opposition to H.R. 1737,
The Reforming CFPB Indirect Auto Financing Guidance Act.

MEMBERS,

U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE ELLISON, On behalf of the NAACP, our nation's oldest, largest and most widely-recognized grassroots-based civil rights organization, I strongly urge you to oppose and vote against H.R. 1737, the Reforming CFPB Indirect Auto Financing Guidance Act. If enacted, this legislation will allow racial and ethnic minorities to continue to be discriminated against by auto lenders. Discrimination based on race or ethnicity in the financial services or any other arena must be stopped, and this bill goes in the opposite, and wrong, direction.

Financial regulators have known for more than 20 years that the full price you may pay for an auto may not be based solely on the make, type, and model of the car; some of the less scrupulous car dealers would offer higher loan rates to people based on the color of their skin, their last name, or what they look like. In the mid-1990's, this trend of discrimination became apparent and a series of lawsuits were filed against the largest auto finance companies in the country. The data from those lawsuits showed that borrowers of color were twice as likely to have their loans marked up, and paid markups twice as large as similarly situated white borrowers with similar credit ratings. Thus, on March 21, 2013, the Consumer Financial Protection Bureau (CFPB) issued a bulletin providing guidance for indirect auto lenders who may fall within the CFPB's jurisdiction on ways to limit fair lending risk under the Equal Credit Opportunity Act, or ECOA.

This CFPB bulletin explained that certain lenders who offer auto loans through dealerships are responsible for any unlawful, discriminatory pricing, which may occur and that they should take actions to eliminate the discrimination. In other words, dealers could continue to mark up loans, and they could continue to be compensated for such mark-ups; simply, they should not discriminatorily mark-up loans based on race. And the financial servicers which underwrote the loans should do what they could to ensure that discrimination based on race or against any other protected class was not perpetuated.

The NAACP commends the CFPB on this guidance on indirect auto lending. It is an important step in the Bureau's enforcement of fair lending laws and regulations, and it is clearly within the jurisdiction of the CFPB to ensure that there is not discrimination in lending.

The CFPB has authority to examine large banks, and credit unions—and their affiliates—that have assets over \$10 billion. The CFPB supervises more than 150 of the nation's largest financial institutions. Furthermore, existing law, ECOA, makes it illegal for a creditor to discriminate in any aspect of a credit transaction on prohibited bases including race, color, religion, national origin, sex, marital status, and age. Under ECOA, and not to mention under the rules of basic fairness and a moral sense of right and wrong, lenders have an obligation to monitor and eradicate discrimination, and to change those practices that lead to the discrimination. In its bulletin, the CFPB reiterated that certain lenders which may offer auto loans through dealerships are liable for unlawful, discriminatory pricing.

Racial and ethnic minorities have long been victims of high priced, often-unustainable, predatory, loans. This is true when we are discussing almost every financial transaction: whether it be a mortgage, an auto loan, or a short-term loan just to make ends meet, including a payday loan. These high cost, predatory, loans have been a staple in our community for decades. Study after study has clearly demonstrated that even when credit history is taken into account, African Americans and Latinos are regularly charged more for home or auto loans than white customers. While dealer markups affect all consumers, research has shown that Latino and African American borrowers are more likely than White borrowers to receive an unnecessary markup in their interest rate, and the markup is typically higher for Latinos and African Americans than Whites, regardless of creditworthiness.

H.R. 1737, the Reforming CFPB Indirect Auto Financing Guidance Act" would undermine the ability of the CFPB to root out discrimination, something that has no place in our lending markets, yet has, unfortunately, been proven to exist. The role of the CFPB is to protect consumers, and with their 2013 guidance, they have done just that. We should be applauding and encouraging the agency's measured, yet affirmative, steps to stop discrimination. Yet H.R. 1737 attacks the Bureau's attempts to protect us.

Auto dealers and auto dealer financing agencies who play by the rules and do not discriminate should have no problems with the CFPB guidance. In fact, they should welcome it as it helps clean up an industry which has been tainted by discrimination for too long. An auto is too prevalent, too necessary, and too much of a family investment for us to allow discrimination to exist in the cost of the car.

Thank you in advance for your attention to the NAACP position. Should you have any questions or comments on the NAACP position, please feel free to contact me.

Sincerely,

HILARY O. SHELTON,
Director, NAACP
Washington Bureau
& Senior Vice President
for Policy and Advocacy.

PREVENT DISCRIMINATION IN AUTO LENDING

OPPOSE H.R. 1737: THE REFORMING CFPB INDIRECT AUTO FINANCING GUIDANCE ACT

H.R. 1737 is opposed by the National Association of Minority Auto Dealers, Center for Responsible Lending, NAACP, Consumers Union, Consumer Action, National Council of La Raza, Americans for Financial Reform, American Association for Justice (AAJ), Color of Change, Leadership Conference on Civil and Human Rights, National Consumer Law Center, National Urban League, U.S. PIRG, the Woodstock Institute and more.

DEAR COLLEAGUE: We urge you to oppose H.R. 1737, the so-called "Reforming CFPB Indirect Auto Financing Guidance Act." This legislation would prevent the Consumer Financial Protection Bureau (CFPB) from enforcing laws against discrimination in auto lending. This bill nullifies CFPB's guidance to lenders on how to avoid practices that may lead to discriminatory pricing.

Automobiles are the most common financial assets owned by American households, and are a prerequisite for many jobs. When people buy cars with dealer financing, they can be charged an interest rate mark up. This mark up can be set by the individual car dealer. Such variable pricing can lead to discrimination. Even though current U.S. law prohibits lending discrimination based on unrelated background traits, African Americans, Latinos and others could be charged a higher interest rate, regardless of credit scores or income.

In recent years, the CFPB and the Department of Justice took actions resulting in more than \$176 million in fines and restitution to people who paid higher interest rates for auto loans based not on their credit risk but on their ethnicity.

There is no reason why the CFPB should not be able to continue to enforce these rules for indirect auto lenders. When people are overcharged, they have less money to spend and invest which slows our economy. We urge members to support, not weaken, the

CFPB's effort to fight discrimination in auto lending. Oppose H.R. 1737.

Sincerely,

KEITH ELLISON,
Co-Chair, Congressional Progressive
Caucus.

RAÚL GRIJALVA,
Co-Chair, Congressional Progressive
Caucus.

SUPPORT FAIR LENDING, OPPOSE H.R. 1737

STAND WITH NEARLY 70 CIVIL RIGHTS AND CONSUMER ADVOCACY ORGANIZATIONS IN OPPOSITION TO H.R. 1737

DEAR COLLEAGUE: This week, the House will consider H.R. 1737, the "Reforming CFPB Indirect Auto Lending Guidance Act." This legislation sends a clear message to the CFPB that they should back down from enforcing our fair lending laws against auto lenders. The CFPB has recovered \$140 million in fines and penalties against auto lenders for engaging in discriminatory auto lending practices in two years—more than other regulators in the 40 years since the Equal Credit Opportunity Act (ECOA) was enacted. Now is not the time to tell the Bureau to back away from their mission in ensuring lending free from discrimination on the basis of race, ethnicity or other protected characteristics or to introduce unnecessary uncertainty to ongoing lender efforts to comply with fair lending laws.

Over the course of several investigations, the CFPB has found that auto lenders have failed to appropriately monitor practices that allow African-American, Hispanic, and Asian and Pacific Islander borrowers to be charged more than their white counterparts through undisclosed interest-rate markups. These additional markups are charged without regard to the borrower's credit history and have displayed a clear pattern of discrimination. Several large auto financiers have already settled with the CFPB and pledged to reform their practices, while at least seven additional investigations are still ongoing.

Dealers should be fairly compensated for their work, but it should not be at minority borrowers' expense. Fair compensation for dealers can co-exist with affordable and equitable access to credit, and the CFPB's approach to date reflects this recognition. Even the CEO of the largest auto retailer in the country, AutoNation's Mike Jackson, has commended the CFPB's approach stating that "[t]he goal [of the Honda Settlement] is to reduce the variability in loans without hurting the dealer economically . . . [t]h[e] [Honda agreement] is a very viable method of doing both of those things, and I'm saying the industry should look at this as a template for moving forward."

The CFPB is tackling decades of discrimination in the auto lending marketplace, and they have done it in spite of various attempts to undermine their authority to do so directly through familiar attacks on the Bureau's structure and funding and indirectly through proposals like H.R. 1737. This legislation would tie the Bureau's hands at the very time that they are making progress in reining in decades-old practices that have left far too many borrowers overpaying for their auto loans.

Supporters of H.R. 1737 contend that the proposal is modest because it is not a direct attack on the Bureau's structure, budget or enforcement authority under ECOA. This is misleading, as it undermines lenders' attempts to comply with ECOA. Lenders have

used the guidance H.R. 1737 nullifies for nearly three years to develop compliance policies designed to protect consumers. As the Administration notes in their opposition to H.R. 1737, “[t]he bill would create confusion about the existing protections in place to prevent discriminatory auto loan pricing, and effectively block [the] CFPB from issuing related guidance in the near-term.”

Further, while H.R. 1737 does not expressly prohibit the reissuance of future guidance, the restrictions it places on the Bureau concerning any future guidance ensures that it will be substantially delayed or never reissued. No other agency is required to undergo requirements similar to a rulemaking for simply issuing guidance to regulated entities, and no other type of guidance from the CFPB is subject to these burdensome restrictions except guidance to auto lenders. Indeed, H.R. 1737’s supporters have yet to demonstrate why guidance to auto lenders requires that the Bureau jump through so many bureaucratic hoops when the guidance is there to help lenders comply with the law.

Contrary to H.R. 1737’s supporters’ claims that the proposal is necessary to maintain affordable auto financing, the CFPB’s oversight of potentially discriminatory lending practices has not led to higher borrower costs or restricted access to credit. Outstanding auto loan balances reached \$1 trillion dollars in the second quarter of 2015—the first time in U.S. history. Industry experts predict that the number of vehicles sold in 2015 will exceed 17 million for the first time since 2001. The National Association of Minority Auto Dealers have confirmed this, noting in their opposition to H.R. 1737 that the CFPB’s activity, “ha[s] not resulted in any negative outcomes or loss of revenue” for their member dealers. There is simply no evidence that the Bureau’s oversight has caused prices to increase or led to fewer borrowers being able to get financing.

Make no mistake, H.R. 1737 leaves consumers more vulnerable to unfair or discriminatory business practices. This is why the Administration, the nation’s minority auto dealers, the largest auto dealer in the country, and nearly 70 civil rights organizations and consumer advocacy groups oppose H.R. 1737—it does nothing to move the ball forward on the important work of eliminating potentially discriminatory lending practices.

The people best positioned to address discriminatory lending practices are the lenders themselves, and H.R. 1737 denies lenders vital information they need to ensure that they are not underwriting loans that contain potentially discriminatory interest rate markups that harm borrowers.

For the foregoing reasons I would urge a NO vote on H.R. 1737.

Respectfully,

MAXINE WATERS.

Mr. HENSARLING. Mr. Chairman, I yield myself 10 seconds just to say that the exact same group the gentleman quoted, the National Association of Minority Auto Dealers, says in their letter: “This legislation does nothing to alter the Consumer Financial Protection Bureau’s authority to enforce, or lenders’ obligations under the Equal Credit Opportunity Act.”

Again, that is a red herring.

I yield 1½ minutes to the gentleman from Indiana (Mr. MESSER).

Mr. MESSER. Mr. Chairman, if it ain’t broke, don’t fix it.

Ignoring this simple wisdom, the CFPB issued a guidance bulletin, without public notice and comment, threatening to eliminate a car dealer’s ability to discount interest rates for their customers.

This so-called guidance was offered with no study of the impact on consumers or small businesses, and it was issued with no proof that current industry standard discount practices were harming consumers.

Let me repeat. Despite the rhetoric, the guidance was issued with no evidence of any discrimination.

This much is clear: the regulatory burden imposed by this guidance will be bad for car dealers because it eliminates a car dealer’s ability to provide lower interest rates for their customers, and it is bad for consumers because they will inevitably pay more.

H.R. 1737 is commonsense legislation that stops the CFPB’s solution in search of a problem. It nullifies the CFPB’s current guidance bulletin restricting discounts on auto loan interest rates, and it requires the CFPB to allow for public notice and comment before any further restrictions can be imposed.

It also requires a study of the costs and impacts of interest rate deductions on consumers.

It is a good bill, and I urge my colleagues to support it.

Ms. MAXINE WATERS of California. Mr. Chairman and Members, this business about consumers not being able to negotiate down, that somehow the car dealers can’t give a discount is absolutely not true, absolutely not true.

I yield 2 minutes to the gentlewoman from Wisconsin (Ms. MOORE), the ranking member on the Subcommittee on Monetary Policy and Trade of the Financial Services Committee.

Ms. MOORE. I thank the ranking member.

Mr. Chairman, I do rise to oppose H.R. 1737. I have listened very carefully to my colleagues, and I am very sympathetic and empathetic to their desire to help their auto dealers. Too bad this legislation doesn’t do that.

I also agree with the proponents of this bill that the CFPB can’t directly regulate auto dealers, and I don’t think the CFPB wants to regulate auto dealers.

□ 1415

The problem with this bill is that it doesn’t help auto dealers, and it is not a response to CFPB regulatory overreach. What the CFPB does have jurisdiction over is the Equal Credit Opportunity Act.

A few years ago, the Bureau noticed a funny thing: that minorities were paying higher markups on auto loans, even when you control for credit risk and other factors, discounts. They noticed if you were Jesus Rodriguez or Barack Obama Jones that somehow you paid a higher price for the car.

Now, the problem is that this legislation attempts to free the auto dealers from discrimination. Of course, discrimination is a violation of the Equal Credit Opportunity Act. The CFPB and the Department of Justice brought actions against these lenders for violations of ECOA.

We heard from the other side that there was no evidence that these car dealers had done anything wrong. No, because it didn’t go to court. That is why there was no evidence. It went to settlement, and they settled for \$140 million.

Pretty simple, the CFPB protected borrowers from discrimination and then put out helpful guidance.

So why are we here today, Mr. Chairman? We are here considering this legislation so that auto dealers can violate the ECOA.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. Mr. Chairman, I thank the chairman for his yielding and his work on this issue. I also thank Mr. GUINTA for bringing this bill forward.

Mr. Chairman, ever since the CFPB introduced its 2013 bulletin on indirect auto lending, the need for this legislation has been clear.

First, the CFPB issued its bulletin in order to get around the rulemaking process for indirect auto lending. This kind of guidance is traditionally used as a mere restatement of law or to provide further explanation of rulemaking. It is not traditionally used to make a major policy like fundamentally altering the auto loan market.

Second, it is clear that the CFPB is unwilling to publish online all of the data and assumptions it has relied upon for this guidance. Providing these details should be an obvious and easy step to implement for any credible government agency.

Unfortunately, because the CFPB is not subject to the appropriations process, they seem unwilling to comply with even the most commonsense oversight by Congress. Therefore, H.R. 1737 is necessary to require the CFPB to provide for a notice and comment period before it can reissue any related guidance.

Mr. Chairman, this compromise legislation represents fair and reasonable adjustments to the CFPB’s regulatory guidance process intended to promote transparency and accountability for regulators. This legislation is truly a bipartisan effort that was supported in committee by 13 Members on the minority side of the aisle.

I am also glad to see widespread support for this legislation from a range of groups, including the U.S. Chamber of Commerce, the National Automobile Dealers Association, the national RV Dealers Association, the Independent Community Bankers Association, and the Credit Union National Association.

Mr. Chairman, last year I was proud to introduce legislation similar to Mr. GUINTA's after hearing from so many auto dealers in my State the frustrations they had with this particular rule. I am proud to support this legislation, and I urge my colleagues on both sides of the aisle to help us promote greater transparency and accountability and bring common sense back to the marketplace.

Again, I thank the gentleman from New Hampshire (Mr. GUINTA).

Ms. MAXINE WATERS of California. Mr. Chairman, what Mr. STUTZMAN is doing is trying to confuse people between a rule and a guidance. This is a guidance, and they are trying, through this legislation, to make guidance comply with the same kind of rules that the rules have to go through. So don't pay any attention to that. He is just trying to confuse people.

Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ), a member of the Financial Services Committee.

Ms. VELÁZQUEZ. Mr. Chairman, I rise in strong opposition to H.R. 1737.

Mr. Chairman, this legislation is yet another attempt to obstruct the most important watchdog working on behalf of U.S. consumers, the CFPB.

Since its creation, the agency has returned over \$11 billion to more than 25 million consumers harmed by unfair and deceptive practices. Its work is absolutely essential for everyday Americans, giving them the security of knowing that there is someone on their side.

One area where the CFPB's role is increasingly important is auto finance, where outstanding car and truck loan balances now reach \$1 trillion, the highest in history.

Unfortunately, discrimination is still alive and well in the indirect auto lending marketplace. In the three settlements to date against Ally Financial, Fifth Third Bank, and Honda, the CFPB secured nearly \$140 million in borrower relief and penalties. It found that minority borrowers paid \$200 more over the life of a car loan than White borrowers, even when controlling for borrowers' creditworthiness.

The CFPB's findings are consistent with decades of litigation and research that confirm that discretionary markups in indirect auto lending cause millions of dollars in overpayments from minority borrowers. To further their work in this area, the CFPB issued specific guidance regarding auto lending practices.

Unfortunately, H.R. 1737 will repeal this guidance and place absurd restrictions on the reissuance of any new guidance. These new restrictions would be unique to the CFPB and would place an unprecedented burden on the agency's issuance of guidance designed to help lenders comply with Federal fair lending laws. This undermines the

basic role of the CFPB and will create uncertainty regarding the application of Federal lending laws in the auto finance sector.

The Acting CHAIR (Mr. SMITH of Nebraska). The time of the gentlewoman has expired.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield the gentlewoman from New York an additional 30 seconds.

Ms. VELÁZQUEZ. Doing so is a raw deal for car buyers, especially minorities, who continue to fall victim to deceptive and unfair practices.

Let's let the CFPB do what it is supposed to do—protect the millions of consumers that will buy cars this year—and reject H.R. 1737. I urge a “no” vote on this misguided legislation.

Mr. HENSARLING. Mr. Chairman, might I inquire how much time is remaining on each side.

The Acting CHAIR. The gentleman from Texas has 15 minutes remaining. The gentlewoman from California has 13½ minutes remaining.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. HINOJOSA), my Democratic colleague.

Mr. HINOJOSA. Mr. Chairman, I rise today in support of H.R. 1737, the Reforming CFPB Indirect Auto Financing Guidance Act.

I am proud to say that in my 19 years in Congress, I have been a champion of the consumer and have fought for their protection. As a member of the Financial Services Committee, I strongly supported the creation of the Consumer Financial Protection Bureau and continue to be a strident defender and proponent of CFPB.

I support this bill to correct the CFPB's guidance with respect to indirect auto lending, which would increase the cost of consumer financing. In our effort to find discrimination in the marketplace, we must be careful not to push for policy solutions that hurt the very consumers we are trying to protect.

This bill does not prevent nor hinder the CFPB or any agency from enforcing fair lending laws. Rather, it provides an opportunity to reissue the guidance in a more inclusive and transparent manner.

As part of our mission to protect consumers, I urge the CFPB to work closely with stakeholders to improve the guidance in this important area. I also encourage the Bureau to develop and implement a financial literacy program aimed at teaching consumers the skills necessary to make informed financial decisions regarding the purchase of an auto through the use of financing. We need to do everything we can to ensure Americans have the basic financial literacy skills to enable them to navigate our increasingly complex financial system and make good, informed decisions.

Mr. GUINTA. Will the gentleman from Texas yield?

Mr. HINOJOSA. I yield to the gentleman from New Hampshire so that he may express support for financial literacy and offer to work with us to encourage the Bureau to develop a financial literacy program aimed at auto financing.

Mr. GUINTA. I would like to reiterate that the CFPB has the authority and the tools to increase financial literacy skills to consumers. I would be more than happy to work with the gentleman personally to make sure that they better educate consumers when they are purchasing a car. That is something that is important and critical. I value the interest that the gentleman has on this component of the bill, and I plan to work with the gentleman.

Mr. HINOJOSA. I thank the gentleman. I gladly accept his offer, and I look forward to working together to promote financial literacy, especially with respect to auto financing.

Mr. Chairman, I urge my colleagues to support H.R. 1737.

Ms. MAXINE WATERS of California. Mr. Chairman and Members, this is not about financial literacy. This is about raw discrimination.

I yield 2 minutes to the gentleman from Maryland (Mr. CUMMINGS), the ranking member of the Oversight and Government Reform Committee. He is a real fighter for freedom and justice.

Mr. CUMMINGS. Mr. Chairman, I thank the gentlewoman for yielding, and I thank the gentlewoman for her strong leadership.

Mr. Chairman, I rise today to oppose H.R. 1737. If this bill is enacted, it will cost minority auto purchasers millions of dollars.

Car purchases are extremely complicated transactions. Most Americans make only a few in a lifetime, and they are not familiar with the many detailed terms and procedures of these transactions. One thing that is not complicated is that charging a markup just because a buyer is a minority is simply illegal.

The Consumer Financial Protection Bureau protects minority purchasers against auto dealers that seek to charge abusive and predatory markups. The purpose of the bill before us today is to eliminate this protection—that is exactly what it is—leaving minority consumers at risk of being charged abusive and predatory interest rates.

In 2013, the CFPB ordered Ally Bank to pay \$80 million in damages and \$18 million in penalties for imposing higher interest rates on 235,000 minority borrowers. Just this year, the Bureau ordered Fifth Third Bank to pay \$18 million in damages for permitting markups of as much as 2.5 percent for minorities.

Because this bill would prevent the CFPB from carrying out its duty to

protect minority borrowers, the administration has announced they would veto this bill.

This House should reject H.R. 1737 and every repeated effort to undermine—and that is exactly what it is, to undermine—the CFPB.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. DAVID SCOTT), my Democratic colleague.

Mr. DAVID SCOTT of Georgia. Mr. Chairman, ladies and gentlemen, I want to take a moment to point out why I am supporting this and am a co-sponsor of this bill.

First of all, to our leader, the ranking member who does an excellent job, she is absolutely right. We must go at discrimination with lenders. But, Mr. Chairman, the unintended consequence of this is not punishing the lenders who may or may not be doing discrimination. If we show it, they should. Unfortunately, this guidance goes directly at dealers and low- and moderate-income customers, African Americans and other minorities who will be denied, because it takes away the dealers' ability to discount interest rates and be flexible.

Now, Mr. Chairman, there are 55 million unbanked and underbanked people in the United States. They don't have the bank. They are not going to Ally Bank.

□ 1430

But when they want, they have to buy a car. Some of them don't even have a credit card, but they have that dealer that can walk through the door. And if that dealer has the flexibility to be able to discount the interest rate, bringing a lower price to the car, they shouldn't be denied from having that opportunity to do it.

Now, let me go to the racial issue. When you play the race card, you have got to make sure you play it right. That is all I am saying.

When we looked at the CFPB and we looked at the methodology that they used to determine who the Black people were, they said: Hey, the best way of doing this is to go by the last names: Jackson, Williams, Johnson, Robinson.

Yeah. A lot of Black people are named that, but there are an awful lot of White people that are named that, too.

So is there any wonder, when the checks went out, that there were some happy White people, looking: Where did I get this money? Where did I get this \$200 or \$300 from?

Now, ladies and gentlemen, I take a backseat to nobody when it comes to standing up and fighting for racial equality. My life's story is that. I integrated the school systems in Scarsdale, New York, where not only was I just the only Black kid in the school or in my class, but I was the only Black kid in the whole city of Scarsdale.

My office mate in the Senate was Julian Bond. We went all across this country speaking for 40 years as a State representative, as a State senator, and now as a Congressman. My whole life has been for fighting this.

But when you deal with racial discrimination, it has got to be right. The methodology that the CFPB used is flawed. It is absolutely flawed. In the process, the CFPB itself is being charged with racial discrimination.

Now, all I am saying is what is fair is fair.

The Acting CHAIR. The time of the gentleman has expired.

Mr. HENSARLING. I yield the gentleman from Georgia an additional 1 minute.

Mr. DAVID SCOTT of Georgia. We are not asking to discontinue this. We are asking to go after where the discrimination is. But don't hurt the lower middle-income people who don't have the credit or don't have a credit card.

They have to go in there and work with that dealer. If you take that out of the way of the dealer, you are hurting the very people that some of the people who are opposing our bill want to help.

So, Mr. Chairman, let's get clarity here. Let's get truth here. All we are doing is asking the CFPB to come back, start over, get the right methodology, so you are getting the right people that you are sending the checks to, and also call in the Justice Department, the Federal Trade Commission, and the Federal Reserve, who are the ones under Dodd-Frank that regulate the auto dealers and not auto lenders.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman and Members, all of the arguments that are used by the other side simply are not true.

They claim that the CFPB does not have the authority. They do have the authority under the Equal Credit Opportunity Act.

They claim that they didn't use the right methodologies, the same that is used by the Justice Department.

They claim that the dealers can't give discounts. That is absolutely not true. They can.

I yield as much time as he may consume to the gentleman from New York (Mr. JEFFRIES), a young man that has been leading an effort on the floor of Congress for justice for minorities and women consistently.

Mr. JEFFRIES. Mr. Chairman, I thank the distinguished gentlewoman from California for yielding and for her leadership.

Let's be clear. The opponents of this legislation are not playing the race card. America for centuries has played the race card—slavery, Jim Crow, lynchings, the Black Codes, institutional racism, unconscious bias—that continues to this day.

Yes. Of course we have come a long way in the United States of America, but we still have a long way to go. Everyone should have recognized the fact a few months ago when those souls were killed in Charleston, South Carolina, that racism in many corridors in this country is still functional, in existence, and poisoning our society.

So when we take a situation where African American consumers are paying higher interest rates for the same financial product when controlling for creditworthiness put in the context of history in this country, we are concerned.

All we are simply saying is that, if we really believe in a country where everyone, regardless of color, has the opportunity to robustly pursue the American Dream, we need a level playing field. We need rules of engagement that apply to everyone, regardless of the color of their skin. We need equal opportunity.

That doesn't exist right now in the automobile lending context. That is why I urge a "no" vote against this legislation. Let the CFPB do its work.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. WILLIAMS), one of the outstanding workers for H.R. 1737.

Mr. WILLIAMS. Mr. Chairman, in full disclosure, my name is WILLIAMS, as Mr. DAVID SCOTT had said. I am also an auto dealer, but my colleagues here in the House already know that. It is not something I am ashamed of. In fact, it is something I am very proud of.

But Mr. GUINTA's bill isn't just about auto dealers. It is about an agency that continues to act not in the best interest of the consumer, but bigger government.

Well, Mr. Chairman, I am here this afternoon to give you a little perspective on that. As many small-business owners can tell you, the financial crisis of 2008 was the worst they had ever seen. Millions of Americans and thousands of small-business owners never recovered.

In response, Congress passed the Dodd-Frank Act, which, in turn, created the CFPB. The CFPB was given broad jurisdiction over the financial services sector: banks, insurance companies, mortgage lenders, credit card companies, payday lenders. The list goes on and on and on.

Dodd-Frank consisted of 2,300 pages of new laws and regulations. Mr. Chairman, I want to take a second and read from one of the sections of Dodd-Frank that has particular importance to us today. Section 1029 says:

The Bureau may not exercise any rulemaking, supervisory enforcement or any authority, including any authority to order assessment, over a motor vehicle dealer that is predominantly engaged in the sale and servicing of motor vehicles, the leasing and servicing of motor vehicles, or both.

So how did we get here today? In 2013, the CFPB didn't propose a new rule or a new regulation. In fact, they didn't seek comments from industry, consumers, or even Congress. But, instead, they offered guidance.

Since releasing this guidance in 2013, the CFPB has acknowledged that they did not analyze or estimate the economic impact it would have on customers. In addition, an independent study commissioned by the American Financial Services Association found several significant flaws in the Bureau's methodology, which led to inaccurate, incomplete, and unreliable conclusions about pricing disparities in the auto finance market.

In addition, recent settlements from the CFPB and lenders have highlighted the Bureau's strong-arm tactics and inability to prevent fraudulent claims. At a hearing a few months ago, the Committee on Financial Services heard testimony about the lack of oversight implemented by the CFPB when paying claims to those who were potentially discriminated against.

Mr. Chairman, what most don't understand is that auto dealers—I repeat—auto dealers—are driven by competition. We are driven by protecting our reputation, providing service to our customers, and serving our communities.

When the CFPB issues fines on auto lenders for alleged discriminatory practices, they don't punish the dealers. They punish the consumer, the very people they are trying to supposedly protect, just as most government involvement does.

Mr. GUINTA's bill would finally bring transparency and clarification to a process that has had neither.

Mr. Chairman, I know Director Cordray and all those at the CFPB think they can control my industry by controlling the lenders we do business with. But let's not lose sight on what the law says.

I urge passage of H.R. 1737. Let your conscience be your guide.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GARAMENDI), a former insurance commissioner of California who has dealt with a lot of these issues.

Mr. GARAMENDI. Mr. Chairman, I thank the gentlewoman.

My colleague from California has raised a very significant issue here. It kind of helps to actually read the guidelines.

I have spent 8 years of my life as a regulator trying to protect the consumers from unfair practices in the insurance industry, some of which dealt with the issue of credit.

What we have here is an effort by the CFPB to give guidance—not a law, not a regulation, but guidance—to auto dealers and to indirect lenders on what they should do—not must do, but what

they should do—to obey the Equal Credit Opportunity Act, which the CFPB actually does have the power to enforce.

By extension, an indirect lender stands in the place of an auto dealer in developing the terms of credit. That then makes the indirect lender subject to the Equal Credit Opportunity Act.

It is pretty simple here. This is guidance about how you could monitor what you should do as a dealer or as an indirect lender in obeying the Equal Credit Opportunity Act.

It is pretty simple. And when you don't do it, there are outlines about what you should do to deal with any problem that is found.

I am going: What is the problem here? The problem here is obeying the law as an indirect lender where you actually have the power to direct and to determine what the loan is.

Now, my history in regulating the insurance industry is that there is a pernicious and continuing discrimination that takes place, not necessarily Black, not necessarily Hispanic, but it exists in the poorer communities and keeps those communities down because they wind up paying a whole lot more for insurance, for credit, and for other economic policies. Pretty simple.

The Acting CHAIR. The time of the gentleman has expired.

Ms. MAXINE WATERS of California. I yield the gentleman an additional 30 seconds.

Mr. GARAMENDI. Let me wrap up very quickly, then.

This is about being fair in the practices of lending. I understand the auto dealers and the indirect lenders would rather not, but there is a history here, as has been stated in the debate, of where lenders have been found to be out of compliance with the Equal Credit Opportunity Act.

So what we are trying to do here with this opposition to this bill is saying to follow the guidance, follow the guidance and stay out of trouble. Pretty simple.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. HILL).

Mr. HILL. Mr. Chairman, I rise today in support of my colleague from New Hampshire on his bipartisan bill to reform and assist our Nation's auto dealers and consumers and increase the oversight and transparency of the Consumer Financial Protection Bureau.

Dodd-Frank explicitly prohibited the CFPB from regulating auto dealers, but their guidance on indirect auto lending is an end around to indeed do just that, regulate auto dealer sales.

Not only is the CFPB's guidance inherently flawed, but the agency has not provided the opportunity for public comment or input, nor have they shared any of their analysis or assumptions on which they based their model.

This guidance is another example of emerging government price regulation

and fee setting in the financial services industry. We have always, as a part of our financial regulation, tried not to set price by regulatory directive. Instead, we have operated on a consumer disclosure and consumer education model.

But price regulation is clearly what this guidance does. It is softer and more delicate in its language, but it clearly is leading towards price regulation.

Consumer lending in banking is down among community banks. It has been cut in half over the past few years. One reason for that, one key reason for that, is the inability of a consumer bank to price for risk.

Today's legislation is not about discrimination. It is about giving access to credit to people who need it and giving access to credit to them in the right way, particularly those families with limited resources.

This bill in no way ties CFPB's hands. It merely gives the public an opportunity to comment on the Bureau's attempt to reshape the auto loan market.

Whether it is in a rural area or an urban area, this pernicious expansion of price regulation in financial services by the Federal Government will have a negative effect on credit allocation in our communities.

Mr. Chairman, I include in the RECORD a letter from the Independent Community Bankers of America.

INDEPENDENT COMMUNITY
BANKERS OF AMERICA,
Washington, DC, July 27, 2015.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services,
House of Representatives, Washington, DC.

Hon. MAXINE WATERS,
Ranking Member, Committee on Financial Services,
House of Representatives, Washington, DC.

DEAR CHAIRMAN HENSARLING AND RANKING MEMBER WATERS: On behalf of the more than 6,000 community banks represented by ICBA, I write to thank you for scheduling a markup for July 28 on important regulatory reform bills. We are particularly pleased that a number of the bills scheduled for markup reflect community bank regulatory relief advanced in ICBA's Plan for Prosperity. We strongly encourage all committee members to vote YES on the bills noted below:

The Financial Institution Customer Protection Act (H.R. 766). Sponsored by Rep. Blaine Luetkemeyer, H.R. 766 is designed to curtail the abuses of Operation Choke Point. The bill would prohibit the federal banking agencies from suggesting, requesting, or ordering a bank to terminate a customer relationship unless the regulator put the order in writing and specified a material reason for the action, among other provisions.

The Portfolio Lending and Mortgage Access Act (H.R. 1210). Sponsored by Rep. Andy Barr, H.R. 1210 would provide that any residential mortgage held in portfolio by the originator is a "qualified mortgage" for the purposes of the Consumer Financial Protection Bureau's "ability to repay" rule. H.R. 1210 will help preserve access to credit for customers of community banks and other lenders.

The Small Bank Exam Cycle Reform Act of 2015 (H.R. 1553). Sponsored by Rep. Scott Tipton, H.R. 1553 would allow a highly rated community bank with assets of less than \$1 billion to use an 18 month exam cycle. ICBA supports a 24 month exam cycle for highly rated community banks. Because examiners have more than sufficient information to monitor a community bank from offsite, we believe that this change would not compromise supervision, and would actually increase safety and soundness by allowing examiners to focus their limited resources on the true sources of risk.

The Reforming CFPB Indirect Auto Financing Guidance Act (H.R. 1737). Sponsored by Rep. Frank Guinta, H.R. 1737 would effectively nullify the CFPB's guidance on indirect auto lending. In proposing and issuing guidance primarily related to indirect auto financing, the CFPB would be required to provide for a public notice and comment period, make available all studies, data, and other information on which the guidance is based, and meet other requirements intended to ensure the process is open, transparent, and responsive to public input. The CFPB would also be required to consult with the Board of Governors of the Federal Reserve System, the Federal Trade Commission, and the Department of Justice. ICBA suggests strengthening H.R. 1737 by requiring the CFPB to also consult with the Federal banking regulators, the Federal Deposit Insurance Corporation and the Office of the Comptroller of the Currency.

Financial Institutions Examination Fairness and Reform Act (H.R. 1941). Sponsored by Reps. Lynn Westmoreland and Carolyn Maloney, H.R. 1941 would go a long way toward improving the oppressive examination environment that many community banks experience during and following an economic downturn.

Among other provisions, H.R. 1941 would create an Office of Independent Examination Review within the Federal Financial Institutions Examination Council and give financial institutions a right to an expedited, independent review of an adverse examination determination before the Office's Director or before an independent administrative law judge.

ICBA also supports the provisions of H.R. 1941 that would create more consistent and commonsense criteria for loan classifications and capital determinations. Establishing conservative, bright-line criteria will allow lenders to modify loans, as appropriate, without fear of being penalized. If these standards become law, they will give bankers the flexibility to work with struggling but viable borrowers and help them maintain the capital they need to support their communities.

The Homebuyers Assistance Act (H.R. 3192). Sponsored by Rep. French Hill, H.R. 3192 would provide a critical safe harbor from enforcement actions for compliance errors arising from the implementation of the Consumer Financial Protection Bureau's Truth in Lending Act/Real Estate Settlement Procedures Act Integrated Disclosures, provided the lender has acted in good faith to implement and comply with new regulations. Without this safe harbor, consumer mortgage closings are likely to be delayed due to the enormous complexity of the new rules and fear of excessive enforcement actions for minor errors.

Taken together, the bills noted above would provide significant regulatory relief for community banks to the benefit of the customers and communities they serve. We

will continue to press lawmakers to enact these sensible regulatory relief measures into law.

Thank you again for bringing these bills before the committee.

Sincerely,

CAMDEN R. FINE,
President & CEO.

□ 1445

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. SARBANES), a true champion for consumers.

Mr. SARBANES. I thank the gentleman for yielding.

Mr. Chairman, I oppose H.R. 1737.

The title of this legislation, the Reforming CFPB Indirect Auto Financing Guidance Act, is misleading. The legislation is not about "reforming" the guidance of the CFPB. It is about erasing and undermining CFPB's guidance altogether and suspending the Bureau's good work when it comes to monitoring and identifying discrimination in auto lending. Both the CFPB and the Department of Justice have found repeatedly that dealer discretion in determining the interest rates on auto loans leads to systemic discrimination against minority borrowers.

Supporters have argued that this legislation would bring clarity and transparency to the auto loan market, but we must ask ourselves: Clarity and transparency for whom? It sure doesn't bring transparency for the American public when it comes to auto dealers who have been found to have been targeting minority communities with discretionary interest rate markups, increasing the carrying costs of car ownership for individuals who too often cannot afford the increased financial burden.

Of course, not all auto dealers engage in such practices, and we must be careful in painting with a broad brush. In fact, I believe the CFPB's guidance is a useful tool to protect the reputation of auto dealers who do the right thing by their customers—many of whom are leaders in their communities—against the predatory practices of a select few who tarnish the industry.

We should have clarity and transparency—clarity and transparency in how interest rates are determined so as to prevent discriminatory lending practices—but let the CFPB do its job, the Consumer Financial Protection Bureau.

Wall Street, the lenders, the mortgage companies, the big banks blew up our economy in 2009. They were exploiting a lot of consumers across the country. We set up the CFPB to protect financial consumers across the country. Let the CFPB do the job that it was given, which it is doing very well.

I urge my colleagues to reject H.R. 1737 and support the CFPB's ongoing work on behalf of American consumers.

Mr. HENSARLING. Mr. Chairman, may I inquire as to how much time is remaining on both sides.

The Acting CHAIR. The gentleman from Texas has 3½ minutes remaining, and the gentlewoman from California has 4½ minutes remaining.

Mr. HENSARLING. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. I thank the gentleman.

Mr. Chairman, I stand in strong support of H.R. 1737, and I will tell you why. It is because it is what I have done and what my family has done for almost 60 years. We are a third-generation automobile dealer.

I can tell you that it is a people business, not a White person business, not a Black person business, not a Brown person business, not a Red person business, or a Yellow person business. It is a business that is done face-to-face. I have sat across the desk from many people, lower income people, who cannot afford to get a car because they don't have the ability to negotiate the auto loan.

It is our business, and I am stunned by people who have never done what we have done who have somehow decided that we are racist and that we are overcharging people. We are doing exactly the opposite, and you are doing exactly the opposite. You are discriminating against the very people who need our help to buy cars. We negotiate the deal for them. We negotiate the cost down. So to stand here today and think that somehow this is racist—if I were a person of color, I would be offended that you would even begin to suggest that I do not understand how to negotiate and that I do not understand who to trust and who not to trust.

Three generations of Kellys have sold over 150,000 cars. You don't do that by cheating people. You don't do that by being a racist. You don't do that by discriminating against people. You do that by working with people. It is stunning in this House—America's House—that we would reduce this down to an issue of color and not of cooperation. The ability to get these people transportation—private transportation—falls on the shoulders of those who are the dealers. We negotiate in their best interest.

How stunning to think that somehow we are these predators who are just taking advantage of these poor people who don't have any financial literacy. That, my friends, ultimately, is the biggest insult you could give people of color or people of gender. It is absolutely incredible to me that we would bring it to this issue.

If you don't understand our business, please learn about it. I don't have to have a book of talking points in order to talk about what we have done our whole life.

I stand in strong support of H.R. 1737 and in strong support of common sense and the American way.

The Acting CHAIR. Members are reminded to direct their remarks to the Chair.

Ms. MAXINE WATERS of California. Mr. Chairman and Members, no one on this side of the aisle mentioned the word "racist." It is only coming out of the mouths of the people on the opposite side of the aisle.

I yield 2 minutes to the gentleman from Colorado (Mr. PERLMUTTER), a member of the Financial Services Committee.

Mr. PERLMUTTER. I thank the gentlewoman from California, my ranking member. I appreciate the emotionally charged conversation that we are having here on the House floor today.

Mr. Chairman, I rise in support of H.R. 1737.

In the 14th Amendment to the Constitution of the United States, there are two basic principles among the others that are noted. One is that no one shall be deprived of life, liberty, or property without due process of law. The other one is that no one shall be denied equal protection under the laws of the United States of America.

We have kind of a collision of these two principles today. One is that there is the potential for the disparate treatment of people—discrimination—which all of us abhor and that we want to see rooted out by root and branch. The other is that, before you do a major policy in this country, there is always notice and an opportunity to be heard. That is where the collision comes in today.

The Consumer Financial Protection Bureau issued a bulletin without, really, notice and an opportunity to be heard to determine whether or not there was disparate treatment or whether methodologies that indicate there is are accurate. In fact, what we have seen is, 4 out of 10 times, it can be inaccurate based on this bulletin.

So H.R. 1737, with as much emotion as it has raised, asks the CFPB to go back and check what they have done. At no time is there any limitation to CFPB's or to the Department of Justice's rights under the Equal Credit Opportunity Act to go after discriminating individuals, to go after bad actors.

I would suggest to the CFPB that, while they are looking at their bulletin again, if they see evidence of discrimination, they refer it to the Justice Department and that it be condemned loudly and roundly.

Mr. HENSARLING. Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman and Members, this discussion today has been about discrimination. This discussion today is about the very powerful automobile dealers who come to the Congress of the United States and use their considerable influence to get the Members of Congress to get rid of a guidance that was put together by the Consumer Financial Protection Bureau.

They don't want the guidance because they don't want to be guided in how not to discriminate. They have gotten away for years with markups, and they have gotten away for years with targeting certain communities. For those who say that this has not happened, you are absolutely wrong. Minority communities, poor communities are targeted by every scheme and every fraudulent operation that you can think of.

Whether we are talking about this markup that causes minorities to pay more for automobiles or payday loans or whether we are talking about these private, postsecondary rip-off schools, communities of color are not only targeted in these ways, but we discovered in the 2008 subprime meltdown that communities have been targeted and that minorities who have the same credit ratings as others who are given loans—minorities who pay their bills—were charged more in interest rates for their mortgages than others.

This is not something that we are making up. The people on the opposite side of the aisle will have you believe they are working in the best interest of these minorities who continue to be ripped off. I don't have to say much, if anything, to prove that that is not true. Just take a look at who is supporting them. We are supported by the NAACP, the National Council of La Raza, the National Association of Minority Auto Dealers, the Center for Responsible Lending, the National Consumer Law Center, the Center for Working Families, the Consumers Union. There are 67 consumer organizations who are sick and tired of seeing minorities being ripped off.

We are often counseled by those who say we are not pulling ourselves up by our bootstraps, that we are not doing enough. Why do you think a wealth gap exists? It exists because these fraudulent schemes are supported by people like those on the other side of the aisle.

I urge everyone in Congress to vote "no" on this discriminatory legislation.

Mr. Chairman, I yield back the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield myself the balance of my time.

It is fascinating to me how often the ranking member talks about discrimination, but she didn't seem to talk about the discrimination coming out of the CFPB. She knows good and well, Mr. Chairman, that we have had witness after witness not come up with junk science about some disparate impact methodology that is proven wrong, but we have had actual witnesses come and talk about discrimination at the CFPB, which, apparently, the other side is now holding up as a paragon of virtue to enforce our civil rights laws.

We have had the inspector general come and say, at the CFPB, minorities

are underrepresented in upper pay bands. The inspector general says minority applicants are not hired in proportion to qualifications. The inspector general says minority employees receive lower performance ratings. We have had one division of the CFPB that employees refer to as the "plantation." This is in the 21st century? Now the ranking member wants to hold up the CFPB as some paragon of virtue because they use junk science—a methodology they admit themselves overrepresents minority populations?

This is about due process, Mr. Chairman, due process for every American. We can't have some rogue agency putting out guidance and not allowing any public comment. We cannot allow this agency, regardless of what its motivations may be, to ultimately take away the credit opportunities of hard-working Americans who are trying to get ahead. We cannot let this rogue agency increase prices.

It is time for us to support the legislation. I encourage all Members to support it.

Mr. Chairman, I yield back the balance of my time.

Ms. NORTON. Mr. Chair, I join many of my Democratic colleagues, as well as the NAACP, the Leadership Conference on Civil and Human Rights, the National Council of La Raza, the National Association of Minority Automobile Dealers, and many other civil rights groups, in opposing H.R. 1737, the Reforming CFPB Indirect Auto Financing Guidance Act, a bill that would significantly diminish the Consumer Financial Protection Bureau's (CFPB) ability to protect consumers from racial discrimination in the auto lending market and give auto dealers a leg up in charging higher interest rates, and, as studies have shown, in discrimination. In 2013, the CFPB issued guidance that was aimed at combating these biases in the auto lending industry—because of a practice used by car dealers known as "markups," people of color were paying more for car loans than their white counterparts with similar or identical credit histories.

As the former chair of the Equal Employment Opportunity Commission, I am dismayed by the practice of "markups," which allows discriminatory car dealers, who get a cut of the additional charges and fees that markups provide, to profit from their bad behavior. The CFPB has done important work toward eradicating discriminatory lending practices. I oppose this bill, and I urge my colleagues to do the same.

Mr. BLUMENAUER. Mr. Chair, I will vote against H.R. 1737, the Reforming CFPB Indirect Auto Financing Act. There are arguments to be made on both sides of this debate, and I am confident that the people I've worked with over the years in the auto industry are straight shooters. It is clear, however, that there are areas of serious abuse. The Consumer Financial Protection Bureau (CFPB) has found that there are instances where auto lenders, including some dealers, charge higher interest rates for people of color than they charge white car buyers with similar credit worthiness.

and financial standings. These higher interest rates come in the form of on-site and undisclosed interest rate markups. Several lawsuits have highlighted these matters.

I understand there are alternative arguments. Auto dealers should have the flexibility to give car buyers the best price possible, and interest rate negotiations can be a good way to save consumers money and to streamline the sales process. Further, CFPB's mandate to enforce the Equal Credit Opportunity Act and prevent discrimination in all lending was clear even before the 2013 guidance targeted by this legislation.

On balance, however, it is important not to undercut the CFPB as the administration is working hard to protect it. Perennial Republican budget proposals attempt to limit or eliminate funding for the CFPB, and earlier this fall the House Financial Services Committee passed legislation that would replace the CFPB with a politically appointed committee.

I'm hopeful that regardless of the outcome of this debate that there is a way to be able to work in a more cooperative basis on this issue. I'm interested in how we both meaningfully address real concerns while simultaneously protecting consumers and the delicate momentum of the newly-created CFPB under continuous attack.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. The bill shall be considered as read.

The text of the bill is as follows:

H.R. 1737

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Reforming CFPB Indirect Auto Financing Guidance Act".

SEC. 2. NULLIFICATION OF AUTO LENDING GUIDANCE.

Bulletin 2013-02 of the Bureau of Consumer Financial Protection (published March 21, 2013) shall have no force or effect.

SEC. 3. GUIDANCE REQUIREMENTS.

Section 1022(b) of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5512(b)) is amended by adding at the end the following:

"(5) GUIDANCE ON INDIRECT AUTO FINANCING.—In proposing and issuing guidance primarily related to indirect auto financing, the Bureau shall—

"(A) provide for a public notice and comment period before issuing the guidance in final form;

"(B) make available to the public, including on the website of the Bureau, all studies, data, methodologies, analyses, and other information relied on by the Bureau in preparing such guidance;

"(C) redact any information that is exempt from disclosure under paragraph (3), (4), (6), (7), or (8) of section 552(b) of title 5, United States Code;

"(D) consult with the Board of Governors of the Federal Reserve System, the Federal Trade Commission, and the Department of Justice; and

"(E) conduct a study on the costs and impacts of such guidance to consumers and women-owned, minority-owned, and small businesses.".

The Acting CHAIR. No amendment to the bill shall be in order except

those printed in House Report 114-340. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114-340.

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 11, insert "veteran-owned," after "minority-owned,".

The Acting CHAIR. Pursuant to House Resolution 526, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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Mr. GOSAR. Mr. Chairman, I rise today to offer a commonsense amendment to H.R. 1737.

This simple amendment ensures that any costs or potential impacts to any and all veteran-owned businesses are considered and included in the study required by this bill for any future auto financing guidance that may be put forth by the Consumer Financial Protection Bureau.

The three main categories that the SBA utilizes for set-aside government contracts are women-owned, minority-owned, and veteran-owned businesses. The base bill requires a report that would include any cost or impacts associated with new guidance for minority-owned businesses and women-owned businesses.

I think we should all agree that it only makes common sense, then, to also consider any costs or implications for our Nation's heroes and veteran-owned businesses that may arise from any future guidance being considered.

Our servicemen and -women already face tough challenges finding work when they return from service. In recent years, veterans' unemployment numbers have been some of the highest in the country and, at times, have been in double digits. Earlier this year, post-9/11 veterans faced unemployment numbers north of 7.2 percent. We shouldn't let any potential future guidance from an already rogue agency created under Dodd-Frank exacerbate employment hurdles for our Nation's veterans.

One week ago today, we celebrated Veterans Day and the patriotic service that so many men and women have

given to this great Nation. We have asked these heroes to risk their lives for this country, and many of our veterans have answered that call time and time again, including multiple tours overseas. Most veterans return from service seeking not only to reintegrate and establish normal lives, but to continue serving their country by contributing to the workforce, finding jobs, and even creating jobs for others by starting small businesses.

My amendment is a simple measure and will help ensure veteran-owned businesses are not harmed by any future auto financing guidance put forth by CFPB.

Chairman HENSARLING supports this amendment. I thank the chairman for his support and also for bringing forth this commonsense bill that rejects this misguided guidance. I also applaud the chairman and committee for everything they do to advocate for small businesses and job creators throughout the country.

I ask that all my colleagues support our veterans and the businesses they own by voting in favor of my commonsense amendment.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. I yield myself such time as I may consume.

Mr. Chairman, this amendment compounds one of the underlying problems that I have expressed in my opposition to H.R. 1737.

While I have been and continue to be one of Congress' most vocal supporters of minority-owned businesses, further expanding an already unnecessary cost-benefit study concerning the impacts of nonbinding policy guidance is unproductive and only increases the likelihood that future guidance designed to actually help lenders comply with the law is further delayed or never issued.

Mr. Chairman and Members, I want you to understand what is being said by the opposite side of the aisle. They basically are saying: Help me to look out for our veterans and make sure that they don't have any guidance that would impede their ability to do business. Well, I mean, that is kind of a made-up problem.

This is not a problem. Simply, what is happening by the attempt to throw veterans into this is to get Members thinking "perhaps I want to support this amendment because I don't want to be thought of as not supporting veterans." When you talk about cost-benefit analysis and studies, what you are talking about is: How do I tie up the agency? How do I create impediments to the agency being able to do its job.

This Congress supports veterans in so many ways. We support them in their

quest to do business, and we have laws on the books that will help them to successfully get into business. We support them in housing. We support them with better health care.

I don't want any Members of Congress to think somehow this kind of made-up amendment is something that really they should be supporting if they want to help veterans. This is simply a way by which to get you to do something, making you think you are supporting veterans and thinking you cannot oppose it.

This is an unnecessary amendment, and it gets in the way of good guidance coming out of the Consumer Financial Protection Bureau, so I would ask you to vote "no" on this amendment.

I reserve the balance of my time.

Mr. GOSAR. I can't believe, Mr. Chairman, what I just heard. I just can't believe it. I hope that veterans who are watching C-SPAN today are listening carefully, listening very carefully about this amendment.

The three divisions which it oversees, the veterans were left out, and we just want to make sure that our veterans are included in any study that CFPB would go forward with.

That is sad. That is sad.

When we talk about the Veterans Administration being so pristine, when we look at their healthcare system, it is 50 percent worse than it was a year ago. Many of the veterans that I have in rural Arizona are struggling to find anybody that will even hear from them.

What a sad shame. What an absolute shame.

So I actually would ask my colleagues to vote for this amendment. It is pretty straightforward. I think America gets it.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. I yield back the balance of my time.

Mr. GOSAR. Mr. Chairman, I yield 30 seconds to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Chairman, I urge all Members to adopt this amendment.

I must admit, if people all over America are wondering why it is so difficult to get something done on a bipartisan basis, traditionally, the least controversial thing we do here is study something. What is even less controversial is coming together on behalf of our veterans, yet we have the ranking member of this committee opposing both. I hope the American people are watching closely.

Again, I think this is a very common-sense, modest amendment by the gentleman from Arizona. I encourage all Members to vote for it.

Mr. GOSAR. Mr. Chairman, once again, I ask all Members to vote for this.

I yield back the balance of my time.

The Acting CHAIR (Mr. BYRNE). The question is on the amendment offered

by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. SMITH OF MISSOURI

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114-340.

Mr. SMITH of Missouri. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 12, strike the first period and insert "including consumers and small businesses in rural areas."

The Acting CHAIR. Pursuant to House Resolution 526, the gentleman from Missouri (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. SMITH of Missouri. Mr. Chairman, the American people have been misled. They were incorrectly told that Dodd-Frank was meant to go after big banks and Wall Street. However, in my rural congressional district, the effects of this law and its close to 500 regulations have been devastating.

The total economic cost of Dodd-Frank-based regulations has eclipsed \$35 billion and over 60 million hours of paperwork burdens. That is the equivalent of 30,000 employees a year dedicated solely to regulatory paperwork. A new army of regulators aren't the kind of jobs that Americans were promised.

The biggest and most costly regulation to come out of Dodd-Frank is the deceptively named Consumer Financial Protection Bureau, an unconstitutional, uncontrollable, and unaccountable agency whose total negative impact on our economy won't be known for decades.

The CFPB was supposed to protect consumers from the predatory practices of financial institutions. Instead, it has limited Americans' access to credit, the ability to be financially independent, and impeded the availability of homes and, in this case, cars. The CFPB achieved this by hiring big, spending big, and regulating big.

The CFPB started with a staff of 178 in 2011 but now has close to 2,000 employees. In that same period, its annual spending grew from \$10 million to, now, \$600 million. The safest place to find a job in this government economy is with a Federal financial regulator. In the last 5 years, those regulators have seen a 16 percent increase in job growth.

The CFPB still has more regulations and guidance in its pipeline just ready to roll out and crush rural America. That is why this amendment is so important.

In the endless search for a job in this economy, many Americans are forced

to migrate to urban areas. In 2013, over half of all the rural counties in the United States actually shrank in population. In 2014, according to the Department of Labor, rural counties lost 330,000 jobs, while metropolitan counties gained over 3 million jobs. The last thing Washington should be doing is authoring regulations which further enable this trend.

With adoption of H.R. 1737 and this amendment, we are telling the CFPB that, when you issue regulations like this, in addition to analyzing the impact on women-owned, minority-owned, and small businesses, you must also take a look at those regulations' impact on rural businesses and rural consumers.

My amendment is a simple one, but it would go a long way to providing some clarity for the folks of Missouri's Eighth Congressional District and all of those Americans living in rural communities across the Nation. While 1600 Pennsylvania Avenue might be looking at ways to make their life harder, this body, this Chamber, will continue to fight to make sure the Federal Government stays out of their way.

I thank my friend and colleague from New Hampshire for introducing this legislation. Burdensome regulation is a problem that hits rural America the hardest. I urge adoption of the amendment.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. I yield myself such time as I may consume.

Mr. Chairman and Members, I am in opposition to this bill because it is simply another study, another cost to government, another unnecessary cost. While my friends on the opposite side of the aisle always claim that they are reducing the cost of government, these studies do very little.

As a matter of fact, instead of a study, some of these Members who represent rural areas ought to become real advocates for their constituencies. They charge many of us as being advocates for health care, education, housing, and transportation, all of which they lack in their communities, but you never see them fighting for it. If it were not for some of us who are out there demanding better health care, better transportation systems, better education, and fighting for those who get ripped off by these fraudulent businesses every day, they wouldn't have any protection because they send too many Members to Congress who mislead them on other kinds of issues, but when it comes to their economics, you cannot find them anywhere.

So, instead of a study, another study, another cost to government, why don't

they become real advocates for their constituency? Why is it that we don't have transportation systems in rural communities? Why is it they have to travel miles for health care? It is because they have Representatives whom they send to Congress who are really not representing their real interests. They may get their colleagues to vote for yet another study because they don't do anything that is real and substantive for their communities.

I yield back the balance of my time.

Mr. SMITH of Missouri. Mr. Chairman, I urge adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. SMITH).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MS. SEWELL OF ALABAMA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114-340.

Ms. SEWELL of Alabama. Mr. Chairman, I have an amendment at the desk listed as Sewell Amendment No. 3.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of the bill the following:

SEC. 4. RULE OF CONSTRUCTION.

Nothing in this bill shall be construed to apply to guidance issued by the Bureau of Consumer Financial Protection that is not primarily related to indirect auto financing.

The Acting CHAIR. Pursuant to House Resolution 526, the gentlewoman from Alabama (Ms. SEWELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Alabama.

Ms. SEWELL of Alabama. Mr. Chairman, I rise today in support of my amendment to H.R. 1737.

My amendment is a commonsense and straightforward amendment. It simply states that nothing in this bill shall be construed to apply to guidance issued by the CFPB that is not primarily related to indirect auto financing.

This amendment is intended to help ensure that the underlying bill in no way prohibits, disrupts, or affects the enforcement of other fair lending laws or guidance that protects millions of Americans from unfair or discriminatory lending practices.

The underlying bill, H.R. 1737, provides the CFPB with criteria to consider when issuing further guidance on indirect auto lending. While I agree that the CFPB should reevaluate its recent guidance, we should also ensure that the scope of this legislation stays narrow and applies only to indirect auto financing.

Mr. Chairman, I applaud the CFPB's efforts to protect consumers from discriminatory lending practices. We can

all agree that no one supports or should condone abusive or discriminatory practices in auto lending or in any area of the marketplace. However, it is our job as Members of Congress to offer guidance and constructive critique to our regulatory agencies to enforce and ensure that regulations are pragmatic and workable.

This noncontroversial amendment simply clarifies that the other valuable tools possessed by the CFPB are not infringed upon and ensures that there is no room for ambiguity. The CFPB plays a critical role in protecting consumers and buyers. My amendment helps ensure that laws like the Equal Credit Opportunity Act and other fair lending laws are not inadvertently or directly affected by this bill.

□ 1515

My amendment helps ensure that the Bureau continues to play this role while hardworking Americans continue to have access to the necessary credit to purchase any central mode of transportation. I urge support of this amendment.

Mr. Chair, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed.

The Acting CHAIR (Mr. SMITH of Missouri). Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, the gentlewoman from Alabama is a valued member of the Committee on Financial Services. The absolute worst thing I could say about her amendment is it might be redundant. Hopefully it is. But if it is not, we want to simply clarify, again, that the underlying bill from the gentleman from New Hampshire only deals with this auto finance guidance.

Again, absolutely nothing in the underlying bill to H.R. 1737 in any way, shape, or form affects the CFPB's ability to enforce the Equal Credit Opportunity Act. If this clarification is needed, I am happy that the gentlewoman is offering it, and I would urge its adoption.

Mr. Chairman, I yield back the balance of my time.

Ms. SEWELL of Alabama. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. WATERS), the ranking member of the committee.

Ms. MAXINE WATERS of California. Mr. Chairman, I thank the gentlewoman for yielding time.

As Mr. HENSARLING said, it may be redundant, but that is okay. It reinforces basically what we have been talking about in relationship to 1737.

I will just take a moment to say how proud I am of the Consumer Financial

Protection Bureau, how proud I am of Mr. Cordray, how pleased I am that this is the centerpiece of the Dodd-Frank reform, how pleased I am that we now have an agency that is looking out for consumers.

Prior to the Consumer Financial Protection Bureau, our regulatory agency said their job was for safety and soundness. They forgot about the consumers; they were dropped off the agenda.

Now we have a Consumer Financial Protection Bureau that is challenging the practices of many who claim they are in legitimate businesses. They are challenging them. They are saying to them: No longer can you rip off our consumers. No longer can you target minorities. No longer can you have discriminatory practices.

Thank God for the Consumer Financial Protection Bureau.

Ms. SEWELL of Alabama. Mr. Chairman, I want to thank the ranking member, Congresswoman WATERS, for her diligence on this committee. She serves as a model for all of us in her vigor and fervor for making sure that we are not discriminating against average Americans. All of us agree that nothing we do should be about discriminating or adding to the effects of discrimination.

I ask for support of this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Alabama (Ms. SEWELL).

The amendment was agreed to.

The Acting CHAIR. There being no further amendments, under the rule the committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BYRNE) having assumed the chair, Mr. SMITH of Missouri, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1737) to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending, and, pursuant to House Resolution 526, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GUINTA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PORTFOLIO LENDING AND MORTGAGE ACCESS ACT

Mr. HENSARLING. Mr. Speaker, pursuant to House Resolution 529, I call up the bill (H.R. 1210) to amend the Truth in Lending Act to provide a safe harbor from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 529, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-34 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1210

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Portfolio Lending and Mortgage Access Act".

SEC. 2. SAFE HARBOR FOR CERTAIN LOANS HELD ON PORTFOLIO.

(a) *IN GENERAL.*—Section 129C of the Truth in Lending Act (15 U.S.C. 1639c) is amended by adding at the end the following:

"(j) SAFE HARBOR FOR CERTAIN LOANS HELD ON PORTFOLIO.—

"(1) SAFE HARBOR FOR CREDITORS THAT ARE DEPOSITORY INSTITUTIONS.—

"(A) IN GENERAL.—A creditor that is a depository institution shall not be subject to suit for failure to comply with subsection (a), (c)(1), or (f)(2) of this section or section 129H with respect to a residential mortgage loan, and the banking regulators shall treat such loan as a qualified mortgage, if—

"(i) the creditor has, since the origination of the loan, held the loan on the balance sheet of the creditor; and

"(ii) all prepayment penalties with respect to the loan comply with the limitations described under subsection (c)(3).

"(B) EXCEPTION FOR CERTAIN TRANSFERS.—In the case of a depository institution that transfers a loan originated by that institution to another depository institution by reason of the bankruptcy or failure of the originating depository institution or the purchase of the originating depository institution, the depository institution transferring such loan shall be deemed to have complied with the requirement under subparagraph (A)(i).

"(2) SAFE HARBOR FOR MORTGAGE ORIGINATORS.—A mortgage originator shall not be subject to suit for a violation of section 129B(c)(3)(B) for steering a consumer to a residential mortgage loan if—

"(A) the creditor of such loan is a depository institution and has informed the mortgage origi-

nator that the creditor intends to hold the loan on the balance sheet of the creditor for the life of the loan; and

"(B) the mortgage originator informs the consumer that the creditor intends to hold the loan on the balance sheet of the creditor for the life of the loan.

"(3) DEFINITIONS.—For purposes of this subsection:

"(A) BANKING REGULATORS.—The term 'banking regulators' means the Federal banking agencies, the Bureau, and the National Credit Union Administration.

"(B) DEPOSITORY INSTITUTION.—The term 'depository institution' has the meaning given that term under section 19(b)(1) of the Federal Reserve Act (12 U.S.C. 505(b)(1)).

"(C) FEDERAL BANKING AGENCIES.—The term 'Federal banking agencies' has the meaning given that term under section 3 of the Federal Deposit Insurance Act."

(b) RULE OF CONSTRUCTION.—Nothing in the amendment made by this Act may be construed as preventing a balloon loan from qualifying for the safe harbor provided under section 129C(j) of the Truth in Lending Act if the balloon loan otherwise meets all of the requirements under such subsection (j), regardless of whether the balloon loan meets the requirements described under clauses (i) through (iv) of section 129C(b)(2)(E) of such Act.

The SPEAKER pro tempore. The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and submit extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HENSARLING. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 1210, the Portfolio Lending and Mortgage Access Act, a bill approved by the Committee on Financial Services, which I chair, on a bipartisan vote of 38-18.

First, I want to thank the gentleman from Kentucky (Mr. BARR), an outstanding member of our committee, for his leadership in finding simple ways to allow aspiring home buyers across the Nation to obtain mortgages more easily, absent the onerous regulations that are presently being applied so that they can qualify a mortgage through market competition.

The aim of H.R. 1210 is simple. Banks and credit unions should be free to originate mortgages as long as they keep them on their books, as long as they keep the risk. This is responsible lending, Mr. Speaker, and it helps more qualified borrowers obtain mortgages so that perhaps they can get their piece of the American Dream.

H.R. 1210, again, does this by allowing lenders, particularly hometown

community banks and credit unions, to treat mortgages held on their balance sheets as "qualified mortgages" for purposes of the CFPB's mortgage lending rules.

As we know, the Dodd-Frank Act made significant changes to our mortgage lending marketplace. One specific provision in section 1411 of Dodd-Frank requires mortgage lenders to determine at the time a loan is made that the borrower has a reasonable ability to repay it. The ability to repay requirements are intended to ensure a lender takes into account the borrower's capacity to actually repay the loan.

Section 1412 of Dodd-Frank creates a legal safe harbor for compliance with the ability to repay rule for lenders who issue so-called qualified mortgages, or QMs.

Now, Mr. Chairman, it seems obvious that loans that are held by a lender should be regulated differently than loans that are originated and then sold to a third party. They have completely different characteristics.

Again, lenders that hold the loans on their own books in their own portfolio assume all—all of the exposure of risk to nonperformance and default. Lending 101 tells us that when the borrower is unable to repay the loan, the bank that made the loan, if it keeps it on its books, is the one that is going to lose the money and any future profit that would be derived from the loan.

Portfolio lenders with poor underwriting thus will not stay in business very long. In this sense, mortgages that are held in portfolio are already prudently regulated by market discipline. Yet without a safe harbor from the threat of litigation, which H.R. 1210 would provide, lenders will not make loans to otherwise creditworthy individuals.

We hear this from community banks and credit unions every day. If they don't meet the QM standards, the loans simply aren't going to get made as a practical matter.

So let me stress, the CFPB's restrictions on mortgage lending will have a disproportionate impact on low- and moderate-income home buyers, especially those from rural and certain urban areas.

According to the Federal Reserve, within a few years under this QM rule, roughly one-third of Black and Hispanic borrowers may find themselves disqualified from obtaining a mortgage because of the qualified mortgage rule. This is based simply on a rigid debt-to-income requirement.

A recent survey tells us that 73 percent of community bankers have actually decreased their mortgage business or completely stopped, Mr. Speaker, completely stopped their mortgage business or providing mortgage loans due to the expense of complying with the QM, qualified mortgage, regulatory burden. That is why a lot of community banks and credit unions across the

country say that QM doesn't stand for "qualified mortgage"; it stands for "quitting mortgages."

It should not be the job of Congress or unelected and unaccountable Washington regulators to decide who gets a mortgage and who does not or to force community banks and credit unions to function like regulated utilities, issuing only plain vanilla mortgages, rubberstamped in Washington for select groups.

Now, opponents of this bill will attempt to derail it in branding it some kind of gift to Wall Street. Let me be clear. H.R. 1210 is a gift to home buyers, all home buyers looking for a more transparent and competitive market.

When it comes to loans that are held on the books, the size of the institution does not matter. A loan held in portfolio will carry the exact same amount of risk and profit regardless of the size of the bank that holds it.

The commonsense legislation that is before us recognizes that the most effective way to ensure a borrower has the ability to repay is not one-size-fits-all, top-down regulation from Washington.

Let's, again, remember that the financial crisis was primarily caused by misguided Washington policies helping put people into homes they could not afford to keep, hurting underwriting standards. Portfolio lending did not cause the crisis.

I urge all of my colleagues to support the legislation of the gentleman from Kentucky. Support the American Dream.

Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I rise today in opposition to H.R. 1210. Today we are again wasting time on the floor discussing a bill that President Obama has already pledged to veto because it would undermine important financial reforms and put consumers and the economy at risk.

H.R. 1210 would allow lenders to deal in the same kind of risky loans that sank Washington Mutual, Wachovia, Countrywide, and eventually the entire economy in 2008. The bill undermines the antipredatory lending provisions of the Dodd-Frank Act and virtually eliminates one of the most significant consumer protection rules implemented by the CFPB.

The bill also revives an industry practice under which mortgage brokers can earn hefty bonuses by steering borrowers into riskier, more expensive loans regardless of whether they qualify for better rates. My colleagues seem to forget that we went through a terrible financial crisis.

While we did spend hundreds of billions of dollars to rescue the banking system, millions of victims of predatory lending were left to fend for them-

selves as they were displaced from their homes and saw their life savings disappear.

□ 1530

Many reforms in the Dodd-Frank Act ensure that the financial industry will never again be allowed to take the kinds of risks that drove us to national crisis, but the mortgage lending rules are designed specifically to protect families from financial crisis.

The fact is that many banks, whether they held loans on their books or sold them off to investors, were able to profit from loans they knew borrowers could not repay. Rather than perform careful underwriting, many banks demanded high upfront fees and relied on rising home prices and private mortgage insurance to protect them from losses when borrowers inevitably defaulted.

Banks also targeted families in financial trouble that owned their homes free and clear, offering them cash-outs, refinancing with high origination fees and unaffordable terms.

Refinances accounted for 70 percent of subprime lending in the 3 years before the crisis and ended up sapping the life savings from many families who relied on these products to pay for unexpected medical bills or financial hardships.

Department of Justice investigations found that lenders specifically targeted, again, minorities with predatory loans, destroying a generation's worth of wealth in many communities of color.

Under the new mortgage rules, it is illegal to pay bonuses to brokers for steering borrowers into loans with bad terms. CFPB rules establish sensible underwriting standards so lenders are incentivized to design products that perform over the long run and make sense for consumers.

In cases where banks want to make riskier loans with higher fees, they are allowed to do so, but the consumer will have extra protections if the loan goes bad. These include the right to sue for financial harm and a defense against foreclosure.

The mortgage rules make good sense by protecting consumers while still allowing them access to credit and ensuring the economy can grow. These are exactly the types of regulations we should want from our regulators, and the CFPB should be commended for its success.

Republicans continue to declare that the Dodd-Frank Act and the CFPB have been bad for the economy. During the last Republican Presidential debate, a rightwing group aired a commercial painting the CFPB as a communist bureaucracy and claiming the CFPB staff were responsible for denying loans to consumers. The facts show a much different picture.

Even the conservative Wall Street Journal recently reported that indus-

try analysts and experts agree that compliance costs aren't the greatest challenge facing community banks. The same article notes that loan balances at community banks grew twice as fast as their large counterparts over the last year and that their profitability is much closer to larger banks than it was prior to the passage of the Dodd-Frank Act.

The Mortgage Bankers Association recently revised their expectations for 2016 and 2017 to expect even more growth in housing credits. And this week, at the National Association of Realtors' annual conference, industry economists pointed to a strong housing market, with high prospects for continued growth.

It is time for Republicans to realize that Dodd-Frank and the CFPB are not the problem. They are the solution.

Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. I yield myself 30 seconds to say I am fascinated to hear the specter of discrimination continually waved by the other side, yet the Federal Reserve says, when the qualified mortgage rule is fully implemented, fully one-third of all Blacks and Hispanics won't be able to qualify for a mortgage. Yet we hear silence from the other side.

The reason we had the meltdown is because so many of my friends on the other side of the aisle wanted to roll the dice on so-called affordable housing goals of Fannie and Freddie. It turned out to be the largest bailout in American history.

If people are going to make bad loans, here is an idea: Let's not bail them out with taxpayers' money, but give everybody a fair shot at home ownership. That means, if a bank makes the loan, they hold it on their books. Let them keep it. Let it be a qualified mortgage.

I yield 5 minutes to the gentleman from Kentucky (Mr. BARR), the sponsor of the bill.

Mr. BARR. I thank the gentleman from Texas, the chairman of our committee, for his leadership and support of this legislation.

Mr. Speaker, the best policies serve both the interests of the individual and the broader national interests. In this case, it is in the interest of the borrower to have an affordable, right-sized mortgage. It is also in the interest of the Nation to have a sound financial system safe from the excesses that led to the crisis in 2008. It is possible to satisfy both objectives, but it will require the Federal Government to acknowledge that changes must be made to the Consumer Financial Protection Bureau's interpretation of the Dodd-Frank law.

The ability to repay requirements in Dodd-Frank are designed to ensure that a lender takes into account the

borrower's ability to repay a loan. Simple enough. But the CFPB has implemented the ability to pay rule provision by promulgating a one-size-fits-all, top-down, Washington-directed qualified mortgage rule.

Under the CFPB's approach, mortgages have been made safer by effectively making them unavailable to a substantial number of would-be home buyers. According to the Federal Reserve, 22 percent of those who borrowed to buy a home in 2010—one out of every five borrowers—would not have met the underwriting requirements for a qualified mortgage.

There is no debating that for the benefit of a mortgage borrower or his or her lender and the financial system, a borrower should have a demonstrable ability to repay that loan. The only question is who is in the better position to determine whether that borrower is able to repay the loan. Is it a Washington bureaucrat without any relationship with the borrower, or is it a lender with a full view of the customer's finances and a bank or credit union that must bear 100 percent of the downside risk of default?

Dodd-Frank answered that question by taking sides with the Washington bureaucrats. The result has been a housing market struggling to recover as a result of scarce mortgage credit, impacting job creation and affordable housing, and the loss of the consolidation of community banks and credit unions.

It is time to try something different. H.R. 1210, the Portfolio Lending and Mortgage Access Act, is the solution. This legislation would treat mortgages held on the balance sheets of financial institutions as qualified mortgages for purposes of the Bureau's mortgage lending rules.

Because mortgage lenders retain all of the risk of the loans held on portfolio, they have a strong incentive to ensure that the loan is repaid. Such a policy would drive private sector risk retention—a goal of the Dodd-Frank Act itself—and mark a return to relationship lending where a bank or credit union can tailor products to a customer's needs and credit risk without running afoul of the one-size-fits-all government requirements.

Small banks and credit unions have been disproportionately impacted by these rules. It is no coincidence that Harvard researchers have found that, since Dodd-Frank's passage, community banks have lost market share at a rate double that experienced prior to Dodd-Frank's passage in 2006 to 2010, a period including the entirety of the financial crisis.

By bearing the risk, financial institutions have every incentive to make sure that the borrower can afford to repay that loan. And no less than Chairman Barney Frank endorsed this concept at a hearing before the Finan-

cial Services Committee last year, saying he would like the main safeguard against bad loans to be risk retention because that leaves the decision in the hands of whoever is making the loan.

The Bureau, itself, made this key point in its own rulemaking where it recognized that portfolio lenders have a strong incentive to carefully consider whether a consumer will be able to repay a portfolio loan, at least, in part, because the small creditor retains the risk of default.

This bill also importantly provides a viable alternative to the originate-to-distribute mortgage lending model that contributed to the bubble in residential real estate and massive taxpayer bailouts. Indeed, this legislation embraces an approach that more effectively ensures that borrowers have the ability to repay than the CFPB's restrictive rule. The result will be expanded access to mortgage credit without additional risk to the financial system or the taxpayer.

I would just note that the ranking member talks about putting taxpayers at risk again. But the cause of the financial crisis was not portfolio lending by community banks and credit unions; it was government policy: Fannie Mae and Freddie Mac buying billions of subprime, improperly underwritten mortgages.

This policy, the GSE exemption to the qualified mortgage rule, continues to do this day. My bill offers an alternative to this risky practice of incentivizing origination without underwriting and distribution to taxpayer-backed GSEs. This is particularly important because the common-sense bill that is before the Congress recognizes that the most effective way to ensure that a borrower has an ability to repay is not one-size-fits-all Washington mandates.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HENSARLING. I yield the gentleman an additional 30 seconds.

Mr. BARR. Just to conclude, instead, the most effective way to ensure that a borrower has the ability to repay is to restore the traditional relationship banking that ensures that financial institutions bear the downside risks associated with their business decisions.

H.R. 1210 has the support of the American Bankers Association, the Independent Community Bankers of America, the Credit Union National Association, the National Association of Federal Credit Unions, the National Association of Home Builders, and the U.S. Chamber of Commerce.

The housing sector represents a third of the economy, and the lack of available mortgage credit is impacting our recovery. I encourage my colleagues to join me to expand access to mortgage financing and support economic growth.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker and Members, I just heard that these bankers have the ability to understand and know whether or not the consumers have the ability to repay. That is what they told us before 2008. Unfortunately, they are the same ones now that are telling us that they can determine ability to repay. They didn't do it then, and they won't do it in the future.

I yield 3 minutes to the gentleman from Michigan (Mr. KILDEE), a member of the Financial Services Committee.

Mr. KILDEE. Mr. Speaker, I thank the ranking member for yielding.

Mr. Speaker, I appreciate the efforts of my colleague and classmate Mr. BARR in attempting to address this issue. I appreciate the impact that the qualified mortgage rule has had in terms of mortgage lending for consumers and access to credit. It is especially true for our local and community bankers who have longtime personal relationships with individuals and families. It is these types of relationships that we need to encourage: the personal knowledge of people that banks and financial institutions lend to.

I also appreciate the aspects of the bill intended to increase access for consumers that are just shy of the strict qualified mortgage standards, and I support the policy of allowing otherwise non-QM-compliant individuals having access to qualified mortgage products if lenders are willing to keep the loans on their books.

My concern with this legislation, among others, is that it does not explicitly disallow the exotic mortgage products that were so much a part of the housing crisis.

There are consumer protections that could improve this legislation in terms of how we allow safe borrower protections for banks and mortgage originators. I do think we should focus on consumer protection and allow non-QM loans to be non-QM only in terms of the borrower—those individuals that fall just outside QM standards—and not open up to non-QM products, particularly because this is not applicable only to those small community banks or credit unions that we are so familiar with, but to all institutions.

Portfolio lending is an important opportunity to find bipartisan agreement. I hope we can continue to work on this.

One other issue that I raise—and it was included in the amendment that I offered that the Rules Committee did not make in order—is that I would have preferred that the legislation require that the institutions making loans under this title collect data on how these loans are being made and how they are performing, and get us the information to determine whether or not the effect that we are trying to create with this sort of approach is actually being met or if, in fact, it is not.

I appreciate the efforts of my friend and colleague. I wish I could work with

him if, in fact, this moves forward in a way that it is open to suggestion.

Mr. HENSARLING. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. HUIZENGA), the distinguished chairman of the Monetary Policy and Trade Subcommittee of our committee.

□ 1545

Mr. HUIZENGA of Michigan. Mr. Speaker, I appreciate the opportunity.

I want you to imagine with me. Imagine a single mom moving out of a trailer. She has had some tragedy in life. She has got two kids that are watching very, very closely, though, what she is doing and how she is handling it.

Imagine, as a former realtor, the joy that I took in being able to get her into her own home, the first thing that she had felt like was truly hers and something that her kids could be proud of.

Well, that is the type of scenario that we are trying to promote, I would think, as a country. Unfortunately, with the rules that have been promulgated under this qualified mortgage rule, lenders determine a borrower's ability to repay using, really, an arbitrary standard set by a formula.

They don't look at the character. They don't look at the background. They don't look at the history of that person because it is outside the formula. If a lender does not adhere to this bureaucratically established formula, a borrower can actually sue the lender.

This has caused 73 percent of community bankers, those who know their customers best, to cut back their mortgage business or simply stop providing mortgages altogether. That is the worst-case scenario.

The Portfolio Lending and Mortgage Access Act removes bureaucrats from the equation and allows lenders to work directly with borrowers to provide them with loans that they can afford. That is a key element here: loans that they can afford.

How do we know that they are going to do this?

Well, by keeping the loan on their own portfolio, on their own books, the lender assumes the full risk of the loan. Let me repeat that. The lender retains the full risk of those loans. If they didn't think that that borrower could pay back the loan, they would not lend it to them.

Now, in my mind, that is the definition of what a qualified mortgage test really ought to be. So this bill is going to allow those mortgage lenders to extend and cover those loans and really offer those services to those people who are looking for that.

I have heard on the other side of the aisle a claim, as the White House did in its veto threat, that this bill would "open the door to risky lending by undermining consumer protections under

the rule and expanding the amount of loans that would be exempt from it."

As was pointed out by my friend from Kentucky, portfolio loans had nothing to do with the financial crisis that we went through.

In addition, loans sold to Fannie Mae and Freddie Mac and insured by the Federal Housing Administration, which make up the vast majority of the market, are already exempt under the QM rule.

So who exactly are we protecting? Who exactly are we maybe not servicing the way that this Congress ought to be servicing and ought to be advocating for?

The originate-to-distribute model incentivized predatory and subprime lending, and, because those loans would be readily securitized, moved off of their books, they no longer had any responsibility. All they had to do was meet kind of a blush of a requirement, and they could move it right on off of their books.

I can tell you this: as a former realtor, I understand that nobody has a greater incentive to ensure that a borrower can repay their loan.

I just pray that my colleagues on both sides will support this bill.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 3 minutes to the gentleman from Alabama (Ms. SEWELL), a member of the Financial Services Committee.

Ms. SEWELL of Alabama. Mr. Speaker, I thank Ranking Member WATERS.

Today I rise in opposition to H.R. 1210. During the financial crisis of 2008, predatory subprime lending was far too prevalent and underwriting standards were not adequately adhered to by lenders.

In response to these practices, the Dodd-Frank Act created a new set of mortgage underwriting rules. These qualified mortgage rules are critically important to helping ensure that all American consumers are protected against harmful mortgage products and abusive lending practices. These commonsense rules now require a lender to make a good faith effort to determine that a borrower has the ability to repay a mortgage.

Additionally, the final rule contains critically important and special provisions and exemptions that are available only to small lenders and to lenders that operate predominantly in rural and underserved areas, exceptions that are critically important for districts like mine.

The QM rules simply state that, if banks make risky loans, like interest only, or adjustable mortgage loans, consumers can hold them accountable if those mortgages go bad. Lenders are also responsible for accurately researching and documenting borrowers' incomes and their ability to repay.

Unfortunately, as currently drafted, H.R. 1210 would undermine these criti-

cally important consumer protections by exempting all depository financial institutions, large and small, from QM standards as long as the mortgage loans in question are held in portfolios by those institutions.

H.R. 1210, broadly defined, would broaden the qualified mortgages to include all mortgages held on a lender's balance sheet.

Under the bill, depository institutions that hold a loan in portfolios could arguably receive legal safe harbor, even if the loan contains terms and features that are abusive and harmful to consumers.

Essentially, the bill would limit the rights of borrowers to hold harmful those banks that do bad practices.

We all know that no regulation or law is perfect. We must work together to strike a delicate balance and ensure that regulations are pragmatic and workable without placing undue harm on financial institutions that provide critically important access to capital for potential homebuyers.

Home ownership remains an important goal for most Americans and one of the most traditional gateways to the middle class. However, the financial crisis of 2008 reminds us that we must have in place sensible safeguards to protect consumers against harmful mortgage products.

I want to thank the ranking member for her leadership on this matter.

I urge my colleagues to oppose H.R. 1210.

Mr. HENSARLING. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Speaker, I thank the chairman for yielding.

I would like to thank my good friend from Kentucky, the sponsor of this legislation, for leading on this important issue.

Mr. Speaker, for many western Pennsylvanians, home ownership is a significant aspect of realizing the American Dream. Moving from paying rent to owning a home is an investment in the future for these families and an investment in their local communities.

Unfortunately, today that dream is being threatened unnecessarily by the Consumer Financial Protection Bureau's qualified mortgage rule, or QM. The QM rule is a Washington-knows-best approach to mortgages that is hampering access to home loans across this country and hurting potential homebuyers and their communities.

As with many complicated and one-size-fits-all regulations, the QM rule has brought substantial unintended consequences. The rule's strict arbitrary standards have made it more difficult for many deserving consumers to get a mortgage and, as a result, has stalled much-needed investment in distressed and recovering communities.

Notably, a significant amount of low-to-moderate-income borrowers now do

not qualify for a mortgage based on the rule's 43 percent debt-to-income ratio requirement. In fact, according to the Federal Reserve, 22 percent of those who borrowed to buy a home in 2010, after the financial crisis, 1 out of every 5 borrowers would not have met this requirement.

Mr. Speaker, these are hardworking, everyday people we are talking about. These are the people we are fighting for today.

It is our local community banks and credit unions that have longstanding relationships with these everyday people, and they are in the best position to judge creditworthiness and ability to repay.

But the QM rule effectively takes that opportunity away from these community institutions and subjects them to an increased potential liability should they ever decide to stray outside the regulation. This is why, as the American Banker and others have put it well, for community financial institutions, QM means quitting mortgages.

Thankfully, Mr. Speaker, this commonsense legislation that we are considering today offers a real opportunity to change this. In short, the bill provides a very reasonable tradeoff for financial institutions.

Should an institution decide to hold a mortgage in portfolio and retain the risk of default on its balance sheet, the institution receives the legal protections that are otherwise afforded by the QM rule.

On the other hand, if that institution decides not to hold the mortgage in portfolio, sells it in the secondary market and does not retain the risk, the institution does not receive those legal protections.

By providing this option, the legislation will allow institutions to meet the credit demands of their consumers while incentivizing them to ensure that potential borrowers can meet the monthly obligations of a mortgage.

In other words, it properly realigns the risk, facilitates effective underwriting by lenders, and ensures that mortgages will be readily available for deserving homebuyers.

Mr. Speaker, let's pass this legislation so we can help transform community through home ownership.

I urge my colleagues to support the bill.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY), the vice chair of the Congressional Progressive Caucus and a member of the Energy and Commerce Committee.

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentlewoman for yielding and for her leadership to protect consumers.

H.R. 1210 would allow the largest banks in the country to deal in the types of predatory and risky loans

which brought down Washington Mutual, Wachovia, Countrywide, Lehman, Bear Stearns and, eventually, the entire economy.

It undermines one of the most important titles of the Dodd-Frank Act and one of the most significant consumer protection rules implemented by the Consumer Financial Protection Bureau.

Furthermore, this bill contains a provision which explicitly allows mortgage brokers to steer borrowers to riskier, more expensive loans, regardless of what they qualify for.

Some supporters of this bill think that, if banks hold these loans and, therefore, their risks in their own portfolios, they will be careful not to originate bad loans, but this isn't true. It is not true.

Several portfolio lenders went under during the crisis due to a failure to underwrite loans because they were focused on short-term benefits of upfront fees rather than the long-term performance of the mortgages that they originated.

Investment banks also chased these short-term profits and bought up risky derivatives based on loans that were poorly underwritten without due diligence.

More importantly, this bill does not change what types of loans a bank is allowed to make. It just removes consumer protections from the riskiest subprime loans.

The CFPB's ability to repay rule is the only line of defense against predatory mortgage practices that brought down the economy and destroyed billions in homeowners' wealth, and it is working.

Under the new mortgage rules, defaults are down and lending to minorities is up. Last quarter had the most loan originations since the third quarter of 2007. The rules are protecting consumers while also fostering competition among banks and growing the economy.

We should not change a rule that is working. If it ain't broke, don't fix it.

Mr. HENSARLING. Mr. Speaker, may I inquire how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from Texas has 12½ minutes remaining. The gentlewoman from California has 17 minutes remaining.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. Mr. Speaker, I thank the gentleman for yielding.

The great American philosopher Ron White has a saying, and it says, "You can't fix stupid." So I guess that is the reason we can't fix the QM rule that has come from the CFPB because it is stupid.

Here is the reason why. Why would we not want to give a bank or a credit union the ability to loan somebody

money when they are taking 100 percent of the responsibility for the person to pay back that loan?

That is exactly what H.R. 1210 does. It says that a small bank, a community bank, or credit union—I don't really care who it is—is willing to put up their own money to somebody that they may know in their community that might not have the ability to have credit otherwise to be able to buy a house.

I had that personal experience. Before I went in the building business, the only thing that I had was a home. So I went and I paid about 13 percent interest. I probably paid a number of points at closing to be able to open up my building business. In doing that, I was able to do that and I was able to pay back that loan. But had these rules been in effect, that would not have been possible to do.

There are other Americans and there are other people out there waiting to get their foothold in society by buying a house, becoming part of the American Dream. And, to me, part of that dream is home ownership.

So the philosopher is right. You can't fix stupid.

The CFPB has come up with many stupid rules, but I have got to give this one the crown, because why we would want to keep people from having credit and the ability to prosper and to move on and to grow in their life and provide shelter for their family is beyond me.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield as much time as he may consume to the gentleman from Minnesota (Mr. ELLISON).

□ 1600

Mr. ELLISON. Mr. Speaker, I thank the gentlewoman for the time.

Mr. Speaker, I just want to say that the fact is that 2008 was a horrendous time here in Congress, but it was even worse across America. You can go into neighborhoods not just in my district in Minnesota but all over the country—Florida, Arizona, and California—all over the country, and the foreclosure crisis was wreaking havoc from sea to shining sea. Why? Because of poor underwriting standards. Why else? Because we didn't require much of anything to prove that people could pay a loan back.

I remember these days, and I remember them so well that I am not really one to want to return to them right away. I think Congress has a duty to protect homeowners and protect consumers from predatory lenders. I vividly recall panic. I vividly recall the loss in property values, and I vividly recall the exploding unemployment numbers. I remember the calls from homeowners in my district facing foreclosure.

In Hennepin County, which is the county in which Minneapolis is located, we had more than 35,000 foreclosures since 2007. In many cases,

these home buyers were sold loans with predatory terms even though they qualified for better mortgages. They were literally steered to bad mortgages.

I have talked to people both young and elderly, people who had English as a second language, and people who have been born speaking English their whole lives, in fact, a diverse group of people who were steered to cash-out refinancing that stripped them of their wealth and left them homeless.

We acted to stop these predatory practices, and I am proud that we did. Dodd-Frank was good legislation to try to stop these irresponsible practices. We passed the Dodd-Frank Wall Street Reform and Consumer Protection Act and created a standard mortgage, one that we call a qualified mortgage. This is a good step. It was wise to create a nice, boring mortgage loan product. It was a good idea.

Qualified loans must not at the time of origination be interest only or negatively amortizing, have a term longer than 30 years, be a no-income, no-documentation loan, also known as liar loans, be a balloon loan, have a cap on fees and points, and leave the borrower with a debt-to-income ratio of greater than 43 percent.

These are commonsense requirements, and if you get a loan like this, it is probably going to be fine. These commonsense requirements are going to enable sustainable homeownership and allow people to maintain that American Dream that they have been hoping for and saving for for so long.

The fact is, we remember when we had yield spread premium. We remember no-doc, NINJA loans. We remember these interest-only loans and negative amortization. These things were ruinous and harmed the American working and middle classes. These commonsense requirements—these commonsense requirements—are what we should do.

Here we are today. H.R. 1210 seeks to repeal these protections. They want to take us back in time. They want to put us at risk and tender mercies again. The fact is, it is a huge mistake.

H.R. 1210 would allow banks with assets up to \$1 trillion to seek mortgage brokers to issue the kinds of exotic products which caused the financial collapse.

Even before the ink on the Dodd-Frank Wall Street Reform bill was dry, there were people trying to undermine it. Even before we even implemented the rules, all the rules from Dodd-Frank have not even been in place yet, we are trying to change it and undermine it, really to kick the door open so that the American working and middle class can be at the tender mercies of unscrupulous lenders again. That is not to say that all home lenders are unscrupulous. Many are good. But it doesn't take that many to really ruin the industry.

These changes that H.R. 1210 proposes would encourage lenders to make loans that are not in the best interest of the home buyer, and this I have to stand against. But I am not by myself. Not only does our ranking member know that this is a bad idea—and many Members of this body—but also the National Association for the Advancement of Colored People, the NAACP, is well aware this is bad legislation. The Leadership Conference on Civil and Human Rights knows it. Americans for Financial Reform knows it. And the Consumer Federation of America and dozens more are opposing this piece of legislation.

Some argue that because these loans will be held in the portfolio of the lender, they will be high quality loans. This is not true. This is a faulty assumption, and it is wrong. They miss the whole point of the qualified mortgage rule enacted in the Dodd-Frank Wall Street Reform and Consumer Protection Act. Mortgage rules are designed to provide safeguards that would create a safer mortgage product for the borrowers. Simply keeping a loan in a portfolio is not necessarily a substitute for the type of sound underwriting mortgage rules are designed to establish.

There is ample evidence that predatory loans can and have been held in portfolio. Some of the largest mortgage lenders that failed during the financial crisis were large portfolio lenders like Countrywide, Washington Mutual, and Wachovia. These lenders can still make money on defaulted loans. During the 3 years before the crisis, 70 percent of subprime loans were refinanced loans, Mr. Speaker, not purchased loans. With refis, borrowers bring the equity to the table. If the bank charges upfront fees and recovers the money from a foreclosure, predatory loans can be profitable even if they default. The same is true for predatory purchase loans when home values aren't falling. And that is why we are going to stand here and protect home buyers.

Mr. Speaker, I want to urge all Members of this body to vote “no” on H.R. 1210. And just remember, it has only been a few years since we passed Dodd-Frank. It has only been not even a decade since the financial crisis that really, really caused tremendous havoc to the American working and middle classes. After the Great Depression of the 1930s, at least it took them a couple of decades before they tried to dismantle all the financial protections. They haven't even taken a single decade. They are back at it again and fighting tooth and nail to leave the American working and middle class at the tender mercies of people who have nothing but the profit motive in mind.

Mr. Speaker, I urge Members to vote “no” on this piece of legislation. It is not worthy, and I urge a strong “no” vote.

Mr. HENSARLING. Mr. Speaker, I yield 30 seconds to the gentleman from Kentucky (Mr. BARR), the sponsor of the bill.

Mr. BARR. Mr. Speaker, it is important to respond to the rhetoric from the other side because I don't think they are really understanding what we are trying to do here. What we are not talking about are the predatory, abusive, and risky loans that they are referring to. That is not what we are talking about here. We are not talking about opaque subprime securitizations. We are not talking about the GSE exemption to the qualified mortgage rule.

By the way, Mr. Speaker, where is the outrage with the FHFA, the regulator of Fannie Mae and Freddie Mac, for not prohibiting Fannie Mae, Freddy Mac, and the GSEs from buying these non-QM mortgages that they are complaining about? What we are talking about are portfolio loans where the risk is on the shareholder, not on the taxpayer.

Ms. MAXINE WATERS of California. Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. PITTENGER).

Mr. PITTENGER. Mr. Speaker, I congratulate my good friend from Kentucky (Mr. BARR) for his leadership on this important bill for consumers.

Mr. Speaker, I rise in support of H.R. 1210, the Portfolio Lending and Mortgage Access Act. Since the creation of the Consumer Financial Protection Bureau, it seems that all they have done is make it more difficult for businesses to grow and create jobs and to restrict choices for consumers. America needs an opportunity economy not hampered with massive bureaucratic regulations.

The CFPB's qualified mortgage rule is anti-opportunity. It does nothing but force overly burdensome underwriting requirements on hardworking American families and community financial institutions, making it harder for creditworthy individuals to buy a home they can afford to keep.

The Independent Community Bankers Association reports that 73 percent of community bankers have decreased their mortgage business or completely stopped providing mortgage loans due to the expense of complying with this regulatory burden.

Mr. Speaker, I sat on a community bank board for over 10 years. We knew who was creditworthy. We had personal relationships with our customers. We knew their character. Today, Mr. Speaker, it is one size fits all.

We understand the nature of loans and extending credit. Yet what is required today is a box to check. If you can't check all the boxes, you won't get a loan. The regulators today, just like they did before the crisis, are putting mandates on community financial

institutions, whom you can loan money to and whom you can't loan money to. This type of excessive regulation is what is killing the opportunities and choices for the American consumers.

Since I have been in Congress, I regularly hear how Washington's red tape prevents community financial institutions from serving their customers' needs. H.R. 1210 goes a long way to ensure community banks and credit unions, who know their customers and communities, are able to serve hard-working American families, and they should not be impeded by needless and misguided meddling of Washington bureaucrats.

Ms. MAXINE WATERS of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. TIPTON).

Mr. TIPTON. I thank the chairman.

Mr. Speaker, I would like to thank my colleague from Kentucky, Representative BARR, for offering this piece of legislation.

This bipartisan Portfolio Lending and Mortgage Access Act responsibly expands access to mortgage credit without creating additional risk to the financial system or to the taxpayer. By allowing insured depository institutions to hold residential mortgage loans in portfolio and have them treated as qualified mortgages, this bill encourages strong underwriting standards for lenders while also giving access to credit for young families and first-time home buyers. These are people who may not otherwise be able to meet the ability to repay requirements.

Existing mortgage rules are overly restrictive and have made it difficult and, in some cases, impossible for banks to be able to make otherwise safe and sound loans to creditworthy borrowers. This bill puts the "community" back in community lending.

Mr. Speaker, in my district and many others across the U.S., access to mortgage credit is crucial. Unfortunately, many smaller community banks have been forced to stop mortgage lending since they could not afford the expensive compliance and personnel associated with those costs. They simply made too few mortgage loans to be able to cover their costs. In rural areas, this is a significant problem because customers often do not have the alternative to find a lender to be able to approach for mortgage products.

Thankfully, this legislation promotes the type of lending that will boost the housing market in a safe and responsible manner without taxpayer exposure. Portfolio lending is among the most traditional and lowest risk lending in which a bank can engage. Loans held in portfolio are well underwritten

and conservative by their very nature since the lender retains 100 percent of the credit and interest rate risk on their own books.

Mr. Speaker, I am happy to lend my support to this bill and encourage my colleagues to be able to support this commonsense measure. Again, I thank the gentleman from Kentucky for his efforts on this bill.

Ms. MAXINE WATERS of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. HILL).

Mr. HILL. I thank the chairman.

Mr. Speaker, I rise in support of H.R. 1210, the Portfolio Lending and Mortgage Access bill, designed by my good friend from Kentucky.

We have seen in Arkansas loan approval rates decline significantly since the QM rules were put in place. One bank noted a 40 percent decline in eligible borrowers.

Today, I just want to tell a story. A community banker in my district called this week and said that he has a customer that from time to time just needs catch-up money, money to catch up on bills, medical expenses, or to help out her kids. But her credit score is in the low range of acceptable, and therefore, she doesn't qualify for unsecured credit, and therefore, she uses the equity in her house. She has been doing it for years and paid back those lines over and over again with no problems.

Now she has to go through the ability-to-repay process, which is long and arduous and, unfortunately for her, leading to mistrust between a long-term client and her hometown bank.

As a former chairman, CEO, and president of a community bank in Arkansas, I can assure you that members of our boards of directors across this country scrutinize all portfolio loans, both those that are sold and those kept on the books. But there is no better incentive than to have good underwriting and to ensure the customer has the ability to repay the loan held on the balance sheet of one of our financial institutions.

That is what we are talking about here today.

Community institutions know best how to serve their communities and their clients—not Washington.

Mr. Speaker, I urge my colleagues to support this commonsense bill.

□ 1615

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. POLIQUIN).

Mr. POLIQUIN. Mr. Speaker, I thank the chairman.

Mr. Speaker, I am still scratching my head. I am still scratching my head at some of the folks on the other side of the aisle. I have no idea why they do

not want to help those folks that are less fortunate than others in this country.

This is an opportunity, Mr. Speaker, for all of us in this Chamber, Republicans and Democrats, to step forward and show some compassion for folks that want to live in their own home.

I urge all of my colleagues right here today to support H.R. 1210, and I salute Mr. BARR from Kentucky for the hard work that he did to put this Portfolio Lending and Mortgage Access Act together. I also thank Chairman HENSARLING for his leadership in bringing this out of the committee and to the floor.

I enjoy, Mr. Speaker, traveling through my Second District in Maine, the most beautiful part of the world, and I love talking to our small credit unions and community banks. I talk to the folks up at the Maine Family Credit Union in Lewiston or the Bangor Savings Bank, and they tell me how difficult it is to navigate through this huge, complex, 2,300-page Dodd-Frank law that is preventing them from lending money to families who are credit-worthy and who deserve these loans.

One specific part of the Dodd-Frank law, Mr. BARR's bill addresses. It is called the qualified mortgage rule, or QM. This is a one-size-fits-all rule that does not work for many of the families in Maine.

Now, let's say you are a lobster fisherman in the down east part of our State and you want to borrow money from the Machias Savings Bank to buy a new home because you have a couple of new kids and you need a new bathroom, but your monthly income, Mr. Speaker, may vary depending on when you set your traps, when you pull your traps, and when you sell your catch to a dealer. Now, what the regulators want is they want to see a smooth, equal 12 mortgage payments to repay that loan; but that might not be the case, Mr. Speaker, because your job doesn't work that way.

The SPEAKER pro tempore (Mr. YODER). The time of the gentleman has expired.

Mr. HENSARLING. I yield the gentleman from Maine an additional 10 seconds.

Mr. POLIQUIN. In addition to that, Machias Savings Bank may have known your family for 50 years. Now, on top of this, Mr. Speaker, the bank takes all the risk. They own the load. So, God forbid, if a storm comes up and sinks your traps and your boat in the harbor and you can't make those loan payments, there is no risk to the market because the bank owns the loan.

I ask everybody, Mr. Speaker, to stand up and show compassion for the folks around this country who want to buy a home and do qualify for these loans.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Proponents of H.R. 1210 argue that if banks keep loans in portfolio, they have every incentive to make sure those mortgages are sustainable and good for both the bank and the borrowers. Therefore, loans held in portfolio should automatically receive the CFPB's legal safe harbor under the qualified mortgage rule. This simply ignores the history of the recent crisis. How can banks benefit from loans that are unsustainable in the long term?

Let's look at how it really works:

Step one, underwrite a mortgage with high, up-front fees. Though an honest broker may charge a 1 percent fee, a Better Business Bureau study from just before the crisis showed mortgage brokers often making 5 percent in up-front fees. On a \$200,000 mortgage, that is \$10,000 just for one loan. Other examples are appraisal fees, escrow fees, settlement fees, homeowners insurance. These fees could go back to the loan originator on an unlimited basis, and originators could still have legal protection under H.R. 1210.

Step two, protect your bank from consumer defaults by requiring expensive private mortgage insurance.

Step three, underwrite a large number of loans so that the fees add up—volume churn, volume churn. This has the added benefit of keeping regional home prices high by flooding the market with buyers.

Step four, refuse to offer loan modifications. Banks can divest from loss mitigation processes and keep the profits from the high up-front fees and mortgage volumes.

Step five, foreclose on the borrower and prevent them from suing the lender for lending violations. Once the borrower defaults, the lender can then repossess the collateral. If home prices have risen, they can sell the home for a profit all the while keeping their up-front fees. Meanwhile, H.R. 1210 would provide the lenders with a legal shield against CFPB enforcement or private fair lending litigation.

Over and over, Republicans have attacked the CFPB and the important protections it provides to American consumers. Yet again, we are wasting time on the floor considering a bill the President has already pledged to veto when we could be doing other important business.

What this bill does is very simple. It forgets all of the lessons of the financial crisis of 2008 and allows the country's biggest banks to put consumers and the economy at risk by bringing back complex, high-cost mortgages. The bill resurrects a practice that allows mortgage brokers to receive bonuses from the big banks in exchange for steering consumers into expensive, risky loans.

After the financial crisis, the Department of Justice investigated these practices and found that minority com-

munities were sought out by mortgage brokers and targeted for risky loans, even in the cases where the borrowers were qualified for prime loans. These are the same types of loans that destroyed the life savings of millions of Americans that ended up in foreclosure.

And then when I studied foreclosure practices at the largest banks, I discovered that the same banks that made these mortgages were also guilty of robo-signing. Remember that? Robo-signing, wrongfully foreclosing on families that were up to date on their payments and fabricating paperwork to defraud consumers.

The Dodd-Frank Act and the CFPB have reined in these predatory practices, yet I have had to come down to the floor over and over again to defend our work eliminating fraud in the financial system. We have already seen what happens when regulators do not do their jobs: consumers are left on the hook. We must defend the work we have done in the Dodd-Frank Act and the important work that CFPB continues to do. So certainly I urge a "no" vote on this legislation.

It has been said over and over again by this side of the aisle that it appears that my colleagues on the opposite side of the aisle are forgetting the lessons of 2008, forgetting what happened when we brought this country to a recession, almost a depression, forgetting the communities that have been destroyed with these foreclosures, forgetting these lessons, and coming back to the Congress of the United States disregarding all of the harm that we have caused to families and communities and presenting legislation that could put them back in the same position.

Well, we wonder why our constituents and consumers don't trust us anymore. They don't trust us because of these kinds of attempts to present public policy that again could harm our economy and harm these families and these communities. They wonder why it is we continue down this path.

We bailed out the biggest banks in America. We bailed out big insurance companies in America. We took the taxpayers' money, and we literally said to the people who had caused the harm: We forgive you. It is okay. We are going to make sure you stay in business. We are going to make sure that you have the ability to make money.

And while the taxpayers watch this, still many are reeling from the loss of their homes. And homelessness has increased in my own city of Los Angeles, over 12 to 15 percent increase in homelessness. Some of those families are there because they are victims of the predatory practices that we allowed our regulators to turn their heads and bring harm to these families and these communities.

I don't understand why you don't understand simply ability to repay. I

don't understand why you would simply say let the biggest banks in America have portfolio loans if they don't have to be worried about qualified mortgages. I don't get it.

Why don't you err, if you are going to err, on the side of the consumer? What is it about the biggest financial institutions in America that can promote this kind of public policy and have so many Members, particularly on the opposite side of the aisle, doing their bidding? I don't get it. I don't understand, and I don't understand why many of your constituents don't really know what is going on.

Mr. Speaker, this is not easy work. As you know, working on the Financial Services Committee is extremely difficult and time-consuming work.

Here we are divided: one side of the aisle going back to the risky days, another side of the aisle protecting the Consumer Financial Protection Bureau and saying that we have to protect that Bureau no matter how much you attack it.

Again, I want to remind you, before Dodd-Frank and this centerpiece that was organized for reform, where we created the Consumer Financial Protection Bureau, think about the name—Consumer, Financial, Protection, Bureau—protecting those who had been dropped off the protection agenda by our own regulators.

So we created something, and we named it in such a way that consumers and our constituents would understand that we are sorry for what happened to them and we don't like the fact that we almost destroyed this economy. We support the Consumer Financial Protection Bureau. We will not go back to those days prior to 2008; and, whether you like it or not, this Bureau is here to stay, and we are going to defend it with every ounce of energy that we have.

I yield back the balance of my time. Mr. HENSARLING. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Texas has 2¼ minutes remaining.

Mr. HENSARLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I find it fascinating that the ranking member says "we have to protect the CFPB," the very same CFPB that the Federal Reserve's inspector general says, "minorities underrepresented in upper pay bands"; the very same CFPB, "minority applicants not hired in proportion to qualifications." She wants to protect the CFPB where "minority employees receive lower performance ratings," wants to protect a qualified mortgage rule which the Federal Reserve says one-third of Blacks and Hispanics will no longer be able to qualify for mortgages. Yet the ranking member says we have to protect CFPB.

No, we have to protect the American people from CFPB, the CFPB that is trying to take away their mortgages.

I hear almost every week from some credit union or community bank, like the First Arkansas Bank and Trust, who wrote:

"Our bank has a long history of helping consumers, especially those who, for some reason, cannot qualify for secondary market financing at the time. Due to the fact that this type of financing is now overly burdened by the qualified mortgage standards, we have ceased this type of financing."

This includes for mobile homes. That is low-income people, Mr. Speaker.

We hear from the Reading Cooperative Bank, "We have experienced a spike in loan declines to women," for their investigation identified that women attempting to buy the family home to settle their divorce and stabilize their family were being declined at a high rate due to the Dodd-Frank qualified mortgage rules and ability to pay.

□ 1630

We hear this stuff all the time. We have to protect the consumer, and we protect the consumer by having competitive, transparent, innovative free markets that are vigorously policed for force and fraud and deception. It is not by having this vaunted CFPB. I am shocked that we have the ranking member again talking about discrimination, but, apparently, it is okay if the CFPB practices it. That is outrageous, Mr. Speaker. It is simply outrageous. The American people will not abide by it.

We have to protect the American consumers in their opportunity for the American Dream of homeownership. That is why every single Member should vote for the legislation from the gentleman from Kentucky, which is so simple. It says, if you make the loan and you keep your books, it is a qualified mortgage, and you have your shot at the American Dream. I urge the adoption of the legislation.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate on the bill has expired.

The Chair understands that the amendment made in order pursuant to the first section of House Resolution 529 will not be offered.

Pursuant to the rule, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. THOMPSON of California. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. THOMPSON of California. I am, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Thompson of California moves to recommit the bill H.R. 1210 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Page 2, line 5, strike "and" at the end.

Page 2, line 8, strike the period at the end and insert "; and".

Page 2, after line 8, insert the following:

"(iii) the consumer is not a veteran or a member of the Armed Forces."

Page 3, line 3, strike "and" at the end.

Page 3, line 7, strike the period at the end and insert "; and".

Page 3, after line 7, insert the following:

"(C) the consumer is not a veteran or a member of the Armed Forces."

Mr. THOMPSON of California (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HENSARLING. Mr. Speaker, I reserve a point of order on the gentleman's motion.

The SPEAKER pro tempore. A point of order is reserved.

Pursuant to the rule, the gentleman from California is recognized for 5 minutes in support of his motion.

Mr. THOMPSON of California. Mr. Speaker and Members, the bill on the floor before us is a rotten deal for all consumers, but it is especially bad for our servicemembers.

When you are a servicemember, you are often forced to relocate with little notice. That puts our men and women in uniform under tremendous pressure to obtain housing for themselves and for their families, all the while managing the enormous duties that military service requires. It is a lot to handle. We know this and so do the financial predators. That is why we often see them setting up shop around our military bases.

If a servicemember is targeted and sold a bad mortgage, why don't the authors of this bill want to allow them some recourse to make things right?

As a combat veteran, I understand the pressures placed on our military. Our men and women in uniform often don't have the time to investigate mortgages in detail. They have to trust that no one is taking advantage of them. The problem is people often do take advantage of them. It is a despicable practice that is matched only by the majority's bill, which denies them the opportunity to sue the predatory lender to make things right.

My amendment would change this. It would allow any servicemember or veteran to sue a predatory lender regardless of who holds the loan. The mere fact that a predatory lender holds a

bad mortgage shouldn't prevent servicemembers from being able to take action to make things right.

I know my colleagues on the other side are going to vote to deny protections to your average, hard-working American family who had the bad fortune of being sold a bad mortgage; but at the very least, let's exempt servicemembers from this bill. We ask enough of them already.

Reports from the Department of Defense have noted that financial stress can affect a servicemember's performance and combat readiness. And a DOD report specifically states: "Forty-eight percent of enlisted servicemembers are less than 25 years old, have little experience managing their finances, and have little in savings to help them through emergencies."

Yet, on the heels of Veterans Day, when Member after Member came to the floor to praise our veterans, this majority wants to return 7 days later and put predatory lenders ahead of our men and women in uniform. Their bill limits consumer protections for servicemembers. It hurts our Armed Forces, and it hurts their families. It increases strain on people who already volunteer for a stressful, dangerous job; and it reduces combat readiness.

Let's not forget all we pledged just a week ago on Veterans Day. Let's put our policy in line with our rhetoric. Let's protect our troops. Let's protect their families. Let's protect our country. I urge my colleagues to vote "yes" on this motion to recommit.

I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of the point of order is withdrawn.

Mr. HENSARLING. Mr. Speaker, I claim the time in opposition to the gentleman's motion.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Speaker, I certainly salute the gentleman for his service to our country in uniform and for his service to our country in Congress.

Although I applaud his service, I do not applaud what he is bringing before the House in this motion to recommit, because what his motion to recommit will do, regardless of what he says it will do, is hurt veterans. It will hurt their homeownership opportunities.

I don't know if the gentleman was on the floor when I shared with the House correspondence from just two community financial institutions that were saying that they can't make mortgage loans anymore under this QM rule. We know for a fact that, when fully implemented, 20 percent of the people who qualified for mortgages just 5 years ago—after the financial crisis—would

no longer qualify, many of them veterans. We know the Federal Reserve has said that, when the QM rule is fully functional, one-third of all Blacks and Hispanics, many of them veterans, will not be able to qualify for mortgages.

Again, it is why so many in the industry are calling “QM” not “qualified mortgage,” Mr. Speaker, but “quitting mortgages.” We don’t want banks and credit unions to be quitting on mortgages for our brave men and women in uniform. They deserve the same homeownership opportunities. Frankly, they deserve better homeownership opportunities than the rest of the population.

I would urge that the House reject this motion to recommit because, at the end of the day, what is going to be best for our veterans—what is going to be best for the American people—is more competition in the mortgage market, not less, not taking away their financing opportunities, particularly those who are of low income and particularly our veterans. No. We want to have competitive, transparent, innovative markets. They need to be policed for force and fraud and deception. We want as many different financial institutions creating as many opportunities for homeownership for the American people and for our veterans as possible. I would urge the House to reject this motion to recommit.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. THOMPSON of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and passage of H.R. 1737.

The vote was taken by electronic device, and there were—yeas 184, nays 242, not voting 7, as follows:

[Roll No. 635]

YEAS—184

Adams	Bustos	Clyburn
Aguilar	Butterfield	Cohen
Ashford	Capps	Connolly
Bass	Capuano	Conyers
Beatty	Cardenas	Cooper
Becerra	Carney	Costa
Bera	Carson (IN)	Courtney
Beyer	Cartwright	Crowley
Bishop (GA)	Castor (FL)	Cuellar
Blumenauer	Castro (TX)	Cummings
Bonamici	Chu, Judy	Davis (CA)
Boyle, Brendan	Cicilline	Davis, Danny
F.	Clark (MA)	DeGette
Brady (PA)	Clarke (NY)	Delaney
Brown (FL)	Clay	DeLauro
Brownley (CA)	Cleaver	DelBene

DeSaulnier	Kirkpatrick
Deutch	Kuster
Dingell	Langevin
Doggett	Larsen (WA)
Doyle, Michael	Larson (CT)
F.	Lawrence
Duckworth	Lee
Duncan (TN)	Levin
Edwards	Lewis
Ellison	Lieu, Ted
Engel	Lipinski
Eshoo	Loeb
Esty	Lofgren
Farr	Lowenthal
Fattah	Lowe
Frankel (FL)	Lujan Grisham
Fudge	(NM)
Gabbard	Lujan, Ben Ray
Gallego	(NM)
Garamendi	Lynch
Graham	Maloney,
Grayson	Carolyn
Green, Al	Maloney, Sean
Green, Gene	Matsui
Grijaiva	McDermott
Gutierrez	McGovern
Hahn	McNerney
Hastings	Meeks
Heck (WA)	Meng
Higgins	Moore
Himes	Moulton
Hinojosa	Murphy (FL)
Honda	Nadler
Hoyer	Napolitano
Huffman	Neal
Israel	Nolan
Jackson Lee	Norcross
Jeffries	O'Rourke
Johnson (GA)	Pallone
Johnson, E. B.	Pascarella
Jones	Payne
Kaptur	Pelosi
Keating	Perlmutter
Kelly (IL)	Peters
Kennedy	Peterson
Kildee	Pingree
Kilmer	Pocan
Kind	Polis

NAYS—242

Abraham	Curbelo (FL)	Hensarling
Aderholt	Davis, Rodney	Herrera Beutler
Allen	Denham	Hice, Jody B.
Amash	Dent	Hill
Amodei	DeSantis	Holding
Babin	DesJarlais	Hudson
Baird	Diaz-Balart	Huelskamp
Barr	Dold	Huizenga (MI)
Barton	Donovan	Hultgren
Benishek	Duffy	Hunter
Billrakis	Duncan (SC)	Hurd (TX)
Bishop (MI)	Ellmers (NC)	Issa
Bishop (UT)	Emmer (MN)	Jenkins (KS)
Black	Farenthold	Jenkins (WV)
Blackburn	Fincher	Johnson (OH)
Blum	Fitzpatrick	Johnson, Sam
Bost	Fleischmann	Jolly
Boustany	Fleming	Jordan
Brady (TX)	Flores	Joyce
Brat	Forbes	Katko
Bridenstine	Fortenberry	Kelly (MS)
Brooks (AL)	Fox	Kelly (PA)
Brooks (IN)	Franks (AZ)	King (IA)
Buchanan	Frelinghuysen	King (NY)
Buck	Garrett	Kinzing (IL)
Bucshon	Gibbs	Kline
Burgess	Gibson	Knight
Byrne	Gohmert	Labrador
Carter (GA)	Goodlatte	LaHood
Carter (TX)	Gosar	LaMalfa
Chabot	Gowdy	Lamborn
Chaffetz	Granger	Lance
Clawson (FL)	Graves (GA)	Latta
Coffman	Graves (LA)	LoBiondo
Cole	Graves (MO)	Long
Collins (GA)	Griffith	Loudermilk
Collins (NY)	Grothman	Love
Comstock	Guinta	Lucas
Conaway	Guthrie	Luetkemeyer
Cook	Hanna	Lummis
Costello (PA)	Hardy	MacArthur
Cramer	Harper	Marchant
Crawford	Harris	Marino
Crenshaw	Hartzer	Massie
Culberson	Heck (NV)	McCarthy

Price (NC)	McCaul
Quigley	McClintock
Rangel	McHenry
Rice (NY)	McKinley
Richmond	McMorris
Roybal-Allard	Rodgers
Ruiz	McSally
Rush	Meadows
Ryan (OH)	Meehan
Sanchez, Linda	Messer
T.	Mica
Sanchez, Loretta	Miller (FL)
Sarbanes	Miller (MI)
Schakowsky	Moolenaar
Schiff	Mooney (WV)
Schrader	Mullin
Scott (VA)	Mulvaney
Scott, David	Murphy (PA)
Serrano	Neugebauer
Sewell (AL)	Newhouse
Sherman	Noem
Sires	Nugent
Slaughter	Nunes
Smith (WA)	Olson
Speier	Palazzo
Swalwell (CA)	Palmer
Takano	Paulsen
Thompson (CA)	Pearce
Thompson (MS)	Perry
Titus	Pittenger
Tonko	Pitts
Torres	Poe (TX)
Tsongas	Poliquin
Van Hollen	Pompeo
Vargas	Posey
Veasey	Price, Tom
Vela	
Velázquez	
Visclosky	
Walz	
Wasserman	
Schultz	
Waters, Maxine	
Peters	
Watson Coleman	
Welch	
Wilson (FL)	
Yarmuth	

Ratcliffe	Stefanik
Reed	Stewart
Reichert	Stivers
Renacci	Stutzman
Ribble	Thompson (PA)
Rice (SC)	Thornberry
Rigell	Tiberi
Roby	Tipton
Roe (TN)	Trott
Rogers (AL)	Turner
Rogers (KY)	Upton
Rohrabacher	Valadao
Rokita	Wagner
Rooney (FL)	Walberg
Ros-Lehtinen	Walden
Roskam	Walker
Ross	Walorski
Rothfus	Walters, Mimi
Rouzer	Weber (TX)
Royce	Webster (FL)
Russell	Wenstrup
Salmon	Westerman
Sanford	Westmoreland
Scalise	Whitfield
Schweikert	Williams
Scott, Austin	Wilson (SC)
Sensenbrenner	Wittman
Sessions	Womack
Shimkus	Woodall
Shuster	Yoder
Simpson	Yoho
Sinema	Young (AK)
Smith (MO)	Young (IA)
Smith (NE)	Young (IN)
Smith (NJ)	Zeldin
Smith (TX)	Zinke

NOT VOTING—7

Calvert	Hurt (VA)	Takai
DeFazio	McColum	
Foster	Ruppersberger	

□ 1707

Messrs. FARENTHOLD, CARTER of Georgia, KELLY of Mississippi, FRANKS of Arizona, and DOLD changed their vote from “yea” to “nay.”

Mr. BECERRA, Ms. KAPTUR, Mrs. KIRKPATRICK, Ms. LOFGREN, and Mr. RUSH changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. MCCOLLUM. Mr. Speaker, on rollcall No. 635, had I been present, I would have voted “yes.”

Mr. FOSTER. Mr. Speaker, on rollcall No. 635, had I been present, I would have voted “yes.”

Stated against:

Mr. HURT of Virginia. Mr. Speaker, I was not present for rollcall vote No. 635, a recorded vote on the Motion to Recommit with instructions on H.R. 1210. Had I been present, I would have voted “no.”

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HENSARLING. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 255, nays 174, not voting 4, as follows:

[Roll No. 636]

YEAS—255

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishkek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Boyle, Brendan
F.
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graham

Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo

Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Ribble
Rice (SC)
Rigell
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schradler
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—174

Adams
Aguilar
Bass
Beatty

Becerra
Bonamici
Beyer
Bishop (GA)

Blumenauer
Bonomi
Brady (PA)
Brown (FL)

Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
DeSaulnier
Deutsch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings

Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebach
Lofgren
Lowenthal
Lowey
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan

Norcross
O'Rourke
Pallone
Pascarella
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Renacci
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—4

DeFazio
Ruppersberger

Takai
Webster (FL)

□ 1714

So the bill was passed.
The result of the vote was announced
as above recorded.
A motion to reconsider was laid on
the table.

MOMENT OF SILENCE FOR VICTIMS OF BOMBINGS IN BEIRUT, LEBANON

(Mr. ISSA asked and was given permission to address the House for 1 minute.)

Mr. ISSA. Mr. Speaker, I join fellow Members of the Lebanon Caucus to request a moment of silence for the victims of the bombings in Beirut, Lebanon, on November 12, 2015, that claimed the lives of at least 43 people and injured over 200.

In addition to those lost in France on November 13, and in Egypt on October 31, almost 400 murders have been claimed by ISIS in the period of less than 2 weeks.

I invite my colleagues to join the gentleman from New York (Mr.

HANNA), my friend, who introduced the resolution today condemning the attack and showing our support for Lebanon.

I thank the Chair for this opportunity to remember the innocent lives lost at the hands of ISIS terrorists, and I urge the administration to do everything in its power to bring those responsible to justice.

Mr. Speaker, I ask for a moment of silence.

The SPEAKER pro tempore. Members will rise and observe a moment of silence.

REFORMING CFPB INDIRECT AUTO FINANCING GUIDANCE ACT

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on passage of the bill (H.R. 1737) to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 332, nays 96, not voting 5, as follows:

[Roll No. 637]

YEAS—332

Abraham
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Benishkek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Carter (GA)
Carter (TX)

Cartwright
Chabot
Chaffetz
Clawson (FL)
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Delaney
DeBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dingell
Dold
Donovan
Doyle, Michael
F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)

Emmer (MN)
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxy
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)

Heck (WA) McHenry
Hensarling McKinley
Herrera Beutler McMorris
Hice, Jody B. Rodgers
Higgins McSally
Hill Meadows
Hinojosa Meehan
Holding Meng
Hudson Messer
Huelskamp Mica
Huffman Miller (FL)
Huizenga (MI) Miller (MI)
Hultgren Moolenaar
Hunter Mooney (WV)
Hurd (TX) Mullin
Hurt (VA) Mulvaney
Israel Murphy (FL)
Issa Murphy (PA)
Jenkins (KS) Neugebauer
Jenkins (WV) Newhouse
Johnson (OH) Noem
Johnson, Sam Nolan
Jolly Norcross
Jones Nugent
Jordan Nunes
Joyce O'Rourke
Kaptur Olson
Katko Palazzo
Keating Palmer
Kelly (MS) Pascrell
Kelly (PA) Paulsen
Kildee Pearce
Kilmer Perlmutter
Kind Perry
King (IA) Peters
King (NY) Peterson
Kinzinger (IL) Pittenger
Kirkpatrick Pitts
Kline Poe (TX)
Knight Poliquin
Kuster Pompey
Labrador Posey
LaHood Price, Tom
LaMalfa Quigley
Lamborn Ratcliffe
Lance Reed
Larsen (WA) Reichert
Latta Renacci
Lawrence Ribble
Lieu, Ted Rice (NY)
Lipinski Rice (SC)
LoBiondo Rigell
Loeb sack Roby
Long Roe (TN)
Loudermilk Rogers (AL)
Love Rogers (KY)
Lucas Rohrabacher
Luetkemeyer Rokita
Lujan Grisham Rooney (FL)
Lujan, Ben Ray Ros-Lehtinen
(NM) Roskam
Lummis Ross
MacArthur Rothfus
Marchant Rouzer
Marino Royce
Massie Ruiz
McCarthy Russell
McCauley Ryan (OH)
McClintock Salmon
McDermott Sanchez, Loretta
Sanford

NAYS—96

Adams
Bass
Becerra
Blumenauer
Bonamici
Brown (FL)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Cohen
Conyers

Scalise
Schiff
Schradner
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kelly (IL)
Kennedy
Langevin
Larson (CT)
Lee
Levin
Lewis
Lofgren
Lowenthal
Lowe
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McGovern
McNerney

Meeks
Moore
Moulton
Nadler
Napolitano
Neal
Pallone
Payne
Pelosi
Pingree
Pocan

DeFazio
Eshoo

NOT VOTING—5

Ruppersberger
Takai
Whitfield

□ 1726

Ms. FRANKEL of Florida changed her vote from “yea” to “nay.”

Mr. TONKO and Ms. SLAUGHTER changed their vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. RUPPERSBERGER. Mr. Speaker, I was not able to vote today for medical reasons. Had I been present on rollcall vote 634, I would have voted “no.” Had I been present on rollcall vote 635, I would have voted “yes.” Had I been present on rollcall vote 636, I would have voted “no.” Had I been present on rollcall vote 637, I would have voted “yes.”

HOUR OF MEETING ON TOMORROW

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9:30 a.m. tomorrow.

The SPEAKER pro tempore (Mr. EMMER of Minnesota). Is there objection to the request of the gentleman from Texas?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3403

Mrs. LAWRENCE. Mr. Speaker, I ask unanimous consent to remove myself as a cosponsor of H.R. 3403.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

COMMUNICATION FROM DISTRICT DIRECTOR, THE HONORABLE SUSAN DAVIS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Jessica Poole, District Director, the Honorable SUSAN DAVIS, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 16, 2015.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules

of the House of Representatives, that I have been served with a non-party subpoena, issued by the Superior Court of California, County of San Diego, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

JESSICA POOLE,
District Director,
Congresswoman Susan Davis.

PERMISSION TO POSTPONE PROCEEDINGS ON MOTION TO RECOMMIT ON H.R. 3189, FED OVERSIGHT REFORM AND MODERNIZATION ACT OF 2015

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that the question of adopting a motion to recommit on H.R. 3189 may be subject to postponement as though under clause 8 of rule XX.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

□ 1730

FED OVERSIGHT REFORM AND MODERNIZATION ACT OF 2015

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and submit extraneous materials on the bill, H.R. 3189, to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 529 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3189.

The Chair appoints the gentleman from Kansas (Mr. YODER) to preside over the Committee of the Whole.

□ 1730

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3189) to amend the Federal Reserve Act to establish requirements for policy rules

and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes, with Mr. YODER in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of H.R. 3189, the FORM Act, to reform the Federal Reserve. It is sponsored by the gentleman from Michigan (Mr. HUIZENGA).

To paraphrase an old automobile advertising campaign, Mr. Chairman, this is not your father's Fed.

Since the financial crisis, the Federal Reserve has morphed into a government institution whose unconventional activities and vastly expanded powers would hardly be recognized by those who drafted the original act. Regrettably, commensurate transparency and accountability have not followed.

Since the financial meltdown of 2008, the Fed has carried out unprecedented rounds of asset purchases, known as quantitative easing; and its balance sheet has swollen to almost \$5 trillion, equal to one-fourth of the U.S. economy and almost five times its pre-crisis level.

We have had almost 7 years of near-zero interest rates, and the Fed's so-called forward guidance provides almost no guidance to investors on when rates might finally be normalized.

This ongoing uncertainty is a significant cause of businesses hoarding cash and postponing capital investments and community banks conserving capital and reducing lending.

Adding to the economic uncertainty, the Dodd-Frank Act granted the Fed sweeping new regulatory powers to directly intervene in the operations of large financial institutions. This is totally separate and apart from its monetary policy responsibilities, Mr. Chairman.

The Fed now stands at the center of Dodd-Frank's codification of too big to fail. With respect to these firms, the Fed is authorized to impose heightened prudential standards, including capital and liquidity requirements, risk management requirements, resolution planning, credit exposure report requirements, and concentration limits.

The Fed is even authorized on a vague, faint finding that if a financial

institution poses a grave threat to financial stability, to actually break up the firm.

In other words, Mr. Chairman, the Fed can now literally occupy the boardrooms of the largest financial institutions in America and influence how they deploy capital.

The Fed's monetary policy must be made clear and credible, and its regulatory activities must comport with the rule of law and bear public scrutiny. To accomplish this, the Fed Oversight Reform and Modernization Act, again, the FORM Act, authored by Congressman HUIZENGA, should be enacted into law.

Reform accountability and transparency, on the one hand, and independence in the conduct of monetary policy, on the other, are not mutually exclusive concepts.

The main reforms of the FORM Act are as follows: Number one, on monetary policy, the Fed must publish and explain with specificity the strategy it is following.

The FORM Act allows the Fed to choose any monetary policy, strategy, or rule it prefers, and it has the power to amend or depart from that rule whenever the Fed decides economic circumstances so warrant.

Whether the Fed chooses to conduct monetary policy based upon the Taylor rule developed by Stanford Economist John Taylor or whether they choose to conduct monetary policy based on a rousing game of rock-paper-scissors or any other rule or method, the Fed will retain the unfettered discretion to do that.

The FORM Act simply requires the Fed to report and explain its rule and its deviations from the standard benchmark to the rest of us.

Economic history clearly shows that, when the Fed employs a more predictable, rules-based monetary policy, more positive economic results will occur.

Some have opined that such a provision will compromise the Fed's monetary policy independence. It does not. The Fed again will retain unfettered discretion in the exercise of monetary policy.

Given that members of the Fed Board of Governors enjoy 14-year terms, second only to lifetime judicial appointments, and the Fed's budget is independent of congressional appropriations, it is almost inconceivable that Congress could impose upon the Fed's monetary policy independence.

On regulatory policy, as distinct from monetary policy, the format compels the Fed to conduct cost-benefit analysis for all its regulations. This is also known as common sense.

Under Dodd-Frank, the Fed is directed to publish upwards of 60 new regulations, some in conjunction with other agencies, but a cost-benefit analysis is not required. The Fed's failure

to carry out these studies results in excessive regulatory burdens on our small banks and businesses, which harms the economy.

Furthermore, under the FORM Act, the Fed will be required to issue formal regulations after providing for notice and comment for Dodd-Frank stress test scenarios and disclose resubmitted stress tests.

The Fed's authority to use stress tests to direct operations of financial institutions it deems systemically important puts government bureaucrats in a position of essentially dictating business models and operational objectives of private businesses. Yet, the Fed's implementation of stress testing is marked by a lack of transparency and a total disregard for the rule of law.

Given the secrecy surrounding the stress test, it is difficult for Congress and the public to assess either the effectiveness of the Fed's regulatory oversight or the integrity of their findings.

Again, under Dodd-Frank, vast powers have been expanded of the Fed. The Fed is not using a transparent monetary policy. Because of this, greater transparency, greater accountability is necessary. Otherwise, we may soon awake to discover that our central bankers have morphed into our central planners.

Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself 6 minutes.

Mr. Chairman, I rise today in strong opposition to H.R. 3189, a bill that would undermine the Federal Reserve's monetary policy independence, politicize its decisionmaking, curtail its ability to respond to a wide range of dynamic economic data, and weaken its ability to effectively carry out its regulatory responsibilities to promote the safety and soundness of our financial system.

Mr. Chairman, H.R. 3189, the Fed Oversight Reform and Modernization Act, should more appropriately be called the Eliminate the Federal Reserve's Ability to Support the American Economy and Promote Full Employment Act.

While no Federal agency is perfect and should be reflectively shielded from reform, this bill does not reflect a good faith effort to strengthen the Federal Reserve or hold it accountable to its mission, to keep inflation low and stable, and to promote full employment.

Rather, this bill is designed to put monetary policy on autopilot under a strict, rules-based approach subject to reviews and audits by the GAO.

This approach seeks to discourage monetary policymakers from considering the wide range of ever-changing economic data that is relevant to effective decisionmaking and would discourage the Fed from engaging in the

types of bold and forceful actions that have been so critical to our economy's recovery over the past 6 years.

As the largest economy in the world that is increasingly interconnected to a vast and complex global economy, the notion that we should be putting blinders on our central bank strikes me as a recipe for disaster. In fact, had the Federal Reserve taken the approach called for in the underlying bill during and in response to the recent financial crisis, economic performance would have been substantially worse.

As Federal Reserve Chair Janet Yellen put it in a letter to congressional leadership earlier this week, had the FOMC been compelled to operate under a simple policy rule for the past 6 years, the unemployment experience of that period would have been substantially more painful than it already was and inflation would have been even further below the FOMC's 2 percent objective.

But the straitjacket approach to monetary policy isn't the only reason to oppose this bill. H.R. 3189 includes a host of provisions that represent the latest Republican effort to block financial regulators from fulfilling their responsibility to promote the safety and soundness of our financial system as part of the Dodd-Frank Act.

In particular, this bill would impose unworkable cost-benefit analysis requirements that are designed to slow new rulemaking to a screeching halt and ensure the few that do get issued are tied up in court.

The bill also requires the Federal Reserve to make public and solicit comments on its stress test scenarios, a move that, while popular with the biggest banks, would undermine the effectiveness of the test, turning this valuable regulatory tool for assessing the health of the financial system into a useless exercise.

Finally, the Rules Committee print adds to the end of H.R. 3189 the text of H.R. 2912, a bill that would establish a partisan commission, with twice as many Republicans as Democrats, to review the Federal Reserve's conduct of monetary policy and recommend changes to its mandate as well as the specific instruments and operational regime to be used in achieving it.

The fact is, the Federal Reserve's current dual mandate and operational monetary policy independence have served the economy well. Such independence ensures that policy decisions are empirically driven rather than motivated by short-term political pressures while its clear objectives allow Congress to hold it accountable.

Operating under the current model, the Federal Reserve played a major role in ending the panic that gripped the financial sector in 2008 and, through its sustained efforts, has supported the creation of more than 13.3 million private sector jobs and cut the

unemployment rate in half since the height of the crisis, all while keeping inflation well below the target.

Frankly, I think it is a terrible idea to put those who thought shutting down the government was a good idea and who thought fiscal austerity would grow the economy in a position to micromanage our monetary policy, also.

Finally, I would be remiss if I failed to note that the Congressional Budget Office estimates that this bill will cost \$109 million over 10 years by forcing the Federal Reserve to jump through new rulemaking and administrative hoops.

To pay for this cost, the Rules Committee adopted an amendment that would raid \$60 billion from the Federal Reserve's surplus account, a buffer that inspires confidence in the central bank itself. Ironically, this is the very same fund that Republicans voted to eliminate just 2 weeks ago.

□ 1745

For all of these reasons, I would urge Members to join me in opposing this terrible legislation that would do enormous damage to our economy and the American people. I can't believe this bill is before us.

Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. HUIZENGA), the author of the FORM Act and chairman of the Monetary Policy and Trade Subcommittee of the Financial Services Committee.

Mr. HUIZENGA of Michigan. Mr. Chairman, I rise today in support of H.R. 3189, a wonderful bill called the Fed Oversight Reform and Modernization Act, the FORM Act.

Mr. Chairman, Marriner Eccles, Chairman of the Federal Reserve under President Franklin Roosevelt, once began testimony to Congress by stating: "I am speaking for the Board of Governors of the Federal Reserve System, an agency of Congress."

Chairman Eccles recognized what many seem to have forgotten over the Federal Reserve's 100-plus-year history, that the Fed was created by Congress; the Board of Governors are all appointed for terms of 14 years by the President and confirmed by Congress; and it operates per its charter and laws set out by, yes, Congress. Therefore, the Federal Reserve is actually or, theoretically, is supposed to be accountable to Congress.

Today, the Federal Reserve is one of the most powerful institutions in the world. It is past time to restore transparency at the Fed and hold it accountable to the American taxpayers.

The U.S. Federal Reserve System, or the Fed, as it is known, was created in 1913 in response to a series of economic crises early in the 20th century. Al-

though the Fed was created as an independent agency deriving its power from Congress, over the past 100 years, the Fed's power has significantly expanded.

While originally created to provide stability to the banking business, the Federal Reserve has gained unprecedented power, influence, and control over the financial system while remaining shrouded in mystery to the American people. At the same time, the American people have continued to suffer through a financial crisis, at least once per generation. With such a poor record, the Fed should not be free to carry on without accountability to the institution that created it.

Mr. Chairman, we will not fully realize robust economic growth until the Fed changes the conduct of its monetary policy. Six years have passed since the recession officially ended, but the U.S. economic opportunity remains well short of its potential.

The Fed must be accountable to the people's Representatives as well as to the hardworking taxpayers themselves. We need to modernize the Federal Reserve, restore accountability, and bring it into the 21st century. That is why I introduced H.R. 3189, the FORM Act of 2015. The FORM Act makes two fundamental changes to improve how the Federal Reserve conducts monetary policy.

Now, I know my colleagues on the other side of the aisle tend to kind of like to pass bills before they know what is in those bills. That is one of the ways that they discover what is in those bills. But if they actually read this bill, they would see that it protects the Fed's ability to develop what it believes is the best course of action on monetary policy—the exact opposite of what my colleague was saying. It requires them to then give the American people a greater accounting of its actions.

My bill directs the Federal Reserve to transparently communicate its monetary policy decisions to the American taxpayers—not what it must do, as is being asserted. Rather, they must simply explain what they are doing and why they are doing it. By requiring the Fed to regularly communicate how its policy choices compare to a benchmark guideline instead of continuing the ad hoc strategy currently being employed, the FORM Act will help consumers and investors make better decisions in both the present and create more sound expectations about the future.

Even Chair Yellen once championed the merits of this approach, stating that "the framework of a Taylor-type rule could help the Federal Reserve communicate to the public the rationale behind policy moves." The FORM Act does not dictate any particular monetary policy course; it simply ensures that the Fed transparently communicates its monetary policy decisions. I can't agree more with Chair Yellen.

Second, the FORM Act reforms the Federal Reserve's emergency lending powers under section 13(3) of the Federal Reserve Act, closing a glaring loophole and preventing the likelihood of future bailouts, as we have seen in the past. During the last financial crisis, the Fed used extraordinarily broad powers to provide trillions of dollars in low-cost loans to a handful of massive financial institutions.

The FORM Act raises the bar from the current trigger, permitting the Fed to invoke its emergency lending powers only upon finding that—and this is from the text of the bill—"unusual and exigent circumstances exist that pose a threat to the financial stability of the United States."

Responsibly limiting the Federal Reserve's lending authority has support from across the ideological spectrum, ranging from conservatives to liberals, such as Senator ELIZABETH WARREN.

The FORM Act also does the following: It requires the Fed to conduct cost-benefit analysis for all regulations it promulgates. Failure to conduct cost-benefit analysis results in excessive regulatory burdens on small banks and businesses, which harm the economy and I believe have slowed our recovery.

It also requires transparency about the Federal Reserve's bank stress tests as well as the international financial regulatory negotiations conducted by the Federal Reserve, the Treasury Department, the Office of the Comptroller of the Currency, the Securities and Exchange Commission, and the Federal Deposit Insurance Corporation.

Mr. Chairman, I am afraid that we are sliding into a much broader area of regulation that is not U.S. regulation but is actually European and world regulation. It requires the Federal Reserve to review the salaries of highly paid employees. It provides for at least two staff positions to advise each member of the Board of Governors independent from the Chair, and it requires Fed employees to abide by the same ethical requirements as other Federal financial regulators.

That sounds like an excellent idea in my mind.

It clarifies the blackout period governing when Federal Reserve governors and employees may publicly speak to Congress as well as to the public on certain matters, and it ends automatic seats at the Federal Open Market Committee table, which provides a more balanced representation of votes on Federal policy at the FOMC.

It requires the full FOMC to decide policy rates on excess balances maintained at a Federal Reserve Bank by a depository institution. It removes restrictions placed on the Government Accountability Office's ability to audit the Fed, and it directs the GAO to conduct an audit of the Fed within 12 months of enactment and report back to Congress.

Finally, the FORM Act establishes a bipartisan monetary commission, as proposed by Chairman Brady, to identify other opportunities for improvement.

Mr. Chairman, we can no longer afford to have an entity with so much power as the Federal Reserve by operating on a whim with ad hoc policy. The reforms in this legislation strike the right balance between holding the Fed accountable to Congress and the American people while still affording it its independence to make monetary policy decisions free from political pressure of all stripes.

Mr. Chairman, the Federal Reserve System is an agency of Congress. As such, it is not infallible, and its independence should not be unlimited. Let's restore proper congressional supervision and provide the American people with transparency. I urge my colleagues to vote in support of H.R. 3189, the Fed Oversight Reform and Modernization Act of 2015.

Ms. MAXINE WATERS of California. Mr. Chairman, despite what my colleague on the opposite side of the aisle, Mr. HUIZENGA, has said about our not knowing what is in the bill, we know what is in the bill, and this Congress should be frightened about what you are attempting to do with establishing this simple monetary policy rule that is unworkable. This is dangerous.

Mr. Chairman, I yield 4 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY). She is the ranking member of the subcommittee on Capital Markets and Government Sponsored Enterprises of the Financial Services Committee.

Mrs. CAROLYN B. MALONEY of New York. I thank the gentlewoman for yielding and for her leadership.

Mr. Chairman, I rise today in opposition to H.R. 3189.

Mr. Chairman, I include in the RECORD an article from The Wall Street Journal written by Alan Blinder, a former Vice Chair of the Federal Reserve, a professor at Princeton, and the author of a book on the financial crisis, the response, and the work ahead. This is his strong article in opposition to this bill which he feels is extremely disruptive, problematic, and just plain wrong.

[From the Wall Street Journal, July 17, 2014]

AN UNNECESSARY FIX FOR THE FED

(By Alan S. Blinder)

The House Financial Services Committee held a hearing on Federal Reserve reform on July 10. The hearing didn't get much press attention. But it was remarkable. While the House can't manage to engage on important issues like tax reform, immigration reform and the minimum wage, it's more than willing to propose radical "reform" of one of the few national policies that is working well.

The bill under consideration is called the Federal Reserve Accountability and Transparency Act. (That's right: FRAT.) To be fair to an otherwise dreadful bill, accountability and transparency are worthy objectives, and

FRAT does include some reasonable ideas, such as trimming the news blackouts before and after meetings of the Federal Open Market Committee. But it also includes some corkers, such as requiring public disclosures—in advance—before entering into international negotiations, disclosures that could make such negotiations next to impossible. How would you like to play your poker hand open?

But the meat-and-potatoes of the House bill has little to do with either transparency or accountability. Instead, it seeks to intrude on the Fed's ability to conduct an independent monetary policy, free of political interference.

As the title of Section 2 puts it, FRAT would impose "Requirements for Policy Rules of the Federal Open Market Committee." A "rule" in this context means a precise set of instructions—often a mathematical formula—that tells the Fed how to set monetary policy. Strictly speaking, with such a rule in place, you don't need a committee to make decisions—or even a human being. A handheld calculator will do.

In the debate over such rules, two have attracted the most attention. More than 50 years ago, Milton Friedman famously urged the Fed to keep the money supply growing at a constant rate—say, 4% or 5% per year—rather than varying money growth to influence inflation or unemployment.

About two decades ago, Stanford economist John Taylor began plumping for a different sort of rule, one which forces monetary policy to respond to changes in the economy—but mechanically, in ways that can be programmed into a computer. While hundreds of "Taylor rules" have been considered over the years, FRAT would inscribe Mr. Taylor's original 1993 version into law as the "Reference Policy Rule." The law would require the Fed to pick a rule, and if their choice differed substantially from the Reference Policy Rule, it would have to explain why. All this would be subject to audit by the Government Accountability Office (GAO), with prompt reporting to Congress.

In a town like Washington, the message to the Fed would be clear: Depart from the original Taylor rule at your peril. Federal Reserve Chair Janet Yellen understands this and, as she made clear in her semiannual testimony to the House Financial Services Committee on Wednesday, opposes the bill.

So what is this rule that FRAT would turn into holy writ? It's a simple equation, which starts by establishing a baseline federal-funds rate that is two percentage points higher than inflation; that's about 3.5% now. It then adds to that baseline one-half of the amount by which inflation exceeds its 2% target (that "excess" is now roughly minus 0.5%). Next, it adds one-half the percentage amount by which gross domestic product exceeds an estimate of potential GDP (that gap is controversial but is perhaps minus 4% today). Thus Taylor's mechanical rule wants the current fed-funds rate to be about 3.5 – 0.25 – 2.0 = 1.25%—which is vastly higher than the actual near-zero rate.

Fed staff could no doubt concoct an alternative rule that instructed the FOMC to set the fed-funds rate close to zero today, and the committee could pretend it was using that rule. That's transparency?

But there is a deeper problem. The Fed has not used the fed-funds rate as its principal monetary policy instrument since it hit (almost) zero in December 2008. Instead, its two main policy instruments have been "quantitative easing," which is now ending, and "forward guidance," which means guiding

markets by using words to describe future policy intentions. If words are the Fed's main policy instrument, how is the FOMC supposed to set them according to a rule? And how can the GAO determine whether that rule resembles the "Reference Policy Rule"?

The Taylor rule probably would give the Fed sensible instructions in normal times. But what about when the world is far from normal? The Fed claimed to be using Friedman's money growth rule during the tumultuous disinflation of 1979–82—with miserable results. Luckily for all of us, the Taylor rule wasn't tried during the 2008–09 financial crisis. That could have been disastrous, effectively tying the Fed's hands just when extraordinary monetary stimulus was most needed. Should we now bet the ranch that the world will remain placid forever?

Conservatives distrust concentrated government power—an idea embraced by our Constitution. They worry that human beings, who are fallible and maybe not even trustworthy, will make poor policy choices. Yes, to err is human. But humans can often recognize extraordinary events and try to adapt. Mechanical rules can't.

There is another conservative principle in which I've always believed: If it ain't broke, don't fix it. Monetary policy is one of the few things in today's Washington that "ain't broke." The mischievous FRAT wouldn't fix it.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, this bill would significantly undermine the Federal Reserve's independence by requiring the Fed to adopt a rules-based approach to monetary policy. While it is true that this bill doesn't force, by law, the Fed to follow a particular formula for interest rates, it does attempt to bully the Fed into following the Republicans' preferred monetary policy by hauling the Fed Chair up to testify in front of Congress every time the Fed deviates from the monetary policy rule dictated by this statute. This would have a significant chilling and killing effect on the Fed's deliberations over interest rates and inappropriately interferes with the Federal Reserve's independence.

Let's also remember that the Taylor rule, which this bill would codify, would have performed disastrously in the financial crisis that we are still suffering from. Federal Reserve Chair Yellen testified that, during the crisis, the Taylor rule "would have performed just miserably" and would have led to a "dreadful" economic recovery.

But this is not the only troubling provision in this bill. Section 4 of the bill also needlessly overhauls the membership of the Federal Open Market Committee, or FOMC. The current makeup of the FOMC, which is responsible for setting monetary policy, has served this country well for the past 100 years. So if it isn't broken, don't try to fix it, and in this case, don't make it worse.

The New York Fed is responsible for implementing monetary policy; and this special role gives the New York Fed a unique understanding of monetary policy, of how markets will react

to changes, and what actions are both feasible and effective.

I think that it is important to remember why the regional Fed president, with responsibility for implementing monetary policy, serves as the Vice Chairman of the FOMC.

Mr. Chairman, monetary policy does not end when the FOMC announces a target interest rate. Short-term interest rates do not magically move to the FOMC's desired level. It is not that easy. Someone has to implement monetary policy by pushing short-term interest rates toward the official target rate, and that someone is the New York Fed.

As Richmond Fed President Jeff Lacker said just last week, raising interest rates is "pretty clear. You just write the statement and you must send it to" the New York Fed in New York. The New York Fed does this primarily by buying and selling Treasury securities in the markets, which influences the supply of money in the system. Because the interest rate is a function of the supply and demand for money, the New York Fed controls short-term interest rates by influencing the supply of money in the system. This is an incredibly important job.

The CHAIR. The time of the gentleman has expired.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield the gentleman an additional 30 seconds.

Mrs. CAROLYN B. MALONEY of New York. The Fed's ability to control short-term interest rates is what allows the Fed to set monetary policy. If the markets didn't believe that the Fed had the ability to control short-term interest rates, then the FOMC's statement about raising or lowering interest rates would be viewed as merely wishful thinking rather than an actual monetary policy.

Mr. Chairman, this is why the New York Fed president serves as the Vice Chair of the FOMC, and I see no reason why this should change. So it is unclear what this problem is trying to fix, and I urge my colleagues to vote against this bill.

Mr. HENSARLING. Mr. Chairman, I yield 2½ minutes to the gentleman from New Jersey (Mr. GARRETT), the chairman of our Capital Markets and Government Sponsored Enterprises Subcommittee.

Mr. GARRETT. I thank the chairman and I thank the gentleman from Michigan (Mr. HUIZENGA) for all of their hard work to bring greater transparency to one of the most secretive agencies in the government, the Federal Reserve.

Mr. Chairman, earlier this year, Fed Chair Janet Yellen said: "The Federal Reserve is already one of the most transparent central banks around the globe."

Really? If that were the case, why is it we have seen the following headlines in the last few years: March of last

year, Forbes, "Fed on Target to Raise Interest Rates in Spring of 2015"; then in October, "Two Fed Officials Say Interest Rates to Rise in Mid-2015"; then in The Wall Street Journal just last month, "Fed Doubts Grow on 2015 Rate Hike"; and then just 2 weeks later in The Wall Street Journal, "Fed Keeps December Rate Hike in Play."

So which is it? Mr. Chairman, a simple Google search on the subject pulls up a range of headlines on this topic all pointing to one fact: There is a great deal of confusion and uncertainty as to how the Federal Reserve actually conducts its own monetary policy.

So the bottom line is the Fed needs to follow a rule when conducting monetary policy, and this bill, H.R. 3189, gives the Fed that flexibility to develop and implement its own rule as it sees fit and then simply to report to Congress and the public, should it find the need to deviate from it.

□ 1800

And this will then do what? It will give us greater economic certainty and moves us away from what we have seen, a Fed guessing game that we have all become too used to.

More troubling than all this, more troubling than the monetary policy, however, is the lack of transparency and accountability and openness surrounding their regulatory function. Despite the Fed's failure to prevent the crisis in 2008, despite their failure to even see it coming, the Dodd-Frank Act bestowed upon the Fed tremendous new regulatory authority, authority that it is now using to try and regulate huge swaths of the financial system, and what they are really trying to do is to stamp out all risk taking, if you will, in our capital markets.

The Fed fails to conduct any cost-benefit analysis of the rulemaking in that, and it has conspired, if you will, with various secretive international bodies, like the FSB, the Financial Stability Board, in so doing to try to rewrite the rules, if you will, to the detriment of who? Well, the American capital markets.

So before us today is the FORM Act, which would do what? It would shine the light of day, if you will, on the Fed's regulatory operations, so that all of us, the American public, can see actually what the powers are up to. So now more than ever we need transparency and accountability in the Federal Reserve.

I thank the chairman, and I thank the sponsor of the bill for moving the underlying bill.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Ms. MOORE), the ranking member of the Subcommittee on Monetary Policy and Trade on the Financial Services Committee.

Ms. MOORE. Mr. Chairman, as the ranking member of the Monetary Policy and Trade Subcommittee, I rise in strong opposition to H.R. 3189.

Sometimes you can disagree on a bill, and it doesn't really make much difference. But this bill is extremely dangerous for many reasons. I want to focus on just two provisions—my time is limited—that would be absolutely disastrous for the U.S. economy:

One is the political audits of the Federal Reserve.

And, second, the computer model monetary policy, so-called Taylor rule.

Now, people think, well, what is wrong with auditing the Fed? The Fed is already audited, including an external audit, which all Americans can review online. This bill creates a mechanism for political audits of the Fed. Injecting politics into monetary policy and undermining the independence of the Central Bank would be an absolute disaster.

I am thinking just recently of the transportation bill that we passed out of here—and I voted for it, hoping that it can be fixed in conference—where the Fed is required to provide \$60 billion—that is billion with a B, Mr. Chairman—and then is not being allowed to replenish its money supply. This is more than just tinkering in our economy.

There is overwhelming evidence and academic research that demonstrated an independent central bank anywhere in the world making economic decisions and not political decisions delivers lower inflation, higher employment, and better economic results.

Currently, the U.S. enjoys low borrowing costs, and our debt is considered the gold standard. The U.S. dollar is literally the reserve currency of countries around the world.

If adopted, this bill would potentially undermine the exalted status of U.S. debt.

The Acting CHAIR (Mr. HARDY). The time of the gentlewoman has expired.

Ms. MAXINE WATERS of California. I yield the gentlewoman from Wisconsin an additional 1 minute.

Ms. MOORE. Does anyone in America think that Congress is going to be more confident at conducting monetary policy than an independent central bank?

Let me remind you, under the stewardship of the Republican leadership of this House, we have seen government shutdowns, U.S. debt default threats, and fiscal austerity measures that hamper the economic recovery.

As to this Taylor rule, I doubt that anybody over there can explain the Taylor rule to you. But I tell you, had we had the Taylor rule in place in the 1980s when Volcker was here, he would not have been able to stop the rampant inflation that we experienced. The assumptions that it is based on have not accounted for Volcker's inflation fight-

ing or Bernanke's aggressive recovery status. They couldn't have done it under this Taylor rule.

And, furthermore, banks, Wall Street, all the investors, would set their models to the Fed commuter model, and then it would set up all kinds of economic disruptions if the Fed would ever deviate from the model. It would take the discretion away from the Fed.

I strongly oppose the bill, and I urge my colleagues to reject this dangerous legislation.

Mr. HENSARLING. Mr. Chairman, I yield myself 10 seconds to, once again, encourage my colleagues to actually read the bill.

The Taylor rule is not mandated for the Federal Reserve. But had the Federal Reserve followed the Taylor rule in the first place, we would not have had a financial crisis because the real estate bubble would not have been inflated by the Fed keeping money too loose, too long.

I yield 2 minutes to the gentleman from Wisconsin (Mr. DUFFY), the chairman of our Oversight and Investigations Subcommittee.

Mr. DUFFY. Mr. Chairman, I appreciate the chairman yielding.

I want to thank Chairman HUIZENGA for his good work on the FORM Act. I think this is a commonsense set of reforms that make the Federal Reserve more accountable to the American people, which means they are more accountable to the United States Congress.

I would ask my colleagues across the aisle and my good friend from Wisconsin (Ms. MOORE), who says that the FORM Act is one that would provide for the Congress to set monetary policy, where in the FORM Act does it say that? Just because we ask for oversight, just because we want to have the Federal Reserve accountable to the Congress and to the American people, doesn't mean that Congress is taking the role of setting monetary policy. Again, that is just setting up a straw man and trying to knock it down in the argument.

This is important stuff. There is a distinct difference between the two sides of the aisle. We do think there should be accountability and transparency. But my friends across the aisle will continue to advocate for very powerful government institutions empowering bureaucrats that are not elected and that are not accountable to the American people to make decisions that have huge impacts on the American people.

What we say on our side of the aisle is, in our form of government, the people have a right to have a say in their government, which means you need to empower the Congress and the Senate to have oversight over these very powerful organizations.

That is the great debate that we are having here. We want oversight and

transparency. We don't want to set monetary policy.

I chair the Committee on Oversight, and we have asked the Federal Reserve for documents that we are entitled to in regard to an FOMC leak. The Federal Reserve has basically said:

Yes, you are entitled to these documents. But, guess what, we are not going to give them to you.

What is the reason, Madam Chair?

I don't have a really good reason. Some people asked me not to give them to you. I know you are entitled, but I am not going to send them over to you.

The Acting CHAIR. The time of the gentleman has expired.

Mr. HENSARLING. I yield the gentleman from Wisconsin 30 seconds.

Mr. DUFFY. We had to go to extreme measures to get the Federal Reserve to comply with our subpoenas to provide us the documents that this institution is entitled to. That shows how arrogant this institution—the Fed—really is.

A rules-based approach makes sense. An audit of the Fed taking a look back that is not political, but a retrospective look at the Fed's monetary policy, makes absolute sense.

And to think that we are going to talk about the blackout period at the Fed that, yes, you can have a blackout for monetary policy, but you can't use that blackout when we are talking about the supervisory and prudential functions of the Federal Reserve.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself such time as I may consume.

I cringe at the thought that the documents from the FOMC meeting of 2012 would be released to the Members of Congress. They would cause some volatility in the markets and shake up this country and cause such harm that everybody ought to be alarmed at the thought.

I yield 3 minutes to the gentleman from Illinois (Mr. FOSTER), a member of the Committee on Financial Services.

Mr. FOSTER. Mr. Chairman, I thank the ranking member for yielding.

Mr. Chairman, I rise today in opposition to the legislation designed to chip away at the independence of the Federal Reserve. The Federal Reserve's objectives of maximum employment and stable prices have and will remain moving targets. The legislation attacks the independent judgment of the Fed in a number of ways by intrusive and dangerous meddling in the guise of Congressional oversight.

This legislation also suggests that this complex task could somehow be reduced to a function of two variables. Now, I am a physicist and, as Albert Einstein said: "Everything should be made as simple as possible but not simpler." In reality, economics is a field of study that is constrained by numbers, but within those constraints, there lie

large psychological variables and many external, often international, and often random variables.

It is obvious that any two-variable rule is far too simple to guide the monetary policy of a \$17 trillion national economy interconnected with the economies in every part of the world.

It is also clear from the incoherent and counterfactual tirades that we listen to in our committee after the Republican financial collapse of 2007, that we want to keep politics as far away as possible from Federal Reserve monetary policy.

The truth is that Federal monetary policy is already guided, but not determined, by a number of complex, macroeconomic models. It is very far from ad hoc. In fact, at the heart of many of these models lies a variance of what is called the Cobb-Douglas production function. And the Douglas in that name is Senator Paul Douglas, an economist from the University of Chicago before he became a Senator and the author of some of the most influential papers in economics. My mother worked for Senator Paul Douglas when he was a Senator back in the 1950s, and when I see the level to which economic debate has fallen in this country from Senator Paul Douglas to what we see today, it breaks my heart.

Now, I agree that our markets and economies have changed since the Federal Reserve was formed. And the system deserves study, but this bill is not about studying the Federal Reserve. It is about subjecting it to the politics and the backseat driving that it often needs to overcome to meet its dual mandate.

Mr. Chairman, this bill chips away at the independence of the Federal Reserve, and I urge my colleagues to join me in opposing it.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Chairman, over the last 6 years, Americans have watched as the Federal Reserve has embarked on an interventionist monetary policy to an unprecedented degree.

The Fed's quantitative easing marked a dramatic departure from traditional monetary policy in the United States, and it resulted in a massive expansion of the Fed's balance sheet to some \$4.5 trillion. To put this number in perspective, that is almost five times the size of the Fed's balance sheet before the financial crisis when it stood at \$800 billion. It also represents one-quarter of the total size of the U.S. economy.

Unfortunately, despite this enormous expansion and influence over the economy, the Fed has persistently failed to implement measures to increase transparency as to its decisionmaking.

Americans continue to face a sluggish economy that has fallen far short of its potential, and they want to know

the reasoning behind the Fed's actions or lack thereof. This is particularly important for those who have saved money for their retirement, especially grandparents on fixed incomes, who are being directly harmed by the Fed's decision to keep rates at near zero. They want transparency and answers from their government.

I suggest also our citizens should understand why the Federal Reserve would take an unprecedented action to explode its balance sheet by more than 400 percent over 5 years. No one—no one—knows how this experiment will end up turning out.

The legislation that we are considering today would implement important reforms to address these issues. To start, by requiring the Fed to explain the differences between its monetary policy decisions and a rigorously studied reference rule, the legislation would go far to improve the American public's understanding of monetary policy and how it impacts their lives.

Similarly, by requiring a cost-benefit analysis for any regulation that the Fed chooses to promulgate, it will ensure that all relevant costs are properly taken into account and that the Fed considers the full consequences of its actions in an open and understandable fashion.

To be clear, these reforms are about increasing transparency and improving how the Fed communicates its policy decisions to the American public. Contrary to what some claim, the legislation does not—does not—mandate any particular policy decisions, nor does it impact or threaten the Fed's independence in setting monetary policy. In fact, few have made a better case for these sorts of reforms than Chair Yellen herself, who stated: "Transparency concerning Federal Reserve's conduct of monetary policy is desirable because better public understanding enhances the effectiveness of policy."

Mr. Chairman, transparency and openness serve to strengthen a democratic republic like ours. That is what this legislation is all about.

I urge my colleagues to support this bill.

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Ms. MAXINE WATERS of California. Mr. Chairman, I inquire as to whether or not the chairman has more speakers.

Mr. HENSARLING. Mr. Chairman, we have at least three to four more speakers.

Ms. MAXINE WATERS of California. Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield 1½ minutes to the gentleman from Indiana (Mr. MESSER).

Mr. MESSER. Mr. Chairman, I rise today in support of H.R. 3189, the Fed Oversight Reform and Modernization Act.

We all recognize the importance of the Federal Reserve's independence when making monetary policy decisions. However, the American people rightly expect the Federal Reserve to be held accountable, too. They deserve to know exactly what the Federal Reserve does and to know that its rule-making process is transparent and subjected to appropriate congressional oversight.

As a Member who represents 19 rural and suburban Indiana counties, I know middle America is still struggling to get back on its feet after the 2008 financial crisis. Hardworking Hoosiers know they didn't cause the financial collapse, but they are frustrated because the folks who did cause the crisis—bad actors in private industry and ineffective Federal banking regulators—haven't been held accountable at all.

The status quo is unacceptable. The Fed should be accountable and transparent in its decisionmaking, and H.R. 3189 is an important step towards that goal.

I urge my colleagues to support the bill.

Ms. MAXINE WATERS of California. Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota (Mr. EMMER).

Mr. EMMER of Minnesota. Mr. Chairman, I rise today in support of the much-needed Fed Oversight Reform and Modernization Act.

Minnesotans, like Robert from Becker and Kevin from Elk River, are correct in that the Fed is an ineffective and isolated government bureaucracy that is out of touch with the common man and the long-term needs of the American people.

Yes, quantitative easing may have been a boon for a few. However, three rounds of this reckless tactic have inflated the Fed's balance sheet to more than \$4.5 trillion, threatening the economic stability of our Nation and the American Dream for many.

Equally problematic is the secrecy surrounding the Fed's discount window operations, open market operations, and agreements with foreign governments, which prevent market actors from knowing the information they need in order to prudently invest in the future.

In the past, Congressman Ron Paul led the charge against the Fed with his Audit the Fed bill. Today we are building upon his legacy legislation. I would like to thank my colleague, Congressman HUIZENGA, for introducing the Fed Oversight Reform and Modernization Act.

Not only does this new legislation include Audit the Fed, but it also requires the Fed establish a monetary policy rule that will enable us to have a better idea of where the Fed is likely to move monetary policy. Additionally,

the bill limits taxpayers' exposure to bailouts by responsibly tightening the Fed's emergency lending authority.

Furthermore, this bill requires the Fed, before implementing any rule, to conduct a cost-benefit analysis. This will give the American people a true sense of the economic impact any Fed proposal will have. It would also mandate the Fed, Federal Deposit Insurance Corporation, and Treasury to disclose any positions they plan to take at international regulatory negotiations, enabling the American people and Congress to weigh in on international regulations that often adversely impact American business.

Finally, this legislation would clarify the Federal Open Market Committee blackout period, mandate the Fed to disclose employees' salaries, require the Chair of the Fed to participate in congressional hearings quarterly, and give more power to local district Fed Bank presidents over open market operations.

I understand that many of my colleagues on the other side of the aisle may be skeptical about reforming the Fed. However, it is important to remember that this legislation only enhances oversight, communication, and transparency. This legislation will in no way take away the Federal Reserve's control of monetary policy, but it will provide us the tools to ensure that sound policies are enacted.

Mr. Chairman, again I thank Mr. HUIZENGA and Chairman HENSARLING for their work on this bill. I encourage my colleagues to vote in favor of the Fed Oversight Reform and Modernization Act.

Ms. MAXINE WATERS of California. Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, may I inquire as to how much time is remaining on both sides?

The Acting CHAIR. The gentleman from Texas has 4½ minutes remaining. The gentlewoman from California has 13 minutes remaining.

Mr. HENSARLING. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. HUIZENGA), the author of the FORM Act.

Mr. HUIZENGA of Michigan. Mr. Chairman, I am taking this second opportunity to rise because I think we have heard a lot of misinformation out there, and there is a lot of fog that has been getting thrown up into the air.

This is about transparency. This is about accountability. This is not about Congress' coming in and dictating to the Fed how to do business. They, the Fed, will set a benchmark that they will then be measured against. It is not we. It is not Congress saying what they will or will not do. It is they, themselves. That seems pretty reasonable.

It also seems very reasonable to me that, if we are ever finding ourselves in a position in which there are these

massive bank bailouts that some would claim need to be done again, we would have a belt and suspenders way to approach it in that we would say not just two or three or four people are going to decide whether that is going to happen, but that we would actually get the regional Fed Bank Governors involved in that as well. We would say that 9 of the 12 of them have to agree with the decisions that are being made.

We make sure that there is a redundancy, that we are not just rushing and plunging headlong. Ultimately, the goal is to make sure that we never have that situation happen again so that we never find ourselves in that situation of having to even have the discussion about whether we would have massive bank bailouts, which is what happened in 2009 under this administration.

Again, I appreciate the effort that has been put into this. There are a lot of small details to it, but there are a lot of broad themes to it. At the end of the day, we know that this is the best thing not only for Congress, not only for the Fed, but, ultimately, for the American people as they are demanding us to hold an organization accountable that we in Congress created not in an unreasonable fashion, but in a way that is balanced, transparent, and that ultimately helps the stability of the U.S. economy.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself the balance of my time.

I am going to take the unusual step of reading a letter from Janet Yellen, the Chair of the Board of Governors of the Federal Reserve Bank. I take this unusual step because the letter is so well written and explains in such a profound way why the bill that is before us is dangerous and problematic.

"Dear Mr. Speaker and Madam Leader: I am writing regarding the House of Representatives' consideration of H.R. 3189, the Fed Oversight Reform and Modernization Act"—known as the FORM Act—"The FORM Act would severely impair the Federal Reserve's ability to carry out its congressional mandate to foster maximum employment and stable prices and would undermine our ability to implement policies that are in the best interest of American businesses and consumers. This legislation would severely damage the U.S. economy were it to become law.

"There are a number of harmful provisions in the FORM Act, but the provisions concerning the conduct of monetary policy are especially troubling. Section 2 of the bill would require the Federal Reserve to establish a mathematical formula or 'directive policy rule' that would dictate how the Federal Open Market Committee adjusts the stance of monetary policy at every FOMC meeting. The Government Accountability Office (GAO) would be re-

sponsible for determining whether the rule adopted by the FOMC met all the criteria in the legislation. Any time the FOMC was judged not to be in compliance with the GAO-approved rule, the GAO would be required to conduct a full review of monetary policy and submit a report to the Congress. Moreover, the GAO would also be required to conduct a full review of monetary policy and report to the Congress any time the FOMC changed its policy rule.

"These provisions are significantly flawed for a number of reasons. Most importantly, the provisions effectively cast aside the bipartisan approach toward monetary policy oversight developed by the Congress in the late 1970s. Under that approach, the Congress establishes the long-run objectives for monetary policy but affords the Federal Reserve a considerable degree of independence in how it goes about achieving those statutory goals, thus ensuring that the conduct of monetary policy is insulated from political influence. This framework is now recognized as a fundamental principle of central banking around the world. The provisions of the FORM Act, in contrast, would effectively put the Congress and the GAO squarely in the role of reviewing short-run monetary policy decisions and in a position to, in real time, influence the monetary policy deliberations leading to those decisions.

"Conducting monetary policy by strictly adhering to the prescriptions of a simple rule would lead to poor economic outcomes. There is no consensus among economists or policymakers about a simple policy rule that is best suited to cover a wide range of scenarios. For example, even during the period known as the Great Moderation, in the 1980s and 1990s, when a simple rule might have been expected to work well, the actual level of the Federal funds rate often diverged substantially from the level prescribed by the reference rule included in the FORM Act. Indeed, for much of this period, monetary policy was actually tighter than what would have been the case under that rule.

"Even more tellingly, no simple policy rule has yet been devised that would adequately address the effective lower bound on the policy rate—a constraint that has been binding in the United States since late 2008. Had the FOMC been compelled to operate under a simple policy rule for the past six and a half years, the unemployment experience of that period would have been substantially more painful than it already was, and inflation would be even further below the FOMC's 2 percent objective. Indeed, a recent study by the Federal Reserve economists suggests that the current unemployment rate would still be above 6 percent and inflation would now be running somewhat below zero, if the FOMC had not

taken the actions it did but rather had followed the reference rule and made it clear that it would do so in the future. In other words, millions of Americans would have suffered unnecessary spells of joblessness over this period, generating enormous amounts of personal and collective damage that could have been avoided—and, in fact, was avoided because we had the latitude to use our available tools responsibly and forcefully.

“In addition to allowing the GAO to conduct a review specifically related to the ‘directive policy rule,’ Section 13 of the FORM Act also allows GAO to more broadly review and analyze the monetary policy decisions of the Federal Reserve at any time. This provision would politicize monetary policy and bring short-term political pressures into the deliberations of the FOMC by putting into place real-time second guessing of policy decisions. Such action would undermine the independence of the Federal Reserve and likely lead to an increase in inflation fears and market interest rates, a diminished status of the dollar in global financial markets, and reduced economic and financial stability.

“The provision is based on a false premise—that the Federal Reserve is not subject to an audit. To the contrary, under existing law, the financial statements of the Federal Reserve System are audited annually by an independent accounting firm under the supervision of the Inspector General for the Board.

□ 1830

“These audited financial statements are made publicly available and provided to Congress annually. The GAO may also conduct an audit of the Board’s financial statements and of transactions that the Federal Reserve conducts in the course of its lending and other activities. In addition, each week, the Federal Reserve publishes its balance sheet and charts of recent balance sheet trends as well as every security the Federal Reserve holds along with each security’s CUSIP number. Moreover, as specified in the Dodd-Frank Wall Street Reform and Consumer Protection Act, the Federal Reserve now releases detailed transaction level information for all open market operations and discount window with a 2-year lag.

“I am concerned about other provisions in the FORM Act as well, including the debilitating restrictions on the Federal Reserve’s emergency lending authorities. In the face of a future crisis—where collapse of the financial system is on the scale of the Great Depression or the recent financial crisis—I believe it is essential that the Federal Reserve have the emergency lending powers necessary in those circumstances to support the flow of credit to households and businesses and mitigate

harm to the U.S. economy. The FORM Act would essentially repeal the Federal Reserve’s remaining ability to act in a crisis. I am also deeply troubled by provisions related to the Federal Reserve’s supervisory responsibilities, particularly those that would undermine the strength and effectiveness of our stress tests and impede our ability to advocate internationally for standards that are in the best interest of U.S. businesses and consumers.

“Throughout my career and certainly during my many years working with the Federal Reserve System, I have been an advocate for greater openness and transparency. As Chair, I remain committed to these important issues. Accountability and transparency of public institutions are critical in a democratic society. Unfortunately, the FORM Act attempts to increase transparency and accountability through misguided provisions that would expose the Federal Reserve to short-term political pressures. For these reasons, I urge the House not to adopt the FORM Act. The bill would severely impair the Federal Reserve’s ability to carry out its congressional mandate and would be a grave mistake, detrimental to the economy and the American people.”

I don’t think it could be better stated. I think the letter that I just read from Janet Yellen tells it all. It simply warns us about the danger of this bill. It not only warns us. It does it in such a way that everybody can understand it and would not want to put this economy and this country at such a risky position. I am hopeful that the Members will hear this. We will make copies available to everyone. Vote against this bill.

Furthermore, there is a Statement of Administration Policy from the Executive Office of the President, Office of Management and Budget:

“H.R. 3189 would establish requirements for policy rules, codify blackout periods of the Federal Open Market Committee, establish a cost-benefit requirement for other rulemakings by the Federal Reserve Board, and establish numerous, burdensome reporting requirements for the Federal Reserve Board and its members. The Administration therefore strongly opposes H.R. 3189.

“The Federal Reserve is an independent entity designed to be free from political pressures, and its independence is key to its credibility and its ability to act in the long-term interest of the Nation’s economic health. One of the most problematic provisions in the bill would require the Comptroller General to audit the conduct of monetary policy by the Federal Reserve Board and the Federal Open Market Committee. The operations of the Federal Reserve are already subject to numerous audit requirements that ensure it is accountable to the Congress and

the American people. The only aspect of the Federal Reserve’s operations not subject to audit is its monetary policy decisionmaking, and for good reason. Subjecting the Federal Reserve’s exercise of monetary policy authority to audits based on political whims of Members of the Congress—of either party—threatens one of the central pillars of the Nation’s financial system and economy, and would almost certainly have negative impacts on the Federal Reserve’s work to promote price stability and full employment.

“H.R. 3189 also would impose numerous, burdensome requirements for the Federal Reserve Board rulemaking authorities, including the imposition of a duplicative requirement that the Federal Reserve Board undertake a prescriptive cost-benefit analysis and a post-adoption impact assessment when promulgating rules. When a Federal agency, including an independent agency such as the Federal Reserve, promulgates a regulation, the agency must adhere to the robust substantive and procedural requirements of Federal law, including the Administrative Procedure Act, the Regulatory Flexibility Act, the Paperwork Reduction Act, and the Congressional Review Act, among other statutes. Additionally, Executive Order 13579 encourages independent regulatory agencies to conduct reasoned cost-benefit analysis, engage in public participation to the extent feasible, and conduct a systematic retrospective review of regulations.”

I can’t read it all, but if the President was presented with H.R. 3189, his senior advisers would recommend that he veto this bill.

I yield back the balance of my time.

Mr. HENSARLING. Mr. Chairman, the ranking member for the last 13 minutes has let us know that the President and his bureaucratic appointees don’t want any more transparency and accountability. I don’t particularly find a news flash in that.

I have the greatest amount of respect for Chair Yellen. I both like and respect her. I have never encountered a bureaucrat who didn’t want more money, more power, less transparency, and less accountability. She is no different. The Dodd-Frank Act has vastly expanded the powers of the Federal Reserve.

Mr. Chairman, for all intents and purposes, they have the ability to actually come in and de facto manage any large financial institution in America. The government has that power. It is a frightening power that has been given by Dodd-Frank, and transparency and accountability is demanded.

In addition, we have a Federal Reserve taking monetary policy and tools to a place it has never been before. At a bare minimum, it owes the people’s elected Representatives, the Congress, some transparency on why it is doing what it is doing.

I would, yet again, encourage all Members to actually read the bill before they claim to know what is in the bill. The Federal Reserve maintains its monetary policy independence, as it should. But it must explain to the rest of us what that is and why they choose to deviate from it if they believe economic circumstances warrant. Again, if they want to base monetary policy on the Taylor rule, so be it. If they want to base it on a rousing game of rock, paper, and scissors, so be it. The American people demand answers because this economy is still underperforming. It is not working for working people. This has to change.

We have had the largest economic monetary policy stimulus in our Nation's history, but yet it does not work for working people, and the poor continue to follow behind.

All this bill by the gentleman of Michigan does is bring about needed transparency and accountability to the most powerful economic agency in government today. It is demanded by the vast increases in power by the Dodd-Frank Act. The American people deserve answers. We should enact it.

I encourage all Members to vote for H.R. 3189, the FORM Act.

I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-35, modified by the amendment printed in the part B of House Report 114-341, is adopted. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 3189

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Fed Oversight Reform and Modernization Act of 2015” or the “FORM Act of 2015”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Requirements for policy rules of the Federal Open Market Committee.
- Sec. 3. Federal Open Market Committee blackout period.
- Sec. 4. Membership of Federal Open Market Committee.
- Sec. 5. Requirements for stress tests and supervisory letters for the Board of Governors of the Federal Reserve System.
- Sec. 6. Frequency of testimony of the Chairman of the Board of Governors of the Federal Reserve System to Congress.

Sec. 7. Vice Chairman for Supervision report requirement.

Sec. 8. Economic analysis of regulations of the Board of Governors of the Federal Reserve System.

Sec. 9. Salaries, financial disclosures, and office staff of the Board of Governors of the Federal Reserve System.

Sec. 10. Requirements for international processes.

Sec. 11. Amendments to powers of the Board of Governors of the Federal Reserve System.

Sec. 12. Interest rates on balances maintained at a Federal Reserve bank by depository institutions established by Federal Open Market Committee.

Sec. 13. Audit reform and transparency for the Board of Governors of the Federal Reserve System.

Sec. 14. Reporting requirement for Export-Import Bank.

Sec. 15. Membership of Board of Directors of the Federal reserve banks.

Sec. 16. Establishment of a Centennial Monetary Commission.

SEC. 2. REQUIREMENTS FOR POLICY RULES OF THE FEDERAL OPEN MARKET COMMITTEE.

The Federal Reserve Act (12 U.S.C. 221 et seq.) is amended by inserting after section 2B the following new section:

“SEC. 2C. DIRECTIVE POLICY RULES OF THE FEDERAL OPEN MARKET COMMITTEE.

“(a) **DEFINITIONS.**—In this section the following definitions shall apply:

“(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term ‘appropriate congressional committees’ means the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

“(2) **DIRECTIVE POLICY RULE.**—The term ‘Directive Policy Rule’ means a policy rule developed by the Federal Open Market Committee that meets the requirements of subsection (c) and that provides the basis for the Open Market Operations Directive.

“(3) **GDP.**—The term ‘GDP’ means the gross domestic product of the United States as computed and published by the Department of Commerce.

“(4) **INTERMEDIATE POLICY INPUT.**—The term ‘Intermediate Policy Input’—

“(A) may include any variable determined by the Federal Open Market Committee as a necessary input to guide open-market operations;

“(B) shall include an estimate of, and the method of calculation for, the current rate of inflation or current inflation expectations; and

“(C) shall include, specifying whether the variable or estimate is historical, current, or a forecast and the method of calculation, at least one of—

“(i) an estimate of real GDP, nominal GDP, or potential GDP;

“(ii) an estimate of the monetary aggregate compiled by the Board of Governors of the Federal Reserve System and Federal reserve banks; or

“(iii) an interactive variable or a net estimate composed of the estimates described in clauses (i) and (ii).

“(5) **LEGISLATIVE DAY.**—The term ‘legislative day’ means a day on which either House of Congress is in session.

“(6) **OPEN MARKET OPERATIONS DIRECTIVE.**—The term ‘Open Market Operations Directive’ means an order to achieve a specified Policy Instrument Target provided to the Federal Reserve Bank of New York by the Federal Open Market Committee pursuant to powers authorized under section 14 of this Act that guide open-market operations.

“(7) **POLICY INSTRUMENT.**—The term ‘Policy Instrument’ means—

“(A) the nominal Federal funds rate;

“(B) the nominal rate of interest paid on non-borrowed reserves; or

“(C) the discount window primary credit interest rate most recently published on the Federal Reserve Statistical Release on selected interest rates (daily or weekly), commonly referred to as the H.15 release.

“(8) **POLICY INSTRUMENT TARGET.**—The term ‘Policy Instrument Target’ means the target for the Policy Instrument specified in the Open Market Operations Directive.

“(9) **REFERENCE POLICY RULE.**—The term ‘Reference Policy Rule’ means a calculation of the nominal Federal funds rate as equal to the sum of the following:

“(A) The rate of inflation over the previous four quarters.

“(B) One-half of the percentage deviation of the real GDP from an estimate of potential GDP.

“(C) One-half of the difference between the rate of inflation over the previous four quarters and two percent.

“(D) Two percent.

“(b) **SUBMITTING A DIRECTIVE POLICY RULE.**—Not later than 48 hours after the end of a meeting of the Federal Open Market Committee, the Chairman of the Federal Open Market Committee shall submit to the appropriate congressional committees and the Comptroller General of the United States a Directive Policy Rule and a statement that identifies the members of the Federal Open Market Committee who voted in favor of the Rule.

“(c) **REQUIREMENTS FOR A DIRECTIVE POLICY RULE.**—A Directive Policy Rule shall—

“(1) identify the Policy Instrument the Directive Policy Rule is designed to target;

“(2) describe the strategy or rule of the Federal Open Market Committee for the systematic quantitative adjustment of the Policy Instrument Target to respond to a change in the Intermediate Policy Inputs;

“(3) include a function that comprehensively models the interactive relationship between the Intermediate Policy Inputs;

“(4) include the coefficients of the Directive Policy Rule that generate the current Policy Instrument Target and a range of predicted future values for the Policy Instrument Target if changes occur in any Intermediate Policy Input;

“(5) describe the procedure for adjusting the supply of bank reserves to achieve the Policy Instrument Target;

“(6) include a statement as to whether the Directive Policy Rule substantially conforms to the Reference Policy Rule and, if applicable—

“(A) an explanation of the extent to which it departs from the Reference Policy Rule;

“(B) a detailed justification for that departure; and

“(C) a description of the circumstances under which the Directive Policy Rule may be amended in the future;

“(7) include a certification that such Rule is expected to support the economy in achieving stable prices and maximum natural employment over the long term; and

“(8) include a calculation that describes with mathematical precision the expected annual inflation rate over a 5-year period.

“(d) **GAO REPORT.**—The Comptroller General of the United States shall compare the Directive Policy Rule submitted under subsection (b) with the rule that was most recently submitted to determine whether the Directive Policy Rule has materially changed. If the Directive Policy Rule has materially changed, the Comptroller General shall, not later than 7 days after each meeting of the Federal Open Market Committee, prepare and submit a compliance report to the appropriate congressional committees specifying

whether the Directive Policy Rule submitted after that meeting and the Federal Open Market Committee are in compliance with this section.

“(e) CHANGING MARKET CONDITIONS.—

“(1) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to require that the plans with respect to the systematic quantitative adjustment of the Policy Instrument Target described under subsection (c)(2) be implemented if the Federal Open Market Committee determines that such plans cannot or should not be achieved due to changing market conditions.

“(2) GAO APPROVAL OF UPDATE.—Upon determining that plans described in paragraph (1) cannot or should not be achieved, the Federal Open Market Committee shall submit an explanation for that determination and an updated version of the Directive Policy Rule to the Comptroller General of the United States and the appropriate congressional committees not later than 48 hours after making the determination. The Comptroller General shall, not later than 48 hours after receiving such updated version, prepare and submit to the appropriate congressional committees a compliance report determining whether such updated version and the Federal Open Market Committee are in compliance with this section.

“(f) DIRECTIVE POLICY RULE AND FEDERAL OPEN MARKET COMMITTEE NOT IN COMPLIANCE.—

“(1) IN GENERAL.—If the Comptroller General of the United States determines that the Directive Policy Rule and the Federal Open Market Committee are not in compliance with this section in the report submitted pursuant to subsection (d), or that the updated version of the Directive Policy Rule and the Federal Open Market Committee are not in compliance with this section in the report submitted pursuant to subsection (e)(2), the Chairman of the Board of Governors of the Federal Reserve System shall, if requested by the chairman of either of the appropriate congressional committees, not later than 7 legislative days after such request, testify before such committee as to why the Directive Policy Rule, the updated version, or the Federal Open Market Committee is not in compliance.

“(2) GAO AUDIT.—Notwithstanding subsection (b) of section 714 of title 31, United States Code, upon submitting a report of noncompliance pursuant to subsection (d) or subsection (e)(2) and after the period of 7 legislative days described in paragraph (1), the Comptroller General shall audit the conduct of monetary policy by the Board of Governors of the Federal Reserve System and the Federal Open Market Committee upon request of the appropriate congressional committee. Such committee may specify the parameters of such audit.

“(g) CONGRESSIONAL HEARINGS.—The Chairman of the Board of Governors of the Federal Reserve System shall, if requested by the chairman of either of the appropriate congressional committees and not later than 7 legislative days after such request, appear before such committee to explain any change to the Directive Policy Rule.”.

SEC. 3. FEDERAL OPEN MARKET COMMITTEE BLACKOUT PERIOD.

Section 12A of the Federal Reserve Act (12 U.S.C. 263) is amended by adding at the end the following new subsection:

“(d) BLACKOUT PERIOD.—

“(1) IN GENERAL.—During a blackout period, the only public communications that may be made by members and staff of the Committee with respect to macroeconomic or financial developments or about current or prospective monetary policy issues are the following:

“(A) The dissemination of published data, surveys, and reports that have been cleared for publication by the Board of Governors of the Federal Reserve System.

“(B) Answers to technical questions specific to a data release.

“(C) Communications with respect to the prudential or supervisory functions of the Board of Governors.

“(2) BLACKOUT PERIOD DEFINED.—For purposes of this subsection, and with respect to a meeting of the Committee described under subsection (a), the term ‘blackout period’ means the time period that—

“(A) begins immediately after midnight on the day that is one week prior to the date on which such meeting takes place; and

“(B) ends at midnight on the day after the date on which such meeting takes place.

“(3) EXEMPTION FOR CHAIRMAN OF THE BOARD OF GOVERNORS.—Nothing in this section shall prohibit the Chairman of the Board of Governors of the Federal Reserve System from participating in or issuing public communications.”.

SEC. 4. MEMBERSHIP OF FEDERAL OPEN MARKET COMMITTEE.

Section 12A(a) of the Federal Reserve Act (12 U.S.C. 263(a)) is amended—

(1) in the first sentence, by striking “five” and inserting “six”;

(2) in the second sentence, by striking “One by the board of directors” and all that follows through the period at the end and inserting the following: “One by the boards of directors of the Federal Reserve Banks of New York and Boston; one by the boards of directors of the Federal Reserve Banks of Philadelphia and Cleveland; one by the boards of directors of the Federal Reserve Banks of Richmond and Atlanta; one by the boards of directors of the Federal Reserve Banks of Chicago and St. Louis; one by the boards of directors of the Federal Reserve Banks of Minneapolis and Kansas City; and one by the boards of directors of the Federal Reserve Banks of Dallas and San Francisco.”; and

(3) by inserting after the second sentence the following: “In odd numbered calendar years, one representative shall be elected from each of the Federal Reserve Banks of Boston, Philadelphia, Richmond, Chicago, Minneapolis, and Dallas. In even-numbered calendar years, one representative shall be elected from each of the Federal Reserve Banks of New York, Cleveland, Atlanta, St. Louis, Kansas City, and San Francisco.”.

SEC. 5. REQUIREMENTS FOR STRESS TESTS AND SUPERVISORY LETTERS FOR THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) STRESS TEST RULEMAKING, GAO REVIEW, AND PUBLICATION OF RESULTS.—Section 165(i)(1)(B) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5365(i)(1)(B)) is amended—

(1) by amending clause (i) to read as follows:

“(i) shall—

“(I) issue regulations, after providing for public notice and comment, that provide for at least 3 different sets of conditions under which the evaluation required by this subsection shall be conducted, including baseline, adverse, and severely adverse, and methodologies, including models used to estimate losses on certain assets; and

“(II) provide copies of such regulations to the Comptroller General of the United States and the Panel of Economic Advisors of the Congressional Budget Office before publishing such regulations;”;

(2) in clause (v), by inserting before the period the following: “, including any results of a re-submitted test”.

(b) APPLICATION OF CCAR.—Section 165(i)(1) of such Act is further amended by adding at the end the following new subparagraph:

“(C) APPLICATION TO CCAR.—The requirements of subparagraph (B) shall apply to all

stress tests performed under the Comprehensive Capital Analysis and Review exercise established by the Board of Governors.”.

(c) PUBLICATION OF THE NUMBER OF SUPERVISORY LETTERS SENT TO THE LARGEST BANK HOLDING COMPANIES.—Section 165 of such Act is further amended by adding at the end the following new subsection:

“(1) PUBLICATION OF SUPERVISORY LETTER INFORMATION.—The Board of Governors shall publicly disclose—

“(1) the aggregate number of supervisory letters sent to bank holding companies described in subsection (a) since the date of the enactment of this section, and keep such number updated; and

“(2) the aggregate number of such letters that are designated as ‘Matters Requiring Attention’ and the aggregate number of such letters that are designated as ‘Matters Requiring Immediate Attention’.”.

SEC. 6. FREQUENCY OF TESTIMONY OF THE CHAIRMAN OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM TO CONGRESS.

(a) IN GENERAL.—Section 2B of the Federal Reserve Act (12 U.S.C. 225b) is amended—

(1) by striking “semi-annual” each place it appears and inserting “quarterly”; and

(2) in subsection (a)(2)—

(A) by inserting “and October 20” after “July 20” each place it appears; and

(B) by inserting “and May 20” after “February 20” each place it appears.

(b) CONFORMING AMENDMENT.—Paragraph (12) of section 10 of the Federal Reserve Act (12 U.S.C. 247b(12)) is amended by striking “semi-annual” and inserting “quarterly”.

SEC. 7. VICE CHAIRMAN FOR SUPERVISION REPORT REQUIREMENT.

Paragraph (12) of section 10 of the Federal Reserve Act (12 U.S.C. 247(b)) is amended—

(1) by redesignating such paragraph as paragraph (11); and

(2) in such paragraph, by adding at the end the following: “In each such appearance, the Vice Chairman for Supervision shall provide written testimony that includes the status of all pending and anticipated rulemakings that are being made by the Board of Governors of the Federal Reserve System. If, at the time of any appearance described in this paragraph, the position of Vice Chairman for Supervision is vacant, the Vice Chairman for the Board of Governors of the Federal Reserve System (who has the responsibility to serve in the absence of the Chairman) shall appear instead and provide the required written testimony. If, at the time of any appearance described in this paragraph, both Vice Chairman positions are vacant, the Chairman of the Board of Governors of the Federal Reserve System shall appear instead and provide the required written testimony.”.

SEC. 8. ECONOMIC ANALYSIS OF REGULATIONS OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) AMENDMENT TO FEDERAL RESERVE ACT.—Section 11 of the Federal Reserve Act (12 U.S.C. 248) is amended by inserting after subsection (l) the following new subsection:

“(m) CONSIDERATION OF ECONOMIC IMPACTS.—

“(1) IN GENERAL.—Before issuing any regulation, the Board of Governors of the Federal Reserve System shall—

“(A) clearly identify the nature and source of the problem that the proposed regulation is designed to address and assess the significance of that problem;

“(B) assess whether any new regulation is warranted or, with respect to a proposed regulation that the Board of Governors is required to issue by statute and with respect to which the Board has the authority to exempt certain persons from the application of such regulation, compare—

“(i) the costs and benefits of the proposed regulation; and

“(ii) the costs and benefits of a regulation under which the Board exempts all persons from the application of the proposed regulation, to the extent the Board is able;

“(C) assess the qualitative and quantitative costs and benefits of the proposed regulation and propose or adopt a regulation only on a reasoned determination that the benefits of the proposed regulation outweigh the costs of the regulation;

“(D) identify and assess available alternatives to the proposed regulation that were considered, including any alternative offered by a member of the Board of Governors of the Federal Reserve System or the Federal Open Market Committee and including any modification of an existing regulation, together with an explanation of why the regulation meets the regulatory objectives more effectively than the alternatives; and

“(E) ensure that any proposed regulation is accessible, consistent, written in plain language, and easy to understand and shall measure, and seek to improve, the actual results of regulatory requirements.

“(2) CONSIDERATIONS AND ACTIONS.—

“(A) REQUIRED ACTIONS.—In deciding whether and how to regulate, the Board shall assess the costs and benefits of available regulatory alternatives, including the alternative of not regulating, and choose the approach that maximizes net benefits. Specifically, the Board shall—

“(i) evaluate whether, consistent with achieving regulatory objectives, the regulation is tailored to impose the least impact on the availability of credit and economic growth and to impose the least burden on society, including market participants, individuals, businesses of different sizes, and other entities (including State and local governmental entities), taking into account, to the extent practicable, the cumulative costs of regulations;

“(ii) evaluate whether the regulation is inconsistent, incompatible, or duplicative of other Federal regulations; and

“(iii) with respect to a proposed regulation that the Board is required to issue by statute and with respect to which the Board has the authority to exempt certain persons from the application of such regulation, compare—

“(I) the costs and benefits of the proposed regulation; and

“(II) the costs and benefits of a regulation under which the Board exempts all persons from the application of the proposed regulation, to the extent the Board is able.

“(B) ADDITIONAL CONSIDERATIONS.—In addition, in making a reasoned determination of the costs and benefits of a proposed regulation, the Board shall, to the extent that each is relevant to the particular proposed regulation, take into consideration the impact of the regulation, including secondary costs such as an increase in the cost or a reduction in the availability of credit or investment services or products, on—

“(i) the safety and soundness of the United States banking system;

“(ii) market liquidity in securities markets;

“(iii) small businesses;

“(iv) community banks;

“(v) economic growth;

“(vi) cost and access to capital;

“(vii) market stability;

“(viii) global competitiveness;

“(ix) job creation;

“(x) the effectiveness of the monetary policy transmission mechanism; and

“(xi) employment levels.

“(3) EXPLANATION AND COMMENTS.—The Board shall explain in its final rule the nature of comments that it received and shall provide a response to those comments in its final rule, in-

cluding an explanation of any changes that were made in response to those comments and the reasons that the Board did not incorporate concerns related to the potential costs or benefits in the final rule.

“(4) POSTADOPTION IMPACT ASSESSMENT.—

“(A) IN GENERAL.—Whenever the Board adopts or amends a regulation designated as a ‘major rule’ within the meaning of section 804(2) of title 5, United States Code, it shall state, in its adopting release, the following:

“(i) The purposes and intended consequences of the regulation.

“(ii) The assessment plan that will be used, consistent with the requirements of subparagraph (B), to assess whether the regulation has achieved the stated purposes.

“(iii) Appropriate postimplementation quantitative and qualitative metrics to measure the economic impact of the regulation and the extent to which the regulation has accomplished the stated purpose of the regulation.

“(iv) Any reasonably foreseeable indirect effects that may result from the regulation.

“(B) REQUIREMENTS OF ASSESSMENT PLAN AND REPORT.—

“(i) REQUIREMENTS OF PLAN.—The assessment plan required under this paragraph shall consider the costs, benefits, and intended and unintended consequences of the regulation. The plan shall specify the data to be collected, the methods for collection and analysis of the data, and a date for completion of the assessment. The assessment plan shall include an analysis of any jobs added or lost as a result of the regulation, differentiating between public and private sector jobs.

“(ii) SUBMISSION AND PUBLICATION OF REPORT.—The Board shall, not later than 2 years after the publication of the adopting release, publish the assessment plan in the Federal Register for notice and comment. If the Board determines, at least 90 days before the deadline for publication of the assessment plan, that an extension is necessary, the Board shall publish a notice of such extension and the specific reasons why the extension is necessary in the Federal Register. Any material modification of the assessment plan, as necessary to assess unforeseen aspects or consequences of the regulation, shall be promptly published in the Federal Register for notice and comment.

“(iii) DATA COLLECTION NOT SUBJECT TO NOTICE AND COMMENT REQUIREMENTS.—If the Board has published the assessment plan for notice and comment at least 30 days before the adoption of a regulation designated as a major rule, the collection of data under the assessment plan shall not be subject to the notice and comment requirements in section 3506(c) of title 44, United States Code (commonly referred to as the Paperwork Reduction Act). Any material modification of the plan that requires collection of data not previously published for notice and comment shall also be exempt from such requirements if the Board has published notice in the Federal Register for comment on the additional data to be collected, at least 30 days before the initiation of data collection.

“(iv) FINAL ACTION.—Not later than 180 days after publication of the assessment plan in the Federal Register, the Board shall issue for notice and comment a proposal to amend or rescind the regulation, or shall publish a notice that the Board has determined that no action will be taken on the regulation. Such a notice will be deemed a final agency action.

“(5) COVERED REGULATIONS AND OTHER ACTIONS.—Solely as used in this subsection, the term ‘regulation’—

“(A) means a statement of general applicability and future effect that is designed to implement, interpret, or prescribe law or policy, or to describe the procedure or practice requirements

of the Board of Governors, including rules, orders of general applicability, interpretive releases, and other statements of general applicability that the Board of Governors intends to have the force and effect of law; and

“(B) does not include—

“(i) a regulation issued in accordance with the formal rulemaking provisions of section 556 or 557 of title 5, United States Code;

“(ii) a regulation that is limited to the organization, management, or personnel matters of the Board of Governors;

“(iii) a regulation promulgated pursuant to statutory authority that expressly prohibits compliance with this provision; or

“(iv) a regulation that is certified by the Board of Governors to be an emergency action, if such certification is published in the Federal Register.”.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall apply to the requirements regarding the conduct of monetary policy described in section 2.

SEC. 9. SALARIES, FINANCIAL DISCLOSURES, AND OFFICE STAFF OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) IN GENERAL.—Section 11 of the Federal Reserve Act (12 U.S.C. 248) is amended—

(1) by redesignating the second subsection (s) (relating to “Assessments, Fees, and Other Charges for Certain Companies”) as subsection (t); and

(2) by adding at the end the following new subsections:

“(u) ETHICS STANDARDS FOR MEMBERS AND EMPLOYEES.—

“(1) PROHIBITED AND RESTRICTED FINANCIAL INTERESTS AND TRANSACTIONS.—The members and employees of the Board of Governors of the Federal Reserve System shall be subject to the provisions under section 4401.102 of title 5, Code of Federal Regulations, to the same extent as such provisions apply to an employee of the Securities and Exchange Commission.

“(2) TREATMENT OF BROKERAGE ACCOUNTS AND AVAILABILITY OF ACCOUNT STATEMENTS.—The members and employees of the Board of Governors of the Federal Reserve System shall—

“(A) disclose all brokerage accounts that they maintain, as well as those in which they control trading or have a financial interest (including managed accounts, trust accounts, investment club accounts, and the accounts of spouses or minor children who live with the member or employee); and

“(B) with respect to any securities account that the member or employee is required to disclose to the Board of Governors, authorize their brokers and dealers to send duplicate account statements directly to Board of Governors.

“(3) PROHIBITIONS RELATED TO OUTSIDE EMPLOYMENT AND ACTIVITIES.—The members and employees of the Board of Governors of the Federal Reserve System shall be subject to the prohibitions related to outside employment and activities described under section 4401.103(c) of title 5, Code of Federal Regulations, to the same extent as such prohibitions apply to an employee of the Securities and Exchange Commission.

“(4) ADDITIONAL ETHICS STANDARDS.—The members and employees of the Board of Governors of the Federal Reserve System shall be subject to—

“(A) the employee responsibilities and conduct regulations of the Office of Personnel Management under part 735 of title 5, Code of Federal Regulations;

“(B) the canons of ethics contained in subpart C of part 200 of title 17, Code of Federal Regulations, to the same extent as such subpart applies to the employees of the Securities and Exchange Commission; and

“(C) the regulations concerning the conduct of members and employees and former members

and employees contained in subpart M of part 200 of title 17, Code of Federal Regulations, to the same extent as such subpart applies to the employees of the Securities and Exchange Commission.

“(v) DISCLOSURE OF STAFF SALARIES AND FINANCIAL INFORMATION.—The Board of Governors of the Federal Reserve System shall make publicly available, on the website of the Board of Governors, a searchable database that contains the names of all members, officers, and employees of the Board of Governors who receive an annual salary in excess of the annual rate of basic pay for GS-15 of the General Schedule, and—

“(1) the yearly salary information for such individuals, along with any nonsalary compensation received by such individuals; and

“(2) any financial disclosures required to be made by such individuals.”.

(b) OFFICE STAFF FOR EACH MEMBER OF THE BOARD OF GOVERNORS.—Subsection (l) of section 11 of the Federal Reserve Act (12 U.S.C. 248) is amended by adding at the end the following: “Each member of the Board of Governors of the Federal Reserve System may employ, at a minimum, 2 individuals, with such individuals selected by such member and the salaries of such individuals set by such member. A member may employ additional individuals as determined necessary by the Board of Governors.”.

SEC. 10. REQUIREMENTS FOR INTERNATIONAL PROCESSES.

(a) BOARD OF GOVERNORS REQUIREMENTS.—Section 11 of the Federal Reserve Act (12 U.S.C. 248), as amended by section 9 of this Act, is further amended by adding at the end the following new subsection:

“(w) **INTERNATIONAL PROCESSES.**—

“(1) **NOTICE OF PROCESS; CONSULTATION.**—At least 30 calendar days before any member or employee of the Board of Governors of the Federal Reserve System participates in a process of setting financial standards as a part of any foreign or multinational entity, the Board of Governors shall—

“(A) issue a notice of the process, including the subject matter, scope, and goals of the process, to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

“(B) make such notice available to the public, including on the website of the Board of Governors; and

“(C) solicit public comment, and consult with the committees described under subparagraph (A), with respect to the subject matter, scope, and goals of the process.

“(2) **PUBLIC REPORTS ON PROCESS.**—After the end of any process described under paragraph (1), the Board of Governors shall issue a public report on the topics that were discussed during the process and any new or revised rulemakings or policy changes that the Board of Governors believes should be implemented as a result of the process.

“(3) **NOTICE OF AGREEMENTS; CONSULTATION.**—At least 90 calendar days before any member or employee of the Board of Governors of the Federal Reserve System participates in a process of setting financial standards as a part of any foreign or multinational entity, the Board of Governors shall—

“(A) issue a notice of agreement to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

“(B) make such notice available to the public, including on the website of the Board of Governors; and

“(C) consult with the committees described under subparagraph (A) with respect to the na-

ture of the agreement and any anticipated effects such agreement will have on the economy.

“(4) **DEFINITION.**—For purposes of this subsection, the term ‘process’ shall include any official proceeding or meeting on financial regulation of a recognized international organization with authority to set financial standards on a global or regional level, including the Financial Stability Board, the Basel Committee on Banking Supervision (or a similar organization), and the International Association of Insurance Supervisors (or a similar organization).”.

(b) FDIC REQUIREMENTS.—The Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.) is amended by adding at the end the following new section:

“SEC. 51. INTERNATIONAL PROCESSES.

“(a) NOTICE OF PROCESS; CONSULTATION.—At least 30 calendar days before the Board of Directors participates in a process of setting financial standards as a part of any foreign or multinational entity, the Board of Directors shall—

“(1) issue a notice of the process, including the subject matter, scope, and goals of the process, to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

“(2) make such notice available to the public, including on the website of the Corporation; and

“(3) solicit public comment, and consult with the committees described under paragraph (1), with respect to the subject matter, scope, and goals of the process.

“(b) PUBLIC REPORTS ON PROCESS.—After the end of any process described under subsection (a), the Board of Directors shall issue a public report on the topics that were discussed at the process and any new or revised rulemakings or policy changes that the Board of Directors believes should be implemented as a result of the process.

“(c) NOTICE OF AGREEMENTS; CONSULTATION.—At least 90 calendar days before the Board of Directors participates in a process of setting financial standards as a part of any foreign or multinational entity, the Board of Directors shall—

“(1) issue a notice of agreement to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

“(2) make such notice available to the public, including on the website of the Corporation; and

“(3) consult with the committees described under paragraph (1) with respect to the nature of the agreement and any anticipated effects such agreement will have on the economy.

“(d) DEFINITION.—For purposes of this section, the term ‘process’ shall include any official proceeding or meeting on financial regulation of a recognized international organization with authority to set financial standards on a global or regional level, including the Financial Stability Board, the Basel Committee on Banking Supervision (or a similar organization), and the International Association of Insurance Supervisors (or a similar organization).”.

(c) TREASURY REQUIREMENTS.—Section 325 of title 31, United States Code, is amended by adding at the end the following new subsection:

“(d) INTERNATIONAL PROCESSES.—

“(1) **NOTICE OF PROCESS; CONSULTATION.**—At least 30 calendar days before the Secretary participates in a process of setting financial standards as a part of any foreign or multinational entity, the Secretary shall—

“(A) issue a notice of the process, including the subject matter, scope, and goals of the process, to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

“(B) make such notice available to the public, including on the website of the Department of the Treasury; and

“(C) solicit public comment, and consult with the committees described under subparagraph (A), with respect to the subject matter, scope, and goals of the process.

“(2) **PUBLIC REPORTS ON PROCESS.**—After the end of any process described under paragraph (1), the Secretary shall issue a public report on the topics that were discussed at the process and any new or revised rulemakings or policy changes that the Secretary believes should be implemented as a result of the process.

“(3) **NOTICE OF AGREEMENTS; CONSULTATION.**—At least 90 calendar days before the Secretary participates in a process of setting financial standards as a part of any foreign or multinational entity, the Secretary shall—

“(A) issue a notice of agreement to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

“(B) make such notice available to the public, including on the website of the Department of the Treasury; and

“(C) consult with the committees described under subparagraph (A) with respect to the nature of the agreement and any anticipated effects such agreement will have on the economy.

“(4) **DEFINITION.**—For purposes of this subsection, the term ‘process’ shall include any official proceeding or meeting on financial regulation of a recognized international organization with authority to set financial standards on a global or regional level, including the Financial Stability Board, the Basel Committee on Banking Supervision (or a similar organization), and the International Association of Insurance Supervisors (or a similar organization).”.

(d) OCC REQUIREMENTS.—Chapter one of title LXII of the Revised Statutes of the United States (12 U.S.C. 21 et seq.) is amended—

(1) by adding at the end the following new section:

“SEC. 5156B. INTERNATIONAL PROCESSES.

“(a) NOTICE OF PROCESS; CONSULTATION.—At least 30 calendar days before the Comptroller of the Currency participates in a process of setting financial standards as a part of any foreign or multinational entity, the Comptroller of the Currency shall—

“(1) issue a notice of the process, including the subject matter, scope, and goals of the process, to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

“(2) make such notice available to the public, including on the website of the Office of the Comptroller of the Currency; and

“(3) solicit public comment, and consult with the committees described under paragraph (1), with respect to the subject matter, scope, and goals of the process.

“(b) PUBLIC REPORTS ON PROCESS.—After the end of any process described under subsection (a), the Comptroller of the Currency shall issue a public report on the topics that were discussed at the process and any new or revised rulemakings or policy changes that the Comptroller of the Currency believes should be implemented as a result of the process.

“(c) NOTICE OF AGREEMENTS; CONSULTATION.—At least 90 calendar days before the Comptroller of the Currency participates in a process of setting financial standards as a part of any foreign or multinational entity, the Board of Directors shall—

“(1) issue a notice of agreement to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

“(2) make such notice available to the public, including on the website of the Office of the Comptroller of the Currency; and

“(3) consult with the committees described under paragraph (1) with respect to the nature of the agreement and any anticipated effects such agreement will have on the economy.

“(d) DEFINITION.—For purposes of this section, the term ‘process’ shall include any official proceeding or meeting on financial regulation of a recognized international organization with authority to set financial standards on a global or regional level, including the Financial Stability Board, the Basel Committee on Banking Supervision (or a similar organization), and the International Association of Insurance Supervisors (or a similar organization).”; and

(2) in the table of contents for such chapter, by adding at the end the following new item:

“5156B. International processes.”.

(e) SECURITIES AND EXCHANGE COMMISSION REQUIREMENTS.—Section 4 of the Securities Exchange Act of 1934 (15 U.S.C. 78d) is amended by adding at the end the following new subsection:

“(f) INTERNATIONAL PROCESSES.—

“(1) NOTICE OF PROCESS; CONSULTATION.—At least 30 calendar days before the Commission participates in a process of setting financial standards as a part of any foreign or multinational entity, the Commission shall—

“(A) issue a notice of the process, including the subject matter, scope, and goals of the process, to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

“(B) make such notice available to the public, including on the website of the Commission; and

“(C) solicit public comment, and consult with the committees described under subparagraph (A), with respect to the subject matter, scope, and goals of the process.

“(2) PUBLIC REPORTS ON PROCESS.—After the end of any process described under paragraph (1), the Commission shall issue a public report on the topics that were discussed at the process and any new or revised rulemakings or policy changes that the Commission believes should be implemented as a result of the process.

“(3) NOTICE OF AGREEMENTS; CONSULTATION.—At least 90 calendar days before the Commission participates in a process of setting financial standards as a part of any foreign or multinational entity, the Commission shall—

“(A) issue a notice of agreement to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate;

“(B) make such notice available to the public, including on the website of the Commission; and

“(C) consult with the committees described under subparagraph (A) with respect to the nature of the agreement and any anticipated effects such agreement will have on the economy.

“(4) DEFINITION.—For purposes of this subsection, the term ‘process’ shall include any official proceeding or meeting on financial regulation of a recognized international organization with authority to set financial standards on a global or regional level, including the Financial Stability Board, the Basel Committee on Banking Supervision (or a similar organization), and the International Association of Insurance Supervisors (or a similar organization).”.

SEC. 11. AMENDMENTS TO POWERS OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) IN GENERAL.—Section 13(3) of the Federal Reserve Act (12 U.S.C. 343(3)) is amended—

(1) in subparagraph (A)—

(A) by inserting “that pose a threat to the financial stability of the United States” after “unusual and exigent circumstances”; and

(B) by inserting “and by the affirmative vote of not less than nine presidents of the Federal reserve banks” after “five members”;

(2) in subparagraph (B)—

(A) in clause (i), by inserting at the end the following: “Federal reserve banks may not accept equity securities issued by the recipient of any loan or other financial assistance under this paragraph as collateral. Not later than 6 months after the date of enactment of this sentence, the Board shall, by rule, establish—

“(I) a method for determining the sufficiency of the collateral required under this paragraph;

“(II) acceptable classes of collateral;

“(III) the amount of any discount of such value that the Federal reserve banks will apply for purposes of calculating the sufficiency of collateral under this paragraph; and

“(IV) a method for obtaining independent appraisals of the value of collateral the Federal reserve banks receive.”; and

(B) in clause (ii)—

(i) by striking the second sentence; and

(ii) by inserting after the first sentence the following: “A borrower shall not be eligible to borrow from any emergency lending program or facility unless the Board and all federal banking regulators with jurisdiction over the borrower certify that, at the time the borrower initially borrows under the program or facility, the borrower is not insolvent.”;

(3) by inserting “financial institution” before “participant” each place such term appears;

(4) in subparagraph (D)(i), by inserting “financial institution” before “participants”; and

(5) by adding at the end the following new subparagraphs:

“(F) PENALTY RATE.—

“(i) IN GENERAL.—Not later than 6 months after the date of enactment of this subparagraph, the Board shall, with respect to a recipient of any loan or other financial assistance under this paragraph, establish by rule a minimum interest rate on the principal amount of any loan or other financial assistance.

“(ii) MINIMUM INTEREST RATE DEFINED.—In this subparagraph, the term ‘minimum interest rate’ shall mean the sum of—

“(1) the average of the secondary discount rate of all Federal Reserve banks over the most recent 90-day period; and

“(2) the average of the difference between a distressed corporate bond yield index (as defined by rule of the Board) and a bond yield index of debt issued by the United States (as defined by rule of the Board) over the most recent 90-day period.

“(G) FINANCIAL INSTITUTION PARTICIPANT DEFINED.—For purposes of this paragraph, the term ‘financial institution participant’—

“(i) means a company that is predominantly engaged in financial activities (as defined in section 102(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5311(a))); and

“(ii) does not include an agency described in subparagraph (W) of section 5312(a)(2) of title 31, United States Code, or an entity controlled or sponsored by such an agency.”.

(b) CONFORMING AMENDMENT.—Section 11(r)(2)(A) of such Act is amended—

(1) in clause (ii)(IV), by striking “; and” and inserting a semicolon;

(2) in clause (iii), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new clause:

“(iv) the available members secure the affirmative vote of not less than nine presidents of the Federal reserve banks.”.

SEC. 12. INTEREST RATES ON BALANCES MAINTAINED AT A FEDERAL RESERVE BANK BY DEPOSITORY INSTITUTIONS ESTABLISHED BY FEDERAL OPEN MARKET COMMITTEE.

Subparagraph (A) of section 19(b)(12) of the Federal Reserve Act (12 U.S.C. 461(b)(12)(A)) is amended by inserting “established by the Federal Open Market Committee” after “rate or rates”.

SEC. 13. AUDIT REFORM AND TRANSPARENCY FOR THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) IN GENERAL.—Notwithstanding section 714 of title 31, United States Code, or any other provision of law, the Comptroller General of the United States shall complete an audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks under subsection (b) of such section 714 within 12 months after the date of the enactment of this Act.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the audit required pursuant to subsection (a) is completed, the Comptroller General—

(A) shall submit to Congress a report on such audit; and

(B) shall make such report available to the Speaker of the House, the majority and minority leaders of the House of Representatives, the majority and minority leaders of the Senate, the Chairman and Ranking Member of the committee and each subcommittee of jurisdiction in the House of Representatives and the Senate, and any other Member of Congress who requests the report.

(2) CONTENTS.—The report under paragraph (1) shall include a detailed description of the findings and conclusion of the Comptroller General with respect to the audit that is the subject of the report, together with such recommendations for legislative or administrative action as the Comptroller General may determine to be appropriate.

(c) REPEAL OF CERTAIN LIMITATIONS.—Subsection (b) of section 714 of title 31, United States Code, is amended by striking the second sentence.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Section 714 of title 31, United States Code, is amended—

(A) in subsection (d)(3), by striking “or (f)” each place such term appears;

(B) in subsection (e), by striking “the third undesignated paragraph of section 13” and inserting “section 13(3)”; and

(C) by striking subsection (f).

(2) FEDERAL RESERVE ACT.—Subsection (s) (relating to “Federal Reserve Transparency and Release of Information”) of section 11 of the Federal Reserve Act (12 U.S.C. 248) is amended—

(A) in paragraph (4)(A), by striking “has the same meaning as in section 714(f)(1)(A) of title 31, United States Code” and inserting “means a program or facility, including any special purpose vehicle or other entity established by or on behalf of the Board of Governors of the Federal Reserve System or a Federal reserve bank, authorized by the Board of Governors under section 13(3), that is not subject to audit under section 714(e) of title 31, United States Code”; and

(B) in paragraph (6), by striking “or in section 714(f)(3)(C) of title 31, United States Code, the information described in paragraph (1) and information concerning the transactions described in section 714(f) of such title,” and inserting “the information described in paragraph (1)”; and

(C) in paragraph (7), by striking “and section 13(3)(C), section 714(f)(3)(C) of title 31, United States Code, and” and inserting “, section 13(3)(C), and”.

SEC. 14. REPORTING REQUIREMENT FOR EXPORT-IMPORT BANK.

The Board of Governors of the Federal Reserve System shall include, as part of the monthly Federal Reserve statistical release titled “Industrial Production or Capacity Utilization” (or any successor release), an analysis of—

(1) the impact on the index described in the statistical release due to the operation of the Export-Import Bank; and

(2) the amount of foreign industrial production supported by foreign export credit agencies,

using the same method used to measure industrial production in the statistical release and scaled to be comparable to the industrial production measurement for the United States.

SEC. 15. MEMBERSHIP OF BOARD OF DIRECTORS OF THE FEDERAL RESERVE BANKS.

Section 4 of the Federal Reserve Act (12 U.S.C. 302) is amended—

(1) in the eleventh undesignated paragraph (relating to Class B), by striking “and consumers” and inserting “consumers, and traditionally underserved communities and populations”; and

(2) in the twelfth undesignated paragraph (relating to Class C), by striking “and consumers” and inserting “consumers, and traditionally underserved communities and populations”.

SEC. 16. ESTABLISHMENT OF A CENTENNIAL MONETARY COMMISSION.

(a) **SHORT TITLE.**—This section may be cited as the “Centennial Monetary Commission Act of 2015”.

(b) **FINDINGS.**—Congress finds the following:

(1) The Constitution endows Congress with the power “to coin money, regulate the value thereof”.

(2) Following the financial crisis known as the Panic of 1907, Congress established the National Monetary Commission to provide recommendations for the reform of the financial and monetary systems of the United States.

(3) Incorporating several of the recommendations of the National Monetary Commission, Congress created the Federal Reserve System in 1913. As currently organized, the Federal Reserve System consists of the Board of Governors in Washington, District of Columbia, and the Federal Reserve Banks organized into 12 districts around the United States. The stockholders of the 12 Federal Reserve Banks include national and certain State-chartered commercial banks, which operate on a fractional reserve basis.

(4) Originally, Congress gave the Federal Reserve System a monetary mandate to provide an elastic currency, within the context of a gold standard, in response to seasonal fluctuations in the demand for currency.

(5) Congress also gave the Federal Reserve System a financial stability mandate to serve as the lender of last resort to solvent but illiquid banks during a financial crisis.

(6) In 1977, Congress changed the monetary mandate of the Federal Reserve System to a dual mandate for maximum employment and stable prices.

(7) Empirical studies and historical evidence, both within the United States and in other countries, demonstrate that price stability is desirable because both inflation and deflation damage the economy.

(8) The economic challenge of recent years—most notably the bursting of the housing bubble, the financial crisis of 2008, and the ensuing anemic recovery—have occurred at great cost in terms of lost jobs and output.

(9) Policymakers are reexamining the structure and functioning of financial institutions and markets to determine what, if any, changes need to be made to place the financial system on a stronger, more sustainable path going forward.

(10) The Federal Reserve System has taken extraordinary actions in response to the recent economic challenges.

(11) The Federal Open Market Committee has engaged in multiple rounds of quantitative easing, providing unprecedented liquidity to financial markets, while committing to holding short-term interest rates low for a seemingly indefinite period, and pursuing a policy of credit allocation by purchasing Federal agency debt and mortgage-backed securities.

(12) In the wake of the recent extraordinary actions of the Federal Reserve System, Con-

gress—consistent with its constitutional responsibilities and as it has done periodically throughout the history of the United States—has once again renewed its examination of monetary policy.

(13) Central in such examination has been a renewed look at what is the most proper mandate for the Federal Reserve System to conduct monetary policy in the 21st century.

(c) **ESTABLISHMENT OF A CENTENNIAL MONETARY COMMISSION.**—There is established a commission to be known as the “Centennial Monetary Commission” (in this section referred to as the “Commission”).

(d) **STUDY AND REPORT ON MONETARY POLICY.**—

(1) **STUDY.**—The Commission shall—

(A) examine how United States monetary policy since the creation of the Board of Governors of the Federal Reserve System in 1913 has affected the performance of the United States economy in terms of output, employment, prices, and financial stability over time;

(B) evaluate various operational regimes under which the Board of Governors of the Federal Reserve System and the Federal Open Market Committee may conduct monetary policy in terms achieving the maximum sustainable level of output and employment and price stability over the long term, including—

(i) discretion in determining monetary policy without an operational regime;

(ii) price level targeting;

(iii) inflation rate targeting;

(iv) nominal gross domestic product targeting (both level and growth rate);

(v) the use of monetary policy rules; and

(vi) the gold standard;

(C) evaluate the use of macro-prudential supervision and regulation as a tool of monetary policy in terms of achieving the maximum sustainable level of output and employment and price stability over the long term;

(D) evaluate the use of the lender-of-last-resort function of the Board of Governors of the Federal Reserve System as a tool of monetary policy in terms of achieving the maximum sustainable level of output and employment and price stability over the long term; and

(E) recommend a course for United States monetary policy going forward, including—

(i) the legislative mandate;

(ii) the operational regime;

(iii) the securities used in open market operations; and

(iv) transparency issues.

(2) **REPORT.**—Not later than December 1, 2016, the Commission shall submit to Congress and make publicly available a report containing a statement of the findings and conclusions of the Commission in carrying out the study under paragraph (1), together with the recommendations the Commission considers appropriate.

(e) **MEMBERSHIP.**—

(1) **NUMBER AND APPOINTMENT.**—

(A) **APPOINTED VOTING MEMBERS.**—The Commission shall contain 12 voting members as follows:

(i) Six members appointed by the Speaker of the House of Representatives, with four members from the majority party and two members from the minority party.

(ii) Six members appointed by the President Pro Tempore of the Senate, with four members from the majority party and two members from the minority party.

(B) **CHAIRMAN.**—The Speaker of the House of Representatives and the majority leader of the Senate shall jointly designate one of the members of the Commission as Chairman.

(C) **NON-VOTING MEMBERS.**—The Commission shall contain 2 non-voting members as follows:

(i) One member appointed by the Secretary of the Treasury.

(ii) One member who is the president of a district Federal reserve bank appointed by the Chair of the Board of Governors of the Federal Reserve System.

(2) **PERIOD OF APPOINTMENT.**—Each member shall be appointed for the life of the Commission.

(3) **TIMING OF APPOINTMENT.**—All members of the Commission shall be appointed not later than 30 days after the date of the enactment of this section.

(4) **VACANCIES.**—A vacancy in the Commission shall not affect its powers, and shall be filled in the manner in which the original appointment was made.

(5) **MEETINGS.**—

(A) **INITIAL MEETING.**—The Commission shall hold its initial meeting and begin the operations of the Commission as soon as is practicable.

(B) **FURTHER MEETINGS.**—The Commission shall meet upon the call of the Chair or a majority of its members.

(6) **QUORUM.**—Seven voting members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(7) **MEMBER OF CONGRESS DEFINED.**—In this subsection, the term “Member of Congress” means a Senator or a Representative in, or Delegate or Resident Commissioner to, the Congress.

(f) **POWERS.**—

(1) **HEARINGS AND SESSIONS.**—The Commission or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this section, hold hearings, sit and act at times and places, take testimony, receive evidence, or administer oaths as the Commission or such subcommittee or member thereof considers appropriate.

(2) **CONTRACT AUTHORITY.**—To the extent or in the amounts provided in advance in appropriation Acts, the Commission may contract with and compensate government and private agencies or persons to enable the Commission to discharge its duties under this section, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5).

(3) **OBTAINING OFFICIAL DATA.**—

(A) **IN GENERAL.**—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, any information, including suggestions, estimates, or statistics, for the purposes of this section.

(B) **REQUESTING OFFICIAL DATA.**—The head of such department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the government shall, to the extent authorized by law, furnish such information upon request made by—

(i) the Chair;

(ii) the Chair of any subcommittee created by a majority of the Commission; or

(iii) any member of the Commission designated by a majority of the commission to request such information.

(4) **ASSISTANCE FROM FEDERAL AGENCIES.**—

(A) **GENERAL SERVICES ADMINISTRATION.**—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the functions of the Commission.

(B) **OTHER DEPARTMENTS AND AGENCIES.**—In addition to the assistance prescribed in subparagraph (A), at the request of the Commission, departments and agencies of the United States shall provide such services, funds, facilities, staff, and other support services as may be authorized by law.

(5) **POSTAL SERVICE.**—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(g) **COMMISSION PERSONNEL.**—

(1) *APPOINTMENT AND COMPENSATION OF STAFF.*—

(A) *IN GENERAL.*—Subject to rules prescribed by the Commission, the Chair may appoint and fix the pay of the executive director and other personnel as the Chair considers appropriate.

(B) *APPLICABILITY OF CIVIL SERVICE LAWS.*—The staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of level V of the Executive Schedule.

(2) *CONSULTANTS.*—The Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the rate of pay for a person occupying a position at level IV of the Executive Schedule.

(3) *STAFF OF FEDERAL AGENCIES.*—Upon request of the Commission, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of such department or agency to the Commission to assist it in carrying out its duties under this section.

(h) *TERMINATION OF COMMISSION.*—

(1) *IN GENERAL.*—The Commission shall terminate on June 1, 2017.

(2) *ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.*—The Commission may use the period between the submission of its report and its termination for the purpose of concluding its activities, including providing testimony to the committee of Congress concerning its report.

(i) *AUTHORIZATION OF APPROPRIATIONS.*—There is authorized to be appropriated to carry out this section \$1,000,000, which shall remain available until the date on which the Commission terminates.

SEC. 17. ELIMINATION OF SURPLUS FUNDS OF FEDERAL RESERVE BANKS.

(a) *IN GENERAL.*—Section 7 of the Federal Reserve Act (12 U.S.C. 289 et seq.) is amended—

(1) in subsection (a)—

(A) in the heading of such subsection, by striking “AND SURPLUS FUNDS”; and

(B) in paragraph (2), by striking “deposited in the surplus fund of the bank” and inserting “transferred to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury”; and

(C) by striking the first subsection (b) (relating to a transfer for fiscal year 2000).

(b) *TRANSFER TO THE TREASURY.*—The Federal Reserve banks shall transfer all of the funds of the surplus funds of such banks to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part C of House Report 114-341. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. HECK OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part C of House Report 114-341.

Mr. HECK of Washington. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 8, strike “Not”.

Page 5, line 9, insert the following:

“(1) *IN GENERAL.*—Not”.

Page 5, after line 15, insert the following:

“(2) *EXCEPTION.*—The requirements of paragraph (1) shall not apply if the Federal Open Market Committee determines at the end of a meeting that the current conditions represent a significant divergence from the goals of maximum employment and stable prices described in section 2A.”.

The Acting CHAIR. Pursuant to House Resolution 529, the gentleman from Washington (Mr. HECK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HECK of Washington. Mr. Chair, I yield myself 2½ minutes.

Thus far, this has been an interesting debate that seems to have mostly revolved around a philosophical point. On the one hand, you have arguments for increased transparency and accountability. On the other hand, you have arguments against increased political interference by this institution. I have always proceeded with the assumption that philosophical debates are irreconcilable in a lot of regards because you have to presume that the other side has a point of view.

This is not why I oppose the underlying bill. Although I hasten to add, why anybody would ever want to give more authority and control over the levers of the economy to this institution, with its track record in the last several years, including government shut-downs and the like, is beyond me. Again, it is a philosophical debate.

Here is what is not debatable: what is proposed in this bill doesn't work. It does not work. Let's back up. Essentially, color it any way you want, this bill argues for the adoption of the so-called Taylor rule. What is that?

The Taylor rule was devised by Professor Taylor of Stanford in the 1990s, looking back at the experience of the economy and what the Fed had done using a mixture of GDP, GDP potential and inflation, and he derived a formula. The problem is, again, it does not work. That is why I have offered this amendment, which would provide the Fed the ability to opt out, if we get to a stressful situation where clearly the application of the Taylor rule wasn't working.

Here is the deal. I can prove to you that the Taylor rule wouldn't work. Let me show you. We have had a couple of instances in recent history in which

we can test the application of the Taylor rule, both against the Fed's mission to achieve price stability as well as achieve full employment.

This chart tracks the years 1979 to 1983. The red line is what the chair of the Fed, Mr. Volcker, utilized in the way of the actual Fed fund rates. The blue line is the Taylor rule. You can see that for many years, Mr. Volcker opted for a 5-percent increase over what the Taylor rule would have been. You can also see that Mr. Volcker was right, that he broke inflation.

Now, unless we want to return to 12 to 14 percent home mortgages and a 17 to 18 percent inflation rate, we should—

The Acting CHAIR. The time of the gentleman has expired.

Mr. HECK of Washington. I yield myself an additional 30 seconds.

Quickly, here is the chart for the most recent economic crisis. The red line is what the Fed did. The Taylor rule is the blue line. This is unemployment.

The Taylor rule would have provided, beginning back in 2010, substantially higher interest rates when unemployment rates were still unacceptably high. The Taylor rule doesn't work. Adopt my amendment.

I reserve the balance of my time.

□ 1845

Mr. HENSARLING. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, I do rise in opposition to the amendment. The gentleman has clearly stated he doesn't like the underlying bill, so his amendment simply guts the underlying bill and allows the Fed to opt out of the underlying bill.

I have listened carefully to the gentleman's interest and what he recited about the Taylor rule, but again I would encourage him to read the bill because he would then know, as I suspect that he does, that the Federal Reserve under the FORM Act is not mandated to follow the Taylor rule. It is simply a comparison. So, if the Taylor rule is as bad as the gentleman claims it will be, then the FORM Act will reveal that to all the world. All the world will know this.

However, I think if we study economic history carefully, what we will discover is that, when the Fed used a more predictable, rules-based monetary policy to where investors and businesses actually had some idea of what interest rates would be, the economy would flourish, as it did during the great moderation.

So again, the FORM Act allows the Fed to use any monetary policy it wishes, to change the policy, to deviate from the policy, but it has to communicate that to the rest. That is essentially what the FORM Act says. It is

about communication. It doesn't tell them how to conduct the policy. It does tell them how to communicate the policy to the American people, who deserve to know this from the single most important economic agency of government today.

Mr. HUIZENGA of Michigan. Will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman, the author of the FORM Act.

Mr. HUIZENGA of Michigan. I appreciate the chairman yielding to me on this.

Exactly what you were talking about is the case. This is merely a benchmark guideline to measure against. In fact, in committee, when Chair Yellen was testifying in front of our committee, I suggested that, if they saw problems, that they would then put a floor or put a ceiling on any movement that could happen within that timeframe. I thought I gave a very helpful suggestion that we call it the Yellen rule at that point, and she can claim credit for doing exactly what is being discussed.

Mr. HENSARLING. Well, I thank the gentleman for his leadership on this.

Again, I have portions of the act in front of me. The bill stipulates: "Nothing in this Act shall be construed to require." That is what the act says on a formal policy directive. "If the Federal Open Market Committee determines that such plans cannot or should not be achieved due to changing market conditions."

Again this is about communication. When we have an economy that is underperforming, where had we only had the average recovery in the post-war era every man, woman, and child in America would have \$6,000 more, millions would be back to work, I think the American people deserve to ask some hard questions.

This is such an incredible red herring with this argument on independence. Mr. Chairman, the Board of Governors have 14-year terms—second only to lifetime appointments to the bench—14-year terms, independent funding of the congressional appropriations process. And so now we don't want them to answer some questions.

Will their feelings get hurt if they are asked some tough questions by Members of Congress? Are they that delicate that they can't conduct monetary policy if in an open committee hearing they have to answer questions? I think the American people, Mr. Chairman, are saying: Give me a break.

Mr. Chairman, I reserve the balance of my time.

Mr. HECK of Washington. Mr. Chairman, I yield myself 1½ minutes.

Where is it? Bring it. If it is not the Taylor rule, it is some other rule that is going to work magically to achieve price stability and full employment, you think it exists somewhere?

The Taylor rule is what is essentially referenced in the bill. You say: But it isn't required.

Okay. There is a better rule? Show your hand. It is time to lay your cards down. If there is actually some kind of mathematical magic formula that can always trump human judgment and changing economic circumstances, lay it on the table. But you haven't done it.

Mr. HENSARLING. Will the gentleman yield?

Mr. HECK of Washington. I would be glad to yield to the gentleman from Texas out of my extreme respect for both you and the prime sponsor of the bill.

Mr. HENSARLING. Whether you call it a rule or a method or approach, the Fed is already doing something. They are looking at variables, and they are making decisions. All we are asking is that they communicate that to the rest of the American people. Ask them what their rule is. We would like to know. That is what the FORM Act is all about.

Mr. HECK of Washington. Their rule is to break the back of inflation. Their rule is to achieve increased employment. That is the rule they use. Exercising, yes, judgment based upon ever-changing economic circumstances.

But to suggest that you can arbitrarily apply a formula without being willing to advance the formula, you want disclosure, you want transparency? Start with you. Put your rule on the table.

I reserve the balance of my time.

Mr. HENSARLING. Again, it is up to the Fed. You can't argue this both ways. The FORM Act is not imposing a rule. The Fed says that it is data dependent. What is the data? What is the reaction function? Tell us what you are doing. If you decide tomorrow morning you want to do it differently, that is fine. Just tell the rest of us.

In this economy that continues to underperform, an economy that continues to suffer, monetary policy ought to be made clear and transparent to the American people. That is what the FORM Act demands.

I yield the remaining 15 seconds to the gentleman from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA of Michigan. Mr. Chairman, I don't trust Congress enough for us to come up with the rule, which is why I wrote into the bill that the Fed develops the rule, the guideline, the benchmark that they put forward. We know they do this already. They look at the Taylor rule, they look at a number of other models, and they then go advance forward with the best policy that they think is the right thing. We are just asking them to communicate that to Congress and the American people.

Mr. HENSARLING. Mr. Chairman, I urge a rejection of the amendment.

I yield back the balance of my time.

Mr. HECK of Washington. Mr. Chairman, with all due respect to my friend

from Michigan, you didn't put the formula in the bill because it doesn't exist. If it did, you would have put it in. If there would have been an absolute magic formula that would keep this economy at full employment and price stability, we would have it on the table, but no such formula exists. That is why you didn't put it in the bill. It doesn't exist.

Adopt the amendment. Allow the Fed to do the job to achieve price stability and full employment.

I yield back the balance of my time.

The Acting CHAIR (Mr. WOODALL). The question is on the amendment offered by the gentleman from Washington (Mr. HECK).

The amendment was rejected.

AMENDMENT NO. 2 OFFERED BY MR. HECK OF WASHINGTON

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part C of House Report 114-341.

Mr. HECK of Washington. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, line 25, strike "and".

Page 7, line 3, strike the period at the end and insert "; and".

Page 7, after line 3, insert the following:

"(9) include a plan to use the most accurate data, subject to all historical revisions, for inputs into the Directive Policy Rule and the Reference Policy Rule."

The Acting CHAIR. Pursuant to House Resolution 529, the gentleman from Washington (Mr. HECK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HECK of Washington. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the purpose of this amendment is to ask the Fed to build a time machine because, frankly, that is the only way that this bill works.

You see, the fact of the matter is that, when Mr. Taylor, Professor Taylor, devised his study, which was groundbreaking, was important, he did so in the 1990s, looking back over the previous 10 years which, as I indicated earlier, was an unusually fairly stable period of time, unusually fairly stable, not an exceptional performance, good or bad, in the economy.

He did so with the benefit of data that had been updated over time, because, you see, the Bureau of Economic Analysis doesn't just do one fixed number that people get to rely on. In fact, in the first year they put out not one, not two, but three updates, called the advanced estimate, the preliminary estimate, and the final estimate.

But wait, there is more, to quote the Ronco ad. The next year they update again. That is called the annual reestimate. But wait, there is more. Every 5

years they do a benchmark reestimate. That is the data that Professor Taylor had the advantage of.

In essence, to ask the Fed to utilize or apply the Taylor rule or any such thing like it, which does not exist, is to ask them to have the benefit of data which is not final.

I don't know about you, but every month when the unemployment numbers come out, I have begun to view them pretty skeptically over the years. We all know the reason for that: because they get revised so much—so much.

At the beginning of President Obama's first term, when he indicated, as is often cited, that he would act to get unemployment no higher than 8 percent, he was doing so on the basis of the first estimate, which said it was 6.7 percent or something like that. The revision was 7.8 percent 3 months later.

So the fact of the matter is the Taylor rule or anything like it has the advantage of hindsight, which no rule can fully incorporate.

The purpose of this amendment—vote for it, vote against it—is if you want to do this, build yourself a time machine, because that is the only way you can reasonably, with any sense of scholarship and solid research, be able to devise a formula that would work because we don't know the conditions until quite sometime later.

Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, just to throw my friend and colleague a curve ball, I will support his amendment. Although, I must admit, I am somewhat surprised and shocked, given the debate of the last, that he would want to interfere in the independence of the Fed and require them to use fully revised data.

I will, nonetheless, support the amendment, notwithstanding the intrusion upon their independence.

Mr. Chairman, I yield back the balance of my time.

Mr. HECK of Washington. Mr. Chairman, I am not often speechless in the face of my friend from Texas' remarks.

Look, we cannot perform a calculation without accurate data. If you are going to join me and throw in with H. G. Wells and a great heritage of both literature and cinema history regarding time travel, then I can do nothing but shockingly accept your gracious support of this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. HECK).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. GRAYSON

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part C of House Report 114-341.

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 44, line 25, insert "annually" after "shall".

Page 45, line 7, strike "the audit" and insert "each audit".

The Acting CHAIR. Pursuant to House Resolution 529, the gentleman from Florida (Mr. GRAYSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, my amendment would simply make the one-time audit required by section 13 of this bill an annual audit. A 2011 GAO audit of the Fed, the only independent Fed audit in its 102-year history, detailed how the United States provided at least \$16 trillion in loans to bail out American and foreign banks and businesses.

With an annual audit, Congress is at a great advantage in how to avoid waste, fraud, and abuse at the Fed. I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, I want to thank the gentleman from Florida for his amendment. I rise in support of the amendment.

The FORM Act provides for GAO audits of the Federal Reserve but is silent as to the frequency of when audits should occur. I think the gentleman makes a compelling case.

This will clarify that GAO should audit the Fed on an annual basis, and it will serve to help inform Congress and the American people with regular updates on the Fed's activities. It will promote greater transparency and accountability, which is the objective of the bill.

I urge all Members to adopt the amendment. I thank the gentleman for his leadership here.

Mr. Chairman, I yield back the balance of my time.

Mr. GRAYSON. Mr. Chairman, I yield back the balance of my time.

□ 1900

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part C of House Report 114-341.

AMENDMENT NO. 5 OFFERED BY MR. GRAYSON

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part C of House Report 114-341.

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of the bill the following:

SEC. 17. AMENDMENT TO FEDERAL RESERVE DISTRICTS.

(a) IN GENERAL.—Section 2 of the Federal Reserve Act, (12 U.S.C. 222 et seq.) is amended—

(1) by striking "twelve" each place such term appears and inserting "fifteen";

(2) by inserting after the fourth sentence the following: "One such Federal reserve districts shall be for Northern California (located in San Francisco), one such district shall be for Southern California (located in Los Angeles), and one such district shall be for Florida (located in Orlando). The border between the two California districts shall be drawn so that the districts are contiguous and compact, the population of the districts is approximately equal, and the districts do not divide any California county border as in existence on the date of enactment of this sentence."

(b) CONFORMING AMENDMENTS.—Section 16 of such Act is amended by striking "twelve" and inserting "fifteen".

The Acting CHAIR. Pursuant to House Resolution 529, the gentleman from Florida (Mr. GRAYSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, my amendment would increase the number of Federal Reserve Districts from 12 to 15. The three new districts would be for northern California, southern California, and Florida; based in San Francisco, Los Angeles, and Orlando. No current Federal Reserve banks would be relocated as a result.

Take a look at the map to my right and you will see a map that is over a century old. The Federal Reserve Districts have not been updated significantly since they were first established in 1913—102 years ago. It is time to bring our Federal Reserve Districts into the 21st century.

Right now, for instance, one district represents everywhere from Utah to the Pacific Ocean, including Alaska and Hawaii. The three new districts would be centered in three of the fastest growing regions of our country in terms of both population and economic growth.

In 1913, the 12th district, based in San Francisco, had only 6 percent of the

population of the United States. In 2000, it had 19 percent, or 65 million Americans.

As you can see from the next chart, districts designed originally a century ago to have equal population have reached the point where one district has 10 times the population of another district.

In the case of the Western district, it now includes a total of nine States jumbled together, California and eight surrounding States. Similarly, the district including Florida and the neighboring States has grown to 45 million Americans—twice the average. It combines Florida and five neighboring States. It is time for the Fed to recognize this change in where Americans live.

A similar change has been made in the court systems over the year. The tenth circuit was taken out of the eighth circuit when the population increased to the point where it was no longer sustainable as a single circuit court.

Similarly, the 11th circuit—my circuit—was carved out of the fifth circuit for exactly the same reason. But the Fed districts have remained static now for a century.

I am proud to introduce this amendment to modernize the Federal Service to more accurately reflect who we are as Americans and where we live and where we work.

I yield to the gentlewoman from California (Ms. MAXINE WATERS).

Ms. MAXINE WATERS of California. Mr. Chair, while I appreciate the spirit of the amendment, which seeks to ensure that the most populous regions of the country have adequate representation within the Federal Reserve system, I am concerned that the amendment does not fully contemplate the implications of adding the additional reserve districts.

For example, the amendment would add a Federal Reserve District headquartered in San Francisco, a city which is already home to a Federal Reserve bank. Furthermore, the current Federal Reserve Bank of San Francisco has a number of branches located throughout the West, including one in Los Angeles, a city which would be home to another Federal Reserve Bank under the gentleman from Florida's amendment.

The amendment also does not address how the new Reserve Banks would participate in the current rotation on the Federal Open Market Committee, a matter which is prescribed by law under section 12(a) of the Federal Reserve Act.

Rather than add an additional Reserve Bank or additional Reserve Banks to the Federal Reserve system, I respectfully submit that the desired effects of this amendment to provide greater diverse range of views across our country could more usefully be

achieved without increasing the number of regional Reserve Banks and within the confines of the current system.

The Acting CHAIR. The time of the gentleman from Florida has expired.

Mr. HENSARLING. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Chairman, I want to—I guess to put it civilly—gently oppose the amendment from the gentleman from Florida.

I think the gentleman from Florida does make some good points. These Federal Reserve Districts, in some respects, are anachronistic. They were derived from our early 20th century history. I do believe that it is a subject that needs to be looked at. I am just not prepared to say today that the gentleman has necessarily gotten it right.

There is probably something very humorous today about siting a Federal Reserve Bank in the same city as Disney World. I will refrain from making any such humorous references.

But, again, I think the gentleman makes a good point. I would like this issue to go through regular order. I believe it is a matter that Chairman HUIZENGA and the Monetary Policy and Trade Subcommittee of our full committee will be taking a look at: Are these appropriate cities for the Federal Reserve Banks to be sited?

So, again, I thank the gentleman for bringing the matter to the House's attention, I thank him for bringing it to my attention, but I am not prepared to say that San Francisco, L.A., or Orlando are necessarily the places that Federal Reserve Banks ought to end up, without going through regular order.

So I want to look at the matter, but I would otherwise encourage Members at this time to reject the amendment of the gentleman from Florida. I would ask the House to reject the amendment at this time.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was rejected.

AMENDMENT NO. 6 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part C of House Report 114-341.

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. 17. PUBLIC TRANSCRIPTS OF FOMC MEETINGS.

Section 12A of the Federal Reserve Act (12 U.S.C. 263), as amended by this Act, is further amended by adding at the end the following:

“(e) PUBLIC TRANSCRIPTS OF MEETINGS.—The Committee shall—

“(1) record all meetings of the Committee; and

“(2) make the full transcript of such meetings available to the public.”.

The Acting CHAIR. Pursuant to House Resolution 529, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, amendment No. 6 is an amendment that addresses the transparency that we have heard much dialogue about in the debate here on the floor, especially from members of the Financial Services Committee.

It is an amendment that requires that the records of the Federal Open Market Committee be recorded, in the same fashion that our committee meetings are recorded, and made public.

The FOMC sets the monetary policy for the U.S. economy, but there is no law that compels the Fed to release FOMC meeting transcripts to the public. The details of the meetings are crucial for an accurate understanding of how the Fed views the state of the economy and the reasoning behind Fed policy and actions. That has also been a significant part of our debate here with the underlying bill.

So, my amendment directs them to keep a transcript, keep a record, and make that record public. It compels those transcripts to be made public so that those of us here in the United States Congress, but also people in households and businesses across the country, can have a look into the decisions that are made and especially the rationale behind those decisions of the full proceedings of the Federal Open Market Committee.

Every congressional hearing makes these transcripts publicly available. That is what my amendment does. It requires the FOMC to do the same. And I would urge its adoption.

Mr. Chairman, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR (Mr. JODY B. HICE of Georgia). The gentlewoman is recognized for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Chair, the amendment would, at best, duplicate the Federal Reserve's current policy regarding the disclosure of transcripts and, at worst, falsely imply that the Federal Reserve would be prohibited from exercising its discretion in determining when to release FOMC meeting transcripts in accordance with prudent monetary policy. After all, communication in and of itself is a key monetary policy tool, and it would be unwise to tie the Fed's hands when it comes to using it.

Furthermore, any failure to allow the Federal Reserve to strike the appropriate balance between transparency and the disclosure of potentially market-moving information, particularly at a time of financial stress, would have significant adverse impacts on our economy and could, in turn, have a chilling effect on monetary policy deliberations.

To underscore the fact that this potentially harmful amendment is completely unnecessary, I think it is also worth pointing out that the Federal Reserve is already a leader among central banks in advanced economies when it comes to making its transcripts available to the public.

While the Federal Reserve releases transcripts with a 5-year lag, other advanced economies have adopted requirements to release transcripts after much longer periods. Japan's Central Bank releases transcripts to the public after 10 years, and the European Union releases transcripts after 20 years.

In addition to releasing transcripts to the public, the Federal Reserve employs a range of additional measures to enhance the public's understanding of the Federal Open Market Committee's views and expectations. For example, the Federal Reserve issues a statement following the conclusion of each of its meetings that includes the Federal Reserve's policy decisions and its rationale, includes the vote of each FOMC member, and provides a short summary of any dissenting views.

The Federal Reserve also releases detailed minutes that are released on a 3-week lag following each FOMC meeting. The minutes contain a detailed discussion of the policy deliberations and the range of views that were presented and includes votes on each policy action taken by each FOMC member.

Since 2011, the Chair of the Federal Reserve gives a press conference following each FOMC meeting for which a summary of economic projections is prepared, amounting to four press conferences each year. This provides the opportunity for the Chair to explain her views and respond to questions from the financial press.

In January 2012, the Federal Open Market Committee also published a statement of longer-run goals and monetary policy strategy in which it outlined how it would assess its compliance with statutory mandates to promote full employment and price stability. Subsequently, in September 2014, the Federal Reserve published a statement outlining its policy, normalization principles, and plans.

Finally, the Federal Reserve, as it is required by law, regularly testifies before the House and Senate on monetary policy matters on no less than two occasions a year. Chairman Yellen has made herself available to testify on regulatory matters at the request of Congress.

So, all of this is to say that claims that the Federal Reserve lacks transparency or doesn't communicate its thinking to the public just don't hold up to the facts.

I urge Members to oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

MODIFICATION TO AMENDMENT NO. 6 OFFERED
BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I ask unanimous consent to modify my amendment with the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 6 offered by Mr. KING of Iowa:

Add at the end the following:

Page 53, line 4, strike "and".

Page 53, line 11, strike the period and insert "; and".

Page 53, after line 11, insert the following:

(F) consider the effects of the GDP output and employment targets of the "dual mandate" (both from the creation of the dual mandate in 1977 until the present time and estimates of the future effect of the dual mandate) on—

(i) United States economic activity;

(ii) Federal Reserve actions; and

(iii) Federal debt.

Page 53, line 18, add at the end the following: "In making such report, the Commission shall specifically report on the considerations required under paragraph (1)(F)."

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The Acting CHAIR. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Acting CHAIR. The amendment is modified.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, I want to thank the ranking member for her cooperation and opportunity to have this debate, and I will just address it briefly.

In 1977, Congress established what is known as the dual mandate. The dual mandate set the goals of the Federal Reserve System and the Federal Open Market Committee to include goals of maximum employment and stable prices.

There has been a lot of debate about whether the tension of those two issues has brought about decisions of the Fed that might have otherwise been different, and so this amendment requires a study to be done in order to take a look at the effects of the dual mandate. It is pretty simple that way, and I urge its support and adoption.

I circle back then to the transcripts. And in response to the gentlewoman's comments, I would just remind Members of Congress that we do keep records in all of our proceedings. There is a transcript taking place right now of these proceedings, of each of our

committees and subcommittees. They are available to the public, and, in fact, we are on C-SPAN with almost all of our subcommittees and committees today.

We are open. We are open records, and there is much sunlight on what we do. And yet, many of the decisions that we make here have far less impact on the American citizen than the decisions made by the Fed.

So, again, I urge the adoption of this modified amendment.

I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chair, continuing time in opposition, first, the notion that the Federal Reserve's large-scale asset purchases did not help the economy and job growth is simply false. The forceful and sustained actions that the Federal Reserve took in recent years to bring us out of a recession and into recovery are well-documented and cannot be overlooked.

For instance, the November jobs report showed the economy added a whopping 271,000 jobs in October, pushing the unemployment rate down and, even further, to 5 percent and bringing the total number of private sector jobs created to more than 13.3 million over the past 68 months.

Second, the amendment's implication that the Federal Reserve's monetary policy has added to the U.S. national debt is also demonstrably false. Although raising revenue is not the purpose of monetary policy, as a consequence of the Federal Reserve's actions in recent years, it has generated substantial sums in the hundreds of billions of dollars which has returned to the Treasury. These sums have reduced the deficit, not contributed to it.

Rather than relentlessly attacking the Federal Reserve and taking steps to undermine their independence, all of us really should be thanking them for what they have done to get our economy back on track.

I yield back the balance of my time.

Mr. KING of Iowa. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

I want to urge all Members of the House to adopt his amendment. With respect to full transcripts of the FOMC meetings, all this is doing is simply codifying a current practice. It is simply to make sure that there is a transparency, at least this level of transparency, that the Fed doesn't backslide.

With respect to the dual mandate, the truth is the Fed has many mandates and they all ought to be examined. The Fed has been around for 100 years. It is time to poke under the hood. That is why we are having the Centennial Monetary Commission, and I think it is important that we take a

good look to see if, at times, these are working at cross purposes.

So I thank the gentleman from Iowa for his leadership. I urge all Members to adopt his amendment.

Mr. KING of Iowa. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentleman from Iowa (Mr. KING).

The amendment, as modified, was agreed to.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WALKER) having assumed the chair, Mr. JODY B. HICE of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3189) to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes, and, pursuant to House Resolution 529, he reported the bill back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 3189 is postponed.

RECOGNIZING THE AURORA REGIONAL CHAMBER OF COMMERCE

(Mr. FOSTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOSTER. Mr. Speaker, I rise today to recognize the Aurora Regional Chamber of Commerce in Aurora, Illinois.

For their dedication to hiring veterans in our community, the group recently received the Three Star Chamber of Valor Award by the United States Chamber of Commerce. They were recognized for their participation

in the Hiring Our Heroes program and for encouraging local businesses to provide access to good-paying jobs for the men and women who have served our country in uniform.

Of course, they didn't do it on their own, so I would like to join the Chamber in recognizing a few local businesses who have taken the lead in hiring and supporting veterans: Old Second Bank, Alarm Detection Systems, and The Studio at 46 West, a veteran-owned business.

I would also like to join the Chamber in recognizing the Roosevelt Aurora Post No. 84 of the American Legion for their work in serving the community.

I would like to thank the members of the Aurora Regional Chamber of Commerce and all of the local businesses in our community who have made hiring veterans a priority.

VIOLENT EXTREMISM

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mrs. WATSON COLEMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mrs. WATSON COLEMAN. Mr. Speaker, last week, after many of us had returned to our homes across the country, while our constituents were enjoying the beginning of their weekend, Paris fell victim to one of the most violent terrorist attacks in recent memory.

Nohemi Gonzalez, an American student studying architecture abroad, was among those killed.

A day earlier, in Beirut, dozens of innocent lives were cut short in a coordinated attack on that city.

Earlier this year, an attack at Garissa University in Kenya left 147 dead.

And just yesterday, a suicide bomber killed 34 people in Yola, Nigeria. That attack was followed by two more today, driving the number of lives lost there to 49.

Before we go any further, Mr. Speaker, I would ask for a moment of silence to remember the lives of those who have been lost.

Mr. Speaker, the world is facing an incredible wave of violence with the single purpose of stoking fear. It is the kind of fear that keeps us from solving problems and that paralyzes us into inaction. It is the kind of fear that we

are hearing in the calls to block refugees from seeking shelter here in the United States, violating all of our values because of an immediate emotional reaction.

The individuals who committed these atrocious acts of violence are counting on us to fall into that kind of fear, and that is why it is so important not to.

We must stand with our allies in Paris. We must stand with the innocent in Beirut and Garissa and Nigeria. We must stand firm in our role as world leaders and as part of an international coalition dedicated to bringing down ISIS.

We must stand for the values that have always been paramount in the United States, and one of those values is opening our doors to those seeking safety.

We cannot turn our backs to the humanitarian crisis facing the Syrians refugees. They are fleeing a conflict they are not responsible for and want no part in. They have lost their homes, their jobs, and members of their families. The only thing that many of them are seeking is a chance to start over. The vast majority of these refugees are women and children.

Even more importantly, agencies involved with allowing them to enter will prioritize survivors of violence and torture and those with severe illnesses.

If we can do it safely, verifying the identities and backgrounds of those seeking safety here in the United States, and developing systems to ensure that we don't let in anyone seeking to harm us, then we must help these refugees. It is not just our responsibility as a world leader; it is the right thing to do as a nation of immigrants.

While we can't remove every risk, we do have an intensive screening process in place, and refugees receive the greatest scrutiny of any individual coming here. The FBI's Terrorist Screening Center, the Department of Homeland Security, the Department of State, the Department of Defense, and the National Counterterrorism Center are all involved in the process of clearing these people.

As recent events have shown us, the threat of ISIS is real. The terror that they spread across the world, the violence they perpetrate, and their disregard for innocent human life are all despicable.

We have a chance right now to build something positive from these tragedies. We must unify as a global community against the evil of ISIS and in support of peace and freedom and humanity.

The only goal of ISIS is to destroy life. By giving refugees the opportunity to escape, we can save them.

Mr. Speaker, I know that I join all of my colleagues in prayer for the lives that were lost in Paris and elsewhere and for the hundreds more that were

injured in the attacks. I pray for solace for those who have lost their loved ones and friends. I pray for peace around the world. I pray for the good that we can do, as a country, that will build consensus with coalitions and partners around the world.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I thank Representative WATSON COLEMAN for her leadership in tonight's special order as we grapple with the horrendous terrorist attacks in Paris and Beirut as well as today's attack in Nigeria, claimed by Boko Haram.

In the past week alone, we have seen lives lost in Nigeria, France and Beirut.

Our prayers are with the victims and their families.

The Paris, France attacks last Friday, November 13, which claimed 128 lives and many more injured, as we know was claimed by ISIS.

There were also 43 killed during a suicide bombing in Beirut, Lebanon with over 200 injured.

Just today in Yola, Adamawa State, Nigeria, authorities inform us that an 11 year old suicide bomber targeted a market and detonated a bomb killing her, 30 others and injuring over 70 market goers.

The terrorist group Boko Haram claimed responsibility for the attacks as retaliation for President Buhari's commitment for combatting violent extremism in Nigeria.

The recent events underscore that we cannot let fear rule us but rather we must fight back against those who threaten our well being and security.

At the same time, we must work on creating resources for victims of terror and those who have been displaced as a result of conflict and sectarian violence.

This is why I introduced H. Res. 528, legislation that enjoyed bipartisan support of my colleagues including Representatives CHU from California, DOLD from Illinois, HAHN from California, KELLY from Illinois, FUDGE from Ohio, WATSON COLEMAN from New Jersey, SEWELL from Alabama, BERNIE THOMPSON from Mississippi and my good friend Ms. WILSON of course from Florida.

My resolution seeks to create a Victims of Terror Protection Fund for the displaced refugees, migrants and victims of Boko Haram's terror in the region.

It is our American value to fight for those who are seeking refuge and needing protection.

As founder and Co-Chair of the Congressional Nigerian Caucus, I have been spending a lot of time on this issue since the Chibok incident.

The past week has been a very trying time for the world family as we grapple with the reality of terrorists wreaking havoc in our world.

One only needs to look at the current news events across the globe to appreciate the imperative of countering violent extremism, empowering and protecting victims of terror, refugees and displaced persons.

In the past three months alone, ISIS has claimed responsibility for crimes, atrocities and terroristic attacks, claiming lives in Saudi Arabia, Yemen, Egypt, Beirut and Paris.

Daesh-ISIS also known as ISIS and other terrorist networks that have pled allegiance to ISIS such as Boko Haram today pose the gravest extremist threat faced by our generation and those of our children.

But we must not be moved by their evil ways, for eventually, the arc of the moral universe always tips on the side of justice, of peace, of equity of the rule of law.

This is why I remain steadfast in my commitment to combatting violent extremism and protecting victims.

As a result of terrorism in the region and Boko Haram in particular in Nigeria, recent reports inform us that Nigeria has the highest number of displaced persons in Africa and the third largest in the world following Syria and Colombia.

The recent coordinated attacks in Paris, following military interventions by at least two United Nations Security Council permanent members: Russia and France, highlights the fact that we are dealing with an enemy of humanity and compels us to launch an international and coordinated strategy to diminish ISIS to protect our children and our children's children.

The recent events underscore the importance of a Comprehensive Convention on International Terrorism to degrade and permanently destroy ISIS and its vitriolic ideology that is inflicting pain on innocent people.

The humanitarian crises triggered by sectarian and ideological violence has plagued our world at a disheartening rate, comparable to or surpassing the numbers from World War II according to some estimates.

According to one United Nations High Commissioner for Refugees (UNHCR's) annual Global Trends report, which is based on data compiled by governments and non-governmental partner organizations, and from the organization's own records, over 60 million people have been forcibly displaced across the globe.

Moreover, according to a report by the International Displacement Monitor Center, an estimated 3,300,000 persons have been displaced and 5,500 killed as a result of the violence wreaked by Boko Haram.

One United Nations Children's Fund (UNICEF) report asserts that as the most populous nation in Africa with 174,000,000 persons, 1,500,000 people have fled their homes to escape Boko Haram.

In April, 2014, 276 girls were terrorized and kidnapped from their dormitories in Chibok by Boko Haram.

In addition to the still missing Chibok girls, approximately 3,300,000 persons are displaced in the Lake Chad Basin which sits on the edge of the Sahara which encompasses Chad, Cameroon, Niger and Nigeria.

We must not forget these girls, refugees and displaced persons and must work to provide the support they will need to recover from the trauma they have suffered.

The victims will be in dire need of humanitarian assistance which the Victims of Terror Protection Fund can provide.

The Victims of Terror Protection Fund should be modeled after the cases of Khazistan and Equatorial Guinea where prior kleptocracy initiatives have been created to benefit communities and victims in need of support.

A kleptocracy is when a government in power exploits or steals national resources, which unfortunately has happened all too often across the globe.

The United States Department of Justice through its Kleptocracy Asset Recovery Initiative has identified the forfeited "Abacha loot," funds stolen by former Nigerian dictator Sanni Abacha.

As we understand it the "Abacha loot" is the largest kleptocracy forfeiture action ever brought in the United States resulting in a \$450,000,000 judgment of the forfeited assets facilitated by Justice's remarkable Kleptocracy Asset Recovery Initiative.

The Abacha Administration embezzled Nigerian public funds under among other false claims, that the Administration was investing in national security measures to protect Nigeria and the Nigerian people.

As we all see now, as a result of or in part because of the Abacha Administration's failure to invest in and implement security measures, the security in Nigeria and the region is tenuous, with the country and region currently under continuous threat by the ISIS affiliated group Boko Haram.

Boko Haram and other sectarian terrorists have trafficked, kidnapped, murdered and caused the displacement of millions of children, women and men.

Recovered victims displaced by terrorist activity as well as refugees, migrants and internally displaced persons fleeing for their lives will be in dire need of protection and support.

A Victim of Terror Protection Fund can supply health aid, educational support, employment training, economic empowerment, dignity and overall improved social welfare of these victims.

I continue to have a deep appreciation of the patriotism, resilience, and commitment of the Nigerian people under the leadership of their newly democratically elected President Muhammadu Buhari.

As an emerging democracy, Nigeria is a country that has faced its set of challenges, conflicts, and contradictions analogous to the human condition itself.

Boko Haram and ISIS are existential threats to the human rights, well being and security of the Nigerian people, their regional neighbors and the global community in general with their penchant to commit genocide.

Part of the strategy to help address the scourge of Boko Haram's atrocity would be through the creation of a Victim of Terror Protection Fund and accessibility of military technical assistance to Nigeria and its regional neighbors pursuant to the UN Security Council and neighboring African countries call for accelerated military collaboration to combat this extremist group.

I commend the U.S. Administration's announcement that it is deploying 300 U.S. troops to Africa to set up a drone base to track fighters from Boko Haram, which continues to seek to destabilize Nigeria and neighboring countries during its blood thirsty assault on innocent people.

The U.S. forces' presence will be critical to combatting Boko Haram, which now appears to continue to wage its vicious insurgency in Nigeria and now spilling into neighboring Cameroon, Chad and Niger and leaving an estimated 20,000 people dead.

Our global strategy for ending the suffering, preventing displacement and creating durable solutions for refugees and displaced persons in Africa requires a multi-pronged strategy which would involve a sustained humanitarian response, government and civil society capacity building, and the creation of resilient political and security infrastructures and landscapes.

My proposed Victims of Terror Protection Fund is one of the strategies for addressing the growing African migrant and refugee crisis.

I commend President Obama's and President Buhari's commitment to Nigerian security and their collective efforts to tighten vigilance in vulnerable places.

I hope the United States continues to build a stronger alliance with President Buhari and Nigeria.

To succeed, at all our objectives to protect victims and combat violent extremism, in Nigeria, Syria and around the world, we must have continued U.S. support in protecting victims of terror, technical training, logistical and infrastructural capabilities and professionalizing its military force to battle Boko Haram.

POVERTY IN THE UNITED STATES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from California (Ms. LORETTA SANCHEZ) is recognized for the remainder of the hour as the designee of the minority leader.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I thank the gentlewoman from New Jersey for talking about Ms. Gonzalez, who was from our area. She actually was from a city called El Monte, California, and that is where my first cousin, Norma Macias, is a councilwoman there at that city.

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Right now, as we are speaking, they are holding a vigil for her, a memorial for her. She was a young lady on a semester abroad wanting to change the world by good design and using green products, et cetera. So thank you for mentioning her. I am sure the Gonzalez family will be very touched.

And, of course, thank you for mentioning the whole issue of the refugees because we are a beacon. We are a shining beacon of the world. These are people who are fleeing these types of terrorist attacks.

So I hope that we do have a good resolution to allow these refugees to go to all the countries until we figure out what is going on in the Middle East and they can return home. Home is where they really want to be. Thank you. I thank my great colleague from New Jersey.

Mr. Speaker, tonight I rise to address an issue that unfortunately reaches into households in each and every State, every city, and every neighborhood in this great Nation. It is the issue of poverty.

Poverty is a plague that weighs on a central tenet that our Nation was built

on, and that is life, liberty, and the pursuit of happiness.

I received a letter just this last month from our Democratic whip, STENY HOYER, discussing a recent report released by the U.S. Census Bureau that found that 46.7 million Americans—15 percent of Americans—are living in poverty. How can we tell a family to pursue happiness when the rug is constantly being pulled out from under them?

Mr. Speaker, 15 percent, 46.7 million, is more than all the Californians and Arizonans put together. We cannot allow that to continue. We know that the effects of poverty hit every aspect of one's life.

It hits minorities disproportionately. Poverty affects minorities. 26 percent of African Americans live below the poverty line, and 23 percent of Latinos live below the poverty line.

We also see those types of percentages when we look at lower educational attainment and lower overall wages. As the number of first- and second-generation children rises, so does the amount of these children affected and born into poverty.

Nearly one in three children in the schools in my district are affected by poverty. It is hard to learn when you haven't had a meal. It is hard to learn when you don't have a roof over your head. It is hard where you are sharing a house with 15 or 16 people, most of them not related to you.

There are social programs such as SNAP and the Community Supplemental Food program. There are ways in which we can combat the effects of poverty. I don't believe that families who are benefiting from those programs are looking for a free handout.

There are Members of both Chambers who at one time or another received public assistance in times of need. One of them was a single mother of not one, but two, children while working and attending college. I think it goes without saying that these individuals are not lazy or looking for handouts.

Now, we shouldn't shame or judge other individuals in our society, but there is a negative stigma about being enrolled in welfare programs. We shame families who don't have the means to lift themselves out of the cycle of poverty. But then we don't want to give them that helping hand, that aid, that they need in order to do that.

Well, Mr. Speaker, I think the real shame—the real shame—is that we are a nation of unbridled wealth, bountiful wealth, and still over 46 million people are in poverty.

With the rising costs of housing and food, families in the United States are stretching each dollar more and more. Many find it difficult to save money at the end of the month, and saving for their son's or daughter's education is, quite frankly, an unattainable dream.

When I was growing up, I was told that, if I worked hard, if I did well in school, and if I saved my money, it was possible to be successful in America.

But, Mr. Speaker, every day these days it gets harder and harder to be successful in America. Those in poverty find themselves working hard, planning for the future, and doing everything that we tell them to do, and still they fall short, unable to attain the pursuit of happiness.

There should be absolutely no reason, if a person puts in hard work 40 hours a week, that they should be living in poverty. How can we expect families working minimum wage—and I will add that is not a liveable wage—to afford child care and save for their children's college education?

Honestly, it is nearly impossible. Yet, I see so many examples in my district of people who overcome all of the hurdles and the barriers that we are placing in front of them.

We can alleviate, we can remove, those barriers. We can have an impact on the poverty of our communities. Last month, during National Work and Family Month, Democratic leadership led a Working Families Day of Action to highlight important legislation to improve the living conditions for all families here in America.

I joined 113 of my colleagues in co-sponsoring a resolution which called for this House to address some of the issues important to some of the most disadvantaged demographics of people in our Nation. This resolution addressed commonsense measures, such as sensible working accommodations for pregnant women, equal protections for workers in the workplace, and increasing the minimum wage to a liveable wage.

You see, Mr. Speaker, when we talk about the 46 million Americans living in poverty, we are talking about people from all walks of life. We are talking about the homeless. We are talking about children in our schools. We are talking about our senior citizens. We are talking about single parents, blue collar workers. We are talking about our immigrants.

All of these groups are stuck—stuck—in a vicious cycle of poverty and disadvantaged situations. These aren't radical ideas. These are sensible, American ideas where hard work is rewarded with equal compensation and protections. I believe that, as lawmakers—but, more importantly, as Americans—we owe it to the families of this Nation to enact legislation in which each and every person has a means to succeed.

Tonight I am going to go over some of the statistics that we have with respect to poverty in America. As I said before, Mr. Speaker, 46.7 million people are living in poverty.

The poverty rate was established in the 1960s, and it is based solely on an

individual's cash earnings. It sets the poverty threshold at \$24,250 for a family of four. However, that rate does not take into consideration the cost of living in different regions of America. Try living in my region on \$24,250 for four people.

The Census Bureau recently established a new measure on which to gauge actual poverty rates. The Supplemental Poverty Measure establishes a new poverty rate by incorporating expenditures on basic necessities, such as food, housing, and utilities.

California's poverty rate is 16.5 percent, slightly higher than the 14.9 percent rate for the United States. However, this statistic can be deceiving because of the high cost of living throughout the State.

So you could be above the \$24,250 a year for a family of four, and you are not in poverty according to the national rate. But the reality—the reality—is, when it costs \$1,800 for a one-bedroom apartment, you have eaten up about 90 percent of that \$25,000.

If we use the updated measurement system, California leads the Nation with 23.4 percent of residents living in poverty. Of course, once again, this hits the disadvantaged more than anyone else.

When using the Supplemental Poverty System, nearly 20 percent of seniors, one-quarter of our children, 31 percent of Latinos, and 20 percent of African Americans live in poverty. Let's put that in perspective.

The average rent in Orange County is \$1,648. Orange County that I represent is the seventh priciest metropolitan area in the United States. This brings the total cost to rent a modest—and when I am telling you a modest apartment in California, we are talking \$20,000 a year.

For a family of four living at or below the outdated poverty threshold, this leaves a whopping \$4,250 for the entire year. That leaves about \$354 per month to feed and clothe a family of four.

How, Mr. Speaker, can a family of four live on \$354 a month? How do you save for a college education? How do you save for a home? How do you buy a car? What can you do when you get sick?

I recently held a bipartisan briefing about home ownership as a vehicle for economic mobility for Latinos and African Americans. Latino families are struggling to rebuild the equity they lost in this last Great Recession because, between 2008 and 2010, in those 3 or 4 years of the recession, two-thirds of the wealth in the Latino families across the Nation was lost—was lost—just wiped out, done away with, because they lost their homes.

The home is always the first rung onto the wealth-creation ladder. Two-thirds because of foreclosure. And even though home values have rebounded in

recent years, the fact of the matter is that those people who lost their homes are renting at probably twice the cost of what their mortgage payment was, probably something less than what they were living in, and not building any equity.

They are renters, and they are stuck. Even if you gained back on the market, it doesn't keep pace with the returns in the stock market. So the Hispanic household has a slower recovery than the rest of our Nation.

According to the Pew Hispanic Center, 28 percent of Hispanic homeowners say they owe more on their homes today than they can sell it for in 2011.

This topic of home ownership is more than a roof over your head. It is a source of pride. It is a source of pride. It is the American Dream, and it is a place that you can call your own. It is a part of owning America, and we want people to own a piece of America.

A recent Joint Economic Committee study report finds that White households typically have 150 times more wealth than Hispanic households. In 2013, the median net worth of Hispanic households was only \$14,000 compared to about \$142,000 for Anglo households, a difference of \$128,000.

□ 1945

And the wealth divide has increased since the Great Recession.

The median net worth of Hispanic households fell by over 40 percent between 2005 to 2013, compared to 26 percent for Anglo households.

Latinos are less likely to be financially prepared for retirement than any other households because of their disparity in employment, in earnings, and in wealth.

Only 12 percent of Latino households have access to the defined benefit pensions, for example, that guarantee a lifetime income, half the rate of Anglos and African American households.

Sixty-nine percent of working-age Latino households do not own assets in a retirement account—69 percent do not—compared to 37 percent of Anglos who do not.

Let's talk about my district, in one of the wealthiest counties of our Nation. I just told you that housing is seventh in the Nation with respect to what it cost you to live there.

Twenty percent of the people are living in poverty in my district, higher than the State and the national average.

Thirty percent of the kids, the children, in my district are living in poverty, higher than the State and higher than the national average.

Eighteen percent of women are living in poverty in my district, higher than the State and the national average.

Between 2011 and 2013, in those 3 years, 23,000 households within my district benefited from SNAP assistance—food stamps. Eighty-six percent of

those households had children under the age of 18. Oh, and by the way, 78 percent of those households were Latino. Forty-three percent of those families that received SNAP benefits recorded having at least two or more workers in the workforce in the past 12 months.

What does this tell you? It tells you that families have not just one but two breadwinners in the family, and still they cannot afford to purchase basic food supplies.

Mr. Speaker, if hunger doesn't affect us directly, we often overlook the immense stress that comes with struggling to put food on the table. If you don't have a meal, you are not good in school and you can't study because you are constantly hungry. How does a kid do his mathematics, his geometry, when he is wondering where is his next meal coming from?

The Department of Agriculture defines food insecurity as the limited or uncertain availability of nutritionally adequate and safe foods.

In 2014, 48 million adult Americans lived in food-insecure households, including 32.8 million adults, and 15.3 million children. And of those 48 million Americans, 19 percent of the households were with children, 35 percent of the households with children headed by single women, 26 percent African American households, 22 percent Latino households. How do we do that?

A recent report published by the Department of Agriculture found that error rates for awarding SNAP benefits are at an all-time low. Over 99 percent of SNAP benefits are issued to eligible households.

Mr. Speaker, you would think that a government program, any government program, with a 99 percent efficiency rating, with a proven record of lifting families out of poverty would be applauded and promoted by both sides of the aisle, but that is not always the case.

The most recent farm bill cut \$8 billion from SNAP, affecting 850,000 families in our Nation.

The assistance provided by SNAP is an economic booster, with every dollar in SNAP benefits resulting in \$1.80 in total economic activity.

Mr. Speaker, food is the most basic necessity for a person.

In ending, I would like to highlight a few of the excellent organizations in my district that make it their mission, their passion, to aid those in need.

The Lestonnac Free Clinic, founded by Sister Marie Therese in 1979, it is devoted to providing free—free—comprehensive medical care to the poorest of the poor in Orange County, California, as well as dental care to its established patients. This organization, this clinic, is a nonprofit, primarily volunteers—volunteer doctors, volunteer everything—working with pharmaceutical companies and local hospitals to meet the healthcare needs of

low- and no-income families in our community. And the clinic has stayed true to its mission of providing free medical and dental care, and is only one of the few clinics in Orange County that does not charge—does not charge—for its services.

And collaborations were made with organizations, including Target store pharmacy, to provide low-cost medications. And over 100 volunteer doctors and medical staff have generously donated their time to help those in need.

The Lestonnac Free Clinic also contains a food bank and provides food to several hundred people each month. Over 20,000 patients have been treated in over 180,000 visits.

Or there is the Orange County Food Bank, which operates the Commodity Supplemental Food Program, and it distributes 23,000 food boxes monthly countywide to low-income seniors 60 and older. It operates a community donated food bank with enrollment of over 350 local charities that make food available to those that are at the risk of hunger. This vulnerable population includes the disabled, seniors, families with children, veterans—I see veterans in those lines coming to pick up boxes of food—the unemployed and the homeless.

The foods department operates the SNAP program, and this program has increased enrollment to over 400,000 qualified individuals in Orange County, California, who are at the risk of hunger.

Mr. Speaker, we are a great country, and we have great Americans—those who have served in our military, those who have served in public service, those who teach our children, those who nurse us when we are sick, those who build our roads, invent new gadgets for us to communicate. We are a great country of innovation. We are a great country of beauty from sea to shining sea. And yet, in this great country of ours, in today's day, there are over 46 million Americans living in poverty, many of them going to sleep tonight hungry, hungry, hungry. As the Congress, as the conscience of America, as the people's House, we need to work together to eliminate poverty in America.

Mr. Speaker, I yield back the balance of my time.

THE PEOPLE'S NIGHT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from North Carolina (Mr. WALKER) is recognized for 60 minutes as the designee of the majority leader.

Mr. WALKER. Mr. Speaker, thank you for allowing us to engage in what we call People's Night 2. The House has been working diligently for the citizens of our districts. We have passed solid legislation that is good for the econ-

omy, that protects life, that helps small businesses, veterans, bills that reduce taxes. I would guess that maybe not all of our citizens are even aware that the House has actually passed a balanced budget. In fact, there are over 300 pieces of legislation that have been passed through the House but have been stalled in the Senate.

Tonight, we want to highlight some of the legislation, but also, and with all due respect, we are calling on Majority Leader MITCH MCCONNELL to get moving on these bills. I am joined by several colleagues this evening to share why we believe it is time to move on behalf of the American people.

Our first Member, colleague and friend, from Pennsylvania, Mr. RYAN COSTELLO. Mr. COSTELLO is a freshman, along with myself, our shortstop on the baseball team, and a strong voice speaking out on those who sometimes cannot speak for themselves, and that is our veterans. We promise that we would go to Congress and work hard for the men and women who depend on us to get the Veterans Administration correct.

Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. COSTELLO).

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I thank my good friend from North Carolina for yielding. Mr. WALKER has really been a leader in no time on so many issues. It is nice to be his hall mate and also his teammate on the baseball field, and I appreciate him putting together this Special Order to raise a number of issues that we have gotten through the House here and that we are respectfully calling upon the Senate to take up.

I am here to speak about the crying need for change and increased accountability at the Department of Veterans Affairs that can be facilitated by the immediate passage of H.R. 1994, the VA Accountability Act of 2015. This is a bill that myself and many others have cosponsored under the leadership of Chairman JEFF MILLER, and it is a bill that I am requesting that the Senate take up and pass with bipartisan support here in the House in July.

It gives the Secretary of the VA the additional tools he needs to accelerate the badly-needed culture change at the Department of Veterans Affairs. It gives the Secretary of the VA what he needs to rebuild the trust between the VA and this Congress, taxpayers, and, most importantly, the veterans of this country.

H.R. 1994 includes many provisions to fix the broken personnel system at the Department. But, most importantly, this bill authorizes the Secretary to remove or demote any employee for poor performance or misconduct while also increasing protections for whistleblowers who have been, and continue to be, very important in the oversight role of the Committee on Veterans' Affairs.

Many of you know the Philadelphia Regional Office has seen scandal after scandal. It has experienced a gross lapse in management, mishandling of claims, the administration of improper payments, and fabricated data. On top of that, the hostile work environment and whistleblower retaliation occurred on a nearly daily basis.

This bill brings accountability to the managers at the Philly VA responsible for these actions, as well as those across the country in the VA, who have acted improperly.

I believe a majority of VA's employees—as we all do here in Congress—this is an important point to make—most people that work at the VA are hard-working public servants who are dedicated to providing quality health care and timely benefits for veterans.

□ 2000

I am sure the majority of these employees are just as frustrated in that most of us see that the VA problem employees continue to be moved to new positions as opposed to being removed from the payroll. We have seen time and again how poor performance can spread like a cancer through a workforce and how the presence of bad employees only leads to poor customer service and is an impediment to the quality of service our veterans have earned.

Our veterans deserve nothing less than the highest quality of care, and it is our job as Members of Congress to do everything in our power to ensure that their care is placed before the interests of entrenched bureaucrats and poor performance. If we want what is best for our veterans, then the status quo at the VA is not acceptable. It is not working. It is failing the mission of the Department, and it is failing the veterans the VA is supposed to serve.

Mr. Speaker, if we do not give the Secretary the tools that he or she needs to hold VA employees accountable, then we are just as culpable for any future VA failures. The antiquated civil service laws that have fostered the VA's cultural mess need to go. That is what the VA Accountability Act does. That is why we are calling on the Senate to take it up.

After the largest scandal in VA's history—and, in my home State, the continued problems at the Philadelphia VA—the VA has only successfully fired three employees for wait time manipulation even though over 100 hospitals have been identified as having gamed the appointment system. That is simply unacceptable. H.R. 1994 would give the Secretary the tools he needs to hold more employees accountable faster than can be done now under existing civil service rules.

As Mr. WALKER will continue to do this evening in pointing out a number of bills that have been ushered through the House—reform bills that improve

the welfare of this country and that reform various bureaucracies—H.R. 1994 does just that. I urge the Senate to take action and push for accountability just as we have done here in the House on behalf of this country's veterans.

I thank the gentleman for organizing this Special Order tonight.

Mr. WALKER. I thank Representative COSTELLO. His hard work on the Veterans' Affairs Committee is duly noted.

Mr. Speaker, unfortunately, these bills are not making it to the President's desk. We are tired of the argument that the President will most likely veto these legislative bills or of the filibustering that we hear about sometimes in the Senate. We hear the word "reconciliation" a great deal. Reconciliation is a simple majority vote. Fifty-one votes in the Senate is what is needed to get it to the President's desk under reconciliation.

If we think back, this is how HARRY REID shoved ObamaCare into the culture and fabric of the American people—by reconciliation, by a simple majority. In fact, it has been Mr. REID who has blocked, filibustered, and sat on legislation to protect the President. That is why the American people elected Republican majorities in the House and the Senate. It was to clean up Washington and to stand against President Obama's far-left agenda.

One of the ladies I have been able to meet who has worked hard and who has been a voice is a nurse, a small-business woman, and a former educator. I specifically like the nurse part, being married to one for 23 years. She is the middle daughter of working class, Great Depression-era parents. Having had 40 years of experience in working in the healthcare field, she is uniquely positioned as a credible and effective leader on healthcare policy in Congress. She is a strong leader on fiscal and budget reforms, but her voice for life in these halls is one that is heard throughout the country.

From Tennessee's Sixth District, Congresswoman DIANE BLACK is that voice, and I would like for her to share a little bit more on her specific piece of legislation.

Mrs. BLACK. I thank the gentleman from North Carolina, my good friend, Congressman WALKER, for bringing us together for this very important conversation.

Mr. Speaker, a lot of Americans worked very hard to deliver these historic majorities to Congress, but, today, there is a feeling that the more things change, the more they stay the same. We billed this as the "New American Congress." Yet, like last year and the year before and the year before that, too many House-passed bills remain trapped in the U.S. Senate.

The House passed the REINS Act in July, which would prevent the Obama

administration from legislating in the form of government rule and would give Congress the final say over the major Federal regulations just like our Founding Fathers intended. But where is it today? Nearly 4 months later, it continues to languish in the upper Chamber, awaiting for a chance for debate.

More recently, the House passed the Justice for Victims of Iranian Terrorism Act, requiring Iran to make good on its \$43 billion of delinquent payments to the victims of its state-sponsored terrorism. Once again, this good and decent bill is collecting dust in the Senate.

Mr. Speaker, I understand the challenges that our Senate leadership faces. The do-nothing Senate majority of the last Congress is now the do-nothing Senate minority of this Congress. They are filibustering countless House-passed bills and bringing the wheels of government to a grinding halt, but we cannot let that stop us from bringing up these bills for full debate in the light of day and putting our priorities in front of the American people.

While we are at it, it is time to change the rules of engagement in the upper Chamber. In a body of 100 people, a majority is 51. It really is that simple. The cloture rule is nowhere to be found in the U.S. Constitution. It is an antiquated Senate rule that is not effectively serving the institution today. I call on the Senate leaders to turn the page and break the logjam so that we can put the American people's priorities on the President's desk.

I don't doubt that the President will veto many of these measures. For goodness sake, he vetoed a bill to fund our troops, so I put nothing past him. Let's put him on record. Let's ensure that President Obama is required to accept or to reject our ideas and to defend that decision to the American people.

Mr. Speaker, the bottom line is this: The American people delivered us this majority, and they expect us to use it.

Again, I thank my colleague from North Carolina.

Mr. WALKER. I thank Representative BLACK and appreciate her heartfelt words.

Mr. Speaker, in nearly a year of holding the majority, the President has only vetoed three of our bills. In fact, only once, I believe, he has had to do that in the last 8 months.

Politico, back in February, published this prediction: "Though Obama's three vetoes are thus far a record low...experts expect Obama's final 2 years to be packed with high-profile veto showdowns."

That hasn't happened.

My next friend and colleague who would like to share a little bit of his heart is someone I have grown to admire and respect. I am privileged to serve with him on the Homeland Secu-

rity Committee where just a few months ago, I heard one of the more powerful 5- or 6-minute talks that I have heard since I have been here in Congress in which he was willing to stand up for the Family Research Council and Tony Perkins against the tax from the Southern Poverty Law Center—specifically the President—who had put them on a hate list.

In fact, I am going to yield him a little bit of leeway so he may share some things that may be a little bit in context but that may be a little bit off as well. It is my privilege to introduce and to hear from a great Congressman from South Carolina, Representative JEFF DUNCAN.

Mr. DUNCAN of South Carolina. Mr. Speaker, I thank the chairman. I thank him for having this People's Night 2, so as to take the opportunity to speak to the American people about, really, what have become a lot of frustrations since they elected a Republican House and a Republican Senate.

In fact, I did a tele-townhall last night, and a number of comments and questions that I had was: Why can't you guys get more bills to the President's desk? I had to explain that there is a 60-vote filibuster, the modern filibuster—a 60-vote threshold—over in the Senate. I had to explain what a modern filibuster rule is in the Senate.

A Senator from the great State of South Carolina actually filibustered on the floor. He spoke for 48 hours without stopping, without sitting down. He held the floor of the Senate to make a point for 48 hours. That is the traditional filibuster that you hear about. Today, in the 21st century, when we hear that a Senator has filed a filibuster and that there is a 60-vote threshold to get over, what that means is a Senator has just put his name on a bill, and he doesn't have to go down and utter a single word, and he doesn't have to stand on the floor for a single minute. In fact, he can go to Charlie Palmer's and have a steak and call it a "filibuster." America, this is wrong.

I had a conversation with some Senate staff today because I think they ought to change their Senate rules.

They said: Well, the Senator—and he is a Senator I respect a lot—disagrees with your position. They pointed out that the Senate filibuster rule, the 60-vote threshold, has helped Republicans in the past to stop bad legislation. They said it stopped amnesty.

I said: Well, hold on right there. Amnesty, actually, passed. The Gang of Eight bill passed, and we failed to bring it up in the House. We stopped it on the House side.

They said: Well, it stopped gun control and a lot of other things.

I said: Yes, but it is keeping right now a lot of good things from making it to the President's desk.

America gave us this majority, and they really expect us to pass bills out

that reflect the Republican principles, morals, values, and convictions of the electorate that sent us here and gave us this majority. They expect us to pass bills out of the Congress and to send them to the President's desk. Then the President can do whatever he wants with those bills, but I think, if he vetoes them, then America will see the dichotomy between the Republican governance and a Democrat President.

Now the Senate rules. They are not in this book. This is the United States Constitution. It is a pocket copy that I carry with me. You can't find the Senate rules in this. It does say that both bodies—the House and the Senate—make their own rules to govern what goes on here, but they are not spelled out in this document. It is time for MITCH MCCONNELL and the Republicans over in the Senate to actually have a “come to Jesus” meeting and really talk about what is stifling the Republican work when the Republican electorate in this country has given us the majority and expects us to do the work.

I want to shift gears for just a minute because this is the People's Night, and I want to talk about something that is on the minds of the American people—the safety and security of our Nation and the national security issues in the wake of the Paris attacks, in the wake of the Lebanon bombing, in the wake of a lot of things that we are seeing with stabblings and other things that are going on by ISIS, primarily, but you can throw Boko Haram and some others who are committing acts of terror into the mix as well. Americans are concerned about the safety and security of our Nation.

I chair the Western Hemisphere Subcommittee on the Foreign Affairs Committee. Just this afternoon, it was revealed that the Honduran police stopped five Syrians who were carrying falsified Greek passports, and they had flown all over Latin America before they had gotten to Honduras. They were headed north to the Guatemalan border. If they were headed north to the Guatemalan border, it tells me they were going to take advantage of our porous southern border, like many others have, to enter into this country. We don't know why. What we do know is five Syrians traveled to Honduras on fake Greek passports, and they were apprehended by the police.

People are criticizing the Republicans for wanting to hit “pause” on the Syrian refugee program, and they are saying, “You don't have compassion.” Let me tell you that you don't lock the door because you hate the people on the outside. You lock the door because you love the people on the inside.

We have to protect America. That is what we are charged to do. When we raise our hands and swear an oath to the Constitution—to uphold it and to

defend this great country—we are charged as Members of Congress to protect this great Nation, first and foremost.

I thank the gentleman for some leniency. I will continue to speak on behalf of the American people. It is time for MITCH to get moving on some bills that are Republican bills over in the Senate.

□ 2015

Mr. WALKER. Historically, I would like to put this inaction in some kind of perspective. We actually have to go back to James Garfield in the 1800s to find such a low number of vetoes. James Garfield only served 7 months, or about 200 days. President Obama has been in office nearly 7 years. Compared to other Presidents—for example, President Kennedy, though obviously never completing his term, however—he used a total of veto 21 times. Ronald Reagan used a total of 78.

Why is this so important? Well, the answer is simple. This is not political theater. It is the process that exposes the President's continued desire to rely on government and not the private sector, which may explain the national debt skyrocketing from \$10 trillion to nearly \$20 trillion that is predicted by the end of his term next year. We need to end covering for the President or for other Members on these tough votes.

When the President vetoes legislation, he has the obligation to explain to the country the reasons that he is against such bills that help the American worker and protect families and small businesses. It is one of the only measures that our Founding Fathers provided to Congress in holding the President accountable.

It is a privilege to introduce a friend from Georgia's 10th Congressional District, a fellow freshman who is passionate about the cause of the American people, someone that is authentic, someone who founded the Cultures and Values Network and was the host of his own radio talk program. He has become a dear and close friend of mine. I would like for the American people to hear from Representative JODY HICE from Georgia's 10th Congressional District.

I yield to the gentleman from Georgia.

Mr. JODY B. HICE of Georgia. Mr. Speaker, I thank the gentleman from North Carolina for hosting this People's Night for this Special Order. I appreciate all that you do, and I appreciate your leadership and your friendship. It is good to have another minister on the grounds. I am honored to serve with you.

Like has already been discussed by so many tonight, I likewise experience a great deal of frustration. I have had conversations, as have others here, with individuals in the Senate frustrated over that 60-vote threshold to even debate an issue over there.

Like others, I have been told that they have protected our country from

so many other horrible pieces of legislation or that, ultimately, it is irrelevant because the bill would probably be vetoed anyway. There are excuses after excuses.

The fact of the matter is that the American people sent us here to do a job, to represent them to the best of our ability. I am honored to be here with my colleagues here tonight.

I am proud of the fact that, over the 10 months or so that I have been here, we have passed probably hundreds of bills, meaningful legislation, legislation that would protect the American people, legislation that would strengthen our national security, that would care for veterans and provide the kind of care that they deserve, legislation that would empower American businesses and small businesses, legislation that would increase transparency and accountability within government agencies.

For example, in order to protect the American citizens, as we all are so concerned about these days, we passed H.R. 3009, the Sanctuary Cities Act, that would not allow any State or local government to continue to receive funding if they harbor illegal alien criminals. Cities like San Francisco and many others would no longer be able to have a government-bankrolled sanctuary to provide such a thing for illegal alien lawbreakers.

In addition, as the Representative from South Carolina just referred to moments ago, the threat of ISIS and the authentic threat against the West from terror attacks is real. We are living with that reality today.

So we passed in this body H.R. 237, which would provide the Secretary of State with the authority to revoke or deny passports to individuals who are aligned with foreign terrorist groups.

It would also provide critical assistance to law enforcement and intelligence service personnel to make it easier for them to flag suspects when they are traveling internationally.

Perhaps most importantly, that bill would help prevent turned Americans who are now fighting alongside of ISIS from coming back to the United States undetected. Again, these bills and many others like these have not even received a hearing on the other side of the Capitol.

This body has passed the VA Accountability Act, which would allow the Department of Veterans Affairs Secretary new authority to fire bad employees in order to assure that our veterans are receiving the care that they deserve.

Additionally, this body has passed the Death Tax Repeal Act, which would eliminate a tax which is unfairly imposed on family estates after a loved one has passed. That bill would ensure that farmers and small-business owners would not be taxed for the success of their loved one who has passed away. It

would help keep small businesses and farm doors open.

This body has passed multiple pieces of legislation that would increase government transparency and accountability, which our constituents deserve. To that end, we have passed the IRS Email Transparency Act. We also passed the Prevent Targeting at the IRS Act. The list goes on and on and on, is my point.

I am proud to stand here tonight. I am proud to state that we, this entire body, have successfully passed real and meaningful legislation that would vastly improve the lives of our constituents and our Nation.

However, the reality is that, without a fully engaged and willing partner on the other side of the Capitol, all this work that we have done equates to nothing more than a vacant parking lot. It amounts to a wicked limbo of immobility or lethargic stasis. Quite frankly, the American people deserve more than this.

I urge our friends on the other side of the Capitol to start taking up some of the legislation that this body has passed and to do so with a sense of urgency.

I realize that they are described as the most deliberative body in the world, but, frankly, it feels as though they are helping create an environment of absolute dysfunction.

I encourage them to take up bills and to move them forward so that, working together, we can become the most decisive body in the world.

The clock is ticking. The American people are excellent timekeepers.

Mr. WALKER. Mr. Speaker, I thank Representative HICE for those passionate comments.

You know, in life, sometimes you run across people who are authentic, who truly have a servant spirit. One of those people I have been privileged to meet is right here in the Halls of Congress.

He is a Representative from Arizona's Eighth Congressional District. He is a Reagan conservative in his seventh term. He has one of the most powerful and passionate voices, a huge heart, but a strong voice for life. It is a privilege for him to be a part of our People's Night 2.

I yield to my friend, my colleague, and the great Representative from Arizona, Representative TRENT FRANKS.

Mr. FRANKS of Arizona. Mr. Speaker, if I could, let me express sincere gratitude to Congressman WALKER for leading this effort tonight.

The people of North Carolina did a very wise thing to send this man to Congress. He has represented them faithfully. He is a Valley Forge American that I wish there were more of in the United States Congress.

Madam Speaker, the direction of America and the world under the leadership of Barack Obama is alarming to

any reasonable observer. To those outside the beltway, Republicans seem weak and unwilling to effectively respond.

One of the hidden-in-plain-sight reasons for this false perception is the rules and present practices in the United States Senate controlling the parliamentary instrument of the "motion to proceed to consider." This is the mechanism that allows the filibuster in the United States Senate.

Mr. Speaker, just very briefly, it takes 60 votes to allow a bill to come to the floor for debate in the United States Senate. It takes another vote of 60 votes to allow that bill to be actually voted upon.

The truth is that, with 54 Republicans, it takes 6 Democrats to help allow either debate or a vote to occur in the United States Senate.

Unfortunately, regardless of the nature of the bills, in recent years, this simply has not been allowed to occur. Mr. Speaker, this has become a boot on the throat of the Constitution and a stalemate to this Republic.

I would suggest to you, Mr. Speaker, that, if we don't change it, the people of this country are going to become so wearied of this process, so convinced that we will remain in gridlock forever, that they will simply wash their hands of the American Government. If they do that, then the Founding Fathers' dream itself could die in this generation. It must not be allowed to happen.

To put this in practical terms, Mr. Speaker, the House of Representatives passed some months ago the Department of Homeland Security appropriations bill. The only thing that we did, using our article I powers of the purse, was to say that we would not fund the President's illegal, unconstitutional executive order on immigration.

That bill then went over to the Senate, fully funding the Department of Homeland Security. Democrats in the Senate said: No. We are not voting on the bill. You guys are shutting the government down.

Democrats want very much to shut this government down because they know that the left-wing media will make sure that Republicans are fully blamed for that reality. That is what they want. It is not a deterrent to them. It is an inducement.

Mr. Speaker, the choice for House leadership is either to dumb the bill down so the Democrats will support it and thereby completely make the Republican base heartbroken or allow the government to be shut down. No one is accountable under this scenario, and it has to change, Mr. Speaker.

For my Republican friends that say, well, what if we are in the minority, well, we have been in the minority and ObamaCare passed and all of these other things passed because, unfortunately, the willingness of the Senate Democrats today to abuse this fili-

buster is so prevalent that it stops anything of consequence that matters to this country. Mr. Speaker, that has to change.

Under the current rules and practices, the balance between the reasonable opportunity to deliberate or debate and the ability to actually make a timely decision in the U.S. Senate no longer exists. The technical remedy to fix this is to adopt a change in the rules that will satisfy both the majority and the minority, prevent gridlock, and allow for consensus and the spirit of bipartisanship to return.

Tomorrow, Mr. Speaker, I will be introducing a resolution calling upon the Senate to adjust their rules to prevent this mindless stalemate and the practice of the current rules as written.

The goal, Mr. Speaker, is not to do away with the Senate filibuster, but to maintain the ability of the minority to have leveraged objection to either majority overreach or deeply contested legislation while restoring the accountability and deliberation to what is called the world's most deliberative body.

Mr. Speaker, I have one last example. Almost 2 months ago this House passed the Born-Alive Abortion Survivors Protection Act. We have passed many bills that have never gotten to see the light of day in the Senate because of the Senate filibuster.

The Born-Alive Abortion Survivors Protection Act required that babies surviving an abortion be given the same treatment and care that would be given to any child born naturally premature at the same age.

□ 2030

This bill now languishes in the Senate. It is uncertain if it will even be allowed a fair and honest debate up or down. These are born-alive children, Mr. Speaker—born alive—and no one can obscure the humanity and personhood of born-alive babies or claim that there is a conflict that exists between now separate interests of the mother and the child. Nor can they take refuge within the schizophrenic paradox *Roe v. Wade* has subjected this country to for now more than four decades.

Mr. Speaker, protecting born-alive survivors of abortion is not a Republican issue. It is not a Democratic issue. It is a test of our basic humanity and who we are as a human family. Before my colleagues in the Senate vote against this bill or, far worse, do as they have done so often and use the Senate rules to filibuster and avoid a vote and to deprive this bill of an honest debate and a fair vote, I would implore each one of them to ask themselves two questions in the stillness of their own heart.

First, is turning our backs on the most helpless of our born-alive children truly who the United States of

America has become? Second, is voting against or filibustering against a bill to protect born-alive human babies from agonizing dismemberment and death who they have become as a Senate and what they want to be remembered for?

Mr. Speaker, it is time that we recognize that there are certain bills that are worth a vote, bills like protecting this country from a potential Iranian nuclear option and bills like protecting this country from allowing its little born-alive children to be killed indiscriminately. Mr. Speaker, that time has come.

I thank the gentleman for his kindness.

Mr. WALKER. Thank you, Representative FRANKS. I think America just saw some of the eloquence as well as the passion with which you speak for America's unborn.

As we have talked tonight about the many pieces of legislation that the House has worked on diligently over the last 10, 11 months, here is just a partial list that I hold in my hands: legislation that is good for the American family, a balanced budget, reduction of taxes, taking care of our veterans. Tonight, with all due respect, we are calling upon MITCH MCCONNELL and the Senate to move, to move diligently and to move urgently. It is past time.

Tonight before my closing comments, I yield to the gentleman from Pennsylvania's 12th District, Representative KEITH ROTHFUS. It is maybe just a bit off topic, but something that is very important about what has been going on over the last week.

SYRIAN REFUGEES

Mr. ROTHFUS. I thank the gentleman for yielding and for his leadership in organizing this Special Order. I thank him for allowing me to take a few moments to again take a look at what has been going on across the world and the troubling news that we have from abroad.

I rise tonight, Mr. Speaker, to call for a moratorium on the entry of refugees into the United States from Syria and all other countries that have been infiltrated by ISIS and other terrorist groups until security concerns can be adequately addressed.

In the wake of the recent attacks in Paris, in Beirut, and on a Russian plane flying over the Sinai, my first and foremost concern is for the safety and security of my constituents in western Pennsylvania.

To put it simply, the safety and security of the American people are non-negotiable. Right now we simply do not have the mechanisms in place to ensure that the 10,000 Syrian refugees that the President would have come into this country over the next year and other refugees from terrorist-controlled areas are properly vetted.

FBI Director James Comey has said as much: "If someone has never made a

ripple in the pond in Syria in a way that would get their identity or their interest reflected in our database, we can query our database until the cows come home, but there will be nothing show up because we have no record of them."

The Director of National Intelligence and the Secretary of Homeland Security have said the same. It is both reasonable and prudent to insist that we know exactly who these individuals are before they settle into our towns and cities.

Currently, we have neither the capability nor the capacity to do this. The recent attacks have awakened us to the reality that Islamic State terrorists have the worst of intentions not only for Christians and other religious minorities in their own region, but for the entire Western world. They are not, as the President has claimed, merely a setback. They are acts of war by a terrorist scourge against decency and humanity and freedom and everything that we as Americans stand for.

It comes as no surprise, then, that ISIS has already stated it intends to attack the heart of the United States here in Washington, D.C., and it is not impossible that ISIS terrorists could enter the country by posing as Syrian refugees. In fact, reports indicate that a Syrian passport was found next to the body of 25-year-old Ahmad al-Mohammad, one of the suicide bombers in Paris. He was born in Idlib, a city in northwest Syria, and the Paris prosecutor's office said his fingerprints matched those of a person who traveled through Greece last month.

So the security concerns that the American people are raising are not, as the President and others have suggested, without merit. They are completely legitimate, especially as the number of refugees is set to increase to 85,000 in 2016 and 100,000 in 2017, a significant increase from the average 70,000 per year over the past several years.

The truth is that the American people are an incredibly compassionate and generous people. We have a rich history of assisting people in other nations around the globe when they are suffering from a humanitarian crisis, poverty, oppression, or war. Since September 11, 2001, the United States has resettled 748,000 refugees from around the world. The American people have also assisted innocent Syrian refugees fleeing from violence in search of a better life, providing \$4.5 billion in humanitarian aid since the start of the crisis in Syria to help them relocate in Lebanon, Jordan, Turkey, Egypt, and other nations.

While we desire to assist those who need help around the globe, we have a solemn duty to protect our citizens. The bottom line is we need to put the safety and security of Americans first. The solution I am proposing today is

indefinite, but not necessarily permanent. It is the only responsible thing to do under these circumstances.

We need time to review and implement policies that will ensure that those who seek refuge in the United States are properly vetted.

I also urge my colleagues in the Senate to act boldly and promptly to ensure the security concerns of the American people are addressed.

Mr. WALKER. Thank you, Representative ROTHFUS.

Our second People's Night was scheduled weeks ago before the terrorists struck Paris.

I believe it is appropriate this evening to send out our sincerest thoughts and prayers to the Parisian families and others whose lives have been changed forever by these cowardly attacks. Though my heart is heavy, my discontentment with this administration has reached a new level of frustration.

Last year President Obama stated that ISIS was not a serious threat. In fact, many of us remember him referring to them as the JV squad. Just hours before this barbaric attack, the President emphatically expressed that ISIS had been contained and they were no longer expanding.

As a member of the Committee on Homeland Security, I couldn't disagree more. According to the FBI, there are more than 1,000 open investigations that are ISIS or terrorist related. ISIS is a clear and present danger to the American people.

Earlier today, in a joint hearing with the Committee on Foreign Affairs and the Committee on Homeland Security, General Jack Keane shared these words:

ISIS is the most successful terrorist organization of our time. The world does not believe that our country is serious about taking on ISIS.

The general added:

ISIS is not contained, and they are at war with us, but we are not at war with them.

While President Obama plays down the threat, other world leaders are leading and exhibiting and showing strength. Even the Pope has been warning us that these attacks and others could be the beginning of world war III.

After reviewing the evidence and testimony, I am convinced that it is only by the grace of God and the diligent work of our local, State, and national law enforcement that we haven't been hurt in the same manner that played out just last weekend in Paris. Sadly, President Obama has yet to offer any plan, any strategy, or any solution to slow down these sons of hell.

There is more evidence, continuing evidence of the disastrous Obama doctrine. The words of the President this past weekend sounded more like a spokesperson for the United Nations than America's Commander in Chief.

This is more of the same flawed foreign policy that we have experienced,

just like we did in the recent Iran deal. May I remind us that 25 Democrats stood with Republicans, rebuking such a deal. Even more are calling on the President to speak with clarity and with boldness. The American people have grown weary of the constant swag and condescending responses.

Mr. Speaker, how much longer can we afford to wait on a President who stubbornly refuses to identify these devils as radical Islamist extremists? I would hope and pray that all Members of this House would band together, demanding the President deliver a definitive course of action. It is time, Mr. Speaker, for the President to settle up.

I yield back the balance of my time.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4038, AMERICAN SECURITY AGAINST FOREIGN ENEMIES ACT OF 2015

Mr. COLLINS of Georgia (during the Special Order of Mr. WALKER), from the Committee on Rules, submitted a privileged report (Rept. No. 114-342) on the resolution (H. Res. 531) providing for consideration of the bill (H.R. 4038) to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ISIS CRISIS

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Oklahoma (Mr. RUSSELL) for 30 minutes.

Mr. RUSSELL. Mr. Speaker, Will and Ariel Durant, perhaps the most renowned recorders of the history of mankind, wrote shortly after their landmark 40-year multivolume work was completed:

"Civilization is not inherited; it has to be learned and earned by each generation anew; if the transmission should be interrupted . . . civilization would die, and we should be savages again."

It is a warning we must heed. For all of our advancement in self-governance, the rule of law, and the betterment of people's lives, the world stands in crisis. Our actions toward evil, twisted brands of militant Islamic jihadism in the coming months will determine how humanity navigates the coming century. As Will Durant correctly predicts, we must either prevent the death of civilized life or become savages again.

Responding to the Paris attacks, French President Francois Hollande is correct in saying enough is enough. The coalition of willing defenders of

humanity is immense. The world looks toward America for our leadership.

"Why? Why does it have to be us?" people ask. It is for the same reason we ask a trusted colleague for counsel, for the same reason a resident asks a neighbor to help him with a heavy lift, for the same reason a parishioner asks his pastor for guidance in times of crisis, for the same reason a citizen asks a policeman for assistance in times of trouble, and for the same reason those attacked ask a soldier to defend them. For the sake of civilization, we must provide it.

American accommodation of ISIS savagery through lethargy must end. Should America remain dispassionate and disconnected, she is at risk of losing her moral compass. Are we really an America today that no longer can be moved by any action, by beheadings, immolations, crucifixions, sexual enslavement, and human suffering in the lands that these savages have forcibly taken? Are we so self-indulged that we somehow think that leaving ISIS alone is a legitimate option for the good of the world?

The President has suggested that ISIS' actions are acts of genocide. On that, we absolutely agree.

□ 2045

Yazidis have been targeted by ISIS in their genocidal fanaticism. One city overrun saw ISIS lining up all males 12 and above in a gymnasium, separated them into groups, and systematically exterminated them.

Young Yazidi girls, whose only crime was being born, have been forced into sodomistic, sexual slavery by a Godless, evil, twisted brand of Islamist jihadist ideology that also conveniently fits rape and child molestation into a twisted, sinister form of ethics.

In Mosul and Palmyra, Christians have been singled out for destruction of life and property by marking their structures with an Arabic N.

Across Iraq and Syria, Chaldean and Assyrian Christians have been slaughtered while we in Congress thump our chest about refugees as Americans call on us to turn a blind eye toward these Syrian refugees that the United Nations has tried to place with willing churches and sponsors here at home.

Have we forgotten that it is the statue of Lady Justice that is blindfolded as she holds up a balanced scale, not the Statue of Liberty who holds the torch?

Lady Liberty is inscribed on our shores with these words:

Keep, ancient lands, your storied pomp, cries she with silent lips. Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore. Send these, the homeless, tempest-tossed, to me. I lift my lamp beside the golden door.

In the last 3 weeks, more than 400 people have died in three separate at-

tacks as a Russian airliner has been blown from the sky, Lebanese worshippers were blown to bits, and youthful French citizens and tourists were massacred as they ate at cafes and watched a concert.

As the world watched in horror, it has also looked to the United States. Where America leads, nations stand shoulder to shoulder. Where America is absent, tyranny takes its chances and rears its ugly head. But who would have thought America, through constant inaction and listless response, would allow barbarity to prosper?

Since last year, the President has been unable to articulate his strategy to aid our allies in Iraq, Jordan, Turkey, and Israel, as they react to the disintegration of Syria on their borders. More broadly, the President has been unable and possibly unwilling to form the necessary multinational coalitions in the Middle East and elsewhere that are essential to curb barbarism and provide stability within the Sunni Arab populations of Iraq and Syria, where ISIS has filled the void.

As a combat veteran of Iraq and other places, this has been difficult for me personally to process. In service past, we sacrificed to turn the country around. I watched my American and Iraqi friends die, handled the flesh and blood of infantry combat, performed brutal personal combat to take human life, and watched with agony as the good people of Iraq suffer in absence of effective government.

It is personal because I have lived among the Sunni Arab. I have celebrated their victories, their weddings, their birthdays, and their accomplishments. I have broken bread with them and eaten at their communal bowls. I have mourned as close Sunni Arab friends have died to acts of terror, mourned when Sunni Arab educated, intelligent, and free people have been expunged by ISIS. They do not want this. They have no place to go.

When I lived among them, we told them with conviction and honesty that we would be there for them. They believed us. Then the President ordered us out.

We soldiers and servicemembers who have sacrificed so much in Iraq weep. We defeated Saddam's army, toppled the Baathist Government, captured and brought a world tyrant to justice, fought an insurgency and stood shoulder to shoulder with disenfranchised Sunni Arabs and Sunni Kurds to restore control to Iraq's government. We turned the country around together with a military pause.

Instead of the United States nurturing a nascent Iraqi infrastructure, as we have done in the Philippines, Germany, Japan, and South Korea, to give them a future, the President used that pause for abandonment, both militarily and diplomatically.

Worse, he then used that for political expediency. Where we sacrificed, he

quit. When America became absent, radical, evil Islamic jihadists filled that gap with cruelty, fear, and barbarity before, a nascent government and population had the strength to build trust and hold firm.

Whatever the President's political advantage, whatever the supposed cost saving, whatever the heartfelt conviction of why some believed abandonment was the optimum course of action, it has instead created a political nightmare, transcending nations, and has bled more treasures and lives than any estimates our continued presence might have caused.

Moreover, it has sickened the hearts of world humanity to see civilization taking such punishment from savages when a quiver of options have been available to shoot at the heart of the problem.

America has the capacity, the intelligence, and the goodwill to rally nations, but it cannot be a unitary effort. It must be collective. It cannot be a defensive effort. It must be offensive to blunt further attack.

As President Hollande of France was saying enough is enough, President Obama proceeded to tell America and the world what the attacks on Paris were not and what our actions would not be.

Mr. Speaker, this Congress and the American people need rather to hear from our President what the attack was and what our actions will be to make them stop.

The President, distracted by his ideological efforts, though sincere, on climate, has failed to see that the world is on fire. The people of our great Republic have not failed to see it. They are calling on us to stand with France and say enough is enough.

What should be our immediate action? How about some of this? Cripple Raqqa. It is clear it is the symbolic center of ISIS power. The President's cabinet says: We are worried about collateral damage and civilian casualties.

News flash. The most humane thing we can do to end suffering of hundreds of thousands of people is to cripple what ISIS draws its strength from. Destroy their infrastructure. Hammer their electricity capacity. Drop their transmission lines. Eliminate their cell towers where they draw their communications capacity. Destroy the bridges on their roads of ingress and egress. Hammer their oil refining installations they possess and fund themselves with. We have the ability to rebuild them later, but ISIS would be diminished financially by their loss.

Put a different way, the most humane thing we can do to protect civilians is to disrupt ISIS' immediate ability to advance and recruit. If the U.S. leads, others will stand shoulder to shoulder. We need our President to be that man.

To do these immediate actions on Raqqa, we also need to take the hand-

cuffs off of our military that has already deployed. Weeks to get approval and missed targets, allowing freedom of movement for ISIS is not a way to win anything.

It is not enough for the Secretary of Defense to merely endorse plans put before him by our military experts. Endorse? That type of equivocation tells our military leaders: We don't have your back.

We need the Secretary of Defense to lead. Don't endorse. Approve them. The Secretary must take the handcuffs off our pilots and special operations forces that are already deployed. Our warriors know what to hit. They can't throw punches with handcuffs.

Another action we can take. World opinion and goodwill is on our side. France has the support of all civilized countries. They will likely have the support of a U.N.-sanctioned effort. They may ask for article V protections under NATO and would likely get it.

So what will America do? Lead. Let's build that coalition. NATO special operations forces, combined with Kurds and Sunni Arabs, can provide the immediate ground capacity. Safe zones where Assad cannot reach them with airstrikes and barrel bombs will give them determinations and hope. Modern civilized allies can provide airpower, logistics, the wealth, and the commitment.

Russia has opened the door with statements from Foreign Minister Lavrov that a stabilized Syrian Government cannot include Assad. We should walk through that door. That solves having to build new governance.

Syria has survived civil wars before. She can again. Old structures can have new leaders with new coalitions that provide voice to all Syrians once ISIS is expunged.

In Iraq, we must find a place for the Sunni Arab and Sunni Kurd to have self-determination without having to turn to ISIS. The fighters exist. But they won't fight to be enslaved by draconian Shia Arab governance in Baghdad. That gives them no future. With Raqqa squeezed in Syria, we must build the coalition to restore Mosul and Baiji.

Then the disenfranchised Sunni Arab and Sunni Kurd must have a place at the table both in Syria and Iraq in post-conflict rebuilding. This will not be possible while savages run free and civilized nations do nothing.

America needs to build the coalition on an ISIS-first policy. Then we can settle into the less barbaric and less threatening future. We have a window. Do we have a President that will lead?

Here are some immediate short-term measures.

Launch cyberattacks on ISIS recruiting Web sites. While interceptive communications is important and we want to track their movements and intentions, we cannot confuse that with al-

lowing ISIS propaganda to reach into our free communities to turn misguided youth into neighborhood attackers.

Intercept what we must, but attack what draws recruitment and copycat actions in the first place. We cannot be just defensive in this area. Part of reducing homegrown terrorists is to cut off the juice from ISIS abroad. They should not have a free hand in our free speech.

Now let's talk about counter-messaging. Here is what every American can do to help. American news stations and newsprint can join the fight by not putting ISIS-produced videos and imagery on networks as B-roll on our newscasts and in articles in our newspapers. Why should we promote their propaganda?

Replace it rather with cross-hairs and explosions of their defeat or show rather the world their acts of barbarity and the human suffering they have created for their own people. Use that for B-roll.

America must stop aiding and abetting these evil savages that use our free press, our laws, and our protections to destroy ours. Americans, write your local stations and ask them to please stop.

Mr. Speaker, I want to shift my focus now to the refugee crisis.

While I have tried to focus my comments on actions that we should take to eliminate ISIS, one action we should not take is to become like them. America is a lamp that lights the horizon of civilized and free mankind.

The Statue of Liberty cannot have a stiff arm. Her arm must continue to keep the torch burning brightly. If we use our passions, anger, and fear to snuff out her flame by xenophobic and knee-jerk policy, the enemy wins. We have played into their hands, period.

Here are some Syrian refugee facts you may not know. Despite a long-established, multilayered system to vet and bring refugees into the United States—I have worked with the International Organization for Migration on deployed battlefields, and I have worked with the UNHCR in their efforts to help place refugees—despite a long-established system, despite biometric and biographic screening, despite intelligence vetting with the National Counterterrorism Center, the FBI's Terrorist Screening Center, and the Departments of State, Defense, and Homeland Security, added to the fact that Syrian refugees receive additional screening to national security concerns—and most of them are women and children—coupled with the fact that only a total of 1,900 Syrians have entered this country in the last 4 years, most of them women and children, Americans across the country now are calling on Lady Liberty to drop her torch and give the stiff arm, with perhaps even another gesture.

□ 2100

I want you to listen carefully to these statements by Members of Congress in response to a refugee bill—not an illegal immigration bill or permanent residents, but refugees, a refugee bill. Listen to these comments by Members of Congress about people fleeing for their lives.

Fighting immigration is “the best vote-getting argument . . . The politician can beat his breast and proclaim his loyalty to America.”

“He can tell the unemployed man that he is out of work because some alien has a job.”

Here is another one:

Congress must “protect the youth of America from this foreign invasion.”

And how about this one?

“American children have first claim to America’s charity.”

There are many more, but these quotes were from 1939. The refugee bill was not for Muslim and Christian Syrians or Iraqi Muslims, Christians and Yazidis; it was for German Jews. While it was true that Germany was, indeed, a threat, the refugees were not. They were 20,000 children.

Not only did that bill of 1939 not pass, but that Congress, with the same speech and rhetoric that I have been hearing in recent days in this august Chamber, Mr. Speaker, passed hurdle after hurdle in 1939 to make it more difficult for refugees to enter. They were, unfortunately, successful.

Mr. Speaker, America protects her liberty and defends her shores not by

punishing those who would be free; she does it by guarding liberty with her life.

Americans need to sacrifice and wake up. We must not become them. They win if we give up who we are, and even more so, without a fight.

We guard our way of life by vigilance. We must be watchful. We have to have each others’ back and be alert to dangers around us. We must speak up when we see something unusual. By maintaining who we are amidst the threat, amidst the hatred, amidst the trials, we win.

Patrick Henry did not say, “Give me safety or give me death,” but, rather, “Give me liberty,” implying that he was willing to lose his life to defend that liberty.

We have defended our way of life, Mr. Speaker, for 240 years. Now we as Americans must defend it again.

We must defend it when the critic sitting on the couch in his underwear eating his bag of cheese puffs is pecking out hatred and vitriol on some social media.

We must defend it and have courage when voters are caught up with sincere passion, demanding security that also might kill our liberty.

We must defend it with our warriors who have worked hard to keep the fight off our shores by being vigilant and aware at home and while looking after their families who don’t have them to protect them.

We will always have threats, but liberty, when lost, takes generations, if ever, to regain.

I am asking all Americans tonight to pray for our President. How much time, really, have we spent on our knees at home for our leaders? How much counsel have we sought from the Almighty?

It is God who has given us the spark of freedom. It is He we must turn to. He will take us and guide us in times of crisis, if we only ask Him and humble ourselves and seek His face as a nation.

Mr. Speaker, we would not even have that nation without the aid of France. Lady Liberty would not even stand on our shores without the generosity of France. And now, as civilization faces peril and trial, we must stand the test, shoulder to shoulder with France, this Congress, our people, our way of life.

Mr. Speaker, I yield back the balance of my time.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 799. An act to address problems related to prenatal opioid use.

ADJOURNMENT

Mr. RUSSELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o’clock and 5 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, November 19, 2015, at 9:30 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the third quarter of 2015, pursuant to Public Law 95–384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. K. MICHAEL CONAWAY, Chairman, Oct. 29, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Maureen Holohan	7/16	7/17	Portugal		145.10						
	7/17	7/20	Italy		1,272.79						
	7/20	7/22	Romania		444.25						
Commercial airfare											
Taxi & Train							6,978.60				
Sarah Young							201.86				
	7/16	7/17	Portugal		145.10						
	7/17	7/20	Italy		1,272.79						
	7/20	7/22	Romania		444.25						
Commercial airfare							6,978.60				
Taxi & Train							237.64				
Matt Washington	7/16	7/17	Portugal		145.10						
	7/17	7/20	Italy		1,272.79						
	7/20	7/22	Romania		444.25						
Commercial airfare							6,978.60				
Taxi & Train							154.75				

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015—

Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Donna Shahbaz	7/16	7/17	Belgium		281.00						
	7/17	7/22	France		1,690.26						
	7/22	7/24	Switzerland		926.06						
Commercial airfare							2,203.90				
Taxi & Train							486.12				
Lorraine Heckenberg	7/16	7/17	Belgium		281.00						
	7/17	7/22	France		1,690.26						
	7/22	7/24	Switzerland		926.06						
Commercial airfare							2,203.90				
Taxi & Train							771.81				
Perry Yates	7/16	7/17	Belgium		281.00						
	7/17	7/22	France		1,690.26						
	7/22	7/24	Switzerland		926.06						
Commercial airfare							2,203.90				
Taxi & Train							475.90				
Taunja Berguam	7/16	7/17	Belgium		281.00						
	7/17	7/22	France		1,690.26						
	7/22	7/24	Switzerland		926.06						
Commercial airfare							2,203.90				
Taxi & Train							388.07				
Collin Lee	7/14	7/19	Korea		1,628.65						
Commercial airfare							11,097.30				
Taxi							98.94				
Cornell Teague	7/14	7/19	Korea		1,628.65						
Commercial airfare							11,097.30				
Taxi							80.19				
Paul Terry	7/14	7/19	Korea		1,628.65						
Commercial airfare							11,097.65				
Taxi							7.21				
Hon. Harold Rogers	7/31	8/5	Austria		1,621.42						
	8/5	8/7	Switzerland		1,483.33						
	8/7	8/9	Portugal		543.00						
Delegation Costs *									2,401.71		
Hon. Rodney Frelinghuysen	7/31	8/5	Austria		1,621.42						
	8/5	8/7	Switzerland		1,483.33						
	8/7	8/9	Portugal		543.00						
Delegation Costs *									2,401.71		
Hon. Steve Womack	7/31	8/5	Austria		1,621.42						
	8/5	8/7	Switzerland		1,483.33						
	8/7	8/8	Spain		333.68						
Delegation Costs *									1,281.71		
Hon. David Young	7/31	8/5	Austria		1,621.42						
	8/5	8/7	Switzerland		1,483.33						
	8/7	8/9	Portugal		543.00						
Delegation Costs *									2,401.71		
Hon. Lucille Roybal-Allard	7/31	8/5	Austria		1,621.42						
	8/5	8/7	Switzerland		1,483.33						
	8/7	8/9	Portugal		543.00						
Delegation Costs *									2,401.71		
Hon. Henry Cuellar	7/31	8/5	Austria		1,621.42						
	8/5	8/7	Switzerland		1,483.33						
	8/7	8/9	Portugal		543.00						
Delegation Costs *									2,401.71		
Will Smith	7/31	8/5	Austria		1,621.42						
	8/5	8/7	Switzerland		1,483.33						

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015—
Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Erin Kolodjeski	8/9	8/15	Burma		2,026.00						
Commercial airfare							11,737.30				
Hon. Betty McCollum	8/20	8/22	Dakar		398.32						
	8/22	8/24	Ethiopia		790.30						
	8/24	8/26	Rwanda		604.00						
	8/26	8/28	Gabon		952.22						
	8/28	8/28	Cape Verde								
Delegation Costs *									52.88		
Hon. Kay Granger	8/23	8/24	Ethiopia		394.08						
	8/24	8/26	Rwanda		614.00						
	8/26	8/28	Gabon		957.00						
	8/28	8/28	Cape Verde								
Commercial airfare							5,723.10				
Hon. Andy Harris	8/25	8/31	Italy		1,184.20						
Delegation Costs *									532.94		
Commercial airfare							1,438.80				
B.G. Wright	8/30	9/4	Jordan		1,422.00						
Delegation Costs *									410.97		
Commercial airfare							6,064.40				
Rob Blair	8/30	9/1	Oman		828.39						
	9/1	9/3	Kenya		1,230.00						
Commercial airfare							10,660.00				
Tim Prince	9/21	9/23	Spain		455.76						
	9/23	9/25	Romania		423.92						
Commercial airfare							12,046.00				
Brooke Boyer	9/21	9/23	Spain		455.76						
	9/23	9/25	Romania		423.92						
Commercial airfare							12,046.00				
Taxi							45.72				
Total					86,774.64		161,327.21		35,277.95		283,379.80

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

* Delegation expenses include payments and reimbursements to the Department of State under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Section 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

HON. HAROLD ROGERS, Chairman, Oct. 30, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN
JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Visit to Czech Republic, Ukraine, Finland, July 1–8, 2015 With CODEL Wicker:											
Hon. Ruben Gallego	7/2	7/4	Czech Republic		389.96						389.96
	7/4	7/7	Finland		1,529.44						1,529.44
Commercial airfare							1,446.30				1,446.30
Visit to France, July 16–21, 2015:											
Hon. Michael R. Turner	7/17	7/21	France		1,009.82						1,009.82
Commercial airfare							1,619.40				1,619.40
Hon. Loretta Sanchez			France		1,009.82						1,009.82
Commercial airfare							13,768.80				13,768.80
Hon. Paul Cook			France		1,009.82						1,009.82
Commercial airfare							1,620.00				1,620.00
Visit to Zambia, Tanzania, August 1–6, 2015:											
Mark Morehouse	8/2	8/4	Tanzania		601.00						601.00
	8/4	8/5	Zambia		271.00						271.00
Commercial airfare							13,495.40				13,495.40
Ryan Crumpler	8/2	8/4	Tanzania		601.00						601.00
	8/4	8/5	Zambia		271.00						271.00
Commercial airfare							13,760.40				13,760.40
Michael Amato	8/2	8/4	Tanzania		601.00						601.00
	8/4	8/5	Zambia		271.00						271.00
Commercial airfare							15,083.80				15,083.80
Visit to Estonia, Poland, Latvia, Germany, United Kingdom, Belgium, August 2–10, 2015:											
Hon. Rob Wittman	8/3	8/4	Belgium		131.00						131.00
	8/4	8/5	Poland		217.54						217.54
	8/5	8/6	Latvia		232.98						232.98
	8/6	8/9	Estonia		129.00						129.00
	8/9	8/10	United Kingdom		521.00						521.00
Hon. Madeleine Bordallo	8/3	8/4	Belgium		131.00						131.00
	8/4	8/5	Poland		217.54						217.54
	8/5	8/6	Latvia		232.98						232.98
	8/6	8/9	Estonia		129.00						129.00
	8/9	8/10	United Kingdom		521.00						521.00
Craig Collier	8/3	8/4	Belgium		131.00						131.00
	8/4	8/5	Poland		217.54						217.54
	8/5	8/6	Latvia		232.98						232.98
	8/6	8/9	Estonia		129.00						129.00
	8/9	8/10	United Kingdom		521.00						521.00
Vickie Plunkett	8/3	8/4	Belgium		131.00						131.00
	8/4	8/5	Poland		217.54						217.54
	8/5	8/6	Latvia		232.98						232.98
	8/6	8/9	Estonia		129.00						129.00
	8/9	8/10	United Kingdom		521.00						521.00
Delegation Expenses *			United Kingdom				3,810.00		753.51		4,563.51
Delegation Expenses *			Latvia				569.62		1,515.80		2,085.42
Delegation Expenses *			Poland				522.58				522.58

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Visit to Australia, August 6–14, 2015:											
Jeanette James	8/8	8/11	Australia		1,648.42						1,648.42
Commercial airfare							13,121.20				13,121.20
Alison Lynn	8/8	8/11	Australia		1,648.42						1,648.42
Commercial airfare							17,419.60				17,419.60
Craig Greene	8/8	8/11	Australia		1,648.42						1,648.42
Commercial airfare							17,984.40				17,984.40
David Sennott	8/8	8/11	Australia		1,903.42						1,903.42
Commercial airfare							15,530.70				15,530.70
Visit to Afghanistan, September 2–6, 2015:											
Hon. William M. “Mac” Thornberry	9/3	9/5	Afghanistan		12.00						12.00
Commercial airfare							11,867.20				11,867.20
Robert L. Simmons			Afghanistan		12.00						12.00
Commercial airfare							11,862.20				11,862.20
Michael Casey			Afghanistan		12.00						12.00
Commercial airfare							11,867.20				11,867.20
Committee total					19,375.62		165,348.80		2,269.31		186,993.73

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Delegation expenses.

HON. MAC THORNBERRY, Chairman, Nov. 2, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Richard Hudson	7/2	7/3	Ukraine		371.07		(³)				371.07
	7/3	7/4	Czech Republic		379.99						379.99
	7/4	7/7	Finland		1,150.07						1,150.07
Hon. Bill Flores	8/3	8/3	Belgium		542.50		3,665.40				4,207.90
	8/4	8/4	Poland		271.54						271.54
	8/5	8/5	Latvia		232.98						232.98
	8/6	8/7	Estonia		657.45						657.45
Hon. Joseph Kennedy	8/24	8/24	Ethiopia		309.08		905.42				1,214.50
	8/24	8/26	Rwanda		614.00		(³)				614.00
	8/26	8/28	Gabon		957.00						957.00
Committee total					5,485.68		4,570.82				10,056.50

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. FRED UPTON, Chairman, Oct. 30, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Gwen Moore	7/2	7/3	Ukraine		264.90		(³)				264.90
	7/3	7/4	Czech Republic		290.36		(³)				290.36
	7/4	7/7	Finland		1,009.60		(³)				1,009.60
Hon. Michael Fitzpatrick	7/2	7/3	Ukraine		353.19		(³)				353.19
	7/3	7/4	Czech Republic		341.93		(³)				341.93
	7/4	7/7	Finland		1,150.08		(³)				1,150.08
Hon. Robert Pittenger	8/3	8/4	Belgium		93.34						93.34
	8/4	8/5	Poland		217.54						217.54
	8/5	8/7	Latvia		195.30						195.30
	8/7	8/9	Estonia		91.32						91.32
	8/9	8/10	England		521.00		12,743.40				13,264.40
Hon. Kyrsten Sinema	8/24	8/26	Rwanda		471.07		22,839.80				23,310.87
Hon. Terri Sewell	8/22	8/24	Ethiopia		395.15		1,120.45				1,515.60
	8/24	8/26	Rwanda		604.00		(³)				604.00
	8/26	8/28	Gabon		952.22		(³)				952.22
	8/28	8/28	Cape Verde				(³)				
Hon. Michael Fitzpatrick	8/31	9/2	France		1,569.00			4,375.00			5,944.00
	9/2	9/3	Turkey		278.38			369.62			648.00
	9/3	9/5	Qatar		602.65			829.45			1,432.10
	9/5	9/7	Kuwait		709.76		14,602.62	2,180.79			17,493.17
Hon. Robert Pittenger	8/31	9/2	France		1,553.60						1,553.60
	9/2	9/3	Turkey		270.68						270.68
	9/3	9/5	Qatar		587.25		14,354.10				14,941.35
Hon. Gregory Meeks	8/31	9/2	France		1,646.00						1,646.00
	9/2	9/3	Turkey		316.88						316.88
	9/3	9/5	Qatar		679.65						679.65
	9/5	9/7	Kuwait		825.26		15,095.90				15,921.16
Albert Joseph Pinder	8/31	9/2	France		1,539.60						1,539.60
	9/2	9/3	Turkey		297.37						297.37
	9/3	9/5	Qatar		587.05						587.05
	9/5	9/7	Kuwait		800.77		10,503.08				11,303.85
Francis Ola Williams	8/31	9/2	France		1,646.00						1,646.00
	9/2	9/3	Turkey		316.88						316.88
	9/3	9/5	Qatar		679.65						679.65
	9/5	9/7	Kuwait		825.26		11,084.81				11,910.07

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015—
Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Committee total					22,682.69		102,344.16		7,754.86		132,781.71

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. JEB HENSARLING, Chairman, Oct. 30, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN
JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Nilmini Rubin	8/25	8/29	Gabon		1,310.00		13,702.42				15,012.42
Worku Gachou	8/25	8/29	Gabon		1,380.00		13,737.00				15,117.00
Greg Simpkins	8/25	8/29	Gabon		1,280.00		12,144.64				13,424.64
Travis Adkins	8/25	8/29	Gabon		1,415.00		13,952.00				15,367.00
Amy Chang	8/9	8/15	Burma		1,493.00		11,737.30				13,230.30
Shelley Su	8/9	8/15	Burma		1,395.00		11,737.30				13,132.30
Greg Simpkins	6/27	7/1	Zimbabwe		1,056.95		4,513.50				5,570.45
	7/1	7/2	South Africa		155.57						155.57
Piero Tozzi	6/27	7/1	Zimbabwe		986.95		4,513.50				5,500.45
	7/1	7/2	South Africa		145.57						145.57
Hon. Tulsi Gabbard	6/27	6/28	Kuwait		423.81		(³)				423.81
	6/28	6/29	Iraq		11.00		2,700.00				2,711.00
	6/29	6/30	Jordan		405.41		(³)				405.41
	6/30	7/1	Turkey		502.07		(³)				502.07
Hon. Brian Higgins	6/27	6/28	Kuwait		403.87		(³)				403.87
	6/28	6/29	Iraq		11.00		2,700.00				2,711.00
	6/29	6/30	Jordan		365.53		(³)				365.53
	6/30	7/1	Turkey		592.06		(³)				592.06
Scott Cullinane	8/16	8/23	Ukraine		1,837.94		3,934.80				5,772.74
Mark Iozzi	8/16	8/23	Ukraine		1,885.94		4,941.80				6,827.74
Kyle Parker	8/19	8/23	Ukraine		946.98		2,564.20				3,511.18
Philip Bednarczyk	8/16	8/23	Ukraine		1,885.94		2,053.10				3,939.04
Hon. Dana Rohrabacher	7/31	8/2	Austria		727.02		*18,340.20		410.85		19,478.07
	8/2	8/4	Belarus		582.00						582.00
	8/4	8/6	Russia		506.00						506.00
	8/6	8/7	Estonia		226.00						226.00
	8/7	8/8	Latvia		236.00						236.00
	8/8	8/10	Lithuania		529.00						529.00
Hon. Greg Meeks	7/31	8/2	Austria		645.70		13,695.00				14,340.70
	8/2	8/4	Belarus		582.00						582.00
	8/4	8/6	Russia		506.00						506.00
	8/6	8/7	Estonia		226.00						226.00
Philip Bednarczyk	7/31	8/2	Austria		645.70		14,942.55				15,588.25
	8/2	8/4	Belarus		582.00						582.00
	8/4	8/6	Russia		506.00						506.00
	8/6	8/7	Estonia		226.00						226.00
	8/7	8/8	Latvia		236.00						236.00
	8/8	8/10	Lithuania		529.00						529.00
Paul Behrends	8/1	8/2	Austria		322.82		12,085.50				12,408.32
	8/2	8/4	Belarus		582.00						582.00
	8/4	8/6	Russia		506.00						506.00
	8/6	8/7	Estonia		226.00						226.00
Hon. Ted Poe	8/10	8/13	Australia		1,132.28		(³)				1,132.28
	8/13	8/14	Indonesia		308.26		(³)				308.26
	8/14	8/16	Singapore		979.90		(³)				979.90
	8/16	8/17	Japan		63.00		(³)				63.00
Hon. Eliot Engel	6/29	7/5	Kosovo		807.22		4,986.70				5,793.92
	7/3	7/3	Macedonia								
Jason Steinbaum	6/29	7/5	Kosovo		779.22		3,662.40				4,441.62
	7/3	7/3	Macedonia								
Hon. Karen Bass	9/23	9/28	Gabon		1,501.00		14,700.72				16,201.72
Hon. Tom Marino	7/17	7/21	France		1,840.00		1,138.40				2,978.40
Luke Murry	6/26	7/2	South Africa		1,205.95		12,250.80				13,456.75
Worku Gachou	6/26	7/1	South Africa		1,146.89		11,759.80				12,906.69
Doug Campbell	6/26	7/2	South Africa		1,276.00		11,617.00				12,893.00
Leah Campos	8/17	8/19	Argentina		683.16		1,700.53				2,383.69
Rebecca Ulrich	8/17	8/19	Argentina		683.16		1,700.53				2,383.69
Eric Jacobstein	8/17	8/19	Argentina		683.56		1,700.53				2,384.09
Mark Walker	8/23	8/25	Suriname		464.00		2,458.50				2,922.50
	8/25	8/28	Guyana		832.00						832.00
Thomas Alexander	8/23	8/25	Suriname		464.00		2,458.50				2,922.50
	8/25	8/28	Guyana		832.00						832.00
Sadaf Khan	8/24	8/28	Guyana		887.48		1,423.80				2,311.28
Hon. David Cicilline	8/21	8/22	Senegal		371.00		(³)				371.00
	8/22	8/24	Ethiopia		788.15		(³)				788.15
	8/24	8/26	Rwanda		614.00		(³)				614.00
	8/26	8/28	Gabon		957.00		(³)				957.00
	8/28	8/28	Cape Verde				(³)				
Committee total					48,316.06		*235,553.02		410.85		284,279.93

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

* Indicates Delegation Costs.

HON. EDWARD R. ROYCE, Chairman, Oct. 30, 2015.

November 18, 2015

CONGRESSIONAL RECORD—HOUSE, Vol. 161, Pt. 13

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REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOUSE ADMINISTRATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Reynold Schweickhardt	8/31	9/2	Japan		653.00		2,638.40		914.58		4,205.98
Committee total					653.00		2,638.40		914.58		4,205.98

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CANDICE S. MILLER, Chairman, Oct. 23, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Darrell Issa	7/30	8/7	Nigeria, Egypt		822.00		13,157.40		1,712.63		15,692.03
Hon. Blake Farenthold	7/30	8/7	Nigeria, Egypt		822.00		4,399.78		1,712.63		6,934.41
Hon. Sheila Jackson Lee	7/30	8/4	Nigeria		546.00		9,903.50		1,190.47		11,639.97
Jason Everett	7/30	8/7	Nigeria, Egypt		822.00		10,576.40		1,712.63		13,111.03
Paul Taylor	7/30	8/7	Nigeria, Egypt		822.00		10,576.40		1,712.63		13,111.03
Committee total					3,834.00		48,613.48		8,040.99		60,488.47

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. BOB GOODLATTE, Chairman, Oct. 29, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Steve Chabot	8/16	8/18	Moldova		468.00						468.00
	8/18	8/19	Hungary		253.00						253.00
	8/19	8/20	Latvia		258.00						258.00
	8/20	8/22	Estonia		442.00						442.00
	8/15	8/22					15,573.80				15,573.80
Kevin Fitzpatrick	8/16	8/18	Moldova		468.00						468.00
	8/18	8/19	Hungary		253.00						253.00
	8/19	8/20	Latvia		258.00						258.00
	8/20	8/22	Estonia		442.00						442.00
	8/15	8/22					14,424.60				14,424.60
Committee total					2,708.52		29,998.40				32,840.40

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. STEVE CHABOT, Chairman, Oct. 17, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Daniel Lipinski	8/22	8/31	Italy		1,500.04		1,439.90		117.94		3,057.88
Committee total					1,500.04		1,439.90		117.94		3,057.88

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. BILL SHUSTER, Chairman, Oct. 26, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JEFF MILLER, Chairman, Oct. 28, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, SELECT COMMITTEE ON THE EVENTS SURROUNDING THE 2012 TERRORIST ATTACK IN BENGHAZI, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. TREY GOWDY, Chairman, Oct. 14, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2015

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Chris Smith	7/4	7/7	Finland	Euro	1,150.08		1,952.60				3,102.68
Hon. Robert Aderholt	7/2	7/7	Ukraine	Hryvnia	1,901.14						1,901.14
			Czech Republic	Koruna							
Hon. Steve Cohen	7/2	7/7	Finland	Euro							
			Ukraine	Hryvnia	1,901.14						1,901.14
			Czech Republic	Koruna							
Hon. Alan Grayson	7/4	7/7	Finland	Euro	1,150.08						1,150.08
David Kostelancik	6/29	7/8	Austria	Euro	2,898.00		2,916.70				5,814.70
			Finland	Euro							
Mark Milosch	7/2	7/9	Ukraine	Hryvnia	2,667.86		2,164.90				4,832.76
			Czech Republic	Koruna							
			Finland	Euro							
	9/13	9/19	Ireland	Euro	2,193.00		6,457.00				8,650.00
			Mongolia	Tögrög							
Bob Hand	7/3	7/10	Finland	Euro	2,683.52		1,798.70				4,482.22
	9/13	9/19	Mongolia	Tögrög	915.00		4,083.50				4,998.50
Orest Deychakiwsky	7/1	7/4	Ukraine	Hryvnia	1,115.10		2,253.00				3,368.10
Alex Johnson	7/2	7/10	Ukraine	Hryvnia	3,051.22		1,165.40				4,216.62
			Czech Republic	Koruna							
			Finland	Euro							
Nathanial Hurd	7/4	7/9	Finland	Euro	1,916.80		2,966.10				4,882.90
Stacy Hope	7/2	7/7	Ukraine	Hryvnia	1,901.14						1,901.14
			Czech Republic	Koruna							
			Finland	Euro							
Janice Helwig	7/1	9/30	Austria	Euro	30,667.00		4,667.85				35,334.85
	7/4	7/8	Finland	Euro	1,533.44		2,094.10				3,627.54
	9/20	9/26	Poland	Zloty	1,650.00		1,132.30				2,782.30
Allison Hollabaugh	7/5	7/8	Austria	Euro	847.33		1,751.60				2,598.93
Erika Schlager	7/13	7/17	Austria	Euro	1,275.00		2,023.30				3,298.30
			Slovakia	Koruna							
Shelly Han	9/12	9/16	Czech Republic	Koruna	1,214.00		1,678.70				2,892.70
Jonas Wechsler	9/16	9/26	Austria	Euro	2,489.41		2,726.10				5,215.51
			Poland	Zloty							
Mark Milosch	8/5	8/7	Belgium	Euro	596.00		2,660.60				3,256.60
Committee total					65,716.26		44,492.45				110,208.71

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHRISTOPHER H. SMITH, Chairman, Oct. 29, 2015.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3485. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Responsibilities of Boards of Directors, Corporate Practices and Corporate Governance Matters (RIN: 2590-AA59) received November 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3486. A letter from the Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting the Department's final rule — Section 108 Loan Guarantee Program: Payment of Fees To Cover Credit Subsidy Costs [Docket No.: FR-5767-F-03] (RIN: 2506-AC35) received November 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3487. A letter from the Assistant Secretary, Employee Benefits Security Administration,

Department of Labor, transmitting the Department's Major final rules — Final Rules under the Affordable Care Act for Grandfathered Plans, Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, Dependent Coverage, Appeals, and Patient Protections (RIN: 1210-AB72) received November 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3488. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flutriafof; Pesticide Tolerances [EPA-HQ-OPP-2015-0179; FRL-9933-61] received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3489. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Propenoic acid, polymer with ethenylbenzene and (1-methylethenyl)benzene; Tolerance Exemption [EPA-HQ-OPP-2015-0376; FRL-9936-48] received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-

121, Sec. 251; to the Committee on Energy and Commerce.

3490. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Prevention of Significant Deterioration; Plantwide Applicability Limits for Greenhouse Gases [EPA-R03-OAR-2015-027 4; FRL-9937-25-Region 3] received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3491. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's partial withdrawal of direct final rule — Significant New Use Rules on Certain Chemical Substances; Withdrawal [EPA-HQ-OPPT-2015-0388; FRL-9936-98] (RIN: 2070-AB27) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3492. A letter from the Deputy Chief, ASAD, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule —

Application Procedures for Broadcast Incentive Auction Scheduled to Begin on March 29, 2016; Technical Formulas for Competitive Bidding [AU Docket No.: 14-252] [GN Docket No.: 12-268] [WT Docket No.: 12-269] [DA 15-1183] received November 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3493. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Environment, Health, Safety and Security, Department of Energy, transmitting the Department's final rule — Worker Safety and Health Program; Technical Amendments (RIN: 1992-AA50) received November 10, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3494. A letter from the Chief, Trade and Commercial Regulations Branch, U.S. Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Freedom of Information Act Procedures, (RIN: 1651-AB05) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

3495. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's notice — Medicare Program; CY 2016 Part A Premiums for the Uninsured Aged and for Certain Disabled Individuals Who Have Exhausted Other Entitlement [CMS-8060-N] (RIN: 0938-AS37) received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3496. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's notice — Medicare Program; CY 2016 Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts [CMS-8059-N] (RIN: 0938-AS36) received November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3497. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Federal Awarding Agency Regulatory Implementation of Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards [Docket No.: SSA-2015-0022] (RIN: 0960-AH73) received November 16, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3498. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; Comprehensive Care for Joint Replacement Payment Model for Acute Care Hospitals Furnishing Lower Extremity Joint Replacement Services [CMS-5516-F] (RIN: 0938-AS64) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; jointly to the Committees on Energy and Commerce and Ways and Means.

3499. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's notice — Medicare Program; Medicare Part B Monthly Actuarial Rates, Premium Rate, and Annual Deductible Beginning January 1, 2016 [CMS-8061-N] (RIN: 0938-AS38) received

November 13, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; jointly to the Committees on Energy and Commerce and Ways and Means.

3500. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rules — Final Rules for Grandfathered Plans, Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, Dependent Coverage, Appeals, and Patient Protections under the Affordable Care Act [CMS-9993-F] (RIN: 0938-AS56) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; jointly to the Committees on Ways and Means, Education and the Workforce, and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 531. Resolution providing for consideration of the bill (H.R. 4038) to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes (Rept. 114-342). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ELLISON (for himself, Ms. DELAURO, Mr. GRIJALVA, Mr. PETERS, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. MCGOVERN, Ms. MENG, Ms. CLARKE of New York, Ms. LEE, Mr. POCAN, Ms. KAPTUR, Ms. NORTON, Mr. NADLER, Mr. HASTINGS, Mr. CONYERS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. JUDY CHU of California, Ms. EDWARDS, and Mr. VAN HOLLEN):

H.R. 4055. A bill to amend title IV of the Social Security Act to address the increased burden that maintaining the health and hygiene of infants and toddlers places on families in need, the resultant adverse health effects on children and families, and the limited child care options available for infants and toddlers who lack sufficient diapers, which prevents their parents and guardians from entering the workforce; to the Committee on Ways and Means.

By Mr. MICA:

H.R. 4056. A bill to authorize the Secretary of Veterans Affairs to convey to the Florida Department of Veterans Affairs all right, title, and interest of the United States to the property known as "The Community Living Center" at the Lake Baldwin Veterans Affairs Outpatient Clinic, Orlando, Florida; to the Committee on Veterans' Affairs.

By Ms. CLARK of Massachusetts (for herself and Mr. MEEHAN):

H.R. 4057. A bill to amend title 18, United States Code, to establish a criminal violation for using false communications with the intent to create an emergency response, and for other purposes; to the Committee on the Judiciary.

By Mr. SHUSTER (for himself, Mr. JONES, Mr. GRAVES of Missouri, Mr. MASSIE, Mr. DUNCAN of Tennessee,

Mr. KELLY of Pennsylvania, Mr. ABRAHAM, and Mr. KING of Iowa):

H.R. 4058. A bill to require that in cases of health insurance coverage cancelled pursuant to requirements under the Patient Protection and Affordable Care Act cancellation notices provided to enrollees include a statement such cancellation is because of such Act; to the Committee on Energy and Commerce.

By Mrs. BLACK (for herself, Mr. WELCH, Mr. THOMPSON of California, and Mr. COLLINS of New York):

H.R. 4059. A bill to amend title XVIII of the Social Security Act to encourage Medicare beneficiaries to voluntarily adopt advance directives guiding the medical care they receive; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VARGAS:

H.R. 4060. A bill to establish certain conservation and recreation areas in the State of California, and for other purposes; to the Committee on Natural Resources.

By Mr. PALLONE (for himself and Ms. DELAURO):

H.R. 4061. A bill to amend the Federal Food, Drug, and Cosmetic Act to strengthen requirements related to nutrient information on food labels, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MARCHANT (for himself, Mr. BLUMENAUER, Mrs. BLACK, Mr. NUNES, and Mr. THOMPSON of California):

H.R. 4062. A bill to amend title XVIII of the Social Security Act to remove the enrollment restriction on certain physicians and practitioners prescribing covered outpatient drugs under the Medicare prescription drug program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS (for himself, Mr. KIND, Miss RICE of New York, Mrs. WALORSKI, Mr. MCKINLEY, Mr. BOST, Mr. COFFMAN, Mr. ROSS, Mr. RYAN of Ohio, Mrs. RADEWAGEN, Mr. CRAWFORD, Mr. MICA, Ms. FRANKEL of Florida, Ms. KUSTER, Mr. MCCAUL, and Mr. WALZ):

H.R. 4063. A bill to improve the use by the Secretary of Veterans Affairs of opioids in treating veterans, to improve patient advocacy by the Secretary, and to expand the availability of complementary and integrative health, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CICILLINE (for himself and Mr. DOGGETT):

H.R. 4064. A bill to amend the Internal Revenue Code of 1986 to allow the Secretary of the Treasury to withhold social security numbers on Form 990 from public disclosure; to the Committee on Ways and Means.

By Ms. FRANKEL of Florida (for herself and Mr. YOHIO):

H.R. 4065. A bill to amend the Tariff Act of 1930 to provide for a deferral of the payment of a duty upon the sale of certain used yachts, and for other purposes; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 4066. A bill to enable high-performance computation and supportive research and nuclear energy innovation; to the Committee on Science, Space, and Technology.

By Mr. KIND (for himself and Mr. REICHERT):

H.R. 4067. A bill to amend the Internal Revenue Code of 1986 to encourage retirement savings by modifying requirements with respect to employer-established IRAs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LAWRENCE (for herself, Ms. VELÁZQUEZ, Ms. CLARKE of New York, and Mr. PAYNE):

H.R. 4068. A bill to amend the Internal Revenue Code of 1986 to permanently increase the limitations on the deduction for start-up and organizational expenditures; to the Committee on Ways and Means.

By Ms. LOFGREN (for herself and Mr. THOMPSON of Mississippi):

H.R. 4069. A bill to amend title 18, United States Code, to prohibit the sale of firearms to individuals suspected of terrorism, and for other purposes; to the Committee on the Judiciary.

By Mr. MCNERNEY:

H.R. 4070. A bill to direct the Administrator of the Federal Emergency Management Agency to establish an emergency flood activity pilot program to assist flood response efforts in response to a levee failure or potential levee failure, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POLIQUIN:

H.R. 4071. A bill to direct the Administrator of General Services to establish a program to sell Federal buildings that are not utilized to provide revenue for increases in social security benefits and military retirement pay, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Ways and Means, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Mrs. DINGELL, and Mr. BARTON):

H.R. 4072. A bill to remove a restriction that prohibits the use of Federal funds to pay for maintenance of the memorial to honor Tomas G. Masaryk in the District of Columbia; to the Committee on Natural Resources.

By Mr. SCHIFF (for himself, Mr. BISHOP of Michigan, Mr. CARTWRIGHT, Mr. COHEN, Mr. CONNOLLY, Mr. DOLD, Mr. HONDA, Mr. ISRAEL, Ms. KUSTER, Mrs. CAROLYN B. MALONEY of New York, Mr. RANGEL, and Mr. WELCH):

H.R. 4073. A bill to amend the National Child Protection Act of 1993 to establish a permanent background check system; to the Committee on the Judiciary.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 4074. A bill to require the Secretary of Homeland Security to collect data regarding foreign travel, or repatriation, to the country of nationality or last habitual residence by an alien admitted to the United States as a refugee, and for other purposes; to the Committee on the Judiciary.

By Mr. SESSIONS:

H.R. 4075. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish

new procedures and requirements for the registration of cosmetic manufacturing establishments, the submission of cosmetic and ingredient statements, and the reporting of serious cosmetic adverse events, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TURNER (for himself, Ms. FUDGE, and Ms. TSONGAS):

H.R. 4076. A bill to amend title XIX of the Social Security Act to allow for payments to States for substance abuse services furnished to inmates in public institutions, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WILLIAMS (for himself, Mr. FLORES, Ms. GRANGER, Mr. THORNBERRY, Mr. NEUGEBAUER, Mr. OLSON, and Mr. AUSTIN SCOTT of Georgia):

H.R. 4077. A bill to amend title XVIII of the Social Security Act to provide for a Medicare established provider system under which providers of services and suppliers representing a low risk for submitting fraudulent Medicare claims are provided certain claim review protections; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOHO (for himself, Mr. JONES, and Mr. POSEY):

H.R. 4078. A bill to authorize the Governor of any State in which it is proposed to place or resettle a Syrian refugee to refuse such placement or resettlement if the Governor makes certain certifications, and for other purposes; to the Committee on the Judiciary.

By Mr. EMMER of Minnesota:

H.J. Res. 73. A joint resolution declaring that a state of war exists between the Islamic State and the Government and the people of the United States and making provision to prosecute the same; to the Committee on Foreign Affairs.

By Mr. MEADOWS:

H. Con. Res. 94. Concurrent resolution expressing the sense of the Congress regarding the treatment of State Governors who have made a determination with respect to Syrian refugees; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TURNER (for himself, Mr. CONNOLLY, Mr. JORDAN, Mr. GIBSON, Mr. BISHOP of Georgia, Mr. TIBERI, Mr. LIPINSKI, Ms. KAPTUR, Mr. BISHOP of Utah, Mr. RYAN of Ohio, and Mr. GIBBS):

H. Res. 532. A resolution recognizing the 20th anniversary of the Dayton Peace Accords; to the Committee on Foreign Affairs.

By Mr. WILLIAMS:

H. Res. 533. A resolution expressing disapproval of the President's plan to accept 10,000 Syrian refugees; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitu-

tion to enact the accompanying bill or joint resolution.

By Mr. ELLISON:

H.R. 4055.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 7 of Rule XII of the Rules of the House of Representatives, the following statement is submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution. Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 18 of the Constitution of the United States, which states:

The Congress shall have the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. MICA:

H.R. 4056.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Ms. CLARK of Massachusetts:

H.R. 4057.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. SHUSTER:

H.R. 4058.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have Power. . . to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution into the Government of the United States, or in any Department or Officer thereof.

By Mrs. BLACK:

H.R. 4059.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States. . ."

By Mr. VARGAS:

H.R. 4060.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, as enumerated in Article IV, Section 3, Clause 2 of the U.S. Constitution.

By Mr. PALLONE:

H.R. 4061.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States.

By Mr. MARCHANT:

H.R. 4062.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 clause 1 : The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts

and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

Article 1, Section 8, clause 18 : To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. BILIRAKIS:

H.R. 4063.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States and Article I, Section 8, Clause 7 of the Constitution of the United States.

Article I, section 8 of the United State Constitution, which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and provide for organizing, arming, and disciplining the militia.

By Mr. CICILLINE:

H.R. 4064.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. FRANKEL of Florida:

H.R. 4065.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1, 3, and 18 of the United States Constitution, which respectively grant Congress the power to lay and collect duties and imposts, to regulate commerce with foreign nations, and to make all laws which shall be necessary and proper for the execution of those powers.

By Mr. GRAYSON:

H.R. 4066.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. KIND:

H.R. 4067.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7, Clause 1

"All Bills for raising Revenue shall originate in the House of Representatives"

By Mrs. LAWRENCE:

H.R. 4068.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. LOFGREN:

H.R. 4069.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution, which gives Congress the power "to regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

By Mr. MCNERNEY:

H.R. 4070.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. POLIQUIN:

H.R. 4071.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 grants Congress the power to "regulate Commerce with foreign Nations, and among the several States"

By Ms. SCHAKOWSKY:

H.R. 4072.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section VIII

By Mr. SCHIFF:

H.R. 4073.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact the Child Protection Improvements Act pursuant to Article I, Section 8, Clause 18, the Necessary and Proper Clause. The Necessary and Proper Clause supports the expansion of congressional authority beyond the explicit authorities that are directly discernible from the text. Additionally, the Preamble to the Constitution provides support of the authority to enact legislation to promote the General Welfare.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 4074.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: "Congress shall have Power To . . . provide for the common Defence and general Welfare of the United States."

Article I, Section 8, Clause 4: "Congress shall have Power To . . . establish an uniform Rule of Naturalization."

Article I, Section 8, Clause 18: "Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. SESSIONS:

H.R. 4075.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. TURNER:

H.R. 4076.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. WILLIAMS:

H.R. 4077.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. YOHO:

H.R. 4078.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 4 of the United States Constitution

By Mr. EMMER of Minnesota:

H.J. Res. 73.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the Constitution of the United States:

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

To provide and maintain a navy;

To make rules for the government and regulation of the land and naval forces;

To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions;

To provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 333: Mr. ROONEY of Florida.

H.R. 344: Mrs. WATSON COLEMAN, Mr. CLEAVER, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, and Mr. TAKANO.

H.R. 430: Mr. RUPPERSBERGER.

H.R. 525: Mr. SCOTT of Virginia.

H.R. 556: Mr. BARLETTA and Mr. ALLEN.

H.R. 604: Mr. LOUDERMILK.

H.R. 619: Mr. LOBIONDO.

H.R. 699: Mrs. CAROLYN B. MALONEY of New York.

H.R. 775: Mr. DAVID SCOTT of Georgia, Mr. SWALWELL of California, Mr. CONNOLLY, Mr. MCNERNEY, Mr. PAYNE, Ms. BASS, Mr. ASHFORD, Ms. LORETTA SANCHEZ of California, Mr. WALBERG, Mr. SCHRADER, Ms. GRAHAM, and Mr. BISHOP of Georgia.

H.R. 776: Mr. ROONEY of Florida.

H.R. 793: Mr. FARR and Mr. TONKO.

H.R. 814: Mr. MCKINLEY.

H.R. 816: Mr. LAHOOD.

H.R. 836: Mr. REED, Mr. MCHENRY, and Mr. WENSTRUP.

H.R. 842: Mr. AGUILAR.

H.R. 845: Mr. HECK of Nevada.

H.R. 879: Mr. YOUNG of Indiana.

H.R. 911: Mr. LOWENTHAL and Mr. GUTIÉRREZ.

H.R. 924: Mr. BARR.

H.R. 932: Ms. LINDA T. SÁNCHEZ of California.

H.R. 953: Mr. TED LIEU of California.

H.R. 985: Mr. LOWENTHAL and Mr. DESAULNIER.

H.R. 1061: Ms. TITUS, Mr. BEYER, Mr. REICHERT, Mr. VARGAS, Ms. WILSON of Florida, Mr. HUFFMAN, and Mr. KIND.

H.R. 1076: Miss RICE of New York.

H.R. 1153: Mr. POMPEO.

H.R. 1188: Mr. HUNTER.

H.R. 1192: Mr. LEWIS, Ms. LINDA T. SÁNCHEZ of California, Mr. SIRES, Mr. HONDA, Mr. GRAYSON, Mr. PIERLUISI, and Mr. BARTON.

H.R. 1197: Mr. LOBIONDO and Mrs. RADEWAGEN.

H.R. 1206: Mr. GOSAR.

H.R. 1218: Mr. BARTON and Mr. LOEBSACK.

H.R. 1220: Mr. MCNERNEY, Mr. CONYERS, Mrs. KIRKPATRICK, Mr. RATCLIFFE, Mr. RENACCI, Ms. SLAUGHTER, Mr. NEWHOUSE, and Mr. LARSON of Connecticut.

H.R. 1298: Mr. BARLETTA.

H.R. 1299: Mr. POSEY.

H.R. 1309: Mr. SHUSTER.

H.R. 1312: Mr. NORCROSS.

H.R. 1377: Mr. TAKAI and Mr. SERRANO.

H.R. 1388: Mr. FARENTHOLD.

H.R. 1439: Mr. AGUILAR.

H.R. 1453: Mr. COLE.

H.R. 1457: Mrs. WATSON COLEMAN.

H.R. 1567: Mr. WELCH and Ms. PINGREE.

H.R. 1655: Ms. BONAMICI.

H.R. 1671: Mr. STIVERS.

H.R. 1733: Mrs. WATSON COLEMAN and Mr. McDERMOTT.

H.R. 1751: Mr. ENGEL.

H.R. 1769: Mrs. BEATTY, Mr. HUFFMAN, and Mr. NUGENT.

H.R. 1786: Mr. BECERRA, Mrs. MIMI WALTERS of California, Mrs. BROOKS of Indiana,

Mr. BUCSHON, Mr. COOK, and Mr. GRAVES of Missouri.

H.R. 1854: Mrs. LAWRENCE and Ms. MCCOLLUM.

H.R. 1887: Mr. SERRANO.

H.R. 2017: Mr. ALLEN.

H.R. 2043: Mr. LANCE, Mr. CARSON of Indiana, Mrs. ROBY, and Ms. MATSUI.

H.R. 2058: Mrs. BLACKBURN.

H.R. 2067: Mr. PASCRELL.

H.R. 2083: Mr. AGUILAR.

H.R. 2101: Ms. SCHAKOWSKY, Ms. MAXINE WATERS of California, and Mr. JEFFRIES.

H.R. 2218: Mr. HANNA, Ms. BORDALLO, and Mrs. MILLER of Michigan.

H.R. 2278: Mr. POMPEO.

H.R. 2292: Mr. ROTHFUS.

H.R. 2536: Mr. BEN RAY LUJÁN of New Mexico.

H.R. 2540: Ms. NORTON.

H.R. 2553: Mr. TAKAI, Ms. WILSON of Florida, and Mr. TAKANO.

H.R. 2675: Mr. ASHFORD.

H.R. 2680: Mrs. BEATTY.

H.R. 2698: Mr. HUNTER, Mr. AMODEI, and Mr. DENHAM.

H.R. 2713: Mr. AGUILAR.

H.R. 2739: Mr. LOBIONDO and Ms. NORTON.

H.R. 2799: Mr. HIGGINS.

H.R. 2844: Mr. PETERSON, Mrs. DINGELL, Mr. JOHNSON of Georgia, and Mr. YARMUTH.

H.R. 2896: Mr. JOLLY.

H.R. 2903: Mrs. LUMMIS and Mr. DUFFY.

H.R. 2916: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 2917: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 2931: Ms. ESTY and Mr. HANNA.

H.R. 2989: Ms. BROWNLEY of California and Mr. ADERHOLT.

H.R. 3024: Mr. PAULSEN and Mr. REED.

H.R. 3048: Mrs. LOVE and Mr. GROTHMAN.

H.R. 3136: Mr. BOST.

H.R. 3190: Mrs. BEATTY.

H.R. 3220: Mr. BOUSTANY and Mr. KIND.

H.R. 3222: Mr. FARENTHOLD, Mr. LONG, Mr. BRIDENSTINE, Mr. JODY B. HICE of Georgia, Mr. FORBES, and Mr. DESANTIS.

H.R. 3225: Mr. WALZ and Mr. ABRAHAM.

H.R. 3244: Mr. KELLY of Pennsylvania.

H.R. 3314: Mr. NEWHOUSE, Mr. MICA, Mr. JOYCE, and Mr. KELLY of Mississippi.

H.R. 3321: Mr. ABRAHAM.

H.R. 3326: Mr. WESTMORELAND and Mr. WOMACK.

H.R. 3351: Ms. CLARKE of New York and Mr. TAKANO.

H.R. 3359: Mr. WELCH and Mr. PETERS.

H.R. 3381: Mr. LAMBORN, Mr. GIBSON, Mr. CULBERSON, and Mr. LUETKEMEYER.

H.R. 3384: Ms. SCHAKOWSKY and Mr. CAPUANO.

H.R. 3399: Ms. NORTON, Mr. COHEN, Mrs. BEATTY, Ms. JACKSON LEE, and Mr. TAKANO.

H.R. 3422: Mr. STUTZMAN.

H.R. 3445: Ms. NORTON, Mr. PASCRELL, and Mr. WELCH.

H.R. 3516: Mr. FRANKS of Arizona, Mr. FINCHER, Mr. LONG, Mr. HULTGREN, Mr. GIBBS, Mrs. BLACKBURN, Mr. FORBES, and Mr. PALMER.

H.R. 3535: Mr. SWALWELL of California.

H.R. 3539: Ms. JENKINS of Kansas.

H.R. 3542: Mr. DESAULNIER.

H.R. 3573: Mr. JODY B. HICE of Georgia, Mr. MICA, Mr. DONOVAN, Mr. ROE of Tennessee, Mr. DESJARLAIS, Mr. STIVERS, Mrs. ELLMERS of North Carolina, Mr. CHABOT, Mr. JOHNSON of Ohio, Mr. LONG, Mr. VALADAO, and Mr. ROKITA.

H.R. 3632: Mr. PASCRELL.

H.R. 3637: Ms. MOORE.

H.R. 3696: Ms. MENG.

H.R. 3706: Mr. POCAN and Mr. KINZINGER of Illinois.

H.R. 3711: Mr. PIERLUISI, Mr. SERRANO, and Mr. Sablan.

H.R. 3714: Mr. GIBSON.

H.R. 3746: Mr. COHEN.

H.R. 3750: Mr. GIBSON.

H.R. 3760: Mr. HUFFMAN and Mr. FARR.

H.R. 3765: Mr. VALADAO.

H.R. 3802: Mr. JODY B. HICE of Georgia.

H.R. 3805: Mr. FORBES, Mr. KENNEDY, and Mr. THOMPSON of California.

H.R. 3815: Mr. WEBER of Texas.

H.R. 3832: Mr. KILMER.

H.R. 3841: Mr. KIND, Mr. SWALWELL of California, and Mrs. LOWEY.

H.R. 3845: Mr. YODER, Mr. SMITH of Missouri, Mr. ALLEN, Mr. ADERHOLT, Mr. FORTENBERRY, and Mr. MOOLENAAR.

H.R. 3856: Mr. KILMER.

H.R. 3914: Mr. WALKER.

H.R. 3916: Ms. PINGREE and Mr. GRIJALVA.

H.R. 3917: Mr. DOLD, Mr. BISHOP of Utah, Mr. MCCLINTOCK, Mr. FARENTHOLD, Mr. DELANEY, Mr. YARMUTH, Mrs. WALORSKI, Mr. CUMMINGS, Mr. LIPINSKI, Mr. HOLDING, Mr. COOPER, and Mrs. KIRKPATRICK.

H.R. 3920: Mr. BARLETTA.

H.R. 3940: Mr. MARCHANT, Mr. AUSTIN SCOTT of Georgia, Mrs. HARTZLER, Mr. KIND, Mr. MICA, Mr. POMPEO, Mr. WOODALL, Mr. MCKINLEY, Mr. LANCE, Mr. DUNCAN of Tennessee, Mr. WESTMORELAND, Mr. MILLER of Florida, Mr. WITTMAN, and Mr. TIBERI.

H.R. 3949: Mr. HASTINGS.

H.R. 3952: Mr. MCGOVERN.

H.R. 3956: Mr. BILIRAKIS.

H.R. 3958: Mr. HONDA and Mr. KING of New York.

H.R. 3973: Mr. BLUMENAUER.

H.R. 3986: Mr. GARAMENDI.

H.R. 3988: Ms. BONAMICI.

H.R. 3999: Mr. ASHFORD, Mr. HENSARLING, Mr. SCHWEIKERT, Mr. BOUSTANY, Mr. RATCLIFFE, Mr. SANFORD, Mr. WALKER, Mr. MEADOWS, Mr. MILLER of Florida, Mr. KNIGHT, Mr. BUCSHON, Mrs. WALORSKI, Mr. NEWHOUSE, Mr. COLLINS of New York, Mrs. BLACK, Mr. GIBSON, Mr. JENKINS of West Virginia, and Mr. MICA.

H.R. 4000: Mr. MCKINLEY, Mr. HARPER, Mr. POMPEO, Mr. ASHFORD, and Mrs. WALORSKI.

H.R. 4001: Ms. JACKSON LEE, Mr. BISHOP of Michigan, Mrs. MIMI WALTERS of California, Mr. FORBES, and Mr. RATCLIFFE.

H.R. 4002: Mr. FORBES and Mr. BISHOP of Michigan.

H.R. 4003: Mr. RATCLIFFE.

H.R. 4006: Mr. BLUMENAUER.

H.R. 4016: Mr. KIND, Mr. TIBERI, and Mrs. NOEM.

H.R. 4022: Mr. JODY B. HICE of Georgia and Mr. FORBES.

H.R. 4023: Mr. BISHOP of Michigan.

H.R. 4025: Mr. ZELDIN, Mr. ROUZER, Mr. SMITH of Texas, Mr. CRAMER, Mr. MICA, and Mr. GOWDY.

H.R. 4031: Mr. JONES, Mr. GROTHMAN, and Mr. ROGERS of Alabama.

H.R. 4032: Mr. GROTHMAN, Mr. MCCAUL, Mr. ZELDIN, Mr. MICA, Mr. BARTON, Mr. CARTER of Texas, Mr. ROHRBACHER, Mr. GOWDY, and Mr. TOM PRICE of Georgia.

H.R. 4033: Mr. MICA.

H.R. 4038: Mrs. HARTZLER, Mr. ASHFORD, Mr. CALVERT, Mr. OLSON, Mr. GRAVES of Missouri, Mrs. WALORSKI, Mr. LANCE, Mr. GUINTA, Mr. EMMER of Minnesota, Mr. SMITH of Nebraska, Mr. BOST, Mr. WEBER of Texas, Mr. HOLDING, Mr. NEUGEBAUER, Mr. HENSARLING, Mr. BARR, Mr. LOUDERMILK, Mr. WILLIAMS, Mr. MEEHAN, Mr. LUETKEMEYER, Mr. GOWDY, Mr. ROUZER, Mr. BUCSHON, Mr. BILIRAKIS, Mr. BOUSTANY, Mr. FARENTHOLD, Mr. ROSKAM, Mr. SANFORD, Mr. BARTON, Mr. LAMBORN, Mr. MULLIN, Mr. TIPTON, Mr. TUR-

NER, Mr. SESSIONS, Mr. RATCLIFFE, Mr. WOODALL, Ms. GRANGER, Mr. CARTER of Georgia, Mr. FLORES, Mr. PITTENGER, Mr. WALKER, Mr. VALADAO, Mrs. WAGNER, Mr. FLEISCHMANN, Mr. GROTHMAN, Mrs. BLACK, Mr. ROONEY of Florida, Mr. HARPER, Mr. ZINKE, Mr. JENKINS of West Virginia, Mr. MESSER, Mr. CRAMER, Mr. BRADY of Texas, Mr. BURGESS, Mr. GOODLATTE, Mr. THORNBERRY, Mr. NUNES, Mr. MEADOWS, Mr. ROYCE, Mr. CLAWSON of Florida, Mr. SHUSTER, Mr. PITTS, Mr. ABRAHAM, Mr. CRENSHAW, Mr. HILL, Mr. WILSON of South Carolina, Mr. CULBERSON, Mr. NEWHOUSE, Mr. ZELDIN, Mr. MICA, Mr. SHIMKUS, Mr. POE of Texas, Mr. CONAWAY, Mr. BISHOP of Michigan, Mr. POMPEO, Mr. GUTHRIE, Mr. WITTMAN, Mr. CARTER of Texas, Mr. FRELINGHUYSEN, Mr. BENISHEK, Mr. GIBSON, Mr. WESTERMAN, Mr. WOMACK, Mr. LAMALFA, Mr. REED, Mr. KLINE, Mrs. NOEM, and Mr. COSTELLO of Pennsylvania.

H.R. 4048: Mr. MICA.

H.J. Res. 71: Mr. KELLY of Mississippi, Mr. FARENTHOLD, Ms. FOXX, Mr. BABIN, Mr. WESTERMAN, Mrs. WAGNER, Mr. SESSIONS, Mr. WEBER of Texas, Mrs. MIMI WALTERS of California, Mr. CRENSHAW, Mr. CHABOT, Mr. MOOLENAAR, Mr. DESANTIS, Mr. WOMACK, Mr. MASSIE, Mr. SCALISE, Mr. EMMER of Minnesota, Mr. BUCK, Mr. JODY B. HICE of Georgia, Mr. TIBERI, Mr. MESSER, and Mr. STIVERS.

H.J. Res. 72: Mr. KELLY of Mississippi, Mr. FARENTHOLD, Ms. FOXX, Mr. BABIN, Mr. WESTERMAN, Mrs. WAGNER, Mr. SESSIONS, Mr. WEBER of Texas, Mrs. MIMI WALTERS of California, Mr. CRENSHAW, Mr. CHABOT, Mr. MOOLENAAR, Mr. DESANTIS, Mr. WOMACK, Mr. MASSIE, Mr. SCALISE, Mr. EMMER of Minnesota, Mr. BUCK, Mr. JODY B. HICE of Georgia, Mr. TIBERI, Mr. MESSER, and Mr. STIVERS.

H. Con. Res. 40: Mr. KINZINGER of Illinois.

H. Con. Res. 59: Mr. BRENDAN F. BOYLE of Pennsylvania.

H. Con. Res. 75: Mr. LANCE, Mr. LAMBORN, Mr. MOULTON, Mr. GOHMERT, Mr. MILLER of Florida, Mr. YOUNG of Iowa, and Mrs. LOWEY.

H. Res. 110: Mr. CLAWSON of Florida and Mr. RUPPERSBERGER.

H. Res. 220: Mr. ISRAEL, Ms. MAXINE WATERS of California, Mr. SENSENBRENNER, and Mr. KINZINGER of Illinois.

H. Res. 296: Mr. HASTINGS.

H. Res. 469: Mr. KINZINGER of Illinois, Mr. WEBER of Texas, and Mr. MILLER of Florida.

H. Res. 514: Mr. GROTHMAN, Mr. KELLY of Mississippi, Mr. PETERSON, and Mr. LIPINSKI.

H. Res. 530: Mr. ROONEY of Florida, Ms. NORTON, Mr. CRAMER, Mr. PITTENGER, Mr. WALBERG, Mr. BURGESS, Mr. YODER, Mr. NEUGEBAUER, Mr. PITTS, Mrs. BLACKBURN, Mr. LAMALFA, Mr. JODY B. HICE of Georgia, Mr. CARTER of Georgia, Mr. ADERHOLT, and Mr. FORBES.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, list or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. GOODLATTE

The provisions that warranted a referral to the Committee on Judiciary in H.R. 4038 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETIONS OF SPONSORS FROM
PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 3403: Mrs. LAWRENCE.

PETITIONS, ETC.

Under clause 3 of rule XII,

36. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, TX, relative to urging Congress to propose, for ratification by special conventions held within the individual states, an amendment to the United States Constitution which would clarify that a declaration of martial

law, or a suspension of the writ of habeas corpus, does not prevent presidential and congressional elections from proceeding as scheduled and does not perpetuate a term-limited or defeated presidential or congressional incumbent in office beyond the expiration of the term to which that incumbent was last elected; which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

IN HONOR OF CAPITOL BOOK & NEWS

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mrs. ROBY. Mr. Speaker, I rise today to honor Capitol Book & News, one of Alabama's oldest independent book stores, who will be closing their doors after 65 years of business.

Founded in 1950 by Victor Lavine, Capitol Book & News has been a staple in Montgomery, Alabama's community providing books and recommendations to customers. Thomas and Cheryl Upchurch, owners for the past 37 years, are known for their trusted advice and suggestions on what books to read.

Mr. Speaker, it is my privilege to acknowledge Capitol Book & News' positive impact on Montgomery's community and to thank them for their loyal and dedicated service to their customers.

IN RECOGNITION OF ASSEMBLY-WOMAN SHEILA Y. OLIVER

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. PAYNE. Mr. Speaker, I rise today to recognize my dear friend, Assemblywoman Sheila Y. Oliver. Ms. Oliver is a proud class of 1970 graduate of Weequahic High School in Newark, New Jersey. This year, she will be honored at Weequahic's 45th class reunion for her many accomplishments and contributions to her school, community, and state of New Jersey.

Ms. Oliver has served in the New Jersey General Assembly since 2004, where she represents the 34th legislative district. From January 2010 to January 2014, she served as the Speaker of the New Jersey General Assembly. She was the second woman to serve as Speaker in New Jersey history, and the second African American to hold this post.

Currently, she serves in the Assembly on the Higher Education Committee, the Labor Committee, and the Human Services Committee, as its chair. She also served on the Essex County Board of Chosen Freeholders from 1996–1999.

Assemblywoman Oliver was one of the founders of the Newark Coalition for Low Income Housing, an organization that successfully sued the Newark Housing Authority and the United States Department of Housing and Urban Development in federal court to block the demolition of all publicly subsidized low-income housing in Newark, as there was no plan in place for the construction of replacement housing for low-income Newark resi-

dents. As a result, the Newark Housing Authority was directed by a federal consent order to build one-for-one replacement housing for low-income residents.

Ms. Oliver's colleagues in political and public life honored her with a place for debating and building consensus, naming the 14th floor conference room in the LeRoy F. Smith Jr. Public Safety Building the "Sheila Y. Oliver Conference Center." It is fitting that Sheila Oliver be recognized for the historic figure that she is. She understands the human condition and understands government can play an integral role in improving the lives of all people.

Ms. Oliver's leadership abilities have consistently been recognized by her peers, and she has often been described as a resourceful, dependable individual who is always willing to assist when needed. She attended Lincoln University and continued her education in graduate school at Columbia University. She once told a crowd of constituents that she never set out to run for office, but her conviction that government can improve lives guided her course. Congratulations to my friend, Assemblywoman Sheila Y. Oliver, on this outstanding honor.

HONORING SISTER JOSETTE PARISI ON THE OCCASION OF HER RETIREMENT AS MANAGER OF SEARLES CASTLE AFTER 25 YEARS OF SERVICE

HON. FRANK C. GUINTA

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. GUINTA. Mr. Speaker, I would like to express my congratulations to Sister Josette Parisi on her retirement after 25 years as the manager of Searles Castle, and thank her for the outstanding work she did during her career.

Sister Josette's continuous effort to improve Searles Castle exemplifies her intelligence, positive attitude, and generous spirit, and because of her commitment, Searles Castle is now available for the public to utilize and enjoy.

Sister Josette's compassion for helping people through difficult times is exceptional, and she leaves an example of strong leadership and compassion for others to emulate in her wake.

It is with great admiration that I congratulate Sister Josette Parisi on her retirement, and wish her the best on all future endeavors.

CELEBRATING THE SUCCESS OF WAYNESBORO COMMUNITY THEATRE PROJECT, INC., AND THE REOPENING OF THE WAYNESBORO THEATRE

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. SHUSTER. Mr. Speaker, I rise today to recognize Waynesboro Community Theatre Project, Inc. and highlight the successful campaign to rebuild and reopen a long treasured local cinema.

Following an inspired beginning, the Waynesboro Community Theatre Project, Inc. maintained a determined campaign to raise the money necessary to renovate and reopen the Waynesboro Theatre. Thanks to its persistent efforts and generous donors, the historic theatre will again fulfill its roles as a local economic generator and a quality entertainment venue for the Waynesboro community.

Additionally, I believe this project represents a community effort in the truest sense, as many have worked together to see this effort through to completion. The theatre will reopen with impressive renovations, including new seats, an upgraded lobby and concession area, and modern sound and visual technologies. The project will provide fundamental support in keeping downtown Waynesboro vibrant and welcoming.

The Waynesboro Theatre is beloved by the community and I commend all who have put time, effort, and donations into bringing the theatre back to the public. Today I congratulate the Waynesboro Community Theatre Project, Inc. for the completion of this impressive effort to improve the Waynesboro community.

PERSONAL EXPLANATION

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Ms. TITUS. Mr. Speaker, had I been present on the following roll call votes, my votes would have been:

631 (HR 1694)—NO
632 (HR 3114)—YES
633 (HR 511)—NO

HONORING BRUCE KARSTADT

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. ELLISON. Mr. Speaker, Minneapolis is fortunate to be the home of the American

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Swedish Institute (ASI). It is a non-profit organization that serves as a museum and a cultural center. Bruce Karstadt has served as the President and CEO of the American Swedish Institute for the past twenty-five years. He is also the Honorary Counsel General of Sweden for the State of Minnesota.

Mr. Karstadt has helped promote trade, diplomacy, and he serves as a conduit between Minnesota and the nation of Sweden. His steadfast leadership has led to several significant and positive changes at ASI. The campus and museum have nearly doubled in size since his tenure began and it has become a favorite destination for residents and tourists to Minneapolis. He has transformed ASI into an influential organization with an inclusive atmosphere that works to involve all cultures in the Twin Cities area. Located in a very diverse neighborhood on the South side of Minneapolis, ASI teaches visitors about the past, and how early Swedish immigrants lived in Minnesota, while serving as a modern gathering place for all in our increasingly diversified community. Today, ASI focuses on the future and provides much inspiration to recent immigrants to our community.

Mr. Karstadt and his staff draw visitors to the historic Turnblad Mansion and motivate them to think about connecting the past with the bright future of Minnesota. I congratulate Mr. Karstadt on his twenty-five years of service to the American Swedish Institute, to Minnesota, our increasingly diversifying community and our visitors from Sweden and the Nordic region.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,660,490,153,278.25. We've added \$8,033,613,104,365.17 to our debt in 6 years. This is over \$8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

HON. MARK TAKAI

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. TAKAI. Mr. Speaker, on Tuesday, November 17, I was absent from the House due to illness. Due to my absence, I am not recorded on any legislative measures for the day. I would like the record to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted "no" on Roll Call 629, ordering the previous question on providing for consideration of H.R.

1737, the Reforming CFPB Indirect Auto Financing Guidance Act; providing for consideration of H.R. 511, the Tribal Labor Sovereignty Act of 2015.

I would have voted "no" on Roll Call 630, providing for consideration of H.R. 1737, the Reforming CFPB Indirect Auto Financing Guidance Act; providing for consideration of H.R. 511, the Tribal Labor Sovereignty Act of 2015.

I would have voted "no" on Roll Call 631, the Fairness to Veterans for Infrastructure Investment Act of 2015.

I would have voted "yes" on Roll Call 632, to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces.

I would have voted "no" on Roll Call 633, the Tribal Labor Sovereignty Act of 2015.

CONGRATULATING RUDY FARBER

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. LONG. Mr. Speaker, I rise today to congratulate Rudy Farber, Chairman of the Board of Community Bank and Trust in Neosho, on being awarded with the Neosho Exchange Club's Book of Golden Deeds for his contributions and service to the Neosho community.

In 1957, at the age of 16, Rudy Farber began working in the bookkeeping department at the Bank of Neosho. He took over as president of the bank in 1979 and in 1997 he was appointed chairman of the board. He introduced an employee stock ownership plan in 1987 and unveiled a plan to make the bank entirely employee owned in 2012. Throughout his time at Community Bank and Trust, Rudy has worked diligently to forge the bank into a safe, stable, and valuable cornerstone of the local community.

Rudy Farber has also accumulated a long list of achievements as a community leader. He has served as Chairman of the Neosho Area Chamber of Commerce Industrial Development Committee and Chairman of the Freeman Southwest Family YMCA Finance Committee. He has served as board member on Missouri Highways and Transportation Commission, multiple City of Neosho and Newton County Committees and is the former president of the Neosho Rotary Club, the Neosho Area Chamber of Commerce, the Neosho Land Development and the Neosho Area Business and Industrial Foundation.

Mr. Speaker, Rudy Farber deserves this body's utmost respect for his lifelong dedication to improving the Neosho Community, and I extend to him my deepest appreciation for his impressive leadership. His efforts have not only contributed greatly to Southwest Missouri, but have made me ever-prouder to serve the people of Missouri's seventh Congressional District.

HONORING BROWNSTOWN ELECTRIC SUPPLY COMPANY

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. YOUNG of Indiana. Mr. Speaker, many Hoosier small businesses across my district power the economic engine of the state, while also playing a critical role in the civic life of their communities. Today it is my honor to highlight one such small business. Brownstown Electric Supply Company, based in Brownstown, Indiana, is a privately-owned electrical supply company that has provided utility companies with technical expertise and electrical supplies for over four decades.

Carl Shake founded Brownstown Electric Supply Company in 1970 after a long career in the electrical supply and utility service industry. Brownstown Electric has grown from a small business in Jackson County, Indiana to a regional company that has expanded its reach as far as Illinois, Kentucky, and Ohio. Brownstown Electric is now run by Carl's son-in-law, Gregg Deck, who stewards the company with the same principles that has made Brownstown Electric a staple of Southern Indiana.

In addition to their economic contribution to the area, Brownstown Electric is an active member of their local community. They regularly sponsor local high school sports teams, participate in the Brownstown High School school-to-work program, and contribute to the Jackson County History Center of Indiana. This heart for service is exemplified in their organization of the Zach Pickard Pelican Run, a 5K run event dedicated to raising awareness for Hutchinson-Gilford progeria syndrome. Employees of Brownstown Electric organized the fundraiser in honor of the son of an employee who lives with the genetic condition.

Brownstown Electric Supply Company is emblematic of the Hoosier ethic. They are a family-owned and operated small business that not only delivers quality products and service, but also maintains a strong commitment to improving their community.

It is an honor to represent businesses like the Brownstown Electric Supply Company. I hope their example serves to inspire other would-be entrepreneurs, and I am pleased to highlight their good work today in this installment of Indiana's 9th District Small Business Spotlight.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. COHEN. Mr. Speaker, due to a flight delay on July 27, 2015, I was unable to attend House Roll Call Vote numbers 467, 468 and 469. If present, I would have voted yes on S. 1482, H.R. 1656, and H.R. 2770.

TRIBUTE TO KATHY AZEVEDO

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. CALVERT. Mr. Speaker, I rise today to pay tribute to the career of Kathy Azevedo; a dedicated public servicewoman, community pillar, and local advocate. On Wednesday, November 18, 2015 Azevedo will celebrate her retirement from the Norco City Council after 12 years of service.

For over 45 years, Kathy has been a resident and supporter of the Norco community. Before beginning her public service work, Kathy opened her own Jazzercise studio. Azevedo has been a member of the Norco City Council since 2003. In addition to the Norco City Council, she also served as Mayor in 2005, 2009, and 2013. She has also served with the Norco Chamber of Commerce, as a member of the executive committee of the Western Riverside Council of Governments, and as a board member of the YMCA of Corona-Norco.

Preservation of Norco's rural and natural environment issues have been at the center of Azevedo's time in office. Her service work has helped lead to the establishment of the Horsetown, USA brand for Norco, establishing the largest city-wide residential zoning codes in the state of California, and the creation of Silverlakes Park, a 144-acre equestrian and recreational land space for the enjoyment of future generations.

In addition to her passion for preservation, Councilwoman Azevedo has also been a large champion of women's health and fitness issues. As a cancer survivor, Azevedo brings complexity and depth to these issues through her unique perspective.

Kathy serves as a member of the National Grant Review Board for the American Cancer Society. In addition to the American Cancer Society, Azevedo also was an original member of United Norconians for Life Over Alcohol and Drugs (Unload) and the founder of the nonprofit group Support Sisterz. Support Sisterz is a group of cancer survivors who help to provide assistance and support to individuals battling the disease.

Outside of her public service, Azevedo is an avid horseback rider and dedicated family woman. She married her high school sweetheart, Danny, and together they have two children and three grandchildren. Her family is her passion and she can often be found on the sidelines of her grandchildren's sporting events. I am proud to call Kathy a fellow community member, American and friend. I add my voice to the many who will be congratulating her on the celebration of her career of serving the city of Norco.

IN RECOGNITION OF STRUGGLE
FOR FREEDOM AND DEMOCRACY
DAY**HON. ROD BLUM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. BLUM. Mr. Speaker, I rise in honor of Struggle for Freedom and Democracy Day. Today is a day celebrated by our Czech and Slovak friends to commemorate the difficult road to independence and democracy.

On this day, seventy-six years ago, soldiers from Nazi Germany mercilessly murdered nine Czech students and professors celebrating the independence of the Czechoslovak Republic.

Fifty years later, on November 17, 1989, a peaceful student demonstration honoring those that lost their lives to the Nazis was terminated by riot police, igniting the Velvet Revolution which ended the Communist control in Czechoslovakia and subsequently, the eventual establishment of independent, democratic Slovak and Czech Republics.

Today, we honor and remember those who sacrificed to fight tirelessly against oppressive regimes. The journey to establishing republican governments is perilous and we, as a people, must continue to support democratic institutions in Central Europe and around the world. As a co-chair of the Slovak Caucus and a member of the Czech Caucus, I am proud to support continued political, economic, and cultural ties between the United States, Slovakia, and the Czech Republic.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. COHEN. Mr. Speaker, due to a flight delay on May 18, 2015, I was unable to attend House Roll Call Vote number 240. If present, I would have voted yes on H.R. 91.

RECOGNIZING RON BROWN UPON
HIS RETIREMENT AS EXECUTIVE
DIRECTOR OF SAVE MOUNT DIA-
BLO**HON. MARK DeSAULNIER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. DESAULNIER. Mr. Speaker, I rise to recognize Ron Brown of Walnut Creek, California upon his retirement after his fifteen years of service to Save Mount Diablo and over forty years as an advocate in the nonprofit sector. Through his service with Save Mount Diablo, Ron has made significant contributions that have improved both the day-to-day operations of the organization and the conservation field at large.

Mount Diablo is the most significant natural landscape in our region, and serves as the landmark that unites much of the 11th Con-

gressional District. Save Mount Diablo has worked since 1971 to preserve the land on and around Mount Diablo to promote healthy ecosystems and continued access for people and wildlife.

Under Ron's leadership, Save Mount Diablo has raised over \$25 million to preserve thousands of acres of land, preserved several dozen properties, including the group's largest and most expensive acquisition—the 1,080 acre Curry Canyon Ranch—and has indirectly helped to protect thousands of additional acres throughout the area.

Ron was instrumental in attaining voter-approved "Urban Limit Lines" of every city in Contra Costa County, helping to maintain the most important wildlife habitat areas in the East Bay. Thanks to Ron's leadership, Save Mount Diablo has grown its programs and capacity, increasing from a modest staff of three to eighteen staff members. Save Mount Diablo has become a leader on issues of land-use advocacy, land purchase for inclusion in parks, and relationship building with local governments and developers.

I applaud Ron's efforts to restore the historic "Eye of Diablo" beacon at Mount Diablo's summit, which commemorates the attack on Pearl Harbor. I am honored to have worked with Ron on many of these endeavors, including his efforts to improve various state park roads prior to the Tour de California bicycle race.

I am grateful for Ron's many accomplishments and for the many partnerships he built during his time with Save Mount Diablo. I wish Ron all of the best in his retirement, where I'm told he hopes to spend his time with his grandchildren, enjoying the land he has worked so hard to protect.

Congratulations, Ron, on a remarkable career that has preserved the ecosystems and the icon of the East Bay.

DEFERRED ACTION FOR PARENTS
OF AMERICANS AND LAWFUL
PERMANENT RESIDENTS AND
CHILDHOOD ARRIVALS (DAPA/
DACA)**HON. RUBÉN HINOJOSA**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. HINOJOSA. Mr. Speaker, I rise today to voice support for President Obama's Executive Actions on immigration. These initiatives—namely, the Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) and an expansion of Deferred Action for Childhood Arrivals (DACA)—could provide as many as 5 million immigrants with temporary relief from deportation.

President Obama has courageously led in the face of a Republican Congress that is derelict in its duty. A legislative solution is the only long term fix to our broken immigration system. Yet, despite the support of the American people, a bipartisan majority in Congress, business groups and the faith community—the Republican leadership has fallen prey to xenophobia and the politics of fear.

Now it appears the Fifth Circuit—in denying the Federal Government's appeal of the preliminary injunction that blocked implementation

of President Obama's initiative—is playing politics instead of performing its constitutionally mandated role of interpreting the law.

The Constitution is clear on the powers of the Executive Branch. Prosecutorial Discretion is a well-established principle.

I applaud the Administration's decision to appeal this decision and vigorously defend its executive action on immigration before the Supreme Court. My hope is that the Court takes this important case, and I expect that it would rule in favor of justice and the President's action.

PERSONAL EXPLANATION

HON. GLENN THOMPSON

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 18, 2015

Mr. THOMPSON of Pennsylvania. Mr. Speaker, on roll call no. 631 I was absent during passage of H.R. 1694 the afternoon of November 17, 2015 because I was meeting with constituents from Pennsylvania's Fifth Congressional District. Had I been present, I would have voted yes.

RECOGNIZING JOSEPH H. BOER

HON. BILLY LONG

OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 18, 2015

Mr. LONG. Mr. Speaker, I rise today to recognize Joseph H. Boer, owner of Lake Ozark Missouri's Blue Heron Restaurant, for his service to our nation and entrepreneurial spirit, which has broadened the economic foundations of his community.

Born in Holland, Boer attended culinary school and apprenticed in distinguished restaurants including the Hof Ragaz Spa Hotel in Switzerland before becoming a sous chef at the Belgian Embassy in Den Haag, Netherlands. He was later drafted for service in the Dutch Armed Services where he became skilled in cooking for entire battalions of anti-aircraft personnel.

After surviving World War II and qualifying to be included with a special quota for displaced persons, he immigrated to the United States of America in 1956. Upon his arrival, he worked in Littleton, Colorado but soon moved to Kansas City, MO. There, he went on to work at the Terrace Grill at the Muelbuech Hotel and the Colony Steak House before earning his U.S. citizenship in 1961.

After gaining citizenship, Boer served two years in the U.S. Army. He spent time in Fort Leonard Wood, Fort Smith, Fort Devens, Puerto Rico, and West Point. Because of his knowledge of the German language, he was selected to be a part of the NATO exercise "Crescendo" in Germany, which demanded his unique skills as a linguist.

Through these experiences he gained the skill and confidence he needed to open his first restaurant, the Top Deck at Mai Tai, near the Lake of the Ozarks. He went on to work at Lefty's Little Chef Steak House and the Pot-

ted Steer Restaurant at Westgate Lanes in Jefferson City before buying the Potted Steer Restaurant at Lake of the Ozarks and purchasing what would become the Blue Heron Restaurant in 1984. Sitting atop the highest point above Lake of the Ozarks, the Blue Heron Restaurant has become known for providing fine quality cuisine as well as an elegant, romantic atmosphere since opening July 4th, 1984.

Mr. Speaker, Joseph H. Boer deserves this body's utmost respect for his incredible life story and dedicated entrepreneurial spirit. I extend to him my deepest appreciation for his impressive efforts, which have contributed greatly to the Lake of the Ozarks community.

SUMMARY OF PRESIDENT MA YING-JEUO REMARKS IN MEETING WITH CHINESE LEADER XI JINPING

HON. ROBERT A. BRADY

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 18, 2015

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to express my sincere appreciation for the Republic of China (Taiwan) President Ma Ying-jeou's leadership in pursuing long-term peace and stability across the Taiwan Strait. President Ma met with Chinese leader Xi Jinping in Singapore on November 7. This meeting was historic and paved the foundation for future prosperity and peace in the East Asia region. On the same day, our State Department expressed the view that the United States welcomes the meeting between leaders on both sides of the Taiwan Strait and noted the historic improvement in cross-Strait relations in recent years.

I particularly took notice of President Ma's remarks on the importance of consolidation of the "1992 Consensus" and the maintenance of peace across the Taiwan Strait.

Below is the summary of President Ma's remarks in meeting with mainland Chinese leader Xi Jinping, which explains clearly the origin and the meaning of the Consensus and shows how it is consistent with the Constitution of the Republic of China. For the full text, please visit the website of the Ministry of Foreign Affairs of the Republic of China: <http://www.mofa.gov.tw>.

Summary of President Ma's remarks:

Sustainable peace and prosperity is the common goal in the development of cross-strait relations, and the "1992 Consensus" is the fundamental basis for achieving this goal. On Aug. 1, 1992, our National Unification Council passed a resolution on the meaning of "one China," which said that both sides of the Taiwan Strait insist on the "one China" principle, but they differ as to what that means. The consensus reached between the two sides in November 1992 is that both sides of the Taiwan Strait insist on the "one China" principle, and each side can express its interpretation verbally; this is the 1992 Consensus of "one China, respective interpretations." For our part, we stated that the interpretation does not involve "two Chinas," "one China and one Taiwan," or "Taiwan independence," as the Republic of China Constitution does not allow it. This position is very clear, and is accepted by the

majority of the people of Taiwan . . . The two sides have together created a model for the peaceful resolution of disputes that should be further consolidated until it becomes the normal state of affairs.

Another goal is the reduction of hostility and the peaceful handling of disputes. Taiwan's people, especially civic leaders, have a negative impression of situations such as our tourists being refused admission to the United Nations Headquarters because of their passport, frustrations our experts have had in participating in NGO meetings, and interventions we have faced when engaging in bilateral or multilateral cooperation on trade. The two sides ought to begin by reducing hostility and confrontation on these fronts. Those participating in these activities are mostly intellectuals or members of our middle class, and this affects our work pertaining to cross-strait ties, and also the impression our citizens have of the mainland.

We hope for expansion of cross-strait exchanges and mutual benefits. The two sides should move quickly to deal with issues that are currently still under negotiation, including the trade-in-goods agreement, reciprocal establishment of representative offices, and flight transfers in Taiwan for mainland Chinese travelers. We are currently applying to join the Trans-Pacific Partnership (TPP), and hope to join the Regional Comprehensive Economic Partnership (RCEP) in the future. Because these two mechanisms would account for approximately 70 percent of our external trade, we cannot afford not to participate in them. We believe there should be no issue as to which side joins first and which side later.

We proposed establishment of a cross-strait hotline to handle important or urgent matters. There is no contact mechanism between the heads of MAC and TAO. We should take this opportunity to establish one. Of course, further adjustments could be made to raise the level of contact should the need arise in the future. It will be beneficial for both sides to be able to promptly handle important unexpected or crucial matters.

Joint cooperation leads to cross-strait prosperity. I want to reiterate that the people of both sides are Chinese, descendants of the emperors Yan and Huang, sharing a common lineage, history, and culture. The two sides should cooperate to promote cross-strait prosperity. History has bequeathed the two sides a convoluted relationship, and cross-strait exchanges have led to new problems. These issues cannot be resolved overnight. In exchanges and consultations, the two sides need to face the issues squarely, move forward step by step, and build mutual trust.

The peace and prosperity achieved over the last seven years is proof that the two sides have beaten their swords into plowshares, becoming models for stability in the East Asia region as a whole. The two sides need to be confident of this. We hope the mainland Chinese side fully understands this, and realizes that cross-strait relations should be built on the foundation of dignity, respect, sincerity, and good will, for only this will lead to deeper mutual trust, and enable us to go the distance.

Mr. Speaker, there is much to be done to ensure peace and freedom of navigation in the South China Sea and in the Taiwan Strait. But, this historic meeting will go a long way towards a peaceful future for East Asia and for the world.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. COHEN. Mr. Speaker, due to a flight delay on March 23, 2015, I was unable to attend House Roll Call Vote numbers 130 and 141. If present, I would have voted yes on H.R. 360 and H. Res. 162.

IN RECOGNITION OF ROC ARNETT,
PRESIDENT OF EAST VALLEY
PARTNERSHIP**HON. KYRSTEN SINEMA**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Ms. SINEMA. Mr. Speaker, I rise today to recognize Mr. Roc Arnett, (Roc) President of the East Valley Partnership, a coalition of business and community leaders dedicated to the sustainable development of the East Valley of the Greater Phoenix Area—one of the fastest growing areas in our great nation. For the past 11 years, Roc has been the anchor and backbone of this important organization and at the end of 2015, Roc retires from his official role as President and CEO of the East Valley Partnership.

Roc is a visionary leader, whose belief in the potential of the East Valley has helped shape the vibrant business and residential communities that now flourish in the area. Roc is a native Arizonan who has lived and worked in the East Valley for his entire life. His love for the area and belief in the unique character of each community within the East Valley has been the motivation behind his work. Mesa, Chandler, Gilbert, Tempe, Ahwatukee, Apache Junction, Queen Creek, San Tan Valley, Guadalupe and Scottsdale are all part of the East Valley; each has its own distinct character and all have benefited from the ingenuity and vision of the East Valley Partnership, under the leadership of Roc Arnett.

It has been my honor to work with Roc for several years. His generosity, his infectious enthusiasm, tenacity and genuine belief in the good in people inspire everyone he touches. He is a master of negotiation and has built enduring business and community partnerships throughout the years. Members, please join me in thanking Roc Arnett for his many years of service to the diverse communities of the East Valley, as President and CEO of the East Valley Partnership. His many contributions have helped to create the East Valley of today and have laid the groundwork for the East Valley of tomorrow.

RECOGNIZING MRS. MEGAN CLUBB,
CHIEF EXECUTIVE OFFICER OF
BAKER BOYER NATIONAL BANK
ON HER RETIREMENT**HON. CATHY McMORRIS RODGERS**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to celebrate Mrs. Megan Clubb, the Chief Executive Officer of Baker Boyer National Bank for her years of service to Eastern Washington. As a banking executive, Mrs. Clubb faithfully served Walla Walla, Washington and the entire Inland Northwest for twenty-five years as part of the team at Baker Boyer. Mrs. Clubb is retiring at the end of December and I am pleased to recognize and celebrate her accomplishments and contributions to our great community in Eastern Washington.

As the state's oldest community bank, Baker Boyer has been a distinguished institution in Eastern Washington for more than one hundred and forty-six years. During her notable career, Mrs. Clubb served for fourteen years as President and thirteen years as Chief Executive Officer at Baker Boyer National Bank. Under her leadership, Baker Boyer has ranked in the top two hundred community banks for financial performance each of the last six years, including being ranked at number fourteen this year. Additionally, she led the bank through an innovative new branding transformation and guided Baker Boyer to be honored for 11 straight years as one of the best companies to work for by Seattle Business magazine.

Named one of the 10 Women of Influence by Seattle Magazine, outside of Baker Boyer National Bank, Mrs. Clubb is a recognized leader across the state and spends countless hours mentoring fellow women in the banking industry. She currently serves as a trustee at Whitman College, and is completing a three-year term as an elected member of the Board of Directors of the Federal Reserve Bank of San Francisco. Mrs. Clubb has also served on the Portland branch of the Federal Reserve Bank. Pioneers in the Washington state wine industry, she and her husband, Marty Clubb, are co-owners of L'Ecole No. 41 Winery, and continue to build upon their family's legacy. Even after her retirement, she will continue to devote herself to these important endeavors.

Mrs. Clubb is a passionate advocate for small businesses and a champion for all of Eastern Washington. Following her retirement, Mrs. Clubb will continue to serve as chairman of the Baker Boyer Bancorp Board of Directors. A devoted member of our community, Mrs. Clubb truly redefined what a community bank can accomplish, and profoundly demonstrated the impact one person can have on the lives and legacies of customers and families in those communities.

I would like to thank Mrs. Megan Clubb for her years of dedication and service to Walla Walla and to all of Eastern Washington. I applaud her commitment to our citizens and to the banking community, and wish her the best of luck in the next chapter of her life.

IN HONOR OF THE 5TH
ANNIVERSARY OF JILL'S HOUSE**HON. BARBARA COMSTOCK**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize the 5th Anniversary of a truly great institution in Virginia's 10th Congressional District, Jill's House.

Jill's House is a home away from home for children with a variety of disabilities. It gives the hard-working and caring parents of children with disabilities an overnight respite in order to provide parents the time to focus on their marriage and family, rest, and get ahead on work and refresh their lives. Their children spend the night at Jill's House, where they have highly trained staff to provide care.

Lon and Brenda Solomon were two caring parents who had three children and were living a normal life. Brenda then became pregnant with their fourth child, Jill, the daughter they had always wanted. When Jill was just three months old, she began to have seizures. As the seizures grew more and more frequent and severe, Lon and Brenda were becoming overwhelmed. At their wit's end, they received what appeared to be a sign from God, a call from a woman named Mary. This woman, whom the Solomon's had never met, organized caregivers for Jill in order to allow Lon and Brenda time to rest and renew themselves. They were able to catch up on sleep, spend quality time with their other children, and improve the quality of care Jill received. From this respite grew the idea for Jill's House, a special residential facility where parents of children with special needs can bring their children to stay in a safe and secure environment with professional care.

Jill's House currently serves over 500 families raising children with disabilities. Their facility offers a range of activities for the children including having an on-site moon bounce, a handicapped accessible playground, and a handicapped accessible pool. I have been privileged to work with Jill's House since they opened in 2010 and they have enriched our community and given peace of mind to many parents. This year marks the 5th year Jill's House has been open to help those who need it and I hope there will be many more anniversaries celebrating this blessed place.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. COHEN. Mr. Speaker, due to a flight delay on January 12, 2015, I was unable to attend House Roll Call Vote numbers 17, 18 and 19. If present, I would have voted yes on H.R. 203, H.R. 33 and the Journal.

10TH ANNIVERSARY OF THE BRIA
FUND FOR FELINE INFECTIOUS
PERITONITIS

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. DUNCAN of Tennessee. Mr. Speaker, today is the 10th anniversary of the Bria Fund for Feline Infectious Peritonitis. The Bria Fund is a worthy organization created on November 18, 2005, by two of my constituents, Susan Gingrich and James Shurskis, who worked together with the Winn Feline Foundation.

Feline Infectious Peritonitis (FIP) is a disease that is considered to be the predominant cause of death for young cats under the age of two, but it can affect cats of any age, including senior cats. FIP remains a terminal disease, with no effective vaccine to prevent it, or treatment to cure it.

Despite these ongoing obstacles, the work of the Bria Fund has resulted in new interest and research into the little known disease of FIP. Since 2005, the Fund has supported 16 FIP research projects, leading to important knowledge in multiple aspects of FIP. The information gained about the FIP virus has led to improvements in testing, diagnosis, and treatment, and better understanding of caring for cats with FIP.

This is an exciting time for FIP research. Despite the lack of a definitive cure, better testing and treatment methods are helping some cats live well despite having FIP. There are also more opportunities for veterinary professionals to learn about FIP in their continuing education programs.

Ms. Gingrich and Mr. Shurskis were inspired by personal experiences to establish the Bria Fund. In early 2005, they lost their nine month old Blue Lynx Point Birman kitten Bria to suspected FIP. They had never heard of FIP before Bria developed it. They soon learned that little was known about this disease, that there were no clinical trials involving FIP, and no treatment for it, except for steroid prescriptions to somewhat ease the pain and suffering of cats with the disease.

After Bria's passing, they were determined to do everything they could to spare future cat owners from the experiences they and Bria had to endure. The Gingrich family is well known for its love of animals. Ms. Gingrich's sisters, Candace Gingrich and Roberta Gingrich Brown, worked hard with their sister to establish the Bria Fund. Her brother, former Speaker of the House, Newt Gingrich, encouraged the organization he created, the Center for Health Transformation, to provide a generous contribution to the Fund.

The Gingrichs could not have picked a more worthy ally in the Winn Feline Foundation. The WFF was established by the Cat Fancier's Association, Inc., to support health-related research benefiting cats. To date, Winn has funded over \$5 million in health research for cats at more than 30 partner institutions worldwide. Since the WFF was established in 1968 feline medicine has become a major veterinary specialty. Cats are no longer viewed as small dogs. Today, cat owners expect and receive state-of-the-art medical care.

As the Bria Fund celebrates its 10th anniversary, I encourage my colleagues to pause for a moment in honor of National Feline Infectious Peritonitis (FIP) Awareness, Research, and Education Day and think of all the pets and pet owners in this Nation, especially cats such as Bria.

THE UNAFFORDABILITY OF THE
AFFORDABLE CARE ACT

HON. GARRET GRAVES

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. GRAVES of Louisiana. Mr. Speaker, I rise today on behalf of the millions of Americans—including many in my home state of Louisiana—who are being forced to bear the cost of President Obama's flawed healthcare law.

The negative impacts of the so-called affordable care act have been felt by people of all walks of life. In many cases, the law has disproportionately hurt the very people it claimed it would help—hardworking, middle-class families.

Five years of Obamacare implementation has produced higher premiums, higher deductibles, higher co-payments and reduced access to care for those who need it most.

In fact, a study published just last week revealed that increases in 2016 premiums for health insurance coverage will once again be in the double digits, exceeding last year's double digit hikes. At least one state could see as much as a 130 percent rate hike next year.

Across the board, the projected hikes for the lowest-priced options in each tier of coverage—bronze, silver, gold and platinum—will surpass the increases we saw last year.

The median cost of the bronze plans, one of the most popular offerings because of its relatively low premiums, will rise by 13% in 2016. As for the high-end insurance coverage options, gold's median premium will jump 15% and platinum's rate will rise by 12%.

Mr. Speaker, these cost increases are simply unworkable for the majority of Americans. I'd like to share the situation of a constituent of mine who recently reached out to me, begging Congress to take action to fix this broken law.

Unable to afford the \$1200/month it would cost him to get the family plan through his employer, he turned to the exchange in search of a high deductible plan to provide health insurance for his wife and girls.

He recently received a renewal notice in the mail informing him that his monthly bill will increase 21% in 2016. 21 percent. Despite the fact that he provides 95% of his household's income as his wife finishes school, he is above the income threshold to receive any subsidy to offset the cost.

The first \$11,000 of his pre-tax income will go toward government mandated health insurance in 2016—coverage that will still require him to pay a copay and coinsurance on a very high deductible to use it. His alternative is to pay the 2.5% fine and to have no coverage in the event of an emergency.

Mr. Speaker, I am now going to ask you what this man asked me: what's his incentive

to work harder? What's his reward for working since age 15, for spending 6 years pursuing an advanced degree in college?

All he can show for it is an irresponsible and unaccountable government that takes a larger portion of his income every year to pay for government programs that punish those who work hard and reward those who don't.

It's time for the president to acknowledge that his signature legislation is fundamentally flawed. It's time we turn the page on Obamacare and provide better solutions. Americans deserve a healthcare system that drives efficiency through competition and places healthcare decisions in the hands of consumers and taxpayers—not the federal government.

TRIBUTE TO MS. JEANETTE
LAMAR

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I have never known a more gracious, generous, efficient, engaged, well-liked, admired, respected and beloved person than Ms. Jeanette Lamar.

She and her family became known to me when I was a young block club organizer and they lived in the community of North Lawndale in Chicago, a neighborhood undergoing change. Their home was always immaculate, a place for block club meetings, for neighborhood discussions and a place where you just simply enjoyed being.

She and her husband Rev. William Lamar raised their children to be productive, successful and outstanding citizens who have contributed significantly to society.

Family, church, community engagements are the hallmarks of Ms. Lamar's long and well-lived life.

I count myself blessed and fortunate to have known one of the most delightful ladies known to humankind, Ms. Jeanette Lamar.

IN RECOGNITION OF MILITARY
FAMILY MONTH

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 18, 2015

Mr. KEATING. Mr. Speaker, I rise today in recognition of November as Military Family Month.

Established in 1993 to honor the sacrifices made every day by the families of the men and women serving in our Armed Forces, the President of the United States signs a proclamation every year to mark this month long recognition.

Since the birth of our nation, members of the Armed Forces have answered the call of duty, unselfishly leaving everything they know and their loved ones at home to protect our freedom. This is a sacrifice and responsibility shared among an entire family. It is the dedication and bravery of our military families that we salute this month.

It is said that the strength of a nation is only as strong as the bonds of family. This could not be truer than of our military families. Time and time again, they demonstrate their commitment, spending much of their lives relocating every few years—spouses must put their careers on hold during deployments and children have to make new friends at every new school. Our military families not only spend extended periods of time away from their loved ones deployed, they are also there for our returning heroes—supporting their recovery and transition back to civilian life.

Every day I am inspired by the resilience and patriotism of our military families both at home and abroad. I am proud of the programs in my district that help our heroes on the home front—including, but not limited to, Falmouth Military Support Group, Pembroke Military Support Group, Military Friends Foundation and Otis Civilian Advisory Council. Their dedication to providing family services, counseling, educational assistance, and financial support is a testament to our strength when we come together as a community.

Mr. Speaker, I urge my colleagues to join me in highlighting this important issue. We have an obligation to care for our servicemembers and their families. Together we can make a difference.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, November 19, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 1

10 a.m.

Committee on Energy and Natural Resources

To hold an oversight hearing to examine the Well Control Rule and other regu-

lations related to offshore oil and gas production.

SD-366

DECEMBER 2

9:30 a.m.

Committee on Armed Services

To hold hearings to examine Department of Defense personnel reform and strengthening the all-volunteer force.

SD-G50

10 a.m.

Committee on Agriculture, Nutrition, and Forestry

To hold hearings to examine agriculture's role in combating global hunger.

SR-328A

2:15 p.m.

Committee on Indian Affairs

To hold an oversight hearing to examine the Tribal Law and Order Act (TLOA), focusing on whether the justice systems in Indian country have improved.

SD-628

DECEMBER 3

10 a.m.

Committee on Energy and Natural Resources

To hold an oversight hearing to examine implementation of the Alaska National Interest Lands Conservation Act of 1980, including perspectives on the Act's impacts in Alaska and suggestions for improvements to the Act.

SD-366

HOUSE OF REPRESENTATIVES—Thursday, November 19, 2015

The House met at 9:30 a.m. and was called to order by the Speaker pro tempore (Mr. SIMPSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 19, 2015.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving God, we give You thanks for giving us another day.

On this final day of session before our Nation celebrates Thanksgiving, we give You thanks for all the blessings we enjoy.

The problems facing the Nation, the concerns of its citizens will not be settled with simplistic solutions. The light of truth is sought in every corner of darkness, yet we stand humbly before You, admitting our limitations.

Lord, give the Members of the people's House the ability to listen intently to differing opinions and respond creatively. May their faith in You be strong enough to stretch every self-interest to the broader vision of the common good, expecting Your intervention in ordered routine, and Your radical twist to basic intent.

Thus may all seek Your wisdom to guide this government and this Nation now and forever.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WILSON of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New Jersey (Mr. LANCE) come forward and lead the House in the Pledge of Allegiance.

Mr. LANCE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

SAFETY OF AMERICAN FAMILIES

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, the first value of American leadership is the safety and security of our citizens.

While it is important to support those fleeing conflicts across the globe, the CIA Director's recent statements on the distinct possibility of additional attacks and the national security implications surrounding Syrian refugees at this point are too great to ignore.

The FBI has also indicated that it is next to impossible to appropriately screen refugees. For this reason, I have called upon the President to place a hold on admitting refugees into the country.

Additionally, I have joined with members of the Pennsylvania congressional delegation in requesting that Governor Tom Wolf also place a moratorium on accepting refugees into the Commonwealth.

The House today will consider legislation that suspends refugee admissions until we assure that adequate screening security for threats is in place.

We must not take any chances that could put our country at risk. This is the first in many steps that will provide Americans security, while also supporting our long-term humanitarian tradition in this country.

I encourage my colleagues to support the SAFE Act that will be on the floor later this morning.

JAPANESE INTERNMENT AND REFUGEES

(Mr. TAKANO asked and was given permission to address the House for 1 minute.)

Mr. TAKANO. Mr. Speaker, 70 years ago my parents and grandparents were stripped of their possessions and placed in Japanese American internment camps. They were not guilty of espionage. They did not commit treason. They simply looked like our enemy, and that cost my family their freedom.

Yesterday the mayor of Roanoke, Virginia, suggested that this country's treatment of Japanese Americans during the 1940s is a model for how we should address today's global refugee crisis.

It does not take courage to condemn such disgraceful comments, nor does it take wisdom to say our World War II policies were a product of fear and hysteria.

What takes wisdom is recognizing that history is now repeating itself. What takes courage is sending a message to the world that America will protect innocent people regardless of their nationality or religion.

That is what my mother and father deserved 70 years ago, and that is what these refugees deserve today.

LOCAL PRIORITIZATION OF LAND AND WATER CONSERVATION FUND

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, yesterday the Committee on Natural Resources considered a bill that restores the original intent of the Land and Water Conservation Fund: support of State and local projects.

The LWCF State program has supported many recreation facilities across the country, including in my district, such as a municipal pool in Susanville, boat launches on the Sacramento River, and city parks and playgrounds in Chico, California.

However, for every worthwhile local investment of \$20,000 or \$30,000, this administration now disproportionately

spends millions on land acquisition for the Forest Service, which already can't manage what it owns.

Sixty-one percent so far of the program during its existence has gone for this sort of land acquisition. That is not local. The result is catastrophic fires across the West each year with nonmanaged forest lands.

Mr. Speaker, Chairman BISHOP's bill will rectify this problem and send more funding to the State and local projects that need it and help end the destructive cycle of the Federal Government purchasing and owning land it doesn't manage, only to have it burn.

I urge all my colleagues to support this measure when it comes up.

THE REPUBLICAN SYRIAN REFUGEE BILL

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to express my concern and opposition to the Republican Syrian refugee bill.

This restrictive and misguided legislation would immediately shut down the current refugee resettlement and cripple our refugee programs for the future.

I represent Orange County, California, one of the historically known areas of resettling refugees from all around the world. We are ready. We are ready.

Once this administration has taken a look at the backgrounds, has done the extensive research that they do with respect to somebody's background, we are ready to help resettle these refugees.

Refusing to resettle any Syrian refugees would inadvertently empower Daesh and boost their recruitment abilities among vulnerable populations struggling to survive. We cannot let Daesh push us to succumb to fear and to prejudice.

These Syrian refugees are fleeing the same violence that we have seen in Paris and Beirut and Baghdad this last week. Three-quarters of them are women and children. A quarter of them are over 60 years of age. Refugees are not the enemy.

So remember the words on our Statue of Liberty: "Give me your tired, your poor, your huddled masses yearning to breathe free."

QUOTES TO REMEMBER

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, as the world faces mass killings by ISIS, Daesh, of Russian, Lebanese, and French citizens, as

Daesh has announced plans to target Washington and Rome and New York, we need to review how we got here and together change course.

President George W. Bush on July 12, 2007, declared: "To begin withdrawing before our commanders tell us we are ready would be dangerous for Iraq, for the region, and for the United States. It would mean surrendering the future of Iraq to al Qaeda. It would mean that we'd be risking mass killings on a horrific scale. It would mean we allow the terrorists to establish a safe haven in Iraq to replace the one they lost in Afghanistan."

President Barack Obama on December 14, 2011, claimed: "Everything that American troops have done in Iraq . . . all of it has led to this moment of success. We're leaving behind a sovereign, stable, and self-reliant Iraq."

I agree with former New York City Mayor Rudy Giuliani that the President's failed policies created the development of Daesh, leading to the Syrian refugee crisis, resulting in children drowning at sea. The President should change course.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

CRS REPORTS SHOULD BE PUBLICLY AVAILABLE

(Mr. LANCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANCE. Mr. Speaker, this week Americans for Tax Reform joins the chorus of advocacy and good government groups calling for Congressional Research Service reports to be available to the public.

In its letter of support, Americans for Tax Reform said that opening CRS reports to the public is a commonsense proposal that will increase transparency, give taxpayers greater access to important information, and enrich public knowledge.

The taxpayer advocacy group pointed out that the rules casting CRS reports into secrecy are outdated and unnecessary, and these reports belong in the public domain.

U.S. taxpayers support the work of the Congressional Research Service to the tune of more than \$100 million a year. It is fiscally responsible and good public policy to allow educators, students, members of the news media, and everyday citizens access to these taxpayer-financed reports.

I urge my colleagues to join Congressman MIKE QUIGLEY and me in our bipartisan support of H. Res. 34, which will open CRS information to the public. These reports are paid for by taxpayer funds. Taxpayers should get to see them.

OPERATION CHRISTMAS CHILD

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, today I rise to recognize Samaritan's Purse, an organization headquartered in Boone, North Carolina, that brings spiritual and physical aid to hurting people around the world.

This week is the national collection week for the organization's Operation Christmas Child ministry, which puts empty shoe boxes to good use by filling them with gifts for needy children.

In order to participate, one needs to start with a shoe box, then decide whether to pack a box for a girl or a boy, and pick the age category: 2 to 4, 5 to 9, or 10 to 14. Finally, one fills the shoe box with gifts, including fun toys, hygiene items, and school supplies.

This year I packed a shoe box for a girl between the ages of 5 and 9. It is a simple concept that brings so much joy to the children who receive these special packages. I urge everyone to consider participating in this worthy program.

PROVIDING FOR CONSIDERATION OF H.R. 4038, AMERICAN SECURITY AGAINST FOREIGN EN- EMIES ACT OF 2015

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 531 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 531

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4038) to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all

Members have 5 legislative days to revise and extend their remarks and include extraneous material on House Resolution 531 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I usually begin my statements talking about the technicalities of the rule, who is managing the general debate time, and a recap of the testimony and amendments we received in the Committee on Rules hearing. These are important items to discuss before this body. But today is different. The debates that we will have on this rule and the underlying legislation will be and should be different.

I will be honest. This bill has nothing to do today with job creation. It has nothing to do with reducing regulatory burden or empowering educators to focus on the needs of students rather than the wish list of unions. Those are important issues that we will address in coming weeks. But today is different.

□ 0945

Today, we face the growing evil in the world and resolve to fight against it, no matter the price. The power of ISIS to kill and destroy has stunned the world and called us to question who we are as individuals, as people of faith, and as a Nation.

It doesn't matter how many press conferences this administration holds, they will not distract from their abdication of responsibility to the security of the United States and the security of its citizens.

The pro-rape, pro-torture, pro-mutilation strategy of Islamic State does not shrink in the face of meaningless words by our Commander in Chief. We are here today because this administration has failed. In the face of unspeakable violence and terror, the White House blinked. And our world is paying the price.

My colleagues across the aisle no doubt plan to deliver moral lectures, as this administration is so fond of, dismissing those who suggest that the Islamic State will use any means possible to bring America to her knees. Before they do, let me remind them the price this country has paid for freedom.

Soil around the world is soaked with the blood of our sons and our daughters who gave it all so that we may be free—as Lincoln said, “that last full measure of devotion”—and so those who seek refuge can find safety and security in our country.

Despite what the administration wants you to believe, refugees don't seek safe haven because of our welfare benefits. It is because we don't negotiate with terrorists. It is because we recognize our first and greatest respon-

sibility is the life and liberty of those who call America home.

We are a Nation of immigrants. We are a Nation of laws. And we are a Nation with a fundamental responsibility to preserve the rights of our citizens. And those rights include life.

The United States has one of the most generous legal immigration programs in the world, welcoming the hurting and abandoned, the persecuted and destitute. And we will continue to. But we will not welcome terrorists. We will not sacrifice moral courage on the altar of quotas.

This country and the world will be judged by future generations on our response as a Nation and as individuals to the Islamic State and those they have raped, tortured, driven from their homes, and murdered. And I believe we will also be judged on our commitment to the safety of the millions of men, women, and children already living within our borders.

The underlying legislation, H.R. 4038, isn't about who we welcome into our country. It is about keeping out those who pose a threat to our national security.

Last night, the Rules Committee received testimony from the Judiciary and Homeland Security Committee chairmen and minority representatives, as well as receiving amendment testimony from a number of Members on both sides of the aisle, for over 4 hours.

Now, more than ever, those who seek shelter in the United States deserve the assurance that our government is doing everything within its power to protect them from the very evil they fled.

But where is the administration? Perhaps if the Commander in Chief would stop holding press conferences to lecture Republicans and start leading the world in the fight against terrorists, we wouldn't have thousands upon thousands tortured, displaced, and killed.

The White House said ISIS was contained less than 24 hours before 100 people became the latest victims of terrorism on the streets of Paris. And, oh, by the way, before releasing five from Guantanamo that morning. It seems the President was too busy practicing his Turkish for the G-20 Summit remarks to notice the world is crumbling and the Islamic State is growing stronger.

In fact, when the President spoke at the G-20 Summit press conference, here is what he mentioned before addressing the terrorist attacks in Paris: the beauty of Turkey; the hospitality of the Turkish people; his practice of the Turkish language; the need to grow the global economy; the need to create jobs; rising inequality in the world; cyber theft; and oh, yes, global climate talks.

There is no question that we have a political commentator when what our

Nation and the world needs is a Commander in Chief.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman from Georgia (Mr. COLLINS) for yielding me the customary 30 minutes.

First, Mr. Speaker, I don't blame the gentleman of Georgia for not wanting to talk about the rule because, today, we are about to debate the 46th closed rule of this Congress, making this the most closed session of Congress in history. Speaker RYAN promised an open and deliberative process when he took the gavel. He has already reneged on that promise.

Representatives BENNIE THOMPSON and ZOE LOFGREN offered an alternative to today's bill that deserves debate on the House floor, but the Republicans on this Rules Committee prohibited debate under this completely closed process.

The bill that we are about to debate wasn't even introduced until 10:14 p.m. Tuesday night. There have been no hearings—none at all—no markups, and no opportunities for bipartisan input. And, quite frankly, there was not a lot of opportunity for rank-and-file Republicans to have any input on this. Even more stunning, the Judiciary Committee is holding a hearing today—right now—on the very subject we are going to vote on in an hour.

Mr. Speaker, we all understand why people are anxious and concerned. We all watched with horror as the brutal attacks in Paris played out on our TV screens. And our thoughts and our prayers continue to be with the people of Paris, whose courage inspires all of us.

Keeping Americans safe is our top priority. And in the wake of the Paris attacks, that mission has never been more important. But in the days since those terrible attacks, there has been a deeply troubling debate about whether the United States should accept Syrian refugees. In the past week, we have heard far too many of our leaders stirring up fear and far too few talking about the facts.

Mr. Speaker, Americans want an honest and serious debate about how we keep our country safe, but this bill, the so-called American Security Against Foreign Enemies Act, or the American SAFE Act, falls far short.

Instead of debating a bill that might actually strengthen and enhance our refugee resettlement screening process, we are debating a bill that appeals to the worst in us and hurts the very people who are fleeing the violence and chaos ISIS has wrought.

The authors of this bill boast that “this legislation would put in place the most robust national security vetting process in history for any refugee population.” But the simple truth is that

the United States already has in place the most rigorous screening process for refugee resettlement in the world.

Right now, Mr. Speaker, America's refugee screening process already involves seven different Federal departments and agencies, including the State Department, the Department of Homeland Security, the National Counterterrorism Center, the FBI's Terrorist Screening Center, the Department of Defense, the U.S. Citizenship and Immigration Services, and the U.S. Customs and Border Protection.

Beyond that, every refugee from Syria is also subjected to an additional layer of security and scrutiny. This process is so detailed that it takes, on average, about 2 years for each refugee to be fully screened and allowed to enter the United States, under the sponsorship of a local service agency, and be settled here. Two years.

Now, I would think that every Member of this House would feel reassured knowing that such a process is already in place to protect our citizens and our communities. We have already resettled over 1,800 Syrian refugees over the past 4 years in 130 communities across America. In the past year, Massachusetts has resettled 62 Syrian refugees, including 24 in my hometown of Worcester. Of the 2,174 Syrian refugees that we have resettled in the United States since 9/11, not a single one has been arrested or deported on terrorism-related grounds. Not one.

I recognize that there are ways that we can strengthen that process further. The Congress could consult and work with the administration, including Homeland Security, the State Department, the national intelligence agencies, and the FBI, to identify and discuss areas where enhancements can be made. But that is not what the authors of this bill did. And it is clear that it wasn't their intention either.

What H.R. 4038 would actually "achieve" is the creation of a so-called process that would shut down all refugee resettlement from Syria and Iraq. It is not meant to make things better. It is meant to make it completely unworkable.

Nothing in this bill actually improves the FBI's or any other intelligence agency's ability to conduct a more effective screening process. If you want to do that, give them more money for more personnel and consult with them directly about how to strengthen the existing screening process. This bill hasn't done that.

Right now, of the more than 1,800 Syrian refugees resettled in the United States since 2012, half are children, a quarter are adults over the age of 60, and none have been involved in anything remotely tied to terrorism or violent activity.

Mr. Speaker, America is at a critical crossroads. It is moments like this that define who we are as a Nation. This

bill, along with the deeply troubling rhetoric that surrounds it, would only perpetuate the politics of fear and intolerance. Americans are better than that. And now, more than ever, we must stay true to our values.

Our enemies want to divide us. We must remain strong and united in the face of this evil. We must not abandon the clear-eyed compassion that has made America the shining city on the hill for more than two centuries, giving hope to so many generations before us in search of a better life for themselves and for their children.

In July, I traveled to Gaziantep, Turkey, near the Syrian border, with a congressional delegation led by Senator TIM Kaine of Virginia. While there, we heard directly from government leaders, local NGOs, and charities on the front lines helping the countless Syrian refugees who have lost their homes and many of their friends and family. They are desperate to escape the violence and are part of the world's worst refugee crisis since World War II. We cannot shrink from this moment when strong American leadership is needed.

One of the most important reminders of the legacy we must live up to is the Statue of Liberty. For more than 100 years, it has stood as a promise for better life for the "huddled masses yearning to breathe free." We cannot turn our backs on the values at the heart of our identity as Americans. To do this would cede a victory to the terrorists. Yet the fear, anger, prejudice, and isolationism that are driving the current debate on Syrian refugees remind me of some of the darkest and ugliest chapters of modern American history.

Many Americans—some in this Chamber—still remember the moment in our Nation's history when we turned away ships filled with Jewish refugees desperate to escape Nazi Germany and imprisoned our fellow citizens of Japanese heritage in internment camps. Do we really want to return to these kinds of destructive and hateful policies? Is that really who we are today?

I am so proud of America's leadership in providing \$4.5 billion in aid to Syrian refugees in the region—more than any other country. I am also proud that the U.S. Office of Refugee Resettlement places a priority on accepting widows with children and highly vulnerable individuals, especially the elderly and the infirm.

Mr. Speaker, H.R. 4038 would shut down our resettlement program altogether. That is what it wants to do, and that is what it intends to do.

The refugees eligible for resettlement in the United States are not the refugees in Europe. The refugees coming into the United States through our resettlement program have been living in refugee camps for months—often years—under unimaginably harsh conditions.

A woman and her 3-year-old little girl whose home in Syria was reduced to rubble by barrel bombs and whose husband has been killed will be denied the opportunity to go through the rigorous screening process to find a new home in America.

An elderly woman who has lost everything and is barely alive now in a refugee camp will be denied a home in America, even if she has some distant relatives already in the United States.

Mr. Speaker, where is our humanity? None of the Syrian refugees who have already made it through our screening process and have been resettled in the United States fit the description of the terrorists I have heard described over and over again last night in the Rules Committee. Those ugly distortions of the people we are resettling only emphasize how out of touch with reality this debate has gotten.

Mr. Speaker, if we really want to help make America more safe and more secure in the wake of the Paris attacks, then we should put more money in the omnibus appropriations bill for the FBI, DHS, and for our local law enforcement agencies so that they can continue focusing on criminal and homegrown as well as possible foreign individuals and networks that might engage in violence against our citizens.

And, while we are at it, we should also increase the funding for the State Department, HHS, the UNHCR, and the NGOs that provide humanitarian aid abroad and resettlement support to refugee families here in America. But let us stop wasting our time with a bill that is going nowhere and fails to offer the serious approach we need to keep America safe and address this crisis.

Mr. Speaker, I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I was sort of amazed—it took almost probably 7 or 8 minutes—but we came to the real heart of the problem: just throw money at it. If you don't fix a problem, just throw money at it. When you are showing no leadership, I guess I would throw a diversionary tactic out there and do that as well.

What I am having trouble understanding is also what has been said by many speakers this morning, Mr. Speaker, and that is that true refugees are not the problem. They can still apply. Nothing in this bill keeps that rigorous process from them applying and going through that process. We are simply adding a certification step.

Now, undoubtedly, that is a little cumbersome for our Secretary of the Department of Homeland Security because he has this problem: he says it is cumbersome for him to certify each Syrian refugee personally.

There are issues here. Is it just hugely cumbersome and not the most effective use of the Secretary's time? I

am sorry; you are the Secretary of Homeland Security in this country. Your job is to keep us protected. However that may play out, get the resources and do what you are supposed to be doing.

It is not like the example of keeping a young mother with kids from going through the process. There is nothing in this bill that does that. That is a distraction.

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I will talk about the rule. The rule is straightforward. Vote for the rule in just a few minutes. Vote with the side of those protecting America. Make sure that we are protected. That is a simple choice this morning.

That is what this rule does. It gets us to a bill that allows us to put an extra level of security and an extra level of certification so this administration cannot just continue to do what they are doing.

I was stunned just a few moments ago when I heard from my friend that this appeals to the worst in the U.S.

This appeals to the worst in the U.S.? Protecting America and trying to find ways to do that appeals to the worst of us?

That, to me, is derogatory to every man and woman who serves in our military, who goes and fights for freedom not only here but abroad. You are telling me to add a level of protection to those who live within our borders is appealing to the base of who we are?

That is not true. Deflect how you want to. Talk about this bill. Vote "no" if you want to. Go on the side of saying, you know, we have got it pretty good right now. Those that have come haven't done anything.

I would rather see a proactive approach. I would rather see something that is very reflective of the world's times. When we do that, then we are fulfilling our role. That is the best of America, not the worst.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. Mr. Speaker, I rise to oppose this rule. This bill, H.R. 4038, was rushed to the floor with no hearings, no opportunities for amendments, none of the things that Speaker RYAN promised us about an open process, a bottom-up process.

Now, I agree that preventing dangerous actors from entering the United States is paramount, and I also agree that we must be strong in our resolve to confront and defeat terrorism wherever it comes from. But I submitted an amendment to this bill which would have excluded women and children from the extra and potentially onerous process this bill would enact for refugee vetting.

Refugees from this region already undergo a far more rigorous screening

process than anybody else seeking admission to this country. The process takes, on average, between 18 and 24 months—and longer, in many cases—before a refugee sets foot on U.S. soil. Surely this process is sufficient for women and children, widows and orphans of terrorism who are particularly vulnerable during conflicts while fleeing, who come from refugee camps.

It means that this bill is particularly punitive for them if it means they have additional wait time. Imposing that kind of additional wait time while going through unnecessary bureaucratic steps to vet those low-risk individuals makes no sense.

Speaker RYAN, I oppose this rule because you are not living up to your promise. We ought to have debate. We ought to have hearings, and you ought to allow amendments like this one that would make an exception for widows and orphans.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I would just say, if the gentleman agrees that we need to enforce and have strong protections to make sure that we are not attacked, then my recommendation would be vote "yes" on the rule and vote "yes" on the bill. It is a pretty simple choice here. Or you can go back and explain to most of the people in your district who agree that we need to protect our country—it is something across our country, from coast to coast, that says this is something that is worth doing, and I think we need to look at that.

I do want to hit this hard in just a moment. There are times—and especially when you come to a decision like this—when we understand how we got here and that it was put together by six chairmen who, over the weekend and this past week after the tragic result of last Friday night in Paris, have put together this first step in legislation to deal with this, and there will be other steps coming. But to characterize this as something that basically has not been considered—there are committees, the Judiciary Committee on which I serve, the Homeland Security Committee, and others, who have been looking at this issue for a long time.

This is something that has come together, and it gives us an immediate first step, and it makes a very clear choice.

Do you want to add a layer of protection to protect the American people or not? If you don't want to, vote "no." If you don't want to do that, vote "no." Vote "no" on the rule. Vote "no" on the bill. Talk about the process. Whine about whatever you want. But this is a clear choice. The bill is protection or not.

The other issue that we need to really just assess here is, when we look at what we are doing, the question is about leadership, and the question is

about how are we going to protect those. It doesn't shut it down.

Also, it was just mentioned just a little bit ago that there was a hearing right now. The implication was that the hearing had something to do with this bill. Let's just be very clear. The hearing is about the Syrian refugee issue as a whole, not this bill. We are not taking away from that. This is an issue and a hearing that had been planned. It is happening. Those are other discussions that will be coming forward.

So let's at least make sure that we are giving the right implications on what is going on on the Hill right now.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Georgia for clarifying that point, which now means that there are zero hearings on this bill and no markup. It doesn't make me feel very good about this process.

I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I have lived in Paterson, New Jersey, all my life, which has a large Syrian American population. In fact, when I came back from the service, I joined the American Legion. It was the John Raad Post, which was a Syrian American military organization. These are hardworking people here.

The advantage of what we are doing, and over the past 4 years since the beginning of the Syrian war, the civil war, is that we are connecting refugees with Syrian American families.

There are no harder working people in this country than Syrian Americans. Know the history of it. They didn't come here last week.

So here is the chart. This is what you need to go through to get a refugee into the United States of America. I hope you looked at the chart. I hope you have examined every step, the 14 steps. Let's not get into one side wants to secure America more than the other side.

I served in the Armed Forces. I was on the beginning of the Select Committee on Homeland Security. I don't like anybody telling me: You guys tried to do that in 2005, and you lost in 2006. Stay away from it.

No one party is privy to protecting this country. We all want that. But we are not going to sacrifice what we, as Americans, are. We are not going to do this.

When women and children who have nothing on their back—nothing—and 2 or 3 years, they could finally come to the gate of the greatest country in the world—yeah, you may smile over there, but I am very serious about what I am saying. This is a very serious moment in our history.

I want to protect America. I want to be strong. I don't agree with all the President's Syrian policies, but I think that we are doing harm to ourselves and sending the wrong message.

The SPEAKER pro tempore (Mr. JENKINS of West Virginia). The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

The SPEAKER pro tempore. The gentleman is reminded to address his remarks to the Chair.

Mr. PASCRELL. Mr. Speaker, I want to salute the Speaker of the House, and here is why I want to salute him. He defused the religious connotations when this was first brought up. He did that yesterday, and I salute him.

Imagine, to have one line for Christian Syrians and another line for Muslim Syrians. What are we reduced to here? What message does that send to the rest of the world? You tell me. It is shameful.

So I thank him for that.

I don't impugn anybody on the other side. I don't question their motives. I don't think that this is a good idea.

The commitment we have to public safety can be upheld even as we provide refuge to some of the world's most vulnerable people. When you sleep tonight, think about the world's most vulnerable people, and we can still keep America safe.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the gentleman's words. I agree with him. No party claims a right of both as one protects, one doesn't. But I will say this: Both of us have the same commitment to raising our hand and saying we do protect. Both parties have that in common.

And as someone who has served, myself, and been in a war zone in Iraq and understands what this is about, I appreciate the gentleman's feelings. My problem is this: Go to your district. As was said just a few moments ago, they felt better about no hearings. My question is, go to your district and ask your district this question, Mr. Speaker: Would you rather have a hearing, or would you rather do something to protect them?

Would you rather have hearings or go and do something to protect, and then come back, as we have done hearings, and work moving forward?

This is a process that should be together. I am really, frankly, amazed that we are not together on this because, at this point, it does nothing—I repeat, does nothing—to shut the process down. It simply adds a layer of protection.

It doesn't shut it down. It doesn't defame our humanitarian effort around the world in which we lead the way in both money and resources, and it still allows that mother with those kids to apply and go through the process.

We are simply saying, let's pause a moment and make sure that it is not just the mother with the kids, that there is not somebody else abusing the system, there is not somebody else hid-

ing through the system that wants to come into this country and do us harm.

Let's frame this in very simple terms. It is a very simple bill. It is only four pages. When we understand that, we can continue.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I am stunned to just listen to the gentleman from Georgia basically tell us that you can have either a bill or you can have regular order, but you can't have both.

This is the greatest deliberative body on the planet. We are supposed to discuss issues. We are supposed to debate issues. Committees are supposed to do their work and report that, then, to the Rules Committee to come to the floor. But to suggest that you have a choice here, you can't have both, is ridiculous.

The Speaker of the House promised regular order. He has reneged on that promise. It is outrageous, especially on a bill like this, that we cannot have amendments; that even the committees of jurisdiction can't even do their job. It is an outrage. It is shameful. How can you defend that kind of process?

I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I associate myself with the gentleman from Massachusetts because I think it is important for my colleagues to understand that, when you talk about process, you talk about responding in the right way to crisis.

Let me be very clear. The inquiry that my friends on the other side of the aisle are making is correct, to find out how we can ensure the safety and security of the American people.

I sit on the Homeland Security Committee and, like my friend from New Jersey, from the very beginning, the tragedy of 9/11.

I am the ranking member on the Crime, Terrorism, Homeland Security, and Investigations Subcommittee. There is no way that I would stand here and jeopardize the security of the American people.

Let me also say. I represent the Catholic diocese, Catholic Charities, Lutheran Services, Interfaith Ministries in my district, and I would ask my colleague on the other side of the aisle to query them about whether or not they support this legislation.

There are people who understand the burdensomeness and the wrongness of the direction in which we are going.

Is it appropriate to inquire and have a report to Congress to ensure that there are strictures in dealing with those coming to this country from Syria or anywhere else? Yes, it is. But is it ridiculous to ensure or to insist that this 5-year-old little girl must be individually certified by the FBI, the DNI, Counterterrorism, and the CIA, and a long litany of others? That is what we are saying.

First of all, there were 23,000 who were recommended by the United Nations, Syrians, to come into the United States. The Department of Homeland Security selected only 7,000 to interview. In that 7,000, only 2,000 have gone through the process through an 18- to 20-month period.

We are saying to the American people, if you want to get rid of ISIS, take the fight to ISIS. That is what we are doing with our allies, to destroy and eliminate ISIS. But to be able to say to our allies around the world that we are putting a stop sign on our refugees from Syria that look like mothers and fathers and old people is absolutely absurd.

The inquiry is correct; the process is wrong. Let us not distort this to the American people and tell them an untruth, that one side of the aisle is against the security and the other side is not.

Take the fight to the caliphate.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentlewoman 15 seconds.

Ms. JACKSON LEE. This is an improper approach. You cannot certify a 5-year-old girl from Syria. She will never get in.

The process is extensive, it is definite, it is secure, and we are securing the American people. Let's work together, as my friend on the other side of the aisle has said, and do it right.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Also, I just want to say that it shouldn't have been shocking. There was nothing in part of what I said, that you have to have regular order or a bill. I am simply saying, here is the process it went through that we have had here.

That is a false dichotomy, Mr. Speaker. It is not true. I never said you couldn't have regular order and have a bill. You have both. In this case, you have a bill.

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The bill says in very plain and simple terms—4 pages—here is what it does, and that is where we go at it. To continue to say that it does other stuff that it doesn't do is simply wrong. We are just simply saying: We are giving another layer of protection. Take that layer of protection. Let's continue to have our hearings, let's continue to have our debate, and we will be bringing others because we are already taking the fight—and that is another issue that we need to have. It is time to call the radical Islamic terrorists what they are, thugs in this world, rapists, torturers, and murderers. They have no regard for religion and no regard for themselves. They are simply plain thugs.

If we want to talk about what we are fighting, then let's put it in those

terms. Let's put it in those terms. I prefer that we have an extra measure of protection keeping those folks out while we take the fight to them because I believe, as the Air Force that I serve and the military we have, the fight is coming to them, and the thugs will not win. We are just going to put an extra measure of protection here to make sure they don't come in here while maintaining the integrity of our program.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, those of us on our side have no problem with taking the fight to the thugs. What we have a problem with is taking the fight to orphans, widows, young children, and senior citizens who are fleeing war and terror. To turn our backs on those individuals, to basically shut this process down—and that is what this would do. By the way, the authors of the bill admitted that last night in the Rules Committee. This is not going to stop the refugee resettlement process in its place. But to do that goes against the very best traditions and values of this country.

We are better than that.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I want to thank the gentleman from Massachusetts for yielding and for his leadership on these critical issues.

Mr. Speaker, I rise in strong opposition to the rule, H. Res. 531, and also to the bill, H.R. 4038, the American Security Against Foreign Enemies Act of 2015. Foreign enemies—refugees.

We all watched with horror as unconscionable violence unfolded in Paris over the weekend, but also in Egypt, in Lebanon, and in Nigeria. So let me just first say that my thoughts and prayers go out to all of those who have been affected by all of these tragedies.

But it would be a grave mistake to use these attacks as a pretense to close our doors to the families that are fleeing ISIL in their own countries. The overwhelming majority, of course, are women and children. Just as the unfortunate attacks of 9/11 required us to step up and lead, we are at that moment again where Members of Congress need to lead.

This counterproductive bill would immediately shut down the resettlement of refugees from countries such as Syria and Iraq while significantly slowing down—yes, shutting down—our resettlement process in the future.

But, of course, as Members of Congress, our first goal is keeping our country safe. We all are committed to that, and we do that each and every day. But preventing these people suffering the violence of war—the violence of war—sends the wrong signal first to

our allies; to our own country. And really, this is not consistent with our national security goals. Simply put, closing our doors to these refugees would really be a betrayal of our Nation's most fundamental values.

Mr. Speaker, the United States already has the lengthiest and most robust screening procedures in the world. Any refugees seeking to come to the United States go through a screening process that takes 18 to 24 months before they can even set foot on United States soil.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. Mr. Speaker, I yield the gentlewoman from California an additional 1 minute.

Ms. LEE. Mr. Speaker, our screening process has already involved multiple Federal intelligence, security, and law enforcement agencies, including the Department of Homeland Security, the National Counterterrorism Center, and the FBI. These agencies subject those seeking refuge in the United States to safeguards, such as biometric and biographic checks. Syrian refugees are already subject to additional forms of security screening.

Mr. Speaker, it is worth noting—it has been said before, and I will say it again—that of the 2,174 Syrian refugees admitted to the United States since September 11, 2001, not a single one has been arrested or deported on terrorism-related grounds. I am proud that Oakland—in my congressional district—has resettled more Syrian refugees than any other East Bay area city in California. Rather than working to shut out those seeking refuge in our country, we should instead be working toward ensuring a regionally led, comprehensive, economic, political, and diplomatic solution to the conflicts that have led to the worst refugee crisis since World War II.

Mr. Speaker, this would stop the flow of refugees and give them a chance to live in their own country free of war and violence. I urge my colleagues to reject this rule and this unnecessary bill.

Mr. COLLINS of Georgia. Mr. Speaker, I find it a great privilege to stand here and really not believe that a bill that protects the interests of Americans I find never is unnecessary. In fact, I find it needed at this point.

Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi (Mr. PALAZZO).

Mr. PALAZZO. Mr. Speaker, I want to thank my colleague from Georgia for engaging in this debate. I know it sometimes seems to be a lonely job, especially when you are right, you are correct, and you are putting the best interests of the American people ahead of partisan politics. So I applaud you, and I applaud all my colleagues who are going to support this underlying rule and move on to support the final bill.

I heard a comment while I was following the debate, and someone said that Speaker RYAN has reneged on his promises.

Mr. Speaker, if anybody has reneged on their promises, I believe it is the President of the United States of America. As Commander in Chief, he has the ultimate responsibility to lead our troops. But also his number one constitutional responsibility is the common defense of this Nation against all enemies, both domestic and foreign. But he has made America weaker. He has made our military weaker. The international community, our friends, no longer trust us, and our enemies no longer fear us. So if anybody has reneged on their responsibilities, it is the President of the United States.

Just now, Mr. Speaker, we started to basically really try to cut off the flow of money to ISIS and to the Islamic radicals. For over 2 years, we have been telling them to go after the oil revenues. That is where they are making their money. They are making it because they are smuggling oil out of the country and selling it on the black market, and they are making billions of dollars a year. Just now, we decide, well, we are going to go after the oil tankers that carry the oil so they can make the money, so they can buy weapons, and then they can basically export terrorism all around the world.

Twenty-five years ago, I remember pretty much this month I was activated for the Persian Gulf War. One thing I do remember is we bombed the hell out of our enemies before we sent our men and women in uniform with boots on the ground in there. And pretty much, as we all know, within a week, the Iraq war was over with.

So, Mr. Speaker, it baffles the mind why we are waiting for the last moment to actually cut off the revenues that are funding this global jihad and this radical Islam. But, like my colleague from Georgia and those who are going to support this rule and support the bill, we understand our constitutional responsibilities.

Our number one responsibility is the common defense of this Nation at home and abroad. That means taking care of people in our congressional districts, taking care of people in our State, and taking care of the American people. So you are either with us or against us on this.

I just want to urge my colleagues to support the underlying rule, support the bill, and let's start taking care of Americans, and the rest will take care of itself.

Mr. MCGOVERN. Mr. Speaker, I yield myself the remaining time.

Mr. Speaker, I want to urge my colleagues to defeat the previous question. If we do, I will offer an amendment to the rule that would simply allow us to debate and vote on a reasonable alternative in addition to the Republican

bill that we are considering today. This record-breaking closed rule shuts down both Republicans and Democrats, makes it impossible for them to be able to participate in the legislative process, and prevents us from considering reasonable, commonsense alternatives. If we are truly interested in actually enhancing the security of the United States and protecting the American people, maybe we ought to come together and behave like adults and work together to come up with a solution that actually works.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter that was signed by 81 NGOs that work in the field of humanitarian relief and refugee resettlement in support of the refugee resettlement program and the Syrian refugee resettlement program.

NOVEMBER 17, 2015.

DEAR SENATOR/REPRESENTATIVE: As refugee and immigration law experts, humanitarian aid organizations, faith, labor and civil and human rights groups, we write to express our support for the U.S. refugee resettlement program. The world is witnessing the largest refugee crisis since World War II. More than 4 million Syrians have fled from their home country fleeing conflict and violence, and 6.5 million are displaced internally.

At a time when the world needs humanitarian leadership, some are now calling for the suspension of the U.S. refugee resettlement program or the imposition of restrictions on funding for Syrians and other groups of refugees. We oppose these proposals and believe they would jeopardize the United States' moral leadership in the world.

Syrian refugees are fleeing exactly the kind of terror that unfolded on the streets of Paris. They have suffered violence just like this for almost five years. Most have lost loved ones to persecution and violence, in addition to having had their country, their community, and everything they own brutally taken from them.

Refugees are the most thoroughly vetted group of people who come to the United States. Security screenings are rigorous and involve the Department of Homeland Security, the FBI, the Department of Defense and multiple intelligence agencies. Department of Homeland Security officials interview each refugee to determine whether they meet the refugee definition and whether they are admissible to the United States. Refugees undergo a series of biometric and investigatory background checks, including collection and analysis of personal data, fingerprints, photographs, and other background information, all of which is checked against government databases. The entire process typically takes more than two years and often much more before the refugee would arrive in the U.S. In addition the Administration is already taking steps, with its existing authority, to increase the capacity of its security and screening procedures for refugees. There is no need for Congress to im-

pose additional restrictions or security measures.

The United States decides which refugees to resettle. Because so few refugees in the world are resettled, the U.S. often chooses the most vulnerable, including refugees who cannot remain safely where they are and families with children who cannot receive the medical care they need to survive.

To turn our back on refugees would be to betray our nation's core values. It would send a demoralizing and dangerous message to the world that the United States makes judgments about people based on the country they come from and their religion. This feeds into extremist propaganda and makes us all less safe. We call upon Congress to demonstrate leadership by speaking out against the scapegoating of any group during this time of crisis and to ensure that our nation's humanitarian efforts are robust.

The United States is a welcoming country with a diverse society and our resettlement program must continue to reflect this.

We can welcome refugees while ensuring our own security. Refugees have enriched communities across our country and have been part of the American fabric for generations. Historically our nation has responded to every major war or conflict and has resettled refugees from Africa, South East Asia, Eastern Europe as well as the Middle-East. Closing the door to refugees would be disastrous for not only the refugees themselves, but their family members in the United States who are waiting for them to arrive, and our reputation in the world.

Sincerely,

The Advocates for Human Rights, Alliance for Citizenship, American Civil Liberties Union, American Immigration Lawyers Association, American Jewish Committee (AJC), American Refugee Committee, America's Voice Education Fund, Anti-Defamation League, Asian American Legal Defense and Education Fund (AALDEF), Asian Americans Advancing Justice—AAJC, Asian Pacific Institute on Gender-Based Violence, Association of Jewish Family and Children's Agencies.

CARE USA, Center for Applied Linguistics, Center for Gender & Refugee Studies, Center for New Community, Center for Victims of Torture, Centro de los Derechos de Inmigrante, Inc., Christian Church (Disciples of Christ) Refugee & Immigration Ministries, Church World Service, Columban Center for Advocacy and Outreach, Concern Worldwide (US) Inc., Conference of Major Superiors of Men, Council on American-Islamic Relations.

The Episcopal Church, Ethiopian Community Development Council, Inc., Evangelical Lutheran Church in America, Farmworker Justice, Franciscan Action Network, Friends Committee on National Legislation, Habonim Dror North America, HIAS, Human Rights First, InterAction, International Catholic Migration Commission, International Refugee Assistance Project, International Rescue Committee.

Jesuit Conference of Canada and the United States, National Advocacy Office, Jesuit Refugee Service/USA, Jewish Council for Public Affairs, Jewish Labor Committee, Kids in Need of Defense (KIND), Leadership Conference of Women Religious, Lutheran Immigration and Refugee Service, MercyUSA for Aid and Development, Mi Familia Vota, Muslim Public Affairs Council, NAFSA: Association of International Educators, National Council of Asian Pacific Americans (NCAPA).

National Council of Jewish Women, National Immigrant Justice Center (NIJC), Na-

tional Immigration Forum, National Immigration Project of the National Lawyers Guild, NETWORK, A National Catholic Social Justice Lobby, OCA—Asian Pacific American Advocates, OneAmerica, ORAM—Organization for Refugee, Asylum & Migration, Oxfam America, Peace Action West, Presbyterian Church USA, Refugees International.

Save the Children, South Asian Americans Leading Together (SAALT), Southeast Asia Resource Action Center (SEARAC), STAND: The Student-Led Movement to End Mass Atrocities, SustainUS: U.S. Youth for Justice, Syrian American Medical Society (SAMS), Syria Relief Development, Tahrir Justice Center, Truah: The Rabbinic Call for Human Rights.

Union for Reform Judaism, Unitarian Universalist Association, United to End Genocide, United Farm Workers, United States Committee for Refugees and Immigrants, United States Conference of Catholic Bishops, UURISE—Unitarian Universalist Refugee and Immigrant Services and Education, Inc., Win Without War, Women's Refugee Commission, Workmen's Circle, World Relief.

Mr. MCGOVERN. I also include in the RECORD a statement by the Catholic Bishops that say that the U.S. should welcome Syrian refugees into the United States.

[From the United States Conference of Catholic Bishops, Nov. 17, 2015]

BISHOPS' MIGRATION CHAIR: U.S. SHOULD WELCOME SYRIAN REFUGEES, WORK FOR PEACE

BALTIMORE.—Bishop Eusebio Elizondo, Chairman of the United States Conference of Catholic Bishops' (USCCB) Committee on Migration, issued a statement on Syrian refugees during the Bishops' annual General Assembly in Baltimore Nov. 17.

Full text of the statement follows:

STATEMENT ON SYRIAN REFUGEES AND THE ATTACKS IN PARIS

On behalf of the U.S. Conference of Catholic Bishops' Committee on Migration, I offer my deepest condolences to the families of the victims of the November 13 attacks in Paris, France and to the French people. I add my voice to all those condemning these attacks and my support to all who are working to ensure such attacks do not occur again—both in France and around the world.

I am disturbed, however, by calls from both federal and state officials for an end to the resettlement of Syrian refugees in the United States. These refugees are fleeing terror themselves—violence like we have witnessed in Paris. They are extremely vulnerable families, women, and children who are fleeing for their lives. We cannot and should not blame them for the actions of a terrorist organization.

Moreover, refugees to this country must pass security checks and multiple interviews before entering the United States—more than any arrival to the United States. It can take up to two years for a refugee to pass through the whole vetting process. We can look at strengthening the already stringent screening program, but we should continue to welcome those in desperate need.

Instead of using this tragedy to scapegoat all refugees, I call upon our public officials to work together to end the Syrian conflict peacefully so the close to 4 million Syrian refugees can return to their country and rebuild their homes. Until that goal is achieved, we must work with the world community to provide safe haven to vulnerable

and deserving refugees who are simply attempting to survive. As a great nation, the United States must show leadership during this crisis and bring nations together to protect those in danger and bring an end to the conflicts in the Middle East.

Mr. MCGOVERN. Mr. Speaker, I include en bloc in the RECORD a whole bunch of other materials.

[From Religious Action Center of Reform Judaism, Nov. 17, 2015]

REFORM MOVEMENT REJECTS CALLS FOR NEW LIMITS ON SYRIAN REFUGEES

WASHINGTON, D.C.—In response to calls for new limits on Syrian refugees in the wake of the recent attacks in Paris, Rabbi Jonah Dov Pesner, Director of the Religious Action Center of Reform Judaism, issued the following statement:

The recent attacks in Paris have horrified and pained us deeply, as they have all people of goodwill around the world. Our hearts ache for all those directly impacted by these acts of terror. We pray for healing of those who were injured and comfort for the families of all who were lost.

These attacks echo the kind of terrible violence that the Syrian people have lived with for the past several years, buffeted between the brutality of President Assad and the barbarism of ISIS. As such, now is the time to ensure the U.S. refugee system remains open to those fleeing Syria and who wish to contribute to and strengthen our nation. Calls to impose new limits on Syrian refugees, to impose a religious test on refugees, or to close our doors altogether ignore the reality that the lengthy and rigorous vetting of refugee applications helps ensure our national security while upholding our historic role as a place of refuge.

We cannot allow the violence wrought by ISIS and its allies to overshadow our values as Americans and as Reform Jews. As Jewish tradition teaches, “and each shall sit under their vine and fig tree, and none shall make them afraid” (Micah 4:4). We can ensure our security and fulfill our highest aspirations as a nation rooted in compassion and commitment to religious liberty. We call on members of Congress to oppose any effort to limit the acceptance of Syrian refugees, just as we urge public officials and figures across the U.S. to reject divisive and inflammatory statements that do not reflect our history as a nation founded by descendants of those who fled persecution in search of freedom.

In these trying times, we cannot lose sight of our values and what we stand for. To repair the brokenness in our world, we must stand united with those who reject violence and divisiveness and instead support those who uphold healing, safety and security for all.

RANKING MEMBERS SCHIFF, THOMPSON AND LOFGREN JOINT STATEMENT ON SYRIAN REFUGEE BILL ON HOUSE FLOOR TOMORROW

[For Immediate Release—Wednesday, November 18, 2015]

WASHINGTON, DC.—Today, Rep. Adam Schiff (D-CA), Ranking Member of the House Permanent Select Committee on Intelligence, Rep. Bennie G. Thompson (D-MS), Ranking Member of the Committee on Homeland Security, and Rep. Zoe Lofgren (D-CA), Ranking Member of the Judiciary Committee’s Subcommittee on Immigration and Border Security, released the following statement:

“For many Americans, the horrendous loss of life and scenes of chaos of the Paris ter-

rorist attacks harkened back to our own experience in the wake of September 11th. Our top priority is and will always remain the safety of the American people. And it is in these times that the core values of our nation are tested. Welcoming refugees who are fleeing persecution and war is the humane—and American—thing to do. However, some in Congress intend to use this tragedy to shut down the U.S. refugee program, turning our backs on victims fleeing the horrors of ISIS and the Assad regime.

“We must constantly re-evaluate and refine our refugee screening to find ways to strengthen the existing system and ensure that we are maintaining the most rigorous vetting system in the world. Refugees, and refugees from this region specifically, already undergo a far more rigorous screening process than anyone else seeking admission to this country, including background checks, national security vetting, biometric identifiers, and interviews. The process takes on average between 18 to 24 months, and longer in many cases, before a refugee steps foot on U.S. soil. The House Republican legislation would immediately shut down all refugee resettlement from Syria and Iraq—possibly for many years—and severely handicap future refugee resettlement around the world.

“Our commitment to refugees and the security of the American people are not mutually exclusive. We believe that turning our backs on those escaping persecution, many of them religious minorities and victims of terrorism, runs counter to the proud and generous heritage of the United States—a country of immigrants—that has always helped those in need in the most trying times.”

STATEMENT OF ADMINISTRATION POLICY

H.R. 4038—AMERICAN SAFE ACT OF 2015

(Rep. McCaul, R-TX, and Rep. Hudson, R-NC)

The Administration’s highest priority is to ensure the safety and security of the American people. That is why refugees of all nationalities, including Syrians and Iraqis, considered for admission to the United States undergo the most rigorous and thorough security screening of anyone admitted into the United States. This legislation would introduce unnecessary and impractical requirements that would unacceptably hamper our efforts to assist some of the most vulnerable people in the world, many of whom are victims of terrorism, and would undermine our partners in the Middle East and Europe in addressing the Syrian refugee crisis. The Administration therefore strongly opposes H.R. 4038.

The current screening process involves multiple Federal intelligence, security, and law enforcement agencies, including the National Counterterrorism Center, the Federal Bureau of Investigation, and the Departments of Homeland Security (DHS), State, and Defense, all aimed at ensuring that those admitted do not pose a threat to our country. These safeguards include biometric (fingerprint) and biographic checks, medical screenings, and a lengthy interview by specially trained DHS officers who scrutinize the applicant’s explanation of individual circumstances to assess whether the applicant meets statutory requirements to qualify as a refugee and that he or she does not present security concerns to the United States. Mindful of the particular conditions of the Syria crisis, Syrian refugees—who have had their lives uprooted by conflict and continue to live amid conditions so harsh that many

set out on dangerous, often deadly, journeys seeking new places of refuge—go through additional forms of security screening, including a thorough pre-interview analysis of each individual’s refugee application. Additionally, DHS interviewers receive extensive, Syria-specific training before meeting with refugee applicants. Of the 2,174 Syrian refugees admitted to the United States since September 11, 2001, not a single one has been arrested or deported on terrorism-related grounds.

The certification requirement at the core of H.R. 4038 is untenable and would provide no meaningful additional security for the American people, instead serving only to create significant delays and obstacles in the fulfillment of a vital program that satisfies both humanitarian and national security objectives. No refugee is approved for travel to the United States under the current system until the full array of required security vetting measures have been completed. Thus, the substantive result sought through this draft legislation is already embedded into the program. The Administration recognizes the importance of a strong, evolving security screening in our refugee admissions program and devotes considerable resources to continually improving the Nation’s robust security screening protocols. The measures called for in this bill would divert resources from these efforts.

Given the lives at stake and the critical importance to our partners in the Middle East and Europe of American leadership in addressing the Syrian refugee crisis, if the President were presented with H.R. 4038, he would veto the bill.

[From U.S. Committee for Refugees and Immigrants]

SECURITY SCREENING OF REFUGEES ADMITTED TO THE UNITED STATES: A DETAILED, RIGOROUS PROCESS

Resettlement is considered a durable solution for refugees who cannot return to their countries of origin or integrate into the current country that is hosting them. Resettlement to a country like the U.S. presents a life-saving alternative for a very small number of refugees around the world (less than one half of one percent). Refugees seeking resettlement in the United States must pass through a number of steps aimed at ensuring that they will not pose a security risk to the United States.

STEP 1

Refugee Status: In most cases the UN High Commissioner for Refugees (UNHCR) determines that the individual qualifies as a refugee under international law. A refugee is someone who has fled from his or her home country and cannot return because he or she has a well-founded fear of persecution based on religion, race, nationality, political opinion or membership in a particular social group.

STEP 2

Referral to the United States: A refugee that meets one of the criteria for resettlement in the United States is referred to the U.S. government by UNHCR, a U.S. Embassy, or a trained Non-Governmental Organization.

STEP 3

Resettlement Support Center: A Resettlement Support Center (RSC), contracted by the U.S. Department of State, compiles the refugee’s personal data and background information for the security clearance process and to present to the U.S. Department of

Homeland Security (DHS) for an in-person interview.

STEP 4

Security Clearance Process: With information collected by the RSC, a number of security checks are conducted. The State Department runs the names of all refugees referred to the United States for resettlement through a standard CLASS (Consular Lookout and Support System) name check. In addition, enhanced interagency security checks were phased in beginning in 2008 and applied to all refugee applicants by 2010.

STEP 5

Security Clearance Process: Certain refugees undergo an additional security review called a Security Advisory Opinion (SAO). These cases require a positive SAO clearance from a number of U.S. law enforcement and intelligence agencies in order to continue the resettlement process. When required, this step runs concurrently with Step 4.

STEP 6

Security Clearance Process: Refugees who meet the minimum age requirement have their fingerprints and photograph taken by a trained U.S. government employee, usually on the same day as their DHS interview. The fingerprints are then checked against various U.S. government databases and information on any matches is reviewed by DHS.

STEP 7

In-person Interview: All refugee applicants are interviewed by an officer from DHS's U.S. Citizenship and Immigration Services (USCIS). A trained officer will travel to the country of asylum* to conduct a detailed, face-to-face interview with each refugee applicant being considered for resettlement. Based on the information in the refugee's case file and on the interview, the DHS officer will determine if the individual qualifies as a refugee and is admissible under U.S. law.

STEP 8

DHS Approval: If the USCIS officer finds that the individual qualifies as a refugee and meets other U.S. admission criteria, the officer will conditionally approve the refugee's application for resettlement and submit it to the U.S. Department of State for final processing. Conditional approvals become final once the results of all security checks (Steps 4, 5, and 6) have been received and cleared.

STEP 9

Medical Screening: All refugee applicants approved for resettlement in the U.S. are required to undergo medical screening conducted by the International Organization for Migration or a physician designated by the U.S. Embassy.

STEP 10

Matching Refugees with a Sponsor Agency: Every refugee is assigned to a Voluntary Agency in the U.S., such as the U.S. Committee for Refugees and Immigrants (USCRI). USCRI will place refugees with a local partner agency or office that will assist refugees upon their arrival in the U.S.

STEP 11

Cultural Orientation: In addition, refugees approved for resettlement are offered cultural orientation while waiting for final processing, to prepare them for their journey to and initial resettlement in the United States.

STEP 12

Security Clearance Process: Prior to departure to the U.S., a second interagency check is conducted for most refugees to check for

any new information. Refugees must clear this check in order to depart to the U.S.

STEP 13

Admission to the United States: Upon arrival at one of five U.S. airports designated as ports of entry for refugee admissions, a Customs and Border Protection (CBP) officer will review the refugee documentation and conduct additional security checks to ensure that the arriving refugee is the same person who was screened and approved for admission to the United States.

*Note that under limited circumstances, refugee applicants may be interviewed in their home country rather than in a country of asylum.

[From Human Rights First, Nov. 2015]

REFUGEE RESETTLEMENT—SECURITY SCREENING INFORMATION

Refugees to the United States are more stringently screened and vetted than any other group allowed to enter the country.

The U.N. High Commissioner for Refugees first registers refugees, interviews them, takes biometric data and background information. These refugees overwhelmingly women and children have been Ewing in Jordan, Turkey or other frontline refugee-hosting countries for years, struggling to survive. UNHCR has data from its regular interactions with these refugees over the years. Resettlement helps support the stability of nations that are key U.S. allies, as they are straining under the pressure of hosting so many refugees. Only those who pass the U.N. assessment are referred to the United States for resettlement. At least 18,000 have already been through the U.S. process and are awaiting U.S. government consideration and review.

The U.S. government then conducts its own extremely rigorous screening process, including health checks, repeated biometric checks, several layers of biographical and background screening, and in-person interviews by specially-trained officers. Multiple agencies are involved, including the FBI's Terrorist Screening Center, the State Department, the Department of Homeland Security, the National Counterterrorism Center, the Department of Defense and U.S. intelligence agencies. DNS has added an additional country-specific layer of review for Syrian refugee applications, which includes extra screening for national security risks.

Secretary Jeh Johnson outlined this process in Congressional testimony in October 2015: "With regard to the current refugee crisis, the U.S. is committed to providing refuge to some of the world's most vulnerable people, while carefully screening refugees for security concerns before admitting them to the United States. The reality is that, with improvements to the process we have made over time, refugees are subject to the highest level of security checks. DHS works in concert with the Department of State, the Department of Defense, the National Counterterrorism Center, and the FBI's Terrorist Screening Center for the screening and vetting of refugees. The U.S. Government conducts both biographic and biometric checks on refugee applications, including security vetting that takes place at multiple junctures in the application process, and even just before arrival to account for changes in intelligence. All refugees admitted to the United States, including those from Syria, will be subject to this stringent security screening. Acting on my direction, USCIS has developed additional protocols to aid in the identification of security concerns with

regard to the Syrian population, and the entire Department, along with the interagency, is committed to continual improvement of overall security vetting, as new techniques or sources of information are identified."

More specifically, the U.S. refugee vetting process for Syrian refugees includes the following elements as outlined by Department of Homeland Security officials.

Department of Homeland Security Interviews: Refugees are interviewed by DHS-USCIS officers to determine whether or not they can be approved for resettlement to the United States. These interviews are conducted while refugees are still abroad.

Consular Lookout and Watch List Check: Biographic checks are conducted against the State Department's Consular Lookout and Support System (CLASS)—which includes watch list information.

Security Advisory Opinions from Intelligence and Other Agencies: DHS seeks Security Advisory Opinions (SAOs) from law enforcement and intelligence communities for cases that meet certain criteria.

National Counterterrorism Center Checks with Intelligence Agency Support: Interagency checks, known as "IAC's," are conducted with the National Counterterrorism Center (NCTC) for all refugee applicants within a designated age range, regardless of nationality. In addition, expanded intelligence community support was added to the IAC process in July 2010, and recurrent vetting was added in 2015 so that any intervening derogatory information that is identified after the initial check has cleared but before the applicant has traveled to the United States will be provided to DHS.

DHS and FBI Biometric Checks: Fingerprints are screened against the vast biometric holdings of the Federal Bureau of Investigation's Next Generation Identification system, and are screened and enrolled in DHS's Automated Biometric Identification System (IDENT). Through IDENT, the applicant's fingerprints are screened not only against watch list information, but also for previous immigration encounters in the United States and overseas—including cases in which the applicant previously applied for a visa at a U.S. embassy.

Department of Defense Biometric Screening: Biometric screening is also conducted through the Department of Defense (DOD) Automated Biometric Identification System (ABIS). ABIS contains a variety of records, including fingerprint records captured in Iraq. ABIS screening has been expanded to refugee applicants of all nationalities who fall within the prescribed age ranges.

Enhanced Review for Syrian Cases: In addition to the many biometric and biographic checks conducted, DHS-USCIS has instituted additional review of Syrian refugee applications. Before being scheduled for interview by a DHS-USCIS officer (while the refugee is still abroad), Syrian cases are reviewed at DHS-USCIS headquarters. All cases that meet certain criteria are referred to the DHS-USCIS Fraud Detection and National Security Directorate (FDNS) for additional review and research. FDNS conducts open-source and classified research on referred cases and synthesizes an assessment for use by the interviewing officer. This information provides case-specific context relating to country conditions and regional activity, and is used by the interviewing officer to inform lines of inquiry related to the applicant's eligibility and credibility. DHS-USCIS reports that FDNS engages with law enforcement and intelligence community members for assistance with identity

verification and acquisition of additional information.

Additional Screening Checks on Entry: When they travel to the United States, refugees are subject to screening conducted by DHSU.S. Customs and Border Protection's National Targeting Center-Passenger and the Transportation Security Administration's Secure Flight program prior to their admission to the United States, as is the case with all individuals traveling to the United States regardless of immigration program.

ADDITIONAL RESOURCES

The Wall Street Journal in a video outlines the steps a refugee must go through to reach the United States.

The New York Times in an interactive map shows where Syrian refugees currently reside.

David Miliband: "There are many ways to come to the United States. Comparatively the refugee resettlement program is the most difficult short of swimming the Atlantic."

Fran Townsend: "There are no easy answers in Syria, but it's time to stop acting as if the problems there are too hard or too complicated. While we cannot right the wrong of the current poky failure, it is still possible to act now to both alleviate the consequent suffering and mitigate the potential future."

Governor Nikki Haley: "These are people who have protected our troops, these are people who have been persecuted for being Christian . . . these are people who we took in because they were unsafe where they were."

Finally, states cannot unilaterally block resettlement. Governors do not have the legal authority to determine who lives in their states. When refugees are legally admitted to the United States they have the right to move freely throughout the country.

Mr. MCGOVERN. Mr. Speaker, I do want to say one thing. It strikes me, as we are having this debate here, that I can't help but take note of their response in France toward the Syrian refugees. Yesterday, French President Francois Hollande promised to honor his commitment to take in tens of thousands of refugees, welcoming 30,000 refugees over the next 2 years. That is 6,000 more than he committed to in September. He also announced \$53.3 million to develop housing for refugees. We have all invoked the terrible tragedy that happened in France. Let's follow France's example and be a secure shelter for those most in need.

As I listen to the debate here, one of the troubling things to me is that there doesn't ever seem to be a tragedy that my friends on the other side of the aisle don't want to exploit for political gain, and I think today is no exception. A horrendous terrorist attack happened in Paris, an attack that has shocked the entire world. This is being used as an excuse to pass what I consider an ugly bill because this would shut down a refugee resettlement for Syrians and Iraqis.

This bill is aimed at fueling fear rather than protecting the American people. We have an exhaustive screening process for refugees already in

place. It takes years for a refugee from Syria to be able to be admitted to the United States—years. Can we improve the system? Absolutely. But the opportunity to do that requires us to consult with one another and to put the results ahead of political gain. But that is not what happened. We had a bill before the Rules Committee that never went through committee, that never was marked up, the content of which was not shared with the Democrats, and a lot of Republicans were locked out of the process. Here we are with a political document more than something that is going to do anything to help these people fleeing violence or help enhance our security. Now, that might be a nice sound bite in your next campaign, but it is an awful thing to do to a group of people fleeing war and terror.

Who are these people? They are, as the President stated, widows and orphans mostly. They are old people trying to be reunited with distant family members in the United States. They are people who are fleeing for their lives and who are fleeing the worst terror imaginable. That used to mean something in this Chamber. We used to care about these things in a bipartisan way. Apparently, no more.

This Congress is losing its humanity. Here is the deal: we are behaving in a way that I think reinforces what the terrorists are trying to communicate to the rest of the world, which is that somehow we don't care about people from certain parts of the world or we don't care about people who happen to be Muslim. We have had a lot of people on the other side of the aisle who have talked about we ought to have a religious test here and very little condemnation in response to that from my friends on the other side of the aisle.

Mr. Speaker, last night in the Rules Committee, my Republican friends said that all we are doing is responding to public opinion. Our job is to be more than just a political weathervane. We have an obligation to make sure that we state the facts—the real facts. We have an obligation to tell the truth. We have an obligation to help put issues in perspective. And, in short, we have an obligation to lead on issues like this and not be so jittery to pursue policies that we all know are wrong.

So we are here with a bill that my friends say is so important that there could be no hearings and no markup on, a bill that is so important that there could be no consultation on, a bill that is so important that nobody can offer an amendment on, and we have a bill that is coming before us in an absolutely closed process.

Let me just close by expressing my deep frustration with this place and how it is being run. For some time now, I have watched as my Republican friends have regularly turned their backs on the most vulnerable popu-

lations. There is no more vulnerable population—no more vulnerable group of people on this planet—than refugees fleeing god-awful war and terror. Yet, today, they are being thrown under the bus for political gain. They are being demonized. They are being characterized as terrorists. Young children, 3-year-old girls, widowed mothers, and grandmothers are being demonized as terrorists.

□ 1030

And for what? The American people, I think, expect more from us. What we are doing here today is not about protecting the American people. It is not about helping people fleeing war and violence. This is political. That makes what is happening here today not only disappointing but, I would say, disgusting.

I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I share many times the frustration my friend from Massachusetts has about this place. When I look at what is going on today, my frustration, frankly, on the floor here has probably grown, considering that we talk about everything else except what the bill actually does. We throw up every picture of everything.

I am not sure at what point today—and I can go back through my remarks. I am not sure where I ever disparaged a refugee, ever said that the inhumanity and suffering that is going on because of a bunch of thugs called the Islamic State, that these folks do not need to have a place to go or humanitarian help, which America has led on from the beginning. It is easy to say that.

As the gentleman is fond of saying, Mr. Speaker, it makes political points. Well, the same is true for him and true for our folks across the aisle. It makes political points for them. The problem is it is not in the bill. The problem is it is adding an extra layer.

There has been discussion here today about the political whims. Look, I believe that what is happening right now is a test of two things: thermometers and thermostats.

This administration is a pretty good thermometer. They will look out and tell you what they believe the temperature is, and they react to the world opinion.

I believe today the Republican majority is acting as a thermostat and moving the temperature and moving the awareness. Because I do not believe that an event could be ignored if it is not being used. It is saying there is a warning sign. It is like a warning sign on your vehicle. You can ignore it, and when it breaks down, you wonder what happened; or you can say, here is a warning sign, here is what is going on in the world.

All we are asking for is certification from our highest officials in security to say these folks have another level of check so that we can ensure our homeland is protected.

One attack on American soil is too many. The Islamic State has been clear in their desire to bring America to her knees. The underlying legislation won't change that. But as the chairman of the Judiciary Committee stated last night, it will put this administration on notice that Congress will not be silent.

We will take up the national security mantle that this White House has so carelessly disregarded. In the weeks ahead, you can expect this body to bring forward additional legislation reforming both our refugee and visa waiver programs.

There is no loophole or vulnerability that ISIS won't seek to use to kill and destroy, and there is no loophole or vulnerability the House Republicans aren't committed and determined to fix, and I desperately ask my friends across the aisle to join us.

Our Nation is a beacon of freedom and hope, and no force of evil will ever change that. No terrorist will ever cause Republicans in this body to shy away from our duty to our citizens or our duty to the world, and for that I believe both sides need to come together.

The President stated ISIS is the JV. I believe the families and loved ones of the recent attacks on an airplane in Paris would not say that, in fact, would say otherwise.

The administration's refusal to look the Islamic State in the eye and declare with a resounding voice that they will be defeated is devastating, but it isn't the end. Where this White House has failed, Congress will succeed. We will work tirelessly to restore the faith and trust of the American people. We will replace political posturing with policy priorities dealing with our national security, as opposed to those of a more liberal strategy that we have heard today.

Look, I know my friends across the aisle share the same heart. We grieve the lives lost. We grieve for those who are caught up in war and caught up in the devastating attacks by a group of people who, frankly—ISIS—have no soul. They are blank. Because if you are agreeable to do the atrocities that they are doing, you just have no part in a civilized world. You have no part in being acknowledged except for the animals that you are.

I recognize they are in an impossible position of choosing either the safety of their constituents or the political strategy of the President—I understand that—across the aisle.

My hope is that today—today—will be different, that we don't take the easy “no” vote, that we will have the moral courage to make the decision

that says “no” to terrorism and “yes” to the American people, a vote that will ensure that our country remains a safe haven for those the rest of the world has abandoned.

Again, let me repeat this again, because it has been said. I guess if we say it enough, we believe it to be true.

This does not stop the program. It simply says that, until we can certify, we are going to make sure that there is an extra level of protection for the people. It does not shut the program down.

A vote in support of this rule and for H.R. 4038 is what we need. And after we bow our heads in thanks next week, filled with gratitude for those who have gone before, we will return with renewed commitment to further reforms.

Evil will not win. ISIS will not win. With the steadfast spirit and courage of conviction of those who came before, those who gave their lives, we will not let the torch of freedom go out on our watch, and we will continue to fight for those in our country, for their safety, our sons and daughters, as we continue this fight.

Ms. JACKSON LEE. Mr. Speaker, I rise today to speak in opposition to the rule governing debate on this bill and the underlying bill H.R. 4038, the “American Security Against Enemies Act of 2015” (America SAFE Act).

This bill represents a rush to judgement.

It has been rushed to the floor without the regular order deliberative process promised by the House Leadership.

H.R. 4038 was introduced on Tuesday, November 17, 2015, in violation of House Rules, without consideration or review by the House oversight committees.

Today, November 19, 2015 it is on the floor for debate and votes.

This bill does not further the national security interest of our country—in fact it harms those interests.

The United States does have an urgent need to deal with the humanitarian crisis that is unfolding in the wake of ISIS/ISIL aggression in Syria and Iraq.

There are 60 million displaced persons because of the war.

The Syrian/Iraqi conflict has claimed over 240,000 lives.

Mr. Speaker, this bill is written as if no process exists for vetting Iraqi or Syrian refugees.

In fact a very rigorous process is in place that has been honed over the past several years by intelligence and law enforcement agencies.

They have established and perfected an intense form of screening for Syrians called the “Syrian Enhanced Review.”

The American SAFE Act requires a FBI background check for every refugee from Iraq and Syria who applies for asylum in the United States, when a much better process is in place that requires the intelligence agencies and the Department of Defense to vet applicants.

This bill provides that no refugee from Iraq or Syria can be granted asylum in the United States unless the Director of the FBI, the Secretary of the Department of Homeland Secu-

rity, and the Director of National Intelligence each make an independent determination and concur unanimously that the applicant for asylum poses no threat to the national security of the United States.

The FBI is a domestic law enforcement agency—they have an international presence, but their focus is domestic.

The agencies with an international focus such as the State Department, DoD, and intelligence agencies under the leadership of DHS are the experts.

The House process for the consideration and deliberation of legislation is intended to prevent bad bills from coming to the floor for a vote.

This bill was drafted in haste—in application it would require a 5 year old child who is Syrian to have to get the FBI, DHS, DoD, and DNI to agree that she poses no threat to the United States or its people.

This bill is doing damage to our nation's foreign policy interest by sending a signal to our allies, who are doing much more than the United States is doing to relieve the suffering of Syrian refugees, while also facing the threat of terrorism every day.

Mr. Speaker, let me commend Homeland Security Committee Chairman MCCAUL, the lead sponsor of the bill before us, with whom I have worked closely and reached agreement on many matters critical to the security of our homeland.

Homeland Security Committee Chairman MCCAUL, Ranking Member THOMPSON and Judiciary Committee Subcommittee on Immigration Ranking Member LOFGREN are dedicated public servants whose actions are always motivated by their commitment to keep our nation safe and secure.

This bill is purported by supporters as not stopping the refugee process for Iraq and Syria.

The bill in its language does stop the process—some like to call it a pause, but is a dead stop in the processing of applications from Iraqi and Syrian refugees.

They have not read the bill or they do not understand the consequences of the language that requires certification by the FBI, DHS, DoD, and DNI that a refugee poses no threat” in the legislation if they believe that this bill would not end the refugee process for Iraqi and Syrian applicants.

The bill calls for 100% certification by the FBI, DHS, DoD, and DNI that no refugee is a threat.

No professional security or law enforcement professional will give anyone a 100% guarantee about anything.

They will not provide a 100% guarantee because they believe that something or someone is a threat—they will not provide a guarantee because it is grossly unprofessional to do so and we should never ask them to do this.

On its face H.R. 4038 would end any hope of asylum in the United States for any refugee from Iraq or Syria.

The U.S. screening process in place is focused upon applications from women with children, orphans, the seriously ill and the elderly.

Mr. Speaker, H.R. 4038 is not necessary at this time because our nation already has in place the world's most rigorous screening process for refugees seeking asylum.

Mr. Speaker, there are other alternatives to the draconian approach of H.R. 4038, takes such as the bill introduced by Ranking Members THOMPSON and LOFGREN.

The President is another solution for those who seek reassurance that every precaution is being taken—he is in a position to certify to the Congress and the American people that the process is prudent and careful in its actions regarding refugees seeking entrance into the United States.

It is helpful to recount briefly the critical elements of that screening process.

Every applicant for asylum must:

1. register with the United Nations High Commissioner for Refugees;
2. provide background information, including what caused him or her to flee their home country (a ready means of comparing information provided by more than one million refugees to further verify the validity of the information provided);
3. meet one of five legal qualifications: threat of violence based on race, religion or faith or national origin; political beliefs; or membership in a targeted social group.
4. undergo a rigorous background check during which investigators fact-check the refugee's biography to ensure consistency with published or documented reports of events such as bombings or other violence;
5. be subjected to biometric tests conducted by the Department of Defense, in conjunction with other federal agencies (the U.S. military has an extensive biometric data base on Iraqis from its time in Iraq); and
6. sit for intensive in-person interviews, which may take months or years before they are conducted.

If, during the screening process, a person from Syria gives responses that raise red flags he or she is selected for more intense examination by U.S. intelligence agencies.

The process for those refugees from the conflict area who have entered the United States began with the High Commissioner for Refugees who referred 22,000 applicants to the United States for consideration.

The United States through its process only allowed 7,000 for further consideration for admittance and in its final decision permitted 2,000 individuals to be cleared for entrance into the country.

The demographic breakdown of those Syrians who have been approved for refugee status to come to the United States is as follows: children, 50%; persons over the age of 60, 25%; combat age males, 2%.

H.R. 4038 has come to the floor too fast for such a serious decision and without considering the arduous process that is in place to screen all refugees, not just those from Iraq and Syria.

The last thing a terrorist would want is to be a refugee—living in the harsh environment of a refugee camp for two years.

Refugees are the victims of terrorists—ISIS/ISIL does not love them—they want to murder every last one of them, because they will not bow to them.

This rule for this bill troubles me because it has been constructed on tools that allow Congress to act during times of crisis or emergencies.

Mr. Speaker a 2-year process does not pose any emergency by any definition that can be devised.

I cannot support this bill, but I am committed to working with my colleagues on both sides of the aisle to find common ground.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 531 OFFERED BY
MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following new sections:

SEC 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4079) to require that supplemental certifications and identity verifications be completed prior to the admission of refugees. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 4079.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a

vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLLINS of Georgia. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 243, nays 182, not voting 8, as follows:

[Roll No. 638]

YEAS—243

Abraham	Blackburn	Calvert
Aderholt	Blum	Carter (GA)
Allen	Bost	Carter (TX)
Amash	Boustany	Chabot
Amodei	Brady (TX)	Chaffetz
Babin	Brat	Clawson (FL)
Barletta	Bridenstine	Coffman
Barr	Brooks (AL)	Cole
Barton	Brooks (IN)	Collins (GA)
Benishek	Buchanan	Collins (NY)
Billirakis	Buck	Comstock
Bishop (MI)	Bucshon	Conaway
Bishop (UT)	Burgess	Cook
Black	Byrne	Costello (PA)

Cramer	Jordan	Ribble	Heck (WA)	Maloney,	Sánchez, Linda	Ellmers (NC)	Labrador	Roe (TN)
Crawford	Joyce	Rice (SC)	Higgins	Carolyn	T.	Emmer (MN)	LaHood	Rogers (AL)
Crenshaw	Katko	Rigell	Himes	Maloney, Sean	Sanchez, Loretta	Farenthold	LaMalfa	Rogers (KY)
Culberson	Kelly (MS)	Roby	Honda	Matsui	Sarbanes	Fincher	Lamborn	Rohrabacher
Curbelo (FL)	Kelly (PA)	Roe (TN)	Hoyer	McCollum	Schakowsky	Fitzpatrick	Lance	Rokita
Davis, Rodney	King (IA)	Rogers (AL)	Huffman	McDermott	Schiff	Fleischmann	Latta	Rooney (FL)
Denham	King (NY)	Rogers (KY)	Israel	McGovern	Schrader	Fleming	LoBiondo	LoBiondo
Dent	Kinzing (IL)	Rohrabacher	Jackson Lee	McNerney	Scott (VA)	Flores	Long	Roskam
DeSantis	Kline	Rokita	Jeffries	Meeks	Scott, David	Forbes	Loudermilk	Ross
DesJarlais	Knight	Rooney (FL)	Knight	Meng	Serrano	Fortenberry	Love	Rothfus
Diaz-Balart	Labrador	Ros-Lehtinen	Johnson, E. B.	Moore	Sewell (AL)	Fox	Lucas	Rouzer
Dold	LaHood	Roskam	Kaptur	Moulton	Sherman	Franks (AZ)	Luettkemeyer	Royce
Donovan	LaMalfa	Ross	Keating	Murphy (FL)	Sinema	Frelinghuysen	Lummis	Russell
Duffy	Lamborn	Rothfus	Kelly (IL)	Nadler	Sires	Garrett	MacArthur	Salmon
Duncan (SC)	Lance	Rouzer	Kennedy	Napolitano	Slaughter	Gibbs	Marchant	Sanford
Duncan (TN)	Latta	Royce	Kildee	Neal	Smith (WA)	Gibson	Marino	Scalise
Ellmers (NC)	LoBiondo	Russell	Kilmer	Nolan	Speier	Gohmert	Massie	Schweikert
Emmer (MN)	Long	Salmon	Kind	Norcross	Swalwell (CA)	Goodlatte	McCarthy	Scott, Austin
Farenthold	Loudermilk	Sanford	Kirkpatrick	O'Rourke	Takano	Gosar	McCaul	Sensenbrenner
Fincher	Love	Scalise	Kuster	Pallone	Thompson (CA)	Gowdy	McClintock	Sessions
Fitzpatrick	Lucas	Schweikert	Langevin	Pascrell	Thompson (MS)	Granger	McHenry	Shimkus
Fleischmann	Luettkemeyer	Scott, Austin	Larsen (WA)	Payne	Titus	Graves (GA)	McKinley	Shuster
Fleming	Lummis	Sensenbrenner	Larson (CT)	Pelosi	Tonko	Graves (LA)	McMorris	Simpson
Flores	MacArthur	Sessions	Lawrence	Perlmutter	Torres	Graves (MO)	Rodgers	Smith (MO)
Forbes	Marchant	Shimkus	Lee	Peters	Tsongas	Griffith	McSally	Smith (NE)
Fortenberry	Marino	Shuster	Levin	Peterson	Van Hollen	Grothman	Meadows	Smith (NJ)
Fox	Massie	Simpson	Lewis	Pingree	Vargas	Guinta	Meehan	Smith (TX)
Franks (AZ)	McCarthy	Smith (MO)	Lieu, Ted	Pocan	Veasey	Guthrie	Messer	Stefanik
Frelinghuysen	McCaul	Smith (NE)	Lipinski	Polis	Vela	Hanna	Mica	Stewart
Garrett	McClintock	Smith (NJ)	Loeb sack	Price (NC)	Velázquez	Hardy	Miller (FL)	Stivers
Gibbs	McHenry	Smith (TX)	Lofgren	Quigley	Visclosky	Harper	Miller (MI)	Stutzman
Gibson	McKinley	Stefanik	Lowenthal	Rangel	Walz	Harris	Moolenaar	Thompson (PA)
Gohmert	McMorris	Stewart	Lowe y	Rice (NY)	Wasserman	Hartzler	Mooney (WV)	Thornberry
Goodlatte	Rodgers	Stivers	Lujan Grisham	Richmond	Schultz	Heck (NV)	Mullin	Tiberi
Gosar	McSally	Stutzman	(NM)	Roybal-Allard	Waters, Maxine	Hensarling	Mulvaney	Tipton
Granger	Meadows	Thompson (PA)	Lujan, Ben Ray	Ruiz	Welch	Herrera Beutler	Murphy (PA)	Trott
Graves (GA)	Meehan	Thornberry	(NM)	Rush	Wilson (FL)	Hice, Jody B.	Neugebauer	Turner
Graves (LA)	Messer	Tiberi	Lynch	Ryan (OH)	Yarmuth	Hill	Newhouse	Upton
Graves (MO)	Mica	Tipton	DeFazio	Hinojosa	Watson Coleman	Holding	Noem	Valadao
Griffith	Miller (FL)	Trott	Ellison	Ruppersberger	Williams	Hudson	Nugent	Wagner
Grothman	Miller (MI)	Turner	Gowdy	Takai		Huelskamp	Nunes	Walberg
Guinta	Moolenaar	Upton				Huizenga (MI)	Olson	Walden
Guthrie	Mooney (WV)	Valadao				Hultgren	Palazzo	Walker
Hanna	Mullin	Wagner				Hunter	Palmer	Walorski
Hardy	Mulvaney	Walberg				Hurd (TX)	Paulsen	Walters, Mimi
Harper	Murphy (PA)	Walden				Hurt (VA)	Palmer	Weber (TX)
Harris	Neugebauer	Walker				Issa	Pearce	Webster (FL)
Hartzler	Newhouse	Walorski				Jenkins (KS)	Perry	Webster (FL)
Heck (NV)	Noem	Walters, Mimi				Jenkins (KS)	Pittenger	Wenstrup
Hensarling	Nugent	Weber (TX)				Jenkins (WV)	Pitts	Westerman
Herrera Beutler	Nunes	Webster (FL)				Johnson (OH)	Poe (TX)	Westmoreland
Hice, Jody B.	Olson	Wenstrup				Johnson, Sam	Poliquin	Whitfield
Hill	Palazzo	Westerman				Jolly	Pompeo	Wilson (SC)
Holding	Palmer	Westmoreland				Jordan	Posey	Wittman
Hudson	Paulsen	Whitfield				Joyce	Price, Tom	Womack
Huelskamp	Pearce	Wilson (SC)				Katko	Ratcliffe	Woodall
Huizenga (MI)	Perry	Wittman				Kelly (MS)	Reed	Yoder
Hultgren	Pittenger	Womack				Kelly (PA)	Reichert	Yoho
Hunter	Pitts	Woodall				King (IA)	Renacci	Young (AK)
Hurd (TX)	Poe (TX)	Yoder				King (NY)	Ribble	Young (IA)
Hurt (VA)	Poliquin	Yoho				Kinzing (IL)	Rice (SC)	Young (IN)
Issa	Pompeo	Young (AK)				Kline	Rigell	Zeldin
Jenkins (KS)	Posey	Young (IA)				Knight	Roby	Zinke
Jenkins (WV)	Price, Tom	Young (IN)						
Johnson (OH)	Ratcliffe	Zincke						
Johnson, Sam	Reed							
Jolly	Reichert							
Jones	Renacci							

NOT VOTING—8

□ 1103

Ms. BROWNLEY of California changed her vote from “yea” to “nay.”

Mr. BROOKS of Alabama changed his vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 242, noes 183, not voting 8, as follows:

[Roll No. 639]

AYES—242

NAYS—182

Adams	Castro (TX)	Dingell
Aguilar	Chu, Judy	Doggett
Ashford	Cioccilino	Doyle, Michael F.
Bass	Clark (MA)	
Beatty	Clarke (NY)	Duckworth
Becerra	Clay	Edwards
Bera	Cleaver	Engel
Beyer	Clyburn	Eshoo
Bishop (GA)	Cohen	Esty
Blumenauer	Connolly	Farr
Bonamici	Conyers	Fattah
Boyle, Brendan F.	Cooper	Foster
Brady (PA)	Costa	Frankel (FL)
Brown (FL)	Courtney	Fudge
Brownley (CA)	Crowley	Gabbard
Bustos	Cuellar	Galleo
Butterfield	Cummings	Garamendi
Capps	Davis (CA)	Graham
Capuano	Davis, Danny	Grayson
Cárdenas	DeGette	Green, Al
Carney	Delaney	Green, Gene
Carson (IN)	DeLauro	Grijalva
Cartwright	DelBene	Gutiérrez
Castor (FL)	DeSaulnier	Hahn
	Deutch	Hastings

Abraham	Brat	Conaway
Aderholt	Bridenstine	Cook
Allen	Brooks (IN)	Costello (PA)
Amash	Buchanan	Cramer
Amodei	Buck	Crawford
Babin	Bucshon	Crenshaw
Babinetta	Burgess	Culberson
Barr	Byrne	Curbelo (FL)
Barton	Calvert	Davis, Rodney
Benishak	Carter (GA)	Denham
Bilirakis	Carter (TX)	Dent
Bishop (MI)	Chabot	DeSantis
Bishop (UT)	Chaffetz	DesJarlais
Black	Clawson (FL)	Diaz-Balart
Blackburn	Coffman	Dold
Blum	Cole	Donovan
Bost	Collins (GA)	Duffy
Boustany	Collins (NY)	Duncan (SC)
Brady (TX)	Comstock	Duncan (TN)

NOES—183

Adams	Clay	Frankel (FL)
Aguilar	Cleaver	Fudge
Ashford	Clyburn	Gabbard
Bass	Connolly	Galleo
Beatty	Conyers	Garamendi
Becerra	Cooper	Graham
Bera	Costa	Grayson
Beyer	Courtney	Green, Al
Bishop (GA)	Crowley	Green, Gene
Blumenauer	Cuellar	Grijalva
Bonamici	Cummings	Gutiérrez
Boyle, Brendan F.	Davis (CA)	Hahn
Brady (PA)	Davis, Danny	Hastings
Brooks (AL)	DeGette	Heck (WA)
Brown (FL)	Delaney	Higgins
Brownley (CA)	DeLauro	Himes
Bustos	DelBene	Honda
Butterfield	DeSaulnier	Hoyer
Capps	Deutch	Huffman
Capuano	Dingell	Israel
Cárdenas	Doggett	Jackson Lee
Carney	Doyle, Michael F.	Jeffries
Carson (IN)	Duckworth	Johnson (GA)
Cartwright	Edwards	Johnson, E. B.
Castor (FL)	Engel	Jones
Chu, Judy	Eshoo	Kaptur
Cioccilino	Esty	Keating
Clark (MA)	Farr	Kelly (IL)
Clarke (NY)	Fattah	Kennedy
	Foster	Kildee
		Kilmer

Kind	Murphy (FL)	Scott (VA)
Kirkpatrick	Nadler	Scott, David
Kuster	Napolitano	Serrano
Langevin	Neal	Sewell (AL)
Larsen (WA)	Nolan	Sherman
Larson (CT)	Norcross	Sinema
Lawrence	O'Rourke	Sires
Lee	Pallone	Slaughter
Levin	Pascrell	Smith (WA)
Lewis	Payne	Speier
Lieu, Ted	Pelosi	Swailwell (CA)
Lipinski	Perlmutter	Takano
Loeback	Peters	Thompson (CA)
Lofgren	Peterson	Thompson (MS)
Lowenthal	Pingree	Titus
Lowe	Pocan	Tonko
Lujan Grisham	Polis	Torres
(NM)	Price (NC)	Tsongas
Luján, Ben Ray	Quigley	Van Hollen
(NM)	Rangel	Vargas
Lynch	Rice (NY)	Veasey
Maloney,	Richmond	Vela
Carolyn	Roybal-Allard	Velázquez
Maloney, Sean	Ruiz	Visclosky
Matsui	Rush	Walz
McCollum	Ryan (OH)	Wasserman
McDermott	Sánchez, Linda	Schultz
McGovern	T.	Waters, Maxine
McNerney	Sanchez, Loretta	Welch
Meeks	Sarbanes	Wilson (FL)
Meng	Schakowsky	Yarmuth
Moore	Schiff	
Moulton	Schrader	

NOT VOTING—

Cohen	Hinojosa	Watson Coleman
DeFazio	Ruppersberger	Williams
Ellison	Takai	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1111

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FED OVERSIGHT REFORM AND MODERNIZATION ACT OF 2015

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the bill (H.R. 3189) to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes, will now resume.

The Clerk read the title of the bill.

MOTION TO RECOMMIT

Ms. MATSUI. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. MATSUI. I am opposed to it in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Matsui moves to recommit the bill H.R. 3189 to the Committee on Financial Services with instructions to report the

same back to the House forthwith with the following amendment:

Page 43, line 25, strike the quotation marks and final period and insert after such line the following:

“(H) TREATMENT OF CERTAIN COMPANIES.—The Board shall seek to ensure that any company convicted of any felony or misdemeanor or that has been made subject to any judicial or administrative decree or order arising out of misconduct that harms the financial health of seniors is prohibited from receiving a loan or other financial assistance under this paragraph, if the Board determines such prohibition is in the nation's economic interest.”.

Ms. MATSUI (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 5 minutes.

□ 1115

Ms. MATSUI. Mr. Speaker, this is the final amendment to the bill which would not kill the bill or send it back to committee. If adopted, the bill would immediately proceed to final passage, as amended.

Mr. Speaker, I rise today in support of the motion to recommit to H.R. 3189, which will ensure that seniors will be protected from losing their hard-earned benefits to deceitful financial companies found to engage in harmful activity. Financial companies that put earnings ahead of the needs of our seniors should not be allowed to participate in any emergency lending program or facility established by the Federal Reserve.

While Republicans try to put their special interest friends first, the Democratic motion to recommit would ensure that financial companies found to engage in activity that harms seniors' financial health and stability are prevented from participating in any emergency lending program or facility established by the Federal Reserve.

Our motion to recommit would stop rewarding unsavory financial institutions that abuse the trust and harm the financial health of America's seniors.

America's seniors, who have spent their lives working to provide for their families, deserve to retire with dignity and live without fear of being stripped of financial security due to the actions of predatory financial institutions. Yet, House Republicans are willing to grant these shady financial companies access to emergency resources established by the Federal Reserve.

We need to adopt this motion to recommit to send a strong signal to predatory financial entities across this country that putting profits ahead of people will not be rewarded by the U.S. Government.

I am co-chair of the Democratic Congressional Task Force on Seniors, and I

am committed to protecting the well-being of older Americans and ensuring that those who work hard and play by the rules receive a dignified and secure retirement.

In addition to protecting hard-earned benefits like Social Security and Medicare, we also need to ensure that vulnerable seniors are not the subject of predatory lending that further puts them at risk for economic security.

According to the Consumer Financial Protection Bureau, older Americans are particularly vulnerable to bad actors who seek to defraud them, take advantage of their hard-earned retirement savings, or push them into taking on financial products or services—like a reverse mortgage—that they may not want or need.

Roughly 1 million older Americans lose an estimated \$2.6 billion annually as a result of financial abuse according to a MetLife study entitled, “Broken Trust: Elders, Family and Finances.” This is unacceptable.

As older Americans age, we have an obligation to ensure that they are not an easy target for financial companies peddling predatory financial products and services.

Mr. Speaker, I urge all my colleagues to vote in favor of this motion to recommit. By voting for this motion to recommit, Members can make clear whose side they are on, whether it be in favor of protecting our vulnerable seniors or in favor of protecting dishonest financial companies that seek to do them harm.

Mr. Speaker, I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, I claim the time in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Speaker, I find the motion to recommit to be most ironic. For the Members who were here for the debate on the underlying FORM Act yesterday, all we heard from the other side of the aisle is you cannot direct the Federal Reserve to do anything; you are imposing upon their independence. And yet we have a motion to recommit that does exactly what they argued against yesterday. That is irony number one, Mr. Speaker.

The second irony about the motion to recommit is nothing has hurt seniors more than having 7 years straight of zero percent interest rates. It is seniors who know that when you are young you work for your money, and when you are old you expect your money to work for you. Their money is not working for them because we have had 7 years of artificially low interest rates. Real interest rates of zero.

If we want to help our seniors, what we need is a monetary policy that is more predictable, that is more rules based, which is exactly what the FORM

Act does. The American people want a healthier economy. They want a government that is transparent and accountable to them, and that includes the Federal Reserve. They cannot continue to cloak their prudential regulatory policies behind their monetary policies. We don't need our central bankers to become our central planners, but we need a monetary policy that works for seniors.

For a healthier economy, for a government that is transparent and accountable to "we, the people," we need to vote down the motion to recommit. Vote for the FORM Act.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. MATSUI. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 242, not voting 9, as follows:

[Roll No. 640]

AYES—182

Adams	Cummings	Jackson Lee
Aguilar	Davis (CA)	Jeffries
Ashford	Davis, Danny	Johnson (GA)
Bass	DeGette	Johnson, E. B.
Beatty	Delaney	Jones
Becerra	DeLauro	Kaptur
Bera	DelBene	Keating
Beyer	DeSaulnier	Kelly (IL)
Bishop (GA)	Deutch	Kennedy
Blumenauer	Dingell	Kildee
Bonamici	Doggett	Kilmer
Boyle, Brendan F.	Doyle, Michael F.	Kind
Brady (PA)	Duckworth	Kirkpatrick
Brown (FL)	Edwards	Kuster
Brownley (CA)	Engel	Langevin
Bustos	Eshoo	Larsen (WA)
Butterfield	Esty	Larson (CT)
Capps	Farr	Lawrence
Capuano	Fattah	Lee
Cárdenas	Foster	Levin
Carney	Frankel (FL)	Lewis
Carson (IN)	Fudge	Lieu, Ted
Cartwright	Gabbard	Lipinski
Castor (FL)	Gallego	Loeb sack
Castro (TX)	Garamendi	Lofgren
Chu, Judy	Grayson	Lowenthal
Cicilline	Green, Al	Lowery
Clark (MA)	Green, Gene	Lujan Grisham
Clarke (NY)	Grijalva	(NM)
Clay	Gutiérrez	Lujan, Ben Ray
Cleaver	Hahn	(NM)
Clyburn	Hastings	Lynch
Cohen	Heck (WA)	Maloney,
Connolly	Higgins	Carolyn
Conyers	Himes	Maloney, Sean
Cooper	Honda	Matsui
Costa	Hoyer	McCollum
Courtney	Huffman	McDermott
Crowley	Israel	McGovern
Cuellar		McNerney
		Meeks

Meng	Rice (NY)	Speier
Moore	Richmond	Swalwell (CA)
Moulton	Roybal-Allard	Takano
Murphy (FL)	Ruiz	Thompson (CA)
Nadler	Rush	Thompson (MS)
Napolitano	Ryan (OH)	Titus
Neal	Sánchez, Linda T.	Tonko
Nolan	Sanchez, Loretta	Torres
Norcross	Sarbanes	Tsongas
Pallone	Schakowsky	Van Hollen
Pascarell	Schiff	Vargas
Payne	Schrader	Veasey
Pelosi	Scott (VA)	Vela
Perlmutter	Scott, David	Velázquez
Peters	Serrano	Visclosky
Peterson	Sewell (AL)	Walz
Pingree	Sherman	Wasserman
Pocan	Sinema	Schultz
Polis	Sires	Waters, Maxine
Price (NC)	Slaughter	Welch
Quigley	Smith (WA)	Wilson (FL)
Rangel		Yarmuth

NOES—242

Abraham	Garrett	McMorris
Aderholt	Gibbs	Rodgers
Allen	Gibson	McSally
Amash	Gohmert	Meadows
Amodei	Goodlatte	Meehan
Babin	Gosar	Messer
Barletta	Gowdy	Mica
Barr	Granger	Miller (FL)
Barton	Graves (GA)	Miller (MI)
Benishek	Graves (LA)	Moolenaar
Bilirakis	Graves (MO)	Mooney (WV)
Bishop (MI)	Griffith	Mullin
Bishop (UT)	Grothman	Mulvaney
Black	Guinta	Murphy (PA)
Blackburn	Guthrie	Neugebauer
Blum	Hanna	Newhouse
Bost	Hardy	Noem
Boustany	Harper	Nugent
Brady (TX)	Harris	Nunes
Brat	Hartzler	O'Rourke
Bridenstine	Heck (NV)	Olson
Brooks (AL)	Hensarling	Palazzo
Brooks (IN)	Herrera Beutler	Palmer
Buchanan	Hice, Jody B.	Paulsen
Buck	Hill	Pearce
Bucshon	Holding	Perry
Burgess	Hudson	Pittenger
Byrne	Huelskamp	Pitts
Calvert	Huizenga (MI)	Poe (TX)
Carter (GA)	Hultgren	Poliquin
Carter (TX)	Hunter	Pompeo
Chabot	Hurd (TX)	Posey
Chaffetz	Hurt (VA)	Price, Tom
Clawson (FL)	Issa	Ratcliffe
Coffman	Jenkins (KS)	Reed
Cole	Jenkins (WV)	Reichert
Collins (GA)	Johnson (OH)	Renacci
Collins (NY)	Johnson, Sam	Ribble
Comstock	Jolly	Rice (SC)
Conaway	Jordan	Rigell
Cook	Joyce	Roby
Costello (PA)	Katko	Roe (TN)
Cramer	Kelly (MS)	Rogers (AL)
Crawford	Kelly (IA)	Rogers (KY)
Crenshaw	King (IA)	Rohrabacher
Culberson	King (NY)	Rokita
Curbelo (FL)	Kinzing (IL)	Rooney (FL)
Davis, Rodney	Kline	Ros-Lehtinen
Denham	Knight	Ross
Dent	Labrador	Rothfus
DeSantis	LaHood	Rouzer
DesJarlais	LaMalfa	Russell
Diaz-Balart	Lamborn	Salmon
Dold	Lance	Sanford
Donovan	Latta	Scalise
Duffy	LoBiondo	Schweikert
Duncan (SC)	Long	Scott, Austin
Duncan (TN)	Loudermilk	Sensenbrenner
Ellmers (NC)	Love	Sessions
Emmer (MN)	Lucas	Shimkus
Farenthold	Luetkemeyer	Shuster
Fincher	Lummis	Simpson
Fitzpatrick	MacArthur	Smith (MO)
Fleischmann	Marchant	Smith (NE)
Fleming	Marino	Smith (NJ)
Flores	Massie	Smith (TX)
Forbes	McCarthy	Stefanik
Fortenberry	McCaull	Stewart
Fox	McClintock	Stivers
Franks (AZ)	McHenry	Stutzman
Frelinghuysen	McKinley	Thompson (PA)

Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden

Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)

Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—9

DeFazio	Roskam	Takai
Ellison	Royce	Watson Coleman
Hinojosa	Ruppersberger	Williams

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1128

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. WATERS of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 185, not voting 7, as follows:

[Roll No. 641]

AYES—241

Abraham	Curbelo (FL)	Hice, Jody B.
Aderholt	Davis, Rodney	Hill
Allen	Denham	Holding
Amash	Dent	Hudson
Amodei	DeSantis	Huelskamp
Babin	DesJarlais	Huizenga (MI)
Barletta	Diaz-Balart	Hultgren
Barr	Dold	Hunter
Barton	Duffy	Hurd (TX)
Benishek	Duncan (SC)	Hurt (VA)
Bilirakis	Duncan (TN)	Issa
Bishop (MI)	Ellmers (NC)	Jenkins (KS)
Bishop (UT)	Emmer (MN)	Jenkins (WV)
Black	Farenthold	Johnson (OH)
Blackburn	Fincher	Johnson, Sam
Blum	Fitzpatrick	Jolly
Bost	Fleischmann	Jones
Boustany	Fleming	Jordan
Brady (TX)	Flores	Joyce
Brat	Forbes	Katko
Bridenstine	Fortenberry	Kelly (MS)
Brooks (AL)	Fox	Kelly (PA)
Brooks (IN)	Franks (AZ)	King (IA)
Buchanan	Frelinghuysen	Kinzing (IL)
Buck	Garrett	Kline
Bucshon	Gibbs	Knight
Burgess	Gohmert	Labrador
Byrne	Goodlatte	LaHood
Calvert	Gosar	LaMalfa
Carter (GA)	Gowdy	Lamborn
Carter (TX)	Granger	Lance
Chabot	Graves (GA)	Latta
Chaffetz	Graves (LA)	LoBiondo
Clawson (FL)	Graves (MO)	Long
Coffman	Griffith	Loudermilk
Cole	Grothman	Love
Collins (GA)	Guinta	Lucas
Collins (NY)	Guthrie	Luetkemeyer
Comstock	Hanna	Lujan Grisham
Conaway	Hardy	(NM)
Cook	Harper	Lummis
Costello (PA)	Harris	MacArthur
Cramer	Hartzler	Marchant
Crawford	Heck (NV)	Marino
Crenshaw	Hensarling	Massie
Culberson	Herrera Beutler	McCarthy

McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messner
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo

NOES—185

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DeBene
DeSaulnier
Deutch
Dingell
Doggett
Donovan
Doyle, Michael
F.
Duckworth
Edwards
Engel

Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)

Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascarelli
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Rigell
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Swallwell (CA)
Takano
Thompson (CA)
Thompson (MS)

Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas

NOT VOTING—7

DeFazio
Ellison
Hinojosa
Ruppersberger
Takai
Watson Coleman

□ 1135

Mr. POLIS changed his vote from “aye” to “no.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMERICAN SECURITY AGAINST FOREIGN ENEMIES ACT OF 2015

Mr. GOODLATTE. Mr. Speaker, pursuant to House Resolution 531, I call up the bill (H.R. 4038) to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. WOODALL). Pursuant to House Resolution 531, the bill is considered read.

The text of the bill is as follows:

H.R. 4038

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “American Security Against Foreign Enemies Act of 2015” or as the “American SAFE Act of 2015”.

SEC. 2. REVIEW OF REFUGEES TO IDENTIFY SECURITY THREATS TO THE UNITED STATES.

(a) BACKGROUND INVESTIGATION.—In addition to the screening conducted by the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation shall take all actions necessary to ensure that each covered alien receives a thorough background investigation prior to admission as a refugee. A covered alien may not be admitted as a refugee until the Director of the Federal Bureau of Investigation certifies to the Secretary of Homeland Security and the Director of National Intelligence that each covered alien has received a background investigation that is sufficient to determine whether the covered alien is a threat to the security of the United States.

(b) CERTIFICATION BY UNANIMOUS CONCURRENCE.—A covered alien may only be admitted to the United States after the Secretary of Homeland Security, with the unanimous concurrence of the Director of the Federal Bureau of Investigation and the Director of National Intelligence, certifies to the appropriate Congressional Committees that the covered alien is not a threat to the security of the United States.

(c) INSPECTOR GENERAL REVIEW OF CERTIFICATIONS.—The Inspector General of the Department of Homeland Security shall conduct a risk-based review of all certifications made under subsection (b) each year and shall provide an annual report detailing the findings to the appropriate Congressional Committees.

(d) MONTHLY REPORT.—The Secretary of Homeland Security shall submit to the appropriate Congressional Committees a monthly report on the total number of applications for admission with regard to which a certification under subsection (b) was made and the number of covered aliens with regard to whom such a certification was not made for the month preceding the date of the report. The report shall include, for each covered alien with regard to whom a certification was not made, the concurrence or nonconcurrence of each person whose concurrence was required by subsection (b).

(e) DEFINITIONS.—In this Act:

(1) COVERED ALIEN.—The term “covered alien” means any alien applying for admission to the United States as a refugee who—

(A) is a national or resident of Iraq or Syria;

(B) has no nationality and whose last habitual residence was in Iraq or Syria; or

(C) has been present in Iraq or Syria at any time on or after March 1, 2011.

(2) APPROPRIATE CONGRESSIONAL COMMITTEE.—The term “appropriate Congressional Committees” means—

(A) the Committee on Armed Services of the Senate;

(B) the Select Committee on Intelligence of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Homeland Security and Governmental Affairs of the Senate;

(E) the Committee on Foreign Relations of the Senate;

(F) the Committee on Appropriations of the Senate;

(G) the Committee on Armed Services of the House of Representatives;

(H) the Permanent Select Committee on Intelligence of the House of Representatives;

(I) the Committee on the Judiciary of the House of Representatives;

(J) the Committee on Homeland Security of the House of Representatives;

(K) the Committee on Appropriations of the House of Representatives; and

(L) the Committee on Foreign Affairs of the House of Representatives.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 4038, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support H.R. 4038, the American Security Against Foreign Enemies Act of 2015.

Just one example of a terrorist taking advantage of the United States' generous immigration policy in order to perpetrate attacks on Americans is too many. Unfortunately, there are too many examples to count. Most notable, of course, are the attacks on September 11, 2001, perpetrated by 19 foreign nationals who were admitted to the U.S. through our legal immigration system.

The U.S. Government has the ultimate responsibility to protect its citizens. As such, if U.S. immigration policy allows foreign nationals who want to do us harm access to U.S. soil, then the immigration policy must be reviewed and amended.

We are faced with such a situation right now. There is a very real possibility that a terrorist, particularly one from, or claiming to be from, Syria or Iraq, will attempt to gain access to the United States as a refugee. In fact, ISIS is making no secret of their plans to have their members infiltrate groups of Syrian refugees. We should take ISIS at its word.

Of course, our hope is that such an individual would be screened out through the refugee vetting process. Unfortunately, we have heard time and time again from top counterterrorism and intelligence officials that the current vetting process cannot prevent such an individual from receiving refugee status.

In fact, just late last month, FBI Director James Comey told the Judiciary Committee that with a conflict zone like Syria, where there is "dramatically" less information available to use during the vetting process, he could not "offer anybody an absolute assurance that there is no risk associated with" admitting Syrian nationals as refugees.

He told another House committee that "we can only query against that which we have collected. And so if someone has never made a ripple in the pond in Syria in a way that would get their identity or their interest reflected in our database, we can query our database until the cows come home but . . . nothing will show up because we have no record on that person."

The administration's foreign policy inaction in Syria, and failure to take seriously the ISIS threat, are responsible for the flood of Syrians currently leaving their country. Of course, we all remember when the President told us that ISIS was the JV team. That JV team just murdered 120 innocent people in Paris, including at least one American. And the Paris JV team included at least one terrorist who was registered as a refugee from Syria.

H.R. 4038 requires certification by the FBI Director that the security vetting process is sufficient to prevent an individual who is a security threat from being admitted as a refugee. The bill also requires that the DHS Secretary,

FBI Director, and Director of National Intelligence certify to Congress that each refugee is not a security threat prior to his or her admission to the United States.

In addition, H.R. 4038 requires the DHS Inspector General to review such certifications annually and report its findings to Congress. The certification procedures apply to aliens who are nationals of Iraq or Syria, those who have no nationality and whose last habitual residence was in Iraq or Syria, or who have been present in those countries at any time on or after March 1, 2011.

H.R. 4038 puts the administration on notice that their lax attitude toward this issue will no longer be tolerated. And it puts the administration on notice that Congress is not yet finished reforming refugee policy.

In fact, our committee has been hard at work long before the Paris attacks working on legislation to make necessary security-related and other changes to the U.S. Refugee Admissions Program. We look forward to moving that legislation through the House.

H.R. 4038 is not meant to be the sole solution to the security problems we face in vetting Syrian and other refugees, but it is an important first step. I look forward to Congress taking additional action to ensure America's safety.

I thank the gentleman from Texas and the gentleman from North Carolina for the work they have done on this bill. I urge my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker and Members, the so-called American SAFE Act purports to make us safer. But as the administration has so correctly observed, this measure would provide no meaningful additional security for the American people. Worse yet, it would effectively deny refugee status for Syrians and Iraqis who are themselves victims of terrorism in their own homelands.

□ 1145

H.R. 4038 is a terribly flawed and inhumane bill for many reasons. To begin with, while ensuring the safety of all Americans should be our top priority, H.R. 4038 does nothing to achieve this goal.

This measure sets unreasonable clearance standards that the Department of Homeland Security simply cannot meet. Refugees seeking to come to our shores are already subject to the highest level of vetting, more than any other traveler or immigrant to the United States.

This extensive screening process is performed by the Department of Homeland Security, the State Department, in conjunction with the Central Intel-

ligence Agency, the Federal Bureau of Investigation, and other law enforcement and intelligence agencies. The process utilizes methodical and exhaustive background checks that often take up to 24 months, on average, to complete, and even longer, in some cases.

We must keep in mind that our Nation was founded by immigrants and has historically welcomed refugees when there is suffering around the globe. Whether it is an earthquake in Haiti, a tsunami in Asia, or 4 years of civil war in Syria, with no end in sight, the world looks always to the United States. We provide protections for refugees and asylum seekers, especially women and children.

Nevertheless, in the wake of the September 11 attacks on our shores and the tragic November 13 terrorist attacks in Paris, we must be vigilant, particularly in the midst of a global refugee crisis.

H.R. 4038, however, is an extreme over-reaction to these latest security concerns. Rather than shutting our doors to these desperate men and women and children who are risking their lives to escape death and torture in their own homelands, we should work to utilize our immense resources and good intentions of our citizens to welcome them.

Finally, Congress needs to do its part by properly funding refugee resettlement as well as funding our Federal agencies so they have the necessary personnel and programs to complete security checks that we already have in place. Instead of slamming our doors to the world's most vulnerable, we should be considering legislation to strengthen and expand refugee programs.

Unfortunately, the bill before us today is not a serious effort to legislate, and it will not make us safer. It is a knee-jerk reaction, as evidenced by the fact that this measure was introduced just 2 days ago, and has not been the subject of a single hearing or any meaningful review by our committee.

Rather than betraying our values, we must continue to focus on the most effective tools to keep us safe, while also providing refuge for the world's most vulnerable.

Accordingly, I urge all of my colleagues to oppose H.R. 4038.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. MCCAUL), the chairman of the Homeland Security Committee, and the chief sponsor of this bill.

Mr. MCCAUL. Mr. Speaker, I want to first thank the gentleman from Virginia, the chairman of the Judiciary Committee, for his work on this legislation.

I rise today to urge my colleagues to support the American Safe Act.

Let me be clear. We are a nation at war. The world was reminded last week that Islamic terrorists are seeking to

harm our people, destroy our way of life, and undermine the foundational principles of the free world.

Sadly, with the news that at least one of these terrorists may have infiltrated Europe posing as a Syrian refugee, the Paris attacks appear to confirm our worst fears, that, of the thousands of foreign fighters who have gone to Syria and Iraq to join ISIS, some would be deployed to bring terror back to the West.

The world is now looking at America for leadership and for a clear-eyed understanding of the threat.

ISIS is not “contained,” as the President says. ISIS is expanding globally and is plotting aggressively. The group is now responsible for more than 60 terrorist plots against Western targets, including 18 in the United States.

Here in the homeland, we have arrested more than one ISIS supporter a week in the past year, and the FBI says it has nearly 1,000 ISIS-related investigations in all 50 States.

Today, we must take decisive action to show the American people that we are doing all that we can to protect our country. We must listen to the words of our enemies.

ISIS has vowed, in their words, to exploit the refugee process, to sneak operatives, to infiltrate the West, and they appear to have already done that, to attack our allies.

For nearly a year, intelligence and law enforcement agencies have warned Congress, both publicly and privately, that they are alarmed by intelligence collection gaps and our ability to weed out terrorists from the refugee process.

FBI Director Comey testified before my committee and stated: “We can query our databases until the cows come home, but nothing will show up because we have no record of them.”

Homeland Security Secretary Johnson said: “We know that organizations like ISIS might like to exploit this program.”

This is an administration official’s words, not mine.

This legislation would add two important layers to our defenses, creating the most robust national security screening process in American history for any refugee population.

The American SAFE Act also strikes an important balance between security and our humanitarian responsibilities. It sets up roadblocks to keep terrorists from entering the United States, while also allowing legitimate refugees who are not a threat to be resettled appropriately.

Let us not forget, this legislation is the first in a series of steps we must take to defend the homeland, but ultimately, to win this war, we must take the fight to the enemy.

Last week, the streets of Paris could just have easily been the streets of New York or Chicago or Houston or Los Angeles.

But as I have said before, our long-term message to these terrorists must be clear. You may have fired the first shot in the struggle but, rest assured, America will fire the last.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. LOFGREN), one who has worked harder on this issue than anyone I know.

Ms. LOFGREN. Mr. Speaker, all of us watched with horror the events in Paris. November 13 was France’s September 11.

And all of us have paused to consider what further should be done to make sure that America is safe because our first obligation, as Members of Congress, is to make sure that America is safe.

So, as we watch the refugees from the Middle East pouring into Europe, concern has been expressed—and I think correctly—who are these people hidden among the many helpless victims? Are there those who would pose a threat?

It is worth noting that our process for refugees is completely different. No one gets into the United States unless they have been completely vetted. This process starts with the U.N. referring only those people who are vulnerable, who have been tortured, who have been victimized, who are helpless women and children, for screening by us.

We have a process that includes soliciting information from the DEA, from the intelligence agencies, from the FBI, and the like. All of those agencies have a veto. If there is a problem, they veto the admission. The process takes 2 years or more, and a very small number of people actually are admitted.

Of the 2,000 or so Syrian refugees who have been admitted to the United States, the overwhelming majority are children and widows who have been victims of torture, who have seen their husbands beheaded.

The bill before us, as has been described by the Speaker and the author, would stop the refugee program. They call it a pause. They would stop it because it completely restructures the very elaborate system that we have.

By putting the FBI as the lead agency, they would have to hire agents, send them over. It would be a pause. That is what they have described. We think it would take a couple of years to start up.

Now, why is that a bad idea?

ISIS is our enemy, and we need to fight them, and we need to defeat them. But we are fighting on two levels; one, military, but also, this is a fight of values.

America stands for freedom. We are the beacon of light, of democracy, of freedom in the world. And part of that value of America is allowing people who are escaping monsters like ISIS to be able to become Americans like us.

We need to screen and make sure that we are completely safe. But if we stop that program, we give ISIS a win.

Please defeat this bill.

Mr. GOODLATTE. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. HUDSON), the chief cosponsor of the legislation.

Mr. HUDSON. Mr. Speaker, America is a compassionate country. We are a good country. We have a long history of accepting refugees, people fleeing oppression and violence.

But we also have an obligation to the American people. As we welcome people into this country who are seeking asylum, we owe it to the American people to know who these people are. And when you have got a terrorist group like ISIS, who has said that they will exploit this refugee crisis to infiltrate America—this is an organization that has said their goal is to come to America and kill Americans—I take them at their word.

The number one responsibility of this body is to protect the American people. It is not me saying that we have challenges with the current vetting process; it is experts from President Obama’s administration.

I draw your attention to the first quote here from Jeh Johnson: “It is true that we are not going to know a whole lot about the Syrians that come forth in this process.” That is definitely a challenge. That is the Secretary of Homeland Security.

I draw your attention to the next quote from Director James Comey of the FBI: “We can only query against that which we have collected, and so if someone has not made a ripple in the pond in Syria in a way that would get their identity or their interest reflected in our databases, we can query our data until the cows come home, but nothing will show up because we have no record of that person.”

This is not me saying that. This is not Republicans saying that. These are officials in President Obama’s administration saying that the current process is broken, that we are bringing in these refugees that we cannot properly vet.

So our legislation simply says: Let’s stop this flow unless and until the law enforcement experts that President Obama has appointed, the FBI Director, the Secretary of Homeland Security, can vouch for the fact that we have a process in place that they are comfortable with.

How radical is that?

This is common sense, and that is why our polls show that as many as 75 percent of the American people support this measure.

□ 1200

Mr. Speaker, I know the President has issued a veto threat, but I hope that today in this House we can come together, Republicans and Democrats, and respond to the will of the American people and do our primary job to keep them safe so we can have a bipartisan vote that doesn’t say no refugees,

it doesn't say stop Syrian refugees, and it doesn't say don't ever let them in again. It says pause the program unless and until the law enforcement experts are comfortable that we have got a process.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support this legislation.

Mr. GOODLATTE. Mr. Speaker, I yield the remainder of my time to the gentleman from South Carolina (Mr. GOWDY), the chairman of the Immigration and Border Security Subcommittee, and ask unanimous consent that he be able to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOWDY. Mr. Speaker, I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. NADLER), a distinguished member of the House Judiciary Committee.

Mr. NADLER. Mr. Speaker, I rise in opposition to this irresponsible bill that would effectively block the settlement of Syrian refugees in the United States for years.

The shocking and tragic events in Paris have touched people all over the world and strengthened our resolve to defeat the terrorists who are responsible for these heinous acts, for bombing a Russian airliner, and for carrying out deadly bombings in Beirut. But defeating terrorism should not mean slamming the door in the faces of those who are fleeing the terrorists. That is why I am appalled by the actions of this House and by some of the words of my colleagues today.

Mr. Speaker, the United States has always been and should always be a place of refuge. Remember, the Syrian refugees are running away from ISIS. They are running away from war, from terror. They are its victims. To stop thousands of desperate people who are fleeing unspeakable violence is unconscionable. We might as well take down the Statute of Liberty.

Countries with much smaller populations like Lebanon and Turkey have agreed to take 1 million refugees or more. Even France just announced they are increasing the number of Syrian refugees they are accepting. We in the United States are talking about a mere 10,000. These refugees are subject to an extensive vetting process which can take up to 24 months.

But the real danger America faces is that ISIS, through its propaganda, can radicalize people already here and inspire them to attack the United States from within. In Paris we saw that several of the attackers were European nationals who could enter the United States without being vetted, so it is ridiculous to assert that by denying access to refugees, we would be making America safer.

We face a choice that will echo through history. In 1924, a racist, xenophobic, and anti-Semitic Congress passed legislation slamming the door shut on Jewish, Italian, Greek, and Eastern European immigrants. The Almanac of American Politics said that, if it weren't for the 1924 Immigration Act, perhaps 2 million of the 6 million Jews who were murdered in the Holocaust would have been living safely in the United States instead.

Back then we shut our doors to people in desperate need. We must not do so again. We must not let ourselves be guided by irrational fear. We have a moral obligation and, for those who care, a religious obligation to extend a hand to those in need.

Mr. Speaker, I urge my colleagues to oppose this bill.

Mr. GOWDY. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the majority leader.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding, and I thank those who have worked on the bill, Congressman RICHARD HUDSON, Chairman MIKE MCCAUL, a number of other committee chairmen, Chairman GOODLATTE, and others.

Mr. Speaker, this is not an issue that comes before us just because of action that happened recently—a horrific action. Mr. Speaker, our duty is to protect the American people. Without security, we cannot have freedom. Without security, we cannot help others abroad.

The American people are generous, and we want to help those in the world suffering from terrorism and civil war. The fact that America gives far more in foreign aid than any other country in the world is a testament to our generosity. In 2014, we gave over \$6.5 billion in humanitarian foreign aid alone. That doesn't even count the millions of dollars that privately have been offered by American people.

But, Mr. Speaker, being generous does not mean we have to have a weak screening process for refugees, especially for those coming from Iraq and Syria where we know people are there who seek to do us harm and are looking to exploit a weak process. It is wrong to condemn a strong screening process using the language of charity and morality.

When we allow refugees into this country, we must be guided by one single principle: If you are a terrorist or you are a threat to our country, you are not getting in, period. The bill before us increases the standards to keep those who want to do us harm out.

But America is not saying "no" to refugees. America always stands as a beacon of hope for everyone fleeing oppression and terror. Nothing will stop us from protecting the innocent while continuing our fight against evil. Instead, this bill puts a pause on our ref-

ugee program until we are certain that nobody being allowed in poses a threat to the American people.

To those who do not even want to consider increasing accountability in our refugee process—and to the President, who announced that he wants to veto this bill—let me tell you this: It is against the values of our Nation and the values of a free society to give terrorists the opening they are looking for to come into our country and harm the American people, and we have an obligation to stop that from happening. In the debate we are having on the refugee crisis, we should not lose sight of the root of the problem. The real problem is ISIL and our lack of strategy to destroy them.

It astounds me that the President refuses to face reality and admit that his strategy is failing. ISIL controls territory the size of Maryland. Attacks in Paris, Beirut, and Egypt show that ISIL is not contained to Iraq and Syria. Every day ISIL continues to exist is another day they can train, recruit, and radicalize more people to continue their war on the civilized world and threaten the safety of the American people.

Mr. Speaker, this danger is real, and nothing can replace a winning strategy. Here in the House, we will not accept half measures. We are committed to keeping America safe. That is why I ask all in the House to support this bill.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), a distinguished member of the House Judiciary Committee.

Ms. JACKSON LEE. Mr. Speaker, I have been on the Homeland Security Committee since the heinous and vile acts of 9/11. I have often said that I was at Ground Zero, and I had the misery of seeing the recovery that was still occurring at that time. I take no backseat to the concern and love for this Nation, as I know that neither do my colleagues on both sides of the aisle.

But, Mr. Speaker, this legislation is divided in a simple premise: no to refugees, stop the refugee program, turn your back on children, women, and old people broken and bent. This side is saying that America's values can parallel the love, respect, and commitment to the national security of this Nation.

ISIL is determined to divide this bipolar world; divide it between Muslims who share the distorted and profane interpretation and those who live every day under the sun who love freedom. We do not define the faith by those who kill us and maim us. As President Franklin Delano Roosevelt said: "The only thing we have to fear is fear itself"—nameless, unreasoning, and unjustified terror which paralyzes needed efforts to convert, retreat, and advance.

This is the extensive, extensive review that only a small number of Syrians go through that are able to get in this country from refugee camps. That is the only place they come from. This is the extensive one.

I say to the President, certify it now. But what this legislation does is requires that the 5-year-old Syrian girl that has lived most of her life in a Jordanian camp must be certified by four or five individuals who are already in the process of the certification.

There are 60 million individuals who are displaced across the globe now. Twenty percent of them are Syrians fleeing the conflict that has taken 240,000 lives. Right now the FBI has 50 terrorist cells being investigated. They cannot count them as Syrian refugees.

This is the wrong direction. Let us follow our values, Mr. Speaker. Vote that bill down and bring refugees who are already certified. This bill is unnecessary. It stops the refugee program. Where is our mercy?

Mr. GOWDY. Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky (Mr. ROGERS), the chairman of the Appropriations Committee.

Mr. ROGERS of Kentucky. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today first to reaffirm our solidarity with the people of France, our brethren in Beirut, and the families of the victims of Metrojet Flight 9268 who perished over the skies of the Sinai. The senseless and unspeakable violence, the blind fanaticism, the utter and irrational hatred for human life by ISIS, together they present a threat not just to national and global security, but also to the fundamental values that constitute the very fiber of civilization.

Mr. Speaker, ISIS must be stopped. The violence must end. And the United States must do more—more to stamp out this evil, more to eradicate the threats posed here and abroad, and more to ensure that Americans can tuck in their children at night with a feeling of security that they will be waking up tomorrow morning for school free from fear. That is why we must support the SAFE Act. It is thoughtful, and it will further one of our principal national security priorities—keeping Americans safe—as we work to eliminate the threat posed by ISIS.

The instability in Syria and the surrounding region has continued unabated for more than 4 years, and we have witnessed an indescribable humanitarian crisis because of the brutality of the Assad regime and radical Islamic groups such as ISIS.

In the wake of the Paris tragedy, we must step back and review the procedures in place for admitting refugees resulting from this conflict coming into our country. We can and must implement a system that assists the vic-

tims of the tragedy but that also prioritizes American security first.

H.R. 4038 will ensure that no refugee from Iraq or Syria steps foot on U.S. soil without the Secretary of the Department of Homeland Security, the FBI Director, and the highest intelligence officer certifying that each refugee is not a security threat to the U.S. The Department of Homeland Security, the FBI, and the Director of National Intelligence must unanimously certify that a person seeking refuge in this country does not represent a security threat. This is an unprecedented vetting process to ensure dangerous people do not slip through the cracks.

I urge your support, all in this Chamber, so we can provide our military and intelligence personnel with the best possible chance for success as they work to keep us safe.

Mr. Speaker, I urge support for the bill.

Mr. CONYERS. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi (Mr. THOMPSON), ranking member on the Homeland Security Committee.

Mr. THOMPSON of Mississippi. Mr. Speaker, I appreciate the generosity from my colleague from Michigan on the time.

Mr. Speaker, we live in uncertain and dangerous times with ever-evolving terrorist threats. The brutality that ISIL has inflicted on innocent people is both chilling and demands action.

As Members of Congress, we have a responsibility to do all we can to protect our citizens. In the wake of the Paris attacks, questions have been raised about the screening system that the U.S. utilizes and whether it can be exploited by terrorists.

□ 1215

In light of those questions, Mr. Speaker, I include in the RECORD a letter from the Department of Homeland Security former Secretary Janet Napolitano and former Secretary Michael Chertoff supporting the current system of vetting refugees.

NOVEMBER 19, 2015.

HON. BARACK OBAMA,
President of the United States,
The White House, Washington, DC.

DEAR MR. PRESIDENT: Following the creation of the Department of Homeland Security, substantial progress has been made in protecting our nation's homeland. The ongoing efforts by our national security experts have provided tools and resources to make a coordinated attack like the one in Paris last week much more difficult to achieve here at home. As a nation, we have strengthened security at our air, land, and sea ports; we have strengthened the ability to monitor the travel of bad actors and detect fraud in our visa process; we have strengthened partnerships with state and local law enforcement across the nation to ensure that they are prepared; and we have engaged with minority and ethnic communities to prevent homegrown radicalization.

As former Secretaries of the U.S. Department of Homeland Security, it is our view

that the American people are safer due to these efforts, but the Paris attacks remind us that we must remain ever-vigilant in this effort and that the highest priority of our government is to keep Americans safe. It is our view that we can achieve this mission in a manner that is consistent with American values of openness and inclusiveness. With respect to refugees seeking to resettle here, it is our view that we can admit the most vulnerable of these refugees into this country safely as long as we do not compromise the already established protections. The process for any refugee seeking entry to the United States requires the highest level of scrutiny from a law enforcement and national security perspective. The process takes place while the refugees are still overseas, and it is lengthy and deliberate—taking an average of 18–24 months with no waiver of any steps. First, we consider only the most vulnerable—particularly survivors of violence and torture, those with severe medical conditions, and women and children—for potential admittance to the U.S. Once a candidate is selected they are subjected to biographic and biometric security reviews based on the latest intelligence from the Department of Homeland Security (DHS), the National Counterterrorism Center, the FBI's Terrorist Screening Center, the Department of State, and the Department of Defense. If they pass these national security checks, they will then be personally interviewed by specially trained DHS personnel to ensure they are qualified for admittance. They are then subjected to recurrent vetting up to the final point of departure and a final interview at the border before being admitted into the U.S.

The process that is currently in place is thorough and robust and, so long as it is fully implemented and not diluted, it will allow us to safely admit the most vulnerable refugees while protecting the American people. Fortunately, these goals are not mutually exclusive.

Sincerely,

JANET NAPOLITANO,
Former Secretary
(2009–2013), Department of Homeland Security.

MICHAEL CHERTOFF,
Former Secretary
(2005–2009), Department of Homeland Security.

Mr. THOMPSON of Mississippi. Mr. Speaker, in recent days, however, we have seen a number of Governors, including the Governor of my home State, choose fear over facts. If they had done their research, they would have learned that our program is an extensive 13-step process.

It starts with a referral from the United Nations of a prescreened person within its refugee camps, requires the Department of Homeland Security to do in-person interviews, and subjects each applicant to recurring vetting against the Department of Homeland Security, the State Department, FBI, Department of Defense, and intelligence community terrorist and criminal databases. No excuses, Mr. Speaker. If any one of those reviews pops up with a problem, that person can't be considered for the refugee program—no excuses.

Unlike in Europe, where migrants crossed into countries that had little opportunity to vet them, no alien is allowed onto U.S. soil until all the checks are completed to DHS' satisfaction. As has already been said by my colleague, ZOE LOFGREN, it takes about 18 to 24 months to process an applicant for refugee status.

Now, that processing is thorough, Mr. Speaker, and it is complete. But there has been a reference to a stolen passport in the Paris situation. That person, if they had applied for the refugee program, would have had to go through the same process of vetting that would have required at least 18 to 24 months. So the thought that that person could just get on a plane and get here to this country is actually not accurate, and that is my effort to perfect the record.

Our system of vetting is a multi-layered, multi-agency approach where the FBI has veto authority on any applicant seeking refugee status. While no system is risk free, the protections in place in the American system are rigorous, robust, and extensive.

In fact, Mr. Speaker, yesterday a witness that the majority invited to appear before our committee, Matthew Olsen, the former Director of the National Counterterrorism Center, told our committee that no refugee program in the world is as extensive as what we do in the United States.

Yet, here we are today considering H.R. 4038, a bill that would upend the current system, which was developed by security personnel with one thought in mind: to protect the homeland. And these security personnel have done a wonderful job.

To the knowledge of all of us, none of the refugees that we are talking about from Syria or Iraq who came through this system have done anything but been model citizens since they have been here. Just for the record, there were 23,000 people that applied for refugee status from these two countries. Of those 23,000, about 7,000 were actually interviewed. Of those 7,000, only 2,000 were admitted.

So, Mr. Speaker, our system is robust. It works and it speaks to our values as Americans. I am proud to say that people who are abused, people who are oppressed, can still look to this country, follow the rules. If those rules are properly applied, they can look to America as somewhere they can call home, because most of those individuals applying for refugee status can't go home.

Once again, I call on Members to embrace facts over fear, Mr. Speaker, and vote against H.R. 4038.

Mr. GOWDY. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. Mr. Speaker, I thank the gentleman from South Carolina for the time.

Mr. Speaker, ISIS is at war with the United States. The question is: Is

America at war with ISIS? I am not so sure, since we don't have a strategy to defeat ISIS, other than if we are attacked, shelter in place, hunker down, get more security guards around the Capitol, use the tunnels rather than walk outside. That is what we were told after the Paris attacks, Mr. Speaker.

This legislation is really simple. It has at its core the idea to protect American citizens. It has nothing to do with refugees as far as whether we accept refugees. Our country accepts refugees. We always have. That is clear. It is not the issue of refugees. It is the issue of letting ISIS terrorists get into the country to kill us, Mr. Speaker.

Our own security that the gentleman from Mississippi kept talking about tells us we cannot vet Syrian refugees. The FBI Director says that. We can't do it. We are not capable of doing it. One of the reasons is many of these folks have no identity. So we can't do a background check on somebody who has no identity.

This legislation says let's take some safeguards. Before we bring in these specific refugees, let's make sure that the people in charge of security certify that this person is not a threat. They can't do it right now. Even the FBI Director says they can't certify. We owe that to the American public. This legislation does that.

The gentleman from Mississippi is correct that 31 Governors of the States say: Wait a minute. Not so fast. Find out who these people are.

I think the Governors of the States get it right. They ought to have the ability, I think, to decide whether people should come to their State or not only after a security check.

So this legislation is a step to protect America, one of the things we are supposed to do. The legislation is coming up quickly. Why? Because it is an immediate threat. We have got refugees being bombed over in Syria. If we are going to take them in, let's at least have a plan to protect not only us, but those refugees.

That plan is in this legislation. It seems to me it would be irresponsible not to pass the legislation to require a certification of everybody that comes into America so that America could be safe because that is our responsibility, Mr. Speaker.

And that is just the way it is.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, this bill is nothing but a PR piece that could have been written by Joseph Goebbels, who said, If you can make people afraid, you can make them do anything. What you are seeing here is the Republican's attempt to panic the American people that there is not a system in place.

Let me tell you about this system that is there. Mr. THOMPSON from Mis-

issippi said what is really there. I helped a woman who for 2 years was a translator for American troops in Iraq. She was so good she saved lots of people's lives. She was so good that the enemy put a mark on her and said they were going to kill her. So she had to go into hiding.

It took her from January 2007 until September 2007 to get the papers and the witnesses and all the information necessary to get her into the United States. Somebody who had put her life on the line for us, our soldiers, it took 9 months to get her in. Then her mother and her brothers and sisters, who were 16 and 12 and 9, it took them 2 years to get into this country.

We have a robust system that is working. This bill is PR bologna. We ought to vote "no." It sends the wrong message. It says only White Christians can come into this country.

Mr. GOWDY. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. HENSARLING), the chairman of the Financial Services Committee.

Mr. HENSARLING. Mr. Speaker, I thank the gentleman for yielding and for all of his work to make our Nation more secure.

Mr. Speaker, I do rise in support today of the safety and security of the American people. As Members of Congress, we have no more sacred responsibility. Thus, I rise in support of the American SAFE Act.

Now, I join all Americans and all the people of the world in standing with the people of Paris. We are so sobered as to what happened to their homeland, but we are also sobered by the challenge and the grave responsibility to thwart the same evil from coming to our homeland.

The Director of the FBI testified before Congress just last month that a number of people who were of serious concern were able to slip through screenings of Iraqi refugees. That is what the Director of the FBI said. This disturbing information, Mr. Speaker, obviously raises very serious red flags about lapses in the security within our current refugee vetting system.

Again, it is why I support and I encourage all Members to support the American SAFE Act of 2015. It would effectively hit the pause button on the refugee program, not the stop, but the pause button.

It is simple legislation. It simply requires more rigid standards so that the FBI, the Department of Homeland Security, and the Director of National Intelligence would positively certify that each refugee from Iraq and Syria does not pose a security threat to us, to our homeland, to our families. Otherwise, they will not be permitted to set down on American soil. It is simple. It is common sense. It is needed.

Mr. Speaker, our hearts also go out to the millions of refugees forced to flee their homes and save their lives.

There is no other country in the world—no other country in the world—that has been more generous with their time and treasure to refugees than the United States of America.

But today is not the day to share our territory, not until and unless these people can be properly vetted to ensure they don't threaten our families.

Mr. Speaker, hopefully, the world has awakened that there is a very real threat that ISIS poses. It is not the JV team. They are not contained. What happened in Paris was not merely a setback.

I urge my colleagues to take the responsibility to secure our homeland seriously. This will be the first of what I know will be many steps that this Chamber will take to address the growing threats that are posed to our families and our country.

I thank the sponsor of the legislation for bringing it to the floor. I urge all my colleagues to adopt it.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), our leader.

□ 1230

Ms. PELOSI. I thank the gentleman for yielding and for his great service to our country in promoting our values and strengthening our Nation.

Mr. Speaker, I come to the floor in a very prayerful way today because we were all horrified at what happened in Paris, at what happened in Beirut, at what happened to the Russian airliner, to name a few recent incidences.

We recognize that that is horrible and that we have to protect the American people from it. To do so, we must be strong, but our strength must also spring from our prayerfulness for those who lost their lives or for those whose security was threatened physically, emotionally, and in every other way.

In our country, we have a relationship with France. They were our earlier friends. That is why in this Chamber of the House of Representatives, any visitor can see there are only two paintings. One is of our great patriarch, George Washington, our hero, our Founding Father.

The other painting in this Chamber is of the Marquis de Lafayette. It is in recognition of the friendship that the French Government extended to the Colonies in our war for independence.

Just imagine George Washington and Lafayette, a long, long friendship. So, while we are concerned about violence wherever it exists in the world, when Paris was hit in such a vicious way, in some ways, it hit home for us, not that the other lives were not equally as important.

As we come to the floor to talk about what we do next, we take an oath of office—every one of us—to protect and to support the American people and the Constitution of the United States. Keeping the American people safe is

our first responsibility. It is the oath we take. If the American people aren't safe, what else really matters?

We understand the concern, the fear, in the country when an act of terrorism strikes. In fact, that is the goal of terrorists: to instill fear, to instill terror. We cannot let them succeed; so, we have to take the measures necessary to protect the American people and to be very strong in how we do it.

That is why I have a problem with the bill that is on the floor today. It is because I think we have a much stronger, better option to protect the American people, and that is in the form of the Thompson-Lofgren legislation.

Unlike in the Republican bill, the Democratic alternative applies tough scrutiny to all potential refugees, not just to Syrians and Iraqis, as the Republican bill is limited to.

The Thompson-Lofgren Secure Refugee Process Act would require the Secretary of Homeland Security to verify the identities of all refugee applicants. Any application that contains insufficient, conflicting, or unreliable information would be denied from day one.

The bill also requires that at least five Federal agencies—the Department of Homeland Security, the Attorney General, the Federal Bureau of Investigation, the Secretary of State, the Secretary of Defense, the Director of National Intelligence—check all refugee applications against their records. Any application that indicates a national security or a criminal threat would be denied—all. Not Iraq-Syria—all.

Two former Secretaries of Homeland Security—Secretary Janet Napolitano and Secretary Michael Chertoff—have written about the process that is in existence now and which the Thompson-Lofgren legislation respects. The process that is currently in place is thorough and robust, and so long as it is fully implemented and not diluted, it will allow us to safely admit the most vulnerable refugees while protecting the American people. Fortunately, they say, these goals are not mutually exclusive.

There are other things that we could be doing in a bipartisan way, and I would have hoped that that would have been a place we could have gone with this. One of them relates to closing loopholes in the Visa Waiver Program.

Today our colleagues on the Senate side are putting forth their principles, which state: "If an ISIS recruit attempts to travel to the United States on a fraudulent paper passport issued by a country that participates in the Visa Waiver Program, that individual would avoid biometric screening and an in-person interview."

How could we allow this loophole to exist if we are truly addressing this challenge in a comprehensive way?

If the Republicans want to make the Nation safer in the face of terror, there

is another clear area in which we should act, and that is we should be voting on Republican Congressman PETER KING's bill in order to close the appalling loophole.

It is outrageous that a person who is on the terrorism watch list—listen to this. If someone is on the terrorist watch list, he could walk into a gun store and buy a gun. His bill is called the Denying Firearms and Explosives to Dangerous Terrorists Act.

The visa waiver.

Close the terrorist gun loophole.

According to the GAO, over the last 11 years, more than 2,000 suspects on the FBI's terrorist watch list bought weapons in the United States. Did you know that?

Ninety-one percent of all suspected terrorists who tried to buy guns in the United States walked away with the weapons they wanted over the time period with just 190 rejected despite their having ominous histories. Listen, 5 to 1, 10 to 1, they were able to get these guns.

Why can't we talk about guns when we talk about danger to the American people?

It is outrageous that we would be slamming the door to mothers and children while we still allow people on the terrorist watch list to walk in the door of a gun store and buy a gun.

With regard to those mothers and children, I join with labor, civil, human rights, and faith groups from the U.S. Conference of Catholic Bishops, from the Episcopalians, the Lutherans, the Methodists, the Presbyterians, the evangelicals, and Jewish groups. I join them in saying that the Republican bill before the House today fails to meet our values and fails to strengthen the security of the American people.

Families in Syria and Iraq are desperately trying to escape ISIS' gruesome campaign of torture, rape, violence, and terror of the Assad regime. The Republican bill before the House today severely handicaps the refugee settlement in the future in our country. It slams that door again on desperate mothers and children who are fleeing ISIS' unspeakable violence.

As Leith Anderson, President of the National Association of Evangelicals, said: "Of course we want to keep terrorists out of our country, but let's not punish the victims of ISIS for the sins of ISIS."

Did you know this? Here are the facts.

Since 2001—just in the last few years—only about 2,200 Syrians have been admitted to the United States. Half are children, and 25 percent are seniors. All faced an 18- to 24-month-long screening process.

As the Refugee Council and its coalition of more than 80 faith, humanitarian, and human rights groups point out in their letter to Congress: "Because so few refugees in the world are

resettled, the United States often chooses the most vulnerable, including refugees who cannot remain safely where they are and families with children who cannot receive the medical care they need to survive."

Mr. Speaker, I include for the RECORD the Refugee Council's letter with all of the cosigners.

REFUGEE COUNCIL USA,

Washington, DC, November 18, 2015.

DEAR REPRESENTATIVE: On behalf of Refugee Council USA (RCUSA), a coalition of 20 non-governmental organizations committed to refugee protection and welcome, I write to you today to urge you to protect Syrian and Iraqi refugees and the integrity of the United States refugee resettlement program by voting NO on H.R. 4038—The American Security Against Foreign Enemies Act 2015.

Since 1975, the United States has resettled more than 3 million refugees from around the world, including 169,000 from Bosnia and more than 100,000 from Iraq. Three quarters of a million of those refugees entered the U.S. since 2001. During that time, there have been no recorded terrorist acts in the United States by a refugee. That should come as little surprise. Refugees are, by definition, people fleeing from persecution—not persecutors themselves.

H.R. 4038 creates a bureaucratic review process that could take years to implement and would effectively shut down refugee resettlement. The bill requires the Secretary of Homeland Security to "certify" whether an individual refugee is a threat or not after "concurrence" with the Directors of the FBI and DNI. The bill does not provide guidance on what the process for certification will be. This process will have to be created and agreed upon by three heads of agencies. Establishing such a process could take years, and in the meantime, refugees who could be resettled would languish in camps and dangerous situations. Syrian Americans would not be able to reunite with their family members, and there would be very real ramifications for international refugee protection and U.S. foreign policy interests in the region.

The process, once established, would add months or years to the security screening process, which is already the lengthiest and most robust in the world, routinely taking between 18 and 36 months. Obtaining the concurrence of three heads of federal agencies for EACH REFUGEE would take years and effectively put an end to the refugee resettlement program. For reasons of security and safety, security and medical clearances are only valid for limited periods of time. During the certification process, these clearances will expire. This will mean that refugees will be caught in an un-ending loop of security clearances that will never end.

The bill requires reporting to thirteen congressional committees on each refugee that is considered for resettlement. This is unreasonably burdensome and will further delay the admission of refugees, cause security clearances to expire, and effectively end the program.

Refugees are already the most vetted non-citizens in our country. All refugees undergo thorough and rigorous security screenings prior to arriving in the United States, including but not limited to multiple biographic and identity investigations; FBI biometric checks of applicants' fingerprints and photographs; in-depth, in-person interviews by well-trained Department of Homeland Security officers; medical screenings; inves-

tigations by the National Counterterrorism Center; and other checks by U.S. domestic and international intelligence agencies. Supervisory review of all decisions; random case assignment; inter-agency national security teams; trained document experts; forensic testing of documents; and interpreter monitoring are in place to maintain the security of the refugee resettlement program. Due to technological advances, Syrian refugees are also undergoing iris scans to confirm their identity through the process.

The bill is a waste of resources. Funds used to establish and run this certification process would be better used in conducting actual security reviews of refugees and others who are vetted by these agencies.

The bill is a pretext and requires differential treatment of refugees from Syria and Iraq without providing a justification for the additional verification. It is a disguised attempt to stop refugees from two countries long beset by internal conflict, including refugees who have been in neither Syria nor Iraq for four years. Differential treatment, with no clear justification, amounts to discrimination on the basis of nationality without rational basis.

No terrorist attacks in the US have been committed by refugees. The few non-citizens who have caused harm have come to the US as tourists or through other means. This bill will tell the world that the US has no interest in being part of the global solution to protect the victims of the violence in Syria and Iraq. It will keep US citizen family members of these refugees from reuniting with their loved ones who are in danger. This bill does nothing to keep the country safe, is a waste of tax dollars, and is an attack on refugees and immigrants—both those who are seeking safety and those who are already here.

For these reasons we ask that you vote "no" on H.R. 4038. We also want to draw your attention to the attached letter signed yesterday by 81 national organizations in support of Syrian refugees.

We appreciate your support in protecting the refugees.

Sincerely,

MELANIE NEZER,
Chair, Refugee Council USA.

Ms. PELOSI. As it is the proud American tradition, we can both ensure the security of our country and welcome desperate women, children, and seniors who are facing ISIS' brutality. As my colleague who spoke before me just said, our hearts go out to the refugees, but our hand of friendship does not. And it could.

We could do this in a bipartisan way. If we betray our values as a country and slam the door in the faces of those innocent victims of terror, we do not strengthen our security. We weaken ourselves in the fight against ISIS' savage ideology.

As the Refugee Council USA and its coalition wrote to Congress—and this is very important—"it would send a demoralizing and dangerous message to the world that the United States makes judgments about people based on the country they come from and their religion. This feeds into extremist propaganda and makes us all less safe."

I talked about the French to begin with. It was interesting to me to hear

President Hollande as he spoke to thousands of people in the wake of the tragedy. What he said in some of his remarks at various venues was that France would be welcoming 30,000 refugees from Syria in the period ahead. With all that they have suffered, with the immediacy of the tragedy, with the emotion of the moment, they are still doing the right thing.

The Republican bill before us does not make us safer, and it does not reflect our values. It does not have my support.

Mr. GOWDY. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska (Mr. ASHFORD).

Mr. ASHFORD. Mr. Speaker, in my view, H.R. 4038 is, in fact, a common-sense approach to addressing the legitimate security concerns that my constituents and the American people have expressed to me and are expressing today.

In the wake of the horrific attacks in Paris—in my view, it is a game-changer—we must and are obligated to reassess our existing procedures—and that is all this bill does—for admitting and monitoring refugees from countries associated with ISIS. I cannot sit back and ignore the concerns of my constituents and the American public.

This legislation does not shut down the refugee asylum process. If it did, I wouldn't support it. We are simply asking the administration to reassure us that those coming to the United States do not pose a threat to the American people. We should not accept anything less from our Federal Government.

I am very proud of our American legacy of being a welcoming nation, and I have devoted much of my professional life to that concept and idea. This legislation, in my view, does not diminish that legacy. Rather, this legislation will protect that legacy into the future and will reassure Americans that we are working to protect them.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS. Mr. Speaker, I think it is without question that we have the strongest, the most stringent, and the toughest refugee system in the entire world. I don't think anybody can dispute that. Yet, we are still humanitarians with regard to what our system is.

This bill is called the American SAFE Act, but where our greatest danger lies is when rhetoric is given for ISIS to utilize in order to recruit American citizens—those of us who are here to radicalize them—and then they can go to a gun shop and buy an assault weapon.

□ 1245

If we truly want to make sure that America is safe, we should make sure that no homegrown or radicalized person here has access to an assault weapon. We should have a bill.

We want every American to be safe, as I hear my colleagues talking. I am with you. How do we make them safe? Make sure that nobody, refugee or otherwise, has the ability to come to our Nation and put their hands on an assault weapon that can harm our people. That is what will keep America safe. Working together with the most stringent refugee system is what we need to do.

This is just something to try to keep people from coming in who are running away from rape, from violence, from persecution. Young children and women who are widows overwhelmingly are the individuals of the 2,000 that have been led in here.

Let's keep America safe. Let's keep assault weapons out of our land.

Mr. GOWDY. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ROHRBACHER).

Mr. ROHRBACHER. Mr. Speaker, I rise in support of H.R. 4038. This legislation will give us a pause to ensure that a benevolent safe haven in America is not used by terrorists to murder a large number of Americans. After the slaughter in Paris, it behooves us to take a close look to see to it that Americans will not be put in jeopardy by an irresponsible refugee policy or by flaws in our own system that already exist.

We can be proud that our country has a tradition of assisting suffering refugees, but we will not be consistent with that by putting Americans in jeopardy.

What could we do that might make the system better, improve the system, protect more Americans? If we pause for a moment, we might come up with some ideas. For example, let me be the first on the floor of the House to advocate that all people coming here, especially from the Middle East, be given polygraph tests. Let's give them a lie detector test to find out who they are. This shouldn't be an option for our embassies. It should be a requirement for our embassies to give such polygraph tests.

Finally, we have heard several references to the Jews being sent back in 1938 to Nazi Germany. Well, the Jews had been targeted for genocide. It was wrong, it was horrible, and it was immoral for us to send them back and not recognize they had been targeted for genocide.

Well, today the Christians in the Middle East are targeted for genocide. I hear over here: Oh, no, you are not going to let anybody in but Christians. No. Christians should get the priority the same way those Jews should have been given the priority in 1938 because, today, Christians are targeted for genocide in the Middle East. So we do not want to make the same mistake that sent the Jews back in 1938 to Hitler's death camps. Let's not make the same mistake and send Christians back because we won't give them priority be-

cause it might make some people upset with us.

I call for, number one, my colleagues to join us and save the Christians from genocide; and number two, let's make our system better so Americans are not put in jeopardy by the benevolence of our own people.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, we want to vote for a bill to reflect the angst of our constituents. If you read this bill, you can't vote for it. It forces our three security leaders—the Director of the FBI, the Director of National Intelligence, and the Secretary of Homeland Security—to personally review, vote on, and certify each and every individual refugee file.

We admitted 187 Syrian refugees last month. If our security leaders just spend 2 hours on each file, it will consume all of their working hours. ISIS cannot simultaneously and permanently incapacitate our security leaders. This bill does.

Now, some will say that our security leaders just won't look at any of the files, that this is an underhanded way for Congress to halt all refugees without taking responsibility, but our security leaders are human. They are going to look at the picture of Aylan Kurdi—that 3-year-old boy on the Turkish beach—and our security leaders will know that if they just invest a couple of hours in personally reviewing a file, they can save a human life. If they just spend another 2 hours, they can save another human life. Our security leaders will be full-time refugee evaluators.

This bill is not a pause bill. This is a permanent bill which permanently incapacitates our security agencies. Read the bill. Vote "no."

Mr. GOWDY. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. PALAZZO).

Mr. PALAZZO. Mr. Speaker, I want to thank my friend from South Carolina for the time.

Mr. Speaker, we are under attack. Across the globe and here at home, we are being targeted. We are at war. The enemy has brought war to us. And make no mistake about it, this enemy is radical Muslim extremism.

Last week in Paris, we saw a brutal reminder of just how dedicated our enemy is in fighting this war against us. We must fight back, and we must do more. The United States of America must do more.

The President of the United States, on the very day ISIS attacked Paris, argued that ISIS had been contained. He was wrong. Last year, the President called ISIS the JV team. He was wrong. The President has been wrong on ISIS from the very beginning, and he is wrong now. Where is the strategy? Where is the willpower? Where is the leadership?

Two years ago, Secretary of State John Kerry testified in front of the House Armed Services Committee about the need to arm Syrian rebels. I questioned this decision because we had no way of vetting these rebels. I told Secretary Kerry at the time: "America is just not buying what you are selling." Two years later, the administration has shut down the arming of Syrian rebels because it was completely ineffective.

Now, the administration wants to bring in 10,000 Syrian refugees to the United States, refugees who even the Director of the FBI says cannot be fully vetted. We cannot allow this to happen.

Mr. Speaker, today we are going to pass a strong piece of legislation to protect the American people. The SAFE Act will ensure the highest level of scrutiny is placed on every single Syrian refugee and effectively stop this program until we can ensure Americans are protected. I believe we should do more, but this is a powerful first step to stopping dangerous terrorists from reaching our soil.

The President, our Commander in Chief, the one person charged with protecting the U.S. homeland above all others has threatened to veto this bill. I dare him. I dare the President to veto this bill because he is angrier at Republicans than he is terrorists. I dare him to veto this bill because he thinks his strategy is working, despite the devastation in Paris. I dare the President of the United States to tell the citizens of the United States that he is more concerned with Syrian refugees than the safety of the American people. I dare him.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. TED LIEU).

Mr. TED LIEU of California. Mr. Speaker, I am Congressman TED LIEU. I am a veteran, and I oppose the Republican legislation that would upend America's refugee program for Syrians and Iraqis. It is the wrong solution for the wrong problem.

There has not been a single act of terrorism on American soil committed by a refugee. In Paris, those horrific attacks were committed by French and Belgian citizens. Under the Republican rationale, we ought to be banning travel for French and Belgians to America. If that sounds ridiculous, then so is scapegoating Syrian orphans, widows, and senior citizens fleeing persecution.

America is a country born of persecution, forged in liberty's name with equality for all. We are that shining city upon the hill. We are better than this.

Mr. GOWDY. Mr. Speaker, I yield 2 minutes to the gentleman from the great State of South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Mr. Speaker, as a Christian, I have compassion and sympathy for the refugees in

Syria. In fact, I visited with many of them in a refugee camp in Jordan, a camp that held about 120,000 Syrian refugees.

We are criticized for not having compassion on this issue. Let me tell you, compassion cuts two ways. We should also be cognizant of the compassion we should show our fellow citizens here in America. That compassion is exemplified by using the good sense that God gave us in addressing this national security concern that our Nation faces.

Our compassion should be, too, to make sure to the best of our abilities—and I think that is what this legislation does—is it says we are going to use the best of our abilities that no harm comes to our fellow countrymen. We should do everything we can to make sure that elements of evil are not introduced, due to our compassionate hearts, into the neighborhoods, the towns, the cities, and the States that we represent in this great Nation.

We lock our doors, not because we hate the people on the outside. We lock our doors because we love the people on the inside. This legislation is a great first step to hit pause. Let's get this right for the people we serve in the great Nation that we swear to uphold and defend.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, my Republican friends, unlike the French who had the vision and courage not to scapegoat desperate Syrian refugees fleeing the barbarians that attacked them in Paris, this is a foolish attempt to thwart ISIS terrorists who won't wait 2 years to be vetted.

They would do what the 9/11 hijackers did using the existing visa system. Are we going to pause and certify visas for students, tourists, or workers? Why not?

One really objectionable portion of this bill for me is I have worked for 10 years to try and help the Iraqis who worked with us in Iraq during that war to be able to escape the tender mercies of al Qaeda and others with long memories who are killing and torturing them. This bill pulls the plug on that and condemns them to be left to the terrorists. I think that is reprehensible. These are people who depended upon us, who relied upon us. We have been working in a bipartisan way for 10 years to help them escape to safety, and this bill would slam that door shut. You ought to be ashamed.

Mr. GOWDY. I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE).

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, this bill is a great way for Congress to appear as if it is acting and achieving something without actually doing anything.

Mr. Speaker, I am proud to be a member of the Foreign Affairs Committee. We have had numerous hearings from the beginning of the year, including yesterday, on this issue specifically.

One of the great challenges Western countries face is the problem of homegrown terrorism. We saw that last week in Paris when the overwhelming majority of those who perpetrated these acts were French nationals and Belgian nationals.

So the big issue we face is: What do we do with those who hold European passports and who can come here easily by getting a plane ticket? What do we do with the problem of homegrown terrorism here in the U.S. among American citizens? Those are the key challenges we face in how we balance our civil liberties, our need for tourism, our need for economic bilateral relations, with our need for security. This bill sadly today does absolutely nothing about that.

So we are going to pass this bill. We are going to pat ourselves on the back. We are going to go home and say we did something when actually we have done nothing to solve the problem and protect the security of the American people.

□ 1300

Mr. GOWDY. Mr. Speaker, I continue to reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. BECERRA).

Mr. BECERRA. Mr. Speaker, the safety of our fellow Americans, and America itself, is and must be our number one priority, our number one responsibility here in this Chamber. The people of America have a right to expect—indeed, demand—exactly that.

Our national security screening and background system for refugees is the toughest in the world. That is why so few refugees from Syria have ever been able to receive their clearance to be accepted into this country.

But then Paris, November 13, happened. Terror reigns and fear spreads, including here. We are reminded of 9/11. If I believed that this rushed legislation made our toughest of refugee screening systems work better, I would vote for it. If this rushed legislation only adds another layer of bureaucracy that makes our screening process look tougher and then results in denying women and children who are fleeing the very terrorists we seek to keep out a chance to seek that refuge here in this country, then I cannot support that.

Our tradition and our values open our door, as in the past, to those who fled Europe to start this country in the first place. It is up to us to do this courageously and do it right, not with rushed legislation.

Mr. Speaker, I urge a “no” vote.

Mr. GOWDY. Mr. Speaker, I continue to reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN), a member of the Committee on the Judiciary.

Mr. COHEN. Mr. Speaker, this bill is here without having gone through committee. It is not our normal process. It is considered an emergency. It is not an emergency. Refugees will not get in this country for 1½ to 2 years from the time they apply.

We could come back and look at the Democratic bill, of which I am a cosponsor, that incorporates Mr. KING's amendment to prevent terrorists or people on the terrorist list from getting guns, and get a Democratic and Republican bill that we might find we could agree on.

Instead, we are doing this for politics, and we are doing it by continuing to use the pinata of President Barack Hussein Obama. This is an attack on the President, who has a responsibility to defend us, and his team is doing it. This doesn't add anything to it. It doesn't make us safer. It is simply a political way to attack the President, and it is wrong.

Mr. Speaker, that is why I will be voting “no.”

Mr. GOWDY. Mr. Speaker, may I inquire how much time remains for both sides.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The gentleman from South Carolina has 2 minutes remaining. The gentleman from Michigan has 4 minutes remaining.

Mr. GOWDY. Mr. Speaker, I continue to reserve the balance of my time until such time as my friend from Michigan has closed.

Mr. CONYERS. Mr. Speaker, I include in the RECORD from today's New York Times Editorial Board, noted today, “Refugees From War Aren't the Enemy.” It includes, “this measure represents election-year pandering to the xenophobia that rears up when threats from abroad arise. People who know these issues—law enforcement and intelligence professionals, immigration officials and humanitarian groups—say that this wrongheaded proposal simply would not protect Americans from ‘foreign enemies.’”

[From the New York Times, Nov. 18, 2015]

REFUGEES FROM WAR AREN'T THE ENEMY

(By The Editorial Board)

The House is expected to vote Thursday on H.R. 4038, the American Security Against Foreign Enemies (SAFE) Act of 2015, which Republican sponsors say “would put in place the most robust national-security vetting process in history” for refugees, one that would “do everything possible to prevent terrorists from reaching our shores.”

Conceived partly in response to the Paris attacks, the bill seeks to “pause” admission of Syrian and Iraqi refugees. Though there are real fears of terrorism, this measure represents election-year pandering to the xenophobia that rears up when threats from

abroad arise. People who know these issues—law enforcement and intelligence professionals, immigration officials and humanitarian groups—say that this wrongheaded proposal simply would not protect Americans from “foreign enemies.”

One of the bill’s chief sponsors, Representative Michael McCaul of Texas, chairman of the House committee overseeing the Department of Homeland Security, surely knows how federal protocols for admitting refugees work. Yet the bill disregards the complicated current process, which already requires that applicants’ histories, family origins, and law enforcement and past travel and immigration records be vetted by national security, intelligence, law enforcement and consular officials. This process can take 18 months to two years for each person.

Among other hurdles, the measure would require that the secretary of homeland security, the director of the F.B.I. and the director of national intelligence personally certify that every refugee from Syria and Iraq seeking resettlement here is not a threat. That’s a lot of women, children, and old people.

Moreover, this bill ignores most of what the United States has learned, since 9/11 and before, of how potential terrorists actually reach these shores: such individuals more often already live here, or they come via illegal means. Unlike the refugees in Europe, those seeking resettlement in the United States must apply from abroad. They don’t arrive until formally admitted, and about half of those seeking refugee status are approved.

So far, half of the Syrian refugees accepted into the United States, officials say, have been children, and another quarter are over 60 years old. Roughly half are female, and many of those applying from abroad are multigenerational families, often with the primary breadwinner missing. About 2 percent are single males of combat age.

Given these facts, it is fair to say that the people who will be denied resettlement by this bill would be the victims of war, people who have been tortured and threatened by the same jihadists the United States now battles. They are families, they are old people and they are children, who might be given a chance for an education and a future.

This is a frightening time for Europe, and for the United States. Should this bill reach his desk, President Obama is more than likely to veto it because it has little to do with fighting global terror. It is sad that this proposal has been described as a first chance for the new speaker of the House, Paul Ryan, to cooperate with the Senate. This bill doesn’t reflect who Americans are, and congressional leaders should have the good sense to realize that.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LOFGREN), a member of the Committee on the Judiciary.

Ms. LOFGREN. Mr. Speaker, I have listened to all of this debate with keen interest, and it is with a sense of great sadness that we were unable to come up with a bipartisan bill today.

I would like to note, however, that a bill was introduced by myself and the gentleman from Mississippi (Mr. THOMPSON) that actually is much tougher than the bill before us. It would relate to all refugees in terms of their identity and their excludability—including Nigerians because we are

worried about Boko Haram and Somalians because we may be worried about al Shabaab—and that is a tougher approach. I recommend it.

But we also took good ideas from Mr. McCaul’s bill. It is a good idea to do some sampling on the IG. It is a good idea to have some reporting to the committees. Unfortunately, our bill was not made in order; but it is a stronger bill that incorporates the good ideas from the Republican bill and a smarter approach to deal with the threat.

Mr. GOWDY. I continue to reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I include in the RECORD letters of opposition to H.R. 4038.

WHITE HOUSE STATEMENT OF ADMINISTRATION POLICY

H.R. 4038—AMERICAN SAFE ACT OF 2015

(Rep. McCaul, R-TX, and Rep. Hudson, R-NC)

The Administration’s highest priority is to ensure the safety and security of the American people. That is why refugees of all nationalities, including Syrians and Iraqis, considered for admission to the United States undergo the most rigorous and thorough security screening of anyone admitted into the United States. This legislation would introduce unnecessary and impractical requirements that would unacceptably hamper our efforts to assist some of the most vulnerable people in the world, many of whom are victims of terrorism, and would undermine our partners in the Middle East and Europe in addressing the Syrian refugee crisis. The Administration therefore strongly opposes H.R. 4038.

The current screening process involves multiple Federal intelligence, security, and law enforcement agencies, including the National Counterterrorism Center, the Federal Bureau of Investigation, and the Departments of Homeland Security (DHS), State, and Defense, all aimed at ensuring that those admitted do not pose a threat to our country. These safeguards include biometric (fingerprint) and biographic checks, medical screenings, and a lengthy interview by specially trained DHS officers who scrutinize the applicant’s explanation of individual circumstances to assess whether the applicant meets statutory requirements to qualify as a refugee and that he or she does not present security concerns to the United States. Mindful of the particular conditions of the Syria crisis, Syrian refugees—who have had their lives uprooted by conflict and continue to live amid conditions so harsh that many set out on dangerous, often deadly, journeys seeking new places of refuge—go through additional forms of security screening, including a thorough pre-interview analysis of each individual’s refugee application. Additionally, DHS interviewers receive extensive, Syria-specific training before meeting with refugee applicants. Of the 2,174 Syrian refugees admitted to the United States since September 11, 2001, not a single one has been arrested or deported on terrorism-related grounds.

The certification requirement at the core of H.R. 4038 is untenable and would provide no meaningful additional security for the American people, instead serving only to create significant delays and obstacles in the fulfillment of a vital program that satisfies both humanitarian and national security ob-

jectives. No refugee is approved for travel to the United States under the current system until the full array of required security vetting measures have been completed. Thus, the substantive result sought through this draft legislation is already embedded into the program. The Administration recognizes the importance of a strong, evolving security screening in our refugee admissions program and devotes considerable resources to continually improving the Nation’s robust security screening protocols. The measures called for in this bill would divert resources from these efforts.

Given the lives at stake and the critical importance to our partners in the Middle East and Europe of American leadership in addressing the Syrian refugee crisis, if the President were presented with H.R. 4038, he would veto the bill.

DEAR MEMBERS OF CONGRESS: The National Immigration Law Center (NILC) urges you to vote no on H.R. 4308. Our nation’s refugee laws and programs already include intense security screening and no legislation is required. Our nation would be turning its back on its most fundamental values if we were to adopt measures that hinder or unnecessarily restrict refugee admissions to the U.S.

Congress does not need to impose new mandates, like H.R. 4038, that would effectively freeze refugee resettlement programs for Syrian, Iraqi or any other refugees. Screening and security measures for refugee admissions are the most robust and thorough in the nation. The agencies directly involved in security screening for refugees are continually reassessing and updating their procedures to keep in line with technology and intelligence resources. The White House has also stated its opposition to H.R. 4038.

Proposals like H.R. 4038—along with others that unnecessarily mandate additional burdens on our refugee resettlement programs—are attempts to demonize refugees who are fleeing some of the most dangerous and devastating conditions in the world and to discredit our nation’s long-standing and successful refugee resettlement programs that have welcomed and reunited refugee families from around the world.

We urge you to vote NO on H.R. 4038 which would halt and likely delay for months, years or more the Syrian and Iraqi refugee programs.

Sincerely,

AVIDEH MOUSSAVIAN,
Economic Justice Policy Attorney,
National Immigration Law Center.

REFUGEE COUNCIL USA,

Washington, DC, November 18, 2015.

DEAR REPRESENTATIVE: On behalf of Refugee Council USA (RCUSA), a coalition of 20 non-governmental organizations committed to refugee protection and welcome, I write to you today to urge you to protect Syrian and Iraqi refugees and the integrity of the United States refugee resettlement program by voting NO on H.R. 4038—The American Security Against Foreign Enemies Act 2015.

Since 1975, the United States has resettled more than 3 million refugees from around the world, including 169,000 from Bosnia and more than 100,000 from Iraq. Three quarters of a million of those refugees entered the U.S. since 2001. During that time, there have been no recorded terrorist acts in the United States by a refugee. That should come as little surprise. Refugees are, by definition, people fleeing from persecution—not persecutors themselves.

H.R. 4038 creates a bureaucratic review process that could take years to implement

and would effectively shut down refugee resettlement. The bill requires the Secretary of Homeland Security to “certify” whether an individual refugee is a threat or not after “concurrence” with the Directors of the FBI and DNI. The bill does not provide guidance on what the process for certification will be. This process will have to be created and agreed upon by three heads of agencies. Establishing such a process could take years, and in the meantime, refugees who could be resettled would languish in camps and dangerous situations. Syrian Americans would not be able to reunite with their family members, and there would be very real ramifications for international refugee protection and U.S. foreign policy interests in the region.

The process, once established, would add months or years to the security screening process, which is already the lengthiest and most robust in the world, routinely taking between 18 and 36 months. Obtaining the concurrence of three heads of federal agencies for each refugee would take years and effectively put an end to the refugee resettlement program. For reasons of security and safety, security and medical clearances are only valid for limited periods of time. During the certification process, these clearances will expire. This will mean that refugees will be caught in an un-ending loop of security clearances that will never end.

The bill requires reporting to thirteen congressional committees on each refugee that is considered for resettlement. This is unreasonably burdensome and will further delay the admission of refugees, cause security clearances to expire, and effectively end the program.

Refugees are already the most vetted non-citizens in our country. All refugees undergo thorough and rigorous security screenings prior to arriving in the United States, including but not limited to multiple biographic and identity investigations; FBI biometric checks of applicants' fingerprints and photographs; in-depth, in-person interviews by well-trained Department of Homeland Security officers; medical screenings; investigations by the National Counterterrorism Center; and other checks by U.S. domestic and international intelligence agencies. Supervisory review of all decisions; random case assignment; inter-agency national security teams; trained document experts; forensic testing of documents; and interpreter monitoring are in place to maintain the security of the refugee resettlement program. Due to technological advances, Syrian refugees are also undergoing iris scans to confirm their identity through the process.

The bill is a waste of resources. Funds used to establish and run this certification process would be better used in conducting actual security reviews of refugees and others who are vetted by these agencies.

The bill is a pretext and requires differential treatment of refugees from Syria and Iraq without providing a justification for the additional verification. It is a disguised attempt to stop refugees from two countries long beset by internal conflict, including refugees who have been in neither Syria nor Iraq for four years. Differential treatment, with no clear justification, amounts to discrimination on the basis of nationality without rational basis.

No terrorist attacks in the US have been committed by refugees. The few non-citizens who have caused harm have come to the US as tourists or through other means. This bill will tell the world that the US has no interest in being part of the global solution to

protect the victims of the violence in Syria and Iraq. It will keep US citizen family members of these refugees from reuniting with their loved ones who are in danger. This bill does nothing to keep the country safe, is a waste of tax dollars, and is an attack on refugees and immigrants—both those who are seeking safety and those who are already here.

For these reasons we ask that you vote “no” on H.R. 4038. We also want to draw your attention to the attached letter signed yesterday by 81 national organizations in support of Syrian refugees.

We appreciate your support in protecting the refugees.

Sincerely,

MELANIE NEZER,
Chair, Refugee Council USA.

THE LEADERSHIP CONFERENCE ON
CIVIL AND HUMAN RIGHTS,
Washington, DC, November 19, 2015.
Oppose H.R. 4038's Refugee Policy “Reforms”.

DEAR REPRESENTATIVE: On behalf of The Leadership Conference on Civil and Human Rights, we write to express our strong opposition to H.R. 4038, the “American Security Against Foreign Enemies Act of 2015.” This bill would effectively end the admission of refugees from Syria and Iraq, while doing virtually nothing to improve “American security against foreign enemies,” as the name suggests. It is an illogical, poorly considered proposal that is simultaneously far too broad and far too narrow.

Under our current system, refugees resettled in the United States undergo more security vetting than immigrants or visitors who come here through any other channel, and more than refugees who are resettled in any other country in the world. Yet under H.R. 4038, and after we have already resettled 3 million refugees from around the world since 1975 (including 100,000 from Iraq), Congress has just this week concluded that our security screening procedures are insufficient. In their place, H.R. 4038 would institute new screening procedures for Syrian and Iraqi refugees—procedures which are poorly defined, but which would take years to fully implement.

The practical impact of H.R. 4038's onerous new requirements would be to prevent any refugees from either of these two countries from being admitted for the foreseeable future. Meanwhile, only five days after the terrorist attacks in Paris, French President Francois Hollande has stated that France will honor its commitment to admit 30,000 refugees from war-torn Syria—three times more than President Obama had proposed to admit.

At the same time that H.R. 4038 would cause us to cede our decades-long moral high ground in protecting refugees, we struggle to comprehend precisely how it would make America safer. If the assumption behind H.R. 4038 is that Iraqi and Syrian citizens somehow pose a greater threat than citizens of other countries, this bill does not affect the admissions of immigrants or nonimmigrant visitors via other legal channels. If the assumption behind the bill is that refugees somehow pose a greater threat than other types of immigrants, this bill only affects refugee admissions from two countries.

We are certainly not suggesting that H.R. 4038 be expanded in any way. But the narrow scope of the bill does make us wonder exactly what the sponsors are hoping to accomplish through its enactment. We should note that few of the terrorists who attacked

Paris last week, and none of the hijackers who attacked our country on September 11, 2001, would have been prevented from entering the United States under the provisions of this bill.

Again, we urge you to oppose this bill. If you have any questions, please contact either of us, or Senior Counsel Rob Randhava. Sincerely,

WADE HENDERSON,
President & CEO.
NANCY ZIRKIN,
Executive Vice President.

[From MoveOn.org, Nov. 18, 2015]

MOVEON RESPONDS TO OBAMA'S VETO THREAT
OF HOUSE REFUGEE BILL

(By Brian Stewart)

Anna Galland, executive director of MoveOn.org Civic Action, had the following statement in response to news that President Obama would veto a House bill that would make it more difficult for vetted refugees to be admitted to the United States:

“We stand strongly with President Obama on this one. MoveOn members will fight vigorously to uphold the principles of welcome and compassion that are engraved on the Statue of Liberty, and against the xenophobic, hateful, and counterproductive rhetoric and proposals we've heard this week from some—primarily Republican—politicians.

“We will work to help defend the United States' essential program for resettling refugees, many of whom are fleeing from threats of terrorism to save their lives and protect their children. We urge Congress, and in particular every Democrat, to show courage and compassion in keeping our doors open to refugees in need—and to opening them wider in this moment of crisis.”

Since Tuesday, more than 115,000 people have signed state- and local-level petitions on MoveOn.org opposing bans on Syrian refugees.

CHRISTIAN REFORMED CHURCH,
November 19, 2015.

CRCNA STATEMENT TO THE U.S. HOUSE OF REPRESENTATIVES' RECORD ON THE AMERICAN SECURITY AGAINST FOREIGN ENEMIES ACT OF 2015

As Executive Director of the Christian Reformed Church in North America, I lament the attacks in Beirut, Baghdad, and Paris on November 12 and 13 and would like to express my grief for the victims and their families.

In the wake of these attacks, anti-refugee sentiment has greatly increased throughout the world. Refugees—who are fleeing from the violence of terrorism—should not be scapegoated for these extreme acts of violence. As Christians, we must speak clearly and loudly: we are called to welcome the stranger, protect the vulnerable, and love fearlessly. We are called to respond with love even amidst our fear.

The world is still facing the largest refugee crisis in recorded history. We must continue to have compassion for the vulnerable individuals fleeing conflict in Syria. Refugees already go through security screenings that can take up to 1,000 days; unnecessary additions to the process would be neither compassionate nor caring.

The Christian Reformed Church has a long history of welcoming the vulnerable and helping to resettle refugees in safe communities. The CRCNA pledges to fully participate in resettling Syrians of all religions during this current crisis as it has done with

refugees from Iraq, Afghanistan, Cambodia, Cuba, Vietnam, and elsewhere.

Sincerely,

DR. STEVE TIMMERMANS,
Executive Director, CRCNA.

AMERICAN CIVIL LIBERTIES UNION,

Washington, DC, November 18, 2015.

Re Oppose H.R. 4038, the "American Security Against Foreign Enemies Act of 2015."

DEAR REPRESENTATIVE: The American Civil Liberties Union strongly urges you to oppose H.R. 4038, the "American Security Against Foreign Enemies Act of 2015," or "American SAFE Act of 2015" (H.R. 4038). A vote on the bill is scheduled to take place on Thursday, November 19, 2015. The ACLU urges you to vote NO on H.R. 4038. The ACLU will score this vote.

I. H.R. 4038 creates bureaucratic obstacles to end U.S. acceptance of refugees from Syria and Iraq without any demonstrated public-safety benefit.

H.R. 4038 creates a bureaucratic-review process that likely would effectively shut down resettlement of refugees from Syria and Iraq. The bill mandates new certifications and undefined background investigations for all refugees who are nationals or residents of Iraq or Syria, and many who are not. Under H.R. 4038, all refugees deemed to originate from Iraq or Syria—including anyone who has been in either country at any time in the last four and a half years—may only be admitted to the U.S. after the Director of the Federal Bureau of Investigation, the Secretary of Homeland Security, and the Director of National Intelligence unanimously concur that the refugee has cleared an additional background investigation on top of what the Attorney General this week testified is "significant and robust" security screening. There has been no need expressed by federal intelligence or law-enforcement agencies for such an unprecedented clearance process, which could take years to operationalize and does not add any public-safety benefit for the U.S. population. In short, H.R. 4038 would bring the U.S. resettlement process of Syrian and Iraqi refugees to a grinding halt.

II. H.R. 4038 would result in unjustified discrimination against refugees from Syria and Iraq based on their nationality, national origin, and religion.

It is wrong and un-American to condemn groups without reason solely based on their nationality, national origin, religion, or other protected grounds. The proposed certification and background investigation requirements in H.R. 4038 would only apply to refugees deemed to be from Iraq or Syria, and not other countries. The bill sponsors have provided no sufficient reason for additional certification and investigation requirements to justify the differential treatment of refugees from Syria and Iraq, or even defined how that differential treatment would improve current practice. H.R. 4038, therefore, amounts to impermissible discrimination on the basis of nationality and national origin without a rational basis.

The extra certification and investigation requirements in H.R. 4038 would disproportionately harm Muslim refugees seeking protection in the U.S. According to the Refugee Processing Center, 96 percent of Syrian refugees admitted to the U.S. since the Syrian civil war began in 2011 are Muslim, while over 60 percent of Iraqi refugees admitted since the Iraq war began in 2003 are Muslim. Muslim refugees would disproportionately suffer the consequences of this discriminatory bill, as they would be denied entry to

the U.S. and forced to languish in refugee camps for years on end.

III. H.R. 4038 is an attack on vulnerable refugees from Syria and Iraq, both those seeking protection and those already residing in the U.S.

Not only is H.R. 4038 an attack against refugees from Syria and Iraq, but it would also harm those refugees' family members who are already in the U.S. and eagerly awaiting to be reunified with their loved ones. This bill would subject those families to an interminable wait and would prolong unnecessary suffering for both the refugees seeking protection and those family members waiting in the U.S. Moreover, the bill's very name, the "American Security Against Foreign Enemies Act," would worsen stigmatization of Syrian and Iraqi refugees—and, more broadly, scapegoat all refugees—fanning the flames of discriminatory exclusion here and abroad.

IV. Conclusion

The ACLU urges the House to vote NO on H.R. 4038. For more information, please contact ACLU Legislative Counsel Joanne Lin.

Sincerely,

KARIN JOHANSON,
*Director, Washington
Legislative Office.*

JOANNE LIN,
Legislative Counsel.

CHRIS RICKERD,
Policy Counsel.

ASIAN AMERICANS ADVANCING JUSTICE,

November 18, 2015.

DEAR REPRESENTATIVE: Asian Americans Advancing Justice (Advancing Justice) is a national partnership of five nonprofit, non-partisan organizations that work to advance the human and civil rights of Asian Americans and Pacific Islanders through advocacy, public policy, public education, and litigation. We are based in Washington D.C., Atlanta, Chicago, Los Angeles, and San Francisco. We write to urge you to vote NO on H.R. 4038, The American Security Against Foreign Enemies Act of 2015 (American SAFE Act of 2015).

We are all shocked and saddened by the recent attacks in Paris and elsewhere but now is not the time to close our hearts and our state to people fleeing violence and terror. We must be careful not to act impulsively in response to recent violence and we must be vigilant against enacting policies targeting people based on their national origin or religion. Due to the legacy of the internment of Japanese Americans in WWII and the treatment of Arab, Middle Eastern and South Asian after 9/11, the Asian American community is all too familiar with hasty actions based on discrimination and fear.

Protecting national security and public safety is important to all of us, but we should not let fear and prejudice guide our decisions about whom to welcome to America. The refugee resettlement program is already the most difficult way to enter the United States, routinely taking individuals several years to be processed. All refugees undergo thorough and rigorous security screenings prior to arriving in the United States, including but not limited to multiple biographic and identity investigations; FBI biometric checks; in-depth, in-person interviews by Department of Homeland Security officers; medical screenings; investigations by the National Counterterrorism Center, and other checks by U.S. domestic and international intelligence agencies. In addition, other measures such as mandatory supervisory review of all decisions, random case

assignment, and forensic document testing are in place to maintain the security of the refugee resettlement program.

H.R. 4038 creates a bureaucratic review process that could take years to implement and would effectively shut down refugee resettlement. The bill requires the Secretary of Homeland Security to "certify" whether an individual refugee is a threat or not after "concurrence" with the Directors of the FBI and National Intelligence. The bill does not provide guidance on what the process for certification will be. This process will have to be created and agreed upon by three heads of agencies. Establishing such a process could take years, and in the meantime, refugees who could be resettled would languish in camps and dangerous situations, Syrian Americans would not be able to reunite with their family members, and there would be very real ramifications for international refugee protection and U.S. foreign policy interests in the region.

The process, once established, would add months or years to the security screening process, which is already the lengthiest and most robust in the world, routinely taking between 18 and 36 months. Obtaining the concurrence of three heads of federal agencies for each refugee would take years and effectively put an end to the refugee resettlement program. For reasons of security and safety, security and medical clearances are only valid for limited periods of time. During the certification process, these clearances will expire. This will mean that refugees will be caught in an un-ending loop of security clearances that will never end.

The bill also requires reporting to more than a dozen congressional committees on each refugee that is considered for resettlement. This is unreasonably burdensome and a waste of resources. Funds used to establish and run this certification process would be better used in conducting actual security reviews of refugees and others who are vetted by these agencies.

This bill is merely a pretext for discriminatory treatment of refugees from Syria and Iraq without providing a justification for the additional verification. America should remain a place of safety for people seeking refuge and peace from around the globe. We strongly urge you to vote no on H.R. 4038 and reject similar proposals that would limit or impose unnecessary processes that effectively prevent future refugees from coming to the United States.

If you have questions about our recommendation, please contact Erin Oshiro at Asian Americans Advancing Justice-AAJC. Thank you.

Sincerely,

STEWART KWON,
*President & Executive
Director, Advancing
Justice, Los Angeles.*

CHRISTOPHER
PUNONGBAYAN,
*Executive Director,
Advancing Justice,
Asian Law Caucus.*

MEE MOUA,
*President & Executive
Director, Advancing
Justice, AAJC.*

TUYET LE,
*Executive Director,
Advancing Justice,
Chicago.*

HELEN KIM HO,
*Executive Director,
Advancing Justice,
Atlanta.*

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. FRANKEL).

Ms. FRANKEL of Florida. Mr. Speaker, our folks back home are understandably frightened, and there is no question that ISIL must be destroyed and that the safety of Americans must be our first priority. But denying refuge to women and children who are fleeing rape and torture and who go through a 2-year vigorous entry process will not make us a safer country.

At a time when we are trying to forge a coalition of international nations, it is self-defeating to send a message of isolation. Our antiterrorism resources must be focused on terrorists, not on innocent human beings seeking shelter from the most unspeakable horrors.

Mr. CONYERS. I yield myself the balance of my time.

Mr. Speaker, Members of the committee and of the House, instead of slamming our doors to the world's most vulnerable, we should be considering legislation to strengthen and expand refugee programs.

Unfortunately, the bill before us today is not a serious effort to legislate, and it will not make us safer. It is a knee-jerk reaction, as evidenced by the fact that this measure was introduced just 2 days ago and has not been the subject of a single hearing or any meaningful review by our committee.

Rather than betraying our values, we must continue to focus on the most effective tools to keep us safe, while providing refuge for the world's most vulnerable. Accordingly, I plead with, I urge my colleagues to please oppose H.R. 4038.

Mr. Speaker, I yield back the balance of my time.

Mr. GOWDY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, it seems commonsensical that when it comes to national security and public safety, we should listen to and rely upon the women and men who are actually experts and have dedicated their lives to public safety and national security.

Mr. Speaker, this is a fact: We don't have sufficient information to appropriately investigate and vet failed nation-states.

This is a fact: ISIS has sworn to bring its war against innocents here.

This is a fact: Administration officials noted ISIS may well use the refugee program to infiltrate our country.

This is also a fact, Mr. Speaker: The margin for error is zero. It is zero. The presumption should always be in favor of national security and public safety because that is the preeminent role of government, and it is our constitutional duty, Mr. Speaker.

So unless and until those we place in charge of our national security and public safety can provide the necessary assurances, we should seek to aid those who need aid where they are.

In conclusion, Mr. Speaker, the President says that we are scared of widows and orphans. That is what passes for debate in this day and age. With all due respect to the President, what we are really afraid of, Mr. Speaker, is a foreign policy that produces so many widows and orphans.

He is the Commander in Chief, Mr. Speaker. His job is to make our homes safer. He could also make the homeland of the refugees safer. He could restore order to the region, and he can defeat that JV team that he once thought he had contained. That would be the very best thing we could do for those who aspire to a better, safer life.

Mr. Speaker, I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, I submit the following letters from the U.S. Conference of Catholic Bishops and First Focus Campaign for Children.

UNITED STATES CONFERENCE OF
CATHOLIC BISHOPS, COMMITTEE ON
MIGRATION,

Washington, DC, November 19, 2015.

DEAR REPRESENTATIVE: On behalf of the U.S. Conference of Catholic Bishops (USCCB), I write to oppose passage of H.R. 4038, the American Security Against Foreign Enemies Act of 2015.

As you know, the legislation would suspend the resettlement of refugees from Syrian and Iraq until a procedure could be established whereby the Secretary of the Department of Homeland Security (DHS) would certify—with concurrence of the FBI director and the Director of National Intelligence—that each refugee is not a terrorist threat. It also would require that the current or a future Administration report to thirteen congressional committees on each refugee that is considered for resettlement. These requirements would keep many deserving refugees in danger for an extended period of time, at risk of their lives, but would not necessarily make the process a more effective one.

The U.S. Catholic bishops acknowledge and support the right of our government to defend our nation and to ensure that the American people are safe. However, we believe that this legislation is designed to severely limit, if not end, the resettlement of Syrians or Iraqis to the United States, including vulnerable women and children, the elderly, and religious minorities fleeing violence and death, including Christians. It also would impact Iraqis who may have been forced to flee to Syria during the Iraqi war, even those who may have supported our troops.

The current security process for Syrian refugees can take up to 24 months or longer, as refugees go through several interviews and 5 security clearance reviews. Refugees go through more security checks than any arrival to our nation. Since 2001, the United States has resettled 784,000 refugees under this process and there has not been a single terrorist act committed by a refugee admitted into the country.

The U.S. refugee program is an example of a successful private-public partnership which has enjoyed bipartisan support for decades. Presidents from both political parties have supported, and, at times, expanded the program to respond to humanitarian crises originating from global conflicts, including President Gerald R. Ford after the Vietnam War, President Bill Clinton after the Bosnian

conflict, and President George W. Bush after the Iraqi War. H.R. 4038 represents a threat to this tradition and to our moral leadership in the world.

Instead of imposing additional bureaucratic processes upon the current stringent security system through the adoption of H.R. 4038, we encourage you to work with the Administration to strengthen it, without suspending the program. I also ask that you work with your colleagues and the Administration to end the Syrian conflict peacefully so the 4 million Syrian refugees can return to their country and rebuild their homes.

Until that goal is achieved we must work with the world community to provide safe haven to vulnerable refugees who are simply attempting to survive. H.R. 4038 abdicates our moral responsibility in this area and must be defeated.

Thank you for your consideration of our views.

Sincerely,

MOST REVEREND EUSEBIO ELIZONDO,
Auxiliary Bishop of Seattle, WA,
Chairman.

FIRST FOCUS
CAMPAIGN FOR CHILDREN,

Washington, DC, November 19, 2015.

DEAR MEMBER: On behalf of First Focus Campaign for Children, a national bipartisan advocacy organization dedicated to making children and families a priority in federal policy and budget decisions, I write to you today to strongly urge that you oppose the American SAFE Act (H.R. 4038). This bill would immediately prevent all refugees from Syria and Iraq from entering the United States and makes the process for their entry considerably more difficult.

The American SAFE Act creates a much more stringent, discriminatory process for refugees from Syria and Iraq to gain entry into the United States. These populations would be singled out and could not be admitted until the Director of the FBI, the Secretary of DHS and the Director of the National Intelligence have received a background investigation that is deemed sufficient to determine whether the refugee is a threat. This process is fraught with complications as thousands of refugee children and their families will remain in limbo indefinitely and agencies would have to use significant resources to coordinate investigations and create new criteria for who can be admitted. The United States already has much tougher protections than European nations, evident in the fact that all refugees are screened for 18-24 months before stepping foot in the U.S. and face the highest level security screening of any traveler or immigrant.

Those fleeing from violence in Syria are amongst the most vulnerable in the world. Over 50% of those who have entered the United States are children and a quarter are over the age of 60. By adding an unnecessary layer of bureaucracy to the screening process, the United States would be jeopardizing the lives of thousands of innocent children who have committed no crime other than to be born in a country rife with instability and susceptible to unspeakable acts of terrorism. These children have already experienced a great deal of trauma and creating barriers for safety will only make their situations more desperate.

America has a proud history of providing refuge for those in need, and this bill runs contrary to our most fundamental values of compassion and fairness. Thus, we strongly urge you to oppose HR 4038 as it further undermines the safety of millions of children

who are seeking protection from the very terrorism we are seeking to defeat.

Sincerely,

BRUCE LESLEY,
President.

DEAR MEMBERS OF CONGRESS: The National Immigration Law Center (NILC) urges you to vote no on HR 4038. Our nation's refugee laws and programs already include intense security screening and no legislation is required. Our nation would be turning its back on its most fundamental values if we were to adopt measures that hinder or unnecessarily restrict refugee admissions to the U.S.

Congress does not need to impose new mandates, like HR 4038, that would effectively freeze refugee resettlement programs for Syrian, Iraqi or any other refugees. Screening and security measures for refugee admissions are the most robust and thorough in the nation. The agencies directly involved in security screening for refugees are continually reassessing and updating their procedures to keep in line with technology and intelligence resources. The White House has also stated its opposition to HR 4038.

Proposals like HR 4038—along with others that unnecessarily mandate additional burdens on our refugee resettlement programs—are attempts to demonize refugees who are fleeing some of the most dangerous and devastating conditions in the world and to discredit our nation's long-standing and successful refugee resettlement programs that have welcomed and reunited refugee families from around the world.

We urge you to vote NO on HR 4038 which would halt and likely delay for months, years or more the Syrian and Iraqi refugee programs.

Sincerely,

AVIDEH MOUSSAVIAN.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I would like to express my opposition to H.R. 4038, the American Security Against Foreign Enemies Act. As a result of horrific terrorist attacks in Paris, France and Beirut, Lebanon last week, many elected officials in the United States are demanding that we stop admitting refugees fleeing Syria or place strict restrictions upon their entrance. This rhetoric is disheartening and disappointing. We are facing a global refugee crisis that requires a global response.

With 60 million people displaced, the United States must do its part to help protect and resettle vulnerable families and children who are fleeing violence and persecution. While we must continue to ensure that screening procedures are able to properly vet those seeking political asylum in this country, I refuse to turn my back on innocent people who are fleeing the atrocities in their homeland.

H.R. 4038 places unnecessary bureaucratic obstacles in front of Syrian and Iraqi refugees without any demonstrated public safety benefit and would result in completely unjustified discrimination based on nationality, origin, and religion. This is not only wrong, it is not American. H.R. 4038 also wrongly attacks vulnerable refugees who are fleeing the same dangerous attacks that we fear so much here on American soil.

While I do believe that we must remain vigilant in our safety precautions, we cannot close our doors and our minds to the children and families seeking protection, shelter, and safety. In Dallas, we have always shown our compassion to those who seek safety. I refuse to

slam the door on a small fraction of the world's Syrian refugees. In fact, 184 Syrian refugees have already been placed in Texas with more than 1,500 across the nation and we will certainly welcome more.

We cannot turn our backs on those who fall victim to war, aggression, and terror. Instead, we must show compassion by promoting peace and diplomacy. I urge my colleagues to vote against this divisive and discriminatory legislation.

Ms. MCCOLLUM. Mr. Speaker, I rise in opposition to HR. 4038.

In the aftermath of last week's barbaric ISIL terrorist attack in Paris the Republican leadership of the U.S. House has decided that the best way to protect the security of the American people is to attack Syrian and Iraqi refugees. These are the innocent and vulnerable children, parents, and elders who are seeking protection from murderous armies, terrorist groups, and death squads.

The perpetrators of the Paris attack were ISIL radicals with European citizenship, not refugees. As many as 3,000 European extremists have traveled to Syria to join the ranks of ISIL. In fact, the ISIL mastermind behind the Paris attack who was killed by French authorities, Abdelhamid Abaaoud, was a Belgian citizen, not a refugee from Syria or Iraq. Meanwhile, the U.S. visa waiver program allows unrestricted access to the U.S. from the European Union which is an open door for European extremists not on a watch list to enter our country. In my view, this is where the real reform and intelligence sharing must be strengthened.

The American Security Against Foreign Enemies Act (HR. 4038) is a Republican ploy that is cruel, callous, and a blatant display of xenophobia used to energize a political base that is motivated by a hatred of immigrants. This legislation is not designed to protect our national security interests, but rather will be used as a political weapon to attack Democrats who still believe our nation should be a safe haven for vulnerable people seeking freedom from persecution and the threat of death.

I support resettling refugees in the U.S. and I have always welcomed them to Minnesota. The most modern identification technology and intelligence background checks need to be utilized in the resettlement security process. That means this Republican Congress must act responsibly and provide the necessary funding for such a comprehensive screening protocol. I support appropriating full funding for these strict protocols.

ISIL is a global scourge that must be eradicated. Keeping America safe and eliminating ISIL will require intelligence, military, and counter-terrorism coordination between the U.S. and all allies. Unfortunately, H.R. 4038 is a transparent effort to scapegoat Syrian and Iraqi refugees who have suffered immeasurably, but clearly not enough for some of my colleagues. I reject this Republican bill as another example of driving a political agenda based on willful ignorance in the face of a serious terrorist threat.

Mr. Speaker, I urge my colleagues to join me in opposing H.R. 4038.

Ms. BONAMICI. Mr. Speaker, I rise today in opposition to H.R. 4038, the American Security Against Foreign Enemies (SAFE) Act of

2015, legislation that was introduced just 48 hours ago with no consideration by any Committees of jurisdiction. In the wake of horrific terrorist attacks across the globe, I understand and appreciate the concerns and fear in our communities. We must recommit to keeping our country safe and secure, but keeping our country safe and accepting refugees fleeing war and terrorism are not mutually exclusive and never have been throughout the history of our great nation.

The American SAFE Act would effectively bar refugees, many of whom are women and children, from escaping violence and finding a safe haven in our country. The United States already has an extremely rigorous screening process for refugees that includes 18 to 24 months of detailed background checks, screening, and interviews administered by the Departments of State, Homeland Security, and Defense.

The President has committed to allowing an additional 10,000 refugees into our country, and more than half of those are children. Our history reflects a nation that thrives on diversity and is strengthened by the contributions of immigrants, and in darker times, our history also provides examples of where we have failed in the past, most notably during the early years of World War II. The men, women, and especially children who are seeking a better life and refuge from bullets and bombs are counting on us. As an American and a mother, I urge my colleagues not to respond to fear and political rhetoric by supporting this bill and instead commit to a thoughtful debate that will strengthen our national security policy without closing our border to the world's most vulnerable.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise before you with the words that are inscribed on our Statue of Liberty that reflects our history of a nation of what America is, should be, and to become to many people regardless of nationality, ethnicity, and creed (religious belief). We are a nation of Native Americans, descendants of slaves, and immigrants. Historically, these words have not always reflected the true meaning of freedom through time and periods of conflict.

The American Safe Act is a bill that attempts to infuse fear on Americans about terrorism and would lead to slowing down the process of resettlement in the Syria and Iraq region for the most vulnerable refugees possibly for years to come.

History is a tool that we should always learn from and always seek to build on the existence of our past to make America better and not a spectator on the wrong side of history.

Remember what was said about the Japanese Americans during World War II, when they were placed in internment camps. Fear was the reason and rationale as to why specific citizens were looked on as enemy aliens that needed to be put away to protect our national security and make America safe from danger of foreign influences.

Remember what happen to immigration quotas and restrictions of Jewish refugees fleeing from a holocaust in Europe. Where American polls were suggesting to not allow German and other political refugees from entering America due to fear and concern of possible entry of German agents among refugees.

What about the Haitians and Africans who are turned back or returned to their country of origin while seeking refuge in America?

Mr. Speaker, *Deja vu* all over again, yes we should be cautious and yet wise in our decisions that are temper with compassion and not fear to reject a people in their greatest hour of need.

I submit the following Statue of Liberty Poem:

NEW COLOSSUS (STATUE OF LIBERTY POEM)

Not like the brazen giant of Greek fame,
With conquering limbs astride from land to land;

Here at our sea-washed, sunset gates shall stand

A mighty woman with a torch, whose flame
Is the imprisoned lightning, and her name
Mother of Exiles.

From her beacon-hand
Glows world-wide welcome; her mild eyes
command

The air-bridged harbor that twin cities
frame.

"Keep, ancient lands, your storied pomp!"
cries she With silent lips.

"Give me your tired, your poor,
Your huddled masses yearning to breathe
free,

The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tossed to
me,

I lift my lamp beside the golden door!"

Mr. LEVIN. Mr. Speaker, the entire goal of terrorists—in their cowardly acts of violence against innocent and unsuspecting civilians—is to cause death, chaos, bring intense fear and intimidate the global community. We were victims of the most horrendous terrorist attacks on 9–11 and we all joined in feelings of renewed honor as we watched the terrorist attacks in Paris.

We need to ensure that our response is both strong in purpose and effective. We did that after 9–11. We put in place the most stringent refugee resettlement program in the history of our country.

These are the facts:

Refugees are referred to the U.S. program after being screened by the United Nations High Commissioner for Refugees who first determines if resettlement in a third country is the right solution.

The current U.S. screening process takes between 18–24 months. It involves multiple Federal intelligence, security, and law enforcement agencies, including the National Counterterrorism Center, the Federal Bureau of Investigation, and the Departments of Homeland Security (DHS), State, and Defense, all aimed at ensuring that those admitted do not pose a threat to our country. These safeguards include biometric (fingerprint) to confirm identity, multiple layers of biographical and background checks, and medical screenings.

Specifically, each applicant's biographical information is checked against the Department of State's Consular Lookout and Support System—which includes terrorist watchlist information during prescreening. Then, Security Advisory Opinions from the law enforcement and intelligence communities for each applicant is secured.

All of this information helps to inform the lengthy in-person interviews. DHS officers

scrutinize the applicant's explanation of individual circumstances to assess whether the applicant meets statutory requirements to qualify as a refugee and that he or she does not present security concerns to the United States. If as a result of the security process, U.S. security agencies cannot verify details of a potential refugee's story, they are denied. These checks happen before an application is approved and long before a refugee would be able to enter the United States.

And these are the facts on the refugees:

Refugees by definition are the most vulnerable people in our global society. They are fleeing war, violence and persecution. In Syria refugees are either fleeing the violence brought on by the civil war and the violence of President Assad's army or the terror of ISIS operating from there.

The emphasis for the U.S. program is to admit the most vulnerable—particularly women and children, survivors of violence and torture, and those with severe medical conditions. Since 2011, 2,034 Syrian refugees have been admitted to the United States. A quarter of these refugees are adults over 60. Half are children. Young, single males unattached to families constitute only 2% of the Syrian refugee admissions to date. DHS interviewers receive extensive, Syria-specific training before meeting with refugee applicants.

Each Member of Congress takes very seriously our number-one responsibility to protect the homeland. At times of crisis it is crucial that we act in a bi-partisan fashion. Regretfully that was not the process followed by the Republican Majority. They crafted the legislation before us today on their own and with no hearings, no expert testimony, no Committee markup, and no opportunity to offer amendment

As a result, the legislation before us sets a partisan course, and is being used mainly as a vehicle to criticize the President's foreign policy. The current screening system has been working. This bill does not improve it and could scramble up what is working. The legislation would require the FBI to have their own additional and undefined separate screening systems even though they currently fully participate in the stringent process led by the Department of Homeland Security. We created DHS after 9–11 to ensure the most effective system that brought all of the resources of the federal government together to combat terrorism. It does not seem wise to unwind that without thorough review and consideration.

The threat of terrorism brings to all of us and to communities across our country a sense of insecurity. It is our responsibility in Congress to channel those feelings into effective solutions. The legislation before us fails to do so. This bill would disrupt a screening process that is working and, in so doing, would yield the moral high ground that our country must hold at all costs if we are to defeat ISIS. We can and must both fight terrorism and help the victims who seek to escape it.

Mr. HONDA. Mr. Speaker, I rise today in strong opposition to the American SAFE Act of 2015 (H.R. 4038). This ill-advised, short-sighted, closed-minded bill would immediately block all refugees from Syria and Iraq from resettling in the U.S. and make the process for entry significantly more challenging for those seeking refuge here.

Today, we are seeing the greatest number of refugees and displaced persons since World War II. That fact alone is startling and disheartening.

People do not uproot their lives and flee their homeland unless it is for the most dire reasons. Who would choose to expose their children to months of traveling on foot, with only the shirt on their back? The families fleeing from the violence in Syria are the most vulnerable in the world. The majority of the refugees are children and women who are fleeing from their terror, sexual violence, and destruction.

History will remember this moment: when our nation decides whether we will turn the most vulnerable away from our shores, or if we will stand with humanity, be inclusive, and protect those who need our help the most.

Mr. Speaker, I firmly oppose the American SAFE Act of 2015; it will only compromise our moral standing in the world, as well as our national security and safety.

Our Constitution is never tested during times of tranquility; it is during times of tension, turmoil, tragedy, trauma, and terrorism that it is sorely tested. We must not allow our anger and outrage toward ISIL terrorists and their cowardly attacks on civilians to turn us away from compassion and generosity. We must not shut our doors—not to the Syrian refugees, or to anyone. We need to find ways to help them find safe haven from the perpetrators of these acts of violence.

Ms. JACKSON LEE. Mr. Speaker, I rise today to speak in opposition to H.R. 4038, the "American Security Against Enemies Act of 2015" (America SAFE Act).

This is the latest attempt to attack the President.

It is cheap and unworthy of this august body to engage in politics when our aim should be lofty and thoughtful policy.

President Obama has accomplished tremendous successes in restoring our nation's leadership and integrity around the world following the disasters of the previous administration.

He inherited 2 wars including the Iraq war, an unprovoked and unjustified invasion, which today is a strong contributing force to the situation that exists in Iraq and Syria.

The President has led where others have only talked—he has used soft power in an impressive and masterful way that thwarted Russia in its ambitions, and to bring Iran to the negotiation table resulting in the curbing of that nation's nuclear weapon ambition.

Now the President's work to make sure that United States remains a leader in the global community by meeting the obligation to receive refugees from Syria and Iraq.

This bill is doing damage to our national interest.

The American SAFE Act requires a FBI background check for every refugee from Iraq and Syria who apply for asylum in the United States.

In addition, H.R. 4038 provides that no refugee from Iraq or Syria can be granted asylum in the United States unless the Director of the FBI, the Secretary of the Department of Homeland Security, and the Director of National Intelligence each make an independent determination and concur unanimously that the applicant for asylum poses no threat to the national security of the United States.

I understand that the proponents of H.R. 4038 are responding to the legitimate apprehensions of many Americans shocked by the horror and carnage of the terrorist attacks that occurred last Friday, November 13, 2015, in Paris.

Mr. Speaker, this nation stands in unyielding solidarity with the people of France, which like the United States, is one of the most welcoming and freedom loving nations in the world.

Right now, our prayers are with the victims of the terrorist attacks and their families.

Every American can empathize with the people of France because we remember the terrible and heart-breaking events of September 11, 2001, the first and worst attack by an enemy on American soil since Pearl Harbor and which took the lives of more than 3,000 innocent persons.

On that day Americans of all races, religions, and creeds, in every region of the country were united in their shock and sadness and anger.

But we were united in our resolve to help each other, to defend our homeland, and bring to justice those responsible, and only those responsible, for their crime against humanity.

In the 14 years since that heart-wrenching day, our nation has learned much from our initial responses to the attacks of September 11; we have a much better idea today of what types of actions work, which do not, which go too far.

And the best way to honor those who lost or gave their lives on September 11, and to the victims of terrorism in France and other peace loving societies, is to apply the knowledge and wisdom we have gained from experience to meet the challenges and threats the civilized world faces today from radical jihadists.

Last September, the Homeland Security Committee, which I have served on since its inception, held a hearing at Ground Zero during the week marking the 14th Anniversary of the September 11.

Homeland Security Committee Chairman McCAUL, Ranking Member THOMPSON and Judiciary Committee Subcommittee on Immigration Ranking Member LOFGREN are dedicated public servants whose actions are always motivated by their commitment to keep our nation safe and secure.

It is safe to say that this motivation is shared by every Member of this House.

But that we all agree on the end to be achieved does not mean that we always agree on the means that should be employed.

Mr. Speaker, this is one of those occasions because while I yield to no one in my commitment to protecting the homeland and keeping the American people safe, I cannot agree that H.R. 4038 achieves that goal or is in the best interests of the United States.

On March 4, 1933, President Franklin Delano Roosevelt assured the nation in his Inaugural Address that "the only thing we have to fear is fear itself—nameless, unreasoning, unjustified terror which paralyzes needed efforts to convert retreat into advance."

I would not oppose this bill if I believed that it was needed.

This is not to say that the actions H.R. 4038 requires should never be taken; only that they

are not needed at this time and employing them would not be an exercise of American leadership but of fear and retreat.

Our nation is better than that.

But it is good that we are debating H.R. 4038 because it provides us another opportunity to remember who we are, what we believe, and what makes our nation exceptional.

ISIS/ISIL aspires to bring about a bi-polar world, one divided between those Muslims who share their distorted and profaned interpretation of one of the world's great religions on the one hand, and everyone else on the other.

We in the United States seek a peaceful world in which every person on earth is free to worship in peace, live in freedom, and enjoy the blessings of liberty.

In other words, like the French, we believe in "liberté, égalité, fraternité" (liberty, equality, and fraternity).

ISIS/ISIL would have none of this—the world they want is one where murder can be justified because you do not believe as they would have you believe or live as they would have you live.

Women and children, religious minorities—including other Muslim beliefs that differ from their views, have suffered under ISIS/ISIL's reign of terror.

The reign of terror unleashed by ISIS/ISIL is the source of refugees who are fleeing from something so all-consuming and destructive that they leave with nothing but their children in their arms and the clothes on their bodies.

Before September 11, few Americans could imagine that kind of terror.

Our allies in Europe understand that kind of terror—from the stories of those who sought refuge from the Nazis prior to and during World War II and after the war when escaping the totalitarian states of the Soviet-dominated Warsaw Pact.

Fear of the stranger has always existed, but civilization and institutions ease that fear by providing law and order to people to assure protection from want; violence; and war by expending resources to address conditions that would result in those societal destabilizing influences.

Each nation decides where it stands on principle, law, and conscience.

Mr. Speaker, H.R. 4038 is not necessary at this time because our nation already has in place the world's most rigorous screening process for refugees seeking asylum.

Mr. Speaker, there are other alternatives to the draconian approach of H.R. 4038, takes such as the bill introduced by Ranking Members THOMPSON and LOFGREN.

The President is another solution for those who seek reassurance that every precaution is being taken—he is in a position to certify to the Congress and the American people that the process is prudent and careful in its actions regarding refugees seeking entrance into the United States.

It is helpful to recount briefly the critical elements of that screening process.

Every applicant for asylum must:

1. register with the United Nations High Commissioner for Refugees;

2. provide background information, including what caused him or her to flee their home country (a ready means of comparing informa-

tion provided by more than one million refugees to further verify the validity of the information provided);

3. meet one of five legal qualifications: threat of violence based on race, religion or faith or national origin; political beliefs; or membership in a targeted social group.

4. undergo a rigorous background check during which investigators fact-check the refugee's biography to ensure consistency with published or documented reports of events such as bombings or other violence;

5. be subjected to biometric tests conducted by the Department of Defense, in conjunction with other federal agencies (the U.S. military has an extensive biometric data base on Iraqis from its time in Iraq); and

6. sit for intensive in-person interviews, which may take months or years before they are conducted.

Mr. Speaker, over the past several years intelligence and law enforcement agencies have established and perfected an intense form of screening for Syrians called the "Syrian Enhanced Review."

If, during the screening process, a person from Syria gives response that raise red flags he or she is selected for more intense examination by U.S. intelligence agencies.

The demographic breakdown of those Syrians who have been approved for refugee status to come to the United States is as follows: children, 50%; persons over the age of 60, 25%; combat age males, 2%.

Mr. Speaker, we must be careful not to engage in ethnic or religious profiling.

Unless someone has been profiled it may be difficult to understand what collective guilt looks, or worse, feels like when it is heaped upon members of a group—no matter their age or their condition.

Here in America we have learned through bitter experience that it is morally and politically wrong to regard an entire group of people as unworthy of compassion, regard, concern, or consideration because of their race or religion or ethnicity.

As I stated at the outset, I do not question the motives of those who prevailed upon the House leadership to rush this bill to the floor for a vote today.

H.R. 4038 was introduced on Tuesday, November 17, and is on the floor for a vote less than 48 hours later, Thursday, November 19.

This is fast—too fast for such a serious decision and without considering the arduous process that is in place to screen all refugees not just those from Iraq and Syria.

Mr. Speaker, H.R. 4038 only addresses the refugee process for those who are Iraqi and Syrian.

In its own way, it acknowledges that the process in place to vet refugees is difficult so much so that no terrorist would choose it as a means to enter the United States.

Unlike Europe where people from the Syrian and Iraqi conflict could walk by land to Europe by the tens of thousands, the United States is not accessible by foot.

We will not take any refugees who are now in Europe.

Our nation welcomes millions of tourist, business travelers, and students from around the world at our airports and seaports each day.

The United States Refugee Asylum process is not comfortable and it takes at a minimum 2 years.

The persons who apply must remain where they have registered until the process is completed, which involves a series of in person interviews, physical health status checks, collection of biometrics and other data as well as investigations by law enforcement and intelligence agencies.

The last thing a terrorist would want is to be a refugee—living in the harsh environment of a refugee camp for two years.

Refugees are the victims of terrorists—ISIS/ISIL does not love them—they want to murder every last one of them, because they will not bow to them.

We should be stirred by the defiance and courage that refugees exemplify—braving the unknown because they yearn to breathe free.

In truth ISIS/ISIL has killed more Muslims than any other group of persons because they practice their faith as they see fit and refuse to worship falsely.

This bill troubles me because it asks the impossible of professional law enforcement, national security, and intelligence agency personnel—by requiring a 100% guarantee that each person poses no threat.

No professional security or law enforcement professional will give anyone a 100% guarantee about anything.

They will not provide a 100% guarantee because they believe that something or someone is a threat—they will not provide a guarantee because it is grossly unprofessional to do so and we should never ask them to do this.

On its face H.R. 4038 would end any hope of asylum in the United States for any refugee from Iraq or Syria.

If this is what the leadership wants then they should say it plainly and have a debate about profiling as a national policy.

I cannot support this bill, but I am committed to working with my colleagues on both sides of the aisle to find common ground.

THE SCREENING PROCESS FOR ENTRY TO THE UNITED STATES FOR SYRIAN REFUGEES

Applicants register with the U.N. High Commissioner for Refugees, or UNHCR, which collects identifying documents; biodata, such as name, date of birth, and place of birth; and biometrics, most commonly an iris scan.

UNHCR interviews applicants to confirm refugee status and the need for resettlement. Biodata, biometrics, and identifying documents are checked again.

Applicants fulfill criteria to be considered a refugee under U.S. law and processing priority qualifications.

Applicants meet UNHCR resettlement requirements and are referred to the United States for resettlement.

Applicants are received and interviewed by a Resettlement Support Center, or RSC, operated by the U.S. Department of State's Bureau of Population, Refugees, and Migration. The RSC compiles information for the security clearance process conducted by the U.S. Department of Homeland Security, or DHS.

Biographic and biometric checks: Refugee applicants are vetted against law enforcement, intelligence community, and other relevant databases to help confirm the applicants' identity and check for any criminal or other derogatory information.

First biographic check: Applicants are checked against the U.S. State Department's

Consular Lookout and Support System, initiated at the time of prescreening by the RSC. Enhanced interagency security checks also take place at this time.

Second biographic check: If applicants meet certain criteria, the RSC requests Security Advisory Opinions from the law enforcement and intelligence communities.

Third biographic check: If applicants are within a designated age range, the National Counterterrorism Center conducts an interagency check, or IAC. Initially, the IAC was required only for Iraqi applicants but is now required for all qualified refugee applicants.

First biometric check: Applicants' fingerprints and photographs are taken by a trained U.S. government employee. Fingerprints are screened against the FBI's Next Generation Identification system.

Second biometric check: Applicants' fingerprints are screened against the DHS Automated Biometric Identification System, which contains watch-list information and previous immigration encounters in the United States and overseas.

Third biometric check: If applicants are within a designated age range, fingerprints are screened against the U.S. Department of Defense Automated Biometric Identification System, which includes fingerprint records captured in Iraq.

Syrian refugee applications are reviewed at U.S. Citizenship and Immigration Services, or USCIS, headquarters by a Refugee Affairs Division officer.

Applicants that meet certain criteria are referred to the USCIS Fraud Detection and National Security Directorate for additional review and research that is used by the interviewing officer to inform lines of inquiry related to applicants' eligibility and credibility.

USCIS interviews applicants in person while abroad to determine whether or not they can be approved for resettlement to the United States.

USCIS approves applicants for resettlement in the United States.

Applicants undergo health screening to ensure that those with a contagious disease do not enter the United States.

Applicants complete cultural orientation classes.

Applicants are matched with a U.S.-based resettlement agency, a process called sponsorship assurance.

Applicants under a second interagency security check to make sure no new information disqualifies them for admittance to the United States.

Prior to entry to the United States, applicants are subject to screening from the U.S. Customs and Border Protection National Targeting Center Passenger and the Transportation Security Administration's Secure Flight program.

Ms. ROYBAL-ALLARD. Mr. Speaker, I stand in strong solidarity with our brothers and sisters in France. I join them in their grief over the tragic events of November 13, I keep them in my thoughts and prayers, and I hope that their healing will soon begin.

In the wake of the heinous attacks in Paris and across the world, I stand here today in strong opposition to H.R. 4038, the so-called American SAFE Act. As the Ranking Member of the Homeland Security Appropriations Subcommittee, my top priority is to keep the American people safe. Toward that end, our nation's current review system for refugees is extensive and rigorous. Refugees are required to wait overseas for at least 18 to 24 months

before they can be admitted into our country, and they enter only if they meet all vetting requirements. The current process checks biographical and biometric data against law enforcement and intelligence databases, and there is no waiver for any part of the process.

H.R. 4038 seeks to exploit the understandable fear that some Americans feel by effectively shutting down the refugee resettlement program for Syrian and Iraqi nationals, possibly for years, until a new vetting process is established. The passage of this bill will effectively close our doors to people seeking refuge from barbaric attacks like those that were committed in Paris.

I support looking for ways to strengthen the screening process our nation currently has in place. However, strengthening our refugee screening process does not mean we must turn our back on some of the globe's most vulnerable people, especially women and children. That would go against our American values and weaken our standing among our allies. This includes France, which, in spite of the horrors it experienced in Paris, has pledged to take in 30,000 refugees.

The United States has been built by people of many nations, races, and faiths, who fled hunger and persecution in search of a better life in America. We have a long history of welcoming the tired, the poor, and the huddled masses yearning to breathe free. For centuries, America has been a beacon of light and hope for those in need. Let us not dim that light in the face of fear. Let us not block the refuge that our nation can provide to the men, women, and children who suffer at the hands of extremist regimes. Let us embrace the maxim that our French brothers and sisters have shared with the world, one that exemplifies three universal values of humanity: Liberty, Equality, and Fraternity.

I urge all Members to oppose this bill.

Mr. RUPPERSBERGER. Mr. Speaker, as a lawmaker who has dedicated the last 12 years to working on issues of national security, I have spent thousands of hours in classified briefings on threats both domestic and abroad. I have traveled to dozens of terrorism hotspots around the globe, meeting with foreign dignitaries and our intelligence workers on the front lines. No one more strongly believes that our first and most important responsibility is the protection of all Americans. We must always scrutinize any foreigner who wants to enter our country for any reason.

Today, the highest level of security screening of any category traveler or immigrant belongs to refugees. Those screenings involve health checks, biometric tests to confirm identity and multiple layers of background checks along with in-person interviews by specially trained Department of Homeland Security officers. The process involves not only DHS but the National Counterterrorism Center, the FBI's Terrorist Screening Center, the State Department and the Department of Defense, each of which must certify the refugee's status at every stage. If a refugee's background or identity cannot be confirmed at any point, their application ends.

Syrian refugees receive an additional layer of screening, culminating in a process that usually takes 18 to 24 months before they set foot on U.S. soil, if they are even approved.

As a security expert, I know that most terrorists already live in the U.S. or they come via illegal means. But it would be far easier for terrorists to enter the country legally on a tourist visa or through the visa waiver program if they are citizens of eligible nations, including France and Belgium, which is where the Paris attackers were citizens.

It is important to note that the legislation under consideration in the U.S. House of Representatives applies only to Syrian and Iraqi refugees—but not refugees from other countries with known terror networks including Yemen, Nigeria and Afghanistan.

I am not convinced this bill would protect our country from foreign enemies any more than existing processes and procedures. Since 2001, only about 2,200 Syrian refugees have been admitted to the United States. Half are children and another quarter is over the age of 60. These refugees are victims of the same terrorists we are trying to defeat. Banning them would not only do nothing to strengthen our national security, it would fuel the anti-American sentiment that strengthens ISIS. The best way to address the refugee crisis is by removing the threat.

For these reasons, I oppose the American SAFE Act of 2015 and support the Secure Refugee Process Act of 2015.

The SPEAKER pro tempore (Mr. HOLDING). All time for debate has expired.

Pursuant to House Resolution 531, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. THOMPSON of Mississippi. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. THOMPSON of Mississippi. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Thompson of Mississippi moves to recommit the bill H.R. 4038 to the Committee on Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Strike all that follows after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Secure Refugee Process Act of 2015”.

SEC. 2. SUPPLEMENTAL LIMITATIONS ON ADMISSION OF REFUGEES.

(a) **IDENTITY VERIFICATION REQUIRED.**—No refugee applicant of special interest shall be admitted as a refugee, until the refugee applicant of special interest has satisfactorily established his or her identity pursuant to procedures established by the Secretary of Homeland Security, which shall address any insufficient, conflicting, or unreliable information, including biographic and biometric data that has not been resolved at the time of admission.

(b) **COMPREHENSIVE REVIEW OF REFUGEES TO IDENTIFY SECURITY THREATS TO THE**

UNITED STATES.—No refugee applicant of special interest shall be admitted as a refugee, if, by the time of admission, the identity of the refugee applicant of special interest’s identity has not been checked against all relevant records or databases maintained by the Secretary of Homeland Security, the Attorney General (including the Federal Bureau of Investigation), the Secretary of State, the Secretary of Defense, the Director of National Intelligence, and other Federal records or databases that the Secretary of Homeland Security considers necessary, to determine any national security, criminal, or other grounds on which the refugee applicant of special interest may be inadmissible to the United States.

(c) **CERTIFICATION REQUIRED.**—A refugee applicant of special interest may only be admitted to the United States as a refugee after the Secretary of Homeland Security certifies that all provisions of this Act have been complied with and that the refugee applicant of special interest has not been firmly resettled in a safe third country as described in section 208(b)(2)(A)(vi) of the Immigration and Nationality Act.

(d) **MONTHLY REPORT TO CONGRESS.**—The Secretary of Homeland Security shall submit to the appropriate Congressional Committees a monthly report on, for the month preceding the date of the report, the total number of refugee applicants of special interest and the number of refugee applicants of special interest whose applications were denied.

(e) **INSPECTOR GENERAL REVIEW.**—The Inspector General of the Department of Homeland Security shall conduct an annual risk-based review of a statistically valid sampling of certifications and provide an annual report detailing its findings to the appropriate Congressional Committees.

(f) **DEFINITION.**—In this Act:

(1) The term “appropriate Congressional Committees” means—

(A) the Committee on Armed Services of the Senate;

(B) the Select Committee on Intelligence of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Homeland Security and Governmental Affairs of the Senate;

(E) the Committee on Foreign Relations of the Senate;

(F) the Committee on Appropriations of the Senate;

(G) the Committee on Armed Services of the House of Representatives;

(H) the Permanent Select Committee on Intelligence of the House of Representatives;

(I) the Committee on the Judiciary of the House of Representatives;

(J) the Committee on Homeland Security of the House of Representatives;

(K) the Committee on Appropriations of the House of Representatives; and

(L) the Committee on Foreign Affairs of the House of Representatives.

(2) The term “refugee applicant of special interest” means any alien applying for admission to the United States as a refugee who—

(A) is a national or resident of Iraq or Syria;

(B) has no nationality and whose last habitual residence was in Iraq or Syria; or

(C) has been present in Iraq or Syria at any time on or after March 1, 2011.

Mr. GOWDY (during the reading). Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will continue to read.

The Clerk continued to read.

Mr. THOMPSON of Mississippi (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi is recognized for 5 minutes in support of his motion.

Mr. THOMPSON of Mississippi. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, my motion to recommit will do several things:

The first thing it will do is require the Secretary of Homeland Security to verify the identity of refugee applicants. Any application that contains insufficient, conflicting, or unreliable information would be denied.

The second point of my motion to recommit is that this motion will require at least five Federal agencies—the Department of Homeland Security, the Attorney General and the Federal Bureau of Investigation, the Secretary of State, the Secretary of Defense, the Director of National Intelligence—all together to check refugee applicants against their records. Any application that indicates a national security or criminal threat would be denied.

In addition, Mr. Speaker, my motion would also require that the Secretary of Homeland Security would certify that all relevant Federal immigration laws have been complied with and that the applicant has not been resettled in a safe third-party country, and has the Department of Homeland Security inspector general’s review as a sample of the certifications.

Fourthly, Mr. Speaker, my motion to recommit would require the Department of Homeland Security inspector general to submit monthly reports to Congress on refugee applications from Syria and Iraq. The Secure Refugee Process Act of 2015 is a pro-security, pro-compassion bill that would ensure the U.S. continues to maintain the most extensive interagency security screening process in the world to vet all people who seek safe harbor in our great Nation.

Mr. Speaker, the people we are talking about in this particular motion really don’t have a country. Many of them have been tortured. The women have been raped. The children, for lack of a better term, are destitute.

□ 1315

We are a Nation of values. My bill speaks to those values.

It does not pause the process. It does not create a moratorium on the process. It adds an additional layer of security without stopping the refugee program.

It is not an immigration bill. It is a refugee program. As I said earlier, we had 23,000 individuals apply for status under this particular program who were Iraqi or Syrian citizens. Of that number, 7,000 received interviews. Of that number, around 2,000 were approved. So it takes time. My motion to recommit is a prudent approach to recognizing the values of this country.

Mr. Speaker, I yield back the balance of my time.

Mr. GOWDY. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of a point of order is withdrawn.

Mr. GOWDY. I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from South Carolina is recognized for 5 minutes.

Mr. GOWDY. Mr. Speaker, national security and public safety are the preeminent functions of government. National security and public safety are not simply factors to be considered in the administration of some broader policy objective. National security and public safety are the ultimate policy objectives. And the safety and security of our fellow citizens should be the driving force behind every decision that we make.

This country, Mr. Speaker, has a long, proud, rich history of welcoming those fleeing persecution and liberating those suffering under oppression. We are the most welcoming, generous country in the world, having taken in over 3 million refugees since 1975.

We are generous and compassionate, Mr. Speaker, because we are free. And we are free because we are a country rooted in the law and public safety and standards of decency protected by a fundamental commitment to national security.

The world we currently find ourselves in, Mr. Speaker, is imperfect—and becoming more imperfect. So, rather than address the underlying pathology that results in displaced people, this administration is focused on the symptoms.

There are refugees from the Middle East and northern Africa because those regions are on fire and riddled with chaos. Our bright lines and policies of containment, smart power, or whatever we call it today, have failed.

Mr. Speaker, terrorists took the lives of over 100 innocent people in France and injured many more because they could. They killed a hundred only because they could not kill a thousand. Their objective is evil for the sake of evil, murder for the sake of murder; wanton and willful violence and pre-

meditated depravity calculated to take innocent lives.

The terrorists have been very open about their present and future objectives. We should, therefore, be equally clear about our objectives.

Administration officials responsible for national security and public safety, Mr. Speaker, have repeatedly warned us they cannot vet failed nation-states. They cannot do background investigations where there is no database.

ISIS will use any means available to harm us. What this administration needs to tell the American people, Mr. Speaker, is how much risk is acceptable. Given the consequences of reconciling the risk wrongly, how much risk is this administration willing to take?

When it comes to public safety, we have to be successful all of the time. And those who seek to do us harm have to be successful just once. So how much risk are you willing to take with your own safety? How much risk are you willing to take with the safety of those you swore an oath to represent? Have you done everything in your power to mitigate that risk? Have you done everything in your power to explore alternatives other than resettlement here?

Mr. Speaker, every decision we make as elected officials should be with the safety and security of our fellow citizens as the preeminent objective. Unless and until those in charge of security and public safety can provide assurances, the aid we render to those in need should be rendered where they are.

In conclusion, Mr. Speaker, let me say this. The President is the Commander in Chief. He should help us make this, our home, safer. He should help us make the homeland of the refugees safer. He should restore order to the region. That would be the very best and most humane thing we could all do: provide a better, safer life for those who aspire for one where they are.

Mr. Speaker, I oppose the motion to recommit and support the underlying bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. THOMPSON of Mississippi. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 180, nays 244, not voting 9, as follows:

[Roll No. 642]

YEAS—180

Adams	Gabbard	Napolitano
Aguilar	Gallego	Neal
Bass	Garamendi	Nolan
Beatty	Graham	Norcross
Becerra	Grayson	O'Rourke
Bera	Green, Al	Pallone
Beyer	Green, Gene	Pascrell
Bishop (GA)	Grijalva	Payne
Blumenauer	Gutiérrez	Pelosi
Bonamici	Hahn	Perlmutter
Boyle, Brendan F.	Hastings	Peters
Brady (PA)	Heck (WA)	Peterson
Brown (FL)	Higgins	Pingree
Brownley (CA)	Himes	Pocan
Bustos	Honda	Polis
Butterfield	Hoyer	Price (NC)
Capps	Huffman	Quigley
Capuano	Israel	Rangel
Cárdenas	Jackson Lee	Rice (NY)
Carney	Jeffries	Richmond
Carson (IN)	Johnson (GA)	Roybal-Allard
Cartwright	Johnson, E. B.	Ruiz
Castor (FL)	Kaptur	Rush
Castro (TX)	Keating	Ryan (OH)
Chu, Judy	Kelly (IL)	Sánchez, Linda T.
Cicilline	Kennedy	Sanchez, Loretta
Clark (MA)	Kildee	Sarbanes
Clarke (NY)	Kilmer	Schakowsky
Clay	Kind	Schiff
Cleaver	Kirkpatrick	Schrader
Clyburn	Kuster	Scott (VA)
Cohen	Langevin	Scott, David
Connolly	Larsen (WA)	Serrano
Conyers	Larson (CT)	Sewell (AL)
Cooper	Lawrence	Sherman
Costa	Lee	Sinema
Courtney	Levin	Sires
Crowley	Lewis	Slaughter
Cuellar	Lieu, Ted	Smith (WA)
Cummings	Lipinski	Speier
Davis (CA)	Loeb sack	Swalwell (CA)
Davis, Danny	Lofgren	Takano
DeGette	Lofgren	Thompson (CA)
Delaney	Lowenthal	Thompson (MS)
DeLauro	Lowe y	Titus
DeBene	Lujan Grisham (NM)	Tonko
DeSaulnier	Luján, Ben Ray (NM)	Torres
Deutch	Lynch	Tsongas
Dingell	Maloney	Van Hollen
Doggett	Carolyn	Vargas
Doyle, Michael F.	Maloney, Sean	Veasey
Duckworth	Matsui	Vela
Edwards	McCollum	Velázquez
Engel	McDermott	Visclosky
Eshoo	McGovern	Walz
Esty	McNerney	Wasserman
Farr	Meeks	Schultz
Fattah	Meng	Waters, Maxine
Foster	Moore	Welch
Frankel (FL)	Moulton	Yarmuth
Fudge	Murphy (FL)	
	Nadler	

NAYS—244

Abraham	Brooks (IN)	Culberson
Aderholt	Buchanan	Curbelo (FL)
Allen	Buck	Davis, Rodney
Amash	Bucshon	Denham
Amodei	Burgess	Dent
Ashford	Byrne	DeSantis
Babin	Calvert	DesJarlais
Barletta	Carter (GA)	Diaz-Balart
Barr	Carter (TX)	Dold
Barton	Chabot	Donovan
Benisek	Chaffetz	Duffy
Bilirakis	Clawson (FL)	Duncan (SC)
Bishop (MI)	Coffman	Duncan (TN)
Bishop (UT)	Cole	Ellmers (NC)
Black	Collins (GA)	Emmer (MN)
Blackburn	Collins (NY)	Farenthold
Blum	Comstock	Fincher
Bost	Conaway	Fitzpatrick
Boustany	Cook	Fleischmann
Brady (TX)	Costello (PA)	Fleming
Brat	Cramer	Flores
Bridenstine	Crawford	Forbes
Brooks (AL)	Crenshaw	Fortenberry

Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Lummis
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta

LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller (TX)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)

Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—9

DeFazio
Ellison
Hinojosa

Ruppersberger
Takai
Watson Coleman

Westmoreland
Williams
Wilson (FL)

□ 1345

Mr. AUSTIN SCOTT of Georgia changed his vote from “yea” to “nay.”

Ms. EDWARDS, Mr. BUTTERFIELD, Ms. GABBARD, Messrs. CROWLEY, HONDA, and LARSEN of Washington changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. GRAVES of Louisiana). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SENSENBRENNER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 289, noes 137, not voting 8, as follows:

[Roll No. 643]

AYES—289

Abraham
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Carney
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Doggett
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gabbard
Garamendi
Garrett

Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Himes
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kind
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Latta
Lipinski
LoBiondo
Loeb sack
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan

Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sanford
Scalise
Schradler
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton

Valadao
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi

Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Wilson (SC)
Wittman
Womack

NOES—137

Adams
Bass
Beatty
Becerra
Beyer
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Honda
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Conyers
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
DeSaulnier
Deutsch
Dingell
Doyle, Michael
F.
Duckworth
Edwards
Engel
Eshoo
Esty
Farr
Fattah
Foster

Frankel (FL)
Fudge
Gallego
Grayson
Green, Al
Grijalva
Gutiérrez
Hastings
Heck (WA)
Higgins
Honda
Hoyer
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kelly (IL)
Kennedy
Kildee
Kilmer
King (IA)
Kirkpatrick
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lien, Ted
Lofgren
Lowenthal
Lowey
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Maloney,
Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore

Moulton
Nadler
Napolitano
Neal
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Rush
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sherman
Sires
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Velázquez
Visclosky
Wasserman
Schultz
Waters, Maxine
Welch
Wilson (FL)
Yarmuth

NOT VOTING—8

DeFazio
Ellison
Hinojosa

Ruppersberger
Takai
Watson Coleman

Westmoreland
Williams

□ 1355

Mr. RUSSELL changed his vote from “no” to “aye.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. WATSON COLEMAN. Mr. Speaker, I was, unfortunately, unable to vote today due to a personal matter. Had I been present I would have voted the following ways: rollcall 641—H.R. 3189, the FORM Act of 2015—“nay,” rollcall 643—H.R. 4038, the American SAFE Act of 2015—“nay.”

PERSONAL EXPLANATION

Mr. TAKAI. Mr. Speaker, on Thursday, November 19, I was absent from the House due to illness. Due to my absence, I am not recorded on any legislative measures for the day. I would like to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted “no” on rollcall 638, the Motion on Ordering the Previous Question on the American SAFE Act of 2015.

I would have voted “yes” on rollcall 639, providing for consideration of the American SAFE Act of 2015.

I would have voted “yes” on rollcall 640, the Democratic Motion to Recommit the FORM Act of 2015.

I would have voted “no” on rollcall 641, the FORM Act of 2015.

I would have voted “yes” on rollcall 642, the Democratic Motion to Recommit the American SAFE Act of 2015.

I would have voted “no” on rollcall 643, the American SAFE Act of 2015.

PERSONAL EXPLANATION

Mr. RUPPERSBERGER. Mr. Speaker, I was not able to vote today for medical reasons.

Had I been present on rollcall vote 638, I would have voted “no.”

Had I been present on rollcall vote 639, I would have voted “no.”

Had I been present on rollcall vote 640, I would have voted “yes.”

Had I been present on rollcall vote 641, I would have voted “no.”

Had I been present on rollcall vote 642, I would have voted “yes.”

Had I been present on rollcall vote 643, I would have voted “no.”

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed without amendment a bill and a concurrent resolution of the House of the following titles:

H.R. 3996. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

H. CON. RES. 93. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to commemorate the 150th anniversary of the ratification of the 13th Amendment.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

COMMUNICATION FROM CHAIR OF COMMITTEE ON WAYS AND MEANS

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Ways and Means:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,

Washington, DC, November 18, 2015.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to Section 8002 of the Internal Revenue Code of 1986, in

order to fill the House majority vacancy on the Joint Committee on Taxation created by your resignation from the Committee, Mr. Devin Nunes has been designated to serve on the Committee. Thus, those serving on the Joint Committee on Taxation for the House are: Kevin Brady, Sam Johnson, Devin Nunes, Sander Levin and Charles Rangel.

Sincerely,

KEVIN BRADY,

Chairman, Committee on Ways and Means.

NATIONAL RURAL HEALTH DAY

(Mr. SMITH of Nebraska asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Nebraska. Mr. Speaker, I rise today to honor the fifth annual National Rural Health Day. The third Thursday in November is set aside each year by the National Organization of State Offices of Rural Health to recognize the unique healthcare needs of and challenges facing rural Americans and their communities.

These challenges include fewer healthcare providers and longer travel distances. The hospitals serving rural communities continue to be burdened by arbitrary regulations such as physician supervision regulations as well as the 96-hour certification rules which we certainly need to address.

Mr. Speaker, this year, rural consumers in 12 States also face the challenge of finding a new insurance plan because the so-called Consumer Oriented and Operated Plan, or CO-OP, created by ObamaCare, from which they purchase coverage, has failed. This includes 120,000 Nebraskans and Iowans who bought coverage through CoOpportunity Health.

Mr. Speaker, consumers and taxpayers deserve to know what went wrong with the CO-OPs and whether the \$2.4 billion in Federal loans to this failing program will be repaid. I will continue to fight for these answers.

□ 1400

REMEMBERING DR. KEVIN MURPHY

(Ms. GRAHAM asked and was given permission to address the House for 1 minute.)

Ms. GRAHAM. Mr. Speaker, today, I rise to remember Dr. Kevin Murphy, who passed away at his home in Port St. Joe, Florida, on Thursday, November 5, at the age of 71.

Throughout his decades in medicine, Dr. Murphy built up an incredibly long list of accomplishments, from starting a heart surgery program in Indiana, to visiting impoverished and isolated villages across the world to provide care.

In 2002, Dr. Murphy moved to north Florida, where he became medical director for the Gulf County Health Center. He worked there for more than a

decade and became well known as a passionate health provider and advocate for equal access to quality care.

As the proud great-granddaughter of one of north Florida's first country doctors, I have a special place in my heart for physicians like Dr. Murphy. The amazing care he provided for his community ensures he will always be loved and remembered in north Florida.

HONORING DR. MILTON PITTS CRENCRAW

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, I rise today to honor one of Arkansas' finest sons, Dr. Milton Pitts Crenshaw, who passed away on November 17, 2015, at the age of 96.

Born in Little Rock, Arkansas, Dr. Crenshaw became known as the “father of Black aviation in Arkansas.” Dr. Crenshaw was one of the original supervising squadron commanders providing training and instruction under the Civilian Pilot Training Program for the Tuskegee Airmen during World War II.

Dr. Crenshaw served his country for more than 40 years of Federal service with the U.S. Army Air Corps and the U.S. Air Force. Later in life, Dr. Crenshaw's advocacy on the part of veterans and his fellow Tuskegee Airmen was relentless. In 2007, Dr. Crenshaw, along with the other members of the Tuskegee Airmen, were awarded the Congressional Gold Medal.

His courageous service and sacrifice to his country is an example all Americans and Arkansans can admire and will remember Dr. Crenshaw forever.

INSTITUTE FOR ECONOMICS AND PEACE

(Mr. RICHMOND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHMOND. Mr. Speaker, I rise today to, of course, extend my heartfelt condolences to the victims of terrorism in Paris. But what I also want to do, because I take my membership in this august body seriously, is to make sure that we are not fostering the perception that Black lives don't matter.

If we look at the Global Terrorism Index, published by the Institute for Economics and Peace, we would see that Boko Haram has killed 6,644 people last year; 77 percent of them who were private citizens. On the other hand, ISIL has killed 6,073; 44 percent of them were private citizens.

I just want to take a moment and highlight over the last 2 months the terrorism that has been going on in Nigeria, Cameroon, and Chad. Just this

Wednesday, 15 people were killed at a mobile phone market with a bombing; 34 people were killed with a bombing at a fruit and vegetable market; 4 people were bombed at a mosque; and 3 people were bombed at a mosque on November 9. And in October, more of the same. October 23, 11 people were bombed at a mosque; and October 14, 42 people killed at a mosque.

Mr. Speaker, I say this to just highlight the fact that terrorism is plaguing communities all across this world. We should make sure that we, as the United States Congress, highlight all of those communities and express our condolences and seek to create peace all around this country.

THE SECURITY OF OUR NATION MUST BE THE NUMBER ONE PRIORITY

(Mr. MARCHANT asked and was given permission to address the House for 1 minute.)

Mr. MARCHANT. Mr. Speaker, the recent terrorist attack in Paris is a terrible tragedy. Our prayers go out to the victims and their families.

These heinous crimes and attacks are a reminder of the great threats that are facing the United States and our allies. We must stand strong with our international partners to eradicate this evil.

Here at home, we must ramp up measures to keep the American people safe. That means halting the admittance of Syrian and Iraqi refugees until we are sure the vetting is airtight. And, right now, it is not.

The President's own security advisers have reinforced this fact. Yet he is moving full steam ahead with his plan to admit 10,000 refugees over the next year. This is irresponsible.

Our Nation has the greatest and most generous refugee policy in the world, but we cannot allow terrorists to exploit our compassion. The safety of the American people must be our number one priority.

TERRORISM IS PLAGUING US ALL OVER THE WORLD

(Mr. PAYNE asked and was given permission to address the House for 1 minute.)

Mr. PAYNE. Mr. Speaker, I would like to associate myself with the remarks made by the gentleman from Louisiana. Terrorism is plaguing us, not only in Europe—we are concerned about, naturally, our country, the United States of America, keeping it safe—but it is happening all over the world, in Europe, and in Africa. That is the reason the notion of Black lives matter has been raised.

The African people are suffering from Boko Haram, which has aligned itself with ISIL as well. If we are going to fight terrorism in one place, we need to make sure we fight it everywhere.

And let me just say, Mr. Speaker, that I am very concerned about the vote that was just taken today in terms of Syrian refugees. We were asked to have a pause. Well, if you don't feel that 18 to 24 months is a pause in getting into this country, passing a 13- to 14-mark checklist, by the time a 5-year-old gets into this country, he is 7.

I think that the bill that was just voted on was flawed and miscued. We have a system in place that gives enough time and ample time to make sure that these people seeking asylum have the right to come here, as we have done throughout the history of this Nation.

SHIFT FOCUS OFF THE HOUSE AND BACK TO THE PRESIDENT

(Mrs. McMORRIS RODGERS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today because I am deeply concerned about the future of American leadership abroad.

For nearly 5 years, this administration has defended a containment strategy, even as ISIS rapidly escalates.

As Paris tragically demonstrates, containment as a strategy is as ineffective as it is morally bankrupt. It allowed for the development of the world's largest humanitarian disaster since 2002, while placing us and our allies at grave risk.

This refugee crisis is a direct response to Assad's mass atrocities against Syrians, civilians, and the associated expansion of ISIS.

I call on the President to choose and execute a broader strategy that destroys ISIS, stops Assad's reign of terror, and allows refugees to return home and rebuild their lives.

It is time for real commitment and real courage. The American people and the world are waiting.

WE ALL HAVE A RESPONSIBILITY FOR NATIONAL SECURITY

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, this is a long list of the vetting process that desperate refugees who happen to come from camps in Jordan and Lebanon—and who happen to be Syrian—go through. It is more than 21. In fact, the last one says: Prior to entry to the United States, applicants are subject to screening again from the U.S. Customs and Border Patrol. Applicants undergo, in No. 20, a second interagency security check. That is after 19 other security checks.

I want to thank Lutheran Services, Catholic Charities, and Interfaith Min-

istries for recognizing the importance of the face of America to be a refuge for those who are worn and desperate.

I want to join my colleagues to say that we all have a responsibility for national security. I hope the Senate will engage in vigorous debate, that the President will announce to the world that we are fighting ISIS. We are joining allies and taking it to the fight, but we must do other things besides denying and stopping innocent refugees from coming in, a small, small number: Secure our airports; ensure that the back side of the airport is secure; make sure that no foreign fighter is able to come into the United States, and I have introduced legislation for this. We are not for not protecting. We are for protecting, but we must do it in a way that America has been able to stand up and be respectful or recognizing, of course, all of those who come and struggle.

Mr. Speaker, Happy Thanksgiving. I know we are a great country, and I know they know that we are.

RECOGNIZING UKRAINE

(Mr. SHERMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHERMAN. Mr. Speaker, I rise to welcome to Washington the deputy chief of staff to President Poroshenko of the Ukraine, General Andriy Taranov, who has joined us today in this hall in our gallery, and is accompanied by the Ukrainian Ambassador to the United States, Valeriy Chaly.

Ambassador Chaly was with me in Los Angeles last weekend where he was there for the commemoration in remembrance of the catastrophic Holodomor disaster and atrocity of 1932-1933, in which Stalin killed millions of Ukrainians. But Stalin failed in his ultimate goal. An independent Ukraine today stands in resistance to aggregation from Moscow.

I would also like to recognize in our gallery, a Ukrainian-American innovator, Igor Pasternak. His company, Aeros, is the first American firm to provide the Ukrainian Government with the military equipment necessary to defend its sovereignty.

Mr. Speaker, I urge my colleagues and the administration to redouble their efforts to help Ukraine protect its sovereignty by providing Ukraine with the necessary assistance to protect her freedom.

The United States stands with the people and government of Ukraine as they resist aggression once again now in the 21st century.

If you free Ukraine and it maintains its territorial integrity, it is in America's interest. It is, therefore, imperative that Ukraine has a strong and secure border.

That is why I am pleased to be joined by our guests here today and look forward to working with the Ukrainian

Government to preserve Ukrainian freedom and am proud that it is a company from Los Angeles that is the first and, unfortunately, as of yet, the only company to provide the Ukrainian Government with the military equipment it needs.

The SPEAKER pro tempore (Mr. WESTERMAN). The Chair will remind Members that the rules do not allow references to occupants of the gallery.

□ 1415

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. GRAVES of Louisiana. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 95

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Thursday, November 19, 2015, through Wednesday, November 25, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, November 30, 2015, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, November 19, 2015, through Tuesday, November 24, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, November 30, 2015, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Majority Leader of the Senate or his designee, after concurrence with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

HOURLY MEETING ON TOMORROW

Mr. GRAVES of Louisiana. Mr. Speaker, I ask unanimous consent that when the House adjourns today on a motion offered pursuant to this order, it adjourn to meet at 5 p.m. on Friday, November 20, 2015, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 95, in which case the House shall stand adjourned pursuant to that concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

THE YEAR IN REVIEW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Louisiana (Mr. GRAVES) is recognized for 60 minutes as the designee of the majority leader.

LOUISIANA NATIONAL GUARD

Mr. GRAVES of Louisiana. Mr. Speaker, 3 years ago, the Louisiana Air National Guard began to turn around. After coming in 38th in the Nation at the end of September 2012 with a 98.4 percent strength, in 2013, the Louisiana Air National Guard moved up to 20th, and, last year, it ranked 15th.

The Louisiana Army National Guard's fiscal year 2015 end strength goal of 9,554 soldiers was surpassed with a total of 9,650 soldiers, or 101.2 percent. The Air National Guard surpassed its 2015 end strength goal of 1,390 airmen with 1,496 airmen, or 107 percent of its goal.

Strong numbers directly relate to our ability to respond to our State and Nation. Great leadership under Major General Glenn Curtis has put a priority on personal readiness. Mr. Speaker, I will tell you that I have worked very closely with General Curtis over the years, and he is an incredible man who has garnered incredible respect from the men and women of the Louisiana National Guard.

Here are a few other statistics for your information:

The National Guard end strength at 9,652 is 101 percent, or fourth, in the Nation. The Air National Guard end strength is 1,496, which is 108 percent, or fifth, in the Nation. The Army National Guard retention rate is 80 percent, which constitutes first in the Nation. The Air National Guard retention rate is 82 percent, which puts them in the top 10. The medical readiness rate is 89 percent. The 256th IBCT ranked number 1 of 28 IBCTs. The Army Community of Excellence program placed in the top 4 of 38, and it received a site visit to determine the top three spots.

Mr. Speaker, I want to commend the men and women of the Louisiana National Guard for their perseverance, for their strength, and for their contribu-

tion to the State of Louisiana and to the United States of America.

SYRIA

Mr. GRAVES of Louisiana. Mr. Speaker, the United States military began active engagement in Syria back in September of 2014 when the United States-led coalition began its ongoing airstrike campaign, along with Bahrain, Jordan, Qatar, Saudi Arabia, and the UAE. During this period, the Pentagon also administered a \$500 million program to train and equip moderate Syrian opposition forces to target ISIS. This effort failed to train many soldiers or to yield the desired results; so the administration scrapped the effort.

The wide range of state and nonstate actors in Syria has created one of the most geopolitically complex conflicts in recent memory. This highlights the urgency and the necessity for a clear strategy in Syria: What is the United States' end game? A definition of what success means in Syria. A strong commitment to eliminating any and all threats that ISIS poses to the United States, its allies, or a shift away from the conflict.

I believe this administration has been incredibly vague about all of those, and I have repeatedly reached out to the White House on this topic, and I will continue to call on the President to articulate a clear path forward in Syria.

Before the United States risks any American lives and resources, the administration, the State Department, and the Department of Defense should provide clarity on U.S. objectives and on how the ongoing use of military force fits into a comprehensive strategy for success in the region. Success needs to be defined, but I would suggest defining success as the neutralization of all direct threats ISIS poses to America and our national security.

We need to clarify the U.S. strategy in Syria now, and I hope to work with the administration and with other Members of Congress toward getting us on the right path. Well before this Syrian refugee issue became a hot-button issue, I joined together with Members on the other side of the aisle in bipartisan efforts to reach out to the Department of Defense, to reach out to the administration in order to express these very concerns.

Mr. Speaker, let's be clear. It is our failed policy in Syria that has created this predicament of refugees. If we had a clear strategy—a definitive strategy—if we had clear objectives, if we were aggressive in achieving those objectives, of eliminating and of neutralizing ISIS, of creating a new government structure there to fill the void created by our removing and helping to remove with the international community the Assad regime, we wouldn't have refugees. We would have stability in Syria. We would have a place for people to live, and there would not be

this refugee situation where tens of thousands of folks are being displaced into the United States and other areas, where we have this threat to our national security and the inability to vet these refugees before they come into the United States.

Mr. Speaker, as reports have indicated in recent days—and I want to be clear that this isn't from any classified setting. This is a place where you, apparently, get real information—the Drudge Report. There are reports right now of folks with fake Syrian passports who are being questioned in Honduras and in Costa Rica. There are reports of Afghan and Iraqi refugees from years ago in Kentucky and in other areas who have been involved in efforts to attack the United States. I will say that again. There are refugees from other countries—from Middle Eastern nations of Iraq and elsewhere—who were previously brought to the United States and who had, apparently, not gone through a sufficient vetting process who were caught trying to attack the United States, according to reports that are out there now. There are reports of folks from the Middle East who are trying to illegally cross over and come into Arizona and Texas.

Mr. Speaker, this is clearly a systemic failure—the inability to place refugees, to secure our borders, to secure our Nation. This isn't a partisan issue. We should not be sacrificing the security of Americans. There are ways in which we can be good community citizens, good world leaders, and allow for refugees to come here or, better yet, to stabilize, to help work with the international community to stabilize their own countries.

Mr. Speaker, I want to continue to work with other Members of Congress, including with our Louisiana delegation. Just this week, Senator VITTER introduced legislation to address the refugee problem to ensure that we are not threatening Americans' security, to ensure that we are not sacrificing the safety and security of Americans in exchange for those from Syria. Together, with Congressman BOUSTANY, Congressman ABRAHAM, and Congressman FLEMING, we introduced companion legislation in the House of Representatives to ensure that that happens.

I want to be clear again, Mr. Speaker. This is not some jumping to the hot issue of the day. Before this issue became a crisis and was in the news, we joined together with Congressman BABIN and others to ensure America's safety, to ensure that we were properly vetting these refugees before they came to the United States, and to understand the implications to taxpayers—the cost of having these folks here in the United States.

Mr. Speaker, I am very proud of the strong bipartisan vote that just occurred here in this body, but we need

to continue to work together in a bipartisan fashion. This is not a partisan issue. Terrorism affects every American, and we need to continue to be very aggressive and not allow this to degrade into partisanship. This is about the safety and security of the United States.

LAND AND WATER CONSERVATION FUND

Mr. GRAVES of Louisiana. Mr. Speaker, the Land and Water Conservation Fund was first authorized in 1965. There was some type of compromise that was reached at that time whereby this proliferation of offshore energy production would occur. At the same time, there was a concern that those activities could threaten the environment; so there was a negotiation reached whereby the first \$900 million of offshore energy revenues from oil and gas production would be committed to the Land and Water Conservation Fund.

The idea was that half of those dollars would be used to go toward the acquisition of Federal lands for the purpose of creating or growing national parks or wildlife refuges, BLM land, and national forests. Half of the funds would be authorized to go to stateside grant programs for similar types of activities in order to increase recreational opportunities, State wildlife refuges, and State parks for citizens in the United States. That stateside program is a match of 50-50. The States have to put up half of the money.

Mr. Speaker, I would call the Land and Water Conservation Fund and its objectives a laudable goal to preserve these recreational and conservation activities for Americans. Certainly, as this Nation's population grows, we are going to continue to develop areas. So, for these areas that are especially sensitive, productive, and beautiful, let's ensure that we create those opportunities and retain those opportunities for recreation for Americans for generations to come.

The Land and Water Conservation Fund expired for the first time in its history. This program is no longer an authorized program, and there have been folks on both sides of the aisle who have been working to help to reauthorize the program.

□ 1430

I will say it again, Mr. Speaker. I think it is a laudable goal. However, 50 years have passed. I think, with 50 years of history of this program, it is appropriate to go back and revisit the lessons learned.

I am from Louisiana. I want to be clear. This offshore energy activity that has funded the billions of dollars over the last 50 years in the Land and Water Conservation Fund activities and other things, like the Historic Preservation Fund, is from oil and gas and offshore energy activities occurring offshore our coast at home in Louisiana.

Various discussion drafts have been proposed to take these funds and cut them up and allocate them to different programs across the country, to slice up the pie. I think that is great for all these people to go out there and express their dream or vision for how all these things happen.

However, I would like to bring you back to reality. I view this as being our money, and I will tell you why. Right now, when you produce energy on Federal lands in the United States, 50 percent of the money generated from those activities go to the States that host the production.

So let me be clear on this. The States of Wyoming and New Mexico together receive over a billion dollars a year with no strings attached whatsoever. An additional 40 percent of the money from those same activities go into the reclamation fund to fund water projects in those same western States.

So, in effect, 90 percent of the funds from energy production on Federal lands goes back to the States that largely host that energy production on Federal lands. Yet, when we go in the offshore, folks take the money and decide they are going to divvy it up to all these other States, but not the State where the energy is produced.

Now here is a reason why I am so frustrated by all of these efforts to reauthorize and continue spending this money all over the country in other programs. Mr. Speaker, we have produced nearly \$200 billion in revenues for the U.S. Treasury. We have received not the 90 percent that other States have received nor 50 percent. We have received less than a fraction of 1 percent back.

The State of Louisiana passed a constitutional amendment that would dedicate any funds received to go toward actually restoring the environment for things like coastal restoration. The State of Louisiana has lost over 1,900 square miles of our coastal wetlands.

Why is it that we are reauthorizing the Land and Water Conservation Fund and funding environmental and conservation efforts in other States, particularly in western States?

I will acknowledge again it is a laudable goal. But why are we doing that before we are addressing environmental issues right there where these activities are occurring and, in many cases, are occurring as a result of historic, several-decades-ago activities that occurred in the coastal area related to this OCS production?

It seems to me, Mr. Speaker, as we move forward on this, that that needs to be a critical component. That needs to be the priority, is addressing environmental issues, addressing conservation, right here where this money is derived from because the activities simply aren't sustainable if we don't address this.

I fully support the reauthorization of the Land and Water Conservation Fund. I think it needs to be done in a principled manner that recognizes the lessons learned over the last 50 years and, most importantly, recognizes the fact that this area that has generated nearly \$200 billion for the United States Treasury has severe environmental consequences or severe environmental problems right there as a result of the Federal Government's actions.

Mr. Speaker, the Deepwater Horizon disaster was truly one of the Nation's worst environmental disasters in our history. That disaster resulted in millions of barrels of oil covering nearly 600 miles of the State of Louisiana's coast.

The U.S. Department of the Interior appropriately took a look at well control and blowout preventer regulations and guidelines to ensure that a disaster like the Deepwater Horizon disaster and the awful tragedy to the 11 lives that occurred would never occur again. I think it is appropriate to take a look at that.

The U.S. Department of the Interior actually took 4½ years behind closed doors to develop a well control and blowout preventer regulation that was put forth in recent months. It took 4½ years to write this regulation behind closed doors without involvement and without engagement of this multibillion-dollar industry.

Now, the regulation was paired with a 30-day comment period. I am going to say that again. They took 4½ years to draft a regulation and they gave 30 days for folks to actually comment on it.

Of course, being very concerned about that and the implications whether the rule was actually going to improve safety or be a detriment to safety, we asked that more time be given to comment to allow us to fully understand it, to allow the industry to fully understand it, and to allow the environmental community to fully understand it.

The administration came back and gave a 60-day comment period, which is absolutely absurd with the complexity. Keep in mind, Mr. Speaker, it took them 4½ years to draft it.

Now, to give you an idea of the disconnect here, the U.S. Department of the Interior says that compliance with the rule is going to cost \$800 million. A separate analysis that was done independently says that the cost of compliance is going to be in excess of \$30 billion, Mr. Speaker. The disconnect there is crystal clear just in the cost estimate.

It is going to have a detrimental effect on the United States' national energy security. What this is going to result in is it is going to result in us becoming more independent on energy sources from around the world.

Why are we not being energy self-sufficient and utilizing our resources here, promoting jobs here?

There is a study that I read that says, for every dollar in U.S.-produced energy, it has a \$3 implication on our economy. For every dollar spent at the pump on foreign energy, it has a 40-cent implication on our Nation's economy. I think the answer there is crystal clear. We should become energy self-sufficient. We should be utilizing our own energy resources.

Mr. Speaker, analyses have determined that 20 percent of the oil and gas wells produced in the offshore over the last 5 years would not be produceable under this rule, not even produceable. Let me give you an idea what that means. That causes an estimated \$12 billion economic loss to the United States, to the U.S. Treasury, just over the next 10 years.

Now, you would think that the U.S. Department of the Interior would want to get this rule right, and you would think that they would be engaging folks. Yet, we have had phone call after phone call from people saying they are refusing to engage, they are refusing to take meetings, and they are refusing to discuss.

Mr. Speaker, I have actually experienced it myself, asking the U.S. Department of the Interior for a meeting with the Gulf Coast delegation, with House Members and Senators, to sit down and discuss this to ensure that the Department of the Interior gets it right. And I want to be clear on what "right" means, which is to make things safer, not to propose regulations that are actually going to result in the potential for disaster.

I am not an expert in offshore production, but I can read the regulations and determine the disconnect and the lack of technical understanding of the folks who drafted this rule. Yet, the U.S. Department of the Interior also told us that they would not meet with us, shutting the door.

Mr. Speaker, this is the United States of America. That is not how this country works. People at agencies have to understand that they shouldn't be sitting in some ivory tower drafting regulations that are going to export jobs, that are going to increase the trade deficit, and that are going to make us reliant or dependent upon nations like Venezuela for energy, nations that don't share America's values. What in the world are we doing? Who is running this place?

This is the United States of America. We have had people who have put their lives on the line to protect our freedoms and to protect our greatness. I don't think this is what they were protecting or that this is what they were fighting for.

Mr. Speaker, I want to urge, as we move forward on legislation at the end of this year, that we take appropriate

action to ensure that America's energy security is protected, to make sure that America's independence is protected, to make sure that we don't take actions that penalize or increase our trade deficit, and that we promote American jobs, America's economy, and America's workforce.

Mr. Speaker, I yield back.

TERRORIST ATTACKS AND SYRIAN REFUGEES

The SPEAKER pro tempore (Mrs. COMSTOCK). Under the Speaker's announced policy of January 6, 2015, the gentleman from California (Mr. COSTA) is recognized for 60 minutes as the designee of the minority leader.

Mr. COSTA. Madam Speaker, I rise today to express my deepest condolences to all the individuals who have been affected in recent months by terrorist attacks throughout the world and, also, to focus on the need for America to step up and to in a more comprehensive way lead a global effort again these terrorists.

My thoughts and prayers—and our thoughts and prayers as a Nation—continue to be with the people of France, Algiers, Lebanon, and Russia, the victims and their families, who are suffering during this time.

With worldwide attention and support for defeating terrorism, America has a new opportunity to draw a line in the sand and lead a global coalition. The United States, our allies, and those who oppose terrorist groups must come together on a comprehensive plan for eliminating terrorist organizations, like ISIL, al Qaeda, and all those who support terrorist activities, whether it be on the Internet or in all sorts of ways that we are discovering today.

America must provide the leadership and use all of the resources at our disposal to eliminate these terrorist organizations and their supporters. I understand that the world is facing a humanitarian crisis and it is a serious problem.

I think we here in the Congress all understand that our first responsibility is to protect and defend the American people from all enemies, foreign and domestic. We take an oath when we are sworn in every 2 years for that purpose.

The Syrian refugees are seeking safety, and the United States has a thorough vetting process for those refugees and others. We can always improve our efforts to protect the American public while at the same time providing the very humanitarian aid that is necessary.

Recent terrorist attacks have led Congress to assess the current process the United States uses to grant entry to refugees who are seeking safety from their country. These are women and children. These are innocent people who have been terribly impacted by the civil war in Syria. There are camps in

Jordan with over a million and a half people, and Turkey has a similar number. Of course, we see the accounts of these refugees fleeing to Europe.

What do we do? We have to respond. The legislation that passed today and the legislation that the Senate has introduced today is an effort to improve the current system. Clearly, these legislative efforts are a work in progress and they will change.

To succeed, we must work closely with the President always to focus on ways that we can improve to protect American citizens because we know this, that terrorists never ever sleep. I believe the administration is doing everything it can to make absolutely certain that our efforts to provide that humanitarian support does not threaten American lives.

In addition to ensuring that a strict and thorough vetting process is in place, we need to pursue comprehensive efforts that include working with our allies to end this civil war in Syria, which, as we know, is the primary source of this refugee crisis.

Let's be clear. It is easy to Monday-morning-quarterback this, but there are multiple causes to the conflicts in Syria and, in essence, more than one war that is taking place.

There is the civil war that is caused by Assad, but there is a proxy war between Russia and Iran against the Sunni nations. Then, of course, there is a conflict going on between Turkey and the Kurds.

Then, of course, there are our collective efforts for the majority of the countries to go after ISIL and their horrific crimes. We have conflicting alliances within the multiple conflicts that are taking place within Syria today.

□ 1445

Therefore, it is not easy as we try to sort this out in a way to put this comprehensive strategy together. If a global coalition is put in place, we can, I believe, combat this terrorism activity and bring those terrorists responsible for these horrific crimes, crimes against humanity, to justice. And we must.

Let's face it. They have declared war on Western civilization and our very way of life. I know that the President is working very hard to put this comprehensive effort together.

Ladies and gentlemen, Madam Speaker, this is not nor should it be a partisan issue. Every Member of Congress and the President go to bed at night, and we wake up in the morning with the safety of the American people being always our first priority.

Let me repeat that. This is not a partisan issue. We all fear for a worst case scenario. Therefore, we must be working together in a bipartisan effort on any concepts of legislation that we consider with the administration, with

the President to continually improve our ability to protect our American citizens.

Now, it is important that we understand that this will be costly, and sacrifices will inevitably be made. Today, American men and women are in harm's way in the Middle East, serving in our military, doing their very best on multiple fronts. It is not just the sacrifices they are making, but it is the sacrifices their families are making as well.

It is essential that we come together to develop and implement a long-term comprehensive plan. At the end of the day, it is the only way we will protect our freedoms and our way of life. This is what is at stake, and this is why, as we go home for the Thanksgiving recess, with our families and friends, we contemplate how we might do a better job working with the administration.

As we look at this Thanksgiving week coming up, truly we have a lot to be thankful for in this Nation. We must remember as Americans, the common values that we share, the bonds that we hold most dear are far, far stronger than whatever differences we may have.

Madam Speaker, I wish my colleagues here in the Congress, as we go back to our homes throughout America, a very blessed Thanksgiving with their families and friends. May God bless the United States of America, and may He grant us the guidance to work together in a more united way to solve these difficult challenges we have in front of us today, because we know, working together, all is possible.

Madam Speaker, I yield back the balance of my time.

SYRIAN REFUGEES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Madam Speaker, these are the times that try men's souls.

After so many Americans have given the last full measure of devotion for their country, for our freedom, for the freedom of so many others, we are at a time in our history when we have enemies reporting that they are entering the United States. That is confirmed by the Director of the FBI and others in this administration. As is now reported, there are active ISIS elements in every State in the Union.

Some say, well, those who want to suspend bringing in Syrian refugees, wouldn't that be like telling the Jews during World War II they couldn't come to America? Actually, it would be more like saying we are going to suspend bringing Germans—we are going to keep bringing in German Jews because clearly they are being per-

secuted. We are going to try to save them from the Holocaust, but we are going to suspend bringing in those who appear to have similar backgrounds to the Nazis because we are not sure who is Nazi and who isn't.

Can you imagine dealing with what France has dealt with after we welcomed with open arms Nazis before and during World War II, if that had been the policy of the Roosevelt administration? Thank God it wasn't. But, unfortunately, Jews were turned away before and during World War II.

The President wants to continue bringing in refugees, continue the mass migration of illegal aliens into the United States. We have this report from yesterday by Brandon Darby and Ildefonso Ortiz. They report on eight Syrians being caught at the Texas border in Laredo yesterday.

The story says:

"Two Federal agents operating under the umbrella of U.S. Customs and Border Protection are claiming that eight Syrian illegal aliens attempted to enter Texas from Mexico in the Laredo Sector. The Federal agents spoke with Breitbart Texas on the condition of anonymity, however, a local president of the National Border Patrol Council confirmed that Laredo Border Patrol agents have been officially contacting the organization with concerns over reports from other Federal agents about Syrians illegally entering the country in the Laredo Sector. The reports have caused a stir among the sector's Border Patrol agents.

"The sources claimed that eight Syrians were apprehended on Monday, November 16, 2015. According to the sources, the Syrians were in two separate 'family units' and were apprehended at the Juarez Lincoln Bridge in Laredo, Texas, also known officially as Port of Entry 1."

The President has also stated in recent days—it's been played over and over as the President condemns Republicans and conservatives and liberals and moderate Americans across the specter of politics, Americans who are concerned about one thing: the safety of their homeland.

The President comes out and condemns, and he said: "When I hear political leaders suggesting that there would be a religious test for which a person who's fleeing from a war-torn country is admitted . . . that's shameful. . . . That's not American. That's not who we are. We don't have religious tests to our compassion."

It doesn't violate the rules of the House to point out when an elected official is ignorant. It is a violation to insinuate some ill motive. I am insinuating no ill motive. I am stating that the President is completely ignorant of what our laws are because the law is very clear, if you look at 8 U.S.C. 1158—and I need to tip the hat to Andrew McCarthy. I have got his article in

front of me from yesterday, from nationalreview.com.

He points out that under Federal law the executive branch is expressly required to take religion into account in determining who is granted asylum. Under the provision governing asylum—and again, that is 8 U.S.C. section 1158—“an alien applying for admission”—and this is the law—“must establish that . . . religion . . . was or will be at least one central reason for persecuting that applicant.”

Now, there are other potential reasons that can be given for establishing the persecution, but religion is a very important one, and we have always looked at that issue as being important. If you are being persecuted for your religious beliefs in the world, that is always historically American to look at that fact and determine, yes, there is a religious test, and these people are being persecuted because of their religious beliefs, and only if we look at their religion and whether or not that religion is being persecuted can we determine whether they are entitled to asylum.

So to answer the question that is raised by the ignorant statement by our President, the truth is, yes, it is American. It is the law. We need to know what religion you are to determine whether or not you are being persecuted for your religion.

In another place, and this is over from 8 U.S.C., this is in section 1101, and this is the section regarding refugee status, but to qualify, the applicant must be a refugee as defined by Federal law, and then that definition is what is at section 1101(a)(42)(A).

“The term ‘refugee’ means (A) any person who is outside any country of such person’s nationality . . . and who is unable or unwilling to return to . . . that country because of persecution or a well-founded fear of persecution on account of . . . religion.”

Religion is important to take into account in determining whether someone is truly a refugee. It is American. It is not shameful. It is what we have done historically, and that is why I would have a Baloch minority in my office today talking to me about persecution against the Baloch people in Iran, because, as he says, Americans have traditionally been compassionate when people are being persecuted unfairly. And we have. And to take such persecution into account, we look at whether religion is a factor in their persecution. That is American. It is recognized even in Iran as being American and being unshameful—not only not shameful, but being to the glory and credit of the United States of America that we do care.

Mr. McCarthy’s article goes on. He says:

“In the case of this war, the Islamic State is undeniably persecuting Christians. It is doing so, moreover, as a

matter of doctrine. Even those Christians the Islamic State does not kill, it otherwise persecutes as called for by its construction of sharia (observe, for example, the ongoing rape jihad and sexual slavery).”

From my discussions when I have been in Nigeria with the poor Africans whose children have been kidnapped, they explained it was only the daughters that were being kidnapped and that the school was attacked.

I asked: Was it attacked because it was a girls school and they don’t want girls having education?

They said they don’t want girls having education, but that is not the reason they attacked it. They attacked it because it was a Christian school.

So these radical Islamists associated with the Islamic State, they attack schools, particularly Christian schools; and after they attack a Christian school, the Nigerians explained they bring the children out, and if they are boys, they just go ahead and kill them immediately because they are Christian boys, and they don’t want that to spread.

□ 1500

If, however, they are girls, the Nigerian Africans who were victims of Boko Haram explained, they don’t kill them. No. But you couldn’t really say they weren’t persecuted because they are kidnapped and they are kept strapped to beds and they are repeatedly raped until such time as they are sold into sexual slavery.

And this administration, according to some in Nigeria, has said: We may help you, but you have got to adopt a same-sex marriage provision, or we are not going to be such help to you.

And as one Nigerian bishop said, to his deep credit: Our religious convictions are not for sale—not to President Obama, not to anybody.

God bless them.

The same effort was made to push Kenya into adopting same-sex marriage laws against their religious beliefs in that country. I was so proud of the Kenyan President. And I have heard other African leaders say they were so proud. They were also proud in Africa of the Kenyan President not being intimidated by President Obama’s demand that they change their marriage laws to go against the teachings of the man whose profile is right up here above the main door to our Gallery—a man named Moses—who said he was speaking for God. And according to God’s law, a man shall leave his father and mother and a woman leave her home and the two will become one flesh. That was to be marriage.

When Jesus was asked about marriage and divorce, he quoted Moses perfectly—the man we have depicted up here in our House Chamber. He quoted Moses perfectly: A man shall leave his

father and mother and a woman leave her home and the two will become one flesh. And then he added to Moses’ perfect quote: And what God has joined together, nobody put asunder.

Anyway, our President was in African in the past trying to push them into changing their laws, but unfortunately for people in areas where radical Islamists have reigned, if you are a Christian, you are being persecuted for your religious beliefs. And if you are a Christian boy in a school that Boko Haram attacks, they will most likely just shoot you, kill you; and if you are a girl, they take you into sex slavery, in all likelihood.

McCarthy goes on: “To the contrary, the Islamic State seeks to rule Muslims, not kill or persecute them.”

I think that is a very important point Mr. McCarthy makes. The radical Islamists are not seeking to kill or persecute Muslims like they are Christians. They are seeking to rule them.

Mr. McCarthy goes on:

“Obama prefers not to dwell on the distinction between the jihadist treatment of Muslims, on the one hand, and of Christians, Jews, and other religious, on the other hand, because he—like much of Washington—inhabits a world in which jihadists are not Islamic and, therefore, have no common ground with other Muslims . . . notwithstanding that jihadists emerge whenever and wherever a population of sharia-adherent Muslims reaches critical mass. While there is no question that ISIS will kill and persecute Muslims whom it regards as apostates for refusing to adhere to its construction of Islam, it is abject idiocy to suggest that Muslims are facing the same ubiquity and intensity of persecution as Christians.

“And it is down right dishonest to claim that taking such religious distinctions into account is ‘not American,’ let alone ‘shameful.’ How can something American law requires be ‘not American’? And how can a national expression of compassion expressly aimed at alleviating persecution be ‘shameful’?”

That is Andrew McCarthy yesterday, the NationalReview.com.

“The State Department Turns Its Back on Syrian Christians and Other Non-Muslim Refugees” is an article by Nina Shea, November 2. She says: “Over the past 5 years of Syria’s civil war, the United States has admitted a grand total of 53 Syrian Christian refugees, a lone Yazidi, and fewer than 10 Druze, Baha’is, and Zoroastrians combined. That so few of the Syrian refugees coming here are non-Muslim minorities is due to American reliance on a United Nations refugee-resettlement program that disproportionately excludes them. Past absolute totals of Syrian refugees to the United States under this program were small, but as the Obama administration now ramps

up refugee quotas by tens of thousands, it would be unconscionable to continue with a process that has consistently forsaken some of the most defenseless and egregiously persecuted of those fleeing Syria.

"The gross underrepresentation of the non-Muslim communities in the numbers of Syrian refugees into the U.S. is reflected year after year in the State Department's public records. They show, for example, that while Syria's largest non-Muslim group—Christians of the various Catholic, Orthodox, and Protestant traditions—constituted 10 percent of Syria's population before the war, they are only 2.6 percent of the 2,003 Syrian refugees that the United States has accepted since then.

"Syria's Christian population, which before the war numbered 2 million, has since 2011 been decimated by what Pope Francis described as religious 'genocide.'"

I want to insert at this point, Madam Speaker, that I have been advised that this administration is now saying that the persecution of Christians is not being deemed a genocide. Perhaps it is because this administration feels like if you are taking the young girls and putting them into sex slavery and you are not outright killing them—you are just raping them and putting them into sex slavery—then maybe that is not a genocide. You are letting the girls live.

So maybe they are so callous that they would consider it is not genocide if you just rape and put these young girls who are Christians or from Christian families into sexual slavery.

This article from Nina Sea says:

"Clearly, far more than a dozen members of Syria's religious minorities should qualify as refugees under the legal definition of a refugee as someone with a 'well-founded fear of persecution based on religion.' . . . Instead minorities have difficulty getting to step one in the U.N. process. The religious terror that drove them from Syria blocks their registering. The Office of the United Nations High Commissioner for Refugees is largely limited to collecting refugee applications and making resettlement referrals from its own camps and centers—the burden of feeding creates strong incentives for this practice.

"In an email to me, Knox Thames, the State Department's new Special Adviser for Religious Minorities wrote that 'many minorities have not entered the U.N. system because they are urban refugees.' That is, because they live far from the remote U.N. camps and aid centers, they lack the information and access to register. And, as is widely known, many non-Muslim refugees try hard to avoid these camps."

The reason Christians try to avoid these U.N. camps is that they are Muslim.

In fact, in this article, it is pointed out:

"According to British media, a terrorist detector asserted that militants enter U.N. camps to assassinate and kidnap Christians. An American Christian aid group reported that the U.N. camps are 'dangerous' places where ISIS, militias, and gangs traffic in women and threaten men who refuse to swear allegiance to the caliphate.

"Such intimidation is also reportedly evident in migrant camps in Europe, leading the German police union to recommend separate shelters for Christians and Muslim migrant groups."

The article goes on to point out:

"According to a recent UNHCR posting, 19,000 Syrians picked straight from 'refugee camps in Turkey, Lebanon, and Jordan,' have received U.N. approval and are awaiting resettlement in the United States. In October, President Obama ordered their expedited admission. Without further action, however, only token numbers of non-Muslim minorities will be among those rescued. George Carey, former Archbishop of Canterbury, called it right about the Christian refugees, and his words equally apply to Syria's other non-Muslim communities: They are being 'left at the bottom of the heap.'"

There is an article from Todd Starnes, November 18—yesterday—entitled "Obama is Importing Muslims, Deporting Christians."

Well, if this is true, so much for his test—that we don't care about religious tests.

But this article says:

"When individuals say we should have a religious test and that only Christians—proven Christians should be admitted—that is offensive and contrary to American values, the President said—just one day after he called such behavior un-American."

But as Todd Starnes says:

"What is offensive and contrary to American values is refusing to properly investigate those wanting to come to our Nation—especially those coming from regions that are hotbeds of Islamic extremism.

"Those of us who fear that Islamic radicals might be lurking among the refugees have been called every name in the book: bigots, Islamophobes, and un-American . . . But the President says such prudence only further enflames the Islamic jihadists."

The President warns that it is counterproductive and needs to stop.

The truth is, I will insert parenthetically, what has been a huge recruiting tool for ISIL, ISIS, and the Islamic State, has been American weakness and unwillingness to confront radical Islam head up and call it what it is.

We found back when we were engaged in Iraq that one of the big recruitments that was used by radical Islamists is they would go back to 1979 and the fact that Jimmy Carter did not after they attacked our Embassy and took over 50—51 people or so—as hostages. We did basically nothing to them.

And they point out that we pulled out of Beirut after our Marines were killed there. And they go out and point out the 1993 attack on the World Trade Center under Bill Clinton. We really did nothing after that in response. And after the USS *Cole* was hit, we basically did nothing effective.

And they go on to point out each time that America has been hit and we did nothing effective to counter the attack upon us, that is the biggest recruiting element that ISIS or any radical Islamist group has had, when they can show that they have attacked and we have been weak.

And nothing has been shown to be less effective in responding to attacks against us, against Americans, against Christians, against minority groups, against moderate Muslims, then what has happened during this administration. Call George W. Bush what you will, but the fact is the world knew that while he was President, if you messed with America, he would strike back.

□ 1515

That is what led Qadhafi to abandon his nuclear efforts. It led him to open up his doors. You tell me what weapons I can keep. He was afraid we were going to invade them next.

According to this article, it says, "But the cold, hard reality is that Protestants, Catholics and Jews aren't the ones beheading people. The Lutherans and Nazarenes aren't gunning down young folks in concert venues."

Nevertheless, the President remains steadfast. The Muslims will come.

"We don't have religious tests to our compassions," he told journalists from high atop his soapbox.

But that is not entirely accurate. Last year the Obama administration led a fierce legal battle to have a German Christian family thrown out of the United States.

The Romeikes fled their homeland in search of a nation where they could homeschool their children. A judge initially granted them asylum, believing they were escaping from religious persecution. However, the Obama administration waged a fierce campaign against the Romeike family, demanding they be returned to Germany.

The family lost court battle after court battle, but, at the eleventh hour, the White House relented and begrudgingly let them stay.

But just a few months ago a Federal Immigration judge ordered a dozen Iraqi Christians deported from a facility in San Diego. An Immigration Customs Enforcement spokesperson declined to tell the San Diego Union Tribune why the Iraqi Christians were being sent back to their native land.

So the next time President Obama wants to lecture the Nation about religion, maybe he could explain why his

administration is importing Muslims and deporting Christians.

I realize that I just have a few minutes left, Madam Speaker. Our hearts, our prayers and thoughts have been with the people of France and Lebanon and Russia, victims of radical Islamist attacks and anywhere they have been occurring, Brussels, as well.

There is great irony. On Wednesday of last week, the European Union announced what it had been building to for some time. In essence, it announced it was declaring economic war on Israel.

Anti-Semitism has grown all over the European Union to levels I never would have dreamed, as a little boy, would ever come back to Germany, where we read and studied about the Holocaust and the persecution of Jews not just in Germany, but around Europe, and there were other countries that actually assisted the Germans.

There were people like George Soros, who was Jewish, that helped finger other Jews. I never thought we would get to the level of anti-Semitism where Europe, as a whole, as a group, would basically declare economic war against Israel. Incredible how anti-Semitism has grown there.

And then, within 48 hours of them declaring war, siding with the Palestinian Muslims, siding with those—they are attacking the Christians and Jews in Israel and siding with the wrong people.

I yield back the balance of my time.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 208. An act to improve the disaster assistance programs of the Small Business Administration.

H.R. 639. An act to amend the Controlled Substances Act with respect to drug scheduling recommendations by the Secretary of Health and Human Services, and with respect to registration of manufacturers and distributors seeking to conduct clinical testing.

H.R. 2262. An act to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes.

H.R. 3996. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 2036. An act to suspend the current compensation packages for the chief executive officers of Fannie Mae and Freddie Mac, and for other purposes.

ADJOURNMENT

Mr. GOHMERT. Madam Speaker, pursuant to the order of the House of today, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 19 minutes p.m.), under its previous order, the House adjourned until tomorrow, November 20, 2015, at 5 p.m., unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 95, in which case the House shall stand adjourned pursuant to that concurrent resolution.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3501. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Photovoltaic Devices from the United States (DFARS Case 2015-D007) [Docket No.: DARS-2015-0024] (RIN: 0750-A141) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Armed Services.

3502. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Eliminate Data Collection Requirement (DFARS Case 2015-D031) [Docket No.: DARS-2015-0048] (RIN: 0750-A173) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Armed Services.

3503. A letter from the Director, Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule — Housing Improvement Program [156A2100DD/AAK001030/A0A501010.999900 253G] (RIN: 1076-AF22) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

3504. A letter from the Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's FY 2015 Annual Report, pursuant to 29 U.S.C. 1308; Public Law 93-406, Sec. 4008 (as amended by Public Law 109-280, Sec. 412); to the Committee on Education and the Workforce.

3505. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's interpretive bulletin — Interpretive Bulletin Relating to the Fiduciary Standard Under ERISA in Considering Economically Targeted Investments (RIN: 1210-AB73) received November 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3506. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's interpretive bulletin — Interpretive Bulletin Relating to State Savings Programs That Sponsor or Facilitate Plans Covered by the Employee Retirement Income Security Act of 1974 (RIN: 1210-AB74) re-

ceived November 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Education and the Workforce.

3507. A letter from the Assistant Secretary for Communications and Information, Department of Commerce, transmitting the fourth quarterly report from the National Telecommunications and Information Administration regarding the Internet Assigned Numbers Authority transition, pursuant to the Consolidated and Further Continuing Appropriations Act of 2015, Public Law 113-235; to the Committee on Energy and Commerce.

3508. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's Algal Toxin Risk Assessment and Management Strategic Plan for Drinking Water, pursuant to 42 U.S.C. 300j-19(a); Public Law 114-45, Sec. 2(a); to the Committee on Energy and Commerce.

3509. A letter from the Chief, Policy and Rule Division, Office of Engineering and Technology, Federal Communication Commission, transmitting the Commission's final rule — Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions [GN Docket No.: 12-268]; Office of Engineering and Technology Releases and Seeks Comment on Updated OET-69 Software [ET Docket No.: 13-26]; Office of Engineering and Technology Seeks to Supplement the Incentive Auction Proceeding Record Regarding Potential Interference Between Broadcast Television and Wireless Services [ET Docket No.: 14-14] received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3510. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's requirements and procedures — Media Bureau Finalizes Reimbursement Form for Submission to OMB and Adopts Catalog of Expenses [GN Docket No.: 12-268] received November 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

3511. A letter from the Assistant Secretary, Department of State, transmitting a certification, Transmittal No.: DDTC 15-085, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); to the Committee on Foreign Affairs.

3512. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-089, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); to the Committee on Foreign Affairs.

3513. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-111, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); to the Committee on Foreign Affairs.

3514. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-018, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); to the Committee on Foreign Affairs.

3515. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-080, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as

added by Public Law 94-329, Sec. 211(a)); to the Committee on Foreign Affairs.

3516. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-071, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); to the Committee on Foreign Affairs.

3517. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-063, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); to the Committee on Foreign Affairs.

3518. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-054, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); to the Committee on Foreign Affairs.

3519. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, Transmittal No.: DDTC 15-053, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); to the Committee on Foreign Affairs.

3520. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Yemen that was declared in Executive Order 13611 of May 16, 2012, pursuant to 50 U.S.C. 1703(c), Sec. 204(c) and, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); to the Committee on Foreign Affairs.

3521. A letter from the Administrator and Chief Executive Officer, Bonneville Power Administration, Department of Energy, transmitting the Bonneville Power Administration's 2015 Annual Report, pursuant to the Third Powerplant at Grand Coulee Dam Act, Public Law 89-448 (80 Stat. 200) and the Chief Financial Officers Act, Public Law 101-576; to the Committee on Oversight and Government Reform.

3522. A letter from the Board Chair and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's Performance and Accountability Report for FY 2015, pursuant to 5 U.S.C. app. Sec. 8G(h)(2); Public Law 100-504, Sec. 104(a); to the Committee on Oversight and Government Reform.

3523. A letter from the Archivist of the United States, National Archives and Records Administration, transmitting the annual Agency Financial Report of the National Archives and Records Administration for FY 2015, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 8G(h)(2); Public Law 100-504, Sec. 104(a); to the Committee on Oversight and Government Reform.

3524. A letter from the Director, Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule — Secretarial Election Procedures [156A2100DD/AAKC001030/A0A501010.999900 253G] (RIN: 1076-AE93) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

3525. A letter from the Chief Impact Analyst, Office of Regulatory Policy, Office of the General Counsel (02REG), Department of Veterans Affairs, transmitting the Department's Major final rule — Expanded Access to Non-VA Care through the Veterans Choice Program (RIN: 2900-AP24) received November 17, 2015, pursuant to 5 U.S.C. 801(a)(1)(A);

Added by Public Law 104-121, Sec. 251; to the Committee on Veterans' Affairs.

3526. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations — Transitional Amendments to Satisfy the Market Rate of Return Rules for Hybrid Retirement Plans [TD 9743] (RIN: 1545-BL62) received November 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3527. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Qualified Student Loan Bonds [Notice 2015-78] received November 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3528. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2015-80] received November 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3529. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Extension of Guidance in Notice 2013-7 for Participants in the HFA Hardest Hit Fund [Notice 2015-77] received November 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

3530. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rules — Final Rules for Grandfathered Plans, Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, Dependent Coverage, Appeals, and Patient Protections under the Affordable Care Act [TD 9744] (RIN: 1545-BJ45, 1545-BJ50, 1545-BJ62, 1545-BJ57) received November 18, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; jointly to the Committees on Ways and Means, Energy and Commerce, and Education and the Workforce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McCAUL: Committee on Homeland Security. H.R. 3842. A bill to improve homeland security, including domestic preparedness and response to terrorism, by reforming Federal Law Enforcement Training Centers to provide training to first responders, and for other purposes; with an amendment (Rept. 114-343, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. McCAUL: Committee on Homeland Security. H.R. 2899. A bill to amend the Homeland Security Act of 2002 to authorize the Office for Countering Violent Extremism; with an amendment (Rept. 114-344). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 3490. A bill to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes; with an amendment (Rept. 114-345, Pt. 1). Ordered to be printed.

Mr. UPTON: Committee on Energy and Commerce. S. 611. An act to amend the Safe

Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes (Rept. 114-346). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 8. A bill to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes; with an amendment (Rept. 114-347, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. House Joint Resolution 71. Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units" (Rept. 114-348). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. House Joint Resolution 72. Resolution for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units" (Rept. 114-349). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on Science, Space, and Technology, Education and the Workforce, Oversight and Government Reform, and Foreign Affairs discharged from further consideration. H.R. 8 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on the Judiciary discharged from further consideration. H.R. 3842 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. THOMPSON of Mississippi (for himself, Ms. LOFGREN, Mr. CONYERS, Mr. GALLEGO, Mr. TED LIEU of California, Mr. MOULTON, Ms. DUCKWORTH, Mr. SMITH of Washington, and Mr. SCHIFF):

H.R. 4079. A bill to require that supplemental certifications and identity verifications be completed prior to the admission of refugees, and for other purposes; to the Committee on the Judiciary.

By Mr. CARTWRIGHT (for himself, Mrs. NAPOLITANO, Mr. CONNOLLY, Ms. JACKSON LEE, Ms. KELLY of Illinois, Mr. DEFAZIO, Mrs. KIRKPATRICK, Mr. JONES, Ms. SCHAKOWSKY, Ms. ESTY, Ms. MCCOLLUM, Mr. GRIJALVA, Mr. NEAL, Mrs. BUSTOS, Mrs. CAPPS, and Mr. HECK of Washington):

H.R. 4080. A bill to amend title 38, United States Code, to provide for unlimited eligibility for health care for mental illnesses for

veterans of combat service during certain periods of hostilities and war; to the Committee on Veterans' Affairs.

By Mr. WEBSTER of Florida:

H.R. 4081. A bill to amend title 23, United States Code, to establish a Transportation Infrastructure Finance and Innovation Act Revolving Fund, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WEBSTER of Florida:

H.R. 4082. A bill to coordinate transportation services for transportation-disadvantaged individuals; to the Committee on Transportation and Infrastructure.

By Mr. GOSAR (for himself, Mr. BRAT, Mr. BUCK, Mr. CRAWFORD, Mr. CULBERSON, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. HARPER, Mr. HUELSKAMP, Mr. KING of Iowa, Mrs. LUMMIS, Mr. MILLER of Florida, Mr. OLSON, Mr. POSEY, Mr. RICE of South Carolina, Mr. ROGERS of Alabama, Mr. ROKITA, Mr. ROUZER, Mr. STEWART, Mr. TIPTON, Mr. WILSON of South Carolina, and Mr. BABIN):

H.R. 4083. A bill to exclude the Internal Revenue Service from the provisions of title 5, United States Code, relating to labor-management relations; to the Committee on Oversight and Government Reform.

By Mr. WEBER of Texas (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SMITH of Texas, Mr. LIPINSKI, Mr. LOUDERMILK, Mr. PERLMUTTER, Mrs. COMSTOCK, Mr. TONKO, Mr. BRIDENSTINE, Mr. ROHRBACHER, Mr. HULTGREN, Mr. WESTERMAN, Mr. SCHWEIKERT, Mr. BABIN, Mr. CULBERSON, Mr. BRADY of Texas, Mr. SESSIONS, Mr. CARTER of Texas, Mr. CONAWAY, Mr. MARCHANT, and Mr. FARENTHOLD):

H.R. 4084. A bill to enable civilian research and development of advanced nuclear energy technologies by private and public institutions and to expand theoretical and practical knowledge of nuclear physics, chemistry, and materials science; to the Committee on Science, Space, and Technology.

By Mr. TIBERI (for himself, Mr. NEAL, Mr. SESSIONS, Mr. REED, and Ms. LINDA T. SANCHEZ of California):

H.R. 4085. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of church pension plans, and for other purposes; to the Committee on Ways and Means.

By Mr. HILL:

H.R. 4086. A bill to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOVE (for herself, Mr. ZELDIN, Ms. GABBARD, Mr. BISHOP of Michigan, Mr. GOWDY, Mr. LOUDERMILK, Mr. BABIN, Mr. CHAFFETZ, Mr. RATCLIFFE, Mr. STEWART, Mr. CURBELO of Florida, Mr. BISHOP of Georgia, Mrs. BEATTY, Mr. ZINKE, Mrs. ROBY, Mrs. WALORSKI, Mr. HURD of Texas, Ms. KELLY of Illinois, Mr. BUTTERFIELD, Mr. STIVERS, Mr. YODER, Mr. SMITH of Missouri, Ms. MOORE, Ms. FUDGE, Mr. JOHNSON of Georgia, Mr. RICHMOND, Ms. ADAMS, Ms. SINEMA, Ms. BROWN of Florida, and Mr. CLYBURN):

H.R. 4087. A bill to amend title 38, United States Code, to adjust the effective date of certain reductions and discontinuances of compensation, dependency and indemnity compensation, and pension under the laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. PASCRELL (for himself, Mr. LOBIONDO, and Mr. CARNEY):

H.R. 4088. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind; to the Committee on Ways and Means.

By Mr. BILIRAKIS:

H.R. 4089. A bill to require the Secretary of Homeland Security to strengthen student visa background checks and improve the monitoring of foreign students in the United States, and for other purposes; to the Committee on the Judiciary.

By Mrs. BLACKBURN:

H.R. 4090. A bill to amend the Social Security Act to improve choices available to Medicare eligible seniors by permitting them to elect (instead of regular Medicare benefits) to receive a voucher for a health savings account, for premiums for a high deductible health insurance plan, or both and by suspending Medicare late enrollment penalties between ages 65 and 70; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BORDALLO:

H.R. 4091. A bill to provide reforms through the Organic Act of Guam; to the Committee on Natural Resources.

By Mr. BRADY of Pennsylvania:

H.R. 4092. A bill to reauthorize the sound recording and film preservation programs of the Library of Congress, and for other purposes; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRADY of Pennsylvania:

H.R. 4093. A bill to revise certain administrative and management authorities of the Librarian of Congress, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRAT:

H.R. 4094. A bill to amend the Internal Revenue Code of 1986 to create Universal Savings Accounts; to the Committee on Ways and Means.

By Ms. BROWNLEY of California:

H.R. 4095. A bill to amend the charter of the Gold Star Wives of America to remove the restriction on the federally chartered corporation, and directors and officers of the corporation, attempting to influence legislation; to the Committee on the Judiciary.

By Mr. CAPUANO (for himself and Mr. STIVERS):

H.R. 4096. A bill to amend the Volcker Rule to permit certain investment advisers to share a similar name with a private equity fund, subject to certain restrictions, and for other purposes; to the Committee on Financial Services.

By Mr. CAPUANO:

H.R. 4097. A bill to amend the Immigration and Nationality Act to provide for visas for certain advanced STEM graduates, and for other purposes; to the Committee on the Judiciary.

By Ms. JUDY CHU of California (for herself and Mr. ROYCE):

H.R. 4098. A bill to amend title III of the Higher Education Act of 1965 to strengthen minority-serving institutions; to the Committee on Education and the Workforce.

By Mr. CLAY (for himself and Mr. STIVERS):

H.R. 4099. A bill to increase from \$10,000,000,000 to \$50,000,000,000 the threshold figure at which regulated depository institutions are subject to direct examination and reporting requirements of the Bureau of Consumer Financial Protection, and for other purposes; to the Committee on Financial Services.

By Mr. CLAY (for himself and Mrs. WAGNER):

H.R. 4100. A bill to require the Secretary of the Army, acting through the Chief of Engineers, to undertake remediation oversight of the West Lake Landfill located in Bridgeton, Missouri; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Mr. JONES, and Mr. JOHNSON of Georgia):

H.R. 4101. A bill to amend the Higher Education Act of 1965 regarding proprietary institutions of higher education in order to protect students and taxpayers; to the Committee on Education and the Workforce.

By Mrs. COMSTOCK:

H.R. 4102. A bill to provide for the establishment of a mechanism to allow borrowers of Federal student loans to refinance their loans, to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided educational assistance to employer payment of interest on certain refinanced student loans, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRAMER:

H.R. 4103. A bill to amend title 38, United States Code, to improve the provision of medical care to veterans at critical access hospitals; to the Committee on Veterans' Affairs, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CROWLEY (for himself and Mr. PAULSEN):

H.R. 4104. A bill to amend the Internal Revenue Code of 1986 to treat bicycle sharing systems as mass transit facilities for purposes of the qualified transportation fringe; to the Committee on Ways and Means.

By Mr. DESJARLAIS (for himself, Mr. DUNCAN of Tennessee, Mr. FLEISCHMANN, Mr. ROGERS of Kentucky, Mr. BARR, Mr. FINCHER, Mrs. BLACK, Mrs. BLACKBURN, and Mr. ROE of Tennessee):

H.R. 4105. A bill to amend the Horse Protection Act to provide increased protection

for horses participating in shows, exhibitions, or sales, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. DINGELL (for herself, Mr. CARTWRIGHT, and Mr. POCAN):

H.R. 4106. A bill to provide for a program of research, development, demonstration, and commercial application in vehicle technologies at the Department of Energy; to the Committee on Science, Space, and Technology.

By Mr. DONOVAN (for himself and Miss RICE of New York):

H.R. 4107. A bill to provide for transparency, accountability, and reform of the National Flood Insurance Program; to the Committee on Financial Services.

By Ms. GABBARD (for herself and Mr. AUSTIN SCOTT of Georgia):

H.R. 4108. A bill to prohibit the use of funds for the provision of assistance to Syrian opposition groups and individuals; to the Committee on Armed Services, and in addition to the Committees on Intelligence (Permanent Select), and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself, Mr. TAKANO, Mr. CONYERS, Mr. CUMMINGS, Mr. GUTIERREZ, Mrs. NAPOLITANO, Mr. McDERMOTT, and Ms. CLARKE of New York):

H.R. 4109. A bill to amend the Higher Education Opportunity Act to restrict institutions of higher education from using revenues derived from Federal educational assistance funds for advertising, marketing, or recruiting purposes; to the Committee on Education and the Workforce.

By Ms. KELLY of Illinois:

H.R. 4110. A bill to require the Comptroller General of the United States to study the feasibility of modifying the 5-month waiting period for certain individuals entitled to disability insurance benefits under section 223 of the Social Security Act, and for other purposes; to the Committee on Ways and Means.

By Mr. LANCE (for himself, Mr. CRAMER, and Mr. LOBBSACK):

H.R. 4111. A bill to include skilled nursing facilities as a type of health care provider under section 254(h) of the Communications Act of 1934; to the Committee on Energy and Commerce.

By Mr. LUETKEMEYER (for himself and Mrs. KIRKPATRICK):

H.R. 4112. A bill to amend the Internal Revenue Code of 1986 to allow refunds of Federal motor fuel excise taxes on fuels used in mobile mammography vehicles; to the Committee on Ways and Means.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. LEE, Ms. MOORE, and Mr. CÁRDENAS):

H.R. 4113. A bill to amend the Fair Labor Standards Act of 1938 regarding reasonable break time for nursing mothers; to the Committee on Education and the Workforce.

By Mr. SEAN PATRICK MALONEY of New York (for himself, Mr. RENACCI, Mr. COFFMAN, and Mr. SWALWELL of California):

H.R. 4114. A bill to amend the Internal Revenue Code of 1986 to increase the amount that can be withdrawn without penalty from individual retirement plans as first-time homebuyer distributions; to the Committee on Ways and Means.

By Ms. MENG:

H.R. 4115. A bill to adjust the amount of monthly old-age, survivors, and disability insurance payments under title II of the Social

Security Act based on locality-based comparability payment rates; to the Committee on Ways and Means.

By Ms. MOORE (for herself and Mr. EMMER of Minnesota):

H.R. 4116. A bill to amend the Federal Deposit Insurance Act to ensure that the reciprocal deposits of an insured depository institution are not considered to be funds obtained by or through a deposit broker, and for other purposes; to the Committee on Financial Services.

By Mr. MURPHY of Florida (for himself, Mr. RANGEL, Ms. NORTON, and Mr. HONDA):

H.R. 4117. A bill to require statistics relating to community trust in law enforcement in the National Crime Victim's Survey, and for other purposes; to the Committee on the Judiciary.

By Ms. NORTON:

H.R. 4118. A bill to authorize the Secretary of Veterans Affairs to provide support to university law school programs that are designed to provide legal assistance to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PALAZZO:

H.R. 4119. A bill to authorize the exchange of certain land located in Gulf Islands National Seashore, Jackson County, Mississippi, between the National Park Service and the Veterans of Foreign Wars, and for other purposes; to the Committee on Natural Resources.

By Mr. SALMON (for himself, Mr. GROTHMAN, and Mr. GOSAR):

H.R. 4120. A bill to amend the Head Start Act to authorize block grants to States for prekindergarten education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SERRANO (for himself, Mr. FATTAH, Mr. GRIJALVA, Mr. MEEKS, Mrs. NAPOLITANO, and Ms. VELÁZQUEZ):

H.R. 4121. A bill to amend the Food and Nutrition Act of 2008 to provide greater access to the supplemental nutrition assistance program by reducing duplicative and burdensome administrative requirements, authorize the Secretary of Agriculture to award grants to certain community-based nonprofit feeding and anti-hunger groups for the purpose of establishing and implementing a Beyond the Soup Kitchen Pilot Program for certain socially and economically disadvantaged populations, and for other purposes; to the Committee on Agriculture.

By Ms. SINEMA (for herself and Mr. SALMON):

H.R. 4122. A bill to amend the Immigration and Nationality Act to provide that aliens who were present in certain countries may not be admitted under the visa waiver program, and for other purposes; to the Committee on the Judiciary.

By Mr. WALKER:

H.R. 4123. A bill to withhold United States contributions to the regularly assessed biennial budget of the United Nations until the United Nations adopts a definition of "international terrorism" concurrent with United States laws, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WALZ (for himself and Mr. GIBSON):

H.R. 4124. A bill to amend title 10, United States Code, to eliminate the age restriction on the commencement of the receipt of retired pay for non-regular service; to the Committee on Armed Services.

By Mrs. WATSON COLEMAN (for herself, Mr. HASTINGS, Mr. HONDA, Mrs.

LAWRENCE, Mr. MCGOVERN, Mr. PALLONE, Mr. PAYNE, and Mr. SIREN):

H.R. 4125. A bill to direct the Secretary of Veterans Affairs to conduct a study on the feasibility of the Secretary entering into public-private partnerships to improve the access of veterans to medical facilities in densely populated communities and rural communities; to the Committee on Veterans' Affairs.

By Mr. YOHO (for himself, Mr. MEADOWS, Mr. ZINKE, Mr. BROOKS of Alabama, Mrs. McMORRIS RODGERS, Mr. DUNCAN of South Carolina, and Mr. MILLER of Florida):

H.R. 4126. A bill to clarify that any action by the President in contravention of the restriction on transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, is without legal effect, and for other purposes; to the Committee on Armed Services.

By Mr. GOSAR (for himself, Mr. ABRAHAM, Mr. AMODEI, Mr. BABIN, Mr. BARR, Mr. BARTON, Mr. BENISHEK, Mr. BLUM, Mr. BOUSTANY, Mr. BROOKS of Alabama, Mr. BUCK, Mr. CARTER of Georgia, Mr. CHABOT, Mr. CHAFFETZ, Mr. CRAMER, Mr. CRAWFORD, Mr. DESJARLAIS, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. FARENTHOLD, Mr. FLEMING, Mr. FRANKS of Arizona, Mr. GIBBS, and Mr. GOHMERT, Mr. GRAVES of Louisiana, Mr. GRIFFITH, Mr. GROTHMAN, Mr. HARDY, Mr. HUELSKAMP, Mr. JOHNSON of Ohio, Mr. KELLY of Pennsylvania, Mr. KING of Iowa, Mr. SAM JOHNSON of Texas, Mr. JONES, Mr. JOYCE, Mr. LAMBORN, Mr. LUCAS, Mr. LUETKEMEYER, Mr. LUMMIS, Mr. MESSER, Mr. MCCLINTOCK, Mr. MCKINLEY, Ms. MCSALLY, Mrs. MILLER of Michigan, Mr. MOONEY of West Virginia, Mr. NEUGEBAUER, Mr. NEWHOUSE, Mr. PALMER, Mr. PEARCE, Mr. POMPEO, Mr. POSEY, Mr. RIBBLE, Mr. RICE of South Carolina, Mr. ROHRBACHER, Mr. ROUZER, Mr. SALMON, Mr. AUSTIN SCOTT of Georgia, Mr. SESSIONS, Mr. SHIMKUS, Mr. SMITH of Texas, Mr. STUTZMAN, Mr. THOMPSON of Pennsylvania, Mr. TROTT, Mrs. WALORSKI, Mr. WEBER of Texas, Mr. YOHO, Mr. YOUNG of Alaska, Mr. WILSON of South Carolina, Mr. ZINKE, Mr. SENBRENNER, and Mr. LABRADOR):

H.J. Res. 74. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Administrator of the Environmental Protection Agency relating to "National Ambient Air Quality Standards for Ozone"; to the Committee on Energy and Commerce.

By Mr. GRAVES of Louisiana:

H. Con. Res. 95. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Mr. WOODALL (for himself, Mr. HASTINGS, Mr. POSEY, Mr. MCCAUL, Mr. SESSIONS, Mr. DUNCAN of South Carolina, Mr. BISHOP of Utah, Mr. COOK, Mr. KELLY of Pennsylvania, Mr. TOM PRICE of Georgia, Mr. COLLINS of New York, and Mr. NEWHOUSE):

H. Con. Res. 96. Concurrent resolution condemning Palestinian incitement of violence and reaffirming the special bond between Israel and the United States; to the Committee on Foreign Affairs.

By Mr. KELLY of Pennsylvania (for himself, Mr. FLORES, Mr. SESSIONS, Mr. DUNCAN of South Carolina, Mr. GOSAR, Mr. SMITH of Texas, Mr. RIBBLE, Mr. ROE of Tennessee, Mr. MURPHY of Pennsylvania, Mr. ROUZER, Mr. CULBERSON, Mr. FLEMING, Mr. WILSON of South Carolina, Mr. JONES, Mr. DESJARLAIS, Mr. PITTS, Mrs. BLACKBURN, Mr. LAMALFA, Mr. LAMBORN, Mr. YODER, Mr. WALBERG, Mr. PITTENGER, Mr. CRAMER, Mr. WOODALL, Mr. FRANKS of Arizona, Mr. GIBBS, Mr. WEBER of Texas, Mr. SAM JOHNSON of Texas, Mr. PALMER, Mr. ZINKE, Mr. SALMON, Mr. POSEY, Mr. RATCLIFFE, Mr. FARENTHOLD, Mr. LONG, Mr. MILLER of Florida, Mr. SCHWEIKERT, Mr. BRIDENSTINE, Mr. WILLIAMS, Mr. LUETKEMEYER, Mr. GROTHMAN, Mr. RENACCI, Mr. HENSARLING, Mr. GUTHRIE, Mr. MEADOWS, and Mr. BABIN):

H. Con. Res. 97. Concurrent resolution expressing the sense of Congress that the President should submit to the Senate for advice and consent the climate change agreement proposed for adoption at the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, to be held in Paris, France from November 30 to December 11, 2015; to the Committee on Foreign Affairs.

By Ms. ADAMS (for herself, Mr. CONYERS, Ms. NORTON, Mr. DANNY K. DAVIS of Illinois, Ms. BROWN of Florida, Mr. RICHMOND, Mr. GRIJALVA, Ms. CLARKE of New York, Mrs. BEATTY, and Mr. HASTINGS):

H. Con. Res. 98. Concurrent resolution expressing the sense of the Congress that homelessness in America should be eliminated; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KATKO (for himself, Mr. GIBSON, Miss RICE of New York, and Mr. COLLINS of New York):

H. Con. Res. 99. Concurrent resolution commemorating the 100th anniversary of the United States Army Reserve Officers' Training Corps; to the Committee on Armed Services.

By Mr. CHABOT (for himself, Ms. VELÁZQUEZ, Ms. ADAMS, Mr. ASHFORD, Mrs. BEATTY, Mr. BENISHEK, Mr. BLUM, Ms. BONAMICI, Mr. BOST, Mrs. BROOKS of Indiana, Ms. BROWN of Florida, Mrs. BUSTOS, Mr. CAPUANO, Mr. CÁRDENAS, Mr. CARSON of Indiana, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARKE of New York, Mr. COLLINS of New York, Mr. CURBELO of Florida, Ms. DELBENE, Mrs. ELLMERS of North Carolina, Mr. FATTAH, Mr. GIBSON, Mr. GRAVES of Missouri, Mr. GRIJALVA, Ms. HAHN, Mr. HANNA, Mr. HARDY, Mr. HUELSKAMP, Mr. KELLY of Mississippi, Mr. KING of Iowa, Mr. KNIGHT, Mrs. LAWRENCE, Mr. LUETKEMEYER, Mr. MARINO, Ms. MENG, Mr. MOULTON, Ms. NORTON, Mr. PAYNE, Ms. PINGREE, Mr. POCAN, Ms. SCHAKOWSKY, Mrs. RADEWAGEN, Mr. RYAN of Ohio, Mr. TAKAI, Mr. TIPTON, Ms. TITUS, Mr. VALADAO, Mr. VARGAS, Mr. SENSENBRENNER, Mr. KIND, Ms. BROWNLEY of California, Mr. BRAT,

Mr. RICE of South Carolina, Mrs. KIRKPATRICK, and Mr. MCCAUL):

H. Res. 534. A resolution expressing support for the designation of a "Small Business Saturday" and supporting efforts to increase awareness of the value of locally owned small businesses; to the Committee on Small Business.

By Mr. HANNA (for himself, Mr. ISSA, Mr. ROYCE, Mr. ENGEL, Mr. McDERMOTT, Ms. KAPTUR, Mr. FARR, Mr. ELLISON, Mr. BEYER, Mr. BOUTSANY, Mr. PALLONE, Mr. ABRAHAM, Ms. MCCOLLUM, Mr. TURNER, Ms. GRAHAM, Mrs. DINGELL, Mr. HIGGINS, Mr. WEBER of Texas, Mrs. WATSON COLEMAN, Mr. LAHOOD, Mr. WILSON of South Carolina, Mr. MEADOWS, Mr. CICILLINE, Mr. DUNCAN of South Carolina, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BISHOP of Michigan, Mr. GRAVES of Louisiana, Ms. LOFGREN, Mr. COSTA, Mr. CONNOLLY, Mr. LOWENTHAL, and Mr. MCGOVERN):

H. Res. 535. A resolution condemning in the strongest terms the terrorist attacks in Beirut, Lebanon, on November 12, 2015, that resulted in the loss of at least 43 lives; to the Committee on Foreign Affairs.

By Mr. SIREs (for himself, Ms. ROSELEHTINEN, Mr. ENGEL, and Mr. DUNCAN of South Carolina):

H. Res. 536. A resolution supporting freedom of the press in Latin America and the Caribbean and condemning violations of press freedom and violence against journalists, bloggers, and individuals exercising their right to freedom of speech; to the Committee on Foreign Affairs.

By Ms. JENKINS of Kansas:

H. Res. 537. A resolution expressing the sense of the House of Representatives that Federal law prohibits the transfer of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States; to the Committee on Armed Services.

By Mr. SEAN PATRICK MALONEY of New York (for himself, Ms. SINEMA, Mr. TAKANO, Mr. POCAN, Mr. MURPHY of Florida, Mr. CICILLINE, Ms. DEGETTE, Mr. NADLER, Mr. HONDA, Ms. BROWNLEY of California, Ms. NORTON, Mr. SCHIFF, Mr. GRIJALVA, and Ms. LEE):

H. Res. 538. A resolution supporting the goals and ideals of National Adoption Day and National Adoption Month by promoting awareness of adoption and the children in foster care awaiting families, celebrating children and families involved in adoption, recognizing current programs and efforts designed to promote adoption, and encouraging people in the United States to seek improved safety, permanency, and well-being for all children; to the Committee on Education and the Workforce.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

150. The SPEAKER presented a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 16, calling upon the President of the United States to encourage the Secretary of the United States Department of Health and Human Services to adopt policies to repeal the current and upcoming discriminatory donor suitability policies of the United States Food and Drug Administration (FDA) regarding blood donations by men who have had sex with another man and, instead, di-

rect the FDA to develop science-based policies such as criteria based on risky behavior in lieu of sexual orientation; to the Committee on Energy and Commerce.

151. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 25, urging the President and Congress of the United States to support legislation that will provide a comprehensive solution to allow banks and credit unions to perform financial services for marijuana businesses; to the Committee on Energy and Commerce.

152. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 22, urging the federal government to take steps to reform the outdated and inadequate Official Poverty Measure to better reflect poverty and the unmet needs demonstrated by the Supplemental Poverty Measure; to the Committee on Oversight and Government Reform.

153. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 27, urging the Congress of the United States to permanently reauthorize and fully fund the federal land and Water Conservation Fund in order to maintain and preserve land and water resources; to the Committee on Natural Resources.

154. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 13, urging the Congress and President of the United States to continue to secure citizens' right to vote and remedy any racial discrimination in voting; to the Committee on the Judiciary.

155. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 26, urging the Congress of the United States to ban the sale or display of any Confederate flag, including the Confederate Battle Flag, on federal property and encourage states to ban the use of Confederate States of America symbolism from state flags, seals, and symbols, and would encourage the donation of Confederate artifacts to museums; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. THOMPSON of Mississippi:

H.R. 4079.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

By Mr. CARTWRIGHT:

H.R. 4080.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8; Clause 1 of the Constitution states The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .

By Mr. WEBSTER of Florida:

H.R. 4081.

Congress has the power to enact this legislation pursuant to the following:

The authority granted Congress under Article I, Section 8, Clause 3 and Clause 7 of the United States Constitution establish the

basis for Congress providing transportation infrastructure.

By Mr. WEBSTER of Florida:

H.R. 4082.

Congress has the power to enact this legislation pursuant to the following:

The authority granted Congress under Article I, Section 8, Clause 3 and Clause 7 of the United States Constitution establish the basis for Congress to authorize surface transportation funding.

By Mr. GOSAR:

H.R. 4083.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (the Commerce Clause) of the Constitution of the United States which grants Congress the power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes" as well as Article I, Section 8, Clause 18 (Necessary and Proper Clause) of the Constitution of the United States which gives Congress the power to make all laws necessary and proper for carrying out the powers vested to Congress.

By Mr. WEBER of Texas:

H.R. 4084.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. TIBERI:

H.R. 4085.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I

By Mr. HILL:

H.R. 4086.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 4 of the United States Constitution

By Mrs. LOVE:

H.R. 4087.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. PASCRELL:

H.R. 4088.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. BLIRAKIS:

H.R. 4089.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States.

Article I, Section 8, Clause 18: The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the forgoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mrs. BLACKBURN:

H.R. 4090.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Ms. BORDALLO:

H.R. 4091.

Congress has the power to enact this legislation pursuant to the following:

Article IV Section 3

By Mr. BRADY of Pennsylvania:

H.R. 4092.

Congress has the power to enact this legislation pursuant to the following:

Article I.

By Mr. BRADY of Pennsylvania:

H.R. 4093.

Congress has the power to enact this legislation pursuant to the following:

Article I.

By Mr. BRAT:

H.R. 4094.

Congress has the power to enact this legislation pursuant to the following:

The Sixteenth Amendment to the Constitution grants Congress "power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration." Left undefined in the amendment, the "incomes" appropriate for taxation must be determined through legislation passed by Congress. Congress therefore has the power to exclude from income taxation such sources as it deems appropriate.

By Ms. BROWNLEY of California:

H.R. 4095.

Congress has the power to enact this legislation pursuant to the following:

Amendment 1 to the U.S. Constitution

By Mr. CAPUANO:

H.R. 4096.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. CAPUANO:

H.R. 4097.

Congress has the power to enact this legislation pursuant to the following:

clause 4 of section 8 of article I of the Constitution.

By Ms. JUDY CHU of California:

H.R. 4098.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the United States Constitution.

By Mr. CLAY:

H.R. 4099.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, "The Commerce Power Congress"

By Mr. CLAY:

H.R. 4100.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mr. COHEN:

H.R. 4101.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mrs. COMSTOCK:

H.R. 4102.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (Power To lay and collect Taxes); Article I, Section 8, Clause 3 (Commerce Clause); and the Sixteenth Amendment to the Constitution.

By Mr. CRAMER:

H.R. 4103.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Mr. CROWLEY:

H.R. 4104.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: "The Congress shall have Power to law and collect Taxes, Duties, Imposts and Excises . . ."

By Mr. DESJARLAIS:

H.R. 4105.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3. Congress shall have Power to regulate Commerce with Foreign Nations, and among the several states, and with Indian Tribes.

By Mrs. DINGELL:

H.R. 4106.

Congress has the power to enact this legislation pursuant to the following:

Section 8, Article I of the U.S. Constitution.

By Mr. DONOVAN:

H.R. 4107.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Ms. GABBARD:

H.R. 4108.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Mr. GRIJALVA:

H.R. 4109.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Ms. KELLY of Illinois:

H.R. 4110.

Congress has the power to enact this legislation pursuant to the following:

US Const., Art. I, Sec. 8, Cl. 1, 18 ("The Congress shall have Power to lay and collect Taxes . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . [and] To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.") (Social Security Disability benefits are provided to individuals who have physical disabilities that prevent them from working, so as to ensure their "general Welfare," and are paid through tax revenues. A GAO study on modifying payments to certain recipients is a proper means of ensuring the program is as effective as possible).

By Mr. LANCE:

H.R. 4111.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution

By Mr. LUETKEMEYER:

H.R. 4112.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this bill rests is the power of Congress to lay and collect taxes, duties, impost, and excises to pay the debts and provide for the common Defense and general welfare of the United States, as enumerated in Article I, Section 8, Clause 1. Thus, Congress has the authority not only to increase taxes, but also, to reduce taxes to promote the general welfare of the United States of America and her citizens. Additionally, Congress has the Constitutional authority to regulate commerce among the States and the Indian Tribes, as enumerated in Article I, Section 8, Clause 3.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 4113.

Congress has the power to enact this legislation pursuant to the following:

Fourteenth Amendment, Section 5, which reads: The Congress shall have power to enforce, by appropriate legislation, the provisions of this article; and Article I, Section 8, Clause 3, which reads: The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 4114.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Ms. MENG:

H.R. 4115.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States of America.

By Ms. MOORE:

H.R. 4116.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sect. 8, Clause 3 "to regulate commerce"

By Mr. MURPHY of Florida:

H.R. 4117.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I section 8 Constitution of the United States, which states the Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

By Ms. NORTON:

H.R. 4118.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution.

By Mr. PALAZZO:

H.R. 4119.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Sec. 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. SALMON:

H.R. 4120.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: The Congress shall have power. . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. SERRANO:

H.R. 4121.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

By Ms. SINEMA:

H.R. 4122.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

By Mr. WALKER:

H.R. 4123.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7—"No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

By Mr. WALZ:

H.R. 4124.

Congress has the power to enact this legislation pursuant to the following:

Article. I. Section. 8. To make Rules for the Government and Regulation of the land and naval Forces

By Mrs. WATSON COLEMAN:

H.R. 4125.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. YOHO:

H.R. 4126.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution. "To provide for the common defense," "to raise and support Armies," "to provide and maintain a Navy," and "to make rules for the government and regulation of the land and naval forces."

By Mr. GOSAR:

H.J. Res. 74.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (the Commerce Clause) of the Constitution of the United States which grants Congress the power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes" as well as Article I, Section 8, Clause 18 (Necessary and Proper Clause) of the Constitution of the United States which gives Congress the authority to address and prevent new regulations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 169: Mr. FARENTHOLD.

H.R. 170: Mr. FARENTHOLD.

H.R. 223: Mr. WENSTRUP.

H.R. 224: Ms. TSONGAS, Mr. FATTAH, Mr. CONNOLLY, Mr. BUTTERFIELD, Ms. BROWNLEY of California, Mr. WELCH, Mr. BEYER, Mr. LARSON of Connecticut, Mr. LANGEVIN, Mr. TED LIEU of California, Mr. SWALWELL of California, and Mr. DESAULNIER.

H.R. 282: Mr. YODER and Ms. MOORE.

H.R. 290: Mr. HASTINGS.

H.R. 359: Mr. AMODEI.

H.R. 379: Mr. LOEBSACK.

H.R. 452: Mr. ENGEL.

H.R. 539: Ms. ADAMS, Mr. JEFFRIES, Mr. FATTAH, Mr. ASHFORD, and Mr. GOSAR.

H.R. 540: Ms. VELÁZQUEZ and Mr. JEFFRIES.

H.R. 545: Mr. MICA, Mr. MEADOWS, and Mr. LANCE.

H.R. 670: Mr. KENNEDY.

H.R. 745: Mr. FARENTHOLD.

H.R. 746: Mr. AGUILAR, Mr. DESAULNIER,

Mr. HUFFMAN, and Ms. PINGREE.

H.R. 816: Mr. MCCLINTOCK.

H.R. 820: Mr. KILDEE.

H.R. 845: Mr. COSTELLO of Pennsylvania.

H.R. 855: Mr. YOHO.

H.R. 911: Mr. BRADY of Pennsylvania.

H.R. 953: Mr. COSTELLO of Pennsylvania.

H.R. 969: Mr. GENE GREEN of Texas.

H.R. 985: Mr. ALLEN and Mr. KELLY of Mississippi.

H.R. 1076: Ms. SCHAKOWSKY, Ms. EDWARDS, Ms. CASTOR of Florida, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 1150: Mr. POSEY and Mr. KINZINGER of Illinois.

H.R. 1174: Mr. FLEISCHMANN, Mr. SCHRADER, Mr. DESJARLAIS, Mr. ZELDIN, Ms. SEWELL of Alabama, and Mr. BUTTERFIELD.

H.R. 1220: Ms. ROYBAL-ALLARD.

H.R. 1258: Mrs. LAWRENCE.

H.R. 1368: Mr. PETERS.

H.R. 1288: Mr. JOHNSON of Ohio.

H.R. 1292: Mr. MOOLENAAR.

H.R. 1336: Ms. RENACCI.

H.R. 1342: Mr. EMMER of Minnesota, Mr. O'ROURKE, Ms. CLARK of Massachusetts, Mr. KELLY of Mississippi, Ms. KAPTUR, Mr. TED LIEU of California, and Mr. AGUILAR.

H.R. 1343: Mr. BABIN and Mr. LOBIONDO.

H.R. 1356: Ms. KUSTER.

H.R. 1453: Mr. KILDEE.

H.R. 1457: Mr. MCDERMOTT and Ms. JUDY CHU of California.

H.R. 1530: Mr. RUPPERSBERGER.

H.R. 1552: Mr. AGUILAR.

H.R. 1559: Mr. POE of Texas and Mr. LAHOOD.

H.R. 1576: Mr. COLLINS of New York.

H.R. 1604: Mr. SIRES.

H.R. 1610: Mr. LOBIONDO.

H.R. 1635: Mr. SENSENBRENNER.

H.R. 1685: Mr. LAHOOD.

H.R. 1763: Mr. GENE GREEN of Texas, Mr. COOK, and Mr. O'ROURKE.

H.R. 1769: Ms. MOORE.

H.R. 1786: Mr. LAHOOD.

H.R. 1814: Mr. CRENSHAW.

H.R. 1893: Mr. LONG.

H.R. 1942: Mrs. LAWRENCE.

H.R. 1971: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1979: Ms. FUDGE.

H.R. 1988: Mr. TURNER and Mr. STIVERS.

H.R. 2070: Mr. CLAY.

H.R. 2124: Mr. COLLINS of New York, Mr. LYNCH, and Mr. KILDEE.

H.R. 2156: Mr. KILDEE.

H.R. 2205: Mr. ROTHFUS.

H.R. 2293: Mrs. LAWRENCE.

H.R. 2342: Mr. KILDEE.

H.R. 2408: Mr. BUTTERFIELD.

H.R. 2434: Ms. HERRERA BEUTLER, Mr. PITTS, Mrs. ELLMERS of North Carolina, Mr. FLORES, Mr. YODER, Mr. LAMALFA, Mrs. WAGNER, and Mr. GUINTA.

H.R. 2449: Mr. HASTINGS, Mr. PRICE of North Carolina, Mrs. NAPOLITANO, Ms. BONAMICI, and Mr. LOEBSACK.

H.R. 2461: Ms. LOFGREN and Mrs. WALORSKI.

H.R. 2500: Mr. POMPEO and Mr. YOUNG of Alaska.

H.R. 2515: Ms. SINEMA and Mr. LANGEVIN.

H.R. 2519: Mr. BISHOP of Georgia.

H.R. 2521: Ms. MCCOLLUM.

H.R. 2533: Mr. LOWENTHAL.

H.R. 2568: Mr. POE of Texas.

H.R. 2646: Mr. AUSTIN SCOTT of Georgia and Mr. LOBIONDO.

H.R. 2689: Mr. NEWHOUSE.

H.R. 2715: Mr. SEAN PATRICK MALONEY of New York.

H.R. 2752: Mr. DEFazio.

H.R. 2759: Mr. SWALWELL of California and Mrs. LAWRENCE.

H.R. 2850: Mr. JEFFRIES.

H.R. 2858: Mrs. LAWRENCE.

H.R. 2874: Mr. JOHNSON of Ohio, Mr. SAM JOHNSON of Texas, Mr. KING of Iowa, Mr. ROHRBACHER, Mr. HUNTER, Mr. COHEN, and Mr. WALZ.

H.R. 2894: Mr. LOBIONDO.

H.R. 2903: Mr. BLUM, Mr. BISHOP of Michigan, and Mr. WENSTRUP.

- H.R. 2980: Ms. KUSTER.
H.R. 3026: Mr. MCCLINTOCK.
H.R. 3036: Mr. YOUNG of Alaska.
H.R. 3046: Mr. AGUILAR.
H.R. 3065: Mr. LIPINSKI and Mr. CAPUANO.
H.R. 3074: Mr. LOBIONDO.
H.R. 3222: Mr. CULBERSON.
H.R. 3223: Mr. RUSH, Mr. FOSTER, Mr. DOLD, and Mr. KINZINGER of Illinois.
H.R. 3229: Mr. BROOKS of Alabama and Mr. KLINE.
H.R. 3268: Mr. AMODEI and Mrs. LAWRENCE.
H.R. 3286: Mr. RUIZ.
H.R. 3294: Mrs. NAPOLITANO.
H.R. 3296: Mr. JODY B. HICE of Georgia.
H.R. 3314: Mr. GROTHMAN.
H.R. 3323: Mr. GOSAR.
H.R. 3326: Mr. LOUDERMILK, Mr. DENHAM, Mr. ALLEN, Mr. WENSTRUP, and Mr. KING of Iowa.
H.R. 3339: Mr. MEADOWS, Mrs. ROBY, Mr. TIPTON, Mr. MCKINLEY, and Mr. JODY B. HICE of Georgia.
H.R. 3377: Mr. LOWENTHAL and Mr. HASTINGS.
H.R. 3399: Mr. MCGOVERN.
H.R. 3459: Mr. LUCAS.
H.R. 3463: Mr. LOEBSACK.
H.R. 3516: Mr. VALADAO.
H.R. 3565: Mr. DESAULNIER.
H.R. 3573: Mr. SENSENBRENNER.
H.R. 3660: Mr. BARLETTA.
H.R. 3700: Mr. SESSIONS and Mr. RIBBLE.
H.R. 3734: Mr. PEARCE, Mrs. NOEM, Mr. WESTERMAN, Mr. YOUNG of Alaska, Mr. BARR, Mr. STEWART, Mr. THOMPSON of Pennsylvania, Mr. SMITH of Missouri, and Mr. AMODEI.
H.R. 3765: Mr. BURGESS.
H.R. 3779: Mr. MILLER of Florida.
H.R. 3799: Mr. GOSAR and Mr. YODER.
H.R. 3845: Mr. VALADAO, Mr. SHIMKUS, and Mr. EMMER of Minnesota.
H.R. 3860: Mr. WITTMAN.
H.R. 3862: Ms. FRANKEL of Florida, Mr. NOLAN, Mr. MCGOVERN, and Ms. TITUS.
H.R. 3865: Mrs. COMSTOCK.
H.R. 3879: Mr. SARBANES and Mr. HONDA.
H.R. 3880: Mr. STIVERS.
H.R. 3916: Mr. MCGOVERN.
H.R. 3917: Mr. SMITH of Missouri.
H.R. 3932: Mr. ZINKE, Mr. COFFMAN, and Mrs. WALORSKI.
H.R. 3940: Mr. COLLINS of New York, Mr. CHAFFETZ, Mr. LONG, Mr. BUCSHON, Mr. NEWHOUSE, and Mr. SENSENBRENNER.
H.R. 3946: Mr. WESTERMAN.
H.R. 3964: Mr. HASTINGS and Mr. TAKANO.
H.R. 3965: Mr. CAPUANO, Ms. BASS, and Mr. PETERS.
H.R. 3987: Mr. AMODEI.
H.R. 3991: Ms. TITUS.
H.R. 3997: Mr. PETERS, Mr. BEN RAY LUJÁN of New Mexico, Mr. QUIGLEY, Ms. MOORE, Mr. SIRES, and Mr. PERLMUTTER.
H.R. 4008: Mr. CONYERS, Ms. LOFGREN, Ms. VELÁZQUEZ, and Mr. HUFFMAN.
H.R. 4026: Mr. JODY B. HICE of Georgia, Mrs. BLACKBURN, and Mr. LAMALFA.
H.R. 4029: Ms. KAPTUR, Mr. KILDEE, and Mr. JOHNSON of Ohio.
H.R. 4031: Mr. ZELDIN and Mr. MILLER of Florida.
H.R. 4032: Mr. GOSAR, Mr. WILLIAMS, Mr. JONES, Mr. ZINKE, Mr. BURGESS, Mr. OLSON, Mr. MARCHANT, Mr. GOHMERT, and Mr. CLAWSON of Florida.
H.R. 4038: Mr. FITZPATRICK, Mr. PALAZZO, Mr. GRAVES of Louisiana, Mr. GIBBS, Mr. COLLINS of New York, Mr. DESJARLAIS, Mr. STIVERS, Mrs. ELLMERS of North Carolina, Mr. CHABOT, Mr. MILLER of Florida, Mrs. COMSTOCK, Mr. JOHNSON of Ohio, Mr. LONG, and Mr. FORBES.
H.R. 4058: Mr. BLUM.
H.R. 4062: Mr. BABIN, Mr. SIMPSON and Mr. SMITH of Missouri.
H.R. 4068: Ms. JUDY CHU of California.
H.J. Res. 33: Mr. ROONEY of Florida.
H.J. Res. 59: Mr. GOSAR.
H.J. Res. 71: Mr. FINCHER, Mr. GROTHMAN, Mr. SMITH of Missouri, Mr. STEWART, Ms. JENKINS of Kansas, Mr. YOUNG of Indiana, Mr. BROOKS of Alabama, Mr. YOUNG of Alaska, Mrs. HARTZLER, Mr. MOONEY of West Virginia, Mr. GOHMERT, Mrs. MILLER of Michigan, Mr. NEWHOUSE, Mr. WEBSTER of Florida, Mr. LUETKEMEYER, Mr. KELLY of Pennsylvania, Mr. DESJARLAIS, Mr. MCCLINTOCK, Mr. LAMBORN, Mr. BYRNE, Mr. WENSTRUP, Mr. COLLINS of New York, Mr. CRAWFORD, Mr. COLLINS of Georgia, Mr. FRANKS of Arizona, Mr. DUNCAN of South Carolina, Mr. BLUM, Mr. TROTT, Mrs. WALORSKI, Mr. STUTZMAN, Mr. LABRADOR, Mr. KINZINGER of Illinois, Mr. GOODLATTE, Mr. SHIMKUS, Mr. SMITH of Texas, Mr. YOHO, and Mr. PITTS.
H.J. Res. 72: Mr. FINCHER, Mr. GROTHMAN, Mr. SMITH of Missouri, Mr. STEWART, Ms. JENKINS of Kansas, Mr. YOUNG of Indiana, Mr. BROOKS of Alabama, Mr. YOUNG of Alaska, Mrs. HARTZLER, Mr. MOONEY of West Virginia, Mr. GOHMERT, Mrs. MILLER of Michigan, Mr. NEWHOUSE, Mr. JOLLY, Mr. WEBSTER of Florida, Mr. LUETKEMEYER, Mr. KELLY of Pennsylvania, Mr. DESJARLAIS, Mr. MCCLINTOCK, Mr. LAMBORN, Mr. WENSTRUP, Mr. BYRNE, Mr. COLLINS of New York, Mr. CRAWFORD, Mr. COLLINS of Georgia, Mr. FRANKS of Arizona, Mr. DUNCAN of South Carolina, Mr. BLUM, Mr. TROTT, Mrs. WALORSKI, Mr. STUTZMAN, Mr. LABRADOR, Mr. KINZINGER of Illinois, Mr. GOODLATTE, Mr. SHIMKUS, Mr. SMITH of Texas, Mr. YOHO, and Mr. PITTS.
H. Con. Res. 89: Mr. BRADY of Texas.
H. Res. 12: Mr. MOONEY of West Virginia.
H. Res. 218: Mr. DUNCAN of South Carolina, Mr. WEBER of Texas, and Mr. ROHRBACHER.
H. Res. 432: Ms. BROWN of Florida, Mr. MULLIN, and Mr. HASTINGS.
H. Res. 445: Mr. WITTMAN.
H. Res. 469: Mr. ASHFORD.
H. Res. 494: Mr. WILLIAMS, Mr. CRAWFORD, Mrs. BLACKBURN, and Mr. SHUSTER.
H. Res. 501: Mr. WELCH.
H. Res. 508: Ms. MCCOLLUM.
H. Res. 510: Mr. WITTMAN.
H. Res. 519: Mr. SWALWELL of California.
H. Res. 521: Ms. ESHOO and Mr. LOWENTHAL.
H. Res. 523: Mr. GRIJALVA, Mr. PAYNE, Ms. CLARKE of New York, Mr. DAVID SCOTT of Georgia, Mr. KIND, Mr. SABLAN, Mr. CARSON of Indiana, Mr. FARENTHOLD, Ms. NORTON, Ms. JACKSON LEE, Mr. POCAN, Mr. COLLINS of New York, Mr. HONDA, Ms. CLARK of Massachusetts, Ms. GABBARD, Mr. TAKANO, and Ms. TITUS.
H. Res. 532: Ms. MCCOLLUM, Mr. JOYCE, Mr. JOHNSON of Ohio, Mr. RENACCI, and Mr. STIVERS.

SENATE—Thursday, November 19, 2015

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The PRESIDENT pro tempore. Today's opening prayer will be offered by Pastor Jeff Wheeler, pastor of the Central Baptist Church in Sioux Falls, SD.

The guest Chaplain offered the following prayer:

Let us pray.

God, with the uncertainty in our world today, we pause to declare Your matchless power and moral perfection. We are reminded that You are in control. You govern Your creation with righteousness and truth. You extend mercy to the downcast and hope to the broken. May these men and women govern with the same spirit.

You tell us righteousness elevates a nation to greatness. O God, forgive our sin and grant righteous judgment to these leaders as they make moral and ethical decisions. Please grant discernment.

Fill our hearts with compassion for the weak, courage in adversity, wisdom through debate, and vision in the storm. May every decision be tethered to the anchor of Your unending truth.

O Lord, be pleased to dwell among us today. Let Your presence dispel the darkness of self-centeredness. Let humility give birth to the servant-hearted spirit. May Your Name once again be great in our Nation, for Yours is the kingdom, and the power, and the glory forever.

In Jesus's Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mr. ROUNDS). The senior Senator from South Dakota.

**WELCOMING THE GUEST
CHAPLAIN**

Mr. THUNE. Mr. President, it is a great honor for me to be able to welcome to the Senate today our pastor from Sioux Falls, SD, Jeff Wheeler, who just offered our invocation this morning, and to express how much Kimberley and I have appreciated the opportunity to worship and to benefit from his ministry. We enjoy and are blessed by his teaching each and every

single week when we are back home in South Dakota. His ministry has and continues to impact people all across our community, across our State, and across our region.

He and his wife Shirlene are with us today in the Senate, and on behalf of myself and my colleagues, we extend the warmest welcome and appreciate the great work he does in serving the Lord in South Dakota and across our country.

Thank you, Mr. President.

**RECOGNITION OF THE MAJORITY
LEADER**

The PRESIDING OFFICER. The majority leader is recognized.

SYRIAN REFUGEES

Mr. MCCONNELL. Mr. President, it is clear that the American people are concerned about the administration's ability to properly vet thousands of individuals from Syria. More than half of our Nation's Governors, Governors of both parties, have demonstrated their concern. Many Members in Congress, Members of both parties, have raised concerns as well.

Given all this and given all that has happened in Paris, it simply makes sense to take a step back for now, to press the pause button so we can determine the facts and ensure we have the correct policies and security screenings in place. That is the most responsible thing for the administration to do right now. That is the most reasonable and balanced thing for the administration to do right now.

We should also not lose sight of why we are in this position to begin with. The Syrian people are fleeing Syria because of a brutal civil war. The ultimate solution to this problem is to make Syria a place the Syrian people can continue to return to, but the administration has never had a coherent strategy to settle this conflict. Every single one of us knows that ISIL presents a threat to our homeland, and it is not contained. So if the administration is serious about starting to turn this situation around, then it is going to have to develop a serious and workable strategy that can swing and win strong bipartisan support.

**GUANTANAMO BAY DETENTION
FACILITY**

Mr. MCCONNELL. Mr. President, years ago, then-candidate Obama made a campaign promise that has not withstood the measure of time or the reali-

ties brought by terrorism. He said he wanted to close the secure detention facility at Guantanamo Bay. Ever since, he has pursued policies that willfully avoided the targeting chain of capture, interrogate, build intelligence, and target. It turns out that the reality of closing the secure detention facility is a lot harder than making promises on the campaign trail. It is an incredibly complex issue with grave national security concerns for the citizens of our country and for our allies.

The fact that the President has never been able to present any kind of serious plan to Congress seems to say quite a lot. We hear he is working on one now. We will, of course, give consideration to what the President says. We will, of course, keep an open mind. It doesn't mean Congress is going to agree with him. It is going to be a very tough sell because it is hard to understand why indefinite detention for terrorists on U.S. soil is preferable to detaining terrorists who cannot be released in Guantanamo. This is especially true when one considers the fact that bringing terrorists here presents serious risks that simply do not exist if we keep the terrorists in the secure facility down there in Guantanamo Bay.

This much is crystal clear though: If the President wants to be able to import Guantanamo terrorists into Americans' backyards, he is going to have to persuade a majority in Congress to change the law. The law prevents that.

Just last week, big bipartisan majorities in Congress voted twice to underscore the point. We overwhelmingly passed a defense authorization bill with a clear bipartisan prohibition on the President moving Guantanamo terrorists into our country. We overwhelmingly passed a veterans funding bill with a clear bipartisan prohibition on the President improving military facilities for the detention of Guantanamo terrorists in our country.

The Senate has voted many times in recent years to enact these bipartisan protections. We enacted them in Congresses with split party control. We enacted them in Congresses with massive Democratic majorities. The President signed them all into law. So if the President wants to bring Guantanamo terrorists into the United States, he has to change the law. That is the opinion of the President's own Attorney General. She was asked directly this week if the President should ignore legislation passed by Congress that prohibits him from transferring Guantanamo detainees to American soil. This is what Attorney General Loretta Lynch said: "The law currently

does not allow for that." Let me repeat that. "The law currently does not allow for that." That is Attorney General Lynch of this administration. That is what the Nation's chief law enforcement officer, a woman appointed by President Obama himself, had to say on his ability to import Guantanamo terrorists into our country.

This isn't exactly a revelation to anybody. The fact that the President is now contemplating flouting the law in pursuit of a campaign promise from years ago means that it is apparently necessary for his own Attorney General to remind everybody that the law is the law, even for President Obama.

There are a multitude of other reasons not to bring these individuals into our country. I plan to continue reminding my colleagues of them here on the floor from time to time.

If the President ever presents some kind of plan we can actually debate, I am sure there will be several different views on it. I am sure we will each have a lot to say. I am sure the President will make his pitch to convince Congress that moving terrorists into American communities is a good idea. As I said, it will be a hard sell. But the President should make his case if he feels passionately about it. For now, though, we should at least be able to agree with what one of our Democratic colleagues recently said of the President: "He is going to have to comply with the legal restrictions."

MEASURE PLACED ON THE CALENDAR—H.R. 3762

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3762) to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

Mr. McCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

SYRIAN REFUGEES

Mr. REID. Mr. President, we all know that the Federal Government has many obligations, but chief among them is to protect the American people from harm. That responsibility is now at the forefront of talk here in our Nation's Capital, and rightfully so. ISIS continues to spread its campaign of terror across the entire world.

The United States is committed to combating terrorism. Our government will do all that is possible to protect the people of this Nation. In this fight against evil ISIS, it is absolutely critical that we as Americans do not lose sight of our Nation's core principles. Those principles are eloquently etched into the base of the Statue of Liberty.

I can remember taking my family there for the first time. I didn't have all my children yet—we had more that had to be born—but my older children still remember that. I remember it.

Here is what it says:

Give me your tired, your poor,
Your huddled masses yearning to breathe free,

The retched refuse of your teaming shore.
Send these, the homeless, tempest-tossed,
to me.

That, of course, is directed to the United States. All across Europe and the Middle East, there are huddled masses of Syrian families desperate to find refuge someplace from Syria's civil war and the ISIS reign of terror. Millions of Syrians fled their country. About 300,000 of them have been killed since the civil war started—300,000. They fled to neighboring nations such as Turkey, Lebanon, and tiny little Jordan.

But the crisis in Syria continues to worsen and people are forced to seek refuge. What else can they do? On a daily basis, Europe's borders are being flooded by people in search of safety and a better life—mothers cradling infants and fathers carrying children in their arms. The nations of Europe have helped. Greece, Germany, and others have accommodated the enormous influx of people as safely as possible.

They are overwhelmed. The United States must do its part. We have a rigorous screening process for when we accept these refugees. The refugees we are accepting are women and children and old and older men with families. Only 2 percent of the refugees are men of military age—2 percent. We accepted a little under 2,000 last year. Two percent of those were of military age.

The United States has a long and proud history of providing refuge to the world's most vulnerable. That history includes my father-in-law, Israel Goldfarb. He and his family came from

Russia. They were refugees escaping the programs of a czar. I have been disgusted in recent days to see some of my Republican colleagues shun the American tradition of displaying compassion for those in need, of sheltering those fleeing torture, rape and oppression. Frankly, I have been disappointed by Republican fear-mongering and bigotry.

Apparently they have learned nothing from history. We cannot repeat the dark days of the 1930s when many Americans resolved to turn away helpless refugees fleeing Nazi Germany and Adolf Hitler or imprisoned innocent Japanese Americans during World War II, like our late colleague Dan Inouye and his family.

Those mistakes were based on misguided fears of people we did not know. How many people died because of unfounded apprehension? I don't know but far too many. Yet it seems many Republicans are destined to go down that same path again. Some in the Republican Party have suggested that we categorically block all Syrian refugees. One Republican candidate for President suggested we turn away even 5-year-old refugee children. Two other Republican candidates for President implied that the United States of America should have some sort of religious test for refugees. They are saying only Christians. This is the latest in what has become a disturbing pattern of Republican hatred and intolerance toward Muslims. Remember, Syria is mostly Muslim, but there are Jews, there are Christians—lots of them. During the course of the current Presidential cycle, we have heard from the leading lights of the Republican Party the following: that we are at war with Islam, that we should be shutting down Muslim houses of worship in America, close the mosques, that we should ban Muslims from government service. We have two of my friends who serve in the House of Representatives who are Muslim. They are proud. That religion has made them better people.

Now they are even suggesting that we should reject refugees fleeing persecution on the grounds that they are Muslim. That is not America. That is hate emanating from some Republicans. That anti-Muslim venom from Republicans is a propaganda bonanza for ISIS. Christian groups have responded to those Republican attacks. We have heard what the Pope said: to kill in the name of religion is blasphemous.

World Relief, the U.S. Conference of Catholic Bishops, Lutheran Immigration and Refugee Service are all dismayed at the anti-refugee fervor pushed forward by Republicans and are urging supporters to contact elected officials on behalf of these victims of the Syrian conflict.

We must pause and think about what they have been through—poison gas,

cluster bombs. Let's think about who these refugees are. They are not our enemies. They are expelled from their homeland by the same evil rulers we are fighting. All they want is to find safety, to restart their lives. These people have been persecuted—that is an understatement—by President Assad and ISIS. The Syrian regime, I repeat, has barrel-bombed their own citizens, has unleashed chemical weapons against their own citizens, rapes, justifying the rapes of these hundreds and hundreds of women in the name of their religion—murdering women and children. Those refugees hate Assad. They hate ISIS. That is why they are trying to get out of that horrible situation they find themselves.

The Department of Homeland Security has verified that not one of 1,800 refugees already admitted in the United States has a single confirmed tie to terrorism—not one. To deny our moral obligation to these struggling people would be to abandon the principles of this great country. That is how France feels about it also. On the heels of last week's appalling attacks, the President of France is refusing to neglect France's duty to humanity. Here is what this good man said yesterday:

30,000 refugees will be welcomed over the next two years. Our country has the duty to respect this commitment.

After what they have been through, this is what the President of France said: Accepting Syrian refugees is the moral thing to do and it is sound policy. Former Secretary of State Condoleezza Rice agrees that the United States must open its arms to those fleeing persecution. Here is what she said:

What the United States has done is to be open to people who are fleeing tyranny, who are fleeing danger, but we have done it in a very careful way.

Secretary Madeleine Albright authored an op-ed this week for Time magazine. Now, remember, she herself was a refugee. That is how she came to this country during World War II. She said Americans must respond with compassion if we are going to defeat ISIS. We can do all we want with refugees. This is no way to win the war, attacking the refugees. Here is what she said, Madeleine Albright:

Our enemies have a plan. They want to divide the world between Muslims and non-Muslims, and between the defenders and attackers of Islam. By making Syrian refugees the enemy, we are playing into their hands. Instead, we need to clarify that the real choice is between those who think it is okay to murder innocent people and those who think it is wrong. By showing that we value every human life, we can make clear to the world where we stand.

What Secretary Albright said and what Secretary Rice said is absolutely right. We process Syrian refugees in a very careful way. It has worked. We are not the nations of Europe. Has anyone

stopped for a minute and thought that we have an ocean between us and them, an ocean, the Atlantic Ocean.

The U.S. refugee screening takes place well before any individual comes to our borders. To enter the U.S. refugee program as an applicant, the U.N. Refugee Agency must first select and refer all potential refugees to our program. We accept refugees solely on a referral basis from the United Nations agency. We do not go out and solicit any of these people. After being referred, all refugees, including those from Syria, are subjected to extremely rigorous screening and security checks. This is not some easy procedure where refugees fly right through the application process and are sent here in a matter of days. No. It takes an average of 18 to 24 months for a refugee to make it through the process to come to the United States.

Remember, the vast majority of these people are checked and rechecked, taking 24 months; they are women and children and old men. I repeat. It takes 18 to 24 months for a refugee to make it through the process of coming to the United States. That is why only 1,800 refugees have been admitted since the start of the conflict out of the millions who are fleeing Syria. Our government accepts only the most vulnerable of the Syrians, survivors of violence and torture, those with severe medical conditions, women and children, but security precautions are not taking a backseat in the process. These Syrian refugees are real people. Images of their plight should be so visually apparent in our minds. Think of that little boy whom we saw and everyone saw around the world, a picture of this little dead boy washed up on a beach, a drowned Syrian boy whose body was washed up on this Turkish beach, pictures on the front page of newspapers, all the TV programs for several days.

At that time, Democrats and Republicans together responded with calls for compassion and action. I urge Republicans to remember that little boy. We must help where we can. That is who we are. We are America. We come to the defense of the defenseless. We come to the aid of those in need. Right now we are needed. We are a nation—a nation of freedom. We should not forsake our duty and obligation to these struggling people.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CRUZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Texas.

ORDER OF PROCEDURE

Mr. CRUZ. Mr. President, I ask unanimous consent that after I promulgate two unanimous consent requests, the remaining time between now and 11 a.m. be equally divided between myself and the assistant Democratic leader.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Texas.

UNANIMOUS CONSENT REQUEST— S. 247

Mr. CRUZ. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 247 and the Senate proceed to its immediate consideration; I further ask that the bill be read a third time and passed and that the motion to reconsider be made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The assistant Democratic leader.

Mr. DURBIN. Mr. President, on behalf of the Democratic ranking member of the Senate Judiciary Committee, Senator PAT LEAHY, and myself, I do object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

UNANIMOUS CONSENT REQUEST— S. 2302

Mr. CRUZ. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 2302 and the Senate proceed to its immediate consideration; I further ask that the bill be read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

Mr. CRUZ. Mr. President, moments ago I asked this body to take up and pass two commonsense pieces of legislation in response to the terrorist attack in Paris. The first, the Expatriate

Terrorist Act, is legislation I introduced over a year ago—attempted to pass over a year ago—and that the Democratic Party blocked. That legislation provides that any American citizen who goes and joins ISIS, who takes up arms against America and attempts to wage jihad, by doing so, forfeits his or her U.S. citizenship. Existing Federal law provides for grounds of revocation of citizenship, and this piece of legislation would add joining terrorist groups such as ISIS to those grounds.

Unfortunately, the Democratic Party has just objected to passing that commonsense legislation. As a consequence, and because of that objection, it means that Americans—and the estimates are it could be up to or over 100 Americans—who have gone and joined ISIS right now are waging jihad against America. As a consequence of that objection, it means those ISIS terrorists can come back to America using a U.S. passport and wage jihad against this country—attempt to murder innocent men and women in this country using a U.S. passport. That is, I believe, a profound mistake.

The second piece of legislation I just asked this body to pass and the Democrats just objected to is legislation that would stop President Obama and Hillary Clinton's plan to bring in tens of thousands of Syrian Muslim refugees to the United States in light of the declaration of war from ISIS, in light of the horrific terrorist attack and in light of the admissions from the Director of the FBI, Director Comey—who I might note President Obama appointed—who said the administration cannot vet these refugees to determine whether or not they are ISIS terrorists. Indeed, he said since they do not have the data on which of the Syrian refugees are involved with ISIS terrorism, they can query the database, but with no information in the database, he said they can query over and over again until the cows come home, but they do not have the information.

Unfortunately, the Democratic Party, the Democratic Senators in this body have chosen to stand with President Obama and his absurd political correctness, his unwillingness even to utter the words “radical Islamic terrorism.” The President refuses to say the words “radical Islamic terrorism.” Hillary Clinton refuses to say the words “radical Islamic terrorism.” Not only do they refuse to say the words, but they are supporting a policy of bringing tens of thousands of Syrian Muslim refugees into this country knowing full well we cannot vet them to determine who is coming here to wage jihad. That is a profound threat to this country, and I hope we will stand as one. This ought to be an area of bipartisan agreement.

I would note that the legislation I introduced includes an exception for per-

secuted minorities facing genocide—Christians, Yazidis, small minorities facing genocide. In response to my acknowledging genocide as a different circumstance, President Obama, 2 days ago in Turkey, attacked me directly. He said it was un-American to want to protect this country from terrorists and to want to help persecuted Christians. Then yesterday, President Obama attacked me again from Manila, saying it was offensive that I, and so many millions of other Americans, want to keep our children safe.

Mr. President, it is neither un-American nor offensive to believe in the rule of law, to believe in standing up to radical Islamic terrorism. And it is an astonishing statement that so many Democratic Senators choose to stand with a President who will not confront radical Islamic terrorism.

Indeed, just this week Secretary Kerry rationalized the terrorist attack on Charlie Hebdo saying it was understandable why they attacked Charlie Hebdo. We should not be acting as apologists for radical Islamic terrorists. The very first obligation of the Commander in Chief is to keep this Nation safe. And I will say that any official responsible for bringing people in when they do not know if they are radical Islamic terrorists will bear responsibility for the consequences of their actions.

ISIS has been plain. They intend to murder as many Americans as possible and they intend to carry out terror attacks here, such as that which happened in Paris. This commonsense legislation would have helped protect this Nation, but I am sorry to say the Democratic Party is objecting to it.

I believe we should put America first, protecting America first. Unfortunately, my friends on the other side of the aisle are blocking that effort.

Mr. President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I understand there is a limited amount of time.

THE PRESIDING OFFICER. There is 7½ minutes remaining on the Democratic side.

Mr. LEAHY. I thank the distinguished Chair.

Mr. President, I am worried in this country that we hear rhetoric that is dangerous, and it is time to stop. It shames the very nature of what America is. These are ideas that are wrong, and I would say they are deeply anti-American.

My grandparents—my Italian grandparents, my Irish great-great-grandparents—heard some of this rhetoric when some in this country said they shouldn't come here: Don't allow these Papists into the United States; don't allow these Irish, who are opposed to the rule of Great Britain on their island, and they actually stood up and fought against Great Britain.

The words back then, like some of the words today, come from a place of fear and hatred. I do not want to stand by quietly and see the victims of terrorism and torture be demonized just so people will have talking points for the local evening news. We are better than this.

The bill my colleague, the junior Senator from Texas, introduced an hour ago would prevent refugee protection for virtually all nationals of Iraq, Libya, Somalia, Syria, and Yemen, regardless of how much they have suffered at the hands of terrorists and despots. Women fleeing gang rapes and children fleeing horrors we cannot even imagine would be closed off.

A few weeks ago the world came together, stunned and heartbroken over the image of a 3-year-old Syrian child's lifeless body washed up on a Turkish beach. His tragic death focused our attention on the desperate plight of so many Syrians who have fled the horror of ISIS and Bashar al-Assad.

We called it the humanitarian issue of the day. We called forth images of our Statue of Liberty and our proud history as a land of refuge for those fleeing persecution. I heard so many on this floor as well as from commentators in the news. Those who call now for us to slam our doors on even properly vetted Syrian and other refugees should remember that the people we will shut out are those very children who touched our hearts just weeks ago.

Of course, we are horrified by what happened in Beirut and Paris, and we need an effective, thoughtful strategy for countering ISIS and other terrorist organizations. That is what we should be debating. What we have done so far is not working, and we should be talking about how more countries should be involved in this fight. ISIS is our enemy; the people fleeing ISIS are not.

In fact, we have had discussions about other things that could be done. Somebody who is on a terrorist watch list but who is in this country legally can go to a gun show and buy all the automatic weapons they want, and they break no law. They can buy all the ammunition they want, and they break no law. They can go to the store, as did one of the greatest terrorists this country faced—the man who did the Oklahoma city bombing—and buy the components of a bomb, and they break no law. These are the things we ought to be discussing.

I do not understand why Senator CRUZ is on the Senate floor seeking unanimous consent to pass this bill. This very bill is on the Judiciary Committee agenda, and the committee is currently considering it and needed improvements to it.

When the Senate Judiciary Committee debates this bill, we will have a lot to discuss. This legislation affects constitutional rights, and should be

carefully vetted by the judiciary committee. Serious constitutional concerns have been raised by voices from across the political spectrum—from the National Review to the ACLU.

Just yesterday I received a letter from former NRA president David Keene and Georgetown Law professor David Cole, in their roles with The Constitution Project. They urge opposition to this bill because it “serves virtually no practical purpose, raises serious constitutional concerns, and would do nothing to keep America safe.” These are strong words, and I take these concerns seriously. Rushing a bill to the floor when that very bill is already scheduled for consideration by the committee of jurisdiction is not a responsible approach to legislating. And when legislation involves something as fundamental as citizenship, we should give the judiciary committee an opportunity to consider and debate this bill before it is brought to the Senate floor.

Mr. President, I ask unanimous consent to have printed in the RECORD several articles relating to the topic at hand.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE CONSTITUTION PROJECT,
Washington, DC, November 18, 2015.

Hon. CHUCK GRASSLEY,
Chairman, Senate Judiciary Committee, Hart
Senate Office Building, Washington, DC.

Hon. PATRICK J. LEAHY,
Ranking Member, Senate Judiciary Committee,
Russell Senate Office Building, Washington,
DC.

DEAR CHAIRMAN GRASSLEY, RANKING MEMBER LEAHY, AND JUDICIARY COMMITTEE MEMBERS: On January 22, 2015, Senator Ted Cruz (R-TX) introduced S. 247, the Expatriate Terrorists Act (ETA). Representative Steve King (R-IA) simultaneously introduced companion legislation in the House. According to the bill's sponsors, the ETA is a common sense counterterrorism tool that would strip U.S. citizenship from Americans who fight with or support foreign terrorist organizations working to attack the United States. The ETA would also purportedly “fill . . . statutory holes” in the Secretary of State's “authority to revoke a terrorist's passport.”

In fact, the ETA serves virtually no practical purpose, raises serious constitutional concerns, and would do nothing to keep America safe. We urge you to oppose it.

Like previous iterations of the same idea, the ETA would amend 8 U.S.C. 1481(a), which sets out limited circumstances under which U.S. citizens can be denaturalized or expatriated. The bill would add the following to the short list of predicate acts that can result in loss of citizenship: 1) taking an oath of allegiance to a foreign terrorist organization; 2) joining a foreign terrorist organization's armed forces while they are fighting the United States; and 3) “becoming a member of, or providing training or material assistance to,” a foreign terrorist organization.

The ETA also amends the Passport Act of 1926 to require the Secretary of State to deny a passport to, or revoke one from, anyone who the Secretary has determined is a member, or is attempting to become a member, of a foreign terrorist organization.

Senator Cruz has said repeatedly that the ETA works a “formal” or “affirmative” renunciation of U.S. citizenship. To the extent he means to suggest that, under the bill, a person would automatically lose citizenship simply by engaging in the above conduct, he is wrong. The ETA does not and could not achieve that result.

Citizenship is a constitutional right, and the Constitution prohibits the government from revoking a person's citizenship against his will under any circumstances. As the Supreme Court has explained, “the intent of the Fourteenth Amendment, among other things, was to define citizenship . . . [and] that definition cannot coexist with a congressional power to specify acts that work a renunciation of citizenship even absent an intent to renounce. In the last analysis, expatriation depends on the will of the citizen rather than on the will of Congress and its assessment of his conduct.” As a constitutional right, citizenship can be knowingly and voluntarily waived, but it cannot be taken away from an individual absent such a waiver. Thus, to revoke a person's citizenship the government must prove not only that he committed an expatriating act prescribed in section 1481(a), but also that he did so voluntarily and with the specific intent to relinquish his citizenship.

Given these requirements, the ETA will almost certainly result in no additional expatriations. Unless Senator Cruz expects citizens subject to expatriation proceedings freely to admit that they joined or supported a foreign terrorist group specifically intending to renounce their U.S. citizenship, no one will in fact be expatriated. We doubt that government officials would believe it an efficient use of resources to try, especially given the broad reach of existing laws that already provide harsh penalties for U.S. citizens who engage in acts of terrorism.

The bill's passport revocation provisions are similarly unnecessary. There is no “statutory hole” to fill—the Secretary of State already has the authority to deny a passport to anyone whose “activities abroad are causing or are likely to cause serious damage to the national security or the foreign policy of the United States,” and to revoke a passport on the same grounds.

Not only is the bill practically useless, it also raises serious constitutional concerns. The ETA makes membership in or “providing training or material assistance to” certain foreign terrorist organizations a predicate act to expatriation. There are two constitutional problems with this provision. First, neither “training” nor “material assistance” is defined. Similar language in 18 U.S.C. 2389B was ruled unconstitutionally vague until Congress added specific definitions. Because Congress has not done so here, this provision of the ETA suffers from the same constitutional flaw.

Second, unlike other crimes currently listed in section 1481(a) that can result in loss of citizenship (see section 1481(a)(7)), Senator Cruz's addition does not require proof of a conviction as a prerequisite. That omission undermines the constitutional right of due process. As the Constitution Project's Liberty and Security Committee explained in opposing similar past attempts to amend section 1481(a):

[T]he language of 1481(a)(7) expressly requires a conviction as a necessary prerequisite to denaturalization or expatriation proceedings. This requirement protects the constitutional right of due process, since one cannot actually be said to have committed the acts specified in 1481(a)(7)—each of which

are crimes against the United States—until and unless those acts have been proven to a jury beyond a reasonable doubt. As the Supreme Court expressly held in *Kennedy v. Mendoza-Martinez*, Congress cannot deprive an individual of his or her citizenship as a “punishment” absent the procedural safeguards of a criminal trial.

The rise of the Islamic State of Iraq and the Levant (ISIL) and the United States' response to date raises a critical question for Congress to consider, but it is not the ETA. For well over a year, the United States has been at war with ISIL and Congress has still not weighed in, notwithstanding its constitutional responsibility to do so. Members should spend their time debating and voting on this grave question, not preoccupied with needless and likely unconstitutional legislation.

We urge you to oppose the Expatriate Terrorists Act.

Sincerely,

DAVID COLE,
Hon. George J. Mitchell, Professor in Law
and Public Policy at
Georgetown University Law Center; co-
chair of the Con-
stitution Project's
Liberty and Security
Committee

DAVID KEENE,
Opinion Editor, The
Washington Times;
Former Chairman,
American Conservative Union; co-
chair of the Con-
stitution Project's
Liberty and Security
Committee.

[From the National Review, Jan. 28, 2015]

HOW NOT TO FIGHT TERRORISM

(By Gabriel Malor)

Representative Steve King and Senators Ted Cruz and Chuck Grassley have reintroduced the Expatriate Terrorist Act, a bill to strip U.S. citizenship from terrorists. The proposal sounds nice in theory, but it is also unconstitutional and unnecessary, the latest in a sad line of civil-liberties infringements justified by politicians trying to look tough in the war on terrorism. Even if the bill did not have these fatal infirmities, it would put the determination of who will retain their citizenship in the hands of unelected bureaucrats at the Departments of Justice, State, and Homeland Security. On that ground alone, all Americans should unite in opposition.

The idea to strip citizenship from terrorists is not a new one. In 2010, Senators Joe Lieberman and Scott Brown introduced similar legislation, dubbed the Terrorist Expatriation Act. Their bill would have amended the list of expatriating acts in the Immigration and Nationality Act to include material assistance to foreign terrorist organizations. Legal scholars and civil libertarians pointed out that the bill was neither necessary nor constitutional, and ultimately it died.

The new bill put forward by King, Cruz, and Grassley goes further, adding membership, training, and oaths of allegiance to the list of expatriating acts. They claim that this legislation is necessary to protect the homeland from radicalized citizen-terrorists returning from abroad.

But citizenship is not a mere privilege. It is a right specifically protected by the Constitution. Congress cannot simply decide

that individuals lose their citizenship when they commit certain acts. Rather, to strip a person's citizenship requires that the government prove not only that he committed an act deemed expatriating by Congress but that he did so knowingly and voluntarily and with the intent to relinquish his citizenship. In the words of Justice White, writing for the Supreme Court when this issue was settled decades ago, "in the last analysis, expatriation depends on the will of the citizen rather than on the will of Congress and its assessment of his conduct."

Senator Cruz's claim that his bill would make the act of becoming a terrorist an "affirmative renunciation" of citizenship is deeply misleading. To be constitutional, expatriation can be accomplished only by intent to relinquish, something that Cruz, a lawyer and litigator of great skill, should already know. And if he doesn't mean what he is saying, he owes it to the American public to tell us how he believes the law would operate or if it would even be practicable at all.

On the issue of deception, King, Cruz, and Grassley say the statutory change targets dangerous terrorist fighters who try to return to the United States from abroad. The plain language of the proposed legislation, however, is not limited to those who actually take up arms. It applies to anyone who merely claims membership in a terrorist organization or gives an oath, training, or material assistance to terrorists, regardless of whether he actually fights. And it is not limited just to terrorists abroad; any of those actions taken inside the United States would also trigger the citizenship-stripping provision under the express terms of the legislation, leading to the deplorable circumstance of creating stateless terrorists within the jurisdictional boundaries of the United States.

This is assuming the courts actually credit King, Cruz, and Grassley's stated security purpose for proposing the law. If the courts were to decide that the expatriation of terrorists was intended to be a punitive act rather than a security measure, a different and more stringent series of constitutional prohibitions come into play, including the Fifth and Sixth Amendment protections for criminal defendants.

King, Cruz, and Grassley are selling fear to justify an unconstitutional deprivation of rights, and they are doing it for no good reason. If the U.S. government has enough information to identify citizen-terrorists abroad and intercept them on their attempted return, it has enough information to bring criminal prosecutions against those individuals for terrorism when they try to reenter the United States. The authority to intercept and detain such individuals has already been granted by Congress to the Department of Homeland Security. The Department of Justice, of course, also has the authority to prosecute such individuals. And so the stated purpose for the proposed legislation is dubious, since the government's responsibility for intercepting returning terrorists is settled law, which has a side benefit of being constitutional.

Even if this legislation were passed into law, because of its constitutional infirmity it would never work as billed by its proponents. Instead, it would mobilize an army of bureaucrats at Justice, State, and Homeland Security to start sniping away at Americans' rights of citizenship and travel. For example, the Justice Department gets to designate or decline to designate foreign terrorist organizations and so controls the determination of who is subjected to losing his citizenship. State Department officials have

the authority to determine who gets sent expatriation certificates. And Homeland Security customs and border officers are responsible for detaining and paroling or removing non-citizens, including expatriated former citizens, who attempt entry to the United States.

All of these bureaucratic acts are subject to abuse. For that reason they are also subject to various types of administrative and judicial challenge, which typically drag on for years at great cost. Such litigation and the bureaucratic infrastructure to support it would be for questionable benefit in light of the alternate means already in place to intercept terrorists.

In short, the Expatriate Terrorist Act is a constitutionally suspect law. Well-established programs for intercepting terrorists attempting to enter the United States already exist. At best, the proposed bill would greatly increase the power of government to use and abuse its discretion to meddle with American lives. It does not represent a genuine attempt to better our national security. On the contrary, it is merely the latest in a series of questionable infringements of civil liberties proposed by politicians eager to exploit the public's fear of terrorism.

AMERICAN CIVIL LIBERTIES UNION,
Washington, DC, November 18, 2015.

Re Oppose Senator Ted Cruz's Request for Unanimous Consent on S. 247, the Expatriate Terrorists Act, which Strips U.S. Citizenship without Due Process and based on Suspicion

VOTE "No" ON S. 247 AS UNCONSTITUTIONAL
S. 247 STRIPS AMERICAN CITIZENSHIP BASED ON MERE SUSPICION BY AN UNNAMED GOVERNMENT OFFICIAL

DEAR SENATOR: The American Civil Liberties Union strongly urges you to oppose S. 247, the Expatriate Terrorists Act, which is sponsored by Senator Ted Cruz. The bill would strip U.S. citizenship from Americans who have not been convicted of any crimes, but who are merely suspected by an unnamed government official of wrongdoing.

S. 247 is dangerous because it would attempt to dilute the rights and privileges of citizenship, one of the core principles of the Constitution. As the Supreme Court explained in 1967 in *Afroyim v. Rusk*, "the Fourteenth Amendment was designed to, and does, protect every citizen of this Nation against a congressional forcible destruction of his citizenship, whatever his creed, color, or race . . . [It creates] a constitutional right to remain a citizen in a free country unless he voluntarily relinquishes that citizenship." The bill is also unnecessary because existing laws already provide significant penalties for U.S. citizens who engage in acts of terrorism.

An already unconstitutional federal statute, 8 U.S.C. §1481, provides that an American can lose his or her citizenship by performing either of the following broad categories of acts with the intention of relinquishing his or her nationality:

acts that affirmatively renounce one's American citizenship, such as taking an oath of allegiance to a foreign government or serving as an officer in the armed forces of a foreign nation; or

committing crimes such as treason or conspiracy to overthrow the U.S. government, or bearing arms against the United States, "if and when [the citizen] is convicted thereof by a court martial or by a court of competent jurisdiction."

S. 247 would add a new category of expatriating acts—"Becoming a member of, or

providing training or material assistance to, any foreign terrorist organization designated under Section 219." This implicates several constitutional concerns.

First, the material assistance provision added by the bill would treat suspected provision of material assistance as an act that affirmatively renounces one's American citizenship. Thus, unlike treason or conspiracy to overthrow the U.S. government, this provision would not require a prior conviction. It would only require an administrative finding by an unspecified government official that an American citizen is suspected of providing material assistance to a designated foreign terrorist organization with the intention of relinquishing his or her citizenship.

Second, this provision would violate Americans' constitutional right to due process, including by depriving them of citizenship based on secret evidence, and without the right to a jury trial and accompanying protections enshrined in the Fifth and Sixth Amendments. In sum, the bill turns the whole notion of due process on its head. Government officials do not have the power to strip citizenship from American citizens who never renounced their citizenship and were never convicted of a crime.

Third, the material assistance provision suffers from the same constitutional flaws that plague other material support laws, and goes far beyond what the Supreme Court has held is constitutionally permissible when First and Fourth Amendments rights are at stake. In 2010, the Supreme Court disappointingly ruled in *Holder v. Humanitarian Law Project* that teaching terrorist groups how to negotiate peacefully could be enough to be found guilty of material support. Even if that logic might apply to criminal conduct, it should not cause an American to lose his or her citizenship.

For these reasons, the ACLU urges you to oppose S. 247. Please contact Chris Anders at canders@aclu.org or (202) 675-2308, if you have any questions regarding this letter.

Sincerely,

KARIN JOHANSON,
Director, Washington
Legislative Office.

CHRISTOPHER ANDERS,
Senior Legislative
Counsel, Wash-
ington Legislative
Office.

Mr. LEAHY. I reserve my time, and I yield the floor.

Mr. DURBIN. Mr. President, how much time remains on each side?

The PRESIDING OFFICER. There is 3 minutes on the Democratic side and 2 minutes on the Republican side.

The assistant Democratic leader.

Mr. DURBIN. Mr. President, let me say at the outset the initial unanimous consent request made by the junior Senator from Texas was a bill which he had pending before the Senate Judiciary Committee today. He did not attend that meeting of the Senate Judiciary Committee. I wish he had. I think we should have all been there if we wanted to take this up and debate it. I objected on behalf of Senator LEAHY and myself, and the Senator has spoken to the reasons for that objection.

Let me address the second part of this bill relative to refugees. We will reflect in years to come about what happened in this world in the last week

and 10 days. We will reflect on the terrible tragedy that occurred in Paris, France, and in Beirut and other nations, which was led by the ISIS terrorists. We will reflect on those poor victims who died as a result of their terrorist acts. And we will also reflect on acts of heroism and wisdom that emerged from this terrible tragedy, heroism on the ground in Paris and other places by those who defied these terrorists and those who risked their lives to bring those responsible to justice, and the wisdom and compassion shown by leaders around the world not to exploit this situation.

When President Hollande of France announced that his country would receive 35,000 refugees after this attack, he made it clear that he would not hold those innocent, helpless refugees accountable for the terrible misdeeds of these terrorists. When the nation of Canada said they would accept thousands of refugees, even after the Paris attack, they showed the wisdom and good sense to differentiate those helpless victims of terrorism around the world who are seeking refuge on our shores from those who perpetrated these terrorist acts. Then listen to the debate on Capitol Hill. Listen to the unanimous consent requests made this morning by the junior Senator from Texas. It is not consistent with that ethic. It is not consistent with those values.

To say we will accept only refugees who are the victims of genocide would close the doors to Cuban refugees who came to the United States, trying to escape all of communism and what it meant to their families. It would have closed the doors to Soviet Jews persecuted in that country who were looking for freedom and came to the United States as refugees. I can list countless others who were not the victims of genocide, but they were the victims of persecution, they were from war-torn countries, and they were the victims, as Senator LEAHY has said, of gang rape and terrorism.

Listen to what has been said on the other side of the Rotunda and in this Chamber today. It does not merit the kind of appreciation of American values that we insist on when we make these critical decisions. In time of war, in time of attack, sometimes rash decisions are made. I predict that in the course of history, as people in the future reflect on what happened in the Senate and the House of Representatives this week, they will hope that saner voices will prevail.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Texas.

Mr. CRUZ. Mr. President, the Senator from Vermont spoke against overheated rhetoric and in the very next breath accused me of being anti-American, echoing the attack President Obama gave standing on the soil of

Turkey. Let me say that speaking the truth is not terrorism.

My Democratic friends invoked their Irish and Italian grandparents. Well, when my Irish and Italian grandparents came to this country, they did not pose a terrorist threat because they were not seeking to murder innocent citizens. When my Cuban father came as a refugee, he was not a terrorist threat seeking to murder innocent citizens. This is an example of the Democratic Party's refusal to acknowledge the qualitative difference. Perhaps if they cannot see it, they can hear it, because in 2009 the Obama administration released Abu al-Baghdadi, the leader of ISIS. As he was being released, Abu al-Baghdadi turned to Army COL Kenneth King and said: See you in New York.

ISIS intends to murder Americans, and if the Democratic Party cannot distinguish between ISIS terrorists and Irish and Italian and Jewish and Cuban immigrants, then they are ignoring reality.

I would note that the Expatriate Terrorist Act is very, very similar to legislation that was introduced in 2010 by Democratic Senator Joe Lieberman and Senator Scott Brown, both of whom apparently, under the view of the Senator from Vermont, are un-American as well. I would note that at the time, then-Senator Hillary Clinton said about legislation virtually identical to my legislation:

United States citizenship is a privilege. It is not a right. People who are serving foreign powers—or in this case foreign terrorists—are clearly in violation of the oath which they swore when they became citizens.

Yet President Obama and the Senator from Vermont apparently now consider Hillary Clinton's statement to be un-American. It is the essence of being American to say the Commander in Chief should protect the safety and security of this country.

I would note that the assistant Democratic leader invoked President Hollande in France. President Hollande said he would support stripping French citizenship. We should protect ourselves every bit as much as the other nations on Earth.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator's time has expired.

Mr. DURBIN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. COLLINS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2577, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Pending:

Collins/Reed amendment No. 2812, in the nature of a substitute.

Collins/Reed amendment No. 2813 (to amendment No. 2812), to make a technical amendment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TERRORIST ATTACKS AGAINST FRANCE AND SYRIAN REFUGEES

Mr. MURPHY. Madam President, I wish to speak about Friday night for a few moments. In Connecticut, on Friday night the world really did stop. Thousands of people in my State watched their television set or their smartphone as images like this one poured in from the blood-soaked streets of Paris: horrific reports, scores dead, more badly wounded. Deep down, in Connecticut, we ached deeply for Paris's loss. Maybe it is because for those of us who hail from the former colonies, we feel a special sense of brotherhood with the French. In my boyhood town of Wethersfield, CT, I grew up a stone's throw from the tavern where Washington and Rochambeau met to plan their campaign against the British. We pain for France because of 250 years of friendship and also because we know, unfortunately, exactly what they are going through. That ominous sense of familiarity and that perverse bond among nations that have been visited by mass terrorist attack are part of the reason why we ached so acutely on Friday night, over the weekend, and into this week.

But also, these pictures cause us pain because we fear this isn't the end of the mass slaughter. We grieve because the massive scale of this particular attack, on a nation that already had its antenna tuned for a potential attack, made us realize how vulnerable we still are today to a similar assault. The threat of another large-scale extremist attack just became so much more real for millions of Americans who had, frankly, begun to settle into an understandable comfortable complacency, a decade and a half since that last major terrorist attack just miles from Connecticut's border.

In Connecticut, to be honest, people are mad and they are scared. Having

watched all of this coverage, I understand why. But images such as this also move the people of my State. These are two little kids, Ralia and Rahaf, 7 and 13 years old. This is where they sleep at night, on the streets of Beirut. They went there from Damascus after their mother and their brother were killed by a grenade. Along with their dad, they have been sleeping on the streets for over a year. Rahaf, who is 13, says she is scared of the “bad boys” in Beirut on those streets at night. When she talks about that, Ralia starts crying.

I don’t want to cast with a broad brush all of the people of my State, but I think I can safely say that their hearts ache for pictures like this, for images such as the one of the 3-year-old boy—just about the same age as my youngest son—who washed up limp and dead on the beach in Turkey. My neighbors are not comfortable living in a country that simply turns its back on little kids who have been ravaged by torture and rape, dying from barrel bombs and executions and slipshod escape vessels.

There has been a lot that has disturbed me about the debate here in Washington, across the country, and on the cable news channels since Friday’s massacre: the hyperpartisanship, the concern for one religion over another, the refusal to wait for facts before jumping to policy conclusions.

Maybe what has disappointed me the most is the suggestion that the people in my State or the people of this country or this Congress need to make a choice between acting on concern for this image or acting out of concern for this image. The suggestion is that if your priority is protecting us from a Paris-style attack, you can’t show compassion for those two little kids. If you want to show compassion for these innocents, then you compromise national security.

Here is the truth: Not only are these two priorities not mutually exclusive, they are actually interdependent. There is simply no choice to be made between protecting this country and helping the victims of terror. We can take steps together—Republicans and Democrats—to make sure terrorists do not get into this country, and we can continue in the best traditions of America to be, as our Statue of Liberty says, a home for “your tired, your poor, your huddled masses.” How do I arrive at this conclusion that we can do both, that we can protect our country and respond to the victims of terror in Syria? First, I asked the questions my constituents are asking: How can we be sure refugees fleeing Syria aren’t going to pose a risk to the security of the people who live in my State in Connecticut?

Yesterday I sat through two exhaustive briefings to seek the answer to this question, and here is what I

learned. There is no one who comes to the United States, in any immigration category, that receives a more comprehensive and exhaustive background check than refugees: biometrics, international background checks, interviews, fingerprints—a process that takes anywhere from 18 months to 2 years to make sure we get it right. It is exhaustive, and it is probably why of the nearly 2,000 Syrian refugees who are resettled in the United States this year, not a single one has been connected to terrorist activity. The other reason for this, as I learned yesterday, is because the profile of the refugees we are prioritizing for entry into the United States tells the story as well. We largely bring women and children, the frail and the sick, those who have been beaten, raped or tortured by terrorists—the ones who simply cannot survive in the refugee camps. It means that of all the Syrians who are already here, only 2 percent of them are young, single males. We aren’t bringing into the United States the type of people who fit the profile of those who could pose a danger to us.

The second reason I have concluded that ending the refugee program really will not make us safer is because of conversations I have had with experts about the nature of ISIS itself. I don’t think you can argue that ISIS has been contained. Paris showed us ISIS can be lethal anywhere, anytime. Over the past year, ISIS has proffered two narratives to its recruits. The first is that this so-called caliphate is expanding. It is an unstoppable, inexorable force that challenges young Muslims to get on board now before it overtakes them by force. The second is this narrative that there is a war between the West that is left over from Iraq, left over from Afghanistan, left over from the aftermath of Sykes-Picot, left over from the Crusades. It is this idea that the Western World is out to destroy the East, they argue, and we have to fight for our survival.

The first narrative is still strong, but it is not strong as it used to be. ISIS isn’t expanding its territory in the Middle East anymore. They have 25 percent less territory than they did last year at this time. The second initiative now actually becomes more important, and the Paris attacks are evidence of this. Indiscriminate attacks on civilians in a place like Paris are designed, in part, to provoke a response from the West to feed this argument over a clash of civilizations. That doesn’t mean we shouldn’t respond, it doesn’t mean we shouldn’t respond forcefully, but it should wake us up to the reality of the necessity of this us-versus-them narrative that is essential to the growth of ISIS. The story of the Christian world’s marginalization of the Muslim world is the nourishment that feeds the growth of ISIS.

That is what makes our response to the Syrian humanitarian disaster

interwoven into our strategy to defeat ISIS. Turning our back on those who have been tortured and raped and battered and beaten by Bashar al-Assad, after having welcomed massive refugee flows from Cuba and Vietnam and Bosnia, feeds straight into this radical Sunni argument that we are at war with Islam. Imagine the glee in Raqqa when they see postings of American politicians arguing we should take Syrian refugees but only the Christian ones and not the Muslim ones. That is a story line that is an ISIS recruiter’s dream.

None of this is to suggest we shouldn’t be taking the fight to ISIS in Syria and Iraq. I have been a vocal supporter of the thousands of bombing runs by American planes, of our efforts to support the Iraqi Army and the Peshmerga as they seek to kill as many ISIS fighters as possible. Fighting ISIS inside Syria and Iraq is absolutely necessary in order to defeat them. So we engage in that fight with the knowledge that our involvement may also help with recruitment. We weigh the benefit against the cost and we fight.

When it comes to turning away the victims of terror inside Syria, if we are able to build a system that screens out any Syrians who pose a threat to the United States, then the meager benefit can never outweigh the costs of feeding this anti-Muslim narrative. Now that narrative is more important than ever to sustain ISIS.

Here is the most important point to make. The people I represent don’t believe we can just stand still in the wake of Paris, even if they believe the screening program is robust enough. They may be convinced of this, but they are certainly right that we can’t accept the status quo. My worry over the past week is that this hyperfocus on the refugee program that has only brought in 2,000 immigrants last year—mostly women and children—misses the forest for the trees.

The Visa Waiver Program brings in 20 million people a year—not 2,000—20 million people. It has background checks, too, but nothing like what is applied to refugees. There is a good reason for this difference, because the countries that are part of the Visa Waiver Program are our allies—countries we can generally rely on—but with several of the Paris attackers bearing EU passports, making them eligible for the Visa Waiver Program, this sense of security we have had with these countries has been shattered. If we want to have a real conversation about changing our immigration laws to better protect this country, then focusing on 20 million lightly vetted visitors rather than 2,000 highly vetted visitors sounds like the better approach.

There is absolutely room to make the Visa Waiver Program stronger. There

are a myriad of security information sharing agreements between the United States and Europe and among countries within Europe that have not been executed. Now is the time to demand that these agreements, like the umbrella law enforcement agreement between the EU and the United States, be executed, be signed. Now is the time for both the United States and Europe to require that every EU nation modernize their protocols for uploading law enforcement and anti-terrorism information onto the databases that we use to compile our no-fly list. If these agreements aren't signed or these protocols aren't updated, then we need to consider whether an unreformed Visa Waiver Program is still in our national interests.

If our goal is really to keep America safe from infiltration of terrorist groups, this reform is the most important one we can make to our immigration system, and it should bring together Republicans and Democrats.

Every day that I go home to my 7-year-old and my 4-year-old, I am reminded that my most sacred duty here is to enact policy that keeps them safe and keeps my constituents safe. The hundreds of calls and emails that my office has received since Friday reinforces for me this commitment, but I live in a nation like no other. I live in the United States of America, a nation that in the late 1800s had emerged from Civil War to become a beacon for the oppressed and the repressed all over the world and millions showed up on our shores—people like my Irish and Polish ancestors—and a nation that was spreading its wings over the world, beginning to understand the impact for good that we could have. It was during that time that the poet Emma Lazarus called America “The New Colossus.” The feeling was that we were capable of a greatness, a bigness of both achievement and heart that the world had never witnessed and exceptionalism, one that still burns bright today.

The argument that America cannot both protect itself and protect those who are fleeing terrorism feels so small. It feels so contrary to this idea of exceptionalism that has been at the foundation, at the root of the American story. It feels very weak. In fact, the moments where we have made choices solely out of fear to marginalize others are moments we now regret. We interred Japanese Americans in camps because we were at war with Japan or hesitated to take Jewish refugees fleeing the Nazis out of fear that some might be spies. In hindsight those measures did not reflect on who we really are as a nation.

The America I live in does not settle for false choices that make America look and feel small or powerless. We can save the terrorized and protect ourselves from being terrorized at the same time. In fact, we have to do the

former to accomplish the latter. In doing so we can come together as a Congress and as a country to make good policy and to recall that sense of American exceptionalism that caused Emma Lazarus's poem to end up on a statue that was sent as a present to the United States from France as a reminder of our unbreakable bond with them.

I yield the floor.

Ms. COLLINS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I ask unanimous consent that at 2 p.m. today, the Senate proceed to executive session to consider the following nominations: Calendar Nos. 366 through 371; that the Senate vote on the nominations without intervening action or debate; that following disposition of the nominations, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Maine.

Ms. COLLINS. Madam President, for the information of our colleagues, we are making good progress in clearing a number of amendments that have support on both sides of the aisle. I expect we will be able to proceed with an amendment offered by Senator CORNYN and Senator REID shortly, and in the meantime I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Madam President, I ask unanimous consent to set aside the pending amendment in order to call up my amendment No. 2844.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Madam President, reserving the right to object, over 1,000 Americans have called my office in the

last couple of days, and they are very concerned about admitting people from the Middle East when we are not sure what their intentions are. The Boston bombers were here under the refugee program, and two Iraqi refugees came to my State with the intent to buy Stinger missiles.

I have asked for a very simple amendment. I ask unanimous consent to have an amendment placed in the queue for a vote that lets the American people vote on whether we want to bring more people here from the Middle East and whether we are doing an adequate job of screening these people. I think having a vote on that is a reasonable request, and therefore, until I am allowed to have a vote for which I think the American people are clamoring, I will continue to object.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. PAUL. Madam President, I also ask unanimous consent to bring forward my amendment to limit and end the subsidized housing for new people who come here from the Middle East. My amendment is No. 2843, and I ask unanimous consent that I be allowed to set aside the current business and bring my amendment forward.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, on behalf of myself and the ranking member of the subcommittee, Senator REED, I object. We are in a process where we are trying to clear amendments, and we are making good progress on this bill. I understand Senator PAUL has raised an issue that is issue, but it does not belong on this bill and indeed would result in this bill not progressing.

We are trying to get back to regular order on the appropriations process. With cooperation, I am confident we could finish this important appropriations bill today. We could show the American people that we can govern and fund essential transportation and housing programs that are included in this bill. By and large, we have had excellent bipartisan cooperation. I was hoping we could move to the amendment offered by the Senator from Texas—a member of the Republican leadership—and cosponsored by the Senate Democratic leader. It is an amendment that I believe we could dispense with quickly, and we would then be able to continue to work through the amendments on this bill.

Since the amendment from the Senator from Kentucky would grind this bill to a halt and does not belong on this bill—and there will be other opportunities to deal with this issue because the House is going to be passing legislation this week dealing with the issues raised by the Senator from Kentucky—I will object.

The PRESIDING OFFICER. Objection is heard.

The majority whip.

Mr. CORNYN. Madam President, I agree with the senior Senator from Maine and the bill manager that the concerns Senator PAUL has raised, which are shared by many of us as far as the adequacy of the screening process for the refugees coming to our country, is a serious matter. It is a matter, as the Senator from Maine has said, that will be voted on today, and my prediction is that there will be broad bipartisan support for the additional security measures contained in that bill.

This is a transportation bill, and it is very important for us to get our work done, and unfortunately that is appearing more and more difficult.

If I could say a word about my amendment because this is an important matter to me and to my State, as well as to other States. My amendment would direct the Secretary of Transportation to conduct cost-benefit determinations for new airports which are seeking entry into the federal tower program but have been unnecessarily prohibited by the Federal Aviation Administration. The FAA's current moratorium on accepting new airports negatively impacts airport sponsors that have already submitted their applications to the FAA, including the North Texas Regional Airport in Grayson County, TX. I know there are airports like that around the country, which is why this amendment has such broad bipartisan support.

This amendment would simply require the Secretary of Transportation to process applications that have already been submitted—in some cases years ago—but have been punished by this arbitrary administrative delay. It would not have any negative impact on any current contract tower airports and would only allow new airports to be admitted to the program if funds are available.

I am grateful to Senator COLLINS and Senator REED for their favorable consideration of this amendment, and I hope we can work through the objection raised by the Senator from Kentucky so we can process this legislation and pass it in the near future.

NATIONAL ADOPTION MONTH

Madam President, on another note, I wanted to say a few words about National Adoption Month.

Yesterday, Senator GRASSLEY, the chairman of the Senate Judiciary Committee, convened a very important hearing on the subject of international adoptions; specifically, ensuring that the process—which at times can be bogged down in bureaucratic redtape and take an excruciatingly long time to complete—remains a priority for this administration.

Last year, if my recollection serves me correctly, there were about 22,000 intercountry adoptions. In other words, there were families here in the United

States who wanted to adopt these children who, in many circumstances, have very poor prospects in the countries where they were born.

As I said, this is National Adoption Month. I am glad Senator GRASSLEY enabled us to highlight the challenges of people who are trying to adopt children from, for example, the Democratic Republic of the Congo. There are about 400 adopted children the government of the Congo will not release. Yesterday, many of us, on a bipartisan basis, met with the ambassador and asked: What is the way forward for these families and these children, many of whom are in pretty poor circumstances back in their home country.

Americans, of course, adopt not only children from their local communities or their State, but from literally around the world. It is something we ought to encourage. Devoted parents who make the decision to adopt ought to be commended for providing an opportunity for a better life for a child in need and for providing support and the love that all children need and deserve.

One of the things that struck me yesterday during the hearing, as we heard from the State Department, are the numerous protections that are embedded within the adoption process to ensure that these internationally adopted children are placed in safe homes and how important they are for protection of these children. These measures include commonsense safeguards such as thorough background checks, intensive interviews with potential parents, multiple visits to the child's future home, and, of course, proper vetting of other people who will be living under the same roof. This is important for the protection of this adopted child.

This is a process that puts safety and the interests of the child first, and I think we would all agree that is exactly where that priority should stand: the best interests of the child first.

So while it was reassuring to me to hear about these rigorous requirements that our government has put in place to protect these adopted children, I was reminded that protecting children during the placement process should not be just limited to when we are talking about adoptions. Over the last two fiscal years, more than 95,000 unaccompanied children have crossed our southern border without legal permit, the large majority of them making a perilous and deadly journey across thousands of miles from Central America. We can only imagine the horrible circumstances that parents must see and the poor prospects for their own children's future for them to turn them over to essentially criminal organizations that will then ferry them, if they are lucky, from their country of origin through Mexico and into the United States. But the surge of which we are all familiar—again, 95,000 unaccompanied children in just the last 2

years—has exposed the vulnerability of our southern border to human smugglers and transnational criminal networks. As a matter of fact, I asked one of the witnesses at the hearing yesterday: Are the same criminal organizations that engage in human trafficking and illegal immigration and illegal importation of drugs—are they all the same people?

He said: Absolutely.

I don't know how we can turn a blind eye to some of the illegal immigration issues and to say we are completely outraged at the drug trafficking going on between our countries or the human trafficking going on between our countries when, in fact, that activity is being conducted by exactly the same criminal organizations that have one interest in mind, and it is not the best interest of the child. It is money. They view children as a commodity just as they view drugs as a commodity.

Yesterday's hearing showed us that the lack of border security can cause a humanitarian crisis that endangers the lives of children who were turned over by their parents and then smuggled into the United States. We know from numerous reports and testimony that children on this journey are preyed upon in the form of human trafficking, rape, and even murder. Many of them don't even make it here because they are killed along the way, held hostage, perhaps for ransom, or otherwise assaulted. To this day, we still have no idea how many children and parents have perished during this unprecedented surge across our border. Once these children arrive here in the United States, I think—I would hope—we would all agree that it is our joint and collective responsibility to do what we can to protect them and ensure that they are no longer preyed upon by criminals and human traffickers.

Current law requires that within 72 hours of being located by law enforcement officials, a child be placed in the protective custody of the Department of Health and Human Services so they can be protected from the danger of abuse and exposure to forms of violence. Unfortunately, current law also requires that these children be released, sometimes even to nonfamily members, sometimes even to noncitizens, without any assurance or systematic protections that they are being sent into a safe environment—certainly nothing even remotely approaching the sort of care and precautions that we use when it comes to international adoptions.

As I heard yesterday, the administration is capable of making these assurances in the context of international adoptions, so why would we not take steps to ensure that the same level of protection is there for these unaccompanied children?

During the surge of these children across our border in 2014, I stood right

here and I posed two very important questions: Could anyone in the administration say with certainty that the children being released from U.S. custody were leaving with an actual family member? Believe it or not, there is no legal requirement that these children be turned over to an actual family member. Also, could the administration say with certainty that none of these children have been handed over to an adult with a criminal record?

The answer to both of these questions was and continues to be no, and that ought to shock our collective conscience. Sadly, we don't know how many of these children have fallen into the wrong hands.

Earlier this year, four individuals were indicted for their involvement in a trafficking ring that smuggled unaccompanied Guatemalan children into the United States and forced them into slave labor at egg farms in Ohio. These children faced horrific conditions, including long work hours, abuse, threats, and exploitation. But even more shockingly, many of these children could have been spared if the Federal Government and the Department of Health and Human Services had an adequate system for screening and vetting the nongovernmental sponsors for these unaccompanied children. None of the protections—none of the protections—that are available for international adoptions have been applied here to protect these children.

The human traffickers in this case that I mentioned were able to gain custody of these children by simply showing up at an HHS shelter, telling the U.S. Government that they were family friends, and submitting a fake family reunification application. This is unacceptable, and it is our duty to these children to make sure that we do a better job of protecting them, just as we do in cases of international adoption.

I know that our colleague from Ohio, Senator PORTMAN, in his oversight role in the Committee on Homeland Security and Governmental Affairs is taking a hard look at this process through which we move unaccompanied children out of protective custody and into the hands of potential danger—not even family members, not even citizens, no criminal background check, and absolutely no way to know what the government is turning these children over to. I look forward to reviewing the findings of his forthcoming report, and I hope we can make efforts to implement his recommendations.

Last Congress, I was proud to be the author and sponsor of a piece of legislation that we called Helping Unaccompanied Alien Minors and Alleviating National Emergency Act—or the HUMANE Act—which would require all potential sponsors of unaccompanied children to undergo a rigorous biometric background and criminal history

check. This is bipartisan legislation. Though there is certainly more we can do to ensure an acceptable screening process, I believe that the protections in my legislation are a good start and would make a difference.

So I urge my colleagues, or anybody else who may be listening, as we reflect on National Adoption Month and the appropriate protections we put in place for international adoptions, to think about these almost 100,000 other children who have crossed our borders over the last few years and who were afforded none of the protections that we afford adopted children.

I truly hope we will take a comprehensive look at the concerns I have raised here today.

Madam President, I yield the floor.

Ms. COLLINS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. HIRONO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION REFORM

Ms. HIRONO. Madam President, last November, faced with Congress's failure to act, President Obama, through Executive action, took a courageous and practical step on immigration. Like every President since President Eisenhower, President Obama exercised his legal authority to prioritize U.S. immigration enforcement and make our system more fair and just. The most significant parts of the President's Executive actions were those intended to keep families together and give more people the opportunity to come out of the shadows.

The President announced an expansion of the successful Deferred Action for Childhood Arrivals, or DACA, program. He also created a new Deferred Action for Parents of Americans and Lawful Permanent Residents called DAPA. DAPA allows the undocumented parents of U.S.-born children to stay in this country with their families.

Since its creation in 2012, DACA has given nearly 700,000 undocumented young people the opportunity to pursue their dreams through education and jobs. Sixty percent of DACA recipients have been able to find new jobs, contributing to our tax base and our economy. Experts estimate that DACA recipients will contribute \$230 billion to our GDP over the next decade.

Together, the expanded DACA and DAPA programs will mean that around 5 million more individuals will be able to work legally, pay their taxes, and care for their families.

While the President's actions generated a great deal of support and excitement, they also generated oppo-

nents who challenged these actions in court. These court challenges resulted last week in a Fifth Circuit Court of Appeals ruling that further delays help for these 5 million people in our country. As Judge Carolyn King stated in her very strong dissent in the Fifth Circuit case, "a mistake has been made."

The administration is acting to swiftly appeal this decision to the United States Supreme Court. I am hopeful that the Supreme Court will find that the President's actions are lawful and that justice for millions of workers and families will eventually be served. We cannot continue to be inactive in Congress while millions of people remain in the shadows. Yet, here we are.

Today, politicians—from Presidential candidates to sitting Governors—appeal to our Nation's fears in arguing against any meaningful reform of our broken immigration system. Conjuring up shadowy images fuels these fears—violent gang members from South America, terrorists from the Middle East. In their divisive rhetoric and in their rush to build walls and close our borders, they neglect the faces of those they demonize, and they forget the facts.

The National Academies of Sciences recently released an authoritative look on how immigrants assimilate into the United States. That report paints a very different picture from what you will hear from Republicans on the campaign trail. For example, the Academies found that neighborhoods with more immigrants have lower rates of crime and violence than comparable nonimmigrant neighborhoods, and foreign-born men are incarcerated at ¼ the rate of native-born Americans.

Today's immigrants are learning English just as fast as prior waves of immigrants; only our schools aren't equipped to help them as well as they should be. Eighty-six percent of first-generation male immigrants have jobs, as do 61 percent of women. In fact, immigrant men with the lowest education levels are more likely to have jobs than comparable groups of nonimmigrant men.

These paint a very different picture than gang members and terrorists. In fact, it is clear that immigrants are an asset to our communities and our Nation. The vast majority of people come to America seeking a better life for themselves and their families. They work extremely hard and in many cases under very difficult circumstances.

Despite our country's being a nation of immigrants and the great benefit immigration has meant to our culture and economy, immigration remains a difficult issue in America.

Just last month we celebrated the 50th anniversary of the Immigration and Nationality Act of 1965. Prior to

President Johnson's signing that law, the United States had a racially discriminatory quota system. In fact, prior to 1965, Asians were essentially excluded from immigrating to the United States. The 1965 law wasn't perfect, but it moved our system forward by focusing on family reunification—not racial quotas amounting to racial discrimination—as a guiding principle.

Since the 1965 law, our Nation has benefitted greatly from the millions of immigrants from all over the world who have come here. Immigrants have built vibrant communities, become titans of industry, expanded American arts and music, and strengthened our public institutions. Their positive contributions have changed America and what it means to be an American.

No matter how toxic the immigration rhetoric may be right now, we can't stop pushing to improve our broken system. President Obama's Executive actions were neither a complete nor a permanent solution for immigration reform, but they were positive steps forward. It has been more than 2 years since the Senate passed its comprehensive immigration reform bill with 68 bipartisan votes. I was proud to have worked on this bill as a member of the Senate Judiciary Committee.

Sadly, the House refused even to consider the bill—even after Republicans released their immigration principles, acknowledging the brokenness of our immigration system. Congress remains deeply divided, and there is still no indication that we will be able to pass comprehensive immigration reform any time soon, leaving 11 million people in our country in the shadows.

As the only immigrant serving in the Senate today, I remember very well my mother's courage in bringing her three children to this country so that we could have a chance at a better life. That is what comprehensive immigration reform will mean to the 11 million people living in the shadows in our country—a chance for a better life for themselves and their families. These are mothers, fathers, sisters, brothers; and they are neighbors and friends. They are not looking for handouts. They are looking for the chance for a better life, and that is the universal appeal of our great country.

As leaders, we need to act to make real for these millions of people the promise of America. We need to pass comprehensive immigration reform soon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I ask unanimous consent to leave the bill for a couple of minutes.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I would yield to the Senator from Oklahoma for the purpose of explaining an

amendment that he has at the desk, and a modification—a very good amendment, I might add.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Thank you, Madam President.

It is my intention to ask to set aside the pending amendment for the purpose of considering the Inhofe amendment No. 2820, and I want to explain what this is.

Today the National Oceanic and Atmospheric Administration and the FAA are working on the next generation radar system. We have talked about this for a long period of time. I think the Senate knows that this Senator has been active in aviation for a long time, and this is something we have been working on together. The next generation radar system, called Multi-function Phased Array Radar, or MPAR, is comprised of individual radar stations capable of both air traffic tracking and weather surveillance.

The new system will replace the multiple systems separately maintained by the FAA and NOAA and allow the consolidation of the number of discrete radar sites in the United States by about a third and yet do a more thorough job.

To support the development of the next generation radar, it is important for the FAA and NOAA to be working together and one not getting out in front of the other one. For that reason—and I think my junior Senator, who is going to be working on this, agrees—there is some concern that the FAA is getting out in front of NOAA on the selection of technology to meet both goals. We would clarify that in the amendment.

What I will be asking for is the consideration of amendment No. 2820, as modified. The modification is at the desk now, expressing the sense of the Senate that the FAA and NOAA continue to work together so that one agency doesn't get out ahead of the other and ensuring that the priorities of both agencies are met. Sometimes you have to get involved with the bureaucracies when there is more than one working on it.

At the proper time, I will be wanting to do that. There is a courtesy being extended to another Member to be involved perhaps in this.

So with that, I will yield the floor and be prepared to offer my amendment.

Ms. COLLINS. I want to thank the Senator from Oklahoma for his courtesy to one of our colleagues who is on his way to the floor to repeat an earlier ritual that we went through when one of our colleagues attempted to make an amendment pending.

So in deference to that colleague, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. INHOFE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Madam President, I spent some time on the floor a few minutes ago explaining an amendment that I have. It is amendment No. 2820, as modified. The modification is at the desk. It is one of those things where there is no opposition at all.

We are trying to get to a new radar system that is—it is rather complicated. It will end up saving a lot of money and letting other people in other parts of the country—all over the country—have the radar capability they don't have today. So it is something I know that no reasonable person would object to.

Madam President, for that reason, I ask unanimous consent to set aside the pending amendment to call up my amendment No. 2820, as modified with the changes at the desk.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Madam President, the biggest issue of the day is how we protect ourselves from terrorism. My amendment goes to the heart of the matter.

Mr. INHOFE. Will the Senator yield for a question?

Mr. PAUL. Are we sufficiently vetting those who might come here and attack us from the Middle East?

Mr. INHOFE. Will the Senator yield?

Mr. PAUL. I don't think we are. The two Boston bombers were here during the refugee program. Two Iraqi refugees came to my hometown—

Mr. INHOFE. Madam President, Parliamentary inquiry.

Mr. PAUL. Of Bowling Green, KY.

Mr. INHOFE. Parliamentary inquiry.

Mr. PAUL. I have an amendment that is not only pertinent—

The PRESIDING OFFICER. Is there objection?

Mr. PAUL. To the biggest issue of the day. I have an amendment that is germane.

The PRESIDING OFFICER. Is there objection?

Mr. PAUL. For those who make a mockery of this process by saying we are going to have regular order, we are not going to have regular order—

The PRESIDING OFFICER. Is there objection?

Mr. PAUL. Until we address the issues of the day on a germane amendment.

I object.

The PRESIDING OFFICER. Objection is heard.

Ms. COLLINS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. COLLINS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Ms. COLLINS. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, until 2 p.m. today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. COLLINS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSPORTATION-HUD APPROPRIATIONS BILL

Ms. COLLINS. Madam President, for the information of our colleagues on both sides of the aisle, I would like to explain the situation we face. First, let me say that working very closely with the ranking member of the subcommittee, my friend and colleague Senator JACK REED, we have been making very good progress on this bill.

We have a number of amendments offered by Senators from both sides of the aisle that we have agreed to work out, to clear on both sides, with both managers of the bill. In some cases we have also gotten to the authorizing committees, the Budget Committee. In other words, a great deal of hard work has gone into clearing amendments that are ready to be considered, that could be accepted by voice vote or unanimous consent or in a managers' package. I am confident because of this bipartisan cooperation, because of the extraordinarily hard work of our staffs, that we could finish this appropriations bill today.

Would that not be progress for the Senate, to be able to complete action on a bill that has vital funding for homeless veterans, for homeless youth, for disabled and low-income elderly who depend on the subsidized housing programs that are funded in this bill? This bill has important infrastructure spending. All of us are aware of the deteriorating infrastructure, the crumbling roads and structurally deficient bridges that we have in this country, the need for improvements in rail safety, in our transit system.

There are so many issues that are important to the American people.

This bill funds the Community Development Block Grant Program, possibly one of the most popular programs with State and local officials for spurring economic development and job creation in their communities, but, alas, we have encountered a roadblock. As we have seen this morning, even amendments that have been cleared on both sides of the aisle are not being allowed to proceed. I think that is so unfortunate because with cooperation I am confident we could have finished work on this bill and moved to final passage today. Regrettably, that is not going to occur unless there is a change of heart.

I do want to say I recognize there are other very important issues for us to deal with. The House today is taking up a bill that would deal with the screening process for refugees who come into this country. All of us recognize that our first obligation is the security of the American people. That is not what the bill before us is dealing with, but there is action on the House side. A bill is expected to pass today with widespread bipartisan support and will be sent over for our consideration. So I think it is unfortunate that we apparently cannot complete action on the appropriations bill that is before us.

However, I do want to assure my colleagues that we are going to continue to work on this bill. We are going to continue to review the amendments that have been filed. We are going to work with the sponsors. We are going to work with the floor managers. We are going to continue to make progress behind the scenes in the event that we find a way around this roadblock.

In the meantime, I do want to express my appreciation to my ranking member, Senator REED, for his close cooperation on this bill. He and I introduced the substitute amendment jointly when we began work on this bill. A special thanks to our staffs who have been working night and day to clear amendments that are ready go but unfortunately cannot be considered.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, this whole process has been moved forward by the leadership of Chairman COLLINS. She and her staff have done an extraordinary job of taking the additional resources made available by the budget agreement and constructively focusing them towards addressing important policies in transportation and housing in the United States.

As Chairman COLLINS discussed, we have about nine amendments—bipartisan amendments—that have been agreed to that focus on housing and transportation issues exclusively. These amendments also display the give-and-take and back-and-forth that is necessary, the compromise that is necessary. One example is the amendment that Senator CORNYN, along with Senator HARRY REID, proposed that

dealt with small airports throughout the United States.

Those are the types of issues that should be the focal point of our deliberations on the Transportation, Housing and Urban Development appropriations bill, and that is what we have tried to do. Frankly, under Senator COLLINS' leadership, we were moving forward, but we have run into a bit of an impasse. We are going to continue to work because it is critical to the country that we rebuild our infrastructure and make sure that we have adequate, affordable housing, which is key to so many things—to having a job, to holding a job, to children being in a school for the whole year and not moving from school to school. All of these are tied directly to our efforts here today.

I again compliment the chairman for her extraordinary efforts. The staffs have done a superb job. We will continue to work. Our objective is to get a bill done and move forward in the process. Unfortunately, we have hit this bump, but we are still going down the road.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

WASTEFUL SPENDING

Mr. COATS. Madam President, the Presiding Officer has been in the chair before when I have done my waste of the week. This is my 27th "Waste of the Week" this year, where I come to the floor of the Senate and take a documented waste, fraud, or abuse within the Federal Government, expose that abuse, and inform taxpayers that their hard-earned money is being wasted by this Federal Government. We are taking those items that have been documented by government accounting agencies, by agencies that have been charged with the responsibility of looking into how we spend the taxpayers' money and alerting us to problems of fraud, waste, and abuse.

So No. 27 waste of the week is up this week, and this week it involves the issue of paid leave. This is an executive policy which applies to departments and agencies across the Federal Government.

Specifically, what I wish to do today is highlight the \$31 million in payments to Federal employees who have received paid leave for over a 1-year period of time. For Federal employees, paid administrative leave is typically a paid, excused absence that is separate from vacation time. It includes things such as jury duty or time to allow a person to transition home after an overseas deployment or post. Some agencies also use paid leave when making personnel evaluations. This could include things such as investigations into alleged misconduct, security threats, and similar situations where

the employee should be restricted from the worksite while the investigation occurs. Many of these are legitimate. Many of these fall into this category. But being given paid leave for over a year?

First, it raises the question, What is going on here? This is way beyond the norm.

Secondly, shouldn't we have some documentation as to why this takes place? Currently, Federal agencies across the Federal Government have the authority to set their own policies regarding administrative leave, and this leads to a variety of different policies from agency to agency. Why are there discrepancies among agencies in both length of time and the frequency of the granted paid leave?

What is particularly troubling to me is that an audit by the Government Accountability Office, the GAO, found that 263 employees have received paid administrative leave for over a 1-year period of time—more than 1 year. Most of us expect, yes, OK, 2 days off or a week off because I have been selected for jury duty. I have a citizen's and a resident's obligation to do that. Paid leave is justified on that basis. For someone returning from a post overseas, to get resettled, paid leave is justified. There are some other justifications. But over a year? Paid leave for over a year and \$31 million paid out to people who haven't worked for over a year? Something needs to be looked into regarding how and why that takes place.

Last month, the Washington Post told a story about how this issue has persisted within the Department of Homeland Security even after the report was issued. The Post article states that "close to 100 DHS [Department of Homeland Security] employees still are being paid not to work for more than a year."

So I think the question we need to ask ourselves in response to this report is why? Why did the Federal Government spend \$31 million to pay 263 employees not to work for more than a year? And what is the justification for the 1-year paid leaves? Unfortunately, the Government Accountability Office was unable to disclose the specific details as to why these 263 individuals were on paid leave for over a year. However, there are public reports that give examples of employees who have continued to receive paychecks for over a year.

The Washington Post again reported the case of a former high-level Environmental Protection Agency employee who pretended he was a member of the Central Intelligence Agency for years. This employee collected paid leave under the pretense he was conducting top-secret work for the CIA when, in fact, he was home exercising and pursuing a personal research project. He effectively, according to

the Post, stole \$900,000 from taxpayers for work he never did. That included his salary and bonus. He was actually paid bonuses. The man was paid a bonus payment for not working—defrauding the Agency he worked for. The good news is that they caught him. The bad news is that it took 2½ years to figure out something was going on.

An article in the Washington Times details a 4-year case where an employee at EPA was fired for "sending a 'hostile email' and making inappropriate statements that 'caused anxiety and disruption in the workplace.'" That employee was ultimately removed from the EPA a second time but only after he received 1,496 hours of backpay.

And on and on it goes. I could stand here for a long time talking about examples of paid leave to personnel totaling \$31 million for payments of paid leave for over a 1-year period of time. It is not just the EPA. I am not picking on one agency. Every agency in government has these policies. GAO estimates that there are some bad track records for these agencies. For instance, the Department of the Treasury has 25 employees on paid leave for over a year and the Department of Veterans Affairs has over 46. And even more disturbing is the fact that the GAO investigation found that Federal agencies don't have sufficient documentation for the paid leave, if they had any documentation at all. How can you put someone on paid leave, how can you make payments for over a year and have no documentation as to why you are making the payments?

Coming to the floor with these waste of the week, fraud-and-abuse situations, it is hard to comprehend how these things go on. The ingenuity of those who are committing fraud and those who oversee agencies that are paying this out is stunning.

I want to make it clear that I am not against paid leave. There are many valid cases. But taxpayers deserve to know why Federal agencies are paying their employees not to work for over a year without sufficient documentation for taking such action. In fact, this ought to go for all paid leave, whether it is for 1 day, 1 month, or 1 year.

Particularly, though, what ought to be ringing an alarm bell is someone who is on the record as receiving paid leave for several months or over a year—and I am only documenting that which was documented for over 1 year. Who knows how much this would total if we looked into every agency's policies and found out that they weren't documented and that they couldn't prove that the paid leave was legitimized.

I need to give credit where credit is due. The Office of Personnel Management has finally recognized that this is a costly issue and has moved to take steps to address this misuse of tax-

payer dollars. This summer, the agency announced guidance on what does and doesn't constitute paid administrative leave. I urge OPM to follow up now and ensure that all Federal agencies are implementing these recommendations. But why did it take us so long? Why do we have to have an investigative report? Where is the management? Where is the management in these agencies that oversees this and does not allow this to happen? Why do we have to wait for the Government Accountability Office to come in and audit these agencies and find this unbelievable amount of waste, fraud, and abuse that takes place?

So taxpayers are on the hook for another \$31 million of waste. We add that to our ever-growing total of waste, fraud, and abuse, now reaching well over—almost \$119 billion. And we have Members down here talking about a program that needs funding because it is an essential program, but we don't have the money to do it. Others come down and say we can't cut a penny more from any of the programs we have—and that is another issue—and yet we continue to waste this kind of money.

Next week it will be item No. 28 as we go forward exposing waste, fraud, and abuse in the Federal Government, taking hard-working taxpayers' dollars at a time when the economy is not doing all that well. This is something which continues to be a noose around the Federal Government's neck and which needs to be addressed.

Madam President, with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I was seeking the floor, but it is my understanding that Senator McCONNELL, our leader, is on his way to the floor. I will wait until he speaks. I don't think we have to ask for a quorum call because I think he will be here in just a minute.

The PRESIDING OFFICER. The majority leader is recognized.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

CLOTURE MOTIONS WITHDRAWN

Mr. McCONNELL. Madam President, I ask unanimous consent that the two pending cloture motions with respect to H.R. 2577 be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

SURFACE TRANSPORTATION EXTENSION ACT OF 2015, PART II

Mr. McCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3996, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk reads as follows:

A bill (H.R. 3996) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Madam President, I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on third reading of the bill.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 3996) was passed.

Mr. MCCONNELL. I ask unanimous consent that the motion to reconsider be made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Iowa.

TERRORIST ATTACKS IN THE UNITED STATES

Mr. GRASSLEY. Madam President, because of what happened in Paris last week, a lot of speeches are going to be given on the floor of the Senate about terrorism. But it is too bad that we only seem to talk about the dangers of terrorism when bad things happen in the United States or happen in Paris or someplace else that brings the issue to our attention. I think what we all need to remember is that it is a constant danger that may not appear to us daily, but somewhere out there are people thinking about killing us for what we believe.

So I rise today, again, expressing my sympathies to the people of Paris and those affected by Friday's terrible attacks by radical Islamic terrorists there. On behalf of the people of Iowa, I continue to stand with the people of France.

Unfortunately, the attacks last Friday should not have been a surprise. Radical Islamic terrorists have been waging war against the United States and our allies for years. When thinking about the last three decades of the last century, you think about the terrorism at the Munich Olympics or an American being murdered on a TWA plane. Then we had a Jewish person in a wheelchair thrown overboard in the Mediterranean. There was the attempt to bring down the Twin Towers in 1993 by car bombs. Marines were murdered in Lebanon—over 200, I think it was. We had the attack on the Khobar Towers in Saudi Arabia, where our military people were living. We had the East Af-

rican Embassy attacked, and we had the USS *Cole* attack.

Now, all of those happened before 9/11. Since 9/11, attacks have occurred around the world—from the train bombings in Madrid in 2004 to the suicide bombings in London in 2005 to the senseless slaughter in the streets of Mumbai in 2008. My focus today, however, will be on the United States homeland.

Terrorists have continued to try to attack us here on many occasions since 9/11. Some of these attacks have succeeded. Most of them have failed. Some of them have involved direct coordination with terrorist leaders abroad, and some have been committed by lone wolves inspired by terrorists overseas or the views of those terrorists. But these threats are ongoing, and that is what we should not fail to understand. Consequently, we must be vigilant to guard against those threats. We know that we will face them again.

Several prominent terrorist attacks in the United States come to mind. We all remember the carnage at the Boston Marathon in April 2013, where two brothers detonated bombs at the finish line that killed an 8-year-old boy and two others and injured hundreds more. Although the brothers did not appear to have direct ties with terrorist organizations, they were motivated by radical Islamic beliefs.

We also remember the November 2009 shooting at Fort Hood, TX, where 13 people were killed and several dozen others were wounded. Incredibly, the Obama administration refused to categorize this as a terrorist attack, in spite of the fact that the shooter had traded emails with then senior Al Qaeda leader Anwar al-Awlaki. The shooter also later identified his extremist beliefs as a basis of his attack.

But those tragedies only continued the pattern followed by radical Islamic terrorists since Al Qaeda hijacked and crashed airplanes into the Twin Towers and the Pentagon that fateful day in 2001. Soon after 9/11, for example, British citizen Richard Reid attempted to detonate explosives packed in his shoe while on a flight to Miami in December 2001. He had previously trained at Al Qaeda terrorist camps in Afghanistan. Thankfully, he failed, but this attempted attack put us on notice that these terrorists were not finished with what happened on 9/11.

More attacks and plots followed, perhaps less well remembered after the passage of time. And the passage of time is our biggest enemy here, as we don't think about this often enough. But they still demonstrate the ongoing threat we face.

In July 2002, an Egyptian shot and killed two Israelis and wounded four others at the Los Angeles International Airport. Although the FBI did not find evidence linking the shooter to a terrorist group, the agency con-

cluded the shooting was an act of terrorism.

In March 2006, another radical Islamic terrorist injured six people when he drove his vehicle into a group of pedestrians at the University of North Carolina. The attacker claimed to have conducted the attack in order to avenge the killing of Muslims around the world by our American Government.

Another example is the "Fort Dix Six" plot in May of 2007. In that case, six men planned to kill American soldiers at the military base in New Jersey but were arrested before they could do so. The men were inspired by jihadi videos.

In June 2009, a terrorist shot two recruiters at a military center in Little Rock, AR. One of the recruiters was killed, and the other was seriously wounded. The shooter told the judge in his case that he was a soldier of Al Qaeda in the Arabian Peninsula.

Later in 2009, three radical Islamic terrorists were arrested just before they were able to conduct suicide attacks in New York City. One of these terrorists drove all the way from his home in Colorado to strike the New York City subway system with homemade explosives hidden inside a backpack. He later admitted in court that he was trained by Al Qaeda to be a part of what they call a "martyrdom operation." He further confessed that Al Qaeda officials ordered these suicide attacks from Pakistan.

Also in 2009, on Christmas Day, a terrorist often referred to as the Underwear Bomber attempted to blow up a bomb concealed in his underwear while on a flight over Detroit. Several days later, Al Qaeda affiliates in Yemen and Saudi Arabia claimed responsibility for that effort.

In May 2010, a terrorist tried to set off a car bomb in the middle of Times Square in New York City. He was arrested while attempting to flee the country on a flight to the Middle East. The bomber was trained and financed by the Pakistani Taliban.

More recently, the threat from radical Islamic extremism has sprung from the chaos in Syria. By now we are all familiar with ISIS, or the Islamic State. Last year, we witnessed the horrors of ISIS's brutal and barbaric beheading of American journalists James Foley and Steven Sotloff, and aid worker Peter Kassig in Syria.

As FBI Director Comey explained to the Senate Judiciary Committee earlier this year, ISIS presents a new type of Islamic extremist organization. For one thing, ISIS exploits social media to promote its terrorist agenda and encourage people within the United States to commit terrorist attacks. As Director Comey explained, ISIS's propaganda machine is like a devil on somebody's shoulder saying: "Kill, kill, kill;" and "if you can't come to Syria,

kill somebody where you are. Kill somebody in uniform. Kill anybody.” Those are the words Comey used in paraphrasing the message that comes from ISIS on social media.

ISIS’s deadly message of terror is having a profound effect here in our country. Over the last year, the government has stopped numerous individuals in the United States who tried to travel to Syria to fight for ISIS. According to Director Comey, over 200 Americans have traveled or attempted to travel to Syria for this purpose. I fear that such individuals who successfully return home could recreate the Paris attack here in our country, given the training, the indoctrination, and the battlefield experience they received abroad. The Washington Post reported on November 16 that 66 men and women in the United States have been charged with crimes associated with ISIS, including both attempting to travel to Syria to join ISIS or planning attacks here.

Beyond ISIS’s recruitment of Americans to fight in Syria, the Paris attack demonstrates the extreme dangers the group now poses here in North America. Look at what occurred just over the past year or so. In October 2014, a radical Islamic terrorist who could not obtain a passport to travel to Syria shot up the Parliament in Canada, killing a Canadian soldier on duty at the Canadian National War Memorial. The next day, a self-radicalized Muslim convert attacked four police officers on the streets of New York City with a hatchet after watching ISIS Internet propaganda.

In January of this year, the FBI arrested a person in Ohio for plotting to attack the U.S. Capitol with pipe bombs and guns. The terrorist also allegedly expressed a desire to support ISIS, and he had posted videos and messages on social media, supporting violent attacks by radical Islamic terrorists.

Later, in May of this year, two Islamic terrorists drove from Arizona to Garland, TX, to attack a conference center during an art exhibit. The center was hosting an exhibition of cartoons depicting the Islamic Prophet Mohammed. The pair shot and injured a security guard before being killed by a police officer. ISIS subsequently claimed responsibility for that attack.

In June 2015, law enforcement officers in Massachusetts shot and luckily killed a knife-wielding member of a group of ISIS supporters who were plotting attacks here in the United States, along the lines of what Director Comey has said: Just go out and “kill, kill, kill.” Two other alleged terrorists were arrested and are being prosecuted.

Just this month, an American was arrested in Ohio for supporting ISIS. He allegedly posted online detailed personal information, including their addresses, of 100 U.S. military members.

He had then allegedly called on fellow terrorists to kill these military personnel in their homes and communities, along the lines of what the social networking message is from overseas to people in the United States, as Director Comey has reported to us: “Kill, kill, kill.” Just kill anyone.

More chilling than a lot of this is the video released earlier this week. On Monday, ISIS released a video warning countries against participating in air strikes in Syria. The video claimed that ISIS would attack these countries just as it attacked France last Friday. The video specifically threatened to attack this city, right here, Washington, DC.

According to the New York Times just this morning, “at least three dozen people in the United States suspected of ties to the Islamic State were under heavy electronic or physical surveillance even before the Paris attacks.” That ought to wake us all up to the dangerous environment that exists.

It is all too obvious that we will continue to face attacks from radical Islamic terrorists in the future. We ought to remind ourselves every day about this potential threat. So to help remind us both of that certainty and that we must be prepared for it, I ask unanimous consent to enter into the RECORD a long list of terrorist attacks in the United States that I prepared from public sources. The list may not include each and every attack by terrorists, but it does include a wide variety of attempted and planned attacks against our citizens. Because of space limitations on material submitted for the RECORD, a more complete and annotated list can be found on my website. That list also includes a separate list of individuals prosecuted in the United States for attempting to leave the country to fight for ISIS.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RADICAL ISLAMIC TERRORIST ATTACKS AND PLOTS IN THE UNITED STATES SINCE 9/11

I. SUCCESSFUL ATTACKS

July 4, 2002: Hesham Mohamed Hadayet, a 41-year-old Egyptian national, shot and killed two Israelis and wounded four others at the El Al ticket counter at Los Angeles International Airport. Although the FBI did not find evidence linking Hadayet to a terrorist group, the agency concluded the shooting was an act of terrorism because of Hadayet’s stated anti-Israel views and opposition to U.S. Middle East policy.

March 5, 2006: Mohammed Reza Taheri-Azar injured six people when he drove a Sport Utility Vehicle into a group of pedestrians at the UNC-Chapel Hill campus. Taheri-Azar claimed to have conducted the attack in order to avenge the killing of Muslims around the world by the U.S. government.

July 28, 2006: Naveed Afzal Haq shot and killed one woman, and wounded five others, at the Jewish Federation building in Seattle, Washington. During the shooting, Haq spoke with a 911 dispatcher and said “these are

Jews and I’m tired of getting pushed around and our people getting pushed around by the situation in the Middle East.”

June 1, 2009: Abdulhakim Mujahid Muhammad shot two military recruiters at a Little Rock, Arkansas Army/Navy Career Center, killing one and seriously wounding the other. Muhammad had previously converted to Islam and spent approximately 16 months, beginning in 2007, in Yemen. Although no independent, public confirmation of Muhammad’s ties to Al-Qaeda in the Arabian Peninsula exists, Muhammad wrote to the judge in his case stating that he was “a soldier” of Al-Qaeda in the Arabian Peninsula and undertook his attack as revenge for U.S. killing of Muslims in Iraq and Afghanistan.

November 5, 2009: Nidal Malik Hasan, a U.S. Army Major serving as a psychiatrist, shot and killed 13 people and wounded several dozen others at Fort Hood, Texas. Hasan stated that his motive was jihad to fight “illegal and immoral aggression against Muslims” in Iraq and Afghanistan. Hasan had earlier exchanged 18 e-mails with Anwar al-Awlaki, an important, U.S.-born leader of Al-Qaeda in the Arabian Peninsula.

April 15, 2013: Tamerlan Tsarnaev and his younger brother, Dzhokhar Tsarnaev, detonated two bombs within moments of each other near the finish line of the Boston Marathon, killing three people and injuring hundreds more. Although the brothers were motivated by radical Islam to carry out the attacks, they did not appear to have had any direct ties to Islamic terrorist organizations.

October 23, 2014: Zale Thompson attacked four New York City police officers with a hatchet, injuring two of them (one critically) at a Queens, New York shopping district. The police shot and killed Thompson, and a bystander was injured in the process. Thompson appears to have been a self-radicalized Muslim convert who had posted “antigovernment, anti-Western, anti-white” messages online.

May 3, 2015: Elton Simpson and Nadir Soofi began shooting outside the Curtis Culwell Center in Garland, Texas during an art exhibit hosted by an anti-Muslim group called the American Freedom Defense Initiative. The center was hosting an exhibition of cartoon adaptations depicting the Islamic Prophet Muhammad. The pair shot and injured a security guard before being killed by a police officer. The Islamic State of Iraq and Syria subsequently claimed responsibility for the attack, though the group did not provide evidence of how it was involved with the shooters or in the attack.

July 16, 2015: Muhammad Youssef Abdulazez—who reportedly had been in various locations in the Middle East for nearly seven months last year—shot at government personnel in two military installations in Chattanooga, Tennessee, first through a drive-by shooting at a recruiting center, then by traveling to a naval reserve center and continuing to fire. Before being killed by police, Abdulazez killed four Marines, and wounded another Marine, a Navy sailor, and a police officer. The Navy sailor died from his wounds two days later. The FBI is investigating the attack as an act of terrorism.

II. UNSUCCESSFUL ATTACKS AND PLOTS

December 22, 2001: British citizen Richard Reid attempted to detonate explosives packed in his shoes while on a flight from Paris to Miami. The airplane’s crew and passengers subdued him, and the plane landed safely in Boston. Reid had previously received training at Al-Qaeda terrorist camps in Afghanistan.

May 8, 2002: Jose Padilla was arrested at Chicago’s O’Hare International Airport and

subsequently accused of plotting to attack the United States with a radiological weapon (a “dirty bomb”). He had previously spent several years in the Middle East, and the U.S. government produced evidence at his trial indicating he had attended an Al-Qaeda training camp in Afghanistan.

May 1, 2003: Iyman Faris pled guilty to providing material support to Al-Qaeda and providing information to Al-Qaeda about potential targets in the United States—including a bridge in New York City.

August 2004: A group of men in the United Kingdom, led by Al-Qaeda “member or close associate” Dhiren Barot, were arrested for being part of an Al-Qaeda plan to bomb the International Monetary Fund, New York Stock Exchange, Citigroup and Prudential buildings in the United States, as well as targets in the United Kingdom. Barot had earlier scouted the American targets while visiting the United States in 2000 and 2001.

August 2004: Shahawar Matin Siraj and James Elshafay were arrested after conducting surveillance at the Herald Square subway station in Manhattan. The pair were planning to attack the station with explosives in response to actions by American military forces in Iraq.

August 31, 2005: Kevin James, Hammad Samana, Gregory Patterson, and Levar Washington were indicted on charges to wage war against the United States through terrorist activities. The men planned attacks against targets including American military and Jewish institutions, located in Southern California.

November 24, 2006: Uzair Paracha was convicted of conspiring to help an Al-Qaeda operative member suspected of planning bombing attacks in Maryland to enter the United States. Paracha was later sentenced to 30 years in prison.

June 23 2006: Seven men, known as the “Liberty City Seven,” were arrested for being involved in a plot to blow up the Sears Tower in Chicago as part of an Islamic jihad. Attorney General Gonzales stated later that year that the plotters had promised to fight “a full ground war against the United States.”

July 7 2006: Three men were arrested in Lebanon for plotting to bomb transit tunnels underneath the Hudson River in New York City. The men intended that the New York financial district would then be flooded. The FBI discovered the plot and gathered information on it through emails and chat-room postings on web forums used to recruit Islamic terrorists.

December 8, 2006: Derrick Shareef was charged with plotting to detonate hand grenades at a shopping mall in Illinois during the Christmas shopping season. Shareef was a Muslim convert who reportedly had discussed his desire to wage jihad against civilians and had also spoken of attacking government facilities.

2007: Sabrihan Hasanoff and Wessam Hanafi, beginning in 2007 and at the direction of Al-Qaeda members in Yemen performed surveillance on several potential targets, including the New York Stock Exchange, for future terrorist attacks in the United States. El-Hanafi forwarded the report to Al-Qaeda.

May 2007: Six men planned to kill American soldiers at Fort Dix, New Jersey, but were arrested before they could do so. This plot is popularly known as the “Fort Dix Six” plot, and the men appear to have been inspired by Jihad videos.

June 3, 2007: Four men were indicted for plotting to blow up jet-fuel tanks and a fuel pipeline at John F. Kennedy International

Airport in New York City. Assistant Attorney General Kenneth Wainstein said that the men “sought to combine an insider’s knowledge of JFK airport with the assistance of Islamic radicals in the Caribbean to produce” a “devastating attack.”

January 28, 2009: Bryant Neal Vinas pleaded guilty to joining Al-Qaeda and developing a plan with Al-Qaeda leadership to conduct an attack on the Long Island Railroad in New York.

February 26, 2009: Christopher Paul, also known as Abdul Malek, was sentenced for conspiring to use weapons of mass destruction against targets in Europe and the United States. Paul, who had received terrorist training at overseas terrorist camps in Afghanistan, and had subsequently joined Al-Qaeda, had worked with an Islamic terror cell in Europe to prepare to attack targets in the United States.

May 20, 2009: Four men were arrested for plotting to bomb Jewish synagogues in New York City after they had planted what they thought were bombs near two synagogues. The men also allegedly planned to shoot down U.S. military planes operating out of Stewart Air National Guard Base in Newburgh, New York. The men were apparently angry over the U.S.-led war in Afghanistan, and one told an FBI informant that he’d be interested in joining a Pakistan-based terrorist group “to do jihad.”

September 2009: Daniel Patrick Boyd and Hysen Sherifi were charged with plotting to kill U.S. military personnel at the Quantico marine base in Virginia. They had undertaken reconnaissance of the base and had practiced attacking the base in July. Boyd, along with several other suspects, had earlier been charged with international terrorism charges in August, but those charges did not concern attacks in the United States. Prosecutors played a tape during Boyd’s detention hearing where he decried the U.S. military, decried the struggle of Muslims, and mentioned the honor of martyrdom.

September 2009: Najibullah Zazi, and later Adis Medunjanin and Zarein Ahmedzay, were arrested for planning to conduct suicide attacks with homemade explosives in the New York City subway system. All three had received weapons training from Al-Qaeda in Afghanistan, and Zazi admitted in court that he was trained by Al-Qaeda to be part of a “martyrdom operation.” Evidence indicates that senior Al-Qaeda officials ordered the attacks. According to the indictment against Medunjanin, before being arrested for the planned subway attacks, on January 7, 2010, Medunjanin attempted to conduct an attack in New York City by intentionally crashing his car on the Whitestone Expressway.

September 24, 2009: Michael Finton, also known as Talib Islam, was arrested and charged for attempting to kill federal employees by detonating a car bomb at the federal building in Springfield, Illinois. He was arrested after he attempted to detonate what he thought was the bomb, but which was in fact a fake bomb. Finton reportedly idolized (and had written to) American-born Taliban member John Walker Lindh.

September 24, 2009: Hosam Maher Husein Smadi, an illegal immigrant from Jordan, was arrested for placing, with the intent to detonate, what he thought was a car bomb outside of the 60-story Fountain Place office tower in Dallas, Texas. FBI undercover agents met with Smadi over several months while posing as members of an Al-Qaeda sleeper cell. According to the FBI, Smadi “stood out based on his vehement intention to actually conduct terror attacks in the United States.”

December 14, 2009: Ehsanul Islam Sadequee and Syed Haris Ahmed were sentenced for their earlier terrorism convictions in support of terrorism. Among other activities, Sadequee and Ahmed had driven to and taken videos—for use by “the jihadi brothers abroad” with whom the pair were connected via the internet—of targets in Washington, DC., including the U.S. Capitol, the World Bank, the Masonic Temple, and a fuel tank farm.

December 25, 2009: Umar Farouk Abdulmutallab, a Nigerian citizen, attempted to blow up the commercial airliner he was flying on over Detroit by igniting high explosives concealed in his underpants. Several days later, Al-Qaeda’s affiliate in Yemen and Saudi Arabia claimed responsibility for the attempted attack. Abdulmutallab later plead to the charges against him and read a statement in court saying “I attempted to use an explosive device which in the U.S. law is a weapon of mass destruction, which I call a blessed weapon to save the lives of innocent Muslims, for U.S. use of weapons of mass destruction on Muslim populations in Afghanistan, Iraq, Yemen and beyond.”

May 1, 2010: Faisal Shahzad attempted, but failed, to detonate a car bomb in Times Square in New York City. Evidence indicated that the Pakistani Taliban was behind the attempted attack, and that Shahzad was in contact with the group via the internet while living in the United States. Shahzad was attempting to flee the country through a flight to the Middle East when arrested.

May 2010: Paul and Nadia Rockwood, from King Salmon, Alaska, were arrested for lying to the FBI about having compiled a list of 20 domestic terrorism targets, including members of the U.S. military, the media, and two religious organizations. The couple had also begun to acquire components for mail bombs. Rockwood, who had earlier converted to Islam and was studying the writings of Anwar al-Awlaki, sought to “exact revenge by death on anyone who desecrated Islam.”

October 20, 2010: Zachary Adam Chesser, a supporter of designated foreign terrorist organization Al-Shabaab, pleaded guilty to charges that included soliciting other jihadists online to murder U.S. citizens in the United States. Among other things, he pleaded guilty to taking specific, repeated steps to encourage jihadists to attack the writers of an American television show for the way the show had depicted Muhammad.

October 27, 2010: Farooque Ahmed, a naturalized U.S. citizen, was arrested for plotting to bomb multiple Washington, D.C. metro stations Ahmed believed he was conspiring with Al-Qaeda operatives in plotting the attacks.

November 26, 2010: Mohamed Osman Mohamud, a Somali-American, attempted to wage jihad by trying to ignite what he thought was a real bomb, but which was a fake bomb supplied by an undercover officer, at a Christmas tree lighting ceremony in Portland, Oregon. Among other statements Mohamud made regarding the attacks, he said “I want whoever is attending that event to leave, to leave either dead or injured.”

December 8, 2010: Antonio Martinez, also known as Muhammad Hussain, was arrested after a sting operation for plotting to blow up the Armed Forces Career Center in Catonsville, Maryland. Martinez, a Muslim convert, was motivated to plot the attack because he was upset that the U.S. and other militaries were fighting Muslims.

February 24, 2011: Khalid Ali-M Aldawsari, a Saudi Arabian student in the United

States, was arrested for planning and having begun to build bombs for use in various terrorist attacks in America. Targets of the attacks included former President George W. Bush's home, hydroelectric dams, nuclear power plants, nightclubs, and the homes of American soldiers who had been stationed in Iraq at the Abu Ghraib prison. Aldawsari described in his journal, as well as on blog postings, his desire for violent jihad.

May 11, 2011: Ahmed Ferhani, a native of Algeria, and Mohamed Mamdouh were arrested for plotting to attack Jewish synagogues in New York City. The pair were arrested after purchasing several handguns and one grenade. The two were said to be "committed to violent jihad."

June 23, 2011: Abu Khalid Abdul-Latif and Walli Mujahidh were arrested after purchasing machine guns and grenades for the purpose of conducting a suicide attack against a federal building housing the Military Entrance Processing Station in Seattle. The pair's motive was to conduct physical jihad in the United States, as they were upset about U.S. military activities in Afghanistan, Iraq, and Yemen.

July 27, 2011: Naser Jason Abdo, a U.S. Army Private who had been Absent Without Leave (AWOL), was arrested in a plot against Fort Hood, Texas. He was found with jihadist materials, weapons, explosives instructions, and materials. The explosives instructions were from an Al-Qaeda explosives course manual.

September 28, 2011: Rezwan Ferdous was arrested, following an FBI undercover operation, and charged for plotting to use a remote-controlled aircraft filled with explosives to attack the U.S. Capitol and the Pentagon. Ferdous planned to commit violent jihad with the materials, and hoped to cause a "psychological impact" by killing Americans—who he referred to as "enemies of Allah."

November 20, 2011: Jose Pimentel was arrested for building and plotting to detonate pipe bombs in and around New York City. Pimentel's intended targets included U.S. military personnel who had served in Iraq and Afghanistan, U.S. postal facilities, and police. Pimentel was described as an "Al-Qaeda sympathizer," though he is believed to have worked on his plot alone.

January 7, 2012: Sami Osmakac, a naturalized U.S. citizen from Kosovo, was arrested for plotting to use weapons and explosives "to create mayhem" in Tampa, Florida. He planned to conduct a car bombing, then take hostages, and to finally detonate a suicide belt he would be wearing. Osmakac told an FBI undercover agent that "We all have to die, so why not die the Islamic way?"

February 17, 2012: Amine El Khalifi, a Moroccan who was illegally inside the United States, was arrested following an FBI sting operation for plotting to carry out a suicide bombing inside the U.S. Capitol building. When arrested near the Capitol, Khalifi was carrying what he believed to be a loaded automatic weapon and a suicide vest.

September 15, 2012: Adel Daoud was arrested, following an FBI undercover investigation, for attempting to detonate what he thought was a car bomb in front of a bar in Chicago. Daoud had earlier expressed his interest online in engaging in violent jihad in the United States or overseas.

October 17, 2012: Quazi Mohammad Rezwanul Ahsan Nafis, a Bangladeshi, was arrested following a sting operation for plotting to bomb the Federal Reserve Bank in Manhattan. He was arrested after attempting to detonate what he thought was a 1,000

pound bomb near the door of the bank. Nafis undertook his plot on behalf of "our beloved Sheikh Osama bin Laden."

November 29, 2012: Raees Alam Qazi and his brother, Sheheryar Alam Qazi, both naturalized U.S. citizens of Pakistani descent, were arrested for plotting to attack New York City, possibly at Times Square. Raees, inspired by Al-Qaeda (members of which he had tried to contact) had recently traveled to New York to attempt to obtain explosives for the attack.

December 13, 2013: Terry Lee Loewen, an avionics technician, was arrested following an FBI sting operation for attempting to explode a car bomb in a suicide attack at the Wichita Mid-Continent Airport in Wichita, Kansas. Loewen is a Muslim-convert who had said to an FBI employee that "I have become 'radicalized' in the strongest sense of the word, and I don't feel Allah wants me any other way."

September 15, 2014: Mufid A. Elgeeh was charged with encouraging and helping prepare two other people to go to Syria and join ISIS. He had also allegedly plotted to shoot U.S. military members in the United States who had returned from Iraq. Elgeeh was arrested after purchasing two handguns, ammunition, and silencers.

February 25, 2015: Abdurasul Hasanovich Juraboev was charged for offering online to kill the U.S. President if ordered by ISIS. He, along with Akhror Saidakhmetov, allegedly then planned to travel to Syria to wage jihad on behalf of ISIS.

April 2, 2015: Noelle Velentzas and Asia Siddiqui were arrested, following a sting operation, for plotting to detonate explosives in the United States. The two allegedly discussed possible targets online and had acquired both multiple propane tanks and instructions on how to turn the tanks into bombs. Siddiqui had allegedly contacted members of Al-Qaeda on repeated occasions.

April 10, 2015: John T. Booker was arrested, after a sting operation, for allegedly trying to detonate a car bomb at the Fort Riley military base in Kansas on behalf of ISIS. Booker allegedly had spent months discussing different plans of attack before deciding on a suicide attack against the base, and had begun acquiring components for a vehicle bomb before becoming the subject of the FBI operation. He also allegedly repeatedly stated that he wished to engage in violent jihad on behalf of ISIS.

June 12, 2015: David Wright and Nicholas Rovinski were charged with conspiring to commit attacks against persons inside the United States, which was intended to further ISIS's objectives and therefore constituted material support to that group. Wright and Rovinski also allegedly intended to behead a man who had organized a conference in Garland, Texas that featured cartoons depicting Muhammad. Moreover, Wright and Rovinski allegedly conspired with Usamah Abdullah Rahim—Wright's uncle—who was shot and killed after attacking police officers. The FBI stated that Rahim had been under surveillance because he had bought fighting knives and spoken of imminently attacking "boys in blue." Rahim, when confronted by the police on a sidewalk, menaced the officers with a military-style knife before shooting him when he refused to drop the knife.

June 17, 2015: Fareed Mumuni and Munther Omar Saleh were arrested for allegedly conspiring to attempt to assist ISIS in committing a terrorist attack in the New York area. Mumuni and Saleh allegedly charged, with knives, at law enforcement officers who were trying to arrest them. Mumuni also alleg-

edly told authorities that he had pledged his support to ISIS.

June 19, 2015: Robert McCollum, who changed his name to Amir Said Abdul Rahman Al-Ghazi, was charged with, among other offenses, attempting to provide material support to ISIS. He allegedly had pledged his support to ISIS via social media, took steps to create propaganda for the group, and had tried to persuade others to join ISIS too. He allegedly had also expressed his desire to conduct an attack on the United States, and had attempted to purchase an assault rifle.

July 13, 2015: Alexander Ciccolo was arrested on gun charges after purchasing two pistols and two rifles from an undercover FBI informant. His apartment allegedly was loaded with bomb-making equipment and jihadi paperwork. Ciccolo allegedly had planned to travel to a town with a state university where he could attack students at the college. Ciccolo was turned in by his father, who said his son was inspired by ISIS, had said he is "not afraid to die for the cause," and reportedly characterized America as "Satan" and "disgusting."

July 28, 2015: Harlem Suarez was charged with attempting to use a weapon of mass destruction against a person or property within the United States. Suarez came to law enforcement attention following Facebook posts he made with Islamic extremist rhetoric and promoting ISIS. Suarez allegedly had told a confidential FBI source that he wanted to make a "timer bomb," which was to include galvanized nails and for which he had purchased components, to be buried and detonated at a beach in Key West, Florida.

November 12, 2015: Terrence McNeil was arrested in Ohio for soliciting the murder of members of the U.S. military. He had disseminated ISIS rhetoric and detailed U.S. military personnel information for 100 military members, then called on fellow terrorists to kill the military personnel in their homes and communities.

Mr. GRASSLEY. These lists include successful attacks that harmed Americans as well as unsuccessful attempts that did not—often thanks to law enforcement's efforts. What is common to all the attacks is that they were undertaken by terrorists who coordinated with radical Islamic extremists, were inspired by them or by those who shared their views. The listed attacks should serve as a reminder that we must always be vigilant. We must never forget that radical Islamic extremists are waging war against us. We must always be prepared to fight this battle and to defend against their attacks.

I am grateful this Thanksgiving season for the people in this country who do the difficult work of protecting us from terrorists every day. We must continually strengthen our country's ability to win this war. We must ensure that our military and Special Forces have the ability to take the fight to the terrorists overseas, wherever they are lurking. We must ensure that our intelligence agencies have the tools needed to identify terrorists and their plots, while preserving the civil liberties that make our country very special. And we must ensure that law enforcement is able to use the lawful

tools provided by Congress, consistent with our Constitution and approved by our courts, to help stop these terrorist attacks.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. ERNST). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. JOHNSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO BART AND CHERRY STARR

Mr. JOHNSON. Madam President, I rise today to pay tribute and to honor two great Americans, two wonderful people—Bart and Cherry Starr—for their numerous personal, professional, and charitable contributions to the Nation and the great State of Wisconsin.

We are all aware of Bart's extraordinary contributions on the football field as quarterback for the Green Bay Packers. Drafted in the 17th round in 1966, Bart proceeded to win 5 world championships, including victories in the first 2 Super Bowls. He was named the Super Bowl's Most Valuable Player for both games, but ever humble, Bart gave full credit to his teammates and to legendary coach Vince Lombardi for the team's historic success.

Over the years, Bart has received many honors. He was selected as a Pro Bowl Player four times and was named the NFL's Most Valuable Player in 1966. He was recognized in 1970 with the Gladiator of the Year Award for best exemplifying the character attributes of a citizen-athlete. And he has been inducted into multiple Halls of Fame: The Alabama Sports Hall of Fame in 1976, the Pro Football Hall of Fame in 1977, and the Wisconsin Athletic Hall of Fame in 1981.

Bart's football legacy goes beyond technical skill. His excellence in leadership and strength of character earned him the respect of his coaches, teammates, and fans worldwide. He continues to be lauded as an example throughout the NFL. Every year, the Bart Starr Award is presented to an NFL player who demonstrates leadership and integrity on the field and in his community.

Bart considers his wife Cherry to be the most important member of the Starr family team. Cherry supported and inspired her husband as they raised their children, Bart Junior and Bret, and devoted herself to numerous charitable causes throughout their life together. Their gifts of time, financial support, and celebrity continue to be a part of a lifelong mission benefiting many charities and causes.

At the height of his career with the Packers, Bart and Cherry cofounded

Rawhide Boys Ranch, a home for at-risk boys. Over the years, the Rawhide Boys Ranch has grown into a campus comprised of seven boys homes, a state-of-the-art high school named in honor of Bart and Cherry Starr, and numerous work experience facilities that expose youth to a variety of trades.

Bart and Cherry also served as honorary chairpersons for the Vince Lombardi Cancer Foundation for more than 44 years. Their work behind the scenes was central to raising more than \$16 million for cancer research.

In addition, Bart and Cherry have been longtime supporters of Cornerstone Schools of Alabama. Cornerstone offers a Christ-centered education committed to academic excellence for Birmingham's inner city children whose families have limited school choice.

Finally, Cherry's passion for animals fuels their generous support over many years for the Greater Birmingham Humane Society.

Bart and Cherry are very proud of their children, grandchildren, and great-grandchildren, but the accomplishment they value most, that they cherish most, is their 60 years of loving marriage. I am honored to recognize Bart and Cherry Starr for their exemplary lives. May their humble leadership, sacrifice, and love for others serve as an inspiration for all of us.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELIGIOUS LIBERTY

Mr. HATCH. Madam President, I rise to speak once again on the topic of religious liberty. This is the sixth in a series of addresses I have given on this critical subject. In my previous remarks, I have discussed why religious liberty matters and why it deserves special protection from government interference. I have also detailed the history of religious liberty in the United States and its centrality to our Nation's founding. Likewise, I have debunked the erroneous notion that religion is a purely private matter that has no place in the public domain.

Last week, I discussed the status of religious liberty in contemporary American life. I argued that, in ways that are both alarming and unprecedented, religious liberty is under attack here in the United States. Today, I turn my attention beyond our borders to examine the status of religious liberty abroad. Again, my argument is straightforward: across the world, religious liberty is under serious attack.

My observations are particularly relevant as we approach Thanksgiving. Our Nation commemorates this special holiday in remembrance of our pilgrim ancestors who fled persecution in search of religious freedom. These brave men and women sailed uncharted waters and settled strange lands in order to build a society where they could practice their religion free from state interference. Their earnest efforts precipitated not only the establishment of a new colony, but the birth of a nation committed to the principles of religious pluralism.

For America's earliest settlers, this land stood as a symbol of refuge—a haven from the storm of religious oppression that lingered over Europe. Centuries later, victims of religious persecution across the world still look to our shores for sanctuary. They see America as John Winthrop once described it: "As a city upon a hill"—a light that reaches across the oceans, giving hope to those still living in the shadows of religious intolerance.

Today our world needs that light more than ever. Nearly four centuries after the Pilgrims made landfall at Plymouth Rock, the state of religious liberty across the world is increasingly precarious. From brutal crackdowns on religious minorities in Central Asia to a growing wave of anti-Semitism in Europe; from the violent campaigns of Boko Haram in Africa to the nefarious specter of ISIS in the Middle East—religious liberty is under attack like never before.

Despite the rapid advance of democracy over the last century, the blessings of religious freedom are still inaccessible to a majority of the world's population. In fact, a recent Pew study finds that three-quarters of the global population "lives in countries with high-government restrictions and significant hostilities surrounding religion."

Think about that. In spite of the substantial progress our own society has made in securing individual rights and enshrining religious liberty in law, there are still billions of people across the world who are unable to exercise their religion freely and fully. There are still billions of individuals living under despotic regimes that not only fail to protect people from persecution, but that actively constrain the conscience of citizens through law. There are still billions of people who understand religious liberty as little more than a philosophical concept, much less a reality.

I wish I could offer these people hope. I wish I could say that the gradual march of progress will part the waters of religious intolerance, paving a clear path forward for religious liberty, but reality restrains my optimism. Around the world, hostility to religion is increasing.

Religious liberty abroad faces opposition from two sources: states and

nonstate actors. While I would like to relate an exhaustive account of the war being waged on both fronts, time permits me to highlight only the most grievous examples of persecution.

I begin with state-sponsored acts of religious oppression. Far from being a relic of the past, government persecution of religious minorities is alive and well. First, consider the state of religious liberty in Asia. China is perhaps the world's leading instigator of religious persecution. Last year, in a nearly unprecedented crackdown on religious expression, the Chinese Government bulldozed or removed crosses from more than 400 Protestant and Catholic Churches. According to the United States Commission on International Religious Freedom, many experts have characterized this growing tide of oppression against Christians in China as "the most egregious and persistent since the Cultural Revolution."

And Christian denominations are not the only groups facing oppression. Members of all faiths, including Muslims and Tibetan Buddhists, "face arrests, fines, denials of justice, [and] lengthy prison sentences" because of their religious beliefs. Practitioners of Falun Gong experience the most intense persecution. Sixteen years ago, the Chinese Government imposed an outright ban on the practice of Falun Gong. Since that time, the government has imprisoned believers in forced labor camps, subjecting them to psychiatric experiments and other heinous forms of torture. The government has even executed practitioners of Falun Gong, mutilating their bodies and harvesting their organs for profit. Our Nation can no longer turn a blind eye to these atrocities.

Nor can we ignore the plight of religious prisoners in North Korea, where Kim Jong-un has incarcerated thousands of his own citizens for their religious beliefs. These men and women are separated from their families and forced to work in concentration camps. While the government punishes followers of any faith, the country's Christians face the greatest persecution. If caught practicing their religion, Christians face imprisonment without trial. Many face execution.

In Southeast Asia, Myanmar is responsible for propagating religious bigotry, not so much by what it does but by what it doesn't do. Across the country, religious and ethnic minorities face increasing persecution at the hands of the Buddhist majority. Rather than intervene to protect these vulnerable groups from mistreatment, the Myanmar Government has stood idly by as an observer to the violence. As a result of the government's inaction, 140,000 Muslims and at least 100,000 Christians have been internally displaced.

In Africa and the Middle East, the situation is just as bleak. In Iran, de-

spite President Rouhani's promise to extend greater protections to religious minorities, the number of individuals detained because of their religious beliefs has actually increased during his term. Baha'is, Christians, Jews, and Sunni Muslims throughout the country face perpetual persecution, arrest, beating, and imprisonment. Some are even executed for their beliefs. And of course, there is perhaps no government on earth more vocal in its anti-Semitism than Iran.

Meanwhile, in Saudi Arabia, the state prohibits all non-Muslim public places of worship. Any citizen who dares question the government's repressive policies is likely to face charges of apostasy, blasphemy, and even sorcery—a crime punishable by death.

In Syria, Bashar al Assad has abandoned all appearances of religious liberty by deliberately targeting Sunni Muslim civilians in a bloody civil war. As he massacres his own people, he does so on the basis of their religious affiliation.

Madam President, I ask unanimous consent that I be permitted to finish my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. In Pakistan the government consistently fails to protect its own citizens from religiously motivated violence, and the courts exploit repressive anti-blasphemy laws to prosecute religious minorities. Egypt's courts convict and imprison citizens under the same pretext.

In Sudan the government harasses its minority Christian population and subjects Muslims and non-Muslims alike to the punishments of Sharia law. The state even executes citizens who convert from Islam to another religion.

Even in Europe, religious liberty is under attack, albeit in more subtle ways; take, for example, Switzerland, where a constitutional amendment placed a countrywide ban on the construction of minarets—a widely recognized symbol of Muslim prayer and devotion.

In another blow to Europe's Islamic population, France recently outlawed the wearing of burqas and niqabs in public. When a Muslim woman appealed the ban to the European Court of Human Rights, the court upheld the law.

What I have related here is only a small sampling of the manifold abuses taking place around the world. If I were to relate every instance of state-sponsored religious bigotry abroad, I would be speaking here for days.

And none of this is to mention the war against freedom being waged by non-state actors. In the past decade, we have witnessed an unprecedented rise of terrorist groups and other criminal organizations seeking to eradicate religious liberty altogether.

Take, for example, the rise of Boko Haram in the Lake Chad region of Africa. This Islamic terrorist organization made headlines last year after kidnapping over 276 Nigerian schoolgirls. According to the Human Rights Watch, Boko Haram has since forced these young girls to convert to Islam and undergo severe physical and psychological torture. Many of these young women have been subject to forced labor, and others have been raped while in captivity.

Boko Haram's central mission is to annihilate all Western social and political activities, including any religion that isn't Islam. In its fight against religious freedom and other Western values, the group has conducted indiscriminate attacks on civilians and has even used children as suicide bombers.

The brutality of Boko Haram is only surpassed by the barbarism of ISIS. Far from being the "jayvee team" President Obama once described, ISIS has proven to be perhaps the most formidable terrorist network in operation today. I fear that too many underestimate the threat ISIS poses to religious freedom. This is an organization whose very *raison d'être* is to establish a global Islamic caliphate and usher in the apocalypse.

As Islamic State militants carry out their mission, religious liberty is often the first casualty. In the barren world ISIS envisions, there is no room for dissent: either convert or be killed. Yazidis, Christians, and Shia Muslims throughout the Middle East have been confronted with this impossible ultimatum. Refusal to give in to the Islamic State's demands has resulted in mass executions, extrajudicial killings, kidnapping of civilians, forced displacement, the killing and maiming of children, rape, and other forms of sexual violence. The savagery of ISIS has even gone viral as the group posts videos of grisly beheadings on the Internet. In almost every case, captors target their victims on the basis of religion.

As we are all too aware, the cruelty of ISIS is not confined to the Middle East. Just last week, three teams of ISIS militants carried out terrorist assaults throughout Paris, detonating suicide bombs at a soccer stadium and opening fire on innocent civilians at a concert hall. The violence injured more than 350 innocent bystanders and claimed at least 129 lives in what is considered the worst terrorist attack on French soil in the nation's history.

We could call these attacks "senseless acts of violence" because that is exactly what they appear to be, both in the scope of their brutality and in the scale of their indiscrimination. But I fear that dismissing these attacks as "senseless" too often hides from our view the radical rationale that motivates such violence. ISIS does not kill merely to feed an insatiable bloodlust;

it kills because it wants to terrorize, shock, and intimidate other civilizations into submission. It kills because it wants to impose on all people a narrow-minded, medieval ideology of Islam—one that would rob us of our religious freedom and other fundamental rights.

Sadly, ISIS is not alone in its animus toward religious freedom. Nearly every terrorist organization that has vowed our destruction—be it Al Qaeda, Hamas or Hezbollah—seeks to strip us not only of our sense of security but also of the fundamental freedoms that make religious pluralism possible.

If we are committed to defending religious liberty overseas, we must confront the growing menace of Islamic extremism, and we must challenge those nations that engender religious intolerance through law. Today, by calling attention to the suffering of religious peoples throughout the world, I have demonstrated clearly and without question that religious liberty faces growing hostility abroad from both state and non-state actors alike. From the heavy hand of government to the violent campaigns of terrorist organizations around the globe, the right to worship according to the dictates of one's own conscience is under relentless attack.

With a fuller understanding of the threats facing religious liberty, the question now becomes: What is to be done? If religious liberty is under attack abroad, what can our Nation do to protect this precious freedom now and in the future?

First, we must recognize that protecting religious freedom abroad is not just a question of moral principle; it is a matter of national security. Often, violations of religious liberty abroad threaten our own safety at home. As a case in point, consider the role of religious intolerance in the Syrian civil war. Bashar al-Assad quickly disposed of religious freedom when he began deliberately targeting Sunni Muslims, murdering thousands of citizens on the basis of their religion. His brutal actions precipitated the formation of ISIS—an organization hell-bent on destroying other religions and entire civilizations in the name of Islam.

As ISIS gained in strength, it began to export its extreme ideology abroad, triggering several attacks throughout the world, including last week's coordinated assaults in Paris. Now, ISIS poses a formidable threat to the United States and all of our allies. Assad's blatant disregard for religious liberty not only escalated violence in the region but also catalyzed the formation of ISIS. As a result, the world is less safe.

Given the obvious nexus between protecting religious liberty and strengthening global security, I agree with the following assessment from the U.S. Commission on International Freedom:

In the long run, there is only one permanent guarantor of the safety, secu-

rity, and survival of the persecuted and the vulnerable. It is the full recognition of religious freedom as a sacred human right which every nation, government, and individual must fully support and no nation, government, or individual must ever violate.

If we are committed to bolstering the security of other nations, then we must be equally devoted to strengthening religious liberty abroad. At the forefront of foreign policy should be a commitment to defend and advance religious liberty in countries where it is under attack. We should also be prepared to reevaluate our relationship with governments that fail to make religious liberty protections a priority.

Congress took concrete steps to prioritize religious freedom as a foreign policy objective when it passed the International Religious Freedom Act of 1998. This law established the Ambassador-at-Large for International Religious Freedom. The Ambassador oversees the State Department's Office of International Religious Freedom, which monitors discrimination against people of faith and publishes an annual country-by-country report on the status of religious freedom abroad.

This historic legislation also created the U.S. Commission on International Freedom—an independent, bipartisan organization that closely follows religious persecution in other countries and offers recommendations to the executive branch and Congress on how best to promote religious freedom overseas.

As one of the only countries in the world to make religious liberty an explicit foreign policy objective, our nation is unique in its commitment to this preeminent freedom. As a legislative body, Congress can renew that commitment by continuing to support the provisions of the International Religious Freedom Act. The future of religious liberty overseas depends on our willingness to strengthen it here in Congress.

Lastly, if we are committed to protecting religious liberty abroad, we must be ready to defend it here at home.

At the beginning of my remarks, I recalled the imagery of John Winthrop's "City on a Hill." Throughout our Nation's history, several public figures have invoked Winthrop's allusion to capture a simple truth: America's special freedoms make her a light to other nations.

Through our robust exercise of religious liberty, we offer hope to people beyond our borders—men and women suffering under the yoke of oppression who look to our country for sanctuary. As our nation strives to be an example of religious freedom, we can offer greater hope to those persecuted for their religious beliefs, and by addressing threats to freedom of conscience here at home—including the attacks on

religious liberty that I detailed in previous remarks—we can strengthen and beautify our City on a Hill, building upon the foundation laid for us by our Pilgrim forbears, so that the light of our Nation might shine before all mankind.

With this call to action, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I ask unanimous consent to address the Senate in morning business for such time as I may consume.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST— S. 2303

Mr. MCCAIN. Madam President, over the last month, in a series of terrorist attacks around the globe that have killed hundreds of people, ISIL has commenced a new phase in its war on the civilized world. We have seen attacks in Ankara, Beirut, and Baghdad, the bombing of a Russian airliner over Egypt, and, of course, the horrific scenes last Friday in Paris, where ISIL gunmen wearing suicide belts attacked innocent civilians at restaurants, bars, a soccer stadium, and a concert hall, killing, as we know, 129 people and wounding 352 others.

This evolution in ISIL operations further highlights the threat that they pose to countries beyond the Middle East, including the United States of America. We cannot and should not wait for ISIL to attack the United States before we finally, finally, finally acknowledge that we are a nation at war and that we must adopt a new strategy to destroy ISIL.

What we must also acknowledge is that while the threat posed by ISIL and our other adversaries is growing, our national security budgets are increasingly disconnected from our national security requirements. Regardless of what ISIL will do next or how the United States will decide to act, our national security budgets through fiscal year 2021 have been arbitrarily—I emphasize "arbitrarily"—capped by the Budget Control Act.

To be sure, the recently passed Bipartisan Budget Act of 2015 provides important relief from the sequester-level budget caps for fiscal year 2016 and 2017, and I am grateful to the Republican majority leader for leading that effort. Our national defense would be in far worse shape without that legislation. At the same time, that agreement is less optimal for next year and obviously does not seek to address the budget caps that continue for the next 4 years. Indeed, under the revised Budget Control Act, in constant dollars, we are actually on track to spend less on defense next year than this

year. It has not taken long for world events, yet again, to show the inadequacy of this exercise. At roughly the same time we were locking in next year's defense budget caps, ISIL began demonstrating its capability to strike targets outside of Iraq and Syria and now at the very center of the western world.

Indeed, since the Budget Control Act of 2011 capped defense and other discretionary spending for the subsequent 10 years, absent any consideration of changing global threats or national requirements, let's consider what has transpired since 2011. Any semblance of order in the Middle East has collapsed. We are all tragically familiar with the carnage in Syria and Iraq, but Libya has also deteriorated into anarchy and safe havens for ISIL and its affiliates. Yemen has become the scene of a proxy war between Iran and the gulf Arab nations. General David Petraeus testified to the Armed Services Committee: "Almost every Middle Eastern country is now a battleground or a combatant in one or more wars."

From the outset, the Obama administration's policy was to withdraw from the Middle East. The President pulled all U.S. troops out of Iraq and put us on the path to do the same in Afghanistan, but as we expected, and as I predicted, evil forces have moved in to fill the vacuums that we have left behind. ISIL has captured large swaths of territories in Syria and Iraq and has spread across the region to Afghanistan, Libya, Egypt, and other countries.

As a result, we now have thousands of troops back in Iraq. The U.S. military has conducted over 6,000 airstrikes in Syria and Iraq to combat ISIL. We are increasing counterterrorism operations in North Africa and providing military assistance to Saudi Arabia and our gulf partners fighting in Yemen. The situation in Afghanistan has driven the President to further delay the drawdown of U.S. troops. The effectiveness of these policies is questionable, but their cost is not.

In Europe, we have seen Russian forces invade Crimea and intervene militarily in Ukraine. This is the first time since World War II that one government has invaded and sought to annex the territory of another sovereign territory in Europe. Since then, Vladimir Putin has grown bolder. He continues to modernize Russia's military. And most recently, of course, he has deployed Russian forces into Syria to prop up the Assad regime, even firing cruise missiles into the region from outside of it, as far away as nearly 1,000 miles.

Russia's actions have now forced the administration to bring back to Europe on a rotational basis one of the two brigade combat teams that it withdrew. As Russia continues its aggression in Europe and increases its involvement in the Middle East, the Sec-

retary of Defense acknowledges that we need an entirely new strategy to counter Russia. All of this requires proper funding—all of it. All of it requires proper funding levels, but our defense agencies have not gotten that, even as they have been asked to do more to counter Russia.

The situation isn't limited to Russia and Europe. China is growing more assertive as well. It has built several land features in the South China Sea, equipped with military buildings, fort facilities, and even runways, all in an effort to expand Chinese territorial claims in the area. In addition to harassing other regional states, five Chinese navy ships were spotted in the Bering Sea off of Alaska during President Obama's recent trip to Alaska. Meanwhile, hackers in China continue to conduct cyber espionage and cyber attacks against our government and critical sectors of our economy. Russia, Iran, and North Korea are doing so as well, all in the past year.

Again and again, national security requirements have materialized after the Budget Control Act was passed, but we forced our military to tackle a growing set of missions with arbitrary and insufficient budget levels, revised periodically with whatever additional resources the Congress is able to scare up. The results speak for themselves. Since 2011, as worldwide threats have been increasing, we have cut our defense spending by almost 25 percent in annual spending. Not only has annual spending decreased, but so have the long-term budget plans of the Department of Defense. Each year the Department releases a 5-year budget. However, each year it has reduced its 5-year plan in an effort to closer align its spending to the Budget Control Act. As a result, while the short-term effects of these arbitrary budget caps are bad enough, the long-term harm they are doing is arguably worse. Our military is raiding its own future readiness, modernization, and research and development spending to pay its present bills and meet present needs. We are not making the kinds of investments in our future warfighting capability to remain technologically superior to adversaries that are closing the gap with us.

What is even more troubling is that even as we made these reductions, our national security and defense strategies have stayed essentially the same. Day-to-day requirements for the military have not been reduced to match declining budgets. Independent analysis by defense experts at places such as the Center for Strategic and Budgetary Assessments and the RAND Corporation have all pointed out that current budget levels and even the President's budget are insufficient to pay for our national security strategy given the current threat environment.

All of this applies equally to our other national security agencies be-

yond the Department of Defense. Protecting our Nation is not just the job of the U.S. military; it also depends on a strong and properly resourced intelligence community, Federal law enforcement, and homeland security agencies, and a diplomatic presence overseas that can project American leadership and resolve problems before they become threats to our people and our interests. Yet these other national security agencies have been dealing with the same fiscal challenges under the same worsening threat environment and with the same effects as our military. Not just our military, but the NSA, the CIA, the State Department, FBI—all of these agencies are unable to function effectively because of the effects of these budget cuts.

To continue on this way, especially after Paris, is not only absurd, it is dangerous. If we are serious about national security, if we are serious about meeting our highest constitutional responsibility of providing for the common defense, and if we are serious about heeding the frequent and urgent warnings of our Nation's most respected national security and foreign policy leaders, then we must change course immediately. We cannot continue to prioritize deficit reduction over national defense, allowing arbitrary budget caps to determine our national security needs.

This process ought to be simple. We must identify what we need to be safe, define those requirements clearly, and provide budgets to resource them. The two can't be disconnected. If we choose not to fight ISIL or deter Russian aggression in Europe or uphold freedom of the seas in Asia, then we can justify the cuts to the budget. But neither the Congress nor the administration wants to do that, nor should we. The only responsible thing to do, then, is to spend the money that is necessary to meet the national security requirements we have set for ourselves. And with the threats to our homeland growing closer, we can't afford to delay any longer.

That is why I have introduced commonsense legislation that is long overdue. Its goal is simple: to exempt national security spending from sequestration under the Budget Control Act. This exemption would not just apply to the Department of Defense; it would also include the security-related functions of our intelligence agencies, the Department of Homeland Security, the State Department, and the National Nuclear Security Administration. By doing so, we will enable the President and Congress to build national security budgets based on national security requirements instead of arbitrary caps that entail greater risk to our Nation.

I know that some will express concern about the impact of this legislation on national deficits and the debt. I will match my record as a fiscal conservative with anybody's. I have spent

decades targeting wasteful government spending, and I believe we must tackle our debt problem before it overwhelms generations. But we cannot afford to put the lives of our men and women in uniform as well as those of our citizens at greater risk, which everyone—all of our senior military leaders—has said we are doing. By holding to these budget caps, we are putting the lives of the men and women serving in the military today at greater risk. Don't we have an obligation to these young men and women who are serving in the military in uniform? Just because of arbitrary caps, are we going to put their lives in greater danger? Of course the world has become more dangerous. Of course there have been tremendous upheavals. And we are asking them to do the job with less than they need in order to do it most effectively and at the very risk of their own lives. This is disgraceful. This is disgraceful, that we should neglect the view of every national security expert and every one of our uniformed leaders. They have all said the same thing in testimony before the Armed Services Committee.

I have asked them: Does sequestration and the effects of sequestration put the lives of our young men and women in uniform at greater risk?

Answer: Yes.

History does not repeat itself, but I do remember in the 1970s when we slashed defense spending and the Chief of Staff of the U.S. Army came over and said we had a hollow Army. We are now not approaching the hollow Army, but we certainly are approaching a point where we are unable to meet the new challenges that I just articulated in these comments, and we are putting the lives of the men and women in the military in greater danger. That is not what we are supposed to be all about.

We can't persist with the illusion that we will somehow balance the Federal budget and meaningfully cut the debt on the back of discretionary spending alone. Our defense and national security budgets are not the root of our spending problem. The real problem is rising entitlement costs and mandatory spending.

A Heritage Foundation report found that 85 percent of projected growth and spending is due to entitlement programs and interest on the debt. Reducing our debt will only be possible with real entitlement reform. Cuts to discretionary spending will not have a major long-term impact, but for years we have gone to that well because it is politically easier than reforming entitlement programs.

So the major sources of the debt are three: Medicare, Social Security, and interest on the debt. That is the problem we face. So we enacted arbitrary cuts on our Nation's national security capabilities in somehow trying to convince people that therefore we will reduce the debt. That is a lie. We don't

have the guts to stand up here and do the right thing, which is entitlement reform. Instead, we continue on this mindless sequestration—mindless because it is a meat ax.

I am happy to say that we have identified \$11 billion in this National Defense Authorization Act. As chairman of the committee, I have worked with Members on both sides of the aisle. We have identified \$11 billion in savings and lots more to come. We can trim from the defense budget a lot of the waste and inefficiencies that are there, but to do it with a meat ax is the wrong way to do it. I encourage other committees to use their authorization processes to reform government and eliminate wasteful spending. However, to purposefully shortchange our national security agencies is obviously penny-wise and pound-foolish.

Just last week, all of us went home and celebrated Veterans Day. There is probably not an event that is quite like it in all of the things we do in this Nation. To spend time with our veterans and to see our Nation honor them is a remarkable experience and incredibly uplifting. It seems to me that year after year, there are more and more Americans who are applauding and appreciating the service and sacrifice of our veterans. We are reminded that what makes America great is the men and women who serve it, and those who have served we honor. These volunteers sacrifice their personal comfort, their families, and sometimes their lives for this country. They always put the mission first, and it is time we do the same. We must fully resource national security so that those who work to keep us safe day in and day out have what they need to accomplish what we have asked of them. If their mission is worth the ultimate sacrifice, what other policy agenda could be more important?

These young men and women are putting their lives on the line as we speak, and what are we doing? We are mindlessly cutting defense and their ability to defend this Nation and themselves. It is a shameful chapter. It is a shameful chapter and an abrogation of our responsibilities to these men and women.

So the next time Members are home in their home States and they meet these men and women in uniform and they support the sequestration, look the other way because they are not taking care of those men and women who are willing to sacrifice.

I am sorry if my words sound harsh, but in this world we are in today, to continue this mindless sequestration is an abrogation of our responsibility as their elected leaders.

Madam President, I ask unanimous consent that the Committee on the Budget be discharged from further consideration of S. 2303 and the Senate proceed to its immediate consideration; I further ask consent that the

bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

What this is, for the benefit of my colleagues, is the elimination of sequestration for not only defense but all of our national security requirements and agencies of government that are suffering under this mindless sequestration.

I see my colleague from Rhode Island is going to object. All I can say to my colleague from Rhode Island is I am deeply, deeply, deeply disappointed in his objecting to doing the right thing for the men and women who are serving in the military.

The PRESIDING OFFICER. Is there objection?

Mr. REED. Madam President, reserving my right to object.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. I think Chairman MCCAIN is headed in exactly the right direction, which is trying to eliminate sequestration. The real answer is to repeal the Budget Control Act because the scope of relief offered by the chairman is certainly broader than just the Department of Defense, but it doesn't include all the agencies that actually protect us and interfere with our opponents. For example, the Department of Treasury, in terms of trying to suppress terrorist financing, would be subject to sequestration in this legislation; the CDC would be subject to sequestration, even if there were a biological attack—and unfortunately our opponents, particularly terrorists, have talked about such an attack.

It is not really the issue of sequestration; it is limiting the scope of relief. I think we should, as my colleague suggests, stand up and say we can repeal the BCA. Then we can talk about budgeting according to the demands, according to our total national security picture.

Longer term, national security in this country is certainly bolstered immediately by the Department of Defense, Department of Treasury, State Department, et cetera; but without education, without many other efforts in our government, we will not be able to truly defend the Nation. So for that reason, Mr. President, I with great reluctance object.

The PRESIDING OFFICER (Mr. HOEVEN). Objection is heard.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The senior assistant legislative clerk read the nominations of Peter William

Bodde, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Libya; Elisabeth I. Millard, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Tajikistan; Marc Jonathan Sievers, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Sultanate of Oman; Deborah R. Malac, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Uganda; Lisa J. Peterson, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Swaziland; and H. Dean Pittman, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mozambique.

VOTE ON BODDE NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Bodde nomination?

Mr. GRASSLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 95, nays 0, as follows:

[Rollcall Vote No. 309 Ex.]

YEAS—95

Alexander	Brown	Collins
Ayotte	Burr	Coons
Baldwin	Cantwell	Corker
Barrasso	Capito	Cornyn
Bennet	Cardin	Cotton
Blumenthal	Carper	Crapo
Blunt	Casey	Cruz
Booker	Cassidy	Daines
Boozman	Coats	Donnelly
Boxer	Cochran	Durbin

Enzi	Lankford	Roberts
Ernst	Leahy	Rounds
Feinstein	Lee	Sasse
Fischer	Manchin	Schatz
Flake	Markley	Schumer
Franken	McCain	Scott
Gardner	McCaskill	Sessions
Gillibrand	McConnell	Shaheen
Grassley	Menendez	Shelby
Hatch	Merkley	Stabenow
Heinrich	Mikulski	Sullivan
Heitkamp	Moran	Tester
Heller	Murkowski	Thune
Hirono	Murphy	Tillis
Hoeben	Murray	Toomey
Inhofe	Paul	Udall
Isakson	Perdue	Warner
Johnson	Peters	Warren
Kaine	Portman	Whitehouse
King	Reed	Wicker
Kirk	Reid	Wyden
Klobuchar	Risch	

NOT VOTING—5

Graham	Rubio	Vitter
Nelson	Sanders	

The nomination was confirmed.

VOTE ON MILLARD NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Millard nomination?

The nomination was confirmed.

VOTE ON SIEVERS NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Sievers nomination?

The nomination was confirmed.

VOTE ON MALAC NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Malac nomination?

The nomination was confirmed.

VOTE ON PETERSON NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Peterson nomination?

The nomination was confirmed.

VOTE ON PITTMAN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Pittman nomination?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Mississippi.

MORNING BUSINESS

Mr. WICKER. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WICKER. Mr. President, I ask unanimous consent that Senator SHAHEEN of New Hampshire and I be able to

utilize up to 20 minutes for speaking in a colloquy.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. WICKER and Mrs. SHAHEEN pertaining to the introduction of S. 2307 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. WICKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASIDY). Without objection, it is so ordered.

DODD-FRANK LEGISLATION

Mr. MERKLEY. Mr. President, 7 years ago, Wall Street came closer to imploding than at any other time since the Great Depression. Wall Street had stacked the deck for themselves and against consumers by turning a banking system that in the past had helped families and businesses build their prosperity into a casino for Wall Street's own big bets. When things went badly, taxpayers were left holding the bag.

While our economy has slowly returned, the memory of the crisis is fresh in the minds of American families—millions of families who lost their jobs, millions of families who lost their homes, millions of families who lost their retirement savings.

For this reason, there is broad bipartisan support across America for not allowing the return of the Wall Street casino, with 9 in 10 likely voters saying it is important to ensure they are safe and fair for consumers and that they are designed to build the success of consumers.

Through the Wall Street reform bill, we ended predatory home lending practices. We stopped teaser rates that then had exploding interest loans. These loans went from 3 or 4 percent in the beginning, and then, after 2 years, would turn into 9 percent or 10 percent, ensuring that the family was unable to make their payments. We stopped the kickbacks that went to loan originators to steer their unsuspecting homebuyer clients into high-cost loans. We stopped the liar loans designed to fail just after originators got their commissions. In short, we restored home ownership and home loans as a powerful, wealth-building tool for the middle class in America. Indeed, over the course of the post-World War II history, home ownership has been the most significant wealth builder for the middle class. Wall Street turned it into a predatory, wealth-stripping experience, and we restored it to ensure the financial success of working families.

We ensured that banks and financial institutions have skin in the game, mandating they retain risk in the products they sell. We established the Consumer Financial Protection Bureau, or CFPB, to prevent scams from stripping wealth from our working families.

Before we established the Consumer Financial Protection Bureau, consumer protection was handled by the Federal Reserve. The Federal Reserve also handled monetary policy. Monetary policy was much more exciting, and perhaps they thought it was more up to their sophisticated educations. They took consumer protection and put it in the basement of the Federal Reserve, and they locked it up and then threw away the key. They never honored their responsibilities for consumer protection, allowing all of these predatory practices that we had to end through the Dodd-Frank legislation.

To date, the CFPB has returned more than \$11 billion to 25 million wronged consumers. That is a pretty impressive record. Show me something else that has brought a little bit of justice and a lot of financial restitution to 25 million wronged American citizens.

The commonsense reforms we established laid the groundwork for a financial system that is not premised on elevating quarterly profit margins on Wall Street. It is not about the size of bonuses on Wall Street but is instead about providing a foundation for our businesses and families to thrive financially. That is building the future prosperity of America.

Nobody wants to repeat the financial collapse, the bailouts, and the economic recession. We spent 6 years digging out of the hole that was created. But despite the fact that to return to this model would be so destructive to American families, there are at this very moment colleagues of mine gathering in rooms in the Senate and in the House who are preparing policy riders to return us back to those dark days. They want to add policy riders to the financial year 2016 appropriations bills designed to turn back these improvements that restored home ownership for American families, that restored financial systems for small businesses. I wholeheartedly oppose attaching these policy riders to the spending bills. And the American people don't like it either.

So what is going on? One conversation is to design policy riders to reverse the improvements we made in mortgage guidelines, to ensure that mortgages did build the wealth of the middle class instead of preying on the middle class.

Second, there are conversations going on about policy riders designed to weaken the tools and authorities of the Financial Stability Oversight Council, or FSOC. During 2002, 2007, 2008, we didn't have anyone systematically looking at weaknesses in the

system. I remember looking at a chart that laid out the vast growth in predatory teaser rate loans that started in 2003. As that chart surged upwards for those loans as a percent of all loans done in America, the number of prime loans came down just as dramatically. We now understand why. The originators were telling their customers: You don't want this prime loan—this low-interest rate locked in for 30 years. You want this teaser rate loan. You get a little bit of a lower rate in the beginning.

They never explained to their customer that their interest rate was going to go up dramatically just 2 years later to a level they wouldn't be able to afford, and yet that originator was getting undisclosed kickbacks.

I say this because had there been an FSOC in place, we would have been reviewing that chart and saying: Wait; what is going wrong? From 2003 to 2005, we have this huge surge in predatory lending. Why do we have this huge collapse of prime lending?

They would have talked to the Wall Street Journal. The Wall Street Journal ran an article, an analysis, a study that looked at this and virtually said that all those folks who are being steered into these subprime loans qualified for prime loans. This is the essence of a predatory practice. An FSOC would have seen that and said that something needs to be done. That is why we have it—to look at bubbles or possible bubbles in our economy or practices in our economy that are going to cause a future collapse and to remedy these problems before they happen. Despite that, we have folks right now trying to undo the creation of the FSOC or disable it from being able to do its job.

There is another group that is gathering to try to undermine the success or ability of having a watchdog—the Consumer Financial Protection Bureau—on the beat, ending predatory loan practices from here forward.

They can't just go through statute, because as soon as they outlaw this practice over here, another one develops over here. There are newly invented strategies to continuously find new ways to turn solid, successful financial products into predatory products—misleading products, gouging products, products that explode in a couple years that consumers are not fully informed on. So we have to have a commission to be able to stop those practices.

It is the same thing we have in consumer products. We don't have detailed legislation that says: You can't design a toaster with this, this, this, and this. Instead, we have a Consumer Product Safety Commission that looks at it and says: These new products are unsafe, and for these reasons they can't be allowed. New products come in, they get examined, and they make sure we con-

tinue to have safe products. It should be the same for our financial products.

The CFPB has done an extraordinary job ending predatory practices and returning funds to ordinary working families. If you want working families to fail, then allow predatory products. If you want them to succeed, if you have a vision for America that involves the success of families, then let's end these financial wealth-stripping predatory practices. That means the CFPB has to be able to do its job. So it would be 100 percent the wrong direction to put these policy riders in the dark of night to dismantle the Dodd-Frank protections on these spending bills.

The Senate Democratic caucus is going to keep fighting for our American families. We are going to keep fighting for our American consumers. We are going to keep fighting for the success of individuals across this country and to ensure that the Wall Street casino stays closed.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BUDGET AGREEMENT

Mr. COONS. Mr. President, 3 short weeks ago, many of us, many of my colleagues enthusiastically welcomed the budget agreement reached between the White House and congressional leaders of both parties. It was a budget agreement that put aside the short-term shutdown politics and gave us the opportunity to finally give American families and businesses the longer term economic certainty they need and deserve. It was a budget agreement that made balanced increases in both defense and nondefense discretionary spending—increases that were fully paid for. It was a budget agreement that was negotiated in good faith by Republican and Democratic leadership and the White House. It was a preview of what we might be able to accomplish if we put the politics of the moment, the partisan politics of the 2016 campaign, and other issues aside and actually focus on getting some things done.

Barely 3 weeks later, barely 3 weeks since bipartisan majorities approved the agreement in both letter and spirit, here we are again staring down a potential government shutdown we all thought we had avoided because there was some insistence here—some colleagues who are insisting on poisoning the appropriations bills with policy riders which they know are opposed and which would undermine the ability of the Federal Government to function.

Let's be clear. The policy riders we are discussing, the policy riders I am objecting to don't represent a good-faith policy debate. These are predominantly partisan political priorities that Republicans are otherwise unwilling to bring to the floor of this Chamber because they know they aren't popular with the American people. For example, in my view, we shouldn't be using the appropriations process to try to dismantle or sideline the Environmental Protection Agency and put clean air, clean water, and climate action at risk. If the majority chooses to make devastating cuts to Planned Parenthood, which more than 8,000 residents of my home State of Delaware rely on for health care and family planning, I think my colleagues should bring it to the floor in a separate bill so the American people know that is the focus of the legislation.

I join my colleagues today to make it clear that we are not going to use the appropriations process to pass narrow ideological riders that would not otherwise have been considered on this floor and have not made it through the appropriate process.

As the ranking member of the Appropriations financial services subcommittee, I want to be clear that it is particularly unacceptable to me to use the appropriations process to roll back many of the critical Wall Street reforms put in place over 5 years ago in response to the financial crisis that was devastating to the economy, to families, and to businesses throughout Delaware and the country. If the majority wants to bring a bill to the floor that rolls back some of the key consumer protections put in place in the Dodd-Frank bill, then let's have that debate. Frankly, it is a debate we at times have been engaged in on large- and small-scale issues.

The problem for my colleagues is that they don't have enough support in the Senate to pass these changes in a stand-alone bill. That is why they have taken the troubling step of jamming a 200-page bill—an entire banking bill loaded with controversial riders—right into a must-pass, last-minute government funding bill.

I ask my colleagues—it is my hope and my expectation that many of my Republican colleagues would say that I give honest and thorough consideration to new policy proposals, even ones I am disinclined to agree with. I am open to discussing ways to improve existing reforms so we don't unfairly burden, for example, small community banks that weren't responsible for the financial crisis. No legislation is perfect, but compromising and improving is what authorizing bills and policymaking bills are all about. But the examples I referenced are a few of many areas that should not be jammed into an appropriations bill at the last minute without being fully and carefully vetted by the authorizing committee.

It would be difficult for me today to address all the different policy riders that are in the various pieces of the appropriations bills currently under consideration. They range from education, to health, labor, natural resources, environment, civil rights, justice, housing, immigration, voting rights, telecommunications, to name just a few.

Our budgets—how we spend the taxpayers' dollars—are a reflection of our priorities. But there is a substantial difference between using the appropriations process to support a specific program, department, or Federal activity and using it to sneak around the legislative process and to jam new, big changes into last-minute appropriations bills.

Instead of manufacturing another crisis here in the days ahead, instead of having to look over the cliff of a government shutdown, let's get back to regular order, fulfill our responsibility to responsibly fund the government, and separately engage in positive discussions about how we can make the policy changes we need to ensure that our economy is competitive, that our country is innovative, and that our society continues to benefit from the work we all do here together.

PAUL RYAN has barely had time to set up his new office and settle into his new role and we are already back in crisis mode, walking back an agreement that, as I said at the outset, a majority of this Congress supported and a majority of America cheered.

I urge my colleagues to put the middle class and the stability and future of our economy ahead of partisan politics. Let's negotiate a clean and honest, a clear omnibus spending bill that is free of poison pill policy riders that only serve to divide this body and to unite special interests who at times work against us.

With that, I thank the Presiding Officer and yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AQUADVANTAGE SALMON

Ms. MURKOWSKI. Mr. President, I have come to the floor this afternoon to speak on an energy-related topic—one that I think the Presiding Officer and many will have interest in—and that is the issue of innovation within the energy sector.

Before I speak on energy, I wish to bring up an issue that has come about today with the announcement coming out of the Food and Drug Administration that they have approved an appli-

cation for what they have called AquAdvantage salmon.

This is actually quite disturbing news to any of us who care about our wild species of salmon, our healthy wild stocks, and who are proponents of good amounts of fresh seafood in our diets, knowing that nutritionally it is a pretty extraordinary source of omega-3 fatty acids and good-for-you nutrients.

We have been trying to get the FDA to make good on their commitment to make sure that pregnant women and nursing mothers know and understand the guidelines out there in terms of what is safe to consume when it comes to fish because, again, when we are looking for that good, nutritious food source, it is pretty tough to beat Mother Nature. Yet, that is exactly what this approval from the FDA is trying to do, which is, effectively, not only trying to beat Mother Nature but messing with Mother Nature.

Again, as one who believes that the real thing is the best thing for our families, the best thing to serve at the dinner table, I find it very troubling. In fact, I am spitting mad today. I have calmed down a lot since I received this news this morning, but I can tell my colleagues that people back home are going to be mad about this for a long time.

For about 5 years now, the FDA has been considering this application for this genetically engineered salmon. Again, they are giving it a pretty nice name, calling it the AquAdvantage, that somehow or another this gives an advantage to the salmon. Well, it does. What it does is allow this genetically engineered fish—I don't even know that I want to call it a fish—this genetically engineered organism to grow twice as fast as any other salmon in the water.

So how does it get to grow twice as fast? Well, it doesn't happen naturally. It is not the way Mother Nature orders it. What they do is they start messing with it. This process, which has now been approved by the FDA, is a process that splices genetic material from a Chinook salmon, a king salmon, and it takes that genetic material and it integrates it with a pout fish and an Atlantic salmon. People might know about an Atlantic salmon, a farmed salmon. What is an ocean pout? Let me show my colleagues what an ocean pout is. An ocean pout is basically this eel-type of bottom fish. Those of my colleagues who know their salmon know about the Chinooks, the sockeyes, and the chums, and they know that this isn't anything close to a salmon, whether it is a wild Alaskan salmon or whether it is a farmed salmon. This is an eel. We are taking a splice from this, and we are taking a splice from an Atlantic salmon, and we are basically splicing this with a Chinook salmon. The resulting organism, this company claims,

is going to grow to the size of an Alaskan king salmon in a shorter period of time than that found in nature. Freaky.

We call this combination “Frankenfish” because it is just not right. It is just not right. It disturbs me, quite honestly, that the FDA would sign off on the approval of a genetically engineered animal designed for human consumption. This is the first time ever.

The FDA is saying this is going to be safe: We are going to make sure it is safe. We are going to make sure that it doesn't interbreed with the wild stocks, and thus perhaps destroy them. We are going to make sure that it doesn't mix with them so that it doesn't transmit disease. We are going to make sure that it is separated so that it doesn't eat up all of the wild sources available for our Alaskan salmon.

They are going to make sure, apparently by doing this, because they are saying that with this approval, these AquAdvantage salmon can only be raised in land-based, contained hatchery tanks in two specific facilities in Canada and in Panama. We should all feel safer, I guess, because it is all going to be in Canada and Panama. There are no other locations under this application in the United States or elsewhere that are authorized to do this. Somehow or other, the FDA says they are going to maintain regulatory oversight over the production and the facilities, and they are going to conduct inspections to confirm that adequate physical containment measures remain in place. They will be working with the Canadian and Panamanian governments to be conducting inspections. Really? Do I feel safer about making sure that our wild and healthy stocks are going to be not infiltrated by the Frankenfish, by these genetically engineered organisms designed for human consumption, designed to grow twice as fast to get to the size of a king salmon, so that a company can derive the benefit of selling more of this fish.

Well, I am saying FDA should never have approved this—never have approved this. The fact is that the Alaska delegation, as well as members of other delegations in this body and on the other side, have pounded their fists for quite some time against this measure through the FDA. They know full well how much we object to it. At 7:55 last night my assistant got an email from the FDA saying that commissioner would like to talk to me about some imminent news. By the time the morning came around, the imminent news was already made public. Alaskans were already aware that this approval from FDA had come forth. It was not only me; it is my understanding that the head of the agriculture appropriations subcommittee—I met with him

yesterday—didn't get a heads-up about it. The nominee was before us yesterday in the HELP Committee, and I actually put two questions to him about seafood. There was no heads-up that this was coming our way, just kind of, boom, lay it on the table.

I have to tell my colleagues, we have made no bones about the fact that this is wrong not only for Alaska and our wild stocks, it is wrong for our salmon stocks around the country, and it is something I am going to continue to fight.

I am not sure as we deal with this news today if we can get the FDA to reverse this. I am going to keep working on it. But at a bare minimum, people around this country need to know what they are serving their families when it comes to seafood. If this is going to be allowed into the markets, if it is going to be allowed on restaurant menus, then it needs to be labeled as such.

The FDA has said there will be draft guidance on voluntary labeling indicating whether food has or has not been derived from GE Atlantic salmon. So, basically, if you want to put a label on that says this is a fake fish, a fake salmon, you can go ahead, but you don't have to. It is only voluntary.

That is not good enough for this mom. That is not good enough for most who care about what their families are eating. So we are going to continue to press for mandatory labeling if the FDA is going to approve—wrongheadedly, in my mind—this genetically engineered fake fish for human consumption. They darn well better agree that labeling will be required because I am not going to eat it.

ENERGY INNOVATION

Ms. MURKOWSKI. Mr. President, let me switch to a better topic, and that is one I know the Presiding Officer cares a great deal about; that is, the issue of energy and the importance of energy to our Nation's economy and to our overall health.

I have come to this floor many times to highlight what I believe are the shortsighted, anti-energy decisions that we have seen come from this administration. Whether we are talking about the Keystone XL Pipeline, more than 7 years of delay and the eventual rejection of that infrastructure, whether it is the burdensome rules coming out of the EPA that raise the energy costs or whether it is the actions from the Department of Interior that seek to halt resource development in Federal areas, this administration has rarely ever worked with us to promote responsible energy, mineral, and timber development.

In Alaska this ever-shifting Federal regulatory environment played a very key role in the recent decision by Shell to abandon 7 years of work and \$7 billion of investment in the offshore Arc-

tic. It was just this week we received word that another company, looking again at low oil prices but seeing this same deteriorating regulatory environment, decided to follow suit, and they are seeking to return their leases in the offshore.

The Obama administration has also canceled offshore lease sales in the State. It has hamstrung projects in our National Petroleum Reserve, which we absolutely need if we are ever going to refill our Trans-Alaska Pipeline. It has placed half of the National Petroleum Reserve off-limits, even though it was specifically designated for development. Of course we all know the situation in ANWR. This administration is trying to lock away 10 billion barrels of oil in the nonwilderness portion of ANWR, which could be safely produced with development of just 0.01 percent of its surface area. The list goes on and on.

I told you I was going to move to more promising and more uplifting subjects than Frankenfish and what the administration has done to suppress our ability to access our energy resources. I do want to move to another area because I think this is an area and a focus that I would like to believe we can find support, not only working with the administration but working with colleagues and building some partnerships on both the public and the private side. This is in the area of energy innovation, where I believe there is greater hope for working together with this administration to make a real difference for our Nation. Innovation holds tremendous promise, not just for us as policymakers but also in terms of long-lasting benefits that it can deliver for not only the United States but around the world.

Innovation doesn't require more complex and costly regulations. It doesn't need to choose winners or losers in the energy sector. Instead, innovation offers a chance at common ground that will deliver results and help power our Nation for decades to come. No matter your motivation for seeking cleaner and more affordable energy, we should all be able to agree that without innovation—without pushing every day for that greater technology—our energy future and our economic prosperity are hardly secure.

The good news for us in this country is that the United States is the global leader in innovation. We hear this is a race and that America is falling behind, but I would contend that our strength and skill are unmatched. Our innovation, ideas, inventions and our products and processes have changed history and in turn changed the world.

The United States has led the way in research and development that has changed our lives and lives across the world for the better. Among Federal agencies, the Department of Energy, in particular, has played an important

role in these efforts, and I think they can make even greater contributions, especially when it comes to vital basic research.

The DOE is hardly perfect. Many of us would make changes to the scope of its mission and improve its priorities if we were given the chance, but given that, the Department has also sparked innovation that has helped transform the global energy landscape. The most successful innovations give us more energy, reduce the amount of energy we use, as well as lower the cost we pay for energy. I think as we move forward we should keep those goals in focus and we will improve. Increasing access to energy, making it more affordable, and improving its environmental performance are the key factors that drive our innovation policy.

Those of us on the Energy and Natural Resources Committee are always talking about innovation and how best to promote it through reasonable Federal policies. We understand how critical it is to our Nation's future. That is why energy and the innovation part of energy is a key part of our broad bipartisan Energy bill that we reported through the energy committee by a vote of 18 to 4 back in July.

The bill also includes legislation that is authored by Senator ALEXANDER to renew some of the energy-related portions of the America COMPETES Act. We have agreed to authorize a 4-percent increase in funding for basic energy research each year, which I think puts us on a responsible path to double our Nation's commitment to it.

It is basic research that is at the heart of the mission of our system of national labs and also many of our research universities. The men and women in the research sector are pushing to make that fundamental discovery—to conduct the basic research that could find the next big thing for energy. This type of research should be a priority for us, and the Department of Energy should be committed to helping new discoveries transition to market viability.

Within this bipartisan bill we also reauthorize the ARPA-E Program, which solicits ideas that are too early for private sector investment but with bridge funding has the opportunity to transform the energy sector. ARPA-E is a true hands-on program that ensures awardees meet milestones toward the goal of market viability. ARPA-E hasn't been around that long, but it has been promoting some good ideas, strong ideas, and producing some good results.

Our bill also supports innovation in a number of other areas; specifically, energy efficiency, energy storage, and distribution; in vehicles it provides for hybrid microgrid systems; and for recycling, for geothermal power, for marine hydrokinetic, and for many other developing technologies.

Recently, we have also seen more reports of private individuals and companies who plan to invest in energy technologies with the potential to transform the way energy is produced, delivered, and consumed. This, too, will help drive energy innovation in this country.

Back in July, Bill Gates announced his personal commitment to invest \$1 billion over 5 years to advance new energy technologies. He made that commitment based on his recognition that currently available energy options will not allow the world to achieve its much discussed climate goals in a way that also works to reduce the costs for people using energy. It is one thing to be working toward climate goals, but in doing so if all that we do is increase the cost to the consumer, that doesn't help us. His focus is as much on clean air and clean water as it is on lifting people around the world out of poverty.

I had the opportunity to meet with Mr. Gates several weeks ago and look forward to seeing what comes out of his commitment. I am also following the possibilities that are coming out of venture capital and other private investments. I think these efforts augment the Federal research and development dollars, in many cases ensuring that promising technologies are not just set up on a shelf somewhere but are pursued to a successful and productive result.

Now you have heard me say it on the floor many times, but we in the State of Alaska are desperate to see energy innovation. Energy prices in many parts of Alaska are much higher than the prices paid by our friends in the lower 48. In some communities in Alaska it costs 40 to 50 cents a kilowatt hour for electricity. In certain parts of the State, over half of a family's budget goes just toward energy to keep warm and keep the lights on. Can you imagine what that means when over half of your family's budget—half of your income—is used just to keep your lights on and keep yourself warm? It doesn't leave a lot for anything else, such as educating your kids, feeding them or for health care. It is a huge issue for us. There are so many things that contribute to the high cost of energy. It is the big geography and the lack of a comprehensive and interconnected energy delivery system. We have tremendous energy potential in the State of Alaska, and unfortunately many of our communities are just not powered by it. We have natural gas in abundance, and yet our second largest community in Alaska doesn't have access to natural gas. We are trying to get it there, but that is our current reality.

Many communities in rural Alaska still rely on diesel to generate their power. Delivering the diesel, whether it is moving it up river by barge or flying it in by plane is hugely expensive. It is

not sustainable. Innovation is essential to moving these rural communities—and even the not so rural communities—off diesel and onto more sustainable, locally generated, and less expensive energy systems.

What we are doing in Alaska is bringing some very innovative technologies to communities around the State through a variety of State-run programs that are largely financed by the revenues that are derived from our oil production. Think about that. We are a State that derives most of our revenues and income from oil. We are taking a nonrenewable energy source, taking the revenues from that and helping to facilitate our renewable resources—our resources that will be there for well into the future. These programs need to be financed. We are doing so much of it from our oil production. Responsible development of Alaska's resources has enabled our State to take the necessary steps to improve energy delivery in our remote communities. In many ways this is almost like a virtuous cycle, where current energy production helps fund the next generation of energy production and where we harness today's energy to significantly improve the lives of our people.

What we are seeing in the State are several communities working with various State agencies to integrate wind, solar, and geothermal into their electricity delivery system in an effort to displace the power that is normally generated from expensive diesel. It is the microgrids that we are seeing that are coming to be found as the solution. We are home to more microgrids in the State of Alaska than any other State out there. That is largely because they are the only option for us. They are the only option for many of our communities that lie far outside any regional transmission grid. We have transmission grids in what we call the Railbelt area. But it is difficult when you have large geography and small population numbers. So you are going to have to figure out how you can literally power one village at a time or maybe you get lucky and you are able to cluster a few.

But knowing what, for instance, the island of Kodiak has done with being able to power a major seafood-producing port through wind, combined with their hydro resources and also utilizing batteries—that area in Kodiak is almost 100 percent powered by renewable resources. This, again, is one of the major seafood-producing ports not only in the State but in the country. So the energy that is needed for those processes is coming to us by renewable energy sources—almost 100 percent. The irony—and we were able to talk about this briefly in the energy committee this morning—is that in order to meet increased demand in Kodiak, they are going to need to expand one of their hydro facilities, Terror

Lake, and so they have asked for assistance with that. If they cannot get the expansion, which some are objecting to because they don't want to see an expansion of that dam, what will happen? You go back to diesel. You go back to diesel. That is not the answer here.

So what we have been doing with pioneering of our microgrids is something that I think provides States and the Federal Government with ample opportunities to conduct research and develop solutions to better integrate renewable technologies into these microgrids. In order for renewable technologies to be effective in the State, innovative research and development is required, and I think the result of those efforts has made a dramatic difference in many communities.

Bringing renewables online in remote communities like Kodiak has displaced hundreds of thousands of gallons of diesel fuel, not only saving the people who live there hundreds of thousands of dollars but resulting in a cleaner environment overall.

I do think it is exciting to think about what a difference future innovations in renewable technologies and energy storage could mean for communities not only in a place like Alaska but really around our country and around the world. Whether it is through Federal research and development, whether it is through our State programs that are assisting our private capital, promoting innovation is a clear path to lower energy costs and a future with cleaner water and cleaner air.

We might not agree on every energy policy that comes to this Chamber, but I hope we can all agree that energy innovation is one key to ensuring our economic growth, our national security, as well as our international competitiveness. I look forward to working with colleagues in all of these areas.

With that, I see that my friend and colleague from Kansas—a gentleman who is always filled with thanksgiving and who has shared that with many of us today—is here on the floor, and so I will yield at this time.

The PRESIDING OFFICER. The senior Senator from Kansas.

Mr. ROBERTS. Mr. President, I thank the distinguished Senator from Alaska for her kind comments, her advice, and her help on several important issues we have worked on together. I hope she enjoyed the Thanksgiving meal we had—I guess it is called the Thursday lunch bunch.

TERRORIST ATTACKS AGAINST FRANCE AND GUANTANAMO BAY DETAINEES

Mr. ROBERTS. Mr. President, I rise today to congratulate the French Government for taking aggressive and appropriate action to arrest and kill the

terrorists responsible for last Friday's vicious attack in Paris that resulted in 129 killed and over 300 wounded. We all pray for the full recovery of those wounded and note that everywhere within our country we see the American flag at half staff, along with many displaying the flag of our ally France.

The good news today is that the mastermind of several terrorist plots and the plot that killed so many last Friday is dead. Abdelhamid Abaaoud is dead in the same fashion as his victims. So be it. Viva la France! Continuer le combat! Keep up the fight.

As our Nation memorializes those who perished in France, it is the absolute wrong time for President Obama and this administration to be putting forth a plan to relocate Guantanamo detainees to the U.S. mainland—the absolute wrong time.

Now we learn that the administration has delayed the much-publicized but secret plan to close Guantanamo and bring terrorists to the United States. White House spokesman Josh Earnest said, "I don't have any additional guidance for you but the plan will come relatively soon." He has been saying that for some time. Others think the plan could even be released while the President is gone for the G20 meeting in Turkey. As a personal aside, I might suggest he try to move the terrorists there. The reason President Obama delayed the plan is that we had a terrorist attack in France. France has gone to war. The United States is on high alert. Apparently he has tossed this decision and public announcement regarding the plan to the Department of Defense, which has stated there is nothing imminent. Thank goodness for that.

Now, beyond the security threat this poses to our communities in Kansas and in South Carolina or Colorado—the sites which this administration has surveyed for potential relocation—there has been no intelligence assessment regarding the danger of moving enemy combatants from Guantanamo to the United States. That is amazing. The question is, How can the administration ask Kansans or Coloradans or South Carolinians or any Americans to paint a bull's-eye on their community without providing assurances that moving detainees to the United States will not pose a threat to them or our national security? It seems unfathomable, yet this President is proposing to do just that.

This President's unending affinity for Executive orders risks overriding his Attorney General's view of the law, the advice of those at the Department of Defense, especially those close to Fort Leavenworth, and military law enforcement. It goes against the will of the Congress, which voted in this body 91 to 3 to maintain a prohibition on moving detainees to the mainland.

There is absolutely no intelligence to support the move—none. In short, the

Senate, Congress, Department of Defense, the Attorney General, and the American people have spoken.

Yesterday I wrote Department of Defense Secretary Carter to ask whether an intelligence report has been done to support the administration's claims that Guantanamo Bay is a recruiting tool for ISIS and other terrorist organizations. Some people believe that. Common sense tells you, however, that moving detainees to the mainland would be a greater recruiting tool for ISIS and other terrorist organizations. I asked if an assessment showed detainment in the United States would decrease recruiting or did an intelligence product show that national security threats would decrease if any enemy combatants are held in the United States. From my discussions with Members of this body on the Senate Intelligence Committee, the answer is that they have no comprehensive intelligence assessment.

Simply put, an assessment regarding the transfers of detainees to the mainland has not been done. So I have asked Secretary Carter and the Department of Defense to ensure that an assessment is completed. To do otherwise would be irresponsible and reckless. How can the President of the United States allow ISIS to paint a target on those who live near what would become Gitmo North? No community in the United States wants that label.

Fort Leavenworth, in particular, is not a suitable replacement for Gitmo. It is the intellectual center of the Army. It hosts our Nation's best and brightest warfighters at the Command and General Staff College, which also hosts 100 international officers every year.

I want to remind my colleagues just how important Fort Leavenworth's mission is to the Army and to our national security and of the risk that this entire mission would be endangered by making it a terrorist prison.

Fort Leavenworth is home to the U.S. Army's Training and Doctrine Command Combined Arms Center. The Combined Arms Center oversees 13 schools, including the Command and General Staff College. Most recently, Fort Leavenworth was named the "Army University," giving our intellectual center of the Army an official title. Since 1881, the Command and General Staff College and the Combined Arms Center have been engaged in the primary mission of preparing the Army and its leaders for war.

In order to accomplish critical missions, Fort Leavenworth develops and integrates Army leader development, doctrine education, lessons learned, functional training, training support, training development, and proponent responsibilities in order to support mission command and to prepare the Army to successfully conduct unified land operations in a joint, interagency,

intergovernmental, multinational environment—a lot of words. It is a big mission, an important mission. To degrade Fort Leavenworth to a terrorist prison would have ominous repercussions to our professional military and the value it serves every American and our national security.

In addition, we must consider how our allies will respond to having enemy combatants so close to their top military leaders training at Fort Leavenworth. In my effort to reach out to Embassies tied to the school, all have expressed their deep support for the International Military Officers Division, its value to their military and security, and the importance of maintaining the program at Fort Leavenworth. There is every possibility that the countries that participate in the Command and General Staff College would reconsider their participation given the relocation of terrorists. This would bring negative consequences and represent a terrible detriment to the partnership building that takes place during their course work. It would mean a loss of international cooperation for American military education and our national security.

There are so many imperative factors that must be examined at Fort Leavenworth, in Colorado, and in South Carolina, factors that we cannot ignore. The fact that the FBI has nearly 1,000 investigations into ISIS activity within the United States and all 50 States, that ISIS released a video right after the attacks in Paris stating that the United States was next, and, most important, the fact that we are not dealing with everyday criminals—the detainees currently held at Guantanamo Bay are enemy combatants, terrorists, individuals with no remorse, and with a recidivism of 30 percent and a strong desire to return to the battlefield. The reality is, these individuals and the organizations they support pose the greatest risk to national security we face today.

This administration should not obstruct the will of Congress reflecting the voice of the American people, which has prohibited this White House from transferring detainees from Gitmo to the United States every year since 2009 when we first won this battle. We won the battle back then. Why do we have to repeat it now?

If the President believes he can act without consequences, he is wrong. Again, 91 Senators voted in favor of this prohibition just last week when we passed the National Defense Authorization Act. That is not just a majority, that is a veto-proof majority. Article II of the Constitution does not provide this President—any President—with the power to ignore the law.

Just the other night in a tele-town-hall meeting, caller after caller asked if the President's actions are constitutional. The question was, How can the

President do this when Congress has prohibited funding? In my view and that of the President's own Attorney General, if the President acts by Executive order, he is acting unconstitutionally.

I agree with our Founding Fathers such as George Mason who said “When the same man, or set of men, holds the sword and the purse, there is an end of liberty” and James Madison who said it is “particularly dangerous to give the keys of the treasury and the command of the army, into the same hands.”

I have mentioned the Congress, the merits of Ft. Leavenworth, the Constitution, but what I have not mentioned yet are our servicemembers. We have asked so much of our men and women in uniform over the past 14 years. We have asked them to go into harm's way before every bit of equipment was ready. We have asked them to deploy and redeploy with almost no dwell time. We have asked them to extend their stays, and we have put them in more places across the globe than any period in history. They have done it all without hesitation or complaint because we have the best fighting force in the history of the world.

I am unwilling to ask them to take on the challenge of guarding enemy combatants in the United States and put their families at risk for harassment, kidnapping, or other tactics homegrown terrorists and foreign fighters have used or will use. Our soldiers, sailors, airmen, and marines do not live anonymously when their families are stationed with them, as is the case at Ft. Leavenworth.

I believe, along with many who have worn the uniform, that the attacks in Benghazi may have broken the Nation's promise to never leave a man in harm's way. On a personal note, when I signed up to enlist in the U.S. Marine Corps, I was told that if I was in harm's way, I would never be left behind. That is what the Marine Corps could do for me. The Corps would have my back either by squad—if I got in harm's way—or they would send the platoon or the company or the battalion or the regiment or the division or the whole Marine Corps, and I believed that. I still believe it as the senior marine in the Congress. The Marines would have my back.

It has been the same for generations before me and hopefully generations after—that is, until now. If we are going to ask our men and women to fight ISIS or to put their families at risk, they have to know that we have their backs.

Until that bond is restored and we have a President who is willing to lead instead of following, our Nation remains vulnerable to every terrorist organization and cell in the world. We must put national security back as our top priority. It must be our first duty

in Congress and by the Commander in Chief.

I stand on the floor because America's national security is my top priority. Bringing Guantanamo Bay detainees to the United States is not putting our Nation's security above politics, campaign promises, or anything else.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Ohio.

FUNDING VETERANS PROGRAMS

Mr. BROWN. Mr. President, the best way to fight this war on terrorism is to give the President of the United States the tools he has asked for and he needs. Part of that is fully funding support for veterans.

The Presiding Officer sits on the Veterans' Affairs Committee with me. He stood side by side with most of us on funding veterans programs.

Some of my colleagues haven't. They are happy to send people off to war and spend all the money we need but are not so generous when it comes to taking care of our men and women when they return. There are higher suicide rates, higher head injury rates, higher drug addiction rates, and higher unemployment than regular civilians. Yet people in this body, especially the tea party in the House of Representatives, sometimes don't seem to be able to find the money to spend to help veterans.

NOMINATION OF ADAM SZUBIN

Mr. BROWN. Another way to fight this war on terrorism and to help our efforts on fighting ISIS is to actually put the people in place in the U.S. Government who help us do that. I came to the floor today to join Senator CASEY—my friend from Pennsylvania who is going to mention him too—and to support the nomination of Adam Szubin.

Adam Szubin has been delayed for more than 200 days by Republican obstruction in the Senate banking committee. Well, who is Adam Szubin? Adam Szubin has been nominated—listen to this job—to be the Under Secretary for Terrorism and Financial Crimes at the Treasury Department. This isn't a low-level employee who has nothing to do with ISIS, fighting ISIS, and fighting terrorism; this is the No. 1 person in the Treasury Department—perhaps the No. 1 person in our whole government next to the Commander in Chief—who is in the position to fight terrorism and fight the kinds of financial crimes that ISIS depends on to fund its operations.

We had a hearing. Originally Mr. Szubin worked for the Bush administration for a number of years. He has been serving interim during the Obama administration, but my colleagues on the banking committee, my colleagues in the Senate, simply have refused to

bring Mr. Szubin to a vote. He served Republican and Democratic administrations in senior positions. There is no question, zero question, that he is qualified for this position.

Let me tell you a little more about him. In 15 years he has distinguished himself as a tough, aggressive enforcer of our Nation's sanction laws—not against England or Germany—but against countries such as Iran, Russia, North Korea, against money launderers, against terrorists, against narcotraffickers, the source of a good bit of the money for terrorist groups such as ISIS.

Republicans say the administration is not doing enough; Barack Obama won't stand up. Well, the Republicans are blocking this appointment that would give the President the tools he needs to fight terrorism.

Again, more about Mr. Szubin, he earned his undergraduate and law degrees with high honors, he was a Fulbright scholar in Israel before joining the Department of Justice. As I said, he served with President Bush and with President Obama; he was counsel to the Deputy Attorney General. He worked as trial attorney on the Terrorism Litigation Task Force. He received the Department of Justice Special Commendation Award for his work countering terrorism. For 9 years he directed the Treasury's Office of Foreign Assets Control. Many of us first came to know him then—in both parties—as a thoughtful policymaker and superb lawyer. Both parties respected him until Barack Obama nominated him; then Republicans seemed to forget how good he was and how qualified he was.

The Anti-Defamation League in this letter described him as an “intellectual heavyweight who has worked effectively with global partners to amplify the effects of U.S. sanctions.”

The United Against Nuclear Iran, a group that strongly opposed the President's deal with Iran, supports Mr. Szubin to be promoted, to be confirmed by the Senate.

Many of my colleagues on the banking committee said: We are not going to confirm Szubin because he was for the Iran nuclear deal. Well, he worked for the President of the United States, who was negotiating it. Of course, he was for it. But are they going to oppose him because they don't like what his boss did or are they opposing him because they don't like much of anything President Obama did?

The fact is that group after group, whether they are for the Iran nuclear agreement or against it—it really doesn't matter—supports Mr. Szubin.

His mentor, Bush Under Secretary Stuart Levy—his mentor and his predecessor, not immediate predecessor but predecessor—was confirmed by the Senate 3 weeks after his nomination. But you know what, both parties then

with President Bush recognized that you confirm somebody who is central to the war on terrorism. Republicans then believed that.

Today, with a Democratic President, even though Adam Szubin is supported by darn near everybody—with his qualifications, with his support and work in two administrations—they don't want to bring him forward for a vote. I am not even sure why. I hear all kinds of reasons, none of them really on the record, none of them official, from my colleagues. Oh, they don't like President Obama or this guy must be a bad guy because President Obama appointed him or he was part of the government when the nuclear agreement with Iran was negotiated. All of these reasons simply don't pass a straight-face test. This is a critical national security post, and it needs to be filled permanently and quickly.

Mr. Szubin heads what is, in effect, Treasury's economic war room. It manages U.S. efforts to combat terrorist financing and fight financial crimes. Again, ISIS, ISIL, gets a good bit of its funding through illegal activities like that. If the U.S.—and if Mr. Szubin has the full range of powers that we have given him in the Congress, he can help us fight that kind of financing, stop that kind of financing for ISIS.

He is helping to lead the charge to choke off their funding sources to prevent them from developing additional capacity to strike more targets around the world. He is working to hold Iran to its commitments under the nuclear deal and to lead a campaign against the full range of Iran's other destructive activities. He is supported by the Global Jewish Advocacy and, as I said earlier, by the Anti-Defamation League and by United Against Nuclear Iran.

I ask unanimous consent to have printed in the RECORD the documents from the organizations I just mentioned.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AMERICAN JEWISH COMMITTEE,
Washington, DC, November 4, 2015.

AJC STATEMENT ON ADAM J. SZUBIN NOMINEE FOR UNDER SECRETARY OF TREASURY FOR TERRORISM AND FINANCIAL INTELLIGENCE

Jason Isaacson, AJC Associate Executive Director for Policy, today issued the following statement on the organization's behalf:

AJC has worked with, and admired the dedication and effectiveness of, the Under Secretary-designee for Terrorism and Financial Intelligence, Adam Szubin, whose nomination is now before the Senate Banking Committee.

At a time when Iran and its terrorist proxies are ever more active and empowered, and when other terrorist threats to the United States and its allies are escalating, it is urgent that Treasury have in this critical position an experienced, creative, tireless watchdog, who has the know-how and the authority to lead U.S. efforts to track and choke off the financial lifeblood of terror.

As Acting Under Secretary, Adam Szubin has demonstrated that resolve and that skill—to the benefit of America's security and that of our allies. We look forward to his continued public service.

ANTI-DEFAMATION LEAGUE,
New York, NY, September 9, 2015.

Hon. RICHARD SHELBY,
Chairman, Banking Committee, U.S. Senate,
Washington, DC.

Hon. SHERROD BROWN,
Ranking Member, Banking Committee, U.S. Senate, Washington, DC.

DEAR CHAIRMAN SHELBY AND RANKING MEMBER BROWN: On behalf of the Anti-Defamation League, we write in support of President Obama's nomination of Adam J. Szubin to serve as Under Secretary for Terrorism and Financial Crimes, Department of Treasury.

As director of Treasury's Office of Foreign Assets Control (OFAC), Mr. Szubin has earned a reputation as an intellectual heavyweight who has worked effectively with global partners to amplify the effects of U.S. sanctions. OFAC has been dubbed America's war room, a front line for the United States and its allies against terrorists and tyrants. It is a critical part of the effort to engage global partners to amplify the impact of sanctions and to innovate in the way that the U.S. targets violators.

OFAC's effectiveness, under Mr. Szubin's leadership, has exemplified the balance between working quietly behind the scenes or through diplomatic channels and sending strong public messages around the world about America's robust commitment to crack down sponsors of terror like Iran.

But Mr. Szubin has done much more than simply ably administer and enforce U.S. sanction against terrorism, weapons proliferation and rogue states. He has continued to expand and innovate how sanctions are devised and implemented as he has done with respect to sanctions on Iran and Russia.

As Members of Congress have debated how to balance diplomacy and sanctions, leaders on all sides of the debate are unified in their assessment that the strong, vigorous enforcement efforts by committed professionals like Adam Szubin have been one of the most potent and effective tools against the funding of terror and the isolation of rogue regimes.

We urge the Committee to act promptly and favorably on Mr. Szubin's nomination.

Sincerely,

JONATHAN GREENBLATT,
National Director.

[From the United Against Nuclear Iran,
Nov. 3, 2015]

UANI SUPPORTS SENATE CONFIRMATION OF ADAM SZUBIN AS UNDER SECRETARY FOR TERRORISM AND FINANCIAL CRIMES

AMBASSADOR WALLACE AND SENATOR LIEBERMAN EXPRESS SUPPORT FOR CONFIRMATION

NEW YORK, NY—United Against Nuclear Iran (UANI) CEO Ambassador Mark D. Wallace and UANI Chairman Senator Joseph I. Lieberman issued the following statement today regarding the Senate confirmation of Adam Szubin as Under Secretary for Terrorism and Financial Crimes in the U.S. Department of the Treasury:

“UANI was a leading opponent of the Joint Comprehensive Plan of Action (JCPOA) nuclear agreement with Iran. The administration's success in blocking bipartisan and majority opposition to the JCPOA on Capitol Hill should not be the basis to oppose the confirmation of Director Szubin as Under Secretary of the Treasury for Terrorism and

Financial Crimes. Simply put, he is the best person for the job, a true expert, a dedicated public servant and fully committed to serve his country. He has shown those traits over two successive administrations—a rare feat in Washington. On behalf of UANI, and in the strongest possible terms, we support Director Szubin's confirmation. We respectfully call on all of our Senate friends who were rightfully frustrated by the administration's tactics related to the JCPOA to put those concerns aside and support the confirmation of Director Szubin."

Mr. BROWN. He has support across the political spectrum—or at least he did until he was nominated by this President.

I serve on the banking committee with Chairman SHELBY. I sit next to him as the ranking member. I like Senator SHELBY. I work with Mr. SHELBY day-by-day on many things. He has described Mr. Szubin as "eminently qualified." He has served with distinction in senior national security roles—I will say it again—for 15 years under Presidents of both parties. He is well regarded around the world for his intellect, courage, and expertise. He deserves the strong backing of the Senate.

Republicans in Congress need to stop holding our national security apparatus hostage to political demands. They should allow—we should allow Adam Szubin and other national security nominees to be approved as soon as possible.

Again, strip the partisanship away. Do what is right: Confirm Adam Szubin; confirm these other national security people.

They aren't controversial. The only thing controversial about these nominations is that Barack Obama made them. Well, the last time I checked, he was elected President of the United States twice, including my No. 1 swing State in the country—the hardest one to win, the one that both parties fight for in every election. He carried my State twice. He carried my State by over 100,000 votes.

He is the President of the United States. He appointed Adam Szubin, who is eminently qualified, who has had support from both parties. Why don't my colleagues confirm him, giving him the full range of powers to fight ISIS, to keep ISIS from getting the resources and the financing they are getting now to launch these terrible terrorist crimes against innocent men and women all over the world?

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I ask unanimous consent to speak in morning business.

The PRESIDING OFFICER. The Senate is in morning business.

The Senator is recognized.

ISIS

Mr. CASEY. Mr. President, I rise today to speak about the recent ter-

rorist attacks around the world—including, of course, the horror of Paris—but also to talk about what undergirds that, and that is the threat posed by ISIS. Some use the acronym ISIL; Daesh is another phrase that has been used to describe this vicious terrorist group. But I think we need to—at the same time as we are trying to prevent terrorist attacks—focus on the broader policy to destroy ISIS.

We know it has been 4½ years since the people of Syria began protesting against the repressive regime of Bashar al-Assad. As we also know, that conflict escalated rapidly and was coupled with a dysfunctional and sectarian government in Iraq, especially starting from the capital of Baghdad. The fighting and unrest created space for extremism to grow and to take root.

About 1½ years ago, we saw the emergence of the group we now know as ISIS. This group poses a very serious threat to our national security as well as to the security of many parts of the world. There is no question that ISIS is a clear threat to the security of our partners in the region and—as we know most horrifically, in the last few days—in Europe.

They also have a desire to attack the U.S. homeland. We know that. We have to remember that this is a group that originated as an Al Qaeda offshoot. They share the same motivations or at least similar motivations, and they, of course, share the same brutality, if not worse.

In recent weeks, ISIS has claimed responsibility for horrific attacks outside of Syria and Iraq. They claim responsibility for the bombing of a Russian airliner that went down over Egypt in the Sinai, killing all of its passengers—Russian passengers. ISIS suicide bombers attacked a market in Beirut, Lebanon, last week, just before Paris. Then, of course, came Friday night, the 13th. This was, as has been reported, a coordinated, ruthless, and despicable attack in Paris that killed 129 innocent civilians.

So what this horror—and we could list other examples, but these most recent events remind us—what this horror reminds us, is what our job is in Congress and across our country, but especially when it comes to the role of the U.S. Federal Government. We have at least two responsibilities in this area. No. 1 is to prevent terrorists from coming into the United States of America; and second, but related, is to destroy ISIS, without a doubt. To do both of these will continue to be difficult and challenging. Anyone who comes up with a simple proposal or a commentary that makes it seem simple really doesn't know what they are talking about, really doesn't understand the complexity of this. I even doubt their commitment to it when they give one-line answers to difficult challenging problems.

Last year, I was blessed, in June of 2014, to have the chance to go to Normandy. Senator LEAHY, the senior Senator from Vermont, organized a visit to Normandy on the 70th anniversary of D-day. For someone representing any State—in my case representing the Commonwealth of Pennsylvania, from where so many Pennsylvanians and, of course, so many Americans died on the beaches of Normandy or died within days of that battle—it was deeply moving to be in Normandy, to listen to presentations from those who had lived through the horror of Normandy and those who were coming back to celebrate the fact that they had served and were alive after these 70 years.

We were able to see the beaches. We saw the cemetery. I walked down to the cemetery, and the first grave I happened to look at was one of a Pennsylvania soldier, just fortuitously when I was looking at the first marker, the first grave.

One of the themes of that visit, of course, was France, the people of France thanking the United States, thanking allies and expressing gratitude in so many different ways, in heartfelt ways, at the leadership level, from President Hollande, all the way down. And one of the best images of that gratitude was displayed in this picture. I will put it up on the easel. This is an enlarged version of what was on a brochure. You can see it, and it is written in two languages, of course. The translation is "70th Anniversary of the Liberation of France," in English and French, and the date—June 6, 2014, commemorating the 70th anniversary.

What you may not be able to make out from a distance is the image. It is, of course, a beach, and it is the image of a little girl. She has an orange plastic pail and a green plastic shovel—an image we all understand—a child going on to the beach to play in the sand. She is in a yellow dress, with her back towards us, and she is moving towards the beach.

What is so moving about this expression of gratitude by the people of France is that the shadow that emanates from that little girl is not her shadow. Rather, it is the shadow of an American GI, or what I believe to be an American GI, and I am not sure anyone could contest that. It is a profound and very moving and very powerful expression of gratitude that all of us can understand: that this little girl would not be able to be on that beach to play in freedom—or any of the other places that were under attack during World War II—were it not for the bravery of American soldiers, the commitment of the American people, and the work that was done to undergird that effort by the allies against the axis powers.

It is a very powerful reminder of the contribution of that soldier depicted by the shadow and the freedom that little girl can enjoy because of that sacrifice—a profound sacrifice, a sacrifice

you cannot even describe if you had volumes of books to write about it. I was moved because it was a wonderful expression of gratitude to the people of the United States by the French people.

I was thinking about that in the aftermath of this horror. Folks all over the United States and around the world were expressing solidarity with the people of Paris and the people of France, and it gave us the chance to try to give back to them in the aftermath of their tragedy, a year or so after they had expressed gratitude to us. This relationship between our two countries is very strong and goes back to the beginnings of our Republic, even back to the days of the Revolution.

That image of that little girl probably couldn't be expressed or presented were it not for what happened in World War II and what happened on the beaches of Normandy. Again, we were able to achieve that result by working with allies the world over. It would not have been possible were it not for the work of people around the country sacrificing—the soldiers and their families, the factories, the spouses who worked in the factories while soldiers were overseas. There was a lot of good work done then by the Congress to support the war effort. We have to figure out a way here to get back to that kind of sacrifice, that kind of commitment.

There was a reminder recently of what a Member of this body said around that time, about 1945. Senator Arthur Vandenberg from the State of Michigan delivered a seminal speech in January 1945 on this floor. Senator Vandenberg was a Republican, an avowed isolationist and a strong opponent of President Roosevelt. But on that day he said:

We cannot drift to victory. We must have maximum united effort on all fronts. . . . and we must deserve the continued united effort of our own people.

It is Vandenberg's example of setting aside partisan politics for the good of our Nation that gives us this expression: Politics stops at the water's edge. We have all heard that expression. If we haven't, we should educate ourselves, and if we have heard it, we should remind ourselves of it. But I am afraid when we debate foreign policy and security policy, there is often a dismissal of that basic lesson he taught us. I am afraid we have lost sight of his legacy that politics must stop at the water's edge when it comes to our security, whether that is the fight against terrorism itself or whether that is a military campaign against ISIS.

This fight against ISIS demands our attention, but it also demands our unity. Unity is not just a nice expression, something we should hope for. The challenge demands it. If we are not unified, it is going to be very difficult to defeat ISIS or any other threat, frankly. We must not do oversight by

sound bite when it comes to this policy. We can engage, as some have done—not everyone but enough to be concerned in both Houses of Congress—in categorical condemnation of the President's policy on virtually everything in the international arena. That doesn't move the ball down the field. It also doesn't absolve the President of accepting and incorporating critiques of the policy—specific critiques of what we should be doing or are not doing or might want to consider. But categorical condemnation doesn't help anyone. It doesn't solve the problem. It just divides people and prevents us from having that essential unity to make sure the strategy works.

I have been critical of a number of the President's policies on the international stage. I haven't always agreed with him. But if one is going to disagree with the President or disagree with a colleague about something as important as a strategy to defeat what most people believe is the biggest threat to the civilized world, you should be very specific. Unity demands that you be specific. We don't have time for just words and finger pointing. We need a bipartisan approach to this challenge.

So we do need bipartisanship. We need sober and serious deliberation, and we also need spirited debate. I am not advocating that someone doesn't criticize the policy or engage in a very heated exchange with someone who has a different point of view. But it has to be a debate, and it has to be an engagement that yields a result. And the result is a policy and a strategy that is going to be effective and that has some degree of substantial unity.

A lot of our allies look at the squabbles here in Washington and wonder how serious we are about this fight. If all we do is just comment and answer reporters' questions, maybe go to a hearing once in a while, that is OK, but this policy is going to take a lot more than that. Some of our allies look at our failure to unite behind a common strategy and wonder whether the United States will be an enduring partner for as long as it takes to eliminate ISIS from the planet—not just to defeat them on the battlefield but to destroy them. A lot of these allies, I am afraid, are wishing for more Senator Vandenberg or at least more Vandenberg-Roosevelt days, when someone could disagree almost violently about domestic policy or even an aspect of our security, but at some point you came together and said: We are going to move forward with this strategy and work together.

In November of last year, the President outlined a multipart strategy to address the threat posed by ISIS. He spoke about the airstrike campaign in Iraq and Syria, which now involves 11 countries and has yielded more than 8,000 airstrikes as of last week. Those

strikes have taken out ISIS leaders. They have taken out financiers, bomb makers, foreign fighters and foreign fighter recruiters.

Of course, most recently—just last week, just before the horrific news about Paris—we were told the man responsible for the beheadings of ISIS hostages had, in fact, been killed. That was a good result for the civilized world. We also heard from the President at that time—and since that time—of a 60-plus nation coalition.

Most recently, there have been hits on the tanker trucks bringing oil out of ISIS-held areas for sale on the black market, hits on communications equipment or weapons caches, and they have helped protect opposition fighters who cleared the way for significant territorial gains, especially by the Kurdish Peshmerga forces—great fighters in this battle. Reports now indicate that ISIS territorial holdings in Iraq and Syria have been diminished by as much as 25 percent in roughly the last year. CENTCOM's assessment—this isn't an assessment by a politician; this is CENTCOM—indicates that the refinery in the city of Tikrit has been largely retaken, as has been the city of Sinjar and a main road connecting ISIS strongholds in Raqqa and Mosul. These airstrikes are denying ISIS safe haven and significantly hindering their ability to move freely around areas where they operate.

So what have we heard over and over? Airstrikes alone will not win this. I agree with that. I get that. But airstrikes are moving the ball down the field in the sense that they are giving the opportunity to fighters on the ground and helping in other aspects of the strategy. So we have to continue the airstrikes. I hope people around here don't start saying: Well, airstrikes alone don't do the job; so let's stop the airstrikes. No, we have to continue them and, if necessary, for years—many years.

But this strategy is not just a military strategy. The President also outlined an effort to counter the financial networks that support ISIS, which gets funding from multiple sources. We know them: illicit oil sales, trafficking in antiquities and other goods, extortion of the local communities, and outside donations. The Department of Defense is targeting financiers for kinetic strikes, a fancy way of saying you are going to be taken out if you are a financier. Treasury has sanctioned a number of senior ISIS leaders and facilitators, cutting off access to the U.S. financial system. The strategy also includes measures to address foreign fighter recruitment and travel. We are also working to expose ISIS's hypocritical propaganda which many Muslim leaders around the world have said is inconsistent with their religious values. It is clear there can be no enduring defeat of ISIS without remedies for the

governance issues which created this space for extremism to fester.

In Iraq we are working to create an inclusive government that has a capability to counter ISIS. In Syria we need a negotiated political solution that ensures Bashar al-Assad—whose continued presence in Damascus has been a recruiting windfall for ISIS—has no role in the future of Syria and has to go. I have said that many times. I appreciate the fact that Secretary Kerry and his team have recognized these underlying problems and have worked to address them.

So while the administration has taken important steps, we know it is not enough. We know that. Recent events require an intensification of our efforts. I have critiqued this Syria policy for years and will continue to press the administration to do more on ISIS financing. We have to make sure ISIS can't pay their people's salaries. We have to cut off their financing so they can't operate, so they can't pay for propaganda, so they can't buy weapons, so they can't buy ammunition, and so they can't make the horrific IEDs that kill innocent civilians and soldiers. So we must continue this debate as Members of the Senate with the administration. Part of making sure we get the financing challenge in the right place is to confirm Mr. Adam Szubin, who would play a substantial determinative role in the Treasury Department.

So what do we do? It has been very difficult to get people focused on a bipartisan strategy. There is a lot more we can do. I believe the establishment of a bipartisan study group, comprised of experts and former government officials from both sides of the aisle, will be useful at this juncture. This group should be authorized by Congress, appropriated a modest amount of money for supporting its work, similar to the Iraq Study Group formed in 2006. The group should evaluate the nature of the ISIS threat as well as the conditions in Iraq and Syria that have allowed it to grow and evolve, and it should evaluate the military and nonmilitary options available to the United States to address this threat and the underlying conflicts and governance issues. There is a lot this group could do and contribute to what would be a stronger, bipartisan, unified policy. There are many outside experts whose careers of service in the Middle East, and civilian, military, and intelligence roles, offer a wealth of expertise. This group could conduct its work over a 6- to 9-month period and report back to Congress with its findings. If they could do it faster, we would certainly authorize and encourage them.

Initiating a bipartisan study doesn't mean we should press pause on our current efforts. Members of Congress need to continue supporting our soldiers, bringing the fight to ISIS with intensity and focus. We need to continue our

efforts to reach a negotiated political transition in Syria and to encourage inclusivity and good governance in Iraq. If a Sunni soldier doesn't feel a part of his own government, they have to support a unifying government. We need to continue to press the growing humanitarian crisis emanating from Iraq and Syria, but I believe our efforts to defeat ISIS and our long-term goal of countering violent extremism would benefit from a serious bipartisan expert study group.

In closing, I will once again invoke the words of Senator Vandenberg. In the speech he gave in the 1940s, he said: "Here in the Senate we do not have perpetual agreement between the two sides of the aisle, but we have never failed to have basic unity when crisis calls."

"We have never failed to have basic unity when crisis calls." Crisis has called, right now. We know that. The crisis is ISIS and terrorism. We have to destroy ISIS and prevent terrorism from coming to our shores. We don't have time for politics. We don't have time for people talking in sound bites and pretending they are doing oversight. We need bipartisan work that will bring people together on a unified strategy. I urge my colleagues to reflect on the spirit of Vandenberg's seminal speech and to find a unified path forward that supports our long-standing partners and protects the security of this great Nation.

I will conclude with a picture. This is a picture of a little girl who can walk on a beach in freedom because of the bravery and sacrifice of our soldiers in World War II. If we are worthy—worthy of that sacrifice—we had better get our act together, come together—both parties—and make sure we have a bipartisan policy. We don't have time for finger-pointing. We have to come together and make sure we do all we can to have a sound, serious, bipartisan effort against ISIS and against terrorists. I believe that is a mission worthy of a great nation and certainly worthy of the sacrifice of the people who are on the battlefield right now—our soldiers, our fighters, as well as soldiers from around the world—and certainly worthy of the sacrifice that led to the beautiful expression of gratitude that the French people gave us just last year.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I look forward to working with my colleague from Pennsylvania on that sound bipartisan policy he is talking about, and I want to talk a little bit about that today. He mentioned Senator Vandenberg, who famously said that partisanship ends at the water's edge. I think he would have been surprised by President Obama's comments beyond the water's edge in Turkey yesterday,

where he attacked Republicans who dared to talk about the need for us to ensure that we know who is coming to our shores and specifically with regard to refugees and having a proper vetting process in place. In fact, the House of Representatives—with over 40 votes from Democrats—I understand just voted on legislation today, which is a veto-proof majority, to say we ought to tighten requirements for people who want to come to our shores.

So we do need to work together. We do need to ensure that partisanship does not get in the way of working together as Americans to solve these problems. The partisan speech from across the ocean, well beyond our shores, was an example of where we are not meeting the standards Mr. Vandenberg set out.

As we all know now, last weekend ISIS terrorists killed over 130 innocent people in a series of very well-coordinated attacks in Paris. I would say these attacks did not occur in isolation. They were one but a series of attacks that occurred within a 24-hour period. Sometimes we forget the context of these attacks. The series of attacks left 43 people dead in Beirut, 18 people dead in Baghdad, countless wounded—all ISIS attacks. In the preceding month, ISIS took credit for a downed Russian airplane, claiming the lives of 224 innocent civilians. In September, Islamic extremists murdered nearly 50 in Yemen.

In fact, if we look back over the period of last year, several hundred civilians have been killed in nearly 30 attacks—incidents spanning the Middle East, North Africa, Europe, Asia, and North America. It is impossible to deny the growing threat that this extremism poses to our Nation, our allies, and our shared values and global stability.

Despite all of its great qualities, technology has bridged the oceans that once separated us from foreign turmoil and brought this threat to our communities and to our homes, the places we feel most safe. These attacks must serve as a wake-up call, not only about the nature of the enemy we face in ISIS but about the chaotic and dangerous state of the world and the dire need for American leadership to address it.

The attacks in Paris were not a "set-back," as the President said. They were a continuation of terrorist acts. They were a tragedy and a warning—a warning that if we fail to take a leadership role in combatting extremist behavior everywhere it resides, we will confront another tragedy here, on our shores.

We cannot develop a successful strategy to defeat ISIS unless we understand its true nature. There has been a lot of talk this week about Syrian refugees and whether they should be properly vetted. Of course they should, but we need to take a broader look at this

issue and have a broader discussion about the roots of the problem: Why are these refugees streaming into Europe and coming here? We need to look at not just the roots of the problem but what is the comprehensive strategy to address that problem.

We can't develop a successful strategy to defeat ISIS unless we understand its true nature. The President's insistence on downplaying the extremist threat and viewing each act in isolation is a fundamental flaw in his national security policy, in my belief. Referring to ISIS as the "JV team," as it seized nearly one-third of Iraq, publicly stating that ISIS has been "contained" just hours before the attack in Paris, and then referring to those attacks as a mere "setback" are all symptomatic of this failed policy, in my view.

I think this is a time for moral and strategic clarity. I think of Roosevelt and Churchill in World War II. I think of Kennedy and Reagan in the Cold War. Times of crisis require seeing threats as they are and not as we might wish them to be. Nothing would make me happier than if the President of the United States would provide this clarity.

We now know that the Paris attacks were planned in Syria, organized in Belgium, and carried out in France. This revelation is yet another confirmation of a key fact many of us have been saying for years: ISIS is a global threat with global reach and ambitions. It is motivated by a radical Islamist ideology that while rejected by the majority of Muslims, nevertheless holds great appeal to too many Muslims around the world. This ideology rejects any form of government that is not based on a radical interpretation of Sunni Islamism and holds that it is the duty of all Muslims to wage jihad against those who do not share their views—including of course the United States, including of course Israel, including of course the apostate regimes, as they call them, like America's Arab allies all through the Middle East.

The President continues to insist that the limited scale and scope of the administration's strategy to counter ISIS is working, but ISIS is not just a nuisance to be managed. It is a global threat to be defeated. Rather than containing ISIS to a geographic region, the conflict in Syria and Iraq has served as an incubator for terrorism. The territory ISIS holds provides a safe haven for these terrorists to train, organize, gather resources, and project power. Tens of thousands of foreign fighters from Europe, the United States, and around the world have flocked to the frontlines of the global jihad, and many return home with the training and resources necessary to carry out monstrous attacks. Meanwhile, a flood of refugees fleeing atrocities and persecution in Syria have pro-

vided ISIS operatives a community in which they can easily hide. Indeed, it appears at least one of the Paris attackers was someone who disguised himself as a refugee to get into Europe.

This enemy is cunning and knows it cannot defeat us on a conventional fight on the battlefield, so it is employing asymmetric warfare to attack our values and degrade the collective security of our nations. They know they have access into every home and are using modern media technologies to exploit a disenfranchised minority. Their audience spans the globe. Think about this: If they only reach 0.0001 percent of the global population, then they have an army of over half a million potential terrorist recruits.

More intelligence cooperation between the United States and our allies is absolutely necessary to track suspected ISIS terrorists and prevent them from hiding their presence and launching attacks. The United States should also increase the scale and intensity of military operations against ISIS targets. If we can give the French the intelligence to be able to attack key ISIS targets in Syria, then why haven't we used that intelligence ourselves to degrade the enemy? We must intensify the use of our military. We must intensify U.S. Special Operations forces and local allies. We must defeat ISIS forces on the ground and retake territory.

As I have argued for a couple of years now, we cannot ignore the broader conflict in Syria and must lead our allies in pursuing a comprehensive strategy to not just defeat ISIS but to also achieve a negotiated resolution of the Syrian conflict.

Over 4 million people have fled Syria. The Government of Syria has murdered over 200,000 of its own citizens. I saw an interview today where someone was asking one of the refugees from Syria what their preference was—to go to Europe or to go to the United States. The refugees said what most refugees said: I want to go home, but I need a safe haven there.

We should have a no-fly zone in Syria and provide for people the ability to stay in their own country. Military force alone will not solve this problem. Obviously, we need to do more and engage the Muslim world in this effort, but it can shape the parameters of an acceptable solution.

These measures are all important, but they all stem from the recognition of something far more fundamental. In the absence of U.S. leadership, chaos and instability ensues. It takes active American leadership to reassure our allies, to deter our enemies, and to uphold the international order upon which global stability and prosperity depend. We should not be the world's policemen; I agree with that. It is more like being the world's sheriff, where you bring together a posse of like-

minded nations. Whether it is the NATO countries with regard to Ukraine or whether it is our Sunni allies with regard to what is happening in the Middle East, we must be the sheriff who pulls the posse together. In the absence of that, in the absence of that leadership, we will not meet this challenge.

In the Middle East, the chaos we see is not just contained in Syria, and it is not just confined to ISIS. As the United States prepares to provide billions in sanctions relief agreed to in the Iran nuclear deal, Iran has been very busy. Iran has sent ground troops into Syria as part of a new joint offensive with Assad, Russia, and the terrorist group Hezbollah. Iran has tested a ballistic missile, they have arrested several American citizens living in Iran, and they have threatened to wipe Israel off the map of the Middle East. Ayatollah Khamenei has now banned any further negotiations with the United States of America.

Meanwhile, Russian forces are conducting combat operations in the Middle East for the first time since 1941. Russia has launched a sustained air campaign—not really against ISIS, as Putin claims, but almost entirely against U.S.-backed rebel groups and other moderate groups opposed to both ISIS and Assad. There is discussion of them targeting ISIS more. I hope that is true. In Europe, Russian forces continue to occupy portions of eastern Ukraine and continue to occupy Crimea. After a brief lull, violence is once again rising, as Russian efforts to undermine the democratic pro-Western government of Ukraine persist. Russia also continues to wage an unprecedented information war that leverages all elements of national power to confuse, demoralize, and mislead.

In the meantime, hundreds of thousands of refugees fleeing conflict in the Middle East stream into Europe, threatening to overwhelm Europe's ability to vet and process them and create opportunities for terrorists to evade detection and conduct attacks like those we saw in Paris.

In the Pacific, China is building artificial islands in international waters to reinforce its claims in the South China Sea.

This is the world that unenforced redlines and leading from behind have created. It is a world where the very structure of international order is under siege and where the direction of our collective future is brought into question. Of course, this trend is not irreversible, but the United States must first step out of the shadows.

Ronald Reagan spoke memorably about peace through strength. We must be unambiguous in our support of our allies, and we must be clear-eyed and resolute in standing up to our foes. This is the path to peace and security for us and for the world.

The PRESIDING OFFICER. The Senator from Alabama.

PRESIDENT'S REFUGEE RESETTLEMENT PLAN

Mr. SESSIONS. Mr. President, I appreciate very much the remarks of Senator PORTMAN. I think he is touching on some critically important issues that all of us need to fully understand. As always, his insights are valuable and worthy of serious consideration by all.

I would also briefly note that I do believe—and I spoke about this several weeks ago—there is a need for this country, as Senator CASEY noted, to develop a bipartisan strategy, particularly with regard to how we deal with the rising spasm of extremism in the Middle East. It is a fact. It is happening. We as a country have to be able to work together in a bipartisan way to decide what action we may choose to use—whether it is military force, whether it is technological advancement, whether it is working with allies—to do whatever we can to increase more stability, more peace and tranquility, and less terrorism and violence. It is a big matter, and I am not at all confident that we have a strategy. In fact, we don't have a strategy that anyone can recognize as effective in this region, as a number of witnesses before the Armed Services Committee have testified, including former Secretary of Defense Bob Gates, who served under both President Bush and President Obama.

This President seems to have his own plan. He refuses to listen. As he traveled around the world recently talking about the attacks in Paris, I think it stunned our allies. This is not a healthy situation. There are millions of refugees. Good leadership, responsible leadership, should have anticipated this danger, and when it developed, have a sound strategy that deals with it in a humane way. It cannot be the strategy of the United States and Europe that when instability occurs anywhere in the world, when instability occurs in Syria or other places in the Middle East, the solution is for everybody to come to Europe or the United States. This is not healthy for those countries, it is not part of the historical tradition, and for reasons I am going to touch on, it is very bad policy.

I think Senator PORTMAN is correct that we are not where we need to be militarily, strategically, and in other ways, to help bring about a situation in which people can return to their homes and be with their families and not have to be running all over the world, marching through Europe, not knowing where they are going to go, in countries that will not and cannot support them. It is not sound policy.

I want to address the economic and security threats imposed by the Presi-

dent's refugee resettlement plan and talk about it in some detail and explain why the more effective and compassionate solution is to resettle the region's refugees in safe zones in the region rather than flying them into the United States or Europe or other places around the globe.

Each and every year, the United States issues green cards to roughly 1 million immigrants. We admit approximately 500,000 foreign students. We distribute work visas to approximately 700,000 foreign workers and grant approximately 25,000 requests for asylum. Asylum is when a person arrives in our country and says: I can't go home because I will be in danger. A refugee is when somebody is in a foreign country—not their own country—and comes to our Embassy or to the UN and says: I am threatened here. I am not safe. I want to be a refugee and go elsewhere. If they are accepted, they are a refugee. If the others are accepted after they come to our country—perhaps illegally—they are asylees. We have brought in another 70,000 refugees on top of that each year in recent years.

The fact is, refugees are among the most costly immigration programs for several reasons. Refugees are instantly eligible for all Federal welfare and entitlement programs. Most are low-skilled and frequently lack any formal education and many—most don't speak English.

There is great cost involved in this. One estimate from an expert is that for every 10,000 refugees admitted, there will be a lifetime cost to the U.S. Treasury of \$6.5 billion. This year, we are now going to accept 85,000. The President says he will accept 100,000 next year and maybe more. Now, 100,000 is 10 times \$6.5 billion added to the debt of the country, because no extra money is being appropriated for Medicaid and for food stamps. The money is going to be added to the debt. It is not healthy. It is very expensive.

There are enormous security concerns as well. We have seen a number of refugees implicated in terrorist activity inside the United States. We wish it weren't so, but it is a fact. Yet, in this environment of increasing Federal debt, wage stagnation driven by excess labor supply, and ISIS terrorists trying to infiltrate as refugees, President Obama has announced a unilateral expansion of the refugee program to begin admitting many more Syrian refugees. This is at a time when 83 percent of the voters say projected growth in immigration should be curbed, according to Pew polling.

The President persists in his plan even though his own officials, testifying before the Subcommittee on Immigration and the National Interest, conceded there is no database in Syria with which to vet refugees.

The administration briefed us last night, and they publicly stated: We are

going to use biometric techniques. In the United States, what does that mean? It means they take your fingerprint and run it against the NCIC—National Crime Information Center—and see if you have warrants for your arrest or if you have been convicted of anything. You can't do that in Syria. You can take their fingerprints, but there is no database to run it against. So that is just puffing. That is spin. You can't run fingerprints in Syria, because there is no database to run them against. As his officials further concluded, there is no way to prevent refugees from radicalizing after their entrance into the United States, as has happened, unfortunately, with Somali refugees.

It is an unpleasant but unavoidable fact that bringing in large unassimilated flows of migrants from the Muslim world creates the conditions possible for radicalization and extremism to take hold. This is what they are seeing in Europe.

The FBI Director tells us there are now active ISIS investigations in all 50 States. They have a terrorist investigation involving ISIS in every State in the Union today. I think there are 900 open cases.

Our subcommittee has identified dozens of examples of foreign-born immigrants committing and attempting to commit acts of terror on U.S. soil. It is happening every day. Preventing and responding to these acts is an effort encompassing thousands of Federal agents, attorneys, and prosecutors and billions of dollars in costs. They are directing their efforts away from bank fraud and Medicare fraud and toward watching terrorists. Their ability has been limited by restrictions on their ability to conduct surveillance. In effect, we are voluntarily admitting individuals at risk for terrorism and then on the back end trying to stop them from carrying out bad, violent designs.

The former head of the Citizenship and Immigration Services union, which represents immigration workers who handle the casework on these evaluations for admission, issued this warning more than a year ago. This is important. This is the man who represents the individuals who do the work every day, and he got frustrated and he told the truth. This is what he said:

It is also essential to warn the public about the threat that ISIS will exploit our loose and lax visa policies to gain entry to the United States.

Indeed, as we know from the first World Trade Center bombing in 1993, from the 9/11 terrorist attacks, from the Boston Bombing, from the recent plot to bomb a school and courthouse in Connecticut, and many other lesser-known terror incidents, we are letting terrorists into the United States right through our front door. . . . Applications for entry are rubber-stamped, the result of grading agents by speed rather than discretion. We've become the visa clearinghouse for the world.

We can't properly vet the people coming now. Yet we are still talking about adding more and more people to it.

Senator CRUZ and I sent the administration a list of 72 individuals charged with or convicted of terrorism-related offenses in just the last year. We wanted to know something. We asked for the immigration histories of each one of these individuals. Isn't that a good thing to know? We are policymakers. We are supposed to decide how to conduct immigration issues. As we evaluate how to improve our immigration situation, shouldn't we know how these terrorists—who have been arrested, charged, or convicted—got into the country?

Well, stunningly, the administration has just refused to respond. They didn't respond because they don't want the public to know. They think if they can ignore these requests, then people will not know and will not begin to question how things are being conducted. Congress should not acquiesce to the President's refugee funding request when he refuses to even publicly disclose the immigration history of these 72 terrorists, many of whom are involved with and directly connected with Al Qaeda and ISIS.

An outright majority of the public opposes resettling Syrian refugees in the United States. In fact, voters across all parties wish to see a reduction of Middle Eastern refugee settlements. It is in the data. That is what people think. They are worried about this issue. Why shouldn't they be? We have had our own problems. We have had 9/11, we have had the Boston bombers, and many other instances, such as Chattanooga, and look at what is happening in Europe. I don't think the American people are mean or unkind. They are just rightly concerned. They want to protect their families, their Nation, and their interests, and I think we should consider their concerns.

The safe and proper course is to focus on regional resettlement. One report says that for the price of placing one refugee in the United States, 12 can be helped in their homeland. Our goal must be to help refugees find safety and help them return to their homes, not for us to depopulate the region.

How serious is this? Only this strategy will protect the security of the United States and the West, protect the finances of our country from further debt, and protect the long-term stability and safety of the Middle East itself. That is what our goal should be, and our President is not focused on this issue. It has been raised in committee after committee and nothing has been accomplished. He just sticks with the plan he has.

What then is Congress to do to stop the President from carrying out a plan the voters oppose and Congress has not approved? The answer lies in the power

of the purse. Each and every year the President submits a request to Congress to fund his Refugee Admissions Program. Only with these funds can the President carry out his plans. Congress, which has been run over time and again by this President, must not write the blank check the President is asking for. He can also bring in more refugees than he has currently indicated. Secretary Kerry has told the Judiciary Committees of the House and Senate they just may well bring in more than this.

My colleague Senator SHELBY and I outlined in a joint statement that the answer is for Congress to include in the year-end funding bill a clear requirement that the President must submit his annual refugee plan to Congress for approval. Senator SHELBY is on that Appropriations Committee. Under this plan, Congress must approve how many refugees are brought in and from where.

Mr. President, is it time to wrap up?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. Mr. President, I thank the Chair and ask for 1 additional minute to wrap up.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, we are facing a humanitarian crisis of monumental proportions. In large part, it is because the President has mismanaged the situation in Syria. He is the Chief Executive, he is the Commander in Chief, the military does what he says, and this has not been good. It just has not been good. It has caused danger, it has caused innocent people to be killed, it has caused people to have to flee, and it has also allowed the surge of ISIS and Al Qaeda-type terrorist organizations in Syria to be able to create an entire state of their own and to export their terrorism.

We have to create safe zones in Syria and other places in the region where people can stay in their homes, and we need to work to end this fighting as soon as possible so people can go back home permanently. It cannot be the position of this country that we just bring in millions of people because of the dangers abroad. It just does not make common sense.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, as my colleague from Alabama prepares to leave, I want to wish him and his family a happy Thanksgiving holiday and I look forward to seeing him in 10 days.

Mr. SESSIONS. Mr. President, Senator CARPER is one of our most delightful colleagues. He is always gentlemanly and calls us to consider and think on the higher things. I thank my friend from Delaware for that and his service.

ISIS

Mr. CARPER. Mr. President, it has been quite a week. I think we have all learned a bit about Syrian refugees, the challenges they face, and the potential challenges they create for us in this country. One of the things we have learned is that it is not easy to come here as a refugee to this country. In fact, it is pretty difficult. It is not something one can do easily. If you want to come over thinking that you might wait a couple of weeks or a couple of months—you might wait a couple of years. You have to go through a vetting process with the United Nations. You go through a vetting process overseas with the U.S. folks. You have to have your information go through any number of databanks to determine whether you are a person of special interest and could potentially be a problem. It is a long process.

I will be honest. If I were a bad guy over there, one of these ISIS folks trying to get into the United States and create mayhem, there is no way I would want to wait 2 years, go through a refugee program, and probably get bounced out somewhere along the line through all these background checks and access to intelligence databanks and personal interviews. I think I would find another way to get here, and there are other ways to get here. We have been talking about that more recently today and yesterday.

One of the potential ways to get here is through what is called the Visa Waiver Program. It is an agreement we have with 38 different nations. The Visa Waiver Program started a number of years ago, and it has now grown to include 38 countries. It started off as a travel facilitation program, kind of like the TSA precheck or the global entries we have at the airports here in the United States. It started off as a travel facilitation program, and over time it has turned into an information sharing partnership with 38 different foreign countries. The idea is to make it a little easier for folks who we believe are trusted travelers to get into this country from several dozen nations. One of the things we don't focus on very much in this program is we believe it is to our economic advantage to facilitate travel and tourism for those visiting our country. That is hard to argue with. It also facilitates tourism and traveling to the other 38 countries.

We didn't just enter willy-nilly into this agreement with these other 38 other countries. There are certain requirements we have in terms of access about the people who would like to come to this country under the Visa Waiver Program. We have any number of different kinds of access to intelligence data files and databases, and we insist on that before we allow these countries to participate. If they don't want to do that, they are not part of the Visa Waiver Program.

If they change their mind during the course of our relationship with them as part of the Visa Waiver Program and become not very good partners in this, we bounce them out, they are no longer part of the Visa Waiver Program, and then those people have to go through the regular visa process.

Anyway, that would provide another option. It is probably a more favored option for somebody who is anxious to get over here from Syria or for anybody who wants to do mayhem. That might be an option if they live in one of those 38 countries. People can go to U.S. consulates all the time in other countries. They ask to come here. Sometimes they ask to come here on a visa. It could be a tourism visa. A lot of people want to come to the United States as a tourist. It could be that they want to come here to study. Those may be perfectly legitimate, but in some cases they may not be. Folks come here in many other ways.

We had an interesting hearing today in the Senate's Homeland Security and Governmental Affairs Committee. We had two witnesses from the Federal Government, and then we had five witnesses from a variety of different backgrounds. One of the things we asked were: Where do the real threats lie for our country? It could be Syria. It could be ISIS people from Iraq. It could be folks who have been radicalized from other countries who have gone to Syria to fight and have become jihadists and want to somehow get into our country and create not just mischief but mayhem. Everybody who testified said the primary concern should not be the Refugee Resettlement Program. Why would anybody want to go through that? It wastes 2 years. Maybe they will get through it, maybe not. If you are lucky, you get through it 2 years later.

The 2,000 people or so who have come through that program from Syria this year, I am told they were mostly women and children, older men—very old men. Out of the 2,000, in terms of the folks who are male and of fighting age, only about 2 percent fall into that category. They all have to provide family connections of the people they are related to and will be reunited with over here. That is part of the deal for getting in. It is not like every refugee who comes here would even be someone who would be expected to be of fighting age.

One of the other things most of the folks agreed on was that one of the greatest concerns we ought to have for folks getting into our country and doing mischief here would not necessarily be folks from other countries. The concern is about the folks who are already here and may be natives to the United States who have become radicalized. We heard that again and again and again. That is a major concern, and that is something we have to be serious about.

One of the best ways we can reduce the likelihood that folks living here would be radicalized and want to be a part of the ISIS army overseas or right here is to do what we are trying to do as a country; that is, to degrade and destroy ISIS militarily. And that would be not just us by ourselves—us using our air superiority, us using our ability to gather and disseminate intelligence, with direct strikes, and to provide help to the people on the ground, to the boots on the ground—not us—but to help other countries that are doing that sort of thing.

My guess is—and this was confirmed by most of our witnesses today—that the folks who most likely want to be a homegrown jihadist, be affiliated with ISIS, and do their job here in this country as opposed to over in Syria want to be on the winning side. They are not interested in affiliating with a loser. So the question is, What can we do to make sure that ISIS is degraded and destroyed?

I will mention a couple of things that happened in the last couple of weeks that would suggest to me that at long last the coalition of 60 nations is beginning to get its act together and make progress on the ground. Over the past year ISIS has lost 25 percent of its safe haven in Syria and Iraq. Our coalition has conducted more than 8,000 airstrikes against ISIS. We have killed ISIS fighters at a rate of 1,000 fighters a month.

The Iraqi Security Forces have now liberated Tikrit, which is a city in Iraq that is Saddam Hussein's old hometown. It has been liberated from ISIS now. About 70 percent of Tikrit's pre-ISIS citizens have been returned to the city.

With Syrian Kurdish forces on the ground and the United States in the air, the Syrian town of Kobane was kept from falling to ISIS, despite the fact that most analysts thought the town would fall within days earlier this year.

Just last week in Iraq, Kurdish forces supported by the United States in the air took back the key town of Sinjar from ISIS. That strategic town sits on the top of a key roadway that connects ISIS's stronghold in Mosul with ISIS's capital in a place called Raqqa.

Now these Iraqi Kurds are working with the Syrian Kurds, an Arab coalition, and the United States to fully sever that key supply line and isolate Mosul and Raqqa.

In August, a U.S. drone strike killed a fellow named Junaid Hussain, one of ISIS's online propagandists who had helped to direct the homegrown attack at Garland, TX, last May.

Just last week, a U.S. drone strike also killed Jihadi John, ISIS's chief executioner. Jihadi John has publicly executed dozens of people, including at least three Americans—James Foley, Steven Sotloff, and Peter Kassig.

Last week, an American airstrike took ISIS's leader in Libya, a guy named Abu Nabil.

Now, is that the ball game? No, it is not. Is that encouraging? Yes, it is. It has to be discouraging to folks with ISIS, and it has to be discouraging to fans here in the United States. The idea is to degrade them and ultimately destroy them, and I am encouraged that we finally seem to be on the right track to accomplishing that.

The other thing we heard from our witnesses today is that there is a Federal program run by the Department of Homeland Security called the Office of Community Partnerships Countering Violent Terrorism. The idea there is to work with the Muslim communities throughout the country—and there are a number of them—to counter the social media message that some find so alluring that is put up by ISIS. Part of the ability to compete with that and to degrade that message is to degrade ISIS on the ground.

The other way to do it is to do what the Department of Homeland Security is doing in conjunction with Arab communities and Muslim communities throughout our country and in conjunction with, for example, the district attorney in Minneapolis, to develop a good partnership in saying: Let's see if we can't convince our young people living there not to want to go to Syria, not to want to go to fight, not to want to go anywhere, but just to live their lives and not to be jihadists in this country. It is a good program. It seems to be bearing fruit. It has been well accepted, I am told, by many in the Muslim community. We are being asked to help fund that through the appropriations process, and it is very important that we do.

I will close where I started. It has been a bit of a wild and crazy ride this week. Every now and then I feel—when I was raising my kids, my boys, I would just say, why don't we just take a deep breath and chill for a little bit, and then figure out what to do. Given everything that has come across in the media and the scare that has been visited on so many people, it is probably a good time for us to just take a deep breath and to think about some of the things that I have said, some of what we learned in our hearing today.

There are threats to this country that are real. They are probably not posed by the refugee problem. We are reminded by the Pope that we have an obligation to follow the Golden Rule and treat other people the way we wanted to be treated. We have an obligation, as we were reminded just two months ago by the Pope on the other side of the Capitol when he addressed a joint session of Congress. He told us to remember Matthew 25: When I was hungry, did you feed me? When I was thirsty, did you give me a drink? When I was naked, did you clothe me? When

I was a stranger in your land, did you take me in?

He posed to us sort of a moral dilemma and certainly reminded us that we have a moral obligation to the least of these in our society. We also have a moral obligation as leaders here in the Congress to make sure that we are not only trying to be true to that moral obligation to the least of these but the obligation that we have to protect the people of this country.

The question for us as we approach Thanksgiving—maybe in the spirit of Thanksgiving—is that it possible for us to be true to both of the moral imperatives, to the least of those in our society and, frankly, outside this country, and the moral imperative to our country men and women to protect them. I think we can do both.

As we leave here today to head for our homes and for Thanksgiving, I am encouraged we can do both, and that if we are smart about it, we will do that.

I wish the Presiding Officer and all of our pages and all of the staff here a blessed Thanksgiving holiday. Thank you all for your service. I will see you in about 10 days. God bless you.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SASSE). Without objection, it is so ordered.

TRIBUTE TO BONNIE CARROLL

Mr. SULLIVAN. Mr. President, the Presidential Medal of Freedom is our Nation's highest civilian honor, presented to men and women who have made "an especially meritorious contribution to the security or national interests of the United States, world peace, cultural or other significant endeavors."

It is the highest honor a civilian of the United States can achieve. In all, the recipients have included seven Presidents, nine Supreme Court Justices, countless Members of Congress, First Ladies, military leaders, lawyers, artists, athletes, civil rights leaders, and doctors. It is the list of the best of America. It is a diverse list. The recipients come from all backgrounds and all walks of life. They all have one thing in common. They have dedicated their lives to achieving excellence in serving causes greater than themselves.

On November 24, next week, Bonnie Carroll, a proud Alaskan, will join this honor roll when she is presented with the Presidential Medal of Freedom at a White House ceremony. It is certainly an exciting time for all of us in Alaska. We are so proud of Bonnie, who just happens to be here tonight in the Gallery.

Let me tell you a little bit about Bonnie Carroll, a woman of determination, perseverance, honor, and strength. You can't talk about Bonnie without talking first about how she met her husband Tom, which in many ways—in tragic ways I will get to—led to the great work she has done for a grateful nation.

In 1988, Bonnie was working at the White House when news broke that three whales were trapped in the ice off the coast of Alaska. Now I know this doesn't happen in the Presiding Officer's State that often, but in Alaska we have certain challenges that other States don't. She picked up the phone to see what could be done, and on the other line was her future husband, Alaska Army National Guard COL Tom Carroll, who worked with many others to help rescue the whales. This was part of the love story between Bonnie and Tom and part of a story so unique that what happened up in Alaska actually caught the attention of Hollywood. You can see their love story portrayed in the film "The Great Miracle."

For the Carrolls, the story didn't end with the saving of the whales. Unfortunately, their story is in many ways happy but also did not have a so-called Hollywood ending—unfortunately, far from it. After they were married in 1992, COL Tom Carroll of the Alaska National Guard died in an Army C-12 plane crash in the mountains of Alaska. Seven other top Alaska National Guard members were tragically lost that day. It was a horrible tragedy for America, for Alaska, for the Carroll family, and for all the other families who suffered tragic loss that day in Alaska.

After the crash Bonnie realized there were no organizations established in this country to help people like her who had lost loved ones—military members and family members who had lost military members in tragedies such as the day of that crash. What she did after that was amazing. What she did was heroic. She took her deep grief and put it to use for the rest of us.

Just 2 years after her husband's tragic death, Bonnie founded the Tragedy Assistance Program for Survivors, also known as TAPS. The idea for TAPS came in part as a result of her consultations with former Senator Ted Stevens, another great Alaskan and great American, who would also tragically die in a plane crash in Alaska. This is why Bonnie is being honored by the President next week. Since 1994, her organization, TAPS, has offered support to 50,000 surviving families of our military members whom we have lost. Fifty thousand surviving family members and caregivers have benefitted from the services of TAPS, which Bonnie founded. Think of the grief and think of what she has done across America to soothe the grieving families.

TAPS provides a variety of grief and trauma resources, including seminars for adults and a summer camp for children in Alaska to help families heal and to help them work through their grief. I heard many of these stories, and you can't help but be touched and moved by the power of what TAPS does to help Americans, family members of our military, work through some of the most difficult times. For years those of us in the military and those of us in Alaska have known how Bonnie's work and the work of TAPS has been healing families throughout this country, for those we have lost—our heroes who have been defending this country. We have known in the military, we have known in Alaska, and as of Tuesday the world will know when Bonnie is presented with this incredible honor at the White House.

As she puts it: "Out of an Alaskan tragedy came hope and healing for tens of thousands of our military families."

For the work that she does with the families of our heroes who have made the ultimate sacrifice for all of us, Bonnie Carroll is utmost deserving of this great honor. She is a great Alaskan, a Great American, and she has made us all very proud.

Congratulations, Bonnie.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ANNIVERSARY OF EXECUTIVE ACTION ON IMMIGRATION

Mr. LEAHY. Mr. President, a year ago today, in a nationwide address, President Obama announced a series of measures to improve our broken immigration system. He outlined efforts to focus scarce resources on identifying and deporting those people who pose a danger to our communities, to modernize our legal immigration system, and to provide temporary relief from the threat of deportation for hard-working, law-abiding members of our communities. For many, the President's announcement offered at last a hope for stability. It acknowledged the longstanding presence and contributions of immigrants to our country.

But the President's announcement also underscored the real human consequences of the House of Representatives failing to allow a vote to reform our immigration laws. Importantly, it highlighted the impracticality of deporting 11 million undocumented immigrants. Many of them have strong family ties in the United States and a deep desire to become fully integrated

in our country. They are mothers and fathers, sisters and brothers, sons and daughters. To suggest that we can simply remove them is unrealistic and it would conflict with fundamental American values.

The President's Executive action is no substitute for legislation. He reminded critics of that very fact during his address, pointing out that the commonsense, responsible solution to the problems in our immigration system is to pass a comprehensive reform bill. A year later, the Republican-led Senate has failed to debate, let alone pass meaningful immigration reform. Instead, it has repeatedly taken up divisive and partisan proposals that do not reflect a desire to fix what we all agree is a broken system.

These political gimmicks are not serious attempts to address an issue as important as immigration and could not be more different from what the Democratic-led Senate accomplished in 2013 when we passed a bipartisan immigration bill supported by 68 Senators. During the Senate Judiciary Committee's consideration of the Border Security, Economic Opportunity, and Immigration Modernization Act, I convened multiple hearings, and we heard from 42 witnesses. Government officials and individuals representing a range of perspectives—including law enforcement, civil rights, labor, faith, business, and State and local governments—testified about the challenges confronting our current immigration system.

We heard the powerful testimony of witnesses such as Jose Antonio Vargas and Gaby Pacheco who pressed the urgent need for immigration reform. The compelling stories of DREAMers, young immigrants brought to this country as children, who have grown up as Americans and have every desire to make meaningful contributions to their communities, continue to inspire. Many of them have qualified for the temporary relief provided by the Deferred Action for Childhood Arrivals, DACA, program, which has established a path for them to become our next generation of teachers, engineers, public servants, and doctors. Our Senate-passed, comprehensive bill included the DREAM Act, an important measure that would have provided a long-lasting solution to the problems these courageous young individuals face, acknowledging that they deserve to be part of our Nation's future.

The Senate-passed bill would have addressed many of the injustices in our current immigration system. It was a remarkable example of all that we can accomplish when we actually focus on the hard job of legislating. But the Republican-led House of Representatives blocked that effort. It stubbornly refused to even allow a vote on that bill. Given that lack of action, I understand the President's frustration and motivation. His Executive action was a re-

sponse to what we all acknowledge is a broken system, but it is no substitute for comprehensive immigration reform.

Following the President's announcement, the Senate Judiciary Committee held a hearing on the Executive action program and heard the testimony of Astrid Silva. Hers is a fundamentally American story. It is similar in many ways to those of our parents and grandparents. It is a story of a family looking to find a better life. Astrid qualifies for the President's Deferred Action for Childhood Arrivals, DACA, program. And her parents would be eligible for the Deferred Action for Parents of Americans and Lawful Permanent Residents, DAPA, program because her younger brother is a U.S. citizen. For more than 20 years, Astrid's family has been working hard and contributing to their local community. They are the kind of family we want to have as our neighbors and coworkers. Their stories remind us that their dreams, along with those of so many others affected by our dysfunctional immigration system, hang in the balance, and underscore the need for a permanent legislative solution.

Some in Congress claim that the President's executive action undermined the prospect of achieving comprehensive immigration reform. But I remind them that the President's action—prompted by congressional inaction—is not an excuse for continued congressional inaction. We must keep working to find a permanent legislative solution that provides today's immigrants with an opportunity to prosper and contribute to our country. As families across the Nation gather next week around the table to give thanks, we will all count our family members and their security among our greatest blessings. Our fight for comprehensive immigration reform is at its core a fight to help reunite families and provide the security that we all want for our loved ones. I urge Republicans to return to the cooperative and bipartisan approach of 2013 and work on comprehensive immigration reform legislation. The American people support immigration reform. It is the right thing to do, and it should not be delayed any longer.

REFORMING THE EB-5 REGIONAL CENTER PROGRAM

Mr. LEAHY. Mr. President, I have championed the EB-5 Regional Center Program for many years. I have done so because I have seen its ability to generate investment and create jobs in distressed communities. But the program is facing some pressing challenges. Reports of rampant fraud and abuse raise serious concerns and threaten to cripple the program's integrity. The incentives Congress established to invest in high unemployment and rural communities are also rou-

tinely abused, undermining a core objective of the program—to spur growth and create jobs in underserved areas. The Regional Center Program is set to expire on December 11. It should be reauthorized, but we should not extend it blindly. There is bipartisan consensus that the program is in dire need of reform, and we cannot squander this opportunity.

I have long sought reforms to the Regional Center Program. Last Congress, my EB-5 amendment to Comprehensive Immigration Reform provided the Department of Homeland Security additional authority to revoke suspect regional center designations or immigrant petitions. It also provided for increased reporting, background checks, and securities oversight. My amendment was unanimously approved in the Judiciary Committee, but unfortunately the improvements it contained have all had to wait, as the House of Representatives failed to allow a vote on the bipartisan immigration reform bill that passed the Senate last Congress.

In the past year, only more concerns have emerged. In January, I joined Senators GRASSLEY, CORKER, JOHNSON, and others in requesting that the Government Accountability Office, GAO, audit the EB-5 program. The GAO report released in August detailed fraud vulnerabilities within the program and questioned its economic impact. Separate reports from the Department of Homeland Security's Office of Intelligence and Analysis and Office of the Inspector General highlighted additional issues that need to be addressed.

I am also troubled by the fact that the incentives Congress created to promote EB-5 investment in rural and high unemployment areas have been rendered meaningless. Investors are provided a discount if they choose to invest in rural or high unemployment areas, known as targeted employment areas or TEAs. At present, however, the most affluent neighborhoods in the country routinely qualify as TEAs by selectively stitching together otherwise unrelated census tracts. Department of Homeland Security Secretary Johnson rightly described this practice as gerrymandering. I do not suggest that affluent areas should not benefit from EB-5; they should. But they should not qualify for incentives intended to benefit high unemployment and rural areas. These areas typically do not have access to significant capital and often struggle to create jobs.

Secretary Johnson himself called for significant reforms to strengthen the Regional Center Program. In a letter to the Judiciary Committee last April, he asked for authority to quickly act on criminal and national security concerns, additional protections for investors, enhanced reporting and auditing, improved integrity of TEAs, increased minimum investment amounts, and more.

I have now worked for over 2 years to develop legislation that would provide a necessary overhaul of the Regional Center Program. In June, I was joined by Chairman GRASSLEY in introducing this reform-oriented legislation, S.1501. Since then, Chairman GRASSLEY and I have worked with House Judiciary Chairman GOODLATTE on a bicameral bill based on S.1501.

This bicameral bill would provide the Department with the authorities and investigative tools necessary to address national security concerns and fraud. The reforms include further expanding background checks, conducting a more thorough vetting of immigrant investors and proposed investments, and providing for the ability to proactively investigate fraud, both in the United States and abroad, using a dedicated fund paid for by certain program participants. The bill would provide greater protections for investors and clarity and shorter processing times for project developers. It would also raise minimum investment thresholds so more money goes to the communities that need it. And it would help to restore the program to its original intent, by ensuring that incentives to invest in distressed and undercapitalized areas are restored.

Such reforms would answer the concerns raised by Secretary Johnson, the Department's inspector general, the GAO, and others, instilling both confidence and transparency in the program. I believe these reforms would result in a secure EB-5 program that creates American jobs and promotes economic growth throughout our country. We cannot continue to leave the Department ill-equipped to administer this job creation program. We know what is needed to fix it. And we should fix it now.

NOMINATION OBJECTION

Mr. GRASSLEY. Mr. President, I intend to object to any unanimous consent request at the present time relating to the nomination of Thomas A. Shannon, Jr., of Virginia, a career member of the Senior Foreign Service, class of Career Ambassador, to be an Under Secretary of State, Political Affairs.

I will object because the Department of State has still not responded to almost a dozen investigative letters dating back to 2013. In addition, on August 20, 2015, my staff met with Department officials in an effort to prioritize material for production. The Department has failed to comply with its commitments, producing material late, failing to provide all requested material, and even failing to provide material to the Senate Judiciary Committee contemporaneously with providing the same documents to Freedom of Information Act, FOIA, requestors. These are the same complaints that I raised on Sep-

tember 30, 2015, when I placed a hold on Brian James Egan of Maryland to be legal advisor of the Department of State. Apparently, the Department simply does not understand its obligation to respond to congressional inquiries in a timely and reasonable manner.

Two and a half years ago I began a broad inquiry into the government's use of special government employee programs. I did not single out the State Department on this issue. To the contrary, I wrote to 16 different government agencies.

Two and a half years have passed since I began my inquiry, and the State Department has still not produced the materials I have requested or certified they do not exist.

In addition to the investigation of the Department's special government employee program, I am also investigating the Department's compliance with the FOIA as it pertains to Secretary Clinton's private server that was used to transit and store government information.

The Minority Leader has questioned whether the Judiciary Committee's jurisdiction extends to these matters. I would note that the special government employee designation is an exception to Federal criminal conflict-of-interest laws. Those laws are within the jurisdiction of the Judiciary Committee, as is FOIA.

During the course of my investigation, a former State Department employee—Mr. Bryan Pagliano—declined to speak to the Judiciary Committee about his work on Secretary Clinton's email server.

He pled the Fifth Amendment.

We keep hearing that the FBI's inquiry is just a security review and not a criminal inquiry; yet this witness cited his Constitutional right against self-incrimination to avoid talking about his work on the email server. And he is relying on the Fifth Amendment to withhold his personal emails as well.

So naturally we are searching for other ways to get information before deciding whether it might be appropriate to seek an immunity order for his testimony. The most likely source of information without forcing the witness to testify would be his emails.

Yet the Department has failed to produce any in response to my request and the request of Chairman JOHNSON of the Homeland Security and Governmental Affairs Committee.

As a further example of the Department's continued intransigence, I requested all SF-312 "Classified Non-Disclosure Agreements" for Secretary Clinton, Ms. Huma Abedin, and Ms. Cheryl Mills on August 5, 2015. My staff met with Department personnel three times since that letter and participated in dozens of emails and phone calls in an effort to acquire these documents. In addition, after the Department com-

plained that it had received too many requests from me, my staff produced a prioritized list of requests to assist the Department in producing responses. At number three on that list were the SF-312 forms, and at number one are the official emails of Mr. Pagliano.

Notably, during conversations with my staff on the subject, Department personnel stated that they could not locate those forms with the exception of only page 2 of Ms. Abedin's SF-312 exit form. On November 5, 2015, the Department produced SF-312 entrance forms for Secretary Clinton, Ms. Abedin, and Ms. Mills to a FOIA requestor but failed to provide the same to the Committee. Clearly, the documents exist.

In addition, I am also looking into several State Department inspector general and whistleblower reports that suggest that the State Department does not hold its own employees accountable for human-trafficking and prostitution violations.

Earlier this year, the Judiciary Committee led the effort to pass the Justice for Victims of Trafficking Act, and I have sent letters to DOJ and DHS—and not just the State Department—to ensure that Federal employees are held accountable for soliciting prostitutes.

Last week, the minority leader questioned my use of Judiciary Committee resources to conduct these investigations, suggesting that my work in this area is somehow taking away from the committee's other work.

Back in September, the Justice Department sent me a letter complaining that I have sent them almost 100 oversight letters containing more than 825 questions and document requests—in 2015 alone.

Since then, my office has sent 11 additional oversight letters to the Justice Department, containing more than 65 questions and document requests. So perhaps the minority leader should ask the assistant attorney general for legislative affairs at DOJ whether my committee is not doing enough DOJ oversight.

The continued intransigence and lack of cooperation make it clear that the Department did not care enough about their Foreign Service officer candidates to "get in gear" and begin to produce responses to my oversight letters. Accordingly, I have released my hold on these officer candidates and have escalated to Mr. Shannon.

The Department of State's refusal to fully cooperate with my investigations is unacceptable.

As I have noted before on the floor of the Senate, the Department continues to promise results, but there has been very little or no follow-through. The Department's good faith will be measured in documents delivered and witnesses provided.

My objection is not intended to question the credentials of Mr. Shannon in

any way. However, the Department must recognize that it has an ongoing obligation to respond to congressional inquiries in a timely and reasonable manner.

REMEMBERING NOHEMI GONZALEZ AND THE VICTIMS OF THE PARIS TERRORIST ATTACKS

Mrs. BOXER. Mr. President, it is with a heavy heart that I ask my colleagues to join me in honoring the life of Nohemi Gonzalez, a 23-year-old senior at California State University, Long Beach who was tragically killed during the recent terrorist attacks in Paris.

Nohemi grew up in Whittier, CA with her mother, Beatriz, who described her as “very strong and independent,” even graduating high school early because she couldn’t wait to go to college. At Cal State, she chose to study industrial design—recently taking home a second place prize in an international design competition. She was thrilled to be achieving one of her dreams of studying at the Strate School of Design in Paris this semester.

Nohemi’s professors laud her as a very gifted student—curious, determined, and incredibly caring. She took on a leadership role as a teacher’s aide and shop technician for the department of design. Classmates remember Nohemi as a mentor and tutor, someone who encouraged everyone around her to strive to be the best versions of themselves. Friends say she was a blessing and always had an upbeat, cheerful attitude. She always looked on the bright side.

I want to send my deepest, heartfelt condolences to Nohemi’s mother, Beatriz, her stepfather, Jose Hernandez, and to all who loved her. While there are no words to express how sorry I am at this tragic loss, I hope they can take comfort knowing that Nohemi’s beautiful legacy will serve as an inspiration for us all.

I also want to send my thoughts and prayers to the members of the Palm Desert-based band, Eagles of Death Metal, who were playing at the Bataclan concert hall the night of the attacks. As they grieve the death of their British merchandise manager, Nick Alexander, and representatives from their record company, Thomas Ayad, Marie Mosser, and Manu Perez, I know there has been an outpouring of love and strength from the caring Desert community. I hope that brings them some comfort in this very difficult time.

The people of France have suffered tremendously, and I want them to know that Americans mourn with them. They stood by our sides after the attacks on September 11, 2001, and we stand with them now in the face of these horrific attacks.

NATIONAL ADOPTION DAY

Mrs. FEINSTEIN. Mr. President, I wish to bring attention today to the 108,000 foster children in our country who right now are waiting to be adopted. Of these, more than 14,000 are in California.

These are children who cannot safely be reunited with their biological families and are without a permanent place to call home through absolutely no fault of their own. These are children who are waiting for a family, wanting to belong, and needing our help. Of these children, more than 20,000 age out of the foster care system every year. They are sent on their way and expected to make it on their own. This is unacceptable.

What do we know about their outcomes? It isn’t good. Around half of foster youth graduate high school, and less than three percent earn a college degree. Around a quarter will become homeless after aging out of the foster system. Many will find their way into the justice system.

Now, imagine a different outcome. Children are meant to be in a family. All children deserve love, safety, and permanency. No child is unadoptable.

November marks National Adoption Month, and November 21st is National Adoption Day. This highlights not only the need to find loving homes for children who are waiting, but celebrates those who have opened their hearts and chosen to build their families through adoption. Children in foster care are not just in need, they are waiting for a family to give their love and to share their joy.

In 2014, more than 50,000 children were adopted from foster care. What adoption means to youth who have been through foster care is best said in their own words.

From Athena, a young lady in Pasadena, CA, who was adopted from foster care: “Adoption is very dear and important to me. As an older youth in the system, you expect to have no support, let alone adoption as an option. But being a part of a family was all I ever wanted and deep down it is what most foster youth want because it means love, stability and a place for one to grow and excel in.”

And from Cassidy, an adopted teenager in California: “If you take a chance on a foster child by adopting them, you give them a chance to be who they were born to be. Let’s make ‘aging-out’ a term no longer needed in the English language.”

Darnell, an older teen adopted in California, explains what finding a permanent family means to him: “Adoption means I have a second chance at life, I know I am loved and have a safe place to call home. When strangers take you into their home and love you just for who you are; you can relax and live a regular life.”

All children in foster care deserve this second chance at having their for-

ever family and a safe and loving home. I encourage those who are interested in learning more about adoption from foster care to visit www.adoptuskids.org.

This is also a time to celebrate the many volunteers and mentors who provide a positive, stable relationship for a child going through a time of vast uncertainty. There may not be a simple solution, but we do know what gets us closer.

Programs that provide comprehensive resources—tutoring, mentoring, mental health services, and adults that build meaningful relationships with youth leads to improved outcomes, including higher rates of permanency.

Focused family finding efforts that reach out to extended family members and others who have played a role in the life of the child gets results. That means fewer youth who age out of the system.

We can and must do better because 20,000 of our Nation’s foster children aging out of the system each year is simply unacceptable. These are our most vulnerable, the ones recovering from trauma, abuse, and neglect. The ones who are at high risk of being sold into child sex trafficking and a number of other terrible outcomes.

I look forward to working with my colleagues to ensure a better future for foster youth in our country and, as Cassidy, a teenager who was adopted from foster care in California says, make the term “aging out” one that we no longer need to use. Thank you.

TRIBUTE TO JAY S. FISHMAN

Mr. SHELBY. Mr. President, today I wish to recognize a distinguished and outstanding business leader, Mr. Jay S. Fishman, as he steps down as chief executive officer of The Travelers Companies on December 1, 2015.

I met Jay during my first term as chairman of the Senate Banking, Housing, and Urban Affairs Committee. Jay reached out to the committee in the wake of Hurricane Katrina. After handling claims and helping people rebuild their homes and businesses, Jay was interested in shaping public policy for how this country handles natural catastrophes. He proposed many innovative and thoughtful ideas on how to protect policyholders and taxpayers from what he called “the next big one.” I then watched as Jay deftly managed his company during the financial crisis, not merely weathering the storm, but thriving while many of his competitors were seeking help from the government in the form of taxpayer bailouts. Jay never asked what the government could do to help Travelers; he always asked how Travelers could help us to develop better public policy based on the expertise that he and his colleagues could provide.

Jay will continue to serve Travelers as executive chairman as he contends

with the challenges that come with the diagnosis of ALS. He has handled the diagnosis with great dignity and a steadfast resolve to engage, which will surprise no one who knows him. I know he will work relentlessly to promote research that will extend and eventually save lives of people who are stricken with this terrible disease.

I ask my colleagues to join me in paying tribute to this exceptional man, a man who passionately engaged in business and public policy, who has led a truly remarkable career and left an indelible impact on those people who were lucky enough to work for him and with him during his long career.

NOMINATION OF DR. ROBERT CALIFF

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of my remarks to the Senate Committee on Health, Education, Labor, and Pensions.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NOMINATION OF DR. ROBERT CALIFF

Today we are reviewing the nomination of Dr. Robert Califf to serve as Commissioner of Food and Drugs. Dr. Califf, congratulations on your nomination. Welcome to you and to your family members who are here. I enjoyed having the opportunity to visit with you in my office.

If confirmed to lead the Food and Drug Administration (FDA) as its Commissioner, you will be in charge of steering the agency responsible for assuring the safety and effectiveness of our nation's medical products and protecting our country's food supply. That is a huge job. The FDA affects nearly every single American and regulates about a quarter of all consumer spending in the United States—over \$4 trillion annually. It is responsible for product areas as diverse as prescription drugs for humans and animals, medical devices, biologics, cosmetics, over-the-counter medications, food, and tobacco. That is a vital mission, and we all want to make sure that the right person is leading it.

The president has nominated you to do that job, and like every full-time nominee, you've been through an exhaustive process to make sure that you do not have any conflicts of interest or other problems in your background.

Before the president even announced your nomination, there was an extensive vetting process by the White House and the FBI. You also submitted paperwork to the Office of Government Ethics, which carefully reviewed your financial information and found that, with several recusals which you have committed to do, there would not be any remaining conflicts of interest that would prevent you from doing your job. The form you submitted is public and includes every source of income over \$200 and every asset worth more than \$1,000, and every potential conflict that the Office of Government Ethics determined would require a recusal.

You answered 37 pages of questions from our committee, including some confidential questions on financial information, and responded to written follow-up questions. Your responses included over 3,000 pages of articles and lectures my staff reviewed and that any member of the committee could review.

You were nominated on September 17. My staff has spent two months carefully reviewing everything you submitted and has not found anything that would call into doubt your ability to lead the FDA fairly and impartially.

You come here today with impressive qualifications. You are one of the nation's leading cardiologists and have been a professor at one of the nation's top medical schools for over 30 years. You are an expert on clinical research and have been recognized by the Institute for Scientific Information as one of the top 10 most cited medical authors, with more than 1,200 peer-reviewed publications. You have experience managing large organizations, including in your current position supervising all of the FDA's work on medical products and tobacco, and in your past work as the founding director of the Duke Clinical Research Institute.

Moreover, you have conducted scores of important clinical trials, and you have advised and worked on research with some of the nation's leading pharmaceutical and biopharmaceutical companies. So you understand how research gets done in the real world, where there are opportunities for the FDA to help address challenges, and where the FDA needs to get out of the way.

I'm eager to hear about your priorities, and how you intend to manage an organization as large and diverse as the FDA. I also think everyone on this committee will have some questions for you. Here are a few of mine.

First, I would like to hear what you will do to help ensure that affordable drugs are available to American patients. The FDA's job, of course, is not to set drug prices. It is to make sure that drugs are safe and effective. And I hope you'll agree with me on that. But FDA can help the market lower drug prices by approving generic drugs and other products as quickly as it possibly can, so there is more choice and competition in the market.

There are thousands of applications for generic drugs sitting at the FDA, awaiting approval. Addressing this backlog will allow lower-cost drugs to be available for patients. Approval times have gotten worse instead of better. In 2011, the FDA published the median approval time on its website, and it was 30 months. Since then, the FDA has stopped publishing the statistics online, but the Generic Pharmaceutical Association surveyed its members and estimates that the median approval time is now about 48 months. This is despite generic drugmakers agreeing in 2012 to give the FDA approximately \$1.6 billion in user fees over 5 years, nearly \$1 billion of which the FDA has already collected. I'm eager to hear what you think the FDA can do to improve.

Second, there has never been a more exciting time to lead the agency. We know more about biology and medicine than ever before, and that's not likely to stop anytime soon given advancement of regenerative cell therapies, 3D printing, and the president's Precision Medicine Initiative—which is aimed at developing our knowledge so that medical treatments and devices can be tailored to individual patients. For example, Smith & Nephew, a device company I toured in Memphis a few weeks ago, uses 3D printing to make tools that doctors use in approximately 25% of knee replacements.

Your job, if confirmed, will be to make sure that FDA regulation is appropriate. Too much regulation could reduce investment in these areas in its track, and not enough regulation could lead to patients getting therapies that are not safe or effective.

Your job also will be to make sure the FDA keeps up with science and relies on the expertise outside the FDA when appropriate. Doing that will require you to manage a large and complex organization—not just on the big policies that make headlines, but on the less flashy stuff like hiring and training scientists on the agency's core mission, and integrating information technology in the right ways.

There is work to be done. Medical products take more time and money to discover, develop, and reach American patients than ever before, and we hear stories about drugs and devices that are available to patients outside the U.S. before they become available here, often because it is difficult for manufacturers to navigate the FDA's often unclear approval requirements. It often takes over a decade to develop a drug that gains marketing approval in the U.S., and, according to one recent study, the costs have nearly tripled in the last ten years. In 2003, it cost an inflation-adjusted \$1 million in capital and out-of-pocket expenses; in 2014, it cost over \$2.5 billion.

In this Committee, we are working on legislation to help get safe cutting-edge drugs, medical devices and treatments into Americans' medicine cabinets and doctors' offices more quickly, and we hope to move on that by the end of the year. I want to hear what you think the FDA can do to build its capacity and fix the impact of its regulations so that the FDA is a partner in innovation, rather than a barrier.

Thank you, and I look forward to hearing your testimony on these important issues.

ADDITIONAL STATEMENTS

RECOGNIZING THE 50TH ANNIVERSARY OF THE UNIVERSITY OF CALIFORNIA, SANTA CRUZ

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in congratulating the University of California, Santa Cruz on its 50th anniversary and recognizing the outstanding faculty and staff for their immense contributions.

For 50 years, UC Santa Cruz has educated, inspired, and helped shape the futures of generations of young people, fostering an environment to produce not only good scholars but also good citizens.

Modeled after historic institutions like Oxford, from its earliest days, students have been encouraged to ask questions—to learn how to think for themselves and debate the status quo inside and outside the classroom. Today the university counts among its alumni some of the world's most prolific and influential leaders on everything from organic farming to ocean health, from women's rights and medical research.

A half century after its founding, UC Santa Cruz is a world-renowned research facility at the center of many critical scientific breakthroughs, such as producing the first working draft of the human genome, helping global researchers develop a vaccine for the Ebola virus, and playing a leading role in cancer genome research. The university is also home to one of the world's

top marine mammal research centers. Its internationally recognized faculty includes 14 members of the National Academy of Sciences, 26 fellows of the American Academy of Arts and Sciences, and recipients of the Presidential National Medal of Science and the Benjamin Franklin Medal from the Franklin Institute, one of the oldest and most prestigious science awards in the world.

Anyone who is lucky enough to have visited the UC Santa Cruz campus is immediately struck by its beauty. Nestled between the Pacific Ocean and redwood forests, the campus offers students a spectacular backdrop to their education. Students hike trails to class, elephant seals can be heard in the background, and stunning sunsets can be seen from university grounds. These breathtaking surroundings have attracted a creative and passionate student body that has proudly embraced environmental, social, and political causes—and a sense of humor. In 1986, the students selected their now-famous official mascot—the Banana Slugs.

Since 1965, UC Santa Cruz has created an atmosphere of discovery and activism, shaping minds, pushing the frontiers of knowledge, and making our world a better place. I congratulate Chancellor George Blumenthal and the faculty, staff, alumni, and students of UC Santa Cruz on this 50th anniversary and wish this extraordinary institution continued success in the future.●

TRIBUTE TO MARY CRAWFORD

● Mr. DAINES. Mr. President, in honor of National Adoption Month, I want to recognize one member of Montana's community who has opened her home and heart to be an adoptive parent. Mrs. Mary Crawford is what I believe one of the best Montana has to offer.

As an original cosponsor of a resolution to designate November as National Adoption Month and November 21 as National Adoption Day that passed the Senate unanimously this week, I could find no better time than this to honor Mary. This month we honor selfless individuals like Mary who have dedicated themselves toward comforting, protecting, and improving the lives of children they have welcomed into their homes.

Like most foster parents who later become adoptive parents, the process isn't easy, but the resolve of both Mary and husband to continue to provide a loving home for nine children is nothing short of admirable. Mary has provided a family which has made a huge difference in these children's lives—giving them a family for life, beyond just their childhood years. These children are safe today in the arms of loving, adopting parents because of Mary.

Montana has kids who are ready and waiting to be adopted. In fact, there

are 415,000 children currently in the U.S. foster care system, and 108,000 of those are waiting to be adopted. Mary has taken tremendous steps in providing six children with a forever home to give them the stability and love that she and her husband could provide.

I am unbelievably proud to have a citizen like Mary Crawford in the great State of Montana. I am thankful for the love and support she has shown these children.●

RECOGNIZING THE NEVADA INDIAN COMMISSION

● Mr. HELLER. Mr. President, today I wish to recognize the 50th anniversary of an important entity to our great State—the Nevada Indian Commission. I am pleased to see this commission, which contributes so much in support of Nevada's Native American community, reach this significant milestone.

The Nevada Indian Commission has been a positive force in communities across our State. The commission continues to serve as a forum for Nevada's Native American population, bringing important issues affecting this community to light. I am grateful to have the Nevada Indian Commission serving as an important liaison between Nevada's 27 tribal communities and our State's government.

The Nevada Indian Commission was established in 1965 as a means to maintain a positive quality of life for our State's Native Americans. Those that serve on the commission work to bring greater awareness of Nevada's many tribes' cultures, values, and customs. The commission devotes countless hours to improving education, employment, health, well-being, and socioeconomic status by advocating on behalf of Nevada's Native Americans, while communicating with local officials. The commission has five board members working to strengthen economic opportunity and community development. I am thankful for their leadership and for the great things they are doing for this community.

The Federal Government has unique and important responsibilities to tribes and their people. That responsibility is something I take seriously as one of Nevada's Senators, which is why I have supported policies in Congress focused on promoting tribal self-governance and self-determination. Just recently, the Senate passed a resolution recognizing November as National Native American Heritage Month. As a proud original cosponsor of this resolution, I was pleased to see it pass to celebrate the heritages and cultures of Native Americans and their contributions to the United States and Nevada.

For the past 50 years, the Nevada Indian Commission has proven its unwavering dedication to our state. The hard work of those that have served this

Commission has greatly contributed to the positive impact the Native American community has had across Nevada. I ask my colleagues to join me in honoring the Nevada Indian Commission on its 50th anniversary and thanking the commission for all it does for the Silver State.●

CONGRATULATING PROFESSOR ANA DOUGLASS

● Mr. HELLER. Mr. President, today I wish to congratulate Professor Ana Douglass on receiving the 2015 Carnegie Foundation for the Advancement of Teaching Nevada Professor of the Year award. This accolade is truly prestigious, attained by only the most influential of Nevada's educators. The Silver State is truly fortunate to have Professor Douglass working at Truckee Meadows Community College, TMCC.

The State Professors of the Year Awards Program, sponsored by the Carnegie Foundation, recognizes educators who go above and beyond in their career. These professors have an extraordinary dedication to undergraduate teaching as proven through their relationships with students, approach in helping their students learn, contributions to undergraduate education, and support from students and colleagues at their institutions. These educators' unwavering commitment to their students is unparalleled and has not gone unnoticed.

Professor Douglass is the first faculty member of a Nevada community college to receive this prestigious award. She has served at TMCC for 19 years, working not only as an English professor, but also as a leader among her peers. As a teacher, Professor Douglass is dedicated to motivating her students to be the best they can be by challenging them in their studies. She is also a mentor to many hard-working students, serving as an example of excellence in education for the TMCC community.

As the father of four children and as the husband of a teacher, I understand the important role educators play in enriching the lives of Nevadans. Ensuring students throughout the Silver State are prepared to compete in the 21st century is critical for the future of our country. The State of Nevada is fortunate to be home to educators like Professor Douglass.

I ask my colleagues and all Nevadans to join me in thanking Professor Douglass for her dedication to enriching the lives of Nevada's students and congratulating her on receiving this award. I wish her well in all of her future endeavors and in creating success for all students who enter her classroom.●

CONGRATULATING THE LEWISTON HIGH SCHOOL BOYS' SOCCER TEAM

• Mr. KING. Mr. President, at the end of the fall season, we see the culmination of youth athletics across the country. In each sport, whether it is field hockey, football, soccer, or the like, we as parents and spectators see the aggregation of hard work, sportsmanship, and perseverance come together to produce outstanding championship athletes. Today I wish to draw attention to all of the talented Maine youths who won athletic championships across the State this year. In particular, I would like to congratulate the members of the Lewiston High School Blue Devils boys' soccer team, who on the path to their undefeated regular season and recent state championship victory have demonstrated remarkable levels of teamwork and sportsmanship.

The Blue Devils' achieved victory through an impressive display of talent and teamwork. Throughout their regular season the team scored a total of 114 goals, consistently demonstrated their strong defense, and earned recognition when USA Today ranked them 22nd in the country. The team's display of unity, patience, and determination in the state final against Scarborough High School was a fitting conclusion to a stunning season of hard work.

During two prior seasons, the Blue Devils earned their way to the State finals but each time returned home without the win. Following their defeat last November, Lewiston High School coach Mike McGraw vowed to his team that they would return and they would win. This year, that promise was fulfilled.

But the story of the Blue Devils' win is not solely one of raw athletic talent and training. This is a team with a long history and deep friendships that have spanned many years and continents. A number of the players originally hail from Somalia and have known each other and played soccer together since they were children in a refugee camp in Kenya. Others—native Mainers and immigrants alike—have bonded and shared their passion for the sport since grade school. This fraternal bond between the players and the supportiveness of the Lewiston community is a fine example of Maine citizens from diverse ethnic, religious, and experiential backgrounds coming together to achieve victory while championing Maine's spirit and America's highest ideals of inclusiveness and unity.

I wish to join the city of Lewiston and the entire Maine community in congratulating the Lewiston High School boys' soccer team for their well-earned success. They demonstrated impressive athletic ability, incredible determination, loyalty to their coach and one another, and have highlighted the richness that multiculturalism brings to our communities.

The Blue Devils have earned their title as champions in more ways than one.●

TRIBUTE TO BRIGADIER GENERAL BOB HARTER

• Ms. MURKOWSKI. Mr. President, today I acknowledge COL Bob Harter of the United States Army Reserve as he is promoted to brigadier general, effective November 8, 2015. The Harter family has long roots in Alaska; Bob's grandparents moved to Fairbanks in the early 1940s, and Bob's father, LTC Robert Harter, retired, was raised in Fairbanks, leaving Alaska to attend the United States Military Academy in 1961. Bob lived in Alaska in the mid-1970s, when Bob's father was stationed at Fort Wainwright. While Bob has spent the last 27 years serving his country both at home and abroad, he has always maintained his Alaskan residence and remains the son of a proud Alaska family. In fact, both Bob and his father travel to Cordova, AK, every summer to spend time on the family boat, fishing and enjoying "the last frontier."

BG Bob Harter is the incoming director of the Office, Chief Army Reserve, OCAR, Staff. He was previously assigned to the Army's chief of staff transition team, where he provided a total force perspective for GEN Mark Milley, the newly assigned chief of staff of the Army. As the director of the OCAR Staff, Brigadier General Harter will be responsible for synchronizing the actions of the 400-person Army Reserve headquarters based out of Fort Belvoir, VA, in support of the chief of Army Reserve's priorities.

A graduate of Virginia Tech, Brigadier General Harter began his military career in 1988 as an artillery officer, assigned to the 11th Armored Cavalry Regiment, ACR, in Bad Hersfeld, Germany.

While assigned to the 11th ACR, Brigadier General Harter participated in multiple border security missions prior to the fall of the Berlin Wall and German reunification. Colonel Harter also deployed with the regiment to Saudi Arabia and Kuwait in support of Operation Desert Storm.

Upon returning from Desert Storm, Colonel Harter transferred to the Ordnance Corps and was reassigned to Fort Campbell, KY, where he served as a group maintenance officer; battalion operations officer, S3; and as commander, 584th Direct Support, DS, Maintenance Company.

In 1999, Brigadier General Harter transferred from the Active component to the Reserve component, entered the Active Guard and Reserve program, and was assigned to the 99th Regional Readiness Command in Pittsburgh, PA, as a training chief for a readiness team, with a follow on assignment to the 55th Sustainment Brigade, Fort Belvoir, as the brigade support operations officer.

In 2006, Brigadier General Harter transferred to the 316th Expeditionary Sustainment Command and, in 2007, deployed to Balad, Iraq, for one year. While in Iraq, Brigadier General Harter served as the 316th's distribution management chief, responsible for synchronizing logistics support to the more than 150,000 military members operating in Iraq.

Upon redeployment from Iraq, Brigadier General Harter attended the National War College at Fort McNair, Washington, DC, and was subsequently assigned as branch chief in the Force Protection Division, J8, of the Joint Staff. While in the J8, Brigadier General Harter was responsible for vetting the mine-resistant ambush protected, MRAP, and counter improvised explosive device requirements in support of Central Command, CENTCOM, operations.

In 2011, Brigadier General Harter became the executive officer for the chief, Army Reserve, and, in 2013, assumed duties as the Office, Chief Army Reserve assistant chief of staff.

Brigadier General Harter's awards include the Legion of Merit, the Bronze Star, the Defense Meritorious Service Medal, and the parachutist and air assault badges. Brigadier General Harter is a graduate of the National War College. He lives in Stafford, VA, with his wife, Erin, also a Virginia Tech graduate, and his three children: Anna, 20, currently a sophomore at the University of Virginia; Bobby, 16; and Jack, 14.

It is only fair and proper to acknowledge the unwavering support of his wife, Erin, and their three children, as they enabled him to work tirelessly on his assigned duties throughout his career and will undoubtedly continue to do so for many years to come. Let us thank them all for their sacrifices and wish them continued success in the future.●

TRIBUTE TO REVEREND SCOTT FISHER

• Ms. MURKOWSKI. Mr. President, this weekend the interior Alaska community will honor the Rev. Scott Fisher, the rector and senior pastor of St. Matthew's Episcopal Church in downtown Fairbanks on the occasion of his retirement. St. Matthew's is not just any church. It is one of the three oldest churches in Fairbanks, a beautiful log building overlooking the Chena River. It is a diverse congregation, the spiritual home of the Athabascan community of interior Alaska. And Scott Fisher is not just any pastor. All who know Scott would agree that he reflects all that is good and all that is holy. Easy to talk to and calming in manner, Scott is respected by people of all faiths for his strength, compassion, and humanity.

There is an old plaque on the door of St. Matthew's that reads: "To all who

are joyful and thankful—to all who mourn and need comfort—to all who are weary and need rest—to all who are friendless and wish friendship—to all who pray and to all who do not but ought—to all who sin and need a Savior and to whosoever will—this church opens wide the door and in the name of Christ the Lord says welcome.” And under Scott Fisher’s leadership, that was so. This is a church where newcomers feel welcome immediately.

The Rev. Scott Fisher has served as rector of St. Matthew’s Episcopal Church since June 1991. He arrived in Alaska, through the legendary Bishop William Jones Gordon, Jr., as a volunteer layworker in October 1970 and lived in the interior villages of Chalkyitsik, Stevens Village, and Beaver before leaving for seminary under Bishop Gordon’s direction in the summer of 1973. Receiving his M.Div. from the Episcopal Theological Seminary of the Southwest, in Austin, TX, he returned to the interior of Alaska, working for the church in Fort Yukon and Beaver before moving into the diocesan office. He was an assistant to the bishop, traveling and working extensively throughout the interior and Arctic coast, before coming to St. Matthew’s in the summer of 1991.

I want to take this opportunity to thank Rev. Scott Fisher for the powerful contribution he has made to life in interior Alaska and to wish him well in retirement. I know that I speak for the entire community in telling you that your departure leaves a large hole in our hearts, and we shall miss you.●

CONGRATULATING BEATRIZ R. PEREZ

● Mr. PERDUE. Mr. President, I would like to offer congratulations to Ms. Beatriz R. Perez, chief sustainability officer and vice president of the Coca-Cola Company and the winner of the Canadian-American Business Achievement Award. For more than 20 years, the Canadian American Business Achievement award has highlighted the deep relationship between the United States and Canada, the importance of free trade between the countries, and recognized individuals who have been leaders in their fields of enterprise.

Ms. Perez has served in her current role at Coca-Cola since 2011. Previously, she helped direct major marketing operations for the Atlanta-based beverage giant. In addition to her work at Coke, Ms. Perez spends a great deal of time giving back to the Atlanta community as a trustee for the Save the Children Foundation and a board member for Children’s Healthcare of Atlanta.

At Coca-Cola, working with the company’s top leaders and nonprofits from around the world, Ms. Perez directs efforts that seek to build cooperation in

the “golden triangle of government, business and civil society.” Ms. Perez is working with local governments around the world to continue the company’s stewardship of natural resources through the development of water projects in nearly 100 countries, working with communities to advance and empower economic opportunities for women, and continuing the company’s efforts in the distribution of more than 10 billion fully recyclable PlantBottle™ packages across 24 countries, which eliminates the need for the equivalent of more than 200,000 barrels of oil.

In 2014, Ms. Perez was named as one of the 10 Most Powerful Women in Sustainability by Green Building & Design magazine. She has been featured as one of the 25 Most Powerful Latinas on CNN en Espanol and in People en Espanol, and is a member of the American Advertising Hall of Achievement and the Sports Business Journal’s Hall of Fame. Ms. Perez earned her bachelor’s degree in Marketing from the University of Maryland and currently resides in Atlanta, GA.

I applaud Ms. Perez’s efforts and am proud to have her and the Coca-Cola Company call Georgia home.●

TRIBUTE TO BETTY RUSSELL VANDIVER

● Mr. PERDUE. Mr. President, I am pleased today to recognize Betty Russell Vandiver, wife of former Gov. Ernest Vandiver, who served as first lady of Georgia from 1959 to 1963. When Mrs. Vandiver became first lady, Central State Hospital in Milledgeville served as Georgia’s only State hospital for the mentally ill and developmentally disabled. In the late 1950s, Central State Hospital was home to more than 12,000 clients, many of whom had been abandoned by their families at an early age.

Upon visiting the hospital, Mrs. Vandiver became very concerned about the plight of the clients and their living conditions. She determined that she would devote much of her time and energy as first lady to raise public awareness of the needs of Georgia’s mentally ill and developmentally disabled.

One of Mrs. Vandiver’s initiatives to show care and concern for the clients at Central State Hospital was to work with the Georgia Municipal Association to create a statewide Christmas gift collection drive known as the Mayors’ Motorcade, which was established in 1959 and expanded years later to support the clients of the State’s regional hospitals. Each year, caring Georgians support the Mayors’ Motorcade by donating gifts to cities participating in the program.

Through Mrs. Vandiver’s efforts, thousands of clients residing at Georgia’s State hospitals have received Christmas gifts and visits from city officials at special Motorcade events.

Today it is my pleasure to honor Mrs. Vandiver for having the vision to create the program as a way of providing not only gifts but also raising public awareness about the needs of Georgia’s mentally ill and developmentally disabled.●

REMEMBERING CHIEF VERNON ASHLEY

● Mr. ROUNDS. Mr. President, I wish to commemorate and reflect on the life and legacy of Vernon Ashley who passed away on November 10, 2015.

Vernon Ashley was born on January 15, 1916, at the mouth of Wolf Creek along the banks of the Missouri River near present day Fort Thompson, SD. In 1946, after serving in the Army Air Corps during World War II, Vernon was elected tribal chairman of the Crow Creek Sioux Tribe. As chairman, he was credited both with helping to author the tribe’s first constitution and bylaws and for working to preserve tribal lands for his people during the Federal Government’s flood control projects of the 1940s and 50s. He was a servant to his people of the Crow Creek Sioux Tribe and to his fellow South Dakotans. After nearly 10 years of working for the Bureau of Indian Affairs, Vernon went to work for South Dakota as the first Indian Affairs coordinator, serving in that role under three different Governors. He was a fluent Dakota speaker whose Dakota name was Sinkpe, which means muskrat. This past July, the Crow Creek Sioux Tribe honored him by making him a chief.

The eagle bone whistle was traditionally used by some Plains Indian warrior societies. When Vernon and his fellow veterans were honored at his memorial services, several people heard the sound of the eagle bone whistle even though no one was playing one. Therefore, may the sound of the eagle bone whistle be with us, too, when we need to be inspired to be brave and do what is right for the people we serve.

Chief Vernon Ashley will be remembered by all for his humility, for being a man of faith, and for his friendship to so many. With this, I welcome the opportunity to recognize and commemorate the life and legacy of this good friend of mine, a great leader, Chief Vernon Ashley. Thank you.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations

which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 11:45 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2262. An act to facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 12:05 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1210. An act to amend the Truth in Lending Act to provide a safe harbor from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio, and for other purposes.

H.R. 1737. An act to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending.

ENROLLED BILLS SIGNED

At 12:18 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 2036. An act to suspend the current compensation packages for the chief executive officers of Fannie Mae and Freddie Mac, and for other purposes.

H.R. 208. An act to improve the disaster assistance programs of the Small Business Administration.

H.R. 639. An act to amend the Controlled Substances Act with respect to drug scheduling recommendations by the Secretary of Health and Human Services, and with respect to registration of manufacturers and distributors seeking to conduct clinical testing.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

ENROLLED BILL SIGNED

At 2:22 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3996. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 2:33 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4038. An act to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes.

ENROLLED BILL SIGNED

The President pro tempore (Mr. HATCH) reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

S. 799. An act to address problems related to prenatal opioid use.

At 2:45 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 95. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1210. An act to amend the Truth in Lending Act to provide a safe harbor from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1737. An act to nullify certain guidance of the Bureau of Consumer Financial Protection and to provide requirements for guidance issued by the Bureau with respect to indirect auto lending; to the Committee on Banking, Housing, and Urban Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 3762. An act to provide for reconciliation pursuant to section 2002 of the concurrent resolution on the budget for fiscal year 2016.

The following bill was deemed read the second time, pursuant to the order of November 19, 2015, and placed on the calendar:

H.R. 4038. An act to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 4038. An act to require that supplemental certifications and background inves-

tigations be completed prior to the admission of certain aliens as refugees, and for other purposes.

S. 2329. A bill to prevent the entry of extremists into the United States under the refugee program, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, November 19, 2015, she had presented to the President of the United States the following enrolled bills:

S. 799. An act to address problems related to prenatal opioid use.

S. 2036. An act to suspend the current compensation packages for the chief executive officers of Fannie Mae and Freddie Mac, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3612. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flutriafof; Pesticide Tolerances" (FRL No. 9933-61) received in the Office of the President of the Senate on November 17, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3613. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2-Propenoic Acid, Polymer with Ethenylbenzene and (1-methylethenyl)benzene; Tolerance Exemption" (FRL No. 9936-48) received in the Office of the President of the Senate on November 17, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3614. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report entitled "Protection of Military Installations"; to the Committee on Armed Services.

EC-3615. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Photovoltaic Devices From the United States" ((RIN0750-AI41) (DFARS Case 2015-D007)) received in the Office of the President of the Senate on November 18, 2015; to the Committee on Armed Services.

EC-3616. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Eliminate Data Collection Requirement" ((RIN0750-AI73) (DFARS Case 2015-D031)) received in the Office of the President of the Senate on November 18, 2015; to the Committee on Armed Services.

EC-3617. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Commencement of Assessment of Annual Charges" (Docket No. RM15-18-000) received in the Office of the President of the Senate on November 17, 2015; to the Committee on Energy and Natural Resources.

EC-3618. A communication from the Administrator and Chief Executive Officer, Bonneville Power Administration, Department of Energy, transmitting, pursuant to law, the Administration's Annual Report for fiscal year 2015; to the Committee on Energy and Natural Resources.

EC-3619. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances; Withdrawal" ((RIN2070-AB27) (FRL No. 9936-98)) received in the Office of the President of the Senate on November 17, 2015; to the Committee on Environment and Public Works.

EC-3620. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Virginia; Prevention Significant Deterioration; Plantwide Applicability Limits for Greenhouse Gases" (FRL No. 9937-25-Region 3) received in the Office of the President of the Senate on November 17, 2015; to the Committee on Environment and Public Works.

EC-3621. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled "Algal Toxin Risk Assessment and Management Strategic Plan for Drinking Water"; to the Committee on Environment and Public Works.

EC-3622. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Final Rules for Grandfathered Plans, Preexisting Condition Exclusion, Lifetime and Annual Limits, Rescissions, Dependent Coverage, Appeals, and Patient Protections under the Affordable Care Act" (TD 9744) received in the Office of the President of the Senate on November 18, 2015; to the Committee on Finance.

EC-3623. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Comprehensive Care for Joint Replacement Payment Model for Acute Care Hospitals Furnishing Lower Extremity Joint Replacement Services" (RIN0938-AS64) received in the Office of the President of the Senate on November 17, 2015; to the Committee on Finance.

EC-3624. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Transitional Amendments to Satisfy the Market Rate of Return Rules for Hybrid Retirement Plans" ((RIN1545-BL62) (TD 9743)) received in the Office of the President of the Senate on November 18, 2015; to the Committee on Finance.

EC-3625. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Qualified Student Loan Bonds" (Notice 2015-78) received in the Office of the President of the Senate on November 18, 2015; to the Committee on Finance.

EC-3626. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the

report of a rule entitled "Extension of Guidance in Notice 2013-7 for Participants in the HFA Hardest Hit Fund" (Notice 2015-77) received in the Office of the President of the Senate on November 18, 2015; to the Committee on Finance.

EC-3627. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2015-80) received in the Office of the President of the Senate on November 18, 2015; to the Committee on Finance.

EC-3628. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2015-0134-2015-0149); to the Committee on Foreign Relations.

EC-3629. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Final Rules for Grandfathered Plans, Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, Dependent Coverage, Appeals, and Patient Protections" (RIN0938-AS56) received in the Office of the President of the Senate on November 17, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC-3630. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Department's Agency Financial Report for Fiscal Year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3631. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Freedom of Information Act Procedures" ((CBP Dec. 15-16) (RIN1651-AB05)) received in the Office of the President of the Senate on November 17, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3632. A communication from the Chairman, Farm Credit System Insurance Corporation, transmitting, pursuant to law, the Corporation's consolidated report addressing the Federal Managers Financial Integrity Act (FMFIA or Integrity Act) and the Inspector General Act of 1978 (IG Act); to the Committee on Homeland Security and Governmental Affairs.

EC-3633. A communication from the Director of the Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Housing Improvement Program" (RIN1076-AF22) received in the Office of the President of the Senate on November 17, 2015; to the Committee on Indian Affairs.

EC-3634. A communication from the Director of the Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Secretarial Election Procedures" (RIN1076-AE93) received in the Office of the President of the Senate on November 17, 2015; to the Committee on Indian Affairs.

EC-3635. A communication from the Chief Impact Analyst, Veterans Health Administration, Department of Veterans Affairs,

transmitting, pursuant to law, the report of a rule entitled "Exempting Mental Health Peer Support Services from Copayments" (RIN2900-AP11) received in the Office of the President of the Senate on November 17, 2015; to the Committee on Veterans' Affairs.

EC-3636. A communication from the Chief Impact Analyst, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Expanded Access to Non-VA Care through the Veterans Choice Program" (RIN2900-AP24) received in the Office of the President of the Senate on November 17, 2015; to the Committee on Veterans' Affairs.

EC-3637. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the Agency Financial Report for fiscal year 2015; to the Committee on Homeland Security and Governmental Affairs.

EC-3638. A communication from the Administrator, U.S. Agency for International Development, transmitting, pursuant to law, the Agency's fiscal year 2015 Agency Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC-3639. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions; Office of Engineering and Technology Releases and Seeks Comment on Updated OET-69 Software; Office of Engineering and Technology Seeks to Supplement the Incentive Auction Proceeding Record Regarding Potential Interference Between Broadcast Television and Wireless Services" ((ET Doc. No. 13-26) (ET Doc. No. 14-14) (GN Doc. No. 12-268) (FCC 15-141)) received in the Office of the President of the Senate on November 16, 2015; to the Committee on Commerce, Science, and Transportation.

EC-3640. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Herring Fishery; 2015 Management Area 1A Seasonal Annual Catch Limit Harvested" (RIN0648-XE292) received in the Office of the President of the Senate on November 17, 2015; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-107. A petition by a citizen from the State of Texas urging the United States Congress to propose an amendment to the United States Constitution which would clarify that a declaration of martial law, or a suspension of the writ of habeas corpus, does not prevent presidential and congressional elections from proceeding as scheduled and does not perpetuate a term-limited or a defeated presidential or congressional incumbent in office beyond the expiration of the term to which that incumbent was last elected; to the Committee on the Judiciary.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. MCCAIN for the Committee on Armed Services.

Air Force nomination of Col. Robert J. Becklund, to be Brigadier General.

Army nomination of Col. Frank D. Emanuel, to be Brigadier General.

Army nomination of Brig. Gen. Arlen R. Royalty, to be Major General.

Navy nomination of Capt. Michelle C. Skubic, to be Rear Admiral (lower half).

Mr. MCCAIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with Donnette A. Boyd and ending with Paul D. Sutter, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2015.

Air Force nominations beginning with Maria J. Belmonte and ending with Deveril A. Wint, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2015.

Air Force nomination of Alan D. Murdock, to be Colonel.

Army nomination of David M. Jackson, to be Lieutenant Colonel.

Army nomination of Tarnjit S. Saini, to be Colonel.

Army nominations beginning with Olga M. Anderson and ending with Eric W. Young, which nominations were received by the Senate and appeared in the Congressional Record on October 28, 2015.

Army nominations beginning with Jimmy C. Davis, Jr. and ending with Robert E. Wichman, which nominations were received by the Senate and appeared in the Congressional Record on October 28, 2015.

Army nomination of Spencer T. Price, to be Colonel.

Navy nomination of Jessica L. Morera, to be Lieutenant Commander.

Navy nomination of Kari J. Tereick, to be Lieutenant Commander.

Navy nominations beginning with Joshua C. Andres and ending with Bethany R. Zmitrovich, which nominations were received by the Senate and appeared in the Congressional Record on October 28, 2015.

Navy nomination of Calvin M. Foster, to be Captain.

Navy nomination of Tara A. Feher, to be Lieutenant Commander.

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

*Coast Guard nominations beginning with Peter J. Brown and ending with Joseph M. Vojvodich, which nominations were received by the Senate and appeared in the Congressional Record on May 14, 2015.

By Ms. MURKOWSKI for the Committee on Energy and Natural Resources.

*Suzette M. Kimball, of West Virginia, to be Director of the United States Geological Survey.

*Victoria Marie Baecher Wassmer, of Illinois, to be Under Secretary of Energy.

*Cherry Ann Murray, of Kansas, to be Director of the Office of Science, Department of Energy.

*John Francis Kotek, of Idaho, to be an Assistant Secretary of Energy (Nuclear Energy).

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BENNET (for himself and Mr. PORTMAN):

S. 2305. A bill to amend the Internal Revenue Code of 1986 to provide for the issuance of exempt facility bonds for qualified carbon dioxide capture facilities; to the Committee on Finance.

By Mr. BLUNT (for himself and Mrs. MCCASKILL):

S. 2306. A bill to require the Secretary of the Army, acting through the Chief of Engineers, to undertake remediation oversight of the West Lake Landfill located in Bridgeton, Missouri; to the Committee on Environment and Public Works.

By Mrs. SHAHEEN (for herself and Mr. WICKER):

S. 2307. A bill to promote the strengthening of the private sector in Bosnia and Herzegovina; to the Committee on Foreign Relations.

By Mr. CARDIN (for himself, Mr. PORTMAN, and Ms. KLOBUCHAR):

S. 2308. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of church pension plans, and for other purposes; to the Committee on Finance.

By Mr. BROWN (for himself and Mr. ALEXANDER):

S. 2309. A bill to amend title 54, United States Code, to establish within the National Park Service the U.S. Civil Rights Network, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DAINES (for himself, Mr. GRASSLEY, Mr. CRUZ, Mr. LEE, Mr. RUBIO, Mr. LANKFORD, Mr. PERDUE, Mr. VITTER, and Mr. JOHNSON):

S. 2310. A bill to allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HELLER (for himself, Mrs. GILLIBRAND, Ms. AYOTTE, and Mr. MARKEY):

S. 2311. A bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to make grants to States for screening and treatment for maternal depression; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE (for himself, Ms. HEITKAMP, Mr. ROBERTS, Mr. KING, Mr. CRAPO, Ms. COLLINS, and Mrs. CAPITO):

S. 2312. A bill to amend titles XVIII and XIX of the Social Security Act to make improvements to payments for durable medical equipment under the Medicare and Medicaid programs; to the Committee on Finance.

By Mr. GARDNER (for himself and Mr. PETERS):

S. 2313. A bill to amend the Internal Revenue Code of 1986 to facilitate program-related investments by private foundations; to the Committee on Finance.

By Mr. MORAN (for himself, Mr. UDALL, Mr. ROBERTS, Mrs. MCCASKILL, Mr. NELSON, Mr. BLUNT, and Mr. HEINRICH):

S. 2314. A bill to provide for the conversion of temporary judgeships to permanent judgeships, and for other purposes; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Mr. MERKLEY, Mr. BLUMENTHAL, and Ms. WARREN):

S. 2315. A bill to provide protection for consumers who have prepaid cards and mobile accounts, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUMENTHAL (for himself, Mr. MORAN, and Mr. BROWN):

S. 2316. A bill to amend title 38, United States Code, to expand the requirements for reissuance of veterans benefits in cases of misuse of benefits by certain fiduciaries to include misuse by all fiduciaries, and to improve oversight of fiduciaries, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. HIRONO (for herself, Mr. CORNYN, and Mr. SCHATZ):

S. 2317. A bill to amend title III of the Higher Education Act of 1965 to strengthen minority-serving institutions; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BARRASSO:

S. 2318. A bill to reauthorize the Land and Water Conservation Fund for 10 years, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. THUNE:

S. 2319. A bill to amend the Communications Act of 1934; to the Committee on Commerce, Science, and Transportation.

By Mr. FLAKE:

S. 2320. A bill to amend the Internal Revenue Code of 1986 to create Universal Savings Accounts; to the Committee on Finance.

By Mr. MERKLEY (for himself, Ms. MURKOWSKI, Mr. SCHUMER, Mr. MARKEY, Mrs. GILLIBRAND, Ms. WARREN, Mr. WYDEN, and Mr. FRANKEN):

S. 2321. A bill to amend the Fair Labor Standards Act of 1938 regarding reasonable break time for nursing mothers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER (for himself, Mr. FRANKEN, Mrs. GILLIBRAND, and Mr. BLUMENTHAL):

S. 2322. A bill to amend the Fair Labor Standards Act of 1938 to provide that over-the-road bus drivers are covered under the maximum hours requirements; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mrs. GILLIBRAND, Mr. BOOKER, and Ms. HIRONO):

S. 2323. A bill to clarify the definition of nonimmigrant for purposes of chapter 44 of title 18, United States Code; to the Committee on the Judiciary.

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 2324. A bill to provide for transparency, accountability, and reform of the National Flood Insurance Program; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. BALDWIN (for herself and Ms. MURKOWSKI):

S. 2325. A bill to require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. CANTWELL:

S. 2326. A bill to designate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr. Nisqually National Wildlife Refuge, to establish the Medicine Creek Treaty National Memorial within the wildlife refuge, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CASEY (for himself, Mrs. MURRAY, and Ms. WARREN):

S. 2327. A bill to amend the Internal Revenue Act of 1986 to strengthen the earned income tax credit and expand eligibility for childless individuals and youth formerly in foster care; to the Committee on Finance.

By Mr. WICKER (for himself, Mr. SCHATZ, Mr. SULLIVAN, and Ms. CANTWELL):

S. 2328. A bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; considered and passed.

By Mr. PAUL:

S. 2329. A bill to prevent the entry of extremists into the United States under the refugee program, and for other purposes; read the first time.

By Mr. BOOKER:

S. 2330. A bill to allow the Attorney General additional time to process background checks for alien firearm purchases, and for other purposes; to the Committee on the Judiciary.

By Mr. REED (for himself and Mr. GRAMM):

S. 2331. A bill to amend the Servicemembers Civil Relief Act to make invalid and unenforceable predispute arbitration agreements with respect to controversies arising under provisions of such Act and to preserve the rights of servicemembers to bring class actions under such Act, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ISAKSON (for himself and Mr. COONS):

S. Res. 319. A resolution designating November 29, 2015, as "Drive Safer Sunday"; considered and agreed to.

By Mr. MCCAIN (for himself, Mr. MCCONNELL, and Mr. DURBIN):

S. Res. 320. A resolution congratulating the people of Burma on their commitment to peaceful elections; to the Committee on Foreign Relations.

By Ms. MIKULSKI:

S. Res. 321. A resolution honoring the 70th anniversary of the founding of CARE; to the Committee on Foreign Relations.

By Mr. LEE (for himself, Mr. COTTON, Mr. CRUZ, Mr. VITTER, Mr. SHELBY,

Mr. THUNE, Mr. SCOTT, Mr. WICKER, Mr. HATCH, Mr. MCCAIN, Mr. BLUNT, Mr. JOHNSON, Mr. ROUNDS, Mr. ROBERTS, Mr. SESSIONS, Mr. COCHRAN, Mr. TILLIS, Mr. GRASSLEY, Mr. COATS, Mr. CASSIDY, Mr. CRAPO, Mr. INHOFE, Mr. MCCONNELL, Mr. SASSE, Mr. DAINES, Mr. TOOMEY, Mr. BARRASSO, Mr. PAUL, Mrs. CAPITO, Mr. ENZI, and Mr. CORNYN):

S. Con. Res. 25. A concurrent resolution expressing the sense of Congress that the President should submit the Paris climate change agreement to the Senate for its advice and consent; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 108

At the request of Mr. ALEXANDER, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 108, a bill to amend the Higher Education Act of 1965 to improve access for students to Federal grants and loans to help pay for postsecondary, graduate, and professional educational opportunities, and for other purposes.

S. 391

At the request of Mr. PAUL, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 391, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 551

At the request of Mrs. FEINSTEIN, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Ms. HIRONO), the Senator from Ohio (Mr. BROWN), the Senator from Minnesota (Mr. FRANKEN), the Senator from Virginia (Mr. WARNER) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 551, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 578

At the request of Ms. COLLINS, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 578, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 667

At the request of Mr. ENZI, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 667, a bill to ensure that organizations with religious or moral convictions are allowed to continue to provide services for children.

S. 849

At the request of Mr. ISAKSON, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor

of S. 849, a bill to amend the Public Health Service Act to provide for systematic data collection and analysis and epidemiological research regarding Multiple Sclerosis (MS), Parkinson's disease, and other neurological diseases.

S. 927

At the request of Mr. MORAN, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 927, a bill to provide regulatory relief for certain financial institutions, and for other purposes.

S. 954

At the request of Mr. MANCHIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 954, a bill to establish procedures regarding the approval of opioid drugs by the Food and Drug Administration.

S. 993

At the request of Mr. FRANKEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 993, a bill to increase public safety by facilitating collaboration among the criminal justice, juvenile justice, veterans treatment services, mental health treatment, and substance abuse systems.

S. 1133

At the request of Mr. FRANKEN, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 1133, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 1392

At the request of Mr. MARKEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1392, a bill to require certain practitioners authorized to prescribe controlled substances to complete continuing education.

S. 1431

At the request of Mr. MANCHIN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Arkansas (Mr. COTTON) were added as cosponsors of S. 1431, a bill to provide for increased Federal oversight of prescription opioid treatment and assistance to States in reducing opioid abuse, diversion, and deaths.

S. 1455

At the request of Mr. MARKEY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1455, a bill to provide access to medication-assisted therapy, and for other purposes.

S. 1513

At the request of Mr. LEAHY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1513, a bill to reauthorize the Second Chance Act of 2007.

S. 1719

At the request of Ms. COLLINS, the name of the Senator from Connecticut

(Mr. MURPHY) was added as a cosponsor of S. 1719, a bill to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes.

S. 1849

At the request of Ms. MURKOWSKI, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1849, a bill to amend title XVIII of the Social Security Act to establish a Medicare payment option for patients and eligible professionals to freely contract, without penalty, for Medicare fee-for-service items and services, while allowing Medicare beneficiaries to use their Medicare benefits.

S. 1855

At the request of Ms. HIRONO, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1855, a bill to provide special foreign military sales status to the Philippines.

S. 1890

At the request of Mr. HATCH, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1893

At the request of Mr. ALEXANDER, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 1893, a bill to reauthorize and improve programs related to mental health and substance use disorders.

S. 1913

At the request of Mr. TOOMEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1913, a bill to amend title XVIII of the Social Security Act to establish programs to prevent prescription drug abuse under the Medicare program, and for other purposes.

S. 1926

At the request of Ms. MIKULSKI, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Indiana (Mr. DONNELLY) were added as cosponsors of S. 1926, a bill to ensure access to screening mammography services.

S. 1944

At the request of Mr. SULLIVAN, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Kentucky (Mr. McCONNELL), the Senator from South Dakota (Mr. ROUNDS), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Texas (Mr. CORNYN), the Senator from Alabama (Mr. SESSIONS), the Senator from Utah (Mr. HATCH), the Senator from Idaho (Mr. RISCH), the Senator from Oklahoma (Mr. INHOFE), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Iowa (Mr. GRASSLEY) and the Senator from Georgia (Mr. ISAKSON) were

added as cosponsors of S. 1944, a bill to require each agency to repeal or amend 1 or more rules before issuing or amending a rule.

S. 2021

At the request of Mr. BOOKER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2021, a bill to prohibit Federal agencies and Federal contractors from requesting that an applicant for employment disclose criminal history record information before the applicant has received a conditional offer, and for other purposes.

S. 2035

At the request of Mr. CARDIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2035, a bill to provide for the compensation of Federal employees affected by a lapse in appropriations.

S. 2045

At the request of Mr. HELLER, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 2045, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

S. 2055

At the request of Mr. BURR, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2055, a bill to amend the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to national health security.

S. 2097

At the request of Ms. BALDWIN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2097, a bill to amend title XIX of the Social Security Act to provide for payment for Medicaid services furnished by Ryan White part C grantees under a cost-based prospective payment system.

S. 2099

At the request of Ms. AYOTTE, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 2099, a bill to provide for the establishment of a mechanism to allow borrowers of Federal student loans to refinance their loans, to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided educational assistance to employer payment of interest on certain refinanced student loans, and for other purposes.

S. 2145

At the request of Mr. LEAHY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2145, a bill to make supplemental appropriations for fiscal year 2016.

S. 2152

At the request of Mr. CORKER, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Connecticut (Mr. MURPHY) were added as

cosponsors of S. 2152, a bill to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes.

S. 2185

At the request of Ms. HEITKAMP, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Vermont (Mr. LEAHY), the Senator from Oregon (Mr. MERKLEY), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Washington (Ms. CANTWELL) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 2185, a bill to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

S. 2196

At the request of Mr. CASEY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2196, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 2200

At the request of Mrs. FISCHER, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 2200, a bill to amend the Fair Labor Standards Act of 1938 to strengthen equal pay requirements.

S. 2240

At the request of Mr. BARRASSO, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2240, a bill to improve the control and management of invasive species that threaten and harm Federal land under the jurisdiction of the Secretary of Agriculture and the Secretary of the Interior, and for other purposes.

S. 2284

At the request of Mr. DAINES, his name was added as a cosponsor of S. 2284, a bill to suspend the admission and resettlement of aliens seeking refugee status because of the conflict in Syria until adequate protocols are established to protect the national security of the United States and for other purposes.

S. 2295

At the request of Mr. COTTON, the names of the Senator from Arizona (Mr. MCCAIN), the Senator from Texas (Mr. CORNYN), the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. PERDUE), the Senator from Alabama (Mr. SESSIONS), the Senator from Indiana (Mr. COATS) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 2295, a bill to

extend the termination date for the authority to collect certain record and make permanent the authority for roving surveillance and to treat individual terrorist as agents of foreign powers under the Foreign Intelligence Surveillance Act of 1978 and for other purposes.

S. RES. 310

At the request of Mr. JOHNSON, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. Res. 310, a resolution condemning the ongoing sexual violence against women and children from Yezidi, Christian, Shabak, Turkmen, and other religious communities by Islamic State of Iraq and Syria militants and urging the prosecution of the perpetrators and those complicit in these crimes.

AMENDMENT NO. 2818

At the request of Mr. BOOKER, the names of the Senator from Florida (Mr. NELSON) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of amendment No. 2818 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 2819

At the request of Mr. SULLIVAN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of amendment No. 2819 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 2822

At the request of Mr. JOHNSON, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 2822 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 2825

At the request of Mr. ENZI, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of amendment No. 2825 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 2826

At the request of Mr. BLUMENTHAL, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of amendment No. 2826 in-

tended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 2852

At the request of Mr. DURBIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of amendment No. 2852 intended to be proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. SHAHEEN (for herself and Mr. WICKER):

S. 2307. A bill to promote the strengthening of the private sector in Bosnia and Herzegovina; to the Committee on Foreign Relations.

Mr. WICKER. Mr. President, on November 21, the world will mark the 20th anniversary of the Dayton Agreement, which ended the conflict in Bosnia and Herzegovina that began in April 1992.

Last July, the Senator from New Hampshire and I had the privilege and distinct honor of being part of a delegation of House and Senate Members to visit Srebrenica as part of the official U.S. delegation to remember the genocide in Srebrenica on its 20th anniversary. So a few months later in November, we commemorate a happy occasion, a positive development in the history of Europe and in international relations, the Dayton Accords.

I commend a bipartisan duo for securing approval within the United States. President Bill Clinton, a Democrat, and Speaker Newt Gingrich, a Republican, were both instrumental—along with a host of others—in persuading on a nonpartisan basis Americans and American Congressmen to support this agreement, which involved a bit of risk for the United States. It involved troops of the United States going into this area and risking their safety in order to make this accord work. So I appreciate this, and on the 20th anniversary of that agreement and their leadership, I commend them.

The Dayton Agreement was part of a response to a conflict that helped the international community transition from a world divided between East and West in order to meet post-Cold War challenges.

I wish to mention three accomplishments of the Dayton Accords and then Senator SHAHEEN will speak for a few moments about that aspect. Then we will talk about some legislation that she and I have had the honor and privilege of working on together as a result of this trip that she and I took, along

with others, to commemorate this tragedy in Srebrenica.

Back to the Dayton Accords, among the accomplishments is a successful and robust peacekeeping force under NATO, which actually replaced the U.N. peacekeeping group with a NATO command group. It was deployed for the first time, and NATO also intervened out of area for the first time to make peace.

Secondly, persons were held accountable for war crimes on an international basis—crimes against humanity and genocide. This is the first time this had happened since World War II.

Third, international cooperation on demining and a concerted search for missing persons became essential parts of post-conflict recovery.

Dayton also put the OSCE on center stage—the Organization for Security and Co-operation in Europe, of which I am a committee chair representing the United States of America. The Accord mandated that the OSCE oversee arms control efforts and develop confidence-building measures within Bosnia and regionally and make it possible for a country divided and almost destroyed by war to hold elections in a reasonably Democratic manner.

So let's celebrate that accomplishment, and I am sure the Senator from New Hampshire will have some more important insights to offer at this point.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am very pleased to be on the floor with my friend and colleague from Mississippi to talk about Bosnia-Herzegovina and about our trip to commemorate the horrible massacre in Srebrenica that occurred in 1995. As Senator WICKER has said, that was a very moving trip for us.

One of the things that was very particular to New Hampshire that I found hopeful was listening to the very young mayor from Srebrenica, the current mayor, whose name is Camil Durakovic. He had actually spent a number of years in New Hampshire and had gone to Southern New Hampshire University. His family had fled after the massacre in Bosnia and came to New Hampshire. He went back in 2005 and was elected mayor. One of the things he talked about was the need to work with Serbia, to work across the ethnic and religious lines in Bosnia to achieve peace. It was, as Senator WICKER said, so heartening to think that we were actually able to get these Dayton Accords that ended that long conflict in Bosnia—very bitter and bloody—and see some real progress.

One of the things we talked about on the flight back with President Clinton and former Secretary of State Madeleine Albright was what we could do to help Bosnia continue to progress and move forward, because one of their

challenges is economic. This is a country that has a very high level of education, and it has a lot of young people who need opportunities for the future. So we talked about whether there was a way that we in Congress could look at trying to provide some economic help for Bosnia in the future.

We came back and looked at how we could work together to come up with an idea that might be successful. What we came up with—and it was another tremendous bipartisan effort—was to look at the enterprise funds that were done after the fall of the Soviet Union and some of the Eastern European countries. Enterprise funds were funds passed by Congress with bipartisan support that helped those fledgling private sector economies begin to recover after the fall of the Soviet Union.

So we took that model—a U.S. enterprise fund—and focused on Bosnia-Herzegovina, and this is the legislation that we are going to be introducing. I don't know how Senator WICKER feels about it, but I think this offers real opportunity to Bosnia because we can leverage a very small amount of public resources through the private sector, through other local funds that might be available in Bosnia, and see real progress on the economic front that will help create jobs that will help those young people stay in the country and build a strong country.

So for my friend from Mississippi, I think this is a very good way to provide some of the assistance they are going to need. Would the Senator agree?

Mr. WICKER. I certainly agree with my colleague from New Hampshire, and I commend her for her leadership in getting this legislation drafted.

It is an opportunity to provide a very meaningful chance for Bosnians and Herzegovinians to live the good life and remain in the area, but it is also in the absolute national security interests of the United States of America. We can't tend to everything, but we saw 20 years ago—25 years ago and forward—with the war in the Balkans what could happen and what almost happened to security in all of Europe. We know this has been a flash point down through the decades and even the centuries. To the extent that we can address some things that we didn't get done at Dayton, this will help people in the region and the former Yugoslavia and also help the United States of America.

The Dayton Agreement was a crowning achievement, but it didn't provide Bosnia with a constitutional framework and political structures that could effectively govern on into the 21st century. And the Senator from New Hampshire and I certainly saw that. We were meeting with the tripartite head of the government after the ceremony we attended.

Dan Serwer of Johns Hopkins University recently observed:

We imposed the Dayton Accords, but we imposed what the ethnic nationalist warring parties told us they could live with. It is therefore unsurprising that one way or another, ethnic nationalists have dominated Bosnia almost continuously, making it ungovernable, since 1995.

So we are hoping the Bosnians and Herzegovinians can address this issue, and while they are doing that, our legislation would establish an enterprise fund directed by a board of American investment professionals capable of leveraging both public and private funding to provide entrepreneurs access to the same kinds of loans and investment opportunities afforded to small- and medium-sized businesses here in the United States.

By strengthening the private sector in Bosnia and Herzegovina, this legislation would help create space to continue moving forward on the political reforms I just alluded to. As the Senator said, it would establish an enterprise fund modeled after U.S. programs that supported central and eastern European economies after the fall of the Berlin Wall, with approximately \$10 billion of public and private funding.

I would also point out that this legislation doesn't score as an expense. I think we are being very frugal with the authorization we are providing to the Congress to build on this, if our legislation passes.

Per capita income in Bosnia and Herzegovina averages less than \$5,000 annually. And that is a shame 20 years after the Dayton Accords. Compare this \$5,000-a-year per capita to \$13,000 a year right across the border in neighboring Croatia. The unemployment rate stands at 40 percent.

Things are at a critical juncture in this country, and that is why I think our trip over there with former President Clinton and with former Secretary Albright and Members from the House of Representatives came at such an important time and prompted us to work together on legislation to help make the situation better for individuals over there but also help make our national security stronger and more reliable here in America.

Mrs. SHAHEEN. Mr. President, as my colleague from Mississippi points out, this really is critical not just to Bosnia and its future, but this is also about the national security of the United States.

My colleague talked about the Balkans. We know World War I began in the Balkans. We know it has continued to be a part of Europe where Russian aggression and Russian efforts to subvert the governments there continue, they continue their activity. It is a place where we have a number of different ethnic groups and where different religions converge. So it is a place we need to keep supporting—Bosnia and Herzegovina. We need to look at how we can help them ensure their continued progress toward the West

and Europe and also toward economic prosperity.

I traveled there in 2010 with former Senator Voinovich from Ohio, who had done a lot of work on the Balkans when he was in the Senate. I will never forget a lunch we had with a number of young people there, mostly college students or recent graduates. We talked to them about what they saw for the future of the country, and there was so much hopelessness in that conversation because they didn't see the kinds of opportunities we want young people to see as they are thinking about their futures and their children and what is going to happen in their country. So I think this is a partial answer to how we can help them provide that economic prosperity they are looking forward to.

Finally, I think what has happened in Bosnia and Herzegovina with the Dayton Accords—for all of its flaws, it is a model we can look to as we are looking at the challenges we face in Syria. The Bosniaks, the Serbs, the Croats, the Muslims, the Orthodox Christians, and the Roman Catholics all came together and they agreed to end the conflict in Bosnia. They agreed to try to build a successful democracy and a strong economy to create a successful multiethnic, multisectarian state under very difficult circumstances. And while we need to continue to look at how the Dayton Accords should change, it is still a milestone in what happened with that conflict and I think serves as a model for so many other regions in the world where there is conflict.

Mr. WICKER. The Senator from New Hampshire makes two very salient points I do want to underscore. And it pains me that we have to be on the floor of the Senate this afternoon talking about an aggressive Russia. Russia was trying to help 20 years ago in the Dayton Accords. They were trying to be part of getting things done. This is no longer the case. Russia and some of the few countries aligned with their interests now seem to be trying more to block effective responses to the international problems.

In addition, some of the aggression of Russia in Ukraine, for example, is eerily, troublingly reminiscent of some language in previous decades—talk of violating a neighbor's sovereignty, territory, and claiming they are doing nothing more than defending a threatened local ethnic population. That is troubling and familiar rhetoric from a very dangerous past time. So I would underscore the Senator's point there about Russia.

Before I toss this back to her to close, I would simply say this about her comments about American leadership. No one could have made this work except the United States of America in the early 1990s and in the mid-1990s. There was one person on the face of the

Earth, and that was the Americans. The world turned to us, and we stopped a conflagration in Europe that was about to get out of hand.

With regard to Syria, I am so glad my friend mentioned this. The United States is being looked to internationally for leadership. No one else can provide that leadership. Again, it is incumbent on us to help people who are suffering in other locations, and we want to do that if we can, to the extent we can afford it. But we need to act with leadership on behalf of the United States of America, on behalf of our own citizens, on behalf of our own national defense interests and the interest of every American to live in the absence of fear from terrorism and the attacks and ill wishes of those who would cause us injury, if they possibly could.

I very much appreciate her point about American leadership, and I know this will not be done unless we do it across the aisle. It is why it means so much to me to take the floor this afternoon in this colloquy, with a Democratic Senator from New Hampshire and I, a Republican Senator from Mississippi, pushing in the same direction and asking for American leadership.

Mrs. SHAHEEN. I thank my colleague. As you point out, we represent two very different parts of the country.

Mr. WICKER. Although we both are Ole Miss graduates.

Mrs. SHAHEEN. We are. We share that. The fact is, this is a bipartisan issue. As my colleague points out, the United States brokered that historic agreement in Dayton. We were the only country that could really take that leadership, and we need to continue that role in the world.

I look forward to working with Senator WICKER as we try to move this bipartisan bill to support Bosnia and Herzegovina and continuing to be vigilant on efforts to undermine democratic values wherever they exist in the world, and certainly this is one place where we can provide help in a way that is very important.

I thank my colleague.

Mr. WICKER. And I thank the Senator from New Hampshire.

By Mr. DAINES (for himself, Mr. GRASSLEY, Mr. CRUZ, Mr. LEE, Mr. RUBIO, Mr. LANKFORD, Mr. PERDUE, Mr. VITTER, and Mr. JOHNSON):

S. 2310. A bill to allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students; to the Committee on Health, Education, Labor, and Pensions.

Mr. DAINES. Mr. President, as a fifth-generation Montanan and product of Montana public schools, I understand how important a first rate education is to our kids' future. By in-

creasing local control of our schools and lessening the influence Washington bureaucrats, we can provide States with the flexibility needed to meet the unique needs of our students and communities. That is why I am introducing the Academic Partnerships Lead Us to Success, or A-PLUS, Act. By shifting control back to the states, individual and effective solutions can be created to address the multitude of unique challenges facing schools across the country. Through these "laboratories of democracy," Americans can watch and learn how students can benefit when innovative reforms are implemented on the local level. The A-PLUS Act would give states greater flexibility in allocating federal education funding and ensuring academic achievement in their schools. With A-PLUS, States would be freed from unworkable teacher standards, Washington-knows-best performance metrics, and onerous Federal testing requirements that have failed to bring about promised improvements in academic achievement. States would be held accountable by parents and teachers because a bright light would shine directly on the decisions made by State capitals and local school districts. With freedom from Federal mandates comes more responsibility, transparency, and accountability on States. States would need to adhere to all civil rights laws and work towards advancing educational opportunities for disadvantaged children as well. This legislation would go a long ways towards returning the responsibility for our kids' education closer to home and reduces the influence of the Federal Government over our classrooms. I want to thank Senators GRASSLEY, CRUZ, LEE, RUBIO, LANKFORD, and PERDUE for being original cosponsors of this bill and I ask my other Senate colleagues to join us in support of this legislation.

By Mr. DURBIN (for himself, Mrs. GILLIBRAND, Mr. BOOKER, and Ms. HIRONO):

S. 2323. A bill to clarify the definition of nonimmigrant for purposes of chapter 44 of title 18, United States Code; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2323

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Visa Waiver Program Firearms Clarification Act of 2015".

SEC. 2. NONIMMIGRANT CLARIFICATION.

Section 922 of title 18, United States Code, is amended—

(1) in subsection (d)(5)(B), by inserting "or pursuant to the Visa Waiver Program established under section 217 of the Immigration

and Nationality Act (8 U.S.C. 1187)" before the semicolon at the end;

(2) in subsection (g)(5)(B), by inserting "or pursuant to the Visa Waiver Program established under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187)" before the semicolon at the end; and

(3) in subsection (y)—

(A) in the subsection heading, by inserting "OR PURSUANT TO THE VISA WAIVER PROGRAM" after "VISAS";

(B) in paragraph (2), in the matter preceding subparagraph (A), by inserting "or pursuant to the Visa Waiver Program established under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187)" after "visa"; and

(C) in paragraph (3)(A), in the matter preceding clause (i), by inserting "or pursuant to the Visa Waiver Program established under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187)" after "visa".

By Ms. CANTWELL:

S. 2326. A bill to designate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr. Nisqually National Wildlife Refuge, to establish the Medicine Creek Treaty National Memorial within the wildlife refuge, and for other purposes; to the Committee on Environment and Public Works.

Ms. CANTWELL. Mr. President, last year the Pacific Northwest, and the Nation lost one of our greatest civil rights heroes with the passing of Billy Frank, Jr. It is clear a great leader has been lost when an entire community shows up to commemorate his life and celebrate his spirit. I attended Billy's memorial, along with Senator MURRAY and 6,000 others, and was honored to have the chance to pay tribute to the man who fought for the civil rights of Native Americans, the principles of environmental stewardship, and the importance of salmon recovery and preservation in the Pacific Northwest.

Today, I am introducing the Billy Frank Jr. Tell Your Story Act, which would change the name of the Nisqually National Wildlife Refuge to the "Billy Frank Jr. Nisqually National Wildlife Refuge." In addition, this legislation would create a national memorial to commemorate the signing of the Medicine Creek Treaty, the treaty that Billy Frank fought so hard to enforce, within the refuge. The wildlife refuge sits adjacent to the Nisqually Reservation where Billy grew up and lived, and contains the estuary and salmon that Billy devoted his life to protecting.

Billy Frank, Jr. just wanted to fish. He was a fisherman to his core, and that's how he wanted history to remember him. Everyone who knew Billy would want us to remember him as the legend that walked and fished among us. Given his life, his legacy, and the way he changed Washington State and the Nation, it is only right that we honor his legacy by forever linking his name to the Nisqually National Wildlife Refuge.

Along with his advocacy for protecting Tribal treaty rights, Billy

Frank changed the way we look at the environment. Because of his advocacy, we now have environmental restoration efforts throughout the Puget Sound, including at the Nisqually River Delta, the largest tidal marsh rehabilitation in the Northwest. Additionally, we have the Puget Sound Partnership, a Tribal and public-private partnership dedicated to improve the health of our Puget Sound. Billy understood that we have a sacred responsibility to be stewards of our environment, and that we must leave it for future generations in better condition than it was left to us.

The Billy Frank Jr. Tell Your Story Act has the support of the Nisqually Tribe and the neighboring Puyallup Tribe, along with the Affiliated Tribes of Northwest Indians, the National Congress of American Indians, and the Northwest Indian Fisheries Commission. A companion bill introduced by Congressman Denny Heck has been approved by the House Natural Resources Committee and is awaiting consideration by the House. I urge its passage in the Senate, especially given the recent decision by President Obama to posthumously award Billy the Presidential Medal of Freedom.

Billy grew up listening to the stories of his father and others belonging to the Nisqually and other tribes. Routinely harassed for fishing his tribe's namesake Nisqually River with nets, Willie Frank, Sr. recalled a warden telling him, "Your treaty isn't worth the paper it's printed on." Billy's father always told him, "Just keep fishing. Even if they arrested you, just keep fishing. Even if they beat you just keep fishing. Keep fishing and claim what was promised in the in the Medicine Creek Treaty." By changing the name of the Nisqually wildlife refuge, we will not only honor the fisherman that fought to protect the land and its people, but we will make this land better than it was left to us, just like Billy Frank, Jr. would have wanted.

By Mr. REED (for himself and Mr. GRAHAM):

S. 2331. A bill to amend the Servicemembers Civil Relief Act to make invalid and unenforceable predispute arbitration agreements with respect to controversies arising under provisions of such Act and to preserve the rights of servicemembers to bring class actions under such Act, and for other purposes; to the Committee on Veterans' Affairs.

Mr. REED. Mr. President, our Nation has a strong tradition of ensuring that our service members are protected while they serve to keep us safe. As the challenges facing our service members change, we must work to ensure that our laws continue to keep pace. In this regard, I have worked with my colleagues over the years to strengthen the protections for service members

and their families under the Servicemembers Civil Relief Act, SCRA.

Today, I am joined by Senator GRAHAM in introducing on a bipartisan basis legislation to further enhance SCRA protections. The SCRA Rights Protection Act seeks to protect service members from being forced to accept mandatory arbitration clauses as part of everyday transactions, such as those relating to mortgage origination, automobile leases, and student loans. Often service members sign contracts that include arbitration clauses buried in the fine print, and this eliminates their access to the courts, which can limit their ability to assert their rights and reach a fair resolution. In disputes involving SCRA rights, this bill would make arbitration clauses unenforceable unless all parties consent to arbitration after the dispute arises, and would also ensure that service members retain their right to join with other service members to file a case together as a class.

I urge our colleagues to join us in supporting this improvement to the SCRA, which will better protect our military families while the men and women of our Armed Forces protect our nation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 319—DESIGNATING NOVEMBER 29, 2015, AS "DRIVE SAFER SUNDAY"

Mr. ISAKSON (for himself and Mr. COONS) submitted the following resolution; which was considered and agreed to:

S. RES. 319

Whereas motor vehicle travel is the primary means of transportation in the United States;

Whereas every individual traveling on the roads and highways needs to drive in a safer manner to reduce deaths and injuries that result from motor vehicle accidents;

Whereas according to the National Highway Traffic Safety Administration, wearing a seat belt saves as many as 15,000 lives each year; and

Whereas the Sunday after Thanksgiving is the busiest highway traffic day of the year: Now, therefore, be it

Resolved, That the Senate—

(1) encourages—

(A) high schools, colleges, universities, administrators, teachers, primary schools, and secondary schools to launch campus-wide educational campaigns to urge students to focus on safety when driving;

(B) national trucking firms to alert their drivers to be especially focused on driving safely on the Sunday after Thanksgiving, and to publicize the importance of the day through use of the Citizens Band Radio Service and at truck stops across the United States;

(C) clergies to remind their congregations to travel safely when attending services and gatherings;

(D) law enforcement personnel to remind drivers and passengers to drive safely, particularly on the Sunday after Thanksgiving;

(E) motorists to drive safely, not just during the holiday season, but every time they get behind the wheel; and

(F) all people of the United States to understand the life-saving importance of wearing a seat belt and to use the Sunday after Thanksgiving as an opportunity to educate themselves about highway safety; and

(2) designates November 29, 2015, as "Drive Safer Sunday".

SENATE RESOLUTION 320—CONGRATULATING THE PEOPLE OF BURMA ON THEIR COMMITMENT TO PEACEFUL ELECTIONS

Mr. MCCAIN (for himself, Mr. MCCONNELL, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 320

Whereas Burma conducted general elections on November 8 2015, the country's first national vote since a civilian government was introduced in 2011 that ended nearly 50 years of military rule;

Whereas the people of Burma have, by their vigorous participation in electoral campaigning and public debate, strengthened the foundations of a free and democratic way of life;

Whereas preliminary reports indicate that voter turnout exceeded 80 percent;

Whereas international observers have reported that election day was largely free and fair and conducted in an orderly and peaceful fashion despite broader structural concerns such as the disenfranchisement of the Rohingya;

Whereas the ruling military-backed Union Solidarity Development Party suffered a dramatic loss at the polls, and the National League for Democracy won a sizable majority in both chambers of Burma's Union Parliament, the Pyidaungsu Hluttaw, and will select Burma's next President;

Whereas Nobel Peace Prize Laureate Aung San Suu Kyi has symbolized the struggle for freedom and democracy in Burma and has actively supported democratic reform through her leadership of the National League for Democracy;

Whereas the National League for Democracy espouses a policy of nonviolent movement towards multi-party democracy in Burma, supports national reconciliation, and endorses strengthening democratic institutions, protecting human rights, implementing free market economic reforms, and reinforcing rule of law;

Whereas President Thein Sein and Commander-in-Chief Min Aug Hlaing made public commitments to respect the election results and vowed to abide by the law to ensure an orderly and prompt transition to a new government;

Whereas the continued democratic development of Burma is a matter of fundamental importance to the advancement of United States interests in Southeast Asia and is supported by the United States Senate:

Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the people of Burma for embracing democracy through their participation in the November 8, 2015 general elections and for their continuing efforts in developing a free, democratic society that respects internationally-recognized human rights;

(2) recognizes the National League for Democracy's victory as a reflection of the will of the Burmese people;

(3) calls on the Union Solidarity Development Party to undertake a peaceful transfer of power and abide by the law to ensure an orderly and prompt transition to a new government;

(4) encourages all parties to pursue national reconciliation talks and work together in the spirit of national unity to seek what is best for the country;

(5) recognizes that while the Government of Burma has made important progress towards democratization, there remain important impediments to the realization of full democratic and civilian government, including the reservation of unelected seats for the military and the disenfranchisement of groups of people including the Rohingya;

(6) expresses hope that newly elected members of parliament and a prompt and orderly transition to a new government will herald a new generation of responsible leadership in Burma;

(7) calls on the Government of Burma to support meaningful efforts to reform the 2008 Constitution of Burma, with the full and unfettered participation of the people of Burma and in a manner that promotes and protects democratic development of Burma and safeguards against arbitrary interference by the military;

(8) supports negotiations between the Government of Burma and ethnic-based peoples and organizations;

(9) encourages the President of the United States to take further steps toward normalization of relations with Burma and consider the potential relaxation of restrictions should the Union Solidarity Development Party respect the election results and proceed with a prompt and orderly transition in power; and

(10) reaffirms that the people of the United States will continue to stand with the people of Burma in support of democracy, partnership, and peace.

SENATE RESOLUTION 321—HONORING THE 70TH ANNIVERSARY OF THE FOUNDING OF CARE

Ms. MIKULSKI submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 321

Whereas CARE is 1 of the largest and most respected international development and emergency aid organizations in the world;

Whereas CARE was officially founded on November 27, 1945, which is 70 years prior to the month of adoption of this resolution;

Whereas the United States sent 100,000,000 CARE packages to Europe during World War II, which—

(1) delivered canned meats, powdered milk, dried fruits, chocolate, and coffee to brave soldiers of the United States; and

(2) each cost only \$10 but provided 10 soldiers each 1 meal;

Whereas President Harry Truman purchased the first CARE package;

Whereas CARE was originally intended to be a temporary organization, but CARE—

(1) continued as the need for global relief continued; and

(2) grew into an international organization working in 87 countries;

Whereas CARE—

(1) has significantly broadened the scope of its relief work;

(2) provides assistance in the wake of devastating natural disasters;

(3) combats hunger; and

(4) comes to the assistance of refugees, including refugees of the current refugee crisis in Syria;

Whereas CARE also works—

(1) to empower women and girls;

(2) to reduce the incidence of child marriage;

(3) to prevent and respond to gender-based violence; and

(4) to promote gender equality internationally; and

Whereas the words of President John F. Kennedy, that the work of CARE “expresses America’s concern and friendship in a language that all peoples understand” are still true today: Now, therefore, be it

Resolved, That the Senate recognizes the 70th anniversary of the founding of CARE, which serves as a symbol of hope and humanity throughout the world.

SENATE CONCURRENT RESOLUTION 25—EXPRESSING THE SENSE OF CONGRESS THAT THE PRESIDENT SHOULD SUBMIT THE PARIS CLIMATE CHANGE AGREEMENT TO THE SENATE FOR ITS ADVICE AND CONSENT

Mr. LEE (for himself, Mr. COTTON, Mr. CRUZ, Mr. VITTER, Mr. SHELBY, Mr. THUNE, Mr. SCOTT, Mr. WICKER, Mr. HATCH, Mr. MCCAIN, Mr. BLUNT, Mr. JOHNSON, Mr. ROUNDS, Mr. ROBERTS, Mr. SESSIONS, Mr. COCHRAN, Mr. TILLIS, Mr. GRASSLEY, Mr. COATS, Mr. CASSIDY, Mr. CRAPO, Mr. INHOFE, Mr. MCCONNELL, Mr. SASSE, Mr. DAINES, Mr. TOOMEY, Mr. BARRASSO, Mr. PAUL, Mrs. CAPITO, Mr. ENZI, and Mr. CORNYN) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 25

Whereas the United States is party to the United Nations Framework Convention on Climate Change, with annexes, done at New York May 9, 1992, and entered into force March 21, 1994 (in this resolution referred to as the “Convention”);

Whereas the Convention requires the United States to “adopt national policies and take corresponding measures on the mitigation of climate change, by limiting its anthropogenic emissions of greenhouse gases,” but does not require the United States to commit to specific targets or timetables for emissions reductions;

Whereas, during the Convention’s advice and consent process in the Committee on Foreign Relations of the Senate (in this resolution referred to as the “Foreign Relations Committee”) a question arose whether future protocols made pursuant to the Convention “containing targets and timetables” for emissions reductions should be submitted to the Senate for advice and consent;

Whereas the Foreign Relations Committee submitted a written question, “Would a protocol containing targets and timetables be submitted to the Senate?” to which the Executive Branch responded, “If such a protocol were negotiated and adopted, and the United States wished to become a party, we would expect such a protocol to be submitted to the Senate.”;

Whereas the Foreign Relations Committee, chaired by Senator Claiborne Pell, issued Ex-

ecutive Report 102-55 regarding the Convention in which it noted “that a decision by the Conference of the Parties to adopt targets and timetables would have to be submitted to the Senate for its advice and consent before the United States could deposit its instruments of ratification for such an agreement”;

Whereas Executive Report 102-55 further noted “that a decision by the executive branch to reinterpret the Convention to apply legally binding targets and timetables for reducing emissions of greenhouse gases to the United States would alter the ‘shared understanding’ of the Convention between the Senate and the executive branch and would therefore require the Senate’s advice and consent”;

Whereas, under the auspices given by the Executive Branch that future agreements made pursuant to the Convention containing targets and timetables for emissions reductions would be submitted to the Senate, the Senate gave its consent to ratification of the Convention on October 7, 1992;

Whereas, in December 2011, at the seventeenth session of the Conference of the Parties (COP-17) in Durban, South Africa, the Ad Hoc Working Group on the Durban Platform for Enhanced Action was established, inter alia, “to develop a protocol, another legal instrument or an agreed outcome with legal force” under the Convention to be completed no later than 2015 and adopted at the twenty-first session of the Conference of the Parties (COP-21);

Whereas, subsequent to COP-17, representatives of President Barack Obama, including the Special Envoy for Climate Change, have made public statements indicating that the United States intends to finalize a climate change agreement at COP-21 that contains targets and timetables for emissions reductions;

Whereas the Executive Branch has made clear through its public statements that it intends to negotiate a climate change agreement at COP-21 that contains legally binding provisions as well as non-binding provisions—including targets and timetables for emissions reductions—attached as an addendum or schedule to the legally-binding agreement;

Whereas the French Minister of Foreign Affairs, Laurent Fabius, who will host COP-21, has stated, “We must find a formula which is valuable for everybody and valuable for the U.S. without going to the Congress.”;

Whereas the Department of State developed guidelines known as the Circular 175 Procedure (C-175) to facilitate “the application of orderly and uniform measures to the negotiation, conclusion, reporting, publication, and registration of U.S. treaties and international agreements”;

Whereas C-175, inter alia, set forth eight factors for determining “whether any international agreement should be brought into force as a treaty or as an international agreement other than a treaty”;

Whereas the Executive Branch must give “due consideration” to the eight factors outlined in C-175, and “the utmost care is to be exercised to avoid any invasion or compromise of the constitutional powers of the President, the Senate, and the Congress as a whole”;

Whereas the eight factors are as follows: (1) the extent to which the agreement involves commitments or risks affecting the Nation as a whole; (2) whether the agreement is intended to affect State laws; (3) whether the agreement can be given effect without the enactment of subsequent legislation by

the Congress; (4) past United States practice as to similar agreements; (5) the preference of the Congress as to a particular type of agreement; (6) the degree of formality desired for an agreement; (7) the proposed duration of the agreement, the need for prompt conclusion of an agreement, and the desirability of concluding a routine or short-term agreement; and (8) the general international practice as to similar agreements;

Whereas COP-21 will be held in Paris, France from November 30 to December 11, 2015;

Whereas, at COP-21, the United States will be expected, *inter alia*, to commit billions of dollars in taxpayer money to fund the Green Climate Fund and other financial mechanisms to fund mitigation and adaptation projects in developing countries;

Whereas the Paris climate change agreement, either in the form contemplated by the President or in its current draft form released on October 5, 2015, by the Ad Hoc Working Group on the Durban Platform, reflects the characteristics of a treaty as set forth in C-175, and does not reflect the characteristics of an international agreement other than a treaty; and

Whereas, pursuant to commitments made by the Executive Branch to the Senate during the advice and consent process for the Convention the Executive Branch stated that any protocol containing targets and timetables would be submitted to the Senate: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) the statements made by the Executive Branch to the Senate during Senate consideration of the Convention and set forth in Executive Report 102-55 remain valid and in force and, accordingly, any agreement adopted at COP-21 containing targets and timetables, whether deemed “legally binding” or not, must be submitted to the Senate for advice and consent pursuant to Article II, section 2 of the Constitution;

(2) any agreement or decision made at COP-21 that contains targets and timetables—whether they are contained within a legally-binding instrument or attached as a non-binding schedule or addendum to a legally-binding instrument—shall be considered by the Congress to be an agreement “containing targets and timetables”;

(3) a decision by the Executive Branch made at COP-21 or any other venue to apply targets and timetables for reducing emissions of greenhouse gases to the United States would alter the “shared understanding” of the Convention between the Executive Branch and the Senate and would therefore require the Senate’s advice and consent;

(4) the Department of State developed the “Circular 175 Procedure” to determine how international agreements would be negotiated, and the eight factors contained in the Procedure strongly support the conclusion that any agreement made under the Convention that contains targets and timetables for reducing emissions of greenhouse gases must be submitted to the Senate for advice and consent;

(5) until all commitments on emissions targets and timetables made at COP-21 are submitted to the Senate for advice and consent and subsequently ratified by the Executive Branch, such commitments shall have no effect on the interpretation of United States law or the international obligations of the United States; and

(6) Congress should refuse to consider any budget resolutions and appropriations lan-

guage that include funding for the Green Climate Fund or any affiliated body or financing mechanism unless and until all agreements on emissions targets and timetables reached at COP-21 are submitted to the Senate for advice and consent.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2855. Mr. ENZI (for himself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

SA 2856. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2857. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2858. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2859. Mr. LEE (for himself and Mr. COTTON) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2860. Ms. COLLINS (for herself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2861. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2862. Mr. REED (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2863. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2864. Mr. SCHATZ (for himself, Mr. KAINE, Ms. COLLINS, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2865. Mr. SCHATZ (for himself, Mr. KAINE, Ms. COLLINS, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2866. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself

and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2867. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2868. Ms. MURKOWSKI (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2869. Mr. COONS (for himself, Mr. BOOKER, Mr. CARPER, Mr. MURPHY, and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2870. Mr. MARKEY (for himself, Mr. THUNE, Mr. NELSON, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2871. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2872. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 2873. Mr. MCCONNELL (for Mrs. ERNST) proposed an amendment to the bill S. 1550, to amend title 31, United States Code, to establish entities tasked with improving program and project management in certain Federal agencies, and for other purposes.

TEXT OF AMENDMENTS

SA 2855. Mr. ENZI (for himself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 416. INTERSTATE TRANSPORT OF KNIVES.

(a) **SHORT TITLE.**—This section may be cited as the “Knife Owners’ Protection Act of 2015”.

(b) **DEFINITION.**—In this section, the term “transport”—

(1) includes staying in temporary lodging overnight, common carrier misrouting or delays, stops for food, fuel, vehicle maintenance, emergencies, medical treatment, and any other activity related to the journey of an individual; and

(2) does not include transport of a knife with the intent to commit an offense punishable by imprisonment for a term exceeding 1 year involving the use or threatened use of force against another person, or with knowledge, or reasonable cause to believe, that such an offense is to be committed in the course of, or arising from, the journey.

(c) **TRANSPORT OF KNIVES.**—Notwithstanding any other provision of law, rule, or regulation of the United States, or of a State

or political subdivision of a State, an individual who is not otherwise prohibited by Federal law from possessing, transporting, shipping, or receiving a knife may transport a knife from any State or place where the individual may lawfully possess, carry, or transport the knife to any other State or place where the individual may lawfully possess, carry, or transport the knife if—

(1) in the case of transport by motor vehicle—

(A) the knife is not directly accessible from the passenger compartment of the motor vehicle; or

(B) in the case of a motor vehicle without a compartment separate from the passenger compartment, the knife is contained in a closed—

(i) container;

(ii) glove compartment; or

(iii) console; or

(2) in the case of transport by means other than a motor vehicle, including any transport over land, on or through water, or through the air, the knife is contained in a closed container.

(d) EMERGENCY KNIVES.—

(1) IN GENERAL.—An individual—

(A) may carry in the passenger compartment of a motor vehicle a knife or tool designed for enabling escape in an emergency that incorporates a blunt tipped safety blade or a guarded blade or both for cutting safety belts; and

(B) shall not be required to secure a knife or tool described in subparagraph (A) in a closed—

(i) container;

(ii) glove compartment; or

(iii) console.

(2) LIMITATION.—This subsection shall not apply to the transport of a knife or tool in the passenger cabin of an aircraft whose passengers are subject to airport screening procedures of the Transportation Security Administration.

(e) NO ARREST OR DETENTION.—An individual who is transporting a knife in compliance with this section may not be arrested or otherwise detained for violation of any law, rule, or regulation of a State or political subdivision of a State related to the possession, transport, or carrying of a knife, unless there is probable cause to believe that the individual is not in compliance with subsection (c).

(f) CLAIM OR DEFENSE.—An individual may assert this section as a claim or defense in any civil or criminal action or proceeding. When an individual asserts this section as a claim or defense in a criminal proceeding, the State or political subdivision shall have the burden of proving, beyond a reasonable doubt, that the individual was not in compliance with subsection (c).

(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit any right to possess, carry, or transport a knife under applicable State law.

SA 2856. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 146, line 8, strike “and”.

On page 146, between lines 8 and 9, insert the following:

(7) is not a youth who left foster care at age 14 or older and is at risk of becoming homeless; and

On page 146, line 9, strike “(7)” and insert “(8)”.

SA 2857. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 163, line 23, insert “and under the Section Eight Management Assessment Program (SEMAP), as applicable” after “(PHAS)”.

SA 2858. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 416. None of the funds made available by this Act may be used for high-speed rail in the State of California or for the California High-Speed Rail Authority, nor may any such funds be used by the Federal Railroad Administration to administer a grant agreement with the California High-Speed Rail Authority.

SA 2859. Mr. LEE (for himself and Mr. COTTON) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds made available under this Act shall be used to carry out the rule entitled “Affirmatively Furthering Fair Housing” (80 Fed. Reg. 42272 (July 16, 2015)).

SA 2860. Ms. COLLINS (for herself and Mr. REED) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 416. None of the funds made available in this Act may be used to terminate the Federal Aviation Administration’s Contract

Weather Observation Services Program until after the completion of a comprehensive study, incorporating stakeholder input and public comment, of the safety risks and hazardous effects that may result from such loss of such program.

SA 2861. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the general provisions of title I, add the following:

SEC. _____. Any bridge eligible for assistance under title 23, United States Code, that is structurally deficient and requires construction, reconstruction, or maintenance—

(1) may be reconstructed in the same location with the same capacity and dimensions as in existence on the date of enactment of this Act; and

(2) shall be exempt from any environmental reviews, approvals, licensing, and permit requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) sections 402 and 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344);

(C) division A of subtitle III of title 54, United States Code;

(D) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(E) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(F) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(G) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), except when the reconstruction occurs in designated critical habitat for threatened and endangered species;

(H) Executive Order 11990 (42 U.S.C. 4321 note; relating to the protection of wetland); and

(I) any Federal law (including regulations) requiring no net loss of wetland.

SA 2862. Mr. REED (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. With respect to grants awarded using amounts in the appropriations account appropriated under the heading “HOMELESS ASSISTANCE GRANTS” under the heading “COMMUNITY PLANNING AND DEVELOPMENT” made available for either of fiscal years 2015 or 2016 for the Continuum of Care Program, as authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.), costs paid through program income of a grant recipient may count toward meeting the matching requirements of the recipient, if the costs are

eligible continuum of care costs that supplement the continuum of care program of the recipient.

SA 2863. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:
SEC. _____. From amounts made available by this Act, such sums as may be necessary may be used to carry out the following activities:

(1) The Secretary of Transportation, in coordination with the Federal Highway Administration and the Federal Transit Administration, shall review policies and guidance to identify ways in which the Department of Transportation can encourage State departments of transportation, transit agencies, and other direct recipients of Federal-Aid Highway and Federal Transit funding to encourage and expand the use of innovative mobility technologies, including car sharing, bike sharing, carpool, vanpool, transportation network companies, multimodal fare payment systems, application-based mobility programs, and other innovative projects that can make the transportation system more safe and efficient.

(2) The Secretary of Transportation, in coordination with the Federal Highway Administration and the Federal Transit Administration, shall—

(A) review existing guidance and revise such guidance, as necessary, to encourage the use and expansion of innovative technologies, as appropriate; and

(B) develop specific guidance and circulars on how recipients of Federal-Aid Highway funding can and should be utilizing such technologies.

(3) Not later than 1 year after the date of the enactment of this Act, the Secretary of Transportation shall submit a report to Congress that includes—

(A) a plan describing how the Department of Transportation will identify and provide technical assistance to recipients of Federal-Aid Highway funding on integrating and utilizing innovative mobility technologies;

(B) a plan for addressing current and potential guidance documents;

(C) the identification of legislative barriers that prevent expansion and utilization of innovative mobility technologies, including mobility services provided by private providers of public transportation; and

(D) recommendations on policies that the Department of Transportation should implement and legislation that Congress should enact to expand innovative mobility technologies.

(4) To assist with the development of the report under paragraph (3), the Secretary of Transportation shall create a task force composed of representatives of—

- (A) national stakeholders representing—
 - (i) city officials;
 - (ii) State departments of transportation;
 - (iii) transit agencies;
 - (iv) transportation demand management professionals;
 - (v) rural transportation agencies;
 - (vi) shared use mobility providers;
 - (vii) intelligent transportation system professionals; and

(viii) additional private sector technology professionals, as appropriate;

(B) university transportation centers engaged in research regarding urban mobility and shared use mobility;

(C) private companies that provide, promote, and operate digital mobility technologies and information technologies; and

(D) other entities that the Secretary determines could contribute to the development of the report.

SA 2864. Mr. SCHATZ (for himself, Mr. KAINE, Ms. COLLINS, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:
SEC. 416. Section 8(x)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437f(x)(2)) is amended by striking “not more than 21 years of age” and inserting “not more than 24 years of age”.

SA 2865. Mr. SCHATZ (for himself, Mr. KAINE, Ms. COLLINS, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, line 13, insert “(a)” before “Section”.

On page 169, between lines 15 and 16, insert the following:

(b) Not later than 180 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall issue final regulations to implement the amendment made by subsection (a).

SA 2866. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

After section 119C, insert the following:

SEC. 119D. It is the sense of Congress that the National Oceanic and Atmospheric Administration and the Federal Aviation Administration continue evaluating the operational benefits of technologies, including an all-digital cylindrical technology and a panel technology as part of the multi-function phased array radar program. Further, NOAA and the FAA should jointly formulate key requirements for development and eventual acquisition strategy of such a radar system to meet the needs of the respective agencies.

SA 2867. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. _____. (a) In this section, the term “covered agency” means—

- (1) the Department of Housing and Urban Development;
- (2) the Department of Transportation;
- (3) the Federal Maritime Commission;
- (4) the National Railroad Passenger Corporation;
- (5) the National Transportation Safety Board;
- (6) the Neighborhood Reinvestment Corporation; and
- (7) the United States Interagency Council on Homelessness.

(b) Not later than September 30, 2016, the head of each covered agency shall submit to Congress and post on the website of the covered agency a report on projects funded by the covered agency.

(c) Each report submitted and posted under subsection (b) shall include, for each project included in the report—

- (1) a brief description of the project, including—
 - (A) the purpose of the project;
 - (B) each location in which the project is carried out;
 - (C) the year in which the project was initiated; and
 - (D) each primary contractor and grant recipient for the project;
- (2) the original expected date for completion of the project;
- (3) the current expected date for completion of the project;
- (4) the original cost estimate for the project;
- (5) the current cost estimate for the project; and
- (6) if known, an explanation for a delay in completion or increase in the original cost estimate for the project.

SA 2868. Ms. MURKOWSKI (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 416. None of the funds made available under this Act may be used by the Department of Housing and Urban Development to implement changes to the Indian Housing Block Grant allocation formula until all changes to data sources are fully evaluated by the Negotiated Rulemaking Committee established under section 106(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4116(b)) at a publicly noticed, in-person session as part of the official, regular meeting process of the Committee.

SA 2869. Mr. COONS (for himself, Mr. BOOKER, Mr. CARPER, Mr. MURPHY, and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 54, line 11, strike “\$1,101,500,000” and insert “\$1,711,500,000”.

SA 2870. Mr. MARKEY (for himself, Mr. THUNE, Mr. NELSON, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 105.

SA 2871. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

SEC. _____. None of the amounts appropriated or otherwise made available under this Act may be used to provide or administer assistance to aliens admitted, on or after November 13, 2015, as refugees or asylees under section 1157 or 1158 of the Immigration and Nationality Act (8 U.S.C. 1157 and 1158) who were nationals of any of the following countries or territories:

- (1) Afghanistan.
- (2) Algeria.
- (3) Bahrain.
- (4) Bangladesh.
- (5) Egypt.
- (6) Eritrea.
- (7) Indonesia.
- (8) Iran.
- (9) Iraq.
- (10) Jordan.
- (11) Kazakhstan.
- (12) Kuwait.
- (13) Kyrgyzstan.
- (14) Lebanon.
- (15) Libya.
- (16) Mali.
- (17) Morocco.
- (18) Nigeria.
- (19) North Korea.
- (20) Oman.
- (21) Pakistan.
- (22) Qatar.
- (23) Russia.
- (24) Saudi Arabia.
- (25) Somalia.
- (26) Sudan.
- (27) Syria.

- (28) Tajikistan.
- (29) Tunisia.
- (30) Turkey.
- (31) United Arab Emirates.
- (32) Uzbekistan.
- (33) Yemen.
- (34) Palestinian Territories.

SA 2872. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 2812 proposed by Ms. COLLINS (for herself and Mr. REED) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:
SEC. _____. It is the sense of the Senate that bridges classified as structurally deficient or functionally obsolete should receive priority funding under the national highway performance program under section 119 of title 23, United States Code.

SA 2873. Mr. MCCONNELL (for Mrs. ERNST) proposed an amendment to the bill S. 1550, to amend title 31, United States Code, to establish entities tasked with improving program and project management in certain Federal agencies, and for other purposes; as follows:

On page 11, line 22, strike “in accordance” and insert “consistent”.

On page 12, lines 18 and 19, strike “the National Defense Authorization Act for Fiscal Year 2016” and insert “chapter 87 of title 10”.

On page 15, lines 16 and 17, strike “the National Defense Authorization Act for Fiscal Year 2016” and insert “chapter 87 of title 10”.

NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator CHARLES E. GRASSLEY, intend to object to proceeding to the nomination of Thomas A. Shannon, Jr. to be Undersecretary of State (Political Affairs), dated November 19, 2015.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on November 19, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on November 19, 2015, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 19, 2015, at 2 p.m. to conduct a hearing entitled “ISIS’s Impacts on the Homeland and Refugee Resettlement.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on November 19, 2015, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 19, 2015, at 10 a.m., to conduct a hearing entitled, “Human Trafficking Investigation.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Ms. COLLINS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on November 19, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, AND INTERNATIONAL CYBERSECURITY POLICY

Ms. COLLINS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy be authorized to meet during the session of the Senate on November 19, 2015, at 10 a.m., to conduct a hearing entitled “Democratic Transitions in Southeast Asia.”

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Democratic leader, pursuant to Public Law 96-114, as amended, appoints the following individual to the Congressional Award Board: Karlos R. LaSane II of Nevada.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the

consideration of Calendar Nos. 379 through 382 and all nominations on the Secretary's desk in the Coast Guard; that the nominations be confirmed en bloc and the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order, that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

COAST GUARD

The following named officer for appointment to serve as Director of the Coast Guard Reserve pursuant to Title 14, U.S.C., section 53(b) in the grade indicated:

To be rear admiral

Rear Adm. Kurt B. Hinrichs

AMTRAK BOARD OF DIRECTORS

Derek Tai-Ching Kan, of California, to be a Director of the Amtrak Board of Directors for a term of five years.

COAST GUARD

The following named officer for appointment in the United States Coast Guard Reserve to the grade indicated under title 10, U.S.C., section 12203(a):

To be rear admiral (lower half)

Capt. Andrew S. McKinley

The following named officers for appointment in the United States Coast Guard to the grade indicated under title 14, U.S.C., section 271(e):

To be rear admiral (lower half)

Captain Matthew T. Bell

Captain Melissa Bert

Captain David M. Dermanelian

Captain Robert P. Hayes

Captain Andrew J. Tionson

Captain Anthony J. Vogt

NOMINATIONS PLACED ON THE SECRETARY'S DESK

COAST GUARD

PN919 COAST GUARD nominations (56) beginning Ladonn A. Allen, and ending Jeffrey V. Yarosh, which nominations were received by the Senate and appeared in the Congressional Record of October 28, 2015.

PN920 COAST GUARD nominations (13) beginning Sharif A. Abdrabbo, and ending Wilbur A. Velarde, which nominations were received by the Senate and appeared in the Congressional Record of October 28, 2015.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nominations en bloc: Calendar Nos. 136, 194, 195, 321, 322, 323, 324, 338, 344, 376, and 377; that the Senate vote on the nominations en bloc without intervening action or debate; that following disposition of the nominations, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of

the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon, the Senate proceeded to consider the nominations en bloc.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nominations of Shelly Colleen Lowe, of Arizona, to be a Member of the National Council on the Humanities for a term expiring January 26, 2018; Steven M. Wellner, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years; William Ward Nooter, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years; Juan Carlos Iturregui, of Maryland, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring June 26, 2020; Luis A. Viada, of New York, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2018; Diane Helen Rodriguez, of California, to be a Member of the National Council on the Arts for a term expiring September 3, 2018; Francine Berman, of New York, to be a Member of the National Council on the Humanities for a term expiring January 26, 2020; Patricia Nelson Limerick, of Colorado, to be a Member of the National Council on the Humanities for a term expiring January 26, 2018; Ann Calvaresi Barr, of Maryland, to be Inspector General, United States Agency for International Development; Victoria A. Lipnic, of Virginia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2020; and Michael Herman Michaud, of Maine, to be Assistant Secretary of Labor for Veterans' Employment and Training?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

PROGRAM MANAGEMENT IMPROVEMENT ACCOUNTABILITY ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 288, S. 1550.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1550) to amend title 31, United States Code, to establish entities tasked with improving program and project management in certain Federal agencies, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which

had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 1550

SECTION 1. SHORT TITLE.

This Act may be cited as the "Program Management Improvement Accountability Act".

SEC. 2. DEPUTY DIRECTOR FOR MANAGEMENT.

(a) ADDITIONAL FUNCTIONS.—Section 503 of title 31, United States Code, is amended by adding at the end the following:

“(c) PROGRAM AND PROJECT MANAGEMENT.—

“(1) REQUIREMENT.—Subject to the direction and approval of the Director, the Deputy Director for Management or a designee shall—

“(A) adopt governmentwide standards, policies, and guidelines for program and project management for executive agencies;

“(B) oversee implementation of program and project management for the standards, policies, and guidelines established under subparagraph (A);

“(C) chair the Program Management Policy Council established under section 1126(b);

“(D) establish standards and policies for executive agencies, in accordance with widely accepted standards for program and project management planning and delivery;

“(E) engage with the private sector to identify best practices in program and project management that would improve Federal program and project management;

“(F) conduct portfolio reviews to address programs identified as high risk by the Government Accountability Office;

“(G) not less than annually, conduct portfolio reviews of agency programs in coordination with Project Management Improvement Officers designated under section 1126(a)(1) to assess the quality and effectiveness of program management; and

“(H) establish a 5-year strategic plan for program and project management.

“(2) APPLICATION TO DEPARTMENT OF DEFENSE.—Paragraph (1) shall not apply to the Department of Defense to the extent that the provisions of that paragraph are substantially similar to or duplicative of the provisions of the National Defense Authorization Act for Fiscal Year 2016.”.

(b) DEADLINE FOR STANDARDS, POLICIES, AND GUIDELINES.—Not later than 1 year after the date of enactment of this Act, the Deputy Director for Management of the Office of Management and Budget shall issue the standards, policies, and guidelines required under section 503(c) of title 31, United States Code, as added by subsection (a).

(c) REGULATIONS.—Not later than 90 days after the date on which the standards, policies, and guidelines are issued under subsection (b), the Deputy Director for Management of the Office of Management and Budget, in consultation with the Program Management Policy Council established under section 1126(b) of title 31, United States Code, as added by section 3(a), and the Director of the Office of Management and Budget, shall issue any regulations as are necessary to implement the requirements of section 503(c) of title 31, United States Code, as added by subsection (a).

SEC. 3. PROGRAM MANAGEMENT IMPROVEMENT OFFICERS AND PROGRAM MANAGEMENT POLICY COUNCIL.

(a) AMENDMENT.—Chapter 11 of title 31, United States Code, is amended by adding at the end the following:

“§ 1126. Program Management Improvement Officers and Program Management Policy Council

“(a) PROGRAM MANAGEMENT IMPROVEMENT OFFICERS.—

“(1) **DESIGNATION.**—The head of each agency described in section 901(b) shall designate a senior executive of the agency as the Program Management Improvement Officer of the agency.

“(2) **FUNCTIONS.**—The Program Management Improvement Officer of an agency designated under paragraph (1) shall—

“(A) implement program management policies established by the agency under section 503(c); and

“(B) develop a strategy for enhancing the role of program managers within the agency that includes the following:

“(i) Enhanced training and educational opportunities for program managers that shall include—

“(I) training in the relevant competencies encompassed with program and project management within the private sector for program managers; and

“(II) training that emphasizes cost containment for large projects and programs.

“(ii) Mentoring of current and future program managers by experienced senior executives and program managers within the agency.

“(iii) Improved career paths and career opportunities for program managers.

“(iv) A plan to encourage the recruitment and retention of highly qualified individuals to serve as program managers.

“(v) Improved means of collecting and disseminating best practices and lessons learned to enhance program management across the agency.

“(vi) Common templates and tools to support improved data gathering and analysis for program management and oversight purposes.

“(3) **APPLICATION TO DEPARTMENT OF DEFENSE.**—This subsection shall not apply to the Department of Defense to the extent that the provisions of this subsection are substantially similar to or duplicative of the provisions of the National Defense Authorization Act for Fiscal Year 2016.

“(b) **PROGRAM MANAGEMENT POLICY COUNCIL.**—

“(1) **ESTABLISHMENT.**—There is established in the Office of Management and Budget a council to be known as the ‘Program Management Policy Council’ (in this subsection referred to as the ‘Council’).

“(2) **PURPOSE AND FUNCTIONS.**—The Council shall act as the principal interagency forum for improving agency practices related to program and project management. The Council shall—

“(A) advise and assist the Deputy Director for Management of the Office of Management and Budget;

“(B) review programs identified as high risk by the General Accountability Office and make recommendations for actions to be taken by the Deputy Director for Management of the Office of Management and Budget or a designee;

“(C) discuss topics of importance to the workforce, including—

“(i) career development and workforce development needs;

“(ii) policy to support continuous improvement in program and project management; and

“(iii) major challenges across agencies in managing programs;

“(D) advise on the development and applicability of standards governmentwide for program management transparency; and

“(E) review the information published on the website of the Office of Management and Budget pursuant to section 1122.

“(3) **MEMBERSHIP.**—

“(A) **COMPOSITION.**—The Council shall be composed of the following members:

“(i) Five members from the Office of Management and Budget as follows:

“(I) The Deputy Director for Management.

“(II) The Administrator of the Office of Electronic Government.

“(III) The Administrator of Federal Procurement Policy.

“(IV) The Controller of the Office of Federal Financial Management.

“(V) The Director of the Office of Performance and Personnel Management.

“(ii) The Program Management Improvement Officer from each agency described in section 901(b).

“(iii) Other individuals as determined appropriate by the Chairperson.

“(B) **CHAIRPERSON AND VICE CHAIRPERSON.**—

“(i) **IN GENERAL.**—The Deputy Director for Management of the Office of Management and Budget shall be the Chairperson of the Council. A Vice Chairperson shall be elected by the members and shall serve a term of not more than 1 year.

“(ii) **DUTIES.**—The Chairperson shall preside at the meetings of the Council, determine the agenda of the Council, direct the work of the Council, and establish and direct subgroups of the Council as appropriate.

“(4) **MEETINGS.**—The Council shall meet not less than twice per fiscal year and may meet at the call of the Chairperson or a majority of the members of the Council.

“(5) **SUPPORT.**—The head of each agency with a Project Management Improvement Officer serving on the Council shall provide administrative support to the Council, as appropriate, at the request of the Chairperson.

“(6) **COMMITTEE DURATION.**—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.”.

(b) **REPORT REQUIRED.**—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget, in consultation with each Program Management Improvement Officer designated under section 1126(a)(1) of title 31, United States Code, shall submit to Congress a report containing the strategy developed under section 1126(a)(2)(B) of such title, as added by subsection (a).

SEC. 4. PROGRAM AND PROJECT MANAGEMENT PERSONNEL STANDARDS.

(a) **DEFINITION.**—In this section, the term “agency” means each agency described in section 901(b) of title 31, United States Code.

(b) **REGULATIONS REQUIRED.**—Not later than 180 days after the date on which the standards, policies, and guidelines are issued under section 503(c) of title 31, United States Code, as added by section 2(a), the Director of the Office of Personnel Management, in consultation with the Director of the Office of Management and Budget, shall issue regulations that—

(1) identify key skills and competencies needed for a program and project manager in an agency;

(2) establish a new job series, or update and improve an existing job series, for program and project management within an agency; and

(3) establish a new career path for program and project managers within an agency.

SEC. 5. GAO REPORT ON EFFECTIVENESS OF POLICIES ON PROGRAM AND PROJECT MANAGEMENT.

Not later than 3 years after the date of enactment of this Act, the Government Accountability Office shall issue, in conjunction with the High Risk list of the Government Accountability Office, a report examining the effectiveness of the following on improving Federal program and project management:

(1) The standards, policies, and guidelines for program and project management issued under section 503(c) of title 31, United States Code, as added by section 2(a).

(2) The 5-year strategic plan established under section 503(c)(1)(H) of title 31, United States Code, as added by section 2(a).

(3) Program Management Improvement Officers designated under section 1126(a)(1) of title 31, United States Code, as added by section 3(a).

(4) The Program Management Policy Council established under section 1126(b)(1) of title 31, United States Code, as added by section 3(a).

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Ernst amendment be agreed to, the committee-reported substitute, as amended, be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2873) was agreed to, as follows:

(Purpose: To improve the bill)

On page 11, line 22, strike “in accordance” and insert “consistent”.

On page 12, lines 18 and 19, strike “the National Defense Authorization Act for Fiscal Year 2016” and insert “chapter 87 of title 10”.

On page 15, lines 16 and 17, strike “the National Defense Authorization Act for Fiscal Year 2016” and insert “chapter 87 of title 10”.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 1550), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1550

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Program Management Improvement Accountability Act”.

SEC. 2. DEPUTY DIRECTOR FOR MANAGEMENT.

(a) **ADDITIONAL FUNCTIONS.**—Section 503 of title 31, United States Code, is amended by adding at the end the following:

“(c) **PROGRAM AND PROJECT MANAGEMENT.**—

“(1) **REQUIREMENT.**—Subject to the direction and approval of the Director, the Deputy Director for Management or a designee shall—

“(A) adopt governmentwide standards, policies, and guidelines for program and project management for executive agencies;

“(B) oversee implementation of program and project management for the standards, policies, and guidelines established under subparagraph (A);

“(C) chair the Program Management Policy Council established under section 1126(b);

“(D) establish standards and policies for executive agencies, consistent with widely accepted standards for program and project management planning and delivery;

“(E) engage with the private sector to identify best practices in program and project management that would improve Federal program and project management;

“(F) conduct portfolio reviews to address programs identified as high risk by the Government Accountability Office;

“(G) not less than annually, conduct portfolio reviews of agency programs in coordination with Project Management Improvement Officers designated under section 1126(a)(1) to assess the quality and effectiveness of program management; and

“(H) establish a 5-year strategic plan for program and project management.

“(2) **APPLICATION TO DEPARTMENT OF DEFENSE.**—Paragraph (1) shall not apply to the Department of Defense to the extent that the provisions of that paragraph are substantially similar to or duplicative of the provisions of chapter 87 of title 10.”.

(b) **DEADLINE FOR STANDARDS, POLICIES, AND GUIDELINES.**—Not later than 1 year after the date of enactment of this Act, the Deputy Director for Management of the Office of Management and Budget shall issue the standards, policies, and guidelines required under section 503(c) of title 31, United States Code, as added by subsection (a).

(c) **REGULATIONS.**—Not later than 90 days after the date on which the standards, policies, and guidelines are issued under subsection (b), the Deputy Director for Management of the Office of Management and Budget, in consultation with the Program Management Policy Council established under section 1126(b) of title 31, United States Code, as added by section 3(a), and the Director of the Office of Management and Budget, shall issue any regulations as are necessary to implement the requirements of section 503(c) of title 31, United States Code, as added by subsection (a).

SEC. 3. PROGRAM MANAGEMENT IMPROVEMENT OFFICERS AND PROGRAM MANAGEMENT POLICY COUNCIL.

(a) **AMENDMENT.**—Chapter 11 of title 31, United States Code, is amended by adding at the end the following:

“§ 1126. Program Management Improvement Officers and Program Management Policy Council

“(a) **PROGRAM MANAGEMENT IMPROVEMENT OFFICERS.**—

“(1) **DESIGNATION.**—The head of each agency described in section 901(b) shall designate a senior executive of the agency as the Program Management Improvement Officer of the agency.

“(2) **FUNCTIONS.**—The Program Management Improvement Officer of an agency designated under paragraph (1) shall—

“(A) implement program management policies established by the agency under section 503(c); and

“(B) develop a strategy for enhancing the role of program managers within the agency that includes the following:

“(i) Enhanced training and educational opportunities for program managers that shall include—

“(I) training in the relevant competencies encompassed with program and project manager within the private sector for program managers; and

“(II) training that emphasizes cost containment for large projects and programs.

“(ii) Mentoring of current and future program managers by experienced senior executives and program managers within the agency.

“(iii) Improved career paths and career opportunities for program managers.

“(iv) A plan to encourage the recruitment and retention of highly qualified individuals to serve as program managers.

“(v) Improved means of collecting and disseminating best practices and lessons learned to enhance program management across the agency.

“(vi) Common templates and tools to support improved data gathering and analysis for program management and oversight purposes.

“(3) **APPLICATION TO DEPARTMENT OF DEFENSE.**—This subsection shall not apply to the Department of Defense to the extent that the provisions of this subsection are substantially similar to or duplicative of the provisions of chapter 87 of title 10.

“(b) **PROGRAM MANAGEMENT POLICY COUNCIL.**—

“(1) **ESTABLISHMENT.**—There is established in the Office of Management and Budget a council to be known as the ‘Program Man-

agement Policy Council’ (in this subsection referred to as the ‘Council’).

“(2) **PURPOSE AND FUNCTIONS.**—The Council shall act as the principal interagency forum for improving agency practices related to program and project management. The Council shall—

“(A) advise and assist the Deputy Director for Management of the Office of Management and Budget;

“(B) review programs identified as high risk by the General Accountability Office and make recommendations for actions to be taken by the Deputy Director for Management of the Office of Management and Budget or a designee;

“(C) discuss topics of importance to the workforce, including—

“(i) career development and workforce development needs;

“(ii) policy to support continuous improvement in program and project management; and

“(iii) major challenges across agencies in managing programs;

“(D) advise on the development and applicability of standards governmentwide for program management transparency; and

“(E) review the information published on the website of the Office of Management and Budget pursuant to section 1122.

“(3) **MEMBERSHIP.**—

“(A) **COMPOSITION.**—The Council shall be composed of the following members:

“(i) Five members from the Office of Management and Budget as follows:

“(I) The Deputy Director for Management.

“(II) The Administrator of the Office of Electronic Government.

“(III) The Administrator of Federal Procurement Policy.

“(IV) The Controller of the Office of Federal Financial Management.

“(V) The Director of the Office of Performance and Personnel Management.

“(ii) The Program Management Improvement Officer from each agency described in section 901(b).

“(iii) Other individuals as determined appropriate by the Chairperson.

“(B) **CHAIRPERSON AND VICE CHAIRPERSON.**—

“(i) **IN GENERAL.**—The Deputy Director for Management of the Office of Management and Budget shall be the Chairperson of the Council. A Vice Chairperson shall be elected by the members and shall serve a term of not more than 1 year.

“(ii) **DUTIES.**—The Chairperson shall preside at the meetings of the Council, determine the agenda of the Council, direct the work of the Council, and establish and direct subgroups of the Council as appropriate.

“(4) **MEETINGS.**—The Council shall meet not less than twice per fiscal year and may meet at the call of the Chairperson or a majority of the members of the Council.

“(5) **SUPPORT.**—The head of each agency with a Project Management Improvement Officer serving on the Council shall provide administrative support to the Council, as appropriate, at the request of the Chairperson.

“(6) **COMMITTEE DURATION.**—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.”.

(b) **REPORT REQUIRED.**—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget, in consultation with each Program Management Improvement Officer designated under section 1126(a)(1) of title 31, United States Code, shall submit to Congress a report containing the strategy developed under section 1126(a)(2)(B) of such title, as added by subsection (a).

SEC. 4. PROGRAM AND PROJECT MANAGEMENT PERSONNEL STANDARDS.

(a) **DEFINITION.**—In this section, the term “agency” means each agency described in section 901(b) of title 31, United States Code.

(b) **REGULATIONS REQUIRED.**—Not later than 180 days after the date on which the standards, policies, and guidelines are issued under section 503(c) of title 31, United States Code, as added by section 2(a), the Director of the Office of Personnel Management, in consultation with the Director of the Office of Management and Budget, shall issue regulations that—

(1) identify key skills and competencies needed for a program and project manager in an agency;

(2) establish a new job series, or update and improve an existing job series, for program and project management within an agency; and

(3) establish a new career path for program and project managers within an agency.

SEC. 5. GAO REPORT ON EFFECTIVENESS OF POLICIES ON PROGRAM AND PROJECT MANAGEMENT.

Not later than 3 years after the date of enactment of this Act, the Government Accountability Office shall issue, in conjunction with the High Risk list of the Government Accountability Office, a report examining the effectiveness of the following on improving Federal program and project management:

(1) The standards, policies, and guidelines for program and project management issued under section 503(c) of title 31, United States Code, as added by section 2(a).

(2) The 5-year strategic plan established under section 503(c)(1)(H) of title 31, United States Code, as added by section 2(a).

(3) Program Management Improvement Officers designated under section 1126(a)(1) of title 31, United States Code, as added by section 3(a).

(4) The Program Management Policy Council established under section 1126(b)(1) of title 31, United States Code, as added by section 3(a).

NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2328, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2328) to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2328) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2328

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Sea Grant College Program Amendments Act of 2015”.

SEC. 2. REFERENCES TO THE NATIONAL SEA GRANT COLLEGE PROGRAM ACT.

Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Sea Grant College Program Act (33 U.S.C. 1121 et seq.).

SEC. 3. MODIFICATION OF DEAN JOHN A. KNAUSS MARINE POLICY FELLOWSHIP.

(a) IN GENERAL.—Section 208(b) (33 U.S.C. 1127(b)) is amended by striking “may” and inserting “shall”.

(b) PLACEMENTS IN CONGRESS.—Such section is further amended—

(1) in the first sentence, by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”; and

(2) in paragraph (1), as designated by paragraph (1), in the second sentence, by striking “A fellowship” and inserting the following:

“(2) PLACEMENT PRIORITIES.—

“(A) IN GENERAL.—In each year in which the Secretary awards a legislative fellowship under this subsection, when considering the placement of fellows, the Secretary shall prioritize placement of fellows in the following:

“(i) Positions in offices of, or with members on, committees of Congress that have jurisdiction over the National Oceanic and Atmospheric Administration.

“(ii) Positions in offices of members of Congress that have a demonstrated interest in ocean, coastal, or Great Lakes resources.

“(B) EQUITABLE DISTRIBUTION.—In placing fellows in offices described in subparagraph (A), the Secretary shall ensure, to the maximum degree practicable, that placements are equitably distributed among the political parties.

“(3) DURATION.—A fellowship”.

(c) EFFECTIVE DATE.—The amendments made by subsection (b) shall apply with respect to the first calendar year beginning after the date of enactment of this Act.

(d) SENSE OF CONGRESS CONCERNING FEDERAL HIRING OF FORMER FELLOWS.—It is the sense of Congress that in recognition of the competitive nature of the fellowship under section 208(b) of the National Sea Grant College Program Act (33 U.S.C. 1127(b)), and of the exceptional qualifications of fellowship awardees, the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere, should encourage participating Federal agencies to consider opportunities for fellowship awardees at the conclusion of their fellowship for workforce positions appropriate for their education and experience.

SEC. 4. MODIFICATION OF AUTHORITY OF SECRETARY OF COMMERCE TO ACCEPT DONATIONS FOR NATIONAL SEA GRANT COLLEGE PROGRAM.

(a) IN GENERAL.—Section 204(c)(4)(E) (33 U.S.C. 1123(c)(4)(E)) is amended to read as follows:

“(E) accept donations of money and, notwithstanding section 1342 of title 31, United States Code, of voluntary and uncompensated services;”.

(b) PRIORITIES.—The Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere, shall establish priorities for the use of donations accepted under section 204(c)(4)(E) of the National Sea Grant College Program Act

(33 U.S.C. 1123(c)(4)(E)), and shall consider among those priorities the possibility of expanding the Dean John A. Knauss Marine Policy Fellowship’s placement of additional fellows in relevant legislative offices under section 208(b) of that Act (33 U.S.C. 1127(b)), in accordance with the recommendations under subsection (c) of this section.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Sea Grant College Program, in consultation with the National Sea Grant Advisory Board and the Sea Grant Association, shall—

(1) develop recommendations for the optimal use of any donations accepted under section 204(c)(4)(E) of the National Sea Grant College Program Act (33 U.S.C. 1123(c)(4)(E)); and

(2) submit to Congress a report on the recommendations developed under paragraph (1).

(d) CONSTRUCTION.—Nothing in this section shall be construed to limit or otherwise affect any other amounts available for marine policy fellowships under section 208(b) of the National Sea Grant College Program Act (33 U.S.C. 1127(b)), including amounts—

(1) accepted under section 204(c)(4)(F) of that Act (33 U.S.C. 1123(c)(4)(F)); or

(2) appropriated under section 212 of that Act (33 U.S.C. 1131).

SEC. 5. REPEAL OF REQUIREMENT FOR REPORT ON COORDINATION OF OCEANS AND COASTAL RESEARCH ACTIVITIES.

Section 9 of the National Sea Grant College Program Act Amendments of 2002 (33 U.S.C. 857–20) is repealed.

SEC. 6. REDUCTION IN FREQUENCY REQUIRED FOR NATIONAL SEA GRANT ADVISORY BOARD REPORT.

Section 209(b)(2) (33 U.S.C. 1128(b)(2)) is amended—

(1) in the heading, by striking “BIENNIAL” and inserting “PERIODIC”; and

(2) in the first sentence, by striking “The Board shall report to the Congress every two years” and inserting “Not less frequently than once every 3 years, the Board shall submit to Congress a report”.

SEC. 7. MODIFICATION OF ELEMENTS OF NATIONAL SEA GRANT COLLEGE PROGRAM.

Section 204(b) (33 U.S.C. 1123(b)) is amended, in the matter before paragraph (1), by inserting “for research, education, extension, training, technology transfer, and public service” after “financial assistance”.

SEC. 8. DIRECT HIRE AUTHORITY; DEAN JOHN A. KNAUSS MARINE POLICY FELLOWSHIP.

(a) IN GENERAL.—During fiscal year 2016 and thereafter, the head of any Federal agency may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of that title, a qualified candidate described in subsection (b) directly to a position with the Federal agency for which the candidate meets Office of Personnel Management qualification standards.

(b) DEAN JOHN A. KNAUSS MARINE POLICY FELLOWSHIP.—Subsection (a) applies with respect to a former recipient of a Dean John A. Knauss Marine Policy Fellowship under section 208(b) of the National Sea Grant College Program Act (33 U.S.C. 1127(b)) who—

(1) earned a graduate or post-graduate degree in a field related to ocean, coastal and Great Lakes resources or policy from an accredited institution of higher education; and

(2) successfully fulfilled the requirements of the fellowship within the executive or legislative branch of the United States Government.

(c) LIMITATION.—The direct hire authority under this section shall be exercised with respect to a specific qualified candidate not later than 2 years after the date that the candidate completed the fellowship.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SEA GRANT COLLEGE PROGRAM.

(a) IN GENERAL.—Section 212(a) (33 U.S.C. 1131(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (E), by striking “and” at the end;

(B) in subparagraph (F), by striking the period at the end and inserting “;”; and

(C) by adding at the end the following:

“(G) \$72,000,000 for fiscal year 2015;

“(H) \$75,600,000 for fiscal year 2016;

“(I) \$79,380,000 for fiscal year 2017;

“(J) \$83,350,000 for fiscal year 2018;

“(K) \$87,520,000 for fiscal year 2019;

“(L) \$91,900,000 for fiscal year 2020; and

“(M) \$96,500,000 for fiscal year 2021.”;

(2) in the heading for paragraph (2), by inserting “FOR FISCAL YEARS 2009 THROUGH 2014” after “PRIORITY ACTIVITIES”; and

(3) by adding at the end the following:

“(3) PRIORITY ACTIVITIES FOR FISCAL YEARS 2015 THROUGH 2020.—In addition to the amounts authorized under paragraph (1), there is authorized to be appropriated \$6,000,000 for each of fiscal years 2015 through 2020 for competitive grants for the following:

“(A) University research on the biology, prevention, and control of aquatic nonnative species.

“(B) University research on oyster diseases, oyster restoration, and oyster-related human health risks.

“(C) University research on the biology, prevention, and forecasting of harmful algal blooms.

“(D) University research, education, training, and extension services and activities focused on coastal resilience and U.S. working waterfronts and other regional or national priority issues identified in the strategic plan under section 204(c)(1).

“(E) University research on sustainable aquaculture techniques and technologies.

“(F) Fishery extension activities conducted by sea grant colleges or sea grant institutes to enhance, and not supplant, existing core program funding.”.

(b) MODIFICATION OF LIMITATIONS ON AMOUNTS FOR ADMINISTRATION.—Paragraph (1) of section 212(b) (33 U.S.C. 1131(b)) is amended to read as follows:

“(1) ADMINISTRATION.—

“(A) IN GENERAL.—There may not be used for administration of programs under this title in a fiscal year more than 5.5 percent of the lesser of—

“(i) the amount authorized to be appropriated under this title for the fiscal year; or

“(ii) the amount appropriated under this title for the fiscal year.

“(B) CRITICAL STAFFING REQUIREMENTS.—

“(i) IN GENERAL.—The Director shall use the authority under subchapter VI of chapter 33 of title 5, United States Code, to meet any critical staffing requirement while carrying out the activities authorized in this title.

“(ii) EXCEPTION FROM CAP.—For purposes of subparagraph (A), any costs incurred as a result of an exercise of authority as described in clause (i) shall not be considered an amount used for administration of programs under this title in a fiscal year.”.

(c) ALLOCATION OF FUNDING.—

(1) IN GENERAL.—Section 204(d)(3) (33 U.S.C. 1123(d)(3)) is amended—

(A) in the matter before subparagraph (A), by striking “With respect to sea grant colleges and sea grant institutes” and inserting

"With respect to sea grant colleges, sea grant institutes, sea grant programs, and sea grant projects"; and

(B) in subparagraph (B), in the matter before clause (i), by striking "funding among sea grant colleges and sea grant institutes" and inserting "funding among sea grant colleges, sea grant institutes, sea grant programs, and sea grant projects".

(2) REPEAL OF REQUIREMENTS CONCERNING DISTRIBUTION OF EXCESS AMOUNTS.—Section 212 (33 U.S.C. 1131) is amended—

(A) by striking subsection (c); and

(B) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

SEC. 10. TECHNICAL CORRECTIONS.

The National Sea Grant College Program Act (33 U.S.C. 1121 et seq.) is amended—

(1) in section 204(d)(3)(B) (33 U.S.C. 1123(d)(3)(B)), by moving clause (vi) two ems to the right; and

(2) in section 209(b)(2) (33 U.S.C. 1128(b)(2)), as amended by section 6, in the third sentence, by striking "The Secretary shall" and inserting the following:

"(3) AVAILABILITY OF RESOURCES OF DEPARTMENT OF COMMERCE.—The Secretary shall".

DRIVE SAFER SUNDAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 319, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 319) designating November 29, 2015, as "Drive Safer Sunday."

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 319) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES AND A CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Chair lay before the Senate H. Con. Res. 95, which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 95) providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements related to the concurrent resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 95) was agreed to, as follows:

H. CON. RES. 95

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Thursday, November 19, 2015, through Wednesday, November 25, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, November 30, 2015, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, November 19, 2015, through Tuesday, November 24, 2015, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, November 30, 2015, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Majority Leader of the Senate or his designee, after concurrence with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

IMPROVING ACCESS TO EMERGENCY PSYCHIATRIC CARE ACT

Mr. MCCONNELL. Mr. President, I ask that the Chair lay before the Senate the House message to accompany S. 599.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 599) entitled "An Act to extend and expand the Medicaid emergency psychiatric demonstration project," do pass with an amendment.

MOTION TO CONCUR

Mr. MCCONNELL. Mr. President, I move to concur in the House amend-

ment, and I ask unanimous consent that the motion be agreed to and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The motion was agreed to.

EXPRESSING SUPPORT FOR DESIGNATING THE THIRD TUESDAY IN NOVEMBER AS NATIONAL ENTREPRENEURS' DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 314.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 314) expressing support for the designation of the third Tuesday in November as "National Entrepreneurs' Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 314) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in the RECORD of November 17, 2015, under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—H.R. 4038

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk from the House, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (H.R. 4038) to require that supplemental certifications and background investigations be completed prior to the admission of certain aliens as refugees, and for other purposes.

Mr. MCCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

ORDER FOR MEASURE TO BE PLACED ON THE CALENDAR—H.R. 4038

Mr. McCONNELL. I ask unanimous consent that notwithstanding the adjournment of the Senate, the bill be placed on the calendar as if read for a second time.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—S. 2329

Mr. McCONNELL. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 2329) to prevent the entry of extremists into the United States under the refugee program, and for other purposes.

Mr. McCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

ORDERS FOR MONDAY, NOVEMBER 30, 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn under the provisions of H. Con. Res. 95 until 3 p.m., Monday, November 30; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, until 5 p.m.; finally, that at 5 p.m. the Senate then proceed to executive session as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, NOVEMBER 30, 2015, AT 3 P.M.

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:34 p.m., adjourned until Monday, November 30, 2015, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

GEORGETTE MOSBACHER, OF NEW YORK, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2018, VICE LEZLEE J. WESTINE, TERM EXPIRED.

DEPARTMENT OF DEFENSE

PHILLIP H. CULLOM, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE SHARON E. BURKE, RESIGNED.

FEDERAL MARITIME COMMISSION

DANIEL B. MAFFEI, OF NEW YORK, TO BE A FEDERAL MARITIME COMMISSIONER FOR A TERM EXPIRING JUNE 30, 2017, VICE RICHARD A. LIDINSKY, JR., RESIGNED.

ASIAN DEVELOPMENT BANK

SWATI A. DANDEKAR, OF IOWA, TO BE UNITED STATES DIRECTOR OF THE ASIAN DEVELOPMENT BANK, WITH THE RANK OF AMBASSADOR, VICE ROBERT M. ORR, RESIGNING.

NATIONAL MEDIATION BOARD

HARRY R. HOGLANDER, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2017. (REAPPOINTMENT)

FEDERAL LABOR RELATIONS AUTHORITY

PATRICK PIZZELLA, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS EXPIRING JULY 1, 2020. (REAPPOINTMENT)

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

JAMES F. ENTWISTLE, OF VIRGINIA
BRIAN A. NICHOLS, OF CALIFORNIA
RICHARD GUSTAVE OLSON, JR., OF NEW MEXICO
DANIEL R. RUSSEL, OF CALIFORNIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER-MINISTER:

CHERYL L. ANDERSON, OF VIRGINIA
WILLIAM R. BRANDS, OF ARIZONA
THOMAS R. DELANEY, OF PENNSYLVANIA
MICHAEL T. HARVEY, OF TEXAS
BROOKE ANDREA ISHAM, OF WASHINGTON
JANINA ANNE JARUZELSKI, OF NEW JERSEY
CHARLES E. NORTH, OF VIRGINIA
BETH S. PAIGE, OF TEXAS
THOMAS H. STAAL, OF MARYLAND
DENNIS J. WELLER, OF ILLINOIS
MELISSA A. WILLIAMS, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR:

JENNIFER M. ADAMS, OF VIRGINIA
REBECCA R. W. BLACK, OF NEW MEXICO
SHERRY FAITH CARLIN, OF FLORIDA
NANCY L. ESTES, OF FLORIDA
ERIN ELIZABETH MCKEE, OF VIRGINIA
LESLIE K. REED, OF CALIFORNIA
JOHN MARK WINFIELD, OF MARYLAND

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

KATHY E. BODY, OF MARYLAND
DAVID G. BROWN, OF MARYLAND
BEVERLY A. BUSA, OF CALIFORNIA
JOHN J. CARDENAS, OF CALIFORNIA
SHARON THAMS CARTER, OF FLORIDA
KATHERINE ASHTON CRAWFORD, OF MARYLAND
CHRISTOPHER M. CUSHING, OF FLORIDA
RAMONA M. EL HAMZAOU, OF NEW HAMPSHIRE
HOLLY L. FERRETTE, OF MARYLAND
CRAIG K. HART, OF VIRGINIA
MARY MELINDA HOBBS, OF MISSOURI
EDITH I. HOUSTON, OF VIRGINIA
BARBARA W. HUGHES, OF CONNECTICUT
ELISE M. JENSEN, OF MASSACHUSETTS
KAREN D. KLIMOWSKI, OF CALIFORNIA
JULIE A. KOENEN, OF CALIFORNIA
GARY LINDEN, OF VIRGINIA
MARCIA MUSISI-NKAMBWE, OF ARIZONA
ANNE ELIZABETH PATTERSON, OF THE DISTRICT OF COLUMBIA

LESLIE A. PERRY, OF COLORADO
PATRICK L. ROBINSON, OF NEW HAMPSHIRE
EVELYN RODRIGUEZ PEREZ, OF FLORIDA

LAWRENCE J. SACKS, OF MISSOURI
SHERYL A. STUMBRAS, OF FLORIDA
AYE AYE THWIN, OF MARYLAND
CHRISTOPHE ANDRE TOCCO, OF CALIFORNIA
AMY C. TOHILL-STULL, OF VIRGINIA
THERESA G. TUANO, OF MARYLAND
PETER A. WIEBLER, OF VIRGINIA
SUNIL SEBASTIAN XAVIER, OF VIRGINIA

THE FOLLOWING-NAMED PERSONS OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

CHRISTOPHER VOLCIAK, OF PENNSYLVANIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

ELIZABETH A. ORLANDO, OF NEW YORK

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

CAROLYN W. ANDERSON, OF VIRGINIA
STACEY A. BA, OF VIRGINIA
BRIAN C. BEDSWORTH, OF THE DISTRICT OF COLUMBIA
ELIZABETH L. BIERMANN DE LANCIE, OF ALABAMA
IAN M. BILLARD, OF MISSOURI

MARK A. BLAND, OF FLORIDA
MICHAEL D. BREWER, OF NEW YORK
KEVIN J. BROSNAHAN, OF THE DISTRICT OF COLUMBIA
TANYA R. BROTHEN, OF ARIZONA
BRIAN W. CAMPBELL, OF NEW YORK

DAVID S. CAMPBELL, OF NEW MEXICO
GEOFFREY D. CHANIN, OF PENNSYLVANIA
MICHAEL C. COKER, OF ARIZONA

ERIC C. CONCHA, OF FLORIDA
DAVID B. CORBY, JR., OF ARIZONA
SANDRA P. CORTINA, OF VIRGINIA
DIANA L. COSTA, OF MISSOURI

EDWARD E. DAIZOVI, OF INDIANA
JANE L. DENHAM, OF TEXAS
AIMEE M. DOWL, OF CALIFORNIA

CARMEN W. DOWLING, OF FLORIDA
PHILIP M. DREWRY, OF CALIFORNIA
JAMES S. DRISCOLL, OF WASHINGTON

ANDREW J. ELLIS, JR., OF MARYLAND
OMAR I. FAROOQ, OF VIRGINIA
TERRENCE FINNERAN, OF FLORIDA

CATHERINE D. C. FISCHER, OF CALIFORNIA
BON E. FLEMING, OF THE DISTRICT OF COLUMBIA
BRYAN M. GIBLIN, OF MARYLAND

BENJAMIN J. GIBSON, OF VIRGINIA
WILLIAM C. GILBERT, OF MISSOURI
KAREN A. GLOCE, OF FLORIDA

PAUL G. GRADON, OF WASHINGTON
JULIE R. GRIER-VILLATTE, OF FLORIDA
ROBERT E. GROSSMAN, OF NEW YORK

ALEXIS H. HAFTVANI, OF CALIFORNIA
TRAVIS J. HALL, OF COLORADO
JERROD E. HANSEN, OF WASHINGTON

JONATHAN P. HERZOG, OF VIRGINIA
JASON A. HUGHES, OF MISSOURI
OGNIANA V. IVANOVA-SRIRAM, OF NEW YORK

HEATHER L. JOHNSTON, OF WASHINGTON
EARNEST C. JONES, OF CALIFORNIA
KHULOOD M. KANDIL, OF FLORIDA

JOHN T.S. KENNEDY, OF FLORIDA
SALMAN KHAN, OF MISSOURI
DAE G. KIM, OF CALIFORNIA

DANIEL D. KOHANSKI, OF CALIFORNIA
MICAH K. LEBSON, OF MARYLAND
JACOB J. LEVIN, OF ILLINOIS

HOLLY MARIE MACKEY, OF MASSACHUSETTS
ERICA MAGALLON, OF CALIFORNIA
SPENCER A. MAGUIRE, OF RHODE ISLAND

OLIVER S. MAINS, OF CALIFORNIA
REBECCA E. MARQUEZ, OF MINNESOTA
PAUL E. MASTIN, OF COLORADO

FRISCO J. MCDONALD, OF ARKANSAS
DIMITRY MEDVEDEV, OF NEW YORK
KELLY R. MERRICK, OF THE DISTRICT OF COLUMBIA

THOMAS R. A. MONTGOMERY, OF CALIFORNIA
DAVID D. MOO, OF MISSOURI
JACQUELINE D. MOUROT, OF TEXAS

ANDREW NELSON, OF CALIFORNIA
JAMES P. NUSSBAUMER, OF OREGON
JEAN T. OLSON, OF WISCONSIN

BRENDAN D. OWEN, OF VIRGINIA
JOSEPH R. PALOMBO, JR., OF NEW HAMPSHIRE
MELISSA PAULSEN, OF GEORGIA

JEREMY R. PETERSON, OF WASHINGTON
GAVIN D. PIERCY, OF ALASKA
LEAH H. PILLSBURY, OF CALIFORNIA

LAWRENCE D. PIXA, OF WASHINGTON
ROBYN M. REMEIK, OF TEXAS
THERESA A. REPPEDE, OF VIRGINIA

NATHANIEL D. RETTENMAYER, OF ARIZONA
INNA ROTENBERG, OF VIRGINIA
MARTIN P. RYAN, OF WISCONSIN

YOULIANA P. SADOWSKI, OF NEW YORK
FELIX P. SANCHEZ, OF TEXAS
SARAH E. SAPERSTEIN, OF VIRGINIA

MARK J. SCHLINK, OF MISSOURI
MERLYN SCHULTZ, OF CALIFORNIA
ROBERT L. SCHWARTZ, OF THE DISTRICT OF COLUMBIA

SAMUEL D. SIPES, OF TEXAS
DAMIAN J. STAFFORD, OF NEW YORK

ELIZABETH M. STICKNEY, OF MARYLAND
 KATHERINE L. SUPLICK, OF VIRGINIA
 MARY G. SWARTZ, OF MARYLAND
 SARAH J. TALALAY, OF FLORIDA
 EDWARD C. THOMPSON, OF ILLINOIS
 JAMES C. THORN, OF MISSOURI
 HALIMA K. VOYLES, OF INDIANA
 HAN A. WANG, OF NEW YORK
 CAROLEE A. WILLIAMSON, OF THE DISTRICT OF COLUMBIA
 WARREN M. WILSON, OF TENNESSEE
 ABRAHAM D. WISE, OF WASHINGTON
 DEREK H. WRIGHT, OF THE DISTRICT OF COLUMBIA
 SETH F. YEAGER, OF VIRGINIA
 MICHELLE L. ZJHRA, OF WASHINGTON

THE FOLLOWING NAMED PERSON OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS A FOREIGN SERVICE OFFICER OF THE CLASS STATED:

FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, EFFECTIVE JUNE 1, 2015:

EDWARD L. ROBINSON III, OF HAWAII
 IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. BLAKE A. GETTYS
 COL. KAREN E. MANSFIELD

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. TODD M. BRANDEN
 COL. MARK A. CROSBY
 COL. FERMIN A. RUBIO

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. DAVID M. BAKOS
 COL. VANCE C. BATEMAN
 COL. SANDRA L. BEST
 COL. JEFFREY C. BOZARD
 COL. WILLIAM D. BUNCH
 COL. RAFAEL CARRERO
 COL. LARRY K. CLARK
 COL. KEVIN D. CLOTFELTER
 COL. MARSHALL C. COLLINS
 COL. JAMES N. COX
 COL. JASON R. CRIPPS
 COL. CHRISTOPHER S. CROXTON
 COL. FRANCIS N. DETORIE
 COL. RUBEN FERNANDEZ-VERA
 COL. JOHN T. FERRY
 COL. JOHN E. FLOWERS
 COL. MICHAEL J. FRANCIS
 COL. VINCENT R. FRANKLIN
 COL. CLAY L. GARRISON
 COL. KEVIN J. HEER
 COL. DANA A. HESSHEIMER
 COL. GENE W. HUGHES, JR.
 COL. CLIFFORD N. JAMES
 COL. JAMES T. JOHNSON
 COL. GREGORY F. JONES
 COL. MARSHALL L. KJELVIK
 COL. JAMES R. KRIESEL
 COL. RONALD S. LAMBE
 COL. ANDREW J. MACDONALD
 COL. STEPHEN J. MAHER
 COL. MATTHEW J. MANIFOLD
 COL. MAREN MCAVOY
 COL. GREGORY S. MCCREARY
 COL. STEPHEN B. MEHRING
 COL. JESSICA MEYERAAN
 COL. BILLY M. NABORS
 COL. JEFFREY L. NEWTON
 COL. PETER NEZAMIS
 COL. PATRICK R. RENWICK
 COL. STEPHEN M. RYAN
 COL. PETER R. SCHNEIDER
 COL. GREGORY N. SCHNULO
 COL. GREG A. SEMMEL
 COL. RAY M. SHEPARD
 COL. MARC A. SICARD
 COL. PAUL R. SILVESTRI
 COL. CHRISTOPHER A. STRATMANN
 COL. PETER F. SULLIVAN, JR.
 COL. TAMI S. THOMPSON
 COL. JOSEPH B. WILSON
 COL. GREGORY S. WOODROW

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. EDWARD P. MAXWELL

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. ROBERT C. BOLTON
 BRIG. GEN. CHARLES W. CHAPPUIS, JR.
 BRIG. GEN. DAWNE L. DESKINS
 BRIG. GEN. TIMOTHY L. FRYE
 BRIG. GEN. PAUL D. JACOBS
 BRIG. GEN. MARK E. JANNITTO
 BRIG. GEN. RONALD W. SOLBERG
 BRIG. GEN. JAMES K. VOGEL
 BRIG. GEN. WILLIAM L. WELSH
 BRIG. GEN. WAYNE A. ZIMMET

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. JAMES H. DIENST

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. JOHN J. DEGOES
 COL. MARK A. KOENIGER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN D. BANSEMER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. RUSSELL A. MUNCY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. PATRICIA N. BEYER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. CHRISTOPHER W. LENTZ

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. SCOTT M. LOCKWOOD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. LEE ANN T. BENNETT
 COL. RICHARD M. CASTO
 COL. JONATHAN M. ELLIS
 COL. JAMES J. FONTANELLA
 COL. JOHN P. HEALY
 COL. DANIEL J. HEIRES
 COL. ROBERT A. HUSTON
 COL. WILLIAM R. KOUNTZ, JR.
 COL. ALBERT V. LUPENSKI
 COL. TYLER D. OTTEN
 COL. RUSSELL P. REIMER
 COL. HAROLD E. ROGERS, JR.
 COL. TRACEY A. SIEMS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. JOHN C. THOMSON III

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. SYLVIA R. CROCKETT

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

BRYAN K. ALLEN
 KATHLEEN C. AMYOT
 MICHAEL MEITEH ARMILJO
 DOUGLAS B. BAKER
 PATRICIA L. BARR
 DAVID JOHN BARTCZAK

ROBERT C. BELWOOD
 WILBUR C. BIGGIN III
 WILLIAM T. BLADEN
 THOMAS A. BOLIN
 ROBERT THOMAS BOTKIN
 RICHARD N. BRADLEY
 JASON MICHAEL BROCK
 STUART W. BROWN
 MICHAEL JOSEPH BRUNO
 EDWIN B. BUTLER
 DONALD KENT CARPENTER
 DONALD LAWRENCE CLARK
 REGINALD LAMONT CLARK
 THOMAS C. COLE
 GREGORY BRANDON COLEMAN
 NICHOLAS D. COLEMAN
 MICHAEL ALAN COMSTOCK
 RICHARD CARROLL COOK
 MARLON E. CROOK
 CHRISTIAN P. CUNNINGHAM
 JAMES THOMAS DEMAREST
 JOHAN A. DEUTSCHER
 SEAN PETER DOUGHTY
 KEVIN V. DOYLE
 PAUL DRAKE IV
 THOMAS JOSEPH DUGGAN III
 THOMAS A. DUKES, JR.
 KEVIN S. ECHTERLING
 MARK EDWARD EMHSWILLER
 BRENT B. ETHRIDGE
 ROBERT FEHER
 ROBERT A. FORINO
 AKSHAI M. GANDHI
 GREGORY C. GOFORTH
 BERLINDA GOODSON
 MICHAEL A. GUCH
 CHARLES CAMERON GUTHRIE
 DANIEL WEBSTER HARLOW
 CHRISTOPHER E. HOWELL
 VERNETTA PATRICE HUGHES
 CHRISTOPHER BRANDT JONES
 JON J. KALBERER
 DONNE H. KANO
 DANIEL ELIDARIN KELLY
 CHRISTOPHER S. KILCULLEN
 MICHELLE LEIGH KILGORE
 ROBERT A. KING
 BRADFORD ULRICH LARSON
 DARRIN P. LELEUX
 CHRISTINE LORRAINE LENNARD
 JOSHIN D. LEWIS
 JAMES P. MARREN
 GLEN ALLEN MARTEL
 DEAN BRYAN MARTIN, JR.
 STANLEY A. MARTIN
 CHRISTOPHER C. MCDONALD
 JOYCE A. MERL
 STEVEN D. MICHAUD
 HOLLY C. MITCHELL
 DANIEL MARC MITOLA
 GRADY O. MORTON, JR.
 MARK ANDREW MUCKEY
 RICK LEE MUTCHLER
 ALICE A. NIEDERGALL
 WILLIAM P. OBRIEN
 RYAN J. OGAN
 RANDALL STEVEN ORTIZ
 STEPHAN K. OTTO
 MATTHEW PATERNOSTRO
 ROBIN M. POLLOCK
 PAUL JOSEPH QUIGLEY
 JERRY PAUL REEDY
 JOHN K. RICHARDSON
 CARLA D. RINER
 NASHID A. SALAHUDDIN
 SCOTT J. SALOIS
 ROBERT JEFFREY SCHELL
 SUEELLEN SCHUERMAN
 LEMUEL JOSEPH SHAFPER
 RICHARD K. SHARP
 CHRISTOPHER JAMES SHEPPARD
 KURT S. SHIGETA
 JOSEPH CALLIE SMITH
 ROSEMARY MARIA SMITH
 TIMOTHY J. SMITH
 CHRIS A. SNYDER
 RICHARD ARTHUR TAITO
 LAURIE ANN TIDEMANN
 MARTIN E. TIMKO
 WALTER K. TOWNSON
 MARK W. TUCCILLO
 TRENT J. VANHULZEN
 JOHN EMILIO VARGAS, JR.
 BRIAN EARL VAUGHN
 DODD DOUGLAS WAMBERG
 JEFFREY M. WILLIAMS
 BERNARD L. WILLIS II
 SANDRA LYNN WILSON
 GARRICK H. YOKOE

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

JAMES D. FERGUSON

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

KELVIN L. BROWN
ROBERT D. FERGUSON
JOEL T. GILBERT
SEAN A. M. KLAHN
ROBERT A. MITCHELL
DOUGLAS A. PAUL
CORY S. W. SCHULZ
PAUL L. WAGNER II

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DAESOO LEE
MARK S. NUCKOLS
BRIAN D. RAY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

WAYNE W. SANTOS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ANTHONY J. FADELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

RICARDO ALONSOJOURNET

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JEFFREY M. SLOAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ANDREW C. DILLON
ANDREW R. HOLDER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

REBECCA R. TOMSYCK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

To be colonel

EVERETT S. P. SPAIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

To be lieutenant colonel

SHANE R. REEVES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

DAVID E. BENTZEL
JENNIFER L. CHAPMAN
REBECCA I. EVANS
CHRISTOPHER E. KELLER
BRIAN U. T. KIM

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

TERESA L. BRININGER
DAVID H. DUPLESSIS
LARRY O. FRANCE
RICHARD A. VILLARREAL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

KEVIN R. BASS
JOHN D. BELEW
TIMOTHY N. BERGERON
BRANDON M. BOWLINE
KATHERINE A. BRUCH
JONATHAN B. BUTLER
ROBERTO CARDENAS
STACEY L. CAUSEY

PATRICK A. DONAHUE
CURTIS W. DOUGLASS
CHRISTOPHER F. DRUM
MICHAEL A. ELLIOTT
MARLA J. FERGUSON
JAMES T. FLANAGAN, JR.
RICHARD G. FORNILI
MARK D. GRAY
JORDAN V. HENDERSON
DIRK D. LAFLEUR
EDWARD F. MANDRIL
JENNIFER J. MCDANNALD
SCOTT A. MOWER
ERIC J. NEWLAND
ENRIQUE ORTIZ, JR.
TANYA A. PEACOCK
JAMES L. REYNOLDS
DAVID W. SEED
DAVID L. SLONIKER
JOHN P. STALEY
MARK A. STEVENS
YOLONDA R. SUMMONS
CHRISTOPHER M. TODD
CHARLES L. UNRUH
ROY L. VERNON, JR.
JOSEPH K. WEAVER
JONATHAN R. WEBB
EDWARD J. WEINBERG
RICHARD A. WILSON
D002416
D003940

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

KIMBERLIE A. BIEVER
AMAL CHATILA
LASHANDA C. COBBS
CARLA M. DICKINSON
AMANDA R. FORRISTAL
KATHI J. HILL
SUSAN G. HOPKINSON
CRYSTAL L. HOUSE
ANGELA S. ICAZA
MARK A. MACDOUGALL
ELIZABETH A. MANNSALINAS
JOHN J. MELVIN
LISA E. MILLER
ANN M. NAYBACKBEEBE
DOUGLAS A. PHILLIPS
MELAINA E. SHARPE
MARY J. SHAW
ANGELA M. SIMMONS
PAMELA M. WULF

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DAVID BARRETT
GREGORY R. BOCKIN
PAUL J. CUCUZZELLA
CHERYL A. P. EMERY
JOHN T. HARRYMAN
KIMBERLY J. HUHTA
ADAM SIEGLER
RONALD D. SULLIVAN
JENNIFER S. ZUCKER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DAVID W. LAWS
JOHN E. SWANBERG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

WILLIAM A. ALTMIRE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JESUS J. T. NUFABLE

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

RUBEN BERMUDEZPAGAN
CARLOS R. CAEZSIERRA
KEVIN T. HAMM
LANCE A. OKAMURA
CHRISTOPHER S. SANDISON
TODD W. SCHAFFER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOSHUA A. CARLISLE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY

JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTION 624 AND 3064:

To be lieutenant colonel

WILLIAM C. MOORHOUSE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

GREGG T. OLSOWY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

ROGER S. GIRAUD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

STEVEN M. WILKE

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 6221:

To be captain

KENNETH C. COLLINS II

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS OF THE COAST GUARD PERMANENT COMMISSIONED TEACHING STAFF FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTIONS 189 AND 276:

To be commander

CORINNA M. FLEISCHMANN
ROYCE W. JAMES

To be lieutenant commander

KIMBERLY C. YOUNG-MCLEAR

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271(E):

To be lieutenant commander

MICHAEL S. ADAMS, JR.
JOHN C. ADAMS
RYAN F. ADAMS
MARK P. AGUILAR
BRAIN J. AHEARN, JR.
DAVID A. ALBRIGHT
PAUL R. ALEXANDER
NICHOLAS M. ANDERSON
LILY A. ANDREWS
MICHAEL J. ANGELI
HUNTER T. ATHERTON
HOWARD B. BAKER, JR.
KRISTEN N. BAKER
STEVEN J. BALDOVSKY
JESSICA A. BARBEAU
SIMON P. BARR
YAMARIS D. BARRIL
STEVEN J. BARRY
GREG M. BATCHELDER
PHILIP S. BAXA
DANIEL BELL
JEREMY A. BELL
MARY K. BENDER
ALEX J. BERNSTEIN
ARIEL BERRIOS
DAVID A. BIRKY
SAMUEL A. BLASE
TREVOR A. BLOUNT
TIMOTHY E. BOETTNER
HERBERT A. BOGGS
ROLLA T. BOGGS
STEPHEN BOR
COREY R. BOUDREAU
JOSHUA D. BOYLE
STEPHEN W. BRICKEY
MATTHEW P. BRINKLEY
ANTONIO D. BRINO
DOMINIC N. BUCCIARELLI
LYNN A. BUCHANAN
JOSHUA W. BUCK
ERIN S. BUSTIN
JEFF B. BYBEE
REGINA R. CAFFREY
ANDREW R. CAMPBELL
AUSTIN E. CAMPBELL
MATTHEW A. CARLTON
RAYMOND CARO
CHRISTOPHER D. CART
JOHNNY J. CARTER, JR.
DANIEL B. CATHELL
MICHAEL J. CAVANAGH
JAMES E. CEPA
LESLIE R. CLARK
JOSEPH R. COFFMAN
SHELLEY M. COLBERT
THOMAS M. CONDIT

DAVID J. CONNOR
 CHAD M. CONRAD
 KEVIN J. COOPER
 DAVID C. COREY
 ROBERT D. CRAIGHEAD
 JAMES A. CROCKETT
 RYAN T. CROSE
 MICHAEL D. CROWE
 THOMAS S. CROWLEY
 NOLAN J. CUEVAS
 GREGORY T. DAHL
 AARON P. DAHLEN
 JON-PAUL M. DEL GAUDIO
 MEGAN A. DENNELLY
 JOHN Z. DOWNING
 MATHEW J. DOYLE
 KRISTIN P. DRISCOLL
 MARK C. DUKTI
 JARED W. ENGLAND
 CHRISTOPHER E. ENOKSEN, SR.
 KYLE L. ENSLEY
 JAMES J. ERICKSON
 SARAH E. ERNST
 MICHAEL P. FELTOVIC
 BRIAN D. FITZPATRICK
 TRAVIS R. GAGNON
 JASON L. GALE
 DIANNA D. GARFIELD
 LUDWIG R. GAZVODA
 ANGELIQUE M. GEYER
 WESLEY M. GEYER
 BRIAN C. GISMERVIK
 PHILIP J. GRANATI
 LUKE J. GRANT
 RONALD R. GREEN
 KARIMA A. GREENAWAY
 JEANNETTE M. GREENE
 AMY J. HAAS
 GEORGE F. HALL
 BRYAN K. HARRELL
 ADRIAN P. HARRIS
 JOSEPH H. HART
 RYAN D. HAWN
 JASON L. HAYES
 BRIAN J. HEDGES
 TYLER K. HEFFNER
 RYAN P. HENEBERY
 MARLON L. HERON
 PRESTON J. HIEB
 KELLY L. HIGGINS
 KRISS K. HINDERS
 THOMAS E. HOLLINBERGER
 JEFFREY S. HOLM
 JARED H. HOOD
 JACOB I. HOPPER
 JESSE L. HOUCK
 SCOTT W. HYATT, JR.
 TRISHA A. JANTZEN
 JOSEPH K. JOHNSON
 NOEL H. JOHNSON
 FRANCES S. JOHNSON-GILLION
 CHRISTINA M. JONES
 DAN N. KAHN
 MICHAEL W. KENALEY
 DANIEL P. KILCULLEN
 JAY F. KIRCHER
 CHRISTOPHER J. KLEIN
 JASON M. KLING
 MICHAEL F. KOEHLER
 BENJAMIN J. KREBS
 WALTER C. KROLMAN
 KAREN L. KUTKIEWICZ
 KEVIN B. LAUBENHEIMER
 DANIEL W. LAVINDER
 DEREK W. LEHR
 JACOB S. LONDON
 JOSEPHINE A. LONG
 GEORGE G. MACDONNELL
 ARTHUR P. MAHAR
 ERIC R. MAJESKA
 PETER E. MALONEY
 MICHAEL H. MANUEL
 LUCAS C. MARINO
 MATTHEW L. MARKOS
 SIMONE B. MAUSZ
 CHARLES S. MCANDREWS
 DAVID P. MCCARTHY
 CORY J. MCCOLLOU
 JENNIFER A. MCKAY
 MATTHEW B. MCKEOWN
 BRENDAN J. MCKINNON
 DANIEL J. MCQUATE
 PEDRO L. MENDOZA
 CHRISTOPHER J. MILLER
 STEPHEN R. MIROS
 CHRISTIAN G. MIURA
 KIRA M. MOODY
 CHRISTOPHER G. MORRIS
 LANE M. MUNROE
 ERICK M. NEUSSL
 ELIZABETH J. NEWTON
 CHRISTOPHER R. NORTON
 JOHN E. NOTO
 ELIZABETH A. OLIVEIRA
 BENJAMIN K. O'LOUGHLIN
 EDWIN ORTIZ
 THOMAS R. OSBORN, JR.
 JULIE E. PADGETT
 TODD J. PAQUETTE
 ADAM A. PAUL
 JONATHAN C. PERRY
 MICHAEL PIVATO

JEFFREY R. PLATT
 EDWARD L. PORTER
 JEFFREY C. PURKEY
 EDWARD J. QUINN
 DAVID W. RATNER
 GREGORY M. REHLENDER
 CORY A. RIESTERER
 ERIC RIVERA
 JOSEPH E. RIZZO
 KEITH V. ROBERTS
 NATHANIEL L. ROBINSON
 CHRISTOPHER C. ROSEN
 MORGAN J. ROY
 ROBERT C. RUE
 GEOFFREY A. SAHLIN
 JORDAN C. SAMSON
 JAY T. SANDUSKY
 GARRETT B. SANTOS
 RICHARD W. SANZO
 AMANDA G. SARDONE
 BRIAN G. SATTTLER
 KENNETH R. SAUERBRUNN
 JENNIFER S. SAVIANO
 LINDSEY E. SENIUK
 RYAN B. SEYMOUR
 DAVID A. SHOOK
 JAMES C. SHULL
 GREGORY S. SICKELS
 BRIAN E. SIEMIATKOWSKI
 STEPHEN M. SIMPSON
 DAVID A. SMITH
 HILARY N. SMITH
 JEFF J. SMOLIK
 BENJAMIN J. SPARACIN
 JASON R. STANKO
 IAN M. STARR
 SCOTT R. STECHSCHULTE
 ANNA E. STEEL
 MATTHEW T. STEVICK
 FRANK A. STROM III
 DAVID W. STUTT
 BRENDAN SULLIVAN
 CONOR J. SULLIVAN
 KIRSTIN E. SULLIVAN
 CHRISTOPHER E. SVENCER
 DANIEL L. TAVERNIER
 ERIC S. TAYLOR
 NICOLE M. TESONIERO
 FELICIA S. THOMAS
 STEPHANIE K. THOMAS
 TRACEY L. TORRA
 LAWRENCE E. TORMEY
 WILLIAM A. TOWERS
 DONALD S. TROUTMAN
 JONATHAN P. TSCHUDY
 JOHN W. VELASCO
 PETER E. VERMEER II
 ADOLFO E. VIEZCA
 JOSHUA M. VINCI
 REBECCA P. VINLOVE
 RYAN T. WAITT
 JOHN H. WALTERS
 MATTHEW E. WARANIUS
 BRIAN L. WARD
 JORELL R. WEBB
 CHRISTOPHER C. WEISER
 KRISTA L. WELCH
 GERARD M. WENK
 JEFFREY D. WEST
 TAMARA B. WHALEN
 JONATHAN D. WHITE
 ADAM R. WOLFE
 DEWEY W. WORKER
 JAKOB C. WRIEDEN
 RONNY C. WRIGHT
 MICHAEL A. WURSTER
 GRANT C. WYMAN
 JEREMY L. YANDELL
 JAMES R. ZOLL, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 IN THE UNITED STATES COAST GUARD TO THE GRADE IN-
 DICATED UNDER TITLE 14, U.S.C., SECTION 271(E):

To be commander

JASON C. ALEKSAS
 NAHSHON I. ALMANDMOSS
 JONATHAN A. ANDRECHIK
 JOHN H. AXTELL
 RENE BAEZ
 TIMOTHY G. BALUNIS, JR.
 KEVIN M. BARKLAGE
 JASON P. BARRETT
 JESSICA B. BEHERA
 CHRISTOPHER J. BELMONT
 ANDREW R. BENDER
 KENNETH E. BETHEA
 BRIAN R. BETZ
 BRIAN P. BREGUET
 JOHN W. BRIGGS
 PEGGY M. BRITTON
 DANIEL J. BROADHURST
 DARKEIM L. BROWN
 WILLIAM A. BUDOVEC
 CHRISTOPHER G. BURRUS
 DERREK W. BURRUS
 JERRY D. BUTWID
 MARCUS A. CANADY
 CATHERINE T. CARABINE
 STEVEN E. CERVENY
 STEVEN J. CHARNON
 MATTHEW M. CHONG
 JOHN J. CHRISTENSEN

WALTER CHUBRICK, JR.
 MICHAEL A. CINTRON
 AUSTIN H. COHOON
 ANGELA A. COOK
 KEVIN A. CRECY
 DEREK L. CROMWELL
 MICHAEL V. DANISH
 WILLIAM L. DAVIS
 RULA F. DEISHER
 ETIENNE DE LA RIVA
 AARON W. DEMO
 JOYCE M. DIETRICH
 PATRICK C. DILL
 SARA E. DILUNA
 DAVID D. DIXON
 ROBERT J. DONNELL
 TAD F. DROZDOWSKI
 SHAUN L. EDWARDS
 JOHN T. EGAN
 KENNETH W. ELLER
 RYAN S. ENGEL
 DAVID T. FEENEY
 MATHEW S. FINE
 ZACHARY R. FORD
 MICHAEL R. FRANKLIN
 WILLIAM A. FRIDAY
 ELISA M. GARRITY
 DAVID R. GATES
 MARCUS G. GHERARDI
 THOMAS A. GILL
 MEREDITH S. GILLMAN
 ZACHARY N. GLASS
 TROY P. GLENDYE
 CARY G. GODWIN
 RYAN C. HAMEL
 LUSHAN A. HANNAH
 AMANDA D. HARDGRAVE
 DAVID W. HATCHETT, JR.
 ERIC A. HELGEN
 ANGELINA HIDALGO
 KATE F. HIGGINS-BLOOM
 KEVIN S. HILL
 BRENDAN J. HILLEARY
 TIMOTHY C. HOLT
 JASON D. INGRAM
 JUSTIN W. JACOBS
 DARWIN A. JENSEN
 STEVEN F. JENSEN
 ERIC D. JOHNSON
 MAUREEN D. JOHNSON
 MICHAEL P. KAHLE
 NICHOLAS A. KALIN
 BENJAMIN G. KARPINSKI
 CHRISTOPHER M. KEENE
 NATHAN P. KENDRICK
 TERRI J. KINDNESS
 ROBERT J. KINSEY
 DANIEL P. LANIGAN
 JOHN M. LEACH
 JOHN-DAVID A. LENTINE
 EDDIE LESANE, JR.
 RACHEL L. LEWIS
 PATRICK M. LINEBERRY
 THOMAS S. LOWRY
 SCOTT E. LUGO
 PATRICK J. LYSAGHT
 SCOTT M. MACCUMBEE
 GREGORY J. MADALENA
 BRIAN J. MAGGI
 JILLIAN C. MALZONE
 MATTHEW C. MANOFSKY
 CARYN A. MARGITA
 TIMOTHY J. MARGITA
 ZACHARY S. MATHEWS
 HEATHER R. MATTERN
 ERIC S. MAY
 IAIN L. MCCONNELL
 KEVIN J. MCCORMACK
 MARK A. MCDONNELL
 SHAWN C. MCMILLAN
 BRIAN K. MCNAMARA
 ADAM C. MERRILL
 MATTHEW A. MICHAELIS
 CAROLYN L. MOBERLEY
 ROBERT S. MOHR
 YOUNGMEE MOON
 KEVIN T. MORGAN
 PETER M. MORISSEAU, JR.
 MATTHEW A. MOYER
 CHARLOTTE MUNDY
 BRIAN J. MURPHY
 CRAIG E. MURRAY
 NICHOLAS E. NEELY
 DAVID NEGRON-ALICEA
 MARSHALL E. NEWBERRY
 NEIL ORLICH
 AARON J. ORTENZIO
 MARK S. PALMER
 BRANDY N. PARKER
 ARTURO S. PEREZ
 BRIAN A. POTTER
 HAROLD PRICE
 SCOTT A. RAE
 TOBIAS C. REID
 RODNEY RIOS
 NICOLE D. RODRIGUEZ
 AARON J. ROE
 DANIEL P. ROGERS
 JESSICA A. ROZZI-OCHS
 MICHELE L. SCHALLIP
 SHADRACK L. SCHEIRMAN
 TYSON J. SCOFIELD

MARC R. SENNICK
KRISTEN L. SERUMGARD
THOMAS A. SHULER
JAMES H. SILCOX III
EMMA E. SILCOX
NICHOLAS R. SIMMONS
JAMES S. SMALL
BRIAN A. SMICKLAS
MARC H. SMITH
TIMOTHY C. SOMMELLA
BRYSON T. SPANGLER
WILLIAM R. SPORTSMAN
ERICH V. STEIN
RICHARD W. STICKLEY, JR.
HEATHER E. STRATTON
MICHAEL R. STRUTHERS
CHRISTOPHER W. SWEENEY
KRIS J. SZCZECZOWICZ
MICHAEL A. TEIXEIRA
DONALD M. TERKANIAN, JR.
KELLY A. THORKILSON
LEE D. TITUS
CHARTER B. TSCHIRGI
ROBERT C. TUCKER
PATRICIA J. TUTALO
NICOLETTE A. VAUGHAN
XAIMARA VICENCIO-ROLDAN
WILLIAM C. WALSH
ROBERT D. WEBB
WINSTON D. WOOD
JESSICA S. WORST
ANDREW W. WRIGHT
YAMASHEKA Z. YOUNG-MCLEAR

CONFIRMATIONS

Executive nominations confirmed by the Senate November 19, 2015:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

SHELLY COLLEEN LOWE, OF ARIZONA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018.

THE JUDICIARY

STEVEN M. WELLNER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

WILLIAM WARD NOOTER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

INTER-AMERICAN FOUNDATION

JUAN CARLOS ITURREGUI, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR A TERM EXPIRING JUNE 26, 2020.

LUIS A. VIADA, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR A TERM EXPIRING SEPTEMBER 20, 2018.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

DIANE HELEN RODRIGUEZ, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2018.

FRANCINE BERMAN, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2020.

PATRICIA NELSON LIMERICK, OF COLORADO, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

ANN CALVARESI BARR, OF MARYLAND, TO BE INSPECTOR GENERAL, UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

DEPARTMENT OF STATE

PETER WILLIAM BODDE, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO LIBYA.

ELISABETH I. MILLARD, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TAJIKISTAN.

MARC JONATHAN SIEVERS, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SULTANATE OF OMAN.

DEBORAH R. MALAC, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF UGANDA.

LISA J. PETERSON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF SWAZILAND.

H. DEAN PITTMAN, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE

UNITED STATES OF AMERICA TO THE REPUBLIC OF MOZAMBIQUE.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

VICTORIA A. LIPNIC, OF VIRGINIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2020.

DEPARTMENT OF LABOR

MICHAEL HERMAN MICHAUD, OF MAINE, TO BE ASSISTANT SECRETARY OF LABOR FOR VETERANS' EMPLOYMENT AND TRAINING.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO SERVE AS DIRECTOR OF THE COAST GUARD RESERVE PURSUANT TO TITLE 14, U.S.C., SECTION 53(B) IN THE GRADE INDICATED:

To be rear admiral

REAR ADM. KURT B. HINRICHS

AMTRAK BOARD OF DIRECTORS

DEREK TAI-CHING KAN, OF CALIFORNIA, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203(A):

To be rear admiral (lower half)

CAPT. ANDREW S. MCKINLEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271(E):

To be rear admiral (lower half)

CAPTAIN MATTHEW T. BELL
CAPTAIN MELISSA BERT
CAPTAIN DAVID M. DERMANELIAN
CAPTAIN ROBERT P. HAYES
CAPTAIN ANDREW J. TIONGSON
CAPTAIN ANTHONY J. VOGT

COAST GUARD NOMINATIONS BEGINNING WITH LADONN A. ALLEN AND ENDING WITH JEFFREY V. YAROSH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 28, 2015.

COAST GUARD NOMINATIONS BEGINNING WITH SHARIF A. ABDRAHBO AND ENDING WITH WILBUR A. VELARDE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 28, 2015.

EXTENSIONS OF REMARKS

CONGRATULATIONS TO PRESIDENT
MA YING-JEOU OF THE ROC (TAI-
WAN)

HON. BLAKE FARENTHOLD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. FARENTHOLD. Mr. Speaker, I would like to express my sincere congratulations for the leadership of President Ma Ying-jeou of the ROC (Taiwan) in pursuing peace and prosperity of the region. The leaders of the two sides met in Singapore on November 7, which was the first such summit since 1949.

President Ma elaborated on the "1992 Consensus" in his opening and closed door remarks, aiming to consolidate the common and critical foundation of the cross-Strait relations. The State Department expressed "the United States welcomes the meeting between leaders on both sides of the Taiwan Strait and the historic improvement in cross-Strait relations in recent years". Again, I would like to take this opportunity to applaud President Ma for his peaceful approach. Taiwan is indeed a beacon of democracy in East Asia.

RECOGNIZING FORMER CALI-
FORNIA ASSEMBLYMAN AND
CHAIRMAN OF THE PRESIDENT'S
COUNCIL ON ENVIRONMENTAL
QUALITY JOHN A. BUSTERUD

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. HUFFMAN. Mr. Speaker, I rise today to celebrate the life of John A. Busterud, World War II veteran, former Assemblymen, and advocate for the environment.

Born on March 7, 1921, in Coos Bay, Oregon, Mr. Busterud went on to graduate from the University of Oregon. He then enlisted in the United States Army and served as an Infantry officer with the U.S. Army's distinguished 90th Infantry Division in the European Theater. During combat operations, his Battalion captured the vast German gold reserves and priceless art treasures deep in a salt mine in Merkers, Germany. He was awarded the Bronze Star and Combat Infantry Badge for his service and would eventually retire from the Army as a Lieutenant Colonel. After the war, Mr. Busterud graduated from Yale Law School and moved to San Francisco to start his legal career with the firm of Brobeck, Phleger and Harrison.

A dedicated public servant, Mr. Busterud served three terms as a California Assemblyman, from 1956 to 1962, representing the 22nd District in San Francisco. He rose to the ranks of Assembly Minority Leader.

After his tenure in the Assembly, Mr. Busterud returned to private practice, but continued to serve the public as President of the Commonwealth Club of California and President of the Committee to Save the Headlands. In this latter role, he was instrumental in the successful efforts to save the Marin Headlands and lay the groundwork for the Golden Gate National Recreation Area.

In 1971, President Nixon appointed Mr. Busterud to be the first Deputy Assistant Secretary of Defense for Environmental Quality. Subsequently, he served as a member and eventually Chairman of the President's Council on Environmental Quality (CEQ) under President Ford. During his tenure at CEQ, he represented the United States as a delegate to the groundbreaking Law of the Sea Convention in Geneva, Switzerland. After his service in Washington, Mr. Busterud returned to California to found Resolve, an environmental mediation foundation.

Mr. Busterud is now retired and, at age 94, he enjoys spending time with his beloved wife Anne and doting on his three children and seven grandchildren. He also authored "Below the Salt," a historical account of the 90th Division in WW II and the discovery of the German gold at Merkers.

Mr. Speaker, it is fitting to honor and thank John A. Busterud for his long and dedicated service to Country, State, and the environment, and express deep appreciation for his impressive and distinguished accomplishments.

RECOGNIZING DR. MERLE
HOROWITZ

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. MEEHAN. Mr. Speaker, I rise to honor an educator who has devoted her life to ensuring our kids have the skills they need to enter the global workforce. Dr. Merle Horowitz will be honored this evening at the Delaware County Veterans Memorial Association annual dinner. Dr. Horowitz recently retired after ten years of service as superintendent of Marple Newtown School District. Dr. Horowitz's retirement comes after a 40 year career of educating students, and nearly three decades in Delaware County. She's a respected expert on cyberbullying and has spoken at length on the topic to audiences around the country. Tonight's honor is a fitting one and we are grateful for her service to the young people in our community.

HONORING UGA IX, "RUSS"

HON. EARL L. "BUDDY" CARTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. CARTER of Georgia. Mr. Speaker, I rise today to honor Uga IX, the University of Georgia's beloved mascot who also goes by the name of Russ, for his dedicated service over the past three-plus seasons.

On October 22, 2015, the University of Georgia announced that Uga IX has decided to retire at the age of 11. Russ has worked a total of 38 games since being awarded a "battlefield promotion" and assuming the title of Uga IX during the 2012 season. Following the deaths of his half-brother, Uga VII, and his successor, Uga VIII, Russ also served as the interim mascot for 25 games from 2009–2012.

With a 51–22 record, Russ served admirably as Uga IX and is cherished by University of Georgia fans worldwide. The Bulldog Nation is sad to see Russ retire, but we look forward to welcoming Uga X, "Que", as our new mascot. Que will be formally introduced during the Georgia Southern game on November 21, 2015, in Sanford Stadium.

Mr. Speaker, it is my privilege to rise today to recognize Uga IX, "Russ," and thank the Seiler family of Savannah, owner of the lineage of "Uga" Bulldog mascots, for their continued support of the program. Go Dawgs!

RECOGNIZING THE NOVEMBER 7
CROSS-STRAIT MEETING

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. MESSER. Mr. Speaker, I rise today to recognize the historic meeting between Taiwan's President Ma Ying-jeou and China's President Xi Jinping on November 7. Included below are President Ma's insights on the meeting. Like President Ma, I agree that these are discussions which must continue. But at a time of increasing security concerns and rising tensions in the region, I believe this meeting was an important step toward improved relations and stability in the region.

In my meeting with Mr. Xi, we exchanged views on cross-strait relations, peaceful development and the consolidation of peace, and the status quo of prosperity. You must all be concerned about the atmosphere at the meeting. The meeting took place in a frank and very positive atmosphere. I found Mr. Xi to be pragmatic, flexible, and candid when discussing the issues. We hope that this spirit will be reflected in the handling of cross-strait relations.

Our discussions focused on several points. The first point is the consolidation of the 1992

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Consensus and the maintenance of peace across the Taiwan Strait. I told Mr. Xi that the consensus reached between the two sides in November 1992 was that the two sides of the Taiwan Strait insist on "one China," but differ as to what that means, and each side could express its interpretation verbally. This was the 1992 Consensus of "one China, respective interpretations." The ROC's interpretation does not involve two Chinas; one China, one Taiwan; or Taiwan independence, as the Republic of China Constitution does not allow it. I also emphasized that sustainable peace and prosperity should be the common goal in the development of cross-strait relations. We will continue to consolidate the 1992 Consensus of "one China, respective interpretations" as the basis for relations, and maintain the status quo of peace and prosperity.

The second point is the reduction of hostility and peaceful handling of disputes. We told Mr. Xi that the people of Taiwan are especially concerned about security and dignity. We wanted Mr. Xi and mainland China to understand that we hope all disputes, whether they be political, military, social, cultural, legal, or of any other form, can be peacefully resolved, allowing both sides to experience mutual good will. I made special mention of the frustrations our people have had when participating in NGO activities, as well as the interventions our government has faced when taking part in regional economic integration and other international activities. We hope to see a reduction of hostility in these areas, especially with regard to our NGOs. I told Mr. Xi that these organizations comprise elite members and specialists, who have reacted quite strongly to these issues and the treatment they received. We hope there will be fewer such occurrences. In response, Mr. Xi said he hopes these issues will be appropriately handled case by case.

I also stated that many people of Taiwan are concerned about mainland China's military deployments against Taiwan, including the Zhurihe base with which we are all familiar and where missiles are deployed. Mr. Xi said that these deployments are in principle not targeted at Taiwan.

The third point is the expansion of cross-strait exchanges and mutual benefits. We emphasized that given the fact that Taiwan and mainland China have different social and economic systems, the two sides need sufficient time to engage in deeper exchanges. We also reiterated Taiwan's interest in participating in regional economic integration. The issue of which side joins first and which side later should not arise. Mr. Xi expressed willingness to discuss this issue and welcomed our participation in the Asian Infrastructure Investment Bank and mainland China's "one belt, one road" initiative.

The fourth point is the establishment of a cross-strait hotline. We believe that a hotline can be set up between the Mainland Affairs Council Minister and the Taiwan Affairs Office Minister, who can then exchange views on important or urgent issues. Mr. Xi stated that this matter could be promptly dealt with.

With regards to cultural and educational exchanges, I also expressed the hope that mainland China can allow more vocational college graduates to pursue higher education in Tai-

wan. I noted that our efforts over the past several years have met with limited success. As we from Taiwan know, our polytechnic universities have a shortage of students. I drew attention to the fact that Vietnam, Thailand, India, and Indonesia have been funding graduate studies by university lecturers at polytechnic institutes in Taiwan. We welcome these students. Before I took office, we had about 30,000 students from overseas studying in Taiwan. This year, the figure has increased to above 100,000. We intend to transform Taiwan into an Asia-Pacific center for higher education. I mentioned that mainland China has over a million vocational college graduates. Mr. Xi said he is willing to look into this matter. The vocational college graduates I refer to are like graduates from five-year junior colleges in Taiwan who then enroll in two-year programs at polytechnic colleges.

The fifth and final point is joint cooperation for cross-strait prosperity. I suggested that history has left behind several issues that the two sides cannot resolve overnight. These issues must be handled pragmatically. If we deal rashly with some of the excessively sensitive issues, it will make things worse. The maintenance of cross-strait peace and stability is Taiwan's mainstream view. How cross-strait relations develop in the future will have to take into account the direction of public opinion. In particular, I reiterated that cross-strait relations should be built on the foundation of dignity, respect, sincerity, and good will, for only then can we shorten the psychological gap between the two sides. I especially expressed the hope that the two sides can turn hostility into friendship and seek peace, not war."

RECOGNIZING COL. WYLIE W. JOHNSON

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. MEEHAN. Mr. Speaker, I rise today to honor Col. Wylie W. Johnson of the U.S. Army Reserve. Wylie, an Army chaplain, served our nation in five conflicts. He continues to serve today as the Pastor of the Springfield Baptist Church in Springfield, Delaware County, where he's been since 1997. Wylie will tonight receive the Freedom Medal from the Delaware County Veterans Memorial Association at its annual dinner. It's a well-deserved tribute for a man who has looked after the spiritual needs of our men and women in uniform for decades.

50TH ANNIVERSARY OF THE ALBANIAN AMERICAN COMMUNITY CENTER (AACC)

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Ms. ESTY. Mr. Speaker, I rise today to honor the 50th anniversary of the Albanian American Community Center (AACC) in Wa-

terbury, Connecticut and the 103rd anniversary of Albania's independence.

Next week, the City of Waterbury will recognize Mr. Xhemal Dani as the 2015 Albanian Mayor of the Day. On that day, the double headed eagle flag will fly over Waterbury City Hall, and we will celebrate the contributions and accomplishments of the Albanian community over the past fifty years. The AACC has been instrumental in bringing our community closer together through religious and non-religious events including festivals, picnics, and charity dinners. Regularly taught Albanian language, culture, and history lessons at the center highlight the rich and vibrant heritage of the Albanian community.

The Albanian-American Community Center's mission began fifty years ago when a small committee organized to advance an environment where religious and social activities could thrive. Through strong work ethic and fundraising efforts, the organization, then-known as the Albanian American Moslem Community, was able to build a new mosque and bring an Imam to serve the City of Waterbury and the surrounding region. In 1969, construction began on the current mosque located on Raymond Street, allowing the Albanian-American Community Center to expand its membership and services to the community.

Under the leadership of President Visar Tasimi, the AACC has strengthened its Scholarship Program, making college more affordable for youth and their families. Since the fund's establishment in 2012, over \$10,000 has been awarded for higher education scholarships. I was pleased to be a part of the scholarship reception this summer and meet the talented recipients.

To the members and leadership of the AACC, thank you for your tireless efforts to encourage friendships and unity among all Albanian-Americans and educate the public about your traditions and culture. Your achievements are a true testament to the positive impact diversity can bring to our community. I am proud to represent you in Congress.

Congratulations to the Board of Directors, members, volunteers, and all who have helped organize the anniversary celebration. I look forward to many more years of your continued success.

TRIBUTE TO KEVIN COONEY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate longtime anchorman Kevin Cooney of KCCI-TV in Des Moines. After 33 years at KCCI and a lifetime dedicated to journalism, Kevin has decided it's time to put down the notes, turn off the teleprompter and enjoy retirement.

Since 1982, Kevin has been a constant figure in Iowa's living rooms, bringing us the news. During that time, he has covered some of Iowa's most important news stories ranging from the catastrophic floods of 1993 to interviewing President Clinton at the White House on the day of the Oklahoma City bombing. His

wide range of knowledge on the issues of the day and his ability to captivate large audiences are second to none.

As an Iowa native Kevin has always had a unique perspective on issues Iowans care about the most. His passion and genuine love of reporting the news is clear. He has earned the respect of those all across Iowa's media for his professionalism as well as his knack for making those around him better. Kevin is a leader in the truest sense of the word and an ambassador for all Iowans, they have counted on him for breaking news the last 33 years and he has delivered.

Mr. Speaker, I applaud and congratulate Kevin on his retirement as one of the most trusted faces in Iowa news broadcasting. His unwavering support for the state of Iowa and his commitment to providing news stories with integrity is a testament to his character. I am proud to represent him, his family and his fellow colleagues in the United States Congress. I ask that my colleagues join me in congratulating Kevin on this incredible milestone and wishing him nothing but the best in his retirement.

RECOGNIZING MARGE LOZINAK LAWRENCE

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. MEEHAN. Mr. Speaker, I rise to honor Marge Lozinak Lawrence of Springfield for her service to our country during the conflict in Korea. Marge was a nurse in Korea, joining the cadet nursing program for \$15 a month. She cared for wounded soldiers and did her best to save lives. Marge will be honored tonight at the Delaware County Veterans Memorial Association Annual Dinner with the 2015 DCVMA Freedom Medal. It's a fine tribute for someone who has served our nation and our warfighters overseas.

PERSONAL EXPLANATION

HON. MARK TAKAI

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. TAKAI. Mr. Speaker, on Wednesday, November 18, I was absent from the House due to illness. Due to my absence, I am not recorded on any legislative measures for the day. I would like the record to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted "no" on Roll Call 634, providing for consideration of the bill (H.R. 1210) Portfolio Lending and Mortgage Access Act; providing for consideration of the bill (H.R. 3189) Fed Oversight Reform and Modernization Act.

I would have voted "yes" on Roll Call 635, the Motion to Recommit with Instructions for the Portfolio Lending and Mortgage Access Act.

I would have voted "no" on Roll Call 636, the Portfolio Lending and Mortgage Access Act.

I would have voted "yes" on Roll Call 637, the Reforming CFPB Indirect Auto Financing Guidance Act.

RECOGNIZING JOLIET CENTRAL HIGH SCHOOL'S ANNUAL VET- ERAN CEREMONY

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. FOSTER. Mr. Speaker, I rise today to recognize Joliet Central High School and its Veterans Ceremony.

On Friday, November 6, 2015, Joliet Central High School hosted its 5th Annual Veterans Ceremony to recognize the sacrifice of alumni, faculty, and community members who have served in the armed forces.

This year, Joliet Central High School honored the following veterans:

Joseph Berman; Charles Muller; Bill Thorns; Ted Micci; Felix Pasteris; Dan Ursitti; Edward Mena; Christo Dragatsis; Jerald Brazeal; Donald Boyer; Gregory E. Warren; Larry Musson; Frank Varman; Larry Evert; and Hank Pillard.

I would like to commend Joliet Central High School for recognizing our veterans and I join the students, faculty, and administrators in thanking them for their service.

IN RECOGNITION OF DONNA AND MICHAEL BARBETTI, RECIPIENTS OF THE 2015 SAM AND JANE CALI STAR AWARD FROM THE BROAD- WAY THEATRE LEAGUE OF NORTHEASTERN PENNSYLVANIA

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. CARTWRIGHT. Mr. Speaker, I rise today to recognize Donna and Michael Barbetti, recipients of the 2015 Sam and Jane Cali Star Award from the Broadway Theatre League of Northeastern Pennsylvania.

The Broadway Theatre of Northeastern Pennsylvania was established in 1959 by the late Benno and Gertrude Levy. The Levy's love for theatre stirred their desire to bring Broadway to Scranton, thus providing access to this unique American art form to the citizens of Northeastern Pennsylvania. Broadway Theatre was blessed with a great board president for many years, the late Sam Cali, whose dedication and support moved the organization into the new millennium.

Each year, the Sam and Jane Cali Star Award is presented to a distinguished community leader who has demonstrated exemplary dedication and service to the arts in northeastern Pennsylvania. Donna and Michael Barbetti are longtime patrons of the arts and were jointly chosen for the award by a committee that wished to recognize their history of support.

Donna and Michael Barbetti are residents of the City of Scranton. Donna is a Registered Dietician with a Master's Degree from

Marywood in Food and Nutrition. In addition to her involvement with the Broadway Theatre League, Donna is the President of the Lackawanna County Women's Commission and is a board member of the Pennsylvania Women's Commission. She also is a board member of St. Francis of Assisi Kitchen and the Scranton Area Foundation, and she is on the Advisory Board for Penn State Worthington Campus. Michael is a Certified Public Accountant and operates his own private practice. He sits on the Board of Directors for Broadway in Scranton. Michael has also served as Chairman of the Board for the ARC of NEPA, The March of Dimes, and as a board member of Allied Services.

Mr. Speaker, please join me in congratulating Donna and Michael Barbetti. Their selfless devotion to the arts has enriched the lives of many and has had a lasting, positive impact on the quality of life in northeastern Pennsylvania.

RECOGNIZING MR. RUSTY CARTER

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. MEEHAN. Mr. Speaker, I rise today to honor U.S. Army veteran Rusty Carter for his service to our country. Rusty is a long-time Delaware County resident who enlisted in the Army in April, 2009. Rusty became a paratrooper with the "Screaming Eagles" of the famed 101st Airborne Division. He deployed to Afghanistan in 2010 and in July of that year came under heavy enemy fire. Rusty was awarded a Purple Heart for his injuries in the battle but just a month later was back in the fight. Rusty was again injured in a Humvee accident in 2011. He'll receive the Freedom Medal from the Delaware County Veterans Memorial Association tonight.

IN HONOR OF WINES ELEMENTARY SCHOOL'S 2015 NATIONAL BLUE RIBBON AWARD

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the achievements of Wines Elementary School. For over fifty years, Wines Elementary School has benefited our community through its dedication to the education and development of Ann Arbor's youth. The U.S. Department of Education recognized this commitment by naming the school a 2015 National Blue Ribbon Award recipient.

Founded in 1957, Wines Elementary School's mission is to "create for every student a joyful environment that stimulates life-long learning and inspires respect for individual differences." The school has actively worked to instill this mission by making community and family participation a cornerstone in the life of each student. Family volunteers organize community events such as the annual Run-a-Thon, in which students run laps

around a track to raise money for charity, a movie night, and a country fair, as well as many other fun events. The school also partners with local charities and nursing homes to ensure students are provided opportunities to participate in and give back to their community.

In addition to active community involvement, Wines Elementary School has worked to strengthen all of its students by focusing on each individual as a unique and capable learner. This has been done through the creation of personalized learning plans which ensures each teacher understands the special needs of their students. The hard work of students, teachers, and parents has resulted in excellent academic achievement. Their standardized tests scores have registered in the top 5% of all Michigan schools in combined measures of student achievement and growth. This earned the school the designation from the Michigan Department of Education as a Reward School and led the department to nominate the school for the National Blue Ribbon Award.

Mr. Speaker, I ask my colleagues to join me today to honor the teachers, students and parents of Wines Elementary School. Their multifaceted methods to prepare our children have created a vibrant community which will invigorate Ann Arbor for years to come.

IN HONOR OF MISS RUTHA MAE
HARRIS

HON. SANFORD D. BISHOP, JR.
OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES
Thursday, November 19, 2015

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor a legendary singer and activist in the Civil Rights Movement, Miss Rutha Mae Harris. Miss Harris will be celebrating her 75th birthday on Friday, November 27, 2015.

Miss Rutha Harris was born on November 27, 1940 in Albany, Georgia to the late Reverend and Mrs. I.A. Harris. She attended Albany's public schools, graduating from Monroe High School in 1958 and Albany State College, now Albany State University, in 1970. She also studied at Valdosta State University, Dillard University, and Florida A&M University.

In 1961, Miss Harris, who always had a love and talent for singing, joined the Original Freedom Singers. The Freedom Singers traveled more than 50,000 miles singing for the cause of freedom and raising funds for the Student Nonviolent Coordinating Committee (SNCC). During the Albany Movement, Miss Harris was thrown several times into the same jail where Dr. Martin Luther King, Jr. was jailed on multiple occasions.

In 1963, the Freedom Singers were signed to a recording contract with Mercury Records. This was the beginning of Miss Harris's professional career and helped propel her to the national stage. She performed in 46 states and the Virgin Islands, in renowned venues such as Radio City Music Hall in New York City and the Civic Opera House in Chicago, Illinois. The Freedom Singers also performed at the March on Washington in Washington, D.C. in 1963.

In addition to performing with the Freedom Singers, Miss Harris also recorded with the

Landmark Gospel Singers, Georgia Mass Choir, and the legendary Whitney Houston. One of the highlights of Miss Harris's professional career was being selected to perform with the Georgia Mass Choir in the film, "The Preacher's Wife," starring Whitney Houston and Denzel Washington. In 2004, Miss Harris recorded her first album, "I'm on the Battlefield."

In 1998, Miss Harris organized the Albany Civil Rights Museum (now Institute) Freedom Singers. This group performs every second Saturday of the month and travels to other cities. This group, along with the Albany Civil Rights Institute, helps to keep the Albany Movement alive for younger generations to learn of the passion and sacrifices made by their ancestors.

Miss Harris has been widely recognized for her music, her involvement in the Civil Rights Movement, and her continued activism. She received the Martin Luther King Dream Award in 2001 and the Trailblazer Award for Outstanding Work Preserving, Promoting, and Advancing the Tradition of African American Music in 2013, among many other awards and accolades. On February 9, 2010, Miss Harris had the honor of performing at the White House for President Barack Obama and First Lady Michelle Obama in a special event, "In Performance at the White House: A Celebration of Music from the Civil Rights Movement."

Dr. Martin Luther King, Jr. once said, "Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that." The Freedom Singers brought light and love to those on both sides of the Civil Rights Movement. Miss Harris has helped to keep this light and love alive through her continued performances and her efforts to preserve the successes of the Movement for younger generations to enjoy.

Mr. Speaker, I ask my colleagues in the House of Representatives to join me and my wife, Vivian, in commending and recognizing Miss Rutha Mae Harris for the inspiring life that she leads. We extend our best wishes to her as she and her family and friends prepare to celebrate her 75th birthday.

RECOGNIZING MR. JOHN COOK

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES
Thursday, November 19, 2015

Mr. MEEHAN. Mr. Speaker, I rise to pay tribute to John Cook, a Marine from Delaware County, Pennsylvania. John joined the Corps fresh out of high school, and served under Col. Lewis "Chesty" Puller. John landed with the Marines at Icheon and served in "Masacre Valley" during Operation Killer in February 1951. He was discharged in 1952 as a Sergeant, having served his country with honor and distinction. John will be honored with the Freedom Medal tonight at the Delaware County Veterans Memorial Association Annual Dinner. It's a fitting honor for a man who served his country ably in Korea.

STEVENS INSTITUTE OF TECHNOLOGY WINS THE DEPARTMENT OF ENERGY'S SOLAR DECATHLON

HON. ALBIO SIRES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES
Thursday, November 19, 2015

Mr. SIRES. Mr. Speaker, I rise today to honor and congratulate the Stevens Institute of Technology's remarkable achievement in winning the Department of Energy's prestigious Solar Decathlon. The competition challenges collegiate teams to spend almost two years building and designing energy-efficient houses that run on solar power.

This year, the Stevens Institute of Technology team defeated more than a dozen other teams with their design the SURE HOUSE. Thirty students from multiple disciplines competed against teams from five different countries over the course of ten days in ten separate competitions to judge the houses' performance, livability, and affordability. This year the teams also had to prove that their house could power a hybrid, non-electric vehicle.

The SURE HOUSE is a solar powered home that is also able to withstand hurricane-force winds and flooding. Inspired by the devastating effects of Hurricane Sandy it is meant to act as a new housing prototype for shore communities. The SURE HOUSE was ranked highest in several categories and uses almost 90 percent less energy than conventional homes. It can also provide emergency power to surrounding neighborhoods after a storm. The building will be taken back to New Jersey to act as an emergency management and coastal resiliency center along the Jersey shore.

I am confident that Stevens Institute of Technology's outstanding performance will change the future of home building, particularly in vulnerable shore communities, and I congratulate their team on this impressive achievement.

RECOGNIZING ANDREA VOIGHT OF
ST. CLOUD

HON. TOM EMMER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES
Thursday, November 19, 2015

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to thank Andrea "Andy" Voight for her dedicated service as a nurse in the St. Cloud Community.

For Andrea, nursing was much more than a job; it was a family tradition and way of life. Along with her two sisters, Andrea followed in her mother Rita's footsteps to pursue the noble career of nursing.

After graduating from the Miller Hospital Vocational School of Practical Nursing in St. Paul, she returned to St. Cloud to officially begin her career at St. Cloud Hospital where she remained for an impressive 26 years. Andrea says what kept her working for so long was the connections that she is able to make with people.

Andrea embodied what it truly means to care for others, as she says that she "truly appreciated watching her surgical patients make it to discharge."

Forty-six years and five children later, Andrea made the decision to retire. When asked what she hopes to pursue next, Andrea says that she would like to travel and spend more time attending her grandchildren's events.

Andrea, our community is so thankful for all that you have done, and I wish you a happy and peaceful retirement with your family.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,670,014,021,513.75. We've added \$8,043,136,972,600.67 to our debt in 6 years. This is over \$8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNIZING ANNA WRIGHT

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. MEEHAN. Mr. Speaker, I rise today to pay tribute to Anna M. Wright. Anna has been a longtime champion of our veterans in our community. She was instrumental in the foundation of the Delaware County Veterans Memorial in Newtown Square, Pennsylvania and her support was key to making this tribute to our veterans possible. Mr. Speaker, Anna is being honored this evening with the President's Award at the Delaware County Veterans Memorial Association Annual Dinner. It's a fitting tribute to Anna and a well-deserved honor for all she's done to express our gratitude to our veterans.

TRANSGENDER DAY OF REMEMBRANCE

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mrs. DAVIS of California. Mr. Speaker, November 20th is Transgender Remembrance Day. However, every day we must recognize that transgender men and women are being unjustly discriminated against, bullied, ostracized and even killed because of their sexual identity.

On this day, we remember those who were senselessly murdered, those who are targets because they are different and those who end up homeless when family abandon them.

Transgender men and women wake up each morning being targets of bigotry and hate. So far in 2015, about 29 transgender men and women, primarily in their early 20s, have been murdered. Many more take their own lives because they simply cannot see life getting better or easier.

Organizations like "Project Trans at the Center" in San Diego offer a safe environment to be themselves; they offer resources to help with life situations. It's up to Congress to offer protection from discrimination as a basic human right.

Imagine a world where you wake up every day with the challenge of existing; where it seems the world is against you no matter what you do.

This is their world. Every day. Together we can make a difference and work toward ending discrimination.

Today, let's unify and work together to fix the inequality among transgender persons.

But tomorrow—let us not forget the struggles they face and the support they need to live freely in a world that is so full of intolerance.

INTRODUCTION OF THE PROTECT OUR STUDENTS AND TAXPAYERS (POST) ACT

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. COHEN. Mr. Speaker, I rise today in support of the Protect Our Students and Taxpayers (POST) Act, a bipartisan bill I introduced earlier today with my colleague Congressman WALTER JONES.

If enacted, it would take steps towards eliminating an incentive for for-profit colleges to aggressively recruit and enroll veterans, service members and their families, who have sacrificed for this country and deserve the highest quality of education.

Current law prohibits for-profit colleges and universities from deriving more than 90 percent of their revenue from the U.S. Department of Education's federal student aid programs. The other 10 percent is required to come from sources other than the federal government. However, because of the way the law was written, veterans' and active duty service members' federal student aid does not count towards the 90 percent. Instead, it may be included among a for-profit institution's calculation of its 10 percent non-federal revenue.

As a result, for-profit colleges and universities are left with a powerful incentive to recruit veterans, service members and their families, offering them degrees that are often less valuable than those from not-for-profit institutions.

The POST Act would strengthen the definition of "federal aid" to include G.I. bill funds, Department of Defense Tuition Assistance benefits, and all other federal funding sources.

Furthermore, the POST Act would reinstate a 15 percent minimum on revenue that for-profit colleges must receive from sources other than the federal government. The requirement was lowered from 15 percent to 10 percent in 1998.

The bill also takes steps towards eliminating accounting tricks used by for-profit educational institutions that inflate their declared amount of non-federal funding.

Finally, the POST Act increases the penalty for rule-breakers by causing colleges to lose eligibility to participate in federal student aid programs after one year of noncompliance with the new 85-15 rule. Currently, they do not face penalties until they have been non-compliant for two years.

I urge my colleagues to support this bill, and help get it passed.

RECOGNIZING MR. WILLIAM R. HILTON

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. MEEHAN. Mr. Speaker, I rise today to recognize William R. Hilton, a U.S. Army veteran whose service during the Korean War earned him three Purple Hearts and one Oak Leaf Cluster.

Mr. Hilton was born and raised in Chester County, Pennsylvania. One of ten children, he began his military career at the very young age of 16 years old. Upon completion of basic training in 1950, Mr. Hilton was sent to the frontlines of the Korean War.

During his service, Mr. Hilton endured some of the most difficult and horrific conditions of the war. Through three injuries on the frontlines, he continued to fight and act as a leader in battle.

Mr. Speaker, I am honored to recognize Mr. Hilton for his service and I thank him for the extraordinary sacrifices he has made for his country.

HONORING MR. TOM DeBLASS

HON. THOMAS MacARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. MACARTHUR. Mr. Speaker, I rise today to honor Mr. Tom DeBlass of New Jersey's Third Congressional District, and to express my sincerest commendation as to all of his accomplishments.

Mr. DeBlass has been named to the New Jersey Martial Arts Hall of Fame as a Grappler. He has won titles such as the Pan American and World Championships. Beyond his personal feats on the mat, Mr. DeBlass has devoted his time to giving back to his community by opening his own Brazilian Jiu-Jitsu Academy.

Mr. DeBlass has used his expertise to produce his own world champion students. He has created a legacy of martial arts success in his community and has given young athletes the opportunity to develop and excel.

Mr. Speaker, the people of New Jersey's Third Congressional District are tremendously proud to have Mr. Tom DeBlass as an involved member of their community. It is my honor to recognize both his personal athletic

accomplishments and his lasting contributions to our community before the United States House of Representatives.

RECOGNIZING MONSIEUR LOUIS
SICOIT

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. ISRAEL. Mr. Speaker, I rise today to recognize Monsieur Louis Sicoit, a man who has dedicated his life to honoring the American soldiers who liberated his village during World War II.

Monsieur Sicoit, a resident of Roynac, France, was just a young boy when his village was at the nexus of the Battle of Montelimar. As a result of witnessing the grueling battle and seeing those American soldiers who risked their lives to protect his village, Monsieur Sicoit built a remarkable museum filled with hundreds of photographs, pieces of memorabilia, weapons, equipment, and testimonials from survivors like him. Sicoit's museum attracts a variety of visitors and also opens its doors to local school children in order to educate them and to help honor the memory of those who helped rid France of the German occupation. Additionally, members of the U.S. Army's 173rd Brigade Support Battalion visited Sicoit's museum and bestowed upon him a Certificate of Appreciation.

Please join me in honoring Monsieur Louis Sicoit for his life-long dedication to paying homage to the brave American soldiers who risked and lost their lives in saving and liberating his village, and for helping to strengthen the bond between our two countries.

RECOGNIZING MR. CHARLES
"BUD" BURNS

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. MEEHAN. Mr. Speaker, I rise today to recognize Charles "Bud" Burns, a U.S. Navy veteran who served during the Second World War.

A South Philadelphia native, Mr. Burns enlisted in the Navy in 1946. After completing basic training, he was sent to Italy for his first tour of duty on the USS *Compton*. During his time overseas, Mr. Burns patrolled the Mediterranean Sea before returning to the United States and being honorably discharged in 1948.

Mr. Burns received the Good Conduct Medal and the European-African-Middle Eastern Campaign Medal for his admirable service.

Mr. Speaker, it is an honor to recognize Mr. Burns, and I thank him for his service and allegiance to his country.

PAYING TRIBUTE TO COLONEL
GEORGE DEFILIPPI UPON HIS RE-
TIREMENT

HON. BRADLEY BYRNE

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. BYRNE. Mr. Speaker, I rise to pay tribute to Colonel George DeFilippi, USAF (Ret) as he prepares to fully retire after 46 years of faithful government service and extraordinary dedication to duty and to the United States of America.

George DeFilippi has had a fine career, including in his most recent role as Head, Congressional Support Branch in the Office of the Assistant Secretary of the Navy (Financial Management and Comptroller). I would like to share with you some highlights.

George DeFilippi graduated from the United States Air Force Academy in 1969. Following graduation, he honorably served his nation on active duty for the next 30 years spanning many key leadership positions. From 1986 to 1991, George was the Commanding Officer of the 23rd Tactical Air Support Unit out of Davis Monthan AFB, where he was responsible for consolidating the forward air control training for all Air Force and Marine Corps operational units.

His next assignment was to serve as the Commander/Air Liaison Officer with the U.S. Army (XVII Airborne Corps) and Republic of Korea's Third Army, leading a 250-person unit integrating aviation assets into army operations. From 1993 to 1999 George reported to the Office of the Under Secretary of Defense (Acquisition & Technology) and was responsible for the oversight of a \$4 billion tactical fighter and Unmanned Aerial Vehicle programs. He later went on to serve as the Chief of Staff within OUSD (AT&L) continuing to provide oversight for major defense acquisition programs.

Upon completing 30 years of active duty service within the United States Air Force, George retired from active duty but continued to serve his country through the civilian sector. From 1999–2010, he worked within the Cobham Life Support Division as well as Government Relations promoting life support products to the U.S. Armed Forces.

In 2010, George DeFilippi reported to his current assignment as Head, Congressional Support Branch, Navy Appropriations Matters Office where he helped the Department of the Navy achieve their financial and legislative goals. For five years, George DeFilippi has demonstrated exceptional leadership and foresight, engaging Members of the Appropriations Committee and its staff to provide information essential to resourcing the Navy for its role as the world's dominant sea power. In an increasingly difficult budget environment, George DeFilippi provided essential support in shepherding Navy budgets through the appropriations process. George served our nation with integrity, insight and dedication.

Mr. Speaker, on behalf of a grateful nation, I join my colleagues today in saying thank you to George DeFilippi for his extraordinary dedication to duty and steadfast service to this country throughout his distinguished career in

the United States Air Force as well as his public service and we wish him and his wife Patricia the very best in his well-deserved retirement.

RECOGNIZING THE GARY CHAM-
BER OF COMMERCE AND THE
8TH ANNUAL LAKESHORE CLAS-
SIC BASKETBALL TOURNAMENT

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. VISCLOSKY. Mr. Speaker, it is with heartfelt respect that I recognize the Gary Chamber of Commerce as the organization celebrates the 8th annual Lakeshore Classic basketball tournament. In honor of this outstanding event, the Gary Chamber of Commerce will host a celebratory luncheon in Gary, Indiana, at the Majestic Star Casino on Tuesday November 24, followed by a basketball tournament at West Side Leadership Academy on Friday, November 27 and Saturday, November 28, 2015.

The theme for this year's Lakeshore Classic is "Salute to Youth Sports," bestowing honor on players and coaches who have dedicated their talents to youth sports in Northwest Indiana and made a notable impact on the region's sports programs. Along with the acknowledgment of these individuals, the Gary Chamber of Commerce has chosen an equally commendable speaker for their corporate luncheon. Mr. Lloyd McClendon has an extensive professional career in baseball. He is a former Major League Baseball player who played for the Chicago Cubs, New York Mets, Cincinnati Reds, Pittsburgh Pirates, and Cleveland Indians. Lloyd is also a former manager of the Seattle Mariners and the Pittsburgh Pirates. Originally from Gary, Indiana, Mr. McClendon played for the 1971 Gary team in the Little League World Series and earned the nickname "Legendary Lloyd" after he homered in five consecutive at bats. The 1971 team was the first all African-American team to make it to the final round of the Little League World Series. Lloyd went on to play baseball at Gary Roosevelt High School and Valparaiso University before his professional career. With his many contributions to sports in our region and across the nation, Mr. McClendon has proven to be an extraordinary example for youth involved in any sport, and he is worthy of the highest praise.

At this time, I would like to recognize the schools participating in the Lakeshore Classic basketball tournament. These schools are dedicated to achieving academic excellence and sportsmanship, and they are passionate in their efforts. The participating teams include the Gary West Side Lady Cougars, John Marshall Lady Commandos, Gary Roosevelt Panthers, East Chicago Central Cardinals, Thea Bowman Eagles, Wendell Phillips Wildcats, Gary West Side Cougars, and the Charles A. Tindley Tigers. These teams are comprised of student-athletes who serve as exceptional role models for the youth in their communities.

Mr. Speaker, at this time, I ask you and my other distinguished colleagues to join me in

recognizing the Gary Chamber of Commerce, the organizers and sponsors of the 8th annual Lakeshore Classic, and the dedicated honorees. Their perseverance, leadership, and commitment to our youth and Northwest Indiana are to be commended.

CONGRATULATING THE HELIAS CRUSADERS FOR THEIR THIRD PLACE FINISH IN THE 2015 CLASS 1 GIRLS GOLF STATE CHAMPIONSHIP

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Helias Crusaders for their third place finish in the 2015 Class 1 Girls Golf State Championship.

This team and their coach should be commended for all of their hard work throughout this past year and for bringing home third place to their school and community.

I ask you to join me in recognizing the Helias Crusaders for a job well done.

TRIBUTE TO KEVIN CARTER

HON. JASON CHAFFETZ

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. CHAFFETZ. Mr. Speaker, I wish to thank Mr. Kevin Carter, an outstanding citizen and leader from the State of Utah. I thank Mr. Carter for his exemplary service as Director of the Utah School and Institutional Trust Lands Administration (SITLA). Mr. Carter served as Director for nearly 12 years. In this capacity, Mr. Carter oversaw the management and administration of approximately 4.4 million acres of land for various beneficiaries, primarily public education. Under Mr. Carter's leadership, SITLA earned over \$1.3 billion and helped the Permanent School Fund grow to over \$2 billion. I thank Mr. Carter for his dedication and his impressive contributions to our State.

EMILY CURRAY

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise to recognize Emily Curray for receiving the West Chamber's 2015 Celebrate Women Award. This award celebrates local women leaders with drive, perseverance and service to their community.

As an alumna of the University of Colorado School of Law, Emily has been practicing immigration law since 1996, with a focus on business immigration. Currently, Emily is managing partner of the woman-owned immigration firm Stern & Curray where she helps

make the American Dream a reality for clients. Emily's passion for immigration resulted in her current role on the board of the I Have a Dream Foundation—Colorado chapter and serving as past chair of the Colorado Lawyers Committee Immigration Task Force for more than 10 years.

I extend my deepest congratulations to Emily Curray for receiving the 2015 Celebrate Women Award. Thank you for your leadership and service to the community.

HONORING THE LIFE AND LEGACY OF NORTHWEST FLORIDA'S BELOVED GLENN DOUGLAS DENNY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. MILLER of Florida. Mr. Speaker, it is with both profound sadness and deep gratitude that I rise to honor Glenn Douglas Denny, of Milton, Florida who passed away on November 9, 2015.

Glenn was born in Stillwater, Oklahoma to Raymond and Mary Denny. While growing up in Stillwater, Glenn displayed exceptional athletic prowess in baseball and basketball, becoming a star at Stillwater High School, where he graduated from in 1958. His athletic ability was recognized, and he received a scholarship for both basketball and baseball to Baylor University. After one year at Baylor, he returned to Oklahoma to continue playing the sports he loved at Oklahoma Baptist University. In 1963, he graduated with a degree in mathematics and secondary education.

Upon his graduation, Glenn answered the call of duty, completing the U.S. Navy Officer Candidate School, serving on active duty for seven years with a tour in Vietnam as Commanding Officer of a barracks ship in DaNang Harbor, and serving in the Navy Reserves, retiring at the rank of Commander. Eventually, his naval career would bring him to Florida's First Congressional District, which he would call home for the remainder of his life.

In 1969, Glenn began working as a math teacher and coach at Woodham High School in Pensacola, Florida, and in 1972, he became the basketball coach and math teacher at Pace High School in Pace, Florida, while also earning a Masters of School Administration. Glenn's leadership skills and commitment to education led his selection as the first Community School Director for Santa Rosa County, Assistant Principal, and Principal of Pace High School, as well as Director of High School Education for Santa Rosa County Schools—a position he held until his retirement in 1997.

Glenn's retirement years were filled with quality family time, cross country travel in his motor home, and golf outings with family and friends. Glenn was also a man of faith, and was a long time member of the First Baptist Church of Milton.

To some Glenn Denny will be remembered as a patriot and veteran who served our Nation with honor and distinction, to others he will be remembered as an educator who used his passion for sports and commitment to edu-

cation to serve the students of Northwest Florida, to his family and friends, Glenn will always be remembered as a loving and devoted husband, father, and grandfather. His impact on Northwest Florida was immense, and his legacy will live on forever.

Mr. Speaker, on behalf of the House of Representatives, I am proud to honor the memory of Glenn Denny. Vicki and I will keep his entire family, especially his wife of 54 years, Joanne; his son, Scott and daughter-in-law Cathy; his son Bryan and daughter-in-law Flavia; his grandchildren, Matthew, Brittany, Michael, Gabriel, Mateus, and Stella; as well as his brother Paul and sister-in-law Kathy in our thoughts and prayers.

EPILEPSY AWARENESS MONTH REMARKS

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. LANGEVIN. Mr. Speaker, November is National Epilepsy Awareness Month. Epilepsy affects more than 2.8 million Americans, almost 10,000 of whom reside in my home state of Rhode Island. For the majority of those diagnosed with this condition, there is no known cause. Furthermore, one-third of people living with Epilepsy have seizures that can't be controlled with current treatments.

Richard and Deb Siravo tragically lost their five-year-old son Matty to Epilepsy in 2003. However, they chose to turn their tragedy into action and founded The Matty Fund. They didn't want other families facing similar challenges to go without help, and they dedicated themselves to raising awareness, providing family resources and improving the lives of children and families living with Epilepsy.

I'm so proud of the work that the Matty Fund does in Rhode Island, and I encourage everyone to take a moment and reflect on what they can do to support Epilepsy awareness, not just during November, but all year long.

DANA RINDERKNECHT

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise to recognize Dana Rinderknecht for receiving the West Chamber's 2015 Celebrate Women Award. This award celebrates local women leaders with drive, perseverance and service to their community.

Dana began her career with Coors Brewing Company and then became involved with ColoradoGives.org at Community First Foundation where she helped refine the website to make it accessible, affordable and transparent. She helped take the organization from a small Denver-area organization serving 100 nonprofits to a nationally-recognized program used by more than 1,700 organizations across the state. She also helped start Colorado

Gives Day to increase philanthropy across the state. Since its inception, Colorado Gives Day—in combination with ColoradoGives—has raised more than \$117 million for Colorado nonprofits.

Dana's energy and sense of humor she brings to her work helps foster a positive and creative environment. Her encouragement of others and her contribution to the nonprofit community has helped impact the lives of many.

I extend my deepest congratulations to Dana Rinderknecht for receiving the 2015 Celebrate Women Award. Thank you for your leadership and service to the community.

INTRODUCTION OF THE ORGANIC ACT OF GUAM ELECTION REFORM ACT OF 2015

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Ms. BORDALLO. Mr. Speaker, today I am introducing legislation to amend the Organic Act of Guam to prohibit salary changes for the Governor of Guam, the Lieutenant Governor of Guam, and Senators of the Guam Legislature until after a general election of the Legislature has passed. My bill also removes the federally mandated five-year residency requirement for individuals to run for governor, lieutenant governor, and senator of the Guam Legislature, and gives the authority to set this requirement to local policymakers and the people of Guam.

The Organic Act of Guam establishes the framework of the Government of Guam and, among others, provides for qualifications and manner of elections of the Governor of Guam, the Lieutenant Governor of Guam and members of the Guam Legislature. Currently the Organic Act is silent on provisions regarding changes in salary for the Governor, Lt. Governor, or local Guam Legislature and changes can be made and implemented at any time simply by changing local law. Over the past several months, local policymakers and the people of Guam have debated pay increases that were proposed and instituted shortly after last year's general election. While I believe that these issues are up to local policymakers, and ultimately the people of Guam to decide, the Organic Act should provide safeguards regarding salaries for these elected officials that will prevent divisiveness in our community. The bill that I am introducing today would prevent the Governor, Lt. Governor, and Senators from increasing their salaries until after an intervening election of the Legislature has occurred. This is similar to the 27th Amendment to the Constitution that prohibits Members of Congress from increasing their pay until after an intervening election, and it is consistent with a request made by the Guam Legislature for me to introduce an amendment to the Organic Act for this purpose.

Additionally, the bill I am introducing will make it easier for individuals to participate in Guam elections by removing the federally mandated five-year residency requirement for individuals to run for Governor, Lieutenant

Governor, and Senator, and placing this authority with local Guam law. I believe that we should provide for greater opportunities to participate in government, and that the qualifications for local elected offices should be vested in the laws of Guam. Placing a federal mandate on the qualifications for Guam's Governor, Lt. Governor, and Senators ignores Guam's political maturity and is contrary to the ideals of our representative democracy. These decisions should be made by local policymakers and the people of Guam, not the U.S. Congress. The bill also puts Guam on equal footing with most of America, where state laws, not federal mandates, govern who can run for local elected offices.

This bill is a step towards improving accountability for elected officials on Guam and encourages more participation in our government. The bill is also consistent with public opinion in Guam and the views expressed by the Guam Legislature. I encourage its adoption and urge my colleague to pass this legislation.

PERSONAL EXPLANATION

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Ms. ESHOO. Mr. Speaker, I was not present during roll call vote number 637 on November 18, 2015 due to a previously scheduled appointment.

I would like to reflect that on roll call vote number 637 I would have voted NO.

REMEMBERING THE HISTORIC MEETING BETWEEN TAIWAN AND CHINA PRESIDENTS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. RANGEL. Mr. Speaker, as someone, who since 1978 has followed with great interest the tinder box of South East Asia, the recent meeting between Taiwan's President Ma Ying-jeou and China's President Xi Jinping is an historic event that I did not think I would see in my lifetime.

On November 7 of this year, Taiwan's President Ma Ying-jeou and China's President Xi Jinping met in Singapore. The two leaders shook hands, gave speeches and discussed cross-strait relations.

Before Taiwan's President Ma took office in 2008, the relationship between Taiwan and China was severely strained. The conflict over Pacific Island ownership and dispute over many other issues portends problems that could threaten peace in the region.

We greatly appreciate President Ma's initiative and leadership in pursuing this meeting and reducing tension along the Taiwan Strait.

With the recent tragedy in Paris and the increased violence in the Middle East, it is so vital that there is peace along the Taiwan Strait.

We look forward to seeing even greater peace and stability in the region as a result of this historic meeting between these two Presidents and view it as a first step on a long road.

DR. MARGIE BALL-COOK

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise to recognize Dr. Margie Ball-Cook for receiving the West Chamber's 2015 Celebrate Women Award. This award celebrates local women leaders with drive, perseverance and service to their community.

Born in Beaumont, Texas, Dr. Ball-Cook has dedicated her life to helping others and the health care industry. She graduated as valedictorian of her high school class and went on to receive her Doctorate in Psychology from the University of Denver. Since then, she has helped establish nursing schools in both Colorado and Africa.

Currently, Dr. Ball-Cook heads the Global Health Commission of the National Black Nurses Association and was one of the founding members of Colorado Council of Black Nurses (CCBN). She has mentored and advised hundreds of students interested in medical and health careers toward their career goals, including those with low means who wish to pursue a profession in medicine.

I extend my deepest congratulations to Dr. Margie Ball-Cook for receiving the 2015 Celebrate Women Award. Thank you for your leadership and service to the community.

NATIONAL NATIVE AMERICAN HERITAGE MONTH

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Ms. MCCOLLUM. Mr. Speaker, each November, our nation recognizes the contributions of the First Americans during National Native American Heritage Month. Minnesota is home to eleven proud Ojibwe and Dakota nations, and those nations and their people are a vital part of our state's heritage and our future.

American Indians, Alaska Natives, and Native Hawaiians are the source of America's first participatory democracy and the population with the highest rates of service in our nation's armed services. Their cultures and communities have endured despite centuries of violence, injustice, and discrimination. That legacy must never be buried or ignored, but I am committed to working with tribal leaders to move forward in a new era of respect and self-governance throughout Indian Country.

The nation-to-nation relationship between our federal government and the 567 diverse, federally recognized tribal nations across the country has been strengthened tremendously under President Obama. I am proud to have

worked with the President and my colleagues in Congress to pass major legislation to better meet our federal trust responsibility, strengthen tribal self-governance, and support Native families, like the Indian Health Care Improvement Act, the Tribal Law and Order Act, and the reauthorization of the Violence Against Women Act.

Investing in the health, safety, and education of Native youth, in particular, must be a priority for Congress. Native American youth deserve the same opportunities to shape their futures and succeed as any other child in America. Earlier this month, tribal leaders and Native youth joined President Obama and senior officials from throughout his Administration at the 7th Annual White House Tribal Nations Conference. I was incredibly proud to see young people representing their Native nations and sitting with our President, sharing their priorities and discussing their future. Whether standing against racism in their schools, advocating for opportunities in their communities, or preserving their languages and cultures, the powerful voices and actions of Native youth are helping to build a brighter future for all young people in this country.

Yet even with the progress we have made, tremendous work remains to realize that future. As sovereign nations, tribal governments play an essential role in serving the needs of their tribal members and defending the rights of their Nations. We must follow through on our federal responsibility to Native Americans with greater and more meaningful consultation and with legislative action that supports tribal self-determination, governmental parity, and significant investments throughout Indian Country.

As we honor the heritage and resilience of our Native American brothers and sisters this month, we also commit to working together to build stronger communities and a stronger nation because when Indian Country is strong, America is strong.

IN RECOGNITION OF THE 100TH ANNIVERSARY CELEBRATIONS FOR
BOY SCOUT TROOP 16

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. CARTWRIGHT. Mr. Speaker, I rise today to pay tribute to Boy Scout Troop 16, which will be celebrating its 100th Anniversary on November 28, 2015, at Genetti's Banquet Hall in Dickson City, Pennsylvania. Troop 16 has a long history of upholding the values of the Boy Scouts of America and serving its community with dignity and honor.

Established in 1915, Troop 16 was organized through the efforts of Pennsylvania Representative, John Scheuer. William Longcor served as the initial Scoutmaster of Troop 16. The Troop's first camping trip took place at Lake Ariel during the summer 1915 under the supervision of Scoutmaster Longcor and Assistant Scoutmaster Walter E. Mohr. The troop's inaugural banquet was held in December 1915, and the first Parents' night was in June 1916. The Troop completed its first Council Camp in 1919 at Bidwell's Pond.

Troop 16 has taken numerous camping expeditions over the years, including ones to Mountain Lake, Camp Grieser, Gettysburg, Camp Lackawanna, Washington D.C., Valley Forge, and Goose Pond. In the 1970s, the Troop participated in Scout Expositions at the Watres Armory in Scranton, with Troop 16 winning several awards. In 2008 and 2014, the Troop sent crews to High Adventure at the Florida Sea Base in the Florida Keys. Since its founding, Troop 16 has attended Summer Camp at Goose Pond and has the distinction of counting 238 Eagle Scouts as alumni.

Mr. Speaker, please join me in congratulating Boy Scout Troop 16 as it celebrates a century of service. These scouts' and leaders' devotion to scouting has enriched the lives of many and has had a lasting, positive impact on their community. I wish the Troop the best as it continues to uphold the traditions of the Boy Scouts of America.

DR. HARRIET HALL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise to recognize Dr. Harriet Hall for receiving the West Chamber's 2015 Celebrate Women Award. This award celebrates local women leaders with drive, perseverance and service to their community.

Dr. Hall has made a significant contribution to the community through advocacy, passion and unwavering commitment to people with mental health disorders and their families. She has worked to reduce the stigma of mental illness, to bring the public's attention to urgent matters of mental health, and collaborated with government and business leaders to produce innovative changes for mental health care. Dr. Hall's contributions extend beyond her work in the mental health field and with her help for some of the neediest portions of the community such as the homeless, indigent and families in turmoil.

I extend my deepest congratulations to Dr. Harriet Hall for receiving the 2015 Celebrate Women Award. Thank you for your leadership and service to the community.

HONORING TED "GUNNER" OUSLEY

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. DUNCAN of Tennessee. Mr. Speaker, I wish today to honor a man that many in my District know by only one name.

Ted Ousley—or simply "Gunner" as he is known to his many fans—is one of the most popular people in my District and a longtime personality with WIVK radio in Knoxville, Tennessee.

Each weekday from 3:00 p.m. to 7:00 p.m. "Your Cowboy Pal" Gunner entertains listeners with his unique brand of East Tennessee charm, humor, and grace.

He loves his job, and you can tell when listening to his show. He once said that he was "living his dream" by being on the air with WIVK.

In 2003 and 2004, Gunner was voted the Best DJ by Metro Pulse readers and was a finalist for the Marconi Air Personality of the Year.

But Gunner is not just known for his entertainment. He is also a tireless champion of Veterans.

Following the September 11th terror attacks in 2001, Gunner started a segment on his show called "Voices from the Front" where he would connect families over the phone with their loved ones serving in the wars. It was hugely popular and emotional for him and his listeners.

In 2004, he traveled to Iraq, and upon his return led an effort to bring to the United States for treatment an 8-year-old suffering from a severe form of Spina Bifida.

In 2009, Gunner received the first annual Civilian Warrior Award for his work with the 844th Engineer Battalion.

East Tennessee is one of the most patriotic places in this Country. Each year, Gunner helps lead the Veterans Day parade in Knoxville, which is attended by many thousands of people.

In addition to his service to Veterans, Gunner finds the time to run two East Tennessee farms and serve on the Board of Directors of the East Tennessee Alzheimer's Association.

Mr. Speaker, Ted "Gunner" Ousley embodies the Volunteer spirit of East Tennessee.

His humility and dedication to those who serve will forever hold a place in our hearts, and I thank him for his dedication to this Country and wish him success as he continues to entertain us each day.

I also call his work with Veterans to the attention of my Colleagues and other readers in hopes that he will be an inspiration to many more.

PERSONAL EXPLANATION

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. RENACCI. Mr. Speaker, on roll call no. 636, I voted 'Nay' when I intended to vote 'Yea'.

SHARON TREFNY

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise to recognize Sharon Trefny for receiving the West Chamber's 2015 Celebrate Women Award. This award celebrates local women leaders with drive, perseverance and service to their community.

Sharon has spent extensive time as a systems engineer, community organizer and project manager, working with both domestic

and international partners. She helped establish the Native American Commission on Urban Affairs, the first of its kind in the country. Sharon also helped to create a Women's Commission in Los Angeles where the first U.S. rape hot-line was set up.

In 2000, Sharon became the First Lady of the Colorado School of Mines. In that position, she interacted with women leaders such as Jehan Sudat (the late Anwar Sadat's wife), Madeline Albright, Wu Yi (Vice Premier of China), Jill Biden, and a UN delegation of women from Afghanistan. Sharon used the insight she gained from these experiences to help connect women's leadership to the women on the School of Mines campus.

I extend my deepest congratulations to Sharon Trefny for receiving the 2015 Celebrate Women Award. Thank you for your leadership and service to the community.

RECOGNIZING CALVIN FRAUENFELDER AND DUSTY JOHNSON

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. BUCK. Mr. Speaker, I rise today to recognize Calvin Frauenfelder and Dusty Johnson for their hard work and dedication to the people of Colorado's Fourth District as interns in my Washington, DC office for the Fall 2015 session of Congress.

The work of this young man and woman has been exemplary and I know they both have bright futures. They served as tour guides, interacted with constituents, and learned a great deal about our nation's legislative process. I was glad to be able to offer this educational opportunity to these two and look forward to seeing them build their careers in public service.

Our interns have made plans to continue their work with various organizations in Washington and Colorado. I am certain they will succeed in their new roles and wish them all the best in their future endeavors. Mr. Speaker, it is an honor to recognize Calvin Frauenfelder and Dusty Johnson for their service this Fall.

RECOGNIZING CANDY ALCOTT

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. SWALWELL of California. Mr. Speaker, I rise with Congressman MIKE THOMPSON to recognize Candy Alcott, an amazing Livermore resident whose acts of kindness are bringing joy to Lake County children devastated by the Valley Fire.

When the Valley Fire destroyed hundreds of homes earlier this year, leaving many families with nothing, Candy jumped into action. She wanted to make sure the children of Lake County were "not forgotten."

Candy drove from Livermore and brought donations. She gave away a few bikes that

first day, but there were still many more kids in need. Candy said she would be back, and she has fulfilled that promise over and over again.

Thanks to Candy's tireless efforts, good Samaritans and generous businesses have donated hundreds of bikes. Now called the "Bike Angel," she has even created a group, Bike Angels United, to help continue this outpouring of love and support for the children of Lake County.

Candy said that the generosity people have shown in donating the bikes has been a "miracle." This miracle, though, only happened because of her caring, dedication, and energy.

We want to express our deepest appreciation for Candy's devotion to the children affected by the Valley Fire. What she has done is truly remarkable, and we wish her the very best as she continues her charitable work.

CELEBRATING THE AVON CHAMBER OF COMMERCE'S 50TH ANNIVERSARY

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Ms. ESTY. Mr. Speaker, I rise to celebrate the Avon Chamber of Commerce's 50th anniversary.

Today, we recognize the Avon Chamber of Commerce for serving as a tireless advocate for our local businesses and an essential resource for their leaders and employees. Over the past 50 years, the chamber has worked hard to create an environment that allows its members to flourish by providing advice, resources, and networking opportunities. Currently, the Avon Chamber of Commerce represents a diverse group of over 340 businesses—both large and small—from every industry.

We here in the State of Connecticut are proud of our highly-skilled workforce, and Avon is an ideal location for companies who want to take advantage of this strength. Organizations like the Avon Chamber of Commerce help businesses continue to grow, so that Connecticut's economy is vibrant and competitive for years to come. The Farmington Valley owes much to the Avon Chamber, and Connecticut is a better state thanks to their advocacy. I look forward to continuing to work with the chamber as they continue to thrive and welcome more businesses into the region.

Congratulations to Executive Director Lisa Bohman, Board President John Shea, the Board of Directors, staff and members of the Avon Chamber of Commerce on its 50th anniversary.

JOAN SMITH

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise to recognize Joan Smith for receiving the West

Chamber's 2015 Celebrate Women Award. This award celebrates local women leaders with drive, perseverance and service to their community.

Joan began as a Parent Resource Counselor in 1992, but for the past 25 years has worked for Rocky Mountain Education Center at Red Rocks Community College. During her tenure, she wrote the first National Science Foundation Grants on behalf of the college both of which were funded and began the long and very successful relationship between NSF and Red Rocks Community College.

As director of the OSHA Institute at Red Rocks Community College, she became passionate in seeking solutions to the high fatality rate among oil and gas workers in the field. Joan worked nationally through the industry's STEPS Network to convene a committee of oil and gas professionals from across the country to develop safety training programs for workers. She has also developed relationships between the College and several international partners, including the countries of Jordan and Saudi Arabia. She worked with students, universities, and employers in Jordan to create the first Solar Energy Technician and Occupational Safety and Health Associates Degree programs through the Al Baqa Applied University.

I extend my deepest congratulations to Joan Smith for receiving the 2015 Celebrate Women Award. Thank you for your leadership and service to the community.

TRIBUTE TO THE CHINESE-AMERICAN PLANNING COUNCIL (CPC)

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Ms. VELÁZQUEZ. Mr. Speaker, I rise to pay tribute to the Chinese-American Planning Council (CPC), which today celebrates 50 years of service to the Chinese-American, immigrant and low-income communities in New York City.

CPC was founded at the grassroots level and its roots are deep in New York's Chinese American community. In the mid-1960s, as immigration from Asia began steadily growing, CPC was launched and began counseling families referred by local schools. As the agency developed, it began providing case management services to help recent arrivals adjust to their new homes.

The organization grew rapidly and started providing important educational services to school-age children, including early child care. Shortly thereafter, CPC launched Project Reach, which provided programs for at-risk gang youth in Chinatown. Today that initiative offers services for youth of all backgrounds.

Today, CPC has blossomed into a critical anchor in our community. Over 8,000 people are served every day through more than 50 programs in 33 locations throughout Manhattan, Brooklyn and Queens. Early childhood services provide a nurturing environment that offers young Chinese New Yorkers an environment to grow and learn.

Workforce development initiatives create economic opportunity by providing our city's

residents with training, new skills and employment placement. Through these efforts, over the past year, CPC assisted over 2,500 clients, enrolling more than 525 of them into English as a Second Language classes and training over 200 others in construction, hospitality and luxury retail.

CPC has also become an important safety net for some of our city's seniors. Senior centers in Manhattan and Queens ensure we are caring for and honoring New York's elderly Chinese. The centers' meals provide a popular reason for seniors to come together, while food is brought to those who are homebound. Programs focused on music, art and entertainment help keep seniors culturally and intellectually stimulated and engaged.

Mr. Speaker, since its founding five decades ago, the Chinese-American Planning Council (CPC) has become an invaluable and critical force for good in our city. Today, it helps some of our most vulnerable neighbors, while strengthening our community overall and making New York a better place to live. I would ask my colleagues to join me in saluting CPC as it celebrates half a century of service to New York's Chinese community and to our entire city.

THE INTRODUCTION OF THE VETERANS LEGAL SUPPORT ACT OF 2015

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Ms. NORTON. Mr. Speaker, today, I introduce the Veterans Legal Support Act of 2015, a bill to allow the U.S. Department of Veterans Affairs (VA) to provide certification and support to law school clinical programs that provide pro bono legal and support services to veterans, including, among other things, assistance with disability claims and appeals and foreclosures. There are already at least 22 law schools that have clinics devoted to veterans' legal needs, including the William & Mary Law School Veterans Benefits Clinic, which serves as a national model for this idea, as the law clinic was the first in the nation to receive a "best practice" certification from the VA. There are many other law schools, such as the University of the District of Columbia's David A. Clarke School of Law, that are interested in starting their own VA-certified clinics.

More than 600,000 veterans are waiting for their disability claims to be processed by the VA. With the assistance of lawyers and law professors, clinical programs provide free legal resources to assist veterans with processing their claims. My bill would merely build on what some law schools have begun to do for the last several years. More needs to be done to sustain and increase these programs.

Just as we honored our veterans on Veterans Day, I urge my colleagues to support this bill, a concrete measure that would assist our veterans, who have repeatedly put their lives on the line for this country, in their daily lives.

DAN ARVIZU

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Dr. Dan Arvizu for his exceptional work as Director of the National Renewable Energy Laboratory in Golden, Colorado.

Dr. Arvizu is retiring this year, but his legacy of leadership and innovation will endure for many, many years to come. I want to take this moment to say thank you for outstanding stewardship of our nation's premier energy efficiency and renewable energy laboratory.

In addition to his role at NREL, Dr. Arvizu is Chairman of the National Science Board, which is the governing board of the National Science Foundation. He will continue his role as Chairman of the National Science Board and he will also become a visiting professor at Stanford University.

On behalf of everyone at NREL, the people of the state of Colorado, and the United States of America, let me say thank you for a job well done. We wish you all the best on the next steps of your journey.

HONORING MARY V. KING

HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. DeSAULNIER. Mr. Speaker, I rise today to honor the life of my friend and colleague, Mary V. King. Mary was a lifelong resident of Oakland, California, and dedicated her life to public service. She passed away earlier this week.

During her three-terms as the first African American County Supervisor for Alameda County, she authored many policies with lasting impact on the Bay Area, including a values-based budgeting process still in use by the county, and the King Plan for land-use, which is now considered a model for smart-growth. She also served as the chair of several community-based and regional committees, including the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission's (MTC's) Bay Bridge Design Task Force. Among her many roles in public service, she worked tirelessly as the General Manager of the Alameda Contra Costa Transit District, often called the AC Transit District, carrying the agency through tough economic times.

Mary and I became friends when we served together on MTC and worked together on the Caldecott Tunnel, which connects Alameda and Contra Costa counties and contributes to the economic development of our region. She used her considerable expertise in government to develop and advocate for efficient transportation systems, smart land-use planning, housing, and other policies that have helped to create opportunities throughout the Bay Area. She also worked to improve economic conditions and social services for lower

income residents, promoting health and education, and youth violence prevention programs. The Mary V. King Health Education Center is named in her honor as part of the Eastmont Wellness Center in Oakland. She also founded the Alameda County "Women's Hall of Fame Awards," which recognizes the accomplishments of other women and has recognized more than 200 honorees.

Among her many accolades, Mary has been awarded the "Lifetime Achievement Award" by the Conference of Minority Transportation Officials, the "Allen E. Broussard Memorial Award for Outstanding Humanitarianism" by the Alameda County Bar Association, the "George Moscone Memorial Award" by the American Society of Public Administration, the Community Leaders, Recognition Award by the Black Elected Officials and Faith Based Leaders of the East Bay, and was named the "Legislator of the Year" in 1992 by the Arc of the United States.

Mary is survived by her mother Victoria King, two daughters Kimberly and Vikki King, and two grandchildren. She leaves an indelible legacy on the East Bay, and will be greatly missed.

Mr. Speaker, I am honored to celebrate the extraordinary life of Mary King, and I send my sincere and deepest condolences to her family, friends, and loved ones.

CELEBRATING THE LIFE OF JUDGE TALMADGE LITTLEJOHN

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. KELLY of Mississippi. Mr. Speaker, I rise today to honor the memory of Chancery Court Judge Talmadge Littlejohn of New Albany, Mississippi who joined his Heavenly Father on Monday, October 26, 2015.

Judge Littlejohn had a long, distinguished career as a public servant, including service as a district attorney, state legislator, and chancery court judge.

He served in our state house from 1960 to 1964 and the state senate from 1964 to 1968. In 2010 he was honored by the Mississippi Bar for his 50 years of practicing law. He was in his fourth term as a judge in the First Chancery Court District of Mississippi, which includes Alcorn, Itawamba, Lee, Monroe, Pontotoc, Prentiss, Tishomingo, and Union counties.

Judge Littlejohn always conducted himself as a selfless public servant dedicated to fulfilling any task that was assigned to him.

He was an active member of First Baptist Church of New Albany, where he faithfully served as a deacon and Sunday school teacher. Judge Littlejohn was a man of family, faith, and a servant of God.

He is survived by his wife of 54 years, Julia Gray Littlejohn; his daughters, Lisa Gault (Phil) of Huntsville, Alabama and Christy Adair (Avery) of New Albany; his son, Bradley Littlejohn (Morgan) also of New Albany; his six grandchildren, Phillip Gault, Justin Gault, Katie Allison Gault, Julianne Littlejohn, Gray Littlejohn, and Ivy Littlejohn; one sister, Ivy

Jean Weeden (John) of New Harmony; one aunt, Elaine Pannell of New Albany; and many nieces and nephews.

My thoughts and prayers are with Judge Littlejohn's family and friends during this difficult time.

THANK YOU MIKE PODEGRACZ
FOR YOUR SERVICE TO THE
CITY OF HESPERIA

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. COOK. Mr. Speaker, over my time representing the citizens of California's Eighth Congressional District, I have been able to spend time with and learn from some of the best community leaders America has to offer.

Today I rise to speak about Mike Podegracz, the City Manager of the City of Hesperia.

Mike was first appointed City Manager in 2005. During his time as City Manager, he has overseen the completion of the Ranchero Underpass and Interchange projects, the G Avenue Lead Track and the completion of the Hesperia's Civic Plaza Complex. Being fiscally conservative, Mike led the organization through the recession without staff layoffs while maintaining a balanced general fund budget. Having spent the first half of his career in the private sector, Mike understands the impact of superior customer service on the community, and places a special value on this trait across all city departments. Hesperia is a city known for its excellent customer service, and Mike has made this possible through all he has been able to accomplish.

I wish Mike the best in all that is yet to come. He has left a huge imprint on the City of Hesperia and I'm proud to have worked with him.

MARYANN PROCTOR

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise to recognize MaryAnn Proctor for receiving the West Chamber's 2015 Celebrate Women Award. This award celebrates local women leaders with drive, perseverance and service to their community.

Whether it was tutoring second graders through the Bring up Grades (BUGS) program or volunteering at the Tennyson Center for abused children, MaryAnn lived to help others. On a daily basis, she oversaw the complex operations of Propp Realty leading the staff and making business connections, not only from tenant to tenant, but with every person she met. She insisted on quality work, respect among coworkers, and encouraged potential leaders to conduct business fairly and professionally.

She served as a board member for the West Chamber, President-elect for Lakewood

Kiwanis, a volunteer at ARC, The Action Center and Lakewood High School Key Club. Additionally, she served on several City of Lakewood committees and belonged to the West Colfax Business District. MaryAnn unexpectedly passed away at the end of 2014, leaving behind a tremendous legacy.

Thank you for recognizing MaryAnn Proctor with the 2015 Celebrate Women Award. Her leadership and service to the community will forever be remembered.

MARKING 20 YEARS SINCE THE
SIGNING OF THE DAYTON
AGREEMENT

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. SMITH of New Jersey. Mr. Speaker, November 21 will mark the 20th anniversary of the Dayton Agreement, which ended the conflict in Bosnia-Herzegovina from 1992 to 1995.

As a member and later Chairman of the Helsinki Commission, I remember those events vividly—many Bosnians and Serbs testified before the Helsinki Commission in the 1990s (including victims of human rights abuses and human rights defenders) and some have since played leading roles as elected officials. In 1991, Frank Wolf and I visited Vukovar in neighboring Croatia while it was still under siege. With a group of other Helsinki Commissioners and Members of Congress, I urged a decisive international response under U.S. leadership from the very beginning of the war. In 1995 we spearheaded a movement to lift the arms embargo on Bosnia, so that it would not present such an inviting target to Serb militias. Sadly the embargo was lifted too late for the Bosniaks in Srebrenica.

Just last month I met with a group of young Bosniaks belonging to Voices of the Bosnian Genocide. It was so moving to meet with these young people—many of them were from Srebrenica—and to learn how many of them had taken up work or study that sought to bring some good out of the horrors of 1995. Many studied human rights law, or conflict resolution, or medicine.

Their lives were shaped not only by Srebrenica but also by Dayton, which brought an end to the killing. Yet as public officials we have a responsibility to remember that robust action earlier in the conflict could have saved many more lives and produced better prospects for the future.

Twenty years later, this Dayton anniversary offers the opportunity to assess what has been achieved in Bosnia-Herzegovina. The agreement should rightly be remembered for restoring a peace that has held to this day, and for ensuring the sovereignty, unity and territorial integrity of Bosnia-Herzegovina. Dayton gave the country time to begin to heal from a horrific conflict infamous for ethnic cleansing and atrocities against innocent civilians, including the genocide at Srebrenica—which we remembered with the unanimous passage of House Resolution 310 this past July—as well as the shelling of Sarajevo and

other urban centers, and the rape and death camps established by Serb militant forces at the beginning of their aggression. In this small country, over two million were displaced by the conflict, more than 100,000 were killed, and tens of thousands were raped or tortured. Scars made by crimes of this scale still remain.

Dayton was a central part of an effort that helped the international community transition from a world divided between East and West in order to meeting post-Cold War challenges, including the extreme and violent nationalism and its inherent hatred for others which manifested itself elsewhere in the Balkans and Europe. For the first time since World War II, an international tribunal was established to hold persons accountable for war crimes, crimes against humanity and genocide. Determining the fate of missing persons, using new technology such as satellite photography to locate mass graves and DNA testing to identify remains, became a priority. The NATO Alliance, previously confined to the borders of its member states, expanded its security role to operate "out of area," first to restore peace and then to keep it. The Organization for Security and Cooperation in Europe also evolved to include significant field operations and new mandates ranging from election observation to police training. These developments remain relevant today.

As we commemorate the accomplishments of Dayton, Mr. Speaker, we also must remember that the people of Bosnia-Herzegovina must live in its wake. It is my hope that, at the 30th anniversary of the end of the conflict, Bosnia will have made more progress and we will have more to celebrate.

STATEMENT PUBLISHED BY MRS.
MARYAM RAJAVI OF THE NATIONAL COUNCIL OF RESISTANCE OF IRAN, CONDEMNING THE RECENT TERROR ATTACKS IN PARIS

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. McCLINTOCK. Mr. Speaker, I submit the following statement published in the Washington Times on November 18, 2015, by Mrs. Maryam Rajavi of the National Council of Resistance of Iran, condemning the recent terror attacks in Paris.

On behalf of the Iranian people and the Iranian Resistance for freedom and democracy, I strongly condemn the terrorist attacks and massacre of defenseless people in Paris on November 13, 2015.

I extend my condolences to the Republic's President and government as well as the French people for the loss of life in these attacks, which are true examples of crime against humanity.

I express my heartfelt sympathies to the victims' families. Today, our hearts bleed for the French nation. The people of Iran deeply feel the bitterness of these crimes.

In these difficult moments, the Iranian people can empathize with the French people and share their grief, because for the past 37 years they have been suffering under the religious and terrorist dictatorship, which is the Godfather of ISIS.

Today, humanity's conscience is in shock and disbelief, wondering how such crimes can be committed in the name of God and under the banner of religion.

Fundamentalism has nothing to do with Islam, whether it is under the pretext of Shiite extremism and religious tyranny or velayat-e faqih (absolute clerical rule) or under the pretext of Sunni extremism and Daesh (ISIS).

Such inhumane crimes have no connection to Islam, and are evils that represent enmity to peace and humanity everywhere.

Crimes committed by the religious fascism ruling Iran, including 120,000 political executions, hostage-taking and export of terrorism, have nothing to do with Islam or the Iranian people.

For this reason, I urge all Muslims to strongly condemn the crimes committed in Paris and to not allow the conduct of these ruthless terrorists to occur in the name of Islam and Muslims.

I also call on them to stand firm against such extremism, which violates the true teachings of Islam.

The Assad regime in Syria and its prime sponsor the mullahs ruling Iran are the chief sociopolitical enablers of ISIS, with their slaughter of 300,000 innocent people and displacing of more than half of the Syrian population.

As long as this dictatorship rules in Damascus with the backing of the religious fascism ruling Iran, ISIS will continue to thrive and extend its scourge of death from the Middle East to Europe.

At the same time, Iran's ruling mullahs, who are the primary beneficiaries of these crimes, are brazenly blaming the French government for the attacks.

According to what they published in a news agency affiliated with the Islamic Revolutionary Guard Corps (IRGC), their demand is for France to abandon its firm policy against the Assad dictatorship in light of the November 13th massacre and to instead "coordinate its efforts with the Islamic countries," namely the mullahs in Tehran.

In such circumstances, it has become increasingly vital for France to insist on the removal of Bashar Assad from power and to adopt a more decisive policy in resolving the Syrian crisis.

Experience has shown that firmness is the most effective and the only principled and correct approach to confronting terrorists.

Once again, I extend my most sincere sympathies to the people of France and pray for a speedy recover for the injured.

THE PRESIDENT'S VOW: ENDING VETERANS HOMELESSNESS BY 2015

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Ms. BROWN of Florida. Mr. Speaker, Reps. CHARLES RANGEL (D-NY), SANFORD BISHOP, JR. (D-GA) and I rise within the 100 days remaining to reaffirm our support for the President's Vow to End Veterans Homelessness by December 2015. We also reaffirm the First Lady and Dr. Biden's White House Joining Forces Initiative aimed at supporting military families, and last year's Mayor's Challenge to End Homelessness among veterans.

We also want to recognize the legendary Hon. CHARLES RANGEL (D-NY), who was the

first to call attention to our nation's greatest failing 'the plight of our homeless veterans' in 1992, on the heels of the seminal report 'Heroes Today, Homeless Tomorrow.' That report revealed that 250,000 men, or one of every three single homeless men sleeping on the streets or in shelters, on any given night, were veterans and 40% were Black. Now, 23 years later the Hons. CHARLES RANGEL, SANFORD BISHOP, JR., and I convened the forum, "President's Vow" to review the past 20 year's accomplishments and shortfalls against the backdrop of Rep. RANGEL's 'Yesterday's Military Heroes Ought Not be Today's Homeless,' where high unemployment, homelessness, and health concerns prevailed.

The forum successfully blended the President's Vow and First Lady's Mayor's Challenge, along with Congressional efforts, while placing Black and women veterans homelessness within the framework of the national dialogue, or discussion. Furthermore, the forum succeeded in impressing upon lawmakers and the audience a fundamental truth that 'race and gender matter' in our comprehension of 21st century at-risk and homeless veterans. It argued the persuasive case of urban veterans' homelessness, joblessness and incarceration, the link between homelessness, poverty and hunger among veterans across America, disparities in health outcomes for male and female veterans, the triple disadvantages for African American female veterans, and the need for more case management services, transitional housing and permanent affordable housing development. It also exposed the need for better case worker-to-veteran ratios.

We began the forum with a musical prelude performed by David Bratton, known as the DC Lou Rawls, and the traditional military presenting of colors. In addition, Dr. James Averhart, Past President of the Montford Point Marine Association led us in the Pledge of Allegiance, and Chaplain Michael McCoy, Associate Director of VA Chaplains offered the invocation and benediction.

Congressman CHARLES RANGEL (D-NY) then introduced Col. Nicole Malachowski, USAF, Iraq Combat Pilot and Executive Director of the White House Joining Forces Initiative, who brought greetings from First Lady Michelle Obama and Dr. Jill Biden as a morale booster. Accompanying greetings came from Hon. SANFORD BISHOP, JR. (D-GA) and Hon. CORRINE BROWN's (D-FL), who also introduced the new VA UnderSecretary for Health Dr. David Shulkin, MD for keynote remarks. Afterward, Congressman SANFORD BISHOP, JR. (D-GA) introduced our impressive panelist and Executive Director Ron Armstead as moderator for the panel discussion to come. The panel discussion consisted of the following members:

Col. Eugene Scott, USA, Ret., President of Chicago Defender Charities, started by focusing on the Chicago Defenders more than 100-year history in defense of the black community. However, he was more outspoken about veterans' homelessness and in highlighting veterans' hunger in Chicago. Georgia State Legislator Calvin Symre, who is also Past President, National Black Caucus of State Legislators (NBCSL) stated that NBCSL is formulating and leading discussions around homeless veterans policies with the White

House and other agencies. The intention is to mobilize everyone at the state, city and local levels for support, because the struggle doesn't end, and there is always the need for more people to be involved. Nan Roman, President/CEO, National Alliance to End Homelessness (NAEH), presented statistics on veterans homelessness and discussed the overrepresentation of African Americans, who represent only 10% of the general veterans' population, adding that, although numbers appear to be declining, there still is a discrepancy. Gregory Scott, President/CEO, New Directions for Veterans (ND), talked about his father (a troubled Korean war veteran) who died all too soon and about his family knowing nothing about PTSD, thus establishing the importance of the connection between veterans and their families, in identifying with not only the homeless, but with all struggling veterans.

Baylee Crone, President/CEO, National Coalition for Homeless Veterans (NCHV) described the coalition, its services and its efforts to end chronic homelessness as well as the importance of listening to its founders, such as Ralph Cooper, M.Ed., a co-founder of NCHV, and others. Steve Peck, President/CEO of U.S. VETS, suggested the need for a long-range plan beyond December 2015. Carlyre Holder, President, National Association for Blacks in Criminal Justice (NABCIJ), spoke about the criminal justice system and the need for reform—noting that President Barack Obama is the first president ever to visit a federal prison—in addition to expressing the NABCIJ's support of social justice and veterans' courts. Ed Jennings, Southeast Regional Director, U.S. Department of Housing and Urban Development (HUD), indicated that the vast majority of the First Lady's Mayor's Challenge and state and other official signers come from the southeast region of HUD. The latest numbers being 555, out of 854 nationally from Region 4.

The question-and-answer period was a lively exchange between attendees and panel members reflecting motivation, stimulated thinking and enthusiasm; Anthony Love, VA Senior Advisor and Director of Community Engagement remained throughout in order to answer questions and address concerns regarding homelessness.

The Veterans Braintrust Homeless Forum was significant for its timing—we were 100 days away from the December 2015 deadline for ending veterans homelessness. And we are embracing the First Lady's and Dr. Biden's agenda, along with fulfilling our central mission of advocating nationally and articulating clearly the message that "Blacks are continually overrepresented among the homeless veterans population, despite being only 10% of the general veterans population." The key question—why are Black veterans disproportionately represented among the homeless—remains essentially unanswered, as does the issue of why "women veterans are now the fastest growing segment of the homeless population, particularly single women with children." Therefore, more needs to be done before the national media declares victory, and the 'political and public will' goes away.

Although, we are watching the national homeless statistics in order to anticipate and formulate the next steps, we envisioned the

forum as part of an "all hands on deck" effort and opportunity for enhancing homeless veterans policy, programs, services with outside-the-box problem solving. Yet, we realized that representatives from the DC area alone were absent for some unknown reason. Further, despite not requesting the Friday morning forum be recorded, we did manage to audio record the Saturday homeless advocates and providers roundtable discussion as per Dr. William Lawson's advising the need to write, publish and develop articles, policy papers, and talking points, as a way of contributing to the literature. Furthermore, charter member Tom Harris suggested that the recording be sent to members across the country, so it can be shared locally for people to hear and discuss.

Most importantly, the forum feedback was highly favorable, with comments like 'the forum was on point,' 'I learned so much,' 'great job,' 'incredible,' 'awesome,' 'phenomenal,' 'I thought it was great for Congressional representatives to focus on homeless veterans,' 'impressed with panel and listened intensely,' 'made good contacts,' 'well organized,' and 'it was a one stop shop of information giving a broad perspective (from coast to coast), or a snap shot of black veterans status, or circumstantial situation, particularly for those of us on limited budgets and fixed incomes.' The general consensus was that we are making progress, but we still have work to do. Consequently, two tangible forum outcomes under serious consideration are crafting a position/policy paper and creating a new Veterans Braintrust Homeless Committee consisting of advocates and providers from the community or grassroots level. Also under consideration is planning a follow-up session with the strong support of the National Alliance to End Homelessness and others to include either a Capitol Hill Briefing and/or high level meetings with Congresswoman BROWN (D-FL) and other leaders in Congress.

The Annual Gala Reception and Awards Ceremony was, as usual, 'a standing room only' affair in the Cannon House Office's Room 334 (Veterans Hearing Room). With a musical showcase performed by DC's Lou Rawls, followed by Congresswoman BROWN's welcome and introduction of Veterans Affairs personnel, committee staffers and Don Phillips, Minority Staff Director, House Committee on Veterans Affairs (HCVA), in addition to our very special guest Martin Luther King III, and Pastor Leon Bryant, Sr., who blessed the food. In his role as Master of Ceremonies Executive Director Ron Armstead presented a series of gifts to Congresswoman BROWN: first, a mug inscribed 'The Best Man for the Job is a Woman'; second, a civil war book titled "Firebrand of Liberty—The Story of Two Black Regiments that Changed the Course of the Civil War" by Stephen V. Ash, and third, a special Josiah Walls citation on behalf of Dr. Frank Smith, Jr., Founder of the African American Civil War Memorial Museum, located in Washington, DC.

Deserving 2015 Awardees were: Andrae Bailey, Abraham House-El, Gregory Crawford, Dr. Sharon Elliott-Bynum, Duery Felton, Jr., Irvin Goodwin, Clifton Lewis, Bruce Marks, Ivan Mason, Wendy McClinton, Col. Eugene Scott, USA, Ret., Gregory Scott, M. William Sermons, Darryl Vincent, Cordell Walker, Mar-

tha Watts, Alshi Williams, Larry Williams, A Step Forward, Inc., Catholic Charities St. Leo Campus for Veterans, Central Florida Commission on Homelessness, Final Salute, Inc., Greater Chicago Food Depository, Healing with CAARE, Inc., Joseph's Place, National Alliance to End Homelessness, National Association of American Veterans, National Coalition for Homeless Veterans, Neighborhood Assistance Corporation of America, Samuel L. Felton Community Center, The Jericho Project, United States Veteran Initiative (U.S. VETs), United Way of King County, United Way of the Chattahoochee Valley, Veterans on the Rise, Michigan Veterans Foundation, Stand Down House, Film: 'Sweet Georgia Brown' and Historical Group: National World War II Museum Traveling Exhibit: 'Fight for the Right to Fight: The African American Experience in World War II.'

The official awards ceremony concluded with the playing of Ray Charles' rendition of "America the Beautiful," coupled with times are "Changin'" by Brass Construction to underscore the important historical changes taking place: from the Civil War to Josiah Walls, Florida's Black Congressman of Reconstruction, to the 50th Anniversary of the successful passage of the Voting Rights Act, to Rep. BROWN's election to Congress after the passage of 127 years, and her present status as Ranking Democratic member of the House Veterans Affairs Committee. But, the recent Florida GOP redistricting plot and TVOne Roland Martin interview where she states "if you are not at the table, you are on the menu," is cause to rethink the earlier musical premise.

Special acknowledgements go to Ralph Cooper, Mel King, Pamela King, Eva Kerr, South End Technology Center at Tent City, Julius Hayes, Allene Carter, Dr. Fari Nzinga, Todd Williams, Ronald Jackson, Sr., Wendy McClinton, Larry Williams, Gregory Crawford, Jas Boothe, Irvin Goodwin, Dr. Virginia Brown, Dr. William Lawson, Prof. Joel Beeson, Prof. Chad Williams, Ernest Washington, Jr., Henry 'Tabu' Taylor, Bonnie Perry, T. Michael Sullivan, Anthony Hawkins and Shantrel Brown; Congressional staffers Ronnie Simmons, Rontel Batie, Stephanie Anim-Yankah, Nick Martinelli, Chester Glover, Reginald McGill, Jackie Gray, Carla Wiley, Jonathan Halpern, William 'Bill' Golembiewski, Hannah Kim, and Reba Raffaelli.

Finally, we close by quoting decorated Korean war veteran Rep. CHARLES B. RANGEL (D-NY)—"No American let alone African American who serves this great nation deserves to be left on the streets of America homeless or alone. And shouldn't disproportionate African American homeless veterans be a 21st century civil rights issue?"

JILL FELLMAN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise to recognize Jill Fellman for receiving the West Chamber's 2015 Celebrate Women Award. This award celebrates local women leaders

with drive, perseverance and service to their community.

As a Jefferson County native, Jill attended Jefferson County schools and then became an educator in the Jefferson County public school system for 30 years. After retiring from her education career, Jill served as an elected member of the Jefferson County School Board of Education from November 2011 to November 2015.

Currently, she is a member of the Jefferson County Schools Foundation Board, the Audit Committee, the Wheat Ridge Education Alliance, and the City of Arvada Coordinating Council. She also serves as Secretary for the Arvada Community Food Bank board and is Vice Chair for the Sooper Credit Union Foundation board. With her endless amount of energy and passion for first rate public education, she also serves on the board of Arvada Wheat Ridge Service Ambassadors for Youth and is an Edgewater Collective community partner.

I extend my deepest congratulations to Jill Fellman for receiving the 2015 Celebrate Women Award. Thank you for your leadership and service to the community.

CELEBRATING INTERNATIONAL
EDUCATION WEEK AND RECOGNIZING
NORTH CAROLINA'S EFFORTS TO
ADVANCE GLOBAL
EDUCATION

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. PRICE of North Carolina. Mr. Speaker, this week, November 16–20, marks the 16th annual International Education Week (IEW), which is a joint initiative of the U.S. Department of State and the U.S. Department of Education that serves as an opportunity to celebrate the benefits of international education and exchange programs worldwide and encourages participation in them. This important week is observed all across the United States and in more than 100 countries overseas. I want to recognize some of the efforts within my home state of North Carolina to provide a global education experience to as many students as possible.

The theme of this year's IEW is 'International Education: Advancing Access for All,' which is critical because opportunities to learn global competency skills are not currently accessible to all students.

I want to call attention to the North Carolina State Board of Education, whose members help to guide NC's global education efforts via their 2013 report, 'Preparing Students for the World: Final Report of the State Board of Education's Task Force on Global Education.' As noted in this report, "Students in North Carolina are no longer preparing for future jobs in North Carolina. They are preparing to work and compete in a global workplace. The impact of cultural sensitivities and the capability to collaborate in a diverse international setting . . . cannot be understated. Our State Board of Education in North Carolina is rightfully focusing on these skill areas, as they will become even bigger factors and differentiators in

determining the future success of our students."

At least in part due to this statewide focus on global education, there are an increasing number of course offerings and enrollment in language studies and an increasing number of K-12 dual language/immersion programs in North Carolina. Today, there are at least 15 world languages being taught in our state's K-12 schools, including Chinese, Russian, Arabic and Hindi. And there are over 100 programs—a number that is rapidly growing—utilizing several different learning models being implemented in school districts across the state. The State Board of Education recently designated Piedmont Middle School as the first Global-Ready School under the Board's Global Education Strategic Plan and 15 schools have indicated an intent to apply for this designation in the upcoming year.

I am also proud that North Carolina is home to the nation's first statewide Global Schools Network that serves to connect teachers, school administrators, non-profit and for-profit partners with a deep commitment to international education and 21st century student preparation. The Network's founding partner is VIF International Education, based in my district, an organization that supports the efforts of more than 180 Global Schools in 22 districts across the state. These schools are a mix of urban, rural, low-wealth, affluent, magnet and traditional sites and each provides school-wide access to global learning experiences via international exchange programs, global competence training for all teachers, a school-wide global curriculum, virtual classroom to classroom partnerships, and/or dual-language/immersion programs. VIF's mission of 'Global Education for All' serves as a rallying cry for the schools statewide.

Our North Carolina universities further help to advance global competencies at the undergraduate and graduate level. For example, the statewide University of North Carolina (UNC) system hosts a myriad of global education programs, including World View, which provide daily proof of the positive impact of international exchange. And the Center for International Understanding (CIU), a program of UNC General Administration, is working to develop a first-in-the-nation strategy for North Carolina's business, government, nonprofits and educational institutions to strategically engage globally.

Many of our state's universities are also using IEW as an opportunity to inform students about how to participate in Study Abroad programs or other opportunities for international learning that encourage the exchange of knowledge and understanding and promote enlightened and responsible global citizenship. The UNC system-to-system student exchange partners currently total 32 campuses in seven countries, and individual UNC campuses offer numerous additional opportunities for students to study or intern overseas. In the 2012-2013 academic year, more than 6,300 UNC system students participated in a study abroad program, studying in 89 known countries, and the percentage of students participating expected to increase in future years. Further, there are global certificate programs at 6 UNC campuses and most campuses are developing strategies to enhance such offer-

ings. There are also countless faculty-to-faculty interactions that occur across nations in a variety of ways, primarily through research.

During this International Education Week, I rise to celebrate these and the many other North Carolina-based organizations that are working day-in and day-out to ensure that our state continues to benefit from the efforts of international education. Further, I re-state my commitment to working this week, and every week, to help ensure that global competence is the norm rather than the exception for every student.

**HONORING THE ACHIEVEMENTS OF
BRIGADIER GENERAL FRED-
ERICK R. PAYNE, JR., USMC,
RET. ON THE OCCASION OF HIS
PASSING**

HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. RUIZ. Mr. Speaker, today I rise to honor the life of Brigadier General Frederick "Fritz" R. Payne, Jr., a Marine Corps American Fighter Ace, recipient of a Congressional Gold Medal, dedicated husband to the late Dorothy Payne, and proud father and grandfather.

General Payne led a life centered on service, commitment, and sacrifice. In May, I was honored to present General Payne with the Congressional Gold Medal for his dedicated service to the Marine Corps and status as the oldest living American Fighter Ace, an elite group of pilots having downed at least five enemy aircraft in battle. Time after time, General Payne risked his life to preserve the freedom of all Americans, and time after time, General Payne was successful in his mission. For this, I am grateful.

In 1935, after graduating from the University of Arizona, Fritz joined the Marine Corps in an effort to pursue his dream of becoming a pilot. Not only did he achieve this dream, but after encountering fierce conflict over Guadalcanal in the Solomon Islands Area, he also achieved status among the most elite fighter pilots, American Fighter Aces. Our freedom endures because of the bravery of men and women like General Payne.

General Payne is survived by his two sons, Robert Payne and Dewitt Payne; daughter Elizabeth Ann Payne; and three grandchildren. His wife, Dorothy Payne, predeceased him in 2011.

Mr. Speaker, General Payne's selfless service and vast military achievements in pursuit of the preservation of our American freedoms and ideals deserves acknowledgement. On behalf of all Americans, and in particular the residents of California's 36th Congressional District, I would like to honor the life and military service of Brigadier General Frederick "Fritz" R. Payne, Jr.

**HONORING THE JOHNSON-PHELPS
VFW POST #5220 ON THEIR 80TH
ANNIVERSARY**

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. LIPINSKI. Mr. Speaker, I rise today to honor the Johnson-Phelps Veterans of Foreign Wars Post #5220 of Oak Lawn, Illinois for celebrating 80 years of existing as a community organization. I appreciate all the hard work the Johnson-Phelps VFW has done to assist our nation's brave foreign war veterans.

The VFW's mission is, "To foster camaraderie among United States veterans of overseas conflicts; to serve our veterans, the military and our communities; [and] to advocate on behalf of all veterans." The Johnson-Phelps VFW Post has excelled at fulfilling this mission by honoring the sacrifices of our veterans and admirably serving our community. The Johnson-Phelps Post was formed in 1945 by a group of veterans returning from the Second World War. The Post was named for Mr. Raymond Johnson and Mr. Leslie Phelps, both killed in action during WWII. The newly formed Post chose Mr. Johnson's and Mr. Phelps' names from a hat that included the names of all 23 men from the Oak Lawn area that were killed in the war. The current Post building was completed in 1951, built in large part by the Post's own members. The Johnson-Phelps Post later merged with six other posts in the Southwest Chicagoland area, the oldest of which was chartered in 1935.

The Post's achievement and dedication to service is made possible today by Commander Richard Bukowski, Sr. Vice Commander Thomas Krone, and Jr. Vice Commander Bryant Reed. Their dedication to serving the community is shown through programs such as the well-known Voice of Democracy & Patriots Pen Scholarship Competitions. They also provide for the public by hosting and sponsoring important local events in our community.

Throughout the United States, and in the Third District of Illinois, the VFW has worked tirelessly to improve our communities and support the needs of our war veterans. The VFW has repeatedly advocated for better medical care and benefits for veterans, and has been instrumental in the funding efforts for our nation's war memorials.

Mr. Speaker, I ask my colleagues to join me in recognizing the Johnson-Phelps VFW Post #5220 of Oak Lawn, Illinois for this significant achievement. The members of the VFW have done a tremendous job serving and representing the third district of Illinois and I wish them all the best.

**IN RECOGNITION OF NATIONAL
FAMILY CAREGIVERS MONTH**

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. KEATING. Mr. Speaker, I rise in recognition of November as National Family

Caregivers Month, and to honor family caregivers in the Ninth Congressional District of Massachusetts and across the country.

Every day, millions of Americans dedicate their time, energy, and resources to care for their loved ones. In the last year, it is estimated that over 43 million adults—parents, children, siblings, spouses, friends, and neighbors—have provided unpaid care to an adult or child in need.

The tireless and selfless devotion of caregivers allows millions of Americans to live a full—and fulfilling—life. Many caregivers balance full-time careers and the many daily demands of modern life. Family caregivers provide an estimated \$450 billion in care and immeasurable support every year. Studies show that this not only provides health benefits and increases the life expectancy of those cared for, but can also increase the life expectancy for the caregivers by an average of nine months. As the number of older Americans rises, so too, will the number of caregivers. It is critical that legislators, regulators, and the general public unite to provide them with the resources—and respect—they deserve.

As we take time this month to acknowledge the exceptional efforts of caregivers, I would like to make special note of the many organizations that advocate, develop best practice programs, and provide resources for millions of caregivers around the nation, including many in Massachusetts. The ARC of Greater Plymouth County, Friends Or Relatives With Autism and Related Disabilities (FORWARD), Alzheimer's Family Support Center of Cape Cod, Coastline Elderly, and Old Colony Elder Services are but a few of the instrumental organizations assisting caregivers in the Commonwealth.

Mr. Speaker, during National Family Caregivers Month, I urge my colleagues to join me in recognizing the dedication of caregivers and to pledge our continued support for their selfless efforts.

IN RECOGNITION OF CAPTAIN
RHONDA R. POWELL

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. LEWIS. Mr. Speaker, I rise to pay tribute to Captain Rhonda Powell, a daughter of Metro Atlanta, for her extraordinary service to the nation while serving in the United States Army for the past 23 years.

Since the beginning of her career, Captain Powell exhibited a steadfast commitment and dedication to serving her country. A graduate of the University of Memphis and George Washington University, Captain Powell has been stationed in Fort Gillem, Fort Bragg, and is currently a congressional legislative liaison to the Office of the Chief, Army Reserve for the U.S. Department of Defense at the Pentagon.

While deployed in Doha, Qatar from 2006–2007, Captain Powell served as the detachment commander of the 312th Adjutant General Company in direct support of Operation Iraqi Freedom to Camp As Sayliyah. Captain

Powell exhibited strong operational planning and intelligence analysis, and assumed duties as the officer in charge (OIC) of the Quick Reaction Force element on Camp As Sayliyah. She not only supported the health, welfare, morale, and development of her assigned soldiers, but also led her team in rapid responses to threats and other developments on or near the base.

In her current role interfacing with the U.S. Congress, Captain Powell used her experience in military relations to establish the Soldiers and Leaders United Through Engagements (SALUTE) Program. This unique and timely initiative helps connect Members of Congress with issues and experiences facing American soldiers.

Upon her retirement next month, Captain Powell plans to return to her roots in Atlanta, where her parents still reside near Howell Mill Road, and to begin a new chapter of her life. Mr. Speaker, I join others in congratulating and thanking Captain Powell, for her service, perseverance, hard work, and contributions to our nation. I and the other residents of Georgia's 5th Congressional District are happy and proud to welcome her home.

TRIBUTE TO DR. BILLYE BROWN

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, as the first registered nurse elected to the U.S. Congress, I would like to take a moment to congratulate a remarkable woman for her remarkable devotion to the nursing community, as well as wish her a safe and happy 90th birthday.

Dr. Billye Brown graduated from nursing school at Arkansas Baptist Hospital in Little Rock and received a Bachelor's degree in Nursing Education from the University of Texas' Medical Branch School of Nursing at Galveston, Texas. She earned her Master's degree in Nursing Education from St. Louis University and a Doctor of Education degree from Baylor University in Waco, Texas.

Internationally recognized as a leader in education and administration, Dr. Billye J. Brown has been at the forefront of nursing for more than 30 years through her achievements as both professor and dean at the University of Texas at Austin School of Nursing, and as a prominent leader in nursing's most distinguished professional organizations.

In 2013, the American Nurses Credentialing Center, a subsidiary of the American Nurses Association, awarded Billye its prestigious President's Award to honor her lifetime contributions to the nursing profession, including her support of original research in the 1980s that led to the establishment of ANCC's Magnet Recognition Program.

During her years at The University of Texas at Austin, Billye was dean and professor of the School of Nursing for 17 years. Billye's visionary approach to teaching and administration led to her appointment as the LaQuinta Motor Inns Centennial Professor in 1983 and her induction into the Hall of Fame at the University

of Texas' School of Nursing at Galveston in 1992.

Her numerous professional awards and honors include being named Nurse of the Year by the Texas Nurses' Association; her selection as one of the Most Influential Women in Education by the Austin American Statesman; and resolutions passed by the State of Texas Senate and House of Representatives acknowledging her contributions to nursing.

At the national and international level, Billye is widely respected for her service as past president of both the American Association of Colleges of Nursing and Sigma Theta Tau International (STTI). As chairman of the fundraising task force for STTI, Billye led a successful multi-year campaign that produced more than \$7 million in planned gifts. She was honored by the AACN with the Sister Bernadette Armiger Award.

In 1999, STTI selected Billye for the Mary Tolle Wright Award for Excellence in Leadership and announced the formation of the Billye Brown Society to pay homage to her dedication to planned giving efforts that contribute to the advancement of scholarly nursing. She was recognized with the Nell J. Watts Lifetime Achievement in Nursing Award at the 2007 STTI Biennial Convention. Billye was recognized as the 2010 American Academy of Nursing Living Legend, and in 2011 she was selected to receive the prestigious National League for Nursing President's Award for an Enduring Legacy in Nursing Education.

Mr. Speaker, the only list more longer and more plentiful than the list of Billye's professional achievements is the list of people whose lives she has touched. She dedicated her life to nursing because it is a profession on the forefront of patient care, human interaction, and practiced compassion. Her work is selfless, but she is so humble, she would never even say that. Her life is for others, but today is for her. May the RECORD recognize Dr. Billye Brown's historic career and milestone birthday.

IN RECOGNITION OF NATIONAL
DIABETES MONTH

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. KEATING. Mr. Speaker, I rise today to recognize National Diabetes Month, during which we reflect on the importance of understanding, treating, and caring for this serious condition.

The diabetes epidemic is a present and growing threat in today's society. Close to 30 million Americans have diabetes, while another 86 million are pre-diabetic. According to the Centers for Disease Control, if current trends continue, 1 in 3 Americans will have diabetes by 2050.

The economic burden of diabetes, pre-diabetes and the largely preventable chronic diseases resulting from diabetes costs the United States approximately \$245 billion. Many of these costs are associated with diabetes-related complications, including kidney failure, blindness, and amputations. Diabetes is also a major cause of heart disease and stroke.

To address this problem, it is critical that we make investments in diabetes prevention, care, and treatment. In my district and throughout the Commonwealth of Massachusetts, citizens are benefiting from the exceptional efforts of the Juvenile Diabetes Research Foundation and the New England Office of the American Diabetes Association. These organizations are dedicated to raising awareness, providing support to patients and families, and funding promising diabetes research. Both of these organizations are also extraordinary advocates on behalf of families and individuals living with diabetes.

Mr. Speaker, I urge my colleagues to join me in honoring November as National Diabetes Month and in supporting diabetes research and care.

AMERICAN LEGION POST 117
VETERANS DAY CEREMONY

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. WITTMAN. Mr. Speaker, I rise today to submit a Veterans Day speech written and delivered by Mr. Don Hirst to American Legion Post 117 on Veterans Day 2015.

[From American Legion Post 117 Veterans Day Ceremony, Nov. 11, 2015]

AMERICAN LEGION POST 117 VETERANS DAY
CEREMONY

(By Don Hirst)

Good morning and thank you all for coming to Post 117's Veterans Day Event.

Let me start off by asking for a show of hands, to include family members and surviving spouses. Please leave them up until I'm finished with a few brief questions, if you can.

How many of you are veterans of World War II? Of the Korean War? The Cold War? Vietnam? Grenada, Panama or similar actions? Desert Storm? Afghanistan? Iraq? Deployments to support any of those action or similar ones I've overlooked?

Now look around the room. Quite a lot of hands, right? Okay, please put them down and relax while I make a few observations and comments. Everyone who raised a hand is a veteran, or a significant part of a veteran's family. Some of you may even be both.

Today is Veterans Day, and that's why we're gathered here and in tens of thousands of other places across the nation and the world: to mark an important date in America's history. For us, it's a day that represents a whole lot more than big sales at the supermarket, shopping mall or car dealerships. Yeah, we all may take part in some of that, but we know to the core of our being that it's intended to honor those who served the nation and served it well. You're all part of that select group. Many of you bear scars, physical or otherwise, as a result of your service.

So what does it mean to be a veteran? In the minds of a lot of folks, a veteran is someone whose service is over, tour of duty ended. That's a long way from the truth. Especially in today's world, with all of the dangers and challenges that seem to be popping up everywhere. Kind of like a grim version of Whack-a-Mole.

As I sat writing this a couple of days ago, the news reports once again trumpeted more acts of violence against the nation's citizens. Two American trainers—civilians but working to help train police in Jordan, a U.S. ally headed by a courageous leader with extensive military experience and service—were gunned down in an apparent blue-on-blue attack. They were murdered by a Jordanian officer. This wasn't the first such case we've encountered in recent years and in different locations. It won't be the last, either. You can take that to the bank.

The list of incidents, both overseas and, increasingly, at home here in the United States, grows with each flip of the calendar page. Unless you're totally ignorant, oblivious or intellectually challenged—or a combination of all three—you sense with a growing feeling of foreboding that we are at war. So what do we do about it?

This isn't the venue to get into partisan political discussions, something we're not supposed to do at official events since we're part of the American Legion and thus have nonprofit, tax-exempt status. We Legion members each have our own political beliefs, but we're a nonpartisan organization. We do our politicking informally, over a beer, and at the local precinct ballot box each election day. As an aside, I hope all of you voted on November 3 and repeat that civic duty in the coming year. Voting is a precious right. That right was earned by blood sacrifices of the past, and is kept alive by the sacrifices that will come.

But let's get back to the "what do we do about it?" part. The situation is serious—and getting worse. The historian in me says that we arguably haven't been in such perilous times since the 1930s. Back then we saw economic chaos, the rise of Nazi Germany, Japanese militarism and a continued avoidance of taking action by the great democracies of the world.

Finally, of course, we did act, winning a stunning, hard fought victory against the forces of pure evil. We won, and that's a fact beyond dispute. But we paid a much higher price for that victory by not acting sooner, when decisive action may well have saved millions from a horrible fate.

I think we're at such a crossroads today. Even a casual glance at the headlines shows how dangerous it is right now. And it's likely to get worse before it's over.

As the horizon grows darker, I believe it's a good idea to take stock of where we are, what assets we have and what we can do about it. I'm not advocating forming a militia of disgruntled, angry veterans or vigilante groups. But I am strongly urging us as free citizens, neighbors in the vibrant, close-knit communities of the Northern Neck, to stand up and stand together so that we are better prepared for what may come.

It's like insurance. You might not need it right this second, but when you do, it's too late to buy a policy after the flood waters reach the second floor of your home or the volunteer fire department battles the blaze threatening your house.

Now let me ask for one more show of hands. Are there any members of our local government, our sheriff's department or other similar agencies here today? Please raise your hands. And if there aren't any hands up, I expect that more than one person here today is acquainted with such folks and can help spread the word.

You saw a few minutes ago how many people raised their hands when I asked about prior military service. They're veterans. They're experienced. They've been in the

tough places, done the tough jobs. And they're an extremely valuable asset that shouldn't be overlooked in future times of need. Those times could be months or years from now—or maybe never come. Or they could be this afternoon or tomorrow. Think Pearl Harbor. And 9-11.

So I urge the local authorities to reach out, to connect with us, the veterans who are your friends and neighbors. We're here, we're near—and we're something you should put in the emergency kit. This T-shirt I ordered [holds up T-shirt in front of the audience] came in the mail just in time for Veterans Day. Rather than wear it under my shirt, I wanted to use it to reinforce my point. I don't know if you all can see it, but the inscription on the back says,

VETERAN.

Don't Think Because My Time Has
Ended

That I Won't Suit Up Again &
Protect This Flag
Against Terrorism
On American Soil

I'd add protecting against other threats to the terrorism part, because that's what we can do, too.

At the dawn of the birth of our nation, a group of poorly armed patriots stood together at Concord Bridge to fight for their freedom against the might of the British army. Standing strong against great odds also is the theme of the epic poem "Horatius at the Bridge" written by English poet Thomas Babington Macaulay in 1842. The poem tells of a time in ancient Rome when the citizens wanted self-rule against kings and tried to hold the city against the king's attacking army. One bridge across the Tiber River had to be demolished by the defenders for the city to hold, but they needed time to do it.

Horatius, a valiant Roman soldier, and two stalwart comrades-in-arms, stood shoulder-to-shoulder at that bridge. They bought the time needed. It was Winston Churchill's favorite poem, and a few short verses tell you why:

Then out spake brave Horatius,
The Captain at the Gate.
To every man upon this earth
Death cometh soon or late.
And how can man die better
Than facing fearful odds
For the ashes of his fathers
And the temples of his gods.

So saddle up, fellow veterans. We've got a job to do. See you at the bridge!

IN RECOGNITION OF NATIVE
AMERICAN HERITAGE MONTH

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. KEATING. Mr. Speaker, since its designation in 1990, this month seeks to honor the influence of Native Americans in shaping American history, acknowledging the injustices wrought upon the many tribes, and looking forward so we can strive to forge a better future together for all.

As we prepare to celebrate the 394th anniversary of the first Thanksgiving in Plymouth, Massachusetts, so too should we pay tribute to the significant contributions of the original Americans. As some of the earliest inhabitants

of this beautiful land, the Native Americans paved the way for future settlements by mastering skilled ways of farming, discovering natural medicines, and hunting.

Their contributions to our shared history continued through the centuries; they have served in the Armed Forces during times of war and peace. Most notably, we celebrate the service of the Navajo Code Talkers during World War II, who ensured that our vital communications could not be decrypted by the enemy. Native Americans are woven into the nation's fabric, having taught us new sports and craft such as lacrosse, canoeing, kayaking and snowshoeing, as well as provided our shared culture with celebrated athletes, musicians, dancers, politicians, and many more.

Mr. Speaker, Native American Heritage Month is an opportunity for us to reflect on the significant accomplishments of our proud Native American tribes—including the Wampanoag and Aquinnah tribes in my district. I urge my colleagues to join me in recognizing all Native American tribes across the nation for their indomitable spirit and remarkable achievements.

INTERNATIONAL DAY FOR THE
ELIMINATION OF VIOLENCE
AGAINST WOMEN

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. HONDA. Mr. Speaker, I rise today to recognize and observe November 25th as the International Day for the Elimination of Violence against Women.

Last week, I introduced House Resolution 519, which supports the ideals and goals of this day. November 25th is the start of the 16 Days of Activism against Gender-Based Violence, which ends on December 10th—Human Rights Day.

Time and time again, in periods of conflict and natural disaster, the most unspeakable cruelties are inflicted on the bodies of women and children. Whether in the house or in conflict zones; whether by soldiers or by intimate partners—violence against women and girls is an ongoing cycle and a global threat which must be eliminated.

Violence against women and girls are public health issues and egregious violations of human rights. The facts are startling. Worldwide, 35 percent of women have experienced either intimate partner violence or non-partner sexual violence in their lifetime. 120 million girls worldwide have experienced sexual assault at some point in their lives. And accord-

ing to the World Health Organization, women aged 15–44 are more at risk from rape and domestic violence, than cancer, car accidents, war, and malaria.

In addition, women and girls are disproportionately impacted by natural disasters. Displacement settings exacerbate preexisting inequalities, render women and girls even more vulnerable, and create greater barriers in their ability to benefit from relief, recovery, and long-term reconstruction and development efforts. As we saw during the humanitarian crises in the Philippines, Nepal, Haiti, and the 2004 Indian Ocean tsunami, women and children are the most vulnerable populations to sexual violence and human trafficking.

Violence upon, and trafficking of, women are the worst kind of atrocities. As we have seen in Rwanda and Bosnia-Herzegovina, and the Liberian refugee camps, sexual violence was rampant. Today, ISIL forces are systematically raping and violating Yazidi women and girls. In addition, since the beginning of Syria's conflict, reports have revealed patterns of gender-based violence perpetrated by both regime and opposition forces. Sadly, rapes in the Syrian refugee camps have also been reported.

This violence must stop. Once and for all.

Mr. Speaker, whether on the battlefield or in post-disaster areas, in the household or workplace; whether in refugee camps or sexual enslavement camps—violence against women and children must be recognized and stopped around the world.

Even though we recognize November 25th as the International Day for the Elimination of Violence against Women, we should fight every day to end this violence against human rights.

THE INSTALLATION OF BISHOP
MICHAEL CURRY

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Ms. WILSON of Florida. Mr. Speaker, as a lifelong Episcopalian, I am filled with pride over the installation of Bishop Michael Curry, the first African-American leader of the U.S. Episcopal Church. His historic election comes at a challenging time in history for both the nation and the church. In response, Bishop Curry has valiantly pledged to take up "the serious work of racial reconciliation" in his new role and to strive for the "beloved community," envisioned by Dr. Martin Luther King, Jr. At a time when all denominations are struggling to rebuild declining memberships, his focus on both evangelism and inclusion marks an exciting new chapter for our church. I am supremely confident that he is up to both tasks.

I recently had the honor of welcoming to my Capitol Hill office the Right Rev. Peter Eaton, who is the new bishop coadjutor of the Episcopal Diocese in Southeast Florida. He met with me and our own House of Representatives chaplain, my friend, the Rev. Patrick J. Conroy. Bishop Eaton comes to us from St. John's Cathedral in Denver, Colorado, and I look forward to helping him get to know our church community.

May God shine His light on both Bishop Curry and Bishop Eaton as they embrace their new vocations.

TRIBUTE TO WILLIAM J.
CALLAGHAN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 19, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to honor and remember the life of Mr. William "Bill" Callaghan. He passed away November 16, 2015, at the Veterans Affairs (VA) Central Iowa Health Care System. Bill was the son of John Francis "Jack" Callaghan. Jack was the founding Director of the Iowa Law Enforcement Academy and longtime servant to the people of Iowa and Nebraska in the Federal Bureau of Investigation (FBI).

Bill carried on this tradition of service to our nation entering the Army in 1970 serving in the 4th Infantry Division in the Vietnam War. After serving in Vietnam, Bill came back to Omaha to earn his Juris Doctor (JD) at Creighton Law School. He served as a Prosecuting Attorney in Webster City and Ottumwa, IA before becoming the Law Instructor at the Iowa Law Enforcement Academy in 1984, where he served for 26 years impacting the lives of thousands of officers through his Iowa Criminal Code and United States Code classes.

Bill married Jeanette Wagner in 1985 and they were blessed with a son, John R. Callaghan. Both Jeanette and John R. survive him. Jeanette is a retired music teacher and John, following in his father's footsteps, is a Sergeant in the 4th Infantry Division of the United States Army, stationed at Ft. Carson, CO.

Mr. Speaker, the example set by Mr. William J. Callaghan and his supportive family demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent great Iowans like Bill in the United States Congress. I know all of my colleagues in the United States House of Representatives will join me in honoring his memory.

SENATE—Monday, November 30, 2015

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, we acknowledge that in spite of the turbulence in our world, You are still God. Thank You for Your goodness, for Your mercies, and for Your steadfast love that endures forever.

Bless our lawmakers. May they bring their fragmentary lives into the wholeness of Your presence. Calm their restless spirits with the soothing strength of Your everlasting security. Make them victors and not victims on life's great battlefield. May they find in You grace, peace, power, and adequacy to be more than conquerors.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. ERNST). The majority leader is recognized.

AUTHORIZING RETURN OF PAPERS REQUEST

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Secretary of the Senate be authorized to request the return of the papers with respect to PN742; further, that when the Senate receives the papers, the Senate's action with respect to the nomination on November 19, 2015, be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE PLACED ON THE CALENDAR—S. 2329

Mr. MCCONNELL. Madam President, I understand there is a bill at the desk due a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 2329) to prevent the entry of extremists into the United States under the refugee program, and for other purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

POWER PLAN REGULATIONS

Mr. MCCONNELL. Madam President, when President Obama tried to push a regressive anti-middle-class energy tax through a Democratic-controlled Congress, his own party said no. Undeterred, the President simply went around Congress to impose similarly regressive—and likely illegal—power plan regulations anyway. He is currently trying to sell that power plan to world leaders in Paris, as proof of the American Government's commitment to his energy priorities. But with all due respect to the President as our Commander in Chief, governments currently engaged in this round of climate talks will want to know that there is more than just an executive branch in our system of government.

More than half of the States have filed suit against the President's power plan. A bipartisan majority in both Chambers of Congress have approved legislation that rejects the President's plan. The courts appear likely to strike it down, and the next President could simply tear it up. This is the easily foreseeable result of intentionally sidestepping Congress to impose this anti-middle-class power plan.

If left in place, the power plan threatens to punish the poor and could result in the elimination of as many as a quarter of a million U.S. jobs. For what? The power plan won't even meaningfully affect global climate emissions, and it could actually increase emissions by offshoring American manufacturing to countries that lack our environmental standards.

That is pain for the middle class, a climate rounding error for negotiators in Paris. That is not a good policy for America's working families. It certainly would not be responsible to attempt to negotiate commitments based upon an illegal power plan, one that may not even survive much longer, in any event.

ACCOMPLISHMENTS OF THE NEW CONGRESS

Mr. MCCONNELL. Now, Madam President, on another matter, in the

last election the American people chose a new direction with a new Republican majority in Congress. We have been working hard ever since to get Congress back on their side and back to work. Over the past year, Americans have seen committees up and running again. Americans have seen bills passed again. Americans have seen meaningful bipartisan bills being signed into law again. Americans have also seen Members of opposing parties working together to make progress on important issues, from trade to Medicare to cyber security. We have seen examples of it this year on some of Washington's stickiest issues.

We saw the Senate pass a bipartisan multiyear highway bill this summer, 65 to 34. The Republican chairman and the Democratic ranking member worked closely to bring this about. We also saw the Senate pass a bipartisan replacement for the broken No Child Left Behind law last summer, 81 to 17. I would like to thank Senator ALEXANDER and Senator MURRAY for working closely across the aisle on that achievement. These represent significant accomplishments for the new Congress and significant wins for the American people. After all, some pundits said Washington could never take these issues on at all. But we did, and we now expect to finish Congress's work on all of those matters in the coming days.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

WORK OF THE CONGRESS

Mr. REID. Madam President, I appreciate the Republican leader cheering for all of the great things that have happened here in the Senate, but the facts are that—look at any political scientist, anyone who watches what goes on here in Washington and add up the number of bills passed and the nominations confirmed in this Congress—this Congress is well, well beyond anything in recent history.

In addition to that, we have had more revotes—that is, voting on the same thing over and over with the same result—in the history of Congress ever. So I appreciate his trying to make things look good. I hope it gets better in the next couple of weeks because we have a lot to do. We have a lot to do. I will talk about that in a minute. We have so much to do. We can accomplish a great deal if we finish the

highway bill and elementary and secondary education, if we do the tax extenders, and if we do the omnibus spending bill. That would be terrific if we could get those done, but we only have a few days to get them done.

TRAGEDY AT PLANNED PARENTHOOD CLINIC

Mr. REID. Madam President, our Nation is stunned following last week's wanton murders at the Planned Parenthood clinic in Colorado Springs, CO. That heinous attack left three dead: a police officer, a mother of two children, and an Iraq war veteran. Nine others were wounded. It is sickening that these innocent victims were gunned down in cold blood in a medical clinic in the holiday season.

More casualties were avoided by the quick and heroic action taken by responding law enforcement as well as by a courageous bystander named Ke'Arre Stewart, the Iraq war veteran I just mentioned, who heroically reentered the building to provide help. While he was doing that, he was killed—murdered. I can only imagine the heart-breaking anguish that the victims and their families are experiencing. I know it is of little comfort, but the Senate mourns with them. Our thoughts are with them, their families, and the first responders who brought an end to this brutal attack.

But we in the Senate should not fail to see the context in which this vile assault took place. Last summer, a right-wing group began unleashing a series of heavily edited videos with unsubstantiated allegations. Since that time, Republicans in Congress have made it their mission to push these unsubstantiated allegations every chance they get. They are actually baseless.

They also have made it their mission to defund Planned Parenthood, which would irreparably damage this health care provider's future. Republicans have insisted on votes to strip Planned Parenthood from its Federal funding on two different occasions. Neither was successful. But they are still trying.

Republicans want to stop Medicaid reimbursement to Planned Parenthood, among other things. Republicans also believe in politically motivated investigations of Planned Parenthood. The Republican chairman of the House oversight committee, Congressman JASON CHAFFETZ, has admitted that he has uncovered no wrongdoing in his investigation of Planned Parenthood to this point.

But always willing to play a bad hand, that has not stopped House Republicans from allocating \$300,000 of taxpayer money to fund a new politically motivated special subcommittee dedicated to investigating Planned Parenthood. Republicans should not waste their time. I would hope that they give up before they match the

millions of dollars—at last count it is more than \$5 million—that they have wasted on the so-called Benghazi “let's get Secretary Clinton” committee, another politically motivated and untimely fruitless attack.

We should never forget that one in five American women will get care from a Planned Parenthood clinic at some point in their life. Cutting off access to important health care services such as breast and cervical screenings and contraception is bad for women and bad for the country.

In the wake of this act of domestic terrorism, I commend Planned Parenthood for refusing to allow threats and violence to stand in the way of its work to ensure women have access to care. I hope everybody understands that I stand with Planned Parenthood. But we as leaders must be mindful of our words and actions. Whipping people into a frenzy of hate and anger while providing them with easy access to firearms has proven disastrous to our country.

We have a responsibility as leaders to think very hard about what we say and do in this context and what the consequences are. We have a responsibility to fund ways to stop this violence. Democrats are working on reasonable gun safety proposals that will help ensure that firearms are kept out of the hands of people intent on committing violence. It is appalling how many times I have had to make this plea. This terrible event that took place in Colorado just a few days ago is already off the news. Why? Because it happens so often in America. It is appalling how many times I have had to make this plea, but I say to my Republican colleagues yet again: Join with us in passing sensible gun safety reforms. Help us keep guns away from people intent on using them to slaughter innocent people.

First, we must do something to close to loopholes that allow FBI terror suspects and other unhinged individuals to legally buy AK-47s and other weapons. Right now a terror suspect, someone who is listed on the watch list, can walk into a gun store or a gun show and purchase sophisticated assault weapons. To leave that loophole unaddressed is sheer recklessness by congressional Republicans. Someone on the terrorist watch list can walk in and buy a gun, any gun they want. That is not good.

We must also strengthen our Nation's background check system. We are failing to flag and prevent people who are mentally ill or who have violent motives from legally purchasing weapons. Improved background checks are essential in keeping guns out of the wrong hands. What we are saying is if someone is a felon, a criminal or crazy, they shouldn't be able to purchase a gun without a background check, and they should never be able to purchase a gun—period.

Finally, we have to close loopholes that allow people to illegally traffic in firearms. What does this mean? Right now we have no laws in place to adequately prevent individuals from purchasing weapons—buy huge numbers of weapons. Then what do they do with them? Sell them at a great profit and transfer them to criminals.

For example, a person with a clean background can purchase an unlimited number of guns and then turn around and sell them to a cartel, a gang or a terrorist organization with no threat of prosecution. Unfortunately, as in the past, Republicans are nowhere to be found when it comes to implementing these commonsense changes to our gun laws. For example, as to the Colorado Springs murders, did we hear a single Republican running for President of the United States stand and say: We have too many guns; can't we stop this?

I haven't heard a single Republican Senator come to the floor and say something about this terrible event that took place. Instead, they are busy fear-mongering against Syrian refugees, those fleeing Assad and ISIS. We have a rigorous screening process for when we accept refugees. The refugees we are accepting are women, children, and older men with families. Less than 2 percent of the men who come as refugees from Syria or Iraq are of military age. The Department of Homeland Security has verified that not one of the 1,800 Syrian refugees already admitted to the United States has a single confirmed tie to terrorism, but in spite of all the facts, Republicans would focus their attention on refugees and ignore the problem we have with gun violence in America.

Republicans would have Americans believe Syrian refugees are the pre-eminent threat to our national security, and meanwhile the Republican Congress is doing nothing to curb our Nation's gun violence. It is a sad commentary on Republicans that they are more concerned about keeping Syrian refugees out of America than they are about keeping guns out of the hands of terrorists, those who are mentally ill, and those who are criminals.

PARIS CLIMATE CHANGE CONFERENCE

Mr. REID. Madam President, as we speak, in faraway Paris, France, 194 countries are gathering to negotiate an international agreement to address climate change. Fortunately for the world, President Obama is committed to doing something about that climate change.

I send all my appreciation, my accolades to the French people for going ahead with this extremely important conference and not letting those terrible acts that occurred stop them from doing so. Because of President Obama's

leadership, the United States is taking on a more prominent role in rolling back dangerous carbon emissions, not only from our country but from China, India, Brazil, and other major sources of climate-changing pollution.

Before the conference in Paris even started, more than 170 countries representing over 90 percent of global carbon emissions made concrete pledges to reduce carbon pollution. Climate change is among the most serious problems we face today. What does the Pentagon say? What do all the security agencies say is the most serious problem facing America today? Climate change. We are beginning to endure the devastating consequences of rising sea levels, extreme weather, and drought across America and all over the world.

No country acting alone can halt climate change, but through American leadership and international cooperation, we can protect our air and climate for our children and their children. I commend President Obama for his work domestically and internationally to address this issue.

FINISHING THE SENATE'S WORK

Mr. REID. Madam President, this year is quickly drawing to a close, as I mentioned earlier. That means the Senate has precious few days left to finish vitally important legislative matters, and it is not a small list. Before we leave this year, we need to address funding to prevent a government shutdown, a surface transportation bill, the elementary and secondary education conference report, important expiring tax provisions, including those for the middle class, not just for the big corporations, and a growing backlog of nominations, particularly those involving national security positions.

Each of these matters I just mentioned is essential. We have to get them done, and we don't have a lot of time to do it. There is certainly no time for demagoguery and political distractions such as repealing Obama Care or defunding Planned Parenthood that have been the hallmarks of the Republican Congress. Instead, I hope my Republican colleagues will work with Democrats to accomplish all of the Senate's work in a timely fashion.

Madam President, Senator MCCONNELL and I have finished our remarks. What now is the business of the day?

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5

p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Utah.

Mr. HATCH. Madam President, I ask unanimous consent that I be permitted to finish my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

PUERTO RICO

Mr. HATCH. Madam President, I rise to speak on Puerto Rico's financial and economic challenges.

The Government of Puerto Rico tells us the territory has more than \$73 billion in debt that is, to use their words, "not payable." On top of that, Puerto Rico has tens of billions of dollars in unfunded pension liabilities and very few assets to back up its pension promises. The economy in Puerto Rico has persistently registered double-digit unemployment rates, staggeringly low labor force participation rates and a bloated public sector and there are growing strains on Puerto Rico's health care system, some of which reflected the way the so-called Affordable Care Act was written to treat Puerto Rico and other territories, some of which reflects differing treatment between Puerto Rico, where residents do not pay Federal personal income taxes, and States where residents are included in the Federal personal income tax system. In short, there is very little good economic news coming from Puerto Rico these days. As a result, we are seeing an ongoing debate about what the Federal Government can or should do in order to help the American citizens residing in Puerto Rico.

To me, this debate boils down to four relatively simple questions: Question No. 1, should the Federal Government allow Puerto Rico access to chapter 9 of the Bankruptcy Code or to even broader debt resolution tools; question No. 2, will providing fresh tax incentives to Puerto Rico help boost the island's economy by creating jobs and stimulating growth; question No. 3, should Congress increase Federal resources to help ease Puerto Rico's strained health care system; and question No. 4, should we take steps to exempt Puerto Rico from burdensome Federal regulations—including labor, transportation, and energy regulations—that may be contributing to the territory's ongoing economic struggles?

Today we have seen a number of proposals that attempt to address these and other questions, although, in my opinion, many of them do so in very awkward ways. I want to take time today to address each of these four major questions in turn and hopefully shed some light on what we have to consider as we try to address the growing crisis in Puerto Rico.

So far, the majority of these discussions among policymakers with regard

to Puerto Rico have focused on question No. 1, allowing access to chapter 9 bankruptcy relief. As we all know, chapter 9 applies specifically to financially distressed municipalities that are seeking protection from creditors as they develop and negotiate plans to adjust their debts. Puerto Rico is not currently eligible for chapter 9 bankruptcy, meaning that granting them access to this type of relief will require a legislative change to the Bankruptcy Code, which may come with its own set of problems. Some proponents of the bankruptcy solutions for Puerto Rico have argued that the clear language preventing the island from accessing chapter 9 reflects some sort of drafting error. They argue further that once Puerto Rico is eligible for chapter 9 protections, it should apply to debts already incurred.

Now, whether the exclusion for Puerto Rico from chapter 9 was intentional—and I don't believe it was—we should keep in mind that there are potential rule-of-law issues at stake when we talk about legislative action to retroactively alter the terms of debt contracts. Puerto Rico's creditors entered into their contracts with the various existing risks priced into the agreements in the form of interest rates and other terms. If the island had been eligible for chapter 9 bankruptcy prior to entering into those agreements, creditors would have formed different expectations, likely leading to different terms, including differing interest rates that could have reshaped the demand for Puerto Rico bonds. This is not rocket science. This is finance 101.

We should be cautious about any legislative action that would alter the terms of existing contracts. At the very least, we should consider what impact extending chapter 9 to existing Puerto Rico obligations would have on credit transactions moving forward, given that parties set credit agreements based upon the laws they expect to apply. If parties believe there is a real possibility that Congress might retroactively change those laws in the future, they are likely to seek different terms or reevaluate a contract's potential worth. Even so, it is not at all clear that our amending chapter 9 to allow access for Puerto Rico will solve the debt problems of Puerto Rico.

Officials from the Obama administration have argued that chapter 9 would only cover about 30 percent of Puerto Rico's outstanding obligations and, as a result, even broader debt restructuring authority is necessary. Therefore, those in Congress with proposed solutions that center only on chapter 9 bankruptcy are apparently not aware of the administration's position. However, the other nonbankruptcy proposals we have seen—which would allow Puerto Rico to handle its debt on its own—are also lacking. For example,

we have seen proposals to allow the Federal Reserve to purchase debt issued by Puerto Rico and to authorize the Treasury to guarantee bonds issued by the Government of Puerto Rico or any of its instrumentalities. Of course, this approach would run the risk of setting very bad precedents for future insolvent entities and is fraught with moral hazard.

Ultimately, those pushing to restructure Puerto Rico's debt as the sole solution tend to want to simply blame the problems on the creditors, using loose terms like "hedge funds" or "vulture funds." For these people, punishing the creditors is their desired focus, not because it is a viable solution but because, at the end of the day, an opportunity for populist rhetoric is itself a valuable commodity heading into a contentious election cycle.

While that approach may help some around here appeal to their political base, it does precious little to help the people of Puerto Rico and ignores the fact that a number of the creditors are middle-class investors and retirees from virtually every U.S. State and territory—from Utah to New York, to Puerto Rico itself.

Ultimately, whatever case can be made for restructuring authority for Puerto Rico's debt, there may not be an urgent need for that authority to be granted right away. This is evidenced by the fact that despite several months of debate surrounding the issues, Puerto Rico has only recently begun negotiating with some of its creditors. I would hope that if the need for relief is in fact dire, the Government of Puerto Rico will waste no time in negotiating and working toward private solutions. If there is no urgency on that front, it would be hard to argue that there is an urgent need for Congress to consider proposals relating to chapter 9 bankruptcy or broader restructuring authority. That is question No. 1.

Let's talk about question No. 2, which deals with tax incentives to boost Puerto Rico's economy. On the tax front we have seen proposals in Congress to allow residents in Puerto Rico to claim the earned-income tax credit and the refundable portion of the child tax credit on the same basis as other U.S. taxpayers. Likewise, the Obama administration has indicated support for a similar approach, although they have not provided any real details as to what their proposal would look like.

Proposals such as these are problematic for a number of reasons. As I mentioned, the residents of Puerto Rico are exempt from the Federal personal income tax system, meaning that they do not pay any personal Federal income tax. Therefore, offering these refundable tax credits would not reduce their tax burden because you can't reduce a tax burden that is already zero. In other words, these tax credits would ul-

timately be cash payments offered directly to lower income residents of Puerto Rico. On top of that, the earned-income tax credit and the child tax credit are already rife with fraud and overpayments when they are offered to taxpayers who are required to file a return and can at least theoretically incur a tax burden at some future date if their income goes up. Extending these same credits to Puerto Rico could very well introduce a number of threats to the integrity and administration of our tax system.

Those who issue these types of proposals rarely have a solution to these inherent concerns. Moreover, we haven't seen any public information from congressional scorekeepers as to how much these proposals would cost. I also haven't heard any proponents of this approach offer so much as a hint about how they would plan to offset the costs or if they intend to offer any offset at all.

Long story short, most of the tax-related proposals to the Puerto Rico situation leave much to be desired. That is not to say we should not do anything in this area. There are quite likely tax incentives we could offer to better incentivize growth and labor force participation and perhaps investment in the Puerto Rican economy. I think it would be safe to say Republicans would be open to such a discussion. But to date, I haven't seen anything that resembles a serious solution that focuses on the Tax Code.

This brings us to question No. 3, dealing with health care policy, which has been the primary focus of a number of our colleagues when it comes to these issues. Here in Congress, we have seen some poorly constructed proposals that, when boiled down to their essence, would allocate more than \$30 billion from the general fund directly to Puerto Rico. Of course, that is not how the proponents describe their ideas. Typically, these proposals are couched as changes to the way Puerto Rico's share of Federal health dollars is determined under existing programs. However, while the issues are admittedly complex, the result is fairly simple: Fiscal irresponsibility would be rewarded to the tune of tens of billions of dollars.

Now, don't get me wrong—we will very likely have to consider these ideas to alter the means by which we allocate Federal health funds to Puerto Rico. However, if we decide to go that route, it is essential that we move forward in a fiscally appropriate and responsible manner. To date, I have yet to hear any concrete thoughts from proponents in Congress or from our Federal health agencies about how this can be done. I have heard, however, that the so-called Affordable Care Act is the source of some of the health care-related problems faced by Puerto Rico. I will leave it to those who wrote

that law and forced it through Congress on a partisan basis to explain why that is the case.

We now come to question No. 4, the possibility of providing Puerto Rico with relief from various Federal regulations. We have heard a number of ideas in this area, including reforms or exemptions from regulations governing labor markets, shipping, energy costs, and others. While I am inherently sympathetic to proposals to scale back Federal regulations, the issues here are very complex and would become very political in a hurry.

For example, while I haven't taken any straw polls, I think it is safe to say that many of my friends on the other side of the aisle would reflexively oppose any attempt to mitigate the application of Federal minimum wage regulations to Puerto Rico. This would be puzzling given that Congress has offered similar relief to other ailing U.S. territories in the relatively recent past. On top of that, the Krueger Report, which was commissioned by the Government of Puerto Rico along with a host of economic analysts across the political spectrum, argued that allowing Puerto Rico the flexibility to set minimum wages that differ from the Federal levels would have a positive economic impact and that the current minimum wage levels do not fit productivity conditions on the island. Still, even in the face of all this evidence and precedent, my guess is that many of my colleagues would take issue with this idea.

I would expect they would similarly reject out of hand any proposals to scale back environmental regulations and rules governing transportation even if it could be shown that their regulations were having a negative impact and contributing directly to Puerto Rico's fiscal and economic predicament. Unfortunately, Madam President, for a number of our colleagues here in Congress, commitment to ideology too often does not allow room to admit when your policies are not working. While the situation in Puerto Rico isn't the first time we have seen that come up, I expect we will see that happening a lot if we get a chance to consider regulatory relief as a potential solution.

Those are the four main questions we face with regard to Puerto Rico. While they each come with their own sets of difficulties, those are the basic categories of solutions we have seen come to light so far. Of those four categories, two of them—the tax and the health care categories—are interrelated inasmuch as Members of Congress and administration officials have made them the focus of various ideas to help Puerto Rico improve its fiscal situation and perhaps its economy. While those putting the tax and health proposals forward have largely been silent about what our official scorekeepers—the

CBO and the Joint Committee on Taxation—will say about the costs of their CTC ideas, I have done some of my colleagues' homework for them.

Adding up the refundable tax credits, including the EITC and the CTC, and health-related resource flows, including changes to Medicaid allocations, the overall cost looks to be well north of \$30 billion and likely around \$40 billion over the next 10 years. Those are hardly insignificant figures.

Questions of funding and resource allocation are always difficult, and they implicate a number of issues. It isn't as simple as just deciding to give more health funds to Puerto Rico or access to refundable tax credits because doing so would necessarily mean reduced funding for other Federal priorities or increased taxes or yet more Federal debt.

True enough, Puerto Rico's problems are multidimensional and complex, and I don't know anyone in Congress who is indifferent to the plight of these American citizens. Sadly, these facts don't make our unpleasant budget arithmetic any easier. If anything, they make it all the more complicated. In short, there are no easy answers.

That said, regardless of how we move forward, we need to have a clearer picture of what is going on in Puerto Rico. We need to have the fiscal facts regarding the island's indebtedness, funding levels, and needs. Yet, to date, we have not seen any recent audited financial statements from Puerto Rico, although we have asked for them. Instead, we are being asked to rely on statements and cash flow analysis commissioned by the Government of Puerto Rico. As of right now, finances in Puerto Rico remain extremely opaque and difficult to monitor. Congress should demand independent verification of the territory's finances before moving forward on any kind of relief package.

Moreover, while we are hearing horror stories of inadequate cash flow and a liquidity freeze in Puerto Rico, it is difficult to ascribe much urgency to the situation when we are still seeing and reading about relatively large outlays for questionable expenses. Indeed, it is hard to believe an entity is in danger of running out of cash when it is paying for a broad public relations and lobbying campaign and when officials are talking about protecting hundreds of millions of dollars in year-end bonuses for government employees.

This brings us to yet another difficult question. I suppose you could call this question No. 5. What can we do to ensure that Puerto Rico changes its clearly unsustainable fiscal course? No matter what we do with regard to debt restructuring, tax policy, health care policy, or regulatory relief, the solution will ultimately be meaningless if we don't take steps to ensure that Puerto Rico doesn't simply continue on

the fiscally irresponsible path that brought them to this mess in the first place. Even if every creditor gets a massive haircut and all the requested resources are channeled directly to the island, steps need to be taken to avoid getting into this situation again in the future.

For some time Puerto Rico has spent more than it takes in from revenues and receipts and has covered the difference with debt. The debt that has been issued has tapped out virtually every possible future receipt of the government, and basic budget arithmetic has caught up with this unsustainable fiscal recipe and has effectively shut Puerto Rico out of funding markets.

In short, Puerto Rico must move to policies that are fiscally sustainable. Madam President, that is not me trying to impose on Puerto Rico's sovereignty. That is not an agenda of "austerity" at work. It is just the simple budget arithmetic of the situation. Before we undertake any efforts to provide relief or assistance to Puerto Rico, we need to give this simple math its proper consideration and demand a workable plan for the future. I would like to see Puerto Rico submit such a plan, and that plan is going to have to include how they resolve the overwhelming burden of government down there when they have allowed it to grow out of control and become the employer of last resort.

For its part, the Obama administration has chosen to remain relatively vague on this somehow. In October, we saw a joint statement from Treasury, the Department of Health and Human Services, and the National Economic Council outlining a general plan which they called a "Roadmap for Congressional Action." This roadmap contained many of the same general proposals I have discussed today with regard to bankruptcy relief, tax credits, and health spending. Conspicuously absent were any proposals for regulatory relief for Puerto Rico. Also absent were any real cost estimates or proposed offsets, just some lipservice to the need to undertake these changes in a "fiscally responsible" way.

I have made inquiries to various agencies, including Treasury and HHS, with little in the way of detailed response to many of these issues at stake here. It remains puzzling to me that in the midst of what some in the administration are calling a "humanitarian crisis," we are seeing very little engagement from our health agencies, particularly when so many have been arguing that the crisis stems in large part from the lack of health care funding in Puerto Rico.

It also seems that provisions of taxpayer-funded technical assistance—which I would think would be considered in any package aimed at Puerto Rico—may be rendered moot given

that, as I understand it, Treasury officials are working to wedge such a system on the sidelines into appropriations vehicles. Needless to say, before Congress can even begin to consider a significant legislative package to address the situation in Puerto Rico, we need more information from the administration about what it is now doing and what it plans to do in the near future. Put simply, it would not be productive for Congress to move forward on a legislative vehicle costing billions of dollars, if not tens of billions of dollars, without knowing beforehand if that legislation contradicts or conforms to the plans of Federal agencies.

Long story short, Madam President, this will likely be a significant undertaking. There are a lot of ideas floating around. Some may work; others clearly will not. As the chairman of the Senate committee with jurisdiction over our Tax Code and most of the relevant health programs, I am more than willing to work with my colleagues on both sides of the aisle to find a bipartisan path forward. To accomplish that goal, we need everyone involved to be upfront and willing to work together. That goes for Members of Congress, the administration, and the Government of Puerto Rico. Everyone needs to come clean about the current state of affairs, the specific needs and amounts requested, the actual costs of any legislative or administrative proposal, and whether they want to offset costs or simply incur more Federal debt. Right now, too many people are willing to throw out demands and vague proposals—with the price tag as high as \$30 billion to \$40 billion—accompanied by a lot of political rhetoric. That is precisely what we do not need.

It would be very easy to play politics with this issue. My hope is that enough of us will be able to set that aside to allow Congress to do right by our fellow citizens in Puerto Rico. There are some who believe that crass politics may be playing a role here and that some would throw Puerto Rico to the dogs so that more and more people will immigrate to Florida for political purposes.

I hope that is not true. I can't believe that is true, but it has been stated. I hope we can come together as Democrats and Republicans to solve this problem. Puerto Rico is going to have to help us to know what to do. I suspect the creditors are going to have to help us, too, or we are going to have to help them as well. I stand ready, willing, and able as chairman of the Finance Committee to solve these problems. But so far we haven't even received the right financial statements from Puerto Rico, and we can't move ahead without having clear-cut information that shows us what is going on, what the problems are, what we have to do, and how to do it.

I want to do whatever it takes to help Puerto Rico resolve these problems, and I would like to see Puerto Rico itself resolve them. It may take some help from us; it may take some help from creditors. I would like to see them sit down with creditors before we come up with some colossal Federal program that is going to basically hurt everybody. But I am open, and I sure as heck want to get this problem solved.

I like the people of Puerto Rico. I think they deserve better treatment than this. But they also got themselves into this problem by requiring too much of the central government and spending more and more all the time, with more and more central government employees that they don't need. That is a large part of this problem.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Madam President, this Senator from Florida doesn't think it is true that Puerto Rico is having such economic chaos that the net result is that Puerto Ricans—who are American citizens—move to Florida. The fact is that some are moving to Florida. I would say to the distinguished Senator from Utah, because of the economic deprivation of the island.

It would seem to me, as someone who has looked at this issue and has been to the island and spoken to the leaders, that there is an essential element of fairness here. If the bankruptcy laws are allowed to apply to all States and municipalities, why would those bankruptcy laws not apply to Puerto Rico and its need to reorganize its finances as well?

Mr. HATCH. Will the Senator yield?

Mr. NELSON. I will. Let me make this statement.

There is another part of unfairness, and that is that Puerto Ricans are not being treated the same way under the Medicare and Medicaid laws as well. To this Senator from Florida, who is close to the Puerto Rican people, it does not seem to be the fair thing.

Regardless of what the issue is with regard to how they got into economic trouble, the fact is they are in economic trouble. The question is, How are we going to get them out of economic trouble?

Of course, for purposes of a question, I yield to the distinguished Senator, my chairman of the Finance Committee.

Mr. HATCH. I appreciate my friend and colleague from Florida. I too understand that he understands a lot about this.

Look, bankruptcy laws do not apply. That doesn't mean we can't change that. I am not sure that is the way to do it. We are going to have to have some real information before we can move in that direction—which may be dangerous.

I do think it is incumbent upon the Puerto Rican leadership to provide us

with audited financial statements, so we really know what the problems are, so we can then approach this in an intelligent, reasonable, healthy, loving way. I am for getting this problem solved, but I am not for just throwing money at it when we know their central government is completely bloated and that is what is causing some, if not most, of the problems. At least that is what we have been told.

I am happy to look at financials. I am happy to look at whatever suggestions are made. Not that I am that important, but we can move if we know what we are talking about. I am not about to move on the backs of the rest of the American taxpayers until they clean up the mess that is there, and they sit down with their creditors and see what they can work out. We ought to be encouraging them. I think their creditors want us to encourage them because they think it can be worked out—at least the one that I have spoken with.

So I commit to the distinguished Senator. He knows I don't make commitments unless I mean them. I am going to try to solve this problem. When I say "I," I mean our committee and our Congress is going to try to solve this problem. But let's do it in an intelligent way. Let's get all the facts, let's get some cooperation from Puerto Rico, and let's get the right financials so we know exactly what we can work with. If we can get all that, hopefully we can find some solutions here that will bring these folks into balance and give them a shot for the future.

Last, but not least, I agree with the distinguished Senator that they have not been treated fairly, and it is time for us to start treating them fairly.

I disagree with him that there are not people in Congress who would love to see more and more coming to Florida as Democrats. I am pretty sure that is the case, but that shouldn't be the case. We should be working on these problems and solving them.

I commit to the distinguished Senator from Florida who is a great Member of our committee that I will work with him, and we will see what we can do to solve these problems. But let's get some financials we can rely on before we go off on some deep end and miss the boat here.

Mr. NELSON. The Senator is certainly entitled to the information in order to make a reasonable judgment. This Senator is advocating fairness in the system.

There was a time that Puerto Rico was, in fact, included under the bankruptcy laws. For whatever reason, a couple of decades ago the law was changed and they were treated differently; the same was true with Medicare and Medicaid payments. I think, regardless of what their financials show, Congress is going to have to take action. So when the Senator gets the

information he wants, then I hope we can act forthwith because this is a problem that is with us at the moment. They are about to the point that they cannot make the payments on their debt obligations. So the day of reckoning is basically here.

BULK TELEPHONE METADATA COLLECTION PROGRAM

Mr. NELSON. Madam President, I came to the floor for a different reason. I want to speak about the National Security Agency and the bulk telephone metadata collection program that basically the new law took over, that there was reform of. Now, let me explain the old law and the new law that just took effect yesterday.

The old law had been in effect for—I don't know the exact number of years but something in excess of 5 and less than 8. The old law said that by going to the approved court that handles classified information—called the Foreign Intelligence Surveillance Act Court, known by its acronym FISA—that the government could ask for these records to come into the possession of the government by showing good cause as to why those records would be held. So it was pursuant to a court order.

What were the records to be held? These are business records of the telephone company. This is not the content of the telephone call; this is the business record that says that on such and such a day, at such a time, that telephone number such and such called telephone such and such. That is called metadata. That is it; there is no content.

For almost a decade, ever since we had the 9/11 attacks and we passed the PATRIOT Act to try to make it much more efficient for our National Security Agencies to protect us—those records, if the telephone company complied with the order, would be in the data-base. But it is not the content. It is only the business records stating what I just said: Number such and such called such and such.

Why was that important? Because when we suddenly got an indication that we had a terrorist that was going to strike either here or abroad and if that terrorist had a link to a number, we could see what calls that potential terrorist had made to what number and what numbers that number then called, and we could go down several different calls. It was through this that we were able to track down and prevent a number of terrorist acts, including in this country.

Earlier this year, along came the reform. The choice this Senator—who supports the old law—was given was that either the old law is going to expire and there is not going to be any law that governs the collection of these business records—nothing—or go with

the reform. The so-called reform was that you had to go to the FISA Court to get an order as to a specific number and a specific reason why that number was something that you wanted. That sounds harmless enough, except when you are dealing in some cases with seconds, minutes, a few hours; you might be looking for this person about whom we suddenly got a tip—maybe from a human source—that they are about to try to do us damage. So how long is it going to take to go into court? Is it going to take months? Is it going to take weeks? Days? All the time, the potential terrorist is well ahead of us. I know our intelligence agencies are trying to be prepared so they can do it in the shortest possible time, but a judge has to be there to hear the facts and the probable cause in order to then render an order to allow the intelligence agencies—domestically, it would be the FBI—to go get those business records.

If they get the business record and see that it goes one hop to another number, but maybe that goes another hop to another number and that goes another hop to several other numbers, under the so-called reform of the USA FREEDOM Act, there is a limitation on the number of hops. This Senator feels we shouldn't limit those hops if we are trying to find out who the bad guy is and what he is about to do.

Once we had that determined, then we go to the court again. If it is an American citizen or a person who is legally in the United States, they have to obtain another court order in order to be able to get the content—either listening to those calls or in the case of email records, the content of the email.

We always said there ought to be this continuous tension between our right to privacy, protecting our country, and ourselves. We want that tension to be there because our right to privacy is what makes us different in this country. Therefore, that is why we have the protections of having to go into court in order to get an order to get the content of the communications.

All you have to do is look to Paris and you can see that these guys are out to really do some mayhem. If in any way we are slowed down, then I think it is a considerable hindrance to us. I bring this to the attention of the Senate simply because the new act superseded the old act this past weekend. Naturally, when these records were spread about publicly 2 years ago by Edward Snowden, intentionally, recklessly, and I might say illegally, there was a fear. It made it seem like Big Brother was gathering up all of our information. That is why in the initial PATRIOT Act we were so careful to keep this right of privacy protected by court order for the business records and then of course for content by a court order.

I believe that program was lawful, I believe it was court-approved, and I believe it has helped protect us from terrorist attacks in the past. I think the confusion in the land is because of what the bulk record was. It wasn't content. It was business record—the dates, times, length, and the numbers dialed but not their content.

We have this new law. It is in place. The National Intelligence Director, Jim Clapper, and the NSA Director, ADM Mike Rogers, assured us that the new law preserved a critical counterterrorism capability, but these Paris attacks remind us how brutal ISIS really is and that the terrorist threat persists.

As we look at who the terrorists in Paris were, there were four of them whom we knew of, whom we had on our no-fly list, and who were citizens of European countries. What does that mean? That means they didn't have to go into the Embassy to get a visa so their background could be checked. They are one of the visa waiver countries. But there was another one of their citizens who was one of those terrorists who was not on our no-fly list. I think the fact that the administration has already started clamping down, doing the extra checks, we certainly want to keep the Visa Waiver Program going, but it is a considerable potential threat if we are not checking and rechecking. I think from what we learned out of Paris, if the European countries will be more forthcoming to share their intelligence information with us about the potential terrorists, that will build our no-fly list for their citizens and that will be very helpful.

We ought to permanently extend section 702 of the FISA Amendments Act, which is going to expire in another 2 years. This crucial tool provides access to electronic communications of suspected terrorists and other foreign persons located outside of the United States. As we redouble our counterterrorism efforts, we must maintain what works and make the necessary changes as the threat evolves. That means remaining vigilant and using all the tools in our toolbox—including intelligence collection, Homeland Security protections, and the fight against ISIS on the battlefield.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

HOLDS ON AMBASSADORIAL NOMINATIONS

Mr. COTTON. Madam President, in September, we learned shocking news that the U.S. Secret Service—armed agents of the Executive—violated the law to intimidate a congressman from doing his constitutional duty. Forty-five Secret Service employees accessed the personal records of Congressman JASON CHAFFETZ in violation of the

Privacy Act. They shared with hundreds of personnel the fact that Congressman CHAFFETZ had unsuccessfully applied to join the Service, leading to a leak of the information to the news media.

This activity was not limited to low-level employees. The Service's Assistant Director and head of training, Ed Lowery, encouraged the sharing of information, writing in an email:

Some information that he might find embarrassing needs to get out. Just to be fair.

The Director of the Service, Joe Clancy, failed to act to rein in the behavior when the information was raised to him. He had no reaction when he heard what he deemed to be a speculative rumor about the information. He apparently forgot that he had been informed of Congressman CHAFFETZ's personal records, incorrectly telling the Homeland Security Department's inspector general that he didn't learn of the matter until it was about to be published in the Washington Post.

The White House's reaction to this criminal violation was equally muted. The White House implied that an apology to Congressman CHAFFETZ would suffice in the absence of formal discipline and a criminal investigation. This was unacceptable. To ensure that proper remedial action took place, I placed a hold on three ambassadorial nominees to send a clear message to the White House.

I intended to lift these holds once two actions took place: First, I asked that the Department of Homeland Security take appropriate disciplinary action against all Secret Service personnel involved, including Secret Service leadership; second, I requested that a criminal investigation be initiated by the Department of Justice into violations of the Privacy Act.

Since I placed the holds, the White House reached out to my office and made clear that the President understood the gravity of the violations that occurred. In the past month, the Obama administration has finally begun to take action. The Department of Homeland Security issued disciplinary proposals for the suspension of 42 lower level personnel involved in the misconduct. For senior-level personnel—including Assistant Director Lowery—discipline proposals are being prepared, with the maximum penalty ranging up to the removal from their positions.

This discipline may or may not be proper in each case, but my intent isn't to be an HR officer for the Department of Homeland Security. Instead, when I instituted the holds on the three ambassadorial nominees, I made it clear my aim was not to keep these nominees in limbo indefinitely. My sole aim was to force action from the Obama administration, which too often ignores this separation of powers and proper enforcement of our laws.

Because the Obama administration has taken partial steps to hold those who violated the law to account, I will in turn honor my word and lift two of the three holds I have on ambassadorial nominations: Mr. Samuel Heins, who is nominated to be the U.S. Ambassador to Norway, and Ms. Azita Raji, who is nominated to be the U.S. Ambassador to Sweden. I believe both are qualified to represent our Nation abroad, and we have significant interests in Scandinavia. My hope is that both nominees receive a vote and are confirmed in the Senate sooner rather than later.

I will retain, however, the hold on President Obama's Ambassador to the Bahamas. This is because the Department of Justice has yet to initiate an investigation into the unauthorized access and dissemination of Congressman CHAFFETZ's personal records.

The DHS inspector general has testified to Congress that he believes criminal violations of the Privacy Act occurred. Secret Service Director Clancy, in his own testimony to Congress, agreed with the inspector general, acknowledging that the violations constituted, in his words, "a criminal offense." With such agreement between the Department of Homeland Security IG and the Secret Service Director, I retain the hope and fully expect that a criminal investigation of these offenses by the Department of Justice will be forthcoming.

That investigation and the discipline currently being meted out by the Department of Homeland Security are important to send the message that politically motivated crimes will not be tolerated. Consequences are needed to make clear that the separation of powers will be respected and that Members of Congress acting on behalf of the people will not be intimidated.

I also reserve the right to place new holds on future administration nominees. What we cannot have is impunity for criminal offenses. If the discipline for the Secret Service leadership is too weak or if a criminal investigation is not initiated, I may place additional holds in order to again remind the White House of the seriousness of this matter, but in the meantime I look forward to continuing to work with the administration to ensure that discipline is appropriate and a criminal investigation on this matter is initiated.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GUN VIOLENCE

Mr. DURBIN. Madam President, having just finished the Thanksgiving holiday season, many of us had a chance to be with our families and give thanks for all of the great goodness we have had showered on us as individuals and those lucky enough to live in this great Nation, but for many families this was a painful holiday weekend. It is sobering to realize how many American families have their lives impacted by gun violence in America every single day. Sadly, the past holiday weekend was no exception.

In my home State of Illinois, in the city of Chicago, gun violence has taken a devastating toll. There have been 436 homicides in Chicago this year—most of them by gunfire. In Chicago, the news this morning was that 8 people were killed and at least 20 others were wounded in shootings over the holiday weekend. Today the University of Chicago has closed its campus in Hyde Park because of a shooting threat that was made against the campus community. Classes and activities are canceled. Extra security has been provided. At a high school in Barrington, IL, in the suburbs of Chicago, students saw a lockdown after a student came to school with a gun and was arrested.

The fact is, there is too much gun violence in America. All across the country we have seen such terrible stories.

On Friday, in Biloxi, MS, a patron at a Waffle House restaurant shot and killed Julia Brightwell, a waitress, after she asked him not to smoke in the restaurant.

In Atlanta, on Saturday, 6-year-old Ja'Mecca Smith found a loaded handgun in the cushions of a sofa and fatally shot herself—6 years old.

In Rome, NY, a 7-month-old infant was shot and killed on Saturday when a nearby 18-year-old was cleaning and loading a shotgun that was discharged.

In Colorado Springs, CO, a gunman burst into a Planned Parenthood building and killed three people, including police officer Garrett Swasey, and wounded nine others. The Governor of Colorado called this domestic terrorism, and I agree.

An average of 297 Americans are shot every day, 89 of them fatally. They are shot in homicides, assaults, suicides, accidental shootings, mass shootings, and even domestic terrorism attacks like the one we just witnessed at the Planned Parenthood clinic in Colorado Springs. By one count, there have been at least 351 mass shootings in America so far this year—that is more than one every single day—and there have been more than 50 shootings in American schools so far this year. There are some people who think that the Founding Fathers, when they envisioned the future of America, envisioned an armed America with absolute, inviolate gun rights. I don't believe it. I don't believe for a minute they had any vision of

this level of wanton violence which is taking place.

Several weeks ago, I joined with my Senate Democratic colleagues. We went to the steps of the Capitol and called on the Republican majority in the Senate to do something. We urged Republicans to consider calling on the floor of the Senate—in light of all of this gun violence—commonsense reforms that would keep guns out of the hands of dangerous people.

Whether or not you own a gun, whether or not you hunt, whatever your view is of the Constitution, can't we all basically agree that people who have been convicted of a felony and those who are mentally unstable should not be allowed to buy a gun? That, to me, is just common sense. There are many people in my own family who are sportsmen and hunters and enjoy the firearms they bought as kids and went hunting with their dads and really appreciate it. It is part of the Midwestern culture. I have yet to meet a single person who owns a gun and uses it responsibly who doesn't agree with the statement that we should keep guns out of the hands of convicted felons and also out of the hands of those who are mentally unstable.

It is also hard to imagine why there is opposition to this issue. Did you know that even if you are on the government's terrorist watch list—a person who is suspected of terrorism—you can legally buy a gun in America? I am not talking about gun show loopholes, where there are no questions asked; I am talking about the law in America which allows suspected terrorists to buy firearms. In light of what happened in Paris, France, does it make sense that someone on the terrorist watch list can buy an assault weapon? God only knows where they would take it or what they would do with it and ultimately how many innocent people would be killed. We can't even have a conversation about that on the floor of the U.S. Senate. No way. The National Rifle Association would not approve. The gun lobby does not want us discussing these issues. We are talking about a Second Amendment absolute, inviolate right, in their eyes, and I think we are talking about something that is impossible to explain and defend, from my point of view.

I will stand up for Second Amendment rights—the rights of people to own and use guns responsibly and store them safely away from children. I will stand up for their rights, but we also have to come together and acknowledge that those who would misuse firearms because they have a criminal intent, with a criminal record, are mentally unstable, or are on a suspected terrorist watch list—for goodness' sake, we ought to be able to draw that line in the United States of America.

SYRIAN REFUGEES

Mr. DURBIN. Madam President, it was just a few weeks ago that—I guess 10 days ago, actually—the Republican Presidential candidates went to the Presiding Officer's State to meet with religious leaders, Christian leaders, and were seeking their support. Of course they all want the support of everyone living in Iowa because the Iowa caucus is coming up pretty soon. I thought about that as they went to meet these Christian leaders in Iowa, just across the river from my home State of Illinois. I thought about how they had just left their discussions here in Washington, talking about Syrian refugees.

The most humbling humanitarian crisis in the world today is occurring in Syria. They have had a civil war which has gone on for years. Millions of people have been displaced and thousands have been killed. I met some of them just a few months ago when I went to Greece and saw these refugees streaming away from the camps in Syria trying to find a safe place. I can't imagine what it must be like for a husband to turn to his wife and say: We have to move. Pick up the kids. Whatever you can carry is all that we are taking. We are going to try to find a safe place to live.

I saw hundreds and thousands of them—families streaming out of this war-torn area. Very few of them have ever made it to the United States—about 2,000. Part of the reason is we have an elaborate, lengthy background check before anyone can be admitted as a refugee. In fact, it takes anywhere from 18 to 24 months of waiting to see if you might legally become a refugee in the United States of America.

Well, these Republican Presidential candidates and 25 Governors have said: We don't want any Syrian refugees. We are not going to allow them to come to the United States during a period of a "pause"—as some say. Others have taken more extreme positions. It is hard to imagine. If our goal is to keep Americans safe, why are these Republican candidates focusing on Syrian refugees? You see, since we have allowed about 2,000 refugees into the United States over the last 4 years, not one single Syrian refugee has been arrested and accused of terrorist activity—not one. After a lengthy background check, we believe we have done everything humanly possible to keep those away who would be any danger to our country.

I met some of those Syrian refugees who have made it here, in the city of Chicago. If you think they are terrorist threats to the United States, for goodness' sake, take a few minutes and sit down and talk to them and hear their stories of how their families went through extreme hardships—some of them with children who were being killed in Syria during the war—and as

they fled with the clothes on their backs, they appealed to the United States to be allowed to come here as refugees and then waited up to 2 years to go through every one of the possible background checks before they finally made it.

What happens when they get here? Well, initially they need some help. Many of them don't speak English very well. Some of them are not financially ready to take care of themselves. But do you know what happens after a few months? They find a place, go to work, and join a long parade of those who have come to the United States as refugees and called it home. That includes 400,000 Vietnamese refugees who came to the United States and are now a great part of our country. It includes 650,000 Cuban refugees who came to the United States, escaping Castro. Included in those 650,000 refugees were the fathers of two U.S. Senators, one of whom is running for President of the United States. They came to the United States and made an important contribution to the Senate and our Nation—refugees. I heard one of them say: Well, it was different then. We are dealing with terrorism today.

Really? What were we dealing with when we accepted Cuban refugees? We were dealing with a Communist regime in Cuba that was friendly with the Soviet Union, which had nuclear weapons pointed at the United States, and we were accepting refugees from that country. I am glad we did. We were living in a very dangerous time when they were accepted, and on balance we found that history has proven that those refugees from Cuba have become an important part of the United States.

We accepted over 200,000 Soviet Jews who were being persecuted in that country and wanted to come to the United States so that they could practice their religion freely. In my hometown of Springfield, IL, the synagogues opened their doors and said: We will sponsor these families as they come to our Midwestern community. We brought refugees from the Soviet Union in, and they became part of the United States.

The story is told over and over again. Yet Republican Presidential nominees and Governors describe refugees as just terrorists on the run. They say they are not carefully screened and are still allowed in the United States. That is the way they describe it. It is not true. We know it is not true.

When I consider those Republican Presidential nominees going to Iowa to pose for holy pictures with religious leaders after they said we would exclude these poor people who are simply trying to find a safe place for their families, it is hard to imagine.

This morning's New York Times tells a totally different story. Madam President, I ask unanimous consent that this article in the New York Times be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Nov. 17, 2015]

A MANHATTAN HARDWARE STORE WELCOMES REFUGEES AS GOVERNORS VOW TO SHUT THEM OUT

(By Jim Dwyer)

Chris Christie of New Jersey and at least 25 other governors have said they do not want Syrian refugees to come to their states.

Then again, there is Wankel's, a family-owned hardware store that opened on the Upper East Side of Manhattan in the 19th century. For decades, it has hired people who came to the United States fleeing violence and persecution.

"People coming from really bad situations, trying to make a better life in America," said Sean Wankel, 32, vice president of Wankel's. "Or a life."

The refugees come to Wankel's through resettlement agencies like Catholic Charities or the International Rescue Committee and stay for a few months or years as they get their bearings in a new world. On a wall map, colored pins mark the three dozen countries from which the Wankel workers have come.

Felix Royce, 39, started in the store two months ago. Like many before him, he is new to retail work; in Nigeria, he had been a pastor and an author. He said the picture on his book jacket made him a target of the Boko Haram, a murderous sect of anti-Western Islamists who rose in a swamp of official corruption and violence. Among Boko Haram's infamous atrocities was the kidnapping of scores of schoolgirls in 2014.

"They organize mock street fights and send little kids with suicide bombs," Mr. Royce said. "ISIS is more sensible than Boko Haram. You would have insiders, police officers and politicians who collaborate with the Boko Haram. You didn't know who to trust."

In fear of his life, he said, he made his way to Houston and applied for asylum, appearing without a lawyer three times in front of immigration judges before being formally admitted to the United States. He, his wife and their two children now live in the Bronx, aided by the International Rescue Committee.

"I am sitting here," he said, "trying to put my life together. We are just trying to find our feet."

Mr. Royce said he had been closely following the news of the attacks in Paris on Friday evening by bombers and gunmen connected to the Islamic State, also called ISIS or ISIL.

A tiny fraction of the refugees leaving Syria have been permitted into the United States—fewer than nine a week between Oct. 1, 2011, and Sept. 30 of this year, a total of 1,854—as an estimated four million people fled the deteriorating nation. President Obama said the United States would accept 10,000 refugees from Syria in the coming fiscal year. Republicans in Congress and in statehouses are objecting, saying that terrorists like those involved in the Paris attacks could camouflage themselves in the stream of legitimate refugees.

Representative Paul D. Ryan, Republican of Wisconsin, the newly inaugurated House speaker, called for a "pause" in the refugee resettlement program. Mr. Christie, seeking the Republican presidential nomination, released a letter he sent to the president.

"I write to inform you that I will not accept any refugees from Syria in the wake of the deadly terrorist attack in Paris," he wrote, saying federal screening procedures

were inadequate. "Neither you nor any federal official can guarantee that Syrian refugees will not be part of any terroristic activity."

New Yorkers might imagine police barricades being set up around the World Trade Center on Sept. 11, 2001, to prevent people from fleeing the collapsing towers because no one could guarantee they would not be part of any future terroristic activity.

It is not clear whether Mr. Christie or any other governor can refuse to "accept" refugees. As a practical matter, New Jersey does not have border controls, and probably could not set up traffic lanes for citizenship papers at places like the Lincoln Tunnel.

Other Republican candidates, including Ted Cruz and Jeb Bush, said they would permit Christian refugees from Syria, but not Muslims.

At the hardware store where he has found work, in a city where he and his family have taken refuge, Mr. Royce was polite in assessing the proposed restrictions.

"Some people are saying, let them be, let them stay there," he said. "I wouldn't subscribe to that. There are innocent ones out there. This would mean there is no hope for them. If you screen, there are good ones among the bad. Everyone from Syria is not from ISIS. If you leave everybody, ISIS will take advantage of them."

Mr. Wankel was asked if his business had room for Syrian refugees.

"Certainly," he said. "If they are coming through the International Rescue Committee or Catholic Charities, I'd do it. They have a tough life. If I was in Syria, I'd want to get the heck out."

Mr. DURBIN. Madam President, it is a story about a man named Sean Wankel. His family has owned a hardware store on the Upper East Side of Manhattan since the 19th century. For decades, the Wankel family has been hiring people who came to the United States to escape violence and persecution—asylees and refugees. The owner of the store, Sean Wenkel, said: "People coming from really bad situations, trying to make a better life in America." Wankel, of course, takes these refugees in to work in their store. They are referred to him by Catholic charities and the International Rescue Committee. They stay for a few months or years as they get their bearings in the new world. He has a wall map in the hardware store with colored pens marking three dozen countries from which these workers have come.

The article goes on to tell the story of Felix Royce, who came to the United States a few months ago, from persecution by terrorists in Nigeria, and got a job in this hardware store.

It is interesting that for decades this man and his family have intentionally brought in these refugees and asylees and made them part of their business and life, while nearby, the Governor of New Jersey is quaking in his boots at the thought of a refugee coming into the State of New Jersey. What a contrast.

The gentleman at the hardware store said that it is not clear if the Republican Governor of New Jersey even understands who these people are.

I will quote Mr. Royce from Nigeria again:

Some people are saying, let them be, let them stay there. I wouldn't subscribe to that. There are innocent ones out there. This would mean there is no hope for them. If you screen, there are good ones among the bad. Everyone from Syria is not from ISIS. If you leave everybody, ISIS will take advantage of them.

It is hard for me to imagine some of the things that have been said recently by some of the Presidential candidates on the other side. It isn't just a matter of turning away Syrian refugees even with the clearance practices we have, but some have gone to even more extreme statements, saying that we should never allow people of the Muslim religion to come to the United States or that they should somehow be identified in this country. If you are a student of history, you will know that kind of paranoia and that kind of prejudice has exhibited itself many times in our history. We look back on it now not with pride but with sadness to think that we reached the point where we treated people that way.

In May of 1939, when a shipload of Jews were trying to escape the Nazis in Germany—900 of them on the *SS St. Louis*—and came to Miami, they were turned away. They went back to Europe. Two-hundred of those Jews perished in the Holocaust because they were turned away from the United States of America. And when Senator Robert Wagner of New York suggested that we allow 10,000 Jewish children to come to the United States to escape the Nazis, that was defeated in this Congress. There were Japanese internment camps and other situations just like that—sad, fearful things that were done that we look back on now and say: We can't repeat those mistakes. But the language that is coming out of many today is an echo of the past decisions—decisions we look back on now and say never again. Sadly, they are being suggested even today.

Our first obligation is to keep America safe, and if we are going to do that, let's look to things that truly do keep us safe. Let's say that if you are on the terrorist watch list in the United States of America, you cannot legally purchase guns or explosives. That is not a radical idea; that is something we need to do to change the law. Instead of focusing on 70,000 refugees who go through 2 years of background checks before they come here, let's focus on the 20 million who visit the United States without visas each year from Europe and 38 countries around the world and make sure they have been carefully checked before they come to the United States.

There are things we can do to keep America safe, but denying access to refugees who are suffering now with their children in the hopes of finding a safe place is not American. It is not who we are. It is not who we should be.

I yield the floor.

ADDITIONAL STATEMENTS

TRIBUTE TO MACKENZIE BAKER

• Mr. THUNE. Madam President, today I recognize Mackenzie Baker, an intern in my Washington, DC, office for all of the hard work she has done for me, my staff, and the State of South Dakota.

Mackenzie is a graduate of Augusta Preparatory Day School in Augusta, GA. Currently, Mackenzie is attending American University, where she is a business and entertainment major. Mackenzie is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Mackenzie Baker for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO CAROLINE CRINION

• Mr. THUNE. Madam President, today I recognize Caroline Crinion, an intern in my Washington, DC, office for all of the hard work she has done for me, my staff, and the State of South Dakota.

Caroline is a graduate of Brookings High School in Brookings, SD. Currently, Caroline is attending Georgetown University, where she is majoring in international political economy. Caroline is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Caroline Crinion for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO SETH GERBERDING

• Mr. THUNE. Madam President, today I recognize Seth Gerberding, an intern in my Washington, DC, office for all of the hard work he has done for me, my staff, and the State of South Dakota.

Seth is a graduate of Sturgis Brown High School in Sturgis, SD. Seth is planning on attending college next fall and majoring in math or political science. Seth is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Seth Gerberding for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO MARY WRIGHT

• Mr. THUNE. Madam President, today I recognize Mary Wright, an intern in my Washington, DC, office for all of the hard work she has done for me, my staff, and the State of South Dakota.

Mary is a graduate of Walt Whitman High School in Bethesda, MD. Currently, Mary is attending the University of Maryland, where she is majoring in communications. Mary is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Mary Wright for all of the fine work she has done and wish her continued success in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

REPORT RELATIVE TO AN ALTERNATIVE PLAN FOR PAY INCREASES FOR CIVILIAN FEDERAL EMPLOYEES COVERED BY THE GENERAL SCHEDULE AND CERTAIN OTHER PAY SYSTEMS IN JANUARY 2016—PM 33

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Homeland Security and Governmental Affairs:

To the Congress of the United States:

I am transmitting an alternative plan for pay increases for civilian Federal employees covered by the General Schedule and certain other pay systems in January 2016.

Title 5, United States Code, authorizes me to implement alternative pay plans for pay increases for civilian Federal employees covered by the General Schedule and certain other pay systems if, because of "national emergency or serious economic conditions affecting the general welfare," I view the adjustments that would otherwise take effect as inappropriate.

Civilian Federal employees have already made significant sacrifices as a result of 3-year pay freeze that ended in January 2014. In January 2014 and again in January 2015, increases for civilian Federal employees were limited to a 1.0 percent overall pay increase, an

amount lower than the private sector pay increases and statutory formula for adjustments to the base General Schedule for 2014 and 2015. However, as the country's economic recovery continues, we must maintain efforts to keep our Nation on a sustainable fiscal course. This is an effort that continues to require tough choices.

Under current law, locality pay increases averaging 28.74 percent and costing \$26 billion would go into effect in January 2016. Federal agency budgets cannot sustain such increases. Accordingly, I have determined that under the authority of section 5304a of title 5, United States Code, locality-based comparability payments for the locality pay areas established by the President's Pay Agent, in the amounts set forth in the attached table, shall become effective on the first day of the first applicable pay period beginning on or after January 1, 2016. These rates are based on an allocation of 0.3 percent of payroll as indicated in my August 28, 2015, alternative pay plan for adjustments to the base General Schedule. These decisions will not materially affect our ability to attract and retain a well-qualified Federal workforce.

The adjustments described above shall take effect on the first applicable pay period beginning on or after January 1, 2016.

BARACK OBAMA.

THE WHITE HOUSE, November 30, 2015.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on November 23, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. MESSER) had signed the following enrolled bill:

S. 599. An act to extend and expand the Medicaid emergency psychiatric demonstration project.

MESSAGE FROM THE HOUSE

At 3:15 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3189. An act to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes.

ENROLLED BILL SIGNED

The President pro tempore (Mr. HATCH) reported that he had signed the

following enrolled bill, which was previously signed by the Speaker pro tempore (Mr. MESSER) of the House:

S. 599. An act to extend and expand the Medicaid emergency psychiatric demonstration project.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2329. A bill to prevent the entry of extremists into the United States under the refugee program, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1611. A bill to authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes (Rept. No. 114-168).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 1115. A bill to close out expired, empty grant accounts (Rept. No. 114-169).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 2093. A bill to provide that the Secretary of Transportation shall have sole authority to appoint Federal Directors to the Board of Directors of the Washington Metropolitan Area Transit Authority (Rept. No. 114-170).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment:

S. 2128. A bill to require the Council of Inspectors General on Integrity and Efficiency to submit to Congress a report on Inspector General mandates (Rept. No. 114-171).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHUMER (for himself, Mr. HATCH, Ms. KLOBUCHAR, Mr. BLUNT, Mr. FRANKEN, and Mr. COONS):

S. 2332. A bill to amend the National Child Protection Act of 1993 to establish a permanent background check system; to the Committee on the Judiciary.

By Mr. CARDIN:

S. 2333. A bill to amend the Internal Revenue Code of 1986 to provide taxpayer protection and assistance, and for other purposes; to the Committee on Finance.

By Mr. CASSIDY:

S. 2334. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to adopt and implement a standard identification protocol for use in the tracking and procurement of biological implants by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. STABENOW (for herself, Mr. SESSIONS, Mr. PETERS, Mr. SHELBY, Mr. LEAHY, Ms. HIRONO, Mr. MARKEY, Mr. NELSON, Mr. FRANKEN, Mrs. BOXER, Mr. WARNER, Ms. KLOBUCHAR, Mr. KAINE, Mr. REID, Mr. COCHRAN, and Mr. SASSE):

S. Res. 322. A resolution recognizing the 60th anniversary of the refusal of Rosa Louise Parks to give up her seat on a bus on December 1, 1955; considered and agreed to.

ADDITIONAL COSPONSORS

S. 235

At the request of Mr. WYDEN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 235, a bill to provide for wildfire suppression operations, and for other purposes.

S. 466

At the request of Ms. STABENOW, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 466, a bill to amend title XI of the Social Security Act to improve the quality, health outcomes, and value of maternity care under the Medicaid and CHIP programs by developing maternity care quality measures and supporting maternity care quality collaboratives.

S. 542

At the request of Mr. COATS, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 542, a bill to enhance the homeland security of the United States, and for other purposes.

S. 551

At the request of Mrs. FEINSTEIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 551, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 574

At the request of Mr. SCOTT, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 574, a bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs.

S. 950

At the request of Mr. CASEY, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 950, a bill to amend the Internal Revenue Code of 1986 to provide for a refundable adoption tax credit.

S. 1512

At the request of Mr. CASEY, the name of the Senator from Oregon (Mr.

WYDEN) was added as a cosponsor of S. 1512, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 1714

At the request of Mr. MANCHIN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 1796

At the request of Mr. CASEY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1796, a bill to amend the Child Nutrition Act of 1966 to increase the age of eligibility for children to receive benefits under the special supplemental nutrition program for women, infants, and children and to allow States to certify infants for participation in that program for a period of 2 years, and for other purposes.

S. 1817

At the request of Ms. HEITKAMP, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 1817, a bill to improve the effectiveness of major rules in accomplishing their regulatory objectives by promoting retrospective review, and for other purposes.

S. 1818

At the request of Mr. LANKFORD, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 1818, a bill to amend title 5, United States Code, to reform the rule making process of agencies.

S. 1820

At the request of Mr. LANKFORD, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 1820, a bill to require agencies to publish an advance notice of proposed rule making for major rules.

S. 1831

At the request of Mr. TOOMEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1831, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 1865

At the request of Ms. KLOBUCHAR, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1865, a bill to amend the Public Health Service Act with respect to eating disorders, and for other purposes.

S. 1919

At the request of Mr. LANKFORD, the name of the Senator from South Da-

kota (Mr. ROUNDS) was added as a cosponsor of S. 1919, a bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services, to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities, and for other purposes.

S. 1945

At the request of Mr. CASSIDY, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1945, a bill to make available needed psychiatric, psychological, and supportive services for individuals with mental illness and families in mental health crisis, and for other purposes.

S. 1982

At the request of Mr. CARDIN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1982, a bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance.

S. 2031

At the request of Mr. BARRASSO, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2031, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 2075

At the request of Mr. BROWN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2075, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage and to express the sense of the Senate that the resulting revenue loss should be offset.

S. 2267

At the request of Mrs. MURRAY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2267, a bill to amend the Higher Education Act of 1965 to improve the financial aid process for homeless children and youths and foster care children and youth.

S. 2295

At the request of Mr. COTTON, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 2295, a bill to extend the termination date for the authority to collect certain records and make permanent the authority for roving surveillance and to treat individual terrorists as agents of foreign powers under the Foreign Intelligence Surveillance Act of 1978, and for other purposes.

S. 2311

At the request of Mr. HELLER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2311, a bill to amend the Public Health Service Act to authorize the

Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to make grants to States for screening and treatment for maternal depression.

S. 2323

At the request of Mr. DURBIN, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Ohio (Mr. BROWN), the Senator from Massachusetts (Mr. MARKEY) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 2323, a bill to clarify the definition of nonimmigrant for purposes of chapter 44 of title 18, United States Code.

S. RES. 148

At the request of Mr. WYDEN, the names of the Senator from Virginia (Mr. KAINE), the Senator from Hawaii (Ms. HIRONO), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 322—RECOGNIZING THE 60TH ANNIVERSARY OF THE REFUSAL OF ROSA LOUISE PARKS TO GIVE UP HER SEAT ON A BUS ON DECEMBER 1, 1955

Ms. STABENOW (for herself, Mr. SESSIONS, Mr. PETERS, Mr. SHELBY, Mr. LEAHY, Ms. HIRONO, Mr. MARKEY, Mr. NELSON, Mr. FRANKEN, Mrs. BOXER, Mr. WARNER, Ms. KLOBUCHAR, Mr. KAINE, Mr. REID, Mr. COCHRAN, and Mr. SASSE) submitted the following resolution; which was considered and agreed to:

S. RES. 322

Whereas many historians date the beginning of the modern civil rights movement in the United States as December 1, 1955;

Whereas Rosa Louise McCauley Parks was born on February 4, 1913, in Tuskegee, Alabama, the first child of James and Leona (Edwards) McCauley;

Whereas Rosa Louise Parks was arrested on December 1, 1955, in Montgomery, Alabama, for refusing to give up her seat on a bus to a Caucasian man, and her stand for equal rights became legendary;

Whereas news of the arrest of Rosa Louise Parks resulted in approximately 42,000 African-Americans boycotting Montgomery buses for 381 days, beginning on December 5, 1955, until the bus segregation law was changed on December 21, 1956;

Whereas the United States Supreme Court ruled on November 13, 1956, that the Montgomery segregation law was unconstitutional, and on December 20, 1956, Montgomery officials were ordered to desegregate buses;

Whereas the civil rights movement led to the Civil Rights Act of 1964, which broke down the barrier of legal discrimination against African-Americans;

Whereas Rosa Louise Parks has been honored as the "first lady of civil rights" and the "mother of the freedom movement", and her quiet dignity ignited the most significant social movement in the history of the United States;

Whereas Rosa Louise Parks was the recipient of many awards and accolades for her efforts on behalf of racial harmony, including—

- (1) the Congressional Gold Medal;
- (2) the Spingarn Award, which is the highest honor of the National Association for the Advancement of Colored People for civil rights contributions; and
- (3) the Presidential Medal of Freedom, which is the highest civilian honor in the United States;

Whereas Rosa Louise Parks was named 1 of the 20 most influential and iconic figures of the 20th century;

Whereas Rosa Louise Parks sparked 1 of the largest movements in the United States against racial segregation, and by her quiet courage symbolizes all that is vital about nonviolent protest because of the way she endured threats of death and persisted as an advocate for the basic lessons she taught the people of the United States;

Whereas Rosa Louise Parks and her husband Raymond Parks relocated to Michigan in 1957, and remained in Michigan until the death of Rosa Louise Parks on October 24, 2005;

Whereas, in November 2005, Congress authorized the Joint Committee on the Library to procure a statue of Rosa Louise Parks to be placed in the Capitol; and

Whereas the bus on which Rosa Louise Parks sparked a new era in the quest for freedom and equality in the United States is—

- (1) 1 of the most significant artifacts of the civil rights movement in the United States; and
- (2) on permanent display in the Henry Ford Museum in Dearborn, Michigan: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and celebrates the 60th anniversary of the refusal of Rosa Louise Parks to give up her seat on a bus on December 1, 1955;

(2) commemorates the legacy of Rosa Louise Parks to inspire all people of the United States to stand up for freedom and the principles of the Constitution; and

(3) endeavors to work with the same courage, dignity, and determination exemplified by a civil rights pioneer, Rosa Louise Parks, to address modern inequalities and injustices.

Mr. DURBIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COATS). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Gayle Smith, of Ohio, to be Administrator of the United States Agency for International Development.

The PRESIDING OFFICER. Under the previous order, there will now be 30 minutes of debate, equally divided in the usual form.

Mrs. SHAHEEN. Mr. President, 2 months ago I came to the Senate floor to urge the majority leader to schedule a vote on the nomination of Gayle Smith to serve as Administrator of the U.S. Agency for International Development, also known as USAID. Here we are, 7 months after the President nominated her to fill this position. The Senate will have a chance in a few minutes to vote on Gayle Smith's nomination to head USAID.

I fully expect that today's vote will lead to her confirmation. We are witnessing a humanitarian crisis in Syria and across the Middle East that grows worse by the day, posing a risk to European stability and cohesion. Having someone at the head of USAID is absolutely critical. The United States, with our unparalleled capacity to mobilize international support for humanitarian relief, should continue to play a leading role in assisting both Syrian refugees and the neighboring countries that are hosting them.

Having an effective leader such as Gayle Smith at USAID is a critical part of that effort. Last month I had the opportunity to lead a delegation of three other Senators to Greece and Germany. Senator DURBIN, Senator WARREN, Senator KLOBUCHAR, and I all went to see firsthand the plight of refugees from the war in Syria and the incredible burden that both Greece and Germany are under as a result of these unprecedented refugee flows.

Many of us—and we heard this when we were in Greece—believed that the rate of refugee arrivals would slow with the coming of cold weather. In fact, the exact opposite has happened, and the humanitarian situation has only become worse.

Of course, USAID's work is not only limited to the situation in Syria; it extends to the 60 countries and regional USAID missions around the world, including in Afghanistan, where USAID development work is critical to the long-term success and security of that country.

I am relieved that we are finally going to get to vote on Gayle Smith and that the majority has overcome the objections of the one Member who,

for the last 7 months, has been holding up her nomination. That Member was willing to put at risk the massive investment of resources the United States has made in Afghanistan and other parts of the world just to score political points on an issue that was completely outside of Gayle Smith's portfolio at USAID.

As things have moved on Gayle Smith, I am hoping this type of obstruction is going to end, and we will soon vote not only on Ms. Smith's nomination but also to confirm other critical national security nominees, especially the pending Foreign Service nominations that have been approved by the Foreign Relations Committee and that could be voted on by the full Senate today.

For example, in May the President nominated Tom Melia to be Assistant Administrator for USAID for Europe and Eurasia. This is a critical position not only because of the development work but because these are two regions that are under extreme pressure from Vladimir Putin. These regions would both benefit from USAID programs that would bolster their ability to act independently of Russian influence. Tom Melia is still unconfirmed, despite the fact that the Foreign Relations Committee approved his nomination in July. In addition, the nominee to serve as U.S. Ambassador to Sweden has been pending for over a year. Sweden has become a much more critical ally in terms of the refugee issue that Europe is facing. The nominee to serve as U.S. Ambassador to Norway—again another critical ally—has been pending since May. The nominee to serve as U.S. Ambassador to Mexico, a critical post for the United States, one of our neighbors and main allies in this hemisphere—these have all been pending since June.

At a time when the world is facing national security challenges on a number of fronts and nations are looking to the United States for leadership, we cannot afford to sideline ourselves by failing to confirm nominees for these diplomatic posts.

I recognize Senator CORKER, the chairman of the Senate Foreign Relations Committee as well as his Democratic counterpart, Senator CARDIN, who have worked very hard to secure the confirmation vote for Gayle Smith to serve as Administrator for USAID. I know we are working hard to get these other nominees to the floor, but at a time when our leadership is so important, when there are so many challenges facing us around the world, to fail to have those key spokespeople for the United States in positions of so many critical situations is unacceptable. We need to move these nominees. We need to continue the work of U.S. foreign policy.

I am sure we will have a very broad bipartisan vote in support of Gayle

Smith. What is unfortunate is that we couldn't have done it 7 months ago when she passed through the committee.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, first I thank Senator SHAHEEN for her leadership on the Senate Foreign Relations Committee and for her leadership with regard to the nomination of Gayle Smith to be the Administrator of USAID.

This is the U.S. Agency for International Development. I mention that because we are talking about a national security position. Our national security depends on having a strong military, but it also depends upon having a strong position in international development assistance in dealing with our diplomacy. The director of USAID is a critical member of our national security team.

We couldn't have a stronger person for that position than Gayle Smith. I wholeheartedly support her confirmation.

I thank Senator CORKER, the chairman of the Senate Foreign Relations Committee, for the manner in which this nomination has been brought forward. He has been a strong proponent of Gayle Smith, and I thank him very much for his help in getting this nomination to the floor.

I said that I couldn't find a stronger person to fill this position. She is currently a Special Assistant to the President and Senior Director at the National Security Council, where she is responsible for global development, democracy, and humanitarian assistance issues. She was previously a senior fellow at the Center for American Progress, cochair of the Enough Project, and the cofounder of the Modernizing Foreign Assistance Network. During the Clinton administration, Gayle Smith served as the Special Assistant to the President and Senior Director for African Affairs at the NSC, so she has broad experience over a long career in Foreign Service and in serving in regard to development assistance issues.

For over 37 years of her professional career she has served in Egypt, Sudan, Ethiopia, and Eritrea. She has worked as a journalist and as a consultant to aid groups. She has worked as a senior adviser to the Administrator and Chief of Staff for USAID/East Africa. She has served twice on the National Security Council as Special Assistant to the President. She has been hailed as a strong and effective advocate on global development issues. She was voted out of the Senate Foreign Relations Committee, on which I serve as a ranking member, by a unanimous vote. I am very pleased that we are now able to vote tonight for her confirmation to be the Administrator of the USAID.

I have already pointed out that this is a position critically important to our national security, but let me also point out that the world is facing a host of humanitarian crises—including food insecurity and displacement in Syria, the Europe migration crisis, the Rohingya refugee crisis of Southeast Asia, and the millions of people who are displaced and starving in South Sudan, which require American leadership and assistance.

Growing humanitarian needs worldwide are outstripping available resources. The Administrator of USAID is a key leadership post in the effort of the United States to shape the world's reaction to crisis and instability.

I would go into a bit of detail on just one of the crises that the Administrator of USAID faces so that everyone can truly understand the scale we are talking about. As a result of the war in South Sudan, 1.5 million people are internally displaced. More than 730,000 have crossed borders into Sudan, Ethiopia, and Uganda as refugees. The number of people facing severe food insecurity has almost doubled since the start of the year, from 2.5 million to an estimated 4.6 million people, including approximately 874,000 children under the age of 5. This is just one example and I could give you many more examples why it is critically important that we have a confirmed Administrator for USAID.

Gayle Smith is the right person for the right time to serve our country. I encourage my colleagues to support her nomination. This is a person who will serve our country, continue to serve our country well, and I am proud to support her.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 387, 388, 390, 391, and all nominations on the Secretary's desk in the Air Force, Army, and Navy; that the nominations be confirmed en bloc and the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

COAST GUARD

The following named officers for appointment in the grade indicated to the United

States Coast Guard under title 14, U.S.C., section 271(d):

To be rear admiral

Peter J. Brown
Scott A. Buschman
Michael F. McAllister
June E. Ryan
Joseph M. Vojvodich

AIR FORCE

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Robert J. Becklund

ARMY

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Arlen R. Royalty

NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Michelle C. Skubic

NOMINATIONS PLACED ON THE SECRETARY'S DESK

AIR FORCE

PN807 AIR FORCE nominations (4) beginning DONNETTE A. BOYD, and ending PAUL D. SUTTER, which nominations were received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN810 AIR FORCE nominations (37) beginning MARIA J. BELMONTE, and ending DEVERIL A. WINT, which nominations were received by the Senate and appeared in the Congressional Record of September 9, 2015.

PN923 AIR FORCE nomination of Alan D. Murdock, which was received by the Senate and appeared in the Congressional Record of October 28, 2015.

ARMY

PN856 ARMY nomination of David M. Jackson, which was received by the Senate and appeared in the Congressional Record of September 16, 2015.

PN905 ARMY nomination of Tarnjit S. Saini, which was received by the Senate and appeared in the Congressional Record of October 8, 2015.

PN924 ARMY nominations (16) beginning OLGA M. ANDERSON, and ending ERIC W. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of October 28, 2015.

PN925 ARMY nominations (17) beginning JIMMY C. DAVIS, JR., and ending ROBERT E. WICHMAN, which nominations were received by the Senate and appeared in the Congressional Record of October 28, 2015.

PN926 ARMY nomination of Spencer T. Price, which was received by the Senate and appeared in the Congressional Record of October 28, 2015.

NAVY

PN907 NAVY nomination of Jessica L. Morera, which was received by the Senate and appeared in the Congressional Record of October 8, 2015.

PN908 NAVY nomination of Kari J. Tereick, which was received by the Senate and appeared in the Congressional Record of October 8, 2015.

PN928 NAVY nominations (52) beginning JOSHUA C. ANDRES, and ending BETHANY

R. ZMITROVICH, which nominations were received by the Senate and appeared in the Congressional Record of October 28, 2015.

PN929 NAVY nomination of Calvin M. Foster, which was received by the Senate and appeared in the Congressional Record of October 28, 2015.

PN930 NAVY nomination of Tara A. Feher, which was received by the Senate and appeared in the Congressional Record of October 28, 2015.

TREATMENT OF CERTAIN PAYMENTS IN EUGENICS COMPENSATION ACT

Mr. INHOFE. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 139, S. 1698.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1698) to exclude payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits.

There being no objection, the Senate proceeded to consider the bill.

Mr. INHOFE. I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1698) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1698

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Treatment of Certain Payments in Eugenics Compensation Act".

SEC. 2. EXCLUSION OF PAYMENTS FROM STATE EUGENICS COMPENSATION PROGRAMS FROM CONSIDERATION IN DETERMINING ELIGIBILITY FOR, OR THE AMOUNT OF, FEDERAL PUBLIC BENEFITS.

(a) IN GENERAL.—Notwithstanding any other provision of law, payments made under a State eugenics compensation program shall not be considered as income or resources in determining eligibility for, or the amount of, any Federal public benefit.

(b) DEFINITIONS.—For purposes of this section:

(1) FEDERAL PUBLIC BENEFIT.—The term "Federal public benefit" means—

(A) any grant, contract, loan, professional license, or commercial license provided by an agency of the United States or by appropriated funds of the United States; and

(B) any retirement, welfare, health, disability, public or assisted housing, postsecondary education, food assistance, unemployment benefit, or any other similar benefit for which payments or assistance are provided to an individual, household, or family eligibility unit by an agency of the United States or by appropriated funds of the United States.

(2) STATE EUGENICS COMPENSATION PROGRAM.—The term "State eugenics compensation program" means a program established

by State law that is intended to compensate individuals who were sterilized under the authority of the State.

RECOGNIZING THE 60TH ANNIVERSARY OF THE REFUSAL OF ROSA LOUISE PARKS TO GIVE UP HER SEAT ON A BUS

Mr. INHOFE. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 322, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 322) recognizing the 60th anniversary of the refusal of Rosa Louise Parks to give up her seat on a bus on December 1, 1955.

There being no objection, the Senate proceeded to consider the resolution.

Mr. INHOFE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 322) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR TUESDAY, DECEMBER 1, 2015

Mr. INHOFE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, December 1; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each; further, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. INHOFE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned immediately following the resumption of legislative session upon disposition of the Smith nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE CALENDAR—Continued

VOTE ON SMITH NOMINATION

Mr. INHOFE. Mr. President, I yield back.

Mr. CARDIN. I yield back.

The PRESIDING OFFICER. All time is yielded back.

The question is, Will the Senate advise and consent to the Smith nomination?

Mr. INHOFE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from New Hampshire (Ms. AYOTTE), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Arizona (Mr. FLAKE), the Senator from South Carolina (Mr. GRAHAM), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Illinois (Mr. KIRK), the Senator from Arizona (Mr. MCCAIN), the Senator from Ohio (Mr. PORTMAN), the Senator from Florida (Mr. RUBIO), the Senator from Alabama (Mr. SHELBY), the Senator from North Carolina (Mr. TILLIS), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from New Hampshire (Ms. AYOTTE) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 79, nays 7, as follows:

[Rollcall Vote No. 310 Ex.]

YEAS—79

Alexander	Feinstein	Murphy
Baldwin	Fischer	Murray
Barrasso	Franken	Nelson
Bennet	Gardner	Perdue
Blumenthal	Gillibrand	Peters
Booker	Grassley	Reed
Boozman	Hatch	Reid
Boxer	Heinrich	Roberts
Brown	Heitkamp	Rounds
Cantwell	Hirono	Schatz
Capito	Hoeven	Schumer
Cardin	Inhofe	Scott
Carper	Isakson	Sessions
Casey	Kaine	Shaheen
Cassidy	King	Stabenow
Coats	Klobuchar	Sullivan
Cochran	Lankford	Tester
Collins	Leahy	Thune
Coons	Manchin	Toomey
Corker	Markey	Udall
Cornyn	McCaskill	Warner
Cotton	McConnell	Warren
Daines	Menendez	Whitehouse
Donnelly	Merkley	Wicker
Durbin	Mikulski	Wyden
Enzi	Moran	
Ernst	Murkowski	

NAYS—7

Blunt	Lee	Sasse
Crapo	Paul	
Heller	Risch	

NOT VOTING—14

Ayotte	Johnson	Sanders
Burr	Kirk	Shelby
Cruz	McCain	Tillis
Flake	Portman	Vitter
Graham	Rubio	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:14 p.m., adjourned until Tuesday, December 1, 2015, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

STEVEN NATHAN BERK, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE HAROLD L. CUSHENBERRY, JR., RETIRING.

ELIZABETH CARROLL WINGO, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE ANN O'REGAN KEARY, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. KENNETH T. BIBB, JR.
COL. ANGELA M. CADWELL
COL. MARTIN A. CHAPIN
COL. JAMES R. CLUFF
COL. CHARLES S. CORCORAN
COL. SEAN M. FARRELL
COL. CHAD P. FRANKS
COL. ALEXUS G. GRYNKEWICH
COL. TIMOTHY D. HAUGH
COL. CHRISTOPHER D. HILL
COL. ERIC T. HILL
COL. SAMUEL C. HINOTE
COL. WILLIAM G. HOLT II
COL. LINDA S. HURRY
COL. MATTHEW C. ISLER
COL. KYLE J. KREMER
COL. JOHN C. KUBINEC
COL. DOUGLAS K. LAMBERTH
COL. LANCE K. LANDRUM
COL. JEANNIE M. LEAVITT
COL. WILLIAM J. LIQUORI, JR.
COL. MICHAEL J. LUTTON
COL. COREY J. MARTIN
COL. TOM D. MILLER
COL. RICHARD G. MOORE, JR.
COL. JAMES D. PECCIA III
COL. HEATHER L. PRINGLE
COL. MICHAEL J. SCHMIDT
COL. JAMES R. SEARS, JR.
COL. DANIEL L. SIMPSON

COL. MARK H. SLOCUM
COL. ROBERT S. SPALDING III
COL. WILLIAM A. SPANGENTHAL
COL. EDWARD W. THOMAS, JR.
COL. JOHN T. WILCOX II
COL. MICHAEL P. WINKLER

CONFIRMATIONS

Executive nominations confirmed by the Senate November 30, 2015:

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

GAYLE SMITH, OF OHIO, TO BE ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED TO THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 271(D):

To be rear admiral

PETER J. BROWN
SCOTT A. BUSCHMAN
MICHAEL F. MCALLISTER
JUNE E. RYAN
JOSEPH M. VOJVODICH

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. ROBERT J. BECKLUND

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. ARLEN R. ROYALTY

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. MICHELLE C. SKUBIC

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH DONNETTE A. BOYD AND ENDING WITH PAUL D. SUTTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 9, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH MARIA J. BELMONT AND ENDING WITH DEVERIL A. WINT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 9, 2015.

AIR FORCE NOMINATION OF ALAN D. MURDOCK, TO BE COLONEL.

IN THE ARMY

ARMY NOMINATION OF DAVID M. JACKSON, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF TARNJIT S. SAINI, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH OLGA M. ANDERSON AND ENDING WITH ERIC W. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 28, 2015.

ARMY NOMINATIONS BEGINNING WITH JIMMY C. DAVIS, JR. AND ENDING WITH ROBERT E. WICHMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 28, 2015.

ARMY NOMINATION OF SPENCER T. PRICE, TO BE COLONEL.

IN THE NAVY

NAVY NOMINATION OF JESSICA L. MORERA, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF KARI J. TEREICK, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH JOSHUA C. ANDRES AND ENDING WITH BETHANY R. ZMITROVICH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 28, 2015.

NAVY NOMINATION OF CALVIN M. FOSTER, TO BE CAPTAIN.

NAVY NOMINATION OF TARA A. FEHER, TO BE LIEUTENANT COMMANDER.

HOUSE OF REPRESENTATIVES—Monday, November 30, 2015

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. DENHAM).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 30, 2015.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Gracious God, we give You thanks for giving us another day.

You have blessed us with all good gifts, and this past week, with thankful hearts we gathered with family and loved ones throughout this great land to celebrate our blessings together.

Bless the Members of the people's House, who have been entrusted with the privilege to serve our Nation, and all Americans in their need. Grant them to work together in respect and affection, and to remain faithful in the responsibilities they have been given.

In the few weeks remaining in this first session, may those issues pressing upon the Nation be considered and addressed to the benefit of all.

May all that is done this day be for Your greater honor and glory.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. POE) come forward and lead the House in the Pledge of Allegiance.

Mr. POE of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PRESIDENT'S LEGACY OF FAILURE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the President's legacy of tragic failure is more revealing every day as refugees flee conflict, with children drowning at sea. He should change course to build peace and avoid murderous attacks on American families.

I appreciate The Washington Post's editorial page, Editor Fred Hiatt, who clarified last week:

"He withdrew all U.S. troops from Iraq when experts advised that a residual force of 15,000 would help to keep a fragile peace. He bombed Libya to overthrow its dictator but opposed a small NATO training force that might have stabilized the new government."

The President's failure to enforce a declared red line in Syria, the President's abandonment of the people of Iraq, the President's capitulation to the autocrats of Iran allowing nuclear development, and the President's betrayal of Israel have been catastrophic and created chaos.

It is not too late for the President to change course to promote peace in the Middle East. To allow safe havens for Islamist radicals abroad is a threat to American families at home. Senator LINDSEY GRAHAM tells the truth.

In conclusion, God bless our troops, and may the President by his actions never forget September the 11th in the global war on terrorism.

THE ISIS THREAT IS NOT A MYTH

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, ISIS has vowed to takes its murderous Islamic jihad to America. There are ISIS fighters already here and more on the way. Meanwhile, the President wants to add thousands more unvetted Syrian refugees to the mix, this when his own FBI Director says the Federal Government cannot effectively conduct proper security checks on these Syrian nationals.

Over half of the State Governors have refused to take refugees because of the inability to fully vet them. But the administration says States have to take the refugees, whether they like it or not.

The law says the Federal Government must "consult" with States re-

garding refugee resettlement, but it is unclear if they can be rejected by the States. That is why I have introduced the States' Right of Refugee Refusal Act. This bill gives State Governors the choice to accept refugees or not.

Let's resolve this now with legislation, not lawsuits. We don't have years to wait for the courts to decide. Meanwhile, let's ramp up aid to Syrian refugee camps overseas and encourage our Middle Eastern allies like the Saudi Arabians to step up and help.

The ISIS threat is not a myth.

And that is just the way it is.

USA FREEDOM ACT PRESERVES LIBERTY

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, thanks to a measure Congress passed earlier this year, at 11:59 p.m. this past Saturday, the National Security Agency ended its collection of Americans' telephone call data.

After revelations about NSA data collection that many Americans, myself included, believe violated Fourth Amendment protections against search and seizure, Congress passed the USA Freedom Act to end this activity. Despite violating privacy of millions of Americans, this program had never generated intelligence that prevented terrorist activity. Americans spoke out, and Congress acted.

Our Nation's security should be the government's first priority, yet we should never sacrifice liberty for a program that doesn't even increase our safety. As Benjamin Franklin stated: "Those who give up essential liberty, to purchase a little temporary safety, deserve neither liberty nor safety."

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 20, 2015.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 20, 2015 at 10:06 a.m.:

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

That the Senate agreed to without amendment H. Con. Res. 95.

That the Senate passed S. 2328.

That the Senate passed S. 1550.

That the Senate agree to House amendment to the bill S. 599.

Appointment:

Congressional Award Board

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by Speaker pro tempore MESSER on Monday, November 23, 2015:

S. 599, to extend and expand the Medicaid emergency psychiatric demonstration project.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4 p.m. today.

Accordingly (at 2 o'clock and 7 minutes p.m.), the House stood in recess.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 4 p.m.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

GRASSROOTS RURAL AND SMALL COMMUNITY WATER SYSTEMS ASSISTANCE ACT

Mr. SHIMKUS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 611) to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 611

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Grassroots Rural and Small Community Water Systems Assistance Act".

SEC. 2. FINDINGS.

Congress finds that—

(1) the Safe Drinking Water Act Amendments of 1996 (Public Law 104-182) authorized technical assistance for small and rural communities to assist those communities in complying with regulations promulgated pursuant to the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(2) technical assistance and compliance training—

(A) ensures that Federal regulations do not overwhelm the resources of small and rural communities; and

(B) provides small and rural communities lacking technical resources with the necessary skills to improve and protect water resources;

(3) across the United States, more than 90 percent of the community water systems serve a population of less than 10,000 individuals;

(4) small and rural communities have the greatest difficulty providing safe, affordable public drinking water and wastewater services due to limited economies of scale and lack of technical expertise; and

(5) in addition to being the main source of compliance assistance, small and rural water technical assistance has been the main source of emergency response assistance in small and rural communities.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) to assist small and rural communities most effectively, the Administrator of the Environmental Protection Agency should prioritize the types of technical assistance that are most beneficial to those communities, based on input from those communities; and

(2) local support is the key to making Federal assistance initiatives work in small and rural communities to the maximum benefit.

SEC. 4. FUNDING PRIORITIES.

Section 1442(e) of the Safe Drinking Water Act (42 U.S.C. 300j-1(e)) is amended—

(1) by designating the first through seventh sentences as paragraphs (1) through (7), respectively;

(2) in paragraph (5) (as so designated), by striking "1997 through 2003" and inserting "2015 through 2020"; and

(3) by adding at the end the following:

"(8) NONPROFIT ORGANIZATIONS.—

"(A) IN GENERAL.—The Administrator may use amounts made available to carry out this section to provide grants or cooperative agreements to nonprofit organizations that provide to small public water systems onsite technical assistance, circuit-rider technical assistance programs, multistate, regional technical assistance programs, onsite and regional training, assistance with implementing source water protection plans, and assistance with implementing monitoring plans, rules, regulations, and water security enhancements.

"(B) PREFERENCE.—To ensure that technical assistance funding is used in a manner that is most beneficial to the small and rural communities of a State, the Administrator shall give preference under this paragraph to nonprofit organizations that, as determined by the Administrator, are the most qualified

and experienced in providing training and technical assistance to small public water systems and that the small community water systems in that State find to be the most beneficial and effective.

"(C) LIMITATION.—No grant or cooperative agreement provided or otherwise made available under this section may be used for litigation pursuant to section 1449."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. SHIMKUS) and the gentleman from Maryland (Mr. SARBANES) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. SHIMKUS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SHIMKUS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to take a few minutes to explain why we are pushing this bill and what the bill does.

The smallest water systems of our country account for 77 percent of all systems. These smaller and rural communities, with populations of 10,000 or less, have a high percentage of systems in significant noncompliance with drinking water regulations and face significant challenges in maintaining, replacing, or upgrading aging and obsolete drinking water and wastewater infrastructure.

A major source of financial stress for small and rural drinking water supply systems is compliance with a number of drinking water regulations issued by the Environmental Protection Agency under the Safe Drinking Water Act.

Unlike water systems in larger markets, these same small and rural communities do not have the rate base or access to capital markets to fund the cost of some projects and still maintain affordable rates. As a result, these communities depend heavily on Federal and State grants and subsidized loan programs to finance their needs.

Many times, simply giving them more money is not the answer. These communities may need access to technical professionals to help find the most cost-effective way to meet these new standards. Technical assistance offered by EPA has historically enabled small public water systems to identify affordable repair and replacement options for their systems.

Currently, section 1442(e) of the Safe Drinking Water Act provides EPA authority to provide technical assistance to "small public water systems" to enable these systems to achieve and maintain compliance with applicable Federal drinking water regulations and

to help small public water systems respond to environmental stressors, including through "circuit-rider" and multi-State regional technical assistance programs, training, and preliminary engineering evaluations.

S. 611 reauthorizes EPA's technical assistance program through 2020 for small public water systems, maintaining the existing funding level of \$15 million annually, including 3 percent for technical assistance to public water systems owned and operated by Indian tribes.

In addition, S. 611 authorizes EPA funding under section 1442 of the Safe Drinking Water Act. This funding is used to provide grants or cooperative agreements to nonprofit organizations to provide technical assistance to small public water systems. This technical assistance will help these systems achieve and maintain compliance with national primary drinking water regulations.

These grants or cooperative agreements are supposed to go to nonprofits with a history of providing certain types of on-site technical assistance and training, and EPA should give preference to those nonprofits that the Administrator determines are most qualified and experienced in providing training and technical assistance to small public water systems that small public water systems find most beneficial and effective.

Finally, S. 611 prohibits these grants and cooperative agreements from being used to bring a citizen suit under the Safe Drinking Water Act.

The Senate passed this bill by unanimous consent. The Energy and Commerce Committee reported it by voice vote. Our strong vote today sends this bill right to the White House and, I expect, into law.

I urge all Members to support S. 611.

And I want to thank the ranking member, Mr. TONKO, and the gentleman from Mississippi (Mr. HARPER), my colleague, for their diligence in pushing this legislation forward.

I reserve the balance of my time.

Mr. SARBANES. Mr. Speaker, I yield myself such time as I may consume.

I too rise in support of S. 611, the Grassroots Rural and Small Community Water Systems Assistance Act. This legislation will reauthorize funding to nonprofits that provide technical assistance to small public water systems under the Safe Drinking Water Act.

Small and rural water systems face unique challenges. These systems have a smaller rate base, making it difficult to afford necessary upgrades and maintenance, and often lack the expertise to comply with national drinking water standards.

S. 611 will prioritize funding to nonprofits that provide technical assistance to these small public water systems, giving them the needed expertise

to tackle these challenges. This is a small but a very important step towards resolving our Nation's drinking water problems.

As we know, aging infrastructure, problems with source water quality, and limited budgets are taking a toll on drinking water systems. The changing climate is creating further challenges. Public water systems are facing extreme conditions that are endangering our drinking water. Severe storms, algal blooms, extreme droughts, and saltwater intrusion are some of the examples of the conditions these systems face, all of which are affecting public water systems' ability to provide safe drinking water to our communities.

Small public water systems rely on technical assistance from nonprofit organizations to navigate everything from routine maintenance to managing these complex situations to ensure that the water that they provide is safe for their consumers.

S. 611 is one step of many that we must take to address our Nation's drinking water issues. Our Nation's water systems serve over 272 million people, and, according to EPA, they require infrastructure investments of \$334 billion over the next 17 years.

I look forward to continued bipartisan support for water-related legislation, including reauthorization of the Safe Drinking Water Act and State Revolving Fund, so that we can address the myriad of issues that are facing our drinking water systems.

I would like also to thank Environment and the Economy Subcommittee Ranking Member TONKO and Representative HARPER for their work on this important issue.

I urge my colleagues to vote in support of this measure.

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Speaker, the State of Mississippi has led in this legislation from our former colleague, now-Senator ROGER WICKER.

I yield 4 minutes to the gentleman from Mississippi (Mr. HARPER), the author on the House side of the committee.

Mr. HARPER. Mr. Speaker, I thank the chairman for yielding.

Across our country, over 90 percent of community water systems serve a population of less than 10,000. The 1996 amendments to the Safe Drinking Water Act authorized technical assistance for small and rural communities to assist them in complying with rules and regulations promulgated under the act.

This important technical assistance and compliance training ensures that Federal regulations do not overwhelm the resources of small and rural communities. It also allows small communities access to assistance which is necessary to improve and protect their water resources. Without these initia-

tives, effective implementation of the Safe Drinking Water Act and Clean Water Act in rural areas would be nearly impossible.

In addition to being the main source of compliance assistance, rural water technical assistance has been invaluable in emergency responses in small and rural communities.

Rural water technicians led the assistance effort in the wake of Hurricane Katrina, where hundreds of communities relied on assistance from the local and surrounding State rural water associations for immediate assistance in restoring drinking water and sanitation services.

S. 611, the Grassroots Rural and Small Community Water Systems Assistance Act, would help ensure that this technical assistance continues.

As the author of the House companion bill, H.R. 2853, I appreciate the Energy and Commerce Committee's commitment to this issue and especially want to thank Chairman SHIMKUS and Ranking Member TONKO and the entire Environment and Economy Subcommittee staff for the time and effort they have invested in discussions, negotiations, legislative hearings, and markup of this legislation.

Throughout this process, my friend Kirby Mayfield, who is the executive director of the Mississippi Rural Water Association, and Mike Keegan with the National Rural Water Association and others have provided a wealth of knowledge in helping to develop and shepherd this legislation.

I would also like to thank Senator ROGER WICKER and his staff for sharing my deep interest in this issue and for authoring S. 611 and working towards its passage in the Senate and in the House.

Again, Mr. Speaker, thank you for your attention to this issue that affects so many of our constituents.

I encourage all Members to support S. 611.

Mr. SARBANES. Mr. Speaker, I yield as much time as he may consume to the gentleman from New York (Mr. TONKO), a distinguished member of the Energy and Commerce Committee and ranking member of the Subcommittee on the Environment and the Economy. And I thank him for his work on this piece of legislation.

Mr. TONKO. Mr. Speaker, I thank the gentleman from Maryland for yielding.

I rise in support of this bill. S. 611, the Grassroots Rural and Small Community Water Systems Assistance Act, reauthorizes a small but important program that delivers technical assistance and training to our community water systems.

I want to thank Representative HARPER for introducing H.R. 2853, the House companion bill to Senator WICKER's bill, and I am proud to be a cosponsor of that legislation.

I also want to thank Chairman UPTON, our Ranking Member PALLONE, Chairman SHIMKUS, and the Energy and Commerce staff for working with us on report language to clarify language in this bill so that we can indeed provide a wide range of technical assistance that would help small water systems, such as source water protection, system monitoring and efficiency, sustainability, and water security aspects.

Many small and rural communities, with populations of 10,000 or less, face challenges in maintaining and upgrading aging water infrastructure. The ratepayer base for these small systems simply does not provide a sufficient operating budget to support full-time technical positions.

Source water quality problems, resulting in system shutdowns and expensive treatment processes, are an increasing problem for far too many public water systems due to inadequate attention to nonpoint source pollution.

In other areas, drought has affected both water quality and quantity, challenging the ability of water utilities to meet their basic service obligations.

Technical assistance for small systems is essential to finding the most cost-effective solutions to these problems. I know that the Circuit Rider program in New York serves many small public water systems and provides essential technical support to small system operators.

S. 611 would authorize the appropriation of \$15 million annually, from 2016 to 2020, for the Environmental Protection Agency's program that provides technical assistance to these given systems.

The previous authorization for this program expired back in 2003. It has been nearly 20 years since we last authorized this program, along with the Drinking Water State Revolving Fund, the SRF, the primary source of Federal funding for water infrastructure.

The Drinking Water SRF's authorization also expired in 2003. It too needs to be reauthorized and at a higher level than was provided in 2003 to support all systems, small and large, to make the necessary repairs and the necessary upgrades.

□ 1615

Across our country, we experience over 700 water main breaks per day—700 per day—breaks that result in losses of treated water, not just water that is lost in those breaks, but consumer tax dollars and rate dollars, and with a growing backlog of drinking water infrastructure needs, estimated at \$384.2 billion over the next 20 years in the EPA's fifth national assessment of public water system infrastructure needs. That indeed is staggering.

It is clear we should be doing much more to assist our States and water utilities to reduce this backlog. Recently we came together to pass a bi-

partisan, long-term surface transportation bill. It had the overwhelming bipartisan support of this House.

Mr. Speaker, there is no doubt that our roads and bridges are in desperate need of investment. But we cannot forget about the hidden infrastructure, the critical, unseen, out-of-sight and out-of-mind infrastructure that we rely upon to deliver safe, reliable, and affordable drinking water. We have neglected this essential infrastructure for far too long already. It, too, needs more Federal funding and a long-term reauthorization.

Infrastructure does not repair itself. It does not improve with age. Our inaction is only adding to the expenses of State and local governments and forcing increases in water utility rates for given consumers.

Mr. Speaker, S. 611 is a good bill and a good start. I urge my colleagues to support this bill, but I hope we use this opportunity as a challenge, as a challenge to recognize that this is just the beginning of the drinking water infrastructure issues that we face. We must come together to reauthorize the Drinking Water State Revolving Fund.

Mr. SHIMKUS. Mr. Speaker, I reserve the balance of my time.

Mr. SARBANES. Mr. Speaker, again I want to urge my colleagues to support this important measure, S. 611.

Mr. Speaker, I yield back the balance of my time.

Mr. SHIMKUS. Mr. Speaker, there is a lot to be done on infrastructure, and safe drinking water is among those important things. My district is very large and rural, with 33 counties in southern Illinois. This bill will help.

We need to do what we can now, and hopefully this success, as my colleague Mr. TONKO has said, will help us build on future areas where we can work together. Mr. TONKO will continue to be a rabid dog on this issue, and I appreciate his commitment for further discussions.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. SHIMKUS) that the House suspend the rules and pass the bill, S. 611.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

STRENGTHENING STATE AND LOCAL CYBER CRIME FIGHTING ACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3490) to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes, as amended.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 3490

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Strengthening State and Local Cyber Crime Fighting Act".

SEC. 2. AUTHORIZATION OF THE NATIONAL COMPUTER FORENSICS INSTITUTE OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—Subtitle C of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 381 et seq.) is amended by adding at the end the following new section:

"SEC. 822. NATIONAL COMPUTER FORENSICS INSTITUTE.

"(a) IN GENERAL.—There is established in the Department a National Computer Forensics Institute (in this section referred to as the 'Institute'), to be operated by the United States Secret Service, for the dissemination of homeland security information related to the investigation and prevention of cyber and electronic crime and related threats to educate, train, and equip State, local, tribal, and territorial law enforcement officers, prosecutors, and judges.

"(b) FUNCTIONS.—The functions of the Institute shall include the following:

"(1) Educating State, local, tribal, and territorial law enforcement officers, prosecutors, and judges on current—

"(A) cyber and electronic crimes and related threats;

"(B) methods for investigating cyber and electronic crime and related threats and conducting computer and mobile device forensic examinations; and

"(C) prosecutorial and judicial challenges related to cyber and electronic crime and related threats, and computer and mobile device forensic examinations.

"(2) Training State, local, tribal, and territorial law enforcement officers to—

"(A) conduct cyber and electronic crime and related threat investigations;

"(B) conduct computer and mobile device forensic examinations; and

"(C) respond to network intrusion incidents.

"(3) Training State, local, tribal, and territorial law enforcement officers, prosecutors, and judges on methods to obtain, process, store, and admit digital evidence in court.

"(c) PRINCIPLES.—In carrying out the functions under subsection (b), the Institute shall ensure, to the extent practicable, that timely, actionable, and relevant expertise and homeland security information related to cyber and electronic crime and related threats is shared with State, local, tribal, and territorial law enforcement officers, prosecutors, and judges.

"(d) EQUIPMENT.—The Institute is authorized to provide State, local, tribal, and territorial law enforcement officers, prosecutors, and judges with computer equipment, hardware, software, manuals, and tools necessary to conduct cyber and electronic crime and related threats investigations and computer and mobile device forensic examinations.

"(e) ELECTRONIC CRIME TASK FORCES.—The Institute shall facilitate the expansion of the Secret Service's network of Electronic Crime Task Forces through the addition of task force officers of State, local, tribal, and territorial law enforcement officers, prosecutors, and judges educated and trained at the Institute, in addition to academia and private sector stakeholders.

"(f) COORDINATION WITH FEDERAL LAW ENFORCEMENT TRAINING CENTER.—The Institute shall seek opportunities to coordinate with the

Federal Law Enforcement Training Center within the Department to help enhance, to the extent practicable, the training provided by the Center to stakeholders, including by helping to ensure that such training reflects timely, actionable, and relevant expertise in homeland security information related to cyber and electronic crime and related threats."

(b) *NO ADDITIONAL FUNDING.*—No additional funds are authorized to be appropriated to carry out this Act and the amendment made by this Act. This Act and such amendment shall be carried out using amounts otherwise available for such purposes.

(c) *CLERICAL AMENDMENT.*—The table of contents of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 821 the following new item:

"Sec. 822. National Computer Forensics Institute."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Puerto Rico (Mr. PIERLUISI) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 3490 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the National Computer Forensics Institute serves a vital purpose in preparing State and local law enforcement to combat computer and cybercrime, and I am pleased to support this legislation.

The United States Department of Justice has declared that cybercrime "is one of the greatest threats facing our country" and that cybercrime has "enormous implications for our national security, economic prosperity, and public safety."

The Justice Department has also stated that "the range of threats and the challenges they present for law enforcement expand just as rapidly as technology evolves."

With this in mind, the National Computer Forensics Institute serves the vital purpose of providing legal and judicial professionals a free comprehensive education on current cybercrime trends, investigative methods, and prosecutorial and judicial challenges.

The National Computer Forensics Institute is a 32,000-square-foot facility located in Hoover, Alabama. This Institute boasts three multipurpose classrooms, two network investigations classrooms, a mock courtroom, and a forensics lab.

Special agents of the United States Secret Service staff the Institute and work diligently training attendees in

modern counter-cybercrime procedures and evidence collection. When the attendees leave, they take with them the critical knowledge and equipment required to conduct autonomous and thorough cybercrime investigations at their home agencies.

Since its creation in 2008, the Institute has earned praise for its work in preparing America's local law enforcement in how to deal with these important technology issues.

Over the last 7 years, the Institute has instructed law enforcement professionals from every State in the country and from over 500 different law enforcement agencies.

In fact, law enforcement in my own district has benefited from NCFI training, including Lynchburg Commonwealth's Attorney Mike Doucette and his staff.

Each professional educated at the Institute is a force multiplier for the Secret Service. After successful completion of the program, the students can bring their new knowledge back to their local agency to inform their colleagues how to properly conduct computer forensic investigations.

Mr. Speaker, I firmly believe that, for our Nation to successfully combat the cybercrime threat, we must support legislation such as H.R. 3490. I want to thank the gentleman from Texas (Mr. RATCLIFFE) for sponsoring this important legislation.

Authorizing the existing National Computer Forensics Institute in Federal law will cement its position as a high-tech cybercrime training facility and will help law enforcement professionals nationwide in their efforts to combat cyber- and computer crimes.

Mr. Speaker, I reserve the balance of my time.

Mr. PIERLUISI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3490, the Strengthening State and Local Cyber Crime Fighting Act. This bill establishes the National Computer Forensics Institute as an official Federal program which will be managed by the Department of Homeland Security and operated by the United States Secret Service.

I support this bill because it addresses a topic that is critically important to our country. Cybercrime poses an enormous threat to national security, economic prosperity, and public safety. The range of threats and the challenges they present for law enforcement expand just as rapidly as technology evolves.

In fact, Mr. Speaker, during the past decade, our Federal law enforcement community has observed a significant increase in the quality, quantity, and complexity of cybercrimes targeting private industry, including our financial services sector.

These crimes include intrusions, hacking attacks, the installation of

malicious software, and data breaches that have exposed the personal information of millions of U.S. citizens as well as members of our law enforcement and intelligence services.

To date, the National Computer Forensics Institute has trained more than 800 State and local law enforcement officers and approximately 238 prosecutors. With this legislation, the Institute will continue to educate State and local law enforcement officers, prosecutors, and judges on current trends in cyber- and electronic crimes investigations and the Institute will train them on proper procedures to conduct these important investigations.

In addition, the National Computer Forensics Institute will continue to work to protect our citizens' personal information from unwarranted government intrusion. By establishing national standards for conducting cybercrime investigations, the Institute will promote these important privacy interests.

Finally, it is important to highlight the successful efforts that have already taken place to combat the ever-growing threat of cybercrime. As the operator of the National Computer Forensics Institute, the Secret Service has demonstrated its expertise in pursuing cybercrime investigations.

The Secret Service's investigations have resulted in over 4,900 arrests, associated with more than \$1.4 billion in fraud losses and the prevention of over \$11 billion in potential fraud losses during the past 5 years.

In closing, Mr. Speaker, this legislation will assist law enforcement in continuing to combat the threats cybercrime poses to national security, economic prosperity, and public safety.

Mr. Speaker, I urge my colleagues to join me in supporting this important legislation.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. RATCLIFFE), the chief sponsor of this legislation.

Mr. RATCLIFFE. Mr. Speaker, I thank the chairman for his leadership on these issues.

Mr. Speaker, I rise today in support of H.R. 3490, the Strengthening State and Local Cyber Crime Fighting Act. This bill will authorize the National Computer Forensics Institute, or NCFI, which is located in Hoover, Alabama.

Mr. Speaker, when FBI Director Jim Comey recently testified before the House Judiciary Committee, he told us that "an element of virtually every national security threat and crime problem the FBI faces is cyber-based or facilitated."

I want to pause and let that sink in for a minute because it makes a perfect case for this bill. The fact that our Federal law enforcement is seeing a cyber element to almost every national

security threat and crime problem is incredibly compelling because you can be certain that our State and local law enforcement are seeing the same trend, but with a lot fewer opportunities to learn how to address it.

Now, we have all seen the crime shows on TV where pieces of DNA evidence—a strand of hair or a drop of blood—are used to solve a case. But in today's world, we have to rely upon digital evidence, an email that was sent or an online purchase that was made or geolocation technology that places an individual at the scene of the crime.

Mr. Speaker, today's cybercriminals present new challenges to law enforcement, prosecutors, and judges. It no longer takes a sophisticated cybercriminal to compromise personal and sensitive information of U.S. companies and everyday Americans. Any criminal can now easily obtain from the dark Web the cyber exploit tools that are needed to create this type of havoc.

And so, with the ever-increasing number of cyberattacks, it is vital that our State and local law enforcement, prosecutors, and judges be properly trained to respond to cybercrime and to protect the American people.

The NCFI, which my bill authorizes, does just that. The NCFI was created in 2007 by the State of Alabama and is now operated by the United States Secret Service for the purpose of training State and local law enforcement officers, prosecutors, and judges on how to investigate cyber- and electronic crimes, on methods for conducting computer and mobile device forensic examinations, and on performing network intrusion investigations.

The NCFI has already garnered a reputation as the premier crime-training center in the Nation, supporting State and local law enforcement investigators, prosecutors, and judges. To date, it has already trained and equipped more than 4,500 local law enforcement officials from all 50 States.

These NCFI graduates—all of whom are now equipped to hit back on cybercrime—represent more than 1,500 agencies nationwide, including agencies from Texas' Fourth Congressional District that I represent, like the Greenville Police Department, the Hunt County District Attorney's Office, and the Collin County Sheriff's Office.

Kelli Aiken, an assistant district attorney from Hunt County, told us that her training at the NCFI had "transformed their evidence collection and prosecution, leading to more successful apprehensions, more prosecutions, and more convictions."

So you see, Mr. Speaker, this isn't some highly theoretical bill where the rubber never meets the road. This piece of legislation takes what is already working and formalizes these practices

to better amplify their impact going forward.

This bill gives our law enforcement across the country the necessary tools and training to successfully fight cybercriminals in the 21st century. That is why I am honored to introduce it and why I am grateful for its vote today here in the House.

Mr. PIERLUISI. Mr. Speaker, I yield back the balance of my time.

□ 1630

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. PALMER).

Mr. PALMER. Mr. Speaker, I thank the chairman.

As has been noted, prior to 2008, training for State and local law enforcement in cybercrimes was difficult to find.

Recognizing this problem in 2007, the State of Alabama took the lead and offered the Secret Service and the Department of Homeland Security property and funds to construct a state-of-the-art facility if the Federal Government would fund the training and allow the Secret Service to operate it. I am proud to say this facility is located in my district in the city of Hoover.

Since the NCFI opened its doors in May of 2008, State and local law enforcement officers, as has been mentioned already, have come from all across the Nation for vital training in this one-of-a-kind facility, where they are trained by Secret Service agents on the same equipment and software that our Secret Service agents use. NCFI has trained law enforcement officers, prosecutors, and judges from all 50 States, and literally has graduates from hundreds of agencies around the country.

I am very proud of the work that NCFI is doing, that it is being recognized, and I am proud to be a cosponsor of H.R. 3490.

Mr. GOODLATTE. At this time, Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 3490, the Strengthening the State and Local Cyber Crime Fighting Act, which amends the Homeland Security Act of 2002 to establish in the Department of Homeland Security a National Computer Forensics Institute.

As the Ranking Member on the Subcommittee on Crime, Terrorism, Homeland Security and Investigations, as well as a senior Member of the Committee on Homeland Security, I am well aware of the threats that our nation faces in cyberspace.

H.R. 3490 directs the U.S. Secret Service to disseminate homeland security information related to the investigation and prevention of cyber and electronic crime, including threats or acts of terrorism, to educate, train, and equip state, local, tribal, and territorial law enforcement officers, prosecutors, and judges.

I am pleased that H.R. 3490 includes two important amendments that I offered during the Homeland Security Markup.

The first Jackson Lee Amendment provides local, state, territorial and tribal law enforcement access to the cybercrime expertise of the Secret Service in collecting, retaining and processing evidence found on digital devices.

This amendment makes vital federal cybercrime investigative resource available to local, state, territorial and tribal law enforcement.

The U.S. Secret Service maintains Electronic Crimes Task Forces focusing on identifying and locating international cyber criminals connected to cyber intrusions, bank fraud, data breaches, and other computer-related crimes.

The Secret Service's Cyber Intelligence Section has directly contributed to the arrest of transnational cyber criminals responsible for the theft of hundreds of millions of credit card numbers and the loss of approximately \$600 million to financial and retail institutions.

The Secret Service also runs the National Computer Forensic Institute, which provides law enforcement officers, prosecutors, and judges with cyber training and information to combat cybercrime.

The second Jackson Lee Amendment to H.R. 3490 provides assurances that nothing in this Act shall be construed to abridge or impair the rights of persons in the United States protection by the Fourth and Fifth Amendments to the United States Constitution.

As the work law enforcement and national security personnel must rely more and more on their ability to access information in cyber space or what might be stored on personal devices, it is important that the public knows and understands that their Constitutional rights must and will be protected.

I know that the Chairs and Ranking Members of the House Committees on the Judiciary and Homeland Security, and many other colleagues have worked side-by-side to assure that our efforts to combat terrorism at home do not diminish the liberties that we all cherish.

I urge all Members to vote for H.R. 3490.

Mr. RICHMOND. Mr. Speaker, I rise in support of H.R. 3490, the "Strengthening State and Local Cyber Crime Fighting Act".

H.R. 3490 amends the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, or NCFI, as operated by the U.S. Secret Service to educate and train State, local, tribal, and territorial law enforcement officers, prosecutors, and judges about techniques and procedures related to the investigation and prevention of cyber, electronic, and information security crimes, including threats or acts of terrorism.

The training model used at the Institute is based upon the Secret Service's successful cyber investigative strategy, which relies on partnering with and sharing information between academia, private industry and law enforcement to combat the ever-evolving threat of cyber crime.

This bipartisan measure, authored by the Chairman of the Committee's Cybersecurity Subcommittee Chairman, the gentleman from Texas, Mr. RATCLIFFE, does a couple of important things.

First, to ensure that the important work of the NCFI continues, it authorizes this federally funded training center, which has operated in

Hoover, Alabama since 2008, in the Homeland Security Act.

Second, it seeks to raise the quality of cyber forensic training provided throughout the Department of Homeland Security by directing the NCFI to seek opportunities to coordinate with the Federal Law Enforcement Training Center (FLETC), including by helping to ensure that such training reflects timely, actionable, and relevant expertise in homeland security information related to cyber and electronic crime and related threats.

Lastly, it directs the Secret Service to expand its network of Electronic Crime Task Forces through the addition of task force officers, prosecutors, and judges educated and trained at the Institute, in addition to academia and private sector stakeholders.

For these reasons, I urge my colleagues to support this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 3490, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

OPEN BOOK ON EQUAL ACCESS TO JUSTICE ACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3279) to amend titles 5 and 28, United States Code, to require annual reports to Congress on, and the maintenance of databases on, awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3279

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Open Book on Equal Access to Justice Act".

SEC. 2. MODIFICATION OF EQUAL ACCESS TO JUSTICE PROVISIONS.

(a) AGENCY PROCEEDINGS.—Section 504 of title 5, United States Code, is amended—

(1) in subsection (c)(1), by striking "United States Code";

(2) by redesignating subsection (f) as subsection (i); and

(3) by striking subsection (e) and inserting the following:

"(e)(1) The Chairman of the Administrative Conference of the United States, after consultation with the Chief Counsel for Advocacy of the Small Business Administration, shall report to the Congress, not later than March 31 of each year through the 6th calendar year beginning after the initial report under this subsection is submitted, on the amount of fees and other expenses awarded during the preceding fiscal year pursuant to this section. The report shall de-

scribe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information that may aid the Congress in evaluating the scope and impact of such awards. The report shall be made available to the public online.

"(2)(A) The report required by paragraph (1) shall account for all payments of fees and other expenses awarded under this section that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to nondisclosure provisions.

"(B) The disclosure of fees and other expenses required under subparagraph (A) does not affect any other information that is subject to nondisclosure provisions in the settlement agreement.

"(f) The Chairman of the Administrative Conference shall create and maintain, during the period beginning on the date the initial report under subsection (e) is submitted and ending one year after the date on which the final report under that subsection is submitted, online a searchable database containing the following information with respect to each award of fees and other expenses under this section:

"(1) The case name and number of the adversary adjudication, if available.

"(2) The name of the agency involved in the adversary adjudication.

"(3) A description of the claims in the adversary adjudication.

"(4) The name of each party to whom the award was made, as such party is identified in the order or other agency document making the award.

"(5) The amount of the award.

"(6) The basis for the finding that the position of the agency concerned was not substantially justified.

"(g) The online searchable database described in subsection (f) may not reveal any information the disclosure of which is prohibited by law or court order.

"(h) The head of each agency shall provide to the Chairman of the Administrative Conference in a timely manner all information requested by the Chairman to comply with the requirements of subsections (e), (f), and (g)."

(b) COURT CASES.—Section 2412(d) of title 28, United States Code, is amended by adding at the end the following:

"(5)(A) The Chairman of the Administrative Conference of the United States shall submit to the Congress, not later than March 31 of each year through the 6th calendar year beginning after the initial report under this paragraph is submitted, a report on the amount of fees and other expenses awarded during the preceding fiscal year pursuant to this subsection. The report shall describe the number, nature, and amount of the awards, the claims involved in each controversy, and any other relevant information that may aid the Congress in evaluating the scope and impact of such awards. The report shall be made available to the public online.

"(B)(i) The report required by subparagraph (A) shall account for all payments of fees and other expenses awarded under this subsection that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to nondisclosure provisions.

"(ii) The disclosure of fees and other expenses required under clause (i) does not affect any other information that is subject to nondisclosure provisions in the settlement agreement.

"(C) The Chairman of the Administrative Conference shall include and clearly identify

in the annual report under subparagraph (A), for each case in which an award of fees and other expenses is included in the report—

"(i) any amounts paid from section 1304 of title 31 for a judgment in the case;

"(ii) the amount of the award of fees and other expenses; and

"(iii) the statute under which the plaintiff filed suit.

"(6) The Chairman of the Administrative Conference shall create and maintain, during the period beginning on the date the initial report under paragraph (5) is submitted and ending one year after the date on which the final report under that paragraph is submitted, online a searchable database containing the following information with respect to each award of fees and other expenses under this subsection:

"(A) The case name and number.

"(B) The name of the agency involved in the case.

"(C) The name of each party to whom the award was made, as such party is identified in the order or other court document making the award.

"(D) A description of the claims in the case.

"(E) The amount of the award.

"(F) The basis for the finding that the position of the agency concerned was not substantially justified.

"(7) The online searchable database described in paragraph (6) may not reveal any information the disclosure of which is prohibited by law or court order.

"(8) The head of each agency (including the Attorney General of the United States) shall provide to the Chairman of the Administrative Conference of the United States in a timely manner all information requested by the Chairman to comply with the requirements of paragraphs (5), (6), and (7)."

(c) CLERICAL AMENDMENTS.—Section 2412 of title 28, United States Code, is amended—

(1) in subsection (d)(3), by striking "United States Code."; and

(2) in subsection (e)—

(A) by striking "of section 2412 of title 28, United States Code." and inserting "of this section"; and

(B) by striking "of such title" and inserting "of this title".

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall first apply with respect to awards of fees and other expenses that are made on or after the date of the enactment of this Act.

(2) INITIAL REPORTS.—The first reports required by section 504(e) of title 5, United States Code, and section 2412(d)(5) of title 28, United States Code, shall be submitted not later than March 31 of the calendar year following the first calendar year in which a fiscal year begins after the date of the enactment of this Act.

(3) ONLINE DATABASES.—The online databases required by section 504(f) of title 5, United States Code, and section 2412(d)(6) of title 28, United States Code, shall be established as soon as practicable after the date of the enactment of this Act, but in no case later than the date on which the first reports under section 504(e) of title 5, United States Code, and section 2412(d)(5) of title 28, United States Code, are required to be submitted under paragraph (2) of this subsection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Puerto Rico (Mr. PIERLUISI) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 3279 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

I would like to begin by thanking Representative DOUG COLLINS and Constitution Ranking Member STEVE COHEN for introducing this important government transparency legislation.

Every year, pursuant to the Equal Access to Justice Act, the Federal Government, through settlement or court order, pays millions of dollars in legal fees and costs to parties to lawsuits and administrative adjudications that involve the Federal Government. However, despite the large amount of taxpayer dollars paid out each year, the Federal Government no longer comprehensively keeps track of the amount of fees and other expenses awarded pursuant to the Equal Access to Justice Act.

Nor does the government compile and report on why these fees and expenses were paid and to whom these costs were awarded. This is because, in 1995, Congress repealed the Department of Justice's reporting requirements and defunded the Administrative Conference of the United States, the agency charged with reporting this basic information to Congress.

The Administrative Conference was reestablished in 2010, but the requirements to report on fee and cost payments have not been reenacted. Accordingly, there has been no official governmentwide accounting of this information since fiscal year 1994—over 20 years ago.

This lack of transparency is troubling, given that the Equal Access to Justice Act is considered by many to be the most important Federal fee-shifting statute. Fundamentally, the act recognizes that there is an enormous disparity of resources between the Federal Government and individuals and small businesses who seek to challenge Federal actions.

Congress enacted the Equal Access to Justice Act to provide individuals, small businesses, and small nonprofit groups with financial incentives to challenge the Federal Government or defend themselves from lawsuits brought by the Federal Government. As the Supreme Court has noted, the act was adopted with the "specific purpose of eliminating for the average person the financial disincentive to challenge unreasonable governmental actions."

But how can we know if the act is working well toward this end if we have no data on the awards? Without the data this bill requires the Administrative Conference to compile and report, we have nothing more than anecdotal evidence as to whether the act is providing some measure of relief to the financial disincentive to seeking judicial and administrative redress against the Federal Government.

The legislation we are considering today will end this lack of transparency and restore the reporting requirements that were repealed in 1995.

I want to once again thank Representatives COLLINS and COHEN for introducing this bill, and I urge my colleagues to support its passage.

I reserve the balance of my time.

Mr. PIERLUISI. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 3279, the Open Book on Equal Access to Justice Act, as amended. I support this measure for several reasons.

To begin with, it strengthens the Equal Access to Justice Act, an important law that has helped senior citizens, veterans, the disabled, and nonprofit organizations vindicate their rights against unreasonable government action.

Under the so-called American rule, parties to adjudicative matters typically pay their own litigation costs, subject to certain statutory exceptions. One of these exceptions is the Equal Access to Justice Act, which allows a party to be reimbursed for litigation costs when he or she is victorious against the Federal Government under specified conditions.

For example, if the United States can show that its position was "substantially justified" or that "special circumstances" would make an award unjust, then the prevailing party is not entitled to be reimbursed for his litigation costs. In addition, only certain parties are eligible to be reimbursed for their litigation costs under the act, based on their net worth or exempt status, among other factors.

Whether these restrictions still make sense is an open question, as Congress simply does not have adequate information to assess the effectiveness of the act. This is because there has been no comprehensive Federal report on the total amount of fees awarded under the act since 1995, and, as a result, there has simply been conjecture.

Fortunately, H.R. 3279 addresses this shortcoming by requiring annual reports on the amount of fees paid under the act to prevailing litigants against the government. As a result of this legislation, Congress will know on an annual basis the agencies that have been required to reimburse parties for their litigation costs, the claims giving rise to the litigation, and the amount of the awards made under the act, as well as the basis for them. With this infor-

mation, Congress will be in a much better position to assess the implementation of the act and the performance of the agencies as litigants.

Another reason why I support this bill is that it respects the privacy interests of the parties who are reimbursed for their litigation costs pursuant to the act. Unfortunately, prior versions of this legislation were unnecessarily intrusive. Organizations such as the National Organization of Social Security Claimants' Representatives and the Paralyzed Veterans of America expressed serious concerns that these earlier versions of the bill would "infringe the privacy of vulnerable people who have applied for social security and veterans' benefits."

These are real concerns, especially given the fact that the bill requires the information collected be made available to the public through the Internet. As currently drafted, however, H.R. 3279 strikes the right balance between encouraging transparency while respecting the legitimate privacy interests of parties.

Finally, I support this bill because it recognizes the important role that the Administrative Conference of the United States has historically played in helping Congress identify inefficiencies among the Federal agencies and ways to save taxpayer dollars.

In addition to requiring the Conference to prepare an annual report to Congress detailing the litigation costs reimbursed by the Federal Government to parties, the bill also requires the Conference to provide "any other relevant information that may aid Congress in evaluating the scope and impact of such awards."

Given the excellent work and scholarly analysis that have been hallmarks of the Conference, I expect its report and its attendant findings will be an invaluable aid to Congress.

As the Judiciary Committee is the authorizing committee for the Conference, I encourage our friends on the Appropriations Committee to ensure that the Conference has adequate funding to implement this important legislation.

In closing, I want to recognize my colleagues on both sides of the aisle for their diligence in helping to craft this bipartisan legislation.

The gentleman from Georgia, DOUG COLLINS, and the gentleman from Tennessee, STEVE COHEN, as well as the gentlewoman from Wyoming, CYNTHIA LUMMIS, have cooperatively worked to effectuate a commonsense bill that will improve the efficiency and accountability of the Federal Government.

Accordingly, I urge my colleagues to support H.R. 3279.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. COLLINS), a member of the Judiciary Committee and the chief sponsor of this legislation.

Mr. COLLINS of Georgia. Mr. Speaker, I thank the chairman for yielding and his work in bringing this to the floor, and I appreciate it.

Mr. Speaker, I rise today in support of H.R. 3279, the Open Book on Equal Access to Justice Act. I introduced this legislation with a bipartisan group of cosponsors to provide additional transparency and oversight of taxpayer dollars awarded under the Equal Access to Justice Act.

I want to thank all of the original cosponsors of this legislation for their support. In particular, my friend from Tennessee, STEVE COHEN, a member of the Judiciary Committee, but also a special thank you also to CYNTHIA LUMMIS from Wyoming, who has been an advocate of this legislation. I just want to thank her for her tireless work and leadership on this issue as we move forward.

H.R. 3279 passed the Judiciary Committee on a voice vote on October 27, 2015. Almost identical legislation passed both the Judiciary Committee and the full House on a voice vote last Congress.

The bill reinstates needed transparency and accountability measures to ensure that the Equal Access to Justice Act is helping individuals, retirees, veterans, and small businesses as intended.

Congress originally passed the Equal Access to Justice Act in 1980 to remove a barrier to justice for those with limited access to the resources it takes to sue the Federal Government and to recover attorneys' fees and costs that go along with such suits. The law was written to provide citizens with the opportunity to challenge or defend against unreasonable government actions where they otherwise might be deterred by large legal expenses.

To be eligible for payment under EAJA, an individual's net worth must be less than \$2 million and a business or organization must have a net worth of less than \$7 million, although the cap does not apply to certain tax-exempt organizations.

The Equal Access to Justice Act was intended to address the David and Goliath scenario where wronged citizens have to go to court and face the Federal Government's vast financial and legal resources. It is past time that we ensure this law is working for citizens in need and for taxpayers alike.

Payments of EAJA attorneys' fees come from the budget of the agency whose action gave rise to the claim. While the original Equal Access to Justice Act legislation included a requirement to track payments and report to Congress annually, Congress and the agencies halted tracking and reporting of payments made through the Equal Access to Justice Act in 1995.

A Government Accountability Office report indicated that without any direction to track payments, most agen-

cies simply do not do it, and Congress and taxpayers are unable to exercise oversight over these funds. In fact, we only have anecdotal evidence about how much we are spending on attorneys' fees, the agencies paying out on these fees, and what types of claims are being covered.

This is simple, commonsense transparency.

Since 1995, there has been no comprehensive Federal report on the total amount of fees awarded under the Equal Access to Justice Act. We are sorely behind on our oversight responsibilities in this area, and H.R. 3279 takes steps to address that problem.

H.R. 3279 requires the Administrative Conference of the United States to annually report to Congress on the "number, nature, and amount of the awards, claims involved in the controversy, and any other relevant information that may aid the Congress in evaluating the scope and impact of such awards." This report covers both agency adjudications and court proceedings.

H.R. 3279 also requires the Administrative Conference to develop and implement an online searchable database to facilitate public and congressional oversight. Agencies would be required to provide information requested by the ACUS for the development of the database and reports, but, importantly, the ACUS would be required to withhold information from the database if disclosure is prohibited by law or court order.

The Open Book on Equal Access to Justice Act ensures that agencies are operating under a watchful public eye and that taxpayer dollars are being spent properly.

Our Federal Government is too big, and I believe it needs to be downsized; but until we can make that happen, transparency should be a minimum requirement. That is why H.R. 3279 is important. It is common sense, plain and simple. Where the Federal Government is spending money, Congress needs to exercise oversight to ensure it is being done the way the law requires.

□ 1645

For most people who are facing a suit against the Federal Government, it is a once-in-a-lifetime challenge and a daunting suit to undertake even if they are completely in the right. We need to make sure the law is working for them. Allowing plaintiffs to recoup legal costs when they sue the Federal Government for reparations they deserve is only fair.

Many Americans do not have the resources to take on our vast and sprawling bureaucracy, but the Equal Access to Justice Act gave them the power to do so by removing a barrier to justice for those with limited access to resources. However, since the original reporting requirements were halted by Congress, information on these pay-

ments made under the law is severely lacking.

Tracking and reporting payments will help preserve the integrity of this law and will help Congress make sure that the law is working effectively for the people it was intended to help.

It is past time that we shine a light on this issue. We owe transparency to the taxpayers who are financing the law, and we owe it to the citizens—the small businesses, the veterans, and the Social Security claimants—who rely on the law.

H.R. 3279 represents a bipartisan agreement that transparency over payments made under the Equal Access to Justice Act needs to be restored. The Open Book on Equal Access to Justice Act will help to ensure that taxpayer dollars are being spent as intended under this law.

Past support for this legislation demonstrates a consensus that we need to address this issue and that Americans deserve to know what their government is doing.

I urge my colleagues to support H.R. 3279.

Mr. PIERLUISI. Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I urge my colleagues to support this legislation.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 3279, the "Open Book on Equal Access to Justice Act," a bill to amend titles 5 and 28 of the United States Code to direct the Administrative Conference of the United States (ACUS) to prepare an annual report to Congress on fees and other expenses awarded to prevailing parties under the Equal Access to Justice Act.

As a senior member of the Judiciary Committee, former municipal judge and staunch believer and advocate for equal justice, I support this bill because it will provide Congress with valuable insight and comprehensive data needed to assess the actual effectiveness of the Equal Access to Justice Act (EAJA).

Specifically, H.R. 3279 will amend the EAJA and the federal judicial code to require the Chairman of the Administrative Conference of the United States to report to Congress annually on the amount of fees and other expenses awarded to prevailing parties other than the United States in certain administrative proceedings and civil action court cases (excluding tort cases) to which the United States is a party, including settlement agreements.

Pursuant to the EAJA, these litigation fees include the reasonable expenses of expert witnesses, the reasonable cost of any study, analysis, engineering report, test, or project which is found by the agency to be necessary for the preparation of the party's case, and reasonable attorney or agent fees.

If enacted, H.R. 3279 will require the ACUS to provide the number, nature, and amount of awards, the claims involved in the controversy, as well as any other relevant information that may assist Congress in assessing the scope and impact of such fees awarded.

H.R. 3279 further directs that such information be made available by establishing an online searchable database including the name

of the agency involved, the name of each party to whom the award was made, the amount of the award, and the basis for finding that the position of the agency concerned was not substantially justified.

In collecting and providing this data, this bill addresses concerns about the implementation of EAJA and whether Congress needs to intervene and amend it.

For more than three decades, however, the EAJA has served as an important vehicle to enhance parties' ability to hold government agencies accountable for their actions and inactions.

Simply speaking, the EAJA was designed to help the underdog or those with limited resources stand up against government transgressions.

EAJA allows individuals, small businesses and nonprofits to recover critical litigation costs and attorney fees from the federal government in cases that may otherwise be financially intimidating or restrictive.

The EAJA is used to vindicate a variety of federal rights, including access to Veterans Affairs and Social Security disability benefits, as well as to secure statutory environmental protections.

The EAJA is an important tool that promotes public involvement in laws that have a significant impact on the public health and safety, such as the National Environmental Policy Act, Clean Air Act and Clean Water Act.

EAJA also helps deter government inaction or erroneous conduct and encourages all parties, not just those with resources to hire legal counsel, to assert their rights.

Generally, it has been concluded by policy experts that EAJA has been cost-effective, applies only to meritorious litigation and that existing legal safeguards and the independent discretion of federal judges will continue to ensure its prudent application.

Nonetheless, the good intentions that brought the EAJA into law have been overshadowed by re-occurring accounts of misuse by a small percentage of large environmental groups.

A 2011 GAO study (requested by House Republicans) of cases brought against EPA found: 1. most environment lawsuits (48%) were brought by trade associations and private companies; 2. attorney fees were awarded only about eight percent of the time; 3. among environmental plaintiffs, the majority of cases were brought by local groups rather than national groups; and 4. the average award under the EAJA was only about \$100,000.

Thus, while claims of misuse and abuse are largely misplaced, I urge my colleagues to support this request for further review and analysis, so that we may gain a better understanding and congressional clarity on the functional benefits and necessary workings of the EAJA.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 3279, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

IMPROVING CONGRESSIONAL CHARTER OF THE DISABLED AMERICAN VETERANS

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1755) to amend title 36, United States Code, to make certain improvements in the congressional charter of the Disabled American Veterans, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1755

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONGRESSIONAL CHARTER OF DISABLED AMERICAN VETERANS.

(a) PURPOSES.—Section 50302 of title 36, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking “The purposes of the corporation are—” and inserting “The corporation is organized exclusively for charitable and educational purposes. The purposes of the corporation shall include—”;

(2) in paragraph (6), by striking “and” at the end;

(3) by redesignating paragraph (7) as paragraph (9); and

(4) by inserting after paragraph (6) the following new paragraphs:

“(7) to educate the public about the sacrifices and needs of disabled veterans;

“(8) to educate disabled veterans about the benefits and resources available to them; and”.

(b) DISSOLUTION.—Chapter 503 of such title is amended by adding at the end the following new section:

“§ 50309. Dissolution

“On dissolution or final liquidation of the corporation, any assets remaining after the discharge or satisfactory provision for the discharge of all liabilities shall be transferred to the Secretary of Veterans Affairs for the care of disabled veterans.”.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 503 of such title is amended by inserting after the item relating to section 50308 the following: “50309. Dissolution.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Puerto Rico (Mr. PIERLUISI) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on H.R. 1755, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Since 1920, Disabled American Veterans has been serving American veterans who were wounded in the line of duty. It provides free assistance to veterans and their families in obtaining Federal benefits and services earned through military service.

It represents the interests of disabled veterans, their families, their widowed spouses, and their orphans before the Federal, State, and local governments. And it provides a structure through which disabled veterans can express their compassion for their fellow veterans through a variety of volunteer programs.

The organization received a Federal charter in 1932. DAV is seeking the enactment of H.R. 1755, which will amend its charter to help clarify DAV's charitable mission, explain the educational component of its mission, and mandate the assignment of its assets to the Department of Veterans Affairs in the event of its dissolution. These changes will aid DAV in its transition to a 501(c)(3) organization.

As the organization explains:

For decades, DAV has been exempt from Federal taxation under section 501(c)(4) of the Internal Revenue Code . . . Donations to most 501(c)(4) organizations are not deductible for income or estate tax purposes. DAV is a rare exception, as it qualifies to receive deductible contributions as a “war veterans” organization.

Many donors, even sophisticated donors, believe incorrectly that charitable deductions are available only for gifts made to a 501(c)(3) organization, more commonly known as a “public charity.” We believe that this misconception has been limiting DAV's opportunities to gain corporate support and major gifts, including bequests.

There is no doubt that DAV's activities of service to wounded and disabled veterans would enable it to qualify as a public charity, exempt from taxation under section 501(c)(3) of the Internal Revenue Code.

To achieve that designation, the organization needs to make application to the Internal Revenue Service. The application requires that certain language be included in the “organizing document,” which, in our case, is the Federal charter.

We can help DAV carry out its vital mission through this legislation. I commend Representative MILLER for introducing the bill, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. PIERLUISI. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 1755, which makes a small but important change to the Federal charter of the Disabled American Veterans. Once this bill becomes law, that Federal charter will better describe the mission and actual practice of the organization today.

In response to the thousands of veterans who returned home after having made considerable sacrifices during World War I, the Disabled American Veterans was established in 1920. Currently, the organization serves our disabled veterans by helping them access all of the benefits available to them, by

fighting for their interests in Washington, D.C., and by educating the public about the sacrifices they made.

This organization remains today every bit as important as it was at the time of its founding 95 years ago. H.R. 1755 simply makes clear that the mission of the Disabled American Veterans is exclusively a charitable one.

I urge my colleagues to support H.R. 1755, which amends the Disabled American Veterans' charter.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 1755, a bill which modifies the congressional charter for the Disabled American Veterans (DAV) to expand the purposes of the organization to include educating the public about the sacrifices and needs of disabled veterans, as well as educating disabled veterans about the benefits and resources available to them.

If enacted into law, H.R. 1755 modifies the DAV charter to make explicit that the organization is organized exclusively for charitable and educational purposes, a change that would allow the DAV to qualify as a "public charity" under the Internal Revenue Code.

The legislation also provides that upon dissolution or final liquidation of the Disabled American Veterans, any assets remaining would be transferred to the Department of Veterans Affairs for the care of disabled veterans.

Since its founding in 1920, the Disabled American Veterans has been dedicated to a single purpose: empowering disabled veterans to lead high-quality lives with respect and dignity.

Mr. Speaker, under DAV's existing congressional charter, an individual generally is eligible for membership in the organization if he or she was wounded, gassed, injured or disabled in the line of duty during time of war while serving in the U.S. military.

DAV works to ensure that veterans and their families can access the full range of benefits available to them and advocates for the interests of America's injured heroes and their families.

Most important, DAV educates the public about the great sacrifices and needs of veterans transitioning back to civilian life.

On the battlefield, the military pledges to leave no soldier behind.

As a nation, let it be our pledge that when they return home, we leave no veteran behind.

Mr. Speaker, I support H.R. 1755 because it is an important affirmation of our commitment to honor the service of disabled veterans with actions that fulfill our commitment to them and their families, and which are worthy of a grateful nation.

This is also the reason that I co-sponsored the H.R. 333, the Disabled Veterans Tax Termination Act, which increases veteran's pay and disability compensation and maintains secure, dependable and reliable veterans' programs, especially for disabled veterans is very important.

And it is why I also strongly supported and voted to pass H.R. 3202, the Veterans Access, Choice, and Accountability Act of 2014,

which expands access to health care for veterans, addresses the shortage of health professionals in the VA, ensures access to care for rural veterans, and provided funding to establish 27 new VA clinics, including a new research facility in Houston.

And it is why as Chair of the Homeland Security Subcommittee on Transportation Security, I championed the Helping Heroes Fly Act (H.R. 1344), which improves airport security screening for wounded and severely disabled service members and veterans by ensuring personal privacy and consistent application of efficient screening procedures so that our selfless disabled veterans never again have to face lengthy, invasive, and even humiliating screening procedures at our airports.

I urge all Members to join me in voting to pass H.R. 1755.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 1755, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REMOVAL OF USE RESTRICTION ON CERTAIN LAND TRANSFERRED TO ROCKINGHAM COUNTY, VIRGINIA

Mr. LAMALFA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2288) to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2288

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REMOVAL OF USE RESTRICTION.

Public Law 101-479 (104 Stat. 1158) is amended—

(1) by striking section 2(d); and

(2) by adding the following new section at the end:

"SEC. 4. REMOVAL OF USE RESTRICTION.

"(a) The approximately 1-acre portion of the land referred to in section 3 that is used for purposes of a child care center, as authorized by this Act, shall not be subject to the use restriction imposed in the deed referred to in section 3.

"(b) Upon enactment of this section, the Secretary of the Interior shall execute an instrument to carry out subsection (a)."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. LAMALFA) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. LAMALFA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to in-

clude extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LAMALFA. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2288 removes a use restriction from the deed of an approximately 1-acre portion of land. The property was transferred to Rockingham County, Virginia, in 1989 to construct a child care facility.

H.R. 2288 would remove the restrictions on the land so that any necessary upgrades may be made to the Plains Area Daycare Center in Broadway, Virginia, which provides child care for families who otherwise could not afford it.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2288 removes the use restriction on a 1-acre parcel of Federal land provided to Rockingham County, Virginia.

As was stated, in 1989, Congress authorized Rockingham County to use a 3-acre parcel of Federal land for the purpose of establishing a child care center under the condition that the land continues to be used for this purpose. If the county no longer needs the land for a child care center, the land reverts back to ownership by the United States or the county has the option to purchase it at fair market value.

The Federal Government has a long tradition of providing public land to State, county, and local governments. The fair use of Federal land and a fair return to the American taxpayer has to be at the forefront of these transactions. Removing public-purpose requirements and use restrictions should only be done when it is deemed appropriate and necessary.

In this particular case, the sponsor of this legislation has worked with the National Park Service to develop legislation that is both fair and transparent.

The land provided to Rockingham County includes a garage that was previously used by the National Park Service that the county has determined could benefit the Plains Area Daycare Center. The Park Service no longer needs the garage, and removing the use restriction on 1 of the 3 acres will allow this child care provider to access financial assistance in order to upgrade and rehabilitate the garage so it is suitable for its needs.

This is a worthy goal. We support the adoption of H.R. 2288 and congratulate the sponsor of the legislation for it.

I reserve the balance of my time.

Mr. LAMALFA. Mr. Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. I thank the gentleman from California for yielding me this time.

And I thank the chairman of the Natural Resources Committee, the gentleman from Utah (Mr. BISHOP), for moving this legislation through the Natural Resources Committee and to the floor.

Mr. Speaker, I rise today to urge the passage of H.R. 2288. This bill simply removes 20-year-old deed use restrictions on 1 acre of land.

For over 25 years, a little over 3 acres of land and its associated buildings, which were previously wholly held by the Federal Government, have been maintained by Rockingham County and the Plains Area Daycare Center in my congressional district, the Sixth District of Virginia.

In 1989, the Federal Government deeded these 3 acres of land, with restriction, to Rockingham County. But even prior to this official declaration, Rockingham County had already been faithfully maintaining the property, which the Federal Government no longer utilized. The property had previously been used as a garage and maintenance facility for the United States Forest Service.

When the government transferred this land to Rockingham County in 1989, the condition was that this property was to be used for public purposes. The county decided that the nonprofit Plains Area Daycare Center in Broadway, Virginia, which provides child care on a sliding scale to many families who otherwise could not afford child care, would benefit from the use of the old garage. Therefore, Congress enacted Public Law 101-479, which allowed the deed to be changed from public use to the particular use of the child care center.

Donations by the community, totaling \$75,000, turned the garage building into a nursery, a daycare, and an after-school care facility. Additionally, the creation of the daycare center provided for the creation of a playground that the center supports and is open for public use.

To be clear, the center and the playground are the sole reasons that this previously abandoned government land is being used by the community.

I have visited the Plains Area Daycare Center on many occasions and have seen the immeasurable investments this center is making in the community by providing high-quality child care. Since opening in 1991, the center has always been at capacity and is the only facility of its kind in the community.

However, after two decades of consistent use, the facility is in desperate need of repair. Unfortunately, because of the narrow way Public Law 101-479 was drafted and because of the terms of the deed, the daycare center has been unable to get a loan to complete the much-needed renovations.

□ 1700

To solve this issue, my legislation would remove the deed use restrictions

from the 1 acre of property on which the building resides. While I would like to have seen the entire 3 acres released, this legislation is the result of a compromise that has been endorsed by the National Park Service and Rockingham County.

By passing this legislation and allowing Rockingham County and, in return, the Plains Area Daycare Center more authority over the land, it will ensure that more children and more of the community will be served by this land.

This bill is the result of hard work over the past two Congresses. The House passed related legislation in the 113th Congress. However, the Senate did not act. This Congress, my staff and I have worked closely with Rockingham County and the Natural Resources Committee to see H.R. 2288 brought before the House. I am hopeful that the Senate will take action this time.

Mr. Speaker, while my legislation today is simply a formality, it is of great importance to those being served by this daycare center in the community. For 25 years, the land has been deeded to Rockingham County, but with overbearing restrictions.

Since it is clear the Federal Government no longer has a vested interest in the land, it is time to lift those restrictions to allow the Plains Area Daycare Center to reach its full potential.

The SPEAKER pro tempore (Mr. LAHOOD). The time of the gentleman has expired.

Mr. LAMALFA. I yield an additional 1 minute to the gentleman from Virginia.

Mr. GOODLATTE: Twenty years ago Congress made its intention clear that a daycare facility was to have use of the property, and I am pleased to lead the charge in fixing the law.

I urge passage of H.R. 2288 to simply remove the deed restrictions on 1 acre of land so that the necessary upgrades may be made to the childcare center and this community investment can continue to thrive.

Mr. GRIJALVA. Mr. Speaker, I yield back the balance of my time.

Mr. LAMALFA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. LAMALFA) that the House suspend the rules and pass the bill, H.R. 2288, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LAMALFA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PRESERVATION RESEARCH AT INSTITUTIONS SERVING MINORITIES ACT

Mr. LAMALFA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1541) to amend title 54, United States Code, to make Hispanic-serving institutions eligible for technical and financial assistance for the establishment of preservation training and degree programs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1541

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Preservation Research at Institutions Serving Minorities Act" or the "PRISM Act".

SEC. 2. ELIGIBILITY OF HISPANIC-SERVING INSTITUTIONS AND ASIAN AMERICAN AND NATIVE AMERICAN PACIFIC ISLANDER-SERVING INSTITUTIONS FOR ASSISTANCE FOR PRESERVATION EDUCATION AND TRAINING PROGRAMS.

Section 303903(3) of title 54, United States Code, is amended by inserting "to Hispanic-serving institutions (as defined in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a))) and Asian American and Native American Pacific Islander-serving institutions (as defined in section 320(b) of the Higher Education Act of 1965 (20 U.S.C. 1059g(b)))" after "universities."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. LAMALFA) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. LAMALFA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LAMALFA. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1541 provides colleges and universities with a high enrollment of Hispanic, Asian American, and Native American Pacific Islander students access to a grant program that encourages student involvement in historic and cultural projects.

This grant program already includes Historically Black Colleges and Universities, Tribal Colleges and Universities, and nontribal colleges with a high enrollment of Native Americans or Native Hawaiians. H.R. 1541 will ensure that historically underrepresented groups are eligible for technical and financial assistance to establish preservation training and degree programs.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

In March of this year, I introduced this legislation, the Preservation Research at Institutions Serving Minorities, the PRISM Act, to ensure that over 400 Hispanic-serving institutions have access to a competitive grant program for historic preservation education and for training programs. HSIs are colleges and universities where at least 25 percent of the student enrollment is comprised of Hispanic students.

Current law provides, as was stated by the gentleman, preservation education and training grants for HBCUs, tribal and Hawaiian Native education institutions. My legislation would add HSIs to the list.

HSIs represent about 12 percent of all higher education institutions in the U.S. They educate over 3 million Hispanic students that are enrolled in those universities and colleges.

At the markup, the committee adopted an amendment offered by my good friend, Congresswoman BORDALLO of Guam. Ms. BORDALLO's amendment adds universities and colleges that are designated as Asian American, Native American Pacific Islanders-serving institutions to the list of institutions eligible for historic preservation education and training programs. I commend the gentlewoman from Guam for bringing this issue up. Her amendment makes the bill more inclusive and better.

I urge my colleagues to support its adoption. The bill is designed to enhance the educational experience of students at HSIs and contribute to the preservation of Hispanic history, as it is being preserved for all Americans under this program.

I yield back the balance of my time.

Mr. LAMALFA. Mr. Speaker, I have no additional speakers. I appreciate the efforts of my colleague from Arizona (Mr. GRIJALVA).

I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I rise today to urge my colleagues to support H.R. 1541, the Preservation Research at Institutions Serving Minorities, or PRISM. Act. H.R. 1541 would make Hispanic serving institutions and Asian American Native American Pacific Islander serving institutions of higher education on par with other minority serving institutions and make them eligible for important historic preservation education and training.

I would like to recognize my colleague, Mr. GRIJALVA, for his leadership in introducing H.R. 1541, and also working closely with me on my amendment to also include Asian American Native American Pacific Islander-serving institutions.

Hispanic Americans and Asian Americans and Pacific Islanders have contributed to our nation's rich history and unique cultural heritage. AAPI contributions to this nation's history are evident from New Orleans being a stop on the Spanish Galleon trade route, to the salmon canneries in Alaska, to early Chamorro villages in the Mariana Islands, to pineapple fields in Hawaii, or to the tremendous efforts

AAPIs made in constructing the railroads that crisscross our country. Making Hispanic serving institutions and Asian American Native American and Pacific Islander serving institutions eligible for preservation training and degree programs will further enrich and ensure our diverse history is shared for generations to come.

This bill has bipartisan support, and I commend my colleagues for their support. I encourage support of H.R. 1541.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. LAMALFA) that the House suspend the rules and pass the bill, H.R. 1541, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

TAKING LAND INTO TRUST FOR THE SUSANVILLE INDIAN RANCHERIA

Mr. LAMALFA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2212) to take certain Federal lands located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2212

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LAND INTO TRUST FOR THE SUSANVILLE INDIAN RANCHERIA.

(a) *IN GENERAL.*—The land described in subsection (b) is hereby taken into trust for the benefit of the Susanville Indian Rancheria, subject to valid existing rights.

(b) *LAND DESCRIPTION.*—The land taken into trust pursuant to subsection (a) is the approximately 301 acres of Federal land under the administrative jurisdiction of the Bureau of Land Management identified as “Conveyance Boundary” on the map titled “Susanville Indian Rancheria Land Conveyance” and dated December 31, 2014.

(c) *GAMING.*—Class II and class III gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) shall not be allowed at any time on the land taken into trust pursuant to subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. LAMALFA) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. LAMALFA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LAMALFA. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 2212, which would direct the Secretary of the Interior to place into trust 300 acres of Bureau of Land Management land for the Susanville Indian Rancheria. These isolated and surplus BLM lands are adjacent to existing tribal lands in Lassen County, California.

Since 2005, the tribe has worked with the local California BLM office to one day complete the transfer of these lands, which are culturally and historically significant to the tribe.

Comprised of the descendants of four tribes within the region—the Mountain Maidu, Northern Paiute, the Pit River, and the Washoe—the Susanville Indian Rancheria has a long history of relocation and adversity. The Rancheria's ancestors were party to 18 unratified treaties with the Federal Government, and their lands were taken after passage of the Land Claims Act of 1851.

Displaced during the California gold rush of the 1850s, the tribe was homeless until 1923, when the Federal Government purchased and placed into trust 30 acres. Since that time, another 120 acres were added by Congress in 1978 and approximately 950 acres have been added by BIA action.

The Rancheria has long ties to this land, which holds a number of cultural, historical, and archeological sites, including grinding stones, petroglyphs, and other important artifacts. Rancheria members also gather traditional herbs, medicines, and vegetables on the land and continue to hunt game in the area as their ancestors did.

The land has been classified as surplus by the BLM, which has written in support of transferring the parcel to the Rancheria, and it is adjacent, again, to the Rancheria's existing lands.

The Rancheria intends to continue using the land for traditional purposes as well as eventually constructing a cultural center, a museum, and recreational facilities, including sports fields.

At the request of the tribe, the bill includes a prohibition on gaming. The Rancheria has long proven to be a conscientious and thoughtful neighbor to the City of Susanville, and I have no doubt that it will prove to be a good steward of this land.

Mr. Speaker, this bill was passed by the Natural Resources Committee with unanimous support. The Senate counterpart, sponsored by Senator BOXER, who we found agreement on this legislation on, also received unanimous support in the Senate Indian Affairs Committee.

I urge your support and thank you for your consideration of this measure.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself as much time as I may consume.

H.R. 2212, introduced by the gentleman from California (Mr. LAMALFA), our colleague, is indeed a good piece of legislation. Three hundred acres of BLM land in the Hidden Valley area of Lassen County, California, will be put into trust for the benefit of the Susanville Indian Rancheria.

The land in question is not only adjacent to Susanville's current trust land, it is also part of their aboriginal territories. There are numerous cultural and archeological sites on the land that the Susanville members seek to protect, including the remains of a historic Native American village.

In addition, the area is an important traditional hunting ground and is utilized for traditional ceremonies. The land has been identified by BLM as excess inventory and a cost burden to the Federal Government.

Mr. Speaker, this bill is a win-win for all parties involved. The Susanville Rancheria members will finally have a portion of its historic land returned, and the Federal Government will save money on administrative costs on land that it does not want.

I want to congratulate the sponsor of the legislation. I urge its swift passage.

I yield back the balance of my time.

Mr. LAMALFA. Mr. Speaker, I appreciate the support of the gentleman from Arizona (Mr. GRIJALVA), the committee's ranking member, and the unanimous effort to move this bill out of committee.

Mr. Speaker, I seek support for my legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. LAMALFA) that the House suspend the rules and pass the bill, H.R. 2212, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

BILLY FRANK JR. TELL YOUR STORY ACT

Mr. LAMALFA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2270) to redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr. Nisqually National Wildlife Refuge, to establish the Medicine Creek Treaty National Historic Site within the wildlife refuge, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2270

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Billy Frank Jr. Tell Your Story Act".

SEC. 2. REDESIGNATION OF THE NISQUALLY NATIONAL WILDLIFE REFUGE.

(a) *REDESIGNATION.*—The Nisqually National Wildlife Refuge, located in the State of Washington, is redesignated as the "Billy Frank Jr. Nisqually National Wildlife Refuge".

(b) *REFERENCES.*—Any reference in any statute, rule, regulation, Executive Order, publication, map, paper, or other document of the United States to the Nisqually National Wildlife Refuge is deemed to refer to the Billy Frank Jr. Nisqually National Wildlife Refuge.

SEC. 3. MEDICINE CREEK TREATY NATIONAL MEMORIAL, WASHINGTON.

(a) *ESTABLISHMENT.*—There is established the Medicine Creek Treaty National Memorial within the Billy Frank Jr. Nisqually National Wildlife Refuge to commemorate the location of the signing of the Medicine Creek Treaty of 1854 between the United States Government and leaders of the Muckleshoot, Nisqually, Puyallup, and Squaxin Island Indian Tribes.

(b) *ACREAGE AND ADMINISTRATION.*—The Secretary of the Interior shall establish the boundaries of the Medicine Creek Treaty National Memorial and provide for administration and interpretation of the memorial by the United States Fish and Wildlife Service.

(c) *COORDINATION.*—The Secretary of the Interior shall coordinate with representatives of the Muckleshoot, Nisqually, Puyallup, and Squaxin Island Indian Tribes in providing for the interpretation of the Medicine Creek Treaty National Memorial.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. LAMALFA) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. LAMALFA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LAMALFA. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2270, introduced by my friend, Congressman DENNY HECK of Washington, and cosponsored by the entire Washington delegation would redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr. Nisqually National Wildlife Refuge and establish within the refuge the Medicine Creek Treaty National Memorial.

□ 1715

This bill is intended to honor the life and legacy of Billy Frank Jr., who dedicated his life to bringing together tribes, government officials, and others to improve treaty rights, tribal sovereignty, environmental stewardship, and salmon recovery in the Puget Sound area. Frank Jr., who passed away in 2014, was awarded the Albert Schweitzer Prize for Humanitarianism and the Martin Luther King Jr. Distinguished Service Award and was nominated for the Nobel Peace Prize in 2010.

The bill also establishes a national memorial within the refuge to commemorate the signing of the 1854 Medicine Creek Treaty, which established reservation land and the right to fish for Puget Sound area tribes.

Congressman HECK has worked tirelessly to honor the treaty and the life and work of Billy Frank Jr. I strongly encourage my colleagues to vote "yes" on H.R. 2270.

Mr. Speaker, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2270 designates the national wildlife refuge on the Nisqually River Delta as the Billy Frank Jr. Nisqually National Wildlife Refuge. Renaming this refuge will honor Billy Frank Jr.'s legacy on the river where he spent his life. Billy Frank Jr., who passed away last year, has been recognized for his work defending treaty rights, tribal sovereignty, and salmon recovery efforts in his home State of Washington.

Aside from the awards that were noted by my colleague that he has received, on November 24, President Obama presented his family with the Medal of Freedom honor that he so justly deserved.

The bill also creates a national memorial to commemorate the signing of the Medicine Creek Treaty in 1854.

I want to congratulate and thank my colleague from Washington, Representative HECK, for his tireless work and advocacy on behalf of this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. LAMALFA. Mr. Speaker, I again commend the gentleman from Washington (Mr. HECK), my friend, for his quality legislation.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. HECK), the sponsor of the legislation.

Mr. HECK of Washington. Mr. Speaker, just last week we were home celebrating Thanksgiving, and we were giving thanks for everything we are blessed with, everything we cherish—frankly, probably a lot of the things we take for granted.

For those of us in the Pacific Northwest, we give thanks for the Puget Sound, we give thanks for our salmon, we give thanks for all the natural beauty that surrounds us, and we give thanks that Billy Frank Jr. was in our lives.

As was indicated earlier, in addition to the many other awards he received in his lifetime, just last week the President conferred upon Billy Frank Jr., posthumously, the Presidential Medal of Freedom. It is literally no exaggeration to suggest that what Martin Luther King meant to civil rights and Nelson Mandela meant to South Africa, Billy Frank Jr. meant to the entire Pacific Northwest, indeed, to indigenous people throughout the globe.

He is a fitting person for the prestigious honor that we hope to bestow on him today. We have an opportunity to do something today—and I recommend we seize it—to preserve his legacy in the place he called home.

Billy Frank Jr. was, indeed, the foremost advocate for restoration of Native American fishing treaty rights in the Pacific Northwest. He cherished clean water and healthy salmon runs. He was a key voice in the recovery of the Puget Sound.

He also, as has not been mentioned, proudly served our Nation in the United States Marine Corps. He was an MP, I believe, during the Korean war.

He got along with everyone. He was open and inclusive. His energy was, literally, infectious.

We were deeply stunned in May of 2014 that he passed away even though, at the age of 83, we thought Billy would live forever. He is gone, but his spirit is not and his story is not. His courage and belief in us is here because, you see, Billy wandered the Halls of Congress frequently and testified numerous times. He respected this institution, and he was a powerful voice within our Chambers.

His story is in the Nisqually National Wildlife Refuge in the 10th Congressional District, which I have the privilege to represent, which we now protect to give our wildlife a clean and sustainable home.

Billy grew up at a place called Frank's Landing, which is literally just a hop, skip, and a jump from the refuge. He fished in the Nisqually River, in and next to the area where the refuge is now. That is the location where he was arrested more than 50 times for advocating for his treaty fishing rights.

This bill will rename that refuge after Billy Frank Jr. Also, as has been indicated, it calls for the establishment of a national memorial at the exact place of the signing of the Medicine Creek Treaty in 1854. That was the first treaty in the State of Washington between Indian people and the newly established territorial government. In this case, it was between the people of the Nisqually, the Puyallup, Squaxin Island, and the Muckleshoots.

Throughout his storied career, people often asked Billy: How is it you do this, get up every day and so effectively advocate on behalf of clean water and good fish runs? How do you do that decade after decade?

He would always tell them the same thing: Tell your story.

So when people go to the Billy Frank Jr. Nisqually National Wildlife Refuge, they will be able to see why he held fish-ins. They will see why he risked arrest. They will see why he ultimately worked with others to help protect his home. Like many young people today, he fought for what he believed in, but later worked with lawmakers to build

consensus. He started out as a civil rights protestor, civilly disobedient and an advocate. He ended up being one of the great uniters in the history of the Nation and certainly the Pacific Northwest.

I hope that when people drive by the sign that directs them to the refuge, maybe they will feel a little of that Billy magic, too. Maybe they will wonder: Well, who was this Billy Frank Jr.? What did he do? For those of us who knew him, it will be a frequent reminder of this hero.

They say you die twice: the first time, and the second time when they stop speaking about you. It is our goal that they never stop speaking about Billy Frank Jr. and the lessons he taught us all. The refuge will be a constant reminder.

I knew Billy for almost 40 years. I loved him like a beloved uncle. In fact, I called him Uncle Billy. But I was absolutely not special in that regard. Hundreds, if not thousands, of people did the same thing. Indeed, at his memorial service, the official estimate of the number in attendance was 10,000. That is how beloved this man was.

I would like to thank the members of the House Committee on Natural Resources who unanimously approved this bill and all the members of the House delegation from Washington State. I would also like to especially recognize Chairman BISHOP, Ranking Member GRIJALVA, and the hard-working committee staff, both for the majority and the minority, for their help on this legislation.

In conclusion, Billy once famously said: "I don't believe in magic. I believe in the sun and the stars, the water, the tides, the floods, the owls, the hawks flying, the river running, the wind talking. They're measurements. They tell us how healthy things are. How healthy we are. Because we and they are the same."

Let's remind visitors that we and they are the same at the Billy Frank Jr. Nisqually Wildlife Refuge.

Mr. LAMALFA. Mr. Speaker, again, Mr. HECK is to be commended for bringing forward such a worthy piece of legislation to honor a man who has done so much in that area. Indeed, this legislation will make sure that his story continues to be told and that he will always be commemorated and memorialized in that region because of that. Congratulations to you on this.

I am proud to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. KILMER).

Mr. KILMER. Mr. Speaker, I join my colleagues in standing up today for a true American hero, Billy Frank Jr.

For Billy, protecting our natural world and everything that depends on

it wasn't a political issue; rather, it was an innate calling. Folks responded to that.

They followed his fearless protests by standing up for civil rights. They followed his example by becoming fishermen themselves in places like South Puget Sound. They followed his lead in championing clean water and fish runs and protecting Puget Sound. They listened to his ideas about keeping communities vibrant by building tribal youth centers.

In the marble Halls of Congress, he convinced so many that tribal treaty rights could not be held back and that we can't keep damaging our environment, that we have got to stand up for extraordinary bodies of water like Puget Sound. He left tracks all across our State and our Nation, and his advocacy will live on.

To help honor this legacy, I encourage my colleagues to vote for this bill sponsored by Congressman HECK that I was proud to cosponsor, renaming the Nisqually National Wildlife Refuge the Billy Frank Jr. National Wildlife Refuge. It is the right thing to do to honor all the work that Billy did for all of us. It should serve as a reminder that we need to keep fighting for all of those things he fought for.

Mr. GRIJALVA. Mr. Speaker, before I yield back the balance of my time, let me thank the chair of the Subcommittee on Federal Lands, Mr. MCCLINTOCK, and Ranking Member TSONGAS for their work and the staff's work on this.

Again, to Mr. HECK and the delegation from Washington, this is a great piece of legislation. I urge its passage.

Mr. Speaker, I yield back the balance of my time.

Mr. LAMALFA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. LAMALFA) that the House suspend the rules and pass the bill, H.R. 2270, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LAMALFA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

ALTERNATIVE PLAN FOR 2016 LOCALITY-BASED COMPARABILITY PAYMENTS—A MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114-81)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to

the Committee on Oversight and Government Reform and ordered to be printed:

To the Congress of the United States:

I am transmitting an alternative plan for pay increases for civilian Federal employees covered by the General Schedule and certain other pay systems in January 2016.

Title 5, United States Code, authorizes me to implement alternative pay plans for pay increases for civilian Federal employees covered by the General Schedule and certain other pay systems if, because of "national emergency or serious economic conditions affecting the general welfare," I view the adjustments that would otherwise take effect as inappropriate.

Civilian Federal employees have already made significant sacrifices as a result of 3-year pay freeze that ended in January 2014. In January 2014 and again in January 2015, increases for civilian Federal employees were limited to a 1.0 percent overall pay increase, an amount lower than the private sector pay increases and statutory formula for adjustments to the base General Schedule for 2014 and 2015. However, as the country's economic recovery continues, we must maintain efforts to keep our Nation on a sustainable fiscal course. This is an effort that continues to require tough choices.

Under current law, locality pay increases averaging 28.74 percent and costing \$26 billion would go into effect in January 2016. Federal agency budgets cannot sustain such increases. Accordingly, I have determined that under the authority of section 5304a of title 5, United States Code, locality-based comparability payments for the locality pay areas established by the President's Pay Agent, in the amounts set forth in the attached table, shall become effective on the first day of the first applicable pay period beginning on or after January 1, 2016. These rates are based on an allocation of 0.3 percent of payroll as indicated in my August 28, 2015, alternative pay plan for adjustments to the base General Schedule. These decisions will not materially affect our ability to attract and retain a well-qualified Federal workforce.

The adjustments described above shall take effect on the first applicable pay period beginning on or after January 1, 2016.

BARACK OBAMA.

THE WHITE HOUSE, November 30, 2015.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 30 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CONAWAY) at 6 o'clock and 30 minutes p.m.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 30, 2015.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 30, 2015 at 6:03 p.m.:

That the Senate passed S. 1698.
With best wishes, I am
Sincerely,

KAREN L. HAAS.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 8, NORTH AMERICAN ENERGY SECURITY AND INFRASTRUCTURE ACT OF 2015; PROVIDING FOR CONSIDERATION OF S.J. RES. 23, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY; AND PROVIDING FOR CONSIDERATION OF S.J. RES. 24, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE ENVIRONMENTAL PROTECTION AGENCY

Mr. BURGESS, from the Committee on Rules, submitted a privileged report (Rept. No. 114-353) on the resolution (H. Res. 539) providing for consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes; providing for consideration of the joint resolution (S.J. Res. 23) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units"; and providing for consideration of the joint resolution (S.J. Res. 24) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Carbon

Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units", which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 2288, by the yeas and nays;

H.R. 2270, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

REMOVAL OF USE RESTRICTION ON CERTAIN LAND TRANSFERRED TO ROCKINGHAM COUNTY, VIRGINIA

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2288) to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. LAMALFA) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 407, nays 0, not voting 26, as follows:

[Roll No. 644]

YEAS—407

Abraham	Brooks (IN)	Conaway
Adams	Brown (FL)	Connolly
Aderholt	Brownley (CA)	Conyers
Aguilar	Buck	Cook
Allen	Bucshon	Cooper
Amash	Burgess	Costa
Amodei	Bustos	Costello (PA)
Ashford	Butterfield	Courtney
Babin	Byrne	Crawford
Barletta	Calvert	Crenshaw
Barr	Capps	Crowley
Barton	Capuano	Cuellar
Beatty	Carney	Culberson
Becerra	Carson (IN)	Cummings
Benishek	Carter (GA)	Curbelo (FL)
Bera	Carter (TX)	Davis (CA)
Beyer	Cartwright	Davis, Danny
Bilirakis	Castor (FL)	DeGette
Bishop (GA)	Castro (TX)	Delaney
Bishop (MI)	Chabot	DeLauro
Bishop (UT)	Chaffetz	DelBene
Black	Chu, Judy	Denham
Blackburn	Cicilline	Dent
Blum	Clark (MA)	DeSantis
Blumenauer	Clarke (NY)	DeSaulnier
Bonamici	Clawson (FL)	DesJarlais
Bost	Clay	Deutch
Boustany	Cleaver	Diaz-Balart
Boyle, Brendan	Clyburn	Dingell
F.	Coffman	Dold
Brady (PA)	Cohen	Donovan
Brady (TX)	Cole	Doyle, Michael
Brat	Collins (GA)	F.
Bridenstine	Collins (NY)	Duckworth
Brooks (AL)	Comstock	Duffy

Duncan (TN)	Kirkpatrick	Pocan	Wasserman	Westerman	Yoder	Connolly	Himes	Meeks
Edwards	Kline	Poe (TX)	Schultz	Westmoreland	Yoho	Conyers	Holding	Meng
Ellison	Knight	Poliquin	Waters, Maxine	Whitfield	Young (AK)	Cook	Honda	Messer
Ellmers (NC)	Kuster	Polis	Watson Coleman	Wilson (FL)	Young (IA)	Cooper	Hoyer	Mica
Emmer (MN)	Labrador	Pompeo	Weber (TX)	Wilson (SC)	Young (IN)	Costa	Hudson	Miller (FL)
Engel	LaHood	Posey	Webster (FL)	Womack	Zeldin	Costello (PA)	Huelskamp	Miller (MI)
Eshoo	LaMalfa	Price (NC)	Welch	Woodall	Zinke	Courtney	Huffman	Moolenaar
Esty	Lamborn	Price, Tom	Wenstrup	Yarmuth		Crawford	Huizenga (MI)	Mooney (WV)
Farenthold	Lance	Quigley				Crenshaw	Hultgren	Moore
Fattah	Langevin	Rangel				Crowley	Hunter	Moulton
Fincher	Larsen (WA)	Ratcliffe	Bass	Flores	Rush	Cuellar	Hurd (TX)	Mullin
Fitzpatrick	Larson (CT)	Reed	Buchanan	Herrera Beutler	Sanchez, Loretta	Culberson	Hurt (VA)	Mulvaney
Fleischmann	Latta	Reichert	Cárdenas	Hinojosa	Sewell (AL)	Cummings	Israel	Murphy (PA)
Fleming	Lawrence	Renacci	Cramer	Jones	Slaughter	Curbelo (FL)	Issa	Nadler
Forbes	Lee	Ribble	Davis, Rodney	Joyce	Speier	Davis (CA)	Jackson Lee	Napolitano
Fortenberry	Levin	Rice (NY)	DeFazio	Murphy (FL)	Takai	Davis, Danny	Jeffries	Neal
Foster	Lewis	Rice (SC)	Doggett	Pelosi	Williams	Davis, Rodney	Jenkins (KS)	Neugebauer
Fox	Lieu, Ted	Richmond	Duncan (SC)	Rohrabacher	Wittman	DeGette	Jenkins (WV)	Newhouse
Frankel (FL)	Lipinski	Rigell	Farr	Ruppersberger		Delaney	Johnson (GA)	Noem
Franks (AZ)	LoBiondo	Roby				DeLauro	Johnson (OH)	Nolan
Frelinghuysen	Loeb	Roe (TN)				DelBene	Johnson, E. B.	Norcross
Fudge	Lofgren	Rogers (AL)				Denham	Johnson, Sam	Nugent
Gabbard	Long	Rogers (KY)				Dent	Jolly	Nunes
Gallego	Loudermilk	Rokita				DeSantis	Jones	O'Rourke
Garamendi	Love	Rooney (FL)				DeSaulnier	Jordan	Olson
Garrett	Lowenthal	Ros-Lehtinen				DesJarlais	Joyce	Palazzo
Gibbs	Lowe	Roskam				Deutch	Kaptur	Pallone
Gibson	Lucas	Ross				Diaz-Balart	Katko	Palmer
Gohmert	Luetkemeyer	Rothfus				Dingell	Keating	Pascarell
Goodlatte	Lujan Grisham	Rouzer				Doggett	Kelly (IL)	Paulsen
Gosar	(NM)	Roybal-Allard				Dold	Kelly (MS)	Payne
Gowdy	Luján, Ben Ray	Royce				Donovan	Kelly (PA)	Pearce
Graham	(NM)	Ruiz				Doyle, Michael	Kennedy	Pelosi
Granger	Lummis	Russell				F.	Kildee	Perlmutter
Graves (GA)	Lynch	Ryan (OH)				Duckworth	Kilmer	Perry
Graves (LA)	MacArthur	Salmon				Duffy	Kind	Peters
Graves (MO)	Maloney,	Sánchez, Linda				Duncan (TN)	King (IA)	Peterson
Grayson	Carolyn	T.				Edwards	King (NY)	Pingree
Green, Al	Maloney, Sean	Sanford				Ellison	Kinzing (IL)	Pittenger
Green, Gene	Marchant	Sarbanes				Ellmers (NC)	Kirkpatrick	Pitts
Griffith	Marino	Scalise				Emmer (MN)	Kline	Pocan
Grijalva	Massie	Schakowsky				Engel	Knight	Poe (TX)
Grothman	Matsui	Schiff				Eshoo	Kuster	Poliquin
Guinta	McCarthy	Schrader				Esty	Labrador	Polis
Guthrie	McCaul	Schweikert				Farenthold	LaHood	Pompeo
Gutiérrez	McClintock	Scott (VA)				Fattah	LaMalfa	Posey
Hahn	McCollum	Scott, Austin				Fincher	Lamborn	Price (NC)
Hanna	McDermott	Scott, David				Fitzpatrick	Lance	Price, Tom
Hardy	McGovern	Sensenbrenner				Fleischmann	Langevin	Quigley
Harper	McHenry	Serrano				Fleming	Larsen (WA)	Rangel
Harris	McKinley	Sessions				Flores	Larson (CT)	Reed
Hartzler	McMorris	Sherman				Forbes	Latta	Reichert
Hastings	Rodgers	Shimkus				Fortenberry	Lawrence	Renacci
Heck (NV)	McNerney	Shuster				Foster	Lee	Ribble
Heck (WA)	McSally	Simpson				Fox	Levin	Rice (NY)
Hensarling	Meadows	Sinema				Frankel (FL)	Lewis	Rice (SC)
Hice, Jody B.	Meehan	Sires				Franks (AZ)	Lieu, Ted	Richmond
Higgins	Meeks	Smith (MO)				Frelinghuysen	Lipinski	Rigell
Hill	Meng	Smith (NE)				Fudge	LoBiondo	Roby
Himes	Messer	Smith (NJ)				Gabbard	Loeb	Roe (TN)
Holding	Mica	Smith (TX)				Gallego	Lofgren	Rogers (AL)
Honda	Miller (FL)	Smith (WA)				Garamendi	Long	Rogers (KY)
Hoyer	Miller (MI)	Stefanik				Garrett	Loudermilk	Rokita
Hudson	Moolenaar	Stewart				Gibbs	Love	Rooney (FL)
Huelskamp	Mooney (WV)	Stivers				Gibson	Lowenthal	Ros-Lehtinen
Huffman	Moore	Stutzman				Gohmert	Lowe	Roskam
Huizenga (MI)	Moulton	Swalwell (CA)				Goodlatte	Lucas	Ross
Hultgren	Mullin	Takano				Gosar	Luetkemeyer	Rothfus
Hunter	Mulvaney	Thompson (CA)				Gowdy	Lujan Grisham	Rouzer
Hurd (TX)	Murphy (PA)	Thompson (MS)				Graham	(NM)	Roybal-Allard
Hurt (VA)	Nadler	Thompson (PA)				Granger	Luján, Ben Ray	Royce
Israel	Napolitano	Thornberry				Graves (GA)	(NM)	Ruiz
Issa	Neal	Tiberi	Abraham	Bonamici	Carney	Graves (LA)	Lummis	Russell
Jackson Lee	Neugebauer	Tipton	Adams	Bost	Carson (IN)	Graves (MO)	Lynch	Ryan (OH)
Jeffries	Newhouse	Titus	Aderholt	Boustany	Carter (GA)	Grayson	MacArthur	Salmon
Jenkins (KS)	Noem	Tonko	Aguilar	Boyle, Brendan	Carter (TX)	Green, Al	Maloney,	Sánchez, Linda
Jenkins (WV)	Nolan	Torres	Allen	F.	Cartwright	Green, Gene	Carolyn	T.
Johnson (GA)	Norcross	Trott	Amodei	Brady (PA)	Castor (FL)	Griffith	Maloney, Sean	Sanford
Johnson (OH)	Nugent	Tsongas	Ashford	Brady (TX)	Castro (TX)	Grijalva	Marchant	Sarbanes
Johnson, E. B.	Nunes	Turner	Babin	Brat	Chabot	Grothman	Marino	Scalise
Johnson, Sam	O'Rourke	Upton	Barietta	Bridenstine	Chaffetz	Guinta	Massie	Schakowsky
Jolly	Palazzo	Valadao	Barr	Brooks (AL)	Chu, Judy	Guthrie	Matsui	Schiff
Jordan	Pallone	Vargas	Barton	Brooks (IN)	Cicilline	Gutiérrez	McCarthy	Schrader
Kaptur	Palmer	Veasey	Beatty	Brown (FL)	Clark (MA)	Hahn	McCaul	Schweikert
Katko	Pascarell	Vela	Becerra	Brownley (CA)	Clarke (NY)	Hanna	McClintock	Scott (VA)
Keating	Pascarell	Velázquez	Benishek	Buchanan	Clawson (FL)	Hardy	McCollum	Scott, Austin
Kelly (IL)	Payne	Visclosky	Bera	Buck	Clay	Harper	McDermott	Scott, David
Kelly (MS)	Pearce	Wagner	Beyer	Bucshon	Cleaver	Harris	McGovern	Serrano
Kelly (PA)	Perlmutter	Walberg	Bilirakis	Burgess	Clyburn	Hartzler	McHenry	Sessions
Kennedy	Perry	Walden	Bishop (GA)	Bustos	Coffman	Hastings	McKinley	Sherman
Kildee	Peters	Walker	Bishop (MI)	Butterfield	Cohen	Heck (NV)	McMorris	Shimkus
Kilmer	Peterson	Walorski	Bishop (UT)	Byrne	Cole	Heck (WA)	Rodgers	Shuster
Kind	Pingree	Walters, Mimi	Black	Calvert	Collins (GA)	Hensarling	McNerney	Simpson
King (IA)	Pittenger	Walz	Blackburn	Capps	Collins (NY)	Hice, Jody B.	McSally	Sinema
King (NY)	Pitts		Blum	Capuano	Comstock	Higgins	Meadows	Sires
Kinzing (IL)			Blumenauer	Cárdenas	Conaway	Hill	Meehan	Smith (MO)

NOT VOTING—26

□ 1856

Messrs. ALLEN and CARTER of Georgia changed their votes from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

BILLY FRANK JR. TELL YOUR STORY ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2270) to redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr. Nisqually National Wildlife Refuge, to establish the Medicine Creek Treaty National Historic Site within the wildlife refuge, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. LAMALFA) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 2, not voting 18, as follows:

[Roll No. 645]

YEAS—413

Abraham	Bonamici	Carney
Adams	Bost	Carson (IN)
Aderholt	Boustany	Carter (GA)
Aguilar	Boyle, Brendan	Carter (TX)
Allen	F.	Cartwright
Amodei	Brady (PA)	Castor (FL)
Ashford	Brady (TX)	Castro (TX)
Babin	Brat	Chabot
Barietta	Bridenstine	Chaffetz
Barr	Brooks (AL)	Chu, Judy
Barton	Brooks (IN)	Cicilline
Beatty	Brown (FL)	Clark (MA)
Becerra	Brownley (CA)	Clarke (NY)
Benishek	Buchanan	Clawson (FL)
Bera	Buck	Clay
Beyer	Bucshon	Cleaver
Bilirakis	Burgess	Clyburn
Bishop (GA)	Bustos	Coffman
Bishop (MI)	Butterfield	Cohen
Bishop (UT)	Byrne	Cole
Black	Calvert	Collins (GA)
Blackburn	Capps	Collins (NY)
Blum	Capuano	Comstock
Blumenauer	Cárdenas	Conaway

Smith (NE)	Tsongas	Weber (TX)
Smith (NJ)	Turner	Webster (FL)
Smith (TX)	Upton	Welch
Smith (WA)	Valadao	Wenstrup
Speier	Van Hollen	Westerman
Stefanik	Vargas	Westmoreland
Stewart	Veasey	Whitfield
Stivers	Vela	Wilson (FL)
Stutzman	Velázquez	Wilson (SC)
Swalwell (CA)	Visclosky	Womack
Takano	Wagner	Woodall
Thompson (CA)	Walberg	Yarmuth
Thompson (MS)	Walden	Yoder
Thompson (PA)	Walker	Yoho
Thornberry	Walorski	Young (AK)
Tiberi	Walters, Mimi	Young (IA)
Tipton	Walz	Young (IN)
Titus	Wasserman	Zeldin
Tonko	Schultz	Zinke
Torres	Waters, Maxine	
Trott	Watson Coleman	

NAYS—2

Amash Sensenbrenner

NOT VOTING—18

Bass	Hinojosa	Sanchez, Loretta
Cramer	Murphy (FL)	Sewell (AL)
DeFazio	Ratchliffe	Slaughter
Duncan (SC)	Rohrabacher	Takai
Farr	Ruppersberger	Williams
Herrera Beutler	Rush	Wittman

□ 1904

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: “A bill to redesignate the Nisqually National Wildlife Refuge, located in the State of Washington, as the Billy Frank Jr. Nisqually National Wildlife Refuge, to establish the Medicine Creek Treaty National Memorial within the wildlife refuge, and for other purposes.”.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. SEWELL of Alabama. Mr. Speaker, during the vote on H.R. 2288 and H.R. 2270, I was inescapably detained and away handling important matters related to my district and the State of Alabama. If I had been present I would have voted “yes” on the aforementioned bills.

PERSONAL EXPLANATION

Mr. RUPPERSBERGER. Mr. Speaker, I was not able to vote today for medical reasons. Had I been present on rollcall vote 644, I would have voted “yes.” Had I been present on rollcall vote 645, I would have voted “yes.”

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. YOUNG of Iowa). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

BREAST CANCER RESEARCH STAMP REAUTHORIZATION ACT OF 2015

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1170) to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1170

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Breast Cancer Research Stamp Reauthorization Act of 2015”.

SEC. 2. EXTENSION OF POSTAGE STAMP FOR BREAST CANCER RESEARCH.

Section 414(h) of title 39, United States Code, is amended by striking “2015” and inserting “2019”.

SEC. 3. ENSURING THAT FUNDS GENERATED BY SPECIAL POSTAGE STAMP SALES ARE USED FOR BREAST CANCER RESEARCH.

Section 414(c)(1) of title 39, United States Code, is amended in the matter following subparagraph (B) by adding at the end the following: “An agency that receives amounts from the Postal Service under this paragraph shall use the amounts for breast cancer research.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of S. 1170, the Breast Cancer Research Stamp Reauthorization Act of 2015. It is sponsored primarily by Senator DIANNE FEINSTEIN of California.

S. 1170 extends a requirement for the United States Postal Service to produce and sell a specific semipostal stamp with the proceeds going to fund breast cancer research.

Importantly, all of the funds collected must be used for breast cancer research, and S. 1170 includes explicit language to ensure that this is the case. Since the stamp was launched in 1998, it has raised nearly \$82 million for breast cancer research.

This money is sent to two research programs. The bulk of the money, 70

percent, goes to the National Institutes of Health, and the remaining 30 percent goes to the medical research program at the Department of Defense. We hold both of these organizations accountable and should continue vigorous oversight of them.

Both the NIH and Department of Defense select specific programs and proposals to receive funding and report on these programs each year. The funds raised by this stamp have helped make meaningful advances in the fight against breast cancer.

I urge Members to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mrs. WATSON COLEMAN. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of S. 1170, the Breast Cancer Research Stamp Reauthorization Act of 2015. I thank Senator FEINSTEIN of California for her leadership on the legislation and her commitment to funding breast cancer research. This is a very important bipartisan issue, and 25 Senators have joined Senator FEINSTEIN in sponsoring this legislation.

I also want to thank my colleague, Representative SPEIER, also from California, for introducing the House companion bill, which has 59 cosponsors from both sides of the aisle.

I thank Chairman CHAFFETZ for bringing this bill to the floor and for his support of this crucial legislation.

S. 1170 would extend the authority of the United States Postal Service to issue the popular semipostal stamp that raises funds for breast cancer research. Currently, Postal Service customers can choose to buy a 60-cent breast cancer research stamp. The extra 11 cents above the price of the regular first-class stamp minus the Postal Service’s administrative costs go to lifesaving research.

Since its first issuance in 1998, the Postal Service has sold almost 1 billion breast cancer research stamps, generating nearly \$82 million that has gone directly to the National Institutes of Health and the Department of Defense to fund vital research.

In a 2014 report to Congress, the National Cancer Institute of the NIH has concluded: Having this additional funding has furthered the cancer research community’s efforts to exploit increasing knowledge of genetics and molecular biology to develop more effective and less toxic treatments for breast cancer.

Research funding from this semipostal stamp is critical in the fight against breast cancer, as one in eight women in the United States will develop invasive breast cancer during her lifetime, according to the American Cancer Society.

Breast cancer is the second leading cause of cancer deaths in women after lung cancer. The American Cancer Society estimates that, in 2015, about 40,000 women will die from this disease.

If we do not pass the measure before us today, the authorization for the Postal Service to sell the breast cancer research stamp will expire by the end of the year.

I, therefore, will urge my colleagues on both sides of the aisle to support S. 1170.

Mr. Speaker, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I reserve the balance of my time.

Mrs. WATSON COLEMAN. Mr. Speaker, I yield 6 minutes to the gentlewoman from California, Ms. SPEIER.

Ms. SPEIER. Mr. Speaker, I thank my colleagues for joining in this effort tonight. I would like to thank my colleague and coauthor of the House version of this bill, H.R. 2191, CYNTHIA LUMMIS of Wyoming, for her support and leadership on this issue. I want to also thank Senator DIANNE FEINSTEIN and Senator ENZI. Senator FEINSTEIN has supported this legislation. She was actually the original author of the legislation back in 1997.

□ 1915

Breast cancer, there is probably not one person in this room who hasn't been touched by breast cancer either themselves, through a family member, or through a friend.

Our courageous colleagues, Congresswoman DEBBIE WASSERMAN SCHULTZ, Congresswoman SHEILA JACKSON LEE, Senator HEIDI HEITKAMP, and spouses of many Members have all been impacted. My mother survived breast cancer. One of my best friends did not. My health legislative assistant who worked on this legislation lost her mother to breast cancer. She was only 13 years of age when her mother died.

This is an important bill. What is most important about it is the fact that we have made some progress. But still, one in eight women will develop breast cancer in her lifetime. It is still the second leading cause of death for women in this country.

What is really important about this legislation is the genesis of this legislation. It is an all-American story. It reminds me of the quote by Margaret Mead:

"Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it's the only thing that ever has."

In this case, there is the story of an immigrant who came to this country, got educated here, and became a doctor at 26. He became a breast cancer surgeon in Sacramento, California. His name is Dr. Ernie Bodai. He was concerned and frustrated by the slow pace of breast cancer research and all the surgeries he found himself doing over and over again.

So what did this breast cancer surgeon do? He came to Congress. He made 15 trips to Congress. He spent over \$100,000 of his personal money to con-

vince Congress to pass a bill authorizing a breast cancer stamp. In so doing, he was able to generate over, as we have heard already tonight, \$80 million. In fact, we are coming close to having sold almost a billion stamps in this country for breast cancer research.

One man had a vision. He came to Congress. It took him over 2 years to convince us to do it, but we did it. It is time now to reauthorize the legislation, and I am hopeful that we will do it, because it has in fact shown to be very effective. In fact, it has been used in finding genes that are protective against breast cancer, linking treatment outcomes with certain genes, and identifying women with a low risk of recurrence who can be spared chemotherapy.

So, my colleagues, this is an important bill to reauthorize. The deadline is, as we have been told, fast approaching. Let's continue the search for a cure. Let's be part of that search by buying breast cancer stamps and by reauthorizing the bill.

Mr. CHAFFETZ. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. I thank the gentleman from Utah, and I want to thank him for bringing this bill to the floor. I also want to thank the majority leader, KEVIN MCCARTHY, for bringing this bill to the floor tonight so we can see this authorization through before the end of this calendar year.

I am proud to join my friend, JACKIE SPEIER, my colleague from California, and other House colleagues, as well as Senator DIANNE FEINSTEIN and my Senator and dear friend, MIKE ENZI from Wyoming, in passing this reauthorization bill.

The stamp says, "Fund the Fight. Find a Cure." That is why we are here tonight. This is a budget-neutral way to fund critical research to treat and, hopefully, one day cure this disease.

Mr. Speaker, I rise today in proud support of the Breast Cancer Research Stamp Reauthorization Act of 2015. To have over \$80 million raised since 1998 from this stamp for breast cancer research and have it be budget-neutral is a wonderful way to acknowledge the importance of what we can do as private citizens once the government authorizes and empowers us to fund research through something we would buy every day anyway, and that is stamps.

So, once again, it is so important that we continue to support this funding of medical research and doing it in a fiscally responsible way that could save hundreds of lives. Who knows; maybe that one little book of stamps that you buy that helps fund breast cancer research will be the one that finds the cure.

Fund the fight. Find a cure.

Mr. Speaker, again, I want to thank my colleague, JACKIE SPEIER; the com-

mittee chairman, JASON CHAFFETZ; the majority leader, KEVIN MCCARTHY; and everyone who has cosponsored this bill, worked on this bill, brought it through the Senate, and brings it to the attention of the House of Representatives tonight.

We can fund the fight. We can find a cure. And tonight, this is the best way to move forward with that goal in mind.

Mrs. WATSON COLEMAN. Mr. Speaker, I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

I want to thank all those involved because, as was noted earlier, every life in this building and across this country and across the world has been touched by breast cancer. I lost my mom to breast cancer. I lost my dad to cancer as well—colon cancer.

This is a program that seems to work. It has been in place since before the year 2000. The numbers are quite startling. Instead of paying 49 cents for a stamp, you pay 60 cents. And that money, accumulated over time, has generated tens of millions of dollars. It is something that is worthwhile.

I appreciate Mr. MCCARTHY and his passion for this issue. I appreciate Mrs. LUMMIS and her desire to tackle this. I also appreciate what Ms. SPEIER and Mrs. WATSON COLEMAN have added to this discussion and their passion on tackling this issue. It truly transcends everything we do. It touches every life, and it is something we must win and we must overcome. This happens to be one of those government programs that actually works.

And so we are suggesting to our colleagues that we vote "aye" and support this and allow it to continue. It is one of the good things we do.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I am pleased to rise today in support of S. 1170, the "Breast Cancer Research Stamp Reauthorization Act of 2015."

I would like to recognize Senator FEINSTEIN for her commendable leadership in fighting for greater awareness of breast cancer and finding cures and treatment through breast cancer research.

This is a simple yet incredibly power piece of legislation.

S. 1170 will reauthorize through December 31, 2019, the Breast Cancer Research Stamp, which will require the U.S. Postal Service to issue a special postage stamp for first-class mail that costs more than the regular first-class stamp in order to raise funds for breast cancer research.

Importantly, agencies receiving these funds from the Postal Service must use them on breast cancer research.

Breast cancer accounts for 1 in 4 cancer diagnoses among women in this country.

This is an astonishing statistic that cannot be overstated—it must be stopped.

Breast cancer is also the most commonly diagnosed cancer among African American women.

As an African American woman and I am a breast cancer survivor and I know these statistics all too well.

As a Member of Congress, a mother, grandmother, sister and wife, it is my responsibility and duty to fight to insure that every American can win in the fight against cancer.

I understand first-hand how important proper and adequate funding is to defeat breast cancer.

As a proud cancer survivor, I am also proud to have secured adoption of an amendment to the FY 2014 Defense Appropriation Act that increased funding for breast cancer research by \$10 million.

We must continue to raise funds for research in order to ensure that the women of our nation no longer have to suffer.

This bill will ensure that additional funds will be used towards life-saving research to protect all of our grandmothers, mothers, daughters, sisters, aunts and love ones.

I urge my colleagues to support this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, S. 1170.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CHAFFETZ. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2646

Mr. YODER. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2646.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

RESIGNATION AS MEMBER OF JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Joint Economic Committee:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 5, 2015.

THE SPEAKER,
House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I, KEVIN BRADY, am submitting my resignation as the Vice-Chairman of the Joint Economic Committee (JEC) effective immediately. It has been an honor to have served in this position, and I look forward to taking on my new role as Chairman of the Ways and Means committee.

Sincerely,

KEVIN BRADY.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

APPOINTMENT OF MEMBER TO JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 15 U.S.C. 1024(a), and the order of the House of January 6, 2015, of the following Member on the part of the House to the Joint Economic Committee:

Mr. TIBERI, Ohio, to rank before Mr. AMASH

EPILEPSY AWARENESS MONTH

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise this evening to highlight November as Epilepsy Awareness Month.

Tragically, across the country today, thousands of families dealing with epilepsy and other debilitating seizure disorders have been forced to uproot their families as they travel to States where CBD oil already is legalized.

Especially in children, Mr. Speaker, CBD oil helps reduce the amount and duration of seizures; but over and over again, the government has stood in the way of access to lifesaving care for these children.

Children across the country like Sophie Weiss deserve better. Sophie is an inspiring young woman in my district. She suffers from a severe form of epilepsy. Without CBD oil, she suffers upwards of 200 seizures each and every day.

For Sophie and children suffering like her, I helped introduce a bill to stop the government from standing in the way of this lifesaving relief. In honor of Epilepsy Awareness Month, I call on my colleagues to join me so that we can pass the Charlotte's Web Medical Hemp Act of 2015 and ensure no other family has to endure the loss of a child as they wait for the approval of this natural, lifesaving option.

SYRIAN REFUGEE CRISIS

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, since the passage of the American SAFE Act, the constituents that I serve have reached out to me through phone calls, email, and social media to voice their concerns.

I want to be clear that I did not view the SAFE Act as a vote against Syrian or Iraqi refugees or the greater refugee community. But it is my duty in serving my constituents in Congress to share some of the views that they called me about.

One resident who previously taught Syrian refugees said, "Support of this bill and the accompanying shameful public comments about refugees make

us less safe and respond from fear, not strength."

Messages in support of refugees continue to pour in, stating loud and clear that America cannot turn its back on refugees. I want to thank the constituents that I serve for their continued feedback.

Tomorrow, I will be addressing the House once more about this subject at length. I don't want to remain silent about this issue because the district that I serve has made it very clear that they care very deeply about it.

IMPORTANCE OF CAREER AND TECHNICAL EDUCATION

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, as co-chairman of the bipartisan Career and Technical Education Caucus, I rise today to emphasize the importance of quality CTE programs, which allow students to succeed in areas that keep our Nation competitive in the global economy.

Last week, I visited a lab at Penn State University, where three-dimensional printers were used to create parts for a wide variety of industries, including those which support our national defense. These students are also among those leading the way in creating metal parts which once could only be fabricated at powdered metal plants.

I was also proud to see very similar programs being offered at the high school level. I spoke to the superintendent of the St. Marys School District in Elk County and was pleased to learn that students at St. Marys High School are graduating with many of the skills needed to succeed in these growing vocational and technical fields.

I am hopeful that with the next reauthorization of the Carl D. Perkins Career and Technical Education Act we can enhance the partnerships that bridge the gap between our high schools, technical schools, colleges, universities, and employers.

□ 1930

HONORING VILLAGE OF PINECREST POLICE OFFICER VERNA GAY

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today in recognition of Officer Verna Gay, who was recently named Officer of the Third Quarter of 2015 of my hometown Village of Pinecrest Police Department.

During one particular incident earlier this year, Verna showed brilliant

situational awareness in helping to investigate the burglary of a local business. Responding to the scene as a backup, Verna's proactive efforts led to the capture and arrest of two subjects who were involved in the crime.

I commend Officer Gay for her impressive actions in support of the safety of the people of my hometown, the Village of Pinecrest. Verna's continued dedication and service help make sure our hometown remains a safe place in which to live, raise a family, and conduct business.

Congratulations once again to Officer Verna Gay on this well-deserved honor.

HONORING THE SERVICE AND SACRIFICE OF DONALD R. BOYER

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I rise to honor the service and sacrifice of one of my constituents and my friend, Donald R. Boyer, who passed away on November 21, 2015.

Don was a World War II veteran, fought bravely in the Battle of the Bulge, was captured by German forces, and spent many months as a prisoner of war, for which he was awarded the Purple Heart.

After World War II, Don worked for the Chrysler Corporation as a zone real estate manager for 27 years. Throughout his career, Don found several ways to continue to serve our Nation and fellow veterans.

He was commander of Post 370 and Second District commander of the American Legion, trustee of the Veterans of Foreign Wars Post 846, and was serving as local chapter commander of the American Ex-Prisoners of War when he unfortunately passed away.

Don also served on my Veterans Advisory Committee for more than 5 years, providing great insight to issues involving our Armed Forces, veterans, and their families.

Mr. Speaker, without Don's service and sacrifice, along with all the men and women of the Greatest Generation, our Nation would not be as resilient and flourishing as it is today, and we remain ever thankful for their service.

EMBRACE MEDICAL TECHNOLOGY

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, medical technology makes a huge difference for millions of Americans by giving them access to life-improving and lifesaving technologies, devices, and treatments. With new developments, we should be encouraging the use of these innovations to achieve better outcomes and lower long-term health costs.

However, the agency that oversees Medicare has continuously made decisions that threaten the use of this technology. As Yogi Berra once said, "It's *deja vu* all over again."

First, the agency proposed rules that would limit access to critical speech-generating devices. Then, it was patients that use lower limb prosthetics that could see reduced access.

Recently, we have seen proposed rules now that would limit access to pneumatic compression pumps for those managing a condition called lymphedema and those using individually configured Complex Rehab.

Mr. Speaker, Congress has been forced to take action in some of these instances, like when we passed the Steve Gleason Act earlier this year. But the series of proposed rules are now alarming, in that they will raise long-term health costs and result in worse outcomes.

We need to look at a new path forward when it comes to embracing and protecting access to medical technology.

CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Illinois (Ms. KELLY) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. KELLY of Illinois. Mr. Speaker, I ask unanimous consent that all Members be given 5 days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Ms. KELLY of Illinois. Mr. Speaker, tonight is a night of action and reflection for this Congress. This evening, the Congressional Black Caucus will take a look at a number of significant events that have occurred this year and discuss the urgent and pressing concerns of today.

In the waning weeks of 2015, we will have this moment of reflection in order to examine the issues that have caused our community the greatest concern. This conversation must be had, so we have to have an honest and impactful dialogue that will help Congress engage communities and act so we can create a better future today.

It is said that the blood brother of apathy is the inability to prioritize that which is important. Congress cannot afford to be apathetic any longer. We must get serious about the issues that threaten the true potential of our Nation—issues like gun violence that imperil our safety and security, issues like joblessness and wage discrimination that are barriers to our collective economic prosperity, issues like restrictive voting laws that are fun-

damentally contrary to the democratic right of American citizens and concerns with bad-apple community police.

The Congressional Black Caucus has come to this very floor numerous times to address many of these issues, and, sadly, this body has yet to act on many of these concerns.

Last week, in my home district, Chicago was rocked by a disturbing video that was released showing the police shooting of 17-year old Laquan McDonald. He had been shot 16 times by his arresting officer. Most of the shots were fired when McDonald was no longer standing. Some entered through his back.

I cannot begin to fully express the depth of my outrage at this senseless killing. The video is nothing short of horrific. Tonight, I want to express my condolences to the McDonald family, for whom the pain of losing their loved one has undoubtedly been compounded by having his death on public display.

There is a role that Representatives in Congress can play in putting the issues of violence in our communities in the forefront. We have chosen not to.

As horrifying as the video of Laquan's death is, it needed to be made public because the lingering questions surrounding this case and cases like the death of Walter Scott are equally disturbing.

In reflecting on this tragedy, I want to take a moment to give my thanks to the many activists in Chicago who expressed their outrage in a civil and productive way and, particularly, the young activists.

I remain encouraged by those who have been at the forefront of the call for justice for Laquan and their positive and productive movement for change. It is an example I hope all Americans will follow in helping to create a fairer, more equitable system of justice for us all.

So, in that vein, tonight we will have a conversation about how, in the midst of these tragedies and national adversity, the Congressional Black Caucus is working and achieving positive and productive moments of change.

In this hour, you will hear from my colleagues about efforts the CBC has led to usher in criminal justice reform, about the work of the CBC in increasing diversity in the tech sector through our TECH 2020 initiative, about the CBC Health Braintrust work and addressing the issue of health disparities through the release of the 2015 Kelly Report, about how we are raising awareness and working to bring back kidnapped victims of Boko Haram in Nigeria, and about how the CBC has been a critical broker in numerous legislative efforts before this Congress.

There is much to discuss this evening because there is much worth reflecting on and celebrating.

Mr. Speaker, this is Mr. PAYNE and my last Special Order hour for the year. I must say that, while this time has flown by, it has been an honor and a privilege to represent this distinguished caucus.

So I yield to the distinguished gentleman from New Jersey, Mr. DONALD PAYNE, Jr., my very distinguished partner in crime for this past few months, or year, actually.

Mr. PAYNE. Mr. Speaker, I would like to thank my dear friend and colleague, Congresswoman KELLY, for anchoring this final Congressional Black Caucus Special Order hour. In fact, I would like to thank Congresswoman KELLY for coanchoring all the Special Order hours with me throughout 2015. It has been my real honor and pleasure to spend all these Mondays with you bringing forth issues that matter in our community.

I would also like to thank the CBC chair, Congressman G. K. BUTTERFIELD, for his outstanding leadership this past year.

I appreciate you choosing me to co-anchor these congressional Special Order hours with Congresswoman KELLY. It is a great honor, and we are a body of 40-plus, so to have that honor to be chosen means a great deal to me. And I am certain that 2016's coanchors will proudly serve, as we have.

As Congresswoman KELLY mentioned, we are here to reflect on all the work that the Congressional Black Caucus has done throughout the year, to look at the accomplishments.

In February, we kicked off the CBC Special Order hour by reflecting on the 50th anniversary of the March on Selma, where we are today, and where we are headed for tomorrow. Through this hour, we were able to set the tone for the Congressional Black Caucus agenda with our leader, G. K. BUTTERFIELD, at the helm.

We remembered all the strides that were made by African Americans to the place that we are today. We reflected on the work that is being done right now through the caucus in the House of Representatives.

And, most importantly, during that hour, we looked towards the future. We intend to put forward the most effort in order to make sure that African Americans are well-represented and afforded equally in all phases of these United States.

Monday after Monday, we have addressed the many challenges and inequalities that face African American communities. We have contributed to this country with blood, sweat, and tears, hard work and entrepreneurial ideas and inclusiveness. We aren't owed anything. We are a significant thread in the cloth that makes this United States grow.

We have talked about criminal justice reform, economics, unemployment, underemployment, incarcer-

ation, voting rights, felon disenfranchisement, and health disparities, and those are just a few of the issues that we have tackled this year.

As we have been known to be called the "conscience of the Congress," we continue to put forth issues that are relevant and prevalent in today's society. I have just been honored to be part of the spokes-team to bring awareness and raise these issues on a week-to-week basis.

Ms. KELLY of Illinois. Thank you, Congressman PAYNE. Thank you for those kinds words. It has truly been an honor serving with you.

I yield to the esteemed chair of the Congressional Black Caucus, the gentleman from North Carolina, Congressman G. K. BUTTERFIELD.

Mr. BUTTERFIELD. Thank you, Ms. KELLY.

Let me begin this evening by first thanking Congressman DONALD PAYNE, Jr., from the Tenth District of New Jersey for his friendship and for his tireless work on behalf of the Congressional Black Caucus and on behalf of the people that he represents back home in the great State of New Jersey.

Thank you, Mr. PAYNE, for your work, and thank you for the kind words that you had to say about me this evening.

And to my other colleague, Congresswoman ROBIN KELLY from the Second District of Illinois, not only do you manage the floor on Monday nights, Ms. KELLY, on behalf of the Congressional Black Caucus, but you also are the chair of our CBC Health Braintrust that does so much for so many.

You also have carved out a niche. You have begun to focus the attention of the Nation on the issue of gun violence in our country.

So I want to begin this presentation this evening by thanking both of you for your work.

□ 1945

Mr. Speaker, many of my colleagues here this evening, especially the newer ones to this body, may not fully understand what the CBC is. The Congressional Black Caucus is an organization. It is a caucus of African American Members of Congress.

We were founded in 1971. But, Mr. Speaker, that does not mean that 1971 was the first year that this body had African American Members of Congress. Actually, the first African American was elected to Congress in 1870.

There were some 21 African Americans who served in this body during Reconstruction and post-Reconstruction. The CBC formally organized, Mr. Speaker, in 1971 with 13 Members. Over the years, those 13 members have now grown into 46 members.

I might say that two of the founding members of the CBC continue to belong to this body. They are Congressman JOHN CONYERS from Michigan, who is

actually the dean of the House, as well as Congressman CHARLES RANGEL from the State of New York. They were two of our founding members.

The CBC, as I said, now consists of 46 members. Of the 46 members, one is from the other body, from the United States Senate, and 45 serve here in the House of Representatives.

I might say that one of our 45 members is a Republican Member of this body, our dear friend from Utah (Mrs. LOVE). And so it is absolutely correct for us to say that we are bicameral and we are bipartisan.

Collectively, we represent 23 States in addition to the District of Columbia and the Virgin Islands. Collectively, Mr. Speaker, we represent more than 30 million people.

I might say, of the 21 standing committees that we have here in this House, 7 of those 21 committees have a CBC member as the top Democrat on the committee. We call that the ranking member. The gentleman who will speak in just a moment, Mr. SCOTT of Virginia, is one of those ranking members on the Committee on Education and the Workforce.

Mr. Speaker, this past year has been very demanding on CBC members. We have been busy. We have consistently fought back every day and every week against Republican attempts to balance the budget on the backs of hardworking Americans—not just African Americans, but hardworking Americans, Black, White, and Brown.

The struggle continues. We, as the CBC, have been focused on many different things. I will mention just a few. In the interest of time, we have been focusing on criminal justice reform because that is so important to the African American community.

We have been protecting—or trying to protect—the social safety net that many of our vulnerable communities depend on. We have been trying to enhance educational opportunities for African American students and strengthening and preserving HBCUs, that is, Historically Black Colleges and Universities.

Mr. Speaker, we have spent considerable energy this year trying to have full enforcement of the Voting Rights Act. As many of my colleagues may know, the U.S. Supreme Court decided in a decision some years ago, 4 years ago—actually, in 2013 it was—that the Voting Rights Act, at least a part of it—that part that deals with preclearance of voting changes—that that section could not be enforced until this Congress redefined the formula for determining which States or which counties should be subject to that part of the Voting Rights Act, and this Congress has not acted.

This Congress continues to not fully enforce the Voting Rights Act. We have exposed that and we continue to fight. We are talking about diversity in corporate America, and we are going to

hear more about that in the years to come.

Finally, Mr. Speaker, we have talked about investments in underserved communities.

Mr. Speaker, we have attempted to carry out these priorities. This year the CBC launched the CBC TECH 2020. This initiative brings together the best minds in technology in nonprofit education in the public sector to increase African American inclusion at all levels of the technology industry.

In addition to outlining best practices for diversity principles, CBC TECH 2020 has empowered our members to provide resources for African American students and entrepreneurs through the introduction of legislation focused on increasing STEM education.

I would hope that every American would embrace that concept, the concept of STEM education—science, technology, engineering, and mathematics—and workforce development, cybersecurity, and copyright and patent reform.

In August, we traveled to Silicon Valley, talked to the technology giants like Apple, Google, Bloomberg, and Intel about their diversity efforts. We were pleased with their response and their willingness to improve the diversity within their companies.

This year, Mr. Speaker, we revamped the biweekly CBC message to America. We now broadcast across several digital platforms. The messages to America have been highly received. They have been widely watched with some of our most popular messages focusing on criminal justice reform, police violence, poverty, education, the importance of HBCUs, and ending the stigma of racism in America.

Finally, on August 6, the CBC recognized the 50th anniversary of the Voting Rights Act. In the 2 years following the Supreme Court's ruling to overturn section 4 in the *Shelby County v. Holder* case, voting rights have come under assault, Mr. Speaker. They have come under renewed assault.

Since 2010, new voting restrictions have been put in place in 22 States, making it harder for millions of eligible Americans to exercise their right to vote. The CBC has been very vocal on these efforts, including outreach in Wisconsin. We filed an amicus brief in the States of Wisconsin, in North Carolina, and in Alabama.

The CBC has asserted for years that Black Americans are unfairly treated and disproportionately exposed to the criminal justice system. Police bias and excessive use of force are real in the African American community. We see it every day. We must restore the American people's trust in our criminal justice system.

Finally, we have worked to expand the economic opportunities for African Americans. The CBC, in coordination with the Joint Economic Committee

Democrats, have held two public forums in Baltimore and Harlem, I might say, entitled "The American Dream on Hold: Economic Challenges in the African American Community," where we discussed with those communities the impact of economic challenges and persistent inequities facing African American communities across the country.

Mr. Speaker, there are so many more things that I could say about the work of the Congressional Black Caucus. We are busy. We are engaged every day not only representing African Americans, but representing every American who is affected by some of the policies that have been enacted by this Congress.

Thank you for the time this evening.

Ms. KELLY of Illinois. Thank you, Congressman BUTTERFIELD. That was certainly a great list of our achievements. Like you said, that was just some of the things that we have been able to accomplish, and there is a lot more that you can say. We can go on and on. Thank you for your leadership and making sure that we get some of these things done.

Mr. BUTTERFIELD. Ms. KELLY, I believe you mentioned to Mr. PAYNE that he was your partner in crime. I want those who may be watching this on television to know that was really a joke.

Ms. KELLY of Illinois. Of course. At this time, I yield to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I want to thank the gentlewoman from Illinois and the gentleman from New Jersey for organizing this Special Order tonight. It takes a lot of work and a lot of time to organize these efforts, and I want to thank them both for the time and effort that they have put into this.

We have heard a lot about what the Congressional Black Caucus has done over the years. There are two areas that I have been personally involved in with the CBC effort in the areas of education and criminal justice reform. On both we have worked hard and achieved bipartisan support.

The Elementary and Secondary Education Act, which is a civil rights bill, makes sure that the admonition in *Brown v. Board of Education* becomes a reality. It says that no child shall reasonably be expected to succeed in life if denied the opportunity of an education and such an opportunity must be made available to all on equal terms. That is what the *Brown* decision held.

But we know that we don't have equal education in America because we fund it primarily through the real estate tax, guaranteeing that wealthy areas will have more resources for education than low-income areas.

So 50 years ago we passed the Elementary and Secondary Education Act, which provides funding directed primarily to help the challenges in educating low-income children particularly in concentrated areas of poverty.

No Child Left Behind a few years ago added to that by making sure that we ascertained whether or not there are achievement gaps in certain groups and requires action to be taken to solve those achievement gaps.

This week we should reauthorize the Elementary and Secondary Education Act to ensure that the needs of all children are addressed. That legislation has just come out of conference. It came out of conference with an overwhelming—almost unanimous—vote, a bipartisan vote. So we look forward to the continuation of the Elementary and Secondary Education Act.

Mr. Speaker, the next area that we are going to be working on is the Higher Education Act, also originally passed 50 years ago. When President Johnson signed that bill, he pointed out that every child should be able to go to any college in any State. Back then that was actually a reality because a low-income student with a maximum Pell Grant and a summer job could virtually work his way through college with no debt.

Now, because the buying power of the Pell Grant has eroded, instead of 75 percent of the cost of education, now it is down to about one-third and the rest has to be picked up with devastating student loans. We need to pass a Higher Education Act that makes access to college a reality, not just a dream.

We can do that, and there is bipartisan support for that effort. So in education we are making progress with the Congressional Black Caucus and we have been able to achieve bipartisan support.

It is interesting that we have also been able to achieve bipartisan support in the criminal justice reform efforts. We have a problem in criminal justice now because, for decades, we have been passing all these slogans and sound bites, particularly, mandatory minimums that have run our incarceration rate up to number one in the world by far. We have 5 percent of the world's population and 25 percent are prisoners.

Several recent studies have pointed out that our incarceration rate is so high that it is actually counterproductive; that is, we have got so many children being raised with parents in prison and we have got so many people with felony records that can't find jobs and the prison budget in the Department of Justice is eating up so much of the budget that the other things that can actually reduce crime don't have the funds that they actually need.

One bipartisan effort that we were able to achieve late last year was the Death in Custody Reporting Act, which requires any death in the custody of law enforcement—that is a death in jail, a death in prison, or death in the process of arrest—will be reported to the Justice Department so that the

discussion about all of these deaths can be based on facts, not just speculation.

We also are in the process of trying to pass criminal justice reform. The Judiciary Committee, in a subcommittee task force led by JIM SENBRENNER from Wisconsin and myself, had an overcriminalization task force. The one thing we noticed was that 30 States were able to reduce incarceration and reduce crime at the same time.

One example was Texas. Texas was faced with a \$2 billion request for prison expansion to keep up with the slogans and sound bites that they had been codifying over the years—\$2 billion. Someone suggested, instead of spending \$2 billion, how about trying to spend a couple of hundred million—research-based, evidence-based targeted expenditures—to actually reduce crime, and maybe they wouldn't have to spend all \$2 billion.

Well, that is what they did. They intelligently spent. With a research-based and evidence-based approach to reduce crimes, they made those expenditures and looked up. They didn't have to build any new prisons at all. In fact, they were able to close some of the prisons they had. Over 30 States have reduced crime and saved money just in using the same strategy.

So as a result of the overcriminalization task force, we created a comprehensive criminal justice bill that starts with investments in prevention and early intervention, has diversion to drug courts so that people with drug problems can have their problems solved rather than just spinning through the criminal justice system, a significant reduction in mandatory minimums so they would be reserved for true kingpins, not for people caught up in the conspiracy, like girlfriends and things like that.

Only the true kingpins would get the mandatory minimums. Everyone else would get a sentence that made sense. If you go to jail, then you should be rehabilitated, not just warehoused, and we should have funding for Second Chance programs.

The beauty of the bill is that the savings in prison space by the reduction in mandatory minimums will be redirected to pay for the prevention and early intervention, the drug courts, the prison reform efforts, and the Second Chance programs so all of those programs are paid for.

□ 2000

We also have significant funding for police training. As we go through the trauma of these trials that are going on as we speak in Baltimore and Chicago, when you get to a solution, it will undoubtedly involve police training and probably body cameras, and those are funded in the Safe Justice Act by diverting money from the savings in mandatory minimums to those

programs. We have broad bipartisan support, many very conservative, many very liberal organizations, all supporting the Safe Justice Act and other criminal justice reform efforts. The Black Caucus should be proud of the efforts that they have put in to making sure that we have a fair and equitable criminal justice system.

I would like to thank again the gentlewoman from Illinois for all of her hard work and the gentleman from New Jersey for his hard work in pointing out many of the good things that the Congressional Black Caucus has accomplished, many things they have accomplished this year and a lot of things we are working on for next year. So I thank you for your hard work and dedication.

We have a conference committee report that came out with an overwhelming bipartisan vote that will ensure that young people will have their educational needs met. I want to thank the gentleman from Minnesota (Mr. KLINE) for his hard work and cooperation on that bill.

Ms. KELLY of Illinois. Thank you for the information on the Safety Justice Act and education. The two really go hand in hand. If our young people have more skills and are educated, then I think that we will see less crime. We always say, in my area, "Nothing stops a bullet like a job," so thank you for that information and for all of your hard work.

At this time, I yield to the gentlewoman from California (Ms. LEE), a woman of great knowledge and experience, and one of my heroes.

Ms. LEE. First, let me thank Congresswoman KELLY for those very generous remarks, but also for your tremendous leadership and for staying the course and making sure that we are here really speaking truth to power each and every week on behalf of the Black Caucus.

Also, to you, Congressman DON PAYNE, thank you very much for your leadership and for really rising to the occasion on so many issues. In the very short time that you have been here, you have hit the ground running and really have made a tremendous difference.

I want to just speak for a few minutes as it relates to the review of the Congressional Black Caucus for the last year or 2 years. I have to just say that our leader, Mr. BUTTERFIELD, has been a very bold and tremendous leader. We have accomplished quite a bit, and we have a lot more to do. While 2015 has been very challenging, I believe that the Congressional Black Caucus has really stepped up and made a huge difference not only for the African American community and communities of color, but for the entire country.

It has also been an inspiring year. We have seen the birth and growth of the

vital Black Lives Matter movement. We have also witnessed powerful and moving protests across the country in places like Missouri, New York, and even in my district in Oakland and in Berkeley, California, with people of all backgrounds and ages coming together to demand justice, to petition their government, to exercise their democratic rights.

I am so proud of the young activists who are standing up and demanding an end to racism and injustice in many of our communities. They are truly bringing the civil rights movement into the 21st century. I want them to know that they have allies here in the people's House.

For too long Congress has ignored or brushed aside issues affecting the African American community and other communities of color. It is past time that everyone steps up and does the good work that we were sent to Washington to do, that the Congressional Black Caucus has done for many, many decades.

We need to start by talking about and looking at what has happened with the Voting Rights Act. As you know, this year marks the 50th anniversary of this landmark legislation. The Voting Rights Act was gutted by the Supreme Court in its *Shelby v. Holder* decision, and, of course, Republican State legislators have fallen all over to restrict voting rights across the country everywhere.

These dangerous restrictions come in the form of voter ID requirements, elimination of same-day voter registration, and really severe reduction in early voting efforts. We must call these efforts for what they are: Republican attempts to take away one of our most fundamental rights. But we will not let this happen.

I am so proud of the Congressional Black Caucus—Congresswoman TERRI SEWELL and JOHN LEWIS and Mr. CLYBURN, the entire Congressional Black Caucus. Our bill, H.R. 2867, the Voting Rights Advancement Act, sponsored by Congresswoman SEWELL, who represents Selma, Alabama, would restore the preclearance provisions of the Voting Rights Act for any State that has had 15 or more voting rights violations in the last 25 years in the preclearance process.

As Dr. King once said: Give us the ballot, and we will fill our legislative halls with men—and, of course, women—with goodwill.

We can fill this body with those who really want to see democracy fulfilled. So we need our young people to keep up the street heat and demand that Congress act.

It is past time that we get serious about restoring the Voting Rights Act and ensuring that all Americans—and that means all Americans—have free and unobstructed access to the ballot box.

Also, the serious economic disparities that persist in the African American community are very, very evident. According to a report released earlier this year by the Joint Economic Committee, led by ranking member Congresswoman CAROLYN MALONEY, and the Congressional Black Caucus, we learned, and it is very glaring, that more than one in three Black children are born into poverty, and the African American poverty rate is three times that of White Americans.

The cycle of poverty and inequality starts in our school systems, where Black students account for 42 percent of preschool student expulsions, despite accounting for only 18 percent of enrollment. Now, that is preschool expulsion. Every time I remember this and say this, it really makes me very terrified about what is taking place with young Black kids, especially with young Black boys, because there is no way anybody, no kids, should be expelled from preschool. That is ages 1 to 4. That is outrageous.

I am the mother, yes, of two fabulous great Black men, and I am the grandmother of two Black boys, and I find statistics like that very, very troubling. For African Americans, we have allowed our school system to be turned into a pipeline to prison. We must act now to address systemic issues facing our education and our criminal justice systems.

I want to applaud Congressman BOBBY SCOTT and Congressman CONYERS because they have worked for decades on criminal justice reform, and we are beginning to see some progress as a result of their very diligent work.

Our criminal justice system is broken. It needs to be rebuilt from the ground up. So alongside of our CBC colleagues, once again we are calling for comprehensive criminal justice reform.

Also, I want to mention our effort, which I co-chair with Chairman BUTTERFIELD, our Tech 2020 initiative. Silicon Valley is right next to my district in California. There are great opportunities there for everyone.

However, the tech industry has not been inclusive of hiring and contracting with and working with communities of color, especially the African American community. So I am very pleased that the Tech 2020 of the Congressional Black Caucus has been initiated. We are working with our great leader, Reverend Jesse Jackson, with an inside-outside strategy. Many of the tech companies understand what is taking place and that they need to be an industry that is inclusive of everyone.

So the Black Caucus along with Rainbow PUSH, along with the tech industry are working on a variety of strategies to make sure that this industry which provides good-paying jobs and opportunities is an industry that is inclusive, that does not discriminate,

and that includes the diversity of this great country.

So I have to just say to Congresswoman KELLY and Congressman PAYNE, thank you for giving us a chance to talk about so many of the issues that we have been working on. When you look at the issue of poverty, cutting poverty in half in 10 years, we know how to do it. We have legislation, the Half in Ten Act, H.R. 258, to do that, and the Pathways Out of Poverty Act, H.R. 2721. We know how to provide opportunities. The Congressional Black Caucus once again is leading on all of these fronts. It is a big agenda, but it is an agenda that makes our country stronger.

So thank you, Congresswoman KELLY, and thank you, Congressman PAYNE, for the chance to be with you tonight.

Ms. KELLY of Illinois. Thank you, Congresswoman LEE. You have brought up so many issues that are so interconnected—again, education, diversity inclusion. When you think about preschoolers getting expelled, that is not a good start. And what message does it send to that young man or that young woman or that little boy or that little girl? But all of the things that you talked about—voting rights—are all interconnected, and we need to accomplish all of those goals for a better America, and not just for African Americans, but for everybody.

Ms. LEE. Thank you very much.

I just want to say that I think what is reflective in the Congressional Black Caucus' agenda and all of the work that we have done for so many years is really an effort to show that how, if you ensure that opportunity is there for everyone, including African Americans and communities of color and people who have been shut out and marginalized, our country becomes stronger. This means that everybody benefits—not only for the Congressional Black Caucus, this is for the entire country. So thank you again for your leadership.

Ms. KELLY of Illinois. Well, we want to thank you for your leadership and all of the work that you have done to make Congress stronger, as well as the caucus stronger.

At this time, I yield to the gentleman from Brooklyn, New York (Mr. JEFFRIES).

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished gentlewoman for yielding. And I also thank, of course, my good friend and colleague, Congressman DON PAYNE, from across the Hudson River, who does such a tremendous job of representing the people of Newark and Essex County.

It has been an honor and a privilege to watch my two colleagues during this year preside over the CBC Special Order hour, giving us, as a caucus, an opportunity to share with the American people some of our thoughts and

ideas and the issues that we are working on to improve a lot of those that we represent in the African American community and all across this great, gorgeous mosaic in the United States of America.

I am troubled, of course, by the events of the last few days as relates to the Laquan McDonald case out of ROBIN KELLY's hometown in Chicago. About a year ago, many of us from the Congressional Black Caucus were on this very House floor talking about the failure to indict in the killing of Michael Brown; and in the same week, 3 days later, the failure to indict in the strangulation of Eric Garner, who, of course, was put into an unauthorized choke hold and killed as a result of allegedly selling loose cigarettes.

It, of course, highlighted the problem of African American men being killed at the hands of police officers, which is a decade-old problem that, hopefully, here in America we will find the courage one day to confront.

And now, of course, we are compelled to come to the House floor to deal with the tragedy of the Laquan McDonald case, a 17-year-old shot 16 times in 15 seconds by an officer who had 20 prior civilian complaints filed against him. I am no mathematician, but those numbers simply do not add up. The tape comes out and we see what occurred: an individual, Laquan, who was walking away from the officers, not toward the officers. There is no reasonable circumstance, I believe, that led to that individual being shot down like a dog on the streets of Chicago.

The officer has now been indicted 13 months later, and, hopefully, the justice system will run its course and the officer will be prosecuted to the full extent of the law.

□ 2015

I am here today to talk briefly about another troubling issue that relates to this problem of the police use of excessive force. That is not just the bad apples who engage in this behavior; it is the fact that, far too often, the police officers in the department, who may not otherwise engage in excessive force but who have grown up in a culture of a blue wall of silence, support these officers either with their inaction or, in some instances, by actively participating in a coverup.

Now, I know that is hard for a lot of Americans to hear because, listen, I also believe that the overwhelming majority of officers are hardworking individuals who are there to protect and serve.

I don't take lightly the fact that I am here concerned on the House floor that far too many officers stand by, tolerate, and enable the excessive use of force, sometimes resulting in American citizens being killed without justification.

This case actually highlights the problem. Laquan gets killed, and if you

look at the reports in the immediate aftermath of his death last October—and I just pulled a few—here is what we were told.

“The suspect fled, and officers gave chase, police said. When the officers confronted him near 41st Street and Pulaski Road, he refused their orders to drop the knife and began walking toward the officers, police said.

“Pat Camden, spokesman for the Chicago Fraternal Order of Police, said the teen had a ‘crazed’ look about him as he approached the officers with the knife.”

That was reported by CBS.

Let’s go to NBC. “Responding officers found a 17-year-old boy ‘with a strange gaze about him,’ who was carrying a knife and wouldn’t drop it when police ordered him to do so, Fraternal Order of Police spokesman Pat Camden said.

“Other officers used a squad car to try and box the boy in against a fence near West 41st Street and South Pulaski Road, Camden said. An officer shot him in the chest when the teen didn’t drop the knife and continued to walk toward officers, police said.”

WGN-TV: “Chicago police officers shot and killed a 17-year-old after a foot chase near 41st Street and Pulaski . . . Officers shot the teen after he waved the knife at them.”

In the interest of time, let me just read one more. This is from the Chicago Tribune: “Officers got out of their car and began approaching McDonald, again telling him to drop the knife, Camden said. The boy allegedly lunged at the officers, and one of them opened fire.”

“‘When police tell you to drop a weapon, all you have to do is drop it.’”

I mean, Shakespeare would be proud at the fiction that was put out there to justify the murder of this 17-year-old.

Here is what is worse. It has now been reported that in the immediate aftermath of the shooting four or five officers went to a nearby Burger King and asked to view the surveillance tape. The manager at Burger King gives them the password to the video. They spend a couple of hours in Burger King—I mean, a couple of hours in Burger King, allegedly—and then they leave.

Then internal affairs officers apparently come in the days afterward, and they pull the tape. Guess what? Eighty-six minutes are missing. It happens to be the 86 minutes that cover the period of time when Laquan McDonald was killed.

When we come to the House floor and people across the country say Black lives matter and they are concerned about the lack of justice in the system, understand that it is not just the excessive use of force; it is the fact that far too many officers, law enforcement folks, participate actively in covering up what has occurred.

Until we deal with that cancer of the blue wall of silence, we are going to continue to have to come to this House floor, and you are going to continue to see individuals be killed as a result of the use of excessive force.

It is an American problem that we should confront, and we should confront it boldly and directly and without hesitation if we really want to uplift the best values of our great democracy.

I thank Congresswoman KELLY, and I thank Congressman PAYNE for their tremendous leadership.

Mr. PAYNE. Mr. Speaker, I thank the gentleman for his profound remarks on this occasion.

I have my own remarks in reference to what happened to this youngster. That is what he was—a youngster, a child. I have 17-year-old triplets. God forbid my children find themselves in that predicament.

I will not even try to match the remarks by the gentleman from New York. I think he stated the case clearly.

Black lives matter. I know there is a segment in this country that gets upset when they hear that, but you need to understand what they are saying. It is: Why is there no worth to African American lives? That is what they are asking. Why is it so easy that we continually find people of color on the wrong end of these weapons?

Then to have it covered up in the manner in which the gentleman from New York stated—86 minutes. Now, my children love Burger King, but you only need 20 minutes if there is a line in Burger King to do what you need to do. But they spent hours there, getting their story right, making sure everybody would corroborate what they were going to say.

That is why “Black Lives Matter” exists. That is why we continue to bring these issues up. That is why we will not let it go quietly into the night.

Everybody has seen that videotape. When did he lunge? When was he shot once in the chest? When did any of those things that were reported occur in that video? He was walking away. He did still have the knife in his hand, but he was walking away. Most of the shots that were put into his body were after he was on the ground. The officer feared for his life.

Black lives matter.

Our next speaker is the gentlewoman from Houston, Texas, the wonderful, dynamic, one of my heroes, the Honorable SHEILA JACKSON LEE.

Ms. JACKSON LEE. I thank the gentleman from New Jersey and the gentlewoman from Illinois but I want to specifically say Chicago. I join my colleagues.

Mr. Speaker, I think this is, again, an important statement of the value of the Congressional Black Caucus. I am glad our tone is such that we are com-

passionate, we have emotion, but we are detailed.

With the remaining time, let me try to be concise on the value of the Congressional Black Caucus in American history, its place in this Congress to be the provocative orators and articulators of the conscience of this Nation.

Let me first of all say that I have been privileged but certainly have mourned May 15, when all of us paid attention to fallen law enforcement officers who are honored here in the United States Capitol. Any number of us has gone to the grounds, and we have hugged those from our districts, we have honored families, and we have recognized the pain.

I think many of you recall that there was an assassination of sorts of a deputy sheriff in Houston, a number of unfortunate assassinations or shootings of police in New York, and I saw the Nation mourn.

I think it is important to say this because, often, when we say “Black lives matter,” it seems conflicted. People raise the issues that African Americans or the Nation seem to be hesitant about law enforcement officers, and that is not true.

I want to thank the Congressional Black Caucus and Chairman BUTTERFIELD because we started out this year with a criminal justice agenda. I just want to quickly go down memory lane or to reflect very quickly to say that it was the leadership and the combined Members who raised a number of issues that have brought us to the point that we have actually passed in the Senate and in the House Judiciary Committee criminal justice sentencing legislation.

We are not where we need to be, but the Sentencing Reform Act will reduce mass incarceration by 11,500. Of those who are currently incarcerated, it will give retroactive relief, and an additional 4,000 will benefit each year. Combined with that, it will be 50,000 over 10 years.

We are beginning to look at the criminal justice system in a way that speaks to the whole idea of Blacks, minorities, Hispanics, and others being the fodder for the criminal justice system. In my district in Houston, Texas, Black and Hispanic youth make up over 75 percent of the male population age 10 to 24 years, but Black and Hispanic youth account for 85 percent of the youth admitted in our detention centers.

We are working on the reduction of sentencing, and I think with the help of this bipartisan legislation, which has been initiated and brought to the attention of this Congress by members of the Congressional Black Caucus in working with other Members of this body, both Republicans and Democrats, we have legislation that should pass.

As we all know and as we have been mystified and mourning this tape, I know that Congresswoman KELLY in

her hometown has been a champion for justice, along with her fellow colleagues of the Congressional Black Caucus, BOBBY RUSH and DANNY DAVIS, who have been front and center on these issues. So we must continue the journey of dealing with the juvenile justice.

Might I say that I hope we will come around the issues of the RAISE Act, of the Fair Chance for Youth Act, and of Kalief's Law, ending solitary confinement for young people in the juvenile justice system, banning the arrest record, and, of course, giving alternative sentencing to these young people.

I want to quickly get back to this horrific shooting, because what "Black Lives Matter" speaks to is coming together around an improved law enforcement system. That is why I came to the floor today—to be able to say, unless we move forward on legislation that deals with best practices in our police departments, we are going to continue the tension that should not exist.

There is no explanation or no answer to the video that has been shown. I wonder what the sentencing or the reaction or the ultimate result would have been if there were a video of Darren Wilson and Michael Brown. There was not. I still believe that with Michael Brown, an unarmed youth, his actor, who happened to be a law enforcement person, should not have gone unpunished.

In this instance, we see a video that was completely mischaracterized, or, in essence, the story was characterized completely contrary to the video that was shown. So what is the answer?

Law enforcement officers who I work with all the time will indicate that there are bad apples, and they are right. Then work with us to pass the Law Enforcement Trust and Integrity Act, which provides the roadmap and the incentive for all of these departments to be accredited and to have officers go through the specific training that documents how you address the question of the street.

□ 2030

It includes video cameras. It includes community-oriented policing. It includes grants to incentivize better training and better training practices.

We must find an answer in this term of Congress. We should not end this Congress without a complete and reformed criminal justice system, including dealing with law enforcement, which is clearly what the Congressional Black Caucus has been working on.

So I am hoping that we can find this common ground because there is no explanation that is reasonable or rational of the actions of the officer in Chicago.

There is no reasonable explanation to the officer in the Sandra Bland case.

Ladies and gentlemen, you remember this young woman dying in a jail. They have yet to come up with an indictment or a response. They have yet to have an answer of the jail that standards were an embarrassment in Waller County.

The District Attorney has yet to come forward in the Sandra Bland case. The family has not been notified. The lawyer doesn't know what is going on. We met with those individuals not to direct them, but to ensure that they were going to respect this death. Nothing has happened about the stop that we saw in the video. Nothing has happened about the jail incarceration.

I simply have come to the floor to indicate to my colleagues, Republicans and Democrats, to work with us on a number of issues that those in the Congressional Black Caucus reach out in the spirit of bipartisanship, dealing with the Voting Rights Reauthorization in section 5, providing opportunities for Historically Black Colleges which we have been at the leadership realm of, making sure that the criminal justice system addresses the over-incarceration of our youth, dealing with the question of policing, which the Black Lives Matters speaks to it eloquently.

We should not be condemned for the massive protests of 10,000 people down this wonderful Michigan Avenue as: There they go again. We have got to find a place at the table to be able to reorient, if you will, how we do policing in America. I would ask my colleagues that we move swiftly in this term in this Congress to be able to address this.

Let me finish on this one last point. The violence of guns is outrageous. I want to speak very quietly about the Planned Parenthood incident because I don't want to provoke, but I believe it is important to note we always say for those who don't want to hear us about gun safety closing the gun show loophole, banning assault weapons which the individual had.

However it plays out, the individual may be determined to have a mental health concern or condition, but he had an automatic rifle of some sort. And, unfortunately, we lost several persons in the course of the incident, although the investigation is still ongoing.

It also happens in Black-on-Black crime. My friends, our community doesn't ignore that. But what we say is that guns are involved in most of these deaths. Not only are guns involved, but we must understand that, when a gun is used by an officer, it is distinct from Black-on-Black crime because it is under color of law.

The Congressional Black Caucus comes to the table to ensure that these very sensitive issues are handled with the greatest delicacy, but with the greatest commitment and passion that we want to stop the killing, stop the

deaths, and have the decency to reflect on a parent like Mr. PAYNE, a parent like Ms. KELLY, a parent like myself.

Black lives matter. Our children matter. The Congressional Black Caucus wants to work to ensure that we have the answers that the American people have asked us for and that they deserve.

As a senior member of the House Committee on Homeland Security as well as the Ranking Member of the House Judiciary Committee's Subcommittee on Crime, Terrorism and Investigations, I am pleased to join my colleagues of the Congressional Black Caucus for this Special Order to speak to the issues that members of the 114th Congress must address.

No other country imprisons a larger percentage of its population than the United States or spends anywhere near the \$6.5 billion that we spend annually on prison administration.

We now know that the cost of imprisoning so many non-violent offenders is fiscally unsustainable and morally unjustifiable and it will take the combined efforts of policy makers, reform advocates, legal professionals, and private citizens to solve the problem.

Congress took a giant step forward on the road to reform with a law I co-sponsored, the Fair Sentencing Act of 2010, which eliminated the crack versus powder disparity. Earlier this month, the House took another big step when its Judiciary Committee favorably reported another bill I sponsored, the Sentence Reform Act of 2015 (H.R. 3713), which will help reform a criminal justice system that often seems less effective at reforming criminals and more effecting in inflicting collateral damage on families and communities.

Specifically, the Sentence Reform Act will reduce mass incarceration by making over 11,500 individuals, who are currently incarcerated, eligible for retroactive relief and an additional 4,000 will benefit each year. Combined, this is over 50,000 in ten years. These estimates are conservative, as not all the positive reforms can be quantified.

Today, we know also that more and more young children are being arrested, incarcerated, and detained in lengthy out-of-home placements.

Our youth easily encounter law enforcement through the mass transit on the way to school, the school resource officer at school, and patrol officers on the way home.

A youth experience behavior issues when encountered should not be arrested but assessed for underlying issues that can nearly always be handled without ever having contact with the justice system.

At least 75 percent of children within the juvenile justice system have experienced traumatic victimization, making them vulnerable to mental health disorders and perceived behavioral non-compliance and misconduct.

Numerous studies have also shown that as many as 70–80 percent of youth involved in the justice system meet the criteria for a disability.

In my district in Houston, Texas, Black and Hispanic Youth make up over 75% of the male population aged 10–24 years.

Yet, Black and Hispanic Youth account for 85% of youth admitted in our detention centers.

A majority of these admissions into detention are for minor and misdemeanor offenses—behavior that should not require locking youth up.

Especially when the rate of detention continues to reflect disproportionate minority contact and criminalization of minority youth.

As we look to reform our juvenile and criminal justice system, and be what President Obama has called upon us be: “My Brother’s and Sister’s Keeper”—we must move away from the engrained culture of criminalization as the answer to our problems.

These include:

I have introduced 13 additional pieces of legislation this Congress pertaining to Criminal Justice Reform.

The RAISE Act (H.R. 3158) which helps young people in the federal system by providing judges more flexible sentencing options, encourages diversion, increases home confinement opportunities, ends mandatory life without parole, mandates housing and programming specific to the needs of youth, and creates youth-specific diversion and pilot programs.

The Fair Chance for Youth Act (H.R. 3156) better enables young people to reenter and contribute to our communities by creating a mechanism for sealing or expungement of certain youth criminal records. If we are ever to stop the cycle of recidivism, we must give our young people a real chance to succeed after they have paid their debt to society.

Kaliefs Law (H.R. 3155), named in memory of Kalief Browder, to establish more humane rules for incarcerated youth by banning the use of solitary confinement, mandating certain minimum standards and procedural protections for pretrial detention and speedy trial rights, and ending the shackling of youth at federal court appearances.

I am also a co-sponsor of the Fair Chance Act that aims to prohibit Federal agencies and Federal contractors from requesting that an applicant for employment disclose criminal history record information before the applicant has received a conditional offer, and for other purposes.

There now exists a broad and bipartisan consensus that our criminal justice system is broken and a historic opportunity to pass meaningful legislation reform the system so that it works for everyone—the general public, law enforcement personnel, taxpayers, crime victims, and offenders who have served their time, paid their debt to society, and anxious to redeem the second chance so they can “pay it forward.”

It is past time for us to Ban the Box!

Missouri has lately taken center stage when it comes to racial tensions: the unrest in Ferguson and the protests at the University of Missouri.

Michael Brown, an unarmed black teenager, was shot and killed on Aug. 9, 2014, by Darren Wilson, a white police officer, in Ferguson, Mo., a suburb of St. Louis.

The shooting prompted violent protests and helped form the Black Lives Matter Movement.

The unrest in Ferguson likely comes from Missouri’s acute levels of racial segregation.

The African-American population is heavily concentrated in the segregated cities of St. Louis and Kansas City.

St. Louis is the fifth-most racially segregated city in the United States.

The state poverty is located mostly within predominantly black areas.

The racial segregation that is rampant in the “Show Me State” stems from white hostility towards African Americans and that hostility magnifies itself on college campuses, including the University of Missouri.

Protests have been on-going in Columbia, MO since October in response to racist incidents that further the rampant racism in the state.

For example, in 2010, two white students were arrested for dropping cotton balls in front of the Gaines/Oldham Black Culture Center and in 2011 a student was given probation for racially charged graffiti in a student dormitory.

On September 12, 2015, a Facebook post by the student government president Payton Head complained of bigotry and anti-gay sentiment around the college campus, which gained widespread attention.

The Mizzou football team announced on November 8th that they would boycott playing until the administration took drastic steps.

The University President Tim Wolfe and Chancellor R. Bowen Loftin both stepped down on November 9th but the protests are ongoing.

October 20, 2014 is an unforgettable day because a young man named Laquan McDonald was fatally shot 16 times in the middle of the street by Chicago Police officer Jason Van Dyke.

Sadly, October 20, will serve as a yearly reminder of the unambiguous slaying of a young man who will never have the chance to grow old.

More than 500 protesters marched through Chicago for nearly 9 hours after officials released the chilling dash-cam video showing the fatal shooting of Laquan McDonald.

Protesters marched along Chicago’s famous Michigan Avenue the day after Thanksgiving, demanding the resignations of the city’s top leaders.

The Protesters stood in harmony with locked arms outside the doors of major retailers chanting “Stop the cover-up” and “16 shots! 16 shots” which was the number of times the officer fired upon Laquan McDonald.

Other police killings include:

The death of 43-year-old Eric Garner resulting from the application of a NYPD police chokehold occurred in the Northeast and the death of 18-year-old Michael Brown and the resulting events in Ferguson occurred in the border state of Missouri.

The killing of 12-year-old Tamir Rice by a Cleveland police officer occurred in the Midwest and death of unarmed 26-year-old Jordan Baker by an off-duty Houston police officer occurred in Texas.

In Phoenix, Arizona, Romain Brisbon, an unarmed black father of four, was shot to death in when a police officer allegedly mistook his bottle of pills for a gun.

In Pasadena, California, 19-year-old Kendrec McDade was chased and shot seven times by two police officers after a 911 caller falsely reported he had been robbed at gunpoint by two black men, neither of whom in fact was armed.

And, of course, on April 4, the conscience of the nation was shocked by the horrifying killing

of 50-year-old Walter Scott by a North Charleston police officer in the southern state of South Carolina.

Nearly 1,000 people in Minneapolis, Minnesota marched to City Hall less than a day after five protesters were shot near a Black Lives Matter demonstration.

This shooting which is seen to be a racially motivated attack has pushed Minneapolis into the national spotlight.

The events in Minneapolis reminded us that we cannot and we must not allow tensions, which are present in so many neighborhoods across America, to go unresolved.

Beyond Broke: Why Closing the Racial Wealth Gap is a Priority for National Economic Security uses the most recently available data from the U.S. Census Bureau’s Survey of Income and Program Participation (SIPP) along with the National Asset Scorecard in Communities of Color (NASCC) to highlight the current state of America’s racial wealth gap.

The report findings include:

Between 2005 and 2011, the median net worth of households of color remained near their 2009 levels, reflecting a drop of 58 percent for Latinos, 48 percent for Asians, 45 percent for African Americans but only 21 percent for whites.

Hispanic households experienced the largest drop in net worth following the recession.

More than half of whites own four or more tangible assets, compared to 49 percent of Asians and only one in five of African Americans and Latinos.

African Americans (38 percent) and Latinos (35 percent) are over twice as likely as whites (13 percent) to hold no financial assets at all and to have no or negative net worth.

At no point in our nation’s history has a single human been more capable of inflicting massive death and misery, and our society is producing more individuals who seek to employ such means to carry out their ill intentions.

While it is certainly true that violent crime and homicide rates in this country have been declining in recent years, they are still far above those in other industrialized nations.

Most recently, the horrible attack on a Planned Parenthood in Colorado Springs that took the lives of 3 Americans, including a mother and an Iraqi war Veteran.

That is just one horrific example of why we must act now to stop gun violence, protect citizens, and end the urban warfare.

And we have a plan of action.

1. Require universal background checks to keep guns out of dangerous hands; an estimated 40% of gun transfers—6.6 million transfers—are conducted without a background check. 1/3 of “want-to-buy” ads online are posted by people with a criminal record. More than 4 times the rate at which prohibited gun buyers try to buy guns in stores. That would equate to 25,000 guns in illegal hands.

2. Ban military-style assault weapons;

3. Closing of the gun-show loophole; and

4. Increase access to mental health services. We must work to reduce access to firearms for people with suicidal tendencies. 90% of suicide victims should have been diagnosed with a psychiatric disorder. Firearms are the most common method of suicide—51%. We need to ensure that mental health professionals know their options for reporting threats

of violence—even as we acknowledge that someone with a mental illness is far more likely to be the victim of a violent crime than the perpetrator.

Every day, 48 children and teens are shot in murders, assaults, suicides & suicide attempts, unintentional shootings, and police intervention. Every day, 7 children and teens die from gun violence.

Over 17,000 (17,499) American children and teens are shot in murders, assaults, suicides & suicide attempts, unintentional shootings, or by police intervention each year. 2,677 kids die from gun violence each year. Every day, 297 people in America are shot in murders, assaults, suicides & suicide attempts, unintentional shootings, and police intervention. Every day, 89 people die from gun violence.

Over 108,000 (108,476) people in America are shot in murders, assaults, suicides & suicide attempts, unintentional shootings, or by police intervention. 32,514 people die from gun violence each year.

The senseless killings in Bamako, Mali, Beirut, and the Bataclan Theater in Paris are the most current examples of global terrorism.

The terror attacks that unfolded across Paris continue to tear at the hearts of all Americans.

Those who think that they can terrorize the people of France or the values that they stand for are wrong. The American people draw strength from the French people's commitment to life, liberty, the pursuit of happiness.

In response to these disgusting attacks, I call on my colleagues to pass my bill H.R. 48 the No Fly for Foreign Fighters Act.

This would require the Director of the Terrorist Screening Center to review the completeness of the Terrorist Screening Database and the terrorist watch list utilized by the Transportation Security Administration.

Despite the recent terrorist attacks around the world, ISIS is not the most deadly terrorist organization.

The 2015 Global Terrorism Index found that Boko Haram in Nigeria killed 6,644 people in 2014. 77% of deaths were private citizens.

This compared to 6,073 at the hands of ISIS.

Boko Haram was formed in 2002 and became armed in 2009.

In the last six years, Boko Haram has carried out more than 500 violent attacks against a broad array of targets: Christian and Muslim communities, government installations, schools, hospitals and medical facilities, aid workers, and journalists.

Their latest attack on Yola, Nigeria, left more than 30 people dead.

Boko Haram became well-known on a global stage when they kidnapped 200 school girls.

During my visit to Nigeria over the summer I met with government officials, including President Muhammadu Buhari, and others to discuss what is currently being done to bring these girls back to their families as soon as possible.

Children's rights are human rights, and these types of attacks, specifically targeting of schools, are strictly prohibited under international law and cannot be justified under any circumstances.

Girls and young women around the world absolutely must be allowed to go to school

peacefully and free from intimidation, persecution and all other forms of discrimination.

I have introduced H. Res. 528, Expressing the sense of the House of Representatives regarding to the Victims of the Terror Protection fund, which expresses the sense of the House of Representatives that: Boko Haram and other terrorist organizations be declared an existential threat to the human rights and security of the Nigerian people and their regional neighbors; the global strategy for ending the suffering and creating solutions for displaced persons in Africa includes a Victims of Terror Protection Fund, which should provide humanitarian assistance to Boko Haram victims; military technical assistance be provided to Nigeria and its neighbors; and the Victims of Terror Support Fund should be modeled after the cases of Khazakhstan and Equatorial Guinea where prior kleptocracy initiatives have been created to benefit communities and victims in need of support.

I also wear red every Wednesday to stand in solidarity with Representative WILSON in our combined effort to #BringBackOurGirls.

A terrible blow was dealt to the Voting Rights Act on June 25, 2013, when the Supreme Court handed down the decision in *Shelby County v. Holder*, 537 U.S. 193 (2013), which invalidated Section 4(b), the provision of the law determining which jurisdictions would be subject to Section 5 "pre-clearance." The reason the Court gave for its ruling "times have changed."

Times have changed, but what the Court did not fully appreciate is that the positive changes it cited were due almost entirely to the existence and vigorous enforcement of the Voting Rights Act.

In the 50 years since its passage in 1965, the Voting Rights Act has safeguarded the right of Americans to vote and stood as an obstacle to many of the more egregious attempts by certain states and local jurisdictions to game the system by passing discriminatory changes to their election laws and administrative policies.

I am a sponsor of the H.R. 2867, the Voting Rights Advancement Act of 2015, a bill that restores and advances the Voting Rights Act of 1965 by providing a modern day coverage test that will extend federal oversight to jurisdictions which have a history of voter suppression and protects vulnerable communities from discriminatory voting practices.

I am also a sponsor of H.R. 12, the Voter Empower Act of 2015, which protects voters from suppression, deception, and other forms of disenfranchisement by modernizing voter registration, promoting access to voting for individuals with disabilities, and protecting the ability of individuals to exercise the right to vote in elections for federal office.

This year I had the honor to present the Barbara Jordan Gold Medallion for Public-Private Leadership to a pioneer in her own right Hillary Rodham Clinton.

This prestigious award is presented annually to a woman of demonstrated excellence in the public or private sector whose achievements are an example and inspiration to people everywhere, but especially to women and girls.

Ms. KELLY of Illinois. Mr. Speaker, I yield back the balance of my time.

CONFERENCE REPORT ON S. 1177, STUDENT SUCCESS ACT

Mr. KLINE (during the Special Order of Ms. KELLY of Illinois) submitted the following conference report and statement on the bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves:

CONFERENCE REPORT (TO ACCOMPANY S. 1177)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1177), to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Every Student Succeeds Act".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.*
- Sec. 2. Table of contents.*
- Sec. 3. References.*
- Sec. 4. Transition.*
- Sec. 5. Effective dates.*
- Sec. 6. Table of contents of the Elementary and Secondary Education Act of 1965.*

TITLE I—IMPROVING BASIC PROGRAMS OPERATED BY STATE AND LOCAL EDUCATIONAL AGENCIES

PART A—IMPROVING BASIC PROGRAMS OPERATED BY STATE AND LOCAL EDUCATIONAL AGENCIES

- Sec. 1000. Redesignations.*
- Sec. 1001. Statement of purpose.*
- Sec. 1002. Authorization of appropriations.*
- Sec. 1003. School improvement.*
- Sec. 1004. Direct student services.*
- Sec. 1005. State plans.*
- Sec. 1006. Local educational agency plans.*
- Sec. 1007. Eligible school attendance areas.*
- Sec. 1008. Schoolwide programs.*
- Sec. 1009. Targeted assistance schools.*
- Sec. 1010. Parent and family engagement.*
- Sec. 1011. Participation of children enrolled in private schools.*
- Sec. 1012. Supplement, not supplant.*
- Sec. 1013. Coordination requirements.*
- Sec. 1014. Grants for the outlying areas and the Secretary of the Interior.*
- Sec. 1015. Allocations to States.*
- Sec. 1016. Adequacy of funding rule.*
- Sec. 1017. Education finance incentive grant program.*

PART B—STATE ASSESSMENT GRANTS

- Sec. 1201. State assessment grants.*

PART C—EDUCATION OF MIGRATORY CHILDREN

- Sec. 1301. Education of migratory children.*

PART D—PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK

- Sec. 1401. Prevention and intervention programs for children and youth who are neglected, delinquent, or at-risk.*

PART E—FLEXIBILITY FOR EQUITABLE PER-PUPIL FUNDING

- Sec. 1501. Flexibility for equitable per-pupil funding.*

PART F—GENERAL PROVISIONS

Sec. 1601. General provisions.

TITLE II—PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, OR OTHER SCHOOL LEADERS

Sec. 2001. General provisions.

Sec. 2002. Preparing, training, and recruiting high-quality teachers, principals, or other school leaders.

TITLE III—LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS

Sec. 3001. Redesignation of certain provisions.

Sec. 3002. Authorization of appropriations.

Sec. 3003. English language acquisition, language enhancement, and academic achievement.

Sec. 3004. General provisions.

TITLE IV—21ST CENTURY SCHOOLS

Sec. 4001. Redesignations and transfers.

Sec. 4002. General provisions.

PART A—STUDENT SUPPORT AND ACADEMIC ENRICHMENT GRANTS

Sec. 4101. Student support and academic enrichment grants.

PART B—21ST CENTURY COMMUNITY LEARNING CENTERS

Sec. 4201. 21st century community learning centers.

PART C—EXPANDING OPPORTUNITY THROUGH QUALITY CHARTER SCHOOLS

Sec. 4301. Charter schools.

PART D—MAGNET SCHOOLS ASSISTANCE

Sec. 4401. Magnet schools assistance.

PART E—FAMILY ENGAGEMENT IN EDUCATION PROGRAMS

Sec. 4501. Family Engagement in Education Programs.

PART F—NATIONAL ACTIVITIES

Sec. 4601. National activities.

TITLE V—STATE INNOVATION AND LOCAL FLEXIBILITY

Sec. 5001. General provisions.

Sec. 5002. Funding Transferability for State and Local Educational Agencies.

Sec. 5003. Rural education initiative.

Sec. 5004. General provisions.

Sec. 5005. Review relating to rural local educational agencies.

TITLE VI—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

Sec. 6001. Conforming amendments.

Sec. 6002. Indian education.

Sec. 6003. Native Hawaiian education.

Sec. 6004. Alaska Native education.

Sec. 6005. Report on Native American language medium education.

Sec. 6006. Report on responses to Indian student suicides.

TITLE VII—IMPACT AID

Sec. 7001. General provisions.

Sec. 7002. Purpose.

Sec. 7003. Payments relating to federal acquisition of real property.

Sec. 7004. Payments for eligible federally connected children.

Sec. 7005. Policies and procedures relating to children residing on Indian lands.

Sec. 7006. Application for payments under sections 7002 and 7003.

Sec. 7007. Construction.

Sec. 7008. Facilities.

Sec. 7009. State consideration of payments in providing state aid.

Sec. 7010. Federal administration.

Sec. 7011. Administrative hearings and judicial review.

Sec. 7012. Definitions.

Sec. 7013. Authorization of appropriations.

TITLE VIII—GENERAL PROVISIONS

Sec. 8001. General provisions.

Sec. 8002. Definitions.

Sec. 8003. Applicability of title.

Sec. 8004. Applicability to Bureau of Indian Education operated schools.

Sec. 8005. Consolidation of State administrative funds for elementary and secondary education programs.

Sec. 8006. Consolidation of funds for local administration.

Sec. 8007. Consolidated set-aside for Department of the Interior funds.

Sec. 8008. Department staff.

Sec. 8009. Optional consolidated State plans or applications.

Sec. 8010. General applicability of State educational agency assurances.

Sec. 8011. Rural consolidated plan.

Sec. 8012. Other general assurances.

Sec. 8013. Waivers of statutory and regulatory requirements.

Sec. 8014. Approval and disapproval of State plans and local applications.

Sec. 8015. Participation by private school children and teachers.

Sec. 8016. Standards for by-pass.

Sec. 8017. Complaint process for participation of private school children.

Sec. 8018. By-pass determination process.

Sec. 8019. Maintenance of effort.

Sec. 8020. Prohibition regarding state aid.

Sec. 8021. School prayer.

Sec. 8022. Prohibited uses of funds.

Sec. 8023. Prohibitions.

Sec. 8024. Prohibitions on Federal Government and use of Federal funds.

Sec. 8025. Armed forces recruiter access to students and student recruiting information.

Sec. 8026. Prohibition on federally sponsored testing.

Sec. 8027. Limitations on national testing or certification for teachers, principals, or other school leaders.

Sec. 8028. Prohibition on requiring State participation.

Sec. 8029. Civil rights.

Sec. 8030. Consultation with Indian tribes and tribal organizations.

Sec. 8031. Outreach and technical assistance for rural local educational agencies.

Sec. 8032. Consultation with the Governor.

Sec. 8033. Local governance.

Sec. 8034. Rule of construction regarding travel to and from school.

Sec. 8035. Limitations on school-based health centers.

Sec. 8036. State control over standards.

Sec. 8037. Sense of Congress on protecting student privacy.

Sec. 8038. Prohibition on aiding and abetting sexual abuse.

Sec. 8039. Sense of Congress on restoration of state sovereignty over public education.

Sec. 8040. Privacy.

Sec. 8041. Analysis and periodic review; sense of Congress; technical assistance.

Sec. 8042. Evaluations.

TITLE IX—EDUCATION FOR THE HOMELESS AND OTHER LAWS

PART A—HOMELESS CHILDREN AND YOUTHS

Sec. 9101. Statement of policy.

Sec. 9102. Grants for State and local activities.

Sec. 9103. Local educational agency subgrants.

Sec. 9104. Secretarial responsibilities.

Sec. 9105. Definitions.

Sec. 9106. Authorization of appropriations.

Sec. 9107. Effective date.

PART B—MISCELLANEOUS; OTHER LAWS

Sec. 9201. Findings and sense of Congress on sexual misconduct.

Sec. 9202. Sense of Congress on First Amendment rights.

Sec. 9203. Preventing improper use of taxpayer funds.

Sec. 9204. Accountability to taxpayers through monitoring and oversight.

Sec. 9205. Report on Department actions to address Office of Inspector General reports.

Sec. 9206. Posthumous pardon.

Sec. 9207. Education Flexibility Partnership Act of 1999 reauthorization.

Sec. 9208. Report on the reduction of the number and percentage of students who drop out of school.

Sec. 9209. Report on subgroup sample size.

Sec. 9210. Report on student home access to digital learning resources.

Sec. 9211. Study on the title I formula.

Sec. 9212. Preschool development grants.

Sec. 9213. Review of Federal early childhood education programs.

Sec. 9214. Use of the term “highly qualified” in other laws.

Sec. 9215. Additional conforming amendments to other laws.

SEC. 3. REFERENCES.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

SEC. 4. TRANSITION.

(a) FUNDING AUTHORITY.—

(1) MULTI-YEAR AWARDS.—

(A) PROGRAMS NO LONGER AUTHORIZED.—Except as otherwise provided in this Act or the amendments made by this Act, the recipient of a multiyear award under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as in effect on the day before the date of enactment of this Act, under a program that is not authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as amended by this Act, and—

(i) that is not substantively similar to a program authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as amended by this Act, shall continue to receive funds in accordance with the terms of such prior award, except that no additional funds for such program may be awarded after September 30, 2016; and

(ii) that is substantively similar to a program authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as amended by this Act, shall continue to receive funds in accordance with the terms of such prior award.

(B) AUTHORIZED PROGRAMS.—Except as otherwise provided in this Act, or the amendments made by this Act, the recipient of a multiyear award under a program that was authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as in effect on the day before the date of enactment of this Act, and that is authorized under such Act (20 U.S.C. 6301 et seq.), as amended by this Act, shall continue to receive funds in accordance with the terms of such prior award.

(2) PLANNING AND TRANSITION.—Notwithstanding any other provision of law, a recipient of funds under a program described in paragraph (1)(A)(ii) or (1)(B) may use funds awarded to the recipient under such program, to carry out necessary and reasonable planning and transition activities in order to ensure the recipient's compliance with the amendments to such program made by this Act.

(b) ORDERLY TRANSITION.—Subject to subsection (a)(1)(A)(i), the Secretary shall take

such steps as are necessary to provide for the orderly transition to, and implementation of, programs authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et. seq.), as amended by this Act, from programs authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as in effect on the day before the date of enactment of this Act.

(c) **TERMINATION OF CERTAIN WAIVERS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of this Act, and subject to section 5(e)(2), a waiver described in paragraph (2) shall be null and void and have no legal effect on or after August 1, 2016.

(2) **WAIVERS.**—A waiver shall be subject to paragraph (1) if the waiver was granted by the Secretary of Education to a State or consortium of local educational agencies under the program first introduced in a letter to chief State school officers dated September 23, 2011, and authorized under section 9401 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7861), as in effect on the day before the date of enactment of this Act.

SEC. 5. EFFECTIVE DATES.

(a) **IN GENERAL.**—Except as otherwise provided in this Act, or an amendment made by this Act, this Act, and the amendments made by this Act, shall be effective upon the date of enactment of this Act.

(b) **NONCOMPETITIVE PROGRAMS.**—With respect to noncompetitive programs under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.) under which any funds are allotted by the Secretary of Education to recipients on the basis of a formula, the amendments made by this Act shall be effective beginning on July 1, 2016, except as otherwise provided in such amendments.

(c) **COMPETITIVE PROGRAMS.**—With respect to programs that are conducted by the Secretary of Education on a competitive basis (and are not programs described in subsection (b)) under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), the amendments made by this Act with respect to appropriations for use under such programs shall be effective beginning on October 1, 2016, except as otherwise provided in such amendments.

(d) **IMPACT AID.**—With respect to title VII of the Elementary and Secondary Education Act of 1965, as amended by this Act, the amendments made by this Act shall take effect with respect to appropriations for use under such title beginning fiscal year 2017, except as otherwise provided in such amendments.

(e) **TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.**—

(1) **EFFECTIVE DATES FOR SECTION 1111 OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.**—Notwithstanding any other provision of this Act, or the amendments made by this Act, and subject to paragraph (2) of this subsection—

(A) section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)), as in effect on the day before the date of enactment of this Act, shall be effective through the close of August 1, 2016;

(B) subsections (c) and (d) of section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311), as amended by this Act, shall take effect beginning with school year 2017–2018; and

(C) section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)), as amended by this Act, and any other provision of section 1111 of such Act (20 U.S.C. 6311), as amended by this Act, which is not described in subparagraph (B) of this paragraph, shall take effect in a manner consistent with subsection (a).

(2) **SPECIAL RULE.**—

(A) **IN GENERAL.**—Notwithstanding any other provision of this Act (including subsection (b) and paragraph (1)), any school or local educational agency described in subparagraph (B) shall continue to implement interventions applicable to such school or local educational agency under clause (i) or (ii) of subparagraph (B) until—

(i) the State plan for the State in which the school or agency is located under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311), as amended by this Act, is approved under such section (20 U.S.C. 6311); or

(ii) subsections (c) and (d) of section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311), as amended by this Act, take effect in accordance with paragraph (1)(B), whichever occurs first.

(B) **CERTAIN SCHOOLS AND LOCAL EDUCATIONAL AGENCIES.**—A school or local educational agency shall be subject to the requirements of subparagraph (A), if such school or local educational agency has been identified by the State in which the school or local educational agency is located—

(i) as in need of improvement, corrective action, or restructuring under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), as in effect on the day before the date of enactment of this Act; or

(ii) as a priority or focus school under a waiver granted by the Secretary of Education under section 9401 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7861), as in effect on the day before the date of enactment of this Act.

SEC. 6. TABLE OF CONTENTS OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.

Section 2 is amended to read as follows:

“Sec. 1. Short title.

“Sec. 2. Table of contents.

“**TITLE I—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED**

“Sec. 1001. Statement of purpose.

“Sec. 1002. Authorization of appropriations.

“Sec. 1003. School improvement.

“Sec. 1003A. Direct student services.

“Sec. 1004. State administration.

“**PART A—IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES**

“**SUBPART 1—BASIC PROGRAM REQUIREMENTS**

“Sec. 1111. State plans.

“Sec. 1112. Local educational agency plans.

“Sec. 1113. Eligible school attendance areas.

“Sec. 1114. Schoolwide programs.

“Sec. 1115. Targeted assistance schools.

“Sec. 1116. Parent and family engagement.

“Sec. 1117. Participation of children enrolled in private schools.

“Sec. 1118. Fiscal requirements.

“Sec. 1119. Coordination requirements.

“**SUBPART 2—ALLOCATIONS**

“Sec. 1121. Grants for the outlying areas and the Secretary of the Interior.

“Sec. 1122. Allocations to States.

“Sec. 1124. Basic grants to local educational agencies.

“Sec. 1124A. Concentration grants to local educational agencies.

“Sec. 1125. Targeted grants to local educational agencies.

“Sec. 1125AA. Adequacy of funding to local educational agencies in fiscal years after fiscal year 2001.

“Sec. 1125A. Education finance incentive grant program.

“Sec. 1126. Special allocation procedures.

“Sec. 1127. Carryover and waiver.

“**PART B—STATE ASSESSMENT GRANTS**

“Sec. 1201. Grants for State assessments and related activities.

“Sec. 1202. State option to conduct assessment system audit.

“Sec. 1203. Allotment of appropriated funds.

“Sec. 1204. Innovative assessment and accountability demonstration authority.

“**PART C—EDUCATION OF MIGRATORY CHILDREN**

“Sec. 1301. Program purposes.

“Sec. 1302. Program authorized.

“Sec. 1303. State allocations.

“Sec. 1304. State applications; services.

“Sec. 1305. Secretarial approval; peer review.

“Sec. 1306. Comprehensive needs assessment and service-delivery plan; authorized activities.

“Sec. 1307. Bypass.

“Sec. 1308. Coordination of migrant education activities.

“Sec. 1309. Definitions.

“**PART D—PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK**

“Sec. 1401. Purpose and program authorization.

“Sec. 1402. Payments for programs under this part.

“**SUBPART 1—STATE AGENCY PROGRAMS**

“Sec. 1411. Eligibility.

“Sec. 1412. Allocation of funds.

“Sec. 1413. State reallocation of funds.

“Sec. 1414. State plan and State agency applications.

“Sec. 1415. Use of funds.

“Sec. 1416. Institution-wide projects.

“Sec. 1417. Three-year programs or projects.

“Sec. 1418. Transition services.

“Sec. 1419. Technical assistance.

“**SUBPART 2—LOCAL AGENCY PROGRAMS**

“Sec. 1421. Purpose.

“Sec. 1422. Programs operated by local educational agencies.

“Sec. 1423. Local educational agency applications.

“Sec. 1424. Uses of funds.

“Sec. 1425. Program requirements for correctional facilities receiving funds under this section.

“Sec. 1426. Accountability.

“**SUBPART 3—GENERAL PROVISIONS**

“Sec. 1431. Program evaluations.

“Sec. 1432. Definitions.

“**PART E—FLEXIBILITY FOR EQUITABLE PER-PUPIL FUNDING**

“Sec. 1501. Flexibility for equitable per-pupil funding.

“**PART F—GENERAL PROVISIONS**

“Sec. 1601. Federal regulations.

“Sec. 1602. Agreements and records.

“Sec. 1603. State administration.

“Sec. 1604. Prohibition against Federal mandates, direction, or control.

“Sec. 1605. Rule of construction on equalized spending.

“**TITLE II—PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, AND OTHER SCHOOL LEADERS**

“Sec. 2001. Purpose.

“Sec. 2002. Definitions.

“Sec. 2003. Authorization of appropriations.

“**PART A—SUPPORTING EFFECTIVE INSTRUCTION**

“Sec. 2101. Formula grants to States.

“Sec. 2102. Subgrants to local educational agencies.

“Sec. 2103. Local uses of funds.

“Sec. 2104. Reporting.

“**PART B—NATIONAL ACTIVITIES**

“Sec. 2201. Reservations.

“**SUBPART 1—TEACHER AND SCHOOL LEADER INCENTIVE PROGRAM**

“Sec. 2211. Purposes; definitions.

- “Sec. 2212. Teacher and school leader incentive fund grants.
 “Sec. 2213. Reports.
 “SUBPART 2—LITERACY EDUCATION FOR ALL, RESULTS FOR THE NATION
 “Sec. 2221. Purposes; definitions.
 “Sec. 2222. Comprehensive literacy State development grants.
 “Sec. 2223. Subgrants to eligible entities in support of birth through kindergarten entry literacy.
 “Sec. 2224. Subgrants to eligible entities in support of kindergarten through grade 12 literacy.
 “Sec. 2225. National evaluation and information dissemination.
 “Sec. 2226. Innovative approaches to literacy.
 “SUBPART 3—AMERICAN HISTORY AND CIVICS EDUCATION
 “Sec. 2231. Program authorized.
 “Sec. 2232. Presidential and congressional academies for American history and civics.
 “Sec. 2233. National activities.
 “SUBPART 4—PROGRAMS OF NATIONAL SIGNIFICANCE
 “Sec. 2241. Funding allotment.
 “Sec. 2242. Supporting effective educator development.
 “Sec. 2243. School leader recruitment and support.
 “Sec. 2244. Technical assistance and national evaluation.
 “Sec. 2245. STEM master teacher corps.
 “PART C—GENERAL PROVISIONS
 “Sec. 2301. Supplement, not supplant.
 “Sec. 2302. Rules of construction.
 “TITLE III—LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS
 “Sec. 3001. Authorization of appropriations.
 “PART A—ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT, AND ACADEMIC ACHIEVEMENT ACT
 “Sec. 3101. Short title.
 “Sec. 3102. Purposes.
 “SUBPART 1—GRANTS AND SUBGRANTS FOR ENGLISH LANGUAGE ACQUISITION AND LANGUAGE ENHANCEMENT
 “Sec. 3111. Formula grants to States.
 “Sec. 3112. Native American and Alaska Native children in school.
 “Sec. 3113. State and specially qualified agency plans.
 “Sec. 3114. Within-State allocations.
 “Sec. 3115. Subgrants to eligible entities.
 “Sec. 3116. Local plans.
 “SUBPART 2—ACCOUNTABILITY AND ADMINISTRATION
 “Sec. 3121. Reporting.
 “Sec. 3122. Biennial reports.
 “Sec. 3123. Coordination with related programs.
 “Sec. 3124. Rules of construction.
 “Sec. 3125. Legal authority under State law.
 “Sec. 3126. Civil rights.
 “Sec. 3127. Programs for Native Americans and Puerto Rico.
 “Sec. 3128. Prohibition.
 “SUBPART 3—NATIONAL ACTIVITIES
 “Sec. 3131. National professional development project.
 “PART B—GENERAL PROVISIONS
 “Sec. 3201. Definitions.
 “Sec. 3202. National clearinghouse.
 “Sec. 3203. Regulations.
 “TITLE IV—21ST CENTURY SCHOOLS
 “Sec. 4001. General provisions.
 “PART A—STUDENT SUPPORT AND ACADEMIC ENRICHMENT GRANTS
 “SUBPART 1—STUDENT SUPPORT AND ACADEMIC ENRICHMENT GRANTS
 “Sec. 4101. Purpose.
 “Sec. 4102. Definitions.
 “Sec. 4103. Formula grants to States.
 “Sec. 4104. State use of funds.
 “Sec. 4105. Allocations to local educational agencies.
 “Sec. 4106. Local educational agency applications.
 “Sec. 4107. Activities to support well-rounded educational opportunities.
 “Sec. 4108. Activities to support safe and healthy students.
 “Sec. 4109. Activities to support the effective use of technology.
 “Sec. 4110. Supplement, not supplant.
 “Sec. 4111. Rule of construction.
 “Sec. 4112. Authorization of appropriations.
 “SUBPART 2—INTERNET SAFETY
 “4121. Internet safety.
 “PART B—21ST CENTURY COMMUNITY LEARNING CENTERS
 “Sec. 4201. Purpose; definitions.
 “Sec. 4202. Allotments to States.
 “Sec. 4203. State application.
 “Sec. 4204. Local competitive subgrant program.
 “Sec. 4205. Local activities.
 “Sec. 4206. Authorization of appropriations.
 “PART C—EXPANDING OPPORTUNITY THROUGH QUALITY CHARTER SCHOOLS
 “Sec. 4301. Purpose.
 “Sec. 4302. Program authorized.
 “Sec. 4303. Grants to support high-quality charter schools.
 “Sec. 4304. Facilities financing assistance.
 “Sec. 4305. National activities.
 “Sec. 4306. Federal formula allocation during first year and for successive enrollment expansions.
 “Sec. 4307. Solicitation of input from charter school operators.
 “Sec. 4308. Records transfer.
 “Sec. 4309. Paperwork reduction.
 “Sec. 4310. Definitions.
 “Sec. 4311. Authorization of appropriations.
 “PART D—MAGNET SCHOOLS ASSISTANCE
 “Sec. 4401. Findings and purpose.
 “Sec. 4402. Definition.
 “Sec. 4403. Program authorized.
 “Sec. 4404. Eligibility.
 “Sec. 4405. Applications and requirements.
 “Sec. 4406. Priority.
 “Sec. 4407. Use of funds.
 “Sec. 4408. Limitations.
 “Sec. 4409. Authorization of appropriations; reservation.
 “PART E—FAMILY ENGAGEMENT IN EDUCATION PROGRAMS
 “Sec. 4501. Purposes.
 “Sec. 4502. Grants authorized.
 “Sec. 4503. Applications.
 “Sec. 4504. Uses of funds.
 “Sec. 4505. Family engagement in Indian schools.
 “Sec. 4506. Authorization of appropriations.
 “PART F—NATIONAL ACTIVITIES
 “Sec. 4601. Authorization of appropriations; reservations.
 “SUBPART 1—EDUCATION INNOVATION AND RESEARCH
 “Sec. 4611. Grants for education innovation and research.
 “SUBPART 2—COMMUNITY SUPPORT FOR SCHOOL SUCCESS
 “Sec. 4621. Purposes.
 “Sec. 4622. Definitions.
 “Sec. 4623. Program authorized.
 “Sec. 4624. Promise neighborhoods.
 “Sec. 4625. Full-service community schools.
 “SUBPART 3—NATIONAL ACTIVITIES FOR SCHOOL SAFETY
 “Sec. 4631. National activities for school safety.
 “SUBPART 4—ACADEMIC ENRICHMENT
 “Sec. 4641. Awards for academic enrichment.
 “Sec. 4642. Assistance for arts education.
 “Sec. 4643. Ready to learn programming.
 “Sec. 4644. Supporting high-ability learners and learning.
 “TITLE V—FLEXIBILITY AND ACCOUNTABILITY
 “PART A—FUNDING TRANSFERABILITY FOR STATE AND LOCAL EDUCATIONAL AGENCIES
 “Sec. 5101. Short title.
 “Sec. 5102. Purpose.
 “Sec. 5103. Transferability of funds.
 “PART B—RURAL EDUCATION INITIATIVE
 “Sec. 5201. Short title.
 “Sec. 5202. Purpose.
 “SUBPART 1—SMALL, RURAL SCHOOL ACHIEVEMENT PROGRAM
 “Sec. 5211. Use of applicable funding.
 “Sec. 5212. Grant program authorized.
 “SUBPART 2—RURAL AND LOW-INCOME SCHOOL PROGRAM
 “Sec. 5221. Program authorized.
 “Sec. 5222. Use of funds.
 “Sec. 5223. Applications.
 “Sec. 5224. Report.
 “Sec. 5225. Choice of participation.
 “PART C—GENERAL PROVISIONS
 “Sec. 5301. Prohibition against Federal mandates, direction, or control.
 “Sec. 5302. Rule of construction on equalized spending.
 “TITLE VI—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION
 “PART A—INDIAN EDUCATION
 “Sec. 6101. Statement of policy.
 “Sec. 6102. Purpose.
 “SUBPART 1—FORMULA GRANTS TO LOCAL EDUCATIONAL AGENCIES
 “Sec. 6111. Purpose.
 “Sec. 6112. Grants to local educational agencies and tribes.
 “Sec. 6113. Amount of grants.
 “Sec. 6114. Applications.
 “Sec. 6115. Authorized services and activities.
 “Sec. 6116. Integration of services authorized.
 “Sec. 6117. Student eligibility forms.
 “Sec. 6118. Payments.
 “Sec. 6119. State educational agency review.
 “SUBPART 2—SPECIAL PROGRAMS AND PROJECTS TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN
 “Sec. 6121. Improvement of educational opportunities for Indian children and youth.
 “Sec. 6122. Professional development for teachers and education professionals.
 “SUBPART 3—NATIONAL ACTIVITIES
 “Sec. 6131. National research activities.
 “Sec. 6132. Grants to tribes for education administrative planning, development, and coordination.
 “Sec. 6133. Native American and Alaska Native language immersion schools and programs.
 “SUBPART 4—FEDERAL ADMINISTRATION
 “Sec. 6141. National Advisory Council on Indian Education.
 “Sec. 6142. Peer review.
 “Sec. 6143. Preference for Indian applicants.
 “Sec. 6144. Minimum grant criteria.
 “SUBPART 5—DEFINITIONS; AUTHORIZATIONS OF APPROPRIATIONS
 “Sec. 6151. Definitions.
 “Sec. 6152. Authorizations of appropriations.
 “PART B—NATIVE HAWAIIAN EDUCATION
 “Sec. 6201. Short title.
 “Sec. 6202. Findings.

“Sec. 6203. Purposes.
 “Sec. 6204. Native Hawaiian Education Council.
 “Sec. 6205. Program authorized.
 “Sec. 6206. Administrative provisions.
 “Sec. 6207. Definitions.

“PART C—ALASKA NATIVE EDUCATION

“Sec. 6301. Short title.
 “Sec. 6302. Findings.
 “Sec. 6303. Purposes.
 “Sec. 6304. Program authorized.
 “Sec. 6305. Administrative provisions.
 “Sec. 6306. Definitions.

“TITLE VII—IMPACT AID

“Sec. 7001. Purpose.
 “Sec. 7002. Payments relating to Federal acquisition of real property.
 “Sec. 7003. Payments for eligible federally connected children.
 “Sec. 7004. Policies and procedures relating to children residing on Indian lands.
 “Sec. 7005. Application for payments under sections 7002 and 7003.
 “Sec. 7007. Construction.
 “Sec. 7008. Facilities.
 “Sec. 7009. State consideration of payments in providing State aid.
 “Sec. 7010. Federal administration.
 “Sec. 7011. Administrative hearings and judicial review.
 “Sec. 7012. Forgiveness of overpayments.
 “Sec. 7013. Definitions.
 “Sec. 7014. Authorization of appropriations.

“TITLE VIII—GENERAL PROVISIONS

“PART A—DEFINITIONS

“Sec. 8101. Definitions.
 “Sec. 8102. Applicability of title.
 “Sec. 8103. Applicability to Bureau of Indian Education operated schools.

“PART B—FLEXIBILITY IN THE USE OF ADMINISTRATIVE AND OTHER FUNDS

“Sec. 8201. Consolidation of State administrative funds for elementary and secondary education programs.
 “Sec. 8202. Single local educational agency States.
 “Sec. 8203. Consolidation of funds for local administration.
 “Sec. 8204. Consolidated set-aside for Department of the Interior funds.
 “Sec. 8205. Department staff.

“PART C—COORDINATION OF PROGRAMS; CONSOLIDATED STATE AND LOCAL PLANS AND APPLICATIONS

“Sec. 8301. Purposes.
 “Sec. 8302. Optional consolidated State plans or applications.
 “Sec. 8303. Consolidated reporting.
 “Sec. 8304. General applicability of State educational agency assurances.
 “Sec. 8305. Consolidated local plans or applications.
 “Sec. 8306. Other general assurances.

“PART D—WAIVERS

“Sec. 8401. Waivers of statutory and regulatory requirements.

“PART E—APPROVAL AND DISAPPROVAL OF STATE PLANS AND LOCAL APPLICATIONS

“Sec. 8451. Approval and disapproval of State plans.
 “Sec. 8452. Approval and disapproval of local educational agency applications.

“PART F—UNIFORM PROVISIONS

“SUBPART 1—PRIVATE SCHOOLS

“Sec. 8501. Participation by private school children and teachers.
 “Sec. 8502. Standards for by-pass.
 “Sec. 8503. Complaint process for participation of private school children.
 “Sec. 8504. By-pass determination process.

“Sec. 8505. Prohibition against funds for religious worship or instruction.
 “Sec. 8506. Private, religious, and home schools.

“SUBPART 2—OTHER PROVISIONS

“Sec. 8521. Maintenance of effort.
 “Sec. 8522. Prohibition regarding State aid.
 “Sec. 8523. Privacy of assessment results.
 “Sec. 8524. School prayer.
 “Sec. 8525. Equal access to public school facilities.
 “Sec. 8526. Prohibited uses of funds
 “Sec. 8526A. Prohibition against Federal mandates, direction, or control.
 “Sec. 8527. Prohibitions on Federal Government and use of Federal funds.
 “Sec. 8528. Armed Forces recruiter access to students and student recruiting information.
 “Sec. 8529. Prohibition on federally sponsored testing.
 “Sec. 8530. Limitations on national testing or certification for teachers, principals, or other school leaders.
 “Sec. 8530A. Prohibition on requiring State participation.
 “Sec. 8531. Prohibition on nationwide database.
 “Sec. 8532. Unsafe school choice option.
 “Sec. 8533. Prohibition on discrimination.
 “Sec. 8534. Civil rights.
 “Sec. 8535. Rulemaking.
 “Sec. 8536. Severability.
 “Sec. 8537. Transfer of school disciplinary records.

“Sec. 8538. Consultation with Indian tribes and tribal organizations.
 “Sec. 8539. Outreach and technical assistance for rural local educational agencies.
 “Sec. 8540. Consultation with the Governor.
 “Sec. 8541. Local governance.
 “Sec. 8542. Rule of construction regarding travel to and from school.
 “Sec. 8543. Limitations on school-based health centers.
 “Sec. 8544. State control over standards.
 “Sec. 8545. Sense of Congress on protecting student privacy.
 “Sec. 8546. Prohibition on aiding and abetting sexual abuse.
 “Sec. 8547. Sense of Congress on restoration of State sovereignty over public education.
 “Sec. 8548. Privacy.
 “Sec. 8549. Analysis and periodic review of departmental guidance.
 “Sec. 8549A. Sense of Congress.
 “Sec. 8549B. Sense of Congress on early learning and child care.
 “Sec. 8549C. Technical assistance.

“SUBPART 3—TEACHER LIABILITY PROTECTION

“Sec. 8551. Short title.
 “Sec. 8552. Purpose.
 “Sec. 8553. Definitions.
 “Sec. 8554. Applicability.
 “Sec. 8555. Preemption and election of State nonapplicability.
 “Sec. 8556. Limitation on liability for teachers.
 “Sec. 8557. Allocation of responsibility for non-economic loss.
 “Sec. 8558. Effective date.

“SUBPART 4—GUN POSSESSION

“Sec. 8561. Gun-free requirements.

“SUBPART 5—ENVIRONMENTAL TOBACCO SMOKE

“Sec. 8571. Short title.
 “Sec. 8572. Definitions.
 “Sec. 8573. Nonsmoking policy for children’s services.
 “Sec. 8574. Preemption.

“PART G—EVALUATIONS

“Sec. 8601. Evaluations.”.

TITLE I—IMPROVING BASIC PROGRAMS OPERATED BY STATE AND LOCAL EDUCATIONAL AGENCIES

PART A—IMPROVING BASIC PROGRAMS OPERATED BY STATE AND LOCAL EDUCATIONAL AGENCIES

SEC. 1000. REDESIGNATIONS.

Subpart 1 of part A of title I (20 U.S.C. 6311 et seq.) is amended—

- (1) by striking sections 1116, 1117, and 1119;
- (2) by redesignating section 1118 as section 1116;
- (3) by redesignating section 1120 as section 1117;
- (4) by redesignating section 1120A as section 1118; and
- (5) by redesignating section 1120B as section 1119.

SEC. 1001. STATEMENT OF PURPOSE.

Section 1001 (20 U.S.C. 6301) is amended to read as follows:

“SEC. 1001. STATEMENT OF PURPOSE.

“The purpose of this title is to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.”.

SEC. 1002. AUTHORIZATION OF APPROPRIATIONS.

Section 1002 (20 U.S.C. 6302) is amended to read as follows:

“SEC. 1002. AUTHORIZATION OF APPROPRIATIONS.

“(a) LOCAL EDUCATIONAL AGENCY GRANTS.—There are authorized to be appropriated to carry out the activities described in part A—

- “(1) \$15,012,317,605 for fiscal year 2017;
- “(2) \$15,457,459,042 for fiscal year 2018;
- “(3) \$15,897,371,442 for fiscal year 2019; and
- “(4) \$16,182,344,591 for fiscal year 2020.

“(b) STATE ASSESSMENTS.—There are authorized to be appropriated to carry out the activities described in part B, \$378,000,000 for each of fiscal years 2017 through 2020.

“(c) EDUCATION OF MIGRATORY CHILDREN.—There are authorized to be appropriated to carry out the activities described in part C, \$374,751,000 for each of fiscal years 2017 through 2020.

“(d) PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK.—There are authorized to be appropriated to carry out the activities described in part D, \$47,614,000 for each of fiscal years 2017 through 2020.

“(e) FEDERAL ACTIVITIES.—For the purpose of carrying out evaluation activities related to title I under section 8601, there are authorized to be appropriated \$710,000 for each of fiscal years 2017 through 2020.

“(f) SENSE OF CONGRESS REGARDING ADJUSTMENTS TO AUTHORIZATIONS OF APPROPRIATIONS PROVIDED IN THIS ACT FOR FUTURE BUDGET AGREEMENTS.—It is the sense of Congress that if legislation is enacted that revises the limits on discretionary spending established under section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)), the levels of appropriations authorized throughout this Act should be adjusted in a manner that is consistent with the adjustments in nonsecurity category funding provided for under the revised limits on discretionary spending.”.

SEC. 1003. SCHOOL IMPROVEMENT.

Section 1003 (20 U.S.C. 6303) is amended to read as follows:

“SEC. 1003. SCHOOL IMPROVEMENT.

“(a) STATE RESERVATIONS.—To carry out subsection (b) and the State educational agency’s statewide system of technical assistance and support for local educational agencies, each State shall reserve the greater of—

- “(1) 7 percent of the amount the State receives under subpart 2 of part A; or

“(2) the sum of the amount the State—

“(A) reserved for fiscal year 2016 under this subsection, as in effect on the day before the date of enactment of the Every Student Succeeds Act; and

“(B) received for fiscal year 2016 under subsection (g), as in effect on the day before the date of enactment of the Every Student Succeeds Act.

“(b) USES.—Of the amount reserved under subsection (a) for any fiscal year, the State educational agency—

“(1)(A) shall allocate not less than 95 percent of that amount to make grants to local educational agencies on a formula or competitive basis, to serve schools implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d); or

“(B) may, with the approval of the local educational agency, directly provide for these activities or arrange for their provision through other entities such as school support teams, educational service agencies, or nonprofit or for-profit external providers with expertise in using evidence-based strategies to improve student achievement, instruction, and schools; and

“(2) shall use the funds not allocated to local educational agencies under paragraph (1) to carry out this section, which shall include—

“(A) establishing the method, consistent with paragraph (1)(A), the State will use to allocate funds to local educational agencies under such paragraph, including ensuring—

“(i) the local educational agencies receiving an allotment under such paragraph represent the geographic diversity of the State; and

“(ii) that allotments are of sufficient size to enable a local educational agency to effectively implement selected strategies;

“(B) monitoring and evaluating the use of funds by local educational agencies receiving an allotment under such paragraph; and

“(C) as appropriate, reducing barriers and providing operational flexibility for schools in the implementation of comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d).

“(c) DURATION.—The State educational agency shall award each subgrant under subsection (b) for a period of not more than 4 years, which may include a planning year.

“(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as prohibiting a State from allocating subgrants under this section to a statewide school district, consortium of local educational agencies, or an educational service agency that serves schools implementing comprehensive support and improvement activities or targeted support and improvement activities, if such entities are legally constituted or recognized as local educational agencies in the State.

“(e) APPLICATION.—To receive an allotment under subsection (b)(1), a local educational agency shall submit an application to the State educational agency at such time, in such form, and including such information as the State educational agency may require. Each application shall include, at a minimum—

“(1) a description of how the local educational agency will carry out its responsibilities under section 1111(d) for schools receiving funds under this section, including how the local educational agency will—

“(A) develop comprehensive support and improvement plans under section 1111(d)(1) for schools receiving funds under this section;

“(B) support schools developing or implementing targeted support and improvement plans under section 1111(d)(2), if funds received under this section are used for such purpose;

“(C) monitor schools receiving funds under this section, including how the local edu-

cational agency will carry out its responsibilities under clauses (iv) and (v) of section 1111(d)(2)(B) if funds received under this section are used to support schools implementing targeted support and improvement plans;

“(D) use a rigorous review process to recruit, screen, select, and evaluate any external partners with whom the local educational agency will partner;

“(E) align other Federal, State, and local resources to carry out the activities supported with funds received under subsection (b)(1); and

“(F) as appropriate, modify practices and policies to provide operational flexibility that enables full and effective implementation of the plans described in paragraphs (1) and (2) of section 1111(d); and

“(2) an assurance that each school the local educational agency proposes to serve will receive all of the State and local funds it would have received in the absence of funds received under this section.

“(f) PRIORITY.—The State educational agency, in allocating funds to local educational agencies under this section, shall give priority to local educational agencies that—

“(1) serve high numbers, or a high percentage of, elementary schools and secondary schools implementing plans under paragraphs (1) and (2) of section 1111(d);

“(2) demonstrate the greatest need for such funds, as determined by the State; and

“(3) demonstrate the strongest commitment to using funds under this section to enable the lowest-performing schools to improve student achievement and student outcomes.

“(g) UNUSED FUNDS.—If, after consultation with local educational agencies in the State, the State educational agency determines that the amount of funds reserved to carry out subsection (b) is greater than the amount needed to provide the assistance described in that subsection, the State educational agency shall allocate the excess amount to local educational agencies in accordance with—

“(1) the relative allocations the State educational agency made to those agencies for that fiscal year under subpart 2 of part A; or

“(2) section 1126(c).

“(h) SPECIAL RULE.—Notwithstanding any other provision of this section, the amount of funds reserved by the State educational agency under subsection (a) for fiscal year 2018 and each subsequent fiscal year shall not decrease the amount of funds each local educational agency receives under subpart 2 of part A below the amount received by such local educational agency under such subpart for the preceding fiscal year.

“(i) REPORTING.—The State shall include in the report described in section 1111(h)(1) a list of all the local educational agencies and schools that received funds under this section, including the amount of funds each school received and the types of strategies implemented in each school with such funds.”

SEC. 1004. DIRECT STUDENT SERVICES.

The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended by inserting after section 1003 (20 U.S.C. 6303) the following:

“SEC. 1003A. DIRECT STUDENT SERVICES.

“(a) STATE RESERVATION.—

“(1) IN GENERAL.—

“(A) STATES.—Each State educational agency, after meaningful consultation with geographically diverse local educational agencies described in subparagraph (B), may reserve not more than 3 percent of the amount the State educational agency receives under subpart 2 of part A for each fiscal year to carry out this section.

“(B) CONSULTATION.—A State educational agency shall consult under subparagraph (A) with local educational agencies that include—

“(i) suburban, rural, and urban local educational agencies;

“(ii) local educational agencies serving a high percentage of schools identified by the State for comprehensive support and improvement under section 1111(c)(4)(D)(i); and

“(iii) local educational agencies serving a high percentage of schools implementing targeted support and improvement plans under section 1111(d)(2).

“(2) PROGRAM ADMINISTRATION.—Of the funds reserved under paragraph (1)(A), the State educational agency may use not more than 1 percent to administer the program described in this section.

“(b) AWARDS.—

“(1) IN GENERAL.—From the amount reserved under subsection (a) by a State educational agency, the State educational agency shall award grants to geographically diverse local educational agencies described in subsection (a)(1)(B)(i).

“(2) PRIORITY.—In making such awards, the State educational agency shall prioritize awards to local educational agencies serving the highest percentage of schools, as compared to other local educational agencies in the State—

“(A) identified by the State for comprehensive support and improvement under section 1111(c)(4)(D)(i); or

“(B) implementing targeted support and improvement plans under section 1111(d)(2).

“(c) LOCAL USE OF FUNDS.—A local educational agency receiving an award under this section—

“(1) may use not more than 1 percent of its award for outreach and communication to parents about available direct student services described in paragraph (3) in the local educational agency and State;

“(2) may use not more than 2 percent of its award for administrative costs related to such direct student services;

“(3) shall use the remainder of the award to pay the costs associated with one or more of the following direct student services—

“(A) enrollment and participation in academic courses not otherwise available at a student's school, including—

“(i) advanced courses; and

“(ii) career and technical education coursework that—

“(I) is aligned with the challenging State academic standards; and

“(II) leads to industry-recognized credentials that meet the quality criteria established by the State under section 123(a) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102);

“(B) credit recovery and academic acceleration courses that lead to a regular high school diploma;

“(C) activities that assist students in successfully completing postsecondary level instruction and examinations that are accepted for credit at institutions of higher education (including Advanced Placement and International Baccalaureate courses), which may include reimbursing low-income students to cover part or all of the costs of fees for such examinations;

“(D) components of a personalized learning approach, which may include high-quality academic tutoring; and

“(E) in the case of a local educational agency that does not reserve funds under section 1111(d)(1)(D)(v), transportation to allow a student enrolled in a school identified for comprehensive support and improvement under section 1111(c)(4)(D)(i) to transfer to another public school (which may include a charter school) that has not been identified by the State under such section; and

“(4) in paying the costs associated with the direct student services described in paragraph (3), shall—

“(A) first, pay such costs for students who are enrolled in schools identified by the State for comprehensive support and improvement under section 1111(c)(4)(D)(i);

“(B) second, pay such costs for low-achieving students who are enrolled in schools implementing targeted support and improvement plans under section 1111(d)(2); and

“(C) with any remaining funds, pay such costs for other low-achieving students served by the local educational agency.

“(d) APPLICATION.—A local educational agency desiring to receive an award under subsection (b) shall submit an application to the State educational agency at such time and in such manner as the State educational agency shall require. At a minimum, each application shall describe how the local educational agency will—

“(1) provide adequate outreach to ensure parents can exercise a meaningful choice of direct student services for their child’s education;

“(2) ensure parents have adequate time and information to make a meaningful choice prior to enrolling their child in a direct student service;

“(3) in the case of a local educational agency offering public school choice under this section, ensure sufficient availability of seats in the public schools the local educational agency will make available for public school choice options;

“(4) prioritize services to students who are lowest-achieving;

“(5) select providers of direct student services, which may include one or more of—

“(A) the local educational agency or other local educational agencies;

“(B) community colleges or other institutions of higher education;

“(C) non-public entities;

“(D) community-based organizations; or

“(E) in the case of high-quality academic tutoring, a variety of providers of such tutoring that are selected and approved by the State and appear on the State’s list of such providers required under subsection (e)(2);

“(6) monitor the provision of direct student services; and

“(7) publicly report the results of direct student service providers in improving relevant student outcomes in a manner that is accessible to parents.

“(e) PROVIDERS AND SCHOOLS.—A State educational agency that reserves an amount under subsection (a) shall—

“(1) ensure that each local educational agency that receives an award under this section and intends to provide public school choice under subsection (c)(3)(E) can provide a sufficient number of options to provide a meaningful choice for parents;

“(2) compile and maintain an updated list of State-approved high-quality academic tutoring providers that—

“(A) is developed using a fair negotiation and rigorous selection and approval process;

“(B) provides parents with meaningful choices;

“(C) offers a range of tutoring models, including online and on campus; and

“(D) includes only providers that—

“(i) have a demonstrated record of success in increasing students’ academic achievement;

“(ii) comply with all applicable Federal, State, and local health, safety, and civil rights laws; and

“(iii) provide instruction and content that is secular, neutral, and non-ideological;

“(3) ensure that each local educational agency receiving an award is able to provide an adequate number of high-quality academic tutoring options to ensure parents have a meaningful choice of services;

“(4) develop and implement procedures for monitoring the quality of services provided by direct student service providers; and

“(5) establish and implement clear criteria describing the course of action for direct student service providers that are not successful in improving student academic outcomes, which, for a high-quality academic tutoring provider, may include a process to remove State approval under paragraph (2).”.

SEC. 1005. STATE PLANS.

Section 1111 (20 U.S.C. 6311) is amended to read as follows:

“SEC. 1111. STATE PLANS.

“(a) FILING FOR GRANTS.—

“(1) IN GENERAL.—For any State desiring to receive a grant under this part, the State educational agency shall file with the Secretary a plan that is—

“(A) developed by the State educational agency with timely and meaningful consultation with the Governor, members of the State legislature and State board of education (if the State has a State board of education), local educational agencies (including those located in rural areas), representatives of Indian tribes located in the State, teachers, principals, other school leaders, charter school leaders (if the State has charter schools), specialized instructional support personnel, paraprofessionals, administrators, other staff, and parents; and

“(B) is coordinated with other programs under this Act, the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Rehabilitation Act of 1973 (20 U.S.C. 701 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), the Education Sciences Reform Act of 2002 (20 U.S.C. 9501 et seq.), the Education Technical Assistance Act of 2002 (20 U.S.C. 9601 et seq.), the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621 et seq.), the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.), and the Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.).

“(2) LIMITATION.—Consultation required under paragraph (1)(A) shall not interfere with the timely submission of the plan required under this section.

“(3) CONSOLIDATED PLAN.—A State plan submitted under paragraph (1) may be submitted as part of a consolidated plan under section 8302.

“(4) PEER REVIEW AND SECRETARIAL APPROVAL.—

“(A) IN GENERAL.—The Secretary shall—

“(i) establish a peer-review process to assist in the review of State plans;

“(ii) establish multidisciplinary peer-review teams and appoint members of such teams—

“(I) who are representative of—

“(aa) parents, teachers, principals, other school leaders, specialized instructional support personnel, State educational agencies, local educational agencies, and the community (including the business community); and

“(bb) researchers who are familiar with—

“(AA) the implementation of academic standards, assessments, or accountability systems; and

“(BB) how to meet the needs of disadvantaged students, children with disabilities, and English learners, the needs of low-performing schools, and other educational needs of students;

“(II) that include, to the extent practicable, majority representation of individuals who, in the most recent 2 years, have had practical experience in the classroom, school administration, or State or local government (such as direct employees of a school, local educational agency, or State educational agency); and

“(III) who represent a regionally diverse cross-section of States;

“(iii) make available to the public, including by such means as posting to the Department’s website, the list of peer reviewers who have reviewed State plans under this section;

“(iv) ensure that the peer-review teams consist of varied individuals so that the same peer reviewers are not reviewing all of the State plans;

“(v) approve a State plan not later than 120 days after its submission, unless the Secretary meets the requirements of clause (vi);

“(vi) have the authority to disapprove a State plan only if—

“(I) the Secretary—

“(aa) determines how the State plan fails to meet the requirements of this section;

“(bb) immediately provides to the State, in writing, notice of such determination, and the supporting information and rationale to substantiate such determination;

“(cc) offers the State an opportunity to revise and resubmit its State plan, and provides the State—

“(AA) technical assistance to assist the State in meeting the requirements of this section;

“(BB) in writing, all peer-review comments, suggestions, recommendations, or concerns relating to its State plan; and

“(CC) a hearing, unless the State declines the opportunity for such hearing; and

“(II) the State—

“(aa) does not revise and resubmit its State plan; or

“(bb) in a case in which a State revises and resubmits its State plan after a hearing is conducted under subclause (I)(cc)(CC), or after the State has declined the opportunity for such a hearing, the Secretary determines that such revised State plan does not meet the requirements of this section.

“(B) PURPOSE OF PEER REVIEW.—The peer-review process shall be designed to—

“(i) maximize collaboration with each State;

“(ii) promote effective implementation of the challenging State academic standards through State and local innovation; and

“(iii) provide transparent, timely, and objective feedback to States designed to strengthen the technical and overall quality of the State plans.

“(C) STANDARD AND NATURE OF REVIEW.—Peer reviewers shall conduct an objective review of State plans in their totality and out of respect for State and local judgments, with the goal of supporting State- and local-led innovation and providing objective feedback on the technical and overall quality of a State plan.

“(D) PROHIBITION.—Neither the Secretary nor the political appointees of the Department, may attempt to participate in, or influence, the peer-review process.

“(5) PUBLIC REVIEW.—All written communications, feedback, and notifications under this subsection shall be conducted in a manner that is transparent and immediately made available to the public on the Department’s website, including—

“(A) plans submitted or resubmitted by a State;

“(B) peer-review guidance, notes, and comments and the names of the peer reviewers (once the peer reviewers have completed their work);

“(C) State plan determinations by the Secretary, including approvals or disapprovals; and

“(D) notices and transcripts of hearings under this section.

“(6) DURATION OF THE PLAN.—

“(A) IN GENERAL.—Each State plan shall—

“(i) remain in effect for the duration of the State’s participation under this part; and

“(ii) be periodically reviewed and revised as necessary by the State educational agency to reflect changes in the State’s strategies and programs under this part.

“(B) ADDITIONAL INFORMATION.—

“(i) *IN GENERAL.*—If a State makes significant changes to its plan at any time, such as the adoption of new challenging State academic standards or new academic assessments under subsection (b), or changes to its accountability system under subsection (c), such information shall be submitted to the Secretary in the form of revisions or amendments to the State plan.

“(ii) *REVIEW OF REVISED PLANS.*—The Secretary shall review the information submitted under clause (i) and approve changes to the State plan, or disapprove such changes in accordance with paragraph (4)(A)(vi), within 90 days, without undertaking the peer-review process under such paragraph.

“(iii) *SPECIAL RULE FOR STANDARDS.*—If a State makes changes to its challenging State academic standards, the requirements of subsection (b)(1), including the requirement that such standards need not be submitted to the Secretary pursuant to subsection (b)(1)(A), shall still apply.

“(7) *FAILURE TO MEET REQUIREMENTS.*—If a State fails to meet any of the requirements of this section, the Secretary may withhold funds for State administration under this part until the Secretary determines that the State has fulfilled those requirements.

“(8) *PUBLIC COMMENT.*—Each State shall make the State plan publicly available for public comment for a period of not less than 30 days, by electronic means and in an easily accessible format, prior to submission to the Secretary for approval under this subsection. The State, in the plan it files under this subsection, shall provide an assurance that public comments were taken into account in the development of the State plan.

“(b) *CHALLENGING ACADEMIC STANDARDS AND ACADEMIC ASSESSMENTS.*—

“(1) *CHALLENGING STATE ACADEMIC STANDARDS.*—

“(A) *IN GENERAL.*—Each State, in the plan it files under subsection (a), shall provide an assurance that the State has adopted challenging academic content standards and aligned academic achievement standards (referred to in this Act as ‘challenging State academic standards’), which achievement standards shall include not less than 3 levels of achievement, that will be used by the State, its local educational agencies, and its schools to carry out this part. A State shall not be required to submit such challenging State academic standards to the Secretary.

“(B) *SAME STANDARDS.*—Except as provided in subparagraph (E), the standards required by subparagraph (A) shall—

“(i) apply to all public schools and public school students in the State; and

“(ii) with respect to academic achievement standards, include the same knowledge, skills, and levels of achievement expected of all public school students in the State.

“(C) *SUBJECTS.*—The State shall have such academic standards for mathematics, reading or language arts, and science, and may have such standards for any other subject determined by the State.

“(D) *ALIGNMENT.*—

“(i) *IN GENERAL.*—Each State shall demonstrate that the challenging State academic standards are aligned with entrance requirements for credit-bearing coursework in the system of public higher education in the State and relevant State career and technical education standards.

“(ii) *RULE OF CONSTRUCTION.*—Nothing in this Act shall be construed to authorize public institutions of higher education to determine the specific challenging State academic standards required under this paragraph.

“(E) *ALTERNATE ACADEMIC ACHIEVEMENT STANDARDS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.*—

“(i) *IN GENERAL.*—The State may, through a documented and validated standards-setting process, adopt alternate academic achievement standards for students with the most significant cognitive disabilities, provided those standards—

“(I) are aligned with the challenging State academic content standards under subparagraph (A);

“(II) promote access to the general education curriculum, consistent with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

“(III) reflect professional judgment as to the highest possible standards achievable by such students;

“(IV) are designated in the individualized education program developed under section 614(d)(3) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(3)) for each such student as the academic achievement standards that will be used for the student; and

“(V) are aligned to ensure that a student who meets the alternate academic achievement standards is on track to pursue postsecondary education or employment, consistent with the purposes of Public Law 93–112, as in effect on July 22, 2014.

“(ii) *PROHIBITION ON ANY OTHER ALTERNATE OR MODIFIED ACADEMIC ACHIEVEMENT STANDARDS.*—A State shall not develop, or implement for use under this part, any alternate academic achievement standards for children with disabilities that are not alternate academic achievement standards that meet the requirements of clause (i).

“(F) *ENGLISH LANGUAGE PROFICIENCY STANDARDS.*—Each State plan shall demonstrate that the State has adopted English language proficiency standards that—

“(i) are derived from the 4 recognized domains of speaking, listening, reading, and writing;

“(ii) address the different proficiency levels of English learners; and

“(iii) are aligned with the challenging State academic standards.

“(G) *PROHIBITIONS.*—

“(i) *STANDARDS REVIEW OR APPROVAL.*—A State shall not be required to submit any standards developed under this subsection to the Secretary for review or approval.

“(ii) *FEDERAL CONTROL.*—The Secretary shall not have the authority to mandate, direct, control, coerce, or exercise any direction or supervision over any of the challenging State academic standards adopted or implemented by a State.

“(H) *EXISTING STANDARDS.*—Nothing in this part shall prohibit a State from revising, consistent with this section, any standards adopted under this part before or after the date of enactment of the Every Student Succeeds Act.

“(2) *ACADEMIC ASSESSMENTS.*—

“(A) *IN GENERAL.*—Each State plan shall demonstrate that the State educational agency, in consultation with local educational agencies, has implemented a set of high-quality student academic assessments in mathematics, reading or language arts, and science. The State retains the right to implement such assessments in any other subject chosen by the State.

“(B) *REQUIREMENTS.*—The assessments under subparagraph (A) shall—

“(i) except as provided in subparagraph (D), be—

“(I) the same academic assessments used to measure the achievement of all public elementary school and secondary school students in the State; and

“(II) administered to all public elementary school and secondary school students in the State;

“(ii) be aligned with the challenging State academic standards, and provide coherent and

timely information about student attainment of such standards and whether the student is performing at the student’s grade level;

“(iii) be used for purposes for which such assessments are valid and reliable, consistent with relevant, nationally recognized professional and technical testing standards, objectively measure academic achievement, knowledge, and skills, and be tests that do not evaluate or assess personal or family beliefs and attitudes, or publicly disclose personally identifiable information;

“(iv) be of adequate technical quality for each purpose required under this Act and consistent with the requirements of this section, the evidence of which shall be made public, including on the website of the State educational agency;

“(v)(I) in the case of mathematics and reading or language arts, be administered—

“(aa) in each of grades 3 through 8; and

“(bb) at least once in grades 9 through 12;

“(II) in the case of science, be administered not less than one time during—

“(aa) grades 3 through 5;

“(bb) grades 6 through 9; and

“(cc) grades 10 through 12; and

“(III) in the case of any other subject chosen by the State, be administered at the discretion of the State;

“(vi) involve multiple up-to-date measures of student academic achievement, including measures that assess higher-order thinking skills and understanding, which may include measures of student academic growth and may be partially delivered in the form of portfolios, projects, or extended performance tasks;

“(vii) provide for—

“(I) the participation in such assessments of all students;

“(II) the appropriate accommodations, such as interoperability with, and ability to use, assistive technology, for children with disabilities (as defined in section 602(3) of the Individuals with Disabilities Education Act (20 U.S.C. 1401(3))), including students with the most significant cognitive disabilities, and students with a disability who are provided accommodations under an Act other than the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), necessary to measure the academic achievement of such children relative to the challenging State academic standards or alternate academic achievement standards described in paragraph (1)(E); and

“(III) the inclusion of English learners, who shall be assessed in a valid and reliable manner and provided appropriate accommodations on assessments administered to such students under this paragraph, including, to the extent practicable, assessments in the language and form most likely to yield accurate data on what such students know and can do in academic content areas, until such students have achieved English language proficiency, as determined under subparagraph (G);

“(viii) at the State’s discretion—

“(I) be administered through a single summative assessment; or

“(II) be administered through multiple statewide interim assessments during the course of the academic year that result in a single summative score that provides valid, reliable, and transparent information on student achievement or growth;

“(ix) notwithstanding clause (vii)(III), provide for assessments (using tests in English) of reading or language arts of any student who has attended school in the United States (not including the Commonwealth of Puerto Rico) for 3 or more consecutive school years, except that if the local educational agency determines, on a case-by-case individual basis, that academic assessments in another language or form would likely yield more accurate and reliable information on what such student knows and can do,

the local educational agency may make a determination to assess such student in the appropriate language other than English for a period that does not exceed 2 additional consecutive years, provided that such student has not yet reached a level of English language proficiency sufficient to yield valid and reliable information on what such student knows and can do on tests (written in English) of reading or language arts;

“(x) produce individual student interpretive, descriptive, and diagnostic reports, consistent with clause (iii), regarding achievement on such assessments that allow parents, teachers, principals, and other school leaders to understand and address the specific academic needs of students, and that are provided to parents, teachers, and school leaders, as soon as is practicable after the assessment is given, in an understandable and uniform format, and to the extent practicable, in a language that parents can understand;

“(xi) enable results to be disaggregated within each State, local educational agency, and school by—

“(I) each major racial and ethnic group;

“(II) economically disadvantaged students as compared to students who are not economically disadvantaged;

“(III) children with disabilities as compared to children without disabilities;

“(IV) English proficiency status;

“(V) gender; and

“(VI) migrant status,

except that such disaggregation shall not be required in the case of a State, local educational agency, or a school in which the number of students in a subgroup is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student;

“(xii) enable itemized score analyses to be produced and reported, consistent with clause (iii), to local educational agencies and schools, so that parents, teachers, principals, other school leaders, and administrators can interpret and address the specific academic needs of students as indicated by the students’ achievement on assessment items; and

“(xiii) be developed, to the extent practicable, using the principles of universal design for learning.

“(C) EXCEPTION FOR ADVANCED MATHEMATICS IN MIDDLE SCHOOL.—A State may exempt any 8th grade student from the assessment in mathematics described in subparagraph (B)(v)(I)(aa) if—

“(i) such student takes the end-of-course assessment the State typically administers to meet the requirements of subparagraph (B)(v)(I)(bb) in mathematics;

“(ii) such student’s achievement on such end-of-course assessment is used for purposes of subsection (c)(4)(B)(i), in lieu of such student’s achievement on the mathematics assessment required under subparagraph (B)(v)(I)(aa), and such student is counted as participating in the assessment for purposes of subsection (c)(4)(B)(vi); and

“(iii) in high school, such student takes a mathematics assessment pursuant to subparagraph (B)(v)(I)(bb) that—

“(I) is any end-of-course assessment or other assessment that is more advanced than the assessment taken by such student under clause (i) of this subparagraph; and

“(II) shall be used to measure such student’s academic achievement for purposes of subsection (c)(4)(B)(i).

“(D) ALTERNATE ASSESSMENTS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—

“(i) ALTERNATE ASSESSMENTS ALIGNED WITH ALTERNATE ACADEMIC ACHIEVEMENT STAND-

ARDS.—A State may provide for alternate assessments aligned with the challenging State academic standards and alternate academic achievement standards described in paragraph (1)(E) for students with the most significant cognitive disabilities, if the State—

“(I) consistent with clause (ii), ensures that, for each subject, the total number of students assessed in such subject using the alternate assessments does not exceed 1 percent of the total number of all students in the State who are assessed in such subject;

“(II) ensures that the parents of such students are clearly informed, as part of the process for developing the individualized education program (as defined in section 614(d)(1)(A) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(1)(A)))—

“(aa) that their child’s academic achievement will be measured based on such alternate standards; and

“(bb) how participation in such assessments may delay or otherwise affect the student from completing the requirements for a regular high school diploma;

“(III) promotes, consistent with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the involvement and progress of students with the most significant cognitive disabilities in the general education curriculum;

“(IV) describes in the State plan the steps the State has taken to incorporate universal design for learning, to the extent feasible, in alternate assessments;

“(V) describes in the State plan that general and special education teachers, and other appropriate staff—

“(aa) know how to administer the alternate assessments; and

“(bb) make appropriate use of accommodations for students with disabilities on all assessments required under this paragraph;

“(VI) develops, disseminates information on, and promotes the use of appropriate accommodations to increase the number of students with significant cognitive disabilities—

“(aa) participating in academic instruction and assessments for the grade level in which the student is enrolled; and

“(bb) who are tested based on challenging State academic standards for the grade level in which the student is enrolled; and

“(VII) does not preclude a student with the most significant cognitive disabilities who takes an alternate assessment based on alternate academic achievement standards from attempting to complete the requirements for a regular high school diploma.

“(ii) SPECIAL RULES.—

“(I) RESPONSIBILITY UNDER IDEA.—Subject to the authority and requirements for the individualized education program team for a child with a disability under section 614(d)(1)(A)(i)(VI)(bb) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(1)(A)(i)(VI)(bb)), such team, consistent with the guidelines established by the State and required under section 612(a)(16)(C) of such Act (20 U.S.C. 1412(c)(16)(C)) and clause (i)(II) of this subparagraph, shall determine when a child with a significant cognitive disability shall participate in an alternate assessment aligned with the alternate academic achievement standards.

“(II) PROHIBITION ON LOCAL CAP.—Nothing in this subparagraph shall be construed to permit the Secretary or a State educational agency to impose on any local educational agency a cap on the percentage of students administered an alternate assessment under this subparagraph, except that a local educational agency exceeding the cap applied to the State under clause (i)(I) shall submit information to the State educational agency justifying the need to exceed such cap.

“(III) STATE SUPPORT.—A State shall provide appropriate oversight, as determined by the State, of any local educational agency that is required to submit information to the State under subclause (II).

“(IV) WAIVER AUTHORITY.—This subparagraph shall be subject to the waiver authority under section 8401.

“(E) STATE AUTHORITY.—If a State educational agency provides evidence, which is satisfactory to the Secretary, that neither the State educational agency nor any other State government official, agency, or entity has sufficient authority, under State law, to adopt challenging State academic standards, and academic assessments aligned with such standards, which will be applicable to all students enrolled in the State’s public elementary schools and secondary schools, then the State educational agency may meet the requirements of this subsection by—

“(i) adopting academic standards and academic assessments that meet the requirements of this subsection, on a statewide basis, and limiting their applicability to students served under this part; or

“(ii) adopting and implementing policies that ensure that each local educational agency in the State that receives grants under this part will adopt academic content and student academic achievement standards, and academic assessments aligned with such standards, which—

“(I) meet all of the criteria in this subsection and any regulations regarding such standards and assessments that the Secretary may publish; and

“(II) are applicable to all students served by each such local educational agency.

“(F) LANGUAGE ASSESSMENTS.—

“(i) IN GENERAL.—Each State plan shall identify the languages other than English that are present to a significant extent in the participating student population of the State and indicate the languages for which annual student academic assessments are not available and are needed.

“(ii) SECRETARIAL ASSISTANCE.—The State shall make every effort to develop such assessments and may request assistance from the Secretary if linguistically accessible academic assessment measures are needed. Upon request, the Secretary shall assist with the identification of appropriate academic assessment measures in the needed languages, but shall not mandate a specific academic assessment or mode of instruction.

“(G) ASSESSMENTS OF ENGLISH LANGUAGE PROFICIENCY.—

“(i) IN GENERAL.—Each State plan shall demonstrate that local educational agencies in the State will provide for an annual assessment of English proficiency of all English learners in the schools served by the State educational agency.

“(ii) ALIGNMENT.—The assessments described in clause (i) shall be aligned with the State’s English language proficiency standards described in paragraph (1)(F).

“(H) LOCALLY-SELECTED ASSESSMENT.—

“(i) IN GENERAL.—Nothing in this paragraph shall be construed to prohibit a local educational agency from administering a locally-selected assessment in lieu of the State-designed academic assessment under subclause (I)(bb) and subclause (II)(cc) of subparagraph (B)(v), if the local educational agency selects a nationally-recognized high school academic assessment that has been approved for use by the State as described in clause (iii) or (iv) of this subparagraph.

“(ii) STATE TECHNICAL CRITERIA.—To allow for State approval of nationally-recognized high school academic assessments that are available for local selection under clause (i), a State educational agency shall establish technical criteria

to determine if any such assessment meets the requirements of clause (v).

“(iii) **STATE APPROVAL.**—If a State educational agency chooses to make a nationally-recognized high school assessment available for selection by a local educational agency under clause (i), which has not already been approved under this clause, such State educational agency shall—

“(I) conduct a review of the assessment to determine if such assessment meets or exceeds the technical criteria established by the State educational agency under clause (ii);

“(II) submit evidence in accordance with subsection (a)(4) that demonstrates such assessment meets the requirements of clause (v); and

“(III) after fulfilling the requirements of subclauses (I) and (II), approve such assessment for selection and use by any local educational agency that requests to use such assessment under clause (i).

“(iv) **LOCAL EDUCATIONAL AGENCY OPTION.**—

“(I) **LOCAL EDUCATIONAL AGENCY.**—If a local educational agency chooses to submit a nationally-recognized high school academic assessment to the State educational agency, subject to the approval process described in subclause (I) and subclause (II) of clause (iii) to determine if such assessment fulfills the requirements of clause (v), the State educational agency may approve the use of such assessment consistent with clause (i).

“(II) **STATE EDUCATIONAL AGENCY.**—Upon such approval, the State educational agency shall approve the use of such assessment in any other local educational agency in the State that subsequently requests to use such assessment without repeating the process described in subclauses (I) and (II) of clause (iii).

“(v) **REQUIREMENTS.**—To receive approval from the State educational agency under clause (iii), a locally-selected assessment shall—

“(I) be aligned to the State’s academic content standards under paragraph (1), address the depth and breadth of such standards, and be equivalent in its content coverage, difficulty, and quality to the State-designed assessments under this paragraph (and may be more rigorous in its content coverage and difficulty than such State-designed assessments);

“(II) provide comparable, valid, and reliable data on academic achievement, as compared to the State-designed assessments, for all students and for each subgroup of students defined in subsection (c)(2), with results expressed in terms consistent with the State’s academic achievement standards under paragraph (1), among all local educational agencies within the State;

“(III) meet the requirements for the assessments under subparagraph (B) of this paragraph, including technical criteria, except the requirement under clause (i) of such subparagraph; and

“(IV) provide unbiased, rational, and consistent differentiation between schools within the State to meet the requirements of subsection (c).

“(vi) **PARENTAL NOTIFICATION.**—A local educational agency shall notify the parents of high school students served by the local educational agency—

“(I) of its request to the State educational agency for approval to administer a locally-selected assessment; and

“(II) upon approval, and at the beginning of each subsequent school year during which the locally selected assessment will be administered, that the local educational agency will be administering a different assessment than the State-designed assessments under subclause (I)(bb) and subclause (II)(cc) of subparagraph (B)(v).

“(I) **DEFERRAL.**—A State may defer the commencement, or suspend the administration, but not cease the development, of the assessments

described in this paragraph, for 1 year for each year for which the amount appropriated for grants under part B is less than \$369,100,000.

“(J) **ADAPTIVE ASSESSMENTS.**—

“(i) **IN GENERAL.**—Subject to clause (ii), a State retains the right to develop and administer computer adaptive assessments as the assessments described in this paragraph, provided the computer adaptive assessments meet the requirements of this paragraph, except that—

“(I) subparagraph (B)(i) shall not be interpreted to require that all students taking the computer adaptive assessment be administered the same assessment items; and

“(II) such assessment—

“(aa) shall measure, at a minimum, each student’s academic proficiency based on the challenging State academic standards for the student’s grade level and growth toward such standards; and

“(bb) may measure the student’s level of academic proficiency and growth using items above or below the student’s grade level, including for use as part of a State’s accountability system under subsection (c).

“(ii) **STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES AND ENGLISH LEARNERS.**—In developing and administering computer adaptive assessments—

“(I) as the assessments allowed under subparagraph (D), a State shall ensure that such computer adaptive assessments—

“(aa) meet the requirements of this paragraph, including subparagraph (D), except such assessments shall not be required to meet the requirements of clause (i)(II); and

“(bb) assess the student’s academic achievement to measure, in the subject being assessed, whether the student is performing at the student’s grade level; and

“(II) as the assessments required under subparagraph (G), a State shall ensure that such computer adaptive assessments—

“(aa) meet the requirements of this paragraph, including subparagraph (G), except such assessment shall not be required to meet the requirements of clause (i)(II); and

“(bb) assess the student’s language proficiency, which may include growth towards such proficiency, in order to measure the student’s acquisition of English.

“(K) **RULE OF CONSTRUCTION ON PARENT RIGHTS.**—Nothing in this paragraph shall be construed as preempting a State or local law regarding the decision of a parent to not have the parent’s child participate in the academic assessments under this paragraph.

“(L) **LIMITATION ON ASSESSMENT TIME.**—Subject to Federal or State requirements related to assessments, evaluations, and accommodations, each State may, at the sole discretion of such State, set a target limit on the aggregate amount of time devoted to the administration of assessments for each grade, expressed as a percentage of annual instructional hours.

“(3) **EXCEPTION FOR RECENTLY ARRIVED ENGLISH LEARNERS.**—

“(A) **ASSESSMENTS.**—With respect to recently arrived English learners who have been enrolled in a school in one of the 50 States in the United States or the District of Columbia for less than 12 months, a State may choose to—

“(i) exclude—

“(I) such an English learner from one administration of the reading or language arts assessment required under paragraph (2); and

“(II) such an English learner’s results on any of the assessments required under paragraph (2)(B)(v)(I) or (2)(G) for the first year of the English learner’s enrollment in such a school for the purposes of the State-determined accountability system under subsection (c); or

“(ii)(I) assess, and report the performance of, such an English learner on the reading or lan-

guage arts and mathematics assessments required under paragraph (2)(B)(v)(I) in each year of the student’s enrollment in such a school; and

“(II) for the purposes of the State-determined accountability system—

“(aa) for the first year of the student’s enrollment in such a school, exclude the results on the assessments described in subclause (I);

“(bb) include a measure of student growth on the assessments described in subclause (I) in the second year of the student’s enrollment in such a school; and

“(cc) include proficiency on the assessments described in subclause (I) in the third year of the student’s enrollment in such a school, and each succeeding year of such enrollment.

“(B) **ENGLISH LEARNER SUBGROUP.**—With respect to a student previously identified as an English learner and for not more than 4 years after the student ceases to be identified as an English learner, a State may include the results of the student’s assessments under paragraph (2)(B)(v)(I) within the English learner subgroup of the subgroups of students (as defined in subsection (c)(2)(D)) for the purposes of the State-determined accountability system.

“(C) **STATEWIDE ACCOUNTABILITY SYSTEM.**—

“(1) **IN GENERAL.**—Each State plan shall describe a statewide accountability system that complies with the requirements of this subsection and subsection (d).

“(2) **SUBGROUP OF STUDENTS.**—In this subsection and subsection (d), the term ‘subgroup of students’ means—

“(A) economically disadvantaged students;

“(B) students from major racial and ethnic groups;

“(C) children with disabilities; and

“(D) English learners.

“(3) **MINIMUM NUMBER OF STUDENTS.**—Each State shall describe—

“(A) with respect to any provisions under this part that require disaggregation of information by each subgroup of students—

“(i) the minimum number of students that the State determines are necessary to be included to carry out such requirements and how that number is statistically sound, which shall be the same State-determined number for all students and for each subgroup of students in the State;

“(ii) how such minimum number of students was determined by the State, including how the State collaborated with teachers, principals, other school leaders, parents, and other stakeholders when determining such minimum number; and

“(iii) how the State ensures that such minimum number is sufficient to not reveal any personally identifiable information.

“(4) **DESCRIPTION OF SYSTEM.**—The statewide accountability system described in paragraph (1) shall be based on the challenging State academic standards for reading or language arts and mathematics described in subsection (b)(1) to improve student academic achievement and school success. In designing such system to meet the requirements of this part, the State shall carry out the following:

“(A) **ESTABLISHMENT OF LONG-TERM GOALS.**—Establish ambitious State-designed long-term goals, which shall include measurements of interim progress toward meeting such goals—

“(i) for all students and separately for each subgroup of students in the State—

“(I) for, at a minimum, improved—

“(aa) academic achievement, as measured by proficiency on the annual assessments required under subsection (b)(2)(B)(v)(I); and

“(bb) high school graduation rates, including—

“(AA) the four-year adjusted cohort graduation rate; and

“(BB) at the State’s discretion, the extended-year adjusted cohort graduation rate, except

that the State shall set a more rigorous long-term goal for such graduation rate, as compared to the long-term goal set for the four-year adjusted cohort graduation rate;

“(II) for which the term set by the State for such goals is the same multi-year length of time for all students and for each subgroup of students in the State; and

“(III) that, for subgroups of students who are behind on the measures described in items (aa) and (bb) of subclause (I), take into account the improvement necessary on such measures to make significant progress in closing statewide proficiency and graduation rate gaps; and

“(ii) for English learners, for increases in the percentage of such students making progress in achieving English language proficiency, as defined by the State and measured by the assessments described in subsection (b)(2)(G), within a State-determined timeline.

“(B) INDICATORS.—Except for the indicator described in clause (iv), annually measure, for all students and separately for each subgroup of students, the following indicators:

“(i) For all public schools in the State, based on the long-term goals established under subparagraph (A), academic achievement—

“(I) as measured by proficiency on the annual assessments required under subsection (b)(2)(B)(v)(I); and

“(II) at the State's discretion, for each public high school in the State, student growth, as measured by such annual assessments.

“(ii) For public elementary schools and secondary schools that are not high schools in the State—

“(I) a measure of student growth, if determined appropriate by the State; or

“(II) another valid and reliable statewide academic indicator that allows for meaningful differentiation in school performance.

“(iii) For public high schools in the State, and based on State-designed long term goals established under subparagraph (A)—

“(I) the four-year adjusted cohort graduation rate; and

“(II) at the State's discretion, the extended-year adjusted cohort graduation rate.

“(iv) For public schools in the State, progress in achieving English language proficiency, as defined by the State and measured by the assessments described in subsection (b)(2)(G), within a State-determined timeline for all English learners—

“(I) in each of the grades 3 through 8; and

“(II) in the grade for which such English learners are otherwise assessed under subsection (b)(2)(B)(v)(I) during the grade 9 through grade 12 period, with such progress being measured against the results of the assessments described in subsection (b)(2)(G) taken in the previous grade.

“(v)(I) For all public schools in the State, not less than one indicator of school quality or student success that—

“(aa) allows for meaningful differentiation in school performance;

“(bb) is valid, reliable, comparable, and statewide (with the same indicator or indicators used for each grade span, as such term is determined by the State); and

“(cc) may include one or more of the measures described in subclause (II).

“(II) For purposes of subclause (I), the State may include measures of—

“(III) student engagement;

“(IV) educator engagement;

“(V) student access to and completion of advanced coursework;

“(VI) postsecondary readiness;

“(VII) school climate and safety; and

“(VIII) any other indicator the State chooses that meets the requirements of this clause.

“(C) ANNUAL MEANINGFUL DIFFERENTIATION.—Establish a system of meaningfully differen-

tiating, on an annual basis, all public schools in the State, which shall—

“(i) be based on all indicators in the State's accountability system under subparagraph (B), for all students and for each of subgroup of students, consistent with the requirements of such subparagraph;

“(ii) with respect to the indicators described in clauses (i) through (iv) of subparagraph (B) afford—

“(I) substantial weight to each such indicator; and

“(II) in the aggregate, much greater weight than is afforded to the indicator or indicators utilized by the State and described in subparagraph (B)(v), in the aggregate; and

“(iii) include differentiation of any such school in which any subgroup of students is consistently underperforming, as determined by the State, based on all indicators under subparagraph (B) and the system established under this subparagraph.

“(D) IDENTIFICATION OF SCHOOLS.—Based on the system of meaningful differentiation described in subparagraph (C), establish a State-determined methodology to identify—

“(i) beginning with school year 2017–2018, and at least once every three school years thereafter, one statewide category of schools for comprehensive support and improvement, as described in subsection (d)(1), which shall include—

“(I) not less than the lowest-performing 5 percent of all schools receiving funds under this part in the State;

“(II) all public high schools in the State failing to graduate one third or more of their students; and

“(III) public schools in the State described under subsection (d)(3)(A)(i)(II); and

“(ii) at the discretion of the State, additional statewide categories of schools.

“(E) ANNUAL MEASUREMENT OF ACHIEVEMENT.—(i) Annually measure the achievement of not less than 95 percent of all students, and 95 percent of all students in each subgroup of students, who are enrolled in public schools on the assessments described under subsection (b)(2)(v)(I).

“(ii) For the purpose of measuring, calculating, and reporting on the indicator described in subparagraph (B)(i), include in the denominator the greater of—

“(I) 95 percent of all such students, or 95 percent of all such students in the subgroup, as the case may be; or

“(II) the number of students participating in the assessments.

“(iii) Provide a clear and understandable explanation of how the State will factor the requirement of clause (i) of this subparagraph into the statewide accountability system.

“(F) PARTIAL ATTENDANCE.—(i) In the case of a student who has not attended the same school within a local educational agency for at least half of a school year, the performance of such student on the indicators described in clauses (i), (ii), (iv), and (v) of subparagraph (B)—

“(I) may not be used in the system of meaningful differentiation of all public schools as described in subparagraph (C) for such school year; and

“(II) shall be used for the purpose of reporting on the State and local educational agency report cards under subsection (h) for such school year.

“(ii) In the case of a high school student who has not attended the same school within a local educational agency for at least half of a school year and has exited high school without a regular high school diploma and without transferring to another high school that grants a regular high school diploma during such school year, the local educational agency shall, in

order to calculate the graduation rate pursuant to subparagraph (B)(iii), assign such student to the high school—

“(I) at which such student was enrolled for the greatest proportion of school days while enrolled in grades 9 through 12; or

“(II) in which the student was most recently enrolled.

“(5) ACCOUNTABILITY FOR CHARTER SCHOOLS.—The accountability provisions under this Act shall be overseen for charter schools in accordance with State charter school law.

“(d) SCHOOL SUPPORT AND IMPROVEMENT ACTIVITIES.—

“(I) COMPREHENSIVE SUPPORT AND IMPROVEMENT.—

“(A) IN GENERAL.—Each State educational agency receiving funds under this part shall notify each local educational agency in the State of any school served by the local educational agency that is identified for comprehensive support and improvement under subsection (c)(4)(D)(i).

“(B) LOCAL EDUCATIONAL AGENCY ACTION.—Upon receiving such information from the State, the local educational agency shall, for each school identified by the State and in partnership with stakeholders (including principals and other school leaders, teachers, and parents), locally develop and implement a comprehensive support and improvement plan for the school to improve student outcomes, that—

“(i) is informed by all indicators described in subsection (c)(4)(B), including student performance against State-determined long-term goals;

“(ii) includes evidence-based interventions;

“(iii) is based on a school-level needs assessment;

“(iv) identifies resource inequities, which may include a review of local educational agency and school-level budgeting, to be addressed through implementation of such comprehensive support and improvement plan;

“(v) is approved by the school, local educational agency, and State educational agency; and

“(vi) upon approval and implementation, is monitored and periodically reviewed by the State educational agency.

“(C) STATE EDUCATIONAL AGENCY DISCRETION.—With respect to any high school in the State identified under subsection (c)(4)(D)(i)(II), the State educational agency may—

“(i) permit differentiated improvement activities that utilize evidence-based interventions in the case of such a school that predominantly serves students—

“(I) returning to education after having exited secondary school without a regular high school diploma; or

“(II) who, based on their grade or age, are significantly off track to accumulate sufficient academic credits to meet high school graduation requirements, as established by the State; and

“(ii) in the case of such a school that has a total enrollment of less than 100 students, permit the local educational agency to forego implementation of improvement activities required under this paragraph.

“(D) PUBLIC SCHOOL CHOICE.—

“(i) IN GENERAL.—A local educational agency may provide all students enrolled in a school identified by the State for comprehensive support and improvement under subsection (c)(4)(D)(i) with the option to transfer to another public school served by the local educational agency, unless such an option is prohibited by State law.

“(ii) PRIORITY.—In providing students the option to transfer to another public school, the local educational agency shall give priority to the lowest-achieving children from low-income families, as determined by the local educational agency for the purposes of allocating funds to schools under section 1113(a)(3).

“(iii) *TREATMENT*.—A student who uses the option to transfer to another public school shall be enrolled in classes and other activities in the public school to which the student transfers in the same manner as all other students at the public school.

“(iv) *SPECIAL RULE*.—A local educational agency shall permit a student who transfers to another public school under this paragraph to remain in that school until the student has completed the highest grade in that school.

“(v) *FUNDING FOR TRANSPORTATION*.—A local educational agency may spend an amount equal to not more than 5 percent of its allocation under subpart 2 of this part to pay for the provision of transportation for students who transfer under this paragraph to the public schools to which the students transfer.

“(2) *TARGETED SUPPORT AND IMPROVEMENT*.—

“(A) *IN GENERAL*.—Each State educational agency receiving funds under this part shall, using the meaningful differentiation of schools described in subsection (c)(4)(C)—

“(i) notify each local educational agency in the State of any school served by the local educational agency in which any subgroup of students is consistently underperforming, as described in subsection (c)(4)(C)(iii); and

“(ii) ensure such local educational agency provides notification to such school with respect to which subgroup or subgroups of students in such school are consistently underperforming as described in subsection (c)(4)(C)(iii).

“(B) *TARGETED SUPPORT AND IMPROVEMENT PLAN*.—Each school receiving a notification described in this paragraph, in partnership with stakeholders (including principals and other school leaders, teachers and parents), shall develop and implement a school-level targeted support and improvement plan to improve student outcomes based on the indicators in the statewide accountability system established under subsection (c)(4), for each subgroup of students that was the subject of notification that—

“(i) is informed by all indicators described in subsection (c)(4)(B), including student performance against long-term goals;

“(ii) includes evidence-based interventions;

“(iii) is approved by the local educational agency prior to implementation of such plan;

“(iv) is monitored, upon submission and implementation, by the local educational agency; and

“(v) results in additional action following unsuccessful implementation of such plan after a number of years determined by the local educational agency.

“(C) *ADDITIONAL TARGETED SUPPORT*.—A plan described in subparagraph (B) that is developed and implemented in any school receiving a notification under this paragraph from the local educational agency in which any subgroup of students, on its own, would lead to identification under subsection (c)(4)(D)(i)(I) using the State’s methodology under subsection (c)(4)(D) shall also identify resource inequities (which may include a review of local educational agency and school level budgeting), to be addressed through implementation of such plan.

“(D) *SPECIAL RULE*.—The State educational agency, based on the State’s differentiation of schools under subsection (c)(4)(C) for school year 2017–2018, shall notify local educational agencies of any schools served by the local educational agency in which any subgroup of students, on its own, would lead to identification under subsection (c)(4)(D)(i)(I) using the State’s methodology under subsection (c)(4)(D), after which notification of such schools under this paragraph shall result from differentiation of schools pursuant to subsection (c)(4)(C)(iii).

“(3) *CONTINUED SUPPORT FOR SCHOOL AND LOCAL EDUCATIONAL AGENCY IMPROVEMENT*.—To ensure continued progress to improve student

academic achievement and school success in the State, the State educational agency—

“(A) shall—

“(i) establish statewide exit criteria for—

“(I) schools identified by the State for comprehensive support and improvement under subsection (c)(4)(D)(i), which, if not satisfied within a State-determined number of years (not to exceed four years), shall result in more rigorous State-determined action, such as the implementation of interventions (which may include addressing school-level operations); and

“(II) schools described in paragraph (2)(C), which, if not satisfied within a State-determined number of years, shall, in the case of such schools receiving assistance under this part, result in identification of the school by the State for comprehensive support and improvement under subsection (c)(4)(D)(i)(III);

“(ii) periodically review resource allocation to support school improvement in each local educational agency in the State serving—

“(I) a significant number of schools identified for comprehensive support and improvement under subsection (c)(4)(D)(i); and

“(II) a significant number of schools implementing targeted support and improvement plans under paragraph (2); and

“(iii) provide technical assistance to each local educational agency in the State serving a significant number of—

“(I) schools implementing comprehensive support and improvement plans under paragraph (1); or

“(II) schools implementing targeted support and improvement plans under paragraph (2); and

“(B) may—

“(i) take action to initiate additional improvement in any local educational agency with—

“(I) a significant number of schools that are consistently identified by the State for comprehensive support and improvement under subsection (c)(4)(D)(i) and not meeting exit criteria established by the State under subparagraph (A)(i)(I); or

“(II) a significant number of schools implementing targeted support and improvement plans under paragraph (2); and

“(ii) consistent with State law, establish alternative evidence-based State determined strategies that can be used by local educational agencies to assist a school identified for comprehensive support and improvement under subsection (c)(4)(D)(i).

“(4) *RULE OF CONSTRUCTION FOR COLLECTIVE BARGAINING*.—Nothing in this subsection shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded to school or local educational agency employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employers and their employees.

“(e) *PROHIBITION*.—

“(1) *IN GENERAL*.—Nothing in this Act shall be construed to authorize or permit the Secretary—

“(A) when promulgating any rule or regulation, to promulgate any rule or regulation on the development or implementation of the statewide accountability system established under this section that would—

“(i) add new requirements that are inconsistent with or outside the scope of this part;

“(ii) add new criteria that are inconsistent with or outside the scope of this part; or

“(iii) be in excess of statutory authority granted to the Secretary;

“(B) as a condition of approval of the State plan, or revisions or amendments to, the State plan, or approval of a waiver request submitted under section 8401, to—

“(i) require a State to add any requirements that are inconsistent with or outside the scope of this part;

“(ii) require a State to add or delete one or more specific elements of the challenging State academic standards; or

“(iii) prescribe—

“(I) numeric long-term goals or measurements of interim progress that States establish for all students, for any subgroups of students, and for English learners with respect to English language proficiency, under this part, including—

“(aa) the length of terms set by States in designing such goals; or

“(bb) the progress expected from any subgroups of students in meeting such goals;

“(II) specific academic assessments or assessment items that States or local educational agencies use to meet the requirements of subsection (b)(2) or otherwise use to measure student academic achievement or student growth under this part;

“(III) indicators that States use within the State accountability system under this section, including any requirement to measure student growth, or, if a State chooses to measure student growth, the specific metrics used to measure such growth under this part;

“(IV) the weight of any measure or indicator used to identify or meaningfully differentiate schools, under this part;

“(V) the specific methodology used by States to meaningfully differentiate or identify schools under this part;

“(VI) any specific school support and improvement strategies or activities that State or local educational agencies establish and implement to intervene in, support, and improve schools and improve student outcomes under this part;

“(VII) exit criteria established by States under subsection (d)(3)(A)(i);

“(VIII) provided that the State meets the requirements in subsection (c)(3), a minimum number of students established by a State under such subsection;

“(IX) any aspect or parameter of a teacher, principal, or other school leader evaluation system within a State or local educational agency;

“(X) indicators or specific measures of teacher, principal, or other school leader effectiveness or quality; or

“(XI) the way in which the State factors the requirement under subsection (c)(4)(E)(i) into the statewide accountability system under this section; or

“(C) to issue new non-regulatory guidance that—

“(i) in seeking to provide explanation of requirements under this section for State or local educational agencies, either in response to requests for information or in anticipation of such requests, provides a strictly limited or exhaustive list to illustrate successful implementation of provisions under this section; or

“(ii) purports to be legally binding; or

“(D) to require data collection under this part beyond data derived from existing Federal, State, and local reporting requirements.

“(2) *DEFINING TERMS*.—In carrying out this part, the Secretary shall not, through regulation or as a condition of approval of the State plan or revisions or amendments to the State plan, promulgate a definition of any term used in this part, or otherwise prescribe any specification for any such term, that is inconsistent with or outside the scope of this part or is in violation of paragraph (1).

“(f) *EXISTING STATE LAW*.—Nothing in this section shall be construed to alter any State law or regulation granting parents authority over schools that repeatedly failed to make adequate yearly progress under this part, as in effect on the day before the date of the enactment of the Every Student Succeeds Act.

“(g) OTHER PLAN PROVISIONS.—

“(1) DESCRIPTIONS.—Each State plan shall describe—

“(A) how the State will provide assistance to local educational agencies and individual elementary schools choosing to use funds under this part to support early childhood education programs;

“(B) how low-income and minority children enrolled in schools assisted under this part are not served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers, and the measures the State educational agency will use to evaluate and publicly report the progress of the State educational agency with respect to such description (except that nothing in this subparagraph shall be construed as requiring a State to develop or implement a teacher, principal, or other school leader evaluation system);

“(C) how the State educational agency will support local educational agencies receiving assistance under this part to improve school conditions for student learning, including through reducing—

“(i) incidences of bullying and harassment;

“(ii) the overuse of discipline practices that remove students from the classroom; and

“(iii) the use of aversive behavioral interventions that compromise student health and safety;

“(D) how the State will support local educational agencies receiving assistance under this part in meeting the needs of students at all levels of schooling (particularly students in the middle grades and high school), including how the State will work with such local educational agencies to provide effective transitions of students to middle grades and high school to decrease the risk of students dropping out;

“(E) the steps a State educational agency will take to ensure collaboration with the State agency responsible for administering the State plans under parts B and E of title IV of the Social Security Act (42 U.S.C. 621 et seq. and 670 et seq.) to ensure the educational stability of children in foster care, including assurances that—

“(i) any such child enrolls or remains in such child’s school of origin, unless a determination is made that it is not in such child’s best interest to attend the school of origin, which decision shall be based on all factors relating to the child’s best interest, including consideration of the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement;

“(ii) when a determination is made that it is not in such child’s best interest to remain in the school of origin, the child is immediately enrolled in a new school, even if the child is unable to produce records normally required for enrollment;

“(iii) the enrolling school shall immediately contact the school last attended by any such child to obtain relevant academic and other records; and

“(iv) the State educational agency will designate an employee to serve as a point of contact for child welfare agencies and to oversee implementation of the State agency responsibilities required under this subparagraph, and such point of contact shall not be the State’s Coordinator for Education of Homeless Children and Youths under section 722(d)(3) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(d)(3));

“(F) how the State educational agency will provide support to local educational agencies in the identification, enrollment, attendance, and school stability of homeless children and youths; and

“(G) such other factors the State educational agency determines appropriate to provide students an opportunity to achieve the knowledge

and skills described in the challenging State academic standards.

“(2) ASSURANCES.—Each State plan shall contain assurances that—

“(A) the State will make public any methods or criteria the State is using to measure teacher, principal, or other school leader effectiveness for the purpose of meeting the requirements described in paragraph (1)(B);

“(B) the State educational agency will notify local educational agencies, Indian tribes and tribal organizations, schools, teachers, parents, and the public of the challenging State academic standards, academic assessments, and State accountability system, developed under this section;

“(C) the State educational agency will assist each local educational agency and school affected by the State plan to meet the requirements of this part;

“(D) the State will participate in the biennial State academic assessments in reading and mathematics in grades 4 and 8 of the National Assessment of Educational Progress carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622(b)(3)) if the Secretary pays the costs of administering such assessments;

“(E) the State educational agency will modify or eliminate State fiscal and accounting barriers so that schools can easily consolidate funds from other Federal, State, and local sources to improve educational opportunities and reduce unnecessary fiscal and accounting requirements;

“(F) the State educational agency will support the collection and dissemination to local educational agencies and schools of effective parent and family engagement strategies, including those included in the parent and family engagement policy under section 1116;

“(G) the State educational agency will provide the least restrictive and burdensome regulations for local educational agencies and individual schools participating in a program assisted under this part;

“(H) the State educational agency will ensure that local educational agencies, in developing and implementing programs under this part, will, to the extent feasible, work in consultation with outside intermediary organizations (such as educational service agencies), or individuals, that have practical expertise in the development or use of evidence-based strategies and programs to improve teaching, learning, and schools;

“(I) the State educational agency has appropriate procedures and safeguards in place to ensure the validity of the assessment process;

“(J) the State educational agency will ensure that all teachers and paraprofessionals working in a program supported with funds under this part meet applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification;

“(K) the State educational agency will coordinate activities funded under this part with other Federal activities as appropriate;

“(L) the State educational agency has involved the committee of practitioners established under section 1603(b) in developing the plan and monitoring its implementation;

“(M) the State has professional standards for paraprofessionals working in a program supported with funds under this part, including qualifications that were in place on the day before the date of enactment of the Every Student Succeeds Act; and

“(N) the State educational agency will provide the information described in clauses (ii), (iii), and (vii) of subsection (h)(1)(C) to the public in an easily accessible and user-friendly manner that can be cross-tabulated by, at a minimum, each major racial and ethnic group,

gender, English proficiency status, and children with or without disabilities, which—

“(i) may be accomplished by including such information on the annual State report card described subsection (h)(1)(C); and

“(ii) shall be presented in a manner that—

“(I) is first anonymized and does not reveal personally identifiable information about an individual student;

“(II) does not include a number of students in any subgroup of students that is insufficient to yield statistically reliable information or that would reveal personally identifiable information about an individual student; and

“(III) is consistent with the requirements of section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the ‘Family Educational Rights and Privacy Act of 1974’).

“(3) RULES OF CONSTRUCTION.—Nothing in paragraph (2)(N) shall be construed to—

“(A) require groups of students obtained by any entity that cross-tabulates the information provided under such paragraph to be considered subgroups of students, as defined in subsection (c)(2), for the purposes of the State accountability system under subsection (c); or

“(B) require or prohibit States or local educational agencies from publicly reporting data in a cross-tabulated manner, in order to meet the requirements of paragraph (2)(N).

“(4) TECHNICAL ASSISTANCE.—Upon request by a State educational agency, the Secretary shall provide technical assistance to such agency to—

“(A) meet the requirements of paragraph (2)(N); or

“(B) in the case of a State educational agency choosing, at its sole discretion, to disaggregate data described in clauses (ii) and (iii)(II) of subsection (h)(1)(C) for Asian and Native Hawaiian or Pacific Islander students using the same race response categories as the decennial census of the population, assist such State educational agency in such disaggregation and in using such data to improve academic outcomes for such students.

“(h) REPORTS.—

“(1) ANNUAL STATE REPORT CARD.—

“(A) IN GENERAL.—A State that receives assistance under this part shall prepare and disseminate widely to the public an annual State report card for the State as a whole that meets the requirements of this paragraph.

“(B) IMPLEMENTATION.—The State report card required under this paragraph shall be—

“(i) concise;

“(ii) presented in an understandable and uniform format that is developed in consultation with parents and, to the extent practicable, in a language that parents can understand; and

“(iii) widely accessible to the public, which shall include making available on a single webpage of the State educational agency’s website, the State report card, all local educational agency report cards for each local educational agency in the State required under paragraph (2), and the annual report to the Secretary under paragraph (5).

“(C) MINIMUM REQUIREMENTS.—Each State report card required under this subsection shall include the following information:

“(i) A clear and concise description of the State’s accountability system under subsection (c), including—

“(I) the minimum number of students that the State determines are necessary to be included in each of the subgroups of students, as defined in subsection (c)(2), for use in the accountability system;

“(II) the long-term goals and measurements of interim progress for all students and for each of the subgroups of students, as defined in subsection (c)(2);

“(III) the indicators described in subsection (c)(4)(B) used to meaningfully differentiate all public schools in the State;

“(IV) the State’s system for meaningfully differentiating all public schools in the State, including—

“(aa) the specific weight of the indicators described in subsection (c)(4)(B) in such differentiation;

“(bb) the methodology by which the State differentiates all such schools;

“(cc) the methodology by which the State differentiates a school as consistently underperforming for any subgroup of students described in section (c)(4)(C)(iii), including the time period used by the State to determine consistent underperformance; and

“(dd) the methodology by which the State identifies a school for comprehensive support and improvement as required under subsection (c)(4)(D)(i);

“(V) the number and names of all public schools in the State identified by the State for comprehensive support and improvement under subsection (c)(4)(D)(i) or implementing targeted support and improvement plans under subsection (d)(2); and

“(VI) the exit criteria established by the State as required under clause (i) of subsection (d)(3)(A), including the length of years established under clause (i)(II) of such subsection.

“(ii) For all students and disaggregated by each subgroup of students described in subsection (b)(2)(B)(xi), homeless status, status as a child in foster care, and status as a student with a parent who is a member of the Armed Forces (as defined in section 101(a)(4) of title 10, United States Code) on active duty (as defined in section 101(d)(5) of such title), information on student achievement on the academic assessments described in subsection (b)(2) at each level of achievement, as determined by the State under subsection (b)(1).

“(iii) For all students and disaggregated by each of the subgroups of students, as defined in subsection (c)(2), and for purposes of subclause (II) of this clause, homeless status and status as a child in foster care—

“(I) information on the performance on the other academic indicator under subsection (c)(4)(B)(ii) for public elementary schools and secondary schools that are not high schools, used by the State in the State accountability system; and

“(II) high school graduation rates, including four-year adjusted cohort graduation rates and, at the State’s discretion, extended-year adjusted cohort graduation rates.

“(iv) Information on the number and percentage of English learners achieving English language proficiency.

“(v) For all students and disaggregated by each of the subgroups of students, as defined in subsection (c)(2), information on the performance on the other indicator or indicators of school quality or student success under subsection (c)(4)(B)(v) used by the State in the State accountability system.

“(vi) Information on the progress of all students and each subgroup of students, as defined in subsection (c)(2), toward meeting the State-designed long term goals under subsection (c)(4)(A), including the progress of all students and each such subgroup of students against the State measurements of interim progress established under such subsection.

“(vii) For all students and disaggregated by each subgroup of students described in subsection (b)(2)(B)(xi), the percentage of students assessed and not assessed.

“(viii) Information submitted by the State educational agency and each local educational agency in the State, in accordance with data collection conducted pursuant to section 203(c)(1) of the Department of Education Organization Act (20 U.S.C. 3413(c)(1)), on—

“(I) measures of school quality, climate, and safety, including rates of in-school suspensions,

out-of-school suspensions, expulsions, school-related arrests, referrals to law enforcement, chronic absenteeism (including both excused and unexcused absences), incidences of violence, including bullying and harassment; and

“(II) the number and percentage of students enrolled in—

“(aa) preschool programs; and

“(bb) accelerated coursework to earn postsecondary credit while still in high school, such as Advanced Placement and International Baccalaureate courses and examinations, and dual or concurrent enrollment programs.

“(ix) The professional qualifications of teachers in the State, including information (that shall be presented in the aggregate and disaggregated by high-poverty compared to low-poverty schools) on the number and percentage of—

“(I) inexperienced teachers, principals, and other school leaders;

“(II) teachers teaching with emergency or provisional credentials; and

“(III) teachers who are not teaching in the subject or field for which the teacher is certified or licensed.

“(x) The per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures and actual nonpersonnel expenditures of Federal, State, and local funds, disaggregated by source of funds, for each local educational agency and each school in the State for the preceding fiscal year.

“(xi) The number and percentages of students with the most significant cognitive disabilities who take an alternate assessment under subsection (b)(2)(D), by grade and subject.

“(xii) Results on the State academic assessments in reading and mathematics in grades 4 and 8 of the National Assessment of Educational Progress carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622(b)(3)), compared to the national average of such results.

“(xiii) Where available, for each high school in the State, and beginning with the report card prepared under this paragraph for 2017, the cohort rate (in the aggregate, and disaggregated for each subgroup of students defined in subsection (c)(2)), at which students who graduate from the high school enroll, for the first academic year that begins after the students’ graduation—

“(I) in programs of public postsecondary education in the State; and

“(II) if data are available and to the extent practicable, in programs of private postsecondary education in the State or programs of postsecondary education outside the State.

“(xiv) Any additional information that the State believes will best provide parents, students, and other members of the public with information regarding the progress of each of the State’s public elementary schools and secondary schools, which may include the number and percentage of students attaining career and technical proficiencies (as defined by section 113(b) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2323(b)) and reported by States only in a manner consistent with section 113(c) of such Act (20 U.S.C. 2323(c)).

“(D) RULES OF CONSTRUCTION.—Nothing in subparagraph (C)(viii) shall be construed as requiring—

“(i) reporting of any data that are not collected in accordance with section 203(c)(1) of the Department of Education Organization Act (20 U.S.C. 3413(c)(1)); or

“(ii) disaggregation of any data other than as required under subsection (b)(2)(B)(xi).

“(2) ANNUAL LOCAL EDUCATIONAL AGENCY REPORT CARDS.—

“(A) PREPARATION AND DISSEMINATION.—A local educational agency that receives assistance under this part shall prepare and disseminate an annual local educational agency report card that includes information on such agency as a whole and each school served by the agency.

“(B) IMPLEMENTATION.—Each local educational agency report card shall be—

“(i) concise;

“(ii) presented in an understandable and uniform format, and to the extent practicable, in a language that parents can understand; and

“(iii) accessible to the public, which shall include—

“(I) placing such report card on the website of the local educational agency; and

“(II) in any case in which a local educational agency does not operate a website, providing the information to the public in another manner determined by the local educational agency.

“(C) MINIMUM REQUIREMENTS.—The State educational agency shall ensure that each local educational agency collects appropriate data and includes in the local educational agency’s annual report the information described in paragraph (1)(C), disaggregated in the same manner as required under such paragraph, except for clause (xii) of such paragraph, as applied to the local educational agency and each school served by the local educational agency, including—

“(i) in the case of a local educational agency, information that shows how students served by the local educational agency achieved on the academic assessments described in subsection (b)(2) compared to students in the State as a whole;

“(ii) in the case of a school, information that shows how the school’s students’ achievement on the academic assessments described in subsection (b)(2) compared to students served by the local educational agency and the State as a whole; and

“(iii) any other information that the local educational agency determines is appropriate and will best provide parents, students, and other members of the public with information regarding the progress of each public school served by the local educational agency, whether or not such information is included in the annual State report card.

“(D) ADDITIONAL INFORMATION.—In the case of a local educational agency that issues a report card for all students, the local educational agency may include the information under this section as part of such report.

“(3) PREEXISTING REPORT CARDS.—A State educational agency or local educational agency may use public report cards on the performance of students, schools, local educational agencies, or the State, that were in effect prior to the date of enactment of the Every Student Succeeds Act for the purpose of this subsection, so long as any such report card is modified, as may be needed, to contain the information required by this subsection, and protects the privacy of individual students.

“(4) COST REDUCTION.—Each State educational agency and local educational agency receiving assistance under this part shall, whenever possible, take steps to reduce data collection costs and duplication of effort by obtaining the information required under this subsection through existing data collection efforts.

“(5) ANNUAL STATE REPORT TO THE SECRETARY.—Each State educational agency receiving assistance under this part shall report annually to the Secretary, and make widely available within the State—

“(A) information on the achievement of students on the academic assessments required by subsection (b)(2), including the disaggregated results for the subgroups of students as defined in subsection (c)(2);

“(B) information on the acquisition of English proficiency by English learners;

“(C) the number and names of each public school in the State—

“(i) identified for comprehensive support and improvement under subsection (c)(4)(D)(i); and

“(ii) implementing targeted support and improvement plans under subsection (d)(2); and

“(D) information on the professional qualifications of teachers in the State, including information on the number and the percentage of the following teachers:

“(i) Inexperienced teachers.

“(ii) Teachers teaching with emergency or provisional credentials.

“(iii) Teachers who are not teaching in the subject or field for which the teacher is certified or licensed.

“(6) **REPORT TO CONGRESS.**—The Secretary shall transmit annually to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report that provides national and State-level data on the information collected under paragraph (5). Such report shall be submitted through electronic means only.

“(i) **PRIVACY.**—

“(1) **IN GENERAL.**—Information collected or disseminated under this section (including any information collected for or included in the reports described in subsection (h)) shall be collected and disseminated in a manner that protects the privacy of individuals consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the ‘Family Educational Rights and Privacy Act of 1974’) and this Act.

“(2) **SUFFICIENCY.**—The reports described in subsection (h) shall only include data that are sufficient to yield statistically reliable information.

“(3) **DISAGGREGATION.**—Disaggregation under this section shall not be required if such disaggregation will reveal personally identifiable information about any student, teacher, principal, or other school leader, or will provide data that are insufficient to yield statistically reliable information.

“(j) **VOLUNTARY PARTNERSHIPS.**—A State retains the right to enter into a voluntary partnership with another State to develop and implement the challenging State academic standards and assessments required under this section, except that the Secretary shall not attempt to influence, incentivize, or coerce State—

“(1) adoption of the Common Core State Standards developed under the Common Core State Standards Initiative or any other academic standards common to a significant number of States, or assessments tied to such standards; or

“(2) participation in such partnerships.

“(k) **SPECIAL RULE WITH RESPECT TO BUREAU-FUNDED SCHOOLS.**—In determining the assessments to be used by each school operated or funded by the Bureau of Indian Education receiving funds under this part, the following shall apply until the requirements of section 8204(c) have been met:

“(1) Each such school that is accredited by the State in which it is operating shall use the assessments and other academic indicators the State has developed and implemented to meet the requirements of this section, or such other appropriate assessment and academic indicators as approved by the Secretary of the Interior.

“(2) Each such school that is accredited by a regional accrediting organization (in consultation with and with the approval of the Secretary of the Interior, and consistent with assessments and academic indicators adopted by other schools in the same State or region) shall adopt an appropriate assessment and other aca-

dem indicators that meet the requirements of this section.

“(3) Each such school that is accredited by a tribal accrediting agency or tribal division of education shall use an assessment and other academic indicators developed by such agency or division, except that the Secretary of the Interior shall ensure that such assessment and academic indicators meet the requirements of this section.

“(1) **CONSTRUCTION.**—Nothing in this part shall be construed to prescribe the use of the academic assessments described in this part for student promotion or graduation purposes.”.

SEC. 1006. LOCAL EDUCATIONAL AGENCY PLANS.

Section 1112 (20 U.S.C. 6312) is amended to read as follows:

“SEC. 1112. LOCAL EDUCATIONAL AGENCY PLANS.

“(a) **PLANS REQUIRED.**—

“(1) **SUBGRANTS.**—A local educational agency may receive a subgrant under this part for any fiscal year only if such agency has on file with the State educational agency a plan, approved by the State educational agency, that—

“(A) is developed with timely and meaningful consultation with teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, charter school leaders (in a local educational agency that has charter schools), administrators (including administrators of programs described in other parts of this title), other appropriate school personnel, and with parents of children in schools served under this part; and

“(B) as appropriate, is coordinated with other programs under this Act, the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Rehabilitation Act of 1973 (20 U.S.C. 701 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.), the Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.), and other Acts as appropriate.

“(2) **CONSOLIDATED APPLICATION.**—The plan may be submitted as part of a consolidated application under section 8305.

“(3) **STATE APPROVAL.**—

“(A) **IN GENERAL.**—Each local educational agency plan shall be filed according to a schedule established by the State educational agency.

“(B) **APPROVAL.**—The State educational agency shall approve a local educational agency’s plan only if the State educational agency determines that the local educational agency’s plan—

“(i) provides that schools served under this part substantially help children served under this part meet the challenging State academic standards; and

“(ii) meets the requirements of this section.

“(4) **DURATION.**—Each local educational agency plan shall be submitted for the first year for which this part is in effect following the date of enactment of the Every Student Succeeds Act and shall remain in effect for the duration of the agency’s participation under this part.

“(5) **REVIEW.**—Each local educational agency shall periodically review and, as necessary, revise its plan.

“(6) **RULE OF CONSTRUCTION.**—Consultation required under paragraph (1)(A) shall not interfere with the timely submission of the plan required under this section.

“(b) **PLAN PROVISIONS.**—To ensure that all children receive a high-quality education, and to close the achievement gap between children meeting the challenging State academic standards and those children who are not meeting such standards, each local educational agency plan shall describe—

“(1) how the local educational agency will monitor students’ progress in meeting the challenging State academic standards by—

“(A) developing and implementing a well-rounded program of instruction to meet the academic needs of all students;

“(B) identifying students who may be at risk for academic failure;

“(C) providing additional educational assistance to individual students the local educational agency or school determines need help in meeting the challenging State academic standards; and

“(D) identifying and implementing instructional and other strategies intended to strengthen academic programs and improve school conditions for student learning;

“(2) how the local educational agency will identify and address, as required under State plans as described in section 1111(g)(1)(B), any disparities that result in low-income students and minority students being taught at higher rates than other students by ineffective, inexperienced, or out-of-field teachers;

“(3) how the local educational agency will carry out its responsibilities under paragraphs (1) and (2) of section 1111(d);

“(4) the poverty criteria that will be used to select school attendance areas under section 1113;

“(5) in general, the nature of the programs to be conducted by such agency’s schools under sections 1114 and 1115 and, where appropriate, educational services outside such schools for children living in local institutions for neglected or delinquent children, and for neglected and delinquent children in community day school programs;

“(6) the services the local educational agency will provide homeless children and youths, including services provided with funds reserved under section 1113(c)(3)(A), to support the enrollment, attendance, and success of homeless children and youths, in coordination with the services the local educational agency is providing under the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.);

“(7) the strategy the local educational agency will use to implement effective parent and family engagement under section 1116;

“(8) if applicable, how the local educational agency will support, coordinate, and integrate services provided under this part with early childhood education programs at the local educational agency or individual school level, including plans for the transition of participants in such programs to local elementary school programs;

“(9) how teachers and school leaders, in consultation with parents, administrators, paraprofessionals, and specialized instructional support personnel, in schools operating a targeted assistance school program under section 1115, will identify the eligible children most in need of services under this part;

“(10) how the local educational agency will implement strategies to facilitate effective transitions for students from middle grades to high school and from high school to postsecondary education including, if applicable—

“(A) through coordination with institutions of higher education, employers, and other local partners; and

“(B) through increased student access to early college high school or dual or concurrent enrollment opportunities, or career counseling to identify student interests and skills;

“(11) how the local educational agency will support efforts to reduce the overuse of discipline practices that remove students from the classroom, which may include identifying and supporting schools with high rates of discipline, disaggregated by each of the subgroups of students, as defined in section 1111(c)(2);

“(12) if determined appropriate by the local educational agency, how such agency will support programs that coordinate and integrate—

“(A) academic and career and technical education content through coordinated instructional strategies, that may incorporate experiential learning opportunities and promote skills attainment important to in-demand occupations or industries in the State; and

“(B) work-based learning opportunities that provide students in-depth interaction with industry professionals and, if appropriate, academic credit; and

“(13) any other information on how the local educational agency proposes to use funds to meet the purposes of this part, and that the local educational agency determines appropriate to provide, which may include how the local educational agency will—

“(A) assist schools in identifying and serving gifted and talented students; and

“(B) assist schools in developing effective school library programs to provide students an opportunity to develop digital literacy skills and improve academic achievement.

“(c) ASSURANCES.—Each local educational agency plan shall provide assurances that the local educational agency will—

“(1) ensure that migratory children and formerly migratory children who are eligible to receive services under this part are selected to receive such services on the same basis as other children who are selected to receive services under this part;

“(2) provide services to eligible children attending private elementary schools and secondary schools in accordance with section 1117, and timely and meaningful consultation with private school officials regarding such services;

“(3) participate, if selected, in the National Assessment of Educational Progress in reading and mathematics in grades 4 and 8 carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622(b)(3));

“(4) coordinate and integrate services provided under this part with other educational services at the local educational agency or individual school level, such as services for English learners, children with disabilities, migratory children, American Indian, Alaska Native, and Native Hawaiian children, and homeless children and youths, in order to increase program effectiveness, eliminate duplication, and reduce fragmentation of the instructional program;

“(5) collaborate with the State or local child welfare agency to—

“(A) designate a point of contact if the corresponding child welfare agency notifies the local educational agency, in writing, that the agency has designated an employee to serve as a point of contact for the local educational agency; and

“(B) by not later than 1 year after the date of enactment of the Every Student Succeeds Act, develop and implement clear written procedures governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided, arranged, and funded for the duration of the time in foster care, which procedures shall—

“(i) ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner and in accordance with section 475(4)(A) of the Social Security Act (42 U.S.C. 675(4)(A)); and

“(ii) ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, the local educational agency will provide transportation to the school of origin if—

“(I) the local child welfare agency agrees to reimburse the local educational agency for the cost of such transportation;

“(II) the local educational agency agrees to pay for the cost of such transportation; or

“(III) the local educational agency and the local child welfare agency agree to share the cost of such transportation; and

“(6) ensure that all teachers and paraprofessionals working in a program supported with funds under this part meet applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification; and

“(7) in the case of a local educational agency that chooses to use funds under this part to provide early childhood education services to low-income children below the age of compulsory school attendance, ensure that such services comply with the performance standards established under section 641A(a) of the Head Start Act (42 U.S.C. 9836a(a)).

“(d) SPECIAL RULE.—For local educational agencies using funds under this part for the purposes described in subsection (c)(7), the Secretary shall—

“(1) consult with the Secretary of Health and Human Services and establish procedures (taking into consideration existing State and local laws, and local teacher contracts) to assist local educational agencies to comply with such subsection; and

“(2) disseminate to local educational agencies the education performance standards in effect under section 641A(a) of the Head Start Act (42 U.S.C. 9836a(a)), and such agencies affected by such subsection (c)(7) shall plan to comply with such subsection (taking into consideration existing State and local laws, and local teacher contracts), including by pursuing the availability of other Federal, State, and local funding sources to assist with such compliance.

“(e) PARENTS' RIGHT-TO-KNOW.—

“(1) INFORMATION FOR PARENTS.—

“(A) IN GENERAL.—At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including at a minimum, the following:

“(i) Whether the student's teacher—

“(I) has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;

“(II) is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and

“(III) is teaching in the field of discipline of the certification of the teacher.

“(ii) Whether the child is provided services by paraprofessionals and, if so, their qualifications.

“(B) ADDITIONAL INFORMATION.—In addition to the information that parents may request under subparagraph (A), a school that receives funds under this part shall provide to each individual parent of a child who is a student in such school, with respect to such student—

“(i) information on the level of achievement and academic growth of the student, if applicable and available, on each of the State academic assessments required under this part; and

“(ii) timely notice that the student has been assigned, or has been taught for 4 or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

“(2) TESTING TRANSPARENCY.—

“(A) IN GENERAL.—At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents

may request, and the local educational agency will provide the parents on request (and in a timely manner), information regarding any State or local educational agency policy regarding student participation in any assessments mandated by section 1111(b)(2) and by the State or local educational agency, which shall include a policy, procedure, or parental right to opt the child out of such assessment, where applicable.

“(B) ADDITIONAL INFORMATION.—Subject to subparagraph (C), each local educational agency that receives funds under this part shall make widely available through public means (including by posting in a clear and easily accessible manner on the local educational agency's website and, where practicable, on the website of each school served by the local educational agency) for each grade served by the local educational agency, information on each assessment required by the State to comply with section 1111, other assessments required by the State, and where such information is available and feasible to report, assessments required districtwide by the local educational agency, including—

“(i) the subject matter assessed;

“(ii) the purpose for which the assessment is designed and used;

“(iii) the source of the requirement for the assessment; and

“(iv) where such information is available—

“(I) the amount of time students will spend taking the assessment, and the schedule for the assessment; and

“(II) the time and format for disseminating results.

“(C) LOCAL EDUCATIONAL AGENCY THAT DOES NOT OPERATE A WEBSITE.—In the case of a local educational agency that does not operate a website, such local educational agency shall determine how to make the information described in subparagraph (A) widely available, such as through distribution of that information to the media, through public agencies, or directly to parents.

“(3) LANGUAGE INSTRUCTION.—

“(A) NOTICE.—Each local educational agency using funds under this part or title III to provide a language instruction educational program as determined under title III shall, not later than 30 days after the beginning of the school year, inform parents of an English learner identified for participation or participating in such a program, of—

“(i) the reasons for the identification of their child as an English learner and in need of placement in a language instruction educational program;

“(ii) the child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;

“(iii) the methods of instruction used in the program in which their child is, or will be, participating and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction;

“(iv) how the program in which their child is, or will be, participating will meet the educational strengths and needs of their child;

“(v) how such program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;

“(vi) the specific exit requirements for the program, including the expected rate of transition from such program into classrooms that are not tailored for English learners, and the expected rate of graduation from high school (including four-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates for such program) if funds under this part are used for children in high schools;

“(vii) in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child, as described in section 614(d) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)); and

“(viii) information pertaining to parental rights that includes written guidance—

“(I) detailing the right that parents have to have their child immediately removed from such program upon their request;

“(II) detailing the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and

“(III) assisting parents in selecting among various programs and methods of instruction, if more than 1 program or method is offered by the eligible entity.

“(B) SPECIAL RULE APPLICABLE DURING THE SCHOOL YEAR.—For those children who have not been identified as English learners prior to the beginning of the school year but are identified as English learners during such school year, the local educational agency shall notify the children’s parents during the first 2 weeks of the child being placed in a language instruction educational program consistent with subparagraph (A).

“(C) PARENTAL PARTICIPATION.—

“(i) IN GENERAL.—Each local educational agency receiving funds under this part shall implement an effective means of outreach to parents of English learners to inform the parents regarding how the parents can—

“(I) be involved in the education of their children; and

“(II) be active participants in assisting their children to—

“(aa) attain English proficiency;

“(bb) achieve at high levels within a well-rounded education; and

“(cc) meet the challenging State academic standards expected of all students.

“(ii) REGULAR MEETINGS.—Implementing an effective means of outreach to parents under clause (i) shall include holding, and sending notice of opportunities for, regular meetings for the purpose of formulating and responding to recommendations from parents of students assisted under this part or title III.

“(D) BASIS FOR ADMISSION OR EXCLUSION.—A student shall not be admitted to, or excluded from, any federally assisted education program on the basis of a surname or language-minority status.

“(4) NOTICE AND FORMAT.—The notice and information provided to parents under this subsection shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.”.

SEC. 1007. ELIGIBLE SCHOOL ATTENDANCE AREAS.

Section 1113 (20 U.S.C. 6313) is amended—

(1) in subsection (a)—

(A) by striking paragraph (3) and inserting the following:

“(3) RANKING ORDER.—

“(A) RANKING.—Except as provided in subparagraph (B), if funds allocated in accordance with subsection (c) are insufficient to serve all eligible school attendance areas, a local educational agency shall—

“(i) annually rank, without regard to grade spans, such agency’s eligible school attendance areas in which the concentration of children from low-income families exceeds 75 percent from highest to lowest according to the percentage of children from low-income families; and

“(ii) serve such eligible school attendance areas in rank order.

“(B) EXCEPTION.—A local educational agency may lower the threshold in subparagraph (A)(i)

to 50 percent for high schools served by such agency.”; and

(B) by striking paragraph (5) and inserting the following:

“(5) MEASURES.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), a local educational agency shall use the same measure of poverty, which measure shall be the number of children aged 5 through 17 in poverty counted in the most recent census data approved by the Secretary, the number of children eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the number of children in families receiving assistance under the State program funded under part A of title IV of the Social Security Act, or the number of children eligible to receive medical assistance under the Medicaid Program, or a composite of such indicators, with respect to all school attendance areas in the local educational agency—

“(i) to identify eligible school attendance areas;

“(ii) to determine the ranking of each area; and

“(iii) to determine allocations under subsection (c).

“(B) SECONDARY SCHOOLS.—For measuring the number of students in low-income families in secondary schools, the local educational agency shall use the same measure of poverty, which shall be—

“(i) the measure described under subparagraph (A); or

“(ii) subject to meeting the conditions of subparagraph (C), an accurate estimate of the number of students in low-income families in a secondary school that is calculated by applying the average percentage of students in low-income families of the elementary school attendance areas as calculated under subparagraph (A) that feed into the secondary school to the number of students enrolled in such school.

“(C) MEASURE OF POVERTY.—The local educational agency shall have the option to use the measure of poverty described in subparagraph (B)(ii) after—

“(i) conducting outreach to secondary schools within such agency to inform such schools of the option to use such measure; and

“(ii) a majority of such schools have approved the use of such measure.”.

(2) in subsection (b)(1)(D)(i), by striking “section 1120A(c)” and inserting “section 1118(c)”;

and

(3) in subsection (c)—

(A) by striking paragraph (3) and inserting the following:

“(3) RESERVATION OF FUNDS.—

“(A) IN GENERAL.—A local educational agency shall reserve such funds as are necessary under this part, determined in accordance with subparagraphs (B) and (C), to provide services comparable to those provided to children in schools funded under this part to serve—

“(i) homeless children and youths, including providing educationally related support services to children in shelters and other locations where children may live;

“(ii) children in local institutions for neglected children; and

“(iii) if appropriate, children in local institutions for delinquent children, and neglected or delinquent children in community day programs.

“(B) METHOD OF DETERMINATION.—The share of funds determined under subparagraph (A) shall be determined—

“(i) based on the total allocation received by the local educational agency; and

“(ii) prior to any allowable expenditures or transfers by the local educational agency.

“(C) HOMELESS CHILDREN AND YOUTHS.—Funds reserved under subparagraph (A)(i) may be—

“(i) determined based on a needs assessment of homeless children and youths in the local educational agency, taking into consideration the number and needs of homeless children and youths in the local educational agency, and which needs assessment may be the same needs assessment as conducted under section 723(b)(1) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11433(b)(1)); and

“(ii) used to provide homeless children and youths with services not ordinarily provided to other students under this part, including providing—

“(I) funding for the liaison designated pursuant to section 722(g)(1)(J)(ii) of such Act (42 U.S.C. 11432(g)(1)(J)(ii)); and

“(II) transportation pursuant to section 722(g)(1)(J)(iii) of such Act (42 U.S.C. 11432(g)(1)(J)(iii)).”.

(B) in paragraph (4), by striking “school improvement, corrective action, and restructuring under section 1116(b)” and inserting “comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d)”;

and

(C) by adding at the end the following:

“(5) EARLY CHILDHOOD EDUCATION.—A local educational agency may reserve funds made available to carry out this section to provide early childhood education programs for eligible children.”.

SEC. 1008. SCHOOLWIDE PROGRAMS.

Section 1114 (20 U.S.C. 6314) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—

“(1) USE OF FUNDS FOR SCHOOLWIDE PROGRAMS.—

“(A) ELIGIBILITY.—A local educational agency may consolidate and use funds under this part, together with other Federal, State, and local funds, in order to upgrade the entire educational program of a school that serves an eligible school attendance area in which not less than 40 percent of the children are from low-income families, or not less than 40 percent of the children enrolled in the school are from such families.

“(B) EXCEPTION.—A school that serves an eligible school attendance area in which less than 40 percent of the children are from low-income families, or a school for which less than 40 percent of the children enrolled in the school are from such families, may operate a schoolwide program under this section if the school receives a waiver from the State educational agency to do so, after taking into account how a schoolwide program will best serve the needs of the students in the school served under this part in improving academic achievement and other factors.

“(2) IDENTIFICATION OF STUDENTS NOT REQUIRED.—

“(A) IN GENERAL.—No school participating in a schoolwide program shall be required to identify—

“(i) particular children under this part as eligible to participate in a schoolwide program; or

“(ii) individual services as supplementary.

“(B) SUPPLEMENTAL FUNDS.—In accordance with the method of determination described in section 1118(b)(2), a school participating in a schoolwide program shall use funds available to carry out this section only to supplement the amount of funds that would, in the absence of funds under this part, be made available from non-Federal sources for the school, including funds needed to provide services that are required by law for children with disabilities and English learners.

“(3) EXEMPTION FROM STATUTORY AND REGULATORY REQUIREMENTS.—

“(A) EXEMPTION.—Except as provided in paragraph (2), the Secretary may, through publication of a notice in the Federal Register, exempt schoolwide programs under this section

from statutory or regulatory provisions of any other noncompetitive formula grant program administered by the Secretary (other than formula or discretionary grant programs under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), except as provided in section 613(a)(2)(D) of such Act (20 U.S.C. 1413(a)(2)(D))), or any discretionary grant program administered by the Secretary, to support schoolwide programs if the intent and purposes of such other programs are met.

“(B) REQUIREMENTS.—A school that chooses to use funds from such other programs shall not be relieved of the requirements relating to health, safety, civil rights, student and parental participation and involvement, services to private school children, comparability of services, maintenance of effort, uses of Federal funds to supplement, not supplant non-Federal funds (in accordance with the method of determination described in section 1118(b)(2)), or the distribution of funds to State educational agencies or local educational agencies that apply to the receipt of funds from such programs.

“(C) RECORDS.—A school that chooses to consolidate and use funds from different Federal programs under this section shall not be required to maintain separate fiscal accounting records, by program, that identify the specific activities supported by those particular funds as long as the school maintains records that demonstrate that the schoolwide program, considered as a whole, addresses the intent and purposes of each of the Federal programs that were consolidated to support the schoolwide program.”

(2) by striking subsection (b) and inserting the following:

“(b) SCHOOLWIDE PROGRAM PLAN.—An eligible school operating a schoolwide program shall develop a comprehensive plan (or amend a plan for such a program that was in existence on the day before the date of the enactment of the Every Student Succeeds Act) that—

“(1) is developed during a 1-year period, unless—

“(A) the local educational agency determines, in consultation with the school, that less time is needed to develop and implement the schoolwide program; or

“(B) the school is operating a schoolwide program on the day before the date of the enactment of the Every Student Succeeds Act, in which case such school may continue to operate such program, but shall develop amendments to its existing plan during the first year of assistance after that date to reflect the provisions of this section;

“(2) is developed with the involvement of parents and other members of the community to be served and individuals who will carry out such plan, including teachers, principals, other school leaders, paraprofessionals present in the school, administrators (including administrators of programs described in other parts of this title), the local educational agency, to the extent feasible, tribes and tribal organizations present in the community, and, if appropriate, specialized instructional support personnel, technical assistance providers, school staff, if the plan relates to a secondary school, students, and other individuals determined by the school;

“(3) remains in effect for the duration of the school's participation under this part, except that the plan and its implementation shall be regularly monitored and revised as necessary based on student needs to ensure that all students are provided opportunities to meet the challenging State academic standards;

“(4) is available to the local educational agency, parents, and the public, and the information contained in such plan shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand; and

“(5) if appropriate and applicable, is developed in coordination and integration with other Federal, State, and local services, resources, and programs, such as programs supported under this Act, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education programs, and schools implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d);

“(6) is based on a comprehensive needs assessment of the entire school that takes into account information on the academic achievement of children in relation to the challenging State academic standards, particularly the needs of those children who are failing, or are at-risk of failing, to meet the challenging State academic standards and any other factors as determined by the local educational agency; and

“(7) includes a description of—

“(A) the strategies that the school will be implementing to address school needs, including a description of how such strategies will—

“(i) provide opportunities for all children, including each of the subgroups of students (as defined in section 1111(c)(2)) to meet the challenging State academic standards;

“(ii) use methods and instructional strategies that strengthen the academic program in the school, increase the amount and quality of learning time, and help provide an enriched and accelerated curriculum, which may include programs, activities, and courses necessary to provide a well-rounded education; and

“(iii) address the needs of all children in the school, but particularly the needs of those at risk of not meeting the challenging State academic standards, through activities which may include—

“(I) counseling, school-based mental health programs, specialized instructional support services, mentoring services, and other strategies to improve students' skills outside the academic subject areas;

“(II) preparation for and awareness of opportunities for postsecondary education and the workforce, which may include career and technical education programs and broadening secondary school students' access to coursework to earn postsecondary credit while still in high school (such as Advanced Placement, International Baccalaureate, dual or concurrent enrollment, or early college high schools);

“(III) implementation of a schoolwide tiered model to prevent and address problem behavior, and early intervening services, coordinated with similar activities and services carried out under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

“(IV) professional development and other activities for teachers, paraprofessionals, and other school personnel to improve instruction and use of data from academic assessments, and to recruit and retain effective teachers, particularly in high-need subjects; and

“(V) strategies for assisting preschool children in the transition from early childhood education programs to local elementary school programs; and

“(B) if programs are consolidated, the specific State educational agency and local educational agency programs and other Federal programs that will be consolidated in the schoolwide program.”

(3) by striking subsection (c) and inserting the following:

“(c) PRESCHOOL PROGRAMS.—A school that operates a schoolwide program under this section may use funds available under this part to establish or enhance preschool programs for children who are under 6 years of age.

“(d) DELIVERY OF SERVICES.—The services of a schoolwide program under this section may be

delivered by nonprofit or for-profit external providers with expertise in using evidence-based or other effective strategies to improve student achievement.

“(e) USE OF FUNDS FOR DUAL OR CONCURRENT ENROLLMENT PROGRAMS.—

“(1) IN GENERAL.—A secondary school operating a schoolwide program under this section may use funds received under this part to operate dual or concurrent enrollment programs that address the needs of low-achieving secondary school students and those at risk of not meeting the challenging State academic standards.

“(2) FLEXIBILITY OF FUNDS.—A secondary school using funds received under this part for a dual or concurrent enrollment program described in paragraph (1) may use such funds for any of the costs associated with such program, including the costs of—

“(A) training for teachers, and joint professional development for teachers in collaboration with career and technical educators and educators from institutions of higher education, where appropriate, for the purpose of integrating rigorous academics in such program;

“(B) tuition and fees, books, required instructional materials for such program, and innovative delivery methods; and

“(C) transportation to and from such program.

“(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to impose on any State any requirement or rule regarding dual or concurrent enrollment programs that is inconsistent with State law.”

SEC. 1009. TARGETED ASSISTANCE SCHOOLS.

Section 1115 (20 U.S.C. 6315) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—In all schools selected to receive funds under section 1113(c) that are ineligible for a schoolwide program under section 1114, have not received a waiver under section 1114(a)(1)(B) to operate such a schoolwide program, or choose not to operate such a schoolwide program, a local educational agency serving such school may use funds received under this part only for programs that provide services to eligible children under subsection (c) identified as having the greatest need for special assistance.”

(2) by redesignating subsections (b) and (c) as subsections (c) and (b), respectively, and moving those redesignated subsections so as to appear in alphabetical order;

(3) by striking subsection (b), as redesignated by paragraph (2), and inserting the following:

“(b) TARGETED ASSISTANCE SCHOOL PROGRAM.—To assist targeted assistance schools and local educational agencies to meet their responsibility to provide for all their students served under this part the opportunity to meet the challenging State academic standards, each targeted assistance program under this section shall—

“(1) determine which students will be served;

“(2) serve participating students identified as eligible children under subsection (c), including by—

“(A) using resources under this part to help eligible children meet the challenging State academic standards, which may include programs, activities, and academic courses necessary to provide a well-rounded education;

“(B) using methods and instructional strategies to strengthen the academic program of the school through activities, which may include—

“(i) expanded learning time, before- and after-school programs, and summer programs and opportunities; and

“(ii) a schoolwide tiered model to prevent and address behavior problems, and early intervening services, coordinated with similar activities and services carried out under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

“(C) coordinating with and supporting the regular education program, which may include services to assist preschool children in the transition from early childhood education programs such as Head Start, the literacy program under subpart 2 of part B of title II, or State-run preschool programs to elementary school programs;

“(D) providing professional development with resources provided under this part, and, to the extent practicable, from other sources, to teachers, principals, other school leaders, paraprofessionals, and, if appropriate, specialized instructional support personnel, and other school personnel who work with eligible children in programs under this section or in the regular education program;

“(E) implementing strategies to increase the involvement of parents of eligible children in accordance with section 1116; and

“(F) if appropriate and applicable, coordinating and integrating Federal, State, and local services and programs, such as programs supported under this Act, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education programs, and comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d); and

“(G) provide to the local educational agency assurances that the school will—

“(i) help provide an accelerated, high-quality curriculum;

“(ii) minimize the removal of children from the regular classroom during regular school hours for instruction provided under this part; and

“(iii) on an ongoing basis, review the progress of eligible children and revise the targeted assistance program under this section, if necessary, to provide additional assistance to enable such children to meet the challenging State academic standards.”;

(4) in subsection (c), as redesignated by paragraph (2)—

(A) in paragraph (1)(B)—

(i) by striking “the State’s challenging student academic achievement standards” and inserting “the challenging State academic standards”; and

(ii) by striking “such criteria as teacher judgment, interviews with parents, and developmentally appropriate measures” and inserting “criteria, including objective criteria, established by the local educational agency and supplemented by the school”; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “limited English proficient children” and inserting “English learners”;

(ii) in subparagraph (B)—

(I) by striking the heading and inserting “HEAD START AND PRESCHOOL CHILDREN”; and

(II) by striking “Head Start, Even Start, or Early Reading First program,” and inserting “Head Start program, the literacy program under subpart 2 of part B of title II.”; and

(iii) in subparagraph (C), by striking the heading and inserting “MIGRANT CHILDREN”;

(5) in subsection (e)—

(A) in paragraph (2)(B)—

(i) by striking “and” at the end of clause (ii);

(ii) by redesignating clause (iii) as clause (v); and

(iii) by inserting after clause (ii) the following new clauses:

“(iii) family support and engagement services;

“(iv) integrated student supports; and”; and

(iv) in clause (v), as redesignated by clause

(iii), by striking “pupil services” and inserting “specialized instructional support”; and

(B) by striking paragraph (3); and

(6) by adding at the end the following:

“(f) **USE OF FUNDS FOR DUAL OR CONCURRENT ENROLLMENT PROGRAMS.**—A secondary school

operating a targeted assistance program under this section may use funds received under this part to provide dual or concurrent enrollment program services described under section 1114(e) to eligible children under subsection (c)(1)(B) who are identified as having the greatest need for special assistance.

“(g) **PROHIBITION.**—Nothing in this section shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to require a local educational agency or school to submit the results of a comprehensive needs assessment or plan under section 1114(b), or a program described in subsection (b), for review or approval by the Secretary.

“(h) **DELIVERY OF SERVICES.**—The services of a targeted assistance program under this section may be delivered by nonprofit or for-profit external providers with expertise in using evidence-based or other effective strategies to improve student achievement.”.

SEC. 1010. PARENT AND FAMILY ENGAGEMENT.

Section 1116, as redesignated by section 1000(2), is amended—

(1) in the section heading, by striking “**PARENTAL INVOLVEMENT**” and inserting “**PARENT AND FAMILY ENGAGEMENT**”;

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “conducts outreach to all parents and family members and” after “only if such agency”; and

(ii) by inserting “and family members” after “and procedures for the involvement of parents”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A)—

(I) by inserting “and family members” after “, and distribute to, parents”;

(II) by striking “written parent involvement policy” and inserting “written parent and family engagement policy”; and

(III) by striking “expectations for parent involvement” and inserting “expectations and objectives for meaningful parent and family involvement”; and

(ii) by striking subparagraphs (A) through (F) and inserting the following:

“(A) involve parents and family members in jointly developing the local educational agency plan under section 1112, and the development of support and improvement plans under paragraphs (1) and (2) of section 1111(d).

“(B) provide the coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools within the local educational agency in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education;

“(C) coordinate and integrate parent and family engagement strategies under this part with parent and family engagement strategies, to the extent feasible and appropriate, with other relevant Federal, State, and local laws and programs;

“(D) conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of all schools served under this part, including identifying—

“(i) barriers to greater participation by parents in activities authorized by this section (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited lit-

eracy, or are of any racial or ethnic minority background);

“(ii) the needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and

“(iii) strategies to support successful school and family interactions;

“(E) use the findings of such evaluation in subparagraph (D) to design evidence-based strategies for more effective parental involvement, and to revise, if necessary, the parent and family engagement policies described in this section; and

“(F) involve parents in the activities of the schools served under this part, which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents or family members served by the local educational agency to adequately represent the needs of the population served by such agency for the purposes of developing, revising, and reviewing the parent and family engagement policy.”; and

(C) in paragraph (3)—

(i) by striking subparagraph (A) and inserting the following:

“(A) **IN GENERAL.**—Each local educational agency shall reserve at least 1 percent of its allocation under subpart 2 to assist schools to carry out the activities described in this section, except that this subparagraph shall not apply if 1 percent of such agency’s allocation under subpart 2 for the fiscal year for which the determination is made is \$5,000 or less. Nothing in this subparagraph shall be construed to limit local educational agencies from reserving more than 1 percent of its allocation under subpart 2 to assist schools to carry out activities described in this section.”;

(ii) in subparagraph (B), by striking “(B) **PARENTAL INPUT.**—Parents of children” and inserting “(B) **PARENT AND FAMILY MEMBER INPUT.**—Parents and family members of children”;

(iii) in subparagraph (C)—

(I) by striking “95 percent” and inserting “90 percent”; and

(II) by inserting “, with priority given to high-need schools” after “schools served under this part”; and

(iv) by adding at the end the following:

“(D) **USE OF FUNDS.**—Funds reserved under subparagraph (A) by a local educational agency shall be used to carry out activities and strategies consistent with the local educational agency’s parent and family engagement policy, including not less than 1 of the following:

“(i) Supporting schools and nonprofit organizations in providing professional development for local educational agency and school personnel regarding parent and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents and family members.

“(ii) Supporting programs that reach parents and family members at home, in the community, and at school.

“(iii) Disseminating information on best practices focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members.

“(iv) Collaborating, or providing subgrants to schools to enable such schools to collaborate, with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement.

“(v) Engaging in any other activities and strategies that the local educational agency determines are appropriate and consistent with such agency’s parent and family engagement policy.”;

(3) in subsection (b)—

(A) in the subsection heading, by striking “PARENTAL INVOLVEMENT POLICY” and inserting “PARENT AND FAMILY ENGAGEMENT POLICY”;

(B) in paragraph (1)—

(i) by inserting “and family members” after “distribute to, parents”; and

(ii) by striking “written parental involvement policy” and inserting “written parent and family engagement policy”;

(C) in paragraph (2)—

(i) by striking “parental involvement policy” and inserting “parent and family engagement policy”; and

(ii) by inserting “and family members” after “that applies to all parents”; and

(D) in paragraph (3)—

(i) by striking “parental involvement policy” and inserting “parent and family engagement policy”; and

(ii) by inserting “and family members in all schools served by the local educational agency” after “policy that applies to all parents”;

(4) in subsection (c)—

(A) in paragraph (3)—

(i) by striking “parental involvement policy” and inserting “parent and family engagement policy”; and

(ii) by striking “1114(b)(2)” and inserting “1114(b)”;

(B) in paragraph (4)(B), by striking “the proficiency levels students are expected to meet” and inserting “the achievement levels of the challenging State academic standards”; and

(C) in paragraph (5), by striking “1114(b)(2)” and inserting “1114(b)”;

(5) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking “parental involvement policy” and inserting “parent and family engagement policy”;

(B) in paragraph (1)—

(i) by striking “the State’s student academic achievement standards” and inserting “the challenging State academic standards”; and

(ii) by striking “, such as monitoring attendance, homework completion, and television watching”; and

(C) in paragraph (2)—

(i) in subparagraph (B), by striking “and” after the semicolon;

(ii) in subparagraph (C), by striking the period and inserting “; and”; and

(iii) by adding at the end the following:

“(D) ensuring regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand.”;

(6) in subsection (e)—

(A) in paragraph (1), by striking “the State’s academic content standards and State student academic achievement standards” and inserting “the challenging State academic standards”;

(B) in paragraph (2), by striking “technology” and inserting “technology (including education about the harms of copyright piracy)”;

(C) in paragraph (3), by striking “pupil services personnel, principals” and inserting “specialized instructional support personnel, principals, and other school leaders”; and

(D) in paragraph (4), by striking “Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs,” and inserting “other Federal, State, and local programs, including public preschool programs,”;

(7) by striking subsection (f) and inserting the following:

“(f) ACCESSIBILITY.—In carrying out the parent and family engagement requirements of this part, local educational agencies and schools, to

the extent practicable, shall provide opportunities for the informed participation of parents and family members (including parents and family members who have limited English proficiency, parents and family members with disabilities, and parents and family members of migratory children), including providing information and school reports required under section 1111 in a format and, to the extent practicable, in a language such parents understand.”;

(8) by striking subsection (g) and inserting the following:

“(g) FAMILY ENGAGEMENT IN EDUCATION PROGRAMS.—In a State operating a program under part E of title IV, each local educational agency or school that receives assistance under this part shall inform parents and organizations of the existence of the program.”; and

(9) in subsection (h), by striking “parental involvement policies” and inserting “parent and family engagement policies”.

SEC. 1011. PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS.

Section 1117, as redesignated by section 1000(3), is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—To the extent consistent with the number of eligible children identified under section 1115(c) in the school district served by a local educational agency who are enrolled in private elementary schools and secondary schools, a local educational agency shall—

“(A) after timely and meaningful consultation with appropriate private school officials, provide such children, on an equitable basis and individually or in combination, as requested by the officials to best meet the needs of such children, special educational services, instructional services (including evaluations to determine the progress being made in meeting such students’ academic needs), counseling, mentoring, one-on-one tutoring, or other benefits under this part (such as dual or concurrent enrollment, educational radio and television, computer equipment and materials, other technology, and mobile educational services and equipment) that address their needs; and

“(B) ensure that teachers and families of the children participate, on an equitable basis, in services and activities developed pursuant to section 1116.”;

(B) by striking paragraph (3) and inserting the following:

“(3) EQUIT.—

“(A) IN GENERAL.—Educational services and other benefits for such private school children shall be equitable in comparison to services and other benefits for public school children participating under this part, and shall be provided in a timely manner.

“(B) OMBUDSMAN.—To help ensure such equity for such private school children, teachers, and other educational personnel, the State educational agency involved shall designate an ombudsman to monitor and enforce the requirements of this part.”;

(C) by striking paragraph (4) and inserting the following:

“(4) EXPENDITURES.—

“(A) DETERMINATION.—

“(i) IN GENERAL.—Expenditures for educational services and other benefits to eligible private school children shall be equal to the proportion of funds allocated to participating school attendance areas based on the number of children from low-income families who attend private schools.

“(ii) PROPORTIONAL SHARE.—The proportional share of funds shall be determined based on the total amount of funds received by the local educational agency under this part prior to any al-

lowable expenditures or transfers by the local educational agency.

“(B) OBLIGATION OF FUNDS.—Funds allocated to a local educational agency for educational services and other benefits to eligible private school children shall be obligated in the fiscal year for which the funds are received by the agency.

“(C) NOTICE OF ALLOCATION.—Each State educational agency shall provide notice in a timely manner to the appropriate private school officials in the State of the allocation of funds for educational services and other benefits under this part that the local educational agencies have determined are available for eligible private school children.

“(D) TERM OF DETERMINATION.—The local educational agency may determine the equitable share under subparagraph (A) each year or every 2 years.”; and

(D) in paragraph (5), by striking “agency” and inserting “agency, or, in a case described in subsection (b)(6)(C), the State educational agency involved.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “part,” and inserting “part. Such agency and private school officials shall both have the goal of reaching agreement on how to provide equitable and effective programs for eligible private school children, the results of which agreement shall be transmitted to the ombudsman designated under subsection (a)(3)(B). Such process shall include consultation”;

(ii) in subparagraph (E)—

(I) by striking “and” before “the proportion of funds”;

(II) by striking “(a)(4)” and inserting “(a)(4)(A)”;

(III) by inserting “, and how that proportion of funds is determined” after “such services”;

(iii) in subparagraph (G), by striking “and” after the semicolon;

(iv) in subparagraph (H), by striking the period at the end and inserting a semicolon; and

(v) by adding at the end the following:

“(I) whether the agency shall provide services directly or through a separate government agency, consortium, entity, or third-party contractor;

“(J) whether to provide equitable services to eligible private school children—

“(i) by creating a pool or pools of funds with all of the funds allocated under subsection (a)(4)(A) based on all the children from low-income families in a participating school attendance area who attend private schools; or

“(ii) in the agency’s participating school attendance area who attend private schools with the proportion of funds allocated under subsection (a)(4)(A) based on the number of children from low-income families who attend private schools;

“(K) when, including the approximate time of day, services will be provided; and

“(L) whether to consolidate and use funds provided under subsection (a)(4) in coordination with eligible funds available for services to private school children under applicable programs, as defined in section 8501(b)(1) to provide services to eligible private school children participating in programs.”;

(B) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively;

(C) by inserting after paragraph (1) the following:

“(2) DISAGREEMENT.—If a local educational agency disagrees with the views of private school officials with respect to an issue described in paragraph (1), the local educational agency shall provide in writing to such private school officials the reasons why the local educational agency disagrees.”;

(D) in paragraph (5) (as redesignated by subparagraph (B))—

(i) by inserting “meaningful” before “consultation” in the first sentence;

(ii) by inserting “The written affirmation shall provide the option for private school officials to indicate such officials’ belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children.” after “occurred.”; and

(iii) by striking “has taken place” and inserting “has, or attempts at such consultation have, taken place”; and

(E) in paragraph (6) (as redesignated by subparagraph (B))—

(i) in subparagraph (A)—

(I) by striking “right to complain to” and inserting “right to file a complaint with”;

(II) by inserting “asserting” after “State educational agency”;

(III) by striking “or” before “did not give due consideration”; and

(IV) by inserting “, or did not make a decision that treats the private school students equitably as required by this section” before the period at the end;

(ii) in subparagraph (B), by striking “to complain,” and inserting “to file a complaint,”; and

(iii) by adding at the end the following:

“(C) STATE EDUCATIONAL AGENCIES.—A State educational agency shall provide services under this section directly or through contracts with public or private agencies, organizations, or institutions, if the appropriate private school officials have—

“(i) requested that the State educational agency provide such services directly; and

“(ii) demonstrated that the local educational agency involved has not met the requirements of this section in accordance with the procedures for making such a request, as prescribed by the State educational agency.”;

(3) in subsection (c)(2), by striking “section 9505” and inserting “section 8503”; and

(4) in subsection (e)(2), by striking “sections 9503 and 9504” and inserting “sections 8503 and 8504”.

SEC. 1012. SUPPLEMENT, NOT SUPPLANT.

Section 1118, as redesignated by section 1000(4), is amended—

(1) in subsection (a), by striking “section 9521” and inserting “section 8521”; and

(2) by striking subsection (b) and inserting the following:

“(b) FEDERAL FUNDS TO SUPPLEMENT, NOT SUPPLANT, NON-FEDERAL FUNDS.—

“(1) IN GENERAL.—A State educational agency or local educational agency shall use Federal funds received under this part only to supplement the funds that would, in the absence of such Federal funds, be made available from State and local sources for the education of students participating in programs assisted under this part, and not to supplant such funds.

“(2) COMPLIANCE.—To demonstrate compliance with paragraph (1), a local educational agency shall demonstrate that the methodology used to allocate State and local funds to each school receiving assistance under this part ensures that such school receives all of the State and local funds it would otherwise receive if it were not receiving assistance under this part.

“(3) SPECIAL RULE.—No local educational agency shall be required to—

“(A) identify that an individual cost or service supported under this part is supplemental; or

“(B) provide services under this part through a particular instructional method or in a particular instructional setting in order to demonstrate such agency’s compliance with paragraph (1).

“(4) PROHIBITION.—Nothing in this section shall be construed to authorize or permit the

Secretary to prescribe the specific methodology a local educational agency uses to allocate State and local funds to each school receiving assistance under this part.

“(5) TIMELINE.—A local educational agency—

“(A) shall meet the compliance requirement under paragraph (2) not later than 2 years after the date of enactment of the Every Student Succeeds Act; and

“(B) may demonstrate compliance with the requirement under paragraph (1) before the end of such 2-year period using the method such local educational agency used on the day before the date of enactment of the Every Student Succeeds Act.”.

SEC. 1013. COORDINATION REQUIREMENTS.

Section 1119, as redesignated by section 1000(5), is amended—

(1) in subsection (a)—

(A) by striking “such as the Early Reading First program”; and

(B) by adding at the end the following new sentence: “Each local educational agency shall develop agreements with such Head Start agencies and other entities to carry out such activities.”; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “early childhood development programs, such as the Early Reading First program,” and inserting “early childhood education programs”;

(B) in paragraph (1), by striking “early childhood development program such as the Early Reading First program” and inserting “early childhood education program”;

(C) in paragraph (2), by striking “early childhood development programs such as the Early Reading First program” and inserting “early childhood education programs”;

(D) in paragraph (3), by striking “early childhood development programs such as the Early Reading First program” and inserting “early childhood education programs”;

(E) in paragraph (4)—

(i) by striking “Early Reading First program staff.”; and

(ii) by striking “early childhood development program” and inserting “early childhood education program”; and

(F) in paragraph (5), by striking “and entities carrying out Early Reading First programs”.

SEC. 1014. GRANTS FOR THE OUTLYING AREAS AND THE SECRETARY OF THE INTERIOR.

Section 1121 (20 U.S.C. 6331) is amended to read as follows:

“SEC. 1121. GRANTS FOR THE OUTLYING AREAS AND THE SECRETARY OF THE INTERIOR.

“(a) RESERVATION OF FUNDS.—Subject to subsection (e), from the amount appropriated for payments to States for any fiscal year under section 1002(a), the Secretary shall—

“(1) reserve 0.4 percent to provide assistance to the outlying areas in accordance with subsection (b); and

“(2) reserve 0.7 percent to provide assistance to the Secretary of the Interior in accordance with subsection (d).

“(b) ASSISTANCE TO OUTLYING AREAS.—

“(1) FUNDS RESERVED.—From the amount made available for any fiscal year under subsection (a)(1), the Secretary shall—

“(A) first reserve \$1,000,000 for the Republic of Palau, until Palau enters into an agreement for extension of United States educational assistance under the Compact of Free Association, and subject to such terms and conditions as the Secretary may establish, except that Public Law 95–134, permitting the consolidation of grants, shall not apply; and

“(B) use the remaining funds to award grants to the outlying areas in accordance with paragraphs (2) through (5).

“(2) AMOUNT OF GRANTS.—The Secretary shall allocate the amount available under paragraph (1)(B) to the outlying areas in proportion to their relative numbers of children, aged 5 to 17, inclusive, from families below the poverty level, on the basis of the most recent satisfactory data available from the Department of Commerce.

“(3) HOLD-HARMLESS AMOUNTS.—For each fiscal year, the amount made available to each outlying area under this subsection shall be—

“(A) not less than 95 percent of the amount made available for the preceding fiscal year if the number of children counted under paragraph (2) is not less than 30 percent of the total number of children aged 5 to 17 years, inclusive, in the outlying area;

“(B) not less than 90 percent of the amount made available for the preceding fiscal year if the percentage described in subparagraph (A) is between 15 percent and 30 percent; and

“(C) not less than 85 percent of the amount made available for the preceding fiscal year if the percentage described in subparagraph (A) is below 15 percent.

“(4) RATABLE REDUCTIONS.—If the amount made available under paragraph (1)(B) for any fiscal year is insufficient to pay the full amounts that the outlying areas are eligible to receive under paragraphs (2) and (3) for that fiscal year, the Secretary shall ratably reduce those amounts.

“(5) USES.—Grant funds awarded under paragraph (1)(A) may be used only—

“(A) for programs described in this Act, including teacher training, curriculum development, instructional materials, or general school improvement and reform; and

“(B) to provide direct educational services that assist all students with meeting the challenging State academic standards.

“(c) DEFINITIONS.—For the purpose of this section, the term ‘outlying area’ means the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

“(d) ALLOTMENT TO THE SECRETARY OF THE INTERIOR.—

“(1) IN GENERAL.—The amount allotted for payments to the Secretary of the Interior under subsection (a)(2) for any fiscal year shall be used, in accordance with such criteria as the Secretary may establish, to meet the unique educational needs of—

“(A) Indian children on reservations served by elementary schools and secondary schools for Indian children operated or supported by the Department of the Interior; and

“(B) out-of-State Indian children in elementary schools and secondary schools in local educational agencies under special contracts with the Department of the Interior.

“(2) PAYMENTS.—From the amount allotted for payments to the Secretary of the Interior under subsection (a)(2), the Secretary of the Interior shall make payments to local educational agencies, on such terms as the Secretary determines will best carry out the purposes of this part, with respect to out-of-State Indian children described in paragraph (1). The amount of such payment may not exceed, for each such child, the greater of—

“(A) 40 percent of the average per-pupil expenditure in the State in which the agency is located; or

“(B) 48 percent of such expenditure in the United States.

“(e) LIMITATION ON APPLICABILITY.—If, by reason of the application of subsection (a) for any fiscal year, the total amount available for allocation to all States under this part would be less than the amount allocated to all States for fiscal year 2016 under this part, the Secretary shall provide assistance to the outlying areas and the Secretary of the Interior in accordance

with this section, as in effect on the day before the date of enactment of the Every Student Succeeds Act.”.

SEC. 1015. ALLOCATIONS TO STATES.

Section 1122(a) (20 U.S.C. 6332(a)) is amended—

(1) in the matter preceding paragraph (1), by striking “2002–2007” and inserting “2017–2020”; and

(2) by striking paragraph (3) and inserting the following:

“(3) an amount equal to 100 percent of the amount, if any, by which the total amount made available under this subsection for the current fiscal year for which the determination is made exceeds the total amount available to carry out sections 1124 and 1124A for fiscal year 2001 shall be used to carry out sections 1125 and 1125A and such amount shall be divided equally between sections 1125 and 1125A.”.

SEC. 1016. ADEQUACY OF FUNDING RULE.

Section 1125AA (20 U.S.C. 6336) is amended by striking the section heading and all that follows through “Pursuant” and inserting the following: “ADEQUACY OF FUNDING TO LOCAL EDUCATIONAL AGENCIES IN FISCAL YEARS AFTER FISCAL YEAR 2001.—Pursuant”.

SEC. 1017. EDUCATION FINANCE INCENTIVE GRANT PROGRAM.

Section 1125A (20 U.S.C. 6337) is amended—

(1) in subsection (a), by striking “funds appropriated under subsection (f)” and inserting “funds made available under section 1122(a)”;

(2) in subsection (b)(1)—

(A) in subparagraph (A), by striking “appropriated pursuant to subsection (f)” and inserting “made available for any fiscal year to carry out this section”; and

(B) in subparagraph (B)(i), by striking “total appropriations” and inserting “the total amount reserved under section 1122(a) to carry out this section”;

(3) in subsection (c), by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively;

(4) in subsection (d)(1)(A)(ii), by striking “clause (i)” and inserting “clause (i)”;

(5) by striking subsection (e) and inserting the following:

“(e) MAINTENANCE OF EFFORT.—

“(1) IN GENERAL.—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that the State’s fiscal effort per student or the aggregate expenditures of the State with respect to the provision of free public education by the State for the preceding fiscal year was not less than 90 percent of the fiscal effort or aggregate expenditures for the second preceding fiscal year, subject to the requirements of paragraph (2).

“(2) REDUCTION IN CASE OF FAILURE TO MEET.—

“(A) IN GENERAL.—The Secretary shall reduce the amount of the allotment of funds under this section for any fiscal year in the exact proportion by which a State fails to meet the requirement of paragraph (1) by falling below 90 percent of both the fiscal effort per student and aggregate expenditures (using the measure most favorable to the State), if such State has also failed to meet such requirement (as determined using the measure most favorable to the State) for 1 or more of the 5 immediately preceding fiscal years.

“(B) SPECIAL RULE.—No such lesser amount shall be used for computing the effort required under paragraph (1) for subsequent years.

“(3) WAIVER.—The Secretary may waive the requirements of this subsection if the Secretary determines that a waiver would be equitable due to—

“(A) exceptional or uncontrollable circumstances, such as a natural disaster or a

change in the organizational structure of the State; or

“(B) a precipitous decline in the financial resources of the State.”;

(6) by striking subsection (f);

(7) by redesignating subsection (g) as subsection (f); and

(8) in subsection (f), as redesignated by paragraph (7)—

(A) in paragraph (1), by striking “under this section” and inserting “to carry out this section”; and

(B) in paragraph (3), in the matter preceding subparagraph (A), by striking “shall be” and inserting “shall be—”.

PART B—STATE ASSESSMENT GRANTS

SEC. 1201. STATE ASSESSMENT GRANTS.

Part B of title I (20 U.S.C. 6361 et seq.) is amended to read as follows:

“PART B—STATE ASSESSMENT GRANTS

“SEC. 1201. GRANTS FOR STATE ASSESSMENTS AND RELATED ACTIVITIES.

“(a) GRANTS AUTHORIZED.—From amounts made available in accordance with section 1203, the Secretary shall make grants to State educational agencies to enable the States to carry out 1 or more of the following:

“(1) To pay the costs of the development of the State assessments and standards adopted under section 1111(b), which may include the costs of working in voluntary partnerships with other States, at the sole discretion of each such State.

“(2) If a State has developed the assessments adopted under section 1111(b), to administer those assessments or to carry out other assessment activities described in this part, such as the following:

“(A) Ensuring the provision of appropriate accommodations available to English learners and children with disabilities to improve the rates of inclusion in regular assessments of such children, including professional development activities to improve the implementation of such accommodations in instructional practice.

“(B) Developing challenging State academic standards and aligned assessments in academic subjects for which standards and assessments are not required under section 1111(b).

“(C) Developing or improving assessments for English learners, including assessments of English language proficiency as required under section 1111(b)(2)(G) and academic assessments in languages other than English to meet the State’s obligations under section 1111(b)(2)(F).

“(D) Ensuring the continued validity and reliability of State assessments.

“(E) Refining State assessments to ensure their continued alignment with the challenging State academic standards and to improve the alignment of curricula and instructional materials.

“(F) Developing or improving balanced assessment systems that include summative, interim, and formative assessments, including supporting local educational agencies in developing or improving such assessments.

“(G) At the discretion of the State, refining science assessments required under section 1111(b)(2) in order to integrate engineering design skills and practices into such assessments.

“(H) Developing or improving models to measure and assess student progress or student growth on State assessments under section 1111(b)(2) and other assessments not required under section 1111(b)(2).

“(I) Developing or improving assessments for children with disabilities, including alternate assessments aligned to alternate academic achievement standards for students with the most significant cognitive disabilities described in section 1111(b)(2)(D), and using the principles of universal design for learning.

“(J) Allowing for collaboration with institutions of higher education, other research institutions, or other organizations to improve the quality, validity, and reliability of State academic assessments beyond the requirements for such assessments described in section 1111(b)(2).

“(K) Measuring student academic achievement using multiple measures of student academic achievement from multiple sources.

“(L) Evaluating student academic achievement through the development of comprehensive academic assessment instruments (such as performance and technology-based academic assessments, computer adaptive assessments, projects, or extended performance task assessments) that emphasize the mastery of standards and aligned competencies in a competency-based education model.

“(M) Designing the report cards and reports under section 1111(h) in an easily accessible, user friendly-manner that cross-tabulates student information by any category the State determines appropriate, as long as such cross-tabulation—

“(i) does not reveal personally identifiable information about an individual student; and

“(ii) is derived from existing State and local reporting requirements.

“(b) RULE OF CONSTRUCTION.—Nothing in subsection (a)(2)(M) shall be construed as authorizing, requiring, or allowing any additional reporting requirements, data elements, or information to be reported to the Secretary unless such reporting, data, or information is explicitly authorized under this Act.

“(c) ANNUAL REPORT.—Each State educational agency receiving a grant under this section shall submit an annual report to the Secretary describing the State’s activities under the grant and the result of such activities.

“SEC. 1202. STATE OPTION TO CONDUCT ASSESSMENT SYSTEM AUDIT.

“(a) IN GENERAL.—From the amount reserved under section 1203(a)(3) for a fiscal year, the Secretary shall make grants to States to enable the States to—

“(1) in the case of a grant awarded under this section to a State for the first time—

“(A) audit State assessment systems and ensure that local educational agencies audit local assessments under subsection (e)(1);

“(B) execute the State plan under subsection (e)(3)(D); and

“(C) award subgrants under subsection (f); and

“(2) in the case of a grant awarded under this section to a State that has previously received a grant under this section—

“(A) execute the State plan under subsection (e)(3)(D); and

“(B) award subgrants under subsection (f).

“(b) MINIMUM AMOUNT.—Each State that receives a grant under this section shall receive an annual grant amount of not less than \$1,500,000.

“(c) REALLOCATION.—If a State chooses not to apply for a grant under this section, the Secretary shall reallocate such grant amount to other States in accordance with the formula described in section 1203(a)(4)(B).

“(d) APPLICATION.—A State desiring to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary shall require. The application shall include a description of—

“(1) in the case of a State that is receiving a grant under this section for the first time—

“(A) the audit the State will carry out under subsection (e)(1); and

“(B) the stakeholder feedback the State will seek in designing such audit;

“(2) in the case of a State that is not receiving a grant under this section for the first time, the plan described in subsection (e)(3)(D); and

“(3) how the State will award subgrants to local educational agencies under subsection (f).

“(e) AUDITS OF STATE ASSESSMENT SYSTEMS AND LOCAL ASSESSMENTS.—

“(1) AUDIT REQUIREMENTS.—Not later than 1 year after the date a State receives an initial grant under this section, the State shall—

“(A) conduct a State assessment system audit as described in paragraph (3);

“(B) ensure that each local educational agency receiving funds under this section—

“(i) conducts an audit of local assessments administered by the local educational agency as described in paragraph (4); and

“(ii) submits the results of such audit to the State; and

“(C) report the results of each State and local educational agency audit conducted under subparagraphs (A) and (B), in a format that is widely accessible and publicly available.

“(2) RESOURCES FOR LOCAL EDUCATIONAL AGENCIES.—In carrying out paragraph (1)(B), each State shall provide local educational agencies with resources, such as guidelines and protocols, to assist in conducting and reporting audit results.

“(3) STATE ASSESSMENT SYSTEM DESCRIPTION.—Each State assessment system audit conducted under paragraph (1)(A) shall include—

“(A) the schedule for the administration of all State assessments;

“(B) for each State assessment—

“(i) the purpose for which the assessment was designed and the purpose for which the assessment is used; and

“(ii) the legal authority for the administration of the assessment;

“(C) feedback on such system from stakeholders, which shall include information such as—

“(i) how teachers, principals, other school leaders, and administrators use assessment data to improve and differentiate instruction;

“(ii) the timing of release of assessment data;

“(iii) the extent to which assessment data is presented in an accessible and understandable format for all stakeholders;

“(iv) the opportunities, resources, and training teachers, principals, other school leaders, and administrators are given to review assessment results and make effective use of assessment data;

“(v) the distribution of technological resources and personnel necessary to administer assessments;

“(vi) the amount of time teachers spend on assessment preparation and administration;

“(vii) the assessments that administrators, teachers, principals, other school leaders, parents, and students, if appropriate, do and do not find useful; and

“(viii) other information as appropriate; and

“(D) a plan, based on the information gathered as a result of the activities described in subparagraphs (A), (B), and (C), to improve and streamline the State assessment system, including activities such as—

“(i) eliminating any unnecessary assessments, which may include paying the cost associated with terminating procurement contracts;

“(ii) supporting the dissemination of best practices from local educational agencies or other States that have successfully improved assessment quality and efficiency to improve teaching and learning; and

“(iii) supporting local educational agencies or consortia of local educational agencies to carry out efforts to streamline local assessment systems and implement a regular process of review and evaluation of assessment use in local educational agencies.

“(4) LOCAL ASSESSMENT DESCRIPTION.—An audit of local assessments conducted in accordance with paragraph (1)(B)(i) shall include the same information described in paragraph (3) that is required of a State audit, except that

such information shall be included as applicable to the local educational agency and the local assessments.

“(f) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—

“(1) IN GENERAL.—Each State shall reserve not less than 20 percent of the grant funds awarded to the State under this section to make subgrants to local educational agencies in the State or consortia of such local educational agencies, based on demonstrated need in the agency's or consortium's application, to enable such agencies or consortia to improve assessment quality and use, and alignment, including, if applicable, alignment to the challenging State academic standards.

“(2) LOCAL EDUCATIONAL AGENCY APPLICATION.—Each local educational agency, or consortium of local educational agencies, seeking a subgrant under this subsection shall submit an application to the State at such time, in such manner, and containing such other information as determined necessary by the State. The application shall include a description of the agency's or consortium's needs relating to the improvement of assessment quality, use, and alignment.

“(3) USE OF FUNDS.—A subgrant awarded under this subsection to a local educational agency or consortium of such agencies may be used to—

“(A) conduct an audit of local assessments under subsection (e)(1)(B)(i);

“(B) carry out the plan described in subsection (e)(3)(D) as it pertains to such agency or consortium;

“(C) improve assessment delivery systems and schedules, including by increasing access to technology and assessment proctors, where appropriate;

“(D) hire instructional coaches, or promote teachers who may receive increased compensation to serve as instructional coaches, to support teachers in the development of classroom-based assessments, interpreting assessment data, and designing instruction;

“(E) provide for appropriate accommodations to maximize inclusion of children with disabilities and English learners participating in assessments; and

“(F) improve the capacity of teachers, principals, and other school leaders to disseminate assessment data in an accessible and understandable format for parents and families, including for children with disabilities and English learners.

“(g) DEFINITIONS.—In this section:

“(1) LOCAL ASSESSMENT.—The term ‘local assessment’ means an academic assessment selected and carried out by a local educational agency that is separate from an assessment required under section 1111(b)(2).

“(2) STATE.—The term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

“SEC. 1203. ALLOTMENT OF APPROPRIATED FUNDS.

“(a) AMOUNTS EQUAL TO OR LESS THAN TRIGGER AMOUNT.—From amounts made available for each fiscal year under subsection 1002(b) that are equal to or less than the amount described in section 1111(b)(2)(I), the Secretary shall—

“(1) reserve one-half of 1 percent for the Bureau of Indian Education;

“(2) reserve one-half of 1 percent for the outlying areas;

“(3) reserve not more than 20 percent to carry out section 1202; and

“(4) from the remainder, carry out section 1201 by allocating to each State an amount equal to—

“(A) \$3,000,000, except for a fiscal year for which the amounts available are insufficient to

allocate such amount to each State, the Secretary shall ratably reduce such amount for each State; and

“(B) with respect to any amounts remaining after the allocation under subparagraph (A), an amount that bears the same relationship to such total remaining amounts as the number of students aged 5 through 17 in the State (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.

“(b) AMOUNTS ABOVE TRIGGER AMOUNT.—For any fiscal year for which the amount made available for a fiscal year under subsection 1002(b) exceeds the amount described in section 1111(b)(2)(I), the Secretary shall make such excess amount available as follows:

“(1) COMPETITIVE GRANTS.—

“(A) IN GENERAL.—The Secretary shall first use such funds to award grants, on a competitive basis, to State educational agencies or consortia of State educational agencies that have submitted applications described in subparagraph (B) to enable such States to carry out the activities described in subparagraphs (C), (H), (I), (J), (K), and (L) of section 1201(a)(2).

“(B) APPLICATIONS.—A State, or a consortium of States, that desires a competitive grant under subparagraph (A) shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require. The application shall demonstrate that the requirements of this section will be met for the uses of funds described under subparagraph (A).

“(C) AMOUNT OF COMPETITIVE GRANTS.—In determining the amount of a grant under subparagraph (A), the Secretary shall ensure that a State or consortium's grant, as the case may be, shall include an amount that bears the same relationship to the total funds available to carry out this subsection for the fiscal year as the number of students aged 5 through 17 in the State, or, in the case of a consortium, in each State that comprises the consortium, (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.

“(2) ALLOTMENTS.—Any amounts remaining after the Secretary awards funds under paragraph (1) shall be allotted to each State, or consortium of States, that did not receive a grant under such paragraph, in an amount that bears the same relationship to the remaining amounts as the number of students aged 5 through 17 in the State, or, in the case of a consortium, in the States of the consortium, (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.

“(c) STATE DEFINED.—In this part, the term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

“(d) PROHIBITION.—In making funds available to States under this part, the Secretary shall comply with the prohibitions described in section 8529.

“SEC. 1204. INNOVATIVE ASSESSMENT AND ACCOUNTABILITY DEMONSTRATION AUTHORITY.

“(a) INNOVATIVE ASSESSMENT SYSTEM DEFINED.—The term ‘innovative assessment system’ means a system of assessments that may include—

“(1) competency-based assessments, instructionally embedded assessments, interim assessments, cumulative year-end assessments, or performance-based assessments that combine into an annual summative determination for a student, which may be administered through computer adaptive assessments; and

“(2) assessments that validate when students are ready to demonstrate mastery or proficiency and allow for differentiated student support based on individual learning needs.

“(b) DEMONSTRATION AUTHORITY.—

“(1) IN GENERAL.—The Secretary may provide a State educational agency, or a consortium of State educational agencies, in accordance with paragraph (3), with the authority to establish an innovative assessment system (referred to in this section as ‘demonstration authority’).

“(2) DEMONSTRATION PERIOD.—In accordance with the requirements described in subsection (e), each State educational agency, or consortium of State educational agencies, that submits an application under this section shall propose in its application the period of time over which the State educational agency or consortium desires to exercise the demonstration authority, except that such period shall not exceed 5 years.

“(3) INITIAL DEMONSTRATION AUTHORITY AND EXPANSION.—During the first 3 years that the Secretary provides State educational agencies and consortia with demonstration authority (referred to in this section as the ‘initial demonstration period’) the Secretary shall provide such demonstration authority to—

“(A) a total number of not more than 7 participating State educational agencies, including those participating in consortia, that have applications approved under subsection (e); and

“(B) consortia that include not more than 4 State educational agencies.

“(c) PROGRESS REPORT.—

“(1) IN GENERAL.—Not later than 180 days after the end of the initial demonstration period, and prior to providing additional State educational agencies with demonstration authority, the Director of the Institute of Education Sciences, in consultation with the Secretary, shall publish a report detailing the initial progress of innovative assessment systems carried out through demonstration authority under this section.

“(2) CRITERIA.—The progress report under paragraph (1) shall be based on the annual information submitted by participating States described in subsection (e)(2)(B)(ix) and examine the extent to which—

“(A) with respect to each innovative assessment system—

“(i) the State educational agency has solicited feedback from teachers, principals, other school leaders, and parents about their satisfaction with the innovative assessment system;

“(ii) teachers, principals, and other school leaders have demonstrated a commitment and capacity to implement or continue to implement the innovative assessment system; and

“(iii) substantial evidence exists demonstrating that the innovative assessment system has been developed in accordance with the requirements of subsection (e); and

“(B) each State with demonstration authority has demonstrated that—

“(i) the same innovative assessment system was used to measure the achievement of all students that participated in the innovative assessment system; and

“(ii) of the total number of all students, and the total number of each of the subgroups of students defined in section 1111(c)(2), eligible to participate in the innovative assessment system in a given year, the State assessed in that year an equal or greater percentage of such eligible students, as measured under section 1111(c)(4)(E), as were assessed in the State in such year using the assessment system under section 1111(b)(2).

“(3) USE OF REPORT.—Upon completion of the progress report, the Secretary shall provide a response to the findings of the progress report, including a description of how the findings of the report will be used—

“(A) to support State educational agencies with demonstration authority through technical assistance; and

“(B) to inform the peer-review process described in subsection (f) for advising the Sec-

retary on the awarding of the demonstration authority to the additional State educational agencies described in subsection (d).

“(4) PUBLICLY AVAILABLE.—The Secretary shall make the progress report under this subsection and the response described in paragraph (3) publicly available on the website of the Department.

“(5) PROHIBITION.—The Secretary shall not require States that have demonstration authority to submit any information for the purposes of the progress report that is in addition to the information the State is already required to provide under subsection (e)(2)(B)(x).

“(d) EXPANSION OF THE DEMONSTRATION AUTHORITY.—Upon completion and publication of the report described in subsection (c), the Secretary may grant demonstration authority to additional State educational agencies or consortia that submit an application under subsection (e). Such State educational agencies or consortia of State educational agencies shall be subject to all of the same terms, conditions, and requirements of this section.

“(e) APPLICATION.—

“(1) IN GENERAL.—A State educational agency, or consortium of State educational agencies, that desires to participate in the program of demonstration authority under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require.

“(2) CONTENTS.—Such application shall include a description of the innovative assessment system, the experience the applicant has in implementing any components of the innovative assessment system, and the timeline over which the State or consortium proposes to exercise the demonstration authority. In addition, the application shall include each of the following:

“(A) A demonstration that the innovative assessment system will—

“(i) meet all the requirements of section 1111(b)(2)(B), except the requirements of clauses (i) and (v) of such section;

“(ii) be aligned to the challenging State academic standards and address the depth and breadth of such standards;

“(iii) express student results or student competencies in terms consistent with the State’s aligned academic achievement standards under section 1111(b)(1);

“(iv) generate results that are valid and reliable, and comparable, for all students and for each subgroup of students described in section 1111(b)(2)(B)(xi), as compared to the results for such students on the State assessments under section 1111(b)(2);

“(v) be developed in collaboration with—

“(I) stakeholders representing the interests of children with disabilities, English learners, and other vulnerable children;

“(II) teachers, principals, and other school leaders;

“(III) local educational agencies;

“(IV) parents; and

“(V) civil rights organizations in the State;

“(vi) be accessible to all students, such as by incorporating the principles of universal design for learning;

“(vii) provide teachers, principals, other school leaders, students, and parents with timely data, disaggregated by each subgroup of students described in section 1111(b)(2)(B)(xi), to inform and improve instructional practice and student supports;

“(viii) identify which students are not making progress toward the challenging State academic standards so that teachers can provide instructional support and targeted interventions to all students;

“(ix) annually measure the progress of not less than the same percentage of all students and students in each of the subgroups of stu-

dents, as defined in section 1111(c)(2), who are enrolled in schools that are participating in the innovative assessment system and are required to take such assessments, as measured under section 1111(c)(4)(E), as were assessed by schools administering the assessment under section 1111(b)(2);

“(x) generate an annual, summative achievement determination, based on the aligned State academic achievement standards under section 1111(b)(1) and based on annual data, for each individual student; and

“(xi) allow the State educational agency to validly and reliably aggregate data from the innovative assessment system for purposes of—

“(I) accountability, consistent with the requirements of section 1111(c); and

“(II) reporting, consistent with the requirements of section 1111(h).

“(B) A description of how the State educational agency will—

“(i) continue use of the statewide academic assessments required under section 1111(b)(2) if such assessments will be used for accountability purposes for the duration of the demonstration authority period;

“(ii) identify the distinct purposes for each assessment that is part of the innovative assessment system;

“(iii) provide support and training to local educational agency and school staff to implement the innovative assessment system described in this subsection;

“(iv) inform parents of students in participating local educational agencies about the innovative assessment system at the beginning of each school year during which the innovative assessment system will be implemented;

“(v) engage and support teachers in developing and scoring assessments that are part of the innovative assessment system, including through the use of high-quality professional development, standardized and calibrated scoring rubrics, and other strategies, consistent with relevant nationally recognized professional and technical standards, to ensure inter-rater reliability and comparability;

“(vi) acclimate students to the innovative assessment system;

“(vii) ensure that students with the most significant cognitive disabilities may be assessed with alternate assessments consistent with section 1111(b)(2)(D);

“(viii) if the State is proposing to administer the innovative assessment system initially in a subset of local educational agencies, scale up the innovative assessment system to administer such system statewide, or with additional local educational agencies, in the State’s proposed demonstration authority period;

“(ix) gather data, solicit regular feedback from teachers, principals, other school leaders, and parents, and assess the results of each year of the program of demonstration authority under this section, and respond by making needed changes to the innovative assessment system; and

“(x) report data from the innovative assessment system annually to the Secretary, including—

“(I) demographics of participating local educational agencies, if such system is not statewide, and additional local educational agencies if added to the system during the course of the State’s demonstration authority period or 2-year extension, except that such data shall not reveal any personally identifiable information, including a description of how the inclusion of additional local educational agencies contributes to progress toward achieving high-quality and consistent implementation across demographically diverse local educational agencies throughout the demonstration authority period;

“(II) the performance of all participating students, and for each subgroup of students defined in section 1111(c)(2), on the innovative assessment, consistent with the requirements in section 1111(h), except that such data shall not reveal any personally identifiable information;

“(III) feedback from teachers, principals, other school leaders, and parents about their satisfaction with the innovative assessment system; and

“(IV) if such system is not statewide, a description of the State’s progress in scaling up the innovative assessment system to additional local educational agencies during the State’s demonstration authority period, as described in clause (viii).

“(C) A description of the State educational agency’s plan to—

“(i) ensure that all students and each of the subgroups of students defined in section 1111(c)(2) participating in the innovative assessment system receive the instructional support needed to meet State aligned academic achievement standards;

“(ii) ensure that each local educational agency has the technological infrastructure to implement the innovative assessment system; and

“(iii) hold all schools in the local educational agencies participating in the program of demonstration authority accountable for meeting the State’s expectations for student achievement.

“(D) If the innovative assessment system will initially be administered in a subset of local educational agencies—

“(i) a description of the local educational agencies within the State educational agency that will participate, including what criteria the State has for approving any additional local educational agencies to participate during the demonstration authority period;

“(ii) assurances from such local educational agencies that such agencies will comply with the requirements of this subsection;

“(iii) a description of how the State will—

“(I) ensure that the inclusion of additional local educational agencies contributes to progress toward achieving high-quality and consistent implementation across demographically diverse local educational agencies during the demonstration authority period; and

“(II) ensure that the participating local educational agencies, as a group, will be demographically similar to the State as a whole by the end of the State’s demonstration authority period; and

“(iv) a description of the State educational agency’s plan to hold all students and each of the subgroups of students, as defined in section 1111(c)(2), to the same high standard as other students in the State.

“(f) PEER REVIEW.—The Secretary shall—

“(I) implement a peer-review process to inform—

“(A) the awarding of demonstration authority under this section and the approval to operate an innovative assessment system for the purposes of subsections (b)(2) and (c) of section 1111, as described in subsection (h); and

“(B) determinations about whether an innovative assessment system—

“(i) is comparable to the State assessments under section 1111(b)(2)(B)(v), valid, reliable, of high technical quality, and consistent with relevant, nationally recognized professional and technical standards; and

“(ii) provides an unbiased, rational, and consistent determination of progress toward the goals described under section 1111(c)(4)(A)(i) for all students;

“(2) ensure that the peer-review team consists of practitioners and experts who are knowledgeable about the innovative assessment system being proposed for all participating students, including—

“(A) individuals with past experience developing systems of assessment innovation that support all students, including English learners, children with disabilities, and disadvantaged students; and

“(B) individuals with experience implementing innovative assessment and accountability systems;

“(3) make publicly available the applications submitted under subsection (c) and the peer-review comments and recommendations regarding such applications;

“(4) make a determination and inform the State regarding approval or disapproval of the application under subsection (c) not later than 90 days after receipt of the complete application;

“(5) if the Secretary disapproves an application under paragraph (4), offer the State an opportunity to—

“(A) revise and resubmit such application within 60 days of the disapproval determination; and

“(B) submit additional evidence that the State’s application meets the requirements of subsection (c); and

“(6) make a determination regarding application approval or disapproval of a resubmitted application under paragraph (5) not later than 45 days after receipt of the resubmitted application.

“(g) EXTENSION.—The Secretary may extend an authorization of demonstration authority under this section for an additional 2 years if the State educational agency demonstrates with evidence that the State educational agency’s innovative assessment system is continuing to meet the requirements of subsection (c), including by demonstrating a plan for, and the capacity to, transition to statewide use of the innovative assessment system by the end of the 2-year extension period.

“(h) USE OF INNOVATIVE ASSESSMENT SYSTEM.—A State may, during the State’s approved demonstration authority period or 2-year extension, include results from the innovative assessment systems developed under this section in accountability determinations for each student in the participating local educational agencies instead of, or in addition to, results from the assessment system under section 1111(b)(2) if the State demonstrates that the State has met the requirements under subsection (c). The State shall continue to meet all other requirements of section 1111(c).

“(i) WITHDRAWAL OF AUTHORITY.—The Secretary shall withdraw the authorization for demonstration authority provided to a State educational agency under this section and such State shall return to use of the statewide assessment system under section 1111(b)(2) for all local educational agencies in the State if, at any time during a State’s approved demonstration authority period or 2-year extension, the State educational agency cannot present to the Secretary evidence that the innovative assessment system developed under this section—

“(1) meets the requirements under subsection (c);

“(2) includes all students attending schools participating in the innovative assessment system in a State that has demonstration authority, including each of the subgroups of students, as defined under section 1111(c)(2);

“(3) provides an unbiased, rational, and consistent determination of progress toward the goals described under section 1111(c)(4)(A)(i) for all students, which are comparable to measures of academic achievement under section 1111(c)(4)(B)(i) across the State in which the local educational agencies are located;

“(4) presents a high-quality plan to transition to full statewide use of the innovative assessment system by the end of the State’s approved demonstration authority period or 2-year extension,

if the innovative assessment system will initially be administered in a subset of local educational agencies; and

“(5) demonstrates comparability to the statewide assessments under section 1111(b)(2) in content coverage, difficulty, and quality.

“(j) TRANSITION.—

“(I) IN GENERAL.—

“(A) OPERATION OF INNOVATIVE ASSESSMENT SYSTEM.—If, after a State’s approved demonstration authority period or 2-year extension, the State educational agency has met all the requirements of this section, including having scaled the innovative assessment system up to statewide use, and demonstrated that such system is of high quality, as described in subparagraph (B), the State shall be permitted to operate the innovative assessment system approved under the program of demonstration authority under this section for the purposes of subsections (b)(2) and (c) of section 1111.

“(B) HIGH QUALITY.—Such system shall be considered of high quality if the Secretary, through the peer-review process described in section 1111(a)(4), determines that—

“(i) the innovative assessment system meets all of the requirements of this section;

“(ii) the State has examined the effects of the system on other measures of student success, including indicators in the accountability system under section 1111(c)(4)(B);

“(iii) the innovative assessment system provides coherent and timely information about student achievement based on the challenging State academic standards, including objective measurement of academic achievement, knowledge, and skills that are valid, reliable, and consistent with relevant, nationally-recognized professional and technical standards;

“(iv) the State has solicited feedback from teachers, principals, other school leaders, and parents about their satisfaction with the innovative assessment system; and

“(v) the State has demonstrated that the same innovative assessment system was used to measure—

“(I) the achievement of all students that participated in such innovative assessment system; and

“(II) not less than the percentage of such students overall and in each of the subgroups of students, as defined in section 1111(c)(2), as measured under section 1111(c)(4)(E), as were assessed under the assessment required by section 1111(b)(2).

“(2) BASELINE.—For the purposes of the evaluation described in paragraph (1), the baseline year shall be considered the first year that each local educational agency in the State used the innovative assessment system.

“(3) WAIVER AUTHORITY.—A State may request, and the Secretary shall review such request and may grant, a delay of the withdrawal of authority under subsection (i) for the purpose of providing the State with the time necessary to implement the innovative assessment system statewide, if, at the conclusion of the State’s approved demonstration authority period and 2-year extension—

“(A) the State has met all of the requirements of this section, except transition to full statewide use of the innovative assessment system; and

“(B) the State continues to comply with the other requirements of this section, and demonstrates a high-quality plan for transition to statewide use of the innovative assessment system in a reasonable period of time.

“(k) AVAILABLE FUNDS.—A State may use funds available under section 1201 to carry out this section.

“(l) CONSORTIUM.—A consortium of States may apply to participate in the program of demonstration authority under this section, and the

Secretary may provide each State member of such consortium with such authority if each such State member meets all of the requirements of this section. Such consortium shall be subject to the limitation described in subsection (b)(3)(B) during the initial 3 years of the demonstration authority.

“(m) DISSEMINATION OF BEST PRACTICES.—

“(1) IN GENERAL.—Following the publication of the progress report described in subsection (c), the Director of the Institute of Education Sciences, in consultation with the Secretary, shall collect and disseminate the best practices on the development and implementation of innovative assessment systems that meet the requirements of this section, including best practices regarding the development of—

“(A) summative assessments that—

“(i) meet the requirements of section 1111(b)(2)(B);

“(ii) are comparable with statewide assessments under section 1111(b)(2); and

“(iii) include assessment tasks that determine proficiency or mastery of State-approved competencies aligned to challenging State academic standards;

“(B) effective supports for local educational agencies and school staff to implement innovative assessment systems;

“(C) effective engagement and support of teachers in developing and scoring assessments and the use of high-quality professional development;

“(D) effective supports for all students, particularly each of the subgroups of students, as defined in section 1111(c)(2), participating in the innovative assessment system; and

“(E) standardized and calibrated scoring rubrics, and other strategies, to ensure inter-rater reliability and comparability of determinations of mastery or proficiency across local educational agencies and the State.

“(2) PUBLICATION.—The Secretary shall make the information described in paragraph (1) available on the website of the Department and shall publish an update to the information not less often than once every 3 years.”.

PART C—EDUCATION OF MIGRATORY CHILDREN

SEC. 1301. EDUCATION OF MIGRATORY CHILDREN.

(a) PROGRAM PURPOSES.—Section 1301 (20 U.S.C. 6391) is amended to read as follows:

“SEC. 1301. PROGRAM PURPOSES.

“The purposes of this part are as follows:

“(1) To assist States in supporting high-quality and comprehensive educational programs and services during the school year and, as applicable, during summer or intersession periods, that address the unique educational needs of migratory children.

“(2) To ensure that migratory children who move among the States are not penalized in any manner by disparities among the States in curriculum, graduation requirements, and challenging State academic standards.

“(3) To ensure that migratory children receive full and appropriate opportunities to meet the same challenging State academic standards that all children are expected to meet.

“(4) To help migratory children overcome educational disruption, cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit the ability of such children to succeed in school.

“(5) To help migratory children benefit from State and local systemic reforms.”.

(b) STATE ALLOCATIONS.—Section 1303 (20 U.S.C. 6393) is amended—

(1) by redesignating subsections (c) through (e) as subsections (d) through (f), respectively;

(2) by striking subsections (a) and (b) and inserting the following:

“(a) STATE ALLOCATIONS.—Except as provided in subsection (c), each State (other than the

Commonwealth of Puerto Rico) is entitled to receive under this part an amount equal to the product of—

“(1) the sum of—

“(A) the average number of identified eligible migratory children aged 3 through 21 residing in the State, based on data for the preceding 3 years; and

“(B) the number of identified eligible migratory children, aged 3 through 21, who received services under this part in summer or intersession programs provided by the State during the previous year; multiplied by

“(2) 40 percent of the average per-pupil expenditure in the State, except that the amount determined under this paragraph shall not be less than 32 percent, nor more than 48 percent, of the average per-pupil expenditure in the United States.

“(b) HOLD HARMLESS.—Notwithstanding subsection (a), for each of fiscal years 2017 through 2019, no State shall receive less than 90 percent of the State's allocation under this section for the preceding fiscal year.

“(c) ALLOCATION TO PUERTO RICO.—

“(1) IN GENERAL.—For each fiscal year, the grant that the Commonwealth of Puerto Rico shall be eligible to receive under this part shall be the amount determined by multiplying the number of children who would be counted under subsection (a)(1) if such subsection applied to the Commonwealth of Puerto Rico by the product of—

“(A) the percentage that the average per-pupil expenditure in the Commonwealth of Puerto Rico is of the lowest average per-pupil expenditure of any of the 50 States, subject to paragraphs (2) and (3); and

“(B) 32 percent of the average per-pupil expenditure in the United States.

“(2) MINIMUM PERCENTAGE.—The percentage described in paragraph (1)(A) shall not be less than 85 percent.

“(3) LIMITATION.—If the application of paragraph (2) for any fiscal year would result in any of the 50 States or the District of Columbia receiving less under this part than it received under this part for the preceding fiscal year, then the percentage described in paragraph (1)(A) that is used for the Commonwealth of Puerto Rico for the fiscal year for which the determination is made shall be the greater of the percentage in paragraph (1)(A) for such fiscal year or the percentage used for the preceding fiscal year.”.

(3) in subsection (d), as redesignated by paragraph (1)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “(A) If, after” and inserting the following:

“(A) RATABLE REDUCTIONS.—If, after”; and

(ii) in subparagraph (B)—

(I) by striking “(B) If additional” and inserting the following:

“(B) REALLOCATION.—If additional”; and

(II) by striking “purpose” and inserting “purposes”; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “(A) The Secretary” and inserting the following:

“(A) FURTHER REDUCTIONS.—The Secretary”; and

(ii) in subparagraph (B), by striking “(B) The Secretary” and inserting the following:

“(B) REALLOCATION.—The Secretary”; and

(4) in subsection (e)(3)(B), as redesignated by paragraph (1), by striking “welfare or educational attainment of children” and inserting “academic achievement of children”; and

(5) in subsection (f), as redesignated by paragraph (1)—

(A) in the matter preceding paragraph (1), by striking “estimated” and inserting “identified”; and

(B) by striking paragraph (1) and inserting the following:

“(1) use the most recent information that most accurately reflects the actual number of migratory children.”;

(C) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively;

(D) by inserting after paragraph (1) the following:

“(2) develop and implement a procedure for monitoring the accuracy of such information.”;

(E) in paragraph (4), as redesignated by subparagraph (C)—

(i) in the matter preceding subparagraph (A), by striking “full-time equivalent”; and

(ii) in subparagraph (A)—

(I) by striking “special needs” and inserting “unique needs”; and

(II) by striking “special programs provided under this part” and inserting “effective special programs provided under this part”; and

(F) in paragraph (5), as redesignated by subparagraph (C), by striking “the child whose education has been interrupted” and inserting “migratory children, including the most at-risk migratory children”; and

(6) by adding at the end the following:

“(g) NONPARTICIPATING STATES.—In the case of a State desiring to receive an allocation under this part for a fiscal year that did not receive an allocation for the previous fiscal year or that has been participating for less than 3 consecutive years, the Secretary shall calculate the State's number of identified migratory children aged 3 through 21 for purposes of subsection (a)(1)(A) by using the most recent data available that identifies the migratory children residing in the State until data is available to calculate the 3-year average number of such children in accordance with such subsection.”.

(c) STATE APPLICATIONS; SERVICES.—Section 1304 (20 U.S.C. 6394) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “special educational needs” and inserting “unique educational needs”; and

(II) by inserting “and migratory children who have dropped out of school” after “preschool migratory children”; and

(ii) in subparagraph (B)—

(I) by striking “migrant children” and inserting “migratory children”; and

(II) by striking “part A or B of title III” and inserting “part A of title III”; and

(iii) by striking subparagraph (D) and inserting the following:

“(D) measurable program objectives and outcomes.”;

(B) in paragraph (2), by striking “challenging State academic content standards and challenging State student academic achievement standards” and inserting “challenging State academic standards”; and

(C) in paragraph (3), by striking “, consistent with procedures the Secretary may require.”;

(D) in paragraph (5), by inserting “and” after the semicolon;

(E) by striking paragraph (6);

(F) by redesignating paragraph (7) as paragraph (6); and

(G) in paragraph (6), as redesignated by subparagraph (F), by striking “who have parents who do not have a high school diploma” and inserting “whose parents do not have a high school diploma”;

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “, satisfactory to the Secretary.”;

(B) in paragraph (2), by striking “subsections (b) and (c) of section 1120A, and part I” and inserting “subsections (b) and (c) of section 1118, and part F”;

(C) in paragraph (3)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “parent advisory councils” and inserting “parents of migratory children, including parent advisory councils.”; and

(II) by striking “of 1 school year in duration” and inserting “not less than 1 school year in duration”; and

(ii) in subparagraph (A), by striking “section 1118” and inserting “section 1116”;

(D) in paragraph (4), by inserting “and migratory children who have dropped out of school” after “preschool migratory children”;

(E) by redesignating paragraph (7) as paragraph (8);

(F) by striking paragraph (6) and inserting the following:

“(6) such programs and projects will provide for outreach activities for migratory children and their families to inform such children and families of other education, health, nutrition, and social services to help connect them to such services;

“(7) to the extent feasible, such programs and projects will provide for—

“(A) advocacy and other outreach activities for migratory children and their families, including helping such children and families gain access to other education, health, nutrition, and social services;

“(B) professional development programs, including mentoring, for teachers and other program personnel;

“(C) family literacy programs;

“(D) the integration of information technology into educational and related programs; and

“(E) programs to facilitate the transition of secondary school students to postsecondary education or employment; and”;

(G) in paragraph (8), as redesignated by subparagraph (E), by striking “paragraphs (1)(A) and (2)(B)(i) of section 1303(a), through such procedures as the Secretary may require” and inserting “section 1303(a)(1)”;

(3) by striking subsection (d) and inserting the following:

“(d) **PRIORITY FOR SERVICES.**—In providing services with funds received under this part, each recipient of such funds shall give priority to migratory children who have made a qualifying move within the previous 1-year period and who—

“(1) are failing, or most at risk of failing, to meet the challenging State academic standards; or

“(2) have dropped out of school.”; and

(4) in subsection (e)(3), by striking “secondary school students” and inserting “students”.

(d) **SECRETARIAL APPROVAL; PEER REVIEW.**—Section 1305 (20 U.S.C. 6395) is amended to read as follows:

“SEC. 1305. SECRETARIAL APPROVAL; PEER REVIEW.

“The Secretary shall approve each State application that meets the requirements of this part, and may review any such application with the assistance and advice of State officials and other officials with relevant expertise.”.

(e) **COMPREHENSIVE NEEDS ASSESSMENT AND SERVICE-DELIVERY PLAN; AUTHORIZED ACTIVITIES.**—Section 1306 (20 U.S.C. 6396) is amended—

(I) in subsection (a)(1)—

(A) in the matter preceding subparagraph (A), by striking “special” and inserting “unique”;

(B) in subparagraph (B)—

(i) in the matter preceding clause (i), by striking “section 9302” and inserting “section 8302”;

and

(ii) in clause (i), by striking “special” and inserting “unique”;

(C) in subparagraph (C), by striking “challenging State academic content standards and challenging State student academic achievement standards” and inserting “challenging State academic standards”; and

(D) in subparagraph (F), by striking “part A or B of title III” and inserting “part A of title III”; and

(2) in subsection (b)—

(A) in paragraph (1), by striking “shall have the flexibility to” and inserting “retains the flexibility to”; and

(B) in paragraph (4), by striking “special educational” and inserting “unique educational”.

(f) **BYPASS.**—Section 1307 (20 U.S.C. 6397) is amended—

(1) in the matter preceding paragraph (1), by striking “nonprofit”; and

(2) in paragraph (3), by striking “welfare or educational attainment” and inserting “educational achievement”.

(g) **COORDINATION OF MIGRANT EDUCATION ACTIVITIES.**—Section 1308 (20 U.S.C. 6398) is amended—

(1) in subsection (a)(1)—

(A) by striking “nonprofit”;

(B) by inserting “through” after “including”; and

(C) by striking “students” and inserting “children”; and

(2) in subsection (b)—

(A) in paragraph (1), by striking “developing effective methods for”;

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking “The Secretary, in consultation” and all that follows through “include—” and inserting the following: “The Secretary, in consultation with the States, shall ensure the linkage of migrant student record systems for the purpose of electronically exchanging, among the States, health and educational information regarding all migratory students eligible under this part. The Secretary shall ensure that such linkage occurs in a cost-effective manner, utilizing systems used by the States prior to, or developed after, the date of the enactment of the Every Student Succeeds Act. Such information may include—”;

(II) in clause (ii), by striking “required under section 1111(b)” and inserting “under section 1111(b)(2)”;

(III) in clause (iii), by striking “high standards” and inserting “the challenging State academic standards”;

(ii) by redesignating subparagraph (B) as subparagraph (C);

(iii) by inserting after subparagraph (A) the following:

“(B) **CONSULTATION.**—The Secretary shall maintain ongoing consultation with the States, local educational agencies, and other migratory student service providers on—

“(i) the effectiveness of the system described in subparagraph (A); and

“(ii) the ongoing improvement of such system.”; and

(iv) in subparagraph (C), as redesignated by clause (ii)—

(I) by striking “the proposed data elements” and inserting “any new proposed data elements”; and

(II) by striking “Such publication shall occur not later than 120 days after the date of enactment of the No Child Left Behind Act of 2001.”; and

(C) by striking paragraph (4).

(h) **DEFINITIONS.**—Section 1309 (20 U.S.C. 6399) is amended—

(1) in paragraph (1)(B), by striking “nonprofit”; and

(2) by striking paragraph (2) and inserting the following:

“(2) **MIGRATORY AGRICULTURAL WORKER.**—The term ‘migratory agricultural worker’ means an individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in agriculture, which

may be dairy work or the initial processing of raw agricultural products. If an individual did not engage in such new employment soon after a qualifying move, such individual may be considered a migratory agricultural worker if the individual actively sought such new employment and has a recent history of moves for temporary or seasonal agricultural employment.

“(3) **MIGRATORY CHILD.**—The term ‘migratory child’ means a child or youth who made a qualifying move in the preceding 36 months—

“(A) as a migratory agricultural worker or a migratory fisher; or

“(B) with, or to join, a parent or spouse who is a migratory agricultural worker or a migratory fisher.

“(4) **MIGRATORY FISHER.**—The term ‘migratory fisher’ means an individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in fishing. If the individual did not engage in such new employment soon after the move, the individual may be considered a migratory fisher if the individual actively sought such new employment and has a recent history of moves for temporary or seasonal fishing employment.

“(5) **QUALIFYING MOVE.**—The term ‘qualifying move’ means a move due to economic necessity—

“(A) from one residence to another residence; and

“(B) from one school district to another school district, except—

“(i) in the case of a State that is comprised of a single school district, wherein a qualifying move is from one administrative area to another within such district; or

“(ii) in the case of a school district of more than 15,000 square miles, wherein a qualifying move is a distance of 20 miles or more to a temporary residence.”.

PART D—PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK

SEC. 1401. PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK.

Part D of title I (20 U.S.C. 6421 et seq.) is amended—

(1) in section 1401(a)—

(A) in paragraph (1)—

(i) by inserting “, tribal,” after “youth in local”; and

(ii) by striking “challenging State academic content standards and challenging State student academic achievement standards” and inserting “challenging State academic standards”; and

(B) in paragraph (3), by inserting “and the involvement of their families and communities” after “to ensure their continued education”;

(2) in section 1412(b), by striking paragraph (2) and inserting the following:

“(2) **MINIMUM PERCENTAGE.**—The percentage in paragraph (1)(A) shall not be less than 85 percent.”;

(3) in section 1414—

(A) in subsection (a)—

(i) in paragraph (1)(B), by striking “from correctional facilities to locally operated programs” and inserting “between correctional facilities and locally operated programs”; and

(ii) in paragraph (2)—

(I) in subparagraph (A)—

(aa) by striking “the program goals, objectives, and performance measures established by the State” and inserting “the program objectives and outcomes established by the State”; and

(bb) by striking “vocational” and inserting “career”;

(II) in subparagraph (B), by striking “and” after the semicolon;

(III) by redesignating subparagraph (C) as subparagraph (D);

(IV) by inserting after subparagraph (B) the following:

“(C) describe how the State will place a priority for such children to attain a regular high school diploma, to the extent feasible;”;

(V) in subparagraph (D), as redesignated by subclause (III)—

(aa) in clause (i), by inserting “and” after the semicolon;

(bb) by striking clause (ii) and redesignating clause (iii) as clause (ii); and

(cc) by striking clause (iv); and

(VI) by adding at the end the following:

“(E) provide assurances that the State educational agency has established—

“(i) procedures to ensure the timely re-enrollment of each student who has been placed in the juvenile justice system in secondary school or in a re-entry program that best meets the needs of the student, including the transfer of credits that such student earns during placement; and

“(ii) opportunities for such students to participate in credit-bearing coursework while in secondary school, postsecondary education, or career and technical education programming.”; and

(B) in subsection (c)—

(i) in paragraph (1), by inserting “and, to the extent practicable, provide for such assessment upon entry into a correctional facility” after “to be served under this subpart”;

(ii) in paragraph (6)—

(I) by striking “carry out the evaluation requirements of section 9601 and how” and inserting “use”;

(II) by inserting “under section 8601” after “recent evaluation”; and

(III) by striking “will be used”;

(iii) in paragraph (7), by striking “section 9521” and inserting “section 8521”;

(iv) paragraph (8)—

(I) by striking “Public Law 105-220” and inserting “the Workforce Innovation and Opportunity Act”; and

(II) by striking “vocational” and inserting “career”;

(v) in paragraph (9)—

(I) by inserting “and after” after “prior to”; and

(II) by inserting “in order to facilitate the transition of such children and youth between the correctional facility and the local educational agency or alternative education program” after “the local educational agency or alternative education program”;

(vi) in paragraph (11), by striking “transition of children and youth from such facility or institution to” and inserting “transition of such children and youth between such facility or institution and”;

(vii) in paragraph (16)—

(I) by inserting “and attain a regular high school diploma” after “to encourage the children and youth to reenter school”; and

(II) by striking “achieve a secondary school diploma” and inserting “attain a regular high school diploma”;

(viii) in paragraph (17), by inserting “certified or licensed” after “provides an assurance that”;

(ix) in paragraph (18), by striking “and” after the semicolon;

(x) in paragraph (19), by striking the period at the end and inserting “; and”; and

(xi) by adding at the end the following:

“(20) describes how the State agency will, to the extent feasible—

“(A) note when a youth has come into contact with both the child welfare and juvenile justice systems; and

“(B) deliver services and interventions designed to keep such youth in school that are evi-

dence-based (to the extent a State determines that such evidence is reasonably available).”;

(4) in section 1415—

(A) in subsection (a)—

(i) in paragraph (1)(B), by striking “vocational or technical training” and inserting “career and technical education”; and

(ii) in paragraph (2)—

(I) by striking subparagraph (A) and inserting the following:

“(A) may include—

“(i) the acquisition of equipment;

“(ii) pay-for-success initiatives; or

“(iii) providing targeted services for youth who have come in contact with both the child welfare system and juvenile justice system.”;

(II) in subparagraph (B)—

(aa) in clause (i), by striking “the State’s challenging academic content standards and student academic achievement standards” and inserting “the challenging State academic standards”;

(bb) in clause (ii), by striking “supplement and improve” and inserting “respond to the educational needs of such children and youth, including by supplementing and improving”; and

(cc) in clause (iii)—

(AA) by striking “challenging State academic achievement standards” and inserting “challenging State academic standards”; and

(BB) by inserting “and” after the semicolon;

(III) in subparagraph (C)—

(aa) by striking “section 1120A and part I” and inserting “section 1118 and part F”; and

(bb) by striking “; and” and inserting a period; and

(IV) by striking subparagraph (D); and

(B) in subsection (b), by striking “section 1120A” and inserting “section 1118”;

(5) in section 1416—

(A) in paragraph (3)—

(i) by striking “challenging State academic content standards and student academic achievement standards” and inserting “challenging State academic standards”; and

(ii) by striking “complete secondary school, attain a secondary diploma” and inserting “attain a regular high school diploma”;

(B) in paragraph (4)—

(i) by striking “pupil” and inserting “specialized instructional support”; and

(ii) by inserting “, and how relevant and appropriate academic records and plans regarding the continuation of educational services for such children or youth are shared jointly between the State agency operating the institution or program and local educational agency in order to facilitate the transition of such children and youth between the local educational agency and the State agency” after “children and youth described in paragraph (1)”; and

(C) in paragraph (6), by striking “student progress” and inserting “and improve student achievement”;

(6) in section 1418(a)—

(A) by striking paragraph (1) and inserting the following:

“(1) projects that facilitate the transition of children and youth between State-operated institutions, or institutions in the State operated by the Secretary of the Interior, and schools served by local educational agencies or schools operated or funded by the Bureau of Indian Education; or”; and

(B) in paragraph (2)—

(i) by striking “vocational” each place the term appears and inserting “career”; and

(ii) in the matter preceding subparagraph (A), by striking “secondary” and inserting “regular high”;

(7) in section 1419—

(A) by striking the section heading and inserting “**TECHNICAL ASSISTANCE**”; and

(B) by striking “for a fiscal year” and all that follows through “to provide” and inserting “for a fiscal year to provide”;

(8) in section 1421(3), by inserting “, including schools operated or funded by the Bureau of Indian Education,” after “local schools”;

(9) in section 1422(d), by striking “impact on meeting the transitional” and inserting “impact on meeting such transitional”;

(10) in section 1423—

(A) in paragraph (2)(B), by inserting “, including such facilities operated by the Secretary of the Interior and Indian tribes” after “the juvenile justice system”;

(B) by striking paragraph (4) and inserting the following:

“(4) a description of the program operated by participating schools to facilitate the successful transition of children and youth returning from correctional facilities and, as appropriate, the types of services that such schools will provide such children and youth and other at-risk children and youth;”;

(C) in paragraph (7)—

(i) by inserting “institutions of higher education or” after “partnerships with”; and

(ii) by striking “develop training, curriculum-based youth entrepreneurship education” and inserting “facilitate postsecondary and workforce success for children and youth returning from correctional facilities, such as through participation in credit-bearing coursework while in secondary school, enrollment in postsecondary education, participation in career and technical education programming”;

(D) in paragraph (8), by inserting “and family members” after “will involve parents”;

(E) in paragraph (9), by striking “vocational” and inserting “career”; and

(F) in paragraph (13), by striking “regular” and inserting “traditional”;

(11) in section 1424—

(A) in the matter before paragraph (1), by striking “Funds provided” and inserting the following:

“(a) IN GENERAL.—Funds provided”;

(B) in paragraph (2), by striking “, including” and all that follows through “gang members”;

(C) in paragraph (4)—

(i) by striking “vocational” and inserting “career”; and

(ii) by striking “and” after the semicolon; and

(D) in paragraph (5), by striking the period at the end and inserting a semicolon;

(E) by inserting the following after paragraph (5):

“(6) programs for at-risk Indian children and youth, including such children and youth in correctional facilities in the area served by the local educational agency that are operated by the Secretary of the Interior or Indian tribes; and

“(7) pay for success initiatives.”; and

(F) by inserting after paragraph (7) the following:

“(b) CONTRACTS AND GRANTS.—A local educational agency may use a subgrant received under this subpart to carry out the activities described under paragraphs (1) through (7) of subsection (a) directly or through subgrants, contracts, or cooperative agreements.”;

(12) in section 1425—

(A) in paragraph (4)—

(i) by inserting “and attain a regular high school diploma” after “reenter school”; and

(ii) by striking “a secondary school diploma” and inserting “a regular high school diploma”;

(B) in paragraph (6), by striking “high academic achievement standards” and inserting “the challenging State academic standards”;

(C) in paragraph (9), by striking “vocational” and inserting “career”;

(D) in paragraph (10), by striking “and” after the semicolon;

(E) in paragraph (11), by striking the period at the end and inserting a semicolon; and

(F) by adding at the end the following:

“(12) upon the child’s or youth’s entry into the correctional facility, work with the child’s or youth’s family members and the local educational agency that most recently provided services to the child or youth (if applicable) to ensure that the relevant and appropriate academic records and plans regarding the continuation of educational services for such child or youth are shared jointly between the correctional facility and local educational agency in order to facilitate the transition of such children and youth between the local educational agency and the correctional facility; and

“(13) consult with the local educational agency for a period jointly determined necessary by the correctional facility and local educational agency upon discharge from that facility, to coordinate educational services so as to minimize disruption to the child’s or youth’s achievement.”;

(13) in section 1426—

(A) in paragraph (1), by striking “reducing dropout rates for male students and for female students over a 3-year period” and inserting “the number of children and youth attaining a regular high school diploma or its recognized equivalent”; and

(B) in paragraph (2)—

(i) by striking “obtaining a secondary school diploma” and inserting “attaining a regular high school diploma”; and

(ii) by striking “obtaining employment” and inserting “attaining employment”;

(14) in section 1431(a)—

(A) in the matter preceding paragraph (1), by inserting “while protecting individual student privacy,” after “age”; and

(B) striking “secondary” each place the term appears and inserting “high”;

(C) in paragraph (1), by inserting “and to graduate from high school in the number of years established by the State under either the four-year adjusted cohort graduation rate or the extended-year adjusted cohort graduation rate, if applicable” after “educational achievement”; and

(D) in paragraph (3), by inserting “or school operated or funded by the Bureau of Indian Education” after “local educational agency”; and

(15) in section 1432(2)—

(A) by inserting “dependency adjudication, or delinquency adjudication,” after “failure,”;

(B) by striking “has limited English proficiency” and inserting “is an English learner”; and

(C) by inserting “or child welfare system” after “juvenile justice system”.

PART E—FLEXIBILITY FOR EQUITABLE PER-PUPIL FUNDING

SEC. 1501. FLEXIBILITY FOR EQUITABLE PER-PUPIL FUNDING.

(a) REORGANIZATION.—Title I (20 U.S.C. 6571 et seq.), as amended by this title, is further amended—

(1) by striking parts E through H;

(2) by redesignating part I as part F;

(3) by striking sections 1907 and 1908;

(4) by redesignating sections 1901 through 1903 as sections 1601 through 1603, respectively; and

(5) by redesignating sections 1905 and 1906 as sections 1604 and 1605, respectively.

(b) IN GENERAL.—Title I (20 U.S.C. 6571 et seq.), as amended by this title, is further amended by inserting after section 1432 the following:

“PART E—FLEXIBILITY FOR EQUITABLE PER-PUPIL FUNDING

“SEC. 1501. FLEXIBILITY FOR EQUITABLE PER-PUPIL FUNDING.

“(a) PURPOSE.—The purpose of the program under this section is to provide local educational

agencies with flexibility to consolidate eligible Federal funds and State and local education funding in order to create a single school funding system based on weighted per-pupil allocations for low-income and otherwise disadvantaged students.

“(b) AUTHORITY.—

“(1) IN GENERAL.—The Secretary is authorized to enter into local flexibility demonstration agreements—

“(A) for not more than 3 years with local educational agencies that are selected under subsection (c) and submit proposed agreements that meet the requirements of subsection (d); and

“(B) under which such agencies may consolidate and use funds in accordance with subsection (d) in order to develop and implement a school funding system based on weighted per-pupil allocations for low-income and otherwise disadvantaged students.

“(2) FLEXIBILITY.—Except as described in subsection (d)(1)(I), the Secretary is authorized to waive, for local educational agencies entering into agreements under this section, any provision of this Act that would otherwise prevent such agency from using eligible Federal funds as part of such agreement.

“(c) SELECTION OF LOCAL EDUCATIONAL AGENCIES.—

“(1) IN GENERAL.—The Secretary may enter into local flexibility demonstration agreements with not more than 50 local educational agencies with an approved application under subsection (d).

“(2) SELECTION.—Each local educational agency shall be selected based on such agency—

“(A) submitting a proposed local flexibility demonstration agreement under subsection (d);

“(B) demonstrating that the agreement meets the requirements of such subsection; and

“(C) agreeing to meet the continued demonstration requirements under subsection (e).

“(3) EXPANSION.—Beginning with the 2019–2020 academic year, the Secretary may extend funding flexibility authorized under this section to any local educational agency that submits and has approved an application under subsection (d), as long as a significant majority of the demonstration agreements with local educational agencies described in paragraph (1) meet the requirements of subsection (d)(2) and subsection (e)(1) as of the end of the 2018–2019 academic year.

“(d) REQUIRED TERMS OF LOCAL FLEXIBILITY DEMONSTRATION AGREEMENT.—

“(1) APPLICATION.—Each local educational agency that desires to participate in the program under this section shall submit, at such time and in such form as the Secretary may prescribe, an application to enter into a local flexibility demonstration agreement with the Secretary in order to develop and implement a school funding system based on weighted per-pupil allocations that meets the requirements of this section. The application shall include—

“(A) a description of the school funding system based on weighted per-pupil allocations, including—

“(i) the weights used to allocate funds within such system;

“(ii) the local educational agency’s legal authority to use State and local education funds consistent with this section;

“(iii) how such system will meet the requirements of paragraph (2); and

“(iv) how such system will support the academic achievement of students, including low-income students, the lowest-achieving students, English learners, and children with disabilities;

“(B) a list of funding sources, including eligible Federal funds, the local educational agency will include in such system;

“(C) a description of the amount and percentage of total local educational agency funding,

including State and local education funds and eligible Federal funds, that will be allocated through such system;

“(D) the per-pupil expenditures (which shall include actual personnel expenditures, including staff salary differentials for years of employment, and actual nonpersonnel expenditures) of State and local education funds for each school served by the agency for the preceding fiscal year;

“(E) the per-pupil amount of eligible Federal funds each school served by the agency received in the preceding fiscal year, disaggregated by the programs supported by the eligible Federal funds;

“(F) a description of how such system will ensure that any eligible Federal funds allocated through the system will meet the purposes of each Federal program supported by such funds, including serving students from low-income families, English learners, migratory children, and children who are neglected, delinquent, or at risk, as applicable;

“(G) an assurance that the local educational agency developed and will implement the local flexibility demonstration agreement in consultation with teachers, principals, other school leaders (including charter school leaders in a local educational agency that has charter schools), administrators of Federal programs impacted by the agreement, parents, community leaders, and other relevant stakeholders;

“(H) an assurance that the local educational agency will use fiscal control and sound accounting procedures that ensure proper disbursement of, and accounting for, eligible Federal funds consolidated and used under such system;

“(I) an assurance that the local educational agency will continue to meet the requirements of sections 1117, 1118, and 8501; and

“(J) an assurance that the local educational agency will meet the requirements of all applicable Federal civil rights laws in carrying out the agreement and in consolidating and using funds under the agreement.

“(2) REQUIREMENTS OF THE SYSTEM.—

“(A) IN GENERAL.—A local educational agency’s school funding system based on weighted per-pupil allocations shall—

“(i) except as allowed under clause (iv), allocate a significant portion of funds, including State and local education funds and eligible Federal funds, to the school level based on the number of students in a school and a formula developed by the agency under this section that determines per-pupil weighted amounts;

“(ii) use weights or allocation amounts that allocate substantially more funding to English learners, students from low-income families, and students with any other characteristics associated with educational disadvantage chosen by the local educational agency, than to other students;

“(iii) ensure that each high-poverty school receives, in the first year of the demonstration agreement—

“(I) more per-pupil funding, including from Federal, State, and local sources, for low-income students than such funding received for low-income students in the year prior to entering into a demonstration agreement under this section; and

“(II) at least as much per-pupil funding, including from Federal, State, and local sources, for English learners as such funding received for English learners in the year prior to entering into a demonstration agreement under this section;

“(iv) be used to allocate to schools a significant percentage, which shall be a percentage agreed upon during the application process, of all the local educational agency’s State and local education funds and eligible Federal funds; and

“(v) include all school-level actual personnel expenditures for instructional staff (including staff salary differentials for years of employment) and actual nonpersonnel expenditures in the calculation of the local educational agency’s State and local education funds and eligible Federal funds to be allocated under clause (i).

“(B) PERCENTAGE.—In establishing the percentage described in subparagraph (A)(iv) for the system, the local educational agency shall demonstrate that the percentage—

“(i) under such subparagraph is sufficient to carry out the purposes of the demonstration agreement under this section and to meet each of the requirements of this subsection; and

“(ii) of State and local education funds and eligible Federal funds that are not allocated through the local educational agency’s school funding system based on weighted per-pupil allocations, does not undermine or conflict with the requirements of the demonstration agreement under this section.

“(C) EXPENDITURES.—After allocating funds through the system, the local educational agency shall charge schools for the per-pupil expenditures of State and local education funds and eligible Federal funds, including actual personnel expenditures (including staff salary differentials for years of employment) for instructional staff and actual nonpersonnel expenditures.

“(e) CONTINUED DEMONSTRATION.—Each local educational agency with an approved application under subsection (d) shall annually—

“(1) demonstrate to the Secretary that, as compared to the previous year, no high-poverty school served by the agency received—

“(A) less per-pupil funding, including from Federal, State, and local sources, for low-income students; or

“(B) less per-pupil funding, including from Federal, State, and local sources, for English learners;

“(2) make public and report to the Secretary the per-pupil expenditures (including actual personnel expenditures that include staff salary differentials for years of employment, and actual non-personnel expenditures) of State and local education funds and eligible Federal funds for each school served by the agency, disaggregated by each quartile of students attending the school based on student level of poverty and by each major racial or ethnic group in the school, for the preceding fiscal year;

“(3) make public the total number of students enrolled in each school served by the agency and the number of students enrolled in each such school disaggregated by each of the subgroups of students, as defined in section 1111(c)(2); and

“(4) notwithstanding paragraph (1), (2), or (3), ensure that any information to be reported or made public under this subsection is only reported or made public if such information does not reveal personally identifiable information.

“(f) LIMITATIONS ON ADMINISTRATIVE EXPENDITURES.—Each local educational agency that has entered into a local flexibility demonstration agreement with the Secretary under this section may use, for administrative purposes, an amount of eligible Federal funds that is not more than the percentage of funds allowed for such purposes under any of the following:

“(1) This title.

“(2) Title II.

“(3) Title III.

“(4) Part A of title IV.

“(5) Part B of title V.

“(g) PEER REVIEW.—The Secretary may establish a peer-review process to assist in the review of a proposed local flexibility demonstration agreement.

“(h) NONCOMPLIANCE.—The Secretary may, after providing notice and an opportunity for a hearing (including the opportunity to provide

supporting evidence as provided for in subsection (i)), terminate a local flexibility demonstration agreement under this section if there is evidence that the local educational agency has failed to comply with the terms of the agreement and the requirements under subsections (d) and (e).

“(i) EVIDENCE.—If a local educational agency believes that the Secretary’s determination under subsection (h) is in error for statistical or other substantive reasons, the local educational agency may provide supporting evidence to the Secretary, and the Secretary shall consider that evidence before making a final determination.

“(j) PROGRAM EVALUATION.—From the amount reserved for evaluation activities under section 8601, the Secretary, acting through the Director of the Institute of Education Sciences, shall, in consultation with the relevant program office at the Department, evaluate—

“(1) the implementation of the local flexibility demonstration agreements under this section; and

“(2) the impact of such agreements on improving the equitable distribution of State and local funding and increasing student achievement.

“(k) RENEWAL OF LOCAL FLEXIBILITY DEMONSTRATION AGREEMENT.—The Secretary may renew for additional 3-year terms a local flexibility demonstration agreement under this section if—

“(1) the local educational agency has met the requirements under subsections (d)(2) and (e) and agrees to, and has a high likelihood of, continuing to meet such requirements; and

“(2) the Secretary determines that renewing the local flexibility demonstration agreement is in the interest of students served under this title and title III.

“(l) DEFINITIONS.—In this section:

“(1) ELIGIBLE FEDERAL FUNDS.—The term ‘eligible Federal funds’ means funds received by a local educational agency under—

“(A) this title;

“(B) title II;

“(C) title III;

“(D) part A of title IV; and

“(E) part B of title V.

“(2) HIGH-POVERTY SCHOOL.—The term ‘high-poverty school’ means a school that is in the highest 2 quartiles of schools served by a local educational agency, based on the percentage of enrolled students from low-income families.”

PART F—GENERAL PROVISIONS

SEC. 1601. GENERAL PROVISIONS.

(a) FEDERAL REGULATIONS.—Section 1601 (20 U.S.C. 6571), as redesignated by section 1501(a)(4) of this Act, is amended—

(1) in subsection (a), by inserting “, in accordance with subsections (b) through (d) and subject to section 1111(e),” after “may issue”;

(2) in subsection (b)—

(A) in paragraph (1), by inserting “principals, other school leaders (including charter school leaders),” after “teachers,”;

(B) in paragraph (2), by adding at the end the following: “Such regional meetings and electronic exchanges of information shall be public and notice of such meetings and exchanges shall be provided to interested stakeholders.”;

(C) in paragraph (3)(A), by striking “standards and assessments” and inserting “standards, assessments under section 1111(b)(2), and the requirement under section 1118 that funds under part A be used to supplement, and not supplant, State and local funds”;

(D) by striking paragraph (4) and inserting the following:

“(4) PROCESS.—Such process—

“(A) shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.); and

“(B) shall, unless otherwise provided as described in subsection (c), follow the provisions of subchapter III of chapter 5 of title V, United

States Code (commonly known as the ‘Negotiated Rulemaking Act of 1990’).”; and

(E) by striking paragraph (5);

(3) by redesignating subsection (c) as subsection (d);

(4) by inserting after subsection (b) the following:

“(C) ALTERNATIVE PROCESS FOR CERTAIN EXCEPTIONS.—If consensus, as defined in section 562 of title 5, United States Code, on any proposed regulation is not reached by the individuals selected under subsection (b)(3)(B) for the negotiated rulemaking process, or if the Secretary determines that a negotiated rulemaking process is unnecessary, the Secretary may propose a regulation in the following manner:

“(1) NOTICE TO CONGRESS.—Not less than 15 business days prior to issuing a notice of proposed rulemaking in the Federal Register, the Secretary shall provide to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and the Workforce of the House of Representatives, and other relevant congressional committees, notice of the Secretary’s intent to issue a notice of proposed rulemaking that shall include—

“(A) a copy of the proposed regulation;

“(B) the need to issue the regulation;

“(C) the anticipated burden, including the time, cost, and paperwork burden, the regulation will impose on State educational agencies, local educational agencies, schools, and other entities that may be impacted by the regulation;

“(D) the anticipated benefits to State educational agencies, local educational agencies, schools, and other entities that may be impacted by the regulation; and

“(E) any regulations that will be repealed when the new regulation is issued.

“(2) COMMENT PERIOD FOR CONGRESS.—The Secretary shall—

“(A) before issuing any notice of proposed rulemaking under this subsection, provide Congress with a comment period of 15 business days to make comments on the proposed regulation, beginning on the date that the Secretary provides the notice of intent to the appropriate committees of Congress under paragraph (1); and

“(B) include and seek to address all comments submitted by Congress in the public rulemaking record for the regulation published in the Federal Register.

“(3) COMMENT AND REVIEW PERIOD; EMERGENCY SITUATIONS.—The comment and review period for any proposed regulation shall be not less than 60 days unless an emergency requires a shorter period, in which case the Secretary shall—

“(A) designate the proposed regulation as an emergency with an explanation of the emergency in the notice to Congress under paragraph (1);

“(B) publish the length of the comment and review period in such notice and in the Federal Register; and

“(C) conduct immediately thereafter regional meetings to review such proposed regulation before issuing any final regulation.”;

(5) in subsection (d), as redesignated by paragraph (3), by striking “Regulations to carry out this part” and inserting “Regulations to carry out this title”; and

(6) by inserting after subsection (d), as redesignated by paragraph (3), the following:

“(e) RULE OF CONSTRUCTION.—Nothing in this section affects the applicability of subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ‘Administrative Procedure Act’) or chapter 8 of title 5, United States Code (commonly known as the ‘Congressional Review Act’).”

(b) AGREEMENTS AND RECORDS.—Subsection (a) of section 1602 (20 U.S.C. 6572(a)), as redesignated by section 1501(a)(4) of this Act, is amended to read as follows:

“(a) AGREEMENTS.—In any case in which a negotiated rulemaking process is established under section 1601(b), all published proposed regulations shall conform to agreements that result from the rulemaking described in section 1601 unless the Secretary reopens the negotiated rulemaking process.”.

(c) STATE ADMINISTRATION.—Section 1603 (20 U.S.C. 6573), as redesignated by section 1501(a)(4) of this Act, is further amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (C), by striking “and” after the semicolon;

(ii) in subparagraph (D), by striking the period and inserting “; and”; and

(iii) by adding at the end the following:

“(E)(i) identify any duplicative or contrasting requirements between the State and Federal rules or regulations; and

“(ii) eliminate the State rules and regulations that are duplicative of Federal requirements.”; and

(B) in paragraph (2), by striking “the challenging State student academic achievement standards” and inserting “the challenging State academic standards”; and

(2) in subsection (b)(2), by striking subparagraphs (C) through (G) and inserting the following:

“(C) teachers from traditional public schools and charter schools (if there are charter schools in the State) and career and technical educators;

“(D) principals and other school leaders;

“(E) parents;

“(F) members of local school boards;

“(G) representatives of private school children;

“(H) specialized instructional support personnel and paraprofessionals;

“(I) representatives of authorized public chartering agencies (if there are charter schools in the State); and

“(J) charter school leaders (if there are charter schools in the State).”.

TITLE II—PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, OR OTHER SCHOOL LEADERS

SEC. 2001. GENERAL PROVISIONS.

(a) TITLE II TRANSFERS AND RELATED AMENDMENTS.—

(1) Section 2366(b) (20 U.S.C. 6736(b)) is amended by striking the matter following paragraph (2) and inserting the following:

“(3) A State law that makes a limitation of liability inapplicable if the civil action was brought by an officer of a State or local government pursuant to State or local law.”.

(2) Subpart 4 of part D of title II (20 U.S.C. 6777) is amended, by striking the subpart designation and heading and inserting the following:

“Subpart 4—Internet Safety”.

(3) Subpart 5 of part C of title II (20 U.S.C. 6731 et seq.) (as amended by paragraph (1) of this subsection) is—

(A) transferred to title IX;

(B) inserted so as to appear after subpart 2 of part E of such title;

(C) redesignated as subpart 3 of such part; and

(D) further amended by redesignating sections 2361 through 2368 as sections 9541 through 9548, respectively.

(4) Subpart 4 of part D of title II (20 U.S.C. 6777 et seq.) (as amended by paragraph (2) of this subsection) is—

(A) transferred to title IV;

(B) inserted so as to appear after subpart 4 of part A of such title;

(C) redesignated as subpart 5 of such part; and

(D) further amended by redesignating section 2441 as section 4161.

SEC. 2002. PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, OR OTHER SCHOOL LEADERS.

The Act (20 U.S.C. 6301 et seq.) is amended by striking title II and inserting the following:

“TITLE II—PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, OR OTHER SCHOOL LEADERS

“SEC. 2001. PURPOSE.

“The purpose of this title is to provide grants to State educational agencies and subgrants to local educational agencies to—

“(1) increase student achievement consistent with the challenging State academic standards;

“(2) improve the quality and effectiveness of teachers, principals, and other school leaders;

“(3) increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools; and

“(4) provide low-income and minority students greater access to effective teachers, principals, and other school leaders.”.

“SEC. 2002. DEFINITIONS.

“In this title:

“(1) SCHOOL LEADER RESIDENCY PROGRAM.—The term ‘school leader residency program’ means a school-based principal or other school leader preparation program in which a prospective principal or other school leader—

“(A) for 1 academic year, engages in sustained and rigorous clinical learning with substantial leadership responsibilities and an opportunity to practice and be evaluated in an authentic school setting; and

“(B) during that academic year—

“(i) participates in evidence-based coursework, to the extent the State (in consultation with local educational agencies in the State) determines that such evidence is reasonably available, that is integrated with the clinical residency experience; and

“(ii) receives ongoing support from a mentor principal or other school leader, who is effective.”.

“(2) STATE.—The term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

“(3) STATE AUTHORIZER.—The term ‘State authorizer’ means an entity designated by the Governor of a State to recognize teacher, principal, or other school leader preparation academies within the State that—

“(A) enters into an agreement with a teacher, principal, or other school leader preparation academy that specifies the goals expected of the academy, as described in paragraph (4)(A)(i);

“(B) may be a nonprofit organization, State educational agency, or other public entity, or consortium of such entities (including a consortium of States); and

“(C) does not reauthorize a teacher, principal, or other school leader preparation academy if the academy fails to produce the minimum number or percentage of effective teachers or principals or other school leaders, respectively (as determined by the State), identified in the academy’s authorizing agreement.”.

“(4) TEACHER, PRINCIPAL, OR OTHER SCHOOL LEADER PREPARATION ACADEMY.—The term ‘teacher, principal, or other school leader preparation academy’ means a public or other nonprofit entity, which may be an institution of higher education or an organization affiliated with an institution of higher education, that establishes an academy that will prepare teachers, principals, or other school leaders to serve in high-needs schools, and that—

“(A) enters into an agreement with a State authorizer that specifies the goals expected of the academy, including—

“(i) a requirement that prospective teachers, principals, or other school leaders who are enrolled in the academy receive a significant part of their training through clinical preparation that partners the prospective candidate with an effective teacher, principal, or other school leader, as determined by the State, respectively, with a demonstrated record of increasing student academic achievement, including for the subgroups of students defined in section 1111(c)(2), while also receiving concurrent instruction from the academy in the content area (or areas) in which the prospective teacher, principal, or other school leader will become certified or licensed that links to the clinical preparation experience;

“(ii) the number of effective teachers, principals, or other school leaders, respectively, who will demonstrate success in increasing student academic achievement that the academy will prepare; and

“(iii) a requirement that the academy will award a certificate of completion (or degree, if the academy is, or is affiliated with, an institution of higher education) to a teacher only after the teacher demonstrates that the teacher is an effective teacher, as determined by the State, with a demonstrated record of increasing student academic achievement either as a student teacher or teacher-of-record on an alternative certificate, license, or credential;

“(iv) a requirement that the academy will award a certificate of completion (or degree, if the academy is, or is affiliated with, an institution of higher education) to a principal or other school leader only after the principal or other school leader demonstrates a record of success in improving student performance; and

“(v) timelines for producing cohorts of graduates and conferring certificates of completion (or degrees, if the academy is, or is affiliated with, an institution of higher education) from the academy;

“(B) does not have unnecessary restrictions on the methods the academy will use to train prospective teacher, principal, or other school leader candidates, including—

“(i) obligating (or prohibiting) the academy’s faculty to hold advanced degrees or conduct academic research;

“(ii) restrictions related to the academy’s physical infrastructure;

“(iii) restrictions related to the number of course credits required as part of the program of study;

“(iv) restrictions related to the undergraduate coursework completed by teachers teaching or working on alternative certificates, licenses, or credentials, as long as such teachers have successfully passed all relevant State-approved content area examinations; or

“(v) restrictions related to obtaining accreditation from an accrediting body for purposes of becoming an academy;

“(C) limits admission to its program to prospective teacher, principal, or other school leader candidates who demonstrate strong potential to improve student academic achievement, based on a rigorous selection process that reviews a candidate’s prior academic achievement or record of professional accomplishment; and

“(D) results in a certificate of completion or degree that the State may, after reviewing the academy’s results in producing effective teachers, or principals, or other school leaders, respectively (as determined by the State) recognize as at least the equivalent of a master’s degree in education for the purposes of hiring, retention, compensation, and promotion in the State.”.

“(5) TEACHER RESIDENCY PROGRAM.—The term ‘teacher residency program’ means a school-based teacher preparation program in which a prospective teacher—

“(A) for not less than 1 academic year, teaches alongside an effective teacher, as determined

by the State or local educational agency, who is the teacher of record for the classroom;

“(B) receives concurrent instruction during the year described in subparagraph (A)—

“(i) through courses that may be taught by local educational agency personnel or by faculty of the teacher preparation program; and

“(ii) in the teaching of the content area in which the teacher will become certified or licensed; and

“(C) acquires effective teaching skills, as demonstrated through completion of a residency program, or other measure determined by the State, which may include a teacher performance assessment.

“SEC. 2003. AUTHORIZATION OF APPROPRIATIONS.

“(a) GRANTS TO STATES AND LOCAL EDUCATIONAL AGENCIES.—For the purpose of carrying out part A, there are authorized to be appropriated \$2,295,830,000 for each of fiscal years 2017 through 2020.

“(b) NATIONAL ACTIVITIES.—For the purpose of carrying out part B, there are authorized to be appropriated—

“(1) \$468,880,575 for each of fiscal years 2017 and 2018;

“(2) \$469,168,000 for fiscal year 2019; and

“(3) \$489,168,000 for fiscal year 2020.

“PART A—SUPPORTING EFFECTIVE INSTRUCTION

“SEC. 2101. FORMULA GRANTS TO STATES.

“(a) RESERVATION OF FUNDS.—From the total amount appropriated under section 2003(a) for a fiscal year, the Secretary shall reserve—

“(1) one-half of 1 percent for allotments for the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be distributed among those outlying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this title; and

“(2) one-half of 1 percent for the Secretary of the Interior for programs under this part in schools operated or funded by the Bureau of Indian Education.

“(b) STATE ALLOTMENTS.—

“(1) HOLD HARMLESS.—

“(A) FISCAL YEARS 2017 THROUGH 2022.—For each of fiscal years 2017 through 2022, subject to paragraph (2) and subparagraph (C), from the funds appropriated under section 2003(a) for a fiscal year that remain after the Secretary makes the reservations under subsection (a), the Secretary shall allot to each State an amount equal to the total amount that such State received for fiscal year 2001 under—

“(i) section 2202(b) of this Act (as in effect on the day before the date of enactment of the No Child Left Behind Act of 2001); and

“(ii) section 306 of the Department of Education Appropriations Act, 2001 (as enacted into law by section 1(a)(1) of Public Law 106–554).

“(B) RATABLE REDUCTION.—If the funds described in subparagraph (A) are insufficient to pay the full amounts that all States are eligible to receive under subparagraph (A) for any fiscal year, the Secretary shall ratably reduce those amounts for the fiscal year.

“(C) PERCENTAGE REDUCTION.—For each of fiscal years 2017 through 2022, the amount in subparagraph (A) shall be reduced by a percentage equal to the product of 14.29 percent and the number of years between the fiscal year for which the determination is being made and fiscal year 2016.

“(2) ALLOTMENT OF ADDITIONAL FUNDS.—

“(A) IN GENERAL.—Subject to subparagraph (B), for any fiscal year for which the funds appropriated under section 2003(a) and not reserved under subsection (a) exceed the total amount required to make allotments under paragraph (1), the Secretary shall allot to each State the sum of—

“(i) for fiscal year 2017—

“(I) an amount that bears the same relationship to 35 percent of the excess amount as the number of individuals aged 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

“(II) an amount that bears the same relationship to 65 percent of the excess amount as the number of individuals aged 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined;

“(ii) for fiscal year 2018—

“(I) an amount that bears the same relationship to 30 percent of the excess amount as the number of individuals aged 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

“(II) an amount that bears the same relationship to 70 percent of the excess amount as the number of individuals aged 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined;

“(iii) for fiscal year 2019—

“(I) an amount that bears the same relationship to 25 percent of the excess amount as the number of individuals aged 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

“(II) an amount that bears the same relationship to 75 percent of the excess amount as the number of individuals aged 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

“(iv) for fiscal year 2020—

“(I) an amount that bears the same relationship to 20 percent of the excess amount as the number of individuals aged 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

“(II) an amount that bears the same relationship to 80 percent of the excess amount as the number of individuals aged 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined.

“(B) EXCEPTION.—No State receiving an allotment under subparagraph (A) may receive less than one-half of 1 percent of the total excess amount allotted under such subparagraph for a fiscal year.

“(3) FISCAL YEAR 2021 AND SUCCEEDING FISCAL YEARS.—For fiscal year 2021 and each of the succeeding fiscal years—

“(A) the Secretary shall allot funds appropriated under section 2003(a) and not reserved under subsection (a) to each State in accordance with paragraph (2)(A)(iv); and

“(B) the amount appropriated but not reserved shall be treated as the excess amount.

“(4) REALLOTMENT.—If any State does not apply for an allotment under this subsection for any fiscal year, the Secretary shall reallocate the amount of the allotment to the remaining States in accordance with this subsection.

“(c) STATE USES OF FUNDS.—

“(1) IN GENERAL.—Except as provided under paragraph (3), each State that receives an allotment under subsection (b) for a fiscal year shall reserve not less than 95 percent of such allotment to make subgrants to local educational agencies for such fiscal year, as described in section 2102.

“(2) STATE ADMINISTRATION.—A State educational agency may use not more than 1 percent of the amount allotted to such State under subsection (b) for the administrative costs of carrying out such State educational agency's responsibilities under this part.

“(3) PRINCIPALS OR OTHER SCHOOL LEADERS.—Notwithstanding paragraph (1) and in addition to funds otherwise available for activities under paragraph (4), a State educational agency may reserve not more than 3 percent of the amount reserved for subgrants to local educational agencies under paragraph (1) for one or more of the activities for principals or other school leaders that are described in paragraph (4).

“(4) STATE ACTIVITIES.—

“(A) IN GENERAL.—The State educational agency for a State that receives an allotment under subsection (b) may use funds not reserved under paragraph (1) to carry out 1 or more of the activities described in subparagraph (B), which may be implemented in conjunction with a State agency of higher education (if such agencies are separate) and carried out through a grant or contract with a for-profit or non-profit entity, including an institution of higher education.

“(B) TYPES OF STATE ACTIVITIES.—The activities described in this subparagraph are the following:

“(i) Reforming teacher, principal, or other school leader certification, recertification, licensing, or tenure systems or preparation program standards and approval processes to ensure that—

“(I) teachers have the necessary subject-matter knowledge and teaching skills, as demonstrated through measures determined by the State, which may include teacher performance assessments, in the academic subjects that the teachers teach to help students meet challenging State academic standards;

“(II) principals or other school leaders have the instructional leadership skills to help teachers teach and to help students meet such challenging State academic standards; and

“(III) teacher certification or licensing requirements are aligned with such challenging State academic standards.

“(ii) Developing, improving, or providing assistance to local educational agencies to support the design and implementation of teacher, principal, or other school leader evaluation and support systems that are based in part on evidence of student academic achievement, which may include student growth, and shall include multiple measures of educator performance and provide clear, timely, and useful feedback to teachers, principals, or other school leaders, such as by—

“(I) developing and disseminating high-quality evaluation tools, such as classroom observation rubrics, and methods, including training and auditing, for ensuring inter-rater reliability of evaluation results;

“(II) developing and providing training to principals, other school leaders, coaches, mentors, and evaluators on how to accurately differentiate performance, provide useful and timely feedback, and use evaluation results to inform decisionmaking about professional development, improvement strategies, and personnel decisions; and

“(III) developing a system for auditing the quality of evaluation and support systems.

“(iii) Improving equitable access to effective teachers.

“(iv) Carrying out programs that establish, expand, or improve alternative routes for State

certification of teachers (especially for teachers of children with disabilities, English learners, science, technology, engineering, mathematics, or other areas where the State experiences a shortage of educators), principals, or other school leaders, for—

“(I) individuals with a baccalaureate or master’s degree, or other advanced degree;

“(II) mid-career professionals from other occupations;

“(III) paraprofessionals;

“(IV) former military personnel; and

“(V) recent graduates of institutions of higher education with records of academic distinction who demonstrate the potential to become effective teachers, principals, or other school leaders.

“(v) Developing, improving, and implementing mechanisms to assist local educational agencies and schools in effectively recruiting and retaining teachers, principals, or other school leaders who are effective in improving student academic achievement, including effective teachers from underrepresented minority groups and teachers with disabilities, such as through—

“(I) opportunities for effective teachers to lead evidence-based (to the extent the State determines that such evidence is reasonably available) professional development for the peers of such effective teachers; and

“(II) providing training and support for teacher leaders and principals or other school leaders who are recruited as part of instructional leadership teams.

“(vi) Fulfilling the State educational agency’s responsibilities concerning proper and efficient administration and monitoring of the programs carried out under this part, including provision of technical assistance to local educational agencies.

“(vii) Developing, or assisting local educational agencies in developing—

“(I) career opportunities and advancement initiatives that promote professional growth and emphasize multiple career paths, such as instructional coaching and mentoring (including hybrid roles that allow instructional coaching and mentoring while remaining in the classroom), school leadership, and involvement with school improvement and support;

“(II) strategies that provide differential pay, or other incentives, to recruit and retain teachers in high-need academic subjects and teachers, principals, or other school leaders, in low-income schools and school districts, which may include performance-based pay systems; and

“(III) new teacher, principal, or other school leader induction and mentoring programs that are, to the extent the State determines that such evidence is reasonably available, evidence-based, and designed to—

“(aa) improve classroom instruction and student learning and achievement, including through improving school leadership programs; and

“(bb) increase the retention of effective teachers, principals, or other school leaders.

“(viii) Providing assistance to local educational agencies for the development and implementation of high-quality professional development programs for principals that enable the principals to be effective and prepare all students to meet the challenging State academic standards.

“(ix) Supporting efforts to train teachers, principals, or other school leaders to effectively integrate technology into curricula and instruction, which may include training to assist teachers in implementing blended learning (as defined in section 4102(1)) projects.

“(x) Providing training, technical assistance, and capacity-building to local educational agencies that receive a subgrant under this part.

“(xi) Reforming or improving teacher, principal, or other school leader preparation pro-

grams, such as through establishing teacher residency programs and school leader residency programs.

“(xii) Establishing or expanding teacher, principal, or other school leader preparation academies, with an amount of the funds described in subparagraph (A) that is not more than 2 percent of the State’s allotment, if—

“(I) allowable under State law;

“(II) the State enables candidates attending a teacher, principal, or other school leader preparation academy to be eligible for State financial aid to the same extent as participants in other State-approved teacher or principal preparation programs, including alternative certification, licensure, or credential programs; and

“(III) the State enables teachers, principals, or other school leaders who are teaching or working while on alternative certificates, licenses, or credentials to teach or work in the State while enrolled in a teacher, principal, or other school leader preparation academy.

“(xiii) Supporting the instructional services provided by effective school library programs.

“(xiv) Developing, or assisting local educational agencies in developing, strategies that provide teachers, principals, or other school leaders with the skills, credentials, or certifications needed to educate all students in postsecondary education coursework through early college high school or dual or concurrent enrollment programs.

“(xv) Providing training for all school personnel, including teachers, principals, other school leaders, specialized instructional support personnel, and paraprofessionals, regarding how to prevent and recognize child sexual abuse.

“(xvi) Supporting opportunities for principals, other school leaders, teachers, paraprofessionals, early childhood education program directors, and other early childhood education program providers to participate in joint efforts to address the transition to elementary school, including issues related to school readiness.

“(xvii) Developing and providing professional development and other comprehensive systems of support for teachers, principals, or other school leaders to promote high-quality instruction and instructional leadership in science, technology, engineering, and mathematics subjects, including computer science.

“(xviii) Supporting the professional development and improving the instructional strategies of teachers, principals, or other school leaders to integrate career and technical education content into academic instructional practices, which may include training on best practices to understand State and regional workforce needs and transitions to postsecondary education and the workforce.

“(xix) Enabling States, as a consortium, to voluntarily develop a process that allows teachers who are licensed or certified in a participating State to teach in other participating States without completing additional licensure or certification requirements, except that nothing in this clause shall be construed to allow the Secretary to exercise any direction, supervision, or control over State teacher licensing or certification requirements.

“(xx) Supporting and developing efforts to train teachers on the appropriate use of student data to ensure that individual student privacy is protected as required by section 444 of the General Education Provisions Act (commonly known as the ‘Family Educational Rights and Privacy Act of 1974’) (20 U.S.C. 1232g) and in accordance with State student privacy laws and local educational agency student privacy and technology use policies.

“(xxi) Supporting other activities identified by the State that are, to the extent the State determines that such evidence is reasonably avail-

able, evidence-based and that meet the purpose of this title.

“(d) STATE APPLICATION.—

“(1) IN GENERAL.—In order to receive an allotment under this section for any fiscal year, a State shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require.

“(2) CONTENTS.—Each application described under paragraph (1) shall include the following:

“(A) A description of how the State educational agency will use funds received under this title for State-level activities described in subsection (c).

“(B) A description of the State’s system of certification and licensing of teachers, principals, or other school leaders.

“(C) A description of how activities under this part are aligned with challenging State academic standards.

“(D) A description of how the activities carried out with funds under this part are expected to improve student achievement.

“(E) If a State educational agency plans to use funds under this part to improve equitable access to effective teachers, consistent with section 1111(g)(1)(B), a description of how such funds will be used for such purpose.

“(F) If applicable, a description of how the State educational agency will work with local educational agencies in the State to develop or implement State or local teacher, principal, or other school leader evaluation and support systems that meet the requirements of subsection (c)(4)(B)(ii).

“(G) An assurance that the State educational agency will monitor the implementation of activities under this part and provide technical assistance to local educational agencies in carrying out such activities.

“(H) An assurance that the State educational agency will work in consultation with the entity responsible for teacher, principal, or other school leader professional standards, certification, and licensing for the State, and encourage collaboration between educator preparation programs, the State, and local educational agencies to promote the readiness of new educators entering the profession.

“(I) An assurance that the State educational agency will comply with section 8501 (regarding participation by private school children and teachers).

“(J) A description of how the State educational agency will improve the skills of teachers, principals, or other school leaders in order to enable them to identify students with specific learning needs, particularly children with disabilities, English learners, students who are gifted and talented, and students with low literacy levels, and provide instruction based on the needs of such students.

“(K) A description of how the State will use data and ongoing consultation as described in paragraph (3) to continually update and improve the activities supported under this part.

“(L) A description of how the State educational agency will encourage opportunities for increased autonomy and flexibility for teachers, principals, or other school leaders, such as by establishing innovation schools that have a high degree of autonomy over budget and operations, are transparent and accountable to the public, and lead to improved academic outcomes for students.

“(M) A description of actions the State may take to improve preparation programs and strengthen support for teachers, principals, or other school leaders based on the needs of the State, as identified by the State educational agency.

“(3) CONSULTATION.—In developing the State application under this subsection, a State shall—

“(A) meaningfully consult with teachers, principals, other school leaders, paraprofessionals (including organizations representing such individuals), specialized instructional support personnel, charter school leaders (in a State that has charter schools), parents, community partners, and other organizations or partners with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this title;

“(B) seek advice from the individuals, organizations, or partners described in subparagraph (A) regarding how best to improve the State’s activities to meet the purpose of this title; and

“(C) coordinate the State’s activities under this part with other related strategies, programs, and activities being conducted in the State.

“(4) LIMITATION.—Consultation required under paragraph (3) shall not interfere with the timely submission of the application required under this section.

“(e) PROHIBITION.—Nothing in this section shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control any of the following:

“(1) The development, improvement, or implementation of elements of any teacher, principal, or other school leader evaluation system.

“(2) Any State or local educational agency’s definition of teacher, principal, or other school leader effectiveness.

“(3) Any teacher, principal, or other school leader professional standards, certification, or licensing.

“SEC. 2102. SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.

“(a) ALLOCATION OF FUNDS TO LOCAL EDUCATIONAL AGENCIES.—

“(1) IN GENERAL.—From funds reserved by a State under section 2101(c)(1) for a fiscal year, the State, acting through the State educational agency, shall award subgrants to eligible local educational agencies from allocations described in paragraph (2).

“(2) ALLOCATION FORMULA.—From the funds described in paragraph (1), the State educational agency shall allocate to each of the eligible local educational agencies in the State for a fiscal year the sum of—

“(A) an amount that bears the same relationship to 20 percent of such funds for such fiscal year as the number of individuals aged 5 through 17 in the geographic area served by the agency, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in the geographic areas served by all eligible local educational agencies in the State, as so determined; and

“(B) an amount that bears the same relationship to 80 percent of the funds for such fiscal year as the number of individuals aged 5 through 17 from families with incomes below the poverty line in the geographic area served by the agency, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in the geographic areas served by all the eligible local educational agencies in the State, as so determined.

“(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a consortium of local educational agencies that are designated with a locale code of 41, 42, or 43, or such local educational agencies designated with a locale code of 41, 42, or 43 that work in cooperation with an educational service agency, from voluntarily combining allocations received under this part for the collective use of funding by the consortium for activities under this section.

“(b) LOCAL APPLICATIONS.—

“(1) IN GENERAL.—To be eligible to receive a subgrant under this section, a local educational

agency shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require.

“(2) CONTENTS OF APPLICATION.—Each application submitted under paragraph (1) shall include the following:

“(A) A description of the activities to be carried out by the local educational agency under this section and how these activities will be aligned with challenging State academic standards.

“(B) A description of the local educational agency’s systems of professional growth and improvement, such as induction for teachers, principals, or other school leaders and opportunities for building the capacity of teachers and opportunities to develop meaningful teacher leadership.

“(C) A description of how the local educational agency will prioritize funds to schools served by the agency that are implementing comprehensive support and improvement activities and targeted support and improvement activities under section 1111(d) and have the highest percentage of children counted under section 1124(c).

“(D) A description of how the local educational agency will use data and ongoing consultation described in paragraph (3) to continually update and improve activities supported under this part.

“(E) An assurance that the local educational agency will comply with section 8501 (regarding participation by private school children and teachers).

“(F) An assurance that the local educational agency will coordinate professional development activities authorized under this part with professional development activities provided through other Federal, State, and local programs.

“(3) CONSULTATION.—In developing the application described in paragraph (2), a local educational agency shall—

“(A) meaningfully consult with teachers, principals, other school leaders, paraprofessionals (including organizations representing such individuals), specialized instructional support personnel, charter school leaders (in a local educational agency that has charter schools), parents, community partners, and other organizations or partners with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this title;

“(B) seek advice from the individuals and organizations described in subparagraph (A) regarding how best to improve the local educational agency’s activities to meet the purpose of this title; and

“(C) coordinate the local educational agency’s activities under this part with other related strategies, programs, and activities being conducted in the community.

“(4) LIMITATION.—Consultation required under paragraph (3) shall not interfere with the timely submission of the application required under this section.

“SEC. 2103. LOCAL USES OF FUNDS.

“(a) IN GENERAL.—A local educational agency that receives a subgrant under section 2102 shall use the funds made available through the subgrant to develop, implement, and evaluate comprehensive programs and activities described in subsection (b), which may be carried out—

“(1) through a grant or contract with a for-profit or nonprofit entity; or

“(2) in partnership with an institution of higher education or an Indian tribe or tribal organization (as such terms are defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

“(b) TYPES OF ACTIVITIES.—The programs and activities described in this subsection—

“(1) shall be in accordance with the purpose of this title;

“(2) shall address the learning needs of all students, including children with disabilities, English learners, and gifted and talented students; and

“(3) may include, among other programs and activities—

“(A) developing or improving a rigorous, transparent, and fair evaluation and support system for teachers, principals, or other school leaders that—

“(i) is based in part on evidence of student achievement, which may include student growth; and

“(ii) shall include multiple measures of educator performance and provide clear, timely, and useful feedback to teachers, principals, or other school leaders;

“(B) developing and implementing initiatives to assist in recruiting, hiring, and retaining effective teachers, particularly in low-income schools with high percentages of ineffective teachers and high percentages of students who do not meet the challenging State academic standards, to improve within-district equity in the distribution of teachers, consistent with section 1111(g)(1)(B), such as initiatives that provide—

“(i) expert help in screening candidates and enabling early hiring;

“(ii) differential and incentive pay for teachers, principals, or other school leaders in high-need academic subject areas and specialty areas, which may include performance-based pay systems;

“(iii) teacher, paraprofessional, principal, or other school leader advancement and professional growth, and an emphasis on leadership opportunities, multiple career paths, and pay differentiation;

“(iv) new teacher, principal, or other school leader induction and mentoring programs that are designed to—

“(I) improve classroom instruction and student learning and achievement; and

“(II) increase the retention of effective teachers, principals, or other school leaders;

“(v) the development and provision of training for school leaders, coaches, mentors, and evaluators on how accurately to differentiate performance, provide useful feedback, and use evaluation results to inform decisionmaking about professional development, improvement strategies, and personnel decisions; and

“(vi) a system for auditing the quality of evaluation and support systems;

“(C) recruiting qualified individuals from other fields to become teachers, principals, or other school leaders, including mid-career professionals from other occupations, former military personnel, and recent graduates of institutions of higher education with records of academic distinction who demonstrate potential to become effective teachers, principals, or other school leaders;

“(D) reducing class size to a level that is evidence-based, to the extent the State (in consultation with local educational agencies in the State) determines that such evidence is reasonably available, to improve student achievement through the recruiting and hiring of additional effective teachers;

“(E) providing high-quality, personalized professional development that is evidence-based, to the extent the State (in consultation with local educational agencies in the State) determines that such evidence is reasonably available, for teachers, instructional leadership teams, principals, or other school leaders, that is focused on improving teaching and student learning and achievement, including supporting efforts to train teachers, principals, or other school leaders to—

“(i) effectively integrate technology into curricula and instruction (including education about the harms of copyright piracy);

“(ii) use data to improve student achievement and understand how to ensure individual student privacy is protected, as required under section 444 of the General Education Provisions Act (commonly known as the ‘Family Educational Rights and Privacy Act of 1974’) (20 U.S.C. 1232g) and State and local policies and laws in the use of such data;

“(iii) effectively engage parents, families, and community partners, and coordinate services between school and community;

“(iv) help all students develop the skills essential for learning readiness and academic success;

“(v) develop policy with school, local educational agency, community, or State leaders; and

“(vi) participate in opportunities for experiential learning through observation;

“(F) developing programs and activities that increase the ability of teachers to effectively teach children with disabilities, including children with significant cognitive disabilities, and English learners, which may include the use of multi-tier systems of support and positive behavioral intervention and supports, so that such children with disabilities and English learners can meet the challenging State academic standards;

“(G) providing programs and activities to increase—

“(i) the knowledge base of teachers, principals, or other school leaders on instruction in the early grades and on strategies to measure whether young children are progressing; and

“(ii) the ability of principals or other school leaders to support teachers, teacher leaders, early childhood educators, and other professionals to meet the needs of students through age 8, which may include providing joint professional learning and planning activities for school staff and educators in preschool programs that address the transition to elementary school;

“(H) providing training, technical assistance, and capacity-building in local educational agencies to assist teachers, principals, or other school leaders with selecting and implementing formative assessments, designing classroom-based assessments, and using data from such assessments to improve instruction and student academic achievement, which may include providing additional time for teachers to review student data and respond, as appropriate;

“(I) carrying out in-service training for school personnel in—

“(i) the techniques and supports needed to help educators understand when and how to refer students affected by trauma, and children with, or at risk of, mental illness;

“(ii) the use of referral mechanisms that effectively link such children to appropriate treatment and intervention services in the school and in the community, where appropriate;

“(iii) forming partnerships between school-based mental health programs and public or private mental health organizations; and

“(iv) addressing issues related to school conditions for student learning, such as safety, peer interaction, drug and alcohol abuse, and chronic absenteeism;

“(J) providing training to support the identification of students who are gifted and talented, including high-ability students who have not been formally identified for gifted education services, and implementing instructional practices that support the education of such students, such as—

“(i) early entrance to kindergarten;

“(ii) enrichment, acceleration, and curriculum compacting activities; and

“(iii) dual or concurrent enrollment programs in secondary school and postsecondary education;

“(K) supporting the instructional services provided by effective school library programs;

“(L) providing training for all school personnel, including teachers, principals, other school leaders, specialized instructional support personnel, and paraprofessionals, regarding how to prevent and recognize child sexual abuse;

“(M) developing and providing professional development and other comprehensive systems of support for teachers, principals, or other school leaders to promote high-quality instruction and instructional leadership in science, technology, engineering, and mathematics subjects, including computer science;

“(N) developing feedback mechanisms to improve school working conditions, including through periodically and publicly reporting results of educator support and working conditions feedback;

“(O) providing high-quality professional development for teachers, principals, or other school leaders on effective strategies to integrate rigorous academic content, career and technical education, and work-based learning (if appropriate), which may include providing common planning time, to help prepare students for postsecondary education and the workforce; and

“(P) carrying out other activities that are evidence-based, to the extent the State (in consultation with local educational agencies in the State) determines that such evidence is reasonably available, and identified by the local educational agency that meet the purpose of this title.

“SEC. 2104. REPORTING.

“(a) STATE REPORT.—Each State educational agency receiving funds under this part shall annually submit to the Secretary a report that provides—

“(1) a description of how the State is using grant funds received under this part to meet the purpose of this title, and how such chosen activities improved teacher, principal, or other school leader effectiveness, as determined by the State or local educational agency;

“(2) if funds are used under this part to improve equitable access to teachers for low-income and minority students, consistent with section 1111(g)(1)(B), a description of how funds have been used to improve such access;

“(3) for a State that implements a teacher, principal, or other school leader evaluation and support system, consistent with section 2101(c)(4)(B)(ii), using funds under this part, the evaluation results of teachers, principals, or other school leaders, except that such information shall not provide personally identifiable information on individual teachers, principals, or other school leaders; and

“(4) where available, the annual retention rates of effective and ineffective teachers, principals, or other school leaders, using any methods or criteria the State has or develops under section 1111(g)(2)(A), except that nothing in this paragraph shall be construed to require any State educational agency or local educational agency to collect and report any data the State educational agency or local educational agency is not collecting or reporting as of the day before the date of enactment of the Every Student Succeeds Act.

“(b) LOCAL EDUCATIONAL AGENCY REPORT.—Each local educational agency receiving funds under this part shall submit to the State educational agency such information as the State requires, which shall include the information described in subsection (a) for the local educational agency.

“(c) AVAILABILITY.—The reports and information provided under subsections (a) and (b) shall be made readily available to the public.

“(d) LIMITATION.—The reports and information provided under subsections (a) and (b) shall

not reveal personally identifiable information about any individual.

“PART B—NATIONAL ACTIVITIES

“SEC. 2201. RESERVATIONS.

“From the amounts appropriated under section 2003(b) for a fiscal year, the Secretary shall reserve—

“(1) to carry out activities authorized under subpart 1—

“(A) 49.1 percent for each of fiscal years 2017 through 2019; and

“(B) 47 percent for fiscal year 2020;

“(2) to carry out activities authorized under subpart 2—

“(A) 34.1 percent for each of fiscal years 2017 through 2019; and

“(B) 36.8 percent for fiscal year 2020;

“(3) to carry out activities authorized under subpart 3, 1.4 percent for each of fiscal years 2017 through 2020; and

“(4) to carry out activities authorized under subpart 4—

“(A) 15.4 percent for each of fiscal years 2017 through 2019; and

“(B) 14.8 percent for fiscal year 2020.

“Subpart 1—Teacher and School Leader Incentive Program

“SEC. 2211. PURPOSES; DEFINITIONS.

“(a) PURPOSES.—The purposes of this subpart are—

“(1) to assist States, local educational agencies, and nonprofit organizations to develop, implement, improve, or expand comprehensive performance-based compensation systems or human capital management systems for teachers, principals, or other school leaders (especially for teachers, principals, or other school leaders in high-need schools) who raise student academic achievement and close the achievement gap between high- and low-performing students; and

“(2) to study and review performance-based compensation systems or human capital management systems for teachers, principals, or other school leaders to evaluate the effectiveness, fairness, quality, consistency, and reliability of the systems.

“(b) DEFINITIONS.—In this subpart:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a local educational agency, including a charter school that is a local educational agency, or a consortium of local educational agencies;

“(B) a State educational agency or other State agency designated by the chief executive of a State to participate under this subpart;

“(C) the Bureau of Indian Education; or

“(D) a partnership consisting of—

“(i) 1 or more agencies described in subparagraph (A), (B), or (C); and

“(ii) at least 1 nonprofit or for-profit entity.

“(2) HIGH-NEED SCHOOL.—The term ‘high-need school’ means a public elementary school or secondary school that is located in an area in which the percentage of students from families with incomes below the poverty line is 30 percent or more.

“(3) HUMAN CAPITAL MANAGEMENT SYSTEM.—The term ‘human capital management system’ means a system—

“(A) by which a local educational agency makes and implements human capital decisions, such as decisions on preparation, recruitment, hiring, placement, retention, dismissal, compensation, professional development, tenure, and promotion; and

“(B) that includes a performance-based compensation system.

“(4) PERFORMANCE-BASED COMPENSATION SYSTEM.—The term ‘performance-based compensation system’ means a system of compensation for teachers, principals, or other school leaders—

“(A) that differentiates levels of compensation based in part on measurable increases in student academic achievement; and

“(B) which may include—

“(i) differentiated levels of compensation, which may include bonus pay, on the basis of the employment responsibilities and success of effective teachers, principals, or other school leaders in hard-to-staff schools or high-need subject areas; and

“(ii) recognition of the skills and knowledge of teachers, principals, or other school leaders as demonstrated through—

“(I) successful fulfillment of additional responsibilities or job functions, such as teacher leadership roles; and

“(II) evidence of professional achievement and mastery of content knowledge and superior teaching and leadership skills.

“SEC. 2212. TEACHER AND SCHOOL LEADER INCENTIVE FUND GRANTS.

“(a) GRANTS AUTHORIZED.—From the amounts reserved by the Secretary under section 2201(1), the Secretary shall award grants, on a competitive basis, to eligible entities to enable the eligible entities to develop, implement, improve, or expand performance-based compensation systems or human capital management systems, in schools served by the eligible entity.

“(b) DURATION OF GRANTS.—

“(1) IN GENERAL.—A grant awarded under this subpart shall be for a period of not more than 3 years.

“(2) RENEWAL.—The Secretary may renew a grant awarded under this subpart for a period of not more than 2 years if the grantee demonstrates to the Secretary that the grantee is effectively using funds. Such renewal may include allowing the grantee to scale up or replicate the successful program.

“(3) LIMITATION.—A local educational agency may receive (whether individually or as part of a consortium or partnership) a grant under this subpart, as amended by the Every Student Succeeds Act, only twice.

“(c) APPLICATIONS.—An eligible entity desiring a grant under this subpart shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require. The application shall include—

“(1) a description of the performance-based compensation system or human capital management system that the eligible entity proposes to develop, implement, improve, or expand through the grant;

“(2) a description of the most significant gaps or insufficiencies in student access to effective teachers, principals, or other school leaders in high-need schools, including gaps or inequities in how effective teachers, principals, or other school leaders are distributed across the local educational agency, as identified using factors such as data on school resources, staffing patterns, school environment, educator support systems, and other school-level factors;

“(3) a description and evidence of the support and commitment from teachers, principals, or other school leaders, which may include charter school leaders, in the school (including organizations representing teachers, principals, or other school leaders), the community, and the local educational agency to the activities proposed under the grant;

“(4) a description of how the eligible entity will develop and implement a fair, rigorous, valid, reliable, and objective process to evaluate teacher, principal, or other school leader performance under the system that is based in part on measures of student academic achievement, including the baseline performance against which evaluations of improved performance will be made;

“(5) a description of the local educational agencies or schools to be served under the grant, including such student academic achievement, demographic, and socioeconomic information as the Secretary may request;

“(6) a description of the effectiveness of teachers, principals, or other school leaders in the local educational agency and the schools to be served under the grant and the extent to which the system will increase the effectiveness of teachers, principals, or other school leaders in such schools;

“(7) a description of how the eligible entity will use grant funds under this subpart in each year of the grant, including a timeline for implementation of such activities;

“(8) a description of how the eligible entity will continue the activities assisted under the grant after the grant period ends;

“(9) a description of the State, local, or other public or private funds that will be used to supplement the grant, including funds under part A, and sustain the activities assisted under the grant after the end of the grant period;

“(10) a description of—

“(A) the rationale for the project;

“(B) how the proposed activities are evidence-based; and

“(C) if applicable, the prior experience of the eligible entity in developing and implementing such activities; and

“(11) a description of how activities funded under this subpart will be evaluated, monitored, and publically reported.

“(d) AWARD BASIS.—

“(1) PRIORITY.—In awarding a grant under this subpart, the Secretary shall give priority to an eligible entity that concentrates the activities proposed to be assisted under the grant on teachers, principals, or other school leaders serving in high-need schools.

“(2) EQUITABLE DISTRIBUTION.—To the extent practicable, the Secretary shall ensure an equitable geographic distribution of grants under this subpart, including the distribution of such grants between rural and urban areas.

“(e) USE OF FUNDS.—

“(1) IN GENERAL.—An eligible entity that receives a grant under this subpart shall use the grant funds to develop, implement, improve, or expand, in collaboration with teachers, principals, other school leaders, and members of the public, a performance-based compensation system or human capital management system consistent with this subpart.

“(2) AUTHORIZED ACTIVITIES.—Grant funds under this subpart may be used for one or more of the following:

“(A) Developing or improving an evaluation and support system, including as part of a human capital management system as applicable, that—

“(i) reflects clear and fair measures of teacher, principal, or other school leader performance, based in part on demonstrated improvement in student academic achievement; and

“(ii) provides teachers, principals, or other school leaders with ongoing, differentiated, targeted, and personalized support and feedback for improvement, including professional development opportunities designed to increase effectiveness.

“(B) Conducting outreach within a local educational agency or a State to gain input on how to construct an evaluation and support system described in subparagraph (A) and to develop support for the evaluation and support system, including by training appropriate personnel in how to observe and evaluate teachers, principals, or other school leaders.

“(C) Providing principals or other school leaders with—

“(i) balanced autonomy to make budgeting, scheduling, and other school-level decisions in a manner that meets the needs of the school without compromising the intent or essential components of the policies of the local educational agency or State; and

“(ii) authority to make staffing decisions that meet the needs of the school, such as building

an instructional leadership team that includes teacher leaders or offering opportunities for teams or pairs of effective teachers or candidates to teach or start teaching in high-need schools together.

“(D) Implementing, as part of a comprehensive performance-based compensation system, a differentiated salary structure, which may include bonuses and stipends, to—

“(i) teachers who—

“(I) teach in—

“(aa) high-need schools; or

“(bb) high-need subjects;

“(II) raise student academic achievement; or

“(III) take on additional leadership responsibilities; or

“(ii) principals or other school leaders who serve in high-need schools and raise student academic achievement in the schools.

“(E) Improving the local educational agency's system and process for the recruitment, selection, placement, and retention of effective teachers, principals, or other school leaders in high-need schools, such as by improving local educational agency policies and procedures to ensure that high-need schools are competitive and timely in—

“(i) attracting, hiring, and retaining effective educators;

“(ii) offering bonuses or higher salaries to effective educators; or

“(iii) establishing or strengthening school leader residency programs and teacher residency programs.

“(F) Instituting career advancement opportunities characterized by increased responsibility and pay that reward and recognize effective teachers, principals, or other school leaders in high-need schools and enable them to expand their leadership and results, such as through teacher-led professional development, mentoring, coaching, hybrid roles, administrative duties, and career ladders.

“(f) MATCHING REQUIREMENT.—Each eligible entity that receives a grant under this subpart shall provide, from non-Federal sources, an amount equal to 50 percent of the amount of the grant (which may be provided in cash or in kind) to carry out the activities supported by the grant.

“(g) SUPPLEMENT, NOT SUPPLANT.—Grant funds provided under this subpart shall be used to supplement, not supplant, other Federal or State funds available to carry out activities described in this subpart.

“SEC. 2213. REPORTS.

“(a) ACTIVITIES SUMMARY.—Each eligible entity receiving a grant under this subpart shall provide to the Secretary a summary of the activities assisted under the grant.

“(b) REPORT.—The Secretary shall provide to Congress an annual report on the implementation of the program carried out under this subpart, including—

“(1) information on eligible entities that received grant funds under this subpart, including—

“(A) information provided by eligible entities to the Secretary in the applications submitted under section 2212(c);

“(B) the summaries received under subsection (a); and

“(C) grant award amounts; and

“(2) student academic achievement and, as applicable, growth data from the schools participating in the programs supported under the grant.

“(c) EVALUATION AND TECHNICAL ASSISTANCE.—

“(1) RESERVATION OF FUNDS.—Of the total amount reserved for this subpart for a fiscal year, the Secretary may reserve for such fiscal year not more than 1 percent for the cost of the evaluation under paragraph (2) and for technical assistance in carrying out this subpart.

“(2) **EVALUATION.**—From amounts reserved under paragraph (1), the Secretary, acting through the Director of the Institute of Education Sciences, shall carry out an independent evaluation to measure the effectiveness of the program assisted under this subpart.

“(3) **CONTENTS.**—The evaluation under paragraph (2) shall measure—

“(A) the effectiveness of the program in improving student academic achievement;

“(B) the satisfaction of the participating teachers, principals, or other school leaders; and

“(C) the extent to which the program assisted the eligible entities in recruiting and retaining high-quality teachers, principals, or other school leaders, especially in high-need subject areas.

“Subpart 2—Literacy Education for All, Results for the Nation

“SEC. 2221. PURPOSES; DEFINITIONS.

“(a) **PURPOSES.**—The purposes of this subpart are—

“(1) to improve student academic achievement in reading and writing by providing Federal support to States to develop, revise, or update comprehensive literacy instruction plans that, when implemented, ensure high-quality instruction and effective strategies in reading and writing from early education through grade 12; and

“(2) for States to provide targeted subgrants to early childhood education programs and local educational agencies and their public or private partners to implement evidence-based programs that ensure high-quality comprehensive literacy instruction for students most in need.

“(b) **DEFINITIONS.**—In this subpart:

“(1) **COMPREHENSIVE LITERACY INSTRUCTION.**—The term ‘comprehensive literacy instruction’ means instruction that—

“(A) includes developmentally appropriate, contextually explicit, and systematic instruction, and frequent practice, in reading and writing across content areas;

“(B) includes age-appropriate, explicit, systematic, and intentional instruction in phonological awareness, phonic decoding, vocabulary, language structure, reading fluency, and reading comprehension;

“(C) includes age-appropriate, explicit instruction in writing, including opportunities for children to write with clear purposes, with critical reasoning appropriate to the topic and purpose, and with specific instruction and feedback from instructional staff;

“(D) makes available and uses diverse, high-quality print materials that reflect the reading and development levels, and interests, of children;

“(E) uses differentiated instructional approaches, including individual and small group instruction and discussion;

“(F) provides opportunities for children to use language with peers and adults in order to develop language skills, including developing vocabulary;

“(G) includes frequent practice of reading and writing strategies;

“(H) uses age-appropriate, valid, and reliable screening assessments, diagnostic assessments, formative assessment processes, and summative assessments to identify a child’s learning needs, to inform instruction, and to monitor the child’s progress and the effects of instruction;

“(I) uses strategies to enhance children’s motivation to read and write and children’s engagement in self-directed learning;

“(J) incorporates the principles of universal design for learning;

“(K) depends on teachers’ collaboration in planning, instruction, and assessing a child’s progress and on continuous professional learning; and

“(L) links literacy instruction to the challenging State academic standards, including the

ability to navigate, understand, and write about, complex print and digital subject matter.

“(2) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means an entity that consists of—

“(A) one or more local educational agencies that serve a high percentage of high-need schools and—

“(i) have the highest number or proportion of children who are counted under section 1124(c), in comparison to other local educational agencies in the State;

“(ii) are among the local educational agencies in the State with the highest number or percentages of children reading or writing below grade level, based on the most currently available State academic assessment data under section 1111(b)(2); or

“(iii) serve a significant number or percentage of schools that are implementing comprehensive support and improvement activities and targeted support and improvement activities under section 1111(d);

“(B) one or more early childhood education programs serving low-income or otherwise disadvantaged children, which may include home-based literacy programs for preschool-aged children, that have a demonstrated record of providing comprehensive literacy instruction for the age group such program proposes to serve; or

“(C) a local educational agency, described in subparagraph (A), or consortium of such local educational agencies, or an early childhood education program, which may include home-based literacy programs for preschool-aged children, acting in partnership with 1 or more public or private nonprofit organizations or agencies (which may include early childhood education programs) that have a demonstrated record of effectiveness in—

“(i) improving literacy achievement of children, consistent with the purposes of participation under this subpart, from birth through grade 12; and

“(ii) providing professional development in comprehensive literacy instruction.

“(3) **HIGH-NEED SCHOOL.**—

“(A) **IN GENERAL.**—The term ‘high-need school’ means—

“(i) an elementary school or middle school in which not less than 50 percent of the enrolled students are children from low-income families; or

“(ii) a high school in which not less than 40 percent of the enrolled students are children from low-income families, which may be calculated using comparable data from the schools that feed into the high school.

“(B) **LOW-INCOME FAMILY.**—For purposes of subparagraph (A), the term ‘low-income family’ means a family—

“(i) in which the children are eligible for a free or reduced-price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

“(ii) receiving assistance under the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or

“(iii) in which the children are eligible to receive medical assistance under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

“SEC. 2222. COMPREHENSIVE LITERACY STATE DEVELOPMENT GRANTS.

“(a) **GRANTS AUTHORIZED.**—From the amounts reserved by the Secretary under section 2201(2) and not reserved under subsection (b), the Secretary shall award grants, on a competitive basis, to State educational agencies to enable the State educational agencies to—

“(1) provide subgrants to eligible entities serving a diversity of geographic areas, giving priority to entities serving greater numbers or per-

centages of children from low-income families; and

“(2) develop or enhance comprehensive literacy instruction plans that ensure high-quality instruction and effective strategies in reading and writing for children from early childhood education through grade 12, including English learners and children with disabilities.

“(b) **RESERVATION.**—From the amounts reserved to carry out this subpart for a fiscal year, the Secretary shall reserve—

“(1) not more than a total of 5 percent for national activities, including a national evaluation, technical assistance and training, data collection, and reporting;

“(2) one half of 1 percent for the Secretary of the Interior to carry out a program described in this subpart at schools operated or funded by the Bureau of Indian Education; and

“(3) one half of 1 percent for the outlying areas to carry out a program under this subpart.

“(c) **DURATION OF GRANTS.**—A grant awarded under this subpart shall be for a period of not more than 5 years total. Such grant may be renewed for an additional 2-year period upon the termination of the initial period of the grant if the grant recipient demonstrates to the satisfaction of the Secretary that—

“(1) the State has made adequate progress; and

“(2) renewing the grant for an additional 2-year period is necessary to carry out the objectives of the grant described in subsection (d).

“(d) **STATE APPLICATIONS.**—

“(1) **IN GENERAL.**—A State educational agency desiring a grant under this subpart shall submit an application to the Secretary, at such time and in such manner as the Secretary may require. The State educational agency shall collaborate with the State agency responsible for administering early childhood education programs and the State agency responsible for administering child care programs in the State in writing and implementing the early childhood education portion of the grant application under this subsection.

“(2) **CONTENTS.**—An application described in paragraph (1) shall include, at a minimum, the following:

“(A) A needs assessment that analyzes literacy needs across the State and in high-need schools and local educational agencies that serve high-need schools, including identifying the most significant gaps in literacy proficiency and inequities in student access to effective teachers of literacy, considering each of the subgroups of students, as defined in section 1111(c)(2).

“(B) A description of how the State educational agency, in collaboration with the State literacy team, if applicable, will develop a State comprehensive literacy instruction plan or will revise and update an already existing State comprehensive literacy instruction plan.

“(C) An implementation plan that includes a description of how the State educational agency will carry out the State activities described in subsection (f).

“(D) An assurance that the State educational agency will use implementation grant funds described in subsection (f)(1) for comprehensive literacy instruction programs as follows:

“(i) Not less than 15 percent of such grant funds shall be used for State and local programs and activities pertaining to children from birth through kindergarten entry.

“(ii) Not less than 40 percent of such grant funds shall be used for State and local programs and activities, allocated equitably among the grades of kindergarten through grade 5.

“(iii) Not less than 40 percent of such grant funds shall be used for State and local programs and activities, allocated equitably among grades 6 through 12.

“(E) An assurance that the State educational agency will give priority in awarding a subgrant under section 2223 to an eligible entity that—

“(i) serves children from birth through age 5 who are from families with income levels at or below 200 percent of the Federal poverty line; or

“(ii) is a local educational agency serving a high number or percentage of high-need schools.

“(e) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to State educational agencies that will use the grant funds for evidence-based activities, defined for the purpose of this subsection as activities meeting the requirements of section 8101(21)(A)(i).

“(f) STATE ACTIVITIES.—

“(1) IN GENERAL.—A State educational agency receiving a grant under this section shall use not less than 95 percent of such grant funds to award subgrants to eligible entities, based on their needs assessment and a competitive application process.

“(2) RESERVATION.—A State educational agency receiving a grant under this section may reserve not more than 5 percent for activities identified through the needs assessment and comprehensive literacy plan described in subparagraphs (A) and (B) of subsection (d)(2), including the following activities:

“(A) Providing technical assistance, or engaging qualified providers to provide technical assistance, to eligible entities to enable the eligible entities to design and implement literacy programs.

“(B) Coordinating with institutions of higher education in the State to provide recommendations to strengthen and enhance pre-service courses for students preparing to teach children from birth through grade 12 in explicit, systematic, and intensive instruction in evidence-based literacy methods.

“(C) Reviewing and updating, in collaboration with teachers and institutions of higher education, State licensure or certification standards in the area of literacy instruction in early education through grade 12.

“(D) Making publicly available, including on the State educational agency's website, information on promising instructional practices to improve child literacy achievement.

“(E) Administering and monitoring the implementation of subgrants by eligible entities.

“(3) ADDITIONAL USES.—After carrying out the activities described in paragraphs (1) and (2), a State educational agency may use any remaining amount to carry out 1 or more of the following activities:

“(A) Developing literacy coach training programs and training literacy coaches.

“(B) Administration and evaluation of activities carried out under this subpart.

“SEC. 2223. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF BIRTH THROUGH KINDERGARTEN ENTRY LITERACY.

“(a) SUBGRANTS.—

“(1) IN GENERAL.—A State educational agency receiving a grant under this subpart shall, in consultation with the State agencies responsible for administering early childhood education programs and services, including the State agency responsible for administering child care programs, and, if applicable, the State Advisory Council on Early Childhood Education and Care designated or established pursuant to section 642B(b)(1)(A)(i) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)(i)), use a portion of the grant funds, in accordance with section 2222(d)(2)(D)(i), to award subgrants, on a competitive basis, to eligible entities to enable the eligible entities to support high-quality early literacy initiatives for children from birth through kindergarten entry.

“(2) DURATION.—The term of a subgrant under this section shall be determined by the

State educational agency awarding the subgrant and shall in no case exceed 5 years.

“(3) SUFFICIENT SIZE AND SCOPE.—Each subgrant awarded under this section shall be of sufficient size and scope to allow the eligible entity to carry out high-quality early literacy initiatives for children from birth through kindergarten entry.

“(b) LOCAL APPLICATIONS.—An eligible entity desiring to receive a subgrant under this section shall submit an application to the State educational agency, at such time, in such manner, and containing such information as the State educational agency may require. Such application shall include a description of—

“(1) how the subgrant funds will be used to enhance the language and literacy development and school readiness of children, from birth through kindergarten entry, in early childhood education programs, which shall include an analysis of data that support the proposed use of subgrant funds;

“(2) how the subgrant funds will be used to prepare and provide ongoing assistance to staff in the programs, including through high-quality professional development;

“(3) how the activities assisted under the subgrant will be coordinated with comprehensive literacy instruction at the kindergarten through grade 12 levels; and

“(4) how the subgrant funds will be used to evaluate the success of the activities assisted under the subgrant in enhancing the early language and literacy development of children from birth through kindergarten entry.

“(c) PRIORITY.—In awarding grants under this section, the State educational agency shall give priority to an eligible entity that will use the grant funds to implement evidence-based activities, defined for the purpose of this subsection as activities meeting the requirements of section 8101(21)(A)(i).

“(d) LOCAL USES OF FUNDS.—An eligible entity that receives a subgrant under this section shall use the subgrant funds, consistent with the entity's approved application under subsection (b), to—

“(1) carry out high-quality professional development opportunities for early childhood educators, teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, and instructional leaders;

“(2) train providers and personnel to develop and administer evidence-based early childhood education literacy initiatives; and

“(3) coordinate the involvement of families, early childhood education program staff, principals, other school leaders, specialized instructional support personnel (as appropriate), and teachers in literacy development of children served under the subgrant.

“SEC. 2224. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF KINDERGARTEN THROUGH GRADE 12 LITERACY.

“(a) SUBGRANTS TO ELIGIBLE ENTITIES.—

“(1) SUBGRANTS.—A State educational agency receiving a grant under this subpart shall use a portion of the grant funds, in accordance with clauses (ii) and (iii) of section 2222(d)(2)(D), to award subgrants, on a competitive basis, to eligible entities to enable the eligible entities to carry out the authorized activities described in subsections (c) and (d).

“(2) DURATION.—The term of a subgrant under this section shall be determined by the State educational agency awarding the subgrant and shall in no case exceed 5 years.

“(3) SUFFICIENT SIZE AND SCOPE.—A State educational agency shall award subgrants under this section of sufficient size and scope to allow the eligible entities to carry out high-quality comprehensive literacy instruction in each grade level for which the subgrant funds are provided.

“(4) LOCAL APPLICATIONS.—An eligible entity desiring to receive a subgrant under this section shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may require. Such application shall include, for each school that the eligible entity identifies as participating in a subgrant program under this section, the following information:

“(A) A description of the eligible entity's needs assessment conducted to identify how subgrant funds will be used to inform and improve comprehensive literacy instruction at the school.

“(B) How the school, the local educational agency, or a provider of high-quality professional development will provide ongoing high-quality professional development to all teachers, principals, other school leaders, specialized instructional support personnel (as appropriate), and other instructional leaders served by the school.

“(C) How the school will identify children in need of literacy interventions or other support services.

“(D) An explanation of how the school will integrate comprehensive literacy instruction into a well-rounded education.

“(E) A description of how the school will coordinate comprehensive literacy instruction with early childhood education programs and activities and after-school programs and activities in the area served by the local educational agency.

“(b) PRIORITY.—In awarding grants under this section, the State educational agency shall give priority to an eligible entity that will use funds under subsection (c) or (d) to implement evidence-based activities, defined for the purpose of this subsection as activities meeting the requirements of section 8101(21)(A)(i).

“(c) LOCAL USES OF FUNDS FOR KINDERGARTEN THROUGH GRADE 5.—An eligible entity that receives a subgrant under this section shall use the subgrant funds to carry out the following activities pertaining to children in kindergarten through grade 5:

“(1) Developing and implementing a comprehensive literacy instruction plan across content areas for such children that—

“(A) serves the needs of all children, including children with disabilities and English learners, especially children who are reading or writing below grade level;

“(B) provides intensive, supplemental, accelerated, and explicit intervention and support in reading and writing for children whose literacy skills are below grade level; and

“(C) supports activities that are provided primarily during the regular school day but that may be augmented by after-school and out-of-school time instruction.

“(2) Providing high-quality professional development opportunities for teachers, literacy coaches, literacy specialists, English as a second language specialists (as appropriate), principals, other school leaders, specialized instructional support personnel, school librarians, paraprofessionals, and other program staff.

“(3) Training principals, specialized instructional support personnel, and other local educational agency personnel to support, develop, administer, and evaluate high-quality kindergarten through grade 5 literacy initiatives.

“(4) Coordinating the involvement of early childhood education program staff, principals, other instructional leaders, teachers, teacher literacy teams, English as a second language specialists (as appropriate), special educators, school personnel, and specialized instructional support personnel (as appropriate) in the literacy development of children served under this subsection.

“(5) Engaging families and encouraging family literacy experiences and practices to support literacy development.

“(d) **LOCAL USES OF FUNDS FOR GRADES 6 THROUGH 12.**—An eligible entity that receives a subgrant under this section shall use subgrant funds to carry out the following activities pertaining to children in grades 6 through 12:

“(1) Developing and implementing a comprehensive literacy instruction plan described in subsection (c)(1) for children in grades 6 through 12.

“(2) Training principals, specialized instructional support personnel, school librarians, and other local educational agency personnel to support, develop, administer, and evaluate high-quality comprehensive literacy instruction initiatives for grades 6 through 12.

“(3) Assessing the quality of adolescent comprehensive literacy instruction as part of a well-rounded education.

“(4) Providing time for teachers to meet to plan evidence-based adolescent comprehensive literacy instruction to be delivered as part of a well-rounded education.

“(5) Coordinating the involvement of principals, other instructional leaders, teachers, teacher literacy teams, English as a second language specialists (as appropriate), paraprofessionals, special educators, specialized instructional support personnel (as appropriate), and school personnel in the literacy development of children served under this subsection.

“(e) **ALLOWABLE USES.**—An eligible entity that receives a subgrant under this section may, in addition to carrying out the activities described in subsections (c) and (d), use subgrant funds to carry out the following activities pertaining to children in kindergarten through grade 12:

“(1) Recruiting, placing, training, and compensating literacy coaches.

“(2) Connecting out-of-school learning opportunities to in-school learning in order to improve children's literacy achievement.

“(3) Training families and caregivers to support the improvement of adolescent literacy.

“(4) Providing for a multi-tier system of supports for literacy services.

“(5) Forming a school literacy leadership team to help implement, assess, and identify necessary changes to the literacy initiatives in 1 or more schools to ensure success.

“(6) Providing time for teachers (and other literacy staff, as appropriate, such as school librarians or specialized instructional support personnel) to meet to plan comprehensive literacy instruction.

“SEC. 2225. NATIONAL EVALUATION AND INFORMATION DISSEMINATION.

“(a) **NATIONAL EVALUATION.**—From funds reserved under section 2222(b)(1), the Director of the Institute of Education Sciences shall conduct a national evaluation of the grant and subgrant programs assisted under this subpart. Such evaluation shall include high-quality research that applies rigorous and systematic procedures to obtain valid knowledge relevant to the implementation and effect of the programs and shall directly coordinate with individual State evaluations of the programs' implementation and impact.

“(b) **PROGRAM IMPROVEMENT.**—The Secretary shall—

“(1) provide the findings of the evaluation conducted under this section to State educational agencies and subgrant recipients for use in program improvement;

“(2) make such findings publicly available, including on the websites of the Department and the Institute of Education Sciences;

“(3) submit such findings to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives; and

“(4) make publicly available, in a manner consistent with paragraph (2), best practices for

implementing evidence-based activities under this subpart, including evidence-based activities, defined for the purpose of this paragraph as activities meeting the requirements of section 8101(21)(A)(i).

“SEC. 2226. INNOVATIVE APPROACHES TO LITERACY.

“(a) **IN GENERAL.**—From amounts reserved under section 2201(2), the Secretary may award grants, contracts, or cooperative agreements, on a competitive basis, to eligible entities for the purposes of promoting literacy programs that support the development of literacy skills in low-income communities, including—

“(1) developing and enhancing effective school library programs, which may include providing professional development for school librarians, books, and up-to-date materials to high-need schools;

“(2) early literacy services, including pediatric literacy programs through which, during well-child visits, medical providers trained in research-based methods of early language and literacy promotion provide developmentally appropriate books and recommendations to parents to encourage them to read aloud to their children starting in infancy; and

“(3) programs that provide high-quality books on a regular basis to children and adolescents from low-income communities to increase reading motivation, performance, and frequency.

“(b) **DEFINITIONS.**—In this section:

“(1) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means—

“(A) a local educational agency in which 20 percent or more of the students served by the local educational agency are from families with an income below the poverty line;

“(B) a consortium of such local educational agencies;

“(C) the Bureau of Indian Education; or

“(D) an eligible national nonprofit organization.

“(2) **ELIGIBLE NATIONAL NONPROFIT ORGANIZATION.**—The term ‘eligible national nonprofit organization’ means an organization of national scope that—

“(A) is supported by staff, which may include volunteers, or affiliates at the State and local levels; and

“(B) demonstrates effectiveness or high-quality plans for addressing childhood literacy activities for the population targeted by the grant.

“Subpart 3—American History and Civics Education

“SEC. 2231. PROGRAM AUTHORIZED.

“(a) **IN GENERAL.**—From the amount reserved by the Secretary under section 2201(3), the Secretary is authorized to carry out an American history and civics education program to improve—

“(1) the quality of American history, civics, and government education by educating students about the history and principles of the Constitution of the United States, including the Bill of Rights; and

“(2) the quality of the teaching of American history, civics, and government in elementary schools and secondary schools, including the teaching of traditional American history.

“(b) **FUNDING ALLOTMENT.**—Of the amount available under subsection (a) for a fiscal year, the Secretary—

“(1) shall reserve not less than 26 percent for activities under section 2232; and

“(2) may reserve not more than 74 percent for activities under section 2233.

“SEC. 2232. PRESIDENTIAL AND CONGRESSIONAL ACADEMIES FOR AMERICAN HISTORY AND CIVICS.

“(a) **IN GENERAL.**—From the amounts reserved under section 2231(b)(1) for a fiscal year, the Secretary shall award not more than 12 grants, on a competitive basis, to—

“(1) eligible entities to establish Presidential Academies for the Teaching of American History and Civics (in this section referred to as the ‘Presidential Academies’) in accordance with subsection (e); and

“(2) eligible entities to establish Congressional Academies for Students of American History and Civics (in this section referred to as the ‘Congressional Academies’) in accordance with subsection (f).

“(b) **APPLICATION.**—An eligible entity that desires to receive a grant under subsection (a) shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require.

“(c) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ under this section means—

“(1) an institution of higher education or nonprofit educational organization, museum, library, or research center with demonstrated expertise in historical methodology or the teaching of American history and civics; or

“(2) a consortium of entities described in paragraph (1).

“(d) **GRANT TERMS.**—Grants awarded to eligible entities under subsection (a) shall be for a term of not more than 5 years.

“(e) **PRESIDENTIAL ACADEMIES.**—

“(1) **USE OF FUNDS.**—Each eligible entity that receives a grant under subsection (a)(1) shall use the grant funds to establish a Presidential Academy that offers a seminar or institute for teachers of American history and civics, which—

“(A) provides intensive professional development opportunities for teachers of American history and civics to strengthen such teachers' knowledge of the subjects of American history and civics;

“(B) is led by a team of primary scholars and core teachers who are accomplished in the field of American history and civics;

“(C) is conducted during the summer or other appropriate time; and

“(D) is of not less than 2 weeks and not more than 6 weeks in duration.

“(2) **SELECTION OF TEACHERS.**—Each year, each Presidential Academy shall select between 50 and 300 teachers of American history and civics from public or private elementary schools and secondary schools to attend the seminar or institute under paragraph (1).

“(3) **TEACHER STIPENDS.**—Each teacher selected to participate in a seminar or institute under this subsection shall be awarded a fixed stipend based on the length of the seminar or institute to ensure that such teacher does not incur personal costs associated with the teacher's participation in the seminar or institute.

“(4) **PRIORITY.**—In awarding grants under subsection (a)(1), the Secretary shall give priority to eligible entities that coordinate or align their activities with the National Park Service National Centennial Parks initiative to develop innovative and comprehensive programs using the resources of the National Parks.

“(f) **CONGRESSIONAL ACADEMIES.**—

“(1) **USE OF FUNDS.**—Each eligible entity that receives a grant under subsection (a)(2) shall use the grant funds to establish a Congressional Academy that offers a seminar or institute for outstanding students of American history and civics, which—

“(A) broadens and deepens such students' understanding of American history and civics;

“(B) is led by a team of primary scholars and core teachers who are accomplished in the field of American history and civics;

“(C) is conducted during the summer or other appropriate time; and

“(D) is of not less than 2 weeks and not more than 6 weeks in duration.

“(2) **SELECTION OF STUDENTS.**—

“(A) **IN GENERAL.**—Each year, each Congressional Academy shall select between 100 and 300

eligible students to attend the seminar or institute under paragraph (1).

“(B) **ELIGIBLE STUDENTS.**—A student shall be eligible to attend a seminar or institute offered by a Congressional Academy under this subsection if the student—

“(i) is recommended by the student's secondary school principal or other school leader to attend the seminar or institute; and

“(ii) will be a secondary school junior or senior in the academic year following attendance at the seminar or institute.

“(3) **STUDENT STIPENDS.**—Each student selected to participate in a seminar or institute under this subsection shall be awarded a fixed stipend based on the length of the seminar or institute to ensure that such student does not incur personal costs associated with the student's participation in the seminar or institute.

“(g) **MATCHING FUNDS.**—

“(1) **IN GENERAL.**—An eligible entity that receives funds under subsection (a) shall provide, toward the cost of the activities assisted under the grant, from non-Federal sources, an amount equal to 100 percent of the amount of the grant.

“(2) **WAIVER.**—The Secretary may waive all or part of the matching requirement described in paragraph (1) for any fiscal year for an eligible entity if the Secretary determines that applying the matching requirement would result in serious hardship or an inability to carry out the activities described in subsection (c) or (f).

“SEC. 2233. NATIONAL ACTIVITIES.

“(a) **PURPOSE.**—The purpose of this section is to promote new and existing evidence-based strategies to encourage innovative American history, civics and government, and geography instruction, learning strategies, and professional development activities and programs for teachers, principals, or other school leaders, particularly such instruction, strategies, activities, and programs that benefit low-income students and underserved populations.

“(b) **IN GENERAL.**—From the amounts reserved by the Secretary under section 2231(b)(2), the Secretary shall award grants, on a competitive basis, to eligible entities for the purposes of expanding, developing, implementing, evaluating, and disseminating for voluntary use, innovative, evidence-based approaches or professional development programs in American history, civics and government, and geography, which—

“(1) shall—

“(A) show potential to improve the quality of student achievement in, and teaching of, American history, civics and government, or geography, in elementary schools and secondary schools; and

“(B) demonstrate innovation, scalability, accountability, and a focus on underserved populations; and

“(2) may include—

“(A) hands-on civic engagement activities for teachers and students; and

“(B) programs that educate students about the history and principles of the Constitution of the United States, including the Bill of Rights.

“(c) **PROGRAM PERIODS AND DIVERSITY OF PROJECTS.**—

“(1) **IN GENERAL.**—A grant awarded by the Secretary to an eligible entity under this section shall be for a period of not more than 3 years.

“(2) **RENEWAL.**—The Secretary may renew a grant awarded under this section for 1 additional 2-year period.

“(3) **DIVERSITY OF PROJECTS.**—In awarding grants under this section, the Secretary shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.

“(d) **APPLICATIONS.**—In order to receive a grant under this section, an eligible entity shall submit an application to the Secretary at such

time and in such manner as the Secretary may reasonably require.

“(e) **ELIGIBLE ENTITY.**—In this section, the term ‘eligible entity’ means an institution of higher education or other nonprofit or for-profit organization with demonstrated expertise in the development of evidence-based approaches with the potential to improve the quality of American history, civics and government, or geography learning and teaching.

“Subpart 4—Programs of National Significance

“SEC. 2241. FUNDING ALLOTMENT.

“From the funds reserved under section 2201(4), the Secretary—

“(1) shall use not less than 74 percent to carry out activities under section 2242;

“(2) shall use not less than 22 percent to carry out activities under section 2243;

“(3) shall use not less than 2 percent to carry out activities under section 2244; and

“(4) may reserve not more than 2 percent to carry out activities under section 2245.

“SEC. 2242. SUPPORTING EFFECTIVE EDUCATOR DEVELOPMENT.

“(a) **IN GENERAL.**—From the funds reserved by the Secretary under section 2241(1) for a fiscal year, the Secretary shall award grants, on a competitive basis, to eligible entities for the purposes of—

“(1) providing teachers, principals, or other school leaders from nontraditional preparation and certification routes or pathways to serve in traditionally underserved local educational agencies;

“(2) providing evidence-based professional development activities that address literacy, numeracy, remedial, or other needs of local educational agencies and the students the agencies serve;

“(3) providing teachers, principals, or other school leaders with professional development activities that enhance or enable the provision of postsecondary coursework through dual or concurrent enrollment programs and early college high school settings across a local educational agency;

“(4) making freely available services and learning opportunities to local educational agencies, through partnerships and cooperative agreements or by making the services or opportunities publicly accessible through electronic means; or

“(5) providing teachers, principals, or other school leaders with evidence-based professional enhancement activities, which may include activities that lead to an advanced credential.

“(b) **PROGRAM PERIODS AND DIVERSITY OF PROJECTS.**—

“(1) **IN GENERAL.**—A grant awarded by the Secretary to an eligible entity under this section shall be for a period of not more than 3 years.

“(2) **RENEWAL.**—The Secretary may renew a grant awarded under this section for 1 additional 2-year period.

“(3) **DIVERSITY OF PROJECTS.**—In awarding grants under this section, the Secretary shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.

“(4) **LIMITATION.**—The Secretary shall not award more than 1 grant under this section to an eligible entity during a grant competition.

“(c) **COST-SHARING.**—

“(1) **IN GENERAL.**—An eligible entity that receives a grant under this section shall provide, from non-Federal sources, not less than 25 percent of the funds for the total cost for each year of activities carried out under this section.

“(2) **ACCEPTABLE CONTRIBUTIONS.**—An eligible entity that receives a grant under this section may meet the requirement of paragraph (1) by providing contributions in cash or in kind, fair-

ly evaluated, including plant, equipment, and services.

“(3) **WAIVERS.**—The Secretary may waive or modify the requirement of paragraph (1) in cases of demonstrated financial hardship.

“(d) **APPLICATIONS.**—In order to receive a grant under this section, an eligible entity shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require. Such application shall include, at a minimum, a certification that the services provided by an eligible entity under the grant to a local educational agency or to a school served by the local educational agency will not result in direct fees for participating students or parents.

“(e) **PRIORITY.**—In awarding grants under this section, the Secretary shall give priority to an eligible entity that will implement evidence-based activities, defined for the purpose of this subsection as activities meeting the requirements of section 8101(21)(A)(i).

“(f) **DEFINITION OF ELIGIBLE ENTITY.**—In this section, the term ‘eligible entity’ means—

“(1) an institution of higher education that provides course materials or resources that are evidence-based in increasing academic achievement, graduation rates, or rates of postsecondary education matriculation;

“(2) a national nonprofit entity with a demonstrated record of raising student academic achievement, graduation rates, and rates of higher education attendance, matriculation, or completion, or of effectiveness in providing preparation and professional development activities and programs for teachers, principals, or other school leaders;

“(3) the Bureau of Indian Education; or

“(4) a partnership consisting of—

“(A) 1 or more entities described in paragraph (1) or (2); and

“(B) a for-profit entity.

“SEC. 2243. SCHOOL LEADER RECRUITMENT AND SUPPORT.

“(a) **IN GENERAL.**—From the funds reserved under section 2241(2) for a fiscal year, the Secretary shall award grants, on a competitive basis, to eligible entities to enable such entities to improve the recruitment, preparation, placement, support, and retention of effective principals or other school leaders in high-need schools, which may include—

“(1) developing or implementing leadership training programs designed to prepare and support principals or other school leaders in high-need schools, including through new or alternative pathways or school leader residency programs;

“(2) developing or implementing programs or activities for recruiting, selecting, and developing aspiring or current principals or other school leaders to serve in high-need schools;

“(3) developing or implementing programs for recruiting, developing, and placing school leaders to improve schools implementing comprehensive support and improvement activities and targeted support and improvement activities under section 1111(d), including through cohort-based activities that build effective instructional and school leadership teams and develop a school culture, design, instructional program, and professional development program focused on improving student learning;

“(4) providing continuous professional development for principals or other school leaders in high-need schools;

“(5) developing and disseminating information on best practices and strategies for effective school leadership in high-need schools, such as training and supporting principals to identify, develop, and maintain school leadership teams using various leadership models; and

“(6) other evidence-based programs or activities described in section 2101(c)(4) or section

2103(b)(3) focused on principals or other school leaders in high-need schools.

“(b) PROGRAM PERIODS AND DIVERSITY OF PROJECTS.—

“(1) IN GENERAL.—A grant awarded by the Secretary to an eligible entity under this section shall be for a period of not more than 5 years.

“(2) RENEWAL.—The Secretary may renew a grant awarded under this section for 1 additional 2-year period.

“(3) DIVERSITY OF PROJECTS.—In awarding grants under this section, the Secretary shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.

“(4) LIMITATION.—The Secretary shall not award more than 1 grant under this section to an eligible entity during a grant competition.

“(c) COST-SHARING.—

“(1) IN GENERAL.—An eligible entity that receives a grant under this section shall provide, from non-Federal sources, not less than 25 percent of the funds for the total cost for each year of activities carried out under this section.

“(2) ACCEPTABLE CONTRIBUTIONS.—An eligible entity that receives a grant under this section may meet the requirement of paragraph (1) by providing contributions in cash or in kind, fairly evaluated, including plant, equipment, and services.

“(3) WAIVERS.—The Secretary may waive or modify the requirement of paragraph (1) in cases of demonstrated financial hardship.

“(d) APPLICATIONS.—An eligible entity that desires a grant under this section shall submit to the Secretary an application at such time, and in such manner, as the Secretary may require.

“(e) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to an eligible entity—

“(1) with a record of preparing or developing principals who—

“(A) have improved school-level student outcomes;

“(B) have become principals in high-need schools; and

“(C) remain principals in high-need schools for multiple years; and

“(2) who will implement evidence-based activities, defined for the purpose of this paragraph as activities meeting the requirements of section 8101(21)(A)(i).

“(f) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a local educational agency, including an educational service agency, that serves a high-need school or a consortium of such agencies;

“(B) a State educational agency or a consortium of such agencies;

“(C) a State educational agency in partnership with 1 or more local educational agencies, or educational service agencies, that serve a high-need school;

“(D) the Bureau of Indian Education; or

“(E) an entity described in subparagraph (A), (B), (C), or (D) in partnership with 1 or more nonprofit organizations or institutions of higher education.

“(2) HIGH-NEED SCHOOL.—The term ‘high-need school’ means—

“(A) an elementary school in which not less than 50 percent of the enrolled students are from families with incomes below the poverty line; or

“(B) a secondary school in which not less than 40 percent of the enrolled students are from families with incomes below the poverty line.

“SEC. 2244. TECHNICAL ASSISTANCE AND NATIONAL EVALUATION.

“(a) IN GENERAL.—From the funds reserved under section 2241(3) for a fiscal year, the Secretary—

“(1) shall establish, in a manner consistent with section 203 of the Educational Technical Assistance Act of 2002 (20 U.S.C. 9602), a comprehensive center on students at risk of not attaining full literacy skills due to a disability that meets the purposes of subsection (b); and

“(2) may—

“(A) provide technical assistance, which may be carried out directly or through grants or contracts, to States and local educational agencies carrying out activities under this part; and

“(B) carry out evaluations of activities by States and local educational agencies under this part, which shall be conducted by a third party or by the Institute of Education Sciences.

“(b) PURPOSES.—The comprehensive center established by the Secretary under subsection (a)(1) shall—

“(1) identify or develop free or low-cost evidence-based assessment tools for identifying students at risk of not attaining full literacy skills due to a disability, including dyslexia impacting reading or writing, or developmental delay impacting reading, writing, language processing, comprehension, or executive functioning;

“(2) identify evidence-based literacy instruction, strategies, and accommodations, including assistive technology, designed to meet the specific needs of such students;

“(3) provide families of such students with information to assist such students;

“(4) identify or develop evidence-based professional development for teachers, paraprofessionals, principals, other school leaders, and specialized instructional support personnel to—

“(A) understand early indicators of students at risk of not attaining full literacy skills due to a disability, including dyslexia impacting reading or writing, or developmental delay impacting reading, writing, language processing, comprehension, or executive functioning;

“(B) use evidence-based screening assessments for early identification of such students beginning not later than kindergarten; and

“(C) implement evidence-based instruction designed to meet the specific needs of such students; and

“(5) disseminate the products of the comprehensive center to regionally diverse State educational agencies, local educational agencies, regional educational agencies, and schools, including, as appropriate, through partnerships with other comprehensive centers established under section 203 of the Educational Technical Assistance Act of 2002 (20 U.S.C. 9602), and regional educational laboratories established under section 174 of the Education Sciences Reform Act of 2002 (20 U.S.C. 9564).

“SEC. 2245. STEM MASTER TEACHER CORPS.

“(a) IN GENERAL.—From the funds reserved under section 2241(4) for a fiscal year, the Secretary may award grants to—

“(1) State educational agencies to enable such agencies to support the development of a State-wide STEM master teacher corps; or

“(2) State educational agencies, or nonprofit organizations in partnership with State educational agencies, to support the implementation, replication, or expansion of effective science, technology, engineering, and mathematics professional development programs in schools across the State through collaboration with school administrators, principals, and STEM educators.

“(b) STEM MASTER TEACHER CORPS.—In this section, the term ‘STEM master teacher corps’ means a State-led effort to elevate the status of the science, technology, engineering, and mathematics teaching profession by recognizing, rewarding, attracting, and retaining outstanding science, technology, engineering, and mathematics teachers, particularly in high-need and rural schools, by—

“(1) selecting candidates to be master teachers in the corps on the basis of—

“(A) content knowledge based on a screening examination; and

“(B) pedagogical knowledge of and success in teaching;

“(2) offering such teachers opportunities to—

“(A) work with one another in scholarly communities; and

“(B) participate in and lead high-quality professional development; and

“(3) providing such teachers with additional appropriate and substantial compensation for the work described in paragraph (2) and in the master teacher community.

“PART C—GENERAL PROVISIONS

“SEC. 2301. SUPPLEMENT, NOT SUPPLANT.

“Funds made available under this title shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this title.

“SEC. 2302. RULES OF CONSTRUCTION.

“(a) PROHIBITION AGAINST FEDERAL MANDATES, DIRECTION, OR CONTROL.—Nothing in this title shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school’s—

“(1) instructional content or materials, curriculum, program of instruction, academic standards, or academic assessments;

“(2) teacher, principal, or other school leader evaluation system;

“(3) specific definition of teacher, principal, or other school leader effectiveness; or

“(4) teacher, principal, or other school leader professional standards, certification, or licensing.

“(b) SCHOOL OR DISTRICT EMPLOYEES.—Nothing in this title shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.”.

TITLE III—LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS

SEC. 3001. REDESIGNATION OF CERTAIN PROVISIONS.

Title III (20 U.S.C. 6801 et seq.) is amended—

(1) by striking the title heading and inserting “LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS”;

(2) in part A—

(A) by striking section 3122;

(B) by redesignating sections 3123 through 3129 as sections 3122 through 3128, respectively; and

(C) by striking subpart 4;

(3) by striking part B;

(4) by redesignating part C as part B; and

(5) in part B, as redesignated by paragraph (4)—

(A) by redesignating section 3301 as section 3201;

(B) by striking section 3302; and

(C) by redesignating sections 3303 and 3304 as sections 3202 and 3203, respectively.

SEC. 3002. AUTHORIZATION OF APPROPRIATIONS.

Section 3001 (20 U.S.C. 6801) is amended to read as follows:

“SEC. 3001. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this title—

“(1) \$756,332,450 for fiscal year 2017;

“(2) \$769,568,267 for fiscal year 2018;

“(3) \$784,959,633 for fiscal year 2019; and

“(4) \$884,959,633 for fiscal year 2020.”.

SEC. 3003. ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT, AND ACADEMIC ACHIEVEMENT.

(a) **PURPOSES.**—Section 3102 (20 U.S.C. 6812) is amended to read as follows:

“SEC. 3102. PURPOSES.

“The purposes of this part are—

“(1) to help ensure that English learners, including immigrant children and youth, attain English proficiency and develop high levels of academic achievement in English;

“(2) to assist all English learners, including immigrant children and youth, to achieve at high levels in academic subjects so that all English learners can meet the same challenging State academic standards that all children are expected to meet;

“(3) to assist teachers (including preschool teachers), principals and other school leaders, State educational agencies, local educational agencies, and schools in establishing, implementing, and sustaining effective language instruction educational programs designed to assist in teaching English learners, including immigrant children and youth;

“(4) to assist teachers (including preschool teachers), principals and other school leaders, State educational agencies, and local educational agencies to develop and enhance their capacity to provide effective instructional programs designed to prepare English learners, including immigrant children and youth, to enter all-English instructional settings; and

“(5) to promote parental, family, and community participation in language instruction educational programs for the parents, families, and communities of English learners.”.

(b) **FORMULA GRANTS TO STATES.**—Section 3111 (20 U.S.C. 6821) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking subparagraphs (A) through (D) and inserting the following:

“(A) Establishing and implementing, with timely and meaningful consultation with local educational agencies representing the geographic diversity of the State, standardized statewide entrance and exit procedures, including a requirement that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State.

“(B) Providing effective teacher and principal preparation, effective professional development activities, and other effective activities related to the education of English learners, which may include assisting teachers, principals, and other educators in—

“(i) meeting State and local certification and licensing requirements for teaching English learners; and

“(ii) improving teaching skills in meeting the diverse needs of English learners, including how to implement effective programs and curricula on teaching English learners.

“(C) Planning, evaluation, administration, and interagency coordination related to the subgrants referred to in paragraph (1).

“(D) Providing technical assistance and other forms of assistance to eligible entities that are receiving subgrants from a State educational agency under this subpart, including assistance in—

“(i) identifying and implementing effective language instruction educational programs and curricula for teaching English learners;

“(ii) helping English learners meet the same challenging State academic standards that all children are expected to meet;

“(iii) identifying or developing, and implementing, measures of English proficiency; and

“(iv) strengthening and increasing parent, family, and community engagement in programs that serve English learners.

“(E) Providing recognition, which may include providing financial awards, to recipients of subgrants under section 3115 that have significantly improved the achievement and progress of English learners in meeting—

“(i) the State-designed long-term goals established under section 1111(c)(4)(A)(ii), including measurements of interim progress towards meeting such goals, based on the State’s English language proficiency assessment under section 1111(b)(2)(G); and

“(ii) the challenging State academic standards.”;

(B) in paragraph (3)—

(i) in the paragraph heading, by striking “ADMINISTRATIVE” and inserting “DIRECT ADMINISTRATIVE”;

(ii) by striking “60 percent” and inserting “50 percent”;

(iii) by inserting “direct” before “administrative costs”;

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “section 3001(a)” and inserting “section 3001”;

(ii) in subparagraph (B), by inserting “and” after the semicolon;

(iii) by striking subparagraph (C) and inserting the following:

“(C) 6.5 percent of such amount for national activities under sections 3131 and 3202, except that not more than \$2,000,000 of such amount may be reserved for the National Clearinghouse for English Language Acquisition and Language Instruction Educational Programs described in section 3202.”; and

(iv) by striking subparagraph (D);

(B) by striking paragraphs (2) and (4);

(C) by redesignating paragraph (3) as paragraph (2);

(D) in paragraph (2)(A), as redesignated by subparagraph (C)—

(i) in the matter preceding clause (i), by striking “section 3001(a)” and inserting “section 3001”;

(ii) in clause (i), by striking “limited English proficient” and all that follows through “States; and” and inserting “English learners in the State bears to the number of English learners in all States, as determined in accordance with paragraph (3)(A); and”;

(iii) in clause (ii), by inserting “, as determined in accordance with paragraph (3)(B)” before the period at the end; and

(E) by adding at the end the following:

“(3) **USE OF DATA FOR DETERMINATIONS.**—In making State allotments under paragraph (2) for each fiscal year, the Secretary shall—

“(A) determine the number of English learners in a State and in all States, using the most accurate, up-to-date data, which shall be—

“(i) data available from the American Community Survey conducted by the Department of Commerce, which may be multiyear estimates;

“(ii) the number of students being assessed for English language proficiency, based on the State’s English language proficiency assessment under section 1111(b)(2)(G), which may be multiyear estimates; or

“(iii) a combination of data available under clauses (i) and (ii); and

“(B) determine the number of immigrant children and youth in the State and in all States based only on data available from the American Community Survey conducted by the Department of Commerce, which may be multiyear estimates.”.

(c) **NATIVE AMERICAN AND ALASKA NATIVE CHILDREN IN SCHOOL.**—Section 3112(a) (20 U.S.C. 6822(a)) is amended by striking “Bureau of Indian Affairs” each place the term appears and inserting “Bureau of Indian Education”.

(d) **STATE AND SPECIALLY QUALIFIED AGENCY PLANS.**—Section 3113 (20 U.S.C. 6823) is amended—

(1) in subsection (a), by striking “, in such manner, and containing such information” and inserting “and in such manner”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “making” and inserting “awarding”;

(B) by striking paragraphs (2) through (6) and inserting the following:

“(2) describe how the agency will establish and implement, with timely and meaningful consultation with local educational agencies representing the geographic diversity of the State, standardized, statewide entrance and exit procedures, including an assurance that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State;

“(3) provide an assurance that—

“(A) the agency will ensure that eligible entities receiving a subgrant under this subpart comply with the requirement in section 1111(b)(2)(B)(ic) regarding assessment of English learners in English;

“(B) the agency will ensure that eligible entities receiving a subgrant under this subpart annually assess the English proficiency of all English learners participating in a program funded under this subpart, consistent with section 1111(b)(2)(G);

“(C) in awarding subgrants under section 3114, the agency will address the needs of school systems of all sizes and in all geographic areas, including school systems with rural and urban schools;

“(D) subgrants to eligible entities under section 3114(d)(1) will be of sufficient size and scope to allow such entities to carry out effective language instruction educational programs for English learners;

“(E) the agency will require an eligible entity receiving a subgrant under this subpart to use the subgrant in ways that will build such recipient’s capacity to continue to offer effective language instruction educational programs that assist English learners in meeting challenging State academic standards;

“(F) the agency will monitor each eligible entity receiving a subgrant under this subpart for compliance with applicable Federal fiscal requirements; and

“(G) the plan has been developed in consultation with local educational agencies, teachers, administrators of programs implemented under this subpart, parents of English learners, and other relevant stakeholders;

“(4) describe how the agency will coordinate its programs and activities under this subpart with other programs and activities under this Act and other Acts, as appropriate;

“(5) describe how each eligible entity will be given the flexibility to teach English learners—

“(A) using a high-quality, effective language instruction curriculum for teaching English learners; and

“(B) in the manner the eligible entity determines to be the most effective;

“(6) describe how the agency will assist eligible entities in meeting—

“(A) the State-designed long-term goals established under section 1111(c)(4)(A)(ii), including measurements of interim progress towards meeting such goals, based on the State’s English language proficiency assessment under section 1111(b)(2)(G); and

“(B) the challenging State academic standards;

“(7) describe how the agency will meet the unique needs of children and youth in the State being served through the reservation of funds under section 3114(d); and

“(8) describe—

“(A) how the agency will monitor the progress of each eligible entity receiving a subgrant under this subpart in helping English learners achieve English proficiency; and

“(B) the steps the agency will take to further assist eligible entities if the strategies funded under this subpart are not effective, such as providing technical assistance and modifying such strategies.”;

(3) in subsection (d)—

(A) in paragraph (1), by striking “this part” each place the term appears and inserting “this subpart”;

(B) in paragraph (2)(B), by striking “this part” and inserting “this subpart”;

(4) in subsection (e), by striking “section 9302” and inserting “section 8302”; and

(5) in subsection (f)—

(A) by inserting “by the State” after “if requested”; and

(B) by striking “, objectives,”.

(e) **WITHIN-STATE ALLOCATIONS.**—Section 3114 (20 U.S.C. 6824) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) **IN GENERAL.**—After making the reservation required under subsection (d)(1), each State educational agency receiving a grant under section 3111(c)(2) shall award subgrants for a fiscal year by allocating in a timely manner to each eligible entity in the State having a plan approved under section 3116 an amount that bears the same relationship to the amount received under the grant and remaining after making such reservation as the population of English learners in schools served by the eligible entity bears to the population of English learners in schools served by all eligible entities in the State.”; and

(2) in subsection (d)(1)—

(A) by striking “section 3111(c)(3)” and inserting “section 3111(c)(2)”;

(B) by striking “preceding the fiscal year”.

(f) **SUBGRANTS TO ELIGIBLE ENTITIES.**—Section 3115 (20 U.S.C. 6825) is amended to read as follows:

“SEC. 3115. SUBGRANTS TO ELIGIBLE ENTITIES.

“(a) **PURPOSES OF SUBGRANTS.**—A State educational agency may make a subgrant to an eligible entity from funds received by the agency under this subpart only if the entity agrees to expend the funds to improve the education of English learners by assisting the children to learn English and meet the challenging State academic standards. In carrying out activities with such funds, the eligible entity shall use effective approaches and methodologies for teaching English learners and immigrant children and youth for the following purposes:

“(1) Developing and implementing new language instruction educational programs and academic content instructional programs for English learners and immigrant children and youth, including early childhood education programs, elementary school programs, and secondary school programs.

“(2) Carrying out highly focused, innovative, locally designed activities to expand or enhance existing language instruction educational programs and academic content instructional programs for English learners and immigrant children and youth.

“(3) Implementing, within an individual school, schoolwide programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction for English learners and immigrant children and youth.

“(4) Implementing, within the entire jurisdiction of a local educational agency, agencywide programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction for English learners and immigrant children and youth.

“(b) **DIRECT ADMINISTRATIVE EXPENSES.**—Each eligible entity receiving funds under sec-

tion 3114(a) for a fiscal year may use not more than 2 percent of such funds for the cost of administering this subpart.

“(c) **REQUIRED SUBGRANTEE ACTIVITIES.**—An eligible entity receiving funds under section 3114(a) shall use the funds—

“(1) to increase the English language proficiency of English learners by providing effective language instruction educational programs that meet the needs of English learners and demonstrate success in increasing—

“(A) English language proficiency; and

“(B) student academic achievement;

“(2) to provide effective professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals and other school leaders, administrators, and other school or community-based organizational personnel, that is—

“(A) designed to improve the instruction and assessment of English learners;

“(B) designed to enhance the ability of such teachers, principals, and other school leaders to understand and implement curricula, assessment practices and measures, and instructional strategies for English learners;

“(C) effective in increasing children’s English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and

“(D) of sufficient intensity and duration (which shall not include activities such as 1-day or short-term workshops and conferences) to have a positive and lasting impact on the teachers’ performance in the classroom, except that this subparagraph shall not apply to an activity that is one component of a long-term, comprehensive professional development plan established by a teacher and the teacher’s supervisor based on an assessment of the needs of the teacher, the supervisor, the students of the teacher, and any local educational agency employing the teacher, as appropriate; and

“(3) to provide and implement other effective activities and strategies that enhance or supplement language instruction educational programs for English learners, which—

“(A) shall include parent, family, and community engagement activities; and

“(B) may include strategies that serve to coordinate and align related programs.

“(d) **AUTHORIZED SUBGRANTEE ACTIVITIES.**—Subject to subsection (c), an eligible entity receiving funds under section 3114(a) may use the funds to achieve any of the purposes described in subsection (a) by undertaking 1 or more of the following activities:

“(1) Upgrading program objectives and effective instructional strategies.

“(2) Improving the instructional program for English learners by identifying, acquiring, and upgrading curricula, instructional materials, educational software, and assessment procedures.

“(3) Providing to English learners—

“(A) tutorials and academic or career and technical education; and

“(B) intensified instruction, which may include materials in a language that the student can understand, interpreters, and translators.

“(4) Developing and implementing effective preschool, elementary school, or secondary school language instruction educational programs that are coordinated with other relevant programs and services.

“(5) Improving the English language proficiency and academic achievement of English learners.

“(6) Providing community participation programs, family literacy services, and parent and family outreach and training activities to English learners and their families—

“(A) to improve the English language skills of English learners; and

“(B) to assist parents and families in helping their children to improve their academic achievement and becoming active participants in the education of their children.

“(7) Improving the instruction of English learners, which may include English learners with a disability, by providing for—

“(A) the acquisition or development of educational technology or instructional materials;

“(B) access to, and participation in, electronic networks for materials, training, and communication; and

“(C) incorporation of the resources described in subparagraphs (A) and (B) into curricula and programs, such as those funded under this subpart.

“(8) Offering early college high school or dual or concurrent enrollment programs or courses designed to help English learners achieve success in postsecondary education.

“(9) Carrying out other activities that are consistent with the purposes of this section.

“(e) **ACTIVITIES BY AGENCIES EXPERIENCING SUBSTANTIAL INCREASES IN IMMIGRANT CHILDREN AND YOUTH.**—

“(1) **IN GENERAL.**—An eligible entity receiving funds under section 3114(d)(1) shall use the funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth, which may include—

“(A) family literacy, parent and family outreach, and training activities designed to assist parents and families to become active participants in the education of their children;

“(B) recruitment of, and support for, personnel, including teachers and paraprofessionals who have been specifically trained, or are being trained, to provide services to immigrant children and youth;

“(C) provision of tutorials, mentoring, and academic or career counseling for immigrant children and youth;

“(D) identification, development, and acquisition of curricular materials, educational software, and technologies to be used in the program carried out with awarded funds;

“(E) basic instructional services that are directly attributable to the presence of immigrant children and youth in the local educational agency involved, including the payment of costs of providing additional classroom supplies, costs of transportation, or such other costs as are directly attributable to such additional basic instructional services;

“(F) other instructional services that are designed to assist immigrant children and youth to achieve in elementary schools and secondary schools in the United States, such as programs of introduction to the educational system and civics education; and

“(G) activities, coordinated with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to assist parents and families of immigrant children and youth by offering comprehensive community services.

“(2) **DURATION OF SUBGRANTS.**—The duration of a subgrant made by a State educational agency under section 3114(d)(1) shall be determined by the agency in its discretion.

“(f) **SELECTION OF METHOD OF INSTRUCTION.**—

“(1) **IN GENERAL.**—To receive a subgrant from a State educational agency under this subpart, an eligible entity shall select one or more methods or forms of effective instruction to be used in the programs and activities undertaken by the entity to assist English learners to attain English language proficiency and meet challenging State academic standards.

“(2) **CONSISTENCY.**—The selection described in paragraph (1) shall be consistent with sections 3124 through 3126.

“(g) **SUPPLEMENT, NOT SUPPLANT.**—Federal funds made available under this subpart shall

be used so as to supplement the level of Federal, State, and local public funds that, in the absence of such availability, would have been expended for programs for English learners and immigrant children and youth and in no case to supplant such Federal, State, and local public funds.”.

(g) **LOCAL PLANS.**—Section 3116 (20 U.S.C. 6826) is amended—

(1) in subsection (b), by striking paragraphs (1) through (6) and inserting the following:

“(1) describe the effective programs and activities, including language instruction educational programs, proposed to be developed, implemented, and administered under the subgrant that will help English learners increase their English language proficiency and meet the challenging State academic standards;

“(2) describe how the eligible entity will ensure that elementary schools and secondary schools receiving funds under this subpart assist English learners in—

“(A) achieving English proficiency based on the State’s English language proficiency assessment under section 1111(b)(2)(G), consistent with the State’s long-term goals, as described in section 1111(c)(4)(A)(ii); and

“(B) meeting the challenging State academic standards;

“(3) describe how the eligible entity will promote parent, family, and community engagement in the education of English learners;

“(4) contain assurances that—

“(A) each local educational agency that is included in the eligible entity is complying with section 1112(e) prior to, and throughout, each school year as of the date of application;

“(B) the eligible entity is not in violation of any State law, including State constitutional law, regarding the education of English learners, consistent with sections 3125 and 3126;

“(C) the eligible entity consulted with teachers, researchers, school administrators, parents and family members, community members, public or private entities, and institutions of higher education, in developing and implementing such plan; and

“(D) the eligible entity will, if applicable, coordinate activities and share relevant data under the plan with local Head Start and Early Head Start agencies, including migrant and seasonal Head Start agencies, and other early childhood education providers.”;

(2) in subsection (c), by striking “limited English proficient children” and inserting “English learners”; and

(3) by striking subsection (d).

(h) **REPORTING.**—Section 3121 (20 U.S.C. 6841) is amended to read as follows:

“SEC. 3121. REPORTING.

“(a) **IN GENERAL.**—Each eligible entity that receives a subgrant from a State educational agency under subpart 1 shall provide such agency, at the conclusion of every second fiscal year during which the subgrant is received, with a report, in a form prescribed by the agency, on the activities conducted and children served under such subpart that includes—

“(1) a description of the programs and activities conducted by the entity with funds received under subpart 1 during the 2 immediately preceding fiscal years, which shall include a description of how such programs and activities supplemented programs funded primarily with State or local funds;

“(2) the number and percentage of English learners in the programs and activities who are making progress toward achieving English language proficiency, as described in section 1111(c)(4)(A)(ii), in the aggregate and disaggregated, at a minimum, by English learners with a disability;

“(3) the number and percentage of English learners in the programs and activities attaining

English language proficiency based on State English language proficiency standards established under section 1111(b)(1)(G) by the end of each school year, as determined by the State’s English language proficiency assessment under section 1111(b)(2)(G);

“(4) the number and percentage of English learners who exit the language instruction educational programs based on their attainment of English language proficiency;

“(5) the number and percentage of English learners meeting challenging State academic standards for each of the 4 years after such children are no longer receiving services under this part, in the aggregate and disaggregated, at a minimum, by English learners with a disability;

“(6) the number and percentage of English learners who have not attained English language proficiency within 5 years of initial classification as an English learner and first enrollment in the local educational agency; and

“(7) any other information that the State educational agency may require.

“(b) **USE OF REPORT.**—A report provided by an eligible entity under subsection (a) shall be used by the entity and the State educational agency for improvement of programs and activities under this part.

“(c) **SPECIAL RULE FOR SPECIALLY QUALIFIED AGENCIES.**—Each specially qualified agency receiving a grant under subpart 1 shall provide the reports described in subsection (a) to the Secretary subject to the same requirements as apply to eligible entities providing such evaluations to State educational agencies under such subsection.”.

(i) **BIENNIAL REPORTS.**—Section 3122 (20 U.S.C. 6843), as redesignated by section 3001(2)(B), is amended—

(1) in the section heading, by striking “**REPORTING REQUIREMENTS**” and inserting “**BIENNIAL REPORTS**”;

(2) in subsection (a)—

(A) by striking “evaluations” and inserting “reports”; and

(B) by striking “children who are limited English proficient” and inserting “English learners”; and

(3) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “limited English proficient children” and inserting “English learners”; and

(ii) by striking “children who are limited English proficient” and inserting “English learners”;

(B) in paragraph (2), by striking “limited English proficient children” and inserting “English learners”;

(C) in paragraph (4), by striking “section 3111(b)(2)(C)” and inserting “section 3111(b)(2)(D)”;

(D) in paragraph (5), by striking “limited English proficient children” and inserting “English learners”;

(E) in paragraph (6), by striking “major findings of scientifically based research carried out under this part” and inserting “findings of the most recent evaluation related to English learners carried out under section 8601”;

(F) in paragraph (8)—

(i) by striking “of limited English proficient children” and inserting “of English learners”; and

(ii) by striking “into classrooms where instruction is not tailored for limited English proficient children”; and

(G) in paragraph (9), by striking “title” and inserting “part”.

(j) **COORDINATION WITH RELATED PROGRAMS.**—Section 3123 (20 U.S.C. 6844), as redesignated by section 3001(2)(B), is amended—

(1) by striking “children of limited English proficiency” and inserting “English learners”;

(2) by striking “limited English proficient children” and inserting “English learners”; and

(3) by inserting after the period at the end the following: “The Secretary shall report to the Congress on parallel Federal programs in other agencies and departments.”.

(k) **RULES OF CONSTRUCTION.**—Section 3124 (20 U.S.C. 6845), as redesignated by section 3001(2)(B), is amended—

(1) in paragraph (1), by striking “limited English proficient children” and inserting “English learners”; and

(2) in paragraph (2), by striking “limited English proficient children” and inserting “English learners”.

(l) **PROHIBITION.**—Section 3128 (20 U.S.C. 6849), as redesignated by section 3001(2)(B), is amended by striking “limited English proficient children” and inserting “English learners”.

(m) **NATIONAL PROFESSIONAL DEVELOPMENT PROJECT.**—Section 3131 (20 U.S.C. 6861) is amended to read as follows:

“SEC. 3131. NATIONAL PROFESSIONAL DEVELOPMENT PROJECT.

“The Secretary shall use funds made available under section 3111(c)(1)(C) to award grants on a competitive basis, for a period of not more than 5 years, to institutions of higher education or public or private entities with relevant experience and capacity (in consortia with State educational agencies or local educational agencies) to provide for professional development activities that will improve classroom instruction for English learners and assist educational personnel working with English learners to meet high professional standards, including standards for certification and licensure as teachers who work in language instruction educational programs or serve English learners. Grants awarded under this section may be used—

“(1) for effective preservice or inservice professional development programs that will improve the qualifications and skills of educational personnel involved in the education of English learners, including personnel who are not certified or licensed and educational paraprofessionals, and for other activities to increase teacher and school leader effectiveness in meeting the needs of English learners;

“(2) for the development of curricula or other instructional strategies appropriate to the needs of the consortia participants involved;

“(3) to support strategies that strengthen and increase parent, family, and community member engagement in the education of English learners;

“(4) to develop, share, and disseminate effective practices in the instruction of English learners and in increasing the student academic achievement of English learners, such as through the use of technology-based programs;

“(5) in conjunction with other Federal need-based student financial assistance programs, for financial assistance, and costs related to tuition, fees, and books for enrolling in courses required to complete the degree involved, to meet certification or licensing requirements for teachers who work in language instruction educational programs or serve English learners; and

“(6) as appropriate, to support strategies that promote school readiness of English learners and their transition from early childhood education programs, such as Head Start or State-run preschool programs, to elementary school programs.”.

SEC. 3004. GENERAL PROVISIONS.

(a) **DEFINITIONS.**—Section 3201 (20 U.S.C. 7011), as redesignated by section 3001(5)(A), is amended—

(1) by striking paragraphs (3), (4), and (5);

(2) by inserting after paragraph (2) the following:

“(3) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means—

“(A) one or more local educational agencies; or

“(B) one or more local educational agencies, in consortia or collaboration with an institution of higher education, educational service agency, community-based organization, or State educational agency.

“(4) **ENGLISH LEARNER WITH A DISABILITY.**—The term ‘English learner with a disability’ means an English learner who is also a child with a disability, as that term is defined in section 602 of the Individuals with Disabilities Education Act.”;

(3) by redesignating paragraphs (6) through (15) as paragraphs (5) through (14), respectively;

(4) in paragraph (7)(A), as redesignated by paragraph (3)—

(A) by striking “a limited English proficient child” and inserting “an English learner”; and

(B) by striking “challenging State academic content and student academic achievement standards, as required by section 1111(b)(1)” and inserting “challenging State academic standards”; and

(5) in paragraph (12), as redesignated by paragraph (3), by striking “, as defined in section 3141.”.

(b) **NATIONAL CLEARINGHOUSE.**—Section 3202 (20 U.S.C. 7013), as redesignated by section 3001(5)(C), is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking “The Secretary shall” and inserting the following:

“(a) **IN GENERAL.**—The Secretary shall”; and

(B) by striking “limited English proficient children” and inserting “English learners”;

(2) in paragraph (4)—

(A) in subparagraph (A), by striking “limited English proficient children” and inserting “English learners, including English learners with a disability, that includes information on best practices on instructing and serving English learners”; and

(B) in subparagraph (B), by striking “limited English proficient children” and inserting “English learners”; and

(3) by adding at the end the following:

“(b) **CONSTRUCTION.**—Nothing in this section shall authorize the Secretary to hire additional personnel to execute subsection (a).”.

(c) **REGULATIONS.**—Section 3203 (20 U.S.C. 7014), as redesignated by section 3001(5)(C), is amended—

(1) by striking “limited English proficient individuals” and inserting “English learners”; and

(2) by striking “limited English proficient children” and inserting “English learners”.

TITLE IV—21ST CENTURY SCHOOLS

SEC. 4001. REDESIGNATIONS AND TRANSFERS.

(a) **TITLE IV TRANSFERS AND RELATED AMENDMENTS.**—

(1) Section 4303 (20 U.S.C. 7183) is amended—

(A) in subsection (b)(1), by striking “early childhood development (Head Start) services” and inserting “early childhood education programs”;

(B) in subsection (c)(2)—

(i) in the paragraph heading, by striking “DEVELOPMENT SERVICES” and inserting “EDUCATION PROGRAMS”; and

(ii) by striking “development (Head Start) services” and inserting “education programs”; and

(C) in subsection (e)(3), by striking subparagraph (C) and inserting the following:

“(C) such other matters as justice may require.”.

(2) Subpart 3 of part A of title IV (20 U.S.C. 7151) is—

(A) transferred to title IX (as amended by section 2001 of this Act);

(B) inserted so as to appear after subpart 3 of part E of such title (as so transferred and redesignated);

(C) redesignated as subpart 4 of such part; and

(D) amended by redesignating section 4141 as section 9551.

(3) Section 4155 (20 U.S.C. 7165) is—

(A) transferred to title IX (as amended by section 2001 of this Act and paragraph (2) of this subsection);

(B) inserted so as to appear after section 9536; and

(C) redesignated as section 9537.

(4) Part C of title IV (20 U.S.C. 7181 et seq.) (as amended by paragraph (1) of this subsection) is—

(A) transferred to title IX (as amended by section 2001 of this Act and paragraphs (2) and (3) of this subsection);

(B) inserted so as to appear after subpart 4 of part E of such title IX (as so transferred and redesignated); and

(C) amended—

(i) by striking the part designation and heading and inserting “**SUBPART 5—ENVIRONMENTAL TOBACCO SMOKE**”; and

(ii) by redesignating sections 4301 through 4304 as sections 9561 through 9564, respectively.

(5) Title IV (as amended by section 2001 of this Act and paragraphs (1) through (4) of this subsection) is further amended—

(A) in the part heading of part A, by striking “**SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES**” and inserting “**STUDENT SUPPORT AND ACADEMIC ENRICHMENT GRANTS**”;;

(B) by striking subparts 2 and 4 of part A;

(C) by redesignating subpart 5 of part A (as so transferred and redesignated by section 2001(4) of this Act) as subpart 2 of part A; and

(D) by redesignating section 4161 (as so redesignated) as section 4121.

(b) **TITLE V TRANSFERS AND RELATED AMENDMENTS.**—

(1) **IN GENERAL.**—Title V (20 U.S.C. 7201 et seq.) is amended—

(A) by striking part A;

(B) by striking subparts 2 and 3 of part B; and

(C) by striking part D.

(2) **CHARTER SCHOOLS.**—Part B of title V (20 U.S.C. 7221 et seq.) (as amended by paragraph (1) of this subsection) is—

(A) transferred to title IV (as amended by section 2001 of this Act and subsection (a) of this section);

(B) inserted so as to appear after part B of such title;

(C) redesignated as part C of such title; and

(D) further amended—

(i) in the part heading, by striking “**PUBLIC CHARTER SCHOOLS**” and inserting “**EXPANDING OPPORTUNITY THROUGH QUALITY CHARTER SCHOOLS**”;;

(ii) by striking the subpart heading for subpart 1; and

(iii) by redesignating sections 5201 through 5211 as sections 4301 through 4311, respectively.

(3) **MAGNET SCHOOLS.**—Part C of title V (20 U.S.C. 7231 et seq.) is—

(A) transferred to title IV (as amended by section 2001 of this Act, subsection (a) of this section, and paragraph (2) of this subsection)

(B) inserted so as to appear after part C of such title (as so transferred and redesignated);

(C) redesignated as part D of such title; and

(D) amended—

(i) by redesignating sections 5301 through 5307 as sections 4401 through 4407, respectively;

(ii) by striking sections 5308 and 5310; and

(iii) by redesignating sections 5309 and 5311 as sections 4408 and 4409, respectively.

(4) **TITLE V.**—Title V, as amended by this section, is repealed.

SEC. 4002. GENERAL PROVISIONS.

Title IV (20 U.S.C. 7101 et seq.), as redesignated and amended by section 4001, is further

amended by striking sections 4001 through 4003 and inserting the following:

“SEC. 4001. GENERAL PROVISIONS.

“(a) **PARENTAL CONSENT.**—

“(1) **IN GENERAL.**—

“(A) **INFORMED WRITTEN CONSENT.**—A State, local educational agency, or other entity receiving funds under this title shall obtain prior written, informed consent from the parent of each child who is under 18 years of age to participate in any mental-health assessment or service that is funded under this title and conducted in connection with an elementary school or secondary school under this title.

“(B) **CONTENTS.**—Before obtaining the consent described in subparagraph (A), the entity shall provide the parent written notice describing in detail such mental health assessment or service, including the purpose for such assessment or service, the provider of such assessment or service, when such assessment or service will begin, and how long such assessment or service may last.

“(C) **LIMITATION.**—The informed written consent required under this paragraph shall not be a waiver of any rights or protections under section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

“(2) **EXCEPTION.**—Notwithstanding paragraph (1)(A), the written, informed consent described in such paragraph shall not be required in—

“(A) an emergency, where it is necessary to protect the immediate health and safety of the child, other children, or entity personnel; or

“(B) other instances in which an entity actively seeks parental consent but such consent cannot be reasonably obtained, as determined by the State or local educational agency, including in the case of—

“(i) a child whose parent has not responded to the notice described in paragraph (1)(B); or

“(ii) a child who has attained 14 years of age and is an unaccompanied youth, as defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a).

“(b) **PROHIBITED USE OF FUNDS.**—No funds under this title may be used for medical services or drug treatment or rehabilitation, except for integrated student supports, specialized instructional support services, or referral to treatment for impacted students, which may include students who are victims of, or witnesses to, crime or who illegally use drugs.

“(c) **PROHIBITION ON MANDATORY MEDICATION.**—No child shall be required to obtain a prescription for a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802) as a condition of—

“(1) receiving an evaluation or other service described under this title; or

“(2) attending a school receiving assistance under this title.”.

PART A—STUDENT SUPPORT AND ACADEMIC ENRICHMENT GRANTS

SEC. 4101. STUDENT SUPPORT AND ACADEMIC ENRICHMENT GRANTS.

Subpart 1 of part A of title IV (20 U.S.C. 7101 et seq.) is amended to read as follows:

“Subpart 1—Student Support and Academic Enrichment Grants

“SEC. 4101. PURPOSE.

“The purpose of this subpart is to improve students’ academic achievement by increasing the capacity of States, local educational agencies, schools, and local communities to—

“(1) provide all students with access to a well-rounded education;

“(2) improve school conditions for student learning; and

“(3) improve the use of technology in order to improve the academic achievement and digital literacy of all students.

“SEC. 4102. DEFINITIONS.

“In this subpart:

“(1) **BLENDED LEARNING.**—The term ‘blended learning’ means a formal education program that leverages both technology-based and face-to-face instructional approaches—

“(A) that include an element of online or digital learning, combined with supervised learning time, and student-led learning, in which the elements are connected to provide an integrated learning experience; and

“(B) in which students are provided some control over time, path, or pace.

“(2) **CONTROLLED SUBSTANCE.**—The term ‘controlled substance’ means a drug or other substance identified under Schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

“(3) **DIGITAL LEARNING.**—The term ‘digital learning’ means any instructional practice that effectively uses technology to strengthen a student’s learning experience and encompasses a wide spectrum of tools and practices, including—

“(A) interactive learning resources, digital learning content (which may include openly licensed content), software, or simulations, that engage students in academic content;

“(B) access to online databases and other primary source documents;

“(C) the use of data and information to personalize learning and provide targeted supplementary instruction;

“(D) online and computer-based assessments;

“(E) learning environments that allow for rich collaboration and communication, which may include student collaboration with content experts and peers;

“(F) hybrid or blended learning, which occurs under direct instructor supervision at a school or other location away from home and, at least in part, through online delivery of instruction with some element of student control over time, place, path, or pace; and

“(G) access to online course opportunities for students in rural or remote areas.

“(4) **DRUG.**—The term ‘drug’ includes—

“(A) controlled substances;

“(B) the illegal use of alcohol or tobacco, including smokeless tobacco products and electronic cigarettes; and

“(C) the harmful, abusive, or addictive use of substances, including inhalants and anabolic steroids.

“(5) **DRUG AND VIOLENCE PREVENTION.**—The term ‘drug and violence prevention’ means—

“(A) with respect to drugs, prevention, early intervention, rehabilitation referral, recovery support services, or education related to the illegal use of drugs, such as raising awareness about the consequences of drug use that are evidence-based (to the extent a State, in consultation with local educational agencies in the State, determines that such evidence is reasonably available); and

“(B) with respect to violence, the promotion of school safety, such that students and school personnel are free from violent and disruptive acts, including sexual harassment and abuse, and victimization associated with prejudice and intolerance, on school premises, going to and from school, and at school-sponsored activities, through the creation and maintenance of a school environment that is free of weapons and fosters individual responsibility and respect for the rights of others.

“(6) **SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDER.**—The term ‘school-based mental health services provider’ includes a State-licensed or State-certified school counselor, school psychologist, school social worker, or other State licensed or certified mental health professional qualified under State law to provide mental health services to children and adolescents.

“(7) **STATE.**—The term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

“(8) **STEM-FOCUSED SPECIALTY SCHOOL.**—The term ‘STEM-focused specialty school’ means a school, or dedicated program within a school, that engages students in rigorous, relevant, and integrated learning experiences focused on science, technology, engineering, and mathematics, including computer science, which include authentic schoolwide research.

“SEC. 4103. FORMULA GRANTS TO STATES.

“(a) **RESERVATIONS.**—From the total amount appropriated under section 4112 for a fiscal year, the Secretary shall reserve—

“(1) one-half of 1 percent for allotments for payments to the outlying areas, to be distributed among those outlying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this subpart;

“(2) one-half of 1 percent for the Secretary of the Interior for programs under this subpart in schools operated or funded by the Bureau of Indian Education; and

“(3) 2 percent for technical assistance and capacity building.

“(b) **STATE ALLOTMENTS.**—

“(1) **ALLOTMENT.**—

“(A) **IN GENERAL.**—Subject to subparagraphs (B) and (C), from the amount appropriated to carry out this subpart that remains after the Secretary makes the reservations under subsection (a), the Secretary shall allot to each State having a plan approved under subsection (c), an amount that bears the same relationship to the remainder as the amount the State received under subpart 2 of part A of title I for the preceding fiscal year bears to the amount all States received under that subpart for the preceding fiscal year.

“(B) **SMALL STATE MINIMUM.**—No State receiving an allotment under this paragraph shall receive less than one-half of 1 percent of the total amount allotted under this paragraph.

“(C) **PUERTO RICO.**—The amount allotted under this paragraph to the Commonwealth of Puerto Rico for a fiscal year may not exceed one-half of 1 percent of the total amount allotted under this paragraph.

“(2) **REALLOTMENT.**—If a State does not receive an allotment under this subpart for a fiscal year, the Secretary shall reallocate the amount of the State’s allotment to the remaining States in accordance with this subsection.

“(c) **STATE PLAN.**—

“(1) **IN GENERAL.**—In order to receive an allotment under this section for any fiscal year, a State shall submit a plan to the Secretary, at such time and in such manner as the Secretary may reasonably require.

“(2) **CONTENTS.**—Each plan submitted by a State under this section shall include the following:

“(A) A description of how the State educational agency will use funds received under this subpart for State-level activities.

“(B) A description of how the State educational agency will ensure that awards made to local educational agencies under this subpart are in amounts that are consistent with section 4105(a)(2).

“(C) Assurances that the State educational agency will—

“(i) review existing resources and programs across the State and will coordinate any new plans and resources under this subpart with such existing resources and programs;

“(ii) monitor the implementation of activities under this subpart and provide technical assistance to local educational agencies in carrying out such activities; and

“(iii) provide for equitable access for all students to the activities supported under this subpart, including aligning those activities with the requirements of other Federal laws.

“SEC. 4104. STATE USE OF FUNDS.

“(a) **IN GENERAL.**—Each State that receives an allotment under section 4103 for a fiscal year shall—

“(1) reserve not less than 95 percent of the allotment to make allocations to local educational agencies under section 4105;

“(2) reserve not more than 1 percent of the allotment for the administrative costs of carrying out its responsibilities under this subpart, including public reporting on how funds made available under this subpart are being expended by local educational agencies, including the degree to which the local educational agencies have made progress toward meeting the objectives and outcomes described in section 4106(e)(1)(E); and

“(3) use the amount made available to the State and not reserved under paragraphs (1) and (2) for activities described in subsection (b).

“(b) **STATE ACTIVITIES.**—Each State that receives an allotment under section 4103 shall use the funds available under subsection (a)(3) for activities and programs designed to meet the purposes of this subpart, which may include—

“(1) providing monitoring of, and training, technical assistance, and capacity building to, local educational agencies that receive an allotment under section 4105;

“(2) identifying and eliminating State barriers to the coordination and integration of programs, initiatives, and funding streams that meet the purposes of this subpart, so that local educational agencies can better coordinate with other agencies, schools, and community-based services and programs; or

“(3) supporting local educational agencies in providing programs and activities that—

“(A) offer well-rounded educational experiences to all students, as described in section 4107, including female students, minority students, English learners, children with disabilities, and low-income students who are often underrepresented in critical and enriching subjects, which may include—

“(i) increasing student access to and improving student engagement and achievement in—

“(I) high-quality courses in science, technology, engineering, and mathematics, including computer science;

“(II) activities and programs in music and the arts;

“(III) foreign languages;

“(IV) accelerated learning programs that provide—

“(aa) postsecondary level courses accepted for credit at institutions of higher education, including dual or concurrent enrollment programs, and early college high schools; or

“(bb) postsecondary level instruction and examinations that are accepted for credit at institutions of higher education, including Advanced Placement and International Baccalaureate programs;

“(V) American history, civics, economics, geography, social studies, or government education;

“(VI) environmental education; or

“(VII) other courses, activities, and programs or other experiences that contribute to a well-rounded education; or

“(ii) reimbursing low-income students to cover part or all of the costs of accelerated learning examination fees, as described in clause (i)(IV);

“(B) foster safe, healthy, supportive, and drug-free environments that support student academic achievement, as described in section 4108, which may include—

“(i) coordinating with any local educational agencies or consortia of such agencies implementing a youth PROMISE plan to reduce exclusionary discipline, as described in section 4108(5)(F);

“(ii) supporting local educational agencies to—

“(I) implement mental health awareness training programs that are evidence-based (to the extent the State determines that such evidence is

reasonably available) to provide education to school personnel regarding resources available in the community for students with mental illnesses and other relevant resources relating to mental health or the safe de-escalation of crisis situations involving a student with a mental illness; or

“(II) expand access to or coordinate resources for school-based counseling and mental health programs, such as through school-based mental health services partnership programs;

“(iii) providing local educational agencies with resources that are evidence-based (to the extent the State determines that such evidence is reasonably available) addressing ways to integrate health and safety practices into school or athletic programs; and

“(iv) disseminating best practices and evaluating program outcomes relating to any local educational agency activities to promote student safety and violence prevention through effective communication as described in section 4108(5)(C)(iv); and

“(C) increase access to personalized, rigorous learning experiences supported by technology by—

“(i) providing technical assistance to local educational agencies to improve the ability of local educational agencies to—

“(I) identify and address technology readiness needs, including the types of technology infrastructure and access available to the students served by the local educational agency, including computer devices, access to school libraries, Internet connectivity, operating systems, software, related network infrastructure, and data security;

“(II) use technology, consistent with the principles of universal design for learning, to support the learning needs of all students, including children with disabilities and English learners; and

“(III) build capacity for principals, other school leaders, and local educational agency administrators to support teachers in using data and technology to improve instruction and personalize learning;

“(ii) supporting schools in rural and remote areas to expand access to high-quality digital learning opportunities;

“(iii) developing or using strategies that are innovative or evidence-based (to the extent the State determines that such evidence is reasonably available) for the delivery of specialized or rigorous academic courses and curricula through the use of technology, including digital learning technologies and assistive technology, which may include increased access to online dual or concurrent enrollment opportunities, career and technical courses, and programs leading to a recognized postsecondary credential (as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102));

“(iv) disseminating promising practices related to technology instruction, data security, and the acquisition and implementation of technology tools and applications, including through making such promising practices publicly available on the website of the State educational agency;

“(v) providing teachers, paraprofessionals, school librarians and media personnel, specialized instructional support personnel, and administrators with the knowledge and skills to use technology effectively, including effective integration of technology, to improve instruction and student achievement, which may include coordination with teacher, principal, and other school leader preparation programs; and

“(vi) making instructional content widely available through open educational resources, which may include providing tools and processes to support local educational agencies in making such resources widely available.

“(c) SPECIAL RULE.—A State that receives a grant under this subpart for fiscal year 2017

may use the amount made available to the State and not reserved under paragraphs (1) and (2) of subsection (a) for such fiscal year to cover part or all of the fees for accelerated learning examinations taken by low-income students during the 2016-2017 school year, in accordance with subsection (b)(3)(A)(ii).

“SEC. 4105. ALLOCATIONS TO LOCAL EDUCATIONAL AGENCIES.

“(a) ALLOCATIONS TO LOCAL EDUCATIONAL AGENCIES.—

“(1) IN GENERAL.—From the funds reserved by a State under section 4104(a)(1), the State shall allocate to each local educational agency in the State that has an application approved by the State educational agency under section 4106 an amount that bears the same relationship to the total amount of such reservation as the amount the local educational agency received under subpart 2 of part A of title I for the preceding fiscal year bears to the total amount received by all local educational agencies in the State under such subpart for the preceding fiscal year.

“(2) MINIMUM LOCAL EDUCATIONAL AGENCY ALLOCATION.—No allocation to a local educational agency under this subsection may be made in an amount that is less than \$10,000, subject to subsection (b).

“(3) CONSORTIA.—Local educational agencies in a State may form a consortium with other surrounding local educational agencies and combine the funds each such agency in the consortium receives under this section to jointly carry out the local activities described in this subpart.

“(b) RATABLE REDUCTION.—If the amount reserved by the State under section 4104(a)(1) is insufficient to make allocations to local educational agencies in an amount equal to the minimum allocation described in subsection (a)(2), such allocations shall be ratably reduced.

“(c) ADMINISTRATIVE COSTS.—Of the amount received under subsection (a)(2), a local educational agency may reserve not more than 2 percent for the direct administrative costs of carrying out the local educational agency's responsibilities under this subpart.

“SEC. 4106. LOCAL EDUCATIONAL AGENCY APPLICATIONS.

“(a) ELIGIBILITY.—To be eligible to receive an allocation under section 4105(a), a local educational agency shall—

“(1) submit an application, which shall contain, at a minimum, the information described in subsection (e), to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require; and

“(2) complete a needs assessment in accordance with subsection (d).

“(b) CONSORTIUM.—If a local educational agency desires to carry out the activities described in this subpart in consortium with one or more surrounding local educational agencies as described in section 4105(a)(3), such local educational agencies shall submit a single application as required under subsection (a).

“(c) CONSULTATION.—

“(1) IN GENERAL.—A local educational agency, or consortium of such agencies, shall develop its application through consultation with parents, teachers, principals, other school leaders, specialized instructional support personnel, students, community-based organizations, local government representatives (which may include a local law enforcement agency, local juvenile court, local child welfare agency, or local public housing agency), Indian tribes or tribal organizations that may be located in the region served by the local educational agency (where applicable), charter school teachers, principals, and other school leaders (if such agency or consortium of such agencies supports charter schools), and others with relevant and demonstrated ex-

pertise in programs and activities designed to meet the purpose of this subpart.

“(2) CONTINUED CONSULTATION.—The local educational agency, or consortium of such agencies, shall engage in continued consultation with the entities described in paragraph (1) in order to improve the local activities in order to meet the purpose of this subpart and to coordinate such implementation with other related strategies, programs, and activities being conducted in the community.

“(d) NEEDS ASSESSMENT.—

“(1) IN GENERAL.—Except as provided in paragraph (2) and prior to receiving an allocation under this subpart, a local educational agency or consortium of such agencies shall conduct a comprehensive needs assessment of the local educational agency or agencies proposed to be served under this subpart in order to examine needs for improvement of—

“(A) access to, and opportunities for, a well-rounded education for all students;

“(B) school conditions for student learning in order to create a healthy and safe school environment; and

“(C) access to personalized learning experiences supported by technology and professional development for the effective use of data and technology.

“(2) EXCEPTION.—A local educational agency receiving an allocation under section 4105(a) in an amount that is less than \$30,000 shall not be required to conduct a comprehensive needs assessment under paragraph (1).

“(3) FREQUENCY OF NEEDS ASSESSMENT.—Each local educational agency, or consortium of local educational agencies, shall conduct the needs assessment described in paragraph (1) once every 3 years.

“(e) CONTENTS OF LOCAL APPLICATION.—Each application submitted under this section by a local educational agency, or a consortium of such agencies, shall include the following:

“(1) DESCRIPTIONS.—A description of the activities and programming that the local educational agency, or consortium of such agencies, will carry out under this subpart, including a description of—

“(A) any partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities under this subpart;

“(B) if applicable, how funds will be used for activities related to supporting well-rounded education under section 4107;

“(C) if applicable, how funds will be used for activities related to supporting safe and healthy students under section 4108;

“(D) if applicable, how funds will be used for activities related to supporting the effective use of technology in schools under section 4109; and

“(E) the program objectives and intended outcomes for activities under this subpart, and how the local educational agency, or consortium of such agencies, will periodically evaluate the effectiveness of the activities carried out under this section based on such objectives and outcomes.

“(2) ASSURANCES.—Each application shall include assurances that the local educational agency, or consortium of such agencies, will—

“(A) prioritize the distribution of funds to schools served by the local educational agency, or consortium of such agencies, that—

“(i) are among the schools with the greatest needs, as determined by such local educational agency, or consortium;

“(ii) have the highest percentages or numbers of children counted under section 1124(c);

“(iii) are identified for comprehensive support and improvement under section 1111(c)(4)(D)(i);

“(iv) are implementing targeted support and improvement plans as described in section 1111(d)(2); or

“(v) are identified as a persistently dangerous public elementary school or secondary school under section 8532;

“(B) comply with section 8501 (regarding equitable participation by private school children and teachers);

“(C) use not less than 20 percent of funds received under this subpart to support one or more of the activities authorized under section 4107;

“(D) use not less than 20 percent of funds received under this subpart to support one or more activities authorized under section 4108;

“(E) use a portion of funds received under this subpart to support one or more activities authorized under section 4109(a), including an assurance that the local educational agency, or consortium of local educational agencies, will comply with section 4109(b); and

“(F) annually report to the State for inclusion in the report described in section 4104(a)(2) how funds are being used under this subpart to meet the requirements of subparagraphs (C) through (E).

“(f) **SPECIAL RULE.**—Any local educational agency receiving an allocation under section 4105(a)(1) in an amount less than \$30,000 shall be required to provide only one of the assurances described in subparagraphs (C), (D), and (E) of subsection (e)(2).

“SEC. 4107. ACTIVITIES TO SUPPORT WELL-ROUNDED EDUCATIONAL OPPORTUNITIES.

“(a) **IN GENERAL.**—Subject to section 4106(f), each local educational agency, or consortium of such agencies, that receives an allocation under section 4105(a) shall use a portion of such funds to develop and implement programs and activities that support access to a well-rounded education and that—

“(1) are coordinated with other schools and community-based services and programs;

“(2) may be conducted in partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities under this section; and

“(3) may include programs and activities, such as—

“(A) college and career guidance and counseling programs, such as—

“(i) postsecondary education and career awareness and exploration activities;

“(ii) training counselors to effectively use labor market information in assisting students with postsecondary education and career planning; and

“(iii) financial literacy and Federal financial aid awareness activities;

“(B) programs and activities that use music and the arts as tools to support student success through the promotion of constructive student engagement, problem solving, and conflict resolution;

“(C) programming and activities to improve instruction and student engagement in science, technology, engineering, and mathematics, including computer science, (referred to in this section as ‘STEM subjects’) such as—

“(i) increasing access for students through grade 12 who are members of groups underrepresented in such subject fields, such as female students, minority students, English learners, children with disabilities, and economically disadvantaged students, to high-quality courses;

“(ii) supporting the participation of low-income students in nonprofit competitions related to STEM subjects (such as robotics, science research, invention, mathematics, computer science, and technology competitions);

“(iii) providing hands-on learning and exposure to science, technology, engineering, and mathematics and supporting the use of field-based or service learning to enhance the students’ understanding of the STEM subjects;

“(iv) supporting the creation and enhancement of STEM-focused specialty schools;

“(v) facilitating collaboration among school, after-school program, and informal program personnel to improve the integration of programming and instruction in the identified subjects; and

“(vi) integrating other academic subjects, including the arts, into STEM subject programs to increase participation in STEM subjects, improve attainment of skills related to STEM subjects, and promote well-rounded education;

“(D) efforts to raise student academic achievement through accelerated learning programs described in section 4104(b)(3)(A)(i)(IV), such as—

“(i) reimbursing low-income students to cover part or all of the costs of accelerated learning examination fees, if the low-income students are enrolled in accelerated learning courses and plan to take accelerated learning examinations; or

“(ii) increasing the availability of, and enrollment in, accelerated learning courses, accelerated learning examinations, dual or concurrent enrollment programs, and early college high school courses;

“(E) activities to promote the development, implementation, and strengthening of programs to teach traditional American history, civics, economics, geography, or government education;

“(F) foreign language instruction;

“(G) environmental education;

“(H) programs and activities that promote volunteerism and community involvement;

“(I) programs and activities that support educational programs that integrate multiple disciplines, such as programs that combine arts and mathematics; or

“(J) other activities and programs to support student access to, and success in, a variety of well-rounded education experiences.

“(b) **SPECIAL RULE.**—A local educational agency, or consortium of such agencies, that receives a subgrant under this subpart for fiscal year 2017 may use such funds to cover part or all of the fees for accelerated learning examinations taken by low-income students during the 2016-2017 school year, in accordance with subsection (a)(3)(D).

“SEC. 4108. ACTIVITIES TO SUPPORT SAFE AND HEALTHY STUDENTS.

“Subject to section 4106(f), each local educational agency, or consortium of such agencies, that receives an allocation under section 4105(a) shall use a portion of such funds to develop, implement, and evaluate comprehensive programs and activities that—

“(1) are coordinated with other schools and community-based services and programs;

“(2) foster safe, healthy, supportive, and drug-free environments that support student academic achievement;

“(3) promote the involvement of parents in the activity or program;

“(4) may be conducted in partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities described in this section; and

“(5) may include, among other programs and activities—

“(A) drug and violence prevention activities and programs that are evidence-based (to the extent the State, in consultation with local educational agencies in the State, determines that such evidence is reasonably available) including—

“(i) programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes; and

“(ii) professional development and training for school and specialized instructional support personnel and interested community members in

prevention, education, early identification, intervention mentoring, recovery support services and, where appropriate, rehabilitation referral, as related to drug and violence prevention;

“(B) in accordance with sections 4001 and 4111—

“(i) school-based mental health services, including early identification of mental health symptoms, drug use, and violence, and appropriate referrals to direct individual or group counseling services, which may be provided by school-based mental health services providers; and

“(ii) school-based mental health services partnership programs that—

“(I) are conducted in partnership with a public or private mental health entity or health care entity; and

“(II) provide comprehensive school-based mental health services and supports and staff development for school and community personnel working in the school that are—

“(aa) based on trauma-informed practices that are evidence-based (to the extent the State, in consultation with local educational agencies in the State, determines that such evidence is reasonably available);

“(bb) coordinated (where appropriate) with early intervening services provided under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.); and

“(cc) provided by qualified mental and behavioral health professionals who are certified or licensed by the State involved and practicing within their area of expertise;

“(C) programs or activities that—

“(i) integrate health and safety practices into school or athletic programs;

“(ii) support a healthy, active lifestyle, including nutritional education and regular, structured physical education activities and programs, that may address chronic disease management with instruction led by school nurses, nurse practitioners, or other appropriate specialists or professionals to help maintain the well-being of students;

“(iii) help prevent bullying and harassment;

“(iv) improve instructional practices for developing relationship-building skills, such as effective communication, and improve safety through the recognition and prevention of coercion, violence, or abuse, including teen and dating violence, stalking, domestic abuse, and sexual violence and harassment;

“(v) provide mentoring and school counseling to all students, including children who are at risk of academic failure, dropping out of school, involvement in criminal or delinquent activities, or drug use and abuse;

“(vi) establish or improve school dropout and re-entry programs; or

“(vii) establish learning environments and enhance students’ effective learning skills that are essential for school readiness and academic success, such as by providing integrated systems of student and family supports;

“(D) high-quality training for school personnel, including specialized instructional support personnel, related to—

“(i) suicide prevention;

“(ii) effective and trauma-informed practices in classroom management;

“(iii) crisis management and conflict resolution techniques;

“(iv) human trafficking (defined, for purposes of this subparagraph, as an act or practice described in paragraph (9) or (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102));

“(v) school-based violence prevention strategies;

“(vi) drug abuse prevention, including educating children facing substance abuse at home; and

“(vii) bullying and harassment prevention;

“(E) in accordance with sections 4001 and 4111, child sexual abuse awareness and prevention programs or activities, such as programs or activities designed to provide—

“(i) age-appropriate and developmentally-appropriate instruction for students in child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to safely report child sexual abuse; and

“(ii) information to parents and guardians of students about child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to discuss child sexual abuse with a child;

“(F) designing and implementing a locally-tailored plan to reduce exclusionary discipline practices in elementary and secondary schools that—

“(i) is consistent with best practices;

“(ii) includes strategies that are evidence-based (to the extent the State, in consultation with local educational agencies in the State, determines that such evidence is reasonably available); and

“(iii) is aligned with the long-term goal of prison reduction through opportunities, mentoring, intervention, support, and other education services, referred to as a ‘youth PROM-ISE plan’; or

“(G) implementation of schoolwide positive behavioral interventions and supports, including through coordination with similar activities carried out under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), in order to improve academic outcomes and school conditions for student learning;

“(H) designating a site resource coordinator at a school or local educational agency to provide a variety of services, such as—

“(i) establishing partnerships within the community to provide resources and support for schools;

“(ii) ensuring that all service and community partners are aligned with the academic expectations of a community school in order to improve student success; and

“(iii) strengthening relationships between schools and communities; or

“(I) pay for success initiatives aligned with the purposes of this section.

“SEC. 4109. ACTIVITIES TO SUPPORT THE EFFECTIVE USE OF TECHNOLOGY.

“(a) **USES OF FUNDS.**—Subject to section 4106(f), each local educational agency, or consortium of such agencies, that receives an allocation under section 4015(a) shall use a portion of such funds to improve the use of technology to improve the academic achievement, academic growth, and digital literacy of all students, including by meeting the needs of such agency or consortium that are identified in the needs assessment conducted under section 4106(d) (if applicable), which may include—

“(1) providing educators, school leaders, and administrators with the professional learning tools, devices, content, and resources to—

“(A) personalize learning to improve student academic achievement;

“(B) discover, adapt, and share relevant high-quality educational resources;

“(C) use technology effectively in the classroom, including by administering computer-based assessments and blended learning strategies; and

“(D) implement and support school- and district-wide approaches for using technology to inform instruction, support teacher collaboration, and personalize learning;

“(2) building technological capacity and infrastructure, which may include—

“(A) procuring content and ensuring content quality; and

“(B) purchasing devices, equipment, and software applications in order to address readiness shortfalls;

“(3) developing or using effective or innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the use of technology, including digital learning technologies and assistive technology;

“(4) carrying out blended learning projects, which shall include—

“(A) planning activities, which may include development of new instructional models (including blended learning technology software and platforms), the purchase of digital instructional resources, initial professional development activities, and one-time information technology purchases, except that such expenditures may not include expenditures related to significant construction or renovation of facilities; or

“(B) ongoing professional development for teachers, principals, other school leaders, or other personnel involved in the project that is designed to support the implementation and academic success of the project;

“(5) providing professional development in the use of technology (which may be provided through partnerships with outside organizations) to enable teachers and instructional leaders to increase student achievement in the areas of science, technology, engineering, and mathematics, including computer science; and

“(6) providing students in rural, remote, and underserved areas with the resources to take advantage of high-quality digital learning experiences, digital resources, and access to online courses taught by effective educators.

“(b) **SPECIAL RULE.**—A local educational agency, or consortium of such agencies, shall not use more than 15 percent of funds for purchasing technology infrastructure as described in subsection (a)(2)(B), which shall include technology infrastructure purchased for the activities under subsection (a)(4)(A).

“SEC. 4110. SUPPLEMENT, NOT SUPPLANT.

“Funds made available under this subpart shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this subpart.

“SEC. 4111. RULE OF CONSTRUCTION.

“Nothing in this subpart may be construed to—

“(1) authorize activities or programming that encourages teenage sexual activity; or

“(2) prohibit effective activities or programming that meet the requirements of section 8526.

“SEC. 4112. AUTHORIZATION OF APPROPRIATIONS.

“(a) **IN GENERAL.**—There are authorized to be appropriated to carry out this subpart \$1,650,000,000 for fiscal year 2017 and \$1,600,000,000 for each of fiscal years 2018 through 2020.

“(b) **FORWARD FUNDING.**—Section 420 of the General Education Provisions Act (20 U.S.C. 1223) shall apply to this subpart.”.

PART B—21ST CENTURY COMMUNITY LEARNING CENTERS

SEC. 4201. 21ST CENTURY COMMUNITY LEARNING CENTERS.

(a) **PROGRAM AUTHORIZED.**—Part B of title IV (20 U.S.C. 7171 et seq.) is amended to read as follows:

“PART B—21ST CENTURY COMMUNITY LEARNING CENTERS

“SEC. 4201. PURPOSE; DEFINITIONS.

“(a) **PURPOSE.**—The purpose of this part is to provide opportunities for communities to establish or expand activities in community learning centers that—

“(1) provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet the challenging State academic standards;

“(2) offer students a broad array of additional services, programs, and activities, such as youth

development activities, service learning, nutrition and health education, drug and violence prevention programs, counseling programs, arts, music, physical fitness and wellness programs, technology education programs, financial literacy programs, environmental literacy programs, mathematics, science, career and technical programs, internship or apprenticeship programs, and other ties to an in-demand industry sector or occupation for high school students that are designed to reinforce and complement the regular academic program of participating students; and

“(3) offer families of students served by community learning centers opportunities for active and meaningful engagement in their children’s education, including opportunities for literacy and related educational development.

“(b) **DEFINITIONS.**—In this part:

“(1) **COMMUNITY LEARNING CENTER.**—The term ‘community learning center’ means an entity that—

“(A) assists students to meet the challenging State academic standards by providing the students with academic enrichment activities and a broad array of other activities (such as programs and activities described in subsection (a)(2)) during nonschool hours or periods when school is not in session (such as before and after school or during summer recess) that—

“(i) reinforce and complement the regular academic programs of the schools attended by the students served; and

“(ii) are targeted to the students’ academic needs and aligned with the instruction students receive during the school day; and

“(B) offers families of students served by such center opportunities for active and meaningful engagement in their children’s education, including opportunities for literacy and related educational development.

“(2) **COVERED PROGRAM.**—The term ‘covered program’ means a program for which—

“(A) the Secretary made a grant under this part (as this part was in effect on the day before the effective date of this part under the Every Student Succeeds Act); and

“(B) the grant period had not ended on that effective date.

“(3) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means a local educational agency, community-based organization, Indian tribe or tribal organization (as such terms are defined in section 4 of the Indian Self-Determination and Education Act (25 U.S.C. 450b)), another public or private entity, or a consortium of 2 or more such agencies, organizations, or entities.

“(4) **EXTERNAL ORGANIZATION.**—The term ‘external organization’ means—

“(A) a nonprofit organization with a record of success in running or working with before and after school (or summer recess) programs and activities; or

“(B) in the case of a community where there is no such organization, a nonprofit organization in the community that enters into a written agreement or partnership with an organization described in subparagraph (A) to receive mentoring and guidance in running or working with before and after school (or summer recess) programs and activities.

“(5) **RIGOROUS PEER-REVIEW PROCESS.**—The term ‘rigorous peer-review process’ means a process by which—

“(A) employees of a State educational agency who are familiar with the programs and activities assisted under this part review all applications that the State receives for awards under this part for completeness and applicant eligibility;

“(B) the State educational agency selects peer reviewers for such applications, who shall—

“(i) be selected for their expertise in providing effective academic, enrichment, youth development, and related services to children; and

“(ii) not include any applicant, or representative of an applicant, that has submitted an application under this part for the current application period; and

“(C) the peer reviewers described in subparagraph (B) review and rate the applications to determine the extent to which the applications meet the requirements under sections 4204(b) and 4205.

“(6) STATE.—The term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

“SEC. 4202. ALLOTMENTS TO STATES.

“(a) RESERVATION.—From the funds appropriated under section 4206 for any fiscal year, the Secretary shall reserve—

“(1) such amounts as may be necessary to make continuation awards to subgrant recipients under covered programs (under the terms of those grants);

“(2) not more than 1 percent for national activities, which the Secretary may carry out directly or through grants and contracts, such as providing technical assistance to eligible entities carrying out programs under this part or conducting a national evaluation; and

“(3) not more than 1 percent for payments to the outlying areas and the Bureau of Indian Education, to be allotted in accordance with their respective needs for assistance under this part, as determined by the Secretary, to enable the outlying areas and the Bureau to carry out the purpose of this part.

“(b) STATE ALLOTMENTS.—

“(1) DETERMINATION.—From the funds appropriated under section 4206 for any fiscal year and remaining after the Secretary makes reservations under subsection (a), the Secretary shall allot to each State for the fiscal year an amount that bears the same relationship to the remainder as the amount the State received under subpart 2 of part A of title I for the preceding fiscal year bears to the amount all States received under that subpart for the preceding fiscal year, except that no State shall receive less than an amount equal to one-half of 1 percent of the total amount made available to all States under this subsection.

“(2) REALLOTMENT OF UNUSED FUNDS.—If a State does not receive an allotment under this part for a fiscal year, the Secretary shall reallocate the amount of the State’s allotment to the remaining States in accordance with this part.

“(c) STATE USE OF FUNDS.—

“(1) IN GENERAL.—Each State that receives an allotment under this part shall reserve not less than 93 percent of the amount allotted to such State under subsection (b), for each fiscal year for awards to eligible entities under section 4204.

“(2) STATE ADMINISTRATION.—A State educational agency may use not more than 2 percent of the amount made available to the State under subsection (b) for—

“(A) the administrative costs of carrying out its responsibilities under this part;

“(B) establishing and implementing a rigorous peer-review process for subgrant applications described in section 4204(b) (including consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities); and

“(C) awarding of funds to eligible entities (in consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities).

“(3) STATE ACTIVITIES.—A State educational agency may use not more than 5 percent of the amount made available to the State under subsection (b) for the following activities:

“(A) Monitoring and evaluating programs and activities assisted under this part.

“(B) Providing capacity building, training, and technical assistance under this part.

“(C) Conducting a comprehensive evaluation (directly, or through a grant or contract) of the effectiveness of programs and activities assisted under this part.

“(D) Providing training and technical assistance to eligible entities that are applicants for or recipients of awards under this part.

“(E) Ensuring that any eligible entity that receives an award under this part from the State aligns the activities provided by the program with the challenging State academic standards.

“(F) Ensuring that any such eligible entity identifies and partners with external organizations, if available, in the community.

“(G) Working with teachers, principals, parents, the local workforce, the local community, and other stakeholders to review and improve State policies and practices to support the implementation of effective programs under this part.

“(H) Coordinating funds received under this part with other Federal and State funds to implement high-quality programs.

“(I) Providing a list of prescreened external organizations, as described under section 4203(a)(11).

“SEC. 4203. STATE APPLICATION.

“(a) IN GENERAL.—In order to receive an allotment under section 4202 for any fiscal year, a State shall submit to the Secretary, at such time as the Secretary may require, an application that—

“(1) designates the State educational agency as the agency responsible for the administration and supervision of programs assisted under this part;

“(2) describes how the State educational agency will use funds received under this part, including funds reserved for State-level activities;

“(3) contains an assurance that the State educational agency—

“(A) will make awards under this part to eligible entities that serve—

“(i) students who primarily attend—

“(I) schools implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d); and

“(II) other schools determined by the local educational agency to be in need of intervention and support; and

“(ii) the families of such students; and

“(B) will further give priority to eligible entities that propose in the application to serve students described in subclauses (I) and (II) of section 4204(i)(1)(A)(i);

“(4) describes the procedures and criteria the State educational agency will use for reviewing applications and awarding funds to eligible entities on a competitive basis, which shall include procedures and criteria that take into consideration the likelihood that a proposed community learning center will help participating students meet the challenging State academic standards and any local academic standards;

“(5) describes how the State educational agency will ensure that awards made under this part are—

“(A) of sufficient size and scope to support high-quality, effective programs that are consistent with the purpose of this part; and

“(B) in amounts that are consistent with section 4204(h);

“(6) describes the steps the State educational agency will take to ensure that programs implement effective strategies, including providing ongoing technical assistance and training, evaluation, dissemination of promising practices, and coordination of professional development for staff in specific content areas and youth development;

“(7) describes how programs under this part will be coordinated with programs under this Act, and other programs as appropriate;

“(8) contains an assurance that the State educational agency—

“(A) will make awards for programs for a period of not less than 3 years and not more than 5 years; and

“(B) will require each eligible entity seeking such an award to submit a plan describing how the activities to be funded through the award will continue after funding under this part ends;

“(9) contains an assurance that funds appropriated to carry out this part will be used to supplement, and not supplant, other Federal, State, and local public funds expended to provide programs and activities authorized under this part and other similar programs;

“(10) contains an assurance that the State educational agency will require eligible entities to describe in their applications under section 4204(b) how the transportation needs of participating students will be addressed;

“(11) describes how the State will—

“(A) prescreen external organizations that could provide assistance in carrying out the activities under this part; and

“(B) develop and make available to eligible entities a list of external organizations that successfully completed the prescreening process;

“(12) provides—

“(A) an assurance that the application was developed in consultation and coordination with appropriate State officials, including the chief State school officer, and other State agencies administering before and after school (or summer recess) programs and activities, the heads of the State health and mental health agencies or their designees, statewide after-school networks (where applicable) and representatives of teachers, local educational agencies, and community-based organizations; and

“(B) a description of any other representatives of teachers, parents, students, or the business community that the State has selected to assist in the development of the application, if applicable;

“(13) describes the results of the State’s needs and resources assessment for before and after school (or summer recess) programs and activities, which shall be based on the results of ongoing State evaluation activities;

“(14) describes how the State educational agency will evaluate the effectiveness of programs and activities carried out under this part, which shall include, at a minimum—

“(A) a description of the performance indicators and performance measures that will be used to evaluate programs and activities with emphasis on alignment with the regular academic program of the school and the academic needs of participating students, including performance indicators and measures that—

“(i) are able to track student success and improvement over time;

“(ii) include State assessment results and other indicators of student success and improvement, such as improved attendance during the school day, better classroom grades, regular (or consistent) program attendance, and on-time advancement to the next grade level; and

“(iii) for high school students, may include indicators such as career competencies, successful completion of internships or apprenticeships, or work-based learning opportunities;

“(B) a description of how data collected for the purposes of subparagraph (A) will be collected; and

“(C) public dissemination of the evaluations of programs and activities carried out under this part; and

“(15) provides for timely public notice of intent to file an application and an assurance that the application will be available for public review after submission.

“(b) DEEMED APPROVAL.—An application submitted by a State educational agency pursuant to subsection (a) shall be deemed to be approved

by the Secretary unless the Secretary makes a written determination, prior to the expiration of the 120-day period beginning on the date on which the Secretary received the application, that the application is not in compliance with this part.

“(c) **DISAPPROVAL.**—The Secretary shall not finally disapprove the application, except after giving the State educational agency notice and an opportunity for a hearing.

“(d) **NOTIFICATION.**—If the Secretary finds that the application is not in compliance, in whole or in part, with this part, the Secretary shall—

“(1) give the State educational agency notice and an opportunity for a hearing; and

“(2) notify the State educational agency of the finding of noncompliance and, in such notification—

“(A) cite the specific provisions in the application that are not in compliance; and

“(B) request additional information, only as to the noncompliant provisions, needed to make the application compliant.

“(e) **RESPONSE.**—If the State educational agency responds to the Secretary’s notification described in subsection (d)(2) during the 45-day period beginning on the date on which the agency received the notification, and resubmits the application with the requested information described in subsection (d)(2)(B), the Secretary shall approve or disapprove such application prior to the later of—

“(1) the expiration of the 45-day period beginning on the date on which the application is resubmitted; or

“(2) the expiration of the 120-day period described in subsection (b).

“(f) **FAILURE TO RESPOND.**—If the State educational agency does not respond to the Secretary’s notification described in subsection (d)(2) during the 45-day period beginning on the date on which the agency received the notification, such application shall be deemed to be disapproved.

“(g) **LIMITATION.**—The Secretary may not give a priority or a preference for States or eligible entities that seek to use funds made available under this part to extend the regular school day.

“SEC. 4204. LOCAL COMPETITIVE SUBGRANT PROGRAM.

“(a) **IN GENERAL.**—

“(1) **COMMUNITY LEARNING CENTERS.**—A State that receives funds under this part for a fiscal year shall provide the amount made available under section 4202(c)(1) to award subgrants to eligible entities for community learning centers in accordance with this part.

“(2) **EXPANDED LEARNING PROGRAM ACTIVITIES.**—A State that receives funds under this part for a fiscal year may use funds under section 4202(c)(1) to support those enrichment and engaging academic activities described in section 4205(a) that—

“(A) are included as part of an expanded learning program that provides students at least 300 additional program hours before, during, or after the traditional school day;

“(B) supplement but do not supplant regular school day requirements; and

“(C) are carried out by entities that meet the requirements of subsection (i).

“(b) **APPLICATION.**—

“(1) **IN GENERAL.**—To be eligible to receive a subgrant under this part, an eligible entity shall submit an application to the State educational agency at such time, in such manner, and including such information as the State educational agency may reasonably require.

“(2) **CONTENTS.**—Each application submitted under paragraph (1) shall include—

“(A) a description of the activities to be funded, including—

“(i) an assurance that the program will take place in a safe and easily accessible facility;

“(ii) a description of how students participating in the program carried out by the community learning center will travel safely to and from the center and home, if applicable; and

“(iii) a description of how the eligible entity will disseminate information about the community learning center (including its location) to the community in a manner that is understandable and accessible;

“(B) a description of how such activities are expected to improve student academic achievement as well as overall student success;

“(C) a demonstration of how the proposed program will coordinate Federal, State, and local programs and make the most effective use of public resources;

“(D) an assurance that the proposed program was developed and will be carried out—

“(i) in active collaboration with the schools that participating students attend (including through the sharing of relevant data among the schools), all participants of the eligible entity, and any partnership entities described in subparagraph (H), in compliance with applicable laws relating to privacy and confidentiality; and

“(ii) in alignment with the challenging State academic standards and any local academic standards;

“(E) a description of how the activities will meet the measures of effectiveness described in section 4205(b);

“(F) an assurance that the program will target students who primarily attend schools eligible for schoolwide programs under section 1114 and the families of such students;

“(G) an assurance that subgrant funds under this part will be used to increase the level of State, local, and other non-Federal funds that would, in the absence of funds under this part, be made available for programs and activities authorized under this part, and in no case supplant Federal, State, local, or non-Federal funds;

“(H) a description of the partnership between a local educational agency, a community-based organization, and another public entity or private entity, if appropriate;

“(I) an evaluation of the community needs and available resources for the community learning center, and a description of how the program proposed to be carried out in the center will address those needs (including the needs of working families);

“(J) a demonstration that the eligible entity will use best practices, including research or evidence-based practices, to provide educational and related activities that will complement and enhance academic performance, achievement, postsecondary and workforce preparation, and positive youth development of the students;

“(K) a description of a preliminary plan for how the community learning center will continue after funding under this part ends;

“(L) an assurance that the community will be given notice of an intent to submit an application and that the application and any waiver request will be available for public review after submission of the application;

“(M) if the eligible entity plans to use volunteers in activities carried out through the community learning center, a description of how the eligible entity will encourage and use appropriately qualified persons to serve as the volunteers; and

“(N) such other information and assurances as the State educational agency may reasonably require.

“(c) **APPROVAL OF CERTAIN APPLICATIONS.**—The State educational agency may approve an application under this part for a program to be located in a facility other than an elementary

school or secondary school only if the program will be at least as available and accessible to the students to be served as if the program were located in an elementary school or secondary school.

“(d) **PERMISSIVE LOCAL MATCH.**—

“(1) **IN GENERAL.**—A State educational agency may require an eligible entity to match subgrant funds awarded under this part, except that such match may not exceed the amount of the subgrant and may not be derived from other Federal or State funds.

“(2) **SLIDING SCALE.**—The amount of a match under paragraph (1) shall be established based on a sliding scale that takes into account—

“(A) the relative poverty of the population to be targeted by the eligible entity; and

“(B) the ability of the eligible entity to obtain such matching funds.

“(3) **IN-KIND CONTRIBUTIONS.**—Each State educational agency that requires an eligible entity to match funds under this subsection shall permit the eligible entity to provide all or any portion of such match in the form of in-kind contributions.

“(4) **CONSIDERATION.**—Notwithstanding this subsection, a State educational agency shall not consider an eligible entity’s ability to match funds when determining which eligible entities will receive subgrants under this part.

“(e) **PEER REVIEW.**—In reviewing local applications under this part, a State educational agency shall use a rigorous peer-review process or other methods to ensure the quality of funded projects.

“(f) **GEOGRAPHIC DIVERSITY.**—To the extent practicable, a State educational agency shall distribute subgrant funds under this part equitably among geographic areas within the State, including urban and rural communities.

“(g) **DURATION OF AWARDS.**—A subgrant awarded under this part shall be awarded for a period of not less than 3 years and not more than 5 years.

“(h) **AMOUNT OF AWARDS.**—A subgrant awarded under this part may not be made in an amount that is less than \$50,000.

“(i) **PRIORITY.**—

“(1) **IN GENERAL.**—In awarding subgrants under this part, a State educational agency shall give priority to applications—

“(A) proposing to target services to—

“(i) students who primarily attend schools that—

“(I) are implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d) or other schools determined by the local educational agency to be in need of intervention and support to improve student academic achievement and other outcomes; and

“(II) enroll students who may be at risk for academic failure, dropping out of school, involvement in criminal or delinquent activities, or who lack strong positive role models; and

“(ii) the families of students described in clause (i);

“(B) submitted jointly by eligible entities consisting of not less than 1—

“(i) local educational agency receiving funds under part A of title I; and

“(ii) another eligible entity; and

“(C) demonstrating that the activities proposed in the application—

“(i) are, as of the date of the submission of the application, not accessible to students who would be served; or

“(ii) would expand accessibility to high-quality services that may be available in the community.

“(2) **SPECIAL RULE.**—The State educational agency shall provide the same priority under paragraph (1) to an application submitted by a local educational agency if the local educational agency demonstrates that it is unable

to partner with a community-based organization in reasonable geographic proximity and of sufficient quality to meet the requirements of this part.

“(3) **LIMITATION.**—A State educational agency may not give a priority or a preference to eligible entities that seek to use funds made available under this part to extend the regular school day.

“(j) **RENEWABILITY OF AWARDS.**—A State educational agency may renew a subgrant provided under this part to an eligible entity, based on the eligible entity's performance during the preceding subgrant period.

“SEC. 4205. LOCAL ACTIVITIES.

“(a) **AUTHORIZED ACTIVITIES.**—Each eligible entity that receives an award under section 4204 may use the award funds to carry out a broad array of activities that advance student academic achievement and support student success, including—

“(1) academic enrichment learning programs, mentoring programs, remedial education activities, and tutoring services, that are aligned with—

“(A) the challenging State academic standards and any local academic standards; and

“(B) local curricula that are designed to improve student academic achievement;

“(2) well-rounded education activities, including such activities that enable students to be eligible for credit recovery or attainment;

“(3) literacy education programs, including financial literacy programs and environmental literacy programs;

“(4) programs that support a healthy and active lifestyle, including nutritional education and regular, structured physical activity programs;

“(5) services for individuals with disabilities;

“(6) programs that provide after-school activities for students who are English learners that emphasize language skills and academic achievement;

“(7) cultural programs;

“(8) telecommunications and technology education programs;

“(9) expanded library service hours;

“(10) parenting skills programs that promote parental involvement and family literacy;

“(11) programs that provide assistance to students who have been truant, suspended, or expelled to allow the students to improve their academic achievement;

“(12) drug and violence prevention programs and counseling programs;

“(13) programs that build skills in science, technology, engineering, and mathematics (referred to in this paragraph as ‘STEM’), including computer science, and that foster innovation in learning by supporting nontraditional STEM education teaching methods; and

“(14) programs that partner with in-demand fields of the local workforce or build career competencies and career readiness and ensure that local workforce and career readiness skills are aligned with the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) and the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.).

“(b) **MEASURES OF EFFECTIVENESS.**—

“(1) **IN GENERAL.**—For a program or activity developed pursuant to this part to meet the measures of effectiveness, monitored by the State educational agency as described in section 4203(a)(14), such program or activity shall—

“(A) be based upon an assessment of objective data regarding the need for before and after school (or summer recess) programs and activities in the schools and communities;

“(B) be based upon an established set of performance measures aimed at ensuring the availability of high-quality academic enrichment opportunities;

“(C) if appropriate, be based upon evidence-based research that the program or activity will help students meet the challenging State academic standards and any local academic standards;

“(D) ensure that measures of student success align with the regular academic program of the school and the academic needs of participating students and include performance indicators and measures described in section 4203(a)(14)(A); and

“(E) collect the data necessary for the measures of student success described in subparagraph (D).

“(2) **PERIODIC EVALUATION.**—

“(A) **IN GENERAL.**—The program or activity shall undergo a periodic evaluation in conjunction with the State educational agency's overall evaluation plan as described in section 4203(a)(14), to assess the program's progress toward achieving the goal of providing high-quality opportunities for academic enrichment and overall student success.

“(B) **USE OF RESULTS.**—The results of evaluations under subparagraph (A) shall be—

“(i) used to refine, improve, and strengthen the program or activity, and to refine the performance measures;

“(ii) made available to the public upon request, with public notice of such availability provided; and

“(iii) used by the State to determine whether a subgrant is eligible to be renewed under section 4204(j).

“SEC. 4206. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part \$1,000,000,000 for fiscal year 2017 and \$1,100,000,000 for each of fiscal years 2018 through 2020.”

PART C—EXPANDING OPPORTUNITY THROUGH QUALITY CHARTER SCHOOLS

SEC. 4301. CHARTER SCHOOLS.

Part C of title IV (20 U.S.C. 7221 et seq.), as redesignated by section 4001, is amended—

(1) by striking sections 4301 through 4305, as redesignated by section 4001, and inserting the following:

“SEC. 4301. PURPOSE.

“It is the purpose of this part to—

“(1) improve the United States education system and education opportunities for all people in the United States by supporting innovation in public education in public school settings that prepare students to compete and contribute to the global economy and a stronger Nation;

“(2) provide financial assistance for the planning, program design, and initial implementation of charter schools;

“(3) increase the number of high-quality charter schools available to students across the United States;

“(4) evaluate the impact of charter schools on student achievement, families, and communities, and share best practices between charter schools and other public schools;

“(5) encourage States to provide support to charter schools for facilities financing in an amount more nearly commensurate to the amount States typically provide for traditional public schools;

“(6) expand opportunities for children with disabilities, English learners, and other traditionally underserved students to attend charter schools and meet the challenging State academic standards;

“(7) support efforts to strengthen the charter school authorizing process to improve performance management, including transparency, oversight and monitoring (including financial audits), and evaluation of such schools; and

“(8) support quality, accountability, and transparency in the operational performance of

all authorized public chartering agencies, including State educational agencies, local educational agencies, and other authorizing entities.

“SEC. 4302. PROGRAM AUTHORIZED.

“(a) **IN GENERAL.**—The Secretary may carry out a charter school program that supports charter schools that serve early childhood, elementary school, or secondary school students by—

“(1) supporting the startup of new charter schools, the replication of high-quality charter schools, and the expansion of high-quality charter schools;

“(2) assisting charter schools in accessing credit to acquire and renovate facilities for school use; and

“(3) carrying out national activities to support—

“(A) the activities described in paragraph (1);

“(B) the dissemination of best practices of charter schools for all schools;

“(C) the evaluation of the impact of the charter school program under this part on schools participating in such program; and

“(D) stronger charter school authorizing practices.

“(b) **FUNDING ALLOTMENT.**—From the amount made available under section 4311 for a fiscal year, the Secretary shall—

“(1) reserve 12.5 percent to support charter school facilities assistance under section 4304;

“(2) reserve 22.5 percent to carry out national activities under section 4305; and

“(3) use the remaining amount after the reservations under paragraphs (1) and (2) to carry out section 4303.

“(c) **PRIOR GRANTS AND SUBGRANTS.**—The recipient of a grant or subgrant under part B of title V (as such part was in effect on the day before the date of enactment of the Every Student Succeeds Act) shall continue to receive funds in accordance with the terms and conditions of such grant or subgrant.

“SEC. 4303. GRANTS TO SUPPORT HIGH-QUALITY CHARTER SCHOOLS.

“(a) **STATE ENTITY DEFINED.**—For purposes of this section, the term ‘State entity’ means—

“(1) a State educational agency;

“(2) a State charter school board;

“(3) a Governor of a State; or

“(4) a charter school support organization.

“(b) **PROGRAM AUTHORIZED.**—From the amount available under section 4302(b)(3), the Secretary shall award, on a competitive basis, grants to State entities having applications approved under subsection (f) to enable such entities to—

“(1) award subgrants to eligible applicants to enable eligible applicants to—

“(A) open and prepare for the operation of new charter schools;

“(B) open and prepare for the operation of replicated high-quality charter schools; or

“(C) expand high-quality charter schools; and

“(2) provide technical assistance to eligible applicants and authorized public chartering agencies in carrying out the activities described in paragraph (1), and work with authorized public chartering agencies in the State to improve authorizing quality, including developing capacity for, and conducting, fiscal oversight and auditing of charter schools.

“(c) **STATE ENTITY USES OF FUNDS.**—

“(1) **IN GENERAL.**—A State entity receiving a grant under this section shall—

“(A) use not less than 90 percent of the grant funds to award subgrants to eligible applicants, in accordance with the quality charter school program described in the State entity's application pursuant to subsection (f), for the purposes described in subsection (b)(1);

“(B) reserve not less than 7 percent of such funds to carry out the activities described in subsection (b)(2); and

“(C) reserve not more than 3 percent of such funds for administrative costs, which may include technical assistance.

“(2) **CONTRACTS AND GRANTS.**—A State entity may use a grant received under this section to carry out the activities described in subsection (b)(2) directly or through grants, contracts, or cooperative agreements.

“(3) **RULE OF CONSTRUCTION.**—

“(A) **USE OF LOTTERY.**—Nothing in this Act shall prohibit the Secretary from awarding grants to State entities, or prohibit State entities from awarding subgrants to eligible applicants, that use a weighted lottery to give slightly better chances for admission to all, or a subset of, educationally disadvantaged students if—

“(i) the use of weighted lotteries in favor of such students is not prohibited by State law, and such State law is consistent with laws described in section 4310(2)(G); and

“(ii) such weighted lotteries are not used for the purpose of creating schools exclusively to serve a particular subset of students.

“(B) **STUDENTS WITH SPECIAL NEEDS.**—Nothing in this paragraph shall be construed to prohibit schools from specializing in providing specific services for students with a demonstrated need for such services, such as students who need specialized instruction in reading, spelling, or writing.

“(d) **PROGRAM PERIODS; PEER REVIEW; DISTRIBUTION OF SUBGRANTS; WAIVERS.**—

“(1) **PROGRAM PERIODS.**—

“(A) **GRANTS.**—A grant awarded by the Secretary to a State entity under this section shall be for a period of not more than 5 years.

“(B) **SUBGRANTS.**—A subgrant awarded by a State entity under this section shall be for a period of not more than 5 years, of which an eligible applicant may use not more than 18 months for planning and program design.

“(2) **PEER REVIEW.**—The Secretary, and each State entity awarding subgrants under this section, shall use a peer-review process to review applications for assistance under this section.

“(3) **GRANT AWARDS.**—

“(A) **IN GENERAL.**—The Secretary—

“(i) shall for each fiscal year for which funds are appropriated under section 4311—

“(I) award not less than 3 grants under this section; and

“(II) fully obligate the first 2 years of funds appropriated for the purpose of awarding grants under this section in the first fiscal year for which such grants are awarded; and

“(ii) prior to the start of the third year of the grant period and each succeeding year of each grant awarded under this section to a State entity—

“(I) shall review—

“(aa) whether the State entity is using the grant funds for the agreed upon uses of funds; and

“(bb) whether the full amount of the grant will be needed for the remainder of the grant period; and

“(II) may, as determined necessary based on that review, terminate or reduce the amount of the grant and reallocate the remaining grant funds to other State entities—

“(aa) by using such funds to award grants under this section to other State entities; or

“(bb) in a fiscal year in which the amount of such remaining funds is insufficient to award grants under item (aa), in accordance with subparagraph (B).

“(B) **REMAINING FUNDING.**—For a fiscal year for which there are remaining grant funds under this paragraph, but the amount of such funds is insufficient to award a grant to a State entity under this section, the Secretary shall use such remaining grants funds—

“(i) to supplement funding for grants under section 4305(a)(2), but not to supplant—

“(I) the funds reserved under section 4305(a)(2); and

“(II) funds otherwise reserved under section 4302(b)(2) to carry out national activities under section 4305;

“(ii) to award grants to State entities to carry out the activities described in subsection (b)(1) for the next fiscal year; or

“(iii) to award one year of a grant under subsection (b)(1) to a high-scoring State entity, in an amount at or above the minimum amount the State entity needs to be successful for such year.

“(4) **DIVERSITY OF PROJECTS.**—Each State entity awarding subgrants under this section shall award subgrants in a manner that, to the extent practicable and applicable, ensures that such subgrants—

“(A) are distributed throughout different areas, including urban, suburban, and rural areas; and

“(B) will assist charter schools representing a variety of educational approaches.

“(5) **WAIVERS.**—The Secretary may waive any statutory or regulatory requirement over which the Secretary exercises administrative authority, except any such requirement relating to the elements of a charter school described in section 4310(2), if—

“(A) the waiver is requested in an approved application under this section; and

“(B) the Secretary determines that granting such waiver will promote the purpose of this part.

“(e) **LIMITATIONS.**—

“(1) **GRANTS.**—No State entity may receive a grant under this section for use in a State in which a State entity is currently using a grant received under this section.

“(2) **SUBGRANTS.**—An eligible applicant may not receive more than 1 subgrant under this section for each individual charter school for a 5-year period, unless the eligible applicant demonstrates to the State entity that such individual charter school has at least 3 years of improved educational results for students enrolled in such charter school with respect to the elements described in subparagraphs (A) and (D) of section 4310(8).

“(f) **APPLICATIONS.**—A State entity desiring to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

“(1) **DESCRIPTION OF PROGRAM.**—A description of the State entity's objectives in running a quality charter school program under this section and how the objectives of the program will be carried out, including—

“(A) a description of how the State entity will—

“(i) support the opening of charter schools through the startup of new charter schools and, if applicable, the replication of high-quality charter schools, and the expansion of high-quality charter schools (including the proposed number of new charter schools to be opened, high-quality charter schools to be opened as a result of the replication of a high-quality charter school, or high-quality charter schools to be expanded under the State entity's program);

“(ii) inform eligible charter schools, developers, and authorized public chartering agencies of the availability of funds under the program;

“(iii) work with eligible applicants to ensure that the eligible applicants access all Federal funds that such applicants are eligible to receive, and help the charter schools supported by the applicants and the students attending those charter schools—

“(I) participate in the Federal programs in which the schools and students are eligible to participate;

“(II) receive the commensurate share of Federal funds the schools and students are eligible to receive under such programs; and

“(III) meet the needs of students served under such programs, including students with disabilities and English learners;

“(iv) ensure that authorized public chartering agencies, in collaboration with surrounding local educational agencies where applicable, establish clear plans and procedures to assist students enrolled in a charter school that closes or loses its charter to attend other high-quality schools;

“(v) in the case of a State entity that is not a State educational agency—

“(I) work with the State educational agency and charter schools in the State to maximize charter school participation in Federal and State programs for which charter schools are eligible; and

“(II) work with the State educational agency to operate the State entity's program under this section, if applicable;

“(vi) ensure that each eligible applicant that receives a subgrant under the State entity's program—

“(I) is using funds provided under this section for one of the activities described in subsection (b)(1); and

“(II) is prepared to continue to operate charter schools funded under this section in a manner consistent with the eligible applicant's application for such subgrant once the subgrant funds under this section are no longer available;

“(vii) support—

“(I) charter schools in local educational agencies with a significant number of schools identified by the State for comprehensive support and improvement under section 1111(c)(4)(D)(i); and

“(II) the use of charter schools to improve struggling schools, or to turn around struggling schools;

“(viii) work with charter schools on—

“(I) recruitment and enrollment practices to promote inclusion of all students, including by eliminating any barriers to enrollment for educationally disadvantaged students (who include foster youth and unaccompanied homeless youth); and

“(II) supporting all students once they are enrolled to promote retention, including by reducing the overuse of discipline practices that remove students from the classroom;

“(ix) share best and promising practices between charter schools and other public schools;

“(x) ensure that charter schools receiving funds under the State entity's program meet the educational needs of their students, including children with disabilities and English learners;

“(xi) support efforts to increase charter school quality initiatives, including meeting the quality authorizing elements described in paragraph (2)(D);

“(xii)(I) in the case of a State entity not described in subclause (II), a description of how the State entity will provide oversight of authorizing activity, including how the State will help ensure better authorizing, such as by establishing authorizing standards that may include approving, monitoring, and re-approving or revoking the authority of an authorized public chartering agency based on the performance of the charter schools authorized by such agency in the areas of student achievement, student safety, financial and operational management, and compliance with all applicable statutes and regulations; and

“(II) in the case of a State entity described in subsection (a)(4), a description of how the State entity will work with the State to support the State's system of technical assistance and oversight, as described in subclause (I), of the authorizing activity of authorized public chartering agencies; and

“(xiii) work with eligible applicants receiving a subgrant under the State entity's program to support the opening of new charter schools or

charter school models described in clause (i) that are high schools;

“(B) a description of the extent to which the State entity—

“(i) is able to meet and carry out the priorities described in subsection (g)(2);

“(ii) is working to develop or strengthen a cohesive statewide system to support the opening of new charter schools and, if applicable, the replication of high-quality charter schools, and the expansion of high-quality charter schools; and

“(iii) is working to develop or strengthen a cohesive strategy to encourage collaboration between charter schools and local educational agencies on the sharing of best practices;

“(C) a description of how the State entity will award subgrants, on a competitive basis, including—

“(i) a description of the application each eligible applicant desiring to receive a subgrant will be required to submit, which application shall include—

“(I) a description of the roles and responsibilities of eligible applicants, partner organizations, and charter management organizations, including the administrative and contractual roles and responsibilities of such partners;

“(II) a description of the quality controls agreed to between the eligible applicant and the authorized public chartering agency involved, such as a contract or performance agreement, how a school's performance in the State's accountability system and impact on student achievement (which may include student academic growth) will be one of the most important factors for renewal or revocation of the school's charter, and how the State entity and the authorized public chartering agency involved will reserve the right to revoke or not renew a school's charter based on financial, structural, or operational factors involving the management of the school;

“(III) a description of how the autonomy and flexibility granted to a charter school is consistent with the definition of a charter school in section 4310;

“(IV) a description of how the eligible applicant will solicit and consider input from parents and other members of the community on the implementation and operation of each charter school that will receive funds under the State entity's program;

“(V) a description of the eligible applicant's planned activities and expenditures of subgrant funds to support the activities described in subsection (b)(1), and how the eligible applicant will maintain financial sustainability after the end of the subgrant period; and

“(VI) a description of how the eligible applicant will support the use of effective parent, family, and community engagement strategies to operate each charter school that will receive funds under the State entity's program; and

“(ii) a description of how the State entity will review applications from eligible applicants;

“(D) in the case of a State entity that partners with an outside organization to carry out the State entity's quality charter school program, in whole or in part, a description of the roles and responsibilities of the partner;

“(E) a description of how the State entity will ensure that each charter school receiving funds under the State entity's program has considered and planned for the transportation needs of the school's students;

“(F) a description of how the State in which the State entity is located addresses charter schools in the State's open meetings and open records laws; and

“(G) a description of how the State entity will support diverse charter school models, including models that serve rural communities.

“(2) ASSURANCES.—Assurances that—

“(A) each charter school receiving funds through the State entity's program will have a high degree of autonomy over budget and operations, including autonomy over personnel decisions;

“(B) the State entity will support charter schools in meeting the educational needs of their students, as described in paragraph (1)(A)(x);

“(C) the State entity will ensure that the authorized public chartering agency of any charter school that receives funds under the State entity's program adequately monitors each charter school under the authority of such agency in recruiting, enrolling, retaining, and meeting the needs of all students, including children with disabilities and English learners;

“(D) the State entity will provide adequate technical assistance to eligible applicants to meet the objectives described in clause (viii) of paragraph (1)(A) and subparagraph (B) of this paragraph;

“(E) the State entity will promote quality authorizing, consistent with State law, such as through providing technical assistance to support each authorized public chartering agency in the State to improve such agency's ability to monitor the charter schools authorized by the agency, including by—

“(i) assessing annual performance data of the schools, including, as appropriate, graduation rates, student academic growth, and rates of student attrition;

“(ii) reviewing the schools' independent, annual audits of financial statements prepared in accordance with generally accepted accounting principles, and ensuring that any such audits are publicly reported; and

“(iii) holding charter schools accountable to the academic, financial, and operational quality controls agreed to between the charter school and the authorized public chartering agency involved, such as through renewal, non-renewal, or revocation of the school's charter;

“(F) the State entity will work to ensure that charter schools are included with the traditional public schools in decisionmaking about the public school system in the State; and

“(G) the State entity will ensure that each charter school receiving funds under the State entity's program makes publicly available, consistent with the dissemination requirements of the annual State report card under section 1111(h), including on the website of the school, information to help parents make informed decisions about the education options available to their children, including—

“(i) information on the educational program;

“(ii) student support services;

“(iii) parent contract requirements (as applicable), including any financial obligations or fees;

“(iv) enrollment criteria (as applicable); and

“(v) annual performance and enrollment data for each of the subgroups of students, as defined in section 1111(c)(2), except that such disaggregation of performance and enrollment data shall not be required in a case in which the number of students in a group is insufficient to yield statically reliable information or the results would reveal personally identifiable information about an individual student.

“(3) REQUESTS FOR WAIVERS.—Information about waivers, including—

“(A) a request and justification for waivers of any Federal statutory or regulatory provisions that the State entity believes are necessary for the successful operation of the charter schools that will receive funds under the State entity's program under this section or, in the case of a State entity defined in subsection (a)(4), a description of how the State entity will work with the State to request such necessary waivers, where applicable; and

“(B) a description of any State or local rules, generally applicable to public schools, that will be waived, or otherwise not apply to such schools.

“(g) SELECTION CRITERIA; PRIORITY.—

“(1) SELECTION CRITERIA.—The Secretary shall award grants to State entities under this section on the basis of the quality of the applications submitted under subsection (f), after taking into consideration—

“(A) the degree of flexibility afforded by the State's charter school law and how the State entity will work to maximize the flexibility provided to charter schools under such law;

“(B) the ambitiousness of the State entity's objectives for the quality charter school program carried out under this section;

“(C) the likelihood that the eligible applicants receiving subgrants under the program will meet those objectives and improve educational results for students;

“(D) the State entity's plan to—

“(i) adequately monitor the eligible applicants receiving subgrants under the State entity's program;

“(ii) work with the authorized public chartering agencies involved to avoid duplication of work for the charter schools and authorized public chartering agencies; and

“(iii) provide technical assistance and support for—

“(I) the eligible applicants receiving subgrants under the State entity's program; and

“(II) quality authorizing efforts in the State; and

“(E) the State entity's plan to solicit and consider input from parents and other members of the community on the implementation and operation of charter schools in the State.

“(2) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to a State entity to the extent that the entity meets the following criteria:

“(A) The State entity is located in a State that—

“(i) allows at least one entity that is not a local educational agency to be an authorized public chartering agency for developers seeking to open a charter school in the State; or

“(ii) in the case of a State in which local educational agencies are the only authorized public chartering agencies, the State has an appeals process for the denial of an application for a charter school.

“(B) The State entity is located in a State that ensures equitable financing, as compared to traditional public schools, for charter schools and students in a prompt manner.

“(C) The State entity is located in a State that provides charter schools one or more of the following:

“(i) Funding for facilities.

“(ii) Assistance with facilities acquisition.

“(iii) Access to public facilities.

“(iv) The ability to share in bonds or mill levies.

“(v) The right of first refusal to purchase public school buildings.

“(vi) Low- or no-cost leasing privileges.

“(D) The State entity is located in a State that uses best practices from charter schools to help improve struggling schools and local educational agencies.

“(E) The State entity supports charter schools that serve at-risk students through activities such as dropout prevention, dropout recovery, or comprehensive career counseling services.

“(F) The State entity has taken steps to ensure that all authorizing public chartering agencies implement best practices for charter school authorizing.

“(h) LOCAL USES OF FUNDS.—An eligible applicant receiving a subgrant under this section shall use such funds to support the activities described in subsection (b)(1), which shall include one or more of the following activities:

“(1) Preparing teachers, school leaders, and specialized instructional support personnel, including through paying the costs associated with—

“(A) providing professional development; and
 “(B) hiring and compensating, during the eligible applicant's planning period specified in the application for subgrant funds that is required under this section, one or more of the following:

“(i) Teachers.
 “(ii) School leaders.
 “(iii) Specialized instructional support personnel.

“(2) Acquiring supplies, training, equipment (including technology), and educational materials (including developing and acquiring instructional materials).

“(3) Carrying out necessary renovations to ensure that a new school building complies with applicable statutes and regulations, and minor facilities repairs (excluding construction).

“(4) Providing one-time, startup costs associated with providing transportation to students to and from the charter school.

“(5) Carrying out community engagement activities, which may include paying the cost of student and staff recruitment.

“(6) Providing for other appropriate, non-sustained costs related to the activities described in subsection (b)(1) when such costs cannot be met from other sources.

“(i) **REPORTING REQUIREMENTS.**—Each State entity receiving a grant under this section shall submit to the Secretary, at the end of the third year of the 5-year grant period (or at the end of the second year of the grant period if the grant is less than 5 years), and at the end of such grant period, a report that includes the following:

“(1) The number of students served by each subgrant awarded under this section and, if applicable, the number of new students served during each year of the period of the subgrant.

“(2) A description of how the State entity met the objectives of the quality charter school program described in the State entity's application under subsection (f), including—

“(A) how the State entity met the objective of sharing best and promising practices described in subsection (f)(1)(A)(ix) in areas such as instruction, professional development, curricula development, and operations between charter schools and other public schools; and
 “(B) if known, the extent to which such practices were adopted and implemented by such other public schools.

“(3) The number and amount of subgrants awarded under this section to carry out activities described in each of subparagraphs (A) through (C) of subsection (b)(1).

“(4) A description of—

“(A) how the State entity complied with, and ensured that eligible applicants complied with, the assurances included in the State entity's application; and
 “(B) how the State entity worked with authorized public chartering agencies, and how the agencies worked with the management company or leadership of the schools that received subgrant funds under this section, if applicable.

“SEC. 4304. FACILITIES FINANCING ASSISTANCE.
 “(a) **GRANTS TO ELIGIBLE ENTITIES.**—

“(1) **IN GENERAL.**—From the amount reserved under section 4302(b)(1), the Secretary shall use not less than 50 percent to award, on a competitive basis, not less than 3 grants to eligible entities that have the highest-quality applications approved under subsection (d), after considering the diversity of such applications, to demonstrate innovative methods of helping charter schools to address the cost of acquiring, constructing, and renovating facilities by enhancing the availability of loans or bond financing.

“(2) **ELIGIBLE ENTITY DEFINED.**—For the purposes of this section, the term ‘eligible entity’ means—

“(A) a public entity, such as a State or local governmental entity;

“(B) a private nonprofit entity; or

“(C) a consortium of entities described in subparagraphs (A) and (B).

“(b) **GRANTEE SELECTION.**—The Secretary shall evaluate each application submitted under subsection (d), and shall determine whether the application is sufficient to merit approval.

“(c) **GRANT CHARACTERISTICS.**—Grants under subsection (a) shall be of sufficient size, scope, and quality so as to ensure an effective demonstration of an innovative means of enhancing credit for the financing of charter school acquisition, construction, or renovation.

“(d) **APPLICATIONS.**—

“(1) **IN GENERAL.**—An eligible entity desiring to receive a grant under this section shall submit an application to the Secretary in such form as the Secretary may reasonably require.

“(2) **CONTENTS.**—An application submitted under paragraph (1) shall contain—

“(A) a statement identifying the activities that the eligible entity proposes to carry out with funds received under subsection (a), including how the eligible entity will determine which charter schools will receive assistance, and how much and what types of assistance charter schools will receive;

“(B) a description of the involvement of charter schools in the application's development and the design of the proposed activities;

“(C) a description of the eligible entity's expertise in capital market financing;

“(D) a description of how the proposed activities will leverage the maximum amount of private-sector financing capital relative to the amount of government funding used and otherwise enhance credit available to charter schools, including how the eligible entity will offer a combination of rates and terms more favorable than the rates and terms that a charter school could receive without assistance from the eligible entity under this section;

“(E) a description of how the eligible entity possesses sufficient expertise in education to evaluate the likelihood of success of a charter school program for which facilities financing is sought; and

“(F) in the case of an application submitted by a State governmental entity, a description of the actions that the eligible entity has taken, or will take, to ensure that charter schools within the State receive the funding that charter schools need to have adequate facilities.

“(e) **CHARTER SCHOOL OBJECTIVES.**—An eligible entity receiving a grant under subsection (a) shall use the funds deposited in the reserve account established under subsection (f) to assist one or more charter schools to access private-sector capital to accomplish one or more of the following objectives:

“(1) The acquisition (by purchase, lease, donation, or otherwise) of an interest (including an interest held by a third party for the benefit of a charter school) in improved or unimproved real property that is necessary to commence or continue the operation of a charter school.

“(2) The construction of new facilities, or the renovation, repair, or alteration of existing facilities, necessary to commence or continue the operation of a charter school.

“(3) The predevelopment costs required to assess sites for purposes of paragraph (1) or (2) and that are necessary to commence or continue the operation of a charter school.

“(f) **RESERVE ACCOUNT.**—

“(1) **USE OF FUNDS.**—To assist charter schools in accomplishing the objectives described in subsection (e), an eligible entity receiving a grant under subsection (a) shall, in accordance with

State and local law, directly or indirectly, alone or in collaboration with others, deposit the funds received under subsection (a) (other than funds used for administrative costs in accordance with subsection (g)) in a reserve account established and maintained by the eligible entity for this purpose. Amounts deposited in such account shall be used by the eligible entity for one or more of the following purposes:

“(A) Guaranteeing, insuring, and reinsuring bonds, notes, evidences of debt, loans, and interests therein, the proceeds of which are used for an objective described in subsection (e).

“(B) Guaranteeing and insuring leases of personal and real property for an objective described in subsection (e).

“(C) Facilitating financing by identifying potential lending sources, encouraging private lending, and other similar activities that directly promote lending to, or for the benefit of, charter schools.

“(D) Facilitating the issuance of bonds by charter schools, or by other public entities for the benefit of charter schools, by providing technical, administrative, and other appropriate assistance (including the recruitment of bond counsel, underwriters, and potential investors and the consolidation of multiple charter school projects within a single bond issue).

“(2) **INVESTMENT.**—Funds received under subsection (a) and deposited in the reserve account established under paragraph (1) shall be invested in obligations issued or guaranteed by the United States or a State, or in other similarly low-risk securities.

“(3) **REINVESTMENT OF EARNINGS.**—Any earnings on funds received under subsection (a) shall be deposited in the reserve account established under paragraph (1) and used in accordance with this subsection.

“(g) **LIMITATION ON ADMINISTRATIVE COSTS.**—An eligible entity may use not more than 2.5 percent of the funds received under subsection (a) for the administrative costs of carrying out its responsibilities under this section (excluding subsection (k)).

“(h) **AUDITS AND REPORTS.**—

“(1) **FINANCIAL RECORD MAINTENANCE AND AUDIT.**—The financial records of each eligible entity receiving a grant under subsection (a) shall be maintained in accordance with generally accepted accounting principles and shall be subject to an annual audit by an independent public accountant.

“(2) **REPORTS.**—

“(A) **GRANTEE ANNUAL REPORTS.**—Each eligible entity receiving a grant under subsection (a) shall submit to the Secretary an annual report of the entity's operations and activities under this section (excluding subsection (k)).

“(B) **CONTENTS.**—Each annual report submitted under subparagraph (A) shall include—

“(i) a copy of the most recent financial statements, and any accompanying opinion on such statements, prepared by the independent public accountant reviewing the financial records of the eligible entity;

“(ii) a copy of any report made on an audit of the financial records of the eligible entity that was conducted under paragraph (1) during the reporting period;

“(iii) an evaluation by the eligible entity of the effectiveness of its use of the Federal funds provided under subsection (a) in leveraging private funds;

“(iv) a listing and description of the charter schools served during the reporting period, including the amount of funds used by each school, the type of project facilitated by the grant, and the type of assistance provided to the charter schools;

“(v) a description of the activities carried out by the eligible entity to assist charter schools in meeting the objectives set forth in subsection (e); and

“(vi) a description of the characteristics of lenders and other financial institutions participating in the activities carried out by the eligible entity under this section (excluding subsection (k)) during the reporting period.

“(C) SECRETARIAL REPORT.—The Secretary shall review the reports submitted under subparagraph (A) and shall provide a comprehensive annual report to Congress on the activities conducted under this section (excluding subsection (k)).

“(i) NO FULL FAITH AND CREDIT FOR GRANTEE OBLIGATION.—No financial obligation of an eligible entity entered into pursuant to this section (such as an obligation under a guarantee, bond, note, evidence of debt, or loan) shall be an obligation of, or guaranteed in any respect by, the United States. The full faith and credit of the United States is not pledged to the payment of funds that may be required to be paid under any obligation made by an eligible entity pursuant to any provision of this section.

“(j) RECOVERY OF FUNDS.—

“(1) IN GENERAL.—The Secretary, in accordance with chapter 37 of title 31, United States Code, shall collect—

“(A) all of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines, not earlier than 2 years after the date on which the eligible entity first received funds under subsection (a), that the eligible entity has failed to make substantial progress in carrying out the purposes described in subsection (f)(1); or

“(B) all or a portion of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines that the eligible entity has permanently ceased to use all or a portion of the funds in such account to accomplish any purpose described in subsection (f)(1).

“(2) EXERCISE OF AUTHORITY.—The Secretary shall not exercise the authority provided in paragraph (1) to collect from any eligible entity any funds that are being properly used to achieve one or more of the purposes described in subsection (f)(1).

“(3) PROCEDURES.—The provisions of sections 451, 452, and 458 of the General Education Provisions Act shall apply to the recovery of funds under paragraph (1).

“(4) CONSTRUCTION.—This subsection shall not be construed to impair or affect the authority of the Secretary to recover funds under part D of the General Education Provisions Act (20 U.S.C. 1234 et seq.).

“(k) PER-PUPIL FACILITIES AID PROGRAM.—

“(1) DEFINITION OF PER-PUPIL FACILITIES AID PROGRAM.—In this subsection, the term ‘per-pupil facilities aid program’ means a program in which a State makes payments, on a per-pupil basis, to charter schools to provide the schools with financing—

“(A) that is dedicated solely to funding charter school facilities; or

“(B) a portion of which is dedicated for funding charter school facilities.

“(2) GRANTS.—

“(A) IN GENERAL.—From the amount reserved under section 4302(b)(1) and remaining after the Secretary makes grants under subsection (a), the Secretary shall make grants, on a competitive basis, to States to pay for the Federal share of the cost of establishing or enhancing, and administering, per-pupil facilities aid programs.

“(B) PERIOD.—The Secretary shall award grants under this subsection for periods of not more than 5 years.

“(C) FEDERAL SHARE.—The Federal share of the cost described in subparagraph (A) for a per-pupil facilities aid program shall be not more than—

“(i) 90 percent of the cost, for the first fiscal year for which the program receives assistance under this subsection;

“(ii) 80 percent for the second such year;

“(iii) 60 percent for the third such year;

“(iv) 40 percent for the fourth such year; and

“(v) 20 percent for the fifth such year.

“(D) STATE SHARE.—A State receiving a grant under this subsection may partner with 1 or more organizations, and such organizations may provide not more than 50 percent of the State share of the cost of establishing or enhancing, and administering, the per-pupil facilities aid program.

“(E) MULTIPLE GRANTS.—A State may receive more than 1 grant under this subsection, so long as the amount of total funds provided to charter schools increases with each successive grant.

“(3) USE OF FUNDS.—

“(A) IN GENERAL.—A State that receives a grant under this subsection shall use the funds made available through the grant to establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State of the applicant.

“(B) EVALUATIONS; TECHNICAL ASSISTANCE; DISSEMINATION.—From the amount made available to a State through a grant under this subsection for a fiscal year, the State may reserve not more than 5 percent to carry out evaluations, to provide technical assistance, and to disseminate information.

“(C) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this subsection shall be used to supplement, and not supplant, State and local public funds expended to provide per-pupil facilities aid programs, operations financing programs, or other programs, for charter schools.

“(4) REQUIREMENTS.—

“(A) VOLUNTARY PARTICIPATION.—No State may be required to participate in a program carried out under this subsection.

“(B) STATE LAW.—

“(i) IN GENERAL.—To be eligible to receive a grant under this subsection, a State shall establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State, that—

“(I) is specified in State law; and

“(II) provides annual financing, on a per-pupil basis, for charter school facilities.

“(ii) SPECIAL RULE.—A State that is required under State law to provide its charter schools with access to adequate facility space, but that does not have a per-pupil facilities aid program for charter schools specified in State law, is eligible to receive a grant under this subsection if the State agrees to use the funds to develop a per-pupil facilities aid program consistent with the requirements of this subsection.

“(5) APPLICATIONS.—To be eligible to receive a grant under this subsection, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“SEC. 4305. NATIONAL ACTIVITIES.

“(a) IN GENERAL.—From the amount reserved under section 4302(b)(2), the Secretary shall—

“(1) use not more than 80 percent of such funds to award grants in accordance with subsection (b);

“(2) use not more than 9 percent of such funds to award grants, on a competitive basis, to eligible applicants for the purpose of carrying out the activities described in section 4303(h) in a State that did not receive a grant under section 4303; and

“(3) after the uses described in paragraphs (1) and (2), use the remainder of such funds to—

“(A) disseminate technical assistance to—

“(i) State entities in awarding subgrants under section 4303(b)(1); and

“(ii) eligible entities and States receiving grants under section 4304;

“(B) disseminate best practices regarding charter schools; and

“(C) evaluate the impact of the charter school program carried out under this part, including the impact on student achievement.

“(b) GRANTS FOR THE REPLICATION AND EXPANSION OF HIGH-QUALITY CHARTER SCHOOLS.—

“(1) IN GENERAL.—The Secretary shall make grants, on a competitive basis, to eligible entities having applications approved under paragraph (3) to enable such entities to open and prepare for the operation of one or more replicated high-quality charter schools or to expand one or more high-quality charter schools.

“(2) DEFINITION OF ELIGIBLE ENTITY.—For purposes of this subsection, the term ‘eligible entity’ means a charter management organization.

“(3) APPLICATION REQUIREMENTS.—An eligible entity desiring to receive a grant under this subsection shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

“(A) EXISTING CHARTER SCHOOL DATA.—For each charter school currently operated or managed by the eligible entity—

“(i) student assessment results for all students and for each subgroup of students described in section 1111(c)(2);

“(ii) attendance and student retention rates for the most recently completed school year and, if applicable, the most recent available 4-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates; and

“(iii) information on any significant compliance and management issues encountered within the last 3 school years by any school operated or managed by the eligible entity, including in the areas of student safety and finance.

“(B) DESCRIPTIONS.—A description of—

“(i) the eligible entity’s objectives for implementing a high-quality charter school program with funding under this subsection, including a description of the proposed number of high-quality charter schools the eligible entity proposes to open as a result of the replication of a high-quality charter school or to expand with funding under this subsection;

“(ii) the educational program that the eligible entity will implement in such charter schools, including—

“(I) information on how the program will enable all students to meet the challenging State academic standards;

“(II) the grade levels or ages of students who will be served; and

“(III) the instructional practices that will be used;

“(iii) how the operation of such charter schools will be sustained after the grant under this subsection has ended, which shall include a multi-year financial and operating model for the eligible entity;

“(iv) how the eligible entity will ensure that such charter schools will recruit and enroll students, including children with disabilities, English learners, and other educationally disadvantaged students; and

“(v) any request and justification for any waivers of Federal statutory or regulatory requirements that the eligible entity believes are necessary for the successful operation of such charter schools.

“(C) ASSURANCE.—An assurance that the eligible entity has sufficient procedures in effect to ensure timely closure of low-performing or financially mismanaged charter schools and clear plans and procedures in effect for the students in such schools to attend other high-quality schools.

“(4) SELECTION CRITERIA.—The Secretary shall select eligible entities to receive grants under this subsection, on the basis of the quality of the applications submitted under paragraph (3), after taking into consideration such factors as—

“(A) the degree to which the eligible entity has demonstrated success in increasing academic achievement for all students and for each of the subgroups of students described in section 1111(c)(2) attending the charter schools the eligible entity operates or manages;

“(B) a determination that the eligible entity has not operated or managed a significant proportion of charter schools that—

“(i) have been closed;

“(ii) have had the school’s charter revoked due to problems with statutory or regulatory compliance; or

“(iii) have had the school’s affiliation with the eligible entity revoked or terminated, including through voluntary disaffiliation; and

“(C) a determination that the eligible entity has not experienced significant problems with statutory or regulatory compliance that could lead to the revocation of a school’s charter.

“(5) **PRIORITY.**—In awarding grants under this section, the Secretary shall give priority to eligible entities that—

“(A) plan to operate or manage high-quality charter schools with racially and socio-economically diverse student bodies;

“(B) demonstrate success in working with schools identified by the State for comprehensive support and improvement under section 1111(c)(4)(D)(i);

“(C) propose to use funds—

“(i) to expand high-quality charter schools to serve high school students; or

“(ii) to replicate high-quality charter schools to serve high school students; or

“(D) propose to operate or manage high-quality charter schools that focus on dropout recovery and academic reentry.

“(c) **TERMS AND CONDITIONS.**—Except as otherwise provided, grants awarded under paragraphs (1) and (2) of subsection (a) shall have the same terms and conditions as grants awarded to State entities under section 4303.”;

(2) in section 4306 (20 U.S.C. 7221e), as redesignated by section 4001, by adding at the end the following:

“(c) **NEW OR SIGNIFICANTLY EXPANDING CHARTER SCHOOLS.**—For purposes of implementing the hold harmless protections in sections 1122(c) and 1125A(g)(3) for a newly opened or significantly expanded charter school under this part, a State educational agency shall calculate a hold-harmless base for the prior year that, as applicable, reflects the new or significantly expanded enrollment of the charter school.”;

(3) in section 4308 (20 U.S.C. 7221g), as redesignated by section 4001, by inserting “as quickly as possible and” before “to the extent practicable”;

(4) in section 4310 (20 U.S.C. 7221i), as redesignated by section 4001—

(A) in the matter preceding paragraph (1), by striking “subpart” and inserting “part”;

(B) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (5), and (6), respectively;

(C) by redesignating paragraph (4) as paragraph (1), and moving such paragraph so as to precede paragraph (2), as redesignated by subparagraph (B);

(D) in paragraph (2), as redesignated by subparagraph (B)—

(i) in subparagraph (G), by striking “, and part B” and inserting “, the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the ‘Family Educational Rights and Privacy Act of 1974’), and part B”;

(ii) by striking subparagraph (H) and inserting the following:

“(H) is a school to which parents choose to send their children, and that—

“(i) admits students on the basis of a lottery, consistent with section 4303(c)(3)(A), if more stu-

dents apply for admission than can be accommodated; or

“(ii) in the case of a school that has an affiliated charter school (such as a school that is part of the same network of schools), automatically enrolls students who are enrolled in the immediate prior grade level of the affiliated charter school and, for any additional student openings or student openings created through regular attrition in student enrollment in the affiliated charter school and the enrolling school, admits students on the basis of a lottery as described in clause (i);”;

(iii) by striking subparagraph (I) and inserting the following:

“(I) agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such State audit requirements are waived by the State;”;

(iv) in subparagraph (K), by striking “and” at the end;

(v) in subparagraph (L), by striking the period at the end and inserting “; and”; and

(vi) by adding at the end the following:

“(M) may serve students in early childhood education programs or postsecondary students.”;

(E) by inserting after paragraph (2), as redesignated by subparagraph (B), the following:

“(3) **CHARTER MANAGEMENT ORGANIZATION.**—The term ‘charter management organization’ means a nonprofit organization that operates or manages a network of charter schools linked by centralized support, operations, and oversight.

“(4) **CHARTER SCHOOL SUPPORT ORGANIZATION.**—The term ‘charter school support organization’ means a nonprofit, nongovernmental entity that is not an authorized public chartering agency and provides, on a statewide basis—

“(A) assistance to developers during the planning, program design, and initial implementation of a charter school; and

“(B) technical assistance to operating charter schools.”;

(F) in paragraph (6)(B), as redesignated by subparagraph (B), by striking “under section 5203(d)(3)”;

(G) by adding at the end the following:

“(7) **EXPAND.**—The term ‘expand’, when used with respect to a high-quality charter school, means to significantly increase enrollment or add one or more grades to the high-quality charter school.

“(8) **HIGH-QUALITY CHARTER SCHOOL.**—The term ‘high-quality charter school’ means a charter school that—

“(A) shows evidence of strong academic results, which may include strong student academic growth, as determined by a State;

“(B) has no significant issues in the areas of student safety, financial and operational management, or statutory or regulatory compliance;

“(C) has demonstrated success in significantly increasing student academic achievement, including graduation rates where applicable, for all students served by the charter school; and

“(D) has demonstrated success in increasing student academic achievement, including graduation rates where applicable, for each of the subgroups of students, as defined in section 1111(c)(2), except that such demonstration is not required in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

“(9) **REPLICATE.**—The term ‘replicate’, when used with respect to a high-quality charter school, means to open a new charter school, or a new campus of a high-quality charter school, based on the educational model of an existing high-quality charter school, under an existing charter or an additional charter, if permitted or required by State law.”; and

(5) by striking section 4311 (20 U.S.C. 7221j), as redesignated by section 4001, and inserting the following:

“SEC. 4311. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part—

“(1) \$270,000,000 for fiscal year 2017;

“(2) \$270,000,000 for fiscal year 2018;

“(3) \$300,000,000 for fiscal year 2019; and

“(4) \$300,000,000 for fiscal year 2020.”.

PART D—MAGNET SCHOOLS ASSISTANCE

SEC. 4401. MAGNET SCHOOLS ASSISTANCE.

Part D of title IV (20 U.S.C. 7201 et seq.), as amended by section 4001(b)(3), is further amended—

(1) in section 4401—

(A) in subsection (a)(2)—

(i) by striking “2,000,000” and inserting “2,500,000”; and

(ii) by striking “65” and inserting “69”; and

(B) in subsection (b)—

(i) in paragraph (2)—

(I) by striking “and implementation” and inserting “, implementation, and expansion”; and

(II) by striking “content standards and student academic achievement standards” and inserting “standards”;

(ii) in paragraph (3), by striking “and design” and inserting “, design, and expansion”;

(iii) in paragraph (4), by striking “vocational” and inserting “career”; and

(iv) in paragraph (6), by striking “productive”;

(2) in section 4405(b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting “any available evidence on, or if such evidence is not available, a rationale, based on current research, for” before “how the proposed magnet school programs”;

(ii) in subparagraph (B), by inserting “, including any evidence, or if such evidence is not available, a rationale based on current research findings, to support such description” before the semicolon;

(iii) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(iv) by inserting after subparagraph (C) the following:

“(D) how the applicant will assess, monitor, and evaluate the impact of the activities funded under this part on student achievement and integration;”;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “section 5301(b)” and inserting “section 4401(b)”;

(ii) in subparagraph (B), by striking “highly qualified” and inserting “effective”;

(3) in section 4406, by striking paragraphs (2) and (3) and inserting the following:

“(2) propose to—

“(A) carry out a new, evidence-based magnet school program;

“(B) significantly revise an existing magnet school program, using evidence-based methods and practices, as available; or

“(C) replicate an existing magnet school program that has a demonstrated record of success in increasing student academic achievement and reducing isolation of minority groups;

“(3) propose to select students to attend magnet school programs by methods such as lottery, rather than through academic examination; and

“(4) propose to increase racial integration by taking into account socioeconomic diversity in designing and implementing magnet school programs.”;

(4) in section 4407—

(A) in subsection (a)—

(i) in paragraph (3), by striking “highly qualified” and inserting “effective”;

(ii) in paragraph (6), by striking “and” at the end;

(iii) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

“(8) to enable the local educational agency, or consortium of such agencies, or other organizations partnered with such agency or consortium, to establish, expand, or strengthen inter-district and regional magnet programs; and

“(9) notwithstanding section 426 of the General Education Provisions Act (20 U.S.C. 1228), to provide transportation to and from the magnet school, provided that—

“(A) such transportation is sustainable beyond the grant period; and

“(B) the costs of providing transportation do not represent a significant portion of the grant funds received by the eligible local educational agency under this part.”; and

(B) by striking subsection (b) and inserting the following:

“(b) **SPECIAL RULE.**—Grant funds under this part may be used for activities described in paragraphs (2) and (3) of subsection (a) only if the activities are directly related to improving student academic achievement based on the challenging State academic standards or directly related to improving student reading skills or knowledge of mathematics, science, history, geography, English, foreign languages, art, or music, or to improving career, technical, and professional skills.”;

(5) in section 4408—

(A) in subsection (a), by striking “3” and inserting “5”; and

(B) by striking subsection (c) and inserting the following:

“(c) **AMOUNT.**—No grant awarded under this part to a local educational agency, or a consortium of such agencies, shall be for more than \$15,000,000 for the grant period described in subsection (a).”; and

(C) in subsection (d), by striking “July” and inserting “June”; and

(6) in section 4409—

(A) by striking subsection (a) and inserting the following:

“(a) **AUTHORIZATION.**—There are authorized to be appropriated to carry out this part the following amounts:

“(1) \$94,000,000 for fiscal year 2017.

“(2) \$96,820,000 for fiscal year 2018.

“(3) \$102,387,150 for fiscal year 2019.

“(4) \$108,530,379 for fiscal year 2020.”.

(B) by redesignating subsection (b) as subsection (c); and

(C) by inserting after subsection (a) the following:

“(b) **RESERVATION FOR TECHNICAL ASSISTANCE.**—The Secretary may reserve not more than 1 percent of the funds appropriated under subsection (a) for any fiscal year to provide technical assistance and share best practices with respect to magnet school programs assisted under this part.”.

PART E—FAMILY ENGAGEMENT IN EDUCATION PROGRAMS

SEC. 4501. FAMILY ENGAGEMENT IN EDUCATION PROGRAMS.

Title IV (20 U.S.C. 7101 et seq.), as amended by section 4001, is further amended by adding at the end the following:

“PART E—FAMILY ENGAGEMENT IN EDUCATION PROGRAMS

“SEC. 4501. PURPOSES.

“The purposes of this part are the following:

“(1) To provide financial support to organizations to provide technical assistance and training to State educational agencies and local educational agencies in the implementation and enhancement of systemic and effective family engagement policies, programs, and activities that lead to improvements in student development and academic achievement.

“(2) To assist State educational agencies, local educational agencies, community-based organizations, schools, and educators in strengthening partnerships among parents, teachers, school leaders, administrators, and other school personnel in meeting the educational needs of children and fostering greater parental engagement.

“(3) To support State educational agencies, local educational agencies, schools, educators, and parents in developing and strengthening the relationship between parents and their children’s school in order to further the developmental progress of children.

“(4) To coordinate activities funded under this part with parent involvement initiatives funded under section 1116 and other provisions of this Act.

“(5) To assist the Secretary, State educational agencies, and local educational agencies in the coordination and integration of Federal, State, and local services and programs to engage families in education.

“SEC. 4502. GRANTS AUTHORIZED.

“(a) **STATEWIDE FAMILY ENGAGEMENT CENTERS.**—From the amount appropriated under section 4506 and not reserved under subsection (d), the Secretary is authorized to award grants for each fiscal year to statewide organizations (or consortia of such organizations), to establish statewide family engagement centers that—

“(1) carry out parent education, and family engagement in education, programs; or

“(2) provide comprehensive training and technical assistance to State educational agencies, local educational agencies, schools identified by State educational agencies and local educational agencies, organizations that support family-school partnerships, and other organizations that carry out such programs.

“(b) **MINIMUM AWARD.**—In awarding grants under this section, the Secretary shall, to the extent practicable, ensure that a grant is awarded for a statewide family engagement center in an amount not less than \$500,000.

“(c) **MATCHING FUNDS FOR GRANT RENEWAL.**—Each organization or consortium receiving assistance under this part shall demonstrate that, for each fiscal year after the first fiscal year for which the organization or consortium is receiving such assistance, a portion of the services provided by the organization or consortium is supported through non-Federal contributions, which may be in cash or in-kind.

“(d) **TECHNICAL ASSISTANCE.**—The Secretary shall reserve not more than 2 percent of the funds appropriated under section 4506 to carry out this part to provide technical assistance, by competitive grant or contract, for the establishment, development, and coordination of statewide family engagement centers.

“SEC. 4503. APPLICATIONS.

“(a) **SUBMISSIONS.**—Each statewide organization, or a consortium of such organizations, that desires a grant under this part shall submit an application to the Secretary at such time and in such manner as the Secretary may require, which shall include the information described in subsection (b).

“(b) **CONTENTS.**—Each application submitted under subsection (a) shall include, at a minimum, the following:

“(1) A description of the applicant’s approach to family engagement in education.

“(2) A description of how the State educational agency and any partner organization will support the statewide family engagement center that will be operated by the applicant including a description of the State educational agency and any partner organization’s commitment of such support.

“(3) A description of the applicant’s plan for building a statewide infrastructure for family engagement in education, that includes—

“(A) management and governance;

“(B) statewide leadership; or

“(C) systemic services for family engagement in education.

“(4) A description of the applicant’s demonstrated experience in providing training, information, and support to State educational agencies, local educational agencies, schools, educators, parents, and organizations on family engagement in education policies and practices that are effective for parents (including low-income parents) and families, parents of English learners, minorities, students with disabilities, homeless children and youth, children and youth in foster care, and migrant students, including evaluation results, reporting, or other data exhibiting such demonstrated experience.

“(5) A description of the steps the applicant will take to target services to low-income students and parents.

“(6) An assurance that the applicant will—

“(A) establish a special advisory committee, the membership of which includes—

“(i) parents, who shall constitute a majority of the members of the special advisory committee;

“(ii) representatives of education professionals with expertise in improving services for disadvantaged children;

“(iii) representatives of local elementary schools and secondary schools, including students;

“(iv) representatives of the business community; and

“(v) representatives of State educational agencies and local educational agencies;

“(B) use not less than 65 percent of the funds received under this part in each fiscal year to serve local educational agencies, schools, and community-based organizations that serve high concentrations of disadvantaged students, including students who are English learners, minorities, students with disabilities, homeless children and youth, children and youth in foster care, and migrant students;

“(C) operate a statewide family engagement center of sufficient size, scope, and quality to ensure that the center is adequate to serve the State educational agency, local educational agencies, and community-based organizations;

“(D) ensure that the statewide family engagement center will retain staff with the requisite training and experience to serve parents in the State;

“(E) serve urban, suburban, and rural local educational agencies and schools;

“(F) work with—

“(i) other statewide family engagement centers assisted under this part; and

“(ii) parent training and information centers and community parent resource centers assisted under sections 671 and 672 of the Individuals with Disabilities Education Act (20 U.S.C. 1471; 1472);

“(G) use not less than 30 percent of the funds received under this part for each fiscal year to establish or expand technical assistance for evidence-based parent education programs;

“(H) provide assistance to State educational agencies, local educational agencies, and community-based organizations that support family members in supporting student academic achievement;

“(I) work with State educational agencies, local educational agencies, schools, educators, and parents to determine parental needs and the best means for delivery of services to address such needs;

“(J) conduct sufficient outreach to assist parents, including parents who the applicant may have a difficult time engaging with a school or local educational agency; and

“(K) conduct outreach to low-income students and parents, including low-income students and parents who are not proficient in English.

“(7) An assurance that the applicant will conduct training programs in the community to improve adult literacy, including financial literacy.

“(c) **PRIORITY.**—In awarding grants for activities described in this part, the Secretary shall give priority to statewide family engagement centers that will use funds under section 4504 for evidence-based activities, which, for the purposes of this part is defined as activities meeting the requirements of section 8101(21)(A)(i).

“SEC. 4504. USES OF FUNDS.

“(a) **IN GENERAL.**—Each statewide organization or consortium receiving a grant under this part shall use the grant funds, based on the needs determined under section 4503(b)(6)(I), to provide training and technical assistance to State educational agencies, local educational agencies, and organizations that support family-school partnerships, and activities, services, and training for local educational agencies, school leaders, educators, and parents—

“(1) to assist parents in participating effectively in their children’s education and to help their children meet challenging State academic standards, such as by assisting parents—

“(A) to engage in activities that will improve student academic achievement, including understanding how parents can support learning in the classroom with activities at home and in after school and extracurricular programs;

“(B) to communicate effectively with their children, teachers, school leaders, counselors, administrators, and other school personnel;

“(C) to become active participants in the development, implementation, and review of school-parent compacts, family engagement in education policies, and school planning and improvement;

“(D) to participate in the design and provision of assistance to students who are not making academic progress;

“(E) to participate in State and local decision-making;

“(F) to train other parents; and

“(G) in learning and using technology applied in their children’s education;

“(2) to develop and implement, in partnership with the State educational agency, statewide family engagement in education policy and systemic initiatives that will provide for a continuum of services to remove barriers for family engagement in education and support school reform efforts; and

“(3) to develop and implement parental involvement policies under this Act.

“(b) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to prohibit a statewide family engagement center from—

“(1) having its employees or agents meet with a parent at a site that is not on school grounds; or

“(2) working with another agency that serves children.

“(c) **PARENTAL RIGHTS.**—Notwithstanding any other provision of this section—

“(1) no person (including a parent who educates a child at home, a public school parent, or a private school parent) shall be required to participate in any program of parent education or developmental screening under this section; and

“(2) no program or center assisted under this section shall take any action that infringes in any manner on the right of parents to direct the education of their children.

“SEC. 4505. FAMILY ENGAGEMENT IN INDIAN SCHOOLS.

“The Secretary of the Interior, in consultation with the Secretary of Education, shall establish, or enter into contracts and cooperative agreements with, local tribes, tribal organizations, or Indian nonprofit parent organizations to establish and operate family engagement centers.

“SEC. 4506. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part \$10,000,000 for each of fiscal years 2017 through 2020.”

PART F—NATIONAL ACTIVITIES

SEC. 4601. NATIONAL ACTIVITIES.

Title IV (20 U.S.C. 7101 et seq.), as amended by the previous provisions of this title, is further amended by adding at the end the following:

“PART F—NATIONAL ACTIVITIES

“SEC. 4601. AUTHORIZATION OF APPROPRIATIONS; RESERVATIONS.

“(a) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this part—

“(1) \$200,741,000 for each of fiscal years 2017 and 2018; and

“(2) \$220,741,000 for each of fiscal years 2019 and 2020.

“(b) **RESERVATIONS.**—From the amounts appropriated under subsection (a) for a fiscal year, the Secretary shall—

“(1) reserve \$5,000,000 to carry out activities authorized under subpart 3; and

“(2) from the amounts remaining after the reservation under paragraph (1)—

“(A) carry out activities authorized under subpart 1 using—

“(i) 36 percent of such remainder for each of fiscal years 2017 and 2018; and

“(ii) 42 percent of such remainder for each of fiscal years 2019 and 2020;

“(B) carry out activities authorized under subpart 2 using—

“(i) 36 percent of such remainder for each of fiscal years 2017 and 2018; and

“(ii) 32 percent of such remainder for each of fiscal years 2019 and 2020; and

“(C) to carry out activities authorized under subpart 4—

“(i) 28 percent of such remainder for each of fiscal years 2017 and 2018; and

“(ii) 26 percent of such remainder for each of fiscal years 2019 and 2020.

“Subpart 1—Education Innovation and Research

“SEC. 4611. GRANTS FOR EDUCATION INNOVATION AND RESEARCH.

“(a) **PROGRAM AUTHORIZED.**—

“(1) **IN GENERAL.**—From funds reserved under section 4601(b)(2)(A), the Secretary shall make grants to eligible entities to enable the eligible entities to—

“(A) create, develop, implement, replicate, or take to scale entrepreneurial, evidence-based, field-initiated innovations to improve student achievement and attainment for high-need students; and

“(B) rigorously evaluate such innovations, in accordance with subsection (e).

“(2) **DESCRIPTION OF GRANTS.**—The grants described in paragraph (1) shall include—

“(A) early-phase grants to fund the development, implementation, and feasibility testing of a program, which prior research suggests has promise, for the purpose of determining whether the program can successfully improve student achievement or attainment for high-need students;

“(B) mid-phase grants to fund implementation and a rigorous evaluation of a program that has been successfully implemented under an early-phase grant described in subparagraph (A) or other effort meeting similar criteria, for the purpose of measuring the program’s impact and cost effectiveness, if possible using existing administrative data; and

“(C) expansion grants to fund implementation and a rigorous replication evaluation of a program that has been found to produce sizable, important impacts under a mid-phase grant described in subparagraph (B) or other effort meeting similar criteria, for the purposes of—

“(i) determining whether such impacts can be successfully reproduced and sustained over time; and

“(ii) identifying the conditions in which the program is most effective.

“(b) **ELIGIBLE ENTITY.**—In this subpart, the term ‘eligible entity’ means any of the following:

“(1) A local educational agency.

“(2) A State educational agency.

“(3) The Bureau of Indian Education.

“(4) A consortium of State educational agencies or local educational agencies.

“(5) A nonprofit organization.

“(6) A State educational agency, a local educational agency, a consortium described in paragraph (4), or the Bureau of Indian Education, in partnership with—

“(A) a nonprofit organization;

“(B) a business;

“(C) an educational service agency; or

“(D) an institution of higher education.

“(c) **RURAL AREAS.**—

“(1) **IN GENERAL.**—In awarding grants under subsection (a), the Secretary shall ensure that not less than 25 percent of the funds made available for any fiscal year are awarded for programs that meet both of the following requirements:

“(A) The grantee is—

“(i) a local educational agency with an urban-centric district locale code of 32, 33, 41, 42, or 43, as determined by the Secretary;

“(ii) a consortium of such local educational agencies;

“(iii) an educational service agency or a nonprofit organization in partnership with such a local educational agency; or

“(iv) a grantee described in clause (i) or (ii) in partnership with a State educational agency.

“(B) A majority of the schools to be served by the program are designated with a locale code of 32, 33, 41, 42, or 43, or a combination of such codes, as determined by the Secretary.

“(2) **EXCEPTION.**—Notwithstanding paragraph (1), the Secretary shall reduce the amount of funds made available under such paragraph if the Secretary does not receive a sufficient number of applications of sufficient quality.

“(d) **MATCHING FUNDS.**—In order to receive a grant under subsection (a), an eligible entity shall demonstrate that the eligible entity will provide matching funds, in cash or through in-kind contributions, from Federal, State, local, or private sources in an amount equal to 10 percent of the funds provided under such grant, except that the Secretary may waive the matching funds requirement, on a case-by-case basis, upon a showing of exceptional circumstances, such as—

“(1) the difficulty of raising matching funds for a program to serve a rural area;

“(2) the difficulty of raising matching funds in areas with a concentration of local educational agencies or schools with a high percentage of students aged 5 through 17—

“(A) who are in poverty, as counted in the most recent census data approved by the Secretary;

“(B) who are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

“(C) whose families receive assistance under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or

“(D) who are eligible to receive medical assistance under the Medicaid program; and

“(3) the difficulty of raising funds on tribal land.

“(e) **EVALUATION.**—Each recipient of a grant under this section shall conduct an independent evaluation of the effectiveness of the program carried out under such grant.

“(f) **TECHNICAL ASSISTANCE.**—The Secretary may reserve not more than 5 percent of the

funds appropriated under section 4601(b)(2)(A) for each fiscal year to—

“(1) provide technical assistance for eligibility entities, which may include pre-application workshops, web-based seminars, and evaluation support; and

“(2) to disseminate best practices.

“Subpart 2—Community Support for School Success

“SEC. 4621. PURPOSES.

“The purposes of this subpart are to—

“(1) significantly improve the academic and developmental outcomes of children living in the most distressed communities of the United States, including ensuring school readiness, high school graduation, and access to a community-based continuum of high-quality services; and

“(2) provide support for the planning, implementation, and operation of full-service community schools that improve the coordination and integration, accessibility, and effectiveness of services for children and families, particularly for children attending high-poverty schools, including high-poverty rural schools.

“SEC. 4622. DEFINITIONS.

“In this subpart:

“(1) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means the following:

“(A) With respect to a grant for activities described in section 4623(a)(1)(A)—

“(i) an institution of higher education, as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002);

“(ii) an Indian tribe or tribal organization, as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b); or

“(iii) one or more nonprofit entities working in formal partnership with not less than 1 of the following entities:

“(I) A high-need local educational agency.

“(II) An institution of higher education, as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

“(III) The office of a chief elected official of a unit of local government.

“(IV) An Indian tribe or tribal organization, as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

“(B) With respect to a grant for activities described in section 4623(a)(1)(B), a consortium of—

“(i) 1 or more local educational agencies; or

“(II) the Bureau of Indian Education; and

“(ii) 1 or more community-based organizations, nonprofit organizations, or other public or private entities.

“(2) **FULL-SERVICE COMMUNITY SCHOOL.**—The term ‘full-service community school’ means a public elementary school or secondary school that—

“(A) participates in a community-based effort to coordinate and integrate educational, developmental, family, health, and other comprehensive services through community-based organizations and public and private partnerships; and

“(B) provides access to such services in school to students, families, and the community, such as access during the school year (including before- and after-school hours and weekends), as well as during the summer.

“(3) **PIPELINE SERVICES.**—The term ‘pipeline services’ means a continuum of coordinated supports, services, and opportunities for children from birth through entry into and success in postsecondary education, and career attainment. Such services shall include, at a minimum, strategies to address through services or programs (including integrated student supports) the following:

“(A) High-quality early childhood education programs.

“(B) High-quality school and out-of-school-time programs and strategies.

“(C) Support for a child’s transition to elementary school, from elementary school to middle school, from middle school to high school, and from high school into and through postsecondary education and into the workforce, including any comprehensive readiness assessment determined necessary.

“(D) Family and community engagement and supports, which may include engaging or supporting families at school or at home.

“(E) Activities that support postsecondary and workforce readiness, which may include job training, internship opportunities, and career counseling.

“(F) Community-based support for students who have attended the schools in the area served by the pipeline, or students who are members of the community, facilitating their continued connection to the community and success in postsecondary education and the workforce.

“(G) Social, health, nutrition, and mental health services and supports.

“(H) Juvenile crime prevention and rehabilitation programs.

“SEC. 4623. PROGRAM AUTHORIZED.

“(a) **PROGRAM AUTHORIZED.**—

“(1) **IN GENERAL.**—The Secretary shall use not less than 95 percent of the amounts made available under section 4601(b)(2)(B) to award grants, on a competitive basis and subject to subsection (e), to eligible entities for the following activities:

“(A) **PROMISE NEIGHBORHOODS.**—The implementation of a comprehensive, effective continuum of coordinated services that meets the purpose described in section 4621(1) by carrying out activities in neighborhoods with—

“(i) high concentrations of low-income individuals;

“(ii) multiple signs of distress, which may include high rates of poverty, childhood obesity, academic failure, and juvenile delinquency, adjudication, or incarceration; and

“(iii) schools implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d).

“(B) **FULL-SERVICE COMMUNITY SCHOOLS.**—The provision of assistance to public elementary schools or secondary schools to function as full-service community schools.

“(2) **SUFFICIENT SIZE AND SCOPE.**—Each grant awarded under this subpart shall be of sufficient size and scope to allow the eligible entity to carry out the applicable purposes of this subpart.

“(b) **DURATION.**—A grant awarded under this subpart shall be for a period of not more than 5 years, and may be extended for an additional period of not more than 2 years.

“(c) **CONTINUED FUNDING.**—Continued funding of a grant under this subpart, including a grant extended under subsection (b), after the third year of the initial grant period shall be contingent on the eligible entity’s progress toward meeting—

“(1) with respect to a grant for activities described in section 4624, the performance metrics described in section 4624(h); and

“(2) with respect to a grant for activities described in section 4625, annual performance objectives and outcomes under section 4625(a)(4)(C).

“(d) **MATCHING REQUIREMENTS.**—

“(1) **PROMISE NEIGHBORHOOD ACTIVITIES.**—

“(A) **MATCHING FUNDS.**—Each eligible entity receiving a grant under this subpart for activities described in section 4624 shall contribute matching funds in an amount equal to not less than 100 percent of the amount of the grant. Such matching funds shall come from Federal, State, local, and private sources.

“(B) **PRIVATE SOURCES.**—The Secretary shall require that a portion of the matching funds come from private sources, which may include in-kind contributions.

“(C) **ADJUSTMENT.**—The Secretary may adjust the matching funds requirement under this paragraph for applicants that demonstrate high need, including applicants from rural areas and applicants that wish to provide services on tribal lands.

“(D) **FINANCIAL HARDSHIP WAIVER.**—The Secretary may waive or reduce, on a case-by-case basis, the matching requirement under this paragraph, including the requirement for funds from private sources, for a period of 1 year at a time, if the eligible entity demonstrates significant financial hardship.

“(2) **FULL-SERVICE COMMUNITY SCHOOLS ACTIVITIES.**—

“(A) **IN GENERAL.**—Each eligible entity receiving a grant under this subpart for activities described in section 4625 shall provide matching funds from non-Federal sources, which may be provided in part with in-kind contributions.

“(B) **SPECIAL RULE.**—The Bureau of Indian Education may meet the requirement of subparagraph (A) using funds from other Federal sources.

“(3) **SPECIAL RULES.**—

“(A) **IN GENERAL.**—The Secretary may not require any eligible entity receiving a grant under this subpart to provide matching funds in an amount that exceeds the amount of the grant award.

“(B) **CONSIDERATION.**—Notwithstanding this subsection, the Secretary shall not consider the ability of an eligible entity to match funds when determining which applicants will receive grants under this subpart.

“(e) **RESERVATION FOR RURAL AREAS.**—

“(1) **IN GENERAL.**—From the amounts allocated under subsection (a) for grants to eligible entities, the Secretary shall use not less than 15 percent of such amounts to award grants to eligible entities that propose to carry out the activities described in such subsection in rural areas.

“(2) **EXCEPTION.**—The Secretary shall reduce the amount described in paragraph (1) if the Secretary does not receive a sufficient number of applications of sufficient quality.

“(f) **MINIMUM NUMBER OF GRANTS.**—For each fiscal year, the Secretary shall award under this subpart not fewer than 3 grants for activities described in section 4624 and not fewer than 10 grants for activities described in section 4625, subject to the availability of appropriations, the requirements of subsection (a)(2), and the number and quality of applications.

“SEC. 4624. PROMISE NEIGHBORHOODS.

“(a) **APPLICATION REQUIREMENTS.**—An eligible entity desiring a grant under this subpart for activities described in this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require, including, at a minimum, all of the following:

“(1) A plan to significantly improve the academic outcomes of children living in a neighborhood that is served by the eligible entity—

“(A) by providing pipeline services that address the needs of children in the neighborhood, as identified by the needs analysis described in paragraph (4); and

“(B) that is supported by effective practices.

“(2) A description of the neighborhood that the eligible entity will serve.

“(3) Measurable annual objectives and outcomes for the grant, in accordance with the metrics described in subsection (h), for each year of the grant.

“(4) An analysis of the needs and assets of the neighborhood identified in paragraph (1), including—

“(A) the size and scope of the population affected;

“(B) a description of the process through which the needs analysis was produced, including a description of how parents, families, and community members were engaged in such analysis;

“(C) an analysis of community assets and collaborative efforts (including programs already provided from Federal and non-Federal sources) within, or accessible to, the neighborhood, including, at a minimum, early learning opportunities, family and student supports, local businesses, local educational agencies, and institutions of higher education;

“(D) the steps that the eligible entity is taking, at the time of the application, to address the needs identified in the needs analysis; and

“(E) any barriers the eligible entity, public agencies, and other community-based organizations have faced in meeting such needs.

“(5) A description of—

“(A) all information that the entity used to identify the pipeline services to be provided, which shall not include information that is more than 3 years old; and

“(B) how the eligible entity will—

“(i) collect data on children served by each pipeline service; and

“(ii) increase the percentage of children served over time.

“(6) A description of the process used to develop the application, including the involvement of family and community members.

“(7) A description of how the pipeline services will facilitate the coordination of the following activities:

“(A) Providing early learning opportunities for children, including by—

“(i) providing opportunities for families to acquire the skills to promote early learning and child development; and

“(ii) ensuring appropriate diagnostic assessments and referrals for children with disabilities and children aged 3 through 9 experiencing developmental delays, consistent with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), where applicable.

“(B) Supporting, enhancing, operating, or expanding rigorous, comprehensive, effective educational improvements, which may include high-quality academic programs, expanded learning time, and programs and activities to prepare students for postsecondary education admissions and success.

“(C) Supporting partnerships between schools and other community resources with an integrated focus on academics and other social, health, and familial supports.

“(D) Providing social, health, nutrition, and mental health services and supports, for children, family members, and community members, which may include services provided within the school building.

“(E) Supporting evidence-based programs that assist students through school transitions, which may include expanding access to postsecondary education courses and postsecondary education enrollment aid or guidance, and other supports for at-risk youth.

“(8) A description of the strategies that will be used to provide pipeline services (including a description of which programs and services will be provided to children, family members, community members, and children within the neighborhood) to support the purpose described in section 4621(1).

“(9) An explanation of the process the eligible entity will use to establish and maintain family and community engagement, including—

“(A) involving representative participation by the members of such neighborhood in the planning and implementation of the activities of each grant awarded under this subpart for activities described in this section;

“(B) the provision of strategies and practices to assist family and community members in ac-

tively supporting student achievement and child development;

“(C) providing services for students, families, and communities within the school building; and

“(D) collaboration with institutions of higher education, workforce development centers, and employers to align expectations and programming with postsecondary education and workforce readiness,

“(10) An explanation of how the eligible entity will continuously evaluate and improve the continuum of high-quality pipeline services to provide for continuous program improvement and potential expansion.

“(b) **PRIORITY.**—In awarding grants for activities described in this section, the Secretary shall give priority to eligible entities that will use funds under subsection (d) for evidence-based activities, which, for purposes of this subsection, is defined as activities meeting the requirements of section 8101(21)(A)(i).

“(c) **MEMORANDUM OF UNDERSTANDING.**—As eligible entity shall, as part of the application described in subsection (a), submit a preliminary memorandum of understanding, signed by each partner entity or agency described in section 4622(1)(A)(3) (if applicable) and detailing each partner's financial, programmatic, and long-term commitment with respect to the strategies described in the application.

“(d) **USES OF FUNDS.**—Each eligible entity that receives a grant under this subpart to carry out a program of activities described in this section shall use the grant funds to—

“(1) support planning activities to develop and implement pipeline services;

“(2) implement the pipeline services; and

“(3) continuously evaluate the success of the program and improve the program based on data and outcomes.

“(e) **SPECIAL RULES.**—

“(1) **FUNDS FOR PIPELINE SERVICES.**—Each eligible entity that receives a grant under this subpart for activities described in this section shall, for the first year of the grant, use not less than 50 percent of the grant funds, and, for the second year of the grant, use not less than 25 percent of the grant funds, to carry out the activities described in subsection (d)(1).

“(2) **OPERATIONAL FLEXIBILITY.**—Each eligible entity that operates a school in a neighborhood served by a grant program under this subpart for activities described in this section shall provide such school with the operational flexibility, including autonomy over staff, time, and budget, needed to effectively carry out the activities described in the application under subsection (a).

“(3) **LIMITATION ON USE OF FUNDS FOR EARLY CHILDHOOD EDUCATION PROGRAMS.**—Funds provided under this subpart for activities described in this section that are used to improve early childhood education programs shall not be used to carry out any of the following activities:

“(A) Assessments that provide rewards or sanctions for individual children or teachers.

“(B) A single assessment that is used as the primary or sole method for assessing program effectiveness.

“(C) Evaluating children, other than for the purposes of improving instruction, classroom environment, professional development, or parent and family engagement, or program improvement.

“(f) **REPORT.**—Each eligible entity that receives a grant under this subpart for activities described in this section shall prepare and submit an annual report to the Secretary, which shall include—

“(1) information about the number and percentage of children in the neighborhood who are served by the grant program, including a description of the number and percentage of chil-

dren accessing each support or service offered as part of the pipeline services; and

“(2) information relating to the performance metrics described in subsection (h).

“(g) **PUBLICLY AVAILABLE DATA.**—Each eligible entity that receives a grant under this subpart for activities described in this section shall make publicly available, including through electronic means, the information described in subsection (f). To the extent practicable, such information shall be provided in a form and language accessible to parents and families in the neighborhood served under the grant, and such information shall be a part of statewide longitudinal data systems.

“(h) **PERFORMANCE INDICATORS.**—

“(1) **IN GENERAL.**—The Secretary shall establish performance indicators under paragraph (2) and corresponding metrics to be used for the purpose of reporting under paragraph (3) and program evaluation under subsection (i).

“(2) **INDICATORS.**—The performance indicators established by the Secretary under paragraph (1) shall be indicators of improved academic and developmental outcomes for children, including indicators of school readiness, high school graduation, postsecondary education and career readiness, and other academic and developmental outcomes, to promote—

“(A) data-driven decision-making by eligible entities receiving funds under this subpart; and

“(B) access to a community-based continuum of high-quality services for children living in the most distressed communities of the United States, beginning at birth.

“(3) **REPORTING.**—Each eligible entity that receives a grant under this subpart for activities described in this section shall annually collect and report to the Secretary data on the performance indicators described in paragraph (2) for use by the Secretary in making a determination concerning continuation funding and grant extension under section 4623(b) for each eligible entity.

“(i) **EVALUATION.**—The Secretary shall reserve not more than 5 percent of the funds made available under section 4601(b)(2)(A) to provide technical assistance and evaluate the implementation and impact of the activities funded under this section, in accordance with section 8601.

“SEC. 4625. FULL-SERVICE COMMUNITY SCHOOLS.

“(a) **APPLICATION.**—An eligible entity that desires a grant under this subpart for activities described in this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The Secretary shall require that each such application include the following:

“(1) A description of the eligible entity.

“(2) A memorandum of understanding among all partner entities in the eligible entity that will assist the eligible entity to coordinate and provide pipeline services and that describes the roles the partner entities will assume.

“(3) A description of the capacity of the eligible entity to coordinate and provide pipeline services at 2 or more full-service community schools.

“(4) A comprehensive plan that includes descriptions of the following:

“(A) The student, family, and school community to be served, including demographic information.

“(B) A needs assessment that identifies the academic, physical, nonacademic, health, mental health, and other needs of students, families, and community residents.

“(C) Annual measurable performance objectives and outcomes, including an increase in the number and percentage of families and students targeted for services each year of the program, in order to ensure that children are—

“(i) prepared for kindergarten;

“(ii) achieving academically; and

“(iii) safe, healthy, and supported by engaged parents.

“(D) Pipeline services, including existing and additional pipeline services, to be coordinated and provided by the eligible entity and its partner entities, including an explanation of—

“(i) why such services have been selected;

“(ii) how such services will improve student academic achievement; and

“(iii) how such services will address the annual measurable performance objectives and outcomes established under subparagraph (C).

“(E) Plans to ensure that each full-service community school site has a full-time coordinator of pipeline services at such school, including a description of the applicable funding sources, plans for professional development for the personnel managing, coordinating, or delivering pipeline services, and plans for joint utilization and management of school facilities.

“(F) Plans for annual evaluation based upon attainment of the performance objectives and outcomes described in subparagraph (C).

“(G) Plans for sustaining the programs and services described in this subsection after the grant period.

“(5) An assurance that the eligible entity and its partner entities will focus services on schools eligible for a schoolwide program under section 1114(b).

“(b) **PRIORITY.**—In awarding grants under this subpart for activities described in this section, the Secretary shall give priority to eligible entities that—

“(1)(A) will serve a minimum of 2 or more full-service community schools eligible for a schoolwide program under section 1114(b), as part of a community- or district-wide strategy; or

“(B) include a local educational agency that satisfies the requirements of—

“(i) subparagraph (A), (B), or (C) of section 5211(b)(1); or

“(ii) subparagraphs (A) and (B) of section 5221(b)(1);

“(2) are consortiums comprised of a broad representation of stakeholders or consortiums demonstrating a history of effectiveness; and

“(3) will use funds for evidence-based activities described in subsection (e), defined for purposes of this paragraph as activities meeting the requirements of section 8101(21)(A)(i).

“(c) **PLANNING.**—The Secretary may authorize an eligible entity receiving a grant under this subpart for activities described in this section to use not more than 10 percent of the total amount of grant funds for planning purposes during the first year of the grant.

“(d) **MINIMUM AMOUNT.**—The Secretary may not award a grant under this subpart for activities described in this section to an eligible entity in an amount that is less than \$75,000 for each year of the grant period, subject to the availability of appropriations.

“(e) **USE OF FUNDS.**—Grants awarded under this subpart for activities described in this section shall be used to—

“(1) coordinate not less than 3 existing pipeline services, as of the date of the grant award, and provide not less than 2 additional pipeline services, at 2 or more public elementary schools or secondary schools;

“(2) to the extent practicable, integrate multiple pipeline services into a comprehensive, coordinated continuum to achieve the annual measurable performance objectives and outcomes under subsection (a)(4)(C) to meet the holistic needs of children; and

“(3) if applicable, coordinate and integrate services provided by community-based organizations and government agencies with services provided by specialized instructional support personnel.

“(f) **EVALUATIONS BY THE INSTITUTE OF EDUCATION SCIENCES.**—The Secretary, acting

through the Director of the Institute of Education Sciences, shall conduct evaluations of the effectiveness of grants under this subpart for activities described in this section in achieving the purpose described in section 4621(2).

“(g) **EVALUATIONS BY GRANTEEES.**—The Secretary shall require each eligible entity receiving a grant under this subpart for activities described in this section to—

“(1) conduct annual evaluations of the progress achieved with the grant toward the purpose described in section 4621(2);

“(2) use such evaluations to refine and improve activities carried out through the grant and the annual measurable performance objectives and outcomes under subsection (a)(4)(C); and

“(3) make the results of such evaluations publicly available, including by providing public notice of such availability.

“(h) **CONSTRUCTION CLAUSE.**—Nothing in this section shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or local educational agency employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.

“(i) **SUPPLEMENT, NOT SUPPLANT.**—Funds made available to an eligible entity through a grant under this subpart for activities described in this section may be used only to supplement, and not supplant, any other Federal, State, or local funds that would otherwise be available to carry out the activities assisted under this section.

“Subpart 3—National Activities for School Safety

“SEC. 4631. NATIONAL ACTIVITIES FOR SCHOOL SAFETY.

“(a) **PROGRAM AUTHORIZED.**—

“(1) **IN GENERAL.**—From the funds reserved under section 4601(b)(1), the Secretary—

“(A) shall use a portion of such funds for the Project School Emergency Response to Violence program (in this section referred to as ‘Project SERV’), in order to provide education-related services to eligible entities; and

“(B) may use a portion of such funds to carry out other activities to improve students’ safety and well-being, during and after the school day, under this section directly or through grants, contracts, or cooperative agreements with public or private entities or individuals, or other Federal agencies, such as providing technical assistance to States and local educational agencies carrying out activities under this section or conducting a national evaluation.

“(2) **AVAILABILITY.**—Amounts reserved under section 4601(b)(1) for Project SERV are authorized to remain available until expended for Project SERV.

“(b) **PROJECT SERV.**—

“(1) **ADDITIONAL USE OF FUNDS.**—Funds made available under subsection (a) for extended services grants under Project SERV may be used by an eligible entity to initiate or strengthen violence prevention activities as part of the activities designed to restore the learning environment that was disrupted by the violent or traumatic crisis in response to which the grant was awarded.

“(2) **APPLICATION PROCESS.**—

“(A) **IN GENERAL.**—An eligible entity desiring to use a portion of extended services grant funds under Project SERV to initiate or strengthen a violence prevention activity shall—

“(i) submit, in an application that meets all requirements of the Secretary for Project SERV, the information described in subparagraph (B); or

“(ii) in the case of an eligible entity that has already received an extended services grant

under Project SERV, submit an addition to the original application that includes the information described in subparagraph (B).

“(B) **APPLICATION REQUIREMENTS.**—An application, or addition to an application, for an extended services grant pursuant to subparagraph (A) shall include the following:

“(i) A demonstration of the need for funds due to a continued disruption or a substantial risk of disruption to the learning environment.

“(ii) An explanation of the proposed activities that are designed to restore and preserve the learning environment.

“(iii) A budget and budget narrative for the proposed activities.

“(3) **AWARD BASIS.**—Any award of funds under Project SERV for violence prevention activities under this section shall be subject to the discretion of the Secretary and the availability of funds.

“(4) **PROHIBITED USE.**—No funds provided to an eligible entity for violence prevention activities may be used for construction, renovation, or repair of a facility or for the permanent infrastructure of the eligible entity.

“(c) **DEFINITION OF ELIGIBLE ENTITY.**—In this section, the term ‘eligible entity’ means—

“(1) a local educational agency, as defined in subparagraph (A), (B), or (C) of section 8101(30), or institution of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis; or

“(2) the Bureau of Indian Education in a case where the learning environment of a school operated or funded by the Bureau, including a school meeting the definition of a local educational agency under section 8101(30)(C), has been disrupted due to a violent or traumatic crisis.

“Subpart 4—Academic Enrichment

“SEC. 4641. AWARDS FOR ACADEMIC ENRICHMENT.

“(a) **PROGRAM AUTHORIZED.**—From funds reserved under section 4601(b)(2)(C), the Secretary shall award grants, contracts, or cooperative agreements, on a competitive basis, to eligible entities for the purposes of enriching the academic experience of students by promoting—

“(1) arts education for disadvantaged students and students who are children with disabilities, as described in section 4642;

“(2) school readiness through the development and dissemination of accessible instructional programming for preschool and elementary school children and their families, as described in section 4643; and

“(3) support for high-ability learners and high-ability learning, as described in section 4644.

“(b) **ANNUAL AWARDS.**—The Secretary shall annually make awards to fulfill each of the purposes described in paragraphs (1) through (3) of subsection (a).

“SEC. 4642. ASSISTANCE FOR ARTS EDUCATION.

“(a) **AWARDS TO PROVIDE ASSISTANCE FOR ARTS EDUCATION.**—

“(1) **IN GENERAL.**—Awards made to eligible entities to fulfill the purpose described in section 4641(a)(1), shall be used for a program (to be known as the ‘Assistance for Arts Education program’) to promote arts education for students, including disadvantaged students and students who are children with disabilities, through activities such as—

“(A) professional development for arts educators, teachers, and principals;

“(B) development and dissemination of accessible instructional materials and arts-based educational programming, including online resources, in multiple arts disciplines; and

“(C) community and national outreach activities that strengthen and expand partnerships among schools, local educational agencies, communities, or centers for the arts, including national centers for the arts.

“(b) **CONDITIONS.**—As conditions of receiving assistance made available under this section, the Secretary shall require each eligible entity receiving such assistance—

“(1) to coordinate, to the extent practicable, each project or program carried out with such assistance with appropriate activities of public or private cultural agencies, institutions, and organizations, including museums, arts education associations, libraries, and theaters; and

“(2) to use such assistance only to supplement, and not to supplant, any other assistance or funds made available from non-Federal sources for the activities assisted under this subpart.

“(c) **CONSULTATION.**—In carrying out this section, the Secretary shall consult with Federal agencies or institutions, arts educators (including professional arts education associations), and organizations representing the arts (including State and local arts agencies involved in arts education).

“(d) **PRIORITY.**—In awarding grants under this section, the Secretary shall give priority to eligible entities that are eligible national nonprofit organizations.

“(e) **DEFINITIONS.**—In this section:

“(1) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means—

“(A) a local educational agency in which 20 percent or more of the students served by the local educational agency are from families with an income below the poverty line;

“(B) a consortium of such local educational agencies;

“(C) a State educational agency;

“(D) an institution of higher education;

“(E) a museum or cultural institution;

“(F) the Bureau of Indian Education;

“(G) an eligible national nonprofit organization; or

“(H) another private agency, institution, or organization.

“(2) **ELIGIBLE NATIONAL NONPROFIT ORGANIZATION.**—The term ‘eligible national nonprofit organization’ means an organization of national scope that—

“(A) is supported by staff, which may include volunteers, or affiliates at the State and local levels; and

“(B) demonstrates effectiveness or high-quality plans for addressing arts education activities for disadvantaged students or students who are children with disabilities.

“SEC. 4643. READY TO LEARN PROGRAMMING.

“(a) **AWARDS TO PROMOTE SCHOOL READINESS THROUGH READY TO LEARN PROGRAMMING.**—

“(1) **IN GENERAL.**—Awards made to eligible entities described in paragraph (3) to fulfill the purpose described in section 4641(a)(2) shall—

“(A) be known as ‘Ready to Learn Programming awards’; and

“(B) be used to—

“(i) develop, produce, and distribute accessible educational and instructional video programming for preschool and elementary school children and their parents in order to facilitate student academic achievement;

“(ii) facilitate the development, directly or through contracts with producers of children’s and family educational television programming, of educational programming for preschool and elementary school children, and the accompanying support materials and services that promote the effective use of such programming;

“(iii) facilitate the development of programming and digital content containing Ready-to-Learn programming and resources for parents and caregivers that is specially designed for nationwide distribution over public television stations’ digital broadcasting channels and the Internet;

“(iv) contract with entities (such as public telecommunications entities) so that program-

ming developed under this section is disseminated and distributed to the widest possible audience appropriate to be served by the programming, and through the use of the most appropriate distribution technologies; and

“(v) develop and disseminate education and training materials, including interactive programs and programs adaptable to distance learning technologies, that are designed—

“(I) to promote school readiness; and

“(II) to promote the effective use of materials developed under clauses (ii) and (iii) among parents, family members, teachers, principals and other school leaders, Head Start providers, providers of family literacy services, child care providers, early childhood educators, elementary school teachers, public libraries, and after-school program personnel caring for preschool and elementary school children.

“(2) **AVAILABILITY.**—In awarding or entering into grants, contracts, or cooperative agreements under this section, the Secretary shall ensure that eligible entities described in paragraph (3) make programming widely available, with support materials as appropriate, to young children, parents, child care workers, Head Start providers, and providers of family literacy services to increase the effective use of such programming.

“(3) **ELIGIBLE ENTITIES.**—To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity shall be a public telecommunications entity that is able to demonstrate each of the following:

“(A) A capacity for the development and national distribution of educational and instructional television programming of high quality that is accessible by a large majority of disadvantaged preschool and elementary school children.

“(B) A capacity to contract with the producers of children’s television programming for the purpose of developing educational television programming of high quality.

“(C) A capacity, consistent with the entity’s mission and nonprofit nature, to negotiate such contracts in a manner that returns to the entity an appropriate share of any ancillary income from sales of any program-related products.

“(D) A capacity to localize programming and materials to meet specific State and local needs and to provide educational outreach at the local level.

“(4) **COORDINATION OF ACTIVITIES.**—An entity receiving a grant, contract, or cooperative agreement under this section shall consult with the Secretary and the Secretary of Health and Human Services—

“(A) to maximize the use of high-quality educational programming by preschool and elementary school children, and make such programming widely available to Federally funded programs serving such populations; and

“(B) to coordinate activities with Federal programs that have major training components for early childhood development, including programs under the Head Start Act (42 U.S.C. 9831 et seq.) and State training activities funded under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), regarding the availability and utilization of materials developed under paragraph (1)(B)(v) to enhance parent and child care provider skills in early childhood development and education.

“(b) **APPLICATIONS.**—To be eligible to receive a grant, contract, or cooperative agreement under subsection (a), an entity shall submit to the Secretary an application at such time and in such manner as the Secretary may reasonably require. The application shall include—

“(1) a description of the activities to be carried out under this section;

“(2) a list of the types of entities with which such entity will enter into contracts under subsection (a)(1)(B)(iv);

“(3) a description of the activities the entity will undertake widely to disseminate the content developed under this section; and

“(4) a description of how the entity will comply with subsection (a)(2).

“(c) **REPORTS AND EVALUATIONS.**—

“(1) **ANNUAL REPORT TO SECRETARY.**—An entity receiving a grant, contract, or cooperative agreement under this section shall prepare and submit to the Secretary an annual report. The report shall describe the program activities undertaken with funds received under the grant, contract, or cooperative agreement, including each of the following:

“(A) The programming that has been developed, directly or indirectly, by the eligible entity, and the target population of the programming.

“(B) The support and training materials that have been developed to accompany the programming, and the method by which the materials are distributed to consumers and users of the programming.

“(C) The means by which programming developed under this section has been distributed, including the distance learning technologies that have been utilized to make programming available, and the geographic distribution achieved through such technologies.

“(D) The initiatives undertaken by the entity to develop public-private partnerships to secure non-Federal support for the development, distribution, and broadcast of educational and instructional programming.

“(2) **REPORT TO CONGRESS.**—The Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a biannual report that includes the following:

“(A) A summary of the activities assisted under subsection (a).

“(B) A description of the education and training materials made available under subsection (a)(1)(B)(v), the manner in which outreach has been conducted to inform parents and child care providers of the availability of such materials, and the manner in which such materials have been distributed in accordance with such subsection.

“(d) **ADMINISTRATIVE COSTS.**—An entity that receives a grant, contract, or cooperative agreement under this section may use up to 5 percent of the amount received under the grant, contract, or agreement for the normal and customary expenses of administering the grant, contract, or agreement.

“(e) **FUNDING RULE.**—Not less than 60 percent of the amount used by the Secretary to carry out this section for each fiscal year shall be used to carry out activities under clauses (ii) through (iv) of subsection (a)(1)(B).

“SEC. 4644. SUPPORTING HIGH-ABILITY LEARNERS AND LEARNING.

“(a) **PURPOSE.**—The purpose of this section is to promote and initiate a coordinated program, to be known as the ‘Jacob K. Javits Gifted and Talented Students Education Program’, of evidence-based research, demonstration projects, innovative strategies, and similar activities designed to build and enhance the ability of elementary schools and secondary schools nationwide to identify gifted and talented students and meet their special educational needs.

“(b) **PROGRAM AUTHORIZED.**—

“(1) **IN GENERAL.**—The Secretary (after consultation with experts in the field of the education of gifted and talented students) shall make awards to, or enter into contracts with, State educational agencies, local educational agencies, the Bureau of Indian Education, institutions of higher education, other public agencies, and other private agencies and organizations to assist such agencies, institutions, or organizations, or the Bureau, in carrying out programs or projects to fulfill the purpose described

in section 4641(a)(3), including the training of personnel in the identification and education of gifted and talented students and in the use, where appropriate, of gifted and talented services, materials, and methods for all students.

“(2) APPLICATION.—Each entity seeking assistance under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require. Each application shall describe how—

“(A) the proposed identification methods, as well as gifted and talented services, materials, and methods, can be adapted, if appropriate, for use by all students; and

“(B) the proposed programs can be evaluated.

“(c) USES OF FUNDS.—Programs and projects assisted under this section may include any of the following:

“(1) Conducting evidence-based research on methods and techniques for identifying and teaching gifted and talented students and for using gifted and talented programs and methods to identify and provide the opportunity for all students to be served, particularly low-income and at-risk students.

“(2) Establishing and operating programs and projects for identifying and serving gifted and talented students, including innovative methods and strategies (such as summer programs, mentoring programs, peer tutoring programs, service learning programs, and cooperative learning programs involving business, industry and education) for identifying and educating students who may not be served by traditional gifted and talented programs.

“(3) Providing technical assistance and disseminating information, which may include how gifted and talented programs and methods may be adapted for use by all students, particularly low-income and at-risk students.

“(d) CENTER FOR RESEARCH AND DEVELOPMENT.—

“(1) IN GENERAL.—The Secretary (after consultation with experts in the field of the education of gifted and talented students) shall establish a National Research Center for the Education of Gifted and Talented Children and Youth through grants to, or contracts with, one or more institutions of higher education or State educational agencies, or a combination or consortium of such institutions and agencies and other public or private agencies and organizations, for the purpose of carrying out activities described in subsection (c).

“(2) DIRECTOR.—The National Center shall be headed by a Director. The Secretary may authorize the Director to carry out such functions of the National Center as may be agreed upon through arrangements with institutions of higher education, State educational agencies, local educational agencies, or other public or private agencies and organizations.

“(e) COORDINATION.—Evidence-based activities supported under this section—

“(1) shall be carried out in consultation with the Institute of Education Sciences to ensure that such activities are coordinated with and enhance the research and development activities supported by the Institute; and

“(2) may include collaborative evidence-based activities that are jointly funded and carried out with such Institute.

“(f) GENERAL PRIORITY.—In carrying out this section, the Secretary shall give highest priority to programs and projects designed to—

“(1) develop new information that—

“(A) improves the capability of schools to plan, conduct, and improve programs to identify and serve gifted and talented students; or

“(B) assists schools in the identification of, and provision of services to, gifted and talented students (including economically disadvantaged individuals, individuals who are English learners, and children with disabilities) who may not

be identified and served through traditional assessment methods; or

“(2) implement evidence-based activities, defined in this paragraph as activities meeting the requirements of section 8101(21)(A)(i).

“(g) PARTICIPATION OF PRIVATE SCHOOL CHILDREN AND TEACHERS.—In making grants and entering into contracts under this section, the Secretary shall ensure, where appropriate, that provision is made for the equitable participation of students and teachers in private nonprofit elementary schools and secondary schools, including the participation of teachers and other personnel in professional development programs serving such students.

“(h) REVIEW, DISSEMINATION, AND EVALUATION.—The Secretary shall—

“(1) use a peer-review process in reviewing applications under this section;

“(2) ensure that information on the activities and results of programs and projects funded under this section is disseminated to appropriate State educational agencies, local educational agencies, and other appropriate organizations, including private nonprofit organizations; and

“(3) evaluate the effectiveness of programs under this section in accordance with section 8601, in terms of the impact on students traditionally served in separate gifted and talented programs and on other students, and submit the results of such evaluation to Congress not later than 2 years after the date of enactment of the Every Student Succeeds Act.

“(i) PROGRAM OPERATIONS.—The Secretary shall ensure that the programs under this section are administered within the Department by a person who has recognized professional qualifications and experience in the field of the education of gifted and talented students and who shall—

“(1) administer and coordinate the programs authorized under this section;

“(2) serve as a focal point of national leadership and information on the educational needs of gifted and talented students and the availability of educational services and programs designed to meet such needs;

“(3) assist the Director of the Institute of Education Sciences in identifying research priorities that reflect the needs of gifted and talented students; and

“(4) disseminate, and consult on, the information developed under this section with other offices within the Department.”.

TITLE V—STATE INNOVATION AND LOCAL FLEXIBILITY

SEC. 5001. GENERAL PROVISIONS.

(a) TITLE VI REDESIGNATIONS.—Title VI (20 U.S.C. 7301 et seq.) is redesignated as title V and further amended—

(1) by redesignating sections 6121 through 6123 as sections 5101 through 5103, respectively;

(2) by redesignating sections 6201 and 6202 as sections 5201 and 5202, respectively;

(3) by redesignating sections 6211 through 6213 as sections 5211 through 5213, respectively;

(4) by redesignating sections 6221 through 6224 as sections 5221 through 5224, respectively; and

(5) by redesignating sections 6231 through 6234 as sections 5231 through 5234, respectively.

(b) STRUCTURAL AND CONFORMING AMENDMENTS.—Title V (as redesignated by subsection (a) of this section) is further amended—

(1) in part A, by striking subparts 1, 3, and 4;

(2) by striking “section 6212” each place it appears and inserting “section 5212”;

(3) by striking “section 6223” each place it appears and inserting “section 5223”; and

(4) by striking “section 6234” each place it appears and inserting “section 5234”.

SEC. 5002. FUNDING TRANSFERABILITY FOR STATE AND LOCAL EDUCATIONAL AGENCIES.

Part A of title V, as redesignated and amended by section 5001 of this Act, is further amended—

(1) in the part heading, by striking “**IMPROVING ACADEMIC ACHIEVEMENT**” and inserting “**FUNDING TRANSFERABILITY FOR STATE AND LOCAL EDUCATIONAL AGENCIES**”;

(2) by striking “**SUBPART 2—FUNDING TRANSFERABILITY FOR STATE AND LOCAL EDUCATIONAL AGENCIES**”;

(3) by striking “subpart” each place it appears and inserting “part”;

(4) by amending section 5102 to read as follows:

“SEC. 5102. PURPOSE.

“The purpose of this part is to allow States and local educational agencies the flexibility to target Federal funds to the programs and activities that most effectively address the unique needs of States and localities.”;

(5) in section 5103—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking “not more than 50 percent of the nonadministrative State funds” and inserting “all, or any lesser amount, of State funds”; and

(II) by striking subparagraphs (A) through (D) and inserting the following:

“(A) Part A of title II.

“(B) Part A of title IV.

“(C) Section 4202(c)(3).”; and

(ii) by striking paragraph (2) and inserting the following:

“(2) ADDITIONAL FUNDS.—In accordance with this part, a State may transfer any funds allotted to the State under a provision listed in paragraph (1) for a fiscal year to its allotment under any other of the following provisions:

“(A) Part A of title I.

“(B) Part C of title I.

“(C) Part D of title I.

“(D) Part A of title III.

“(E) Part B.”.

(B) in subsection (b)—

(i) in paragraph (1)—

(I) in subparagraph (A), by striking “(except” and all that follows through “subparagraph (C))” and inserting “may transfer all, or any lesser amount, of the funds allocated to it”;

(II) by striking subparagraphs (B) and (C) and inserting:

“(B) ADDITIONAL FUNDS.—In accordance with this part, a local educational agency may transfer any funds allotted to such agency under a provision listed in paragraph (2) for a fiscal year to its allotment under any other of the following provisions:

“(i) Part A of title I.

“(ii) Part C of title I.

“(iii) Part D of title I.

“(iv) Part A of title III.

“(v) Part B.”;

(ii) in paragraph (2)—

(I) in the matter preceding subparagraph (A), by striking “subparagraph (A), (B), or (C)” and inserting “subparagraph (A) or (B)”;

(II) by striking subparagraphs (A) through (D) and inserting the following:

“(A) Part A of title II.

“(B) Part A of title IV.”;

(C) by striking subsection (c) and inserting the following:

“(c) NO TRANSFER OF CERTAIN FUNDING.—A State or local educational agency may not transfer under this part to any other program any funds allotted or allocated to it for the following provisions:

“(1) Part A of title I.

“(2) Part C of title I.

“(3) Part D of title I.

“(4) Part A of title III.

“(5) Part B.”; and

(D) in subsection (e)(2), by striking “section 9501” and inserting “section 8501”.

SEC. 5003. RURAL EDUCATION INITIATIVE.

Part B of title V, as redesignated and amended by section 5001 of this Act, is further amended—

(1) in section 5211—

(A) in subsection (a)(1), by striking subparagraphs (A) through (E) and inserting the following:

“(A) Part A of title I.

“(B) Part A of title II.

“(C) Title III.

“(D) Part A or B of title IV.”;

(B) in subsection (b)(1)—

(i) in subparagraph (A)(ii)—

(I) by striking “school” before “locale code”; and

(II) by striking “7 or 8, as determined by the Secretary; or” and inserting “41, 42, or 43, as determined by the Secretary.”;

(ii) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(iii) by adding at the end the following:

“(C) the local educational agency is a member of an educational service agency that does not receive funds under this subpart and the local educational agency meets the requirements of this part.”; and

(C) in subsection (c), by striking paragraphs (1) through (3) and inserting the following:

“(1) Part A of title II.

“(2) Part A of title IV.”;

(2) in section 5212—

(A) in subsection (a), by striking paragraphs (1) through (5) and inserting the following:

“(1) Part A of title I.

“(2) Part A of title II.

“(3) Title III.

“(4) Part A or B of title IV.”;

(B) in subsection (b)—

(i) by striking paragraph (1) and inserting the following:

“(1) ALLOCATION.—

“(A) IN GENERAL.—Except as provided in paragraphs (3) and (4), the Secretary shall award a grant under subsection (a) to a local educational agency eligible under section 5211(b) for a fiscal year in an amount equal to the initial amount determined under paragraph (2) for the fiscal year minus the total amount received by the agency under the provisions of law described in section 5211(c) for the preceding fiscal year.

“(B) SPECIAL DETERMINATION.—For a local educational agency that is eligible under section 5211(b)(1)(C) and is a member of an educational service agency, the Secretary may determine the award amount by subtracting from the initial amount determined under paragraph (2), an amount that is equal to that local educational agency's per-pupil share of the total amount received by the educational service agency under the provisions described in section 5211(c), as long as a determination under this subparagraph would not disproportionately affect any State.”;

(ii) by striking paragraph (2) and inserting the following:

“(2) DETERMINATION OF INITIAL AMOUNT.—

“(A) IN GENERAL.—The initial amount referred to in paragraph (1) is equal to \$100 multiplied by the total number of students in excess of 50 students, in average daily attendance at the schools served by the local educational agency, plus \$20,000, except that the initial amount may not exceed \$60,000.

“(B) SPECIAL RULE.—For any fiscal year for which the amount made available to carry out this part is \$265,000,000 or more, subparagraph (A) shall be applied—

“(i) by substituting ‘\$25,000’ for ‘\$20,000’; and

“(ii) by substituting ‘\$80,000’ for ‘\$60,000’.”; and

(iii) by adding at the end the following:

“(4) HOLD HARMLESS.—For a local educational agency that is not eligible under this subpart due to amendments made by the Every Student Succeeds Act to section 5211(b)(1)(A)(ii) but met the eligibility requirements under sec-

tion 6211(b) as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act, the agency shall receive—

“(A) for fiscal year 2017, 75 percent of the amount such agency received for fiscal year 2015;

“(B) for fiscal year 2018, 50 percent of the amount such agency received for fiscal year 2015; and

“(C) for fiscal year 2019, 25 percent of the amount such agency received for fiscal year 2015.”; and

(C) by striking subsection (d);

(3) by striking section 5213;

(4) in section 5221—

(A) in subsection (a), by striking “section 6222(a)” and inserting “section 5222(a)”;

(B) in subsection (b)—

(i) in paragraph (1)—

(I) by striking “(A) 20 percent” and inserting “(A)(i) 20 percent”;

(II) by redesignating subparagraph (B) as clause (ii);

(III) in clause (ii) (as redesignated by subparagraph (II))—

(aa) by striking “school” before “locale code”;

(bb) by striking “6, 7, or 8” and inserting “32, 33, 41, 42, or 43”; and

(cc) by striking the period at the end and inserting “; or”; and

(IV) by adding at the end the following:

“(B) the agency meets the criteria established in clause (i) of subparagraph (A) and the Secretary, in accordance with paragraph (2), grants the local educational agency's request to waive the criteria described in clause (ii) of such subparagraph.”;

(ii) by redesignating paragraph (2) as paragraph (3); and

(iii) by inserting after paragraph (1) the following:

“(2) CERTIFICATION.—The Secretary shall determine whether to waive the criteria described in paragraph (1)(A)(ii) based on a demonstration by the local educational agency, and concurrence by the State educational agency, that the local educational agency is located in an area defined as rural by a governmental agency of the State.”;

(C) in subsection (c)(1) by striking “Bureau of Indian Affairs” and inserting “Bureau of Indian Education”;

(5) in section 5222(a), by striking paragraphs (1) through (7) and inserting the following:

“(1) Activities authorized under part A of title I.

“(2) Activities authorized under part A of title II.

“(3) Activities authorized under title III.

“(4) Activities authorized under part A of title IV.

“(5) Parental involvement activities.”;

(6) in section 5223—

(A) in subsection (a), by striking “at such time, in such manner, and accompanied by such information” and inserting “at such time and in such manner”; and

(B) by striking subsection (b) and inserting the following:

“(b) CONTENTS.—Each application submitted under subsection (a) shall include information on—

“(1) program objectives and outcomes for activities under this subpart, including how the State educational agency or specially qualified agency will use funds to help all students meet the challenging State academic standards;

“(2) if the State educational agency will competitively award grants to eligible local educational agencies, as described in section 5221(b)(3)(A), the application under the section shall include—

“(A) the methods and criteria the State educational agency will use to review applications

and award funds to local educational agencies on a competitive basis; and

“(B) how the State educational agency will notify eligible local educational agencies of the grant competition; and

“(3) a description of how the State educational agency will provide technical assistance to eligible local educational agencies to help such agencies implement the activities described in section 5222.”;

(7) in section 5224—

(A) by striking the section heading and all that follows through “Each” and inserting the following: “**REPORT.**—Each”;

(B) by striking subsections (b) through (e);

(C) in the matter preceding paragraph (1), by inserting “or specially qualified agency” after “Each State educational agency”;

(D) by striking paragraph (1) and inserting the following:

“(1) if the report is submitted by a State educational agency, the method the State educational agency used to award grants to eligible local educational agencies, and to provide assistance to schools, under this subpart”; and

(E) by striking paragraph (3) and inserting the following:

“(3) the degree to which progress has been made toward meeting the objectives and outcomes described in the application submitted under section 5223, including having all students in the State or the area served by the specially qualified agency, as applicable, meet the challenging State academic standards.”;

(8) by inserting after section 5224 the following:

“SEC. 5225. CHOICE OF PARTICIPATION.

“(a) IN GENERAL.—If a local educational agency is eligible for funding under both this subpart and subpart 1, such local educational agency may receive funds under either this subpart or subpart 1 for a fiscal year, but may not receive funds under both subparts for such fiscal year.

“(b) NOTIFICATION.—A local educational agency eligible for funding under both this subpart and subpart 1 shall notify the Secretary and the State educational agency under which of such subparts the local educational agency intends to receive funds for a fiscal year by a date that is established by the Secretary for the notification.”; and

(9) in section 5234, by striking “\$300,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years,” and inserting “\$169,840,000 for each of the fiscal years 2017 through 2020.”.

SEC. 5004. GENERAL PROVISIONS.

Part C of title V, as redesignated by section 5001 of this Act, is amended to read as follows:

“PART C—GENERAL PROVISIONS

“SEC. 5301. PROHIBITION AGAINST FEDERAL MANDATES, DIRECTION, OR CONTROL.

“Nothing in this title shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's specific instructional content, academic standards and assessments, curriculum, or program of instruction, as a condition of eligibility to receive funds under this Act.

“SEC. 5302. RULE OF CONSTRUCTION ON EQUALIZED SPENDING.

“Nothing in this title shall be construed to mandate equalized spending per pupil for a State, local educational agency, or school.”.

SEC. 5005. REVIEW RELATING TO RURAL LOCAL EDUCATIONAL AGENCIES.

(a) REVIEW AND REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary of Education shall—

(1) review the organization, structure, and process and procedures of the Department of

Education for administering its programs and developing policy and regulations, in order to—

(A) assess the methods and manner through which, and the extent to which, the Department of Education takes into account, considers input from, and addresses the unique needs and characteristics of rural schools and rural local educational agencies; and

(B) determine actions that the Department of Education can take to meaningfully increase the consideration and participation of rural schools and rural local educational agencies in the development and execution of the processes, procedures, policies, and regulations of the Department of Education;

(2) make public a preliminary report containing the information described in paragraph (1) and provide Congress and the public with 60 days to comment on the proposed actions described in paragraph (1)(B); and

(3) issue a final report to the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Education and the Workforce of the House of Representatives, which shall describe the final actions developed pursuant to paragraph (1)(B) after taking into account the comments submitted under paragraph (2).

(b) **IMPLEMENTATION.**—Not later than 2 years after the date of enactment of this Act, the Secretary of Education shall—

(1) carry out each action described in the report under subsection (a)(3); or

(2) in a case in which an action is not carried out, provide a written explanation to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives of why the action was not carried out.

TITLE VI—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

SEC. 6001. CONFORMING AMENDMENTS.

(a) **REDESIGNATION OF TITLE.**—Title VII (20 U.S.C. 7401 et seq.) is redesignated as title VI.

(b) **REDESIGNATIONS AND CONFORMING AMENDMENTS.**—The Act (20 U.S.C. 6301 et seq.) is amended—

(1) by redesignating sections 7101, 7102, 7111, 7112, 7113, 7114, 7115, 7116, 7117, 7118, 7119, 7121, 7122, 7131, 7132, 7133, 7134, 7135, 7136, 7141, 7142, 7143, 7144, 7151, 7152, 7201, 7202, 7203, 7204, 7205, 7206, 7207, 7301, 7302, 7303, 7304, 7305, and 7306, as sections 6101, 6102, 6111, 6112, 6113, 6114, 6115, 6116, 6117, 6118, 6119, 6121, 6122, 6131, 6132, 6133, 6134, 6135, 6136, 6141, 6142, 6143, 6144, 6151, 6152, 6201, 6202, 6203, 6204, 6205, 6206, 6207, 6301, 6302, 6303, 6304, 6305, and 6306, respectively;

(2) in section 6112 (as so redesignated), in subsection (b)(1), by striking “section 7117” and inserting “section 6117”;

(3) in section 6113 (as so redesignated)—
(A) in subsection (a)(1)(A), is amended by striking “section 7117” and inserting “section 6117”;

(B) in subsection (b)(1), by striking “section 7112” and inserting “section 6112”;

(C) in subsection (d)(2)—

(i) by striking “section 7114” the first place it appears and inserting “section 6114”;

(ii) by striking “section 7114(c)(4), section 7118(c), or section 7119” and inserting “section 6114(c)(4), section 6118(c), or section 6119”;

(D) in subsection (e), by striking “section 7152(a)” and inserting “6152(a)”;

(4) in section 6114 (as so redesignated)—

(A) in subsection (b)(4), by striking “section 7115” and inserting “section 6115”;

(B) in subsection (c)(4)(D), by striking “section 7115(c)” and inserting “section 6115(c)”;

(5) in section 6115 (as so redesignated)—

(A) in subsection (a)—
(i) in the matter preceding paragraph (1), by striking “section 7111” and inserting “section 6111”;

(ii) in paragraph (1), by striking “section 7114(a)” and inserting “section 6114(a)”;

(B) in subsection (c)—

(i) in paragraph (1), by striking “section 7114(c)(4)” and inserting “section 6114(c)(4)”;

(ii) in paragraph (2), by striking “section 7111” and inserting “section 6111”;

(6) in section 6116 (as so redesignated), in subsection (d)(9), by striking “section 7114(c)(4)” and inserting “section 6114(c)(4)”;

(7) in section 6117 (as so redesignated)—

(A) in subsection (b)(1)(A)(i), by striking “section 7151” and inserting “section 6151”;

(B) in subsection (c), by striking “section 7151” and inserting “section 6151”;

(C) in subsection (f)(3), by striking “section 7113” and inserting “section 6113”;

(D) in subsection (h)(1), by striking “section 7114” and inserting “section 6114”;

(8) in section 6118 (as so redesignated), in subsection (a), by striking “section 7113” and inserting “section 6113”;

(9) in section 6119 (as so redesignated), by striking “section 7114” and inserting “section 6114”;

(10) in section 6205 (as so redesignated), in subsection (c)—

(A) in paragraph (1), by striking “section 7204” and inserting “section 6204”;

(B) in paragraph (2), by striking “section 7204” and inserting “section 6204”.

SEC. 6002. INDIAN EDUCATION.

(a) **STATEMENT OF POLICY.**—Section 6101 (20 U.S.C. 7401) (as redesignated by section 6001) is amended by adding at the end the following: “It is further the policy of the United States to ensure that Indian children do not attend school in buildings that are dilapidated or deteriorating, which may negatively affect the academic success of such children.”

(b) **PURPOSE.**—Section 6102 (20 U.S.C. 7402) (as redesignated by section 6001) is amended to read as follows:

“**SEC. 6102. PURPOSE.**

“It is the purpose of this part to support the efforts of local educational agencies, Indian tribes and organizations, postsecondary institutions, and other entities—

“(1) to meet the unique educational and culturally related academic needs of Indian students, so that such students can meet the challenging State academic standards;

“(2) to ensure that Indian students gain knowledge and understanding of Native communities, languages, tribal histories, traditions, and cultures; and

“(3) to ensure that teachers, principals, other school leaders, and other staff who serve Indian students have the ability to provide culturally appropriate and effective instruction and supports to such students.”

(c) **PURPOSE.**—Section 6111 (20 U.S.C. 7421) (as redesignated by section 6001) is amended to read as follows:

“**SEC. 6111. PURPOSE.**

“It is the purpose of this subpart to support the efforts of local educational agencies, Indian tribes and organizations, and other entities in developing elementary school and secondary school programs for Indian students that are designed to—

“(1) meet the unique cultural, language, and educational needs of such students; and

“(2) ensure that all students meet the challenging State academic standards.”

(d) **GRANTS TO LOCAL EDUCATIONAL AGENCIES AND TRIBES.**—Section 6112 (20 U.S.C. 7422) (as redesignated by section 6001) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) **IN GENERAL.**—The Secretary may make grants, from allocations made under section 6113, and in accordance with this section and section 6113, to—

“(1) local educational agencies;

“(2) Indian tribes, as provided under subsection (c)(1);

“(3) Indian organizations, as provided under subsection (c)(1);

“(4) consortia of 2 or more local educational agencies, Indian tribes, Indian organizations, or Indian community-based organizations, if each local educational agency participating in such a consortium, if applicable—

“(A) provides an assurance that the eligible Indian children served by such local educational agency will receive the services of the programs funded under this subpart; and

“(B) is subject to all the requirements, assurances, and obligations applicable to local educational agencies under this subpart; and

“(5) Indian community-based organizations, as provided under subsection (d)(1).”

(2) in subsection (b)—
(A) in paragraph (1), by striking “A local educational agency shall” and inserting “Subject to paragraph (2), a local educational agency shall”;

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

“(2) **COOPERATIVE AGREEMENTS.**—A local educational agency may enter into a cooperative agreement with an Indian tribe under this subpart if such Indian tribe—

“(A) represents not less than 25 percent of the eligible Indian children who are served by such local educational agency; and

“(B) requests that the local educational agency enter into a cooperative agreement under this subpart.”;

(3) by striking subsection (c) and inserting the following:

“(c) **INDIAN TRIBES AND INDIAN ORGANIZATIONS.**—

“(1) **IN GENERAL.**—If a local educational agency that is otherwise eligible for a grant under this subpart does not establish a committee under section 6114(c)(4) for such grant, an Indian tribe, an Indian organization, or a consortium of such entities, that represents more than one-half of the eligible Indian children who are served by such local educational agency may apply for such grant.

“(2) **SPECIAL RULE.**—

“(A) **IN GENERAL.**—The Secretary shall treat each Indian tribe, Indian organization, or consortium of such entities applying for a grant pursuant to paragraph (1) as if such tribe, Indian organization, or consortium were a local educational agency for purposes of this subpart.

“(B) **EXCEPTIONS.**—Notwithstanding subparagraph (A), such Indian tribe, Indian organization, or consortium shall not be subject to the requirements of subsections (b)(7) or (c)(4) of section 6114 or section 6118(c) or 6119.

“(3) **ASSURANCE TO SERVE ALL INDIAN CHILDREN.**—An Indian tribe, Indian organization, or consortium of such entities that is eligible to apply for a grant under paragraph (1) shall include, in the application required under section 6114, an assurance that the entity will use the grant funds to provide services to all Indian students served by the local educational agency.

“(d) **INDIAN COMMUNITY-BASED ORGANIZATION.**—

“(1) **IN GENERAL.**—If no local educational agency pursuant to subsection (b), and no Indian tribe, Indian organization, or consortium pursuant to subsection (c), applies for a grant under this subpart in a particular community, an Indian community-based organization serving the community of the local educational agency may apply for such grant.

“(1) local educational agencies;

“(2) Indian tribes, as provided under subsection (c)(1);

“(3) Indian organizations, as provided under subsection (c)(1);

“(4) consortia of 2 or more local educational agencies, Indian tribes, Indian organizations, or Indian community-based organizations, if each local educational agency participating in such a consortium, if applicable—

“(A) provides an assurance that the eligible Indian children served by such local educational agency will receive the services of the programs funded under this subpart; and

“(B) is subject to all the requirements, assurances, and obligations applicable to local educational agencies under this subpart; and

“(5) Indian community-based organizations, as provided under subsection (d)(1).”

(2) in subsection (b)—
(A) in paragraph (1), by striking “A local educational agency shall” and inserting “Subject to paragraph (2), a local educational agency shall”;

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

“(2) **COOPERATIVE AGREEMENTS.**—A local educational agency may enter into a cooperative agreement with an Indian tribe under this subpart if such Indian tribe—

“(A) represents not less than 25 percent of the eligible Indian children who are served by such local educational agency; and

“(B) requests that the local educational agency enter into a cooperative agreement under this subpart.”;

(3) by striking subsection (c) and inserting the following:

“(c) **INDIAN TRIBES AND INDIAN ORGANIZATIONS.**—

“(1) **IN GENERAL.**—If a local educational agency that is otherwise eligible for a grant under this subpart does not establish a committee under section 6114(c)(4) for such grant, an Indian tribe, an Indian organization, or a consortium of such entities, that represents more than one-half of the eligible Indian children who are served by such local educational agency may apply for such grant.

“(2) **SPECIAL RULE.**—

“(A) **IN GENERAL.**—The Secretary shall treat each Indian tribe, Indian organization, or consortium of such entities applying for a grant pursuant to paragraph (1) as if such tribe, Indian organization, or consortium were a local educational agency for purposes of this subpart.

“(B) **EXCEPTIONS.**—Notwithstanding subparagraph (A), such Indian tribe, Indian organization, or consortium shall not be subject to the requirements of subsections (b)(7) or (c)(4) of section 6114 or section 6118(c) or 6119.

“(3) **ASSURANCE TO SERVE ALL INDIAN CHILDREN.**—An Indian tribe, Indian organization, or consortium of such entities that is eligible to apply for a grant under paragraph (1) shall include, in the application required under section 6114, an assurance that the entity will use the grant funds to provide services to all Indian students served by the local educational agency.

“(d) **INDIAN COMMUNITY-BASED ORGANIZATION.**—

“(1) **IN GENERAL.**—If no local educational agency pursuant to subsection (b), and no Indian tribe, Indian organization, or consortium pursuant to subsection (c), applies for a grant under this subpart in a particular community, an Indian community-based organization serving the community of the local educational agency may apply for such grant.

“(2) **APPLICABILITY OF SPECIAL RULE.**—The Secretary shall apply the special rule in subsection (c)(2) to an Indian community-based organization applying for a grant under paragraph (1) in the same manner as such rule applies to an Indian tribe, Indian organization, or consortium described in that subsection.

“(3) **DEFINITION OF INDIAN COMMUNITY-BASED ORGANIZATION.**—In this subsection, the term ‘Indian community-based organization’ means any organization that—

“(A) is composed primarily of Indian parents, family members, and community members, tribal government education officials, and tribal members, from a specific community;

“(B) assists in the social, cultural, and educational development of Indians in such community;

“(C) meets the unique cultural, language, and academic needs of Indian students; and

“(D) demonstrates organizational and administrative capacity to manage the grant.”.

(e) **AMOUNT OF GRANTS.**—Section 6113 (20 U.S.C. 7423) (as redesignated by section 6001) is amended—

(1) in subsection (b)(1), by striking “Bureau of Indian Affairs” and inserting “Bureau of Indian Education”; and

(2) in subsection (d)—

(A) in the subsection heading, by striking “INDIAN AFFAIRS” and inserting “INDIAN EDUCATION”; and

(B) in paragraph (1)(A)(i), by striking “Bureau of Indian Affairs” and inserting “Bureau of Indian Education”.

(f) **APPLICATIONS.**—Section 6114 (20 U.S.C. 7424) (as redesignated by section 6001) is amended—

(1) in subsection (a), by striking “Each local educational agency” and inserting “Each entity described in section 6112(a)”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “American Indian and Alaska Native” and inserting “Indian”;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “is consistent with the State and local plans” and inserting “is consistent with the State, tribal, and local plans”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) includes program objectives and outcomes for activities under this subpart that are based on the same challenging State academic standards developed by the State under title I for all students;”;

(C) by striking paragraph (3) and inserting the following:

“(3) explains how the grantee will use funds made available under this subpart to supplement other Federal, State, and local programs that meet the needs of Indian students;”;

(D) in paragraph (5)(B), by striking “and” after the semicolon;

(E) in paragraph (6)—

(i) in subparagraph (B)—

(I) in clause (i), by striking “and” after the semicolon; and

(II) by adding at the end the following:

“(iii) the Indian tribes whose children are served by the local educational agency, consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the ‘Family Educational Rights and Privacy Act of 1974’); and”;

(ii) in subparagraph (C), by striking the period at the end and inserting “; and”;

(F) by adding at the end the following:

“(7) describes the process the local educational agency used to meaningfully collaborate with Indian tribes located in the community in a timely, active, and ongoing manner in the development of the comprehensive program

and the actions taken as a result of such collaboration.”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “for the education of Indian children,” and inserting “for services described in this subsection,”;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “and” after the semicolon;

(ii) in subparagraph (B), by striking “served by such agency,” and inserting “served by such agency, and meet program objectives and outcomes for activities under this subpart; and”;

(iii) by adding at the end the following:

“(C) determine the extent to which such activities by the local educational agency address the unique cultural, language, and educational needs of Indian students;”;

(C) in paragraph (3)—

(i) in subparagraph (A), by striking “American Indian and Alaska Native” and inserting “Indian”; and

(ii) in subparagraph (C)—

(I) by inserting “representatives of Indian tribes on Indian lands located within 50 miles of any school that the agency will serve if such tribes have any children in such school, Indian organizations,” after “parents of Indian children and teachers,”; and

(II) by striking “and” after the semicolon;

(D) in paragraph (4)—

(i) in subparagraph (A)—

(I) in clause (i), by inserting “and family members” after “parents”;

(II) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively; and

(III) by inserting after clause (i) the following:

“(ii) representatives of Indian tribes on Indian lands located within 50 miles of any school that the agency will serve if such tribes have any children in such school;”;

(ii) by striking subparagraph (B) and inserting the following:

“(B) a majority of whose members are parents and family members of Indian children;”;

(iii) by striking subparagraph (C);

(iv) by redesignating subparagraphs (D) and (E) as subparagraphs (C) and (D), respectively; and

(v) in subparagraph (C) (as redesignated by clause (iv))—

(I) in clause (i), by striking “and” after the semicolon;

(II) in clause (ii), by striking “American Indian and Alaska Native” and inserting “Indian”; and

(III) by adding at the end the following:

“(iii) determined that the program will directly enhance the educational experience of Indian students; and”;

(vi) in subparagraph (D), as redesignated by clause (iv), by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

“(5) the local educational agency will coordinate activities under this title with other Federal programs supporting educational and related services administered by such agency;

“(6) the local educational agency conducted outreach to parents and family members to meet the requirements under this paragraph;

“(7) the local educational agency will use funds received under this subpart only for activities described and authorized in this subpart; and

“(8) the local educational agency has set forth such policies and procedures, including policies and procedures relating to the hiring of personnel, as will ensure that the program for which assistance is sought will be operated and evaluated in consultation with, and with the involvement of, parents and family members of the children, and representatives of the area, to be served.”; and

(4) by adding at the end the following:

“(d) **TECHNICAL ASSISTANCE.**—The Secretary shall, directly or by contract, provide technical assistance to a local educational agency or Bureau of Indian Education school upon request (in addition to any technical assistance available under other provisions of this Act or available through the Institute of Education Sciences) to support the services and activities provided under this subpart, including technical assistance for—

“(1) the development of applications under this subpart, including identifying eligible entities that have not applied for such grants and undertaking appropriate activities to encourage such entities to apply for grants under this subpart;

“(2) improvement in the quality of implementation, content, and evaluation of activities supported under this subpart; and

“(3) integration of activities under this subpart with other educational activities carried out by the local educational agency.”.

(g) **AUTHORIZED SERVICES AND ACTIVITIES.**—Section 6115 (20 U.S.C. 7425) (as redesignated by section 6001) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “solely for the services and activities described in such application” before the semicolon; and

(B) in paragraph (2), by striking “with special regard for” and inserting “to be responsive to”;

(2) by striking subsection (b) and inserting the following:

“(b) **PARTICULAR ACTIVITIES.**—The services and activities referred to in subsection (a) may include—

“(1) activities that support Native American language programs and Native American language restoration programs, which may be taught by traditional leaders;

“(2) culturally related activities that support the program described in the application submitted by the local educational agency;

“(3) early childhood and family programs that emphasize school readiness;

“(4) enrichment programs that focus on problem solving and cognitive skills development and directly support the attainment of challenging State academic standards;

“(5) integrated educational services in combination with other programs that meet the needs of Indian children and their families, including programs that promote parental involvement in school activities and increase student achievement;

“(6) career preparation activities to enable Indian students to participate in programs such as the programs supported by the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), including programs for tech-prep education, mentoring, and apprenticeship;

“(7) activities to educate individuals so as to prevent violence, suicide, and substance abuse;

“(8) the acquisition of equipment, but only if the acquisition of the equipment is essential to achieve the purpose described in section 6111;

“(9) activities that promote the incorporation of culturally responsive teaching and learning strategies into the educational program of the local educational agency;

“(10) family literacy services;

“(11) activities that recognize and support the unique cultural and educational needs of Indian children, and incorporate appropriately qualified tribal elders and seniors;

“(12) dropout prevention strategies for Indian students; and

“(13) strategies to meet the educational needs of at-risk Indian students in correctional facilities, including such strategies that support Indian students who are transitioning from such facilities to schools served by local educational agencies.”;

(3) in subsection (c)—
(A) in paragraph (1), by striking “and” after the semicolon;

(B) in paragraph (2), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(3) the local educational agency identifies in its application how the use of such funds in a schoolwide program will produce benefits to Indian students that would not be achieved if the funds were not used in a schoolwide program.”; and

(4) by adding at the end the following:

“(e) LIMITATION ON THE USE OF FUNDS.—Funds provided to a grantee under this subpart may not be used for long-distance travel expenses for training activities that are available locally or regionally.”.

(h) INTEGRATION OF SERVICES AUTHORIZED.—Section 6116 (20 U.S.C. 7426) (as redesignated by section 6001) is amended—

(1) in subsection (g), in the matter preceding paragraph (1)—

(A) by striking “No Child Left Behind Act of 2001” and inserting “Every Student Succeeds Act”;

(B) by inserting “the Secretary of Health and Human Services,” after “the Secretary of the Interior,”; and

(C) by inserting “and coordination” after “providing for the implementation”; and

(2) in subsection (o)—

(A) in paragraph (1), by striking “the No Child Left Behind Act of 2001” and inserting “the Every Student Succeeds Act”; and

(B) in paragraph (2)—
(i) by striking “the No Child Left Behind Act of 2001” and inserting “the Every Student Succeeds Act”; and

(ii) by striking the second sentence.

(i) STUDENT ELIGIBILITY FORMS.—Section 6117 (20 U.S.C. 7427) (as redesignated by section 6001) is amended—

(1) in subsection (a), by adding at the end the following: “All individual data collected shall be protected by the local educational agencies and only aggregated data shall be reported to the Secretary.”;

(2) by striking subsection (d);

(3) by redesignating subsections (e), (f), (g), and (h), as subsections (d), (e), (f), and (g), respectively;

(4) by striking subsection (d), as redesignated by paragraph (4), and inserting the following:

“(d) DOCUMENTATION AND TYPES OF PROOF.—

“(1) TYPES OF PROOF.—For purposes of determining whether a child is eligible to be counted for the purpose of computing the amount of a grant award under section 6113, the membership of the child, or any parent or grandparent of the child, in a tribe or band of Indians (as so defined) may be established by proof other than an enrollment number, notwithstanding the availability of an enrollment number for a member of such tribe or band. Nothing in subsection (b) shall be construed to require the furnishing of an enrollment number.

“(2) NO NEW OR DUPLICATIVE DETERMINATIONS.—Once a child is determined to be an Indian eligible to be counted for such grant award, the local educational agency shall maintain a record of such determination and shall not require a new or duplicate determination to be made for such child for a subsequent application for a grant under this subpart.

“(3) PREVIOUSLY FILED FORMS.—An Indian student eligibility form that was on file as required by this section on the day before the date of enactment of the Every Student Succeeds Act and that met the requirements of this section, as this section was in effect on the day before the date of the enactment of such Act, shall remain valid for such Indian student.”;

(5) in subsection (f), as redesignated by paragraph (4), by striking “Bureau of Indian Af-

fairs” and inserting “Bureau of Indian Education”; and

(6) in subsection (g), as redesignated by paragraph (4), by striking “subsection (g)(1)” and inserting “subsection (f)(1)”.

(j) PAYMENTS.—Section 6118 (20 U.S.C. 7428) (as redesignated by section 6001) is amended, by striking subsection (c) and inserting the following:

“(c) REDUCTION OF PAYMENT FOR FAILURE TO MAINTAIN FISCAL EFFORT.—Each local educational agency shall maintain fiscal effort in accordance with section 8521 or be subject to reduced payments under this subpart in accordance with such section 8521.”.

(k) IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN AND YOUTH.—Section 6121 (20 U.S.C. 7441) (as redesignated by section 6001) is amended—

(1) by striking the section header and inserting the following:

“SEC. 6121. IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN AND YOUTH.”;

(2) in subsection (a)—

(A) in paragraph (1), by inserting “and youth” after “Indian children”; and

(B) in paragraph (2)(B), by striking “American Indian and Alaska Native children” and inserting “Indian children and youth”;

(3) in subsection (b), by striking “Indian institution (including an Indian institution of higher education)” and inserting “a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)))”;

(4) by striking subsection (c) and inserting the following:

“(c) GRANTS AUTHORIZED.—The Secretary shall award grants to eligible entities to enable such entities to carry out activities that meet the purpose of this section, including—

“(1) innovative programs related to the educational needs of educationally disadvantaged Indian children and youth;

“(2) educational services that are not available to such children and youth in sufficient quantity or quality, including remedial instruction, to raise the achievement of Indian children in one or more of the subjects of English, mathematics, science, foreign languages, art, history, and geography;

“(3) bilingual and bicultural programs and projects;

“(4) special health and nutrition services, and other related activities, that address the special health, social, and psychological problems of Indian children and youth;

“(5) special compensatory and other programs and projects designed to assist and encourage Indian children and youth to enter, remain in, or reenter school, and to increase the rate of high school graduation for Indian children and youth;

“(6) comprehensive guidance, counseling, and testing services;

“(7) early childhood education programs that are effective in preparing young children to make sufficient academic growth by the end of grade 3, including kindergarten and pre-kindergarten programs, family-based preschool programs that emphasize school readiness, screening and referral, and the provision of services to Indian children and youth with disabilities;

“(8) partnership projects between local educational agencies and institutions of higher education that allow secondary school students to enroll in courses at the postsecondary level to aid such students in the transition from secondary to postsecondary education;

“(9) partnership projects between schools and local businesses for career preparation programs designed to provide Indian youth with the knowledge and skills such youth need to make

an effective transition from school to a high-skill career;

“(10) programs designed to encourage and assist Indian students to work toward, and gain entrance into, institutions of higher education;

“(11) family literacy services;

“(12) activities that recognize and support the unique cultural and educational needs of Indian children and youth, and incorporate traditional leaders;

“(13) high-quality professional development of teaching professionals and paraprofessionals; or

“(14) other services that meet the purpose described in this section.”; and

(5) in subsection (d)—

(A) in paragraph (1)(C), by striking “make a grant payment for a grant described in this paragraph to an eligible entity after the initial year of the multiyear grant only if the Secretary determines” and inserting “award grants for an initial period of not more than 3 years and may renew such grants for not more than an additional 2 years if the Secretary determines”; and

(B) in paragraph (3)(B)—

(i) in clause (i), by striking “parents of Indian children” and inserting “parents and family of Indian children”; and

(ii) in clause (iii), by striking “information demonstrating that the proposed program for the activities is a scientifically based research program” and inserting “information demonstrating that the proposed program is an evidence-based program”.

(l) PROFESSIONAL DEVELOPMENT FOR TEACHERS AND EDUCATION PROFESSIONALS.—Section 6122 (20 U.S.C. 7442) (as redesignated by section 6001) is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

“(1) to increase the number of qualified Indian teachers and administrators serving Indian students”;;

(B) by striking paragraph (2) and inserting the following:

“(2) to provide pre- and in-service training and support to qualified Indian individuals to enable such individuals to become effective teachers, principals, other school leaders, administrators, paraprofessionals, counselors, social workers, and specialized instructional support personnel”;;

(C) in paragraph (3), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(4) to develop and implement initiatives to promote retention of effective teachers, principals, and school leaders who have a record of success in helping low-achieving Indian students improve their academic achievement, outcomes, and preparation for postsecondary education or employment.”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “including an Indian institution of higher education” and inserting “including a Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))”; and

(B) in paragraph (4), by inserting “in a consortium with at least one Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)), where feasible” before the period at the end;

(3) in subsection (d)(1)—

(A) in the first sentence, by striking “purposes” and inserting “purpose”; and

(B) by striking the second sentence and inserting “Such activities may include—

“(A) continuing education programs, symposia, workshops, and conferences;

“(B) teacher mentoring programs, professional guidance, and instructional support provided by educators, local traditional leaders, or cultural experts, as appropriate for teachers during their first 3 years of employment as teachers;

“(C) direct financial support; and

“(D) programs designed to train traditional leaders and cultural experts to assist those personnel referenced in subsection (a)(2), as appropriate, with relevant Native language and cultural mentoring, guidance, and support.”; and

(4) by striking subsection (e) and inserting the following:

“(e) APPLICATION.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require. At a minimum, an application under this section shall describe how the eligible entity will—

“(1) recruit qualified Indian individuals, such as students who may not be of traditional college age, to become teachers, principals, or school leaders;

“(2) use funds made available under the grant to support the recruitment, preparation, and professional development of Indian teachers or principals in local educational agencies that serve a high proportion of Indian students; and

“(3) assist participants in meeting the requirements under subsection (h).”;

(5) in subsection (f)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(B) by inserting before paragraph (2), as redesignated by subparagraph (A), the following:

“(1) may give priority to Tribal Colleges and Universities;”;

(C) in paragraph (3), as redesignated by subparagraph (A), by striking “basis of” and all that follows through the period at the end and inserting “basis of the length of any period for which the eligible entity has received a grant.”;

(6) by striking subsection (g) and inserting the following:

“(g) GRANT PERIOD.—The Secretary shall award grants under this section for an initial period of not more than 3 years, and may renew such grants for an additional period of not more than 2 years if the Secretary finds that the grantee is achieving the objectives of the grant.”; and

(7) in subsection (h)(1)(A)(ii), by striking “people” and inserting “students in a local educational agency that serves a high proportion of Indian students”.

(m) NATIONAL RESEARCH ACTIVITIES.—Section 6131 (20 U.S.C. 7451) (as redesignated by section 6001) is amended—

(1) in subsection (a), by striking “under section 7152(b)” and inserting “to carry out this subpart”; and

(2) in subsection (c)(2), by inserting “, the Bureau of Indian Education,” after “Office of Indian Education Programs”.

(n) IN-SERVICE TRAINING FOR TEACHERS OF INDIAN CHILDREN; FELLOWSHIPS FOR INDIAN STUDENTS; GIFTED AND TALENTED INDIAN STUDENTS.—Title VI (20 U.S.C. 7401 et seq.) (as redesignated by section 6001) is amended—

(1) by striking sections 6132, 6133, and 6134 (as redesignated by section 6001); and

(2) by redesignating section 6135 (as redesignated by section 6001) as section 6132.

(o) NATIVE AMERICAN LANGUAGE.—Title VI (20 U.S.C. 7401 et seq.) (as redesignated by section 6001) is amended by inserting after section 6132 (as redesignated by subsection (n)(2)) the following:

“SEC. 6133. NATIVE AMERICAN AND ALASKA NATIVE LANGUAGE IMMERSION SCHOOLS AND PROGRAMS.

“(a) PURPOSES.—The purposes of this section are—

“(1) to establish a grant program to support schools that use Native American and Alaska Native languages as the primary language of instruction;

“(2) to maintain, protect, and promote the rights and freedom of Native Americans and

Alaska Natives to use, practice, maintain, and revitalize their languages, as envisioned in the Native American Languages Act (25 U.S.C. 2901 et seq.); and

“(3) to support the Nation’s First Peoples’ efforts to maintain and revitalize their languages and cultures, and to improve educational opportunities and student outcomes within Native American and Alaska Native communities.

“(b) PROGRAM AUTHORIZED.—

“(1) IN GENERAL.—From funds reserved under section 6152(c), the Secretary shall reserve 20 percent to make grants to eligible entities to develop and maintain, or to improve and expand, programs that support schools, including elementary school and secondary school education sites and streams, using Native American and Alaska Native languages as the primary languages of instruction.

“(2) ELIGIBLE ENTITIES.—In this subsection, the term ‘eligible entity’ means any of the following entities that has a plan to develop and maintain, or to improve and expand, programs that support the entity’s use of a Native American or Alaska Native language as the primary language of instruction in elementary schools or secondary schools, or both:

“(A) An Indian tribe.

“(B) A Tribal College or University (as defined in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c)).

“(C) A tribal education agency.

“(D) A local educational agency, including a public charter school that is a local educational agency under State law.

“(E) A school operated by the Bureau of Indian Education.

“(F) An Alaska Native Regional Corporation (as described in section 3(g) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(g))).

“(G) A private, tribal, or Alaska Native nonprofit organization.

“(H) A nontribal for-profit organization.

“(c) APPLICATION.—

“(1) IN GENERAL.—An eligible entity that desires to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require, including the following:

“(A) The name of the Native American or Alaska Native language to be used for instruction at the school supported by the eligible entity.

“(B) The number of students attending such school.

“(C) The number of hours of instruction in or through 1 or more Native American or Alaska Native languages being provided to targeted students at such school, if any.

“(D) A description of how the eligible entity will—

“(i) use the funds provided to meet the purposes of this section;

“(ii) implement the activities described in subsection (e);

“(iii) ensure the implementation of rigorous academic content; and

“(iv) ensure that students progress toward high-level fluency goals.

“(E) Information regarding the school’s organizational governance or affiliations, including information about—

“(i) the school governing entity (such as a local educational agency, tribal education agency or department, charter organization, private organization, or other governing entity);

“(ii) the school’s accreditation status;

“(iii) any partnerships with institutions of higher education; and

“(iv) any indigenous language schooling and research cooperatives.

“(F) An assurance that—

“(i) the school is engaged in meeting State or tribally designated long-term goals for students,

as may be required by applicable Federal, State, or tribal law;

“(ii) the school provides assessments of students using the Native American or Alaska Native language of instruction, where possible;

“(iii) the qualifications of all instructional and leadership personnel at such school is sufficient to deliver high-quality education through the Native American or Alaska Native language used in the school; and

“(iv) the school will collect and report to the public data relative to student achievement and, if appropriate, rates of high school graduation, career readiness, and enrollment in postsecondary education or workforce development programs, of students who are enrolled in the school’s programs.

“(2) LIMITATION.—The Secretary shall not give a priority in awarding grants under this section based on the information described in paragraph (1)(E).

“(3) SUBMISSION OF CERTIFICATION.—

“(A) IN GENERAL.—An eligible entity that is a public elementary school or secondary school (including a public charter school or a school operated by the Bureau of Indian Education) or a nontribal for-profit or nonprofit organization shall submit, along with the application requirements described in paragraph (1), a certification described in subparagraph (B) indicating that—

“(i) the school or organization has the capacity to provide education primarily through a Native American or an Alaska Native language; and

“(ii) there are sufficient speakers of the target language at the school or available to be hired by the school or organization.

“(B) CERTIFICATION.—The certification described in subparagraph (A) shall be from one of the following entities, on whose land the school or program is located, that is an entity served by such school, or that is an entity whose members (as defined by that entity) are served by the school:

“(i) A Tribal College or University (as defined in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c)).

“(ii) A Federally recognized Indian tribe or tribal organization.

“(iii) An Alaska Native Regional Corporation or an Alaska Native nonprofit organization.

“(iv) A Native Hawaiian organization.

“(d) AWARDING OF GRANTS.—In awarding grants under this section, the Secretary shall—

“(1) determine the amount of each grant and the duration of each grant, which shall not exceed 3 years; and

“(2) ensure, to the maximum extent feasible, that diversity in languages is represented.

“(e) ACTIVITIES AUTHORIZED.—

“(1) REQUIRED ACTIVITIES.—An eligible entity that receives a grant under this section shall use such funds to carry out the following activities:

“(A) Supporting Native American or Alaska Native language education and development.

“(B) Providing professional development for teachers and, as appropriate, staff and administrators to strengthen the overall language and academic goals of the school that will be served by the grant program.

“(2) ALLOWABLE ACTIVITIES.—An eligible entity that receives a grant under this section may use such funds to carry out the following activities:

“(A) Developing or refining curriculum, including teaching materials and activities, as appropriate.

“(B) Creating or refining assessments written in the Native American or Alaska Native language of instruction that measure student proficiency and that are aligned with State or tribal academic standards.

“(C) Carrying out other activities that promote the maintenance and revitalization of the

Native American or Alaska Native language relevant to the grant program.

“(f) **REPORT TO SECRETARY.**—Each eligible entity that receives a grant under this section shall prepare and submit an annual report to the Secretary, which shall include—

“(1) the activities the entity carried out to meet the purposes of this section; and

“(2) the number of children served by the program and the number of instructional hours in the Native American or Alaska Native language.

“(g) **ADMINISTRATIVE COSTS.**—Not more than 5 percent of the funds provided to a grantee under this section for any fiscal year may be used for administrative purposes.”

(p) **GRANTS TO TRIBES FOR EDUCATION ADMINISTRATIVE PLANNING, DEVELOPMENT, AND COORDINATION.**—Section 6132 (20 U.S.C. 7455) (as redesignated by subsection (n)) is amended to read as follows:

“**SEC. 6132. GRANTS TO TRIBES FOR EDUCATION ADMINISTRATIVE PLANNING, DEVELOPMENT, AND COORDINATION.**

“(a) **IN GENERAL.**—The Secretary may award grants under this section to eligible applicants to enable the eligible applicants to—

“(1) promote tribal self-determination in education;

“(2) improve the academic achievement of Indian children and youth; and

“(3) promote the coordination and collaboration of tribal educational agencies with State educational agencies and local educational agencies to meet the unique educational and culturally related academic needs of Indian students.

“(b) **DEFINITIONS.**—In this section:

“(1) **ELIGIBLE APPLICANT.**—In this section, the term ‘eligible applicant’ means—

“(A) an Indian tribe or tribal organization approved by an Indian tribe; or

“(B) a tribal educational agency.

“(2) **INDIAN TRIBE.**—The term ‘Indian tribe’ means a federally recognized tribe or a State-recognized tribe.

“(3) **TRIBAL EDUCATIONAL AGENCY.**—The term ‘tribal educational agency’ means the agency, department, or instrumentality of an Indian tribe that is primarily responsible for supporting tribal students’ elementary and secondary education.

“(c) **GRANT PROGRAM.**—The Secretary may award grants to—

“(1) eligible applicants described under subsection (b)(1)(A) to plan and develop a tribal educational agency, if the tribe or organization has no current tribal educational agency, for a period of not more than 1 year; and

“(2) eligible applicants described under subsection (b)(1)(B), for a period of not more than 3 years, in order to—

“(A) directly administer education programs, including formula grant programs under this Act, consistent with State law and under a written agreement between the parties;

“(B) build capacity to administer and coordinate such education programs, and to improve the relationship and coordination between such applicants and the State educational agencies and local educational agencies that educate students from the tribe;

“(C) receive training and support from the State educational agency and local educational agency, in areas such as data collection and analysis, grants management and monitoring, fiscal accountability, and other areas as needed;

“(D) train and support the State educational agency and local educational agency in areas related to tribal history, language, or culture;

“(E) build on existing activities or resources rather than replacing other funds; and

“(F) carry out other activities, consistent with the purposes of this section.

“(d) **GRANT APPLICATION.**—

“(1) **IN GENERAL.**—Each eligible applicant desiring a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably prescribe.

“(2) **CONTENTS.**—Each application described in paragraph (1) shall contain—

“(A) a statement describing the activities to be conducted, and the objectives to be achieved, under the grant;

“(B) a description of the method to be used for evaluating the effectiveness of the activities for which assistance is sought and for determining whether such objectives are achieved; and

“(C) for applications for activities under subsection (c)(2), evidence of—

“(i) a preliminary agreement with the appropriate State educational agency, 1 or more local educational agencies, or both the State educational agency and a local educational agency; and

“(ii) existing capacity as a tribal educational agency.

“(3) **APPROVAL.**—The Secretary may approve an application submitted by an eligible applicant under this subsection if the application, including any documentation submitted with the application—

“(A) demonstrates that the eligible applicant has consulted with other education entities, if any, within the territorial jurisdiction of the applicant that will be affected by the activities to be conducted under the grant;

“(B) provides for consultation with such other education entities in the operation and evaluation of the activities conducted under the grant; and

“(C) demonstrates that there will be adequate resources provided under this section or from other sources to complete the activities for which assistance is sought.

“(e) **RESTRICTIONS.**—

“(1) **IN GENERAL.**—An Indian tribe may not receive funds under this section if the tribe receives funds under section 1140 of the Education Amendments of 1978 (20 U.S.C. 2020).

“(2) **DIRECT SERVICES.**—No funds under this section may be used to provide direct services.

“(f) **SUPPLEMENT, NOT SUPPLANT.**—Funds under this section shall be used to supplement, and not supplant, other Federal, State, and local programs that meet the needs of tribal students.”

(g) **IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR ADULT INDIANS.**—Title VI (20 U.S.C. 7401 et seq.) (as redesignated by section 6001) is amended by striking section 6136.

(r) **NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION.**—Section 6141(b)(1) (20 U.S.C. 7471(b)(1)) (as redesignated by section 6001) is amended by inserting “and the Secretary of the Interior” after “advise the Secretary”.

(s) **DEFINITIONS.**—Section 6151 (20 U.S.C. 7491) (as redesignated by section 6001) is amended by adding at the end the following:

“(4) **TRADITIONAL LEADERS.**—The term ‘traditional leaders’ has the meaning given the term in section 103 of the Native American Languages Act (25 U.S.C. 2902).”

(t) **AUTHORIZATIONS OF APPROPRIATIONS.**—Section 6152 (20 U.S.C. 7492) (as redesignated by section 6001) is amended—

(1) in subsection (a), by striking “\$96,400,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years” and inserting “\$100,381,000 for fiscal year 2017, \$102,388,620 for fiscal year 2018, \$104,436,392 for fiscal year 2019, and \$106,525,120 for fiscal year 2020”;

(2) in subsection (b)—

(A) in the subsection heading, by striking “SUBPARTS 2 AND 3” and inserting “SUBPART 2”;

(B) by striking “subparts 2 and 3” and inserting “subpart 2”; and

(C) by striking “\$24,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years” and inserting “\$17,993,000 for each of fiscal years 2017 through 2020”; and

(3) by adding at the end the following:

“(c) **SUBPART 3.**—For the purpose of carrying out subpart 3, there are authorized to be appropriated \$5,565,000 for each of fiscal years 2017 through 2020.”

SEC. 6003. NATIVE HAWAIIAN EDUCATION.

(a) **FINDINGS.**—Section 6202 (20 U.S.C. 7512) (as redesignated by section 6001) is amended by striking paragraphs (14) through (21).

(b) **NATIVE HAWAIIAN EDUCATION COUNCIL.**—Section 6204 (20 U.S.C. 7514) (as redesignated by section 6001) is amended to read as follows:

“**SEC. 6204. NATIVE HAWAIIAN EDUCATION COUNCIL.**

“(a) **GRANT AUTHORIZED.**—In order to better effectuate the purposes of this part through the coordination of educational and related services and programs available to Native Hawaiians, including those programs that receive funding under this part, the Secretary shall award a grant to the education council described under subsection (b).

“(b) **EDUCATION COUNCIL.**—

“(1) **ELIGIBILITY.**—To be eligible to receive the grant under subsection (a), the council shall be an education council (referred to in this section as the ‘Education Council’) that meets the requirements of this subsection.

“(2) **COMPOSITION.**—The Education Council shall consist of 15 members, of whom—

“(A) 1 shall be the President of the University of Hawaii (or a designee);

“(B) 1 shall be the Governor of the State of Hawaii (or a designee);

“(C) 1 shall be the Superintendent of the State of Hawaii Department of Education (or a designee);

“(D) 1 shall be the chairperson of the Office of Hawaiian Affairs (or a designee);

“(E) 1 shall be the executive director of Hawaii’s Charter School Network (or a designee);

“(F) 1 shall be the chief executive officer of the Kamehameha Schools (or a designee);

“(G) 1 shall be the Chief Executive Officer of the Queen Liliuokalani Trust (or a designee);

“(H) 1 shall be appointed by the Secretary, in a timely manner, and chosen from a list of 5 individuals who represent one or more private grant-making entities that is submitted to the Secretary by the Education Council;

“(I) 1 shall be the Mayor of the County of Hawaii (or a designee);

“(J) 1 shall be the Mayor of Maui County (or a designee from the Island of Maui);

“(K) 1 shall be the Mayor of the County of Kauai (or a designee);

“(L) 1 shall be appointed by the Secretary, in a timely manner, and chosen from a list of 5 individuals who are from the Island of Molokai or the Island of Lanai that is submitted to the Secretary by the Mayor of Maui County;

“(M) 1 shall be the Mayor of the City and County of Honolulu (or a designee);

“(N) 1 shall be the chairperson of the Hawaiian Homes Commission (or a designee); and

“(O) 1 shall be the chairperson of the Hawaii Workforce Development Council (or a designee representing the private sector).

“(3) **REQUIREMENTS.**—Any designee serving on the Education Council shall demonstrate, as determined by the individual who appointed such designee with input from the Native Hawaiian community, not less than 5 years of experience as a consumer or provider of Native Hawaiian educational or cultural activities, with traditional cultural experience given due consideration.

“(4) **LIMITATION.**—A member (including a designee), while serving on the Education Council,

shall not be a direct recipient or administrator of grant funds that are awarded under this part.

“(5) **TERM OF MEMBERS.**—A member who is a designee shall serve for a term of not more than 4 years.

“(6) **CHAIR; VICE CHAIR.**—

“(A) **SELECTION.**—The Education Council shall select a Chairperson and a Vice Chairperson from among the members of the Education Council.

“(B) **TERM LIMITS.**—The Chairperson and Vice Chairperson shall each serve for a 2-year term.

“(7) **ADMINISTRATIVE PROVISIONS RELATING TO EDUCATION COUNCIL.**—The Education Council shall meet at the call of the Chairperson of the Council, or upon request by a majority of the members of the Education Council, but in any event not less often than every 120 days.

“(8) **NO COMPENSATION.**—None of the funds made available through the grant may be used to provide compensation to any member of the Education Council or member of a working group established by the Education Council, for functions described in this section.

“(C) **USE OF FUNDS FOR COORDINATION ACTIVITIES.**—The Education Council shall use funds made available through a grant under subsection (a) to carry out each of the following activities:

“(1) Providing advice about the coordination of, and serving as a clearinghouse for, the educational and related services and programs available to Native Hawaiians, including the programs assisted under this part.

“(2) Assessing the extent to which such services and programs meet the needs of Native Hawaiians, and collecting data on the status of Native Hawaiian education.

“(3) Providing direction and guidance, through the issuance of reports and recommendations, to appropriate Federal, State, and local agencies in order to focus and improve the use of resources, including resources made available under this part, relating to Native Hawaiian education, and serving, where appropriate, in an advisory capacity.

“(4) Awarding grants, if such grants enable the Education Council to carry out the activities described in paragraphs (1) through (3).

“(5) Hiring an executive director, who shall assist in executing the duties and powers of the Education Council, as described in subsection (d).

“(d) **USE OF FUNDS FOR TECHNICAL ASSISTANCE.**—The Education Council shall use funds made available through a grant under subsection (a) to—

“(1) provide technical assistance to Native Hawaiian organizations that are grantees or potential grantees under this part;

“(2) obtain from such grantees information and data regarding grants awarded under this part, including information and data about—

“(A) the effectiveness of such grantees in meeting the educational priorities established by the Education Council, as described in paragraph (6)(D), using metrics related to these priorities; and

“(B) the effectiveness of such grantees in carrying out any of the activities described in paragraph (3) of section 6205(a) that are related to the specific goals and purposes of each grantee's grant project, using metrics related to these goals and purposes;

“(3) assess and define the educational needs of Native Hawaiians;

“(4) assess the programs and services available to address the educational needs of Native Hawaiians;

“(5) assess and evaluate the individual and aggregate impact achieved by grantees under this part in improving Native Hawaiian edu-

cational performance and meeting the goals of this part, using metrics related to these goals; and

“(6) prepare and submit to the Secretary, at the end of each calendar year, an annual report that contains—

“(A) a description of the activities of the Education Council during the calendar year;

“(B) a description of significant barriers to achieving the goals of this part;

“(C) a summary of each community consultation session described in subsection (e); and

“(D) recommendations to establish priorities for funding under this part, based on an assessment of—

“(i) the educational needs of Native Hawaiians;

“(ii) programs and services available to address such needs;

“(iii) the effectiveness of programs in improving the educational performance of Native Hawaiian students to help such students meet challenging State academic standards under section 1111(b)(1); and

“(iv) priorities for funding in specific geographic communities.

“(e) **USE OF FUNDS FOR COMMUNITY CONSULTATIONS.**—The Education Council shall use funds made available through the grant under subsection (a) to hold not less than 1 community consultation each year on each of the islands of Hawaii, Maui, Molokai, Lanai, Oahu, and Kauai, at which—

“(1) not fewer than 3 members of the Education Council shall be in attendance;

“(2) the Education Council shall gather community input regarding—

“(A) current grantees under this part, as of the date of the consultation;

“(B) priorities and needs of Native Hawaiians; and

“(C) other Native Hawaiian education issues; and

“(3) the Education Council shall report to the community on the outcomes of the activities supported by grants awarded under this part.

“(f) **FUNDING.**—For each fiscal year, the Secretary shall use the amount described in section 6205(c)(2), to make a payment under the grant. Funds made available through the grant shall remain available until expended.”

(c) **PROGRAM AUTHORIZED.**—Section 6205 (20 U.S.C. 7515) (as redesignated by section 6001) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (C), by striking “and” after the semicolon;

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by inserting after subparagraph (C) the following:

“(D) charter schools; and”;

(B) in paragraph (3)—

(i) in subparagraph (C)—

(I) by striking “third grade” and inserting “grade 3”; and

(II) by striking “fifth and sixth grade” and inserting “grades 5 and 6”;

(ii) in subparagraph (D)(ii), by striking “of those students” and inserting “of such students”;

(iii) in subparagraph (E)(ii), by striking “students’ educational progress” and inserting “educational progress of such students”;

(iv) in subparagraph (G)(ii), by striking “concentrations” and all that follows through “; and” and inserting “high concentrations of Native Hawaiian students to meet the unique needs of such students; and”;

(v) in subparagraph (H)—

(I) in the matter preceding clause (i), by striking “families” and inserting “students, parents,

families,”;

(II) in clause (i), by striking “preschool programs” and inserting “early childhood education programs”;

(III) by striking clause (ii) and inserting the following:

“(ii) before, after, and summer school programs, expanded learning time, or weekend academies;”; and

(IV) in clause (iii), by striking “vocational and adult education programs” and inserting “career and technical education programs”; and

(vi) by striking clauses (i) through (v) of subparagraph (I) and inserting the following:

“(i) family literacy services; and

“(ii) counseling, guidance, and support services for students;”; and

(C) by striking paragraph (4); and

(2) in subsection (c)—

(A) in paragraph (1), by striking “such sums as may be necessary for fiscal year 2002 and each of the 5 succeeding fiscal years” and inserting “\$32,397,000 for each of fiscal years 2017 through 2020”; and

(B) in paragraph (2), by striking “for fiscal year 2002 and each of the 5 succeeding fiscal years” and inserting “for each of fiscal years 2017 through 2020”.

(d) **DEFINITIONS.**—Section 6207 (20 U.S.C. 7517) (as redesignated by section 6001) is amended—

(1) by redesignating paragraphs (1) through (6) as paragraphs (2) through (7), respectively; and

(2) by inserting before paragraph (2), as redesignated by paragraph (1), the following:

“(1) **COMMUNITY CONSULTATION.**—The term ‘community consultation’ means a public gathering—

“(A) to discuss Native Hawaiian education concerns; and

“(B) about which the public has been given not less than 30 days notice.”.

SEC. 6004. ALASKA NATIVE EDUCATION.

(a) **FINDINGS.**—Section 6302 (20 U.S.C. 7542) (as redesignated by section 6001) is amended by striking paragraphs (1) through (7) and inserting the following:

“(1) It is the policy of the Federal Government to maximize the leadership of and participation by Alaska Natives in the planning and the management of Alaska Native education programs and to support efforts developed by and undertaken within the Alaska Native community to improve educational opportunity for all students.

“(2) Many Alaska Native children enter and exit school with serious educational disadvantages.

“(3) Overcoming the magnitude of the geographic challenges, historical inequities, and other barriers to successfully improving educational outcomes for Alaska Native students in rural, village, and urban settings is challenging. Significant disparities between academic achievement of Alaska Native students and non-Native students continue, including lower graduation rates, increased school dropout rates, and lower achievement scores on standardized tests.

“(4) The preservation of Alaska Native cultures and languages and the integration of Alaska Native cultures and languages into education, positive identity development for Alaska Native students, and local, place-based, and culture-based programming are critical to the attainment of educational success and the long-term well-being of Alaska Native students.

“(5) Improving educational outcomes for Alaska Native students increases access to employment opportunities.

“(6) The Federal Government should lend support to efforts developed by and undertaken within the Alaska Native community to improve educational opportunity for Alaska Native students. In 1983, pursuant to Public Law 98–63,

Alaska ceased to receive educational funding from the Bureau of Indian Affairs. The Bureau of Indian Education does not operate any schools in Alaska, nor operate or fund Alaska Native education programs. The program under this part supports the Federal trust responsibility of the United States to Alaska Natives.”.

(b) **PURPOSES.**—Section 6303 (20 U.S.C. 7543) (as redesignated by section 6001) is amended—

(1) in paragraph (1), by inserting “and address” after “To recognize”;

(2) by striking paragraph (3);

(3) by redesignating paragraphs (2) and (4) as paragraphs (4) and (5), respectively;

(4) by inserting after paragraph (1) the following:

“(2) To recognize the role of Alaska Native languages and cultures in the educational success and long-term well-being of Alaska Native students.

“(3) To integrate Alaska Native cultures and languages into education, develop Alaska Native students’ positive identity, and support local place-based and culture-based curriculum and programming.”;

(5) in paragraph (4), as redesignated by paragraph (3), by striking “of supplemental educational programs to benefit Alaska Natives.” and inserting “, management, and expansion of effective supplemental educational programs to benefit Alaska Natives.”; and

(6) by adding at the end the following:

“(6) To ensure the maximum participation by Alaska Native educators and leaders in the planning, development, implementation, management, and evaluation of programs designed to serve Alaska Native students.”.

(c) **PROGRAM AUTHORIZED.**—Section 6304 (20 U.S.C. 7544) (as redesignated by section 6001) is amended to read as follows:

“SEC. 6304. PROGRAM AUTHORIZED.

“(a) **GENERAL AUTHORITY.**—

“(1) **GRANTS AND CONTRACTS.**—The Secretary is authorized to make grants to, or enter into contracts with—

“(A) Alaska Native organizations with experience operating programs that fulfill the purposes of this part;

“(B) Alaska Native organizations that do not have the experience described in subparagraph (A) but are in partnership with—

“(i) a State educational agency or a local educational agency; or

“(ii) an Alaska Native organization that operates a program that fulfills the purposes of this part;

“(C) an entity located in Alaska, and predominately governed by Alaska Natives, that does not meet the definition of an Alaska Native organization under this part but—

“(i) has experience operating programs that fulfill the purposes of this part; and

“(ii) is granted an official charter or sanction, as described in the definition of a tribal organization under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b), from at least one Alaska Native tribe or Alaska Native organization to carry out programs that meet the purposes of this part.

“(2) **MANDATORY ACTIVITIES.**—Activities provided through the programs carried out under this part shall include the following:

“(A) The development and implementation of plans, methods, strategies, and activities to improve the educational outcomes of Alaska Natives.

“(B) The collection of data to assist in the evaluation of the programs carried out under this part.

“(3) **PERMISSIBLE ACTIVITIES.**—Activities provided through programs carried out under this part may include the following:

“(A) The development of curricula and programs that address the educational needs of Alaska Native students, including the following:

“(i) Curriculum materials that are culturally informed and reflect the cultural diversity, languages, history, or the contributions of Alaska Native people, including curricula intended to preserve and promote Alaska Native culture.

“(ii) Instructional programs that make use of Alaska Native languages and cultures.

“(iii) Networks that develop, test, and disseminate best practices and introduce successful programs, materials, and techniques to meet the educational needs of Alaska Native students in urban and rural schools.

“(B) Training and professional development activities for educators, including the following:

“(i) Pre-service and in-service training and professional development programs to prepare teachers to develop appreciation for, and understanding of, Alaska Native history, cultures, values, and ways of knowing and learning in order to effectively address the cultural diversity and unique needs of Alaska Native students and improve the teaching methods of educators.

“(ii) Recruitment and preparation of Alaska Native teachers.

“(iii) Programs that will lead to the certification and licensing of Alaska Native teachers, principals, other school leaders, and superintendents.

“(C) Early childhood and parenting education activities designed to improve the school readiness of Alaska Native children, including—

“(i) the development and operation of home visiting programs for Alaska Native preschool children, to ensure the active involvement of parents in their children’s education from the earliest ages;

“(ii) training, education, and support, including in-home visitation, for parents and caregivers of Alaska Native children to improve parenting and caregiving skills (including skills relating to discipline and cognitive development, reading readiness, observation, storytelling, and critical thinking);

“(iii) family literacy services;

“(iv) activities carried out under the Head Start Act (42 U.S.C. 9831 et seq.);

“(v) programs for parents and their infants, from the prenatal period of the infant through age 3;

“(vi) early childhood education programs; and

“(vii) native language immersion within early childhood education programs, Head Start, or preschool programs.

“(D) The development and operation of student enrichment programs, including programs in science, technology, engineering, and mathematics that—

“(i) are designed to prepare Alaska Native students to excel in such subjects;

“(ii) provide appropriate support services to enable such students to benefit from the programs; and

“(iii) include activities that recognize and support the unique cultural and educational needs of Alaska Native children and incorporate appropriately qualified Alaska Native elders and other tradition bearers.

“(E) Research and data collection activities to determine the educational status and needs of Alaska Native children and adults and other such research and evaluation activities related to programs funded under this part.

“(F) Activities designed to enable Alaska Native students served under this part to meet the challenging State academic standards or increase the graduation rates of Alaska Native students, such as—

“(i) remedial and enrichment programs;

“(ii) culturally based education programs, such as—

“(I) programs of study and other instruction in Alaska Native history and ways of living to share the rich and diverse cultures of Alaska Natives among Alaska Native youth and elders,

non-Native students and teachers, and the large community;

“(II) instructing Alaska Native youth in leadership, communication, and Alaska Native culture, arts, history, and languages;

“(III) intergenerational learning and internship opportunities to Alaska Native youth and young adults;

“(IV) providing cultural immersion activities aimed at Alaska Native cultural preservation;

“(V) native language instruction and immersion activities, including native language immersion nests or schools;

“(VI) school-within-a-school model programs; and

“(VII) preparation for postsecondary education and career planning; and

“(iii) comprehensive school or community-based support services, including services that—

“(I) address family instability and trauma; and

“(II) improve conditions for learning at home, in the community, and at school.

“(G) Student and teacher exchange programs, cross-cultural immersion programs, and culture camps designed to build mutual respect and understanding among participants.

“(H) Education programs for at-risk urban Alaska Native students that are designed to improve academic proficiency and graduation rates, use strategies otherwise permissible under this part, and incorporate a strong data collection and continuous evaluation component.

“(I) Strategies designed to increase the involvement of parents in their children’s education.

“(J) Programs and strategies that increase connections between and among schools, families, and communities, including positive youth-adult relationships, to—

“(i) promote the academic progress and positive development of Alaska Native children and youth; and

“(ii) improve conditions for learning at home, in the community, and at school.

“(K) Career preparation activities to enable Alaska Native children and adults to prepare for meaningful employment, including programs providing tech-prep, mentoring, training, and apprenticeship activities.

“(L) Support for the development and operational activities of regional vocational schools in rural areas of Alaska to provide students with necessary resources to prepare for skilled employment opportunities.

“(M) Regional leadership academies that demonstrate effectiveness in building respect and understanding, and fostering a sense of Alaska Native identity in Alaska Native students to promote their pursuit of and success in completing higher education or career training.

“(N) Other activities, consistent with the purposes of this part, to meet the educational needs of Alaska Native children and adults.

“(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$31,453,000 for each of fiscal years 2017 through 2020.”.

(d) **ADMINISTRATIVE PROVISIONS.**—Section 6305 (20 U.S.C. 7545) (as redesignated by section 6001) is amended to read as follows:

“SEC. 6305. ADMINISTRATIVE PROVISIONS.

“Not more than 5 percent of funds provided to an award recipient under this part for any fiscal year may be used for administrative purposes.”.

(e) **DEFINITIONS.**—Section 6306 (20 U.S.C. 7546) (as redesignated by section 6001) is amended—

(1) in paragraph (1), by inserting “(43 U.S.C. 1602(b)) and includes the descendants of individuals so defined” after “Settlement Act”;

(2) by striking paragraph (2) and inserting the following:

“(2) **ALASKA NATIVE ORGANIZATION.**—The term ‘Alaska Native organization’ means an organization that has or commits to acquire expertise in the education of Alaska Natives and is—

“(A) an Indian tribe, as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b), that is an Indian tribe located in Alaska;

“(B) a ‘tribal organization’, as defined in section 4 of such Act (25 U.S.C. 450b), that is a tribal organization located in Alaska; or

“(C) an organization listed in clauses (i) through (xii) of section 419(4)(B) of the Social Security Act (42 U.S.C. 619(4)(B)(i) through (xii)), or the successor of an entity so listed.”.

SEC. 6005. REPORT ON NATIVE AMERICAN LANGUAGE MEDIUM EDUCATION.

(a) **DEFINITIONS.**—In this section:

(1) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965.

(2) **LOCAL EDUCATIONAL AGENCY.**—The term “local educational agency” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965.

(3) **NATIVE AMERICAN; NATIVE AMERICAN LANGUAGE.**—The terms “Native American” and “Native American language” have the meanings given such terms in section 103 of the Native American Languages Act of 1990 (25 U.S.C. 2902).

(4) **STATE EDUCATIONAL AGENCY.**—The term “State educational agency” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965.

(b) **STUDY.**—By not later than 18 months after the date of enactment of this Act, the Secretary of Education, in collaboration with the Secretary of the Interior, shall—

(1) conduct a study to evaluate all levels of education being provided primarily through the medium of Native American languages; and

(2) report on the findings of such study.

(c) **CONSULTATION.**—In carrying out the study conducted under subsection (b), the Secretary shall consult with—

(1) institutions of higher education that conduct Native American language immersion programs, including teachers of such programs;

(2) State educational agencies and local educational agencies;

(3) Indian tribes and tribal organizations, as such terms are defined by section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b) that sponsor Native American language immersion schools; and

(4) experts in the fields of Native American or Alaska Native language and Native American language medium education, including scholars who are fluent in Native American languages.

(d) **SCOPE OF STUDY.**—The study conducted under subsection (b) shall evaluate the components, policies, and practices of successful Native American language immersion schools and programs, including—

(1) the level of expertise in educational pedagogy, Native American language fluency, and experience of the principal, teachers, paraprofessionals, and other educational staff;

(2) how such schools and programs are using Native American languages to provide instruction in reading, language arts, mathematics, science, and, as applicable, other academic subjects;

(3) how such schools and programs assess the academic proficiency of the students, including—

(A) whether the school administers assessments of language arts, mathematics, science, and other academic subjects in the Native American language of instruction;

(B) whether the school administers assessments of language arts, mathematics, science, and other academic subjects in English; and

(C) how the standards measured by the assessments in the Native American language of instruction and in English compare; and

(4) the academic outcomes, graduation rate, and other outcomes of students who have completed the highest grade taught primarily through such schools or programs, including, when available, college attendance rates compared with demographically similar students who did not attend a school in which the language of instruction was a Native American language.

(e) **RECOMMENDATIONS.**—Not later than 18 months after the date of enactment of this Act, the Secretary of Education, in collaboration with the Secretary of the Interior, shall—

(1) develop a report that includes findings and conclusions regarding the study conducted under subsection (b), including recommendations for such legislative and administrative actions as the Secretary of Education considers to be appropriate;

(2) consult with the entities described in subsection (c) in reviewing such findings and conclusions; and

(3) submit the report described in paragraph (1) to each of the following:

(A) The Committee on Health, Education, Labor, and Pensions of the Senate.

(B) The Committee on Education and the Workforce of the House of Representatives.

(C) The Committee on Indian Affairs of the Senate.

(D) The Subcommittee on Indian, Insular and Alaska Native Affairs of the House of Representatives.

SEC. 6006. REPORT ON RESPONSES TO INDIAN STUDENT SUICIDES.

(a) **PREPARATION.**—

(1) **IN GENERAL.**—The Secretary of Education, in coordination with the Secretary of the Interior and the Secretary of Health and Human Services, shall prepare a report on efforts to address outbreaks of suicides among elementary school and secondary school students (referred to in this section as “student suicides”) that occurred within 1 year prior to the date of enactment of this Act in Indian country (as defined in section 1151 of title 18, United States Code).

(2) **CONTENTS.**—The report described in paragraph (1) shall include information on—

(A) the Federal response to the occurrence of high numbers of student suicides in Indian country (as so defined);

(B) a list of Federal resources available to prevent and respond to outbreaks of student suicides, including the availability and use of tele-behavioral health care;

(C) any barriers to timely implementation of programs or interagency collaboration regarding student suicides;

(D) interagency collaboration efforts to streamline access to programs regarding student suicides, including information on how the Department of Education, the Department of the Interior, and the Department of Health and Human Services work together on administration of such programs;

(E) recommendations to improve or consolidate resources or programs described in subparagraph (B) or (D); and

(F) feedback from Indian tribes to the Federal response described in subparagraph (A).

(b) **SUBMISSION.**—Not later than 270 days after the date of enactment of this Act, the Secretary of Education shall submit the report described in subsection (a) to the appropriate committees of Congress.

TITLE VII—IMPACT AID

SEC. 7001. GENERAL PROVISIONS.

(a) **IMPACT AID IMPROVEMENT ACT OF 2012.**—Section 563(c) of National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1748; 20 U.S.C. 6301 note) (also known as the “Impact Aid Improvement Act of 2012”), as amended by section 563 of division A of Public Law 113–291, is amended—

(1) by striking paragraphs (1) and (4); and

(2) by redesignating paragraphs (2) and (3), as paragraphs (1) and (2), respectively.

(b) **REPEAL.**—Section 309 of division H of the Consolidated Appropriations Act, 2014 (Public Law 113–76; 20 U.S.C. 7702 note) is repealed.

(c) **TITLE VII REDESIGNATIONS.**—Title VIII (20 U.S.C. 7701 et seq.) is redesignated as title VII and further amended—

(1) by redesignating sections 8001 through 8005 as sections 7001 through 7005, respectively; and

(2) by redesignating sections 8007 through 8014 as sections 7007 through 7014, respectively.

(d) **CONFORMING AMENDMENTS.**—Title VII (as redesignated by subsection (c) of this section) is further amended—

(1) by striking “section 8002” each place it appears and inserting “section 7002”;

(2) by striking “section 8003” each place it appears and inserting “section 7003”;

(3) by striking “section 8003(a)(1)” each place it appears and inserting “section 7003(a)(1)”;

(4) by striking “section 8003(a)(1)(C)” each place it appears and inserting “section 7003(a)(1)(C)”;

(5) by striking “section 8003(a)(2)” each place it appears and inserting “section 7003(a)(2)”;

(6) by striking “section 8003(b)” each place it appears and inserting “section 7003(b)”;

(7) by striking “section 8003(b)(1)” each place it appears and inserting “section 7003(b)(1)”;

(8) by striking “section 8003(b)(2)” each place it appears and inserting “section 7003(b)(2)”;

(9) by striking “section 8014(a)” each place it appears and inserting “section 7014(a)”;

(10) by striking “section 8014(b)” each place it appears and inserting “section 7014(b)”;

(11) by striking “section 8014(e)” each place it appears and inserting “section 7014(d)”.

SEC. 7002. PURPOSE.

Section 7001, as redesignated by section 7001 of this Act, is amended in the matter preceding paragraph (1), by striking “challenging State standards” and inserting “the same challenging State academic standards”.

SEC. 7003. PAYMENTS RELATING TO FEDERAL ACQUISITION OF REAL PROPERTY.

Section 7002, as redesignated and amended by section 7001 of this Act, is further amended—

(1) in subsection (a)(1)(C), by striking the matter preceding clause (i) and inserting the following:

“(C) had an assessed value according to original records (including facsimiles or other reproductions of those records) documenting the assessed value of such property (determined as of the time or times when so acquired) prepared by the local officials referred to in subsection (b)(3) or, when such original records are not available due to unintentional destruction (such as natural disaster, fire, flooding, pest infestation, or deterioration due to age), other records, including Federal agency records, local historical records, or other records that the Secretary determines to be appropriate and reliable, aggregating 10 percent or more of the assessed value of—”;

(2) in subsection (b)—

(A) in paragraph (1)(C) by striking “section 8003(b)(1)(C)” and inserting “section 7003(b)(1)(C)”;

(B) in paragraph (3), by striking subparagraph (B) and inserting the following:

“(B) **SPECIAL RULE.**—In the case of Federal property eligible under this section that is within the boundaries of 2 or more local educational agencies that are eligible under this section, any of such agencies may ask the Secretary to calculate (and the Secretary shall calculate) the taxable value of the eligible Federal property that is within its boundaries by—

“(i) first calculating the per-acre value of the eligible Federal property separately for each eligible local educational agency that shared the

Federal property, as provided in subparagraph (A)(ii);

“(ii) then averaging the resulting per-acre values of the eligible Federal property from each eligible local educational agency that shares the Federal property; and

“(iii) then applying the average per-acre value to determine the total taxable value of the eligible Federal property under subparagraph (A)(iii) for the requesting local educational agency.”;

(3) in subsection (e)(2), by adding at the end the following: “For each fiscal year beginning on or after the date of enactment of the Every Student Succeeds Act, the Secretary shall treat local educational agencies chartered in 1871 having more than 70 percent of the county in Federal ownership as meeting the eligibility requirements of subparagraphs (A) and (C) of subsection (a)(1).”;

(4) by striking subsection (f) and inserting the following:

“(f) **SPECIAL RULE.**—For each fiscal year beginning on or after the date of enactment of the Every Student Succeeds Act, a local educational agency shall be deemed to meet the requirements of subsection (a)(1)(C) if the agency was eligible under paragraph (1) or (3) of section 8002(f) as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act.”;

(5) by striking subsection (g) and inserting the following:

“(g) **FORMER DISTRICTS.**—

“(1) **CONSOLIDATIONS.**—For fiscal year 2006 and each succeeding fiscal year, if a local educational agency described in paragraph (2) is formed at any time after 1938 by the consolidation of 2 or more former school districts, the local educational agency may elect to have the Secretary determine its eligibility for assistance under this section for any fiscal year on the basis of 1 or more of those former districts, as designated by the local educational agency.

“(2) **ELIGIBLE LOCAL EDUCATIONAL AGENCIES.**—A local educational agency referred to in paragraph (1) is—

“(A) any local educational agency that, for fiscal year 1994 or any preceding fiscal year, applied, and was determined to be eligible under, section 2(c) of the Act of September 30, 1950 (Public Law 874, 81st Congress) as that section was in effect for that fiscal year; or

“(B) a local educational agency—

“(i) that was formed by the consolidation of 2 or more districts, at least 1 of which was eligible for assistance under this section for the fiscal year preceding the year of the consolidation; and

“(ii) which includes the designation referred to in paragraph (1) in its application under section 7005 for a fiscal year beginning on or after the date of enactment of the Every Student Succeeds Act or any timely amendment to such application.

“(3) **AMOUNT.**—A local educational agency eligible under paragraph (1) shall receive a foundation payment as provided for under subparagraphs (A) and (B) of subsection (h)(1), except that the foundation payment shall be calculated based on the most recent payment received by the local educational agency based on its status prior to consolidation.”;

(6) in subsection (h)(4), by striking “For each local educational agency that received a payment under this section for fiscal year 2010 through the fiscal year in which the Impact Aid Improvement Act of 2012 is enacted” and inserting “For each local educational agency that received a payment under this section for fiscal year 2010 or any succeeding fiscal year”;

(7) by repealing subsections (k) and (m);

(8) by redesignating subsection (l) as subsection (j);

(9) in subsection (j) (as redesignated by paragraph (8)), by striking “(h)(4)(B)” and inserting “(h)(2)”;

(10) by redesignating subsection (n) as subsection (k); and

(11) in subsection (k)(1) (as redesignated by paragraph (10)), by striking “section 8013(5)(C)(iii)” and inserting “section 7013(5)(C)(iii)”.

SEC. 7004. PAYMENTS FOR ELIGIBLE FEDERALLY CONNECTED CHILDREN.

Section 7003, as redesignated and amended by section 7001 of this Act, is further amended—

(1) in subsection (a)(5)(A), by striking “to be children” and all that follows through the period at the end and inserting “or under lease of off-base property under subchapter IV of chapter 169 of title 10, United States Code, to be children described under paragraph (1)(B), if the property described is—

“(i) within the fenced security perimeter of the military facility; or

“(ii) attached to, and under any type of force protection agreement with, the military installation upon which such housing is situated.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking subparagraph (E); and

(ii) by redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively;

(B) in paragraph (2), by striking subparagraphs (B) through (H) and inserting the following:

“(B) **ELIGIBILITY FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.**—

“(i) **IN GENERAL.**—A heavily impacted local educational agency is eligible to receive a basic support payment under subparagraph (A) with respect to a number of children determined under subsection (a)(1) if the agency—

“(I) is a local educational agency—

“(aa) whose boundaries are the same as a Federal military installation or an island property designated by the Secretary of the Interior to be property that is held in trust by the Federal Government; and

“(bb) that has no taxing authority;

“(II) is a local educational agency that—

“(aa) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency that is not less than 45 percent;

“(bb) has a per-pupil expenditure that is less than—

“(AA) for an agency that has a total student enrollment of 500 or more students, 125 percent of the average per-pupil expenditure of the State in which the agency is located; or

“(BB) for any agency that has a total student enrollment of less than 500 students, 150 percent of the average per-pupil expenditure of the State in which the agency is located or the average per-pupil expenditure of 3 or more comparable local educational agencies in the State in which the agency is located; and

“(cc) is an agency that has a tax rate for general fund purposes that is not less than 95 percent of the average tax rate for general fund purposes of comparable local educational agencies in the State;

“(III) is a local educational agency that—

“(aa) has a tax rate for general fund purposes which is not less than 125 percent of the average tax rate for general fund purposes for comparable local educational agencies in the State; and

“(bb)(AA) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency that is not less than 30 percent; or

“(BB) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency that is not less than 20 percent, and for the

3 fiscal years preceding the fiscal year for which the determination is made, the average enrollment of children who are not described in subsection (a)(1) and who are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act constitutes a percentage of the total student enrollment of the agency that is not less than 65 percent;

“(IV) is a local educational agency that has a total student enrollment of not less than 25,000 students, of which—

“(aa) not less than 50 percent are children described in subsection (a)(1); and

“(bb) not less than 5,000 of such children are children described in subparagraphs (A) and (B) of subsection (a)(1); or

“(V) is a local educational agency that—

“(aa) has an enrollment of children described in subsection (a)(1) including, for purposes of determining eligibility, those children described in subparagraphs (F) and (G) of such subsection, that is not less than 35 percent of the total student enrollment of the agency;

“(bb) has a per-pupil expenditure described in subclause (II)(bb) (except that a local educational agency with a total student enrollment of less than 350 students shall be deemed to have satisfied such per-pupil expenditure requirement) and has a tax rate for general fund purposes which is not less than 95 percent of the average tax rate for general fund purposes for comparable local educational agencies in the State; and

“(cc) was eligible to receive assistance under subparagraph (A) for fiscal year 2001.

“(ii) **LOSS OF ELIGIBILITY.**—

“(I) **IN GENERAL.**—Subject to subclause (II), a heavily impacted local educational agency that met the requirements of clause (i) for a fiscal year shall be ineligible to receive a basic support payment under subparagraph (A) if the agency fails to meet the requirements of clause (i) for a subsequent fiscal year, except that such agency shall continue to receive a basic support payment under this paragraph for the fiscal year for which the ineligibility determination is made.

“(II) **LOSS OF ELIGIBILITY DUE TO FALLING BELOW 95 PERCENT OF THE AVERAGE TAX RATE FOR GENERAL FUND PURPOSES.**—In the case of a heavily impacted local educational agency described in subclause (II) or (V) of clause (i) that is eligible to receive a basic support payment under subparagraph (A), but that has had, for 2 consecutive fiscal years, a tax rate for general fund purposes that falls below 95 percent of the average tax rate for general fund purposes of comparable local educational agencies in the State, such agency shall be determined to be ineligible under clause (i) and ineligible to receive a basic support payment under subparagraph (A) for each fiscal year succeeding such 2 consecutive fiscal years for which the agency has such a tax rate for general fund purposes, and until the fiscal year for which the agency resumes such eligibility in accordance with clause (iii).

“(III) **TAKEN OVER BY STATE BOARD OF EDUCATION.**—In the case of a heavily impacted local educational agency that is eligible to receive a basic support payment under subparagraph (A), but that has been taken over by a State board of education in any 2 previous years, such agency shall be deemed to maintain heavily impacted status for 2 fiscal years following the date of enactment of the Every Student Succeeds Act.

“(iii) **RESUMPTION OF ELIGIBILITY.**—A heavily impacted local educational agency described in clause (i) that becomes ineligible under such clause for 1 or more fiscal years may resume eligibility for a basic support payment under this paragraph for a subsequent fiscal year only if the agency meets the requirements of clause (i) for that subsequent fiscal year, except that such

agency shall not receive a basic support payment under this paragraph until the fiscal year succeeding the fiscal year for which the eligibility determination is made.

“(C) MAXIMUM AMOUNT FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

“(i) IN GENERAL.—Except as provided in subparagraph (D), the maximum amount that a heavily impacted local educational agency is eligible to receive under this paragraph for any fiscal year is the sum of the total weighted student units, as computed under subsection (a)(2) and subject to clause (ii), multiplied by the greater of—

“(I) four-fifths of the average per-pupil expenditure of the State in which the local educational agency is located for the third fiscal year preceding the fiscal year for which the determination is made; or

“(II) four-fifths of the average per-pupil expenditure of all of the States for the third fiscal year preceding the fiscal year for which the determination is made.

“(ii) CALCULATION OF WEIGHTED STUDENT UNITS.—

“(I) IN GENERAL.—

“(aa) PERCENTAGE ENROLLMENT.—For a local educational agency in which 35 percent or more of the total student enrollment of the schools of the agency are children described in subparagraph (D) or (E) (or a combination thereof) of subsection (a)(1), and that has an enrollment of children described in subparagraph (A), (B), or (C) of such subsection equal to at least 10 percent of the agency's total enrollment, the Secretary shall calculate the weighted student units of those children described in subparagraph (D) or (E) of such subsection by multiplying the number of such children by a factor of 0.55.

“(bb) EXCEPTION.—Notwithstanding item (aa), a local educational agency that received a payment under this paragraph for fiscal year 2013 shall not be required to have an enrollment of children described in subparagraph (A), (B), or (C) of subsection (a)(1) equal to at least 10 percent of the agency's total enrollment and shall be eligible for the student weight as provided for in item (aa).

“(II) ENROLLMENT OF 100 OR FEWER CHILDREN.—For a local educational agency that has an enrollment of 100 or fewer children described in subsection (a)(1), the Secretary shall calculate the total number of weighted student units for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 1.75.

“(III) ENROLLMENT OF MORE THAN 100 CHILDREN BUT LESS THAN 1000.—For a local educational agency that is not described under subparagraph (B)(i)(I) and has an enrollment of more than 100 but not more than 1,000 children described in subsection (a)(1), the Secretary shall calculate the total number of weighted student units for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 1.25.

“(D) MAXIMUM AMOUNT FOR LARGE HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

“(i) IN GENERAL.—

“(I) FORMULA.—Subject to clause (ii), the maximum amount that a heavily impacted local educational agency described in subclause (II) is eligible to receive under this paragraph for any fiscal year shall be determined in accordance with the formula described in paragraph (1)(C).

“(II) HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCY.—A heavily impacted local educational agency described in this subclause is a local educational agency that has a total student enrollment of not less than 25,000 students, of which not less than 50 percent are children described in subsection (a)(1) and not less than 5,000 of such children are children described in subparagraphs (A) and (B) of subsection (a)(1).

“(ii) FACTOR.—For purposes of calculating the maximum amount described in clause (i), the factor used in determining the weighted student units under subsection (a)(2) with respect to children described in subparagraphs (A) and (B) of subsection (a)(1) shall be 1.35.

“(E) DATA.—For purposes of providing assistance under this paragraph, the Secretary shall use student, revenue, expenditure, and tax data from the third fiscal year preceding the fiscal year for which the local educational agency is applying for assistance under this paragraph.

“(F) DETERMINATION OF AVERAGE TAX RATES FOR GENERAL FUND PURPOSES.—

“(i) IN GENERAL.—Except as provided in clause (ii), for the purpose of determining the average tax rates for general fund purposes for local educational agencies in a State under this paragraph, the Secretary shall use either—

“(I) the average tax rate for general fund purposes for comparable local educational agencies, as determined by the Secretary in regulations; or

“(II) the average tax rate of all the local educational agencies in the State.

“(ii) FISCAL YEARS 2010–2015.—

“(I) IN GENERAL.—For fiscal years 2010 through 2015, any local educational agency that was found ineligible to receive a payment under subparagraph (A) because the Secretary determined that it failed to meet the average tax rate requirement for general fund purposes in subparagraph (B)(i)(II)(cc), shall be considered to have met that requirement, if its State determined, through an alternate calculation of average tax rates for general fund purposes, that such local educational agency met that requirement.

“(II) SUBSEQUENT FISCAL YEARS AFTER 2015.—

For any succeeding fiscal year after 2015, any local educational agency identified in subclause (I) may continue to have its State use that alternate methodology to calculate whether the average tax rate requirement for general fund purposes under subparagraph (B)(i)(II)(cc) is met.

“(III) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law limiting the period during which the Secretary may obligate funds appropriated for any fiscal year after 2012, the Secretary shall reserve a total of \$14,000,000 from funds that remain unobligated under this section from fiscal years 2015 or 2016 in order to make payments under this clause for fiscal years 2011 through 2014.

“(G) ELIGIBILITY FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES AFFECTED BY PRIVATIZATION OF MILITARY HOUSING.—

“(i) ELIGIBILITY.—For any fiscal year, a heavily impacted local educational agency that received a basic support payment under this paragraph for the prior fiscal year, but is ineligible for such payment for the current fiscal year under subparagraph (B) due to the conversion of military housing units to private housing described in clause (iii), or as the direct result of base realignment and closure or modularization as determined by the Secretary of Defense and force structure change or force relocation, shall be deemed to meet the eligibility requirements under subparagraph (B) for the period during which the housing units are undergoing such conversion or during such time as activities associated with base closure and realignment, modularization, force structure change, or force relocation are ongoing.

“(ii) AMOUNT OF PAYMENT.—The amount of a payment to a heavily impacted local educational agency for a fiscal year by reason of the application of clause (i), and calculated in accordance with subparagraph (C) or (D), as the case may be, shall be based on the number of children in average daily attendance in the schools of such agency for the fiscal year and under the same provisions of subparagraph (C) or (D)

under which the agency was paid during the prior fiscal year.

“(iii) CONVERSION OF MILITARY HOUSING UNITS TO PRIVATE HOUSING DESCRIBED.—For purposes of clause (i), ‘conversion of military housing units to private housing’ means the conversion of military housing units to private housing units pursuant to subchapter IV of chapter 169 of title 10, United States Code, or pursuant to any other related provision of law.”;

(C) in paragraph (3)—

(i) in subparagraph (B), by striking clause (iii) and inserting the following:

“(iii) In the case of a local educational agency providing a free public education to students enrolled in kindergarten through grade 12, that enrolls students described in subparagraphs (A), (B), and (D) of subsection (a)(1) only in grades 9 through 12, and that received a final payment for fiscal year 2009 calculated under section 8003(b)(3) (as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act) for students in grades 9 through 12, the Secretary shall, in calculating the agency's payment, consider only that portion of such agency's total enrollment of students in grades 9 through 12 when calculating the percentage under clause (i)(I) and only that portion of the total current expenditures attributed to the operation of grades 9 through 12 in such agency when calculating the percentage under clause (i)(II).”;

(ii) in subparagraph (C), by striking “subparagraph (D) or (E) of paragraph (2), as the case may be” and inserting “subparagraph (C) or (D) of paragraph (2), as the case may be”;

and

(iii) by striking subparagraph (D) and inserting the following:

“(D) RATABLE DISTRIBUTION.—For fiscal years described in subparagraph (A), for which the sums available exceed the amount required to pay each local educational agency 100 percent of its threshold payment, the Secretary shall distribute the excess sums to each eligible local educational agency that has not received its full amount computed under paragraphs (1) or (2) (as the case may be) by multiplying—

“(i) a percentage, the denominator of which is the difference between the full amount computed under paragraph (1) or (2) (as the case may be) for all local educational agencies and the amount of the threshold payment (as calculated under subparagraphs (B) and (C)) of all local educational agencies, and the numerator of which is the aggregate of the excess sums, by

“(ii) the difference between the full amount computed under paragraph (1) or (2) (as the case may be) for the agency and the amount of the threshold payment (as calculated under subparagraphs (B) or (C)) of the agency, except that no local educational agency shall receive more than 100 percent of the maximum payment calculated under subparagraph (C) or (D) of paragraph (2).

“(E) INSUFFICIENT PAYMENTS.—For each fiscal year described in subparagraph (A) for which the sums appropriated are insufficient to pay each local educational agency all of the local educational agency's threshold payment described in subparagraph (B), the Secretary shall ratably reduce the payment to each local educational agency under this paragraph.

“(F) INCREASES.—

“(i) INCREASES BASED ON INSUFFICIENT FUNDS.—If additional funds become available under 7014(b) for making payments under paragraphs (1) and (2) and those funds are not sufficient to increase each local educational agency's threshold payment above 100 percent of its threshold payment described in subparagraph (B), payments that were reduced under subparagraph (E) shall be increased by the Secretary on the same basis as such payments were reduced.

“(ii) **INCREASES BASED ON SUFFICIENT FUNDS.**—If additional funds become available under section 7014(b) for making payments under paragraphs (1) and (2) and those funds are sufficient to increase each local educational agency’s threshold payment above 100 percent of its threshold payment described in subparagraph (B), the payment for each local educational agency shall be 100 percent of its threshold payment. The Secretary shall then distribute the excess sums to each eligible local educational agency in accordance with subparagraph (D).”

“(G) **PROVISION OF TAX RATE AND RESULTING PERCENTAGE.**—As soon as practicable following the payment of funds under paragraph (2) to an eligible local educational agency, the Secretary shall provide the local educational agency with a description of—

“(i) the tax rate of the local educational agency; and

“(ii) the percentage such tax rate represents of the average tax rate for general fund purposes of comparable local educational agencies in the State as determined under subclauses (II)(cc), III(aa), or (V)(bb) of paragraph (2)(B)(i) (as the case may be).”; and

(D) in paragraph (4)—

(i) in subparagraph (A), by striking “through (D)” and inserting “and (C)”; and

(ii) in subparagraph (B), by striking “subparagraph (D) or (E)” and inserting “subparagraph (C) or (D)”; and

(3) in subsection (c), by striking paragraph (2) and inserting the following:

“(2) **EXCEPTION.**—Calculation of payments for a local educational agency shall be based on data from the fiscal year for which the agency is making an application for payment if such agency—

“(A) is newly established by a State, for the first year of operation of such agency only;

“(B) was eligible to receive a payment under this section for the previous fiscal year and has had an overall increase in enrollment (as determined by the Secretary in consultation with the Secretary of Defense, the Secretary of the Interior, or the heads of other Federal agencies)—

“(i)(I) of not less than 10 percent of children described in—

“(aa) subparagraph (A), (B), (C), or (D) of subsection (a)(1); or

“(bb) subparagraphs (F) and (G) of subsection (a)(1), but only to the extent that such children are civilian dependents of employees of the Department of Defense or the Department of the Interior; or

“(II) of not less than 100 of such children; and

“(ii) that is the direct result of closure or realignment of military installations under the base closure process or the relocation of members of the Armed Forces and civilian employees of the Department of Defense as part of the force structure changes or movements of units or personnel between military installations or because of actions initiated by the Secretary of the Interior or the head of another Federal agency; or

“(C) was eligible to receive a payment under this section for the previous fiscal year and has had an increase in enrollment (as determined by the Secretary)—

“(i) of not less than 10 percent of children described in subsection (a)(1) or not less than 100 of such children; and

“(ii) that is the direct result of the closure of a local educational agency that received a payment under subsection (b)(1) or (b)(2) for the previous fiscal year.”;

(4) in subsection (d)(1), by striking “section 8014(c)” and inserting “section 7014(c)”; and

(5) in subsection (e)—

(A) by redesignating paragraph (3) as paragraph (4);

(B) by striking paragraphs (1) and (2) and inserting the following:

“(1) **IN GENERAL.**—In the case of any local educational agency eligible to receive a payment under subsection (b) whose calculated payment amount for a fiscal year is reduced by 20 percent, as compared to the amount received for the previous fiscal year, the Secretary shall pay the local educational agency, for the year of the reduction and the following 2 years, the amount determined under paragraph (2).”

“(2) **AMOUNT OF REDUCTION.**—Subject to paragraph (3), A local educational agency described in paragraph (1) shall receive—

“(A) for the first year for which the reduced payment is determined, an amount that is not less than 90 percent of the total amount that the local educational agency received under subsection (b) for the previous fiscal year;

“(B) for the second year following such reduction, an amount that is not less than 85 percent of the total amount that the local educational agency received under subparagraph (A); and

“(C) for the third year following such reduction, an amount that is not less than 80 percent of the total amount that the local educational agency received under subparagraph (B).”

“(3) **SPECIAL RULE.**—For any fiscal year for which a local educational agency would receive a payment under subsection (b) in excess of the amount determined under paragraph (2), the payment received by the local educational agency for such fiscal year shall be calculated under paragraph (1) or (2) of subsection (b).”; and

(6) by striking subsection (g).

SEC. 7005. POLICIES AND PROCEDURES RELATING TO CHILDREN RESIDING ON INDIAN LANDS.

Section 7004(e)(9), as redesignated and amended by section 7001 of this Act, is further amended by striking “Affairs” both places the term appears and inserting “Education”.

SEC. 7006. APPLICATION FOR PAYMENTS UNDER SECTIONS 7002 AND 7003.

Section 7005, as redesignated and amended by section 7001 of this Act, is further amended—

(1) in the section heading, by striking “**8002 AND 8003**” and inserting “**7002 AND 7003**”; and

(2) by striking “or 8003” each place it appears and inserting “or 7003”; and

(3) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “, and shall contain such information.”; and

(B) by striking “section 8004” and inserting “section 7004”; and

(4) in subsection (d)(2), by striking “section 8003(e)” and inserting “section 7003(e)”; and

SEC. 7007. CONSTRUCTION.

Section 7007, as redesignated and amended by section 7001 of this Act, is further amended—

(1) in subsection (a)—

(A) in paragraph (3)(A)(i)—

(i) by redesignating the first subclause (II) as subclause (I);

(ii) in subclause (II), by striking “section 8008(a)” and inserting “section 7008(a)”; and

(B) in paragraph (4), by striking “section 8013(3)” and inserting “section 7013(3)”; and

(2) in subsection (b)—

(A) in paragraph (3)(C)(i)(I), by adding at the end the following:

“(cc) Not less than 10 percent of the property acreage in the agency is exempt from State and local taxation under Federal law.”; and

(B) in paragraph (6)—

(i) in the matter preceding subparagraph (A), by striking “, in such manner, and accompanied by such information” and inserting “and in such manner”; and

(ii) in subparagraph (A), by inserting before the period at the end the following: “, and containing such additional information as may be necessary to meet any award criteria for a grant under this subsection as provided by any other Act”; and

(iii) by striking subparagraph (F).

SEC. 7008. FACILITIES.

Section 7008(a), as redesignated by section 7001 of this Act, is amended by striking “section 8014(f)” and inserting “section 7014(e)”. ”.

SEC. 7009. STATE CONSIDERATION OF PAYMENTS IN PROVIDING STATE AID.

Section 7009, as redesignated and amended by section 7001 of this Act, is further amended—

(1) by striking “section 8011(a)” each place it appears and inserting “section 7011(a)”; and

(2) in subsection (b)(1)—

(A) by striking “or 8003(b)” and inserting “or 7003(b)”; and

(B) by striking “section 8003(a)(2)(B)” and inserting “section 7003(a)(2)(B)”; and

(3) in subsection (c)(1)(B), by striking “and contain the information” and inserting “that” after “form”.

SEC. 7010. FEDERAL ADMINISTRATION.

Section 7010, as redesignated and amended by section 7001 of this Act, is further amended—

(1) in subsection (c)—

(A) in paragraph (1), in the paragraph heading, by striking “8003(a)(1)” and inserting “7003(a)(1)”; and

(B) in paragraph (2)(D), by striking “section 8009(b)” and inserting “section 7009(b)”; and

(2) in subsection (d)(2), by striking “section 8014” and inserting “section 7014”.

SEC. 7011. ADMINISTRATIVE HEARINGS AND JUDICIAL REVIEW.

Section 7011(a), as redesignated by section 7001 of this Act, is amended by striking “or under the Act” and all that follows through “1994”.

SEC. 7012. DEFINITIONS.

Section 7013, as redesignated by section 7001 of this Act, is amended—

(1) in paragraph (1), by striking “and Marine Corps” and inserting “Marine Corps, and Coast Guard”; and

(2) in paragraph (4), by striking “and title VI”;

(3) in paragraph (5)(A)—

(A) in clause (ii), by striking subclause (III) and inserting the following:

“(III) conveyed at any time under the Alaska Native Claims Settlement Act to a Native individual, Native group, or village or regional corporation (including single family occupancy properties that may have been subsequently sold or leased to a third party), except that property that is conveyed under such Act—

“(aa) that is not taxed is, for the purposes of this paragraph, considered tax-exempt due to Federal law; and

“(bb) is considered Federal property for the purpose of this paragraph if the property is located within a Regional Educational Attendance Area that has no taxing power.”; and

(B) in clause (iii)—

(i) in subclause (II), by striking “Stewart B. McKinney Homeless Assistance Act” and inserting “McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411)”; and

(ii) by striking subclause (III) and inserting the following:

“(III) used for affordable housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); or”.

SEC. 7013. AUTHORIZATION OF APPROPRIATIONS.

Section 7014, as amended and redesignated by section 7001 of this Act, is further amended—

(1) in subsection (a), by striking “\$32,000,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years” and inserting “\$66,813,000 for each of fiscal years 2017 through 2019, and \$71,997,917 for fiscal year 2020”; and

(2) in subsection (b), by striking “\$809,400,000 for fiscal year 2000 and such sums as may be

necessary for each of the seven succeeding fiscal years” and inserting “\$1,151,233,000 for each of fiscal years 2017 through 2019, and \$1,240,572,618 for fiscal year 2020”;

(3) in subsection (c)—

(A) by striking “section 8003(d)” and inserting “section 7003(d)”;

(B) by striking “\$50,000,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years” and inserting “\$48,316,000 for each of fiscal years 2017 through 2019, and \$52,065,487 for fiscal year 2020”;

(4) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively;

(5) in subsection (d) (as redesignated by paragraph (4))—

(A) by striking “section 8007” and inserting “section 7007”;

(B) by striking “\$10,052,000 for fiscal year 2000 and such sums as may be necessary for fiscal year 2001, \$150,000,000 for fiscal year 2002, and such sums as may be necessary for each of the five succeeding fiscal years” and inserting “\$17,406,000 for each of fiscal years 2017 through 2019, and \$18,756,765 for fiscal year 2020”;

(6) in subsection (e) (as redesignated by paragraph (4))—

(A) by striking “section 8008” and inserting “section 7008”;

(B) by striking “\$5,000,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years” and inserting “\$4,835,000 for each of fiscal years 2017 through 2019, and \$5,210,213 for fiscal year 2020”.

TITLE VIII—GENERAL PROVISIONS

SEC. 8001. GENERAL PROVISIONS.

(a) **TITLE IX REDESIGNATIONS.**—Title IX (20 U.S.C. 7801 et seq.) (as amended by sections 2001 and 4001 of this Act) is redesignated as title VIII and further amended—

(1) by redesignating sections 9101 through 9103 as sections 8101 through 8103, respectively;

(2) by redesignating sections 9201 through 9204 as sections 8201 through 8204, respectively;

(3) by redesignating sections 9301 through 9306 as sections 8301 through 8306, respectively;

(4) by redesignating section 9401 as section 8401;

(5) by redesignating sections 9501 through 9506 as sections 8501 through 8506, respectively;

(6) by redesignating sections 9521 through 9537 as sections 8521 through 8537, respectively;

(7) by redesignating sections 9541 through 9548 as sections 8551 through 8558, respectively;

(8) by redesignating section 9551 as 8561;

(9) by redesignating sections 9561 through 9564 as sections 8571 through 8574, respectively; and

(10) by redesignating section 9601 as section 8601.

(b) **STRUCTURAL AND CONFORMING AMENDMENTS.**—Title VIII (as redesignated by subsection (a) of this section) is further amended—

(1) by redesignating parts E and F as parts F and G, respectively;

(2) by striking “9305” each place it appears and inserting “8305”;

(3) by striking “9302” each place it appears and inserting “8302”;

(4) by striking “9501” each place it appears and inserting “8501”.

SEC. 8002. DEFINITIONS.

Section 8101, as redesignated and amended by section 8001 of this Act, is further amended—

(1) by striking paragraphs (3), (11), (19), (23), (35), (36), (37), and (42);

(2) by redesignating paragraphs (4), (5), (6), (7), (8), (9), (10), (12), (13), (14), (15), (16), (17), (18), (20), (21), (22), (24), (25), (26), (27), (28), (29), (30), (31), (32), (33), (34), (38), (39), (41), and (43) as paragraphs (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (18), (19), (24), (26), (27), (29), (30), (31), (34), (35), (36), (38), (39), (41), (42), (45), (46), (49), and (50), respectively, and by transferring such paragraph (20)

(as so redesignated) so as to follow such paragraph (19) (as so redesignated);

(3) by striking paragraphs (11) and (12) (as so redesignated by paragraph (2)) and inserting the following:

“(11) **COVERED PROGRAM.**—The term ‘covered program’ means each of the programs authorized by—

“(A) part A of title I;

“(B) part C of title I;

“(C) part D of title I;

“(D) part A of title II;

“(E) part A of title III;

“(F) part A of title IV;

“(G) part B of title IV; and

“(H) subpart 2 of part B of title V.

“(12) **CURRENT EXPENDITURES.**—The term ‘current expenditures’ means expenditures for free public education—

“(A) including expenditures for administration, instruction, attendance and health services, pupil transportation services, operation and maintenance of plant, fixed charges, and net expenditures to cover deficits for food services and student body activities; but

“(B) not including expenditures for community services, capital outlay, and debt service, or any expenditures made from funds received under title I.”;

(4) by inserting after paragraph (14) (as so redesignated by paragraph (2)) the following:

“(15) **DUAL OR CONCURRENT ENROLLMENT PROGRAM.**—The term ‘dual or concurrent enrollment program’ means a program offered by a partnership between at least one institution of higher education and at least one local educational agency through which a secondary school student who has not graduated from high school with a regular high school diploma is able to enroll in one or more postsecondary courses and earn postsecondary credit that—

“(A) is transferable to the institutions of higher education in the partnership; and

“(B) applies toward completion of a degree or recognized educational credential as described in the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

“(16) **EARLY CHILDHOOD EDUCATION PROGRAM.**—The term ‘early childhood education program’ has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

“(17) **EARLY COLLEGE HIGH SCHOOL.**—The term ‘early college high school’ means a partnership between at least one local educational agency and at least one institution of higher education that allows participants to simultaneously complete requirements toward earning a regular high school diploma and earn not less than 12 credits that are transferable to the institutions of higher education in the partnership as part of an organized course of study toward a postsecondary degree or credential at no cost to the participant or participant’s family.”;

(5) in paragraph (20) (as so redesignated and transferred by paragraph (2))—

(A) in the paragraph heading, by striking “LIMITED ENGLISH PROFICIENT” and inserting “ENGLISH LEARNER”;

(B) in the matter preceding subparagraph (A), by striking “limited English proficient” and inserting “English learner”; and

(C) in subparagraph (D)(i), by striking “State’s proficient level of achievement on State assessments described in section 1111(b)(3)” and inserting “challenging State academic standards”;

(6) by inserting after paragraph (20) (as so redesignated and transferred by paragraph (2)), the following:

“(21) **EVIDENCE-BASED.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), the term ‘evidence-based’, when used with respect to a State, local educational

agency, or school activity, means an activity, strategy, or intervention that—

“(i) demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on—

“(I) strong evidence from at least 1 well-designed and well-implemented experimental study;

“(II) moderate evidence from at least 1 well-designed and well-implemented quasi-experimental study; or

“(III) promising evidence from at least 1 well-designed and well-implemented correlational study with statistical controls for selection bias; or

“(ii)(I) demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; and

“(II) includes ongoing efforts to examine the effects of such activity, strategy, or intervention.

“(B) **DEFINITION FOR SPECIFIC ACTIVITIES FUNDED UNDER THIS ACT.**—When used with respect to interventions or improvement activities or strategies funded under section 1003, the term ‘evidence-based’ means a State, local educational agency, or school activity, strategy, or intervention that meets the requirements of subclause (I), (II), or (III) of subparagraph (A)(i).

“(22) **EXPANDED LEARNING TIME.**—The term ‘expanded learning time’ means using a longer school day, week, or year schedule to significantly increase the total number of school hours, in order to include additional time for—

“(A) activities and instruction for enrichment as part of a well-rounded education; and

“(B) instructional and support staff to collaborate, plan, and engage in professional development (including professional development on family and community engagement) within and across grades and subjects.

“(23) **EXTENDED-YEAR ADJUSTED COHORT GRADUATION RATE.**—

“(A) **IN GENERAL.**—The term ‘extended-year adjusted cohort graduation rate’ means the fraction—

“(i) the denominator of which consists of the number of students who form the original cohort of entering first-time students in grade 9 enrolled in the high school no later than the date by which student membership data must be collected annually by State educational agencies for submission to the National Center for Education Statistics under section 153 of the Education Sciences Reform Act of 2002 (20 U.S.C. 9543), adjusted by—

“(I) adding the students who joined that cohort, after the date of the determination of the original cohort; and

“(II) subtracting only those students who left that cohort, after the date of the determination of the original cohort, as described in subparagraph (B); and

“(ii) the numerator of which—

“(I) consists of the sum of—

“(aa) the number of students in the cohort, as adjusted under clause (i), who earned a regular high school diploma before, during, or at the conclusion of—

“(AA) one or more additional years beyond the fourth year of high school; or

“(BB) a summer session immediately following the additional year of high school; and

“(bb) all students with the most significant cognitive disabilities in the cohort, as adjusted under clause (i), assessed using the alternate assessment aligned to alternate academic achievement standards under section 1111(b)(2)(D) and awarded a State-defined alternate diploma that is—

“(AA) standards-based;

“(BB) aligned with the State requirements for the regular high school diploma; and

“(CC) obtained within the time period for which the State ensures the availability of a free appropriate public education under section 612(a)(1) of the Individuals with Disabilities Education Act (20 U.S.C. 1412(a)(1)); and

“(II) shall not include any student awarded a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential.

“(B) COHORT REMOVAL.—To remove a student from a cohort, a school or local educational agency shall require documentation, or obtain documentation from the State educational agency, to confirm that the student has transferred out, emigrated to another country, or transferred to a prison or juvenile facility, or is deceased.

“(C) TRANSFERRED OUT.—For purposes of this paragraph, the term ‘transferred out’ has the meaning given the term in clauses (i), (ii), and (iii) of paragraph (25)(C).

“(D) SPECIAL RULES.—

“(i) SCHOOLS STARTING AFTER GRADE 9.—For those high schools that start after grade 9, the original cohort shall be calculated for the earliest high school grade students attend no later than the date by which student membership data is collected annually by State educational agencies for submission to the National Center for Education Statistics pursuant to section 153 of the Education Sciences Reform Act of 2002 (20 U.S.C. 9543).

“(ii) VERY SMALL SCHOOLS.—A State educational agency may calculate the extended year adjusted cohort graduation rate described under this paragraph for a high school with an average enrollment over a 4-year period of less than 100 students for the purposes of section 1111(c)(4) by—

“(I) averaging the extended-year adjusted cohort graduation rate of the school over a period of three years; or

“(II) establishing a minimum number of students that must be included in the cohort described in clause (i) of subparagraph (A) that will provide a valid graduation rate calculation as determined by the Secretary, below which the school shall be exempt from differentiation and identification under such section.”;

(7) by inserting after paragraph (24) (as so redesignated by paragraph (2)) the following:

“(25) FOUR-YEAR ADJUSTED COHORT GRADUATION RATE.—

“(A) IN GENERAL.—The term ‘four-year adjusted cohort graduation rate’ means the fraction—

“(i) the denominator of which consists of the number of students who form the original cohort of entering first-time students in grade 9 enrolled in the high school no later than the date by which student membership data is collected annually by State educational agencies for submission to the National Center for Education Statistics pursuant to section 153 of the Education Sciences Reform Act of 2002 (20 U.S.C. 9543), adjusted by—

“(I) adding the students who joined that cohort, after the date of the determination of the original cohort; and

“(II) subtracting only those students who left that cohort, after the date of the determination of the original cohort, as described in subparagraph (B); and

“(ii) the numerator of which—

“(I) consists of the sum of—

“(aa) the number of students in the cohort, as adjusted under clause (i), who earned a regular high school diploma before, during, or at the conclusion of—

“(AA) the fourth year of high school; or

“(BB) a summer session immediately following the fourth year of high school; and

“(bb) all students with the most significant cognitive disabilities in the cohort, as adjusted

under clause (i), assessed using the alternate assessment aligned to alternate academic achievement standards under section 1111(b)(2)(D) and awarded a State-defined alternate diploma that is—

“(AA) standards-based;

“(BB) aligned with the State requirements for the regular high school diploma; and

“(CC) obtained within the time period for which the State ensures the availability of a free appropriate public education under section 612(a)(1) of the Individuals with Disabilities Education Act (20 U.S.C. 1412(a)(1)); and

“(II) shall not include any student awarded a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential.

“(B) COHORT REMOVAL.—To remove a student from a cohort, a school or local educational agency shall require documentation, or obtain documentation from the State educational agency, to confirm that the student has transferred out, emigrated to another country, or transferred to a prison or juvenile facility, or is deceased.

“(C) TRANSFERRED OUT.—

“(i) IN GENERAL.—For purposes of this paragraph, the term ‘transferred out’ means that a student, as confirmed by the high school or local educational agency in accordance with clause (ii), has transferred to—

“(I) another school from which the student is expected to receive a regular high school diploma; or

“(II) another educational program from which the student is expected to receive a regular high school diploma or an alternate diploma that meets the requirements of subparagraph (A)(ii)(I)(bb).

“(ii) CONFIRMATION REQUIREMENTS.—

“(I) DOCUMENTATION REQUIRED.—The confirmation of a student’s transfer to another school or educational program described in clause (i) requires documentation of such transfer from the receiving school or program in which the student enrolled.

“(II) LACK OF CONFIRMATION.—A student who was enrolled in a high school, but for whom there is no confirmation of the student having transferred out, shall remain in the adjusted cohort.

“(iii) PROGRAMS NOT PROVIDING CREDIT.—Except as provided in subparagraph (A)(ii)(I)(bb), a student who is retained in grade or who is enrolled in a program leading to a general equivalency diploma, or other alternative educational program that does not issue or provide credit toward the issuance of a regular high school diploma, shall not be considered transferred out and shall remain in the adjusted cohort.

“(D) SPECIAL RULES.—

“(i) SCHOOLS STARTING AFTER GRADE 9.—For those high schools that start after grade 9, the original cohort shall be calculated for the earliest high school grade students attend no later than the date by which student membership data must be collected annually by State educational agencies for submission to the National Center for Education Statistics pursuant to section 153 of the Education Sciences Reform Act of 2002 (20 U.S.C. 9543).

“(ii) VERY SMALL SCHOOLS.—A State educational agency may calculate the four-year adjusted cohort graduation rate described under this paragraph for a high school with an average enrollment over a 4-year period of less than 100 students for the purposes of section 1111(c)(4) by—

“(I) averaging the four-year adjusted cohort graduation rate of the school over a period of three years; or

“(II) establishing a minimum number of students that must be included in the cohort de-

scribed in clause (i) of subparagraph (A) that will provide a valid graduation rate calculation as determined by the Secretary, below which the school shall be exempt from differentiation and identification under such section.”;

(8) by inserting after paragraph (27) (as so redesignated by paragraph (2)) the following:

“(28) HIGH SCHOOL.—The term ‘high school’ means a secondary school that—

“(A) grants a diploma, as defined by the State; and

“(B) includes, at least, grade 12.”;

(9) in paragraph (30) (as so redesignated by paragraph (2)), in subparagraph (C)—

(A) by striking the subparagraph designation and heading and inserting “(C) BUREAU OF INDIAN EDUCATION SCHOOLS.—”; and

(B) by striking “Affairs” both places the term appears and inserting “Education”;

(10) by inserting after paragraph (31) (as redesignated by paragraph (2)) the following:

“(32) MIDDLE GRADES.—The term middle grades means any of grades 5 through 8.

“(33) MULTI-TIER SYSTEM OF SUPPORTS.—The term ‘multi-tier system of supports’ means a comprehensive continuum of evidence-based, systemic practices to support a rapid response to students’ needs, with regular observation to facilitate data-based instructional decision-making.”;

(11) in paragraph (35) (as so redesignated by paragraph (2)), by striking “pupil services” and inserting “specialized instructional support”;

(12) by striking paragraph (36) (as so redesignated by paragraph (2)) and inserting the following:

“(36) OUTLYING AREA.—The term ‘outlying area’—

“(A) means American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the United States Virgin Islands;

“(B) means the Republic of Palau, to the extent permitted under section 105(f)(1)(B)(ix) of the Compact of Free Association Amendments Act of 2003 (Public Law 108-188; 117 Stat. 2751) and until an agreement for the extension of United States education assistance under the Compact of Free Association becomes effective for the Republic of Palau; and

“(C) for the purpose of any discretionary grant program under this Act, includes the Republic of the Marshall Islands and the Federated States of Micronesia, to the extent permitted under section 105(f)(1)(B)(viii) of the Compact of Free Association Amendments Act of 2003 (Public Law 108-188; 117 Stat. 2751).”;

(13) by inserting after paragraph (36) (as so redesignated by paragraph (2)), the following:

“(37) PARAPROFESSIONAL.—The term ‘paraprofessional’, also known as a ‘paraeducator’, includes an education assistant and instructional assistant.”;

(14) in paragraph (39) (as so redesignated by paragraph (2))—

(A) in subparagraph (C), by inserting “and” after the semicolon; and

(B) in subparagraph (D), by striking “section 1118” and inserting “section 1116”;

(15) by inserting after paragraph (39) (as so redesignated by paragraph (2)) the following:

“(40) PAY FOR SUCCESS INITIATIVE.—The term ‘pay for success initiative’ means a performance-based grant, contract, or cooperative agreement awarded by a public entity in which a commitment is made to pay for improved outcomes that result in social benefit and direct cost savings or cost avoidance to the public sector. Such an initiative shall include—

“(A) a feasibility study on the initiative describing how the proposed intervention is based on evidence of effectiveness;

“(B) a rigorous, third-party evaluation that uses experimental or quasi-experimental design or other research methodologies that allow for

the strongest possible causal inferences to determine whether the initiative has met its proposed outcomes;

“(C) an annual, publicly available report on the progress of the initiative; and

“(D) a requirement that payments be made to the recipient of a grant, contract, or cooperative agreement only when agreed upon outcomes are achieved, except that the entity may make payments to the third party conducting the evaluation described in subparagraph (B).”;

(16) by striking paragraph (42) (as so redesignated by paragraph (2)) and inserting the following:

“(42) **PROFESSIONAL DEVELOPMENT.**—The term ‘professional development’ means activities that—

“(A) are an integral part of school and local educational agency strategies for providing educators (including teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, and, as applicable, early childhood educators) with the knowledge and skills necessary to enable students to succeed in a well-rounded education and to meet the challenging State academic standards; and

“(B) are sustained (not stand-alone, 1-day, or short term workshops), intensive, collaborative, job-embedded, data-driven, and classroom-focused, and may include activities that—

“(i) improve and increase teachers’—

“(I) knowledge of the academic subjects the teachers teach;

“(II) understanding of how students learn; and

“(III) ability to analyze student work and achievement from multiple sources, including how to adjust instructional strategies, assessments, and materials based on such analysis;

“(ii) are an integral part of broad schoolwide and districtwide educational improvement plans;

“(iii) allow personalized plans for each educator to address the educator’s specific needs identified in observation or other feedback;

“(iv) improve classroom management skills;

“(v) support the recruitment, hiring, and training of effective teachers, including teachers who became certified through State and local alternative routes to certification;

“(vi) advance teacher understanding of—

“(I) effective instructional strategies that are evidence-based; and

“(II) strategies for improving student academic achievement or substantially increasing the knowledge and teaching skills of teachers;

“(vii) are aligned with, and directly related to, academic goals of the school or local educational agency;

“(viii) are developed with extensive participation of teachers, principals, other school leaders, parents, representatives of Indian tribes (as applicable), and administrators of schools to be served under this Act;

“(ix) are designed to give teachers of English learners, and other teachers and instructional staff, the knowledge and skills to provide instruction and appropriate language and academic support services to those children, including the appropriate use of curricula and assessments;

“(x) to the extent appropriate, provide training for teachers, principals, and other school leaders in the use of technology (including education about the harms of copyright piracy), so that technology and technology applications are effectively used in the classroom to improve teaching and learning in the curricula and academic subjects in which the teachers teach;

“(xi) as a whole, are regularly evaluated for their impact on increased teacher effectiveness and improved student academic achievement, with the findings of the evaluations used to improve the quality of professional development;

“(xii) are designed to give teachers of children with disabilities or children with developmental delays, and other teachers and instructional staff, the knowledge and skills to provide instruction and academic support services, to those children, including positive behavioral interventions and supports, multi-tier system of supports, and use of accommodations;

“(xiii) include instruction in the use of data and assessments to inform and instruct classroom practice;

“(xiv) include instruction in ways that teachers, principals, other school leaders, specialized instructional support personnel, and school administrators may work more effectively with parents and families;

“(xv) involve the forming of partnerships with institutions of higher education, including, as applicable, Tribal Colleges and Universities as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)), to establish school-based teacher, principal, and other school leader training programs that provide prospective teachers, novice teachers, principals, and other school leaders with an opportunity to work under the guidance of experienced teachers, principals, other school leaders, and faculty of such institutions;

“(xvi) create programs to enable paraprofessionals (assisting teachers employed by a local educational agency receiving assistance under part A of title I) to obtain the education necessary for those paraprofessionals to become certified and licensed teachers;

“(xvii) provide follow-up training to teachers who have participated in activities described in this paragraph that are designed to ensure that the knowledge and skills learned by the teachers are implemented in the classroom; and

“(xviii) where practicable, provide jointly for school staff and other early childhood education program providers, to address the transition to elementary school, including issues related to school readiness.”;

(17) by inserting after paragraph (42) (as so redesignated by paragraph (2)) the following:

“(43) **REGULAR HIGH SCHOOL DIPLOMA.**—The term ‘regular high school diploma’—

“(A) means the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma, except that a regular high school diploma shall not be aligned to the alternate academic achievement standards described in section 1111(b)(1)(E); and

“(B) does not include a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential.

“(44) **SCHOOL LEADER.**—The term ‘school leader’ means a principal, assistant principal, or other individual who is—

“(A) an employee or officer of an elementary school or secondary school, local educational agency, or other entity operating an elementary school or secondary school; and

“(B) responsible for the daily instructional leadership and managerial operations in the elementary school or secondary school building.”;

(18) by inserting after paragraph (46) (as so redesignated by paragraph (2)) the following:

“(47) **SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL.**—The term ‘specialized instructional support personnel’ means—

“(i) school counselors, school social workers, and school psychologists; and

“(ii) other qualified professional personnel, such as school nurses, speech language pathologists, and school librarians, involved in providing assessment, diagnosis, counseling, educational, therapeutic, and other necessary serv-

ices (including related services as that term is defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401)) as part of a comprehensive program to meet student needs.

“(B) **SPECIALIZED INSTRUCTIONAL SUPPORT SERVICES.**—The term ‘specialized instructional support services’ means the services provided by specialized instructional support personnel.”;

(19) by striking the undesignated paragraph between paragraph (47) (as inserted by paragraph (18)) and paragraph (49) (as so redesignated by paragraph (2)) and inserting the following:

“(48) **STATE.**—The term ‘State’ means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each of the outlying areas.”;

(20) by striking paragraph (50) (as so redesignated by paragraph (2)) and inserting the following:

“(50) **TECHNOLOGY.**—The term ‘technology’ means modern information, computer and communication technology products, services, or tools, including, the Internet and other communications networks, computer devices and other computer and communications hardware, software applications, data systems, and other electronic content (including multimedia content) and data storage.”; and

(21) by adding at the end the following:

“(51) **UNIVERSAL DESIGN FOR LEARNING.**—The term ‘universal design for learning’ has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

“(52) **WELL-ROUNDED EDUCATION.**—The term ‘well-rounded education’ means courses, activities, and programming in subjects such as English, reading or language arts, writing, science, technology, engineering, mathematics, foreign languages, civics and government, economics, arts, history, geography, computer science, music, career and technical education, health, physical education, and any other subject, as determined by the State or local educational agency, with the purpose of providing all students access to an enriched curriculum and educational experience.”.

SEC. 8003. APPLICABILITY OF TITLE.

Section 8102, as redesignated by section 8001 of this Act, is further amended by striking “Parts B, C, D, and E of this title do not apply to title VIII” and inserting “Parts B, C, D, E, and F of this title do not apply to title VII”.

SEC. 8004. APPLICABILITY TO BUREAU OF INDIAN EDUCATION OPERATED SCHOOLS.

Section 8103, as redesignated by section 8001 of this Act, is amended—

(1) in the section heading, by striking “**BUREAU OF INDIAN AFFAIRS**” and inserting “**BUREAU OF INDIAN EDUCATION**”; and

(2) by striking “Bureau of Indian Affairs” each place the term appears and inserting “Bureau of Indian Education”.

SEC. 8005. CONSOLIDATION OF STATE ADMINISTRATIVE FUNDS FOR ELEMENTARY AND SECONDARY EDUCATION PROGRAMS.

Section 8201(b)(2), as redesignated by section 8001 of this Act, is amended—

(1) in subparagraph (G), by striking “and” after the semicolon;

(2) in subparagraph (H), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(I) implementation of fiscal support teams that provide technical fiscal support assistance, which shall include evaluating fiscal, administrative, and staffing functions, and any other key operational function.”.

SEC. 8006. CONSOLIDATION OF FUNDS FOR LOCAL ADMINISTRATION.

Section 8203, as redesignated by section 8001 of this Act, is amended—

(1) in subsection (b), by striking “Within 1 year after the date of enactment of the No Child Left Behind Act of 2001, a State” and inserting “A State”; and

(2) by striking subsection (d) and inserting the following:

“(d) USES OF ADMINISTRATIVE FUNDS.—

“(1) IN GENERAL.—A local educational agency that consolidates administrative funds under this section may use the consolidated funds for the administration of the programs and for uses, at the school district and school levels, comparable to those described in section 8201(b)(2).

“(2) FISCAL SUPPORT TEAMS.—A local educational agency that uses funds as described in section 8201(b)(2)(1) may contribute State or local funds to expand the reach of such support without violating any supplement, not supplant requirement of any program contributing administrative funds.”.

SEC. 8007. CONSOLIDATED SET-ASIDE FOR DEPARTMENT OF THE INTERIOR FUNDS.

Section 8204, as redesignated and amended by section 8001 of this Act, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “part A of title VII” and inserting “part A of title VI”; and

(B) in paragraph (2), by striking subparagraph (B) and inserting the following:

“(B) CONTENTS.—The agreement shall—

“(i) set forth the plans of the Secretary of the Interior for the use of the amount transferred and the achievement measures to assess program effectiveness, including program objectives; and

“(ii) be developed in consultation with Indian tribes.”; and

(2) by adding at the end the following:

“(c) ACCOUNTABILITY SYSTEM.—

“(1) For the purposes of part A of title I, the Secretary of Interior, in consultation with the Secretary, if the Secretary of the Interior requests the consultation, using a negotiated rule-making process to develop regulations for implementation no later than the 2017-2018 academic year, shall define the standards, assessments, and accountability system consistent with section 1111, for the schools funded by the Bureau of Indian Education on a national, regional, or tribal basis, as appropriate, taking into account the unique circumstances and needs of such schools and the students served by such schools.

“(2) The tribal governing body or school board of a school funded by the Bureau of Indian Affairs may waive, in part or in whole, the requirements established pursuant to paragraph (1) where such requirements are determined by such body or school board to be inappropriate. If such requirements are waived, the tribal governing body or school board shall, within 60 days, submit to the Secretary of Interior a proposal for alternative standards, assessments, and an accountability system, if applicable, consistent with section 1111, that takes into account the unique circumstances and needs of such school or schools and the students served.

“(3) TECHNICAL ASSISTANCE.—The Secretary of Interior and the Secretary shall, either directly or through a contract, provide technical assistance, upon request, to a tribal governing body or school board of a school funded by the Bureau of Indian Affairs that seeks a waiver under paragraph (2).”.

SEC. 8008. DEPARTMENT STAFF.

Title VIII, as redesignated and amended by section 8001 of this Act, is further amended by adding after section 8204 the following:

“SEC. 8205. DEPARTMENT STAFF.

“The Secretary shall—

“(1) not later than 60 days after the date of enactment of the Every Student Succeeds Act, identify the number of Department full-time equivalent employees who worked on or administered each education program or project authorized under this Act, as such program or project was in effect on the day before such date of enactment, and publish such information on the Department’s website;

“(2) not later than 60 days after such date of enactment, identify the number of full-time equivalent employees who worked on or administered each program or project authorized under this Act, as such program or project was in effect on the day before such date of enactment, that has been eliminated or consolidated since such date of enactment;

“(3) not later than 1 year after such date of enactment, reduce the workforce of the Department by the number of full-time equivalent employees the Department identified under paragraph (2); and

“(4) not later than 1 year after such date of enactment, report to Congress on—

“(A) the number of full-time equivalent employees associated with each program or project authorized under this Act and administered by the Department;

“(B) the number of full-time equivalent employees who were determined to be associated with eliminated or consolidated programs or projects described in paragraph (2);

“(C) how the Secretary has reduced the number of full-time equivalent employees as described in paragraph (3);

“(D) the average salary of the full-time equivalent employees described in subparagraph (B) whose positions were eliminated; and

“(E) the average salary of the full-time equivalent employees who work on or administer a program or project authorized by the Department under this Act, disaggregated by employee function within each such program or project.”.

SEC. 8009. OPTIONAL CONSOLIDATED STATE PLANS OR APPLICATIONS.

Section 8302(b)(1), as redesignated by section 8001 of this Act, is amended by striking “non-profit”.

SEC. 8010. GENERAL APPLICABILITY OF STATE EDUCATIONAL AGENCY ASSURANCES.

Section 8304(a)(2), as redesignated by section 8001 of this Act, is amended by striking “non-profit” and inserting “eligible” each place the term appears.

SEC. 8011. RURAL CONSOLIDATED PLAN.

Section 8305, as redesignated and amended by section 8001 of this Act, is amended by adding at the end the following:

“(e) RURAL CONSOLIDATED PLAN.—

“(1) IN GENERAL.—Two or more eligible local educational agencies, a consortium of eligible local educational service agencies, or an educational service agency on behalf of eligible local educational agencies may submit plans or applications for 1 or more covered programs to the State educational agency on a consolidated basis, if each eligible local educational agency impacted elects to participate in the joint application or elects to allow the educational service agency to apply on its behalf.

“(2) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—For the purposes of this subsection, the term ‘eligible local educational agency’ means a local educational agency that is an eligible local educational agency under part B of title V.”.

SEC. 8012. OTHER GENERAL ASSURANCES.

Section 8306(a), as redesignated and amended by section 8001 of this Act, is further amended—

(1) in the matter preceding paragraph (1), by striking “whether separately or pursuant to section 8305,”; and

(2) in paragraph (2), by striking “nonprofit” each place it appears and inserting “eligible”.

SEC. 8013. WAIVERS OF STATUTORY AND REGULATORY REQUIREMENTS.

Section 8401, as redesignated by section 8001 of this Act, is amended—

(1) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—

“(1) REQUEST FOR WAIVER BY STATE OR INDIAN TRIBE.—A State educational agency or Indian tribe that receives funds under a program authorized under this Act may submit a request to the Secretary to waive any statutory or regulatory requirement of this Act.

“(2) LOCAL EDUCATIONAL AGENCY AND SCHOOL REQUESTS SUBMITTED THROUGH THE STATE.—

“(A) REQUEST FOR WAIVER BY LOCAL EDUCATIONAL AGENCY.—A local educational agency that receives funds under a program authorized under this Act and desires a waiver of any statutory or regulatory requirement of this Act shall submit a request containing the information described in subsection (b)(1) to the appropriate State educational agency. The State educational agency may then submit the request to the Secretary if the State educational agency determines the waiver appropriate.

“(B) REQUEST FOR WAIVER BY SCHOOL.—An elementary school or secondary school that desires a waiver of any statutory or regulatory requirement of this Act shall submit a request containing the information described in subsection (b)(1) to the local educational agency serving the school. The local educational agency may then submit the request to the State educational agency in accordance with subparagraph (A) if the local educational agency determines the waiver appropriate.

“(3) RECEIPT OF WAIVER.—Except as provided in subsection (b)(4) or (c), the Secretary may waive any statutory or regulatory requirement of this Act for which a waiver request is submitted to the Secretary pursuant to this subsection.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “, local educational agency,” and inserting “, acting on its own behalf or on behalf of a local educational agency in accordance with subsection (a)(2),”; and

(II) by inserting “, which shall include a plan” after “to the Secretary”;

(ii) by redesignating subparagraph (E) as subparagraph (F);

(iii) by striking subparagraphs (B), (C), and (D) and inserting the following:

“(B) describes which Federal statutory or regulatory requirements are to be waived;

“(C) describes how the waiving of such requirements will advance student academic achievement;

“(D) describes the methods the State educational agency, local educational agency, school, or Indian tribe will use to monitor and regularly evaluate the effectiveness of the implementation of the plan;

“(E) includes only information directly related to the waiver request; and”; and

(iv) in subparagraph (F), as redesignated by clause (ii), by inserting “and, if the waiver relates to provisions of subsections (b) or (h) of section 1111, describes how the State educational agency, local educational agency, school, or Indian tribe will maintain or improve transparency in reporting to parents and the public on student achievement and school performance, including the achievement of the subgroups of students identified in section 1111(b)(2)(B)(xi)” after “waivers are requested”;

(B) in paragraph (2)(B)(i)(II), by striking “(on behalf of, and based on the requests of,

local educational agencies)” and inserting “(on behalf of those agencies or on behalf of, and based on the requests of, local educational agencies in the State)”;

(C) in paragraph (3)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting “or on behalf of local educational agencies in the State under subsection (a)(2),” after “acting on its own behalf,”; and

(II) by striking clauses (i) through (iii) and inserting the following:

“(i) provide the public and any interested local educational agency in the State with notice and a reasonable opportunity to comment and provide input on the request, to the extent that the request impacts the local educational agency;

“(ii) submit the comments and input to the Secretary, with a description of how the State addressed the comments and input; and

“(iii) provide notice and a reasonable time to comment to the public and local educational agencies in the manner in which the applying agency customarily provides similar notice and opportunity to comment to the public.”; and

(ii) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

“(i) the request shall be reviewed and approved by the State educational agency in accordance with subsection (a)(2) before being submitted to the Secretary and be accompanied by the comments, if any, of the State educational agency and the public; and

“(ii) notice and a reasonable opportunity to comment regarding the waiver request shall be provided to the State educational agency and the public by the agency requesting the waiver in the manner in which that agency customarily provides similar notice and opportunity to comment to the public.”.

(D) by adding at the end the following:

“(4) **WAIVER DETERMINATION, DEMONSTRATION, AND REVISION.**—

“(A) **IN GENERAL.**—The Secretary shall issue a written determination regarding the initial approval or disapproval of a waiver request not more than 120 days after the date on which such request is submitted. Initial disapproval of such request shall be based on the determination of the Secretary that—

“(i) the waiver request does not meet the requirements of this section;

“(ii) the waiver is not permitted under subsection (c);

“(iii) the description required under paragraph (1)(C) in the plan provides insufficient information to demonstrate that the waiving of such requirements will advance student academic achievement consistent with the purposes of this Act; or

“(iv) the waiver request does not provide for adequate evaluation to ensure review and continuous improvement of the plan.

“(B) **WAIVER DETERMINATION AND REVISION.**—Upon the initial determination of disapproval under subparagraph (A), the Secretary shall—

“(i) immediately—

“(I) notify the State educational agency, local educational agency (through the State educational agency), school (through the local educational agency), or Indian tribe, as applicable, of such determination; and

“(II) provide detailed reasons for such determination in writing to the applicable entity under subclause (I) to the public, such as posting in a clear and easily accessible format to the Department’s website;

“(ii) offer the State educational agency, local educational agency (through the State educational agency), school (through the local educational agency), or Indian tribe an opportunity to revise and resubmit the waiver request by a date that is not more than 60 days after the date of such determination; and

“(iii) if the Secretary determines that the resubmission under clause (ii) does not meet the requirements of this section, at the request of the State educational agency, local educational agency, school, or Indian tribe, conduct a hearing not more than 30 days after the date of such resubmission.

“(C) **WAIVER DISAPPROVAL.**—The Secretary may ultimately disapprove a waiver request if—

“(i) the State educational agency, local educational agency, school, or Indian tribe has been notified and offered an opportunity to revise and resubmit the waiver request, as described under clauses (i) and (ii) of subparagraph (B); and

“(ii) the State educational agency, local educational agency (through the State educational agency), school (through the local educational agency), or Indian tribe—

“(I) does not revise and resubmit the waiver request; or

“(II) revises and resubmits the waiver request, and the Secretary determines that such waiver request does not meet the requirements of this section after a hearing conducted under subparagraph (B)(iii), if such a hearing is requested.

“(D) **EXTERNAL CONDITIONS.**—The Secretary shall not disapprove a waiver request under this section based on conditions outside the scope of the waiver request.”;

(3) in subsection (c)—

(A) in paragraph (1), by inserting “, Indian tribes” after “local educational agencies”;

(B) in paragraph (8), by striking “subpart 1 of part B of title V” and inserting “part C of title IV”; and

(C) by striking paragraph (9) and inserting the following:

“(9) the prohibitions—

“(A) in subpart 2 of part F;

“(B) regarding use of funds for religious worship or instruction in section 8505; and

“(C) regarding activities in section 8526; or”; and

(4) in subsection (d)—

(A) in the subsection heading, by adding “; LIMITATIONS” after “WAIVER”;

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking “Secretary determines” and inserting “State demonstrates”; and

(C) by adding at the end the following:

“(3) **SPECIFIC LIMITATIONS.**—The Secretary shall not require a State educational agency, local educational agency, school, or Indian tribe, as a condition of approval of a waiver request, to—

“(A) include in, or delete from, such request, specific academic standards, such as the Common Core State Standards developed under the Common Core State Standards Initiative or any other standards common to a significant number of States;

“(B) use specific academic assessment instruments or items, including assessments aligned to the standards described in subparagraph (A); or

“(C) include in, or delete from, such waiver request any specific elements of—

“(i) State academic standards;

“(ii) academic assessments;

“(iii) State accountability systems; or

“(iv) teacher and school leader evaluation systems.”;

(5) by striking subsection (e) and inserting the following:

“(e) **REPORTS.**—A State educational agency, local educational agency, school, or Indian tribe receiving a waiver under this section shall describe, as part of, and pursuant to, the required annual reporting under section 1111(h)—

“(1) the progress of schools covered under the provisions of such waiver toward improving student academic achievement; and

“(2) how the use of the waiver has contributed to such progress.”; and

(6) in subsection (f), by striking “if the Secretary determines” and all that follows through the period at the end and inserting the following: “if, after notice and an opportunity for a hearing, the Secretary—

“(A) presents a rationale and supporting information that clearly demonstrates that the waiver is not contributing to the progress of schools described in subsection (e)(1); or

“(B) determines that the waiver is no longer necessary to achieve its original purposes.”.

SEC. 8014. APPROVAL AND DISAPPROVAL OF STATE PLANS AND LOCAL APPLICATIONS.

Title VIII, as amended and redesignated by section 8001 of this Act, is further amended by inserting after section 8401 the following:

“PART E—APPROVAL AND DISAPPROVAL OF STATE PLANS AND LOCAL APPLICATIONS

“SEC. 8451. APPROVAL AND DISAPPROVAL OF STATE PLANS.

“(a) **APPROVAL.**—A plan submitted by a State pursuant to section 2101(d), 4103(c), 4203, or 8302 shall be approved by the Secretary unless the Secretary makes a written determination (which shall include the supporting information and rationale supporting such determination), prior to the expiration of the 120-day period beginning on the date on which the Secretary received the plan, that the plan is not in compliance with section 2101(d), 4103(c), or 4203, or part C, respectively.

“(b) **DISAPPROVAL PROCESS.**—

“(1) **IN GENERAL.**—The Secretary shall not finally disapprove a plan submitted under section 2101(d), 4103(c), 4203, or 8302, except after giving the State educational agency notice and an opportunity for a hearing.

“(2) **NOTIFICATIONS.**—If the Secretary finds that the plan is not in compliance, in whole or in part, with section 2101(d), 4103(c), or 4203, or part C, as applicable, the Secretary shall—

“(A) immediately notify the State of such determination;

“(B) provide a detailed description of the specific provisions of the plan that the Secretary determines fail to meet the requirements, in whole or in part, of such section or part, as applicable;

“(C) offer the State an opportunity to revise and resubmit its plan within 45 days of such determination, including the chance for the State to present supporting information to clearly demonstrate that the State plan meets the requirements of such section or part, as applicable;

“(D) provide technical assistance, upon request of the State, in order to assist the State to meet the requirements of such section or part, as applicable;

“(E) conduct a hearing within 30 days of the plan’s resubmission under subparagraph (C), unless a State declines the opportunity for such hearing; and

“(F) request additional information, only as to the noncompliant provisions, needed to make the plan compliant.

“(3) **RESPONSE.**—If the State educational agency responds to the Secretary’s notification described in paragraph (2)(A) prior to the expiration of the 45-day period beginning on the date on which the State educational agency received the notification, and resubmits the plan as described in paragraph (2)(C), the Secretary shall approve such plan unless the Secretary determines the plan does not meet the requirements of section 2101(d), 4103(c), or 4203, or part C, as applicable.

“(4) **FAILURE TO RESPOND.**—If the State educational agency does not respond to the Secretary’s notification described in paragraph (2)(A) prior to the expiration of the 45-day period beginning on the date on which the State

educational agency received the notification, such plan shall be deemed to be disapproved.

“(c) **LIMITATION.**—A plan submitted under section 2101(d), 4103(c), 4203, or 8302 shall not be approved or disapproved based upon the nature of the activities proposed within such plan if such proposed activities meet the applicable program requirements.

“(d) **PEER-REVIEW REQUIREMENTS.**—Notwithstanding any other requirements of this part, the Secretary shall ensure that any portion of a consolidated State plan that is related to part A of title I is subject to the peer-review process described in section 1111(a)(4).

“SEC. 8452. APPROVAL AND DISAPPROVAL OF LOCAL EDUCATIONAL AGENCY APPLICATIONS.

“(a) **APPROVAL.**—An application submitted by a local educational agency pursuant to section 2102(b), 4106, 4204(b) or 8305, shall be approved by the State educational agency unless the State educational agency makes a written determination (which shall include the supporting information and rationale for such determination), prior to the expiration of the 120-day period beginning on the date on which the State educational agency received the application, that the application is not in compliance with section 2102(b), 4106, or 4204(b), or part C, respectively.

“(b) **DISAPPROVAL PROCESS.**—

“(1) **IN GENERAL.**—The State educational agency shall not finally disapprove an application submitted under section 2102(b), 4106, 4204(b) or 8305 except after giving the local educational agency notice and opportunity for a hearing.

“(2) **NOTIFICATIONS.**—If the State educational agency finds that the application submitted under section 2102(b), 4106, 4204(b) or 8305 is not in compliance, in whole or in part, with section 2102(b), 4106, or 4204(b), or part C, respectively, the State educational agency shall—

“(A) immediately notify the local educational agency of such determination;

“(B) provide a detailed description of the specific provisions of the application that the State determines fail to meet the requirements, in whole or in part, of such section or part, as applicable;

“(C) offer the local educational agency an opportunity to revise and resubmit its application within 45 days of such determination, including the chance for the local educational agency to present supporting information to clearly demonstrate that the application meets the requirements of such section or part;

“(D) provide technical assistance, upon request of the local educational agency, in order to assist the local educational agency to meet the requirements of such section or part, as applicable;

“(E) conduct a hearing within 30 days of the application's resubmission under subparagraph (C), unless a local educational agency declines the opportunity for such a hearing; and

“(F) request additional information, only as to the noncompliant provisions, needed to make the application compliant.

“(3) **RESPONSE.**—If the local educational agency responds to the State educational agency's notification described in paragraph (2)(A) prior to the expiration of the 45-day period beginning on the date on which the local educational agency received the notification, and resubmits the application as described in paragraph (2)(C), the State educational agency shall approve such application unless the State educational agency determines the application does not meet the requirements of this part.

“(4) **FAILURE TO RESPOND.**—If the local educational agency does not respond to the State educational agency's notification described in paragraph (2)(A) prior to the expiration of the 45-day period beginning on the date on which

the local educational agency received the notification, such application shall be deemed to be disapproved.”.

SEC. 8015. PARTICIPATION BY PRIVATE SCHOOL CHILDREN AND TEACHERS.

Section 8501, as redesignated by section 8001 of this Act, is amended—

(1) in subsection (a)—

(A) by striking paragraph (3) and inserting the following:

“(3) **SPECIAL RULE.**—

“(A) **IN GENERAL.**—Educational services and other benefits provided under this section for private school children, teachers, and other educational personnel shall be equitable in comparison to services and other benefits for public school children, teachers, and other educational personnel participating in the program and shall be provided in a timely manner.

“(B) **OMBUDSMAN.**—To help ensure equitable services are provided to private school children, teachers, and other educational personnel under this section, the State educational agency involved shall direct the ombudsman designated by the agency under section 1117 to monitor and enforce the requirements of this section.”; and

(B) by striking paragraph (4) and inserting the following:

“(4) **EXPENDITURES.**—

“(A) **IN GENERAL.**—Expenditures for educational services and other benefits provided under this section for eligible private school children, their teachers, and other educational personnel serving those children shall be equal, taking into account the number and educational needs of the children to be served, to the expenditures for participating public school children.

“(B) **OBLIGATION OF FUNDS.**—Funds allocated to a local educational agency for educational services and other benefits to eligible private school children shall be obligated in the fiscal year for which the funds are received by the agency.

“(C) **NOTICE OF ALLOCATION.**—Each State educational agency shall provide notice in a timely manner to the appropriate private school officials in the State of the allocation of funds for educational services and other benefits under this subpart that the local educational agencies have determined are available for eligible private school children.”.

(2) in subsection (b)—

(A) in paragraph (1), by striking subparagraphs (A) through (H) and inserting the following:

“(A) part C of title I;

“(B) part A of title II;

“(C) part A of title III;

“(D) part A of title IV; and

“(E) part B of title IV.”; and

(B) by striking paragraph (3); and

(3) in subsection (c)—

(A) in the matter preceding subparagraph (A), by striking “To ensure” and all that follows through “such as” and inserting “To ensure timely and meaningful consultation, a State educational agency, local educational agency, educational service agency, consortium of those agencies, or entity shall consult with appropriate private school officials. Such agency and private school officials shall both have the goal of reaching agreement on how to provide equitable and effective programs for eligible private school children, on issues such as”;

(B) in paragraph (1)—

(i) in subparagraph (E)—

(I) by striking “and the amount” and inserting “, the amount”; and

(II) by striking “services; and” and inserting “services, and how that amount is determined.”;

(ii) in subparagraph (F)—

(I) by striking “contract” after “provision of”; and

(II) by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(G) whether the agency, consortium, or entity shall provide services directly or through a separate government agency, consortium, or entity, or through a third-party contractor; and

“(H) whether to provide equitable services to eligible private school children—

“(i) by creating a pool or pools of funds with all of the funds allocated under subsection (a)(4)(C) based on all the children from low-income families in a participating school attendance area who attend private schools; or

“(ii) in the agency's participating school attendance area who attend private schools with the proportion of funds allocated under subsection (a)(4)(C) based on the number of children from low-income families who attend private schools.”; and

(4) by adding at the end the following:

“(5) **DOCUMENTATION.**—Each local educational agency shall maintain in the agency's records, and provide to the State educational agency involved, a written affirmation signed by officials of each participating private school that the meaningful consultation required by this section has occurred. The written affirmation shall provide the option for private school officials to indicate such officials' belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children. If such officials do not provide such affirmation within a reasonable period of time, the local educational agency shall forward the documentation that such consultation has, or attempts at such consultation have, taken place to the State educational agency.

“(6) **COMPLIANCE.**—

“(A) **IN GENERAL.**—If the consultation required under this section is with a local educational agency or educational service agency, a private school official shall have the right to file a complaint with the State educational agency that the consultation required under this section was not meaningful and timely, did not give due consideration to the views of the private school official, or did not make a decision that treats the private school or its students equitably as required by this section.

“(B) **PROCEDURE.**—If the private school official wishes to file a complaint, the private school official shall provide the basis of the non-compliance and all parties shall provide the appropriate documentation to the appropriate officials.

“(C) **SERVICES.**—A State educational agency shall provide services under this section directly or through contracts with public and private agencies, organizations, and institutions, if the appropriate private school officials have—

“(i) requested that the State educational agency provide such services directly; and

“(ii) demonstrated that the local educational agency involved has not met the requirements of this section in accordance with the procedures for making such a request, as prescribed by the State educational agency.”.

SEC. 8016. STANDARDS FOR BY-PASS.

Section 8502(a)(2), as redesignated and amended by section 8001 of this Act, is further amended by striking “9503, and 9504” and inserting “8503, and 8504”.

SEC. 8017. COMPLAINT PROCESS FOR PARTICIPATION OF PRIVATE SCHOOL CHILDREN.

Section 8503, as redesignated and amended by section 8001 of this Act, is further amended by striking subsections (a) and (b) and inserting the following:

“(a) **PROCEDURES FOR COMPLAINTS.**—The Secretary shall develop and implement written procedures for receiving, investigating, and resolving complaints from parents, teachers, or other

individuals and organizations concerning violations of section 8501 by a State educational agency, local educational agency, educational service agency, consortium of those agencies, or entity. The individual or organization shall submit the complaint to the State educational agency for a written resolution by the State educational agency within 45 days.

“(b) **APPEALS TO SECRETARY.**—The resolution may be appealed by an interested party to the Secretary not later than 30 days after the State educational agency resolves the complaint or fails to resolve the complaint within the 45-day time limit. The appeal shall be accompanied by a copy of the State educational agency’s resolution, and, if there is one, a complete statement of the reasons supporting the appeal. The Secretary shall investigate and resolve the appeal not later than 90 days after receipt of the appeal.”

SEC. 8018. BY-PASS DETERMINATION PROCESS.

Section 8504(a)(1)(A), as redesignated by section 8001 of this Act, is amended by striking “9502” and inserting “8502”.

SEC. 8019. MAINTENANCE OF EFFORT.

Section 8521, as redesignated by section 8001 of this Act, is amended—

(1) in subsection (a), by inserting “, subject to the requirements of subsection (b)” after “for the second preceding fiscal year”;

(2) in subsection (b)(1), by inserting before the period at the end the following: “, if such local educational agency has also failed to meet such requirement (as determined using the measure most favorable to the local agency) for 1 or more of the 5 immediately preceding fiscal years”; and

(3) in subsection (c)(1), by inserting “or a change in the organizational structure of the local educational agency” after “, such as a natural disaster”.

SEC. 8020. PROHIBITION REGARDING STATE AID.

Section 8522, as redesignated by section 8001 of this Act, is amended by striking “title VIII” and inserting “title VII”.

SEC. 8021. SCHOOL PRAYER.

Section 8524(a), as redesignated by section 8001 of this Act, is amended by striking “on the Internet” and inserting “by electronic means, including by posting the guidance on the Department’s website in a clear and easily accessible manner”.

SEC. 8022. PROHIBITED USES OF FUNDS.

Section 8526, as redesignated by section 8001 of this Act, is amended—

(1) by striking the section heading and inserting “**PROHIBITED USES OF FUNDS**”;

(2) in subsection (a)—

(A) by redesignating paragraphs (1) through (4) as paragraphs (3) through (6), respectively; and

(B) by inserting before paragraph (3) (as redesignated by subparagraph (A)) the following:

“(1) for construction, renovation, or repair of any school facility, except as authorized under this Act;

“(2) for transportation unless otherwise authorized under this Act.”;

(3) by striking “(a) **PROHIBITION.**—None of the funds authorized under this Act shall be used” and inserting “No funds under this Act may be used”; and

(4) by striking subsection (b).

SEC. 8023. PROHIBITIONS.

Title VIII, as redesignated and amended by section 8001 of this Act, is further amended by inserting after section 8526 the following:

“SEC. 8526A. PROHIBITION AGAINST FEDERAL MANDATES, DIRECTION, OR CONTROL.

“(a) **IN GENERAL.**—No officer or employee of the Federal Government shall, through grants, contracts, or other cooperative agreements, man-

date, direct, or control a State, local educational agency, or school’s specific instructional content, academic standards and assessments, curricula, or program of instruction developed and implemented to meet the requirements of this Act (including any requirement, direction, or mandate to adopt the Common Core State Standards developed under the Common Core State Standards Initiative, any other academic standards common to a significant number of States, or any assessment, instructional content, or curriculum aligned to such standards), nor shall anything in this Act be construed to authorize such officer or employee to do so.

“(b) **FINANCIAL SUPPORT.**—No officer or employee of the Federal Government shall condition or incentivize the receipt of any grant, contract, or cooperative agreement, the receipt of any priority or preference under such grant, contract, or cooperative agreement, or the receipt of a waiver under section 8401 upon a State, local educational agency, or school’s adoption or implementation of specific instructional content, academic standards and assessments, curricula, or program of instruction developed and implemented to meet the requirements of this Act (including any condition, priority, or preference to adopt the Common Core State Standards developed under the Common Core State Standards Initiative, any other academic standards common to a significant number of States, or any assessment, instructional content, or curriculum aligned to such standards).”

SEC. 8024. PROHIBITIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.

Section 8527, as redesignated by section 8001 of this Act, is amended to read as follows:

“SEC. 8527. PROHIBITIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.

“(a) **GENERAL PROHIBITION.**—Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government, including through a grant, contract, or cooperative agreement, to mandate, direct, or control a State, local educational agency, or school’s curriculum, program of instruction, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.

“(b) **PROHIBITION ON ENDORSEMENT OF CURRICULUM.**—Notwithstanding any other provision of Federal law, no funds provided to the Department under this Act may be used by the Department, whether through a grant, contract, or cooperative agreement, to endorse, approve, develop, require, or sanction any curriculum, including any curriculum aligned to the Common Core State Standards developed under the Common Core State Standards Initiative or any other academic standards common to a significant number of States, designed to be used in an elementary school or secondary school.

“(c) **LOCAL CONTROL.**—Nothing in this section shall be construed to—

“(1) authorize an officer or employee of the Federal Government, whether through a grant, contract, or cooperative agreement to mandate, direct, review, or control a State, local educational agency, or school’s instructional content, curriculum, and related activities;

“(2) limit the application of the General Education Provisions Act (20 U.S.C. 1221 et seq.);

“(3) require the distribution of scientifically or medically false or inaccurate materials or to prohibit the distribution of scientifically or medically true or accurate materials; or

“(4) create any legally enforceable right.

“(d) **PROHIBITION ON REQUIRING FEDERAL APPROVAL OR CERTIFICATION OF STANDARDS.**—

“(1) **IN GENERAL.**—Notwithstanding any other provision of Federal law, no State shall be required to have academic standards approved or certified by the Federal Government, in order to receive assistance under this Act.

“(2) **RULE OF CONSTRUCTION.**—Nothing in this Act shall be construed to prohibit a State, local educational agency, or school from using funds provided under this Act for the development or implementation of any instructional content, academic standards, academic assessments, curriculum, or program of instruction that a State, local educational agency, or school chooses, as permitted under State and local law, as long as the use of such funds is consistent with the terms of the grant, contract, or cooperative agreement providing such funds.

“(3) **BUILDING STANDARDS.**—Nothing in this Act shall be construed to mandate national school building standards for a State, local educational agency, or school.”

SEC. 8025. ARMED FORCES RECRUITER ACCESS TO STUDENTS AND STUDENT RECRUITING INFORMATION.

Section 8528, as redesignated by section 8001 of this Act, is amended by striking subsections (a) through (d) and inserting the following:

“(a) **POLICY.**—

“(1) **ACCESS TO STUDENT RECRUITING INFORMATION.**—Notwithstanding section 444(a)(5)(B) of the General Education Provisions Act (20 U.S.C. 1232g(a)(5)(B)), each local educational agency receiving assistance under this Act shall provide, upon a request made by a military recruiter or an institution of higher education, access to the name, address, and telephone listing of each secondary school student served by the local educational agency, unless the parent of such student has submitted the prior consent request under paragraph (2).

“(2) **CONSENT.**—

“(A) **OPT-OUT PROCESS.**—A parent of a secondary school student may submit a written request, to the local educational agency, that the student’s name, address, and telephone listing not be released for purposes of paragraph (1) without prior written consent of the parent. Upon receiving such request, the local educational agency may not release the student’s name, address, and telephone listing for such purposes without the prior written consent of the parent.

“(B) **NOTIFICATION OF OPT-OUT PROCESS.**—Each local educational agency shall notify the parents of the students served by the agency of the option to make a request described in subparagraph (A).

“(3) **SAME ACCESS TO STUDENTS.**—Each local educational agency receiving assistance under this Act shall provide military recruiters the same access to secondary school students as is provided to institutions of higher education or to prospective employers of those students.

“(4) **RULE OF CONSTRUCTION PROHIBITING OPT-IN PROCESSES.**—Nothing in this subsection shall be construed to allow a local educational agency to withhold access to a student’s name, address, and telephone listing from a military recruiter or institution of higher education by implementing an opt-in process or any other process other than the written consent request process under paragraph (2)(A).

“(5) **PARENTAL CONSENT.**—For purposes of this subsection, whenever a student has attained 18 years of age, the permission or consent required of and the rights accorded to the parents of the student shall only be required of and accorded to the student.

“(b) **NOTIFICATION.**—The Secretary, in consultation with the Secretary of Defense, shall, not later than 120 days after the date of the enactment of the Every Student Succeeds Act, notify school leaders, school administrators, and other educators about the requirements of this section.

“(c) **EXCEPTION.**—The requirements of this section do not apply to a private secondary school that maintains a religious objection to service in the Armed Forces if the objection is

verifiable through the corporate or other organizational documents or materials of that school.”.

SEC. 8026. PROHIBITION ON FEDERALLY SPONSORED TESTING.

Section 8529, as redesignated by section 8001 of this Act, is amended to read as follows:

“SEC. 8529. PROHIBITION ON FEDERALLY SPONSORED TESTING.

“(a) **GENERAL PROHIBITION.**—Notwithstanding any other provision of Federal law and except as provided in subsection (b), no funds provided under this Act to the Secretary or to the recipient of any award may be used to develop, incentivize, pilot test, field test, implement, administer, or distribute any federally sponsored national test in reading, mathematics, or any other subject, unless specifically and explicitly authorized by law, including any assessment or testing materials aligned to the Common Core State Standards developed under the Common Core State Standards Initiative or any other academic standards common to a significant number of States.

“(b) **EXCEPTIONS.**—Subsection (a) shall not apply to international comparative assessments developed under the authority of section 153(a)(6) of the Education Sciences Reform Act of 2002 (20 U.S.C. 9543(a)(6)) and administered to only a representative sample of pupils in the United States and in foreign nations.”.

SEC. 8027. LIMITATIONS ON NATIONAL TESTING OR CERTIFICATION FOR TEACHERS, PRINCIPALS, OR OTHER SCHOOL LEADERS.

Section 8530, as redesignated by section 8001 of this Act, is amended—

(1) in the section heading, by inserting “, **PRINCIPALS, OR OTHER SCHOOL LEADERS**” after “**TEACHERS**”;

(2) in the subsection heading, by inserting “, **PRINCIPALS, OR OTHER SCHOOL LEADERS**” after “**TEACHERS**”; and

(3) in subsection (a)—

(A) by inserting “, principals, other school leaders,” after “teachers”; and

(B) by inserting “, or incentive regarding,” after “administration of”.

SEC. 8028. PROHIBITION ON REQUIRING STATE PARTICIPATION.

Title VIII, as redesignated and amended by section 8001 of this Act, is further amended by inserting after section 8530 the following:

“SEC. 8530A. PROHIBITION ON REQUIRING STATE PARTICIPATION.

“Any State that opts out of receiving funds, or that has not been awarded funds, under one or more programs under this Act shall not be required to carry out any of the requirements of such program or programs, and nothing in this Act shall be construed to require a State to participate in any program under this Act.”.

SEC. 8029. CIVIL RIGHTS.

Section 8534(b), as redesignated by section 8001 of this Act, is amended—

(1) by striking “as defined in section 1116 of title I and part B of title V” and inserting “as defined in section 1111(d) of title I and part C of title IV”; and

(2) by striking “grant under section 1116 of title I or part B of title V” and inserting “grant under section 1111(d) of title I or part C of title IV”.

SEC. 8030. CONSULTATION WITH INDIAN TRIBES AND TRIBAL ORGANIZATIONS.

Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:

“SEC. 8538. CONSULTATION WITH INDIAN TRIBES AND TRIBAL ORGANIZATIONS.

“(a) **IN GENERAL.**—To ensure timely and meaningful consultation on issues affecting American Indian and Alaska Native students,

an affected local educational agency shall consult with appropriate officials from Indian tribes or tribal organizations approved by the tribes located in the area served by the local educational agency prior to the affected local educational agency’s submission of a required plan or application for a covered program under this Act or for a program under title VI of this Act. Such consultation shall be done in a manner and in such time that provides the opportunity for such appropriate officials from Indian tribes or tribal organizations to meaningfully and substantively contribute to such plan.

“(b) **DOCUMENTATION.**—Each affected local educational agency shall maintain in the agency’s records and provide to the State educational agency a written affirmation signed by the appropriate officials of the participating tribes or tribal organizations approved by the tribes that the consultation required by this section has occurred. If such officials do not provide such affirmation within a reasonable period of time, the affected local educational agency shall forward documentation that such consultation has taken place to the State educational agency.

“(c) **DEFINITIONS.**—In this section:

“(1) **AFFECTED LOCAL EDUCATIONAL AGENCY.**—The term ‘affected local educational agency’ means a local educational agency—

“(A) with an enrollment of American Indian or Alaska Native students that is not less than 50 percent of the total enrollment of the local educational agency; or

“(B) that—

“(i) for fiscal year 2017, received a grant in the previous year under subpart 1 of part A of title VII (as such subpart was in effect on the day before the date of enactment of the Every Student Succeeds Act) that exceeded \$40,000; or

“(ii) for any fiscal year following fiscal year 2017, received a grant in the previous fiscal year under subpart 1 of part A of title VI that exceeded \$40,000.

“(2) **APPROPRIATE OFFICIALS.**—The term ‘appropriate officials’ means—

“(A) tribal officials who are elected; or

“(B) appointed tribal leaders or officials designated in writing by an Indian tribe for the specific consultation purpose under this section.

“(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed—

“(1) to require the local educational agency to determine who are the appropriate officials; or

“(2) to make the local educational agency liable for consultation with appropriate officials that the tribe determines not to be the correct appropriate officials.

“(e) **LIMITATION.**—Consultation required under this section shall not interfere with the timely submission of the plans or applications required under this Act.”.

SEC. 8031. OUTREACH AND TECHNICAL ASSISTANCE FOR RURAL LOCAL EDUCATIONAL AGENCIES.

Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:

“SEC. 8539. OUTREACH AND TECHNICAL ASSISTANCE FOR RURAL LOCAL EDUCATIONAL AGENCIES.

“(a) **OUTREACH.**—The Secretary shall engage in outreach to rural local educational agencies regarding opportunities to apply for competitive grant programs under this Act.

“(b) **TECHNICAL ASSISTANCE.**—If requested to do so, the Secretary shall provide technical assistance to rural local educational agencies with locale codes 32, 33, 41, 42, or 43, or an educational service agency representing rural local educational agencies with locale codes 32, 33, 41, 42, or 43 on applications or pre-applications for any competitive grant program under this Act.

No rural local educational agency or educational service agency shall be required to request technical assistance or include any technical assistance provided by the Secretary in any application.”.

SEC. 8032. CONSULTATION WITH THE GOVERNOR.

Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:

“SEC. 8540. CONSULTATION WITH THE GOVERNOR.

“(a) **IN GENERAL.**—A State educational agency shall consult in a timely and meaningful manner with the Governor, or appropriate officials from the Governor’s office, in the development of State plans under titles I and II and section 8302.

“(b) **TIMING.**—The consultation described in subsection (a) shall include meetings of officials from the State educational agency and the Governor’s office and shall occur—

“(1) during the development of such plan; and

“(2) prior to submission of the plan to the Secretary.

“(c) **JOINT SIGNATURE AUTHORITY.**—A Governor shall have 30 days prior to the State educational agency submitting the State plan under title I or II or section 8302 to the Secretary to sign such plan. If the Governor has not signed the plan within 30 days of delivery by the State educational agency to the Governor, the State educational agency shall submit the plan to the Secretary without such signature.”.

SEC. 8033. LOCAL GOVERNANCE.

Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:

“SEC. 8541. LOCAL GOVERNANCE.

“(a) **RULE OF CONSTRUCTION.**—Nothing in this Act shall be construed to allow the Secretary to—

“(1) exercise any governance or authority over school administration, including the development and expenditure of school budgets, unless otherwise authorized under this Act;

“(2) issue any regulation without first complying with the rulemaking requirements of section 553 of title 5, United States Code; or

“(3) issue any nonregulatory guidance without first, to the extent feasible, considering input from stakeholders.

“(b) **AUTHORITY UNDER OTHER LAW.**—Nothing in subsection (a) shall be construed to affect any authority the Secretary has under any other Federal law.”.

SEC. 8034. RULE OF CONSTRUCTION REGARDING TRAVEL TO AND FROM SCHOOL.

Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:

“SEC. 8542. RULE OF CONSTRUCTION REGARDING TRAVEL TO AND FROM SCHOOL.

“(a) **IN GENERAL.**—Subject to subsection (b), nothing in this Act shall authorize the Secretary to, or shall be construed to—

“(1) prohibit a child from traveling to and from school on foot or by car, bus, or bike when the parents of the child have given permission; or

“(2) expose parents to civil or criminal charges for allowing their child to responsibly and safely travel to and from school by a means the parents believe is age appropriate.

“(b) **NO PREEMPTION OF STATE OR LOCAL LAWS.**—Notwithstanding subsection (a), nothing in this section shall be construed to preempt State or local laws.”.

SEC. 8035. LIMITATIONS ON SCHOOL-BASED HEALTH CENTERS.

Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is

further amended by adding at the end the following:

“SEC. 8543. LIMITATIONS ON SCHOOL-BASED HEALTH CENTERS.

“Notwithstanding section 8102, funds used for activities under this Act shall be carried out in accordance with the provision of section 3992–1(a)(3)(C) of the Public Health Service Act (42 U.S.C. 280h–5(a)(3)(C)).”

SEC. 8036. STATE CONTROL OVER STANDARDS.

Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:

“SEC. 8544. STATE CONTROL OVER STANDARDS.

“(a) *IN GENERAL.*—Nothing in this Act shall be construed to prohibit a State from withdrawing from the Common Core State Standards or from otherwise revising their standards.

“(b) *PROHIBITION.*—No officer or employee of the Federal Government shall, directly or indirectly, through grants, contracts or other cooperative agreements, through waiver granted under section 8401 or through any other authority, take any action against a State that exercises its rights under subsection (a).”

SEC. 8037. SENSE OF CONGRESS ON PROTECTING STUDENT PRIVACY.

Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:

“SEC. 8545. SENSE OF CONGRESS ON PROTECTING STUDENT PRIVACY.

“(a) *FINDINGS.*—The Congress finds as follows:

“(1) Students’ personally identifiable information is important to protect.

“(2) Students’ information should not be shared with individuals other than school officials in charge of educating those students without clear notice to parents.

“(3) With the use of more technology, and more research about student learning, the responsibility to protect students’ personally identifiable information is more important than ever.

“(4) Regulations allowing more access to students’ personal information could allow that information to be shared or sold by individuals who do not have the best interest of the students in mind.

“(5) The Secretary has the responsibility to ensure every entity that receives funding under this Act holds any personally identifiable information in strict confidence.

“(b) *SENSE OF CONGRESS.*—It is the sense of the Congress that the Secretary should review all regulations addressing issues of student privacy, including those under this Act, and ensure that students’ personally identifiable information is protected.”

SEC. 8038. PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.

Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:

“SEC. 8546. PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.

“(a) *IN GENERAL.*—A State, State educational agency, or local educational agency in the case of a local educational agency that receives Federal funds under this Act shall have laws, regulations, or policies that prohibit any individual who is a school employee, contractor, or agent, or any State educational agency or local educational agency, from assisting a school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the individual or agency knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct

regarding a minor or student in violation of the law.

“(b) *EXCEPTION.*—The requirements of subsection (a) shall not apply if the information giving rise to probable cause—

“(1)(A) has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct; and

“(B) has been properly reported to any other authorities as required by Federal, State, or local law, including title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and the regulations implementing such title under part 106 of title 34, Code of Federal Regulations, or any succeeding regulations; and

“(2)(A) the matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law;

“(B) the school employee, contractor, or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or

“(C) the case or investigation remains open and there have been no charges filed against, or indictment of, the school employee, contractor, or agent within 4 years of the date on which the information was reported to a law enforcement agency.

“(c) *PROHIBITION.*—The Secretary shall not have the authority to mandate, direct, or control the specific measures adopted by a State, State educational agency, or local educational agency under this section.

“(d) *CONSTRUCTION.*—Nothing in this section shall be construed to prevent a State from adopting, or to override a State law, regulation, or policy that provides, greater or additional protections to prohibit any individual who is a school employee, contractor, or agent, or any State educational agency or local educational agency, from assisting a school employee who engaged in sexual misconduct regarding a minor or student in violation of the law in obtaining a new job.”

SEC. 8039. SENSE OF CONGRESS ON RESTORATION OF STATE SOVEREIGNTY OVER PUBLIC EDUCATION.

Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:

“SEC. 8547. SENSE OF CONGRESS ON RESTORATION OF STATE SOVEREIGNTY OVER PUBLIC EDUCATION.

“It is the Sense of Congress that State and local officials should be consulted and made aware of the requirements that accompany participation in activities authorized under this Act prior to a State or local educational agency’s request to participate in such activities.”

SEC. 8040. PRIVACY.

Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:

“SEC. 8548. PRIVACY.

“The Secretary shall require an assurance that each grantee receiving funds under this Act understands the importance of privacy protections for students and is aware of the responsibilities of the grantee under section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly known as the ‘Family Education Rights and Privacy Act of 1974’).”

SEC. 8041. ANALYSIS AND PERIODIC REVIEW; SENSE OF CONGRESS; TECHNICAL ASSISTANCE.

Subpart 2 of part F of title VIII, as amended and redesignated by section 8001 of this Act, is further amended by adding at the end the following:

“SEC. 8549. ANALYSIS AND PERIODIC REVIEW OF DEPARTMENTAL GUIDANCE.

“The Secretary shall develop procedures for the approval and periodic review of significant guidance documents that include—

“(1) appropriate approval processes within the Department;

“(2) appropriate identification of the agency or office issuing the documents, the activities to which and the persons to whom the documents apply, and the date of issuance;

“(3) a publicly available list to identify those significant guidance documents that were issued, revised, or withdrawn within the past year; and

“(4) an opportunity for the public to request that an agency modify or rescind an existing significant guidance document.

“SEC. 8549A. SENSE OF CONGRESS.

“(a) *FINDINGS.*—The Congress finds as follows:

“(1) This Act prohibits the Federal Government from mandating, directing, or controlling a State, local educational agency, or school’s curriculum, program of instruction, or allocation of State and local resources, and from mandating a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.

“(2) This Act prohibits the Federal Government from funding the development, pilot testing, field testing, implementation, administration, or distribution of any federally sponsored national test in reading, mathematics, or any other subject, unless specifically and explicitly authorized by law.

“(b) *SENSE OF CONGRESS.*—It is the sense of the Congress that States and local educational agencies retain the rights and responsibilities of determining educational curriculum, programs of instruction, and assessments for elementary and secondary education.

“SEC. 8549B. SENSE OF CONGRESS ON EARLY LEARNING AND CHILD CARE.

“It is the Sense of the Congress that a State retains the right to make decisions, free from Federal intrusion, concerning its system of early learning and child care, and whether or not to use funding under this Act to offer early childhood education programs. Such systems should continue to include robust choice for parents through a mixed delivery system of services so parents can determine the right early learning and child care option for their children. States, while protecting the rights of early learning and child care providers, retain the right to make decisions that shall include the age at which to set compulsory attendance in school, the content of a State’s early learning guidelines, and how to determine quality in programs.

“SEC. 8549C. TECHNICAL ASSISTANCE.

“If requested by a State or local educational agency, a regional educational laboratory under part D of the Education Sciences Reform Act of 2002 (20 U.S.C. 9561 et seq.) shall provide technical assistance to such State or local educational agency in meeting the requirements of section 8101(21).”

SEC. 8042. EVALUATIONS.

Section 8601, as redesignated by section 8001 of this Act, is amended to read as follows:

“SEC. 8601. EVALUATIONS.

“(a) *RESERVATION OF FUNDS.*—Except as provided in subsection (b) and (e), the Secretary, in consultation with the Director of the Institute of Education Sciences, may reserve not more than 0.5 percent of the amount appropriated for each program authorized under this Act to carry out activities under this section. If the Secretary elects to make a reservation under this subsection, the reserved amounts—

“(1) shall first be used by the Secretary, acting through the Director of the Institute of Education Sciences, to—

“(A) conduct comprehensive, high-quality evaluations of the programs that—

“(i) are consistent with the evaluation plan under subsection (d); and

“(ii) primarily include impact evaluations that use experimental or quasi-experimental designs, where practicable and appropriate, and other rigorous methodologies that permit the strongest possible causal inferences;

“(B) conduct studies of the effectiveness of the programs and the administrative impact of the programs on schools and local educational agencies; and

“(C) widely disseminate evaluation findings under this section related to programs authorized under this Act—

“(i) in a timely fashion;

“(ii) in forms that are understandable, easily accessible, usable, and adaptable for use in the improvement of educational practice;

“(iii) through electronic transfer and other means, such as posting, as available, to the websites of State educational agencies, local educational agencies, the Institute of Education Sciences, or the Department, or in another relevant place; and

“(iv) in a manner that promotes the utilization of such findings; and

“(2) may be used by the Secretary, acting through the Director of the Institute of Education Sciences—

“(A) to evaluate the aggregate short- and long-term effects and cost efficiencies across—

“(i) Federal programs assisted or authorized under this Act; and

“(ii) related Federal early childhood education programs, preschool programs, elementary school programs, and secondary school programs, under any other Federal law;

“(B) to increase the usefulness of the evaluations conducted under this section by improving the quality, timeliness, efficiency, and use of information relating to performance to promote continuous improvement of programs assisted or authorized under this Act; and

“(C) to assist recipients of grants under such programs in collecting and analyzing data and other activities related to conducting high-quality evaluations under paragraph (1).

“(b) **TITLE I.**—The Secretary, acting through the Director of the Institute of Education Sciences, shall use funds authorized under section 1002(e) to carry out evaluation activities under this section related to title I, and shall not reserve any other money from such title for evaluation.

“(c) **CONSOLIDATION.**—Notwithstanding any other provision of this section or section 1002(e), the Secretary, in consultation with the Director of the Institute of Education Sciences—

“(1) may consolidate the funds reserved under subsections (a) and (b) for purposes of carrying out the activities under subsection (a)(1); and

“(2) shall not be required to evaluate under subsection (a)(1) each program authorized under this Act each year.

“(d) **EVALUATION PLAN.**—The Director of the Institute of Education Sciences, shall, on a biennial basis, develop, submit to Congress, and make publicly available an evaluation plan, that—

“(1) describes the specific activities that will be carried out under subsection (a) for the 2-year period applicable to the plan, and the timelines of such activities;

“(2) contains the results of the activities carried out under subsection (a) for the most recent 2-year period; and

“(3) describes how programs authorized under this Act will be regularly evaluated.

“(e) **EVALUATION ACTIVITIES AUTHORIZED ELSEWHERE.**—If, under any other provision of this Act, funds are authorized to be reserved or used for evaluation activities with respect to a

program, the Secretary may not reserve additional funds under this section for the evaluation of that program.”.

TITLE IX—EDUCATION FOR THE HOMELESS AND OTHER LAWS

PART A—HOMELESS CHILDREN AND YOUTHS

SEC. 9101. STATEMENT OF POLICY.

Section 721 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431) is amended—

(1) in paragraph (2), by striking “In any State” and all that follows through “will review” and inserting “In any State where compulsory residency requirements or other requirements, in laws, regulations, practices, or policies, may act as a barrier to the identification of, or the enrollment, attendance, or success in school of, homeless children and youths, the State educational agency and local educational agencies in the State will review”;

(2) in paragraph (3), by striking “alone”; and

(3) in paragraph (4), by striking “challenging State student academic achievement standards” and inserting “challenging State academic standards”.

SEC. 9102. GRANTS FOR STATE AND LOCAL ACTIVITIES.

Section 722 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432) is amended—

(1) by striking subsection (b) and inserting the following:

“(b) **GRANTS FROM ALLOTMENTS.**—The Secretary shall make the grants to States from the allotments made under subsection (c)(1).”;

(2) in subsection (d)—

(A) in paragraph (2)—

(i) by striking “To provide” and all that follows through “that enable” and inserting “To provide services and activities to improve the identification of homeless children and youths (including preschool-aged homeless children) and enable”; and

(ii) by striking “or, if” and inserting “including, if”;

(B) in paragraph (3), by striking “designate” and all that follows and inserting “designate in the State educational agency an Office of the Coordinator for Education of Homeless Children and Youths that can sufficiently carry out the duties described for the Office in this subtitle in accordance with subsection (f).”; and

(C) by striking paragraph (5) and inserting the following:

“(5) To develop and implement professional development programs for liaisons designated under subsection (g)(1)(J)(ii) and other local educational agency personnel—

“(A) to improve their identification of homeless children and youths; and

“(B) to heighten the awareness of the liaisons and personnel of, and their capacity to respond to, specific needs in the education of homeless children and youths.”;

(3) in subsection (e)—

(A) in paragraph (1), by inserting “a State through grants under subsection (a) to” after “each year to”;

(B) in paragraph (2), by striking “funds made available for State use under this subtitle” and inserting “the grant funds remaining after the State educational agency distributes subgrants under paragraph (1)”; and

(C) in paragraph (3)—

(i) in subparagraph (C)(iv)(II), by striking “sections 1111 and 1116” and inserting “section 1111”;

(ii) in subparagraph (E)(ii)(II), by striking “subsection (g)(6)(A)(v)” and inserting “subsection (g)(6)(A)(vi)”; and

(iii) in subparagraph (F)—

(I) in clause (i)—

(aa) by striking “and” at the end of subclause (II);

(bb) by striking the period at the end of subclause (III) and inserting “; and”; and

(cc) by adding at the end the following:

“(IV) the progress the separate schools are making in helping all students meet the challenging State academic standards.”; and

(II) in clause (iii), by striking “Not later than 2 years after the date of enactment of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, the” and inserting “The”;

(4) by striking subsection (f) and inserting the following:

“(f) **FUNCTIONS OF THE OFFICE OF THE COORDINATOR.**—The Coordinator for Education of Homeless Children and Youths established in each State shall—

“(1) gather and make publicly available reliable, valid, and comprehensive information on—

“(A) the number of homeless children and youths identified in the State, which shall be posted annually on the State educational agency’s website;

“(B) the nature and extent of the problems homeless children and youths have in gaining access to public preschool programs and to public elementary schools and secondary schools;

“(C) the difficulties in identifying the special needs and barriers to the participation and achievement of such children and youths;

“(D) any progress made by the State educational agency and local educational agencies in the State in addressing such problems and difficulties; and

“(E) the success of the programs under this subtitle in identifying homeless children and youths and allowing such children and youths to enroll in, attend, and succeed in, school;

“(2) develop and carry out the State plan described in subsection (g);

“(3) collect data for and transmit to the Secretary, at such time and in such manner as the Secretary may reasonably require, a report containing information necessary to assess the educational needs of homeless children and youths within the State, including data necessary for the Secretary to fulfill the responsibilities under section 724(h);

“(4) in order to improve the provision of comprehensive education and related services to homeless children and youths and their families, coordinate activities and collaborate with—

“(A) educators, including teachers, special education personnel, administrators, and child development and preschool program personnel;

“(B) providers of services to homeless children and youths and their families, including public and private child welfare and social services agencies, law enforcement agencies, juvenile and family courts, agencies providing mental health services, domestic violence agencies, child care providers, runaway and homeless youth centers, and providers of services and programs funded under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.);

“(C) providers of emergency, transitional, and permanent housing to homeless children and youths, and their families, including public housing agencies, shelter operators, operators of transitional housing facilities, and providers of transitional living programs for homeless youths;

“(D) local educational agency liaisons designated under subsection (g)(1)(J)(ii) for homeless children and youths; and

“(E) community organizations and groups representing homeless children and youths and their families;

“(5) provide technical assistance to and conduct monitoring of local educational agencies in coordination with local educational agency liaisons designated under subsection (g)(1)(J)(ii), to ensure that local educational agencies comply with the requirements of subsection (e)(3) and paragraphs (3) through (7) of subsection (g);

“(6) provide professional development opportunities for local educational agency personnel and the local educational agency liaison designated under subsection (g)(1)(J)(ii) to assist such personnel and liaison in identifying and meeting the needs of homeless children and youths, and provide training on the definitions of terms related to homelessness specified in sections 103, 401, and 725 to the liaison; and

“(7) respond to inquiries from parents and guardians of homeless children and youths, and (in the case of unaccompanied youths) such youths, to ensure that each child or youth who is the subject of such an inquiry receives the full protections and services provided by this subtitle.”;

(5) by striking subsection (g) and inserting the following:

“(g) STATE PLAN.—

“(1) IN GENERAL.—For any State desiring to receive a grant under this subtitle, the State educational agency shall submit to the Secretary a plan to provide for the education of homeless children and youths within the State. Such plan shall include the following:

“(A) A description of how such children and youths are (or will be) given the opportunity to meet the same challenging State academic standards as all students are expected to meet.

“(B) A description of the procedures the State educational agency will use to identify such children and youths in the State and to assess their needs.

“(C) A description of procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youths.

“(D) A description of programs for school personnel (including liaisons designated under subparagraph (J)(ii), principals and other school leaders, attendance officers, teachers, enrollment personnel, and specialized instructional support personnel) to heighten the awareness of such school personnel of the specific needs of homeless children and youths, including such children and youths who are runaway and homeless youths.

“(E) A description of procedures that ensure that homeless children and youths who meet the relevant eligibility criteria are able to participate in Federal, State, or local nutrition programs.

“(F) A description of procedures that ensure that—

“(i) homeless children have access to public preschool programs, administered by the State educational agency or local educational agency, as provided to other children in the State;

“(ii) youths described in section 725(2) and youths separated from public schools are identified and accorded equal access to appropriate secondary education and support services, including by identifying and removing barriers that prevent youths described in this clause from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with State, local, and school policies; and

“(iii) homeless children and youths who meet the relevant eligibility criteria do not face barriers to accessing academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs, if such programs are available at the State and local levels.

“(G) Strategies to address problems identified in the report provided to the Secretary under subsection (f)(3).

“(H) Strategies to address other problems with respect to the education of homeless children and youths, including problems resulting from enrollment delays that are caused by—

“(i) requirements of immunization and other required health records;

“(ii) residency requirements;

“(iii) lack of birth certificates, school records, or other documentation;

“(iv) guardianship issues; or

“(v) uniform or dress code requirements.

“(I) A demonstration that the State educational agency and local educational agencies in the State have developed, and shall review and revise, policies to remove barriers to the identification of homeless children and youths, and the enrollment and retention of homeless children and youths in schools in the State, including barriers to enrollment and retention due to outstanding fees or fines, or absences.

“(J) Assurances that the following will be carried out:

“(i) The State educational agency and local educational agencies in the State will adopt policies and practices to ensure that homeless children and youths are not stigmatized or segregated on the basis of their status as homeless.

“(ii) The local educational agencies will designate an appropriate staff person, able to carry out the duties described in paragraph (6)(A), who may also be a coordinator for other Federal programs, as a local educational agency liaison for homeless children and youths.

“(iii) The State and the local educational agencies in the State will adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin (as determined under paragraph (3)), in accordance with the following, as applicable:

“(I) If the child or youth continues to live in the area served by the local educational agency in which the school of origin is located, the child's or youth's transportation to and from the school of origin shall be provided or arranged by the local educational agency in which the school of origin is located.

“(II) If the child's or youth's living arrangements in the area served by the local educational agency of origin terminate and the child or youth, though continuing the child's or youth's education in the school of origin, begins living in an area served by another local educational agency, the local educational agency of origin and the local educational agency in which the child or youth is living shall agree upon a method to apportion the responsibility and costs for providing the child or youth with transportation to and from the school of origin. If the local educational agencies are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally.

“(iv) The State and the local educational agencies in the State will adopt policies and practices to ensure participation by liaisons described in clause (ii) in professional development and other technical assistance activities provided pursuant to paragraphs (5) and (6) of subsection (f), as determined appropriate by the Office of the Coordinator.

“(K) A description of how youths described in section 725(2) will receive assistance from counselors to advise such youths, and prepare and improve the readiness of such youths for college.

“(2) COMPLIANCE.—

“(A) IN GENERAL.—Each plan adopted under this subsection shall also describe how the State will ensure that local educational agencies in the State will comply with the requirements of paragraphs (3) through (7).

“(B) COORDINATION.—Such plan shall indicate what technical assistance the State will furnish to local educational agencies and how compliance efforts will be coordinated with the local educational agency liaisons designated under paragraph (1)(J)(ii).

“(3) LOCAL EDUCATIONAL AGENCY REQUIREMENTS.—

“(A) IN GENERAL.—The local educational agency serving each child or youth to be as-

sisted under this subtitle shall, according to the child's or youth's best interest—

“(i) continue the child's or youth's education in the school of origin for the duration of homelessness—

“(I) in any case in which a family becomes homeless between academic years or during an academic year; and

“(II) for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or

“(ii) enroll the child or youth in any public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

“(B) SCHOOL STABILITY.—In determining the best interest of the child or youth under subparagraph (A), the local educational agency shall—

“(i) presume that keeping the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth;

“(ii) consider student-centered factors related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the child's or youth's parent or guardian or (in the case of an unaccompanied youth) the youth;

“(iii) if, after conducting the best interest determination based on consideration of the presumption in clause (i) and the student-centered factors in clause (ii), the local educational agency determines that it is not in the child's or youth's best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied youth) the youth, provide the child's or youth's parent or guardian or the unaccompanied youth with a written explanation of the reasons for its determination, in a manner and form understandable to such parent, guardian, or unaccompanied youth, including information regarding the right to appeal under subparagraph (E); and

“(iv) in the case of an unaccompanied youth, ensure that the local educational agency liaison designated under paragraph (1)(J)(ii) assists in placement or enrollment decisions under this subparagraph, gives priority to the views of such unaccompanied youth, and provides notice to such youth of the right to appeal under subparagraph (E).

“(C) IMMEDIATE ENROLLMENT.—

“(i) IN GENERAL.—The school selected in accordance with this paragraph shall immediately enroll the homeless child or youth, even if the child or youth—

“(I) is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency, or other documentation; or

“(II) has missed application or enrollment deadlines during any period of homelessness.

“(ii) RELEVANT ACADEMIC RECORDS.—The enrolling school shall immediately contact the school last attended by the child or youth to obtain relevant academic and other records.

“(iii) RELEVANT HEALTH RECORDS.—If the child or youth needs to obtain immunizations or other required health records, the enrolling school shall immediately refer the parent or guardian of the child or youth, or (in the case of an unaccompanied youth) the youth, to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall assist in obtaining necessary immunizations or screenings, or immunization or other required health records, in accordance with subparagraph (D).

“(D) RECORDS.—Any record ordinarily kept by the school, including immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless child or youth shall be maintained—

“(i) so that the records involved are available, in a timely fashion, when a child or youth enters a new school or school district; and

“(ii) in a manner consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

“(E) ENROLLMENT DISPUTES.—If a dispute arises over eligibility, or school selection or enrollment in a school—

“(i) the child or youth shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals;

“(ii) the parent or guardian of the child or youth or (in the case of an unaccompanied youth) the youth shall be provided with a written explanation of any decisions related to school selection or enrollment made by the school, the local educational agency, or the State educational agency involved, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions;

“(iii) the parent, guardian, or unaccompanied youth shall be referred to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall carry out the dispute resolution process as described in paragraph (1)(C) as expeditiously as possible after receiving notice of the dispute; and

“(iv) in the case of an unaccompanied youth, the liaison shall ensure that the youth is immediately enrolled in the school in which the youth seeks enrollment pending resolution of such dispute.

“(F) PLACEMENT CHOICE.—The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.

“(G) PRIVACY.—Information about a homeless child’s or youth’s living situation shall be treated as a student education record, and shall not be deemed to be directory information, under section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

“(H) CONTACT INFORMATION.—Nothing in this subtitle shall prohibit a local educational agency from requiring a parent or guardian of a homeless child or youth to submit contact information.

“(I) SCHOOL OF ORIGIN DEFINED.—In this paragraph:

“(i) IN GENERAL.—The term ‘school of origin’ means the school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool.

“(ii) RECEIVING SCHOOL.—When the child or youth completes the final grade level served by the school of origin, as described in clause (i), the term ‘school of origin’ shall include the designated receiving school at the next grade level for all feeder schools.

“(4) COMPARABLE SERVICES.—Each homeless child or youth to be assisted under this subtitle shall be provided services comparable to services offered to other students in the school selected under paragraph (3), including the following:

“(A) Transportation services.

“(B) Educational services for which the child or youth meets the eligibility criteria, such as services provided under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) or similar State or local programs, educational programs for children with disabilities, and educational programs for English learners.

“(C) Programs in career and technical education.

“(D) Programs for gifted and talented students.

“(E) School nutrition programs.

“(5) COORDINATION.—

“(A) IN GENERAL.—Each local educational agency serving homeless children and youths that receives assistance under this subtitle shall coordinate—

“(i) the provision of services under this subtitle with local social services agencies and other agencies or entities providing services to homeless children and youths and their families, including services and programs funded under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.); and

“(ii) transportation, transfer of school records, and other interdistrict activities, with other local educational agencies.

“(B) HOUSING ASSISTANCE.—If applicable, each State educational agency and local educational agency that receives assistance under this subtitle shall coordinate with State and local housing agencies responsible for developing the comprehensive housing affordability strategy described in section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705) to minimize educational disruption for children and youths who become homeless.

“(C) COORDINATION PURPOSE.—The coordination required under subparagraphs (A) and (B) shall be designed to—

“(i) ensure that all homeless children and youths are promptly identified;

“(ii) ensure that all homeless children and youths have access to, and are in reasonable proximity to, available education and related support services; and

“(iii) raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness.

“(D) HOMELESS CHILDREN AND YOUTHS WITH DISABILITIES.—For children and youths who are to be assisted both under this subtitle, and under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) or section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), each local educational agency shall coordinate the provision of services under this subtitle with the provision of programs for children with disabilities served by that local educational agency and other involved local educational agencies.

“(6) LOCAL EDUCATIONAL AGENCY LIAISON.—

“(A) DUTIES.—Each local educational agency liaison for homeless children and youths, designated under paragraph (1)(J)(ii), shall ensure that—

“(i) homeless children and youths are identified by school personnel through outreach and coordination activities with other entities and agencies;

“(ii) homeless children and youths are enrolled in, and have a full and equal opportunity to succeed in, schools of that local educational agency;

“(iii) homeless families and homeless children and youths have access to and receive educational services for which such families, children, and youths are eligible, including services through Head Start programs (including Early Head Start programs) under the Head Start Act (42 U.S.C. 9831 et seq.), early intervention services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.), and other preschool programs administered by the local educational agency;

“(iv) homeless families and homeless children and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;

“(v) the parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;

“(vi) public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents or guardians of such children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless children and youths, and unaccompanied youths;

“(vii) enrollment disputes are mediated in accordance with paragraph (3)(E);

“(viii) the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin, as described in paragraph (1)(J)(iii), and is assisted in accessing transportation to the school that is selected under paragraph (3)(A);

“(ix) school personnel providing services under this subtitle receive professional development and other support; and

“(x) unaccompanied youths—

“(I) are enrolled in school;

“(II) have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth, including through implementation of the procedures under paragraph (1)(F)(ii); and

“(III) are informed of their status as independent students under section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087vv) and that the youths may obtain assistance from the local educational agency liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid described in section 483 of such Act (20 U.S.C. 1090).

“(B) NOTICE.—State Coordinators established under subsection (d)(3) and local educational agencies shall inform school personnel, service providers, advocates working with homeless families, parents and guardians of homeless children and youths, and homeless children and youths of the duties of the local educational agency liaisons, and publish an annually updated list of the liaisons on the State educational agency’s website.

“(C) LOCAL AND STATE COORDINATION.—Local educational agency liaisons for homeless children and youths shall, as a part of their duties, coordinate and collaborate with State Coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths. Such coordination shall include collecting and providing to the State Coordinator the reliable, valid, and comprehensive data needed to meet the requirements of paragraphs (1) and (3) of subsection (f).

“(D) HOMELESS STATUS.—A local educational agency liaison designated under paragraph (1)(J)(ii) who receives training described in subsection (f)(6) may affirm, without further agency action by the Department of Housing and Urban Development, that a child or youth who is eligible for and participating in a program provided by the local educational agency, or the immediate family of such a child or youth, who meets the eligibility requirements of this Act for a program or service authorized under title IV, is eligible for such program or service.

“(7) REVIEW AND REVISIONS.—

“(A) IN GENERAL.—Each State educational agency and local educational agency that receives assistance under this subtitle shall review and revise any policies that may act as barriers to the identification of homeless children and youths or the enrollment of homeless children

and youths in schools that are selected under paragraph (3).

“(B) **CONSIDERATION.**—In reviewing and revising such policies, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship.

“(C) **SPECIAL ATTENTION.**—Special attention shall be given to ensuring the identification, enrollment, and attendance of homeless children and youths who are not currently attending school.”; and

(6) by striking subsection (h).

SEC. 9103. LOCAL EDUCATIONAL AGENCY SUBGRANTS.

Section 723 of such Act (42 U.S.C. 11433) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “facilitating the enrollment,” and inserting “facilitating the identification, enrollment,”;

(B) in paragraph (2)(B), in the matter preceding clause (i), by inserting “the related” before “schools”; and

(C) by adding at the end the following:

“(4) **DURATION OF GRANTS.**—Subgrants made under this section shall be for terms of not to exceed 3 years.”;

(2) in subsection (b), by adding at the end the following:

“(6) An assurance that the local educational agency will collect and promptly provide data requested by the State Coordinator pursuant to paragraphs (1) and (3) of section 722(f).

“(7) An assurance that the local educational agency will meet the requirements of section 722(g)(3).”;

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “preschool, elementary, and secondary schools” and inserting “early childhood education and other preschool programs, elementary schools, and secondary schools,”;

(ii) in subparagraph (A), by inserting “identification,” before “enrollment,”;

(iii) in subparagraph (B), by striking “application—” and all that follows and inserting “application reflects coordination with other local and State agencies that serve homeless children and youths.”; and

(iv) in subparagraph (C), by inserting “(as of the date of submission of the application)” after “practice”;

(B) in paragraph (3)—

(i) in subparagraph (C), by inserting “extent to which the applicant will promote meaningful” after “The”;

(ii) in subparagraph (D), by striking “within” and inserting “into”;

(iii) by redesignating subparagraph (G) as subparagraph (I);

(iv) by inserting after subparagraph (F) the following:

“(G) The extent to which the local educational agency will use the subgrant to leverage resources, including by maximizing nonsubgrant funding for the position of the liaison described in section 722(g)(1)(J)(ii) and the provision of transportation.

“(H) How the local educational agency will use funds to serve homeless children and youths under section 1113(c)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313(c)(3)).”;

(v) in subparagraph (I), as redesignated by clause (iii), by striking “Such” and inserting “The extent to which the applicant’s program meets such”; and

(C) by striking paragraph (4); and

(D) in subsection (d)—

(A) in paragraph (1), by striking “the same challenging State academic content standards and challenging State student academic

achievement standards” and inserting “the same challenging State academic standards as”;

(B) in paragraph (2)—

(i) by striking “students with limited English proficiency” and inserting “English learners”; and

(ii) by striking “vocational” and inserting “career”;

(C) in paragraph (3), by striking “pupil services” and inserting “specialized instructional support”;

(D) in paragraph (7), by striking “and unaccompanied youths,” and inserting “particularly homeless children and youths who are not enrolled in school,”;

(E) in paragraph (9) by striking “medical” and inserting “other required health”;

(F) in paragraph (10)—

(i) by striking “parents” and inserting “parents and guardians”; and

(ii) by inserting before the period at the end “, and other activities designed to increase the meaningful involvement of parents and guardians of homeless children or youths in the education of such children or youths”;

(G) in paragraph (12), by striking “pupil services” and inserting “specialized instructional support services”;

(H) in paragraph (13), by inserting before the period at the end “and parental mental health or substance abuse problems”; and

(I) in paragraph (16), by inserting before the period at the end “and participate fully in school activities”.

SEC. 9104. SECRETARIAL RESPONSIBILITIES.

Section 724 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434) is amended—

(1) by striking subsection (c) and inserting the following:

“(c) **NOTICE.**—

“(1) **IN GENERAL.**—The Secretary shall, before the next school year that begins after the date of enactment of the Every Student Succeeds Act, update and disseminate nationwide the public notice described in this subsection (as in effect prior to such date) of the educational rights of homeless children and youths.

“(2) **DISSEMINATION.**—The Secretary shall disseminate the notice nationwide to all Federal agencies, and grant recipients, serving homeless families or homeless children and youths.”;

(2) by striking subsection (d) and inserting the following:

“(d) **EVALUATION, DISSEMINATION, AND TECHNICAL ASSISTANCE.**—The Secretary shall conduct evaluation, dissemination, and technical assistance activities for programs designed to meet the educational needs of homeless elementary and secondary school students, and may use funds appropriated under section 726 to conduct such activities.”;

(3) in subsection (e)—

(A) by striking “60-day” and inserting “120-day”; and

(B) by striking “120-day” and inserting “180-day”;

(4) in subsection (f), by adding at the end the following: “The Secretary shall provide support and technical assistance to State educational agencies, concerning areas in which documented barriers to a free appropriate public education persist.”;

(5) by striking subsection (g) and inserting the following:

“(g) **GUIDELINES.**—The Secretary shall develop, issue, and publish in the Federal Register, not later than 60 days after the date of enactment of the Every Student Succeeds Act, guidelines concerning ways in which a State—

“(1) may assist local educational agencies to implement the provisions related to homeless children and youths amended by that Act; and

“(2) may review and revise State policies and procedures that may present barriers to the

identification of homeless children and youths, and the enrollment, attendance, and success of homeless children and youths in school.”;

(6) in subsection (h)(1)(A)—

(A) by striking “location” and inserting “primary nighttime residence”; and

(B) by inserting “in all areas served by local educational agencies” before the semicolon at the end; and

(7) in subsection (i), by striking “McKinney-Vento Homeless Education Assistance Improvements Act of 2001” and inserting “Every Student Succeeds Act”.

SEC. 9105. DEFINITIONS.

(a) **AMENDMENTS.**—Section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a) is amended—

(1) in paragraph (2)(B)(i)—

(A) by inserting “or” before “are abandoned”; and

(B) by striking “or are awaiting foster care placement,”;

(2) in paragraph (3), by striking “9101” and inserting “8101”; and

(3) in paragraph (6), by striking “youth not” and inserting “homeless child or youth not”.

(b) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—In the case of a State that is not a covered State, the amendment made by subsection (a)(1) shall take effect on the date that is 1 year after the date of enactment of this Act.

(2) **COVERED STATE.**—In the case of a covered State, the amendment made by subsection (a)(1) shall take effect on the date that is 2 years after the date of enactment of this Act.

(c) **COVERED STATE.**—For purposes of this section the term “covered State” means a State that has a statutory law that defines or describes the phrase “awaiting foster care placement”, for purposes of a program under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).

SEC. 9106. AUTHORIZATION OF APPROPRIATIONS.

Section 726 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11435) is amended to read as follows:

“SEC. 726. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this subtitle \$85,000,000 for each of fiscal years 2017 through 2020.”.

SEC. 9107. EFFECTIVE DATE.

Except as provided in section 9105(b) or as otherwise provided in this Act, this title and the amendments made by this title take effect on October 1, 2016.

PART B—MISCELLANEOUS; OTHER LAWS

SEC. 9201. FINDINGS AND SENSE OF CONGRESS ON SEXUAL MISCONDUCT.

(a) **FINDINGS.**—Congress finds the following:

(1) There are significant anecdotal reports that some schools and local educational agencies have failed to properly report allegations of sexual misconduct by employees, contractors, or agents.

(2) Instead of reporting alleged sexual misconduct to the appropriate authorities, such as the police or child welfare services, reports suggest that some schools or local educational agencies have kept information on allegations of sexual misconduct private or have entered into confidentiality agreements with the suspected employee, contractor, or agent who agrees to terminate employment with or discontinue work for the school or local educational agency.

(3) The practice of withholding information on allegations of sexual misconduct can facilitate the exposure of other students in other jurisdictions to sexual misconduct.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) confidentiality agreements between local educational agencies or schools and child predators should be prohibited;

(2) local educational agencies or schools should not facilitate the transfer of child predators to other local educational agencies or schools; and

(3) States should require local educational agencies and schools to report any and all information regarding allegations of sexual misconduct to law enforcement and other appropriate authorities.

SEC. 9202. SENSE OF CONGRESS ON FIRST AMENDMENT RIGHTS.

It is the sense of Congress that a student, teacher, school administrator, or other school employee of an elementary school or secondary school retains the individual's rights under the First Amendment to the Constitution of the United States during the school day or while on the grounds of an elementary school or secondary school.

SEC. 9203. PREVENTING IMPROPER USE OF TAXPAYER FUNDS.

To address the misuse of taxpayer funds, the Secretary of Education shall—

(1) require that each recipient of a grant or subgrant under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) display, in a public place, the hotline contact information of the Office of Inspector General of the Department of Education so that any individual who observes, detects, or suspects improper use of taxpayer funds can easily report such improper use;

(2) annually notify employees of the Department of Education of their responsibility to report fraud; and

(3) require any applicant—

(A) for a grant under such Act to provide an assurance to the Secretary that any information submitted when applying for such grant and responding to monitoring and compliance reviews is truthful and accurate; and

(B) for a subgrant under such Act to provide the assurance described in subparagraph (A) to the entity awarding the subgrant.

SEC. 9204. ACCOUNTABILITY TO TAXPAYERS THROUGH MONITORING AND OVERSIGHT.

To improve monitoring and oversight of taxpayer funds authorized for appropriation under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), and to deter and prohibit waste, fraud, and abuse with respect to such funds, the Secretary of Education shall—

(1) notify each recipient of a grant under such Act (and, if applicable, require the grantee to inform each subgrantee) of its responsibility to—

(A) comply with all monitoring requirements under the applicable program or programs; and

(B) monitor properly any subgrantee under the applicable program or programs;

(2) review and analyze the results of monitoring and compliance reviews—

(A) to understand trends and identify common issues; and

(B) to issue guidance to help grantees address such issues before the loss or misuse of taxpayer funding occurs;

(3) publicly report the work undertaken by the Secretary to prevent fraud, waste, and abuse with respect to such taxpayer funds; and

(4) work with the Office of Inspector General of the Department of Education, as needed, to help ensure that employees of the Department understand how to adequately monitor grantees and to help grantees adequately monitor any subgrantees.

SEC. 9205. REPORT ON DEPARTMENT ACTIONS TO ADDRESS OFFICE OF INSPECTOR GENERAL REPORTS.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Secretary of Education shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on

Education and the Workforce of the House of Representatives, and the public through the website of the Department of Education, a report containing an update on the Department's implementation of recommendations contained in reports from the Office of Inspector General of the Department of Education.

(b) CONTENTS.—The report under subsection (a) shall include—

(1) a general review of the work of the Department of Education to implement or address findings contained in reports from the Office of Inspector General of the Department of Education to improve monitoring and oversight of Federal programs, including—

(A) the March 9, 2010, final management information report of the Office of Inspector General of the Department of Education addressing oversight by local educational agencies and authorized public chartering agencies; and

(B) the September 2012 report of the Office of Inspector General of the Department of Education entitled “The Office of Innovation and Improvement’s Oversight and Monitoring of the Charter Schools Program’s Planning and Implementation Grants Final Audit Report”; and

(2) a description of the actions the Department of Education has taken to address the concerns described in reports of the Office of Inspector General of the Department of Education, including the reports described in paragraph (1).

SEC. 9206. POSTHUMOUS PARDON.

(a) FINDINGS.—Congress finds the following:

(1) John Arthur “Jack” Johnson was a flamboyant, defiant, and controversial figure in the history of the United States who challenged racial biases.

(2) Jack Johnson was born in Galveston, Texas, in 1878 to parents who were former slaves.

(3) Jack Johnson became a professional boxer and traveled throughout the United States, fighting White and African-American heavyweights.

(4) After being denied (on purely racial grounds) the opportunity to fight 2 White champions, in 1908, Jack Johnson was granted an opportunity by an Australian promoter to fight the reigning White title-holder, Tommy Burns.

(5) Jack Johnson defeated Tommy Burns to become the first African-American to hold the title of Heavyweight Champion of the World.

(6) The victory by Jack Johnson over Tommy Burns prompted a search for a White boxer who could beat Jack Johnson, a recruitment effort that was dubbed the search for the “great white hope”.

(7) In 1910, a White former champion named Jim Jeffries left retirement to fight Jack Johnson in Reno, Nevada.

(8) Jim Jeffries lost to Jack Johnson in what was deemed the “Battle of the Century”.

(9) The defeat of Jim Jeffries by Jack Johnson led to rioting, aggression against African-Americans, and the racially-motivated murder of African-Americans throughout the United States.

(10) The relationships of Jack Johnson with White women compounded the resentment felt toward him by many Whites.

(11) Between 1901 and 1910, 754 African-Americans were lynched, some simply for being “too familiar” with White women.

(12) In 1910, Congress passed the Act of June 25, 1910 (commonly known as the “White Slave Traffic Act” or the “Mann Act”) (18 U.S.C. 2421 et seq.), which outlawed the transportation of women in interstate or foreign commerce “for the purpose of prostitution or debauchery, or for any other immoral purpose”.

(13) In October 1912, Jack Johnson became involved with a White woman whose mother disapproved of their relationship and sought action from the Department of Justice, claiming that Jack Johnson had abducted her daughter.

(14) Jack Johnson was arrested by Federal marshals on October 18, 1912, for transporting the woman across State lines for an “immoral purpose” in violation of the Mann Act.

(15) The Mann Act charges against Jack Johnson were dropped when the woman refused to cooperate with Federal authorities, and then married Jack Johnson.

(16) Federal authorities persisted and summoned a White woman named Belle Schreiber, who testified that Jack Johnson had transported her across State lines for the purpose of “prostitution and debauchery”.

(17) In 1913, Jack Johnson was convicted of violating the Mann Act and sentenced to 1 year and 1 day in Federal prison.

(18) Jack Johnson fled the United States to Canada and various European and South American countries.

(19) Jack Johnson lost the Heavyweight Championship title to Jess Willard in Cuba in 1915.

(20) Jack Johnson returned to the United States in July 1920, surrendered to authorities, and served nearly a year in the Federal penitentiary in Leavenworth, Kansas.

(21) Jack Johnson subsequently fought in boxing matches, but never regained the Heavyweight Championship title.

(22) Jack Johnson served the United States during World War II by encouraging citizens to buy war bonds and participating in exhibition boxing matches to promote the war bond cause.

(23) Jack Johnson died in an automobile accident in 1946.

(24) In 1954, Jack Johnson was inducted into the Boxing Hall of Fame.

(25) Senate Concurrent Resolution 29, 111th Congress, agreed to July 29, 2009, expressed the sense of the 111th Congress that Jack Johnson should receive a posthumous pardon for his racially-motivated 1913 conviction.

(b) RECOMMENDATIONS.—It remains the sense of Congress that Jack Johnson should receive a posthumous pardon—

(1) to expunge a racially-motivated abuse of the prosecutorial authority of the Federal Government from the annals of criminal justice in the United States; and

(2) in recognition of the athletic and cultural contributions of Jack Johnson to society.

SEC. 9207. EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999 REAUTHORIZATION.

(a) DEFINITIONS.—Section 3(1) of the Education Flexibility Partnership Act of 1999 (20 U.S.C. 5891a(1)) is amended—

(1) in the paragraph heading, by striking “LOCAL” and inserting “EDUCATIONAL SERVICE AGENCY; LOCAL”; and

(2) by striking “The terms” and inserting “The terms ‘educational service agency’;”; and

(3) by striking “section 9101” and inserting “section 8101”.

(b) GENERAL PROVISIONS.—Section 4 of the Education Flexibility Partnership Act of 1999 (20 U.S.C. 5891b) is amended to read as follows:

“SEC. 4. EDUCATIONAL FLEXIBILITY PROGRAM.

“(a) EDUCATIONAL FLEXIBILITY PROGRAM.—

“(1) PROGRAM AUTHORIZED.—

“(A) IN GENERAL.—The Secretary may carry out an educational flexibility program under which the Secretary authorizes a State educational agency that serves an eligible State to waive statutory or regulatory requirements applicable to one or more programs described in subsection (b), other than requirements described in subsection (c), for any local educational agency, educational service agency, or school within the State.

“(B) DESIGNATION.—Each eligible State participating in the program described in subparagraph (A) shall be known as an ‘Ed-Flex Partnership State’.

“(2) **ELIGIBLE STATE.**—For the purpose of this section, the term ‘eligible State’ means a State that—

“(A) has—

“(i) developed and implemented the challenging State academic standards, and aligned assessments, described in paragraphs (1) and (2) of section 1111(b) of the Elementary and Secondary Education Act of 1965, and is producing the report cards required by section 1111(h) of such Act; or

“(ii) if the State has adopted new challenging State academic standards under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965, as a result of the amendments made to such Act by the Every Student Succeeds Act, made substantial progress (as determined by the Secretary) toward developing and implementing such standards and toward producing the report cards required under section 1111(h) of such Act;

“(B) will hold local educational agencies, educational service agencies, and schools accountable for meeting the educational goals described in the local applications submitted under paragraph (4) and for engaging in technical assistance and, as applicable and appropriate, implementing comprehensive support and improvement activities and targeted support and improvement activities under section 1111(d) of the Elementary and Secondary Education Act of 1965; and

“(C) waives State statutory or regulatory requirements relating to education while holding local educational agencies, educational service agencies, or schools within the State that are affected by such waivers accountable for the performance of the students who are affected by such waivers.

“(3) **STATE APPLICATION.**—

“(A) **IN GENERAL.**—Each State educational agency desiring to participate in the educational flexibility program under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Each such application shall demonstrate that the eligible State has adopted an educational flexibility plan for the State that includes—

“(i) a description of the process the State educational agency will use to evaluate applications from local educational agencies, educational service agencies, or schools requesting waivers of—

“(I) Federal statutory or regulatory requirements as described in paragraph (1)(A); and

“(II) State statutory or regulatory requirements relating to education;

“(ii) a detailed description of the State statutory and regulatory requirements relating to education that the State educational agency will waive;

“(iii) a description of clear educational objectives the State intends to meet under the educational flexibility plan, which may include innovative methods to leverage resources to improve program efficiencies that benefit students;

“(iv) a description of how the educational flexibility plan is coordinated with activities described in subsections (b), (c), and (d) of section 1111 of the Elementary and Secondary Education Act of 1965;

“(v) a description of how the State educational agency will evaluate (consistent with the requirements of title I of the Elementary and Secondary Education Act of 1965) the performance of students in the schools, educational service agencies, and local educational agencies affected by the waivers; and

“(vi) a description of how the State educational agency will meet the requirements of paragraph (7).

“(B) **APPROVAL AND CONSIDERATIONS.**—

“(i) **IN GENERAL.**—By not later than 90 days after the date on which a State has submitted an application described in subparagraph (A), the Secretary shall issue a written decision that explains why such application has been approved or disapproved, and the process for revising and resubmitting the application for reconsideration.

“(ii) **APPROVAL.**—The Secretary may approve an application described in subparagraph (A) only if the Secretary determines that such application demonstrates substantial promise of assisting the State educational agency and affected local educational agencies, educational service agencies, and schools within the State in carrying out comprehensive educational reform, after considering—

“(I) the eligibility of the State as described in paragraph (2);

“(II) the comprehensiveness and quality of the educational flexibility plan described in subparagraph (A);

“(III) the ability of the educational flexibility plan to ensure accountability for the activities and goals described in such plan;

“(IV) the degree to which the State’s objectives described in subparagraph (A)(iii)—

“(aa) are clear and have the ability to be assessed; and

“(bb) take into account the performance of local educational agencies, educational service agencies, or schools, and students, particularly those affected by waivers;

“(V) the significance of the State statutory or regulatory requirements relating to education that will be waived; and

“(VI) the quality of the State educational agency’s process for approving applications for waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) and for monitoring and evaluating the results of such waivers.

“(4) **LOCAL APPLICATION.**—

“(A) **IN GENERAL.**—Each local educational agency, educational service agency, or school requesting a waiver of a Federal statutory or regulatory requirement as described in paragraph (1)(A) and any relevant State statutory or regulatory requirement from a State educational agency shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require. Each such application shall—

“(i) indicate each Federal program affected and each statutory or regulatory requirement that will be waived;

“(ii) describe the purposes and overall expected results of waiving each such requirement, which may include innovative methods to leverage resources to improve program efficiencies that benefit students;

“(iii) describe, for each school year, specific, measurable, educational goals for each local educational agency, educational service agency, or school affected by the proposed waiver, and for the students served by the local educational agency, educational service agency, or school who are affected by the waiver;

“(iv) explain why the waiver will assist the local educational agency, educational service agency, or school in reaching such goals; and

“(v) in the case of an application from a local educational agency or educational service agency, describe how the agency will meet the requirements of paragraph (7).

“(B) **EVALUATION OF APPLICATIONS.**—A State educational agency shall evaluate an application submitted under subparagraph (A) in accordance with the State’s educational flexibility plan described in paragraph (3)(A).

“(C) **APPROVAL.**—A State educational agency shall not approve an application for a waiver under this paragraph unless—

“(i) the local educational agency, educational service agency, or school requesting such waiver has developed a local reform plan that—

“(I) is applicable to such agency or school, respectively; and

“(II) may include innovative methods to leverage resources to improve program efficiencies that benefit students;

“(ii) the waiver of Federal statutory or regulatory requirements as described in paragraph (1)(A) will assist the local educational agency, educational service agency, or school in reaching its educational goals, particularly goals with respect to school and student performance; and

“(iii) the State educational agency is satisfied that the underlying purposes of the statutory requirements of each program for which a waiver is granted will continue to be met.

“(D) **TERMINATION.**—The State educational agency shall annually review the performance of any local educational agency, educational service agency, or school granted a waiver of Federal statutory or regulatory requirements as described in paragraph (1)(A) in accordance with the evaluation requirement described in paragraph (3)(A)(v), and shall terminate or temporarily suspend any waiver granted to the local educational agency, educational service agency, or school if the State educational agency determines, after notice and an opportunity for a hearing, that—

“(i) there is compelling evidence of systematic waste, fraud, or abuse;

“(ii) the performance of the local educational agency, educational service agency, or school with respect to meeting the accountability requirement described in paragraph (2)(C) and the goals described in subparagraph (A)(iii) has been inadequate to justify continuation of such waiver;

“(iii) student achievement in the local educational agency, educational service agency, or school has decreased; or

“(iv) substantial progress has not been made toward meeting the long-term goals and measurements of interim progress established by the State under section 1111(c)(4)(A)(i) of the Elementary and Secondary Education Act of 1965.

“(5) **OVERSIGHT AND REPORTING.**—

“(A) **OVERSIGHT.**—Each State educational agency participating in the educational flexibility program under this section shall annually monitor the activities of local educational agencies, educational service agencies, and schools receiving waivers under this section.

“(B) **STATE REPORTS.**—

“(i) **ANNUAL REPORTS.**—The State educational agency shall submit to the Secretary an annual report on the results of such oversight and the impact of the waivers on school and student performance.

“(ii) **PERFORMANCE DATA.**—Not later than 2 years after the date a State is designated an Ed-Flex Partnership State, each such State shall include, as part of the State’s annual report submitted under clause (i), data demonstrating the degree to which progress has been made toward meeting the State’s educational objectives. The data, when applicable, shall include—

“(I) information on the total number of waivers granted for Federal and State statutory and regulatory requirements under this section, including the number of waivers granted for each type of waiver;

“(II) information describing the effect of the waivers on the implementation of State and local educational reforms pertaining to school and student performance;

“(III) information describing the relationship of the waivers to the performance of schools and students affected by the waivers; and

“(IV) an assurance from State program managers that the data reported under this section

are reliable, complete, and accurate, as defined by the State, or a description of a plan for improving the reliability, completeness, and accuracy of such data as defined by the State.

“(C) SECRETARY’S REPORTS.—The Secretary shall annually—

“(i) make each State report submitted under subparagraph (B) available to Congress and the public; and

“(ii) submit to Congress a report that summarizes the State reports and describes the effects that the educational flexibility program under this section had on the implementation of State and local educational reforms and on the performance of students affected by the waivers.

“(6) DURATION OF FEDERAL WAIVERS.—

“(A) IN GENERAL.—

“(i) DURATION.—The Secretary shall approve the application of a State educational agency under paragraph (3) for a period of not more than 5 years.

“(ii) AUTOMATIC EXTENSION DURING REVIEW.—The Secretary shall automatically extend the authority of a State to continue as an Ed-Flex Partnership State until the Secretary has—

“(I) completed the performance review of the State educational agency’s educational flexibility plan as described in subparagraph (B); and

“(II) issued a final decision on any pending request for renewal that was submitted by the State educational agency.

“(iii) EXTENSION OF APPROVAL.—The Secretary may extend the authority of a State to continue as an Ed-Flex Partnership State if the Secretary determines that the authority of the State educational agency to grant waivers—

“(I) has been effective in enabling such State or affected local educational agencies, educational service agencies, or schools to carry out their State or local reform plans and to continue to meet the accountability requirement described in paragraph (2)(C); and

“(II) has improved student performance.

“(B) PERFORMANCE REVIEW.—

“(i) IN GENERAL.—Following the expiration of an approved educational flexibility program for a State that is designated an Ed-Flex Partnership State, the Secretary shall have not more than 180 days to complete a review of the performance of the State educational agency in granting waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) to determine if the State educational agency—

“(I) has achieved, or is making substantial progress towards achieving, the objectives described in the application submitted pursuant to paragraph (3)(A)(iii) and the specific long-term goals and measurements of interim progress established under section 1111(c)(4)(A)(i) of the Elementary and Secondary Education Act of 1965; and

“(II) demonstrates that local educational agencies, educational service agencies, or schools affected by the waiver authority or waivers have achieved, or are making progress toward achieving, the desired goals described in the application submitted pursuant to paragraph (4)(A)(iii).

“(ii) TERMINATION OF AUTHORITY.—The Secretary shall terminate the authority of a State educational agency to grant waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) if the Secretary determines, after providing the State educational agency with notice and an opportunity for a hearing, that such agency’s performance has been inadequate to justify continuation of such authority based on such agency’s performance against the specific long-term goals and measurements of interim progress established under section 1111(c)(4)(A)(i) of the Elementary and Secondary Education Act of 1965.

“(C) RENEWAL.—

“(i) IN GENERAL.—Each State educational agency desiring to renew an approved educational flexibility program under this section shall submit a request for renewal to the Secretary not later than the date of expiration of the approved educational flexibility program.

“(ii) TIMING FOR RENEWAL.—The Secretary shall either approve or deny the request for renewal by not later than 90 days after completing the performance review of the State described in subparagraph (B).

“(iii) DETERMINATION.—In deciding whether to extend a request of a State educational agency for the authority to issue waivers under this section, the Secretary shall review the progress of the State educational agency to determine if the State educational agency—

“(I) has made progress toward achieving the objectives described in the State application submitted pursuant to paragraph (3)(A)(iii); and

“(II) demonstrates in the request that local educational agencies, educational service agencies, or schools affected by the waiver authority or waivers have made progress toward achieving the desired goals described in the local application submitted pursuant to paragraph (4)(A)(iii).

“(D) TERMINATION.—

“(i) IN GENERAL.—The Secretary shall terminate or temporarily suspend the authority of a State educational agency to grant waivers under this section if the Secretary determines that—

“(I) there is compelling evidence of systematic waste, fraud or abuse; or

“(II) after notice and an opportunity for a hearing, such agency’s performance (including performance with respect to meeting the objectives described in paragraph (3)(A)(iii)) has been inadequate to justify continuation of such authority.

“(ii) LIMITED COMPLIANCE PERIOD.—A State whose authority to grant such waivers has been terminated shall have not more than 1 additional fiscal year to come into compliance in order to seek renewal of the authority to grant waivers under this section.

“(7) PUBLIC NOTICE AND COMMENT.—Each State educational agency seeking waiver authority under this section and each local educational agency, educational service agency, or school seeking a waiver under this section—

“(A) shall provide the public with adequate and efficient notice of the proposed waiver authority or waiver, consisting of a description of the agency’s application for the proposed waiver authority or waiver on each agency’s website, including a description of any improved student performance that is expected to result from the waiver authority or waiver;

“(B) shall provide the opportunity for parents, educators, school administrators, and all other interested members of the community to comment regarding the proposed waiver authority or waiver;

“(C) shall provide the opportunity described in subparagraph (B) in accordance with any applicable State law specifying how the comments may be received, and how the comments may be reviewed by any member of the public; and

“(D) shall submit the comments received with the application of the agency or school to the Secretary or the State educational agency, as appropriate.

“(b) INCLUDED PROGRAMS.—The statutory or regulatory requirements referred to in subsection (a)(1)(A) are any such requirements for programs that are authorized under the following provisions and under which the Secretary provides funds to State educational agencies on the basis of a formula:

“(1) The following provisions of the Elementary and Secondary Education Act of 1965:

“(A) Part A of title I (other than section 1111).

“(B) Part C of title I.

“(C) Part D of title I.

“(D) Part A of title II.

“(E) Part A of title IV.

“(2) The Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).

“(c) WAIVERS NOT AUTHORIZED.—The Secretary and the State educational agency may not waive under subsection (a)(1)(A) any statutory or regulatory requirement—

“(1) relating to—

“(A) maintenance of effort;

“(B) comparability of services;

“(C) equitable participation of students and professional staff in private schools;

“(D) parental participation and involvement;

“(E) distribution of funds to States or to local educational agencies;

“(F) serving eligible school attendance areas in rank order in accordance with section 1113(a)(3) of the Elementary and Secondary Education Act of 1965;

“(G) the selection of a school attendance area or school under subsections (a) and (b) of section 1113 of the Elementary and Secondary Education Act of 1965, except that a State educational agency may grant a waiver to allow a school attendance area or school to participate in activities under part A of title I of such Act if the percentage of children from low-income families in the school attendance area of such school or who attend such school is not less than 10 percentage points below the lowest percentage of such children for any school attendance area or school of the local educational agency that meets the requirements of such subsections;

“(H) use of Federal funds to supplement, not supplant, non-Federal funds; and

“(I) applicable civil rights requirements; and

“(2) unless the State educational agency can demonstrate that the underlying purposes of the statutory requirements of the program for which a waiver is granted continue to be met to the satisfaction of the Secretary.

“(d) TREATMENT OF EXISTING ED-FLEX PARTNERSHIP STATES.—

“(1) IN GENERAL.—Any designation of a State as an Ed-Flex Partnership State that was in effect on the date of enactment of the Every Student Succeeds Act shall be immediately extended for a period of not more than 5 years, if the Secretary makes the determination described in paragraph (2).

“(2) DETERMINATION.—The determination referred to in paragraph (1) is a determination that the performance of the State educational agency, in carrying out the programs for which the State has received a waiver under the educational flexibility program, justifies the extension of the designation.

“(e) PUBLICATION.—A notice of the Secretary’s decision to authorize State educational agencies to issue waivers under this section, including a description of the rationale the Secretary used to approve applications under subsection (a)(3)(B), shall be published in the Federal Register and the Secretary shall provide for the dissemination of such notice to State educational agencies, interested parties (including educators, parents, students, and advocacy and civil rights organizations), and the public.”

SEC. 9208. REPORT ON THE REDUCTION OF THE NUMBER AND PERCENTAGE OF STUDENTS WHO DROP OUT OF SCHOOL.

Not later than 5 years after the date of enactment of this Act, the Director of the Institute of Education Sciences shall evaluate the impact of section 1111(g)(1)(D) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(g)(1)(D)) on reducing the number and percentage of students who drop out of school.

SEC. 9209. REPORT ON SUBGROUP SAMPLE SIZE.

(a) **REPORT.**—Not later than 90 days after the date of enactment of this Act, the Director of the Institute of Education Sciences shall publish a report on—

(1) best practices for determining valid, reliable, and statistically significant minimum numbers of students for each of the subgroups of students, as defined in section 1111(c)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(c)(2)), as amended by this Act, for the purposes of inclusion as subgroups of students in an accountability system described in section 1111(c) of such Act (20 U.S.C. 6311(c)), as amended by this Act; and

(2) how such minimum number that is determined will not reveal personally identifiable information about students.

(b) **PUBLIC DISSEMINATION.**—The Director of the Institute of Education Sciences shall work with the Department of Education's technical assistance providers and dissemination networks to ensure that such report is widely disseminated—

(1) to the public, State educational agencies, local educational agencies, and schools; and

(2) through electronic transfer and other means, such as posting the report on the website of the Institute of Education Sciences or in another relevant place.

(c) **PROHIBITION AGAINST RECOMMENDATION.**—In carrying out this section, the Director of the Institute of Education Sciences shall not recommend any specific minimum number of students for each of the subgroups of students, as defined in section 1111(c)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(c)(2)), as amended by this Act.

SEC. 9210. REPORT ON STUDENT HOME ACCESS TO DIGITAL LEARNING RESOURCES.

(a) **IN GENERAL.**—Not later than 18 months after the date of enactment of this Act, the Director of the Institute of Education Sciences shall complete a study on the educational impact of access to digital learning resources outside of the classroom.

(b) **CONTENTS.**—The study described in subsection (a) shall include—

(1) an analysis of student habits related to digital learning resources outside of the classroom, including the location and types of devices and technologies that students use for educational purposes;

(2) an identification of the barriers students face in accessing digital learning resources outside of the classroom;

(3) a description of the challenges students who lack home Internet access face, including challenges related to—

(A) student participation and engagement in the classroom; and

(B) homework completion;

(4) an analysis of how the barriers and challenges such students face impact the instructional practice of educators; and

(5) a description of the ways in which State educational agencies, local educational agencies, schools, and other entities, including partnerships of such entities, have developed effective means to address the barriers and challenges students face in accessing digital learning resources outside of the classroom.

(c) **PUBLIC DISSEMINATION.**—The Director of the Institute of Education Sciences shall widely disseminate the findings of the study described in subsection (a)—

(1) in a timely fashion to the public and the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate; and

(2) through electronic transfer and other means, such as posting, as available, to the website of the Institute of Education Sciences or the Department of Education.

SEC. 9211. STUDY ON THE TITLE I FORMULA.

(a) **FINDINGS.**—Congress finds the following:

(1) Part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) provides funding to local educational agencies through four separate formulas that have been added to the law over time, and which have “distinct allocation patterns, providing varying shares of allocated funds to different types of local educational agencies or States,” according to a 2015 report from the Congressional Research Service.

(2) Minimal effort has been made by the Federal Government to determine if the four formulas are adequately delivering funds to local educational agencies with the highest districtwide poverty averages.

(3) The formulas for distributing Targeted Grants and Education Finance Incentive grants use two weighting systems, one based on the percentage of children included in the determination of grants to local educational agencies (percentage weighting), and another based on the absolute number of such children (number weighting). Both weighting systems have five quintiles with a roughly equal number of children in each quintile. Whichever of these weighting systems results in the highest total weighted formula child count for a local educational agency is the weighting system used for that agency in the final allocation of Targeted and Education Finance Incentive Grant funds.

(4) The Congressional Research Service has also said the number weighting alternative is generally more favorable to large local educational agencies with much larger geographic boundaries and larger counts of eligible children than smaller local educational agencies with smaller counts, but potentially higher percentages, of eligible children, because large local educational agencies have many more children in the higher weighted quintiles.

(5) In local educational agencies that are classified by the National Center for Education Statistics as “Large City”, 47 percent of all students attend schools with 75 percent or higher poverty.

(b) **STUDY.**—

(1) **IN GENERAL.**—Not later than 18 months after the date of enactment of this Act, the Director of the Institute of Education Sciences shall complete a study on the effectiveness of the four part A of title I formulas, described in subsection (a), to deliver funds to the most economically disadvantaged communities.

(2) **CONTENTS.**—The study described in paragraph (1) shall include—

(A) an analysis of the distribution of part A of title I funds under the four formulas;

(B) an analysis of how part A of title I funds are distributed among local educational agencies in each of the 12 locale types classified by the National Center on Education Statistics.

(C) the extent to which the four formulas unduly benefit or unduly disadvantage any of the local educational agencies described in subparagraph (B);

(D) the extent to which the four formulas unduly benefit or unduly disadvantage high-poverty eligible school attendance areas in the local educational agencies described in subparagraph (B);

(E) the extent to which the four formulas unduly benefit or unduly disadvantage lower population local educational agencies with relatively high percentages of districtwide poverty;

(F) the impact of number weighting and percentage weighting in the formulas for distributing Targeted Grants and Education Finance Incentive Grants on each of the local educational agencies described in subparagraph (B);

(G) the impact of number weighting and percentage weighting on targeting part A of title I

funds to eligible school attendance areas with the highest concentrations of poverty in local educational agencies described in subparagraph (B), and local educational agencies described in subparagraph (B) with higher percentages of districtwide poverty;

(H) an analysis of other studies and reports produced by public and non-public entities examining the distribution of part A of title I funds under the four formulas; and

(I) recommendations, as appropriate, for amending or consolidating the formulas to better target part A of title I funds to the most economically disadvantaged communities and most economically disadvantaged eligible school attendance areas.

(3) **PUBLIC DISSEMINATION.**—The Director of the Institute of Education Sciences shall widely disseminate the findings of the study conducted under this section—

(A) in a timely fashion;

(B) to—

(i) the public; and

(ii) the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate; and

(C) through electronic transfer and other means, such as posting to the website of the Institute of Education Sciences or the Department of Education.

SEC. 9212. PRESCHOOL DEVELOPMENT GRANTS.

(a) **PURPOSES.**—The purposes of this section are—

(1) to assist States to develop, update, or implement a strategic plan that facilitates collaboration and coordination among existing programs of early childhood care and education in a mixed delivery system across the State designed to prepare low-income and disadvantaged children to enter kindergarten and to improve transitions from such system into the local educational agency or elementary school that enrolls such children, by—

(A) more efficiently using existing Federal, State, local, and non-governmental resources to align and strengthen the delivery of existing programs;

(B) coordinating the delivery models and funding streams existing in the State's mixed delivery system; and

(C) developing recommendations to better use existing resources in order to improve—

(i) the overall participation of children in a mixed delivery system of Federal, State, and local early childhood education programs;

(ii) program quality while maintaining availability of services;

(iii) parental choice among existing programs; and

(iv) school readiness for children from low-income and disadvantaged families, including during such children's transition into elementary school;

(2) to encourage partnerships among Head Start providers, State and local governments, Indian tribes and tribal organizations, private entities (including faith- and community-based entities), and local educational agencies, to improve coordination, program quality, and delivery of services; and

(3) to maximize parental choice among a mixed delivery system of early childhood education program providers.

(b) **DEFINITIONS.**—In this section:

(1) **ESEA DEFINITIONS.**—The terms “elementary school”, “local educational agency”, and “State” have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965.

(2) **CENTER OF EXCELLENCE IN EARLY CHILDHOOD.**—The term “Center of Excellence in Early Childhood” means a Center of Excellence in Early Childhood designated under section

657B(b) of the Head Start Act (42 U.S.C. 9852b(b)).

(3) **EARLY CHILDHOOD EDUCATION PROGRAM.**—The term “early childhood education program” has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(4) **EXISTING PROGRAM.**—The term “existing program” means a Federal, State, local, or privately-funded early childhood education program that—

(A) was operating in the State on the day before the date of enactment of this Act; or

(B) began operating in the State at any time on or after the date of enactment of this Act through funds that were not provided by a grant under this section.

(5) **MIXED DELIVERY SYSTEM.**—The term “mixed delivery system” means a system—

(A) of early childhood education services that are delivered through a combination of programs, providers, and settings (such as Head Start, licensed family and center-based child care programs, public schools, and community-based organizations); and

(B) that is supported with a combination of public funds and private funds.

(6) **SECRETARY.**—The term “Secretary” means the Secretary of Health and Human Services.

(7) **STATE ADVISORY COUNCIL.**—The term “State Advisory Council” means a State Advisory Council on Early Childhood Education and Care designated or established under section 642B(b)(1)(A) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)).

(c) **GRANTS AUTHORIZED.**—

(1) **IN GENERAL.**—From amounts made available under subsection (k), the Secretary, jointly with the Secretary of Education, shall award grants to States to enable the States to carry out the activities described in subsection (f).

(2) **AWARD BASIS.**—Grants under this subsection shall be awarded—

(A) on a competitive basis; and

(B) with priority for States that meet the requirements of subsection (e)(3).

(3) **DURATION OF GRANTS.**—A grant awarded under paragraph (1) shall be for a period of not more than 1 year and may be renewed by the Secretary, jointly with the Secretary of Education, under subsection (g).

(4) **MATCHING REQUIREMENT.**—Each State that receives a grant under this section shall provide funds from non-Federal sources (which may be provided in cash or in kind) to carry out the activities supported by the grant, in an amount equal to not less than 30 percent of the amount of such grant.

(d) **INITIAL APPLICATION.**—A State desiring a grant under subsection (c)(1) shall submit an application at such time and in such manner as the Secretary may reasonably require. The application shall contain—

(1) an identification of the State entity that the Governor of the State has appointed to be responsible for duties under this section;

(2) a description of how such State entity proposes to accomplish the activities described in subsection (f) and meet the purposes of this section described in subsection (a), including—

(A) a timeline for strategic planning activities; and

(B) a description of how the strategic planning activities and the proposed activities described in subsection (f) will increase participation of children from low-income and disadvantaged families in high-quality early childhood education and preschool programs as a result of the grant;

(3) a description of the Federal, State, and local existing programs in the State for which such State entity proposes to facilitate activities described in subsection (f), including—

(A) programs carried out under the Head Start Act (42 U.S.C. 9801 et seq.), including the Early

Head Start programs carried out under such Act;

(B) child care programs carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) or section 418 of the Social Security Act (42 U.S.C. 618); and

(C) other Federal, State, and local programs of early learning and development, early childhood education, and child care, operating in the State (including programs operated by Indian tribes and tribal organizations and private entities, including faith- and community-based entities), as of the date of the application for the grant;

(4) a description of how the State entity, in collaboration with Centers of Excellence in Early Childhood, if appropriate, will provide technical assistance and disseminate best practices;

(5) a description of how the State plans to sustain the activities described in, and carried out in accordance with, subsection (f) with non-Federal sources after grant funds under this section are no longer available, if the State plans to continue such activities after such time; and

(6) a description of how the State entity will work with the State Advisory Council and Head Start collaboration offices.

(e) **REVIEW PROCESS.**—The Secretary shall review the applications submitted under subsection (d) to—

(1) determine which applications satisfy the requirements of such subsection;

(2) confirm that each State submitting an application has, as of the date of the application, a mixed delivery system in place; and

(3) determine if a priority is merited in accordance with subsection (c)(2)(B) because the State has never received—

(A) a grant under subsection (c); or

(B) a preschool development grant for development or expansion under such program as it existed on the day before the date of enactment of this Act.

(f) **USE OF FUNDS.**—A State, acting through the State entity appointed under subsection (d)(1), that receives a grant under subsection (c)(1) shall use the grant funds for all of the following activities:

(1) Conducting a periodic statewide needs assessment of—

(A) the availability and quality of existing programs in the State, including such programs serving the most vulnerable or underserved populations and children in rural areas;

(B) to the extent practicable, the unduplicated number of children being served in existing programs; and

(C) to the extent practicable, the unduplicated number of children awaiting service in such programs.

(2) Developing a strategic plan that recommends collaboration, coordination, and quality improvement activities (including activities to improve children’s transition from early childhood education programs into elementary schools) among existing programs in the State and local educational agencies. Such plan shall include information that—

(A) identifies opportunities for, and barriers to, collaboration and coordination among existing programs in the State, including among State, local, and tribal (if applicable) agencies responsible for administering such programs;

(B) recommends partnership opportunities among Head Start providers, local educational agencies, State and local governments, Indian tribes and tribal organizations, and private entities (including faith- and community-based entities) that would improve coordination, program quality, and delivery of services;

(C) builds on existing plans and goals with respect to early childhood education programs, in-

cluding improving coordination and collaboration among such programs, of the State Advisory Council while incorporating new or updated Federal, State, and local statutory requirements, including—

(i) the requirements of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.); and

(ii) when appropriate, information found in the report required under section 13 of the Child Care and Development Block Grant Act of 2014 (Public Law 113–186; 128 Stat. 2002); and

(D) describes how accomplishing the activities described in subparagraphs (A) through (C) will better serve children and families in existing programs and how such activities will increase the overall participation of children in the State.

(3) Maximizing parental choice and knowledge about the State’s mixed delivery system of existing programs and providers by—

(A) ensuring that parents are provided information about the variety of early childhood education programs for children from birth to kindergarten entry in the State’s mixed delivery system; and

(B) promoting and increasing involvement by parents and family members, including families of low-income and disadvantaged children, in the development of their children and the transition of such children from an early childhood education program into an elementary school.

(4) Sharing best practices among early childhood education program providers in the State to increase collaboration and efficiency of services, including to improve transitions from such programs to elementary school.

(5) After activities described in paragraphs (1) and (2) have been completed, improving the overall quality of early childhood education programs in the State, including by developing and implementing evidence-based practices that meet the requirements of section 8101(21)(A)(i) of the Elementary and Secondary Education Act of 1965, to improve professional development for early childhood education providers and educational opportunities for children.

(g) **RENEWAL GRANTS.**—

(1) **IN GENERAL.**—The Secretary, jointly with the Secretary of Education, may use funds available under subsection (k) to award renewal grants to States described in paragraph (2) to enable such States to continue activities described in subsection (f) and to carry out additional activities described in paragraph (6).

(2) **ELIGIBLE STATES.**—A State shall be eligible for a grant under paragraph (1) if—

(A) the State has received a grant under subsection (c)(1) and the grant period has concluded; or

(B)(i) the State has received a preschool development grant for development or expansion under such program as it existed on the day before the date of enactment of this Act, and the grant period for such grant has concluded; and

(ii) the Secretary allows such State to apply directly for a renewal grant under this subsection, rather than an initial grant under subsection (c)(1), and the State submits with its application the needs assessment completed under the preschool development grant (updated as necessary to reflect the needs of the State as of the time of the application) in place of the activity described in subsection (f)(1).

(3) **DURATION OF GRANTS.**—A grant awarded under this subsection shall be for a period of not more than 3 years and shall not be renewed.

(4) **MATCHING REQUIREMENT.**—Each State that receives a grant under this subsection shall provide funds from non-Federal sources (which may be provided in cash or in kind) to carry out the activities supported by the grant, in an amount equal to not less than 30 percent of the amount of the grant.

(5) **APPLICATION.**—A State described in paragraph (2) that desires a grant under this subsection shall submit an application for renewal at such time and in such manner as the Secretary may reasonably require. The application shall contain—

(A) applicable information required in the application described in subsection (d), and in the case of a State described in paragraph (2)(A), updated as the State determines necessary;

(B) in the case of a State described in paragraph (2)(A), a description of how funds were used for the activities described in subsection (f) in the initial grant period and the extent to which such activities will continue to be supported in the renewal period;

(C) in the case of a State described in paragraph (2)(B), how a needs assessment completed prior to the date of the application, such as the needs assessment completed under the preschool development grant program (as such program existed prior to the date of enactment of this Act), and updated as necessary in accordance with paragraph (2)(B)(ii), will be sufficient information to inform the use of funds under this subsection, and a copy of such needs assessment;

(D) a description of how funds will be used for the activities described in paragraph (6) during the renewal grant period, if the State proposes to use grant funds for such activities; and

(E) in the case of a State that proposes to carry out activities described in paragraph (6) and to continue such activities after grant funds under this subsection are no longer available, a description of how such activities will be sustained with non-Federal sources after such time.

(6) ADDITIONAL ACTIVITIES.—

(A) **IN GENERAL.**—Each State that receives a grant under this subsection may use grant funds to award subgrants to programs in a mixed delivery system across the State designed to benefit low-income and disadvantaged children prior to entering kindergarten, to—

(i)(I) enable programs to implement activities addressing areas in need of improvement as determined by the State, through the use of funds for the activities described in paragraph (5)(C) or subsection (f), as applicable; and

(II) as determined through the activities described in paragraph (5)(C) or subsection (f), as applicable, expand access to such existing programs; or

(ii) develop new programs to address the needs of children and families eligible for, but not served by, such programs, if the State ensures that—

(I) the distribution of subgrants under this subparagraph supports a mixed delivery system; and

(II) funds made available under this subparagraph will be used to supplement, and not supplant, any other Federal, State, or local funds that would otherwise be available to carry out the activities assisted under this section.

(B) **PRIORITY.**—In awarding subgrants under subparagraph (A), a State shall prioritize activities to improve areas in which there are State-identified needs that would improve services for low-income and disadvantaged children living in rural areas.

(C) **SPECIAL RULE.**—A State receiving a renewal grant under this subsection that elects to award subgrants under subparagraph (A) shall not—

(i) for the first year of the renewal grant, use more than 60 percent of the grant funds available for such year to award such subgrants; and

(ii) for each of the second and third years of the renewal grant, use more than 75 percent of the grant funds available for such year to award such subgrants.

(h) STATE REPORTING.—

(I) **INITIAL GRANTS.**—A State that receives an initial grant under subsection (c)(1) shall submit

a final report to the Secretary not later than 6 months after the end of the grant period. The report shall include a description of—

(A) how, and to what extent, the grant funds were utilized for activities described in subsection (f), and any other activities through which funds were used to meet the purposes of this section, as described in subsection (a);

(B) strategies undertaken at the State level and, if applicable, local or program level, to implement recommendations in the strategic plan developed under subsection (f)(2);

(C)(i) any new partnerships among Head Start providers, State and local governments, Indian tribes and tribal organizations, and private entities (including faith- and community-based entities); and

(ii) how these partnerships improve coordination and delivery of services;

(D) if applicable, the degree to which the State used information from the report required under section 13 of the Child Care and Development Block Grant Act of 2014 to inform activities under this section, and how this information was useful in coordinating, and collaborating among, programs and funding sources;

(E) the extent to which activities funded by the initial grant led to the blending or braiding of other public and private funding;

(F) how information about available existing programs for children from birth to kindergarten entry was disseminated to parents and families, and how involvement by parents and family was improved; and

(G) other State-determined and voluntarily provided information to share best practices regarding early childhood education programs and the coordination of such programs.

(2) **RENEWAL GRANTS.**—A State receiving a renewal grant under subsection (g) shall submit a follow-up report to the Secretary not later than 6 months after the end of the grant period that includes—

(A) information described in subparagraphs (A) through (G) of paragraph (1), as applicable and updated for the period covered by the renewal grant; and

(B) if applicable, information on how the State was better able to serve children through the distribution of funds in accordance with subsection (g)(5), through—

(i) a description of the activities conducted through the use of subgrant funds, including, where appropriate, measurable areas of program improvement and better use of existing resources; and

(ii) best practices from the use of subgrant funds, including how to better serve the most vulnerable, underserved, and rural populations.

(i) RULES OF CONSTRUCTION.—

(1) **LIMITATIONS ON FEDERAL INTERFERENCE.**—Nothing in this section shall be construed to authorize the Secretary or the Secretary of Education to establish any criterion for grants made under this section that specifies, defines, or prescribes—

(A) early learning and development guidelines, standards, or specific assessments, including the standards or measures that States use to develop, implement, or improve such guidelines, standards, or assessments;

(B) specific measures or indicators of quality early learning and care, including—

(i) the systems that States use to assess the quality of early childhood education programs and providers, school readiness, and achievement; and

(ii) the term “high-quality” as it relates to early learning, development, or care;

(C) early learning or preschool curriculum, programs of instruction, or instructional content;

(D) teacher and staff qualifications and salaries;

(E) class sizes and ratios of children to instructional staff;

(F) any new requirement that an early childhood education program is required to meet that is not explicitly authorized in this section;

(G) the scope of programs, including length of program day and length of program year; and

(H) any aspect or parameter of a teacher, principal, other school leader, or staff evaluation system within a State, local educational agency, or early childhood education program.

(2) **LIMITATION ON GOVERNMENTAL REQUIREMENTS.**—Nothing in this section shall be construed to authorize the Secretary, Secretary of Education, the State, or any other governmental agency to alter requirements for existing programs for which coordination and alignment activities are recommended under this section, or to force programs to adhere to any recommendations developed through this program. The Secretary, Secretary of Education, State, or other governmental agency may only take an action described in the preceding sentence as otherwise authorized under Federal, State, or local law.

(3) **SECRETARY OF EDUCATION.**—Nothing in this section shall be construed to authorize the Secretary of Education to have sole decision-making or regulatory authority in carrying out the program authorized under this section.

(j) PLANNING AND TRANSITION.—

(1) **IN GENERAL.**—The recipient of an award for a preschool development grant for development or expansion under such program as it existed on the day before the date of enactment of this Act may continue to receive funds in accordance with the terms of such existing award.

(2) **TRANSITION.**—The Secretary, jointly with the Secretary of Education, shall take such steps as are necessary to ensure an orderly transition to, and implementation of, the program under this section from the preschool development grants for development or expansion program as such program was operating prior to the date of enactment of this Act, in accordance with subsection (k).

(k) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Secretary of Health and Human Services to carry out this section \$250,000,000 for each of fiscal years 2017 through 2020.

SEC. 9213. REVIEW OF FEDERAL EARLY CHILDHOOD EDUCATION PROGRAMS.

(a) **IN GENERAL.**—The Secretary of Health and Human Services, in consultation with the heads of all Federal agencies that administer Federal early childhood education programs, shall conduct an interdepartmental review of all early childhood education programs for children less than 6 years of age in order to—

(1) develop a plan for the elimination of overlapping programs, as identified by the Government Accountability Office's 2012 annual report (GAO-12-342SP);

(2) determine if the activities conducted by States using grant funds from preschool development grants under section 9212 have led to better utilization of resources; and

(3) make recommendations to Congress for streamlining all such programs.

(b) **REPORT AND UPDATES.**—The Secretary of Health and Human Services, in consultation with the heads of all Federal agencies that administer Federal early childhood education programs, shall—

(1) not later than 2 years after the date of enactment of this Act, prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a detailed report that—

(A) outlines the efficiencies that can be achieved by, and specific recommendations for, eliminating overlap and fragmentation among all Federal early childhood education programs;

(B) explains how the use by States of preschool development grant funds under section 9212 has led to the better utilization of resources; and

(C) builds upon the review of Federal early learning and care programs required under section 13 of the Child Care and Development Block Grant Act of 2014 (Public Law 113-186; 128 Stat. 2002); and

(2) annually prepare and submit to such Committees a detailed update of the report described in paragraph (1).

SEC. 9214. USE OF THE TERM “HIGHLY QUALIFIED” IN OTHER LAWS.

(a) REFERENCES.—Beginning on the date of enactment of this Act—

(1) any reference in sections 420N, 428J, 428K, and 460 of the Higher Education Act of 1965 (20 U.S.C. 1070g-2, 1078-10, 1078-11, and 1087j) to the term “highly qualified” as defined in section 9101 of the Elementary and Secondary Education Act of 1965 shall be treated as a reference to such term under such section 9101 as in effect on the day before the date of enactment of this Act; and

(2) any reference in section 6112 of the America COMPETES Act (20 U.S.C. 9812), section 553 of the America COMPETES Reauthorization Act of 2010 (20 U.S.C. 9903), and section 9 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n), to “highly qualified”, as defined in section 9101 of the Elementary and Secondary Education Act of 1965, with respect to a teacher, means that the teacher meets applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification.

(b) EDUCATION SCIENCES REFORM ACT OF 2002.—Section 153(a)(1)(F)(ii) of the Education Sciences Reform Act of 2002 (20 U.S.C. 9543(a)(1)(F)(ii)) is amended by striking “teachers who are highly qualified (as such term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801))” and inserting “teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act (20 U.S.C. 1412(a)(14)(C)).”

(c) HIGHER EDUCATION ACT OF 1965.—The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

(1) in section 200—

(A) by striking paragraph (13);

(B) in paragraph (17)(B)(ii), by striking “to become highly qualified” and inserting “who meets the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act”; and

(C) in paragraph (22)(D)(i), by striking “becomes highly qualified” and inserting “, with respect to special education teachers, meets the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act”;

(2) in section 201(3), by striking “highly qualified teachers” and inserting “teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act”;

(3) in section 202—

(A) in subsection (b)(6)(H), by striking “highly qualified teachers” and inserting “teachers

who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act.”;

(B) subsection (d)—

(i) in paragraph (1)—

(I) in subparagraph (A)(i)(I), by striking “be highly qualified (including teachers in rural school districts who may teach multiple subjects, special educators, and teachers of students who are limited English proficient who may teach multiple subjects)” and inserting “meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act (including teachers in rural school districts, special educators, and teachers of students who are limited English proficient)”;

(II) in subparagraph (B)(iii), by striking “become highly qualified, which may include training in multiple subjects to teach multiple grade levels as may be needed for individuals preparing to teach in rural communities and for individuals preparing to teach students with disabilities as described in section 602(10)(D) of the Individuals with Disabilities Education Act” and inserting “meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act, which may include training in multiple subjects to teach multiple grade levels as may be needed for individuals preparing to teach in rural communities and for individuals preparing to teach students with disabilities”;

(ii) in paragraph (5), by striking “become highly qualified teachers” and inserting “become teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act”;

(C) in subsection (e)(2)(C)(iii), by striking subclause (IV) and inserting the following:

“(IV) meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act, when the applicant begins to fulfill the service obligation under this clause; and”;

(4) in section 204, by striking “highly qualified teachers” each place it appears and inserting “teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act (20 U.S.C. 1412(a)(14)(C)).”;

(5) in section 205(b)(1)(I), by striking “highly qualified teachers” and inserting “teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act”;

(6) in section 207(a)(1), by striking “highly qualified teachers” and inserting “teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act.”;

(7) in section 208(b)—

(A) , by striking “are highly qualified, as required under section 1119 of the Elementary and Secondary Education Act of 1965,” and inserting “meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification.”; and

(B) by striking “is highly qualified by the deadline, as required under section 612(a)(14)(C) of the Individuals with Disabilities Education Act” and inserting “meets the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act”;

(8) in section 242(b)—

(A) in the matter preceding paragraph (1), by striking “are highly qualified” and inserting “meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act.”;

(B) in paragraph (1), by striking “are highly qualified,” and inserting “meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act.”; and

(C) in paragraph (3), by striking “highly qualified teachers and principals” and inserting “teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act, and highly qualified principals”;

(9) in section 251(b)(1)(A)(iii), by striking “are highly qualified” and inserting “meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act”;

(10) in section 255(k)—

(A) by striking paragraph (1) and inserting the following:

“(1) meets the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act.”; and

(B) in paragraph (3), by striking “teacher who meets the requirements of section 9101(23) of such Act” and inserting “teacher who meets the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act”;

(11) in section 258(d)(1)—

(A) by striking “highly qualified”; and

(B) by inserting “, who meet the applicable State certification and licensure requirements,

including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act” before the period at the end; and

(12) section 806—

(A) in subsection (a), by striking paragraph (2); and

(B) in subsection (c)(1), by striking “highly qualified teachers” and inserting “teachers who meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act.”

(d) INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—The Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) is amended—

(1) in section 602, by striking paragraph (10);

(2) in section 612(a)(14)—

(A) in subparagraph (C), by striking “secondary school is highly qualified by the deadline established in section 1119(a)(2) of the Elementary and Secondary Education Act of 1965” and inserting “secondary school—

“(i) has obtained full State certification as a special education teacher (including participating in an alternate route to certification as a special educator, if such alternate route meets minimum requirements described in section 2005.56(a)(2)(ii) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008), or passed the State special education teacher licensing examination, and holds a license to teach in the State as a special education teacher, except with respect to any teacher teaching in a public charter school who shall meet the requirements set forth in the State’s public charter school law;

“(ii) has not had special education certification or licensure requirements waived on an emergency, temporary, or provisional basis; and

“(iii) holds at least a bachelor’s degree.”;

(B) in subparagraph (D), by striking “highly qualified personnel” and inserting “personnel who meet the applicable requirements described in this paragraph”; and

(C) in subparagraph (E), by striking “staff person to be highly qualified” and inserting “staff person to meet the applicable requirements described in this paragraph”;

(3) in section 653(b)—

(A) in paragraph (7), by striking “highly qualified teachers” and inserting “teachers who meet the qualifications described in section 612(a)(14)(C)”; and

(B) in paragraph (8), by striking “teachers who are not highly qualified” and inserting “teachers who do not meet the qualifications described in section 612(a)(14)(C)”; and

(4) in section 654—

(A) in subsection (a)(4), in the matter preceding subparagraph (A), by striking “highly qualified special education teachers, particularly initiatives that have been proven effective in recruiting and retaining highly qualified teachers” and inserting “special education teachers who meet the qualifications described in section 612(a)(14)(C), particularly initiatives that have been proven effective in recruiting and retaining teachers”; and

(B) in subsection (b)—

(i) in paragraph (2), by striking “certification of special education teachers for highly qualified individuals with a baccalaureate or master’s degree” and inserting “certification of special education teachers for individuals with a baccalaureate or master’s degree who meet the qualifications described in section 612(a)(14)(C)”; and

(ii) in paragraph (4), by striking “highly qualified special education teachers” and inserting “special education teachers who meet the qualifications described in section 612(a)(14)(C)”; and

(C) in section 662—

(i) in subsection (a)—

(I) in paragraph (1), by striking “highly qualified personnel, as defined in section 651(b)” and inserting “personnel, as defined in section 651(b), who meet the applicable requirements described in section 612(a)(14)”; and

(II) in paragraph (5), by striking “special education teachers are highly qualified” and inserting “special education teachers meet the qualifications described in section 612(a)(14)(C)”; and

(ii) in subsection (b)(2)(B), by striking “highly qualified teachers” and inserting “special education teachers who meet the qualifications described in section 612(a)(14)(C)”; and

(iii) in subsection (c)(4)(B), by striking “highly qualified personnel” and inserting “personnel who meet the applicable requirements described in section 612(a)(14)”.

(e) INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT OF 2004.—Section 302(a) of the Individuals with Disabilities Education Improvement Act of 2004 (20 U.S.C. 1400 note) is amended—

(1) by striking “PART D.—” through “parts A” and inserting “PART D.—Parts A”;

(2) by striking paragraph (2).

SEC. 9215. ADDITIONAL CONFORMING AMENDMENTS TO OTHER LAWS.

(a) ACT OF APRIL 16, 1934 (POPULARLY KNOWN AS THE JOHNSON-O’MALLEY ACT).—Section 5(a) of the Act of April 16, 1934 (popularly known as the Johnson-O’Malley Act) (25 U.S.C. 456(a)) is amended by striking “section 7114(c)(4) of the Elementary and Secondary Education Act of 1965” and inserting “section 6114(c)(4) of the Elementary and Secondary Education Act of 1965”.

(b) ADAM WALSH CHILD PROTECTION AND SAFETY ACT OF 2006.—Section 153(h) of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16962(h)) is amended by striking “section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”.

(c) ADULT EDUCATION AND LITERACY ACT.—Paragraph (8) of section 203 of the Adult Education and Literacy Act (29 U.S.C. 3272) is amended to read as follows:

“(8) ESSENTIAL COMPONENTS OF READING INSTRUCTION.—The term ‘essential components of reading instruction’ means explicit and systematic instruction in—

“(A) phonemic awareness;

“(B) phonics;

“(C) vocabulary development;

“(D) reading fluency, including oral reading skills; and

“(E) reading comprehension strategies.”.

(d) AGE DISCRIMINATION ACT OF 1975.—Section 309(4)(B)(ii) of the Age Discrimination Act of 1975 (42 U.S.C. 6107(4)(B)(ii)) is amended by striking “section 9101 of the Elementary and Secondary Education Act of 1965” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”.

(e) AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967.—Section 4(l)(1)(B)(i)(I) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 623(l)(1)(B)(i)(I)) is amended by striking “section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”.

(f) AGRICULTURAL ACT OF 2014.—Section 7606(a) of the Agricultural Act of 2014 (7 U.S.C. 5940(a)) is amended by striking “the Safe and Drug-Free Schools and Communities Act (20 U.S.C. 7101 et seq.)”.

(g) AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION REFORM ACT OF 1998.—Section 413(b)(4) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7633(b)(4)) is amended by striking “section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”.

(h) ALBERT EINSTEIN DISTINGUISHED EDUCATOR FELLOWSHIP ACT OF 1994.—Each of paragraphs (1), (2), and (3) of section 514 of the Albert Einstein Distinguished Educator Fellowship Act of 1994 (42 U.S.C. 7838b) are amended by striking “section 9101 of the Elementary and Secondary Education Act of 1965” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”.

(i) AMERICA COMPETES ACT.—The America COMPETES Act (Public Law 110–69) is amended as follows:

(1) Section 6002(a) (20 U.S.C. 9802(a)) is amended by striking “section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965.”.

(2) Section 6122 (20 U.S.C. 9832) is amended—

(A) in paragraph (3), by striking “The term ‘low-income student’ has the meaning given the term ‘low-income individual’ in section 1707(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6537(3)).” and inserting “The term ‘low-income student’ means an individual who is determined by a State educational agency or local educational agency to be a child ages 5 through 19, from a low-income family, on the basis of data used by the Secretary to determine allocations under section 1124 of the Elementary and Secondary Education Act of 1965, data on children eligible for free or reduced-price lunches under the Richard B. Russell National School Lunch Act, data on children in families receiving assistance under part A of title IV of the Social Security Act, or data on children eligible to receive medical assistance under the Medicaid program under title XIX of the Social Security Act, or through an alternate method that combines or extrapolates from those data.”; and

(B) in paragraph (4), by striking “The term ‘high concentration of low-income students’ has the meaning given the term in section 1707(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6537(2)).” and inserting “The term ‘high concentration of low-income students’, used with respect to a school, means a school that serves a student population 40 percent or more of who are low-income students.”.

(3) Section 6123 (20 U.S.C. 9833) is amended—

(A) in subsection (c), by striking “the activities carried out under section 1705 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6535).” and inserting the following: “any activities carried out under section 4104 or 4107 of the Elementary and Secondary Education Act of 1965 that provide students access to accelerated learning programs that provide—

“(1) postsecondary level courses accepted for credit at institutions of higher education, including dual or concurrent enrollment programs, and early college high schools; or

“(2) postsecondary level instruction and examinations that are accepted for credit at institutions of higher education, including Advanced Placement and International Baccalaureate programs.”; and

(B) in subsection (j)(2)(B), by striking “section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C)(i))” and inserting “section 1111(b)(2)(B)(xi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi))”.

(4) Section 6401(e)(2)(D)(ii)(I) (20 U.S.C. 9871(e)(2)(D)(ii)(I)) is amended by striking “yearly test records of individual students with respect to assessments under section 1111(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b))” and inserting “yearly test records of individual students with respect to assessments under section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2))”.

(5) Section 7001 (42 U.S.C. 1862o note) is amended—

(A) in paragraph (4), by striking “section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”; and

(B) in paragraph (7), by striking “section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”.

(j) AMERICAN HISTORY AND CIVICS EDUCATION ACT OF 2004.—Section 2(d) of the American History and Civics Education Act of 2004 (20 U.S.C. 6713 note) is amended by striking “to carry out part D of title V of the Elementary and Secondary Education Act of 1965” and inserting “to carry out section 2232 of the Elementary and Secondary Education Act of 1965”.

(k) ANTI-DRUG ABUSE ACT OF 1988.—Section 3521(d)(8)(A) of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11841(d)(8)(A)) is amended by striking “education and instruction consistent with title IV of the Elementary and Secondary Education Act of 1965” and inserting “education and instruction consistent with part A of title IV of the Elementary and Secondary Education Act of 1965”.

(l) ASSETS FOR INDEPENDENCE ACT.—Section 404(11) of the Assets for Independence Act (42 U.S.C. 604 note) is amended by striking “section 7207 of the Native Hawaiian Education Act” and inserting “section 6207 of the Native Hawaiian Education Act”.

(m) ASSISTIVE TECHNOLOGY ACT OF 1998.—Section 4(c)(2)(B)(i)(V) of the Assistive Technology Act of 1998 (29 U.S.C. 3003(c)(2)(B)(i)(V)) is amended by striking “section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”.

(n) CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT OF 2006.—The Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) is amended as follows:

(1) Section 3 (20 U.S.C. 2302) is amended—

(A) in paragraph (8), by striking “section 5210 of the Elementary and Secondary Education Act of 1965” and inserting “section 4310 of the Elementary and Secondary Education Act of 1965”; and

(B) in paragraph (11), by striking “section 9101 of the Elementary and Secondary Education Act of 1965” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”;

(C) in paragraph (19), by striking “section 9101 of the Elementary and Secondary Education Act of 1965” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”; and

(D) in paragraph (27), by striking “section 9101 of the Elementary and Secondary Education Act of 1965” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”.

(2) Section 8(e) (20 U.S.C. 2306a(e)) is amended by striking “section 1111(b)(1)(D) of the Elementary and Secondary Education Act of 1965” and inserting “section 1111(b)(1) of the Elementary and Secondary Education Act of 1965”.

(3) Section 113(b) (20 U.S.C. 2323(b)) is amended—

(A) in paragraph (2)(A)—

(i) by striking clause (i) and inserting the following:

“(i) Student attainment of the challenging State academic standards, as adopted by a State in accordance with section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 and measured by the State determined levels of achievement on the academic assessments described in section 1111(b)(2) of such Act.”; and

(ii) in clause (iv), by striking “(as described in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965)” and inserting “(as described in section 1111(c)(4)(A)(i)(I)(bb) of the Elementary and Secondary Education Act of 1965)”;

(B) in paragraph (4)(C)(ii)(I), by striking “categories” and inserting “subgroups”.

(4) Section 114(d)(4)(A)(iii)(I)(aa) (20 U.S.C. 2324(d)(4)(A)(iii)(I)(aa)) is amended by striking “integrating those programs with academic content standards and student academic achievement standards, as adopted by States under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965,” and inserting the following: “integrating those programs with challenging State academic standards, as adopted by States under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965”.

(5) Section 116(a)(5) (20 U.S.C. 2326(a)(5)) is amended by striking “section 7207 of the Native Hawaiian Education Act (20 U.S.C. 7517)” and inserting “section 6207 of the Native Hawaiian Education Act”.

(6) Section 122(c)(20 U.S.C. 2342(c)) is amended—

(A) in paragraph (1)(I)(i), by striking “aligned with rigorous and challenging academic content standards and student academic achievement standards adopted by the State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965” and inserting “aligned with challenging State academic standards adopted by the State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965”; and

(B) in paragraph (7)(A)(i), by striking “the core academic subjects (as defined in section 9101 of the Elementary and Secondary Education Act of 1965)” and inserting “a well-rounded education (as defined in section 8101 of the Elementary and Secondary Education Act of 1965)”.

(7) Section 124(b)(4)(A) (20 U.S.C. 2344(b)(4)(A)) is amended in paragraph (4)(A), by striking “the core academic subjects (as defined in section 9101 of the Elementary and Secondary Education Act of 1965)” and inserting “a well-rounded education (as defined in section 8101 of the Elementary and Secondary Education Act of 1965)”.

(8) Section 134(b)(3) (20 U.S.C. 2354(b)(3)) is amended—

(A) in subparagraph (B)(i), by striking “the core academic subjects (as defined in section 9101 of the Elementary and Secondary Education Act of 1965)” and inserting “a well-rounded education (as defined in section 8101 of the Elementary and Secondary Education Act of 1965)”;

(B) in subparagraph (E), by striking “in core academic subjects (as defined in section 9101 of the Elementary and Secondary Education Act of 1965)” and inserting “in order to provide a well-rounded education (as defined in section 8101 of the Elementary and Secondary Education Act of 1965)”.

(9) Section 135(b)(1)(A) (20 U.S.C. 2355(b)(1)(A)) is amended by striking “the core academic subjects (as defined in section 9101 of the Elementary and Secondary Education Act of 1965)” and inserting “a well-rounded education (as defined in section 8101 of the Elementary and Secondary Education Act of 1965)”.

(10) Section 203(c)(2)(D) (20 U.S.C. 2373(c)(2)(D)) is amended by striking “in core academic subjects (as defined in section 9101 of the Elementary and Secondary Education Act of 1965)” and inserting “as part of a well-rounded education (as defined in section 8101 of the Elementary and Secondary Education Act of 1965)”.

(o) CHILD ABUSE PREVENTION AND TREATMENT ACT.—Section 111(3) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106g(3)) is amended by striking “section 7207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517);” and inserting “section 6207 of the Elementary and Secondary Education Act of 1965”.

(p) CHILD CARE AND DEVELOPMENT BLOCK GRANT ACT OF 1990.—The Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) is amended as follows:

(1) Section 658E(c)(2)(G)(ii)(V)(dd) (42 U.S.C. 9858c(c)(2)(G)(ii)(V)(dd)) is amended by striking “(as defined in section 7207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517))” and inserting “(as defined in section 6207 of the Elementary and Secondary Education Act of 1965)”.

(2) Section 658P(5) (42 U.S.C. 9858n(5)) is amended by striking “an individual who is limited English proficient, as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) or section 637 of the Head Start Act (42 U.S.C. 9832)” and inserting “an individual who is an English learner, as defined in section 8101 of the Elementary and Secondary Education Act of 1965, or who is limited English proficient, as defined in section 637 of the Head Start Act (42 U.S.C. 9832)”.

(q) CHILDREN'S INTERNET PROTECTION ACT.—Section 1721(g) of the Children's Internet Protection Act (20 U.S.C. 9134 note; 114 Stat. 2763A-350), as enacted into law by section 1(a)(4) of the Consolidated Appropriations Act, 2001 (Public Law 106-554; 114 Stat. 2763), is amended by striking “Notwithstanding any other provision of law, funds available under section 3134 or part A of title VI of the Elementary and Secondary Education Act of 1965, or under section 231 of the Library Services and Technology Act, may be used for the purchase or acquisition of technology protection measures that are necessary to meet the requirements of this title and the amendments made by this title.” and inserting “Notwithstanding any other provision of law, funds available under part B of title I of the Elementary and Secondary Education Act of 1965, or under section 231 of the Library Services and Technology Act, may be used for the purchase or acquisition of technology protection measures that are necessary to meet the requirements of this title and the amendments made by this title.”.

(r) CIVIL RIGHTS ACT OF 1964.—Section 606(2)(B) of the Civil Rights Act of 1964 (42 U.S.C. 2000d-4a(2)(B)) is amended by striking “a local educational agency (as defined in section 9101 of the Elementary and Secondary Education Act of 1965),” and inserting “a local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965).”.

(s) COMMUNICATIONS ACT OF 1934.—Section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)) is amended—

(1) in paragraph (5)(A)(iii), by striking “an elementary or secondary school as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)” and inserting “an elementary school or a secondary school as defined in section 8101 of the Elementary and Secondary Education Act of 1965”; and

(2) in paragraph (7)(A), by striking “section 9101 of the Elementary and Secondary Education Act of 1965” and inserting “section 8101

of the Elementary and Secondary Education Act of 1965”.

(t) **COMMUNITY SERVICES BLOCK GRANT ACT.**—Section 682(b)(4) of the Community Services Block Grant Act (42 U.S.C. 9923(b)(4)) is amended by striking “section 9101 of the Elementary and Secondary Education Act of 1965” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”.

(u) **CONGRESSIONAL AWARD ACT.**—Section 203(3)(A) of the Congressional Award Act (2 U.S.C. 812(3)(A)) is amended by striking “section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”.

(v) **DEPARTMENT OF EDUCATION ORGANIZATION ACT.**—Section 215(b)(2)(A) of the Department of Education Organization Act (20 U.S.C. 3423c) is amended by striking “be responsible for administering this title” and inserting “be responsible for administering part A of title VI of the Elementary and Secondary Education Act of 1965”.

(w) **DEPARTMENT OF ENERGY SCIENCE EDUCATION ENHANCEMENT ACT.**—Section 3181(a)(1) of the Department of Energy Science Education Enhancement Act (42 U.S.C. 7381(a)(1)) is amended by striking “with a high concentration of low-income individuals (as defined in section 1707 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6537))” and inserting “in which 40 percent or more of the students attending the school are children from low-income families”.

(x) **DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2001.**—Section 303 of the Department of Transportation and Related Agencies Appropriations Act, 2001, (49 U.S.C. 106 note; 114 Stat. 1356A-23), as enacted into law by section 101(a) of the Act entitled “An Act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September, 30, 2001, and for other purposes”, approved October 23, 2000 (Public Law 106-346; 114 Stat. 1356), is amended by striking “except as otherwise authorized by title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.), for expenses of primary and secondary schooling for dependents of Federal Aviation Administration personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents;” and inserting “except as otherwise authorized by title VII of the Elementary and Secondary Education Act of 1965, for expenses of primary and secondary schooling for dependents of Federal Aviation Administration personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents;”.

(y) **DISTRICT OF COLUMBIA COLLEGE ACCESS ACT OF 1999.**—Section 3(c)(5) of the District of Columbia College Access Act of 1999 (sec. 38-2702(c)(5), D.C. Official Code) is amended by striking “section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”.

(z) **DISTRICT OF COLUMBIA SCHOOL REFORM ACT OF 1995.**—Section 2210(a) of the District of Columbia School Reform Act of 1995 (sec. 38-1802.10(a), D.C. Official Code) is amended by striking paragraph (6) and inserting the following:

“(6) **INAPPLICABILITY OF CERTAIN ESEA PROVISIONS.**—The following provisions of the Element-

tary and Secondary Education Act of 1965 shall not apply to a public charter school:

“(A) Paragraph (4) of section 1112(b) and paragraph (1) of section 1112(c).

“(B) Section 1113.

“(C) Subsections (d) and (e) of section 1116.

“(D) Section 1117.

“(E) Subsections (c) and (e) of section 1118.”.

(aa) **EARTHQUAKE HAZARDS.**—Section 2(c)(1)(A) of the Act entitled “An Act to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 1998 and 1999, and for other purposes”, approved October 1, 1997 (42 U.S.C. 7704 note) is amended by striking “section 9101 of the Elementary and Secondary Education Act of 1965” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”.

(bb) **EDUCATION AMENDMENTS OF 1972.**—Section 908(2)(B) of the Education Amendments of 1972 (20 U.S.C. 1687(2)(B)) is amended by striking “9101 of the Elementary and Secondary Education Act of 1965, system of vocational education, or other school system;” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965, system of vocational education, or other school system;”.

(cc) **EDUCATION AMENDMENTS OF 1978.**—Part B of title XI of the Education Amendments of 1978 (25 U.S.C. 2000 et seq.) is amended as follows:

(1) Section 1139(e) (25 U.S.C. 2019(e)) is amended by striking “part B of title I of the Elementary and Secondary Education Act of 1965” and inserting “subpart 2 of part B of title II of the Elementary and Secondary Education Act of 1965”.

(2) Section 1141(9) (25 U.S.C. 2021(9)) is amended by striking “the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)” and inserting “the Elementary and Secondary Education Act of 1965”.

(dd) **EDUCATION FOR ECONOMIC SECURITY ACT.**—The Education for Economic Security Act (20 U.S.C. 3901 et seq.) is amended as follows:

(1) Section 3 (20 U.S.C. 3902) is amended—

(A) in paragraph (3), by striking “section 9101 of the Elementary and Secondary Education Act of 1965.” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965.”;

(B) in paragraph (7), by striking “section 9101 of the Elementary and Secondary Education Act of 1965” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”;

(C) in paragraph (8), by striking “section 198(a)(7) of the Elementary and Secondary Education Act of 1965” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”; and

(D) in paragraph (12), by striking “section 9101 of the Elementary and Secondary Education Act of 1965.” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965.”.

(2) Section 511 (20 U.S.C. 4020) is amended—

(A) by striking subparagraph (A) of paragraph (4) and inserting the following:

“(A) any local educational agency as defined in section 8101 of the Elementary and Secondary Education Act of 1965; and”;

(B) by striking subparagraph (A) of paragraph (5) and inserting the following:

“(A) any elementary school or secondary school as defined in section 8101 of the Elementary and Secondary Education Act of 1965 owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and”.

(ee) **EDUCATION OF THE DEAF ACT OF 1986.**—Section 104(b)(5) of the Education of the Deaf Act of 1986 (20 U.S.C. 4304(b)(5)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking “select challenging academic content standards, challenging student academic achievement standards, and academic assessments of a State, adopted and implemented, as appropriate, pursuant to paragraphs (1) and (3) of section 1111(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1) and (3))” and inserting “select challenging State academic content standards, aligned academic achievement standards, and State academic assessments of a State, adopted and implemented, as appropriate, pursuant to paragraphs (1) and (2) of section 1111(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1) and (2))”; and

(B) in clause (ii), by striking “2009–2010 academic year” and inserting “2016–2017 academic year”;

(2) by striking subparagraph (B) and inserting the following:

“(B) adopt the accountability system, consistent with section 1111(c) of such Act, of the State from which standards and assessments are selected under subparagraph (A)(i); and”;

(3) in subparagraph (C), by striking “whether the programs at the Clerc Center are making adequate yearly progress” and inserting “the results of the annual evaluation of the programs at the Clerc Center”.

(ff) **EDUCATION SCIENCES REFORM ACT OF 2002.**—The Education Sciences Reform Act of 2002 (20 U.S.C. 9501 et seq.) is amended as follows:

(1) Paragraph (1) of section 102 (20 U.S.C. 9501) is amended to read as follows:

“(1)(A) **IN GENERAL.**—The terms ‘elementary school’, ‘secondary school’, ‘local educational agency’, and ‘State educational agency’ have the meanings given those terms in section 8101 of the Elementary and Secondary Education Act of 1965.

“(B) **OUTLYING AREAS.**—The term ‘outlying areas’ has the meaning given such term in section 1121(c) of such Act.

“(C) **FREELY ASSOCIATED STATES.**—The term ‘freely associated states’ means the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.”.

(2) Section 173(b) (20 U.S.C. 9563(b)) is amended by striking “part E of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6491 et seq.)” and inserting “section 8601 of the Elementary and Secondary Education Act of 1965”.

(gg) **EDUCATIONAL TECHNICAL ASSISTANCE ACT OF 2002.**—The Educational Technical Assistance Act of 2002 (20 U.S.C. 9601 et seq.) is amended as follows:

(1) Section 202 (20 U.S.C. 9601) is amended by striking “section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”.

(2) Section 203 (20 U.S.C. 9602) is amended—

(A) in subsection (a)(2)(B), by striking “the number of schools identified for school improvement (as described in section 1116(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316(b)))” and inserting “the number of schools implementing comprehensive support and improvement activities and targeted support and improvement activities under section 1111(d) of the Elementary and Secondary Education Act of 1965”;

(B) in subsection (e)(3), by striking “schools in the region that have been identified for school improvement under section 1116(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316(b))” and inserting “schools in the region that are implementing comprehensive support and improvement activities or targeted support and improvement activities under

section 1111(d) of the Elementary and Secondary Education Act of 1965"; and

(C) in subsection (f)(1)(B), by striking "and encouraging and sustaining school improvement (as described in section 1116(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316(b)))" and inserting ", and particularly assisting those schools implementing comprehensive support and improvement and targeted support and improvement activities under section 1111(d) of the Elementary and Secondary Education Act of 1965,".

(hh) FAMILY AND MEDICAL LEAVE ACT OF 1993.—Section 108(a)(1)(A) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2618(a)(1)(A)) is amended by striking "section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965";

(ii) FAMILY VIOLENCE PREVENTION AND SERVICES ACT.—Section 302(6) of the Family Violence Prevention and Services Act (42 U.S.C. 10402(6)) is amended by striking "section 7207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517)." and inserting "section 6207 of the Elementary and Secondary Education Act of 1965,".

(jj) FDA FOOD SAFETY MODERNIZATION ACT.—Section 112(a)(2) of the FDA Food Safety Modernization Act (21 U.S.C. 2205(a)(2)) is amended by striking "section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965";

(kk) FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001.—Section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (20 U.S.C. 7703a) is amended—

(1) in subsection (a), by striking "subparagraph (A)(ii), (B), (D)(i) or (D)(ii) of section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1))" and inserting "subparagraph (A)(ii) or (B), or clause (i) or (ii) of subparagraph (D), of section 7003(a)(1)"; and

(2) in subsection (g), by striking "section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9))." and inserting "section 7013 of the Elementary and Secondary Education Act of 1965,".

(ll) FOOD AND AGRICULTURE ACT OF 1977.—Section 1417(j)(1)(B) of the Food and Agriculture Act of 1977 (7 U.S.C. 3152(j)(1)(B)) is amended by striking "section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965";

(mm) GENERAL EDUCATION PROVISIONS ACT.—The General Education Provisions Act (20 U.S.C. 1221 et seq.) is amended as follows:

(1) Section 425(6) (20 U.S.C. 1226c(6)) is amended by striking "section 9601 of the Elementary and Secondary Education Act of 1965" and inserting "section 8601 of the Elementary and Secondary Education Act of 1965";

(2) Section 426 (20 U.S.C. 1228) is amended by striking "title VIII of the Elementary and Secondary Education Act of 1965, but not including any portion of such funds as are attributable to children counted under section 8003(d) of such Act or residing on property described in section 8013(10) of such Act." and inserting "title VII of the Elementary and Secondary Education Act of 1965, but not including any portion of such funds as are attributable to children counted under section 7003(d) of such Act or residing on property described in section 7013(10) of such Act,".

(3) Section 429(d)(2)(B)(i) (20 U.S.C. 1228c(d)(2)(B)(i)) is amended by striking "an elementary or secondary school as defined by the

Elementary and Secondary Education Act of 1965" and inserting "an elementary or secondary school (as defined by the terms 'elementary school' and 'secondary school' in section 8101 of the Elementary and Secondary Education Act of 1965)".

(4) Section 441(a) (20 U.S.C. 1232d(a)) is amended by striking "part C of title V of the Elementary and Secondary Education Act of 1965) to the Secretary a general application" and inserting "part D of title IV of the Elementary and Secondary Education Act of 1965) to the Secretary a general application".

(5) Section 445(c)(5)(D) (20 U.S.C. 1232h(c)(5)(D)) is amended by striking "part A of title V" and inserting "part A of title IV".

(nn) HEAD START ACT.—The Head Start Act (42 U.S.C. 9831 et seq.) is amended as follows:

(1) Section 637 (42 U.S.C. 9832) is amended—

(A) in the paragraph relating to a delegate agency, by striking "section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965"; and

(B) in subparagraph (A)(ii)(I) of the paragraph relating to limited English proficient, by striking "(as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)), an Alaska Native, or a native resident of an outlying area (as defined in such section 9101);" and inserting "(as defined in section 8101 of the Elementary and Secondary Education Act of 1965), an Alaska Native, or a native resident of an outlying area (as defined in such section 8101);";

(2) Section 641(d)(2) (42 U.S.C. 9836(d)(2)) is amended—

(A) in subparagraph (H)—

(i) by striking clause (i);

(ii) by redesignating clauses (ii) through (vii) as clauses (i) through (vi), respectively; and

(iii) in clause (i) (as so redesignated)—

(I) by striking "other"; and

(II) by striking "that Act" and inserting "the Elementary and Secondary Education Act of 1965"; and

(B) in subparagraph (J)(iii), by striking "such as entities carrying out Even Start programs under subpart 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6381 et seq.)."

(3) Section 642 (42 U.S.C. 9837) is amended—

(A) in subsection (b)(4), by striking "such as entities carrying out Even Start programs under subpart 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6381 et seq.);" and

(B) in subsection (e)(3), by striking "Even Start programs under subpart 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6381 et seq.)."

(4) Section 642A(a) (42 U.S.C. 9837a(a)) is amended—

(A) in paragraph (7)(B), by striking "the information provided to parents of limited English proficient children under section 3302 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7012)" and inserting "the information provided to parents of English learners under section 1112(e)(3) of the Elementary and Secondary Education Act of 1965"; and

(B) in paragraph (8), by striking "parental involvement efforts under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.)" and inserting "parent and family engagement efforts under title I of the Elementary and Secondary Education Act of 1965";

(5) Section 648(a)(3)(A)(iii) (42 U.S.C. 9843(a)(3)(A)(iii)) is amended by striking "and for activities described in section 1222(d) of the Elementary and Secondary Education Act of 1965";

(6) Section 657B(c)(1)(B)(vi) (42 U.S.C. 9852b(c)(1)(B)(vi)) is amended—

(A) by striking subclause (III);

(B) by redesignating subclauses (IV) through (VII) as subclauses (III) through (VI), respectively; and

(C) in subclause (III) (as so redesignated)—

(i) by striking "other"; and

(ii) by striking "that Act" and inserting "the Elementary and Secondary Education Act of 1965";

(oo) HIGHER EDUCATION ACT OF 1965.—The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended as follows:

(1) Section 103 (20 U.S.C. 1003) is amended—

(A) in paragraph (9), by striking "section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965";

(B) in paragraph (10), by striking "section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965";

(C) in paragraph (11), by striking "section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965";

(D) in paragraph (16), by striking "section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965"; and

(E) in paragraph (21), by striking "section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965";

(2) Section 200 (20 U.S.C. 1021) is amended—

(A) in paragraph (3), by striking "The term 'core academic subjects' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "The term 'core academic subjects' means English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography";

(B) in paragraph (5), by striking "section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965";

(C) in paragraph (6)(B), by striking "section 5210 of the Elementary and Secondary Education Act of 1965" and inserting "section 4310 of the Elementary and Secondary Education Act of 1965";

(D) by striking paragraph (7) and inserting the following:

"(7) ESSENTIAL COMPONENTS OF READING INSTRUCTION.—The term 'essential components of reading instruction' has the meaning given the term in section 1208 of the Elementary and Secondary Education Act of 1965 as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act.";

(E) by striking paragraph (8) and inserting the following:

"(8) EXEMPLARY TEACHER.—The term 'exemplary teacher' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act.";

(F) in paragraph (10)(A)—

(i) in clause (iii), by striking "section 6211(b) of the Elementary and Secondary Education Act of 1965" and inserting "section 5211(b) of the Elementary and Secondary Education Act of 1965"; and

(ii) in clause (iv), by striking "section 6221(b) of the Elementary and Secondary Education Act of 1965" and inserting "section 5221(b) of the Elementary and Secondary Education Act of 1965";

(G) in paragraph (15), by striking "The term 'limited English proficient' has the meaning

given the term in section 9101 of the Elementary and Secondary Education Act of 1965.” and inserting “The term ‘limited English proficient’ has the meaning given the term ‘English learner’ in section 8101 of the Elementary and Secondary Education Act of 1965.”;

(H) in paragraph (16), by striking “section 9101 of the Elementary and Secondary Education Act of 1965” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”; and

(I) in paragraph (19), by striking “section 9101 of the Elementary and Secondary Education Act of 1965.” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965.”;

(3) Section 202 (20 U.S.C. 1022a) is amended in subsection (b)(6)(E)(ii), by striking “student academic achievement standards and academic content standards under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965,” and inserting “challenging State academic standards under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965.”;

(4) Section 205(b)(1)(C) (20 U.S.C. 1022d(b)(1)(C)) is amended by striking “are aligned with the State’s challenging academic content standards required under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965” and inserting “are aligned with the challenging State academic standards required under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965”;

(5) Section 241 (20 U.S.C. 1033) is amended by striking paragraph (2) and inserting the following:

“(2) SCIENTIFICALLY BASED READING RESEARCH.—The term ‘scientifically based reading research’—

“(A) means research that applies rigorous, systemic, and objective procedures to obtain valid knowledge relevant to reading development, reading instruction, and reading difficulties; and

“(B) includes research that—

“(i) employs systemic, empirical methods that draw on observation or experiment;

“(ii) involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;

“(iii) relies on measurements or observational methods that provide valid data across evaluators and observers and across multiple measurements and observations; and

“(iv) has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review.”;

(6) Section 317(b) (20 U.S.C. 1059d(b)) is amended—

(A) in paragraph (1), by striking “section 7306 of the Elementary and Secondary Education Act of 1965,” and inserting “section 6306 of the Elementary and Secondary Education Act of 1965.”; and

(B) in paragraph (3), by striking “section 7207 of the Elementary and Secondary Education Act of 1965; and” and inserting “section 6207 of the Elementary and Secondary Education Act of 1965; and”;

(7) Section 402E(d)(2) (20 U.S.C. 1070a-15(d)(2)) is amended—

(A) in subparagraph (A), by striking “Alaska Natives, as defined in section 7306 of the Elementary and Secondary Education Act of 1965,” and inserting “Alaska Natives, as defined in section 6306 of the Elementary and Secondary Education Act of 1965.”; and

(B) in subparagraph (B), by striking “Native Hawaiians, as defined in section 7207 of such Act” and inserting “Native Hawaiians, as defined in section 6207 of such Act”;

(8) Section 428K (20 U.S.C. 1078-11) is amended in subsection (b)—

(A) in paragraph (5)(B)(iv), by striking “section 9101 of the Elementary and Secondary Education Act of 1965” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”; and

(B) by striking paragraph (8) and inserting the following:

“(8) SCHOOL COUNSELORS.—The individual—

“(A) is employed full-time as a school counselor who has documented competence in counseling children and adolescents in a school setting and who—

“(i) is licensed by the State or certified by an independent professional regulatory authority;

“(ii) in the absence of such State licensure or certification, possesses national certification in school counseling or a specialty of counseling granted by an independent professional organization; or

“(iii) holds a minimum of a master’s degree in school counseling from a program accredited by the Council for Accreditation of Counseling and Related Educational Programs or the equivalent; and

“(B) is so employed in a school that qualifies under section 465(a)(2)(A) for loan cancellation for Perkins loan recipients who teach in such a school.”;

(9) Section 469(a) (20 U.S.C. 1087ii(a)) is amended by striking “eligible to be counted under title I of the Elementary and Secondary Education Act of 1965” and inserting “eligible to be counted under section 1124(c) of the Elementary and Secondary Education Act of 1965”;

(10) Section 481(f) (20 U.S.C. 1088(f)) is amended by striking “section 9101 of the Elementary and Secondary Education Act of 1965” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”;

(11) Section 819(b) (20 U.S.C. 1161j) is amended—

(A) in paragraph (1), by striking “section 7306 of the Elementary and Secondary Education Act of 1965.” and inserting “section 6306 of the Elementary and Secondary Education Act of 1965.”; and

(B) in paragraph (4), by striking “section 7207 of the Elementary and Secondary Education Act of 1965.” and inserting “section 6207 of the Elementary and Secondary Education Act of 1965.”;

(12) Section 861(c)(2)(A) (20 U.S.C. 1161q(c)(2)(A)) is amended by striking “section 9101 of the Elementary and Secondary Education Act of 1965” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”;

(pp) IMPACT AID IMPROVEMENT ACT OF 2012.—Section 563(c)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1748; 20 U.S.C. 7702 note) as amended by section 7001(a), is further amended by striking “Notwithstanding section 8005(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7705(d)), subsection (b)(1), and the amendments made by subsection (b)(1), shall take effect with respect to applications submitted under section 8002 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702) for fiscal year 2010.” and inserting “With respect to applications submitted under section 8002 of the Elementary and Secondary Education Act of 1965, as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act, for fiscal year 2010, title VIII of the Elementary and Secondary Education Act of 1965 (including the amendments made by subsection (b)(1)), as in effect on such date, and subsection (b)(1) shall take effect with respect to such applications, notwithstanding section 8005(d) of such Act, as in effect on such date.”;

(qq) INDIAN HEALTH CARE IMPROVEMENT ACT.—Section 726(b)(3)(D)(iii) of the Indian Health Care Improvement Act (25 U.S.C. 1667e(b)(3)(D)(iii)) is amended by striking “a school receiving payments under section 8002 or 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702, 7703).” and inserting “a school receiving payments under section 7002 or 7003 of the Elementary and Secondary Education Act of 1965.”;

(rr) INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT.—Section 209 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458e) is amended by striking “assistance provided under title IX of the Elementary and Secondary Education Act of 1965.” and inserting “assistance provided under title VI of the Elementary and Secondary Education Act of 1965.”;

(ss) INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—The Individuals with Disabilities Education Act is amended as follows:

(1) Section 602 (20 U.S.C. 1401) is amended—

(A) by striking paragraph (4);

(B) in paragraph (8)(a)(3), by striking “under parts A and B of title III of that Act” and inserting “under part A of title III of that Act”; and

(C) by striking paragraph (18) and inserting the following:

“(18) LIMITED ENGLISH PROFICIENT.—The term ‘limited English proficient’ has the meaning given the term ‘English learner’ in section 8101 of the Elementary and Secondary Education Act of 1965.”;

(2) Section 611(e) (20 U.S.C. 1411(e)) is amended—

(A) in paragraph (2)(C)—

(i) in clause (x), by striking “6111 of the Elementary and Secondary Education Act of 1965” and inserting “1201 of the Elementary and Secondary Education Act of 1965”; and

(ii) in clause (xi)—

(I) by striking “including supplemental educational services as defined in 1116(e) of the Elementary and Secondary Education Act of 1965 to children with disabilities, in schools or local educational agencies identified for improvement under section 1116 of the Elementary and Secondary Education Act of 1965 on the sole basis of the assessment results of the disaggregated subgroup of children with disabilities” and inserting “including direct student services described in section 1003A(c)(3) of the Elementary and Secondary Education Act of 1965 to children with disabilities, to schools or local educational agencies implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d) of the Elementary and Secondary Education Act of 1965 on the basis of consistent underperformance of the disaggregated subgroup of children with disabilities”; and

(II) by striking “to meet or exceed the objectives established by the State under section 1111(b)(2)(G) of the Elementary and Secondary Education Act of 1965” and inserting “based on the challenging academic standards described in section 1111(b)(1) of such Act”; and

(B) in paragraph (3)(C)(ii)(I)(bb), by striking “section 9101” and inserting “section 8101”;

(3) Section 612(a) (20 U.S.C. 1412(a)) is amended—

(A) in paragraph (15)—

(i) in subparagraph (A), by striking clause (ii) and inserting the following:

“(ii) are the same as the State’s long-term goals and measurements of interim progress for children with disabilities under section 1111(c)(4)(A)(i) of the Elementary and Secondary Education Act of 1965.”;

(ii) in subparagraph (B), by striking “including measurable annual objectives for progress by children with disabilities under section

1111(b)(2)(C)(v)(II))" and inserting "including measurements of interim progress for children with disabilities under section 1111(c)(4)(A)(i)"; and

(B) in paragraph (16)(C)(ii)—

(i) in subclause (I), by striking "State's challenging academic content standards and challenging student academic achievement standards" and inserting "challenging State academic content standards under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 and alternate academic achievement standards under section 1111(b)(1)(E) of such Act"; and

(ii) in subclause (II), by striking "the regulations promulgated to carry out section 1111(b)(1) of the Elementary and Secondary Education Act of 1965," and inserting "section 1111(b)(1)(E) of the Elementary and Secondary Education Act of 1965,".

(4) Section 613(a) (20 U.S.C. 1413(a)) is amended in paragraph (3), by striking "subject to the requirements of section 612(a)(14) and section 2122 of the Elementary and Secondary Education Act of 1965" and inserting "subject to the requirements of section 612(a)(14) and section 2102(b) of the Elementary and Secondary Education Act of 1965".

(5) Section 614(b)(5)(A) (20 U.S.C. 1414(b)(5)(A)) is amended by inserting ", as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act" after "1965".

(6) Section 651(c)(5)(E) (20 U.S.C. 1415(c)(5)(E)) is amended by striking "and 2112," and inserting "and 2101(d)".

(7) Section 653(b)(3) (20 U.S.C. 1453(b)(3)) is amended by striking "and 2112," and inserting "and 2101(d)".

(8) Section 654 (20 U.S.C. 1454) is amended—

(A) in subsection (a)—

(i) in paragraph (1)(B), by striking "challenging State student academic achievement and functional standards and with the requirements for professional development, as defined in section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "challenging State academic achievement standards and with the requirements for professional development, as defined in section 8101 of such Act"; and

(ii) in paragraph (5)(A), by striking "section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965"; and

(B) in subsection (b)(10), by inserting "(as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act)" after "1965".

(9) Section 662(b)(2)(A)(viii) (20 U.S.C. 1462(b)(2)(A)(viii)) is amended by striking "section 7113(d)(1)(A)(ii)" and inserting "section 6113(d)(1)(A)(ii)".

(10) Section 663(b)(2) (20 U.S.C. 1463(b)(2)) is amended by striking and inserting the following:

"(2) improving the alignment, compatibility, and development of valid and reliable assessments and alternate assessments for assessing student academic achievement, as described under section 1111(b)(2) of the Elementary and Secondary Education Act of 1965,".

(11) Section 681(d)(3)(K) (20 U.S.C. 1481(d)(3)(K)) is amended by striking "payments under title VIII of the Elementary and Secondary Education Act of 1965;" and inserting "payments under title VII of the Elementary and Secondary Education Act of 1965,".

(tt) NATIONAL SECURITY ACT OF 1947.—Section 1015(2)(A) of the National Security Act of 1947 (50 U.S.C. 441j-4(2)(A)) is amended by striking "section 9101(26) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(26))," and inserting "section 8101 of the

Elementary and Secondary Education Act of 1965,".

(uu) INTERNAL REVENUE CODE OF 1986.—The Internal Revenue Code of 1986 is amended as follows:

(1) Section 54E(d)(2) is amended by striking "section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965".

(2) Section 457(e)(11)(D)(ii)(I) is amended by striking "section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965".

(3) Section 1397E(d)(4)(B) is amended by striking "section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965".

(vv) JAMES MADISON MEMORIAL FELLOWSHIP ACT.—Section 815(4) of the James Madison Memorial Fellowship Act (20 U.S.C. 4514(4)) is amended by striking "9101" and inserting "8101".

(ww) JOHN WARNER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007.—Section 572(c) of the National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2226) is amended by striking "section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9))" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965".

(xx) LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1987.—Section 104(3)(B)(ii) of the Legislative Branch Appropriations Act, 1987 (as incorporated by reference in section 101(f) of Public Law 99-500 and Public Law 99-591) (2 U.S.C. 5540(3)(B)(ii)) is amended by striking "given such terms in section 9101" and inserting "given the terms elementary school and secondary school in section 8101".

(yy) LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1997.—Section 5(d)(1) of the Legislative Branch Appropriations Act, 1997 (2 U.S.C. 66319(d)(1)) is amended by striking "public elementary or secondary school as such terms are defined in section 9101" and inserting "elementary school or secondary school, as such terms are defined in section 8101".

(zz) MCKINNEY-VENTO HOMELESS ASSISTANCE ACT.—Section 725(3) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(3)) is amended by striking "section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965".

(aaa) MUSEUM AND LIBRARY SERVICES ACT.—The Museum and Library Services Act (20 U.S.C. 9161 et seq.) is amended as follows:

(1) Section 204(f) (20 U.S.C. 9103(f)) is amended by striking paragraph (1) and inserting the following:

"(1) activities under section 2226 of the Elementary and Secondary Education Act of 1965,".

(2) Section 224(b)(6)(A) (20 U.S.C. 9134(b)(6)(A)) is amended by striking "including coordination with the activities within the State that are supported by a grant under section 1251 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6383)" and inserting "including coordination with the activities within the State that are supported by a grant under section 2226 of the Elementary and Secondary Education Act of 1965".

(3) Section 261 (20 U.S.C. 9161) is amended by striking "represent Native Hawaiians (as the term is defined in section 7207 of the Native Hawaiian Education Act)" and inserting "represent Native Hawaiians (as the term is defined in section 6207 of the Native Hawaiian Education Act)".

(4) Section 274(d) (20 U.S.C. 9173(d)) is amended by striking "represent Native Hawaiians (as defined in section 7207 of the Native Hawaiian Education Act (20 U.S.C. 7517))," and inserting "represent Native Hawaiians (as defined in section 6207 of the Native Hawaiian Education Act),".

(bbb) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.—The National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) is amended as follows:

(1) Section 101 (42 U.S.C. 12511) is amended—

(A) in paragraph (15), by striking "section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965";

(B) in paragraph (24), by striking "section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965";

(C) in paragraph (39), by striking "section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965"; and

(D) in paragraph (45), by striking "section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965".

(2) Section 112(a)(1)(F) (42 U.S.C. 12523(a)(1)(F)) is amended by striking "not making adequate yearly progress for two or more consecutive years under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.)" and inserting "implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d) of the Elementary and Secondary Education Act of 1965".

(3) Section 119(a)(2)(A)(ii)(II) (42 U.S.C. 12563) is amended by striking "the graduation rate (as defined in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)) and as clarified in applicable regulations promulgated by the Department of Education" and inserting "the four-year adjusted cohort graduation rate (as defined in section 8101 of the Elementary and Secondary Education Act of 1965)".

(4) Section 122(a)(1) (42 U.S.C. 12572(a)(1)) is amended in subparagraph (C)(iii), by striking "secondary school graduation rates as defined in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)) and as clarified in applicable regulations promulgated by the Department of Education" and inserting "four-year adjusted cohort graduation rate (as defined in section 8101 of the Elementary and Secondary Education Act of 1965)".

(ccc) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006.—Section 572 of the National Defense Authorization Act for Fiscal Year 2006 (20 U.S.C. 7703b) is amended—

(1) in subsection (a)(2), by striking "section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1))" and inserting "section 7003(a)(1) of the Elementary and Secondary Education Act of 1965"; and

(2) in subsection (e)(2), by striking "section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9))" and inserting "section 7013(9) of the Elementary and Secondary Education Act of 1965".

(ddd) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012.—Section 532(a)(1) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) (10 U.S.C. 503 note; 125 Stat. 1403(a)(1)) is amended by striking "(as defined in section 9101(38) of the Elementary and Secondary Education Act of 1965 (20

U.S.C. 7801(38)).” and inserting “(as defined in section 8101 of the Elementary and Secondary Education Act of 1965).”.

(eee) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014.—Section 573 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66) (10 U.S.C. 503 note; 127 Stat. 772) is amended—

(1) in subsection (a)(1), by striking “(as defined in section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38)).” and inserting “(as defined in section 8101 of the Elementary and Secondary Education Act of 1965).”;

(2) in subsection (b), by striking “(as defined in section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38)).” and inserting “(as defined in section 8101 of the Elementary and Secondary Education Act of 1965).”.

(fff) NATIONAL ENVIRONMENTAL EDUCATION ACT.—Section 3(5) of the National Environmental Education Act (20 U.S.C. 5502(5)) is amended by striking “‘local educational agency’ means any education agency as defined in section 9101 of the Elementary and Secondary Education Act of 1965 and shall include any tribal education agency;” and inserting “‘local educational agency’ means any education agency as defined in section 8101 of the Elementary and Secondary Education Act of 1965 and shall include any tribal education agency;”.

(ggg) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 2002.—The National Science Foundation Authorization Act of 2002 (Public Law 107–368; 116 Stat. 3034) is amended as follows:

(1) Section 4 (42 U.S.C. 1862n note) is amended—

(A) in paragraph (3), by striking “The term ‘community college’ has the meaning given such term in section 3301(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7011(3)).” and inserting “The term ‘community college’ means an institution of higher education as defined in section 101 of the Higher Education Act of 1965 that provides not less than a 2-year degree that is acceptable for full credit toward a bachelor’s degree, including institutions of higher education receiving assistance under the Tribally Controlled College or University Assistance Act of 1978”;

(B) in paragraph (5), by striking “section 9101(18) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(18)).” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”;

(C) in paragraph (10), by striking “section 9101(26) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(26)).” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”;

(D) in paragraph (13), by striking “section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38)).” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”;

(E) in paragraph (15), by striking “section 9101(41) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(41)).” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”.

(2) Section 9 (42 U.S.C. 1862n) is amended—

(A) in subsection (a)(10)(A)(iii) in subclause (III), by striking “(as described in section 1114(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6314(a)(1)).” and inserting “(as described in section 1114(a)(1)(A)).”;

(B) in subsection (c)(4), by striking “the program authorized under part B of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.)” and inserting “other programs with similar purposes”.

(hhh) NATIONAL SECURITY ACT OF 1947.—Section 1015(2)(A) of the National Security Act of 1947 (50 U.S.C. 3205(2)(A)) is amended by striking “(as that term is defined in section 9101(26) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(26)).” and inserting “(as that term is defined in section 8101 of the Elementary and Secondary Education Act of 1965).”.

(iii) NATIVE AMERICAN LANGUAGES ACT.—Section 103 of the Native American Languages Act (25 U.S.C. 2902) is amended—

(1) in paragraph (2), by striking “section 7151(3) of the Elementary and Secondary Education Act of 1965” and inserting “section 6151(3) of the Elementary and Secondary Education Act of 1965”; and

(2) in paragraph (3), by striking “section 7207 of the Elementary and Secondary Education Act of 1965” and inserting “section 6207 of the Elementary and Secondary Education Act of 1965”.

(jjj) NATIVE HAWAIIAN HEALTH CARE IMPROVEMENT ACT.—Section 6(c)(4) of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 11705(c)(4)) is amended by striking “private educational organization identified in section 7202(16) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7512(16)) to continue to offer its educational programs and services to Native Hawaiians (as defined in section 7207 of that Act (20 U.S.C. 7517)) first and to others” and inserting “private educational organization identified in section 7202(16) of the Elementary and Secondary Education Act of 1965 (as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act) to continue to offer its educational programs and services to Native Hawaiians (as defined in section 6207 of the Elementary and Secondary Education Act of 1965) first and to others”.

(kkk) PUBLIC HEALTH SERVICE ACT.—The Public Health Service Act is amended as follows:

(1) Section 319C–1(b)(2)(A)(vii) (42 U.S.C. 247d–3a(b)(2)(A)(vii)) is amended by striking “including State educational agencies (as defined in section 9101(41) of the Elementary and Secondary Education Act of 1965)” and inserting “including State educational agencies (as defined in section 8101 of the Elementary and Secondary Education Act of 1965).”.

(2) Section 399L(d)(3)(A) (42 U.S.C. 280g(d)(3)(A)) is amended by striking “section 9101 of the Elementary and Secondary Education Act of 1965” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”.

(3) Section 520E(l)(2) (42 U.S.C. 290bb–36(l)(2)) is amended by striking “elementary or secondary school (as such terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965)” and inserting “elementary school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965).”.

(lll) REFUGEE EDUCATION ASSISTANCE ACT OF 1980.—Section 101(1) of the Refugee Education Assistance Act of 1980 (8 U.S.C. 1522 note) is amended by striking “such terms under section 9101 of the Elementary and Secondary Education Act of 1965” and inserting “such terms under section 8101 of the Elementary and Secondary Education Act of 1965”.

(mmm) REHABILITATION ACT OF 1973.—The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) is amended as follows:

(1) Section 202(b)(4)(A)(i) (29 U.S.C. 762(b)(4)(A)(i)) is amended by striking “(as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)).” and inserting “(as defined in section 8101 of the Elementary and Secondary Education Act of 1965); and”.

(2) Section 206 (29 U.S.C. 766) is amended by striking “(as such terms are defined in section

9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)).” and inserting “(as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965).”.

(3) Section 504(b)(2)(B) (29 U.S.C. 794(b)(2)(B)) is amended by striking “(as defined in section 9101 of the Elementary and Secondary Education Act of 1965)” and inserting “(as defined in section 8101 of the Elementary and Secondary Education Act of 1965).”.

(4)(A) Section 511(b)(2) (29 U.S.C. 794g(b)(2)), as added by section 458 of the Workforce Innovation and Opportunity Act (Public Law 113–128; 128 Stat. 1676), is amended by striking “local educational agency (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) or a State educational agency (as defined in such section)” and inserting “local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965) or a State educational agency (as defined in such section).”.

(B) The amendment made by subparagraph (A) shall take effect on the same date as section 458(a) of the Workforce Innovation and Opportunity Act (Public Law 113–128; 128 Stat. 1676) takes effect, and as if enacted as part of such section.

(nnn) RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT.—The Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) is amended in section 12(d)(4) (42 U.S.C. 1769a(d)(4)) by striking “section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”.

(ooo) SAFE DRINKING WATER ACT.—Section 1461 of the Safe Drinking Water Act (42 U.S.C. 300j–21(3)) is amended—

(1) in paragraph (3), by striking “section 9101 of the Elementary and Secondary Education Act of 1965” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”; and

(2) in paragraph (6), by striking “section 9101 of the Elementary and Secondary Education Act of 1965” and inserting “section 8101 of the Elementary and Secondary Education Act of 1965”.

(ppp) SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS ACT.—The Scholarships for Opportunity and Results Act (division C of Public Law 112–10; sec. 38–1853.01 et seq., D.C. Official Code) is amended as follows:

(1) In section 3003 (sec. 38–1853.03, D.C. Official Code), by striking “identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316)” and inserting “implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d) of the Elementary and Secondary Education Act of 1965”.

(2) In section 3006(1)(A) (sec. 38–1853.06(1)(A), D.C. Official Code), by striking “identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316)” and inserting “implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d) of the Elementary and Secondary Education Act of 1965”.

(3) In section 3007 (sec. 38–1853.07, D.C. Official Code)—

(A) in subsection (a)(4)(F), by striking “ensures that, with respect to core academic subjects (as such term is defined in section 9101(11) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(11)).” and inserting “ensures that, with respect to core academic subjects (as such term was defined in section

9101(11) of the Elementary and Secondary Act of 1965 (20 U.S.C. 7801(11)) on the day before the date of enactment of the Every Student Succeeds Act"; and

(B) in subsection (d), by striking "identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316)" and inserting "implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d) of the Elementary and Secondary Education Act of 1965";

(4) In section 3013 (sec. D.C. Code 38-1853.13, D.C. Official Code)—

(A) in paragraph (5), by striking "section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965"; and

(B) in paragraph (8), by striking "section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965".

(qqq) SOCIAL SECURITY ACT.—The Social Security Act (42 U.S.C. 301 et seq.) is amended as follows:

(1) Section 475(1)(G)(ii)(I) (42 U.S.C. 675(1)(G)(ii)(I)) is amended by striking "local educational agencies (as defined under section 9101 of the Elementary and Secondary Education Act of 1965)" and inserting "local educational agencies (as defined under section 8101 of the Elementary and Secondary Education Act of 1965)".

(2) Section 2110(c)(9)(B)(v) (42 U.S.C. 1397jj(c)(9)(B)(v)) is amended by striking "as defined under section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "as defined under section 8101 of the Elementary and Secondary Education Act of 1965".

(rrr) STATE DEPENDENT CARE DEVELOPMENT GRANTS ACT.—Section 670G(6) of the State Dependent Care Development Grants Act (42 U.S.C. 9877(6)) is amended by striking "section 9101 of the Elementary and Secondary Education Act of 1965 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965".

(sss) STEVENSON-WYDLER TECHNOLOGY INNOVATION ACT OF 1980.—Section 5(c)(8) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3704(c)(8)) is amended—

(1) in subparagraph (D), by striking "section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965";

(2) in subparagraph (G), by striking "section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965"; and

(3) in subparagraph (H), by striking "section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965".

(ttt) TELECOMMUNICATIONS ACT OF 1996.—Section 706(d)(2) of the Telecommunications Act of 1996 (47 U.S.C. 1302(d)(2)) is amended by striking "section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965".

(uuu) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) Section 503 of title 10, United States Code, is amended by striking "section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965".

(2) Section 1154(a) of title 10, United States Code, is amended—

(A) in paragraph (1), by striking "section 5210(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221i(1))" and inserting "section 4310 of the Elementary and Secondary Education Act of 1965";

(B) in paragraph (3)(C), by striking "section 6211(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7345(b))" and inserting "section 5211(b) of the Elementary and Secondary Education Act of 1965"; and

(C) in paragraph (8), by striking "section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965".

(3) Section 2008 of title 10, United States Code, is amended by striking "section 8013(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(3)), or to carry out section 8008 of such Act (20 U.S.C. 7708)" and inserting "section 7013(3) of the Elementary and Secondary Education Act of 1965, or to carry out section 7008 of such Act".

(4) Section 2194(f)(2) of title 10, United States Code, is amended by striking "section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965".

(vvv) TITLE 23, UNITED STATES CODE.—Section 504(d)(4) of title 23, United States Code, is amended—

(1) in subparagraph (B), by striking "section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965"; and

(2) in subparagraph (C), by striking "section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965".

(www) TITLE 40, UNITED STATES CODE.—Section 502(c)(3)(C) of title 40, United States Code, is amended by striking "section 8013 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713)" and inserting "section 7013 of the Elementary and Secondary Education Act of 1965".

(xxx) TOXIC SUBSTANCES CONTROL ACT.—The Toxic Substances Control Act (15 U.S.C. 2601 et seq.) is amended as follows:

(1) Section 202 (15 U.S.C. 2642) is amended—

(A) in paragraph (7), by striking "section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965";

(B) in paragraph (9), by striking "any elementary or secondary school (as defined in section 9101 of the Elementary and Secondary Education Act of 1965)" and inserting "any elementary school or secondary school (as defined in section 8101 of the Elementary and Secondary Education Act of 1965)"; and

(C) in paragraph (12), by striking "elementary or secondary school as defined in section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "elementary school or secondary school as defined in section 8101 of the Elementary and Secondary Education Act of 1965".

(2) Section 302(1) (15 U.S.C. 2662(1)) is amended by striking "section 9101 of the Elementary and Secondary Education Act of 1965" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965".

(yyy) WORKFORCE INNOVATION AND OPPORTUNITY ACT.—The Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.) is amended as follows:

(1) Section 3 (29 U.S.C. 3102) is amended—

(A) in paragraph (34), by striking "section 9101 of the Elementary and Secondary Edu-

cation Act of 1965 (20 U.S.C. 7801)" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965"; and

(B) in paragraph (55), by striking "section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)" and inserting "section 8101 of the Elementary and Secondary Education Act of 1965".

(2) Section 102(b)(2)(D)(ii)(I) (29 U.S.C. 3112(b)(2)(D)(ii)(I)) is amended by striking "with State-adopted challenging academic content standards, as adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1))" and inserting "with challenging State academic standards, as adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1))".

(3) Section 129(c)(1)(C) (29 U.S.C. 3164(c)(1)(C)) is amended by striking "(based on State academic content and student academic achievement standards established under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311))" and inserting "(based on challenging State academic standards established under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)))".

(4) Section 166(b)(3) (29 U.S.C. 3221(b)(3)) is amended by striking "section 7207 of the Native Hawaiian Education Act (20 U.S.C. 7517)." and inserting "section 6207 of the Native Hawaiian Education Act.".

And the House agree to the same.

JOHN KLINE,
VIRGINIA FOXX,
DAVID P. ROE,
GLENN THOMPSON,
BRETT GUTHRIE,
TODD ROKITA,
LUKE MESSER,
GLENN GROTHMAN,
STEVE RUSSELL,
CARLOS CURBELO,
ROBERT C. "BOBBY" SCOTT,
SUSAN A. DAVIS,
MARCIA L. FUDGE,
JARED POLIS,
FREDERICA S. WILSON,
SUZANNE BONAMICI,
KATHERINE M. CLARK,

Managers on the Part of the House.

LAMAR ALEXANDER,
MICHAEL B. ENZI,
RICHARD BARR,
JOHNNY ISAKSON,
SUSAN M. COLLINS,
LISA MURKOWSKI,
MARK KIRK,
TIM SCOTT,
ORRIN HATCH,
PAT ROBERTS,
BILL CASSIDY,
PATTY MURRAY,
BARBARA A. MIKULSKI,
BERNARD SANDERS,
ROBERT P. CASEY, JR.,
AL FRANKEN,
MICHAEL F. BENNET,
SHELDON WHITEHOUSE,
TAMMY BALDWIN,
CHRISTOPHER MURPHY,
ELIZABETH WARREN,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1177), to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves, submit the following

joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment struck all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment that is a substitute for the Senate bill and the House amendment. The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

Title I, Part A—Disadvantaged Students

1. The Senate bill and House amendment have different short titles for the Act.

HR/SR with an amendment to strike both and insert “Every Student Succeeds Act”

2. The Senate bill and House amendment have different tables of contents.

HR/SR with an amendment to read as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Every Student Succeeds Act”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. References.
Sec. 4. Transition.
Sec. 5. Effective date.
Sec. 6. Table of contents of the Elementary and Secondary Education Act of 1965.

TITLE I—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED.

Sec. 1001. Statement of purpose.
Sec. 1002. Authorization of appropriations.
Sec. 1003. School intervention and support.
Sec. 1004. (Direct student services).
Sec. 1005. State plans.
Sec. 1006. Local educational agency plans.
Sec. 1007. School attendance.
Sec. 1008. Schoolwide.
Sec. 1009. Targeted.
Sec. 1010. Parent and family engagement.
Sec. 1011. Participation of children enrolled in private schools.
Sec. 1012. Fiscal requirements.
Sec. 1013. Coordination requirement.
Sec. 1014. Supplement, not supplant.
Sec. 1015. Grants for the outlying areas and the Secretary of the Interior.
Sec. 1016. Allocations.
Sec. 1017. Academic assessments.
Sec. 1018. Education of migratory children.
Sec. 1019. Prevention and intervention programs for children and youth who are neglected, delinquent, or at-risk.
Sec. 1020. Flexibility for equitable per-pupil funding.
Sec. 1021. General provisions.

TITLE II—HIGH-QUALITY TEACHERS, PRINCIPALS, AND OTHER SCHOOL LEADERS

Sec. 2001. Transfer of certain provisions.
Sec. 2002. Teacher, principal, and other school leader training and recruiting fund.
Sec. 2003. National activities.
Sec. 2004. General provisions.

TITLE III—LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS

Sec. 3001. Transfer of certain provisions.

Sec. 3002. Authorization of appropriations.
Sec. 3003. English language acquisition, language enhancement, and academic achievement.

Sec. 3004. General provisions. TITLE IV—21ST CENTURY SCHOOLS.

Sec. 4001. General provisions.
Sec. 4002. Grants to states and local educational agencies.
Sec. 4003. 21st century community learning centers.
Sec. 4004. Public charter schools.
Sec. 4005. Magnet schools assistance.
Sec. 4006. Statewide family engagement centers.
Sec. 4007. National activities.

TITLE V—STATE INNOVATION AND LOCAL FLEXIBILITY

Sec. 5001. Transfer of certain provisions.
Sec. 5002. Purposes.
Sec. 5003. Improving academic achievement.
Sec. 5004. Rural education initiative.
Sec. 5005. General provisions.
Sec. 5006. Review relating to rural local educational agencies.

TITLE VI—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

Sec. 6001. Transfer of certain provisions.
Sec. 6002. Indian education.
Sec. 6003. Native Hawaiian education.
Sec. 6004. Alaska native education.
Sec. 6005. Report on responses to Indian student suicides.

TITLE VII—IMPACT AID

Sec. 7001. Transfer of certain provisions.
Sec. 7002. Amendment to impact aid improvement act of 2012.
Sec. 7003. Payments relating to federal acquisition of real property.
Sec. 7004. Payments for eligible federally connected children.
Sec. 7005. Policies and procedures relating to children residing on Indian lands.
Sec. 7006. Application for payments under sections 7002 and 7003.
Sec. 7007. Construction.
Sec. 7008. State consideration of payments in providing state aid.
Sec. 7009. Definitions.
Sec. 7010. Authorization of appropriations.

TITLE VIII—GENERAL PROVISIONS

Sec. 8001. Transfer and redesignations.
Sec. 8002. Sense of Congress.
Sec. 8101. Definitions.
Sec. 8102. Applicability of title.
Sec. 8103. Applicability to Bureau of Indian Education operated schools.
Sec. 8104. Consolidation of State administrative funds for elementary and secondary education programs.
Sec. 8105. Consolidation of funds for local administration.
Sec. 8106. Consolidation of set-aside for Department of the Interior funds. Rural consolidated plan.
Sec. 8107. Optional consolidated state plans or applications.
Sec. 8108. General applicability of state educational agency assurances.
Sec. 8109. Rural consolidated plan.
Sec. 8110. Other general assurances.
Sec. 8111. Waivers of statutory and regulatory requirements.
Sec. 8112. Plan approval process.
Sec. 8113. Participation by private school children and teachers.
Sec. 8114. Complaint process for participation of private school children.
Sec. 8115. Maintenance of effort.
Sec. 8116. Prohibition regarding state aid.

[Sec. 8116. School prayer.]

Sec. 8117. Prohibitions.

Sec. 8118. Prohibitions on federal government and use of federal funds.

[Sec. 8119. Prohibited uses of funds.]

Sec. 8120. Armed forces recruiter access to students and student recruiting information.

Sec. 8121. Prohibitions on federally sponsored testing.

Sec. 8122. Limitations on national testing or certification for teachers, principals, or other school leaders.

Sec. 8123. Prohibition on requiring state participation.

Sec. 8124. Civil rights.

Sec. 8125. Consultation with Indian tribes and native organizations.

Sec. 8126. Outreach and technical assistance for rural local educational agencies.

Sec. 8127. Consultation with the Governor.

Sec. 8128. Local governance.

Sec. 8129. Rule of construction regarding travel to and from school.

Sec. 8130. Limitations on School-Based Health Centers

Sec. 8131. State control over standards.

Sec. 8132. Parental consent.

Sec. 8133. Sense of congress on protecting student privacy.

Sec. 8134. Prohibition on aiding and abetting sexual abuse.

Sec. 8135. Restoration of state sovereignty over public education.

Sec. 8136. Evaluations.

TITLE IX—EDUCATION OF HOMELESS CHILDREN AND YOUTHS; OTHER LAWS; MISCELLANEOUS

PART A—EDUCATION FOR HOMELESS CHILDREN AND YOUTH

Sec. 9101. Statement of policy.
Sec. 9102. Grants for state and local activities.
Sec. 9103. Local educational agency subgrants.
Sec. 9104. Secretarial responsibilities.
Sec. 9105. Definitions.
Sec. 9106. Authorization of appropriations.

PART B—OTHER LAWS; MISCELLANEOUS

Sec. 9201. Use of term “highly qualified” in other laws.
Sec. 9202. Department staff.
Sec. 9203. Report on Department actions to address Office of the Inspector General charter school reports.
Sec. 9204. Posthumous pardon.
Sec. 9205. Education Flexibility Partnership Act of 1999 reauthorization.
Sec. 9206. Preschool Development Grants.

3. The Senate bill and House amendment have identical sections 3.

LC

4. The Senate bill, but not the House amendment, includes a statement of purpose.

SR

5. The House amendment, but not the Senate bill, includes this transition provision.

SR with an amendment to strike and replace with the following:

“Sec. 4. Transition.

(a) FUNDING AUTHORITY.—

(1) MULTI-YEAR AWARDS.—

(A) PROGRAMS NO LONGER AUTHORIZED.—Except as otherwise provided in this Act, the recipient of a multi-year award under the Elementary and Secondary Education Act of 1965, as that Act was in effect prior to the date of enactment of this Act, for a program no longer authorized under that Act as a result of this Act, shall continue to receive funds in accordance with the terms of such award, except that no additional funds may

be awarded after September 30, 2016, unless such program is substantively similar to a program authorized under this Act, in which case such recipient shall continue to receive funds in accordance with the terms of the prior award.

(B) **AUTHORIZED PROGRAMS.**—Except as otherwise provided in this Act, the recipient of a multi-year award under the Elementary and Secondary Education Act of 1965, as that Act was in effect prior to the date of enactment of this Act, for a program still authorized under that Act as a result of this Act, shall continue to receive funds in accordance with the terms of that award.

(2) **PLANNING AND TRANSITION.**—Notwithstanding any other provision of law, a recipient of funds under a program described in paragraph (1)(B) may use funds awarded to the recipient under the Elementary and Secondary Education Act, as that Act was in effect prior to the date of enactment of this Act, to carry out necessary and reasonable planning and transition activities in order to ensure an orderly implementation of amendments made to such program by this Act.

(b) **ORDERLY TRANSITION.**—Subject to subsection (a)(1)(A), the Secretary shall take such steps as are necessary to provide for the orderly transition to, and implementation of, programs authorized by this Act, and by the amendments made by this Act, from programs authorized by the Elementary and Secondary Education Act of 1965, as that Act was in effect prior to the date of enactment of this Act.

(c) **WAIVERS.**—Notwithstanding any other provision of this Act, except the Special Rule in subsection (e)(3), waivers—

(1) granted by the Secretary under section 9401 of the Elementary and Secondary Education Act as such section was in effect prior to the date of enactment of this Act; and

(2) awarded to states and a consortium of local educational agencies under the program first introduced in a letter to chief state school officers dated September 23, 2011, shall terminate as of August 1, 2016.

6. The House amendment, but not the Senate bill, includes a section for “Effective Dates” for the Act and amendments made by the Act.

SR with an amendment to read as follows:

(1) in subsection (b), to strike “2015” and insert “2016”;

(2) in subsection (c), to strike “2016” and insert “2017”;

(3) in subsection (d), to strike “2016” and insert “2017”; and

(4) to insert after subsection (d) the following new subsection:

(e) **TITLE I.**—

(1) **PRIOR AUTHORITY.**— Notwithstanding any other provision of this Act, except the Special Rule in paragraph (3), section 1111 (b)(2), as such section was in effect prior to the date of enactment of this Act, shall continue in effect until August 1, 2016.

(2) **CERTAIN SECTIONS.**—Notwithstanding any other provision of this Act, except the Special Rule in paragraph (3)—

(A) subsections (c) and (d) of section 1111 shall take effect beginning with the 2017–2018 academic year; and

(B) all other subsections of section 1111 shall take effect consistent with subsection (a).

(3) **SPECIAL RULE.**—Notwithstanding any other provision of this Act, including subsection (c) and paragraphs (1) and (2), any school or local educational agency in a State that has been identified by the State as in need of improvement, corrective action, or restructuring under part A of title I of the

Elementary and Secondary Education Act as such part was in effect prior to the date of enactment of this Act, or as a priority or focus school under a waiver granted by the Secretary under section 9401 of the Elementary and Secondary Education Act as such section was in effect prior to the date of enactment of this Act, shall continue to implement applicable interventions until the State plan under section 1111 is approved, or subsections (c) and (d) of section 1111 take effect in accordance with paragraph (2)(A), whichever comes first.

7. The Senate bill, but not the House amendment, amends the table of contents for ESEA.

HR/SR with amendment to read as follows:

SEC. 5. TABLE OF CONTENTS OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.

Section 2 is amended to read as follows:

“SEC. 2. TABLE OF CONTENTS.

“The table of contents for this Act is as follows:

“Sec. 1. Short title.

“Sec. 2. Table of contents.

“Sec. 4. Education flexibility program.

“TITLE I—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED

“Sec. 1001. Statement of purpose.

“Sec. 1002. Authorization of appropriations.

“Sec. 1003. School intervention and support.

“Sec. 1003A. Direct student services.

“Sec. 1004. State administration.

“PART A—IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES

“SUBPART 1—BASIC PROGRAM REQUIREMENTS

“Sec. 1111. State plans.

“Sec. 1112. Local educational agency plans.

“Sec. 1113. Eligible school attendance areas.

“Sec. 1114. Schoolwide programs.

“Sec. 1115. Targeted assistance programs.

“Sec. 1116. Parent and family engagement.

“Sec. 1117. Participation of children enrolled in private schools.

“Sec. 1118. Fiscal requirements.

“Sec. 1119. Coordination requirements.

“SUBPART 2—ALLOCATIONS

“Sec. 1121. Grants for the outlying areas and the Secretary of the Interior.

“Sec. 1122. Allocations to States.

“Sec. 1124. Basic grants to local educational agencies.

“Sec. 1124A. Concentration grants to local educational agencies.

“Sec. 1125. Targeted grants to local educational agencies.

“Sec. 1125AA. Adequacy of funding of targeted grants to local educational agencies in fiscal years after fiscal year 2001.

“Sec. 1125A. Education finance incentive grant program.

“Sec. 1126. Special allocation procedures.

“Sec. 1127. Carryover and waiver.

“PART B—ACADEMIC ASSESSMENTS

“Sec. 1201. Grants for State assessments and related activities.

“Sec. 1202. Grants for enhanced assessment instruments.

“Sec. 1203. Audits of assessment systems.

“Sec. 1204. Allotment of appropriated funds.

“Sec. 1205. Innovative assessment and accountability demonstration authority.

“PART C—EDUCATION OF MIGRATORY CHILDREN

“Sec. 1301. Program purposes.

“Sec. 1302. Program authorized.

“Sec. 1303. State allocations.

“Sec. 1304. State applications; services.

“Sec. 1305. Secretarial approval; peer review.

“Sec. 1306. Comprehensive needs assessment and service-delivery plan; authorized activities.

“Sec. 1307. Bypass.

“Sec. 1308. Coordination of migrant education activities.

“Sec. 1309. Definitions.

“PART D—PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK

“Sec. 1401. Purpose and program authorization.

“Sec. 1402. Payments for programs under this part.

“SUBPART 1—STATE AGENCY PROGRAMS

“Sec. 1411. Eligibility.

“Sec. 1412. Allocation of funds.

“Sec. 1413. State reallocation of funds.

“Sec. 1414. State plan and State agency applications.

“Sec. 1415. Use of funds.

“Sec. 1416. Institution-wide projects.

“Sec. 1417. Three-year programs or projects.

“Sec. 1418. Transition services.

“Sec. 1419. Evaluation; technical assistance; annual model program.

“SUBPART 2—LOCAL AGENCY PROGRAMS

“Sec. 1421. Purpose.

“Sec. 1422. Programs operated by local educational agencies.

“Sec. 1423. Local educational agency applications.

“Sec. 1424. Uses of funds.

“Sec. 1425. Program requirements for correctional facilities receiving funds under this section.

“Sec. 1426. Accountability.

“SUBPART 3—GENERAL PROVISIONS

“Sec. 1431. Program evaluations.

“Sec. 1432. Definitions.

“PART E—FLEXIBILITY FOR EQUITABLE PER-PUPIL FUNDING

PART F—GENERAL PROVISIONS

“Sec. 1601. Federal regulations.

“Sec. 1602. Agreements and records.

“Sec. 1603. State administration.

“Sec. 1604. Prohibition against Federal mandates, direction, or control.

“Sec. 1605. Rule of construction on equalized spending.

“TITLE II—PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, AND OTHER SCHOOL LEADERS

“Sec. 2001. Purpose.

“Sec. 2002. Definitions.

“Sec. 2003. Authorization of appropriations.

“PART A—TEACHER, PRINCIPAL, AND OTHER SCHOOL LEADER TRAINING AND RECRUITING FUND

“Sec. 2101. Formula grants to States.

“Sec. 2102. Subgrants to local educational agencies.

“Sec. 2103. Local use of funds.

“Sec. 2104. Reporting.

“PART B—NATIONAL ACTIVITIES

“Sec. 2201. Reservations.

“SUBPART 1—TEACHER AND SCHOOL LEADER INCENTIVE PROGRAM

“Sec. 2211. Purposes; definitions.

“Sec. 2212. Teacher and school leader incentive fund grants.

“Sec. 2213. Reports.

“SUBPART 2—LITERACY EDUCATION FOR ALL, RESULTS FOR THE NATION

“Sec. 2221. Purposes; definitions.

- "Sec. 2222. Comprehensive literacy State development grants.
- "Sec. 2223. Subgrants to eligible entities in support of birth through kindergarten entry literacy.
- "Sec. 2224. Subgrants to eligible entities in support of kindergarten through grade 12 literacy.
- "Sec. 2225. National evaluation and information dissemination.
- "Sec. 2226. [Literacy programs.]
- "Sec. 2227. Supplement, not supplant.
- "SUBPART 3—AMERICAN HISTORY AND CIVICS EDUCATION
- "Sec. 2231. Program authorized.
- "Sec. 2232. Presidential and congressional academies for American history and civics.
- "Sec. 2233. National activities.
- "SUBPART 4—PROGRAMS OF NATIONAL SIGNIFICANCE
- "Sec. 2241. Funding allotment.
- "Sec. 2242. Supporting effective educator development.
- "Sec. 2243. School leader recruitment and support.
- "Sec. 2244. Technical assistance and national evaluation.
- "Sec. 2245. STEM master teacher corps.
- "PART C—GENERAL PROVISIONS
- "Sec. 2301. Rules of construction.
- "TITLE III—LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS
- "Sec. 3001. Authorization of appropriations.
- "PART A—ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT, AND ACADEMIC ACHIEVEMENT ACT
- "Sec. 3101. Short title.
- "Sec. 3102. Purposes.
- "SUBPART 1—GRANTS AND SUBGRANTS FOR ENGLISH LANGUAGE ACQUISITION AND LANGUAGE ENHANCEMENT
- "Sec. 3111. Formula grants to States.
- "Sec. 3112. Native American and Alaska Native children in school.
- "Sec. 3113. State and specially qualified agency plans.
- "Sec. 3114. Within-State allocations.
- "Sec. 3115. Subgrants to eligible entities.
- "Sec. 3116. Local plans.
- "SUBPART 2—ACCOUNTABILITY AND ADMINISTRATION
- "Sec. 3121. Reporting.
- "Sec. 3122. Reporting requirements.
- "Sec. 3123. Coordination with related programs.
- "Sec. 3124. Rules of construction.
- "Sec. 3125. Legal authority under State law.
- "Sec. 3126. Civil rights.
- "Sec. 3127. Programs for Native Americans and Puerto Rico.
- "Sec. 3128. Prohibition.
- "SUBPART 3—NATIONAL ACTIVITIES
- "Sec. 3131. National professional development project.
- "PART B—GENERAL PROVISIONS
- "Sec. 3201. Definitions.
- "Sec. 3202. National clearinghouse.
- "Sec. 3203. Regulations.
- "TITLE IV—21ST CENTURY SCHOOLS
- "Sec. 4001. Authorization of appropriations.
- "PART A—STUDENT SUPPORT AND ACADEMIC ENRICHMENT GRANTS
- "Sec. 4101. Purpose.
- "Sec. 4102. Definitions.
- "Sec. 4103. Formula grants to States.
- "Sec. 4104. State use of funds.
- "Sec. 4105. Allotments to local educational agencies.
- "Sec. 4106. Local applications.
- "Sec. 4107. Activities to support well-rounded educational opportunities.
- "Sec. 4108. Activities to support safe and healthy students.
- "Sec. 4109. Activities to support the effective use of technology.
- "Sec. 4110. Supplement, not supplant.
- "Sec. 4111. Prohibitions.
- "Sec. 4112. Authorization of appropriations.
- "Sec. 4113. Internet safety.
- "PART B—21ST CENTURY COMMUNITY LEARNING CENTERS
- "Sec. 4201. Purpose; definitions.
- "Sec. 4202. Allotments to states.
- "Sec. 4203. State application.
- "Sec. 4204. Local competitive subgrant program.
- "Sec. 4205. Local activities.
- "Sec. 4206. Authorization of appropriations.
- "PART C—EXPANDING OPPORTUNITY THROUGH QUALITY CHARTER SCHOOLS
- "Sec. 4301. Purpose.
- "Sec. 4302. Program authorized.
- "Sec. 4303. Grants to support high-quality charter schools.
- "Sec. 4304. Facilities financing assistance.
- "Sec. 4305. National activities.
- "Sec. 4306. Federal formula allocation during first year and for successive enrollment expansions.
- "Sec. 4307. Solicitation of input from charter school operators.
- "Sec. 4308. Records transfer.
- "Sec. 4309. Paperwork reduction.
- "Sec. 4310. Definitions.
- "Sec. 4311. Authorization of appropriations.
- "PART D—MAGNET SCHOOLS ASSISTANCE
- "Sec. 4401. Findings and purpose.
- "Sec. 4402. Definition.
- "Sec. 4403. Program authorized.
- "Sec. 4404. Eligibility.
- "Sec. 4405. Applications and requirements.
- "Sec. 4406. Priority.
- "Sec. 4407. Use of funds.
- "Sec. 4408. Limitations.
- "Sec. 4409. Authorization of appropriations; reservation.
- "PART E—FAMILY ENGAGEMENT IN EDUCATION PROGRAMS
- "Sec. 4501. Purposes.
- "Sec. 4502. Grants authorized.
- "Sec. 4503. Applications.
- "Sec. 4504. Uses of funds.
- "Sec. 4505. Family engagement in Indian schools.
- ["Sec. 4506. Authorization of appropriations.]
- "PART F—NATIONAL ACTIVITIES
- "Sec. 4601. Authorization of appropriations; reservations.
- "SUBPART 1—EDUCATION INNOVATION AND RESEARCH
- "Sec. 4611. Grants for education innovation and research.
- "SUBPART 2—COMMUNITY SUPPORT FOR SCHOOL SUCCESS
- "Sec. 4621. Purpose.
- "Sec. 4622. Definitions.
- "Sec. 4623. Program Authorized.
- "Sec. 4624. Promise Neighborhoods.
- "Sec. 4625. Full-Service Community Schools.
- "SUBPART 3—NATIONAL ACTIVITIES FOR SCHOOL SAFETY
- "Sec. 4641. National activities for school safety.
- "SUBPART 4—GRANTS FOR ACADEMIC ENRICHMENT
- "Sec. 4650. Awards for academic enrichment.
- "Sec. 4651. Assistance for arts education.
- "Sec. 4652. Ready-To-Learn programming.
- "Sec. 4653. Supporting high ability learners and learning.
- "TITLE V—STATE INNOVATION AND LOCAL FLEXIBILITY
- "Sec. 5001. Purposes.
- "PART A—FUNDING TRANSFERABILITY FOR STATE AND LOCAL EDUCATIONAL AGENCIES
- "Sec. 5101. Short title.
- "Sec. 5102. Purpose.
- "Sec. 5103. Transferability of funds.
- "PART B—RURAL EDUCATION INITIATIVE
- "Sec. 5201. Short title.
- "Sec. 5202. Purpose.
- "SUBPART 1—SMALL, RURAL SCHOOL ACHIEVEMENT PROGRAM
- "Sec. 5211. Use of applicable funding.
- "Sec. 5212. Grant program authorized.
- "SUBPART 2—RURAL AND LOW-INCOME SCHOOL PROGRAM
- "Sec. 5221. Program authorized.
- "Sec. 5222. Uses of funds.
- "Sec. 5223. Applications.
- "Sec. 5224. Accountability.
- "Sec. 5225. Choice of participation.
- "SUBPART 3—GENERAL PROVISIONS
- "Sec. 5231. Annual average daily attendance determination.
- "Sec. 5232. Supplement, not supplant.
- "Sec. 5233. Rule of construction.
- "Sec. 5234. Authorization of appropriations.
- "PART C—GENERAL PROVISIONS
- "Sec. 5301. Prohibition against Federal mandates, direction, or control.
- "Sec. 5302. Rule of construction on equalized spending.
- "TITLE VI—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION
- "PART A—INDIAN EDUCATION
- "Sec. 6101. Statement of policy.
- "Sec. 6102. Purpose.
- "SUBPART 1—FORMULA GRANTS TO LOCAL EDUCATIONAL AGENCIES
- "Sec. 6111. Purpose.
- "Sec. 6112. Grants to local educational agencies and tribes.
- "Sec. 6113. Amount of grants.
- "Sec. 6114. Applications.
- "Sec. 6115. Authorized services and activities.
- "Sec. 6116. Integration of services authorized.
- "Sec. 6117. Student eligibility forms.
- "Sec. 6118. Payments.
- "Sec. 6119. State educational agency review.
- "SUBPART 2—SPECIAL PROGRAMS AND PROJECTS TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN
- "Sec. 6121. Improvement of educational opportunities for Indian children and youth.
- "Sec. 6122. Professional development for teachers and education professionals.
- "SUBPART 3—NATIONAL ACTIVITIES
- "Sec. 6131. National research activities.
- "Sec. 6135. Grants to tribes for education administrative planning, development, and coordination.
- "Sec. 6136. Native American and Alaska Native language immersion schools and programs.
- "SUBPART 4—FEDERAL ADMINISTRATION
- "Sec. 6141. National Advisory Council on Indian Education.
- "Sec. 6142. Peer review.
- "Sec. 6143. Preference for Indian applicants.
- "Sec. 6144. Minimum grant criteria.
- "SUBPART 5—DEFINITIONS; AUTHORIZATIONS OF APPROPRIATIONS
- "Sec. 6151. Definitions.
- "Sec. 6152. Authorizations of appropriations.

“PART B—NATIVE HAWAIIAN EDUCATION

- “Sec. 6201. Short title.
- “Sec. 6202. Findings.
- “Sec. 6203. Purposes.
- “Sec. 6204. Native Hawaiian Education Council.
- “Sec. 6205. Program authorized.
- “Sec. 6206. Administrative provisions.
- “Sec. 6207. Definitions.

“PART C—ALASKA NATIVE EDUCATION

- “Sec. 6301. Short title.
- “Sec. 6302. Findings.
- “Sec. 6303. Purposes.
- “Sec. 6304. Program authorized.
- “Sec. 6305. Administrative purposes.
- “Sec. 6306. Definitions.

“TITLE VII—IMPACT AID

- “Sec. 7001. Purpose.
- “Sec. 7002. Payments relating to Federal acquisition of real property.
- “Sec. 7003. Payments for eligible federally connected children.
- “Sec. 7004. Policies and procedures relating to children residing on Indian lands.
- “Sec. 7005. Application for payments under sections 7002 and 7003.
- “Sec. 7007. Construction.
- “Sec. 7008. Facilities.
- “Sec. 7009. State consideration of payments in providing State aid.
- “Sec. 7010. Federal administration.
- “Sec. 7011. Administrative hearings and judicial review.
- “Sec. 7012. Forgiveness of overpayments.
- “Sec. 7013. Definitions.
- “Sec. 7014. Authorization of appropriations.

“TITLE VIII—GENERAL PROVISIONS

- “Sec. 8001. Sense of congress.

“PART A—DEFINITIONS

- “Sec. 8101. Definitions.
- “Sec. 8102. Applicability of title.
- “Sec. 8103. Applicability to Bureau of Indian Education operated schools.

“PART B—FLEXIBILITY IN THE USE OF ADMINISTRATIVE AND OTHER FUNDS

- “Sec. 8201. Consolidation of State administrative funds for elementary and secondary education programs.
- “Sec. 8202. Single local educational agency States.
- “Sec. 8203. Consolidation of funds for local administration.
- “Sec. 8204. Consolidated set-aside for Department of the Interior funds.

“PART C—COORDINATION OF PROGRAMS; CONSOLIDATED STATE AND LOCAL PLANS AND APPLICATIONS

- “Sec. 8301. Purpose.
- “Sec. 8302. Optional consolidated State plans or applications.
- “Sec. 8303. Consolidated reporting.
- “Sec. 8304. General applicability of State educational agency assurances.
- “Sec. 8305. Consolidated local plans or applications.
- “Sec. 8306. Other general assurances.

“PART D—WAIVERS

- “Sec. 8401. Waivers of statutory and regulatory requirements.

“PART E—APPROVAL AND DISAPPROVAL OF STATE PLANS AND LOCAL APPLICATIONS

- “Sec. 8451. Approval and disapproval of State plans.
- “Sec. 8452. Approval and disapproval of local educational agency applications.

“PART F—UNIFORM PROVISIONS

“SUBPART 1—PRIVATE SCHOOLS

- “Sec. 8501. Participation by private school children and teachers.

- “Sec. 8502. Standards for by-pass.
- “Sec. 8503. Complaint process for participation of private school children.
- “Sec. 8504. By-pass determination process.
- “Sec. 8505. Prohibition against funds for religious worship or instruction.
- “Sec. 8506. Private, religious, and home schools.

“SUBPART 2—OTHER PROVISIONS

- “Sec. 8521. Maintenance of effort.
- “Sec. 8522. Prohibition regarding State aid.
- “Sec. 8523. Privacy of assessment results.
- “Sec. 8524. School prayer.
- “Sec. 8525. Equal access to public school facilities.
- “Sec. 8526. General prohibitions.
- “Sec. 8526A. Prohibition against Federal mandates direction or control.
- “Sec. 8527. Prohibitions on Federal Government and use of Federal funds.
- [“Sec. 8527A. Prohibited uses of funds.]
- “Sec. 8528. Armed Forces recruiter access to students and student recruiting information.
- “Sec. 8529. Prohibition on federally sponsored testing.
- “Sec. 8530. Limitations on national testing or certification for teachers, principals, or other school leaders.
- “Sec. 8530A. Prohibition on requiring state participation.
- “Sec. 8531. Prohibition on nationwide database.

- “Sec. 8532. Unsafe school choice option.
- “Sec. 8533. Prohibition on discrimination.
- “Sec. 8534. Civil rights.
- “Sec. 8535. Rulemaking.
- “Sec. 8536. Severability.
- “Sec. 8537. Transfer of school disciplinary records.
- “Sec. 8538. Consultation with Indian tribes and tribal organizations.
- “Sec. 8539. Outreach and technical assistance for rural local educational agencies.

- “Sec. 8540. Consultation with the Governor.
- “Sec. 8541. Local governance.
- “Sec. 8542. Rule of construction regarding travel to and from school.
- “Sec. 8543. Limitations on School-Based Health Centers.
- “Sec. 8544. State control over standards.
- “Sec. 8545. Parental consent.
- “Sec. 8546. Sense of congress on protecting student privacy.
- “Sec. 8547. Prohibition on aiding and abetting sexual abuse.
- “Sec. 8548. Restoration of state sovereignty over public education.

- “Sec. 8549. Privacy.

“SUBPART 3—TEACHER LIABILITY PROTECTION

- “Sec. 8541. Short title.
- “Sec. 8542. Purpose.
- “Sec. 8543. Definitions.
- “Sec. 8544. Applicability.
- “Sec. 8545. Preemption and election of State nonapplicability.
- “Sec. 8546. Limitation on liability for teachers.
- “Sec. 8547. Allocation of responsibility for noneconomic loss.
- “Sec. 8548. Effective date.

“SUBPART 5—GUN POSSESSION

- “Sec. 8561. Gun-free requirements.

“SUBPART 6—ENVIRONMENTAL TOBACCO SMOKE

- “Sec. 8571. Short title.
- “Sec. 8572. Definitions.
- “Sec. 8573. Nonsmoking policy for children's services.
- “Sec. 8574. Preemption.

“PART G—EVALUATIONS

- “Sec. 8601. Evaluations.”.

8. The House amendment, but not the Senate bill, includes a separate section for “Authorization of Appropriations” for the Act. This provision covers all but the Indian Education, Native Hawaiian, and Alaska Native programs in Title V of the House amendment. The Senate includes separate “Authorization of Appropriations” language in each title.

HR

9. The Senate bill, but not the House amendment, amends the authorization of appropriations provision for Title I.

HR/SR with an amendment to read as follows:

(a) LOCAL EDUCATIONAL AGENCY GRANTS.—There are authorized to be appropriated to carry out the activities described in Part A—

- (1) \$15,013,027,605 for fiscal year 2017;
- (2) \$15,458,169,042 for fiscal year 2018;
- (3) \$15,898,081,442 for fiscal year 2019;
- (4) \$16,183,054,591 for fiscal year 2020.

(b) STATE ASSESSMENTS.—There are authorized to be appropriated to carry out the activities described in part B, \$378,000,000 for each of fiscal years 2017 through 2020.

(c) EDUCATION OF MIGRATORY CHILDREN.—There are authorized to be appropriated to carry out the activities described in part C, \$374,751,000 for each of fiscal years 2017 through 2020.

(d) PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK.—There are authorized to be appropriated to carry out the activities described in part D, \$47,614,000 for each of fiscal years 2017 through 2020.

(e) FEDERAL ACTIVITIES.—For the purpose of carrying out evaluation activities related to title I under section [8141], there are authorized to be appropriated \$710,000 for each of fiscal years 2017 through 2020.

(f) SENSE OF CONGRESS REGARDING ADJUSTMENTS TO AUTHORIZATIONS OF APPROPRIATIONS PROVIDED IN THIS ACT FOR FUTURE BUDGET AGREEMENTS.—It is the Sense of Congress that if legislation is enacted that revises the limits on discretionary spending established under section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, the levels of appropriations authorized throughout this Act should be adjusted in a manner that is consistent with the adjustments in nonsecurity category funding provided for under the revised limits on discretionary spending.

10. The House amendment, but not the Senate bill, includes a Sense of the Congress on state and local rights and responsibilities.

SR with an amendment to strike paragraphs (3), (4), (5), and (6) and to move the remainder of the Sec. to the beginning of Title IX

11. The Senate bill and House amendment have different title headings. The House amendment, but not the Senate bill, includes a subtitle heading.

HR

12. The House amendment, but not the Senate bill, amends the title heading for title I of ESEA.

HR

13. The Senate bill and House amendment amend the statement of purpose in different ways.

HR/SR with an amendment to strike the language in both bills and insert the following:

“The purpose of this title is to provide all children the opportunity for a fair, equitable, and significant opportunity to receive a high-quality education, and to close educational achievement gaps.”

14. The House amendment, but not the Senate bill, amends section 1002, to include flexible use of funds authority. **See note 6 of Title VI. See note 9 of this document for Senate bill's amendments to section 1002.**

HR

15. The Senate bill, but not the House amendment, strikes section 1003 and redesignates section 1004 as 1003.

SR

16. The Senate bill, but not the House amendment, adds a subsection (c) to the redesignated section 1003 for “Technical Assistance and Support.”

HR/SR with an amendment to strike and replace with the following:

SEC. 1003. [20 U.S.C. 6303] SCHOOL IMPROVEMENT.

(a) STATE RESERVATIONS.—To carry out subsection (b) and the State educational agency’s statewide system of technical assistance and support for local educational agencies, each State shall reserve the greater of—

(1) [7] percent of the amount the State receives under subpart 2 of part A; or

(2) the sum of the amount the State—

(A) reserved under this subsection for fiscal year [2015/2016]; and

(B) received for FY [2015/2016] under subsection (g) of this section as such subsection was in effect before the date of enactment of the Every Student Succeeds Act.

(b) USES.—Of the amount reserved under subsection (a) for any fiscal year, the State educational agency—

(1)(A) shall allocate not less than 95 percent of that amount to make grants to local educational agencies on a formula or competitive basis, to serve schools identified for comprehensive support and improvement or implementing targeted support and improvement plans under section 1111(d); or

(B) may, with the approval of the local educational agency, directly provide for these activities or arrange for their provision through other entities such as school support teams, educational service agencies, or non-profit or for-profit external providers with expertise in using evidence-based strategies to improve student achievement, instruction, and schools; and

(2) shall use the funds not reserved under paragraph (1) to carry out this section, which shall include—

(A) establishing the method, consistent with subsection (g), the State will use to allocate funds to local educational agencies under such paragraph, including ensuring the local educational agencies receiving an allotment under such paragraph represent the geographic diversity of the State and that allotments are of sufficient size to enable a local educational agency to effectively implement selected strategies;

(B) monitoring and evaluating the use of funds by local educational agencies receiving an allotment under such paragraph; and

(C) as appropriate, reducing barriers and providing operational flexibility for schools in the implementation of comprehensive support and improvement or targeted support and improvement plans under section 1111(d).

(c) DURATION.—The State educational agency shall award subgrants under this paragraph for a period of not more than 4 years, which may include a planning year.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as prohibiting a State from allocating subgrants under this section to a statewide school district, consortium of local educational agencies, or an educational service agency that serves schools identified for comprehensive support and improvement or implementing targeted

support and improvement plans, if such entities are legally constituted or recognized as local educational agencies in the State.

(e) APPLICATION.—In order to receive an allotment under subsection (b)(1), a local educational agency shall submit an application to the State educational agency at such time, in such form, and including such information as the State educational agency may require. Each application shall include, at a minimum—

(1) a description of how the local educational agency will carry out its responsibilities under section 1111(d) for schools receiving funds under this section, including how the local educational agency will—

(A) develop comprehensive support and improvement plans for schools receiving funds under this section identified under section 1111(d)(1);

(B) support schools developing or implementing targeted support and improvement plans under section 1111(d)(2), if funds received under this section are used for such purpose;

(C) monitor schools receiving funds under this section, including how the local educational agency will carry out its responsibilities under section 1111(d)(2)(B)(iv) and (v) if funds received under this section are used to support schools implementing targeted improvement and support plans;

(D) use a rigorous review process to recruit, screen, select, and evaluate any external partners with whom the local educational agency will partner;

(E) align other Federal, State, and local resources to carry out the activities supported with funds received under subsection (b)(1); and

(F) as appropriate, modify practices and policies to provide operational flexibility that enables full and effective implementation of the plans described in paragraphs (1) and (2) of section 1111(d);

(2) an assurance that each school the local educational agency proposes to serve will receive all of the State and local funds it would have received in the absence of funds received under this subsection.

(f) PRIORITY.—The State educational agency, in allocating funds to local educational agencies under this section, shall give priority to local educational agencies that—

(1) serve high numbers of elementary schools and secondary schools identified under paragraphs (1) and (2) of section 1111(d);

(2) demonstrate the greatest need for such funds, as determined by the State; and

(3) demonstrate the strongest commitment to using funds under this section to enable the lowest-performing schools to improve student achievement and student outcomes.

(g) UNUSED FUNDS.—If, after consultation with local educational agencies in the State, the State educational agency determines that the amount of funds reserved to carry out subsection (b) is greater than the amount needed to provide the assistance described in that subsection, the State educational agency shall allocate the excess amount to local educational agencies in accordance with—

(1) the relative allocations the State educational agency made to those agencies for that fiscal year under subpart 2 of part A; or

(2) section 1126(c).

(h) SPECIAL RULE.—Notwithstanding any other provision of this section, the amount of funds reserved by the State educational agency under subsection (a) [in fiscal year 2018 and each subsequent fiscal year] shall not decrease the amount of funds each local

educational agency receives under subpart 2 below the amount received by such local educational agency under such subpart for the preceding fiscal year.

(i) REPORTING.—The State shall include in the report described in section 1111(h) a list of all the local educational agencies and schools that received funds under this section, including the amount of funds each school received and the types of strategies implemented in each school with such funds.

17. The House amendment, but not the Senate bill, increases the state set-aside from 4 percent to 7 percent.

See note 16.

18. The Senate bill, but not the House amendment makes the state set-aside permissive.

See note 16.

19. The House amendment, but not the Senate bill, makes a technical edit to refer to “chapter B of subpart 1 of part A” to reflect structural changes to Title I, Part A.

See note 16.

20. The Senate bill replaces references to sections 1116 and 1117 with a reference to section 1114(a) to reflect structural changes in title I, part A; the House amendment eliminates references to sections 1116 and 1117 to reflect repeal of those sections in the House amendment.

See note 16.

21. The Senate bill and House amendment change references to reflect provisions in sections 1114 and 1111(b)(3)(B)(iii), respectively.

See note 16.

22. The Senate bill and House amendment make similar changes to refer to nonprofit or for-profit organizations using evidence-based strategies.

See note 16.

23. The Senate bill, but not the House amendment, also refers to improving teaching and schools.

See note 16.

24. The Senate bill, but not the House amendment, adds a reference in the subparagraph (A) to the lowest performing schools as identified under section 1114.

See note 16.

25. The House amendment rewords paragraph (2) to replace the requirement that schools demonstrate the greatest need with a requirement schools demonstrate greatest commitment to using funds to improve schools.

See note 16.

26. The Senate bill adds “as determined by the State” in subparagraph (B).

See note 16.

27. The Senate bill maintains subparagraph (C), but rewords to require “evidence-based interventions” targeted at “lowest-performing” schools, and changes reference to section 1116 to “to improve student achievement and student outcomes.” The House amendment eliminates paragraph (3) which is similar to subparagraph (C) in the Senate bill.

See note 16.

28. The House amendment, but not the Senate bill, provides for a technical edit due to restructuring of Title I, Part A.

See note 16.

29. The Senate bill, but not the House amendment, changes reference to “subsection (b)” to “this subsection”.

See note 16.

29a. The Senate bill, but not the House amendment, adds “for a fiscal year”.

See note 16.

30. The House amendment, but not the Senate bill, changes “any fiscal year” to “fiscal year 2016 and each subsequent fiscal year”.

See note 16.

31. The House amendment, but not the Senate bill, makes technical changes to reflect restructuring of Title I, Part A.

See note 16.

32. The Senate bill, but not the House amendment, makes technical edits to change section/subsection references.

See note 16.

33. The Senate bill, but not the House amendment, makes technical edits to change references to section/subsection.

See note 16.

34. The House amendment, but not the Senate bill, strikes language dealing with families below the poverty line.

See note 16.

35. The House amendment strikes subsection (g). The Senate bill also does not include subsection (g), but includes similar provisions in 1114(c). See note 239 related to section 1114(c) in the Senate bill.

See note 16.

36. The House amendment, but not the Senate bill, makes technical changes to reflect restructuring of Title I, Part A.

HR

37. The Senate bill redesignates this section as section 1003. The Senate bill makes no changes to current law, but adds a new subsection (c) Technical Assistance and Support. See note 16.

SR

38. The House amendment, but not the Senate bill, includes this provision on Direct Student Services.

SR with an amendment to read as follows:
SEC. 1003A. DIRECT STUDENT SERVICES.

(a) **STATE RESERVATION.**—Each State, after meaningful consultation with geographically diverse local educational agencies, including suburban, rural, and urban local educational agencies and local agencies with a high percentage of schools identified by the state for comprehensive support and improvement under section 1111(c)(4)(D)(i) and local educational agencies with a high percentage of schools implementing targeted support and improvement plans under section 1111(d)(2), may reserve 3 percent of the amount the State receives under subpart 2 for each fiscal year to carry out this section. Of such reserved funds, the State educational agency may use up to 1 percent to administer the program described in this section.

(b) **AWARDS.**—From the amount reserved under subsection (a), the State educational agency shall award grants to geographically diverse local educational agencies, including suburban, rural, and urban local educational agencies. In making such awards, the State shall prioritize awards to local educational agencies with the highest percentage of schools identified by the state for comprehensive support and improvement under section 1111(c)(4)(D)(i) or schools implementing targeted support and improvement plans under section 1111(d)(2).

(c) **LOCAL USE OF FUNDS.**—A local educational agency receiving an award under this section—

(1) may use up to 1 percent of each award for outreach and communication to parents about available direct student services in the district and state;

(2) may use not more than 2 percent of each award for administrative costs related to direct student services; and

(3) shall use the remainder of the award to pay the costs associated with one or more of the following direct student services—

(A) enrollment and participation in academic courses not otherwise available at the school, including career and technical edu-

cation coursework that is aligned with the challenging State academic standards described in section 1111(b)(1)(C) and leads to industry-recognized credentials that meet the quality criteria established by the State under section 123(a) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102), and advanced courses;

(B) credit recovery and academic acceleration courses that lead to a regular high school diploma;

(C) assist students in successfully completing postsecondary level instruction and examinations that are accepted for credit at institutions of higher education, including Advanced Placement and International Baccalaureate programs, which may include reimbursing low-income students to cover part or all of the costs of fees for such examinations;

(D) components of a personalized learning approach, which may include high-quality academic tutoring; and

(E) in local educational agencies that do not choose to reserve funds under section 1111(d)(1)(D)(v), transportation to allow a student enrolled in a school identified for comprehensive support and improvement under section 1111(c)(4)(D)(i) to transfer to another public school that has not been identified by the state under such section, which may include a public charter school.

(4) in paying the costs associated with direct student services under paragraph (3), the local educational agency shall—

(A) first, pay such costs for students who are enrolled in schools identified by the state for comprehensive support and improvement under section 1111(c)(4)(D)(i);

(B) second, pay such costs for low-achieving students who are enrolled in schools implementing targeted support and improvement plans under section 1111(d)(2); and

(C) with any remaining funds, pay such costs for other low-achieving students served by the local educational agency.

(d) **APPLICATION.**—A local educational agency desiring to receive an award under subsection (b) shall submit an application at such time and in such manner as the State educational agency shall require, and describing how the local educational agency will—

(1) provide adequate outreach to ensure parents can exercise a meaningful choice of direct student services for their child's education;

(2) ensure parents have adequate time and information to make a meaningful choice prior to enrolling their child in a direct student service;

(3) ensure sufficient availability of seats in the public schools the local educational agency will make available for public school choice options;

(4) prioritize services to students who are lowest-achieving;

(5) select providers of direct student services, which may include one or more of the following—

(A) the local educational agency or other local educational agencies;

(B) community colleges or other institutions of higher education;

(C) non-public entities;

(D) community-based organizations; or

(E) in the case of high-quality academic tutoring, a variety of providers of such tutoring that are selected and approved by the State and appear on the State's list of such providers required under subsection (e)(2); and

(6) monitor the services provided through direct student services; and

(7) publicly report the results of direct student service providers in improving relevant students outcomes in a manner that is accessible to parents

(e) **PROVIDERS AND SCHOOLS.**—The State shall—

(1) ensure that each local educational agency that receives an award under this section and intends to provide public school choice can provide a sufficient number of options to provide a meaningful choice for parents;

(2) compile and maintain, following a fair and impartial selection and approval process, an updated list of State-approved high-quality academic tutoring providers that—

(A) is developed using a fair negotiations and rigorous selection and approval process;

(B) provides parents with meaningful choices;

(C) offers a range of tutoring models, including online and on campus; and

(D) includes only providers that—

(i) have a demonstrated record of success in increasing students' academic achievement;

(ii) comply with all applicable Federal, State, and local health, safety, and civil rights laws; and

(iii) provide instruction and content that is secular, neutral and non-ideological;

(3) ensure that each local educational agency receiving an award will provide an adequate number of high-quality academic tutoring options to ensure parents have a meaningful choice of services;

(4) develop and implement procedures for monitoring the quality of services provided by direct student service providers; and

(5) establish and implement clear criteria describing the course of action for providers that are not successful in raising student academic outcomes, which, for high-quality academic tutoring provider, may include a process to remove State approval under subsection (e)(2).

39. The House amendment, but not the Senate bill, has a subtitle heading.

HR

40. The House amendment, but not the Senate bill, amends the headings for title I, part A.

HR

41. The House amendment, but not the Senate bill, converts subtitles to chapters.

HR

42. The Senate bill and House amendment strike and replace section 1111. The Senate bill also strikes and replaces sections 1112 through 1117.

SR

43. The House amendment, but not the Senate bill, changes the heading for subsection (a).

SR

44. The House amendment, but not the Senate bill, omits the word "shall".

HR

45. The Senate bill and House amendment have wording differences.

SR

46. The Senate bill and House amendment add different entities to consult with.

HR with an amendment to strike "(including organizations representing such individuals)"

47. The Senate bill includes additional Acts to coordinate with.

HR with an amendment to add a new paragraph (2):

(2) **LIMITATION.**—Consultation required under paragraph (1) shall not interfere with the timely submission of the plan required under this section.

48. The Senate bill, but not the House amendment, requires States to describe what evidence-based strategies the State will implement.

SR

49. The House amendment, but not the Senate bill, changes the section reference.

LC

50. The Senate bill includes language on peer review and secretarial approval. The House amendment includes similar language in section 1111(e).

HR

51. The Senate bill and House amendment have different requirements for peer review appointments. See note 53.

HR with amendment to read as follows:

(3) Peer review and secretarial approval—

(A) IN GENERAL.—The Secretary shall—

(i) establish a peer-review process to assist in the review of State plans;

(ii) establish multidisciplinary peer-review teams and appoint members of such teams—

(I) who are representative of parents, teachers, principals, other school leaders, specialized instructional support personnel, State educational agencies, local educational agencies, the community, including the business community, and researchers who are familiar with the implementation of academic standards, assessments, or accountability systems, and how to meet the needs of disadvantaged students, children with disabilities, English learners, the needs of low-performing schools, and other educational needs of students;

(II) that include, to the extent practicable, majority representation of individuals who have practical experience in the classroom, school administration, or State or local government, such as direct employees of a school, local educational agency, or State educational agency within the preceding 2 years; and

(III) who represent a regionally diverse cross-section of States;

(iii) make available to the public, including by such means as posting to the Department's website, the list of peer reviewers who have reviewed State plans under this section;

(iv) ensure that the peer-review teams are comprised of varied individuals so that the same peer reviewers are not reviewing all of the State plans; and

52. The Senate bill says a plan is deemed approved within 90 days unless the Secretary demonstrates the plan does not meet the requirements. See note 54.

HR with amendment to strike subparagraph (v) and insert the following:

(v) approve a State plan within 120 days of its submission unless the Secretary determines that such State plan does not meet the requirements of this section and has relied in writing providing the supporting information and rationale to substantiate such determination.

53. The Senate bill, but not the House amendment, include additional provisions related to purpose and nature of review, and appointments.

HR with amendment to strike “publicly available” and replace with “transparent”

54. The House amendment requires the Secretary to approve a plan within 120 days. See note 52.

HR

55. The Senate bill and House amendment lay out different criteria and steps for Secretary disapproval.

HR/SR insert new clauses under subparagraph (A) in paragraph (3) to read as follows:

(vi) disapprove of the State plan only if the Secretary determines how the State plan

fails to meet the requirements of this section and immediately notifies the State of such determination and the reasons for such determination in writing as required in clause (v);

(vii) not decline to approve a State's plan before—

(I) offering the State an opportunity to revise its plan;

(II) providing technical assistance in order to assist the State to meet the requirements of this section;

(III) providing all peer-review comments, suggestions, recommendations, or concerns in writing to the State; and

(IV) providing a hearing, unless the State declines the opportunity for such hearing; and

(viii) have the authority to disapprove a State plan if the State has been notified and offered an opportunity to revise and resubmit with technical assistance under clause (vii), and—

(I) the State does not revise and resubmit its plan; or

(II) the State revises and resubmits a plan that the Secretary determines does not meet the requirements of this section after a hearing conducted under clause (vii)(IV), if applicable.

56. The House amendment includes limitations for the Secretary. The Senate bill contains a similar limitation within a more expansive set of limitations. See note 59.

HR

57. The House amendment includes a separate paragraph on state revisions. The Senate bill includes language on state revisions in paragraphs (4), (5), and (8). See notes 55, 58, and 65.

HR

58. The Senate bill includes a separate paragraph on state plan disapproval. See notes 54 through 56.

SR

59. The Senate bill includes a separate paragraph on Secretary limitations. See notes 56, 61, 62, and 66.

SR

60. The Senate bill and House amendment have different public review requirements. **HR with an amendment to strike “comments,” and insert “guidance, notes, and comments and the names of the peer reviewers (once the peer reviewers have completed their work);”**

61. The House amendment, but not the Senate bill, includes a prohibition on the Secretary. **SR with an amendment to strike “and the Secretary's staff,” and insert after “Secretary”, “and political appointees of the Department”, and to strike the second sentence.**

62. The House amendment, but not the Senate bill, includes a rule of construction regarding Secretary approval. See note 59.

HR

63. The Senate bill and House amendment include similar plan duration language. The House amendment includes this language in section 1111(f).

HR

64. The Senate bill, but not the House amendment, establishes a seven-year duration.

SR

65. The Senate bill and the House amendment include different requirements for additional information.

HR with an amendment to strike subparagraph (C)

66. The Senate bill, but not the House amendment, includes a limitation on the Secretary's authority.

SR

67. The Senate bill and House amendment include similar language on failing to meet requirements. The House amendment language is in section 1111(g).

HR

68. The House amendment requires the Secretary to withhold funds; the Senate bill permits the Secretary to withhold funds.

HR

69. The Senate bill, but not the House amendment, requires the State to post their State plan for at least 30 days for public review.

HR

70. The Senate bill and House amendment have different subsection headings.

SR with an amendment to insert “Challenging” before Academic Standards, and insert “Systems” after “Accountability”

71. The Senate bill and House amendment have different paragraph headings.

HR

72. The Senate bill requires an assurance of the adoption of challenging State academic standards; the House amendment requires demonstration State has adopted academic content standards and academic achievement standards.

HR

73. The Senate bill, but not the House amendment, requires three levels for achievement standards.

HR

74. The Senate bill, but not the House amendment, says that States shall not be required to submit standards to the Secretary.

HR

75. The Senate bill and House amendment have similar requirements for the same standards; the House amendment includes language on achievement standards that the Senate bill includes in subparagraph (C) of the Senate bill. See note 77.

HR/SR with an amendment to strike language in both bills and insert the following:

(B) Same Standards.—Except as provided in subparagraph (E), the standards required by subparagraph (A) shall—

(i) apply to all public schools and public school students in the State; and

(ii) with respect to academic achievement standards, include the same knowledge, skills, and levels of achievement expected of all public school students in the State.

76. The Senate bill provides an exception to this requirement for alternate academic achievement standards for students with the most significant cognitive disabilities as provided for in subparagraph (E).

HR

77. The Senate bill and House amendment have similar language on subjects; the Senate bill includes language on levels of achievement that is similar to the language the House amendment includes in subparagraph (C). See note 75.

SR

78. The Senate bill, but not the House amendment, requires States to demonstrate how their standards are aligned with higher education, career and technical education, and relevant early learning guidelines.

HR with an amendment to strike subparagraph (D) and insert the following:

(D) Alignment.—

(i) IN GENERAL.—Each State shall demonstrate that the challenging State academic standards are aligned with entrance requirements for credit-bearing coursework in the system of public higher education in the State and relevant State career and technical education standards.

(ii) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to authorize State institutions of higher education to determine

the specific challenging State academic standards required under this Act.

79. The Senate bill and House amendment have different subparagraph headings.

HR

80. The Senate bill and House amendment both allow States to develop alternate academic achievement standards using a documented and validated standards setting process.

HR

81. The House amendment, but not the Senate bill, requires the determination about the use of alternate academic achievement standards be made separately for each student. The Senate bill, but not the House amendment, requires this information to be designated in the student's individualized education program for each student.

HR

82. The Senate bill and House amendment require alignment of the alternate academic achievement standards with other State standards, but the Senate bill specifies the alignment should be with content standards.

HR

83. The Senate bill and House amendment require alternate academic achievement standards to promote access to the general curriculum, but the Senate bill requires that this be consistent with the purposes of the IDEA.

SR with an amendment to insert “, consistent with the Individuals with Disabilities Education Act” after “curriculum”

84. The Senate bill and House amendment use different language to describe the requirement for the standards to reflect the highest standards for the students.

SR

85. The Senate bill, but not the House amendment, requires the alternate academic achievement standards be aligned in such a way to ensure that a student who meets the standard is on track for further education or employment.

HR with an amendment to strike “for further” and insert “to pursue postsecondary” and to add before the period “, consistent with the purposes of Title IV of Pub. L 113-128”

Report Language: “It is the intent of the Conferees that alternate achievement standards be vertically aligned to ensure cross-grade coherence and a building of skills, with proficiency against the standards resulting in a student's readiness to access postsecondary education or employment.”

86. The Senate bill, but not the House amendment, prohibits any other alternate or modified achievement standards for children with disabilities.

HR

87. The Senate bill and House amendment include different requirements related to English language proficiency standards.

SR with amendment to strike “describe how the State educational agency will establish” and insert “demonstrate that the State has adopted”, to strike “; and” and insert the following:

“;”

(ii) address the different proficiency levels of English learners; and” and to redesignate clause (ii) as clause (iii)”

88. The Senate bill, but not the House amendment, clarifies that States do not have to submit their standards to the Secretary, and contain prohibitions on the Secretary's authority over standards.

HR

89. The Senate bill and House amendment include similar language on existing standards. The House amendment includes the language in subsection (b)(6).

HR

90. The House amendment and Senate bill refer to different bill titles.

LC

91. The House amendment and Senate bill have slightly different language.

SR

92. The House amendment, but not the Senate bill, requires the assessments be used in evaluating the performance of local educational agencies and schools under the State's accountability system. The Senate bill contains similar language requiring these assessments to be used in the State's accountability system in paragraph (3) of the Senate bill.

HR

93. The Senate bill, but not the House amendment, includes an exception for subparagraph (D) related to alternate assessments for the students with the most significant cognitive disabilities.

HR

94. The House amendment and Senate bill have slightly different language with respect to measuring student achievement; the Senate bill, but not the House amendment, includes language on assessment administration to all public school students.

HR

95. The Senate bill, but not the House amendment, refers to “challenging” academic standards.

HR

96. The Senate bill, but not the House amendment, includes an additional requirement that information on the student's performance at grade level be provided.

HR

97. The Senate bill includes this separate provision. The House amendment includes some of this language in clause (iv). See note 98.

HR

98. The Senate bill and House amendment have different requirements. See note 97.

HR

99. The Senate bill and House amendment include similar language regarding the frequency of administration.

SR with amendment to strike “be administered” and all that follows through the semicolon and replace with “be administered—(aa) in each of grades 3 through 8; and (bb) at least once in grades 9 through 12”

100. The House amendment, but not the Senate bill, includes a provision regarding administration of any other subjects chosen by the State.

SR

101. The Senate bill and the House amendment include different provisions that require the assessments to include measures that assess higher order thinking skills and understanding.

HR

102. The House amendment, but not the Senate bill, includes a provision requiring the assessments to measure proficiency and permitting the assessments to measure growth.

HR

103. The Senate bill and House amendment have different provisions related to participation of students.

LC

104. The Senate bill requires appropriate accommodations for students with disabilities and the House amendment requires reasonable accommodations.

HR with an amendment to insert “including students with the most significant cognitive disabilities,” after “section 602(3) of the Individuals with Disabilities Education

Act,” and to insert “or alternate academic achievement standards described in paragraph (1)(E)” after “State academic standards”

105. The Senate bill, but not the House amendment, includes a reference to assistive technology and IDEA.

HR

106. The House amendment requires accommodations for English learners to be “reasonable,” while the Senate bill requires accommodations to be “appropriate.”

HR

107. The Senate bill and House amendment include slightly different wording regarding the inclusion of English learners.

HR with an amendment to strike “(1)(F)” and insert “(I)(G)”

108. The Senate bill and House amendment have similar provisions with slightly different wording and different clause numbers.

SR with an amendment to read as follows:

(1) in subclause (I), by striking “annual”; and

(2) in subclause (II)—

(A) to insert “statewide interim” after “multiple”; and

(B) to insert “or growth” after “achievement”.

109. The Senate bill and House amendment have similar provisions.

HR

110. The Senate bill and House amendment have similar provisions.

SR with an amendment to insert “, consistent with clause (iii),” after “reports” and strike “teachers, and” and insert “teachers, principals, and other”

111. The Senate bill and House amendment have similar provisions; the House amendment, but not the Senate bill, requires disaggregation by status as a student with a parent who is an active duty member of the Armed Forces. The Senate bill includes this in note 178.

HR with an amendment to strike “(VI) migrant status;” and insert the following:

(VI) migrant status, except that, in the case of a local educational agency or a school, such disaggregation shall not be required in a case in which the number of students in a subgroup is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual;

112. The House amendment requires disaggregation by status as a student in foster care. The Senate requires disaggregated reporting on academic assessments and graduation rates for foster students on the State report card. See note 178.

HR

113. The House amendment includes language on personally identifiable information. The Senate bill includes similar language in paragraph (C). See note 119.

SR

114. The Senate bill, but not the House amendment, includes this provision on itemized score analyses.

HR

115. The House amendment includes this provision on the 95 percent participation rate requirement while the Senate bill includes a 95 percent participation rate requirement in paragraph (3)(B)(vi) of the Senate bill.

HR

116. The House amendment, but not the Senate bill, includes a provision related to opt out and the 95 percent participation requirement.

HR

117. The Senate bill and House amendment include a similar provision; the House

amendment references the definition for “universal design for learning” in the Higher Education Act while the Senate bill includes a definition in the general provisions.

HR

118. The Senate bill includes this separate subparagraph on disaggregation. The House amendment includes similar language in clause (xii). 2See note 114.

SR with an amendment to strike subparagraph (C) and insert the following:

([C]) Exception for Advanced Mathematics in Middle School. —For purposes of implementing subparagraph (B)(v)(I)(aa) for grade 8 with respect to mathematics, the State may exempt any 8th grade student from such assessment if—

(i) such student takes advanced mathematics during such student's 8th grade year and takes the end-of-course assessment the State typically administers to meet the requirements of subparagraph (B)(v)(I)(bb) in that subject;

(ii) such student's achievement on such end-of-course assessment shall be used for purposes of subsection [(c)(2)(B)(i)], in lieu of their achievement on the mathematics assessment required in subparagraph (B)(v)(I)(aa), and such student shall be counted as participating in the assessment for purposes of subsection [(c)(4)(B)(vi)]; and

(iii) such student takes an additional mathematics assessment in high school, which may be any end-of-course assessment in advanced mathematics that is more advanced than the assessment taken by such student to fulfill the requirement of subclause (I), to meet the requirements of subparagraph (B)(v)(I)(bb), which shall be used to measure such student's academic achievement for purposes of subsection [(c)(2)(B)(i)].

119. The Senate bill and House amendment have different subparagraph headings.

HR/SR with an amendment to strike subparagraph (D) and replace with the following:

(D) Alternate assessments for students with the most significant cognitive disabilities.—

(i) Alternate assessments aligned with alternate academic achievement standards.—A State may provide for alternate assessments aligned with the challenging State academic content standards and alternate academic achievement standards described in paragraph (1)(E) for students with the most significant cognitive disabilities, if the State—

(I) consistent with clause (ii), ensures that, for each subject, the total number of students assessed in such subject using the alternate assessments does not exceed 1 percent of the total number of all students in the State who are assessed in such subject;

(II) ensures that the parents of such students are clearly informed, as part of the process for developing the Individualized Education Program (as defined in section 614(d)(1)(A) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(1)(A)), that—

(aa) their child's academic achievement will be measured against such alternate standards; and

(bb) how participation in such assessments may delay or otherwise affect the student from completing the requirements for a regular high school diploma;

(III) promotes, consistent with the Individuals with Disabilities Education Act, the involvement and progress of students with the most significant cognitive disabilities in the general education curriculum;

(IV) describes in the State plan the steps the State has taken to incorporate universal

design for learning, to the extent feasible, in alternate assessments;

(V) describes in the State plan how that general and special education teachers and other appropriate staff know how to administer the alternate assessments, and make appropriate use of accommodations for children with disabilities on all assessments required under this paragraph;

(VI) develops, disseminates information on, and promotes the use of appropriate accommodations to increase the number of students with significant cognitive disabilities participating in academic instruction and assessments and increase the number of students with significant cognitive disabilities who are tested against challenging State academic achievement standards for the grade level in which a student is enrolled; and

(VII) does not preclude a student with the most significant cognitive disabilities who takes an alternate assessment based on alternate academic achievement standards from attempting to complete the requirements for a regular high school diploma.

(ii) Special rules.—

(I) Responsibility under idea.—Subject to the authority and requirements for the individualized education program team for a child with a disability under section 614(d)(1)(A)(i)(VI)(bb) of the Individuals with Disabilities Education Act, such team shall, consistent with the guidelines established by the State and required under section 612(a)(16)(C) of the Individuals with Disabilities Education Act and clause (i)(II) of this subparagraph, determine when a child with a significant cognitive disability shall participate in the alternate assessment aligned to the alternate academic achievement standards.

(II) Prohibition on local cap.—Nothing in this subparagraph shall be construed to permit the Secretary or a State educational agency to impose on any local educational agency a cap on the percentage of students administered the alternate assessment under this subparagraph, except that a local educational agency exceeding the cap applied to the State under clause (i)(I) shall submit information to the State educational agency justifying the need to exceed such cap.

(III) State support.—A State shall provide appropriate oversight, as determined by the State, of any local educational agency that must submit information to the State under subclause (II).

(IV) Waiver authority.—This subparagraph shall be subject to the Secretary's waiver authority under section [8XXX] of this Act.

120. The Senate bill and House amendment both include a requirement for alignment of the alternate assessment with the State standards. However, the Senate bill, but not the House amendment, clarifies the alternate assessment must be aligned with both the same content standards developed for all students and the alternate academic achievement standards developed for students with the most significant cognitive disabilities.

See note 119.

121. The Senate bill, but not the House amendment, sets an upper limit for the number of children who can be assessed in each subject using the alternate assessment at one percent of the total number of students in the State who are assessed in that subject.

See note 119.

122. The Senate bill and House amendment include similar language related to establishing and monitoring guidelines for individualized education program teams to use

when determining whether a child's significant cognitive disability justifies using the alternate assessment.

See note 119.

123. The Senate bill, but not the House amendment, requires that parents are involved in the decision to use the alternate assessment for their child, as required by the Individuals with Disabilities Education Act.

See note 119.

124. The House amendment, but not the Senate bill, include a requirement that parents are informed that their child's academic achievement will be measured against alternate standards and whether participation in the alternate assessment will preclude the student from completing the requirements for a high school diploma.

See note 119.

125. The Senate bill, but not the House amendment, includes requirements on making progress in the general curriculum. The House amendment, but not the Senate bill, requires the students are included in the general curriculum.

See note 119.

126. The Senate bill, but not the House amendment, requires a state plan description on ensuring access.

See note 119.

127. The Senate bill, but not the House amendment, requires the State to include a description of the steps the State has taken to incorporate universal design for learning in the alternate assessment.

See note 119.

128. The Senate bill and House amendment both require that teachers and other appropriate staff know how to administer assessments and make appropriate use of accommodations. The Senate bill extends this requirement to all assessments, whereas the House amendment extends this requirement to the alternate assessment only.

See note 119.

129. The Senate bill and House amendment both include a requirement to develop, disseminate information about, and promote the use of accommodation. The Senate bill and House amendment both specify these accommodations should increase the number of students tested against the State academic achievement standards. The House amendment, but not the Senate bill, clarifies these standards should be for the grade in which the student is enrolled. The Senate bill, but not the House amendment, specifies these accommodations should also promote participation in academic instruction and requires the State to describe in their State plan how appropriate accommodations will be provided.

See note 119.

130. The Senate bill and House amendment have a similar requirement about students who are assessed using the alternate assessment not being precluded from attempting to complete a high school diploma, but the House amendment refers to a “secondary school diploma”. The House amendment, but not the Senate bill, clarifies that a State determines the specific requirements for a diploma.

See note 119.

131. The Senate bill, but not the House amendment, includes a limitation on including the 1 percent of students tested against the alternate assessment in the State accountability system.

See note 119.

132. The Senate bill, but not the House amendment, includes language on State authority.

HR

133. The Senate bill requires each State plan to identify the languages that are “present to a significant extent” in the population, while the House amendment requires identification of languages that are “present”.

HR

134. The House amendment, but not the Senate bill, includes language on Secretary assistance upon a State’s request. The Senate bill includes this provision as subparagraph (F) and the House amendment includes it as subparagraph (E).

SR

135. The Senate bill and House amendment have different requirements for English language proficiency assessments.

SR

136. The House amendment, but not the Senate bill, includes this provision on locally designed assessment systems.

SR with amendment to strike (G) and replace with the following:

(G) LOCALLY-SELECTED ASSESSMENT.—

(i) IN GENERAL.—Nothing in this paragraph shall be construed to prohibit a local educational agency from administering a locally-selected assessment in lieu of the State-designed academic assessment under subclause (I)(bb) and subclause (II)(cc) of clause (v) of subparagraph (B), if the local educational agency selects a nationally-recognized high school academic assessment that has been approved for use by the state as described in clauses (iii) or (iv).

(ii) STATE TECHNICAL CRITERIA.—The State educational agency, in order to allow for State approval of nationally-recognized high school academic assessments that are available for local selection, shall establish technical criteria to determine if any such assessment meets the requirements of clause (v).

(iii) STATE APPROVAL.—If a State educational agency chooses to make a nationally-recognized high school assessment available for local selection, such agency shall—

(I) conduct a review of each assessment to determine if such assessment meets or exceeds such technical criteria established by the state under clause (ii);

(II) submit evidence in accordance with section 1111(a)(3) that demonstrates such assessment meets the requirements of clause (v) of this paragraph; and

(III) after fulfilling the requirements of subclause (I) and subclause (II), approve such assessment for selection and use by any local educational agency that requests to use such assessment consistent with clause (i).

(iv) LOCAL EDUCATIONAL AGENCY OPTION.—(I) if a local educational agency chooses to submit a nationally-recognized high school academic assessment to the State educational agency, subject to the approval process described in subclause (I) and subclause (II) of clause (iii) to determine if such assessment fulfills the requirements of clause (v), the State educational agency may approve the use of such assessment consistent with clause (i); and

(II) upon such approval, the State educational agency shall approve the use of such assessment in any other local educational agency in the State that subsequently requests to use such assessment without repeating the process described in subclause (I) and subclause (II) of clause (iii).

(v) REQUIREMENTS.—In order to receive approval from the State educational agency, such locally-selected assessments shall—

(I) be aligned to the State’s academic content standards under section 1111(b)(1), ad-

dress the depth and breadth of such standards, and be equivalent in their content coverage, difficulty, and quality to the State-designed assessments, and may be more rigorous in their content coverage and difficulty;

(II) provide comparable, valid, and reliable data on academic achievement, as compared to the State-designed assessments, for all students and for each subgroup of students described in subsection (c)(2), with results expressed in terms consistent with the State’s academic achievement standards described in subsection (b)(1), among all local educational agencies within the State;

(III) meet the requirements for the assessments under subparagraph (B), including technical criteria, except the requirement under clause (ii) of such subparagraph; and

(IV) provide unbiased, rational, and consistent differentiation between schools within the State to meet the requirements of section 1111(c).

(iv) PARENTAL NOTIFICATION.—A local educational agency shall notify parents—

(I) of its request to the State educational agency for approval to administer a locally selected assessment; and

(II) upon approval, and at the beginning of each subsequent school year during which the locally selected assessment will be implemented, that the local educational agency will be administering a different assessment than the State-designed assessments under subclause (I)(bb) and subclause (II)(cc) of clause (v) of subparagraph (B).

Report language: “It is the intent of the Conferees to allow flexibility for States and local educational agencies to select and use any nationally-recognized high school assessment that is approved for selection after meeting the requirements of this paragraph. It is the intent of the Conferees that existing assessments already widely recognized as validly measuring student performance, such as ACT or SAT exams, may, subject to approval described in this subparagraph, be selected and used.”

137. The Senate bill, but not the House amendment, includes this deferral language.

HR

138. The Senate bill and House amendment include similar rules of construction regarding use of assessments for student promotion or graduation. The House amendment includes this as a section 1111(k).

SR

139. The Senate bill and House amendment have different language on computer adaptive assessments; in addition, the Senate bill includes this as subparagraph (J) and the House amendment includes it as subparagraph (F).

HR/SR with an amendment to strike and replace with the following:

[J/F] ADAPTIVE ASSESSMENTS.—

(i) IN GENERAL.—Subject to clause (ii), a State retains the right to develop and administer computer adaptive assessments as the assessments described in this paragraph, as long as the computer adaptive assessments meet the requirements of this paragraph, except that—

(I) subparagraph [(B)(ii)] shall not be interpreted to require that all students taking the computer adaptive assessment be administered the same assessment items; and

(II) such assessment—

(aa) shall measure, at a minimum, each student’s academic proficiency against the State’s academic standards for the student’s grade level and growth toward such standards; and

(bb) may measure the student’s level of academic proficiency and growth using items

above or below the student’s grade level, including for use as part of a State’s accountability system under paragraph (3).

Report Language: “It is the Conferees’ intent that adaptive assessments may use items above or below the student’s grade level, but, for purposes of determining and reporting overall proficiency in the accountability system, the adaptive assessment must measure academic proficiency within a student’s enrolled grade level academic standards.”

140. The Senate bill, but not the House amendment, contains a provision describing the applicability of computer adaptive assessments for students with the most significant cognitive disabilities.

HR/SR with an amendment to read as follows:

(ii) students with the most significant cognitive disabilities and english learners.—In developing and administering computer adaptive assessments.—

(I) as the assessments allowed under subparagraphs (D), a State shall ensure that such computer adaptive assessments—

(aa) meet the requirements of this paragraph, including subparagraph (D), except such assessments shall not be required to meet the requirements of clause (i)(II); and

(bb) assess the student’s academic achievement in order to measure, in the subject being assessed, whether the student is performing at the student’s grade level.

(II) as the assessments described under subparagraph (G), a State shall ensure that such computer adaptive assessments—

(aa) meet the requirements of this paragraph, including subparagraph (G), except such assessment shall not be required to meet the requirements of clause (i)(II); and

(bb) assess the student’s language proficiency in order to measure the student’s acquisition of English.

141. The Senate bill, but not the House amendment, includes this language on parent and guardian rights.

HR with an amendment to strike “part” and insert “paragraph” and strike “statewide”

142. The Senate bill, but not the House amendment, includes this provision on assessment time.

SR with an amendment to insert the following at the end of section 1111(b)(2):

() LIMITATION ON ASSESSMENT TIME.—Subject to Federal or State requirements related to assessments, evaluations, and accommodations, each State may, at the sole discretion of such State, set a target limit on the aggregate amount of time devoted to the administration of assessments for each grade, expressed as a percentage of annual instructional hours.

Report Language: “It is the ?Conferees’ intent that nothing in the language allowing a State to set a target limit on time spent on assessments shall ever be construed to mandate that a State set such a target limit. Setting a target limit will always be a choice the State makes. Additionally, the Conferees intend that the target limit set include assessments adopted pursuant to this subsection, other assessments required by the State, and assessments required district-wide by the local educational agency.”

143. The Senate bill refers to “System” while the House amendment refers to “Systems” in the paragraph heading.

HR/SR with an amendment to strike paragraph (3) and insert the following:

(c) STATEWIDE ACCOUNTABILITY SYSTEM.—

(1) IN GENERAL.—Each state plan shall describe a Statewide Accountability System

that complies with the requirements of this subsection and subsection (d).

(2) **SUBGROUP OF STUDENTS.**—In this subsection, the term ‘subgroup of students’ means—

- (A) economically disadvantaged students;
- (B) students from major racial and ethnic groups;
- (C) children with disabilities; and
- (D) English learners.

(3) **MINIMUM NUMBER OF STUDENTS.**—Each State shall describe—

(A) with respect to any provisions under this part that require disaggregation of information by each subgroup of students, as defined in paragraph (2)—

(i) the minimum number of students that the State determines are necessary to be included to carry out such requirements and how that number is statistically sound, which shall be the same State-determined number for all students and for each subgroup of students in the state;

(ii) how such minimum number of students was determined by the State, including how the State collaborated with teachers, principals, other school leaders, parents, and other stakeholders when determining such minimum number; and

(iii) how the State ensures that such minimum number does not reveal any personally identifiable information;

(4) **DESCRIPTION OF SYSTEM.**—The statewide accountability system described in paragraph (1)

(A) shall be based on the challenging State academic standards described in subsection (b)(1)

(C) to improve student academic achievement and school success. In designing such system to meet the requirements of this part, the State shall—

(A) Establish ambitious State-designed long term goals, which shall include measurements of interim progress toward meeting such goals—

(i) for all students and separately for each of subgroup of students in the State—

(I) for, at a minimum, improved—

(aa) academic achievement, as measured by proficiency on the annual assessments required under subsection (b)(2)(B)(v)(I); and

(bb) high school graduation rates, including—

(AA) the 4-year adjusted cohort graduation rate; and

(BB) at the State’s discretion, the extended-year adjusted cohort graduation rate, except that the state shall set a more rigorous long term goal for such graduation rate;

(II) for which the term set by the state in designing such goals is the same multi-year length of time for all students and for each subgroup of students in the state; and

(III) that, for subgroups of students who are behind on the measures described in clause (i), take into account the improvement necessary on such measures to make significant progress in closing statewide proficiency and graduation rate gaps; and

(ii) for English learners, increases in the percentage of students making progress in achieving English language proficiency, as defined by the State, as measured by the assessments described in subsection (b)(2)(G), within a State-determined timeline.

(B) Annually measure, for all students and separately for each subgroup of students, except that the indicator described in clause

(iv) shall be measured only for the subgroup of students described in paragraph (2)(D), indicators of—

(i) For all public schools, academic achievement, as measured by proficiency,

and at the State’s discretion, student growth for high schools, on the annual assessments required under subsection (b)(2)(B)(v)(I), based on the long term goals established pursuant to subparagraph (A);

(ii) For elementary schools and secondary schools that are not high schools, a measure of student growth, if determined appropriate by the state, or another valid and reliable statewide academic indicator that allows for meaningful differentiation in school performance;

(iii) For high schools, the 4 year adjusted cohort graduation rate, and, at the State’s discretion, the extended-year adjusted cohort graduation rate, based on State-designed long term goals established pursuant to subparagraph (A);

(iv) English language proficiency for all English learners in each of the grades 3 through 8 and in the grade for which such English learners are otherwise assessed under paragraph (2)(B)(v)(I) during the grade 9 through 12 period, which may include measures of student growth toward such proficiency; and

(v) For all schools, not less than one indicator of school quality or student success that allows for meaningful differentiation in school performance and is valid, reliable, comparable, and statewide, which may include measures of—

(I) Student engagement;

(II) Educator engagement;

(III) Student access to and completion of advanced coursework;

(IV) Postsecondary readiness;

(V) School climate and safety; and

(VI) any other indicator the state chooses that meets the requirements of this clause; and

(vi) for all schools, the participation of at least 95 percent of all students and at least 95 percent of students in each subgroup of students in the assessments required under subsection (b)(2).

(C) Establish a system of annually meaningfully differentiating all public schools in the State, which shall—

(i) be based on all indicators in the State’s accountability system under subparagraph (B), for all students and for each of subgroup of students, consistent with the requirements of such subparagraph;

(ii) afford substantial weight to each of the indicators described in clauses (i) through (iv) of subparagraph (B), and in the aggregate greater weight than is afforded to the indicator or indicators utilized by the state and described in subparagraph (B)(v), in the aggregate, with the weight given to the indicator described in clause (vi) of such subparagraph determined solely by the State; and

(iii) include differentiation of any school in which any subgroup of students is consistently underperforming, as determined by the State, based on all indicators under subparagraph (B) and pursuant to the system established under this subparagraph; and

(D) Based on the system of meaningful differentiation described in subparagraph (C), establish a State-determined methodology to identify—

(i) at least once every three years, one statewide category of schools for comprehensive support and improvement as described in subsection (d)(1), which shall include—

(I) at least the lowest-performing 5% of all Title I schools in the state;

(II) all high schools in the state failing to graduate one third or more of their students; and

(III) Schools described under subsection (d)(3)(A)(i)(II); and

(ii) at the discretion of the state, additional statewide categories of schools.

(E) **SPECIAL RULES.**—

(i) The State educational agency shall begin identification of schools described in subparagraph (D) beginning with the 2017–2018 academic year; and

(ii) For any student who has not attended the same school within a local educational agency for at least half of the academic year, the performance of any such student on the indicators described in clause (i) through clause (v) of subsection (c)(4)(B) may not be used in the system of meaningful differentiation of all public schools as described in subsection (c)(4)(C), except that such performance of any such student shall be used for the purpose of reporting on the State and local educational agency report cards required under subsection (h).

Report Language: “The Conferees intend that States may have opt out policies if they so choose, but any student that opts out shall be included in the denominator for the purposes of calculating the 95 percent participation rate requirement and for measuring, calculating, and reporting proficiency for the purpose of accountability under section 1111 (c) and (d). The State will make the decision regarding the consequences for a school that fails to comply with the requirement described in subparagraph (E).”

(d) **SCHOOL SUPPORT AND IMPROVEMENT ACTIVITIES.**—

(1) **COMPREHENSIVE SUPPORT AND IMPROVEMENT.**—

(A) **IN GENERAL.**—Each State educational agency receiving funds under this part shall notify each local educational agency in the state of any school within the local educational agency that is identified for comprehensive support and improvement under subsection (c)(4)(D)(i).

(B) **LOCAL EDUCATIONAL AGENCY ACTION.**—Upon receiving such information from the State, the local educational agency shall, for each school identified by the state and in partnership with stakeholders (including principals and other school leaders, teachers and parents), locally develop and implement a comprehensive support and improvement plan for the school to improve student outcomes based on all indicators in the statewide accountability system established under subsection (c)(4), that—

(i) is informed by all indicators in the statewide accountability system described in subsection (c)(4)(B), including student performance against State-determined long term goals;

(ii) includes evidence-based interventions;

(iii) is based on a school-level needs assessment;

(iv) identifies resource inequities, which may include a review of local educational agency and school level budgeting, to be addressed through implementation;

(v) is approved by the school, local educational agency, and State educational agency; and

(vi) upon approval and implementation, is monitored and periodically reviewed by the State educational agency.

(C) **STATE EDUCATIONAL AGENCY DISCRETION.**—The State educational agency may—

(i) permit differentiated improvement activities that utilize evidence-based interventions in any high schools identified pursuant to subsection (c)(4)(D)(i)(II) that predominantly serve students—

(I) returning to education after having exited secondary school without a regular high school diploma; or

(II) who, based on their grade or age, are significantly off track to accumulate sufficient academic credits to meet high school graduation requirements, as established by the State; and

(ii) for any high school in the State identified pursuant to subsection (c)(4)(D)(i)(II) that has a total enrollment of less than 100 students, permit the local educational agency to forgo implementation of improvement activities required under this paragraph.

(D) PUBLIC SCHOOL CHOICE.—

(i) IN GENERAL.—A local educational agency may provide all students enrolled in a school identified by the State for comprehensive support and improvement pursuant to subsection (c)(4)(D)(i) with the option to transfer to another public school served by the local educational agency, unless such an option is prohibited by State law.

(ii) PRIORITY.—In providing students the option to transfer to another public school, the local educational agency shall give priority to the lowest-achieving children from low-income families, as determined by the local educational agency for the purposes of allocating funds to schools under section 1113(a)(3).

(iii) TREATMENT.—Students who use the option to transfer to another public school shall be enrolled in classes and other activities in the public school to which the students transfer in the same manner as all other children at the public school.

(iv) SPECIAL RULE.—A local educational agency shall permit a child who transfers to another public school under this paragraph to remain in that school until the child has completed the highest grade in that school.

(v) FUNDING FOR TRANSPORTATION.—A local educational agency may spend an amount equal to not more than 5 percent of its allocation under subpart 2 to pay for the provision of transportation for students who transfer under this paragraph to the public schools to which the students transfer.

(2) TARGETED SUPPORT AND IMPROVEMENT.—

(A) IN GENERAL.—Each State educational agency receiving funds under this part shall, using the meaningful differentiation of schools described in subsection (c)(4)(C), notify each local educational agency in the state of any school within the local educational agency in which any subgroup of students is consistently underperforming as described in paragraph (4)(C)(iii) of such subsection, and such local educational agencies shall provide notification to any such school.

(B) TARGETED SUPPORT AND IMPROVEMENT PLAN.—Each school receiving a notification described in this paragraph must, in partnership with stakeholders including principals and other school leaders, teachers and parents, develop and implement a school-level targeted support and improvement plan to improve student outcomes based on the indicators in the statewide accountability system established under subsection (c)(4), for the one or more student subgroup that caused the notification that—

(i) is informed by all indicators in the statewide accountability system described in subsection (c)(4)(B), including student performance against long term goals;

(ii) includes evidence-based interventions;

(iii) is approved by the local educational agency prior to implementation; and

(iv) is monitored, upon submission and implementation, by the local educational agency; and

(v) result in additional action following unsuccessful implementation of such plan after a number of years determined by the local educational agency.

(C) ADDITIONAL TARGETED SUPPORT.—Plans described in subparagraph (B) that are developed and implemented in any school receiving a notification from the local educational agency in which the performance of any subgroup of students would lead to identification for comprehensive support and improvement using the State's methodology under subsection (c)(4)(D) shall also identify resource inequities, which may include a review of local educational agency and school level budgeting, to be addressed through implementation of such plan;

(D) SPECIAL RULE.—The State educational agency shall begin annual differentiation of and notification to local educational agencies of any schools described in subparagraph (C) beginning with the 2017–2018 academic year.

(3) CONTINUED SUPPORT FOR SCHOOL AND LOCAL EDUCATIONAL AGENCY IMPROVEMENTS.—To ensure continued progress to improve student academic achievement and school success in the state, the State educational agency—

(A) shall—

(i) establish statewide exit criteria for—

(I) schools identified by the state for comprehensive support and improvement under subsection (c)(4)(D)(i), which, if not satisfied within a state-determined number of years (not to exceed four years), shall result in more rigorous state-determined action, such as the implementation of interventions which may include addressing school-level operations; and

(II) schools described in paragraph (2)(C), which, if not satisfied within a state-determined number of years, shall, in the case of such schools receiving assistance under this part, result in identification of the school by the state for comprehensive support and improvement under subsection (c)(4)(D)(i)(III);

(ii) periodically review resource allocation to support school improvement in local educational agencies in the state with a significant number of schools identified for comprehensive support and improvement under subsection (c)(4)(D)(i) and schools implementing targeted support and improvement plans under paragraph (2); and

(iii) provide technical assistance to local educational agencies in the state with a significant number of schools implementing comprehensive support and improvement plans under paragraph (1) or schools implementing targeted support and improvement plans under paragraph (2); and

(B) may—

(i) take action to initiate additional improvement in any local educational agency with a significant number of schools that are consistently identified by the state for comprehensive support and improvement under subsection (c)(4)(D)(i) and not meeting exit criteria established by the state under subparagraph (A)(i)(I) and a significant number of schools implementing targeted support and improvement plans under paragraph (2); and

(ii) consistent with State law, establish alternative evidence-based State determined strategies that can be used by local educational agencies to assist a school identified for comprehensive improvement under subsection (c)(4)(D)(i).

(4) RULE OF CONSTRUCTION FOR COLLECTIVE BARGAINING.—Nothing in this subsection shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded to school or local educational agency employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective

bargaining agreements, memoranda of understanding, or other agreements between such employers and their employees.

Report Language: “The Conferees intend for the provisions of this section to establish minimum requirements for State accountability systems, but not to preclude States from including additional elements or methods for identifying student and school performance, which may include using additional categories of students. Such additional elements or methods must not prevent the State from meeting the minimum requirements for meaningful differentiation, identification for improvement, and school support and interventions under this section, and the State must not use such additional elements or methods to reduce the number or percentage, or change, the schools that would otherwise be subject to the requirements of the State's accountability system as described under 1111(c) and 1111(d).”

144. The Senate bill, but not the House amendment, includes a definition for “category of students.” The definition includes the same categories as are included in the House amendment in paragraph (3)(B)(ii)(II).

See note 143.

145. The Senate bill and House amendment have different language requiring States to establish accountability systems.

See note 143.

146. The Senate bill and House amendment have different requirements for State accountability systems.

See note 143.

147. The Senate bill, but not the House amendment, requires States to include graduation rates, an academic indicator for elementary and middle schools, and English proficiency in their accountability systems.

See note 143.

148. The House amendment identifies the subgroups a State's accountability system must identify. The subgroups are mostly identical to the “category of students” definition in the Senate bill, except that the Senate bill says “children with disabilities” and the House amendment says “students with disabilities”. See note 145.

See note 143.

149. The Senate bill permits States to measure student growth in their accountability systems. The House amendment includes a mention of student growth in the assessment paragraph of the House amendment. See note 102.

See note 143.

150. The House amendment requires a system of school improvement for low-performing public schools receiving Title I funds as part of states' accountability systems. The Senate bill includes section 1114 regarding school identifications, interventions, and supports to improve low-performing schools. See note 238.

See note 143.

151. The Senate bill, but not the House amendment, details the other indicator of school quality states must include in their accountability systems.

See note 143.

152. The Senate bill, but not the House amendment, includes requirements related to amount certain indicators must weigh in the State-designed accountability systems.

See note 143.

153. The Senate bill, but not the House amendment, requires State accountability systems to comply with Sec. 1114 of the Senate bill.

See note 143.

154. The Senate bill, but not the House amendment, requires State accountability

systems to include a clear and understandable explanation of school identification and differentiation.

See note 143.

155. The Senate bill includes the requirement for states to assess 95 percent of their students within the accountability system. The House amendment included this provision within the assessment requirements of the House amendment. See note 115.

See note 143.

156. The House amendment and the Senate bill contain different language related to prohibitions on the Secretary.

HR/SR with an amendment to strike paragraph (6) and insert a new subsection (e) of section 1111 as follows:

(e) PROHIBITION.

(1) IN GENERAL.—Nothing in this act shall be construed to authorize or permit the Secretary—

(A) when promulgating any rule or regulation, to promulgate any rule or regulation on the development or implementation of the statewide accountability system established under this section that would—

(i) add new requirements that are inconsistent with or outside the scope of this part;

(ii) add new criteria that are inconsistent with or outside the scope of this part; or

(iii) be in excess of Statutory authority granted to the Secretary;

(B) to, as a condition of approval of the State plan, or revisions or amendments to, the State plan, or approval of a waiver request submitted under section 8xxx, to—

(i) require a State to add any requirements that are inconsistent with or outside the scope of this part;

(ii) require a State to add or delete one or more specific elements of the State's academic standards; or

(iii) prescribe—

(I) numeric long-term goals or measurements of interim progress that states establish for all students, for any subgroups of students, and for English learners with respect to English language proficiency, under this part, including—

(aa) the length of terms set by states in designing such goals; or

(bb) the progress expected from any subgroups of students in meeting such goals;

(II) specific academic assessments or assessment items that States or local educational agencies use to meet the requirements of subsection (b)(2) or otherwise use to measure student academic achievement or student growth under this part;

(III) indicators that States use within the State accountability system under this section, including any requirement to measure student growth, if a State chooses to measure student growth, or the specific metrics used to measure such growth under this part;

(IV) the specific weight of any measure or indicator used to identify or meaningfully differentiate schools, under this part;

(V) the specific methodology used by States to meaningfully differentiate or identify schools under this part;

(VI) any specific school support and improvement strategies that State or local educational agencies establish and implement to intervene, support, and improve schools and student outcomes under this part;

(VII) exit criteria established by States under subsection (d)(3)(A)(i);

(VIII) provided that the State meets the requirements in subsection (c)(3), a minimum number of students;

(IX) any aspect or parameter of a teacher, principal, or other school leader evaluation system within a State or local educational agency; or

(X) indicators or specific measures of teacher, principal, or other school leader effectiveness or quality; or

(C) to issue new non-regulatory guidance that—

(i) in seeking to provide explanation of requirements under this section for State or local educational agencies, either in response to requests for information or in anticipation of such requests, provides a strictly limited or exhaustive list to illustrate successful implementation of provisions under this section; or

(ii) purports to be legally binding; or

(D) to require data collection under this part beyond data derived from existing Federal, State, and local reporting requirements.

(2) DEFINING TERMS.—In carrying out this part, the Secretary shall not, through regulation or as a condition of approval of the State plan or revisions or amendments to the State plan, promulgate a definition of any term used in this part, or otherwise prescribe any specification for any such term, that is inconsistent with or outside the scope of this part or is in violation of paragraph (1).

Report Language: “While it is the intent of the Conferees to allow the Secretary to issue regulations and guidance to clarify the intent and implement the law, Conferees intend to prohibit any such regulation that would create new requirements inconsistent with or outside the scope of the law, including regulations that would take from a State the authority to establish a Statewide Accountability System, thus undermining the intent of Congress that States establish and make decisions regarding the Statewide Accountability System required under this part. For example, the Secretary may issue regulations to implement or clarify the statutory requirement that the State meaningfully differentiate all public schools (such as requiring a statewide accountability system to indicate levels of school performance that are distinct and easy for parents to understand); however, in issuing such regulation, the Secretary may not, for example, require a State to meaningfully differentiate schools using an A–F grading system or other specific scoring rubric.”

157. The Senate bill includes this provision as subsection (b)(4), while the House amendment includes it as paragraph (3)(E).

HR/SR with an amendment to read as follows:

(4) EXCEPTIONS FOR ENGLISH LEARNERS.—

(A) ACCOUNTABILITY.—With respect to recently arrived English learners, a State may choose to—

(i) exclude—

(I) a recently arrived English learner who has attended school in one of the 50 States in the United States or in the District of Columbia for less than 12 months from one administration of the reading or language arts assessment required under paragraph (2); and

(II) the results of a recently arrived English learner who has attended school in one of the 50 States in the United States or in the District of Columbia for less than 12 months on either or both of the assessments under paragraph (2)(B)(v)(I) and paragraph (2)(F) for the first year of the English learner's enrollment in a school in the United States for the purposes of the State-determined accountability system under subsection (c); or

(ii)(I) assess, and report the performance of, a recently arrived English learner who has attended school in one of the 50 States in the United States or in the District of Co-

lumbia for less than 12 months on the reading or language arts and mathematics assessments required under paragraph (2)(B)(v)(I) in each year of the student's enrollment in a school in the United States; and

(II) for the purposes of the State-determined accountability system—

(aa) for the first year of the student's enrollment in a school in the United States, exclude the results on these assessments;

(bb) include a measure of student growth on the reading or language arts and mathematics assessments in the second year of the student's enrollment; and

(cc) include proficiency on the reading or language arts and mathematics assessments in the third year of the student's enrollment.

(B) ENGLISH LEARNER SUBGROUP.—A State may include the results on the assessments under paragraph (2)(B)(v)(I), except for results on the English language proficiency assessments required under paragraph (2)(G), of former English learners for not more than 4 years after the student is no longer identified as an English learner within the English learner subgroup of the subgroups of students, as defined in paragraph XX for the purposes of the State-determined accountability system.

158. The Senate bill, but not the House amendment, allows a State to exclude recently arrived English learners from one administration of the State's reading or language arts assessment.

See note 157.

159. The Senate bill allows the results of reading and math assessments of recently arrived English learners to be excluded from accountability determinations for one year, while the House amendment allows for two years in math and three years in reading.

See note 157.

160. The Senate bill, but not the House amendment, allows the results of former English learners to be included in the English learner category for 4 years.

See note 157.

161. The Senate bill refers to accountability provisions under this “title” while the House amendment refers to accountability provisions under this “Act.”

SR

162. The Senate bill, but not the House amendment, includes this paragraph on requirements.

HR

163. The House amendment, but not the Senate bill, includes this implementation timeline provision.

HR

164. The House amendment, but not the Senate bill, includes this provision on existing state law.

SR

165. The Senate bill and House amendment have different subsection headings.

SR

166. The Senate bill, but not the House amendment, includes additional state plan descriptions in subsection (c)(1).

HR with an amendment to strike and insert the following:

(g) OTHER PLAN PROVISIONS.—

(1) DESCRIPTIONS.—Each State plan shall describe—

(B) how the State will provide assistance to local educational agencies and individual elementary schools choosing to use funds under this part to support early childhood education programs;

(C) how low-income and minority children enrolled in schools assisted under this part are not served at disproportionate rates by

ineffective, out-of-field, and inexperienced teachers, and the measures the State educational agency will use to evaluate and publicly report the progress of the State educational agency with respect to such description; however, nothing in this subparagraph shall be construed as requiring a State to develop or implement a teacher, principal, or other school leader evaluation system;.

(D) how the State educational agency will support local educational agencies receiving assistance under this part to improve school conditions for student learning, including through reducing—

- (i) incidences of bullying and harassment;
- (ii) the overuse of discipline practices that remove students from the classroom; and
- (iii) the use of aversive behavioral interventions that compromise student health and safety;

(E) how the State will support local educational agencies receiving assistance under this part in meeting the needs of students at all levels of schooling, particularly students in the middle grades and high school, including how the State will work with such local educational agencies to provide effective transitions to middle grades and high school in order to decrease student risk of dropping out;

Report Language: "It is the Conferees' intent that States describe how the unique needs of students are met, particularly those students in the middle grades and high schools. The Conferees intend that States will work with local educational agencies receiving assistance under this part to assist in identifying students who are at-risk of dropping out using indicators such as attendance and student engagement data, to ensure effective student transitions from middle to high school, including by aligning curriculum and student supports, and to assist in effective transitions from high school to postsecondary education through strategies such as partnerships between local educational agencies and institutions of higher education. Such strategies to improve transitions may include integration of rigorous academics, career and technical education, and work-based learning. In order to accomplish these priorities, the Conferees intend that States will provide professional development to teachers, principals, other school leaders, and other school personnel to ensure that the academic and developmental needs of middle and high school students are met."

(F) the steps a State educational agency will take to ensure collaboration with the State agency responsible for administering the State plans under parts B and E of title IV of the Social Security Act (42 U.S.C. 621 et seq. and 670 et seq.) to ensure the educational stability of children in foster care, including assurances that—

(i) any such child enrolls or remains in such child's school of origin, unless a determination is made that it is not in such child's best interest to attend the school of origin, which decision shall be based on all factors relating to the child's best interest, including consideration of the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement;

(ii) when a determination is made that it is not in such child's best interest to remain in the school of origin, the child is immediately enrolled in a new school, even if the child is unable to produce records normally required for enrollment;

(iii) the enrolling school shall immediately contact the school last attended by any such child to obtain relevant academic and other records; and

(iv) the State educational agency will designate an employee to serve as a point of contact for child welfare agencies and to oversee implementation of the State agency responsibilities required under this subparagraph, and such point of contact shall not be the State's Coordinator for Education of Homeless Children and Youths under section 722(d)(3) of the McKinney-Vento Homeless Assistance Act;

(F) how the State educational agency will provide support to local educational agencies in the identification, enrollment, attendance, and school stability of homeless children and youths; and

(G) such other factors the State educational agency determines appropriate to provide students an opportunity to achieve the knowledge and skills described in the challenging State academic standards.

Report Language: "It is the Conferees' intent that each State describes how it will support local educational agencies and schools by providing resources and guidance, professional development, and technical assistance to reduce techniques, strategies, interventions, and policies that compromise the health and safety of students, such as seclusion and restraint."

167. The Senate bill, but not the House amendment, restructures these provisions as a paragraph (2). The Senate bill and House amendment have different lead-ins.

HR

168. The Senate bill and House amendment include different assurances.

HR with an amendment to strike and insert the following:

(2) ASSURANCES.—Each State plan shall contain assurances that.—

(A) the State will make public any methods or criteria the State is using to measure teacher, principal, and other school leader effectiveness for the purpose of meeting the requirements described in paragraph (1)(C);

(B) the State educational agency will notify local educational agencies, Indian tribes and tribal organizations, schools, teachers, parents, and the public of the challenging State academic standards, academic assessments, and State accountability system, developed under this section;

(C) the State educational agency will assist each local educational agency and school affected by the State plan to meet the requirements of this part;

(D) the State will participate in the biennial State academic assessments in reading and mathematics in grades 4 and 8 of the National Assessment of Educational Progress carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act if the Secretary pays the costs of administering such assessments;

(E) the State educational agency will modify or eliminate State fiscal and accounting barriers so that schools can easily consolidate funds from other Federal, State, and local sources in order to improve educational opportunities and reduce unnecessary fiscal and accounting requirements;

(F) the State educational agency will support the collection and dissemination to local educational agencies and schools of effective parent and family engagement strategies, including those included in the parent and family engagement policy under section 1118j;

(G) the State educational agency will provide the least restrictive and burdensome regulations for local educational agencies and individual schools participating in a program assisted under this part;

(H) the State educational agency will ensure that local educational agencies, in de-

veloping and implementing programs under this part, will, to the extent feasible, work in consultation with outside intermediary organizations, such as educational service agencies, or individuals, that have practical expertise in the development or use of [evidence-based] strategies and programs to improve teaching, learning, and schools;

(I) the State educational agency has appropriate procedures and safeguards in place to ensure the validity of the assessment process;

(J) the State educational agency will ensure that all teachers and paraprofessionals working in a program supported with funds under this part meet applicable State certification and licensure requirements, including alternative certification requirements;

(K) the State educational agency will coordinate activities funded under this part with other Federal activities as appropriate;

(L) the State educational agency has involved the committee of practitioners established under section 1503(b) in developing the plan and monitoring its implementation; [and]

(M) the State has professional standards for paraprofessionals working in a program supported with funds under this part, including qualifications that were in place on the day before the date of enactment of the Every Child Achieves Act of 2015; [and]

(N) the State educational agency will provide the information described in clauses (ii), (iii), and (iv) of subsection (d)(1)(C) to the public in an easily accessible and user-friendly manner that can be cross-tabulated by, at a minimum, each major racial and ethnic group, gender, English proficiency, and students with or without disabilities, which—

(i) may be accomplished by including such information on the annual State report card described subsection (d)(1)(C); and

(ii) shall be presented in a manner that—

(I) is first anonymized and does not reveal personally identifiable information about an individual student;

(II) does not include a number of students in any subgroup of students that is insufficient to yield statistically reliable information or that would reveal personally identifiable information about an individual student; and

(III) is consistent with the requirements of section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the "Family Educational Rights and Privacy Act of 1974").

Report Language: "As used in section 8546, Prohibition on Aiding and Abetting Sexual Abuse, the phrase "has probable cause to believe" means that the person knows facts that would lead a reasonable person to conclude that a school employee, contractor, or agent has previously engaged in, or is currently engaging in, sexual misconduct."

169. The Senate bill, but not the House amendment, includes this rule of construction related to cross tabulation of data.

HR with an amendment to strike and insert the following:

(3) RULES OF CONSTRUCTION.—Nothing in paragraph (2)(O) shall be construed to—

(A) require groups of students obtained by any entity that cross-tabulates the information provided under such paragraph to be considered categories of students under subsection (b)(3)(A) for the purposes of the State accountability system under subsection (b)(3); or

(B) to require or prohibit States from publicly reporting data in a cross-tabulated manner, in order to meet the requirements of paragraph (2)(N).

(4) TECHNICAL ASSISTANCE.—Upon request by a State educational agency, the Secretary shall provide technical assistance to such agency in order to meet the requirements of paragraph (2)(N).

170. The Senate bill, but not the House amendment, includes this paragraph regarding technical assistance related to cross tabulation of data.

SR with an amendment to insert new subparagraph (B) within paragraph (4) to read as follows:

(4) TECHNICAL ASSISTANCE.—Upon request by a State educational agency, the Secretary shall provide technical assistance to such agency in order to—

(A) meet the requirements of paragraph (2)(N); and

(B) in the case of a State educational agency choosing, at its sole discretion, to disaggregate data described in clauses (ii) and (iii)(II) of subsection (d)(1)(C) for Asian and Native Hawaiian/Pacific Islander students using the same race response categories as the decennial census of the population, assist such State educational agency in such disaggregation and in using such data to improve academic outcomes for such students.

Report Language: “The Conferees recognize that achievement data for the subgroups of students described in subsection 1111(c)(2) can mask particular challenges that ethnic minorities within each subgroup face. The Conferees encourage States that collect disaggregated data on ethnic minorities within individual subgroups, such as disaggregated data for Asian and Native Hawaiian/Pacific Islander students using the same race response categories as the decennial census of the population to make such information publicly available, so long as such disclosure does not reveal any personally identifiable information for any student.”

171. The House amendment, but not the Senate bill, includes this requirement regarding parental involvement.

HR

172. The Senate bill and House amendment include the requirement for reports in different subsections.

LC

173. The Senate bill and House amendment have different wording, and the House amendment includes additional language on dissemination. The Senate bill includes similar dissemination language in subparagraph (B)(i)(III) of the Senate bill. See note 176.

HR/SR with an amendment to read as follows:

(d) REPORTS.—

(1) ANNUAL STATE REPORT CARD.—

(A) IN GENERAL.—A State that receives assistance under this part shall prepare and disseminate widely to the public an annual State report card for the State as a whole that meets the requirements of this paragraph.

(B) IMPLEMENTATION.—

(i) IN GENERAL.—The State report card required under this paragraph shall be—

(I) concise;

(II) presented in an understandable and uniform format that is developed in consultation with parents and, to the extent practicable, in a language that parents can understand; and

(III) widely accessible to the public, which shall include making the State report card, [and] all local educational agency report cards required under paragraph (2), [and the annual report to the Secretary under paragraph (5)] available on a single webpage of the State educational agency’s website.

(ii) ENSURING PRIVACY.—No State report card required under this paragraph shall include any personally identifiable information about any student. Each such report card shall be consistent with the privacy protections under section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the ‘Family Educational Rights and Privacy Act of 1974’).

(C) MINIMUM REQUIREMENTS.—Each State report card required under this subsection shall include the following information:

(i) A clear and concise description of the State’s accountability system under subsection (c)(2), including—

(I) The minimum number of students that the State determines are necessary to be included in each of the subgroups of students, as defined in subsection (c)(1), for use in the accountability system under subsection [(c)].

(II) The goals and measurements of interim progress for all students and for each of the subgroups of students, as defined in subsection (c)(2)(A);

(III) the indicators used in the accountability system described in subsection (c)(2)(B) to meaningfully differentiate all schools

(IV) The State’s system for meaningfully differentiating all schools, including—

(aa) the specific weight of the indicators described in (c)(2)(B) in such differentiation;

(bb) the criteria by which the State differentiates all schools;

(cc) the criteria by which the State differentiates a school as consistently underperforming for any subgroup of students described in section (c)(2)(C)(iii), including the time period used by the State to determine consistent underperformance; and

(dd) the criteria by which the State identifies a school for comprehensive support and improvement as required under subsection (c)(2)(D)(i);

(V) the number and names of all schools identified by the State for comprehensive support and improvement under subsection (c)(2)(D)(i) or targeted support and improvement under subsection (d)(2);

(VI) the exit criteria established by the State as required under clause (i) of subsection (d)(3)(A), including the length of years established under clause (i)(II);

(ii) For all students and disaggregated by each subgroup of students described in subsection (b)(2)(B)(xi), homeless status, status as a child in foster care, and status as a student with a parent who is an active duty (as defined in section 101(d)(1) of title 10, United States Code) member of the Armed Forces (as defined in section 101(a)(4) of such title) except that such disaggregation shall not be required in a case in which the number of students in a subgroup is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student, information on student achievement on the academic assessments described in subsection (b)(2) at each level of achievement, as determined by the State under subsection (b)(1).

Report Language: “It is the Conferees’ intent that States and districts may also include students with a parent in the National Guard or Reserves as part of the group of students with a parent who is an active member of the Armed Forces.”

(iii) For all students and disaggregated by each of the subgroups of students, as defined in subsection (c)(1), and for purposes of subclause (II), homeless status and status as a child in foster care, except that such disaggregation shall not be required in a case

in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student—

(I) information on the performance on the other academic indicator under subsection (c)(2)(B)(ii) for elementary schools and secondary schools that are not high schools used by the State in the State accountability system; and

(II) high school graduation rates, including 4-year adjusted cohort graduation rates and, at the State’s discretion, extended-year adjusted cohort graduation rates.

(iv) Information on the number and percentage of English learners achieving English language proficiency;

(v) For all students and disaggregated by each of the subgroups of students, as defined in subsection (c)(1), except that such disaggregation shall not be required in a case in which the number of students in a subgroup is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student, information on the performance on the other indicator or indicators of school quality or student success under subsection (c)(2)(B)(v) used by the State in the State accountability system;

(vi) Information on the progress of all students and each subgroup of students, as defined in subsection (c)(1), toward meeting the State-designed long term goals under subsection (c)(2)(A), including the progress of all students and each subgroup of students against the State measurements of interim progress established under such subsection

(vii) For all students and disaggregated by each subgroup of students described in subsection (b)(2)(B)(xi), the percentage of students assessed and not assessed.

(viii)(I) Information submitted by the State educational agency and each local educational agency in the State in response to the following question numbers (from the 2013–14 list of elements spreadsheet made available by the Secretary), in accordance with the 2013–2014 data collection conducted pursuant to section 203(c)(1) of the Department of Education Organization Act (20 U.S.C. 3413(c)(1):

(aa) P2Q17T2, P2Q18T2;

(bb) P2Q23T1;

(cc) P2Q17T5, P2Q17T6, P2Q18T5, P2Q18T6;

(dd) P2Q17T9, P2Q18T9

(ee) PTQ30T1, P2Q31T1, P2Q31T2, P2Q31T3;

(ff) P2Q17T8, P2Q18T8;

(gg) P2Q10T1;

(hh) P1Q08T1; and

(ii) P1Q27T1, P1Q23T1, and P1Q37T1.

(II) With respect to such data collections conducted after the 2013–2014 data collection, notwithstanding any modifications to question number designations from the 2013–14 list of elements spreadsheet, the information submitted by the State educational agency and each local educational agency in the State in response to question numbers substantially corresponding to the 2013–2014 question number designations referred to in subclause (I).

(ix) The professional qualifications of teachers in the State, including information (that shall be presented in the aggregate and disaggregated by high-poverty compared to low-poverty schools on the number and percentage of—

(I) inexperienced teachers, principals, and other school leaders;

(II) teachers teaching with emergency or provisional credentials; and

(III) teachers who are not teaching in the subject or field for which the teacher is certified or licensed

(x) The per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures and actual nonpersonnel expenditures of Federal, State, and local funds, disaggregated by source of funds, for each local educational agency and each school in the State for the preceding fiscal year.

(xi) The number and percentages of students with the most significant cognitive disabilities that take an alternate assessment under subsection (b)(2)(D), by grade and subject, except that such reporting shall not be required in a case in which the results would reveal personally identifiable information about an individual student.

(xii) Results on the National Assessment of Educational Progress in reading and mathematics in grades 4 and 8 for the State, compared to the national average.

(xiii) where available, for each high school in the State, and beginning with the report card released in 2017, the cohort rate (in the aggregate, and disaggregated for each subgroup of students defined in subsection (b)(3)(A), except that such disaggregation shall not be required in a case in which the number of students is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student) at which students who graduate from the high school enroll, for the first academic year that begins after the students' graduation—

(I) in programs of public postsecondary education in the State; and

(II) if data are available and to the extent practicable, in programs of private postsecondary education in the State or programs of postsecondary education outside the State; and

(xiv) Any additional information that the State believes will best provide parents, students, and other members of the public with information regarding the progress of each of the State's public elementary schools and secondary schools, which may include the number and percentage of students attaining career and technical proficiencies, as defined by section 113(b) of the Carl D. Perkins Career and Technical Education Act of 2006 and reported by States only in a manner consistent with section 113(c) of that Act.

(D) RULES OF CONSTRUCTION.—Nothing in subparagraph (C)(viii) shall be construed as requiring—

(i) reporting of any data that are not collected in accordance with section 203(c)(1) of the Department of Education Organization Act (20 U.S.C. 3413(c)(1)); or

(ii) disaggregation of any data other than as required under subsection [(b)(2)(B)(xi)/(xii)].

(2) ANNUAL LOCAL EDUCATIONAL AGENCY REPORT CARDS.—

(A) PREPARATION AND DISSEMINATION.—A local educational agency that receives assistance under this part shall prepare and disseminate an annual local educational agency report card that includes information on such agency as a whole and each school served by the agency.

(B) DATA.—A local educational agency or school shall only include in its annual local educational agency report card data that are sufficient to yield statistically reliable information, that do not reveal personally identifiable information about an individual student. Each such report card shall be consistent with the privacy protection under section 444 of the General Education Provi-

sions Act (20 U.S.C. 1232g, commonly known as the "Family Educational Rights and Privacy Act of 1974."

(C) IMPLEMENTATION.—Each local educational agency report card shall be—

(i) concise;

(ii) presented in an understandable and uniform format, and to the extent practicable, in a language that parents can understand; and

(iii) accessible to the public, which shall include—

(I) placing such report card on the website of the local educational agency; and

(II) in any case in which a local educational agency does not operate a website, providing the information to the public in another manner determined by the local educational agency.

(D) MINIMUM REQUIREMENTS.—The State educational agency shall ensure that each local educational agency collects appropriate data and includes in the local educational agency's annual report the information described in paragraph (1)(C), disaggregated in the same manner as under paragraph (1)(C), except for clause (xv) of such paragraph, as applied to the local educational agency and each school served by the local educational agency, including—

(i) in the case of a local educational agency, information that shows how students served by the local educational agency achieved on the academic assessments described in subsection (b)(2) compared to students in the State as a whole;

(ii) in the case of a school, information that shows how the school's students' achievement on the academic assessments described in subsection (b)(2) compared to students served by the local educational agency and the State as a whole; and

(iii) any other information that the local educational agency determines is appropriate and will best provide parents, students, and other members of the public with information regarding the progress of each public school served by the local educational agency, whether or not such information is included in the annual State report card.

174. The Senate bill and House amendment structure subparagraph (B) differently.

See note 173.

175. The Senate bill and House amendment have slightly different wording in clause (ii)/(II).

See note 173.

176. The Senate bill, includes a subclause (III) on dissemination which is similar to the requirement in subparagraph (A) of the House amendment.

See note 173.

177. The Senate bill and House amendment include different language on privacy. The Senate bill references FERPA and the House amendment contains a broad prohibition on the data.

See note 173.

178. The House amendment and Senate bill have different required information provisions for the report cards.

See note 173.

179. The Senate bill, but not the House amendment, includes this rule of construction.

See note 173.

180. The House amendment includes a separate provision permitting additional, optional information to be included on the report cards. The Senate bill contains a similar provision in subparagraph (C)(xxi) of the Senate bill.

See note 173.

181. The Senate bill and House amendment have different wording for requiring annual

local educational agency report cards. The Senate bill, but not the House amendment, requires the LEA report card to include information for the LEA as a whole and individual report cards for each school served by the LEA.

See note 173.

182. The Senate bill and House amendment include similar language on privacy. The Senate bill includes a reference to FERPA.

See note 173.

183. The Senate bill, but not the House amendment, includes this implementation provision. The Senate bill includes dissemination language. The Senate bill also includes a subparagraph (D), and the House amendment a subparagraph (E), on dissemination. See note 186.

See note 173.

184. The Senate bill and House amendment include different minimum requirements provisions.

See note 173.

185. The Senate bill and House amendment include similar language on other information.

See note 173.

186. The Senate bill and House amendment include similar provisions on public dissemination. See note 183.

HR with an amendment to strike "and;" insert after "schools" the following:

in a manner that is—

(i) concise;

(ii) presented in an understandable and uniform format, and to the extent practicable, in a language that parents can understand; and

(iii) accessible to the public, which shall include—

(I) placing such report card on the website of the local educational agency and on the website of each school served by the agency; and

(II) in any case in which a local educational agency or school does not operate a website, providing the information to the public in another manner determined by the local educational agency.

187. The Senate bill, but not the House amendment, includes this exception related to LEA report cards.

HR

188. The Senate and bill and House amendment, include similar provisions on pre-existing report cards.

SR

189. The Senate bill, but not the House amendment, includes this cost reduction provision.

HR

190. The Senate bill, but not the House amendment, includes this annual state report to the Secretary.

HR with an amendment to strike and insert the following:

(4) ANNUAL STATE REPORT TO THE SECRETARY.—Each State educational agency receiving assistance under this part shall report annually to the Secretary, and make widely available within the State—

(A) information on the achievement of students on the academic assessments required by subsection (b)(3), including the disaggregated results for the subgroups of students identified in subsection (c)(2);

(B) information on the acquisition of English proficiency by English learners;

(C) the number and names of each school—

(i) identified for comprehensive support and improvement under subsection (c)(4)(D)(i); and

(ii) implementing targeted support and improvement plans under subsection (d)(2); and

(D) information on the professional qualifications of teachers in the State, including information on the number and the percentage of—

- (i) Inexperienced teachers;
- (ii) Teachers teaching with emergency or provisional credentials; and
- (iii) Teachers who are not teaching in the subject or field for which the teacher is certified or licensed.

191. The Senate bill, but not the House amendment, includes this provision on presentation of data.

HR with an amendment to strike “(A) IN GENERAL.” in subparagraph (A) and strike subparagraph (B)

192. The Senate bill, but not the House amendment, includes this report to Congress.

HR

193. The Senate bill, but not the House amendment, includes this Secretary’s report card.

SR

194. The House amendment, but not the Senate bill, includes this subsection on privacy. The Senate includes these requirements in the State and local report card sections (see notes 178 and 182).

SR with an amendment to insert “or disseminated” after collected. Strike “and” between collected and disseminated” and insert “or”

195. The Senate bill and House amendment have different voluntary partnerships provisions.

SR with amendment to strike “either directly or indirectly,”

196. The Senate bill and House amendment include similar language on BIE schools.

SR

197. The House amendment and Senate bill are structured differently, but both strike and replace section 1112.

LC

198. The Senate bill and House amendment have different requirements under subsection (a)(1), including different coordination requirements. With regard to the timely consultation language in the Senate bill, see note 202.

HR/SR with an amendment to insert the following:

SEC. 1112. LOCAL EDUCATIONAL AGENCY PLANS.

(a) PLANS REQUIRED.—

(1) SUBGRANTS.—A local educational agency may receive a subgrant under this part for any fiscal year only if such agency has on file with the State educational agency a plan, approved by the State educational agency, that—

(A) is developed with timely and meaningful consultation with teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, public charter school leaders (in a local educational agency that has charter schools), administrators (including administrators of programs described in other parts of this title), other appropriate school personnel, and with parents of children in schools served under this part; and

(B) as appropriate, is coordinated with other programs under this Act, the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, the Carl D. Perkins Career and Technical Education Act of 2006, the Workforce Innovation and Opportunity Act, the Head Start Act, the McKinney-Vento Homeless Assistance Act, the Adult Education and Family Literacy Act, and other Acts as appropriate.

(2) CONSOLIDATED APPLICATION.—The plan may be submitted as part of a consolidated application under section [9305].

(3) STATE APPROVAL.—

(A) IN GENERAL.—Each local educational agency plan shall be filed according to a schedule established by the State educational agency.

(B) APPROVAL.—The State educational agency shall approve a local educational agency’s plan only if the State educational agency determines that the local educational agency’s plan—

(i) Provides that schools served under this part enable children served under this part to meet the challenging State academic standards described in section 1111(b)(1); and

(ii) Meets the requirements of this section.

(4) DURATION.—Each local educational agency plan shall be submitted for the first year for which this part is in effect following the date of enactment of the Every Student Succeeds Act of 2015 and shall remain in effect for the duration of the agency’s participation under this part.

(5) REVIEW.—Each local educational agency shall periodically review and, as necessary, revise its plan.

(6) RULE OF CONSTRUCTION.—Consultation required under subsection (a)(1)(A) shall not interfere with the timely submission of the plan required under this section.

(b) PLAN PROVISIONS.—To ensure that all children receive a high-quality education, and to close the achievement gap between children meeting the challenging State academic standards and those who are not, each local educational agency plan shall describe—

(1) how the local educational agency will monitor students’ progress in meeting the challenging State academic standards by—

(A) developing and implementing a well-rounded program of instruction to meet the academic needs of all students;

(B) identifying students who may be at risk for academic failure;

(C) providing additional educational assistance to individual students determined as needing help in meeting the challenging State academic standards; and

(D) identifying and implementing [evidence-based] methods and instructional strategies intended to strengthen academic programs and improve school conditions for student learning;

Report Language: “The Conferees intend that using funds to improve school conditions for student learning might also include reducing incidences of violence, drug and alcohol use and abuse, and chronic absenteeism (including both excused and unexcused absences). It is the Conferees further intent that States support local educational agencies to reduce these incidences at the school level.”

(3) how the local educational agency will identify and address, as required under State plans as described in section 1111(c)(1)(B), any disparities that result in low-income students and minority students being taught at higher rates than other students by ineffective, inexperienced, and out-of-field teachers;

(2) how the local educational agency will carry out its responsibilities under paragraphs (1) and (2) of section 1111(d);

(3) the poverty criteria that will be used to select school attendance areas under section 1113;

(4) in general, the nature of the programs to be conducted by such agency’s schools under sections 1114 and 1115 and, where appropriate, educational services outside such schools for children living in local institutions for neglected or delinquent children, and for neglected and delinquent children in community day school programs;

(5) the services the local educational agency will provide homeless children and youths, including services provided with funds reserved under section 1113(c)(3)(A)] to support the enrollment, attendance, and success of homeless children and youths, in coordination with the services the local educational agency is providing under the McKinney-Vento Homeless Assistance Act;

(6) the strategy the local educational agency will use to implement effective parent and family engagement under section [1115];

(7) if applicable, how the local educational agency will support, coordinate, and integrate services provided under this part with early childhood education programs at the local educational agency or individual school level, including plans for the transition of participants in such programs to local elementary school programs;

(8) how teachers and school leaders, in consultation with parents, administrators, paraprofessionals, and specialized instructional support personnel, in schools operating a targeted assistance school program under section 1115, will identify the eligible children most in need of services under this part;

(9) how the local educational agency will implement strategies to facilitate effective transitions for students from middle grades to high school and from high school to postsecondary education including, if applicable, through coordination with institutions of higher education, employers, and other local partners and through increased student access to early college high school or dual or concurrent enrollment opportunities, or career counseling to identify student interests and skills;

(10) how the local educational agency will support efforts to reduce the overuse of discipline practices that remove students from the classroom, which may include identifying and supporting schools with high rates of discipline, disaggregated by each of the subgroups of students, as defined in section 1111(c)(2);

(11) if determined appropriate by the local educational agency, how such agency will support programs that coordinate and integrate—

(A) academic and career and technical education content through coordinated instructional strategies, that may incorporate experiential learning opportunities and promote skills attainment important to in-demand occupations or industries in the State;

(B) work-based learning opportunities that provide students in-depth interaction with industry professionals and, if appropriate, academic credit, and

(12) any other information on how the local educational agency proposes to use funds to meet the purposes of this part, and that the local educational agency determines appropriate to provide, which may include how the local educational agency will—

(A) assist schools in identifying and serving gifted and talented students;

(B) assist schools in developing effective school library programs to provide students an opportunity to develop digital literacy skills and improve academic achievement.

Report Language: “The Conferees intend that local educational agencies may choose to use Title I money for many innovative initiatives to provide students a well-rounded education, which may include supporting gifted and talented students, expanding access to Advanced Placement or International Baccalaureate programs, or using funds to support efforts to expand and replicate successful practices from high-performing charter schools, magnet schools, and traditional public schools.”

(c) ASSURANCES.—Each local educational agency plan shall provide assurances that the local educational agency will—

(1) ensure that migratory children and formerly migratory children who are eligible to receive services under this part are selected to receive such services on the same basis as other children who are selected to receive services under this part;

(2) provide services to eligible children attending private elementary schools and secondary schools in accordance with section [1120], and timely and meaningful consultation with private school officials regarding such services;

(3) participate, if selected, in the National Assessment of Educational Progress in reading and mathematics in grades 4 and 8 carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act;

(4) coordinate and integrate services provided under this part with other educational services at the local educational agency or individual school level, such as services for English learners, children with disabilities, migratory children, American Indian, Alaska Native, and Native Hawaiian children, and homeless children, in order to increase program effectiveness, eliminate duplication, and reduce fragmentation of the instructional program;

(5) collaborate with the State or local child welfare agency to—

(A) designate a point of contact if the corresponding child welfare agency notifies the local educational agency, in writing, that the agency has designated an employee to serve as a point of contact for the local educational agency; and

(B) by not later than 1 year after the date of enactment of the [Every Student Succeeds Act of 2015, develop and implement clear written procedures governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided, arranged, and funded for the duration of the time in foster care, which procedures shall—

(i) ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner and in accordance with section 475(4)(A) of the Social Security Act (42 U.S.C. 675(4)(A)); and

(ii) ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, the local educational agency will provide transportation to the school of origin if—

(I) the local child welfare agency agrees to reimburse the local educational agency for the cost of such transportation;

(II) the local educational agency agrees to pay for the cost of such transportation; or

(III) the local educational agency and the local child welfare agency agree to share the cost of such transportation; and

(6) ensure that all teachers and paraprofessionals working in a program supported with funds under this part meet applicable State certification and licensure requirements, including alternative certification requirements;

(7) in the case of a local educational agency that chooses to use funds under this part to provide [early childhood education] services to low-income children below the age of compulsory school attendance, ensure that such services comply with the performance standards established under section 641A(a) of the Head Start Act;

199. The Senate bill and House amendment have identical consolidated application provisions, except the Senate bill references section 9305 and the House amendment references section 6305.

See note 198.

200. The Senate bill and House amendment include similar language on State review and approval. The House amendment includes this language as subsection (f).

See note 198.

201. The House amendment, but not the Senate bill, includes this language on State review.

See note 198.

202. The House amendment includes consultation language as subsection (e)(1).

See note 198.

203. The Senate bill and House amendment include similar duration language.

See note 198.

204. The Senate bill and House amendment have different review provisions.

See note 198.

205. The Senate bill, but not the House amendment, includes this renewal provision.

See note 198.

206. The Senate bill and House amendment have different lead-ins to paragraph (1).

See note 198.

207. The Senate bill and House amendment have different plan provisions.

See note 198.

208. The Senate bill, but not the House amendment, has language on teacher qualifications.

See note 198.

209. The Senate bill and House amendment have different language on disparities in access to effective teachers.

See note 198.

210. The Senate bill and House amendment have different requirements for how local educational agencies will implement the bill's school improvement and intervention requirements.

See note 198.

211. The Senate bill and House amendment have similar provisions related to operation of Title I programs.

See note 198.

212. The House amendment includes this provision on migrant children. The Senate bill includes similar language as an assurance. See note 225.

See note 198.

213. The Senate bill and House amendment use different section references.

See note 198.

214. The Senate bill and House amendment have similar language on family engagement with different section references.

See note 198.

215. The Senate bill and House amendment have different language on preschool programs.

See note 198.

216. The Senate bill and House amendment have different coordination language.

See note 198.

217. The Senate bill and House amendment have similar language about identifying students in targeted assistance schools.

See note 198.

218. The Senate bill, but not the House amendment, includes this language on multi-tiered systems of support.

See note 198.

219. The Senate bill, but not the House amendment, includes language on providing opportunities for homeless children and youths.

See note 198.

220. The Senate bill, but not the House amendment, includes this provision on transitions from middle to high school and high

school to postsecondary education. The House amendment includes a similar provision in paragraph (15) of the House amendment. See note 223.

See note 198.

221. The Senate bill, but not the House amendment, includes provisions on discipline, school climate, and expectant and parenting students.

See note 198.

222. The Senate bill and House amendment have different language on career and technical education.

See note 198.

223. The House amendment, but not the Senate bill, includes language on Advanced Placement and International Baccalaureate programs, school counselors, and before-school, after-school, and summer school programs. The Senate bill includes a related provision in paragraph (14) of the Senate bill. See note 220.

See note 198.

224. The Senate bill, but not the House amendment, includes language on additional information related to gifted and talented students, school libraries, and well-rounded education.

See note 198.

225. The Senate bill includes a provision on migratory children. See note 212.

See note 198.

226. The Senate bill and House amendment include similar language on private school students.

See note 198.

227. The Senate bill and House amendment include similar language on participation in NAEP.

See note 198.

228. The Senate bill and House amendment have different assurances.

See note 198.

229. The House amendment, but not the Senate bill, includes this special rule relating to Head Start performance standards.

SR with an amendment to insert before the period in (2) "including pursuing the availability of other federal, state, and local funding sources to assist in compliance in such paragraph."

230. The Senate bill includes this language on parents right-to-know. The House amendment includes similar language in Title II, section 2402.

HR/SR with an amendment to read as follows:

(d) PARENTS RIGHT-TO-KNOW—

(1) INFORMATION FOR PARENTS—

(A) IN GENERAL.—At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including at a minimum, the following:

(i) Whether the student's teacher—

(I) has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;

(II) is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and

(III) is teaching in the field of discipline of the certification of the teacher and;

(ii) Whether the child is provided services by paraprofessionals and, if so, their qualifications.

(B) ADDITIONAL INFORMATION.—In addition to the information that parents may request under subparagraph (A), a school that receives funds under this part shall provide to each individual parent of a child who is a student in such school, with respect to such student—

(i) information on the level of achievement and academic growth of the student, if applicable and available, on each of the State academic assessments required under this part; and

(ii) timely notice that the student has been assigned, or has been taught for 4 or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

(2) Testing transparency.—

(A) In general.—At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding any State or local educational agency policy regarding student participation in any assessments mandated by Sec. 1111(b)(2) and by the State or local educational agency, which shall include a policy, procedure, or parental right to opt the child out of such assessment, where applicable.

(B) Additional information.—Subject to subparagraph (C), each local educational agency that receives funds under this part shall make widely available through public means (including by posting in a clear and easily accessible manner on the local educational agency's website and, where practicable, on the website of each school served by the local educational agency) for each grade served by the local educational agency, information on each assessment required by the State to comply with section 1111, other assessments required by the State, and where such information is available and feasible to report, assessments required districtwide by the local educational agency, including—

(i) the subject matter assessed;

(ii) the purpose for which the assessment is designed and used;

(iii) the source of the requirement for the assessment; and

(iv) where such information is available—

(I) the amount of time students will spend taking the assessment, and the schedule for the assessment; and

(II) the time and format for disseminating results.

(C) Local educational agency that does not operate a website.—In the case of a local educational agency that does not operate a website, such local educational agency shall determine how to make the information described in subparagraph (A) widely available, such as through distribution of that information to the media, through public agencies, or directly to parents.)

Report Language: “The Conferees intend that when a local educational agency reports on the schedule of assessments that are required districtwide by such agency, such information will include both the time of day, if known by the local educational agency at the time of notification, and the date or dates within the school year the assessments will be administered.”

231. The Senate bill includes this additional information in the parents right-to-know. The House amendment includes simi-

lar language in section 1111(h)(4). With regard to subparagraph (B) of the House amendment, see note 237.

See note 230.

232. The Senate bill, but not the House amendment, includes this language on timely notice.

See note 230.

233. The Senate bill, but not the House amendment, includes this language on testing transparency.

See note 230.

234. The Senate bill and House amendment include similar language on language instruction.

HR/SR with an amendment to strike and replace to read as follows:

(3) LANGUAGE INSTRUCTION.—

(A) NOTICE.—Each local educational agency using funds under this part or title III to provide a language instruction educational program as determined under title III shall, not later than 30 days after the beginning of the school year, inform parents of an English learner identified for participation or participating in such a program, of—

(i) the reasons for the identification of their child as an English learner and in need of placement in a language instruction educational program;

(ii) the child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;

(iii) the methods of instruction used in the program in which their child is, or will be, participating and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction;

(iv) how the program in which their child is, or will be, participating will meet the educational strengths and needs of their child;

(v) how such program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;

(vi) the specific exit requirements for the program, including the expected rate of transition from such program into classrooms that are not tailored for English learners, and the expected rate of graduation from high school (including 4-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates for such program) if funds under this part are used for children in high schools;

(vii) in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child, as described in section 614(d) of the Individuals with Disabilities Education Act; and (viii) information pertaining to parental rights that includes written guidance—

(I) detailing the right that parents have to have their child immediately removed from such program upon their request;

(II) detailing the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and

(III) assisting parents in selecting among various programs and methods of instruction, if more than 1 program or method is offered by the eligible entity.

(B) SPECIAL RULE APPLICABLE DURING THE SCHOOL YEAR.—For those children who have not been identified as English learners prior to the beginning of the school year but are identified as English learners during such school year, the local educational agency shall notify the children's parents during the first 2 weeks of the child being placed in a

language instruction educational program consistent with subparagraph (A).

(C) PARENTAL PARTICIPATION.—Each local educational agency receiving funds under this part shall implement an effective means of outreach to parents of English learners to inform the parents regarding how the parents can be involved in the education of their children, and be active participants in assisting their children to attain English proficiency, achieve at high levels in core academic subjects, and meet the challenging State academic standards expected of all students, including holding, and sending notice of opportunities for, regular meetings for the purpose of formulating and responding to recommendations from parents of students assisted under this part or title III.

(D) BASIS FOR ADMISSION OR EXCLUSION.—A student shall not be admitted to, or excluded from, any federally assisted education program on the basis of a surname or language-minority status.

(3) NOTICE AND FORMAT.—The notice and information provided to parents under this subsection shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.

235. The Senate bill and House amendment include different language on format and language.

See note 234.

236. The Senate bill applies the language to all of subsection (d). The House amendment applies the language only to parental notification regarding language instruction.

See note 234.

237. The House amendment includes other format language in section 1111(h)(4)(B). See note 231.

See note 234.

238. The Senate bill includes a new section 1114 dealing with school identification, interventions, and support. The House amendment repeals sections 1116 and 1117 dealing with school improvement, support, and recognition.

SR

239. The Senate bill, but not the House amendment, includes grants for school interventions and support. See note 35.

SR

240. The Senate bill includes this rule of construction. The House amendment includes nearly identical language in a section 1405 in the general provisions of Title I. The Senate bill language applies to section 1114 of the Senate bill. The House amendment language applies to all of Title I.

SR

241. The Senate bill strikes section 1119 and redesignates sections. The House amendment maintains and makes changes to subsections of section 1119 dealing with paraprofessionals.

HR

242. The Senate bill and House amendment have different section headings.

LC

243. The Senate bill, but not the House amendment, redesignates section 1120A as section 1117.

LC

244. The House amendment, but not the Senate bill, makes a technical change throughout.

HR

245. The House amendment, but not the Senate bill, strikes subsection (a).

HR

246. The Senate bill, but not the House amendment, rewrites subsection (b).

HR with an amendment to strike “establish any criterion that specifies, defines, or prescribes” and insert “prescribe” in paragraph (4).

247. The Senate bill and House amendment have different section headings.

LC

248. The Senate bill, but not the House amendment, redesignates section 1120B as section 1118.

LC

249. The House amendment, but not the Senate bill, makes a technical change throughout.

HR

250. The Senate bill and House amendment make similar changes to subsection (a).

SR

251. The Senate bill and House amendment make similar changes to subsection (b).

HR

252. The Senate bill and House amendment have different section numbers.

HR/SR with an amendment to strike and replace with the following:

[SEC. 1XXX]. GRANTS FOR THE OUTLYING AREAS AND THE SECRETARY OF THE INTERIOR. and that follows through paragraph (3) and insert the following:

SEC. XXX. Section 1121 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6331) is amended to read as follows:

SEC. 1121. GRANTS FOR THE OUTLYING AREAS AND THE SECRETARY OF THE INTERIOR.

(a) **RESERVATION OF FUNDS.**—From the amount appropriated for payments to States for any fiscal year under section 1002(a), the Secretary shall—

(1) reserve 0.4 percent to provide assistance to the outlying areas in accordance with subsection (b); and

(2) reserve 0.7 percent to provide assistance to the Secretary of the Interior in accordance with subsection (d).

(b) **ASSISTANCE TO OUTLYING AREAS.**—(1) **FUNDS RESERVED.**—From the amount made available for any fiscal year under subsection (a)(1), the Secretary shall—

(A) first reserve \$1 million for the Republic of Palau, until Palau enters into an agreement for extension of United States educational assistance under the Compact of Free Association, and subject to such terms and conditions as the Secretary may establish, except that Public Law 95-134, permitting the consolidation of grants, shall not apply; and

(B) use the remaining funds to award grants to the outlying areas in accordance with paragraphs (2) through (5).

(2) **AMOUNT OF GRANTS.**—The Secretary shall allocate the amount available under paragraph (1)(B) to the outlying areas in proportion to their relative numbers of children, aged 5 to 17, inclusive, from families below the poverty level, on the basis of the most recent satisfactory data available from the Department of Commerce.

(3) **HOLD-HARMLESS AMOUNTS.** For each fiscal year, the amount made available to each outlying area shall be—

(A) not less than 95 percent of the amount made available for the preceding fiscal year if the number of children counted under paragraph (2) is not less than 30 percent of the total number of children aged 5 to 17 years, inclusive, in the outlying area;

(B) not less than 90 percent of the amount made available for the preceding fiscal year if the percentage described in subparagraph (A) is between 15 percent and 30 percent; and

(C) not less than 85 percent of the amount made available for the preceding fiscal year if the percentage described in subparagraph (A) is below 15 percent.

(4) **RATABLE REDUCTIONS.** If the amount made available under paragraph (1)(B) for any fiscal year is insufficient to pay the full

amounts that the outlying areas are eligible to receive under paragraphs (2) and (3) for that fiscal year, the Secretary shall ratably reduce those amounts.

(5) **USES.**—Grant funds awarded under this subsection may be used only—

(A) for programs described in this Act, including teacher training, curriculum development, instructional materials, or general school improvement and reform; and

(B) to provide direct educational services that assist all students with meeting challenging State academic content standards.

(c) **DEFINITION.**—For the purpose of subsections (a) and (b), the term “outlying area” means the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(d) **ALLOTMENT TO THE SECRETARY OF THE INTERIOR.**—

(1) **IN GENERAL.** The amount allotted for payments to the Secretary of the Interior under subsection (a)(2) for any fiscal year shall be used, in accordance with such criteria as the Secretary may establish, to meet the special educational needs of—

(A) Indian children on reservations served by elementary schools and secondary schools for Indian children operated or supported by the Department of the Interior; and

(B) out-of-State Indian children in elementary schools and secondary schools in local educational agencies under special contracts with the Department of the Interior.

(2) **PAYMENTS.**—From the amount allotted for payments to the Secretary of the Interior under subsection (a)(2), the Secretary of the Interior shall make payments to local educational agencies, on such terms as the Secretary determines will best carry out the purposes of this part, with respect to out-of-State Indian children described in paragraph (1). The amount of such payment may not exceed, for each such child, the greater of—

(A) 40 percent of the average per-pupil expenditure in the State in which the agency is located; or

(B) 48 percent of such expenditure in the United States.

(e) **LIMITATION ON APPLICABILITY.**—If, by reason of the application of subsection (a) in any fiscal year, the amount available for allocation to all States under this [part/subpart] would be less than the amount allocated to States for fiscal year 2016, the Secretary shall provide assistance to the Outlying Areas and the Secretary of the Interior in accordance with this section, as in effect before the enactment of the Every Student Succeeds Act of 2015.”

253. The House amendment, but not the Senate bill, changes section references to reflect restructuring of the House amendment. The Senate bill and House amendment eliminate reference to section 1125A(f). See note 286.

See note 252.

254. The House amendment, but not the Senate bill, changes the Act reference.

See note 252.

255. The House amendment, but not the Senate bill, strikes the requirement for consideration of recommendations from the Pacific Region Educational Laboratory.

See note 252.

256. The Senate bill and House amendment make similar changes to language regarding standards.

See note 252.

257. The House amendment, but not the Senate bill, strikes the administrative costs for the Pacific Region Educational Laboratory.

See note 252.

258. The House amendment, but not the Senate bill, makes a technical change.

See note 252.

259. The Senate bill and House amendment have different section numbers.

LC

260. The Senate bill and House amendment rewrite subsection (a) in different ways.

SR with an amendment to strike and replace with the following:

Sec. [124]. Allocations to States.

Section 1122 (20 U.S.C. 6332) is amended—

(1) in subsection (a)—

(A) in the lead-in to paragraph (1), by striking “2002-2007” and inserting “2017-2020”; and

(B) by striking paragraph (3) and inserting:

(3) an amount equal to 100 percent of the amount, if any, by which the total amount made available under this subsection for the current fiscal year for which the determination is made exceeds the total amount available to carry out sections 1124 and 1124A for fiscal year 2001 shall be used to carry out sections 1125 and 1125A and such amount shall be divided equally between sections 1125 and 1125A.

261. The Senate bill, but not the House amendment, change “2001” to “2015” most places.

SR 262.

262. The House amendment, but not the Senate bill, requires the amounts to be divided equally between sections 1125 and 1125A.

SR

263. The House amendment, but not the Senate bill, includes a technical edit.

HR

264. The Senate bill, but not the House amendment, makes this change to the section references.

SR

265. The Senate bill, but not the House amendment, includes changes to subsection (b)(2).

SR

266. The Senate bill, but not the House amendment, makes a change to subsection (c)(1).

SR

267. The House amendment, but not the Senate bill, makes a technical change.

HR

268. The House amendment, but not the Senate bill, makes a technical change.

HR

269. The Senate bill, but not the House amendment, makes a change regarding section references.

SR

270. The Senate bill, but not the House amendment, includes this new section 1123.

SR

271. The House amendment, but not the Senate bill, makes technical changes to section 1124 consistent with the restructuring of the House amendment.

HR

272. The House amendment, but not the Senate bill, makes changes to section 1125.

HR

273. The Senate bill and House amendment have different section numbers and headings.

LC

274. The Senate bill makes a technical change in a section reference in subsection (b). The House amendment restates subsection (b) of current law as subsection (a) but makes no changes.

SR on Senate change in subsection (b)

SR on restating subsection (b) as subsection (a), with an amendment to strike: “Sec. 1125AA. Adequacy of Funding to Local

Educational Agencies in Fiscal Years After Fiscal Year 2001. (a) Limitation of Allocation.—Pursuant” and insert: “Sec. 1125AA. Adequacy of Funding to Local Educational Agencies in Fiscal Years After Fiscal Year 2001.—Pursuant.”

275. The House amendment, but not the Senate bill, rewrites as subsection (b) the findings in subsection (a) of current law.

HR with an amendment to strike subsection (b)

276. The Senate bill and House amendment have different section numbers.

LC

277. The House amendment, but not the Senate bill, makes a technical change throughout.

HR

278. The Senate bill, but not the House amendment, makes a technical edit in subsection (a).

HR with an amendment to strike the Senate language and insert the following:

“(1) in subsection (a), by striking ‘funds appropriated under subsection (f)’ and inserting ‘funds made available under section 1122(a)’;”

279. The Senate bill and House amendment make different technical edits in subsection (b)

SR

280. The Senate bill, but not the House amendment, makes technical edits to subsections (c) and (d).

HR

281. The House amendment, but not the Senate bill, strikes subsections (a), (e), and (f), and redesignates. See notes 285 and 286.

HR

282. The House amendment, but not the Senate bill, makes further technical changes to subsection (b), as redesignated above.

SR with an amendment to strike “in subsection (b), as so redesignated,” and inserting “in subsection (c)”

283. The House amendment, but not the Senate bill, makes changes to subsection (c).

HR

284. The House amendment, but not the Senate bill, adds a subsection (e) regarding application of provisions in this section.

HR

285. The Senate bill, but not the House amendment, rewrites subsection (e). See note 281.

HR

286. The Senate bill and House amendment strike subsection (f). See note 281.

LC

287. The Senate bill, but not the House amendment, makes technical changes to subsection (f) as redesignated above.

HR

288. The Senate bill, but not the House amendment, makes a technical change throughout section 1126.

SR

289. The House amendment, but not the Senate bill, makes a technical edit throughout section 1127.

HR

290. The House amendment, but not the Senate bill, includes this new section 1128.

HR

Sec. 1113

1. The Senate bill combines sections 1113, 1114, and 1115 of current law into section 1113. The House amendment amends section 1113 and maintains separate sections 1114 and 1115.

SR

2. The House amendment, but not the Senate bill, changes references to “part” to be consistent with structural changes in Title I in the House amendment.

LC

3. The Senate bill restructures to make the eligible attendance areas a subsection (a) to reflect the new structure of this section. The Senate bill changes section, paragraph, etc. references throughout to reflect this change.

SR

4. The Senate bill has slight wording differences in the lead-in to clause (i).

LC

5. The Senate bill, but not the House amendment, restructures subparagraph (C) to reflect the new clause (ii). See note 7.

SR

6. The Senate bill, but not the House amendment, includes a 50 percent concentration requirement for high schools.

SR with an amendment to strike the period at the end of (B) and insert a semicolon and insert “(C) Exception—A local educational agency may lower the threshold in subclause (I) to 50 percent for high schools served by such agency.”

7. The Senate bill, but not the House amendment, adds language creating a rule of construction for the new requirement in the Senate bill related to high schools.

SR

8. The Senate bill, but not the House amendment, restructures subparagraph (E) in order to add the new clause (ii) related to secondary schools. See note 10.

HR

9. The Senate bill, but not the House amendment, includes minor wording changes.

HR with an amendment to strike “established under title XIX of the Social Security Act”.

10. The Senate bill, but not the House amendment, adds a new provision to allow a LEA to use a feeder pattern to determine the number of students from low-income families in high schools.

HR with amendment to insert “after meeting the conditions in clause (iii)” after “which shall be” and insert a new clause (iii) to read as follows:

(iii) MEASURE OF POVERTY.—The local educational agency shall have the option to use the measure of poverty described in clause (ii)(I) after conducting outreach to secondary schools within such agency regarding the ability to calculate poverty as described in such clause and after a majority of secondary schools in the local educational agency have approved such measure.

11. The Senate bill, but not the House amendment, changes a paragraph reference in subparagraph (A) to reflect the different structure in the Senate bill.

SR

12. The Senate bill, but not the House amendment, changes this reference from section 1120A(c) to section 1117(c) to reflect restructuring in the Senate bill.

SR with an amendment to strike “1117(c) and insert “1118(c)”

13. The Senate bill, but not the House amendment, changes the reference from sections 1114 and 1115 to “this section” in subclause (II) to reflect the restructuring in the Senate bill.

SR

14. The Senate bill, but not the House amendment, changes the reference from subsections to paragraphs to reflect the restructuring in the Senate bill.

HR

15. The Senate bill, but not the House amendment, changes “paragraph” to “clause”.

SR

16. The House amendment, but not the Senate bill, changes the reference to “subpart 2” to reflect restructuring.

HR

17. The House amendment, but not the Senate bill, changes the reference to section 1116(b).

SR with an amendment to strike “school improvement, corrective action, and restructuring under section 1116(b)” and insert “comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d)”

18. The Senate bill, but not the House amendment, eliminates the financial incentives and rewards reservation.

SR

19. The Senate bill, but not the House amendment, restructures the reservation of funds. The House amendment makes no changes to this provision in current law.

HR

20. The Senate bill, but not the House amendment, strikes “who do not attend participating schools” in clause (i).

HR

21. The Senate bill, but not the House amendment, allows this reservation of funds to be determined based on a needs assessment of homeless children and youth.

HR with an amendment to redesignate “(B)” as “(C)” and insert the following:

(B) METHOD OF DETERMINATION.—The share of funds determined under subparagraph (A) shall be determined—

(i) based on the total allocation received by the local educational agency; and

(ii) prior to any allowable expenditures of transfers by the local educational agency; and

(C) HOMELESS CHILDREN AND YOUTH

22. The Senate bill, but not the House amendment, includes this language on reserving funds for early childhood education.

HR

23. The Senate bill, but not the House amendment, requires school districts to determine whether schools operate schoolwide or targeted assistance programs based on a needs assessment.

SR

24. The Senate bill combines section 1114 into section 1113 as subsection (c) and changes section, paragraph, etc. references accordingly. The House amendment amends section 1114.

SR

25. The Senate bill, but not the House amendment, changes the headings of subsection (a) and subsection (a)(1) of current law (or paragraph (1) and paragraph (1)(A) of the Senate bill).

LC

26. The House amendment, but not the Senate bill, changes references to “part” throughout.

LC

27. The House amendment removes the 40 percent threshold. The Senate bill allows schools below the 40 percent threshold to operate schoolwide programs if the local educational agency allows it based on the needs assessment.

HR with an amendment to strike “if” and all that follows through the end and insert “if the school receives a waiver from the State educational agency to do so, after taking into account how a schoolwide program will best serve the needs of the students in the school served under this part in improving academic achievement and other factors”

(c) Schoolwide Programs.—

(1) IN GENERAL.—

(A) ELIGIBILITY.—A local educational agency may consolidate and use funds under this part, together with other Federal, State, and local funds, in order to upgrade the entire

educational program of a school that serves an eligible school attendance area in which not less than 40 percent of the children are from low-income families, or not less than 40 percent of the children enrolled in the school are from such families.

(B) EXCEPTION.—A school that serves an eligible school attendance area in which less than 40 percent of the children are from low-income families, or a school for which less than 40 percent of the children enrolled in the school are from such families, may operate a schoolwide program under this section if the school—

(i) receives a waiver from the State educational agency to do so after taking into account how;

(ii) a schoolwide program will best serve the needs of the students in the school served under this part in improving academic achievement and other factors.

The Senate bill, but not the House amendment, rewrites section 1114(b) of current law as a new paragraph (2). The House amendment maintains section 1114(b) of current law but makes changes.

SR on maintaining section 1114. HR/SR with an amendment to strike (2) and insert the following:

(2) SCHOOLWIDE PROGRAM PLAN.—An eligible school operating a schoolwide program shall develop (or amend a plan for such a program that was in existence on the day before the date of enactment of the Every Student Succeeds Act a comprehensive plan, in consultation with the local educational agency, to the extent feasible, tribes and tribal organizations present in the community, and other individuals as determined by the school, that—

(A) is developed during a 1-year period, unless—

(i) the local educational agency determines in consultation with the school that less time is needed to develop and implement the schoolwide program; or

(ii) the school is operating a schoolwide program on the day before the date of enactment of the Every Student Succeeds Act, in which case such school may continue to operate such program, but shall develop amendments to its existing plan during the first year of assistance after that date to reflect the provisions of this section;

(B) is developed with the involvement of parents and other members of the community to be served and individuals who will carry out such plan, including teachers, principals, other school leaders, paraprofessionals present in the school, and administrators (including administrators of programs described in other parts of this title), and, if appropriate, specialized instructional support personnel, technical assistance providers, school staff, and, if the plan relates to a secondary school, students;

(C) remains in effect for the duration of the school's participation under this part, except that the plan and its implementation shall be regularly monitored and revised as necessary based on student needs to ensure that all students are provided opportunities to meet the challenging State academic standards;

(D) is available to the local educational agency, parents, and the public, and the information contained in such plan shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand;

(E) if appropriate and applicable, is developed in coordination and integration with other Federal, State, and local services, resources, and programs, such as programs

supported under this Act, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education programs, and interventions and supports for schools identified for comprehensive support and improvement under section 1111(c)(4)(D)(i) or targeted support and improvement under section 1111(d)(2);

(F) is based on a comprehensive needs assessment of the entire school that takes into account information on the academic achievement of children in relation to the challenging State academic standards under section 1111(b)(1), particularly the needs of those children who are failing, or are at-risk of failing, to meet the challenging State academic standards and any other factors as determined by the local educational agency; and

(G) includes a description of—

(i) the strategies that the school will be implementing to address school needs, including a description of how such strategies will—

(I) provide opportunities for all children, including each of the subgroups of students, as defined in section 1111(c)(2) to meet the challenging State academic standards under section 1111(b)(1);

(II) use methods and instructional strategies that strengthen the academic program in the school, increase the amount and quality of learning time, and help provide an enriched and accelerated curriculum, which may include programs, activities, and courses necessary to provide a well-rounded education; and

(III) address the needs of all children in the school, but particularly the needs of those at risk of not meeting the challenging State academic standards, through activities which may include—

(aa) counseling, school-based mental health programs, specialized instructional support services, mentoring services, and other strategies to improve student's skills outside the academic subject areas;

(bb) preparation for and awareness of opportunities for postsecondary education and the workforce, which may include career and technical education programs and broadening secondary school students' access to coursework to earn postsecondary credit while still in high school, such as Advanced Placement, International Baccalaureate, dual or concurrent enrollment or early college high schools;

(cc) implementation of a schoolwide tiered model to prevent and address problem behavior, and early intervening services, coordinated with similar activities and services carried out under the Individuals with Disabilities Education Act;

(dd) professional development and other activities for teachers, paraprofessionals, and other school personnel to improve instruction and use of data from academic assessments, and to recruit and retain effective teachers, particularly in high-need subjects; and

(ee) strategies for assisting preschool children in the transition from early childhood education programs to local elementary school programs; and

(ii) if programs are consolidated, the specific State educational agency and local educational agency programs and other Federal programs that will be consolidated in the schoolwide program.

Report Language: "It is the Conferees' intent that all programs and schoolwide services and activities funded under this Act are coordinated with similar services and activi-

ties under the Individuals with Disabilities Education Act, especially when specifically authorized, such as with early intervening services and positive behavioral interventions and supports."

29. The Senate bill, but not the House amendment, restructures section 1114(a)(2) to make it a paragraph (3) of section 1113(c).

SR

30. The Senate bill and House amendment make different technical changes to subparagraph (A).

LC

31. The Senate bill, but not the House amendment, removes a reference to 1120A(b) after "supplementary".

HR

32. The Senate bill, but not the House amendment, adds a reference to section 1117.

HR with an amendment to strike "1117" and insert "1118"

33. The Senate bill and House amendment both make a technical change with respect to English learners. The Senate bill and House amendment make different additional technical changes.

LC. SR on name change to "English Learners"

34. The Senate bill, but not the House amendment, restructures section 1114(a)(3) to make it paragraph (4) of section 1113(c).

SR

35. The Senate bill, but not the House amendment, strikes "Except as provided in subsection (b)."

SR with amendment to strike "subsection (b)" and insert "paragraph (2)".

36. The House amendment, but not the Senate bill, strikes "maintenance of effort".

HR

37. The Senate bill, but not the House amendment, includes a reference to section 1117.

HR with an amendment to strike "1117" and insert "1118"

38. The Senate bill, but not the House amendment, makes technical changes.

HR

39. The Senate bill and House amendment eliminate a requirement for schools to devote sufficient resources to professional development.

LC

40. The Senate bill, but not the House amendment, restructures section 1114(c) to make it paragraph (5) of section 1113(c).

SR

41. The House amendment and Senate bill use slightly different language.

HR/SR with an amendment to insert the following:

(c) PRESCHOOL PROGRAMS—A school that operates a schoolwide program under this section may use funds made available under this [part] to establish or enhance preschool programs for children below the age of 6.

(d) DELIVERY OF SERVICES—The elements of a schoolwide program under this section may be delivered by nonprofit or for-profit external providers with expertise in using evidence-based or other effective strategies to improve student achievement.

42. The Senate bill, but not the House amendment, inserts the word "expand".

SR

43. The Senate bill combines section 1115 into section 1113 as subsection (d) and changes section, paragraph, etc. references accordingly. The House amendment amends section 1115.

SR

44. The Senate bill and House amendment reword the "In General" provision in different ways to reflect previous changes in the respective bills.

HR/SR with an amendment to strike subsection (a) and insert the following:

(a) IN GENERAL.—In all schools selected to receive funds under section 1113(c) that are ineligible for a schoolwide program under section 1114, that have not received a waiver under 1114[(a)(2)] to operate such a schoolwide program, or choose not to operate such a schoolwide program, a local educational agency serving such school may use funds received under this part only for programs that provide services to eligible children under subsection (b) identified as having the greatest need for special assistance.

45. The Senate bill, but not the House amendment, rewrites section 1115(c) of current law as a new paragraph (2). The House amendment maintains section 1115(c) of current law but makes changes.

SR on maintaining section 1115. HR/SR to strike and insert the following:

(2) TARGETED ASSISTANCE SCHOOL PROGRAM.—To assist targeted assistance schools and local educational agencies to meet their responsibility to provide for all their students served under this part the opportunity to meet the State's challenging student academic achievement standards in subjects as determined by the State, each targeted assistance program under this section shall—

(A) Determine which students will be served;

(B) coordinate the activities supported under this part with the regular education program of the school;

(C) serve participating students identified under paragraph (3)(A)(ii), including by—

(i) using resources under this part to help participating children meet the challenging State academic standards, which may include programs, activities and courses necessary to provide a well-rounded education;

(ii) using, methods and instructional strategies to strengthen the core academic program of the school, through activities which may include—

(I) expanded learning time, before-and after-school programs, and summer programs and opportunities; and

(II) a schoolwide tiered model to prevent and address behavior problems, and early intervening services, coordinated with similar activities and services carried out under the Individuals with Disabilities Education Act;

(iii) coordinating with and supporting the regular education program, which may include services to assist preschool children in the transition from early childhood education programs such as Head Start, the literacy program under part B of title II, or State-run preschool programs to elementary school programs;

(iv) providing professional development to effective teachers, principals, other school leaders, paraprofessionals, if appropriate, specialized instructional support personnel, and other school personnel who work with participating children in programs under this section or in the regular education program with resources provided under this part, and, to the extent practicable, from other sources;

(v) implementing strategies to increase the involvement of parents of participating children in accordance with section [1116]; and

(vi) if appropriate and applicable, coordinating and integrating Federal, State, and local services and programs, such as programs supported under this Act, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education, [and intervention and supports in schools identified for comprehensive

support and improvement under section 1111(c)(4)(D)(i) or targeted support and improvement under section 1111(d)(2)]; and

(D) provide to the local educational agency assurances that the school will—

(i) help provide an accelerated, high-quality curriculum;

(ii) minimize removing children from the regular classroom during regular school hours for instruction provided under this part; and

(iii) on an ongoing basis, review the progress of participating children and revise the targeted assistance program under this section, if necessary, to provide additional assistance to enable such children to meet the challenging State academic standards.

Report Language: "It is the Conferees' intent that a targeted assistance school may use funds to implement positive behavioral interventions and supports."

46. The Senate bill, but not the House amendment, moves the eligible children provisions after the program components provisions.

SR
47. The Senate bill, but not the House amendment, makes minor technical edits.

HR
48. The Senate bill and House amendment make different edits to references to standards.

HR
49. The Senate bill, but not the House amendment, rewords language related to selection of children from preschool through grade 2.

HR
50. The Senate bill refers to "children who are English learners", while the House amendment refers to "English learners".

SR
51. The Senate bill and House amendment make different technical changes.

LC
52. The Senate bill and House amendment make different changes to the heading.

HR
53. The Senate bill and House amendment strike references to Even Start and Early Reading First. The Senate bill, but not the House amendment, adds the literacy program under part D of Title II.

LC on first sentence. HR with amendment to strike "part D of title II" and insert "subpart 2 of part B of Title II"

54. The Senate bill and House amendment make different technical changes.

LC
55. The Senate bill and House amendment make different changes to the heading.

HR
55a. The Senate bill and House amendment make different technical edits.

LC
56. The Senate bill and House amendment make different technical changes.

LC
57. The Senate bill and House amendment make different technical edits.

LC
58. The Senate bill, but not the House amendment, restructures the comprehensive services provision.

LC
59. The Senate bill and House amendment make different technical edits.

LC
60. The Senate bill, but not the House amendment, strikes "engaged in a comprehensive needs assessment and".

SR
61. The Senate bill, but not the House amendment, strikes "as a last resort".

SR

62. The Senate bill, but not the House amendment, adds "and services".

SR

63. The Senate bill, but not the House amendment, adds "family support and engagement services".

HR

64. The Senate bill, but not the House amendment, adds "health care services and integrated student supports to address the physical, mental, and emotional well-being of children; and".

SR with an amendment to insert the following: "(iv) integrated student supports"

65. The Senate bill and House amendment make similar changes to "pupil services personnel".

HR

66. The Senate bill and House amendment eliminate a requirement for schools to devote sufficient resources to professional development.

LC

67. The Senate bill, but not the House amendment, includes this provision on dual or concurrent enrollment programs.

HR with an amendment to strike and replace paragraphs (1) and (2) with the following:

(1) IN GENERAL.—

(A) a high school operating a schoolwide program under subsection (c), may use funds received under this part to operate a dual or concurrent enrollment program that addresses the needs of low-achieving high school students and those at risk of not meeting challenging State academic standards; or

(B) a high school operating a targeted program under subsection (d) may use funds received under this part to provide dual or concurrent enrollment program services to eligible children under Sec. 1115 b)(1)(B) who are identified as having the greatest need for special assistance.

(2) FLEXIBILITY OF FUNDS.—A local educational agency using funds received under this part for a dual or concurrent program described in clause (A) or (B) of paragraph (1) may use such funds for any of the costs associated with such program, including the costs of—

(A) training for teachers, and joint professional development for teachers in collaboration with career and technical educators and educators from institutions of higher education where appropriate, for the purpose of integrating rigorous academics in such programs;

(B) tuition and fees, books, required instructional materials for such program, and innovative delivery method; and

(C) transportation to and from such program.

68. The Senate bill, but not the House amendment, includes this prohibition.

HR/LC with an amendment to strike "comprehensive needs assessment under subsection (b)(2) or a plan under subsection (c) or (d)" and insert "comprehensive needs assessment or plan under section 1114(b), or a program under section 1115"

69. The House amendment, but not the Senate bill, includes this provision on delivery of services.

SR

Family Engagement

1. The Senate bill, but not the House amendment, redesignates section 1118 as 1115.

SR

2. The Senate bill, but not the House amendment, changes the section heading.

HR

Report Language: "It is the Conferees' intent that, in referencing "parent and family members", States and school districts do not have to take multiple and different steps to reach both parents and also family members. States and school districts can fulfill the requirements of this section through a combined and simultaneous effort to reach parents and family members."

3. The House amendment, but not the Senate bill, makes a technical edit throughout.

LC

4. The Senate bill, but not the House amendment, makes changes to subsection (a)(1)

LC

5. The Senate bill, but not the House amendment, makes changes in the lead-in to subparagraph (A).

HR

6. The House amendment strikes a reference to section 1116 in subparagraph (A).

HR

7. The Senate bill, but not the House amendment, strikes subparagraphs (A) through (F) and inserts new subparagraphs (A) through (F).

HR

8. The Senate bill, but not the House amendment, adds "to the extent feasible and appropriate" and refers to other Federal, State, and local laws, in subparagraph (D) of current law, which is subparagraph (C) of the Senate bill.

HR

9. The House amendment makes a technical change in paragraph (3)(A) to reflect bill restructuring.

LC

10. The Senate bill, but not the House amendment, makes a change to reference "at least 1 percent" rather than "not less than 1 percent" and deletes the references to family literacy and parenting skills.

HR

11. The Senate bill, but not the House amendment, adds a rule of construction.

HR

12. The Senate bill, but not the House amendment, changes the heading and beginning of subparagraph (B).

HR

13. The Senate bill, but not the House amendment, reduces the amount required to be distributed to schools from 95 percent to 85 percent.

HR with an amendment to strike "85" and insert "90"

14. The Senate bill, but not the House amendment, inserts a priority for high-need schools.

HR

15. The Senate bill, but not the House amendment, adds a new use of funds provision.

HR with amendment to strike "home visitation programs" and insert "programs that reach parents and family members at home, in the community, and at school", and in (v) to strike "policy, which may include financial literacy activities and adult education and literacy activities, as defined in section 203 of the Adult Education and Family Literacy Act." And insert "policy."

16. The Senate bill, but not the House amendment, makes changes to subsection (b).

HR

17. The Senate bill, but not the House amendment, makes changes to paragraph (3).

HR

18. The Senate bill and House amendment make different changes to paragraph (4)(B).

HR

19. The Senate bill, but not the House amendment, changes the section reference to reflect previous changes.

SR

20. The Senate bill, but not the House amendment, makes a change in the matter preceding paragraph (1).

HR

21. The Senate bill and House amendment make different changes to paragraph (1).

HR

22. The Senate bill, but not the House amendment, makes additional changes to paragraph (2).

HR

23. The Senate bill refers to "the challenging State academic standards" and the House amendment refers to "State's academic standards."

HR

24. The Senate bill, but not the House amendment, adds language about copyright piracy.

HR

25. The Senate bill inserts "other school leaders" while the House amendment strikes "principals" and replaces with "school leaders."

HR

26. The Senate bill and House amendment make similar changes, but the House amendment also strikes "and public preschool and"

SR with an amendment to insert "programs, including public preschool programs," after "local"

27. The Senate bill, but not the House amendment, strikes and replaces subsection (f).

HR with an amendment to strike "full and" before "informed"

28. The House amendment, but not the Senate bill, strikes and replaces subsection (g).

SR

29. The Senate bill, but not the House amendment, makes changes to subsection (h).

HR**TITLE I—EQUITABLE PARTICIPATION**

1. The Senate bill and House amendment have different section numbers.

LC

2. The Senate bill, but not the House amendment, changes section references to reflect earlier changes.

LC

3. The House amendment, but not the Senate bill, restructures paragraph (1).

SR

4. The House amendment, but not the Senate bill, adds "or representatives" after "officials".

HR

5. The House amendment, but not the Senate bill, says provide such "service" instead of such "children".

HR

6. The House amendment, but not the Senate bill, adds "and individually or in combination, as requested by the officials or representatives to best meet the needs of such children" in subparagraph (A).

SR with an amendment to strike "or representatives"

7. The House amendment, but not the Senate bill, adds a reference to instructional services (including evaluations to determine students' progress in their academic needs), counseling, and mentoring, one-on-one tutoring.

SR

8. The House amendment Senate bill have different references. The House amendment refers to this subpart, the Senate bill refers to section 1115.

LC

9. The House amendment, but not the Senate bill, restructures paragraph (3) to add a subparagraph (B).

SR

10. The House amendment also changes "part" to "subpart".

LC

11. The House amendment, but not the Senate bill, adds a requirement for an ombudsman to be appointed at the State-level to monitor and enforce the requirements of this subpart.

SR

12. The Senate bill bases expenditures on the proportion of funds allocated to participating school attendance areas and the House amendment bases expenditures on participating public school children.

HR

13. The Senate bill and the House amendment have similar requirements to when the share of funds is calculated. ((4)(C) in Senate bill below)

HR

14. The House amendment, but not the Senate bill contains a new provision related to obligation of funds.

SR with an amendment to strike clause (ii)

Report Language: "It is the Conferees' intent to ensure that the agency shall provide services to eligible students under this provision in a timely manner to ensure such services will be provided in the year in which the funds were received by such agency. If the agency does not provide equitable services in the year in which the funds were received, such funds should not be redistributed for general use because such services were not provided."

15. The House amendment, but not the Senate bill contains a new provision related providing notice of allocations.

SR with an amendment to strike "determine" through all of clause (ii) and insert "provide notice in a timely manner to the appropriate private school officials in the State of the allocation of funds for educational services and other benefits under this subpart that the local educational agencies have determined are available for eligible private school children."

16. The Senate bill, but not the House amendment allows the calculation to be done each year or every two years.

HR

17. The House amendment includes a new reference to subsection (b)(6)(C) in provision of services to reflect earlier changes the House amendment made. See note 39.

SR

18. The House amendment, but not the Senate bill, adds "or representatives."

HR

19. The House amendment, but not the Senate bill, states a goal of reaching agreement between the local educational agency and the private school officials or representatives, and requires transmission to the ombudsman.

SR with an amendment to strike "or representatives" and to strike "in order" through "private school children," and insert ". Such agency and private school officials shall both have the goal of reaching agreement on how to provide equitable and effective programs for eligible private school children,"

20. The House amendment, but not the Senate bill, specifies a reference to subparagraph (A).

LC

21. The House amendment and Senate bill make a similar change regarding how the proportion of funds is determined.

HR

22. The House amendment, but not the Senate bill, includes an itemization of costs.

HR

23. The Senate bill, but not the House amendment, changes the section reference to reflect previous changes.

SR

24. The House amendment, but not the Senate bill, includes “or representatives.”

HR

25. The Senate bill and House amendment have similar new subparagraphs (I).

HR

26. The House amendment, but not the Senate bill, includes new subparagraph (J) to include in consultation whether private schools may pool such funds.

SR

27. The House amendment, but not the Senate bill, includes a new subparagraph (K) to consult about what time and where the services will be provided.

HR/SR with amendment to strike (K) and replace with “when, including the time of day, and where services will be provided;”

28. The House amendment, but not the Senate bill, includes a new subparagraph (L) that includes an allowance to consult about whether to use the funds to provide schoolwide programs.

SR with an amendment to strike “this” and all that follows, and insert “subsection (a)(4) in coordination with eligible funds for private schools services under applicable programs, as defined in section 8xxx (b)(1) to provide services to eligible private school children participating in programs.”

29. The House amendment, but not the Senate bill, includes a new paragraph (2) on disagreement.

SR with an amendment to strike “an analysis of” and “or representatives”, and to strike “has chosen not to adopt the course of action requested by such officials” and insert “disagrees”.

30. The House amendment, but not the Senate bill, adds “or representatives”.

HR

30a. The House amendment changes the reference from part to “subpart”.

LC

31. The House amendment, but not the Senate bill, adds “or representatives.”

HR

32. The House amendment, but not the Senate bill, adds “meaningful” before “consultation”.

SR

33. The House amendment, but not the Senate bill, includes language providing a chance for the private school officials to indicate the consultation was not timely or equitable.

SR with an amendment to strike “or representatives” and to insert after “indicate” “that such officials’ belief”

34. The House amendment, but not the Senate bill, adds “or representatives” in the last sentence.

HR

35. The House amendment, but not the Senate bill, adds language about attempts at consultation.

SR

36. The House amendment, but not the Senate bill, specifies the right to “file a complaint.”

SR

37. The Senate bill and House amendment make similar additions regarding equitable treatment. The Senate bill adds “or did not make a decision that treats the . . .” The House amendment adds “or did not treat the . . .”

HR

38. The House amendment, but not the Senate bill, specifies the right to “file a complaint” in (B) as well.

SR

39. The House amendment, but not the Senate bill, adds a new subparagraph (C) regarding State educational agencies.

SR with amendment to strike “and institutions, if —” and all that follows through the end and insert:

and institutions, if the appropriate private school officials have—

(I) requested that the State educational agency provide such services directly; and

(II) demonstrated that the local educational agency involved has not met the requirements of this section in accordance with the procedures for making such a request, as prescribed by the State educational agency;

40. The House amendment and Senate bill use different section references but have the same policy.

LC

41. The House amendment, but not the Senate bill, changes these references to reflect restructuring in the House amendment but have the same policy.

LC**TITLE I, PART B—ASSESSMENTS**

1. The Senate bill, but not the House amendment, amends part B of title I to include provisions on academic assessments.

HR

2. The Senate bill, but not the House amendment, authorizes the Secretary to award grants to States to pay the costs of developing, administering, or other activities related to State assessments. The House amendment includes language in the Local Academic Flexible Grant to allow states and local educational agencies to use funds under that program to develop, administer, and audit assessments. See notes 4 and 5.

HR/SR with an amendment to strike Sec. 1201 and insert the following:

SEC. 1201. GRANTS FOR STATE ASSESSMENTS AND RELATED ACTIVITIES.

(a) From amounts made available in accordance with section 1204, the Secretary shall make grants to States to enable the States to carry out 1 or more of the following:

(1) To pay the costs of the development of the State assessments and standards adopted under section 1111(b), which may include the costs of working in voluntary partnerships with other States, at the sole discretion of each such State.

(2) If a State has developed the assessments adopted under section 1111(b), to administer those assessments or to carry out other assessment activities described in this part, such as the following:

(A) Ensuring the provision of appropriate accommodations available to children who are English learners and children with disabilities to improve the rates of inclusion in regular assessments of such children, including professional development activities to improve the implementation of such accommodations in instructional practice.

1(B) Developing challenging State academic standards and aligned assessments in academic subjects for which standards and assessments are not required under section 1111(b).

(C) Developing or improving assessments of English language proficiency for English learners.

(D) Ensuring the continued validity and reliability of State assessments.

(E) Refining State assessments to ensure their continued alignment with the chal-

lenging State academic standards and to improve the alignment of curricula and instructional materials.

(F) Developing or improving balanced assessment systems that include summative, interim, and formative assessments, including supporting local educational agencies in developing or improving such assessments.

(G) At the discretion of the State, refining science assessments required under section 1111(b)(2) in order to integrate engineering design skills and practices into such assessments.

(H) Developing or improving models to measure and assess student progress or student growth on State assessments under section 1111(b)(2) and other assessments not required under section 1111(b)(2).

(I) Developing or improving alternate assessments aligned to alternate academic achievement standards for students with the most significant cognitive disabilities described in section 1111(b)(2)(D).

(J) Allowing for collaboration with institutions of higher education, other research institutions, or other organizations to improve the quality, validity, and reliability of State academic assessments beyond the requirements for such assessments described in section 1111(b)(2).

(K) Measuring student academic achievement using multiple measures of student academic achievement from multiple sources.

(L) Developing or improving assessments for students who are children with disabilities, including using the principles of universal design for learning, developing assessments aligned to alternate academic achievement standards for students with the most significant cognitive disabilities described in section 1111(b)(2)(D).

(M) Developing or improving assessments for English learners, including assessments of English language proficiency as required under section 1111(b)(2)(G) and academic assessments in languages other than English to meet the State’s obligations under section 1111(b)(2)(F);

(N) Developing or improving models to measure and assess growth on State assessments under section 1111(b)(2).

(O) Evaluating student academic achievement through the development of comprehensive academic assessment instruments, such as performance and technology-based academic assessments, computer adaptive assessments, projects, or extended performance task assessments, that emphasize the mastery of standards and aligned competencies in a competency-based education model.

(P) Designing the report cards and reports under section 1111(d) in an easily accessible, user-friendly manner that [cross-tabulates student information by any category the State determines appropriate, as long as such cross-tabulation—

(A) does not reveal personally identifiable information about an individual student; and
(B) is derived from existing State and local reporting requirements and data sources.]

(b) **RULE OF CONSTRUCTION.**—Nothing in paragraph (7) shall be construed as authorizing, requiring, or allowing any additional reporting requirements, data elements, or information to be reported to the Secretary not otherwise explicitly authorized under this Act.

(c) **ANNUAL REPORT.**—Each State educational agency receiving a grant under this section shall submit an annual report to the Secretary describing its activities under the grant and the result of such activities.

3. The Senate bill authorizes the Secretary to award competitive grants to SEAs for enhanced assessment instruments. The House amendment contains no such provision.

See note 2.

4. The Senate bill authorizes the Secretary to award competitive grants to States to audit State and local assessment systems. The House amendment includes state and local audit authority in the Local Academic Flexible Grant. See notes 2 and 5.

HR/SR with an amendment to strike 1203 and insert the following:

SEC. 1203. STATE OPTION TO CONDUCT ASSESSMENT SYSTEM AUDIT.

(a) IN GENERAL.—From the amount reserved under section 1204(a)(1)(C) for a fiscal year, the Secretary shall make grants to States to enable the States to—

(1) in the case of a grant awarded under this section to a State for the first time—

(A) audit State assessment systems and ensure that local educational agencies audit local assessments under subsection (e)(1);

(B) execute the State plan under subsection (e)(3)(D); and

(C) award subgrants under subsection (f); and

(2) in the case of a grant awarded under this section to a State that has previously received a grant under this section—

(A) execute the State plan under subsection (e)(3)(D); and

(B) award subgrants under subsection (f).

(b) MINIMUM AMOUNT.—Each State shall receive a grant amount of not less than \$1,500,000 per fiscal year upon submission of its application.

(c) REALLOCATION.—If a State chooses not to apply for a grant under this subsection, the Secretary shall reallocate such grant amount to other States in accordance with section 1201.

(d) APPLICATION.—A State desiring to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary shall require. The application shall include a description of:

(1) the audit the State will carry out under subsection (e)(1);

(2) the stakeholder feedback the State will seek in designing such audit; and

(3) how the State will award grants to local educational agencies under subsection (f).

(e) AUDITS OF STATE ASSESSMENT SYSTEMS AND LOCAL ASSESSMENTS.—

(1) AUDIT REQUIREMENTS.—Not later than 1 year after a State receives an initial grant under this section for the first time, the State shall—

(A) conduct a State assessment system audit;

(B) ensure that each local educational agency receiving funds under this section conducts an audit of local assessments administered by the local educational agency and submits the results of such audit to the State; and

(C) report the results of each State and local educational agency audit conducted under subparagraphs (A) and (B), in a format that is widely accessible and publicly available.

(2) RESOURCES FOR LOCAL EDUCATIONAL AGENCIES.—In carrying out paragraph (1)(B), each State shall provide local educational agencies with resources, such as guidelines and protocols, to assist in conducting and reporting audit results.

(3) STATE ASSESSMENT SYSTEM DESCRIPTION.—Each State assessment system audit conducted under paragraph (1) shall include—

(A) the schedule for the administration of all State assessments; and

(B) for each State assessment—

(i) the purpose for which the assessment was designed and the purpose for which the assessment is used; and

(ii) the legal authority for the administration of the assessment;

(C) feedback on such system from education stakeholders, which shall cover information such as—

(i) how educators, school leaders, and administrators use assessment data to improve and differentiate instruction;

(ii) the timing of release of assessment data;

(iii) the extent to which assessment data is presented in an accessible and understandable format for all stakeholders;

(iv) the opportunities, resources, and training educators and administrators are given to review assessment results and make effective use of assessment data;

(v) the distribution of technological resources and personnel necessary to administer assessments;

(vi) the amount of time educators spend on assessment preparation and administration;

(vii) the assessments that administrators, educators, parents, and students, if appropriate, do and do not find useful; and

(viii) other information as appropriate; and

(D) a plan, based on the results of the audit, to improve and streamline the State assessment system, including activities such as—

(i) eliminating any unnecessary assessments, which may include buying out the remainder of procurement contracts;

(ii) supporting the dissemination of best practices from local educational agencies or other States that have successfully improved assessment quality and efficiency to improve teaching and learning; and

(iii) supporting local educational agencies or consortia of local educational agencies to carry out efforts to streamline local assessment systems and implement a regular process of review and evaluation of assessment use in local educational agencies.

(4) LOCAL ASSESSMENT DESCRIPTION.—An audit of a local assessment conducted under paragraph (1) shall include the same information required in paragraph (3) as it applies to the local educational agency.

(5) CARRY OUT THE STATE PLAN.—A State shall execute the plan described in paragraph (3)(D) with funds received under this part.

(f) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—

(1) IN GENERAL.—From the amount awarded to a State under this section, the State shall reserve not less than 20 percent of funds to make subgrants to local educational agencies in the State, or consortia of such local educational agencies, based on demonstrated need in the agency's or consortium's application to improve assessment quality and use, and alignment.

(2) LOCAL EDUCATIONAL AGENCY APPLICATION.—Each local educational agency, or consortium of local educational agencies, seeking a subgrant under this subsection shall submit an application to the State at such time, in such manner, and containing such other information as determined by the State. The application shall include a description of the agency or consortium's needs to improve assessment quality, use, and alignment.

(3) USE OF FUNDS.—A subgrant awarded under this subsection to a local educational agency or consortium of such agencies may be used to—

(A) conduct an audit of local assessments under subsection (e)(1)(B);

(B) carry out the plan described in subsection (e)(3)(D) as it pertains to such agency or consortium;

(C) improve assessment delivery systems and schedules, including by increasing access to technology and exam proctors, where appropriate;

(D) hire instructional coaches, or promote educators who may receive increased compensation to serve as instructional coaches, to support educators to develop classroom-based assessments, interpret assessment data, and design instruction;

(E) provide for appropriate accommodations to maximize inclusion of children with disabilities and English learners participating in assessments; and

(F) improve the capacity of school leaders and educators to disseminate assessment data in an accessible and understandable format for parents and families, including for children with disabilities or English learners;

(g) DEFINITIONS.—In this section:

(1) LOCAL ASSESSMENT.—The term 'local assessment' means an academic assessment selected and carried out by a local educational agency that is separate from an assessment required by section 1111(b)(2).

(2) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

5. The Senate bill includes subgrants to local educational agencies. The House amendment includes language in the Local Academic Flexible Grant to allow local educational agencies to do similar activities. See notes 2 and 4.

See note 4.

6. The Senate bill authorizes funding to States to administer State assessments. The House amendment contains no such provision.

HR/SR with an amendment to strike Sec. 1204 and insert the following:

SEC. 1204. ALLOTMENT OF APPROPRIATED FUNDS.

(a) IN GENERAL.—From amounts made available for each fiscal year under [subsection 1002(b)] that are equal to or less than the amount described in section [1111(b)(2)(H)], the Secretary shall—

(1) reserve 1/2 of 1 percent for the Bureau of Indian Education;

(2) reserve 1/2 of 1 percent for the outlying areas;

(3) reserve not more than 20 percent to carry out section 1203; and

(4) from the remainder, allocate to each State for section 1201 an amount equal to—

(A) \$3,000,000; and

(B) with respect to any amounts remaining after the allocation is made under clause (i), an amount that bears the same relationship to such total remaining amounts as the number of students aged 5 through 17 in the State (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.

(b) AMOUNTS ABOVE TRIGGER AMOUNT.—Any amounts made available for a fiscal year under subsection [1002(b)] that are more than the amount described in section [1111(b)(2)(H)] may be made available as follows:

(1)

(A) To award grants on a competitive basis, to State educational agencies that have submitted applications at such time and in such manner which demonstrate that the requirements of this section will be met for the uses of funds under sub-paragraph (J)

through (Q) according to the quality, needs, and scope of the State application under that section.

(B) In determining the grant amount under subparagraph (A), the Secretary shall ensure that a State's grant includes an amount that bears the same relationship to the total funds available under this paragraph for the fiscal year as the number of students ages 5 through 17 in the State (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.

(2) Any amounts remaining after the Secretary awards funds under paragraph (1) shall be allocated to each State that did not receive a grant under such subparagraph, in an amount that bears the same relationship to the total funds available under this subparagraph as the number of students ages 5 through 17 in the State (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.

(c) STATE DEFINED.—In this section, the term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(d) PROHIBITION.—In making funds available to states under this section, the Secretary shall not require, condition the awarding of such funds on, or provide priority points for, a State (or a consortium of States) developing any assessment common to a number of States, including testing activities prohibited under section 9529.

7. The Senate bill authorizes the Secretary to allow States to develop innovative assessment systems. The House amendment contains no such provision.

HR with an amendment to read as follows:
SEC. 1205. INNOVATIVE ASSESSMENT AND ACCOUNTABILITY DEMONSTRATION AUTHORITY.

(a) INNOVATIVE ASSESSMENT SYSTEM DEFINED.—The term 'innovative assessment system' means a system of assessments that may include—

(1) competency-based assessments, instructionally embedded assessments, interim assessments, cumulative year-end assessments, or performance-based assessments that combine into an annual summative determination for a student, which may be administered through computer adaptive assessments; and

(2) assessments that validate when students are ready to demonstrate mastery or proficiency and allow for differentiated student support based on individual learning needs.

(b) DEMONSTRATION AUTHORITY.—

(1) IN GENERAL.—The Secretary may provide a State educational agency, or a consortium of State educational agencies, in accordance with paragraph (3), with the authority to establish an innovative assessment system.

(2) DEMONSTRATION PERIOD.—In accordance with the requirements described in subsection (c), each State educational agency, or consortium of State educational agencies, that submits an application under this section shall propose in its application the period of time over which it desires to exercise the demonstration authority, except that such period shall not exceed 5 years.

(3) INITIAL DEMONSTRATION AUTHORITY AND EXPANSION.—During the first 3 years of the demonstration authority under this section, the Secretary shall provide State educational agencies, or consortia of State educational agencies, subject to meeting the ap-

plication requirements in subsection (c), with the authority described in paragraph (1), except that during these first 3 years, the total number of participating State educational agencies, including those participating in consortia, may not exceed 7, and not more than 4 State educational agencies may participate in a single consortium.

(C) PROGRESS REPORT.—

(i) IN GENERAL.—Not later than 90 days after the end of the first 3 years of the initial demonstration period described in subparagraph (A), the Director of the Institute of Education Sciences, in consultation with the Secretary, shall publish a report detailing the initial progress of the approved innovative assessment systems prior to providing additional State educational agencies with the demonstration authority described in paragraph (1).

(ii) CRITERIA.—The progress report under clause (i) shall draw upon the annual information submitted by participating States described in subsection (c)(2)(I) and examine the extent to which—

(I) the State educational agencies have solicited feedback from teachers, principals, other school leaders, and parents about their satisfaction with the innovative assessment system;

(II) teachers, principals, and other school leaders have demonstrated a commitment and capacity to implement or continue to implement the innovative assessment systems;

(III) the innovative assessment systems have been developed in accordance with the requirements of subsection (c), including substantial evidence that such systems meet such requirements; and

(IV) each State participating in the demonstration authority has demonstrated that the same system of assessments was used to measure the achievement of all students that participated in the demonstration authority, [and not less than the same percentage of such students overall and in each of the subgroups of students, as defined in section 1111(c)(2)], were assessed under the innovative assessment system, as measured under section 1111(c)(4)(B)(vi), as were assessed under the assessment required by section 1111(b)(2).

(iii) USE OF REPORT.—Upon completion of the progress report, the Secretary shall provide a response to the findings of the progress report, including a description of how the findings of the report will be used—

(I) to support participating State educational agencies through technical assistance; and

(II) to inform the peer review process described in subsection (d) for advising the Secretary on the awarding of the demonstration authority to the additional State educational agencies described in subparagraph (D).

(iv) PUBLICLY AVAILABLE.—The Secretary shall make the progress report under this subparagraph and the response described in clause (iii) publicly available on the website of the Department.

(v) PROHIBITION.—Nothing in this subparagraph shall be construed to authorize the Secretary to require participating States to submit any additional information for the purposes of the progress report beyond what the State has already provided in the annual report described in subsection (c)(2)(I).

(D) EXPANSION OF THE DEMONSTRATION AUTHORITY.—Upon completion and publication of the report described in subparagraph (C)(iv), additional State educational agencies or consortia of State educational agencies

may apply for the demonstration authority described in this section without regard to the limitations described in subparagraph (B). Such State educational agencies or consortia of State educational agencies shall be subject to all of the same requirements of this section.

(c) APPLICATION.—Consistent with the process described in subsection (d), a State educational agency, or consortium of State educational agencies, that desires to participate in the program of demonstration authority under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require. Such application shall include a description of the innovative assessment system, what experience the applicant has in implementing any components of the innovative assessment system, and the timeline over which the State proposes to exercise this authority. In addition, the application shall include the following:

(1) A demonstration that the innovative assessment system will—

(A) meet all the requirements of section 1111(b)(2)(B), except the requirements of clauses (i) and (v) of such section;

(B) be aligned to the standards under section 1111(b)(1) and address the depth and breadth of the challenging State academic standards under such section;

(C) express student results or student competencies in terms consistent with the State aligned academic achievement standards;

(D) be able to generate comparable, valid, and reliable results for all students and for each subgroup of students described in section 1111(b)(2)(B)(xi), compared to the results for such students on the State assessments under section 1111(b)(2);

(E) be developed in collaboration with stakeholders representing the interests of children with disabilities, English learners, and other vulnerable children, educators, including teachers, principals, and other school leaders, local educational agencies, parents, and civil rights organizations in the State;

(F) be accessible to all students, such as by incorporating the principles of universal design for learning;

(G) provide educators, students, and parents with timely data, disaggregated by each subgroup of students described in section 1111(b)(2)(B)(xi), to inform and improve instructional practice and student supports;

(H) be able to identify which students are not making progress toward the State's academic achievement standards so that educators can provide instructional support and targeted intervention to all students;

(I) measure the annual progress of not less than the same percentage of all students and students in each of the subgroups of students, as defined in section 1111(c)(2), who are enrolled in each school that is participating in the innovative assessment system and are required to take assessments, as measured under section 1111(c)(4)(B)(vi), as were assessed by schools administering the assessment under section 1111(b)(2);

(J) generate an annual, summative achievement determination based on annual data for each individual student based on the challenging State academic standards under section 1111(b)(1) and be able to validly and reliably aggregate data from the innovative assessment system for purposes of accountability, consistent with the requirements of section 1111(b)(3), and reporting, consistent with the requirements of section 1111(d); and

(K) continue use of the high-quality statewide academic assessments required under

section 1111(b)(2) if such assessments will be used for accountability purposes for the duration of the demonstration.

(2) A description of how the State educational agency will—

(A) identify the distinct purposes for each assessment that is part of the innovative assessment system;

(B) provide support and training to local educational agency and school staff to implement the innovative assessment system described in this subsection;

(C) inform parents of students in participating local educational agencies about the innovative assessment system at the beginning of each school year during which the innovative assessment system will be implemented;

(D) engage and support teachers in developing and scoring assessments that are part of the innovative assessment system, including through the use of high-quality professional development, standardized and calibrated scoring rubrics, and other strategies, consistent with relevant nationally recognized professional and technical standards, to ensure inter-rater reliability and comparability;

(E) acclimate students to the innovative assessment system;

(F) ensure that students with the most significant cognitive disabilities may be assessed with alternate assessments consistent with section 1111(b)(2)(D);

(G) if the State is proposing to administer the innovative assessment system initially in a subset of local educational agencies, scale up the innovative assessment system to administer such system statewide or with additional local educational agencies in the State's proposed period of demonstration authority and 2-year extension period, if applicable, including the timeline that explains the process for scaling to statewide implementation by either the end of the State's proposed period of demonstration authority or the 2-year extension period;

(H) gather data, solicit regular feedback from educators and parents, and assess the results of each year of the program of demonstration authority under this section, and respond by making needed changes to the innovative assessment system; and

(I) report data from the innovative assessment system annually to the Secretary, including—

(i) demographics of participating local educational agencies, if such system is not statewide, and additional local educational agencies if added to the system during the course of the State's demonstration or 2-year extension period, except that such data shall not reveal any personally identifiable information, including a description of how—

(I) the inclusion of additional local educational agencies contributes to progress toward achieving high-quality and consistent implementation across demographically diverse local educational agencies throughout the demonstration period; and

(II) by the end of the demonstration authority, the participating local educational agencies, as a group, will be demographically similar to the State as a whole;

(ii) performance of all participating students and for each subgroup of students, as defined in section 1111(b)(3)(A), on the innovative assessment, consistent with the requirements in section 1111(d), except that such data shall not reveal any personally identifiable information;

(iv) feedback from teachers, principals, other school leaders, and parents about their satisfaction with the innovative assessment system; and

(v) if such system is not statewide, a description of the State's progress in scaling up the innovative assessment system to additional local educational agencies during the State's period of demonstration authority, as described in subparagraph (G).

(3) A Description of the State educational agency's plan to—

(A) ensure that all students and each of the subgroups of students, as defined in section 1111(b)(3)(A), participating in the innovative assessment system—

(i) are held to the same high standard as other students in the State; and

(ii) receive the instructional support needed to meet challenging State academic standards;

(B) ensure that each local educational agency has the technological infrastructure to implement the innovative assessment system; and

(C) hold all participating schools in the local educational agencies participating in the program of demonstration authority accountable for meeting the State's expectations for student achievement.

(4) If the innovative assessment system will initially be administered in a subset of local educational agencies—

(A) a description of the local educational agencies within the State educational agency that will participate, including what criteria the State has for approving any additional local educational agencies to participate during the demonstration period;

(B) assurances from such local educational agencies that such agencies will comply with the requirements of this subsection; and

(C) a description of how the State will—

(i) ensure that the inclusion of additional local educational agencies contributes to progress toward achieving high-quality and consistent implementation across demographically diverse local educational agencies throughout the demonstration authority; and

(ii) ensure that the participating local educational agencies, as a group, will be demographically similar to the State as a whole by the end of the State's period of demonstration authority.

(d) PEER REVIEW.—The Secretary shall—

(1) implement a peer review process to inform—

(A) the awarding of the demonstration authority under this section and the approval to operate the system for the purposes of paragraphs (2) and (3) of section 1111(b), as described in subsection (h) of this section; and

(B) determinations about whether the innovative assessment system—

(i) is comparable to the State assessments under section 1111(b)(2)(B)(v)(I), valid, reliable, of high technical quality, and consistent with relevant, nationally recognized professional and technical standards; and

(ii) provides an unbiased, rational, and consistent determination of progress toward the goals described under section 1111(b)(3)(B)(i) for all students;

(2) ensure that the peer review team is comprised of practitioners and experts who are knowledgeable about the innovative assessment being proposed for all students, including—

(A) individuals with past experience developing systems of assessment innovation that support all students, including English learners, children with disabilities, and disadvantaged students; and

(B) individuals with experience implementing innovative State assessment and accountability systems;

(3) make publicly available the applications submitted under subsection (c) and the peer review comments and recommendations regarding such applications;

(4) make a determination and inform the State regarding approval or disapproval of the application not later than 90 days after receipt of the complete application;

(5) offer a State the opportunity to revise and resubmit its application within 60 days of a disapproval determination under paragraph (4) to allow the State to submit additional evidence that the State's application meets the requirements of subsection (c); and

(6) make a determination regarding application approval or disapproval of a resubmitted application under paragraph (5) not later than 45 days after receipt of the resubmitted application.

(e) EXTENSION.—The Secretary may extend an authorization of demonstration authority under this section for an additional 2 years if the State educational agency demonstrates with evidence that the State educational agency's innovative assessment system is continuing to meet the requirements of subsection (c), including, demonstrating a plan for and the capacity to transition to statewide use by the end of a 2-year extension period; and

(f) USE OF INNOVATIVE ASSESSMENT SYSTEM.—A State may, during its approved demonstration period or 2-year extension period, include results from the innovative assessment systems developed under this section in accountability determinations for each student in the participating local educational agencies instead of, or in addition to, those from the assessment system under section 1111(b)(2) if the State demonstrates that the State has met the requirements in subsection (c). The State shall continue to meet all other requirements of section 1111(b)(3).

(g) AUTHORITY WITHDRAWN.—The Secretary shall withdraw the authorization for demonstration authority provided to a State educational agency under this section and any participating local educational agency or the State as a whole shall return to the statewide assessment system under section 1111(b)(2) if, at any point during a State's approved period of demonstration or 2-year extension period, the State educational agency cannot present to the Secretary evidence that the innovative assessment system developed under this section

(1) meets requirements of subsection (c);

(2) includes all students attending schools participating in the demonstration authority, including each of the subgroups of students, as defined in section 1111(b)(3)(A), in the innovative assessment system demonstration;

(3) provides an unbiased, rational, and consistent determination of progress toward the goals described under section 1111(b)(3)(B)(i) for all students, which are comparable to determinations under section 1111(b)(3)(B)(iii) across the State in which the local educational agencies are located;

(4) presents a high-quality plan to transition to full statewide use of the innovative assessment system by the end of the State's approved demonstration period and 2-year extension, if the innovative assessment system will initially be administered in a subset of local educational agencies; and

(5) demonstrates comparability to the statewide assessments under section 1111(b)(2) in content coverage, difficulty, and quality.

(h) TRANSITION.—

(1) IN GENERAL.—If, after a State's approved demonstration and extension period,

the State educational agency has met all the requirements of this section, including having scaled the system up to statewide use, and demonstrated that such system is of high quality, the State shall be permitted to operate the innovative assessment system approved under the program of demonstration authority under this section for the purposes of paragraphs (2) and (3) of section 1111(b). Such system shall be deemed of high quality if the Secretary, through the peer review process described in subsection (d), determines that—

(A) the system has met all of the requirements of this section;

(B) the State has examined the effects of the system on other measures of student success, including indicators in the accountability system under 1111(c);

(C) provided coherent and timely information about student attainment of the State's challenging academic standards, including objective measurement of academic achievement, knowledge, and skills that are valid, reliable, and consistent with relevant, nationally-recognized professional and technical standards;

(D) solicited feedback from teachers, principals, other school leaders, and parents about their satisfaction with the innovative assessment system; and

(E) demonstrated that the same system of assessments was used to measure the achievement of all students, [and not less than the percentage of such students overall and in each of the subgroups of students, as defined in section 1111(c)(2), were assessed under the innovative assessment system, as measured under section 1111(c)(4)(B)(vi), as were assessed under the assessment required by section 1111(b)(2).]

(2) **BASELINE.**—For the purposes of the evaluation described in paragraph (1), the baseline year shall be considered the first year of implementation of the innovative assessment system for each local educational agency.

(3) **WAIVER AUTHORITY.**—If, at the conclusion of the State's approved demonstration and extension period, the State has met all of the requirements of this section, except transition to full statewide use for States that will initially administer an innovative assessment system in a subset of local educational agencies, and continues to comply with the other requirements of this section, and demonstrates a high-quality plan for transition to statewide use in a reasonable period of time, the State may request, and the Secretary shall review such request, a delay of the withdrawal of authority under subsection (g) for the purpose of providing the State time necessary to implement the innovative assessment system statewide.

(i) **AVAILABLE FUNDS.**—A State may use funds available under section 1201 to carry out this section.

(j) **RULE OF CONSTRUCTION.**—A consortium of States may apply to participate in the program of demonstration authority under this section and the Secretary may provide each State member of such consortium with such authority if each such State member meets all of the requirements of this section. Such consortium shall be subject to the limitation described in subsection (b)(3)(B) during the initial 3 years of the demonstration authority.

(k) **DISSEMINATION OF BEST PRACTICES.**—

(1) **IN GENERAL.**—Following the publication of the progress report described in subsection (b)(3)(C), the Director of the Institute of Education Sciences, in consultation with the Secretary, shall collect and disseminate the

best practices on the development and implementation of innovative assessment systems that meet the requirements of this section, including—

(A) the development of summative assessments that meet the requirements of section 1111(b)(2)(B), are comparable with statewide assessments, and include assessment tasks that determine proficiency or mastery of State-approved competencies aligned to challenging academic standards;

(B) the development of effective supports for local educational agencies and school staff to implement innovative assessment systems;

(C) the development of effective engagement and support of teachers in developing and scoring assessments and the use of high-quality professional development;

(D) the development of effective supports for all students, particularly each of the subgroups of students, as defined in section 1111(b)(3)(A), participating in the innovative assessment systems; and

(E) the development of standardized and calibrated scoring rubrics, and other strategies, to ensure inter-rater reliability and comparability of determinations of mastery or proficiency across local educational agencies and the State.

(2) **PUBLICATION.**—The Secretary shall make the information described in paragraph (1) available to the public on the website of the Department and shall publish an update to the information not less often than once every 3 years.

TITLE I, PART C—MIGRATORY CHILDREN

1. The House amendment redesignates Title I, part C as subpart 2 of part A of title I.

HR

1a. The House amendment, but not the Senate bill, rewords the lead-in and makes conforming edits.

SR

2. The House amendment, but not the Senate bill, amends the program purposes by stating that States should support high-quality programs and services during and outside the school year that address the unique needs of migratory children. The Senate bill refers to supporting high quality and comprehensive programs that reduce disruptions as a result of repeated moves.

SR

3. The Senate bill refers to “challenging” State academic standards.

HR

4. The House amendment but not the Senate bill strikes paragraph (3) of current law.

SR

5. The Senate bill and House amendment include similar language ensuring migratory children reach the same academic standards, except the Senate bill refers to “challenging” standards.

HR

5a. The House amendment states that migratory children should graduate from high school prepared for postsecondary education and the workforce, while the Senate bill does not.

HR with an amendment to insert “to” at the beginning.

6. The House amendment and Senate bill contain similar language regarding overcoming barriers to migratory children's success. The Senate bill states that such barriers should be overcome so that children can “without the need for postsecondary remediation.”

SR

7. The House amendment and Senate bill use similar but not identical language for systemic reforms.

SR

8. The House amendment includes a reservation of 2.45 percent of funds under (3)(a)(1) for the Secretary to carry out this subpart. The Senate bill includes a separate authorization level for this program in section 1002(c).

HR

9. The Senate bill and House amendment are identical, though the provision is in a slightly different place given the House reservation.

LC

10. The Senate bill, but not the House amendment, maintains a base amount that each State will receive, based on fiscal year 2002. The House amendment modifies this “hold harmless” language. See note 11.

SR

11. The House amendment, but not the Senate bill, modifies the “hold harmless” language for distributing funds to the States to ensure that, for fiscal years 2016–2018, no State will receive less than 90 percent of the State's allocation during the previous fiscal year.

SR

12. The Senate bill allocates funding to States that did not receive funds in fiscal year 2002 based on the amount they would have received in 2002 plus an additional amount. The House amendment allocates funding to States who did not receive funding in the previous year or that have been participating in the program for less than three consecutive previous years based on the most recent available data of the number of migratory children in the State. Note the House amendment provision is moved to match the Senate bill structure.

SR

13. The House amendment modifies the formula by basing a State's child count on the average number of identified eligible full-time children, aged 3 through 21, residing in the state, based on data for the preceding 3 years and goes into effect for all State allocations.

SR with an amendment to strike “full-time equivalent”.

14. The Senate bill and House amendment both set the minimum allocation amounts for Puerto Rico, including setting a minimum percentage that the average per-pupil expenditure (PPE) in Puerto Rico is of the lowest average PPE of any State at 85 percent.

SR

14a. The House amendment, but not the Senate bill, strikes paragraph (3).

HR

15. The Senate bill and House amendment include nearly identical language, except that the Senate bill refers to making funds available for direct services to add to the “academic” achievement of children, while the House amendment refers to “educational” achievement.

HR

16. The Senate bill and the House amendment include similar language requiring the Secretary to determine the “identified number” of migratory children residing in each State.

LC

17. The Senate bill, but not the House amendment, requires the Secretary to use information that the Secretary finds is most accurate in order to determine the number of eligible migratory children. The House amendment requires the Secretary to use the most recent information available.

SR

18. The Senate bill does not contain this provision.

SR

19. The Senate bill does not contain this provision.

SR

20. The Senate bill does not contain this provision.

SR with an amendment to strike “full-time equivalent” in paragraph (4).

21. The Senate bill does not contain this provision.

SR

22. The Senate bill does not contain this provision.

SR

23. The Senate bill, but not the House amendment, requires States to describe how the unique needs of ‘out-of-school’ migratory children are identified and addressed.

SR with an amendment to add “and migratory children who have dropped out of school” after “preschool migratory children”

24. The Senate bill and House amendment change internal cross-references to match bill structure.

LC

25. The Senate bill, but not the House amendment, requires States to describe “measurable program objectives and outcomes”.

HR

26. The Senate bill refers to “challenging” State academic standards.

HR

27. The House amendment makes technical edits to a cross-reference to reflect bill structure.

LC

28. The Senate bill and House amendment are virtually identical, except for varying section cross-references.

LC

29. Both the Senate bill and House amendment make changes to cross-references to reflect different bill structures.

SR with an amendment to strike “1120A, and part C” and insert 1118, and part E”

30. Both the Senate bill and House amendment require consultation with “parents of migratory children.” The Senate bill specifies that parent advisory councils are to be included in such consultation.

HR

31. The Senate bill makes technical conforming edits to a cross-reference.

HR with amendment to strike “1115” and insert “1116”

32. The Senate bill, but not the House amendment, requires that programs and projects shall address the unmet needs of ‘out-of-school’ migratory children.

SR with an amendment to add “and migratory children who have dropped out of school” after “preschool migratory children”

33. The House amendment makes technical edits to an internal cross-reference.

LC

34. The Senate bill, but not the House amendment, eliminates “to the extent feasible”.

HR with an amendment to renumber paragraph (7) as paragraph (8) and strike paragraph (6) and insert the following:

(6) such programs and projects will provide for outreach activities for migratory children and their families to inform such children and families of other education, health, nutrition, and social services to help connect them to such services.”

(7) to the extent feasible, such programs and projects will provide for—

(A) advocacy and other outreach activities for migratory children and their families, including helping such children and families gain access to other education, health, nutrition, and social services.

(B) professional development programs, including mentoring, for teachers and other program personnel;

(C) evidence-based family literacy programs

(D) the integration of information technology into educational and related programs; and

(E) programs to facilitate the transition of secondary school students to postsecondary education or employment without the need for [remediation]; and

35. The Senate bill and House amendment require family literacy programs to be “evidence Based”. The House amendment requires family literacy programs to also be “high-quality”.

HR

36. The Senate bill requires programs to facilitate transitions without the “need for postsecondary remediation,” but the House amendment does not include “postsecondary”.

SR with an amendment to strike “without the need for remediation”

37. Both the Senate bill and House amendment change cross-references.

LC

38. The Senate bill, but not the House amendment, requires recipients of funds to prioritize services for children who have made a qualifying move within the previous year.

HR

39. The Senate bill refers to “challenging State academic standards.” The House amendment does not include “challenging”.

HR

40. The Senate bill, but not the House amendment, requires funds to prioritize services for children who have dropped out of school.

HR

41. The House amendment changes an internal cross-reference to reflect bill changes.

LC

42. The Senate bill repeals the reference to “secondary school” students.

HR

43. The House amendment and the Senate bill have a different structure in this section.

SR

44. The Senate bill allows the Secretary, to the extent practicable, to review applications through a peer review process with the assistance and advice of State officials and those with relevant expertise.

SR with an amendment to strike “using a peer review process” and inserting at the end “with the assistance and advice of State officials and other officials with relevant expertise”.

45. The House amendment makes a technical conforming edit to a cross-reference.

LC

46. The Senate bill refers to “challenging State academic standards”, and the House amendment does not use “challenging”.

HR

47. Both the Senate bill and House amendment make technical edits to cross-references.

LC

48. The House amendment changes internal cross-references.

LC

49. The House amendment changes internal cross-references.

LC

50. The House amendment changes internal cross-references.

LC

51. The Senate bill, but not the House amendment, includes a special rule that re-

quires schools that receive funds to continue to address the unidentified needs of migratory children, and to meet the unique needs of migratory children before using funds under this part for schoolwide programs.

HR

52. The Senate bill changes internal cross-references.

LC

53. The House amendment changes a cross-reference to reflect the structure change of the bill.

LC

54. The House amendment allows funding to flow to “public and private entities”, while the Senate bill refers to “public and private nonprofit entities.”

SR

55. The Senate bill requires the Secretary to assist States in the electronic transfer of student records and determining the number of eligible migratory children. The House amendment requires the Secretary to assist States in “developing and maintaining” an effective system regarding records and determining the number of eligible children.

HR

56. The Senate bill requires the Secretary to maintain a record system. The House amendment requires the Secretary to ensure the linkage of migratory student record systems among the States.

SR

57. The House amendment, but not the Senate bill, requires the Secretary to ensure that the linkage of migratory student record systems occurs in a cost-effective manner.

SR

58. The House amendment, but not the Senate bill, authorizes the Secretary to determine the minimum data elements that each State must collect and maintain.

HR

59. The Senate bill refers to “such information” but the House amendment refers to “such minimum data elements”.

HR

60. The House amendment changes an internal cross-reference to assessments.

LC

61. The Senate bill removes “required”.

HR

62. The Senate bill requires that the Secretary maintain “ongoing consultation” with States, local educational agencies and migratory student service providers, on determining the effectiveness of, and to improve the system. The House amendment requires the Secretary to consult with States before updating data elements included in such system.

HR

63. The Senate bill, but not the House amendment, requires the Secretary to provide public notice and comment on any new proposed data elements that States will be required to collect.

HR

64. The House amendment changes an internal cross-reference.

LC

65. The House amendment, but not the Senate bill, requires the Secretary to report to Congress regarding the maintenance and transfer of health and educational information for migratory children.

HR

66. The House amendment changes an internal cross-reference.

LC

67. The Senate bill, but not the House Amendment, authorizes the Secretary to reserve up to \$3,000,000 to award incentive grants to State educational agencies that

propose a consortium agreement to improve delivery of services to migratory children.

HR

68. The House amendment edits an internal cross-reference.

LC

69. The Senate bill defines the term “migratory agricultural worker”. The House amendment does not define this term.

HR

70. The Senate bill, but not the House amendment, makes modifications to the definition of “migratory child” to add references to a qualifying move and refer to the definitions of agricultural worker or migratory fisher. The House amendment refers to the manner in which the child has moved in this definition, while the Senate bill refers to these criteria in the definition of “qualifying move”. See note 72.

HR

71. The Senate bill defines the term “migratory fisher”. The House amendment does not define this term.

HR

72. The Senate bill defines the term “qualifying move”. The House amendment does not define this term but refers to similar instances in the definition of “migratory child.” See note 70.

HR with amendment to strike “to engage in a” through “by the Secretary,” and insert “or” at the end of clause (i).

TITLE I, PART D—NEGLECTED AND DELINQUENT CHILDREN

1. The House amendment, not the Senate bill, redesignates Part D of Title I as subpart 3 of part A of Title I.

HR

2. The Senate bill, not the House amendment, modifies the purpose to include improved education services for students in “tribal” institutions.

HR

3. The Senate bill refers to “challenging State academic standards” and the House amendment removes “challenging”.

HR

4. The Senate bill, but not the House amendment, requires the involvement of families and communities to prevent youth from dropping out of school.

HR

5. The House amendment, but not the Senate bill, includes a reservation of 0.31 of one percent from funds under section 3(a)(1) of this subpart. The Senate bill includes a specified authorization of appropriations under section 1002(d).

HR

6. The House amendment, but not the Senate bill, includes a new “Grants Awarded” paragraph heading and specifies that grants are awarded from funds subsection (b) and not reserved under section 1004 and section 1159. The House amendment, but not the Senate bill, adds a qualifying phrase “that have plans submitted under section 1154 approved” when referencing grants to State educational agencies.

HR

7. The House amendment makes several technical conforming edits to cross-references.

LC

8. The House amendment makes several technical conforming edits to cross-references.

LC

9. The House amendment makes several technical conforming edits to cross-references.

LC

10. The House amendment makes several technical conforming edits to cross-references.

LC

11. The House amendment, but not the Senate bill, eliminates the limitation on the minimum percentage for Puerto Rico if any State would receive less than it received in the preceding fiscal year.

HR

12. The House amendment makes technical conforming edits to cross-references.

LC

13. The Senate bill, but not the House amendment, modifies language related to assisting the transition of children and youth “between” correctional facilities and locally operated programs.

HR

14. The Senate bill requires States to describe program objectives and outcomes that will be assessed to determine program effectiveness. The House amendment requires States to describe how they will assess the effectiveness of programs.

HR

15. The House amendment, but not the Senate bill, includes a provision related to prioritizing a regular high school diploma.

SR

16. The House amendment, but not the Senate bill, includes this provision related to evaluation.

HR

17. The House amendment makes technical conforming edits to cross-references.

LC

18. The Senate bill, but not the House amendment, includes a provision related to ensuring the prompt re-enrollment of students in juvenile justice system in clause (i), and opportunities for such students to participate in higher education or career pathways.

HR with amendment to strike “prompt” and insert “timely” and strike “higher education or career pathways” and insert “credit bearing coursework while in secondary school, postsecondary education, or career and technical education programming.”

19. The House amendment makes technical conforming edits to cross-references.

LC

20. The House amendment makes technical conforming edits to a cross-reference.

LC

21. The Senate bill, but not the House amendment, modifies this provision to add “and respond to”.

SR with amendment to strike “supplement and improve” and insert “respond to the educational needs of the children, including by supplementing and improving”

21a. The Senate bill, but not the House amendment, provides for the assessment when the student enters the correctional facility.

HR with an amendment to strike “an” and insert “such”

22. The House amendment makes technical conforming edits to a cross-reference.

LC

23. The House amendment makes technical conforming edits to a cross-reference.

LC

24. The Senate bill, but not the House amendment, includes this provision related to evaluation under section 9601.

LC

25. The Senate bill, but not the House amendment, requires States to include data showing the State agency has maintained the fiscal effort required of a local educational agency under section 9521.

HR with an amendment to strike “9521” and insert “[6521]”

26. The Senate bill, but not the House amendment, updates references to WIOA.

HR

27. The Senate bill and House amendment have slightly different language.

SR

27a. The Senate bill, but not the House amendment, modifies the description to ensure transition plans are in place for incarcerated youth.

HR with an amendment to strike “and, to the extent practicable, to ensure that transition plans are in place” and insert “in order to facilitate the transition of such children and youth between the correctional facility and the local educational agency or alternative education program”

28. The House amendment makes technical conforming edits to a cross-reference.

LC

29. The Senate bill, but not the House amendment, modifies the provision to focus on transitions between facilities for neglected or delinquent children and locally operated programs. The House amendment focuses on transitions from facilities for neglected or delinquent children to locally operated programs.

HR

30. The Senate bill and House amendment are similar, but the House amendment uses the term “regular” high school diploma.

SR

31. The Senate bill requires certified or licensed teachers to work with children and youth with disabilities and other students with special needs. The House amendment requires effective teachers.

HR

32. The Senate bill, but not the House amendment, includes a provision related to identifying and improving practices for youth who have been in contact with the child welfare and juvenile justice systems and has a provision to implement strategies to reduce expulsions and suspensions.

HR with an amendment to strike paragraph (20) and insert the following:

(20) describe how the State agency will, to the extent feasible, note when a youth has come into contact with both the child welfare and juvenile justice systems and deliver evidence-based services and interventions designed to keep such youth in school.

33. The House amendment updates a cross-reference.

LC

34. Both the Senate bill and House amendment contain similar modifications relating to the transition of participants without the need for remediation and referring to career and technical education, except the Senate bill includes “without the need for remediation” after “make a successful transition.”

SR with an amendment to strike “without the need for remediation”

35. Both the Senate bill and House amendment allow for the acquisition of equipment, but the bills are structured differently.

LC

36. The Senate bill, but not the House amendment, contains language allowing for pay for success initiatives.

HR with an amendment to strike “that produce” and all that follows through “Federal Government”

37. The Senate bill, but not the House amendment, contains language allowing for targeted services for youth that have come into contact with welfare and juvenile justice systems.

HR

38. The Senate bill includes the word “challenging” as it relates to State academic standards.

HR

39. The Senate bill and House amendment contain different cross-references to institution-wide projects.

LC

40. The Senate bill includes the word “challenging” as it relates to State academic standards.

HR

41. The Senate bill and House amendment contain different cross-references to fiscal requirements in Title I.

SR with an amendment to strike “1120A and part C” and insert “1118 and part E”

42. The Senate bill and House amendment contain different cross-references to supplement-not-supplant requirements in Title I.

LC

43. The House amendment changes internal cross-references.

LC

44. The Senate bill includes the word “challenging” as it relates to State academic standards.

HR

45. The House amendment, but not the Senate bill, refers to attaining a “regular” high school diploma in the description, the Senate bill references a “high school diploma”.

SR

46. The Senate bill, but not the House amendment, strikes ‘complete secondary school’ from the description.

HR with an amendment to add “regular” before “high school”

47. The Senate bill, but not the House amendment, includes “to the extent practicable, the development and implementation of transition plans” in the description.

SR with amendment to insert “specialized instructional support” before “services, and procedures” and to insert before the semicolon “and how relevant and appropriate academic records and plans regarding the continuation of educational services for such children or youth are shared jointly between the State agency operating the institution or program and local educational agency in order to facilitate the transition of such children and youth between the local educational agency and the State agency;

48. The House amendment changes internal cross-references.

LC

49. The House amendment changes internal cross-references.

LC

50. The Senate bill, but not the House amendment, refers to transitioning children and youth “between” institutions and schools.

HR

51. The Senate bill, but not the House amendment, includes institutions and schools operated by the Secretary of the Interior and schools funded by the BIE.

HR

52. The House amendment, but not the Senate bill, refers to a “regular” high school diploma.

SR

53. The Senate bill, but not the House amendment, adds “without the need for remediation” when describing the successful reentry of students.

SR

54. The House amendment, but not the Senate bill, allows for projects to be conducted with private for-profit organizations.

HR

55. The House amendment and Senate bill provide for different section titles.

LC

56. The Senate bill, but not the House amendment, allows the Secretary to support capacity building.

HR

57. The Senate bill allows the Secretary to reserve not more than 2.5 percent for technical assistance and capacity building. The House amendment allows for not more than 1 percent.

HR

58. The House amendment, but not the Senate bill, makes internal cross-reference updates.

LC

59. The House amendment changes internal cross-references.

LC

60. The Senate bill, but not the House amendment, includes “without the need for remediation” when referring to secondary school completion.

SR

61. The Senate bill, but not the House amendment, includes programs in schools operated by the BIE.

HR

62. The House amendment changes internal cross-references.

LC

63. The House amendment changes internal cross-references.

LC

64. The Senate bill, but not the House amendment, allows transitional and supportive programs to focus on nonacademic needs.

SR

65. The Senate bill makes a technical edit.

LC

66. The House amendment changes internal cross-references.

LC

67. The House amendment changes internal cross-references.

LC

68. The Senate bill, but not the House amendment, includes facilities operated by the Secretary of the Interior and tribes.

HR

69. The House amendment, but not the Senate bill, includes a description of services that participating schools will provide youth returning from correctional facilities.

SR with an amendment to insert “to facilitate the successful transition” before “for children and youth returning”.

70. The Senate bill, but not the House amendment, includes a description of activities that LEAs will carry out to successfully transition children and youth into schools served by LEAs or into CTE programs.

SR with amendment in paragraph (4) to strike “for” and insert “to facilitate the successful transition of” after participating schools; and in paragraph (7) to insert “institutions of higher education” after “partnerships with” and strike “develop training, curriculum-based youth entrepreneurship education” and insert “facilitate postsecondary and workforce success for children and youth returning from correctional facilities, such as participation in credit bearing coursework while in secondary school, enrollment in postsecondary education, participation in career and technical education programming” after “businesses to”

71. The Senate bill, but not the House amendment, includes “family members” in the description.

HR

72. The Senate bill, but not the House amendment, updates references to WIOA.

HR

73. The House amendment, but not the Senate bill, includes this provision related to working with probation officers.

SR

74. The Senate bill, but not the House amendment, includes this provision related to addressing the educational needs of children and youth returning from institutions for neglected and delinquent children or from correctional institutions.

SR

75. The Senate bill, but not the House amendment, requires a description of the efforts of LEAs instead of participating schools.

SR

76. The House amendment, but not the Senate bill, refers to “traditional” instead of “regular” public school program.

SR

77. The House amendment, but not the Senate bill, includes a subsection header and update to an internal cross-reference.

LC

78. The Senate bill makes a technical edit.

HR

79. The Senate bill, but not the House amendment, includes a provision to allow for programs to serve at-risk Indian children and youth.

HR

80. The Senate bill, but not the House amendment, includes a provision to allow for pay for success initiatives.

HR with an amendment to strike “that produce” and all that follows through “Federal Government.”

81. The House amendment, but not the Senate bill, includes a provision related to contracts and grants for activities under this section.

SR with an amendment to strike “grant” and insert “subgrant” and to strike “(5)” and insert “(7)”

82. The House amendment changes internal cross-references.

LC

83. The Senate bill refers to obtaining a high school diploma, and the House amendment refers to obtaining a “regular” high school diploma.

SR with an amendment to replace “obtain” with “attain”

84. The House amendment, but not the Senate bill, includes language related to seeking a regular high school diploma or its recognized equivalent.

SR

85. The Senate bill includes the word “challenging” as it relates to State academic standards.

HR

86. The Senate bill, but not the House amendment, updates references to WIOA.

HR

87. The Senate bill, but not the House amendment, contains a provision related to developing transition plans.

HR with an amendment to strike the Senate language and insert:

(12) upon the child’s or youth’s entry into the correctional facility, work with the child’s or youth’s family members and the local educational agency that most recently provided services to the child or youth (if applicable) to ensure the that relevant and appropriate academic records and plans regarding the continuation of educational services for such child or youth are shared jointly between the correctional facility and local educational agency in order to facilitate the transition of such children and youth between the local educational agency and the correctional facility; and

88. The House amendment reorders the paragraphs in this section.

HR

89. The House amendment, but not the Senate bill, refers to obtaining a “regular” high school diploma.

SR with an amendment to strike “obtaining” and insert “attaining” in all places in the paragraph

90. The Senate bill refers to reducing or terminating funding based on dropout rates of male or female students over a 3-year period. The House amendment refers to reducing or terminating funding based on students obtaining a regular high school diploma.

SR with an amendment to strike “obtaining” and insert “attaining”

91. The House amendment, but not the Senate bill, changes internal cross-references.

LC

91a. The House amendment, but not the Senate bill, includes a reference to protecting privacy

SR

92. The Senate bill, but not the House amendment, modifies this provision to ensure graduation from high school in the standard number of years.

HR with amendment to strike “standard” and insert “in the number of years established by the State under either the four-year adjusted cohort graduation rate or the extended year adjusted cohort graduation rate, if applicable”

93. The Senate bill, but not the House amendment, modifies this provision to include schools funded by the BIE.

HR

94. The House amendment changes internal cross-references.

LC

95. The House amendment, but not the Senate bill, makes structural changes to this provision.

HR

96. The Senate bill adds language concerning “other life conditions that make the individual at high risk for dependence or delinquency adjudication as it relates to at-risk students”.

HR/SR with an amendment to insert “dependency adjudication, or delinquency adjudication” after “failure” and insert “or child welfare system” after “juvenile justice system”

TITLE I, PART E—GENERAL PROVISIONS

1. The Senate bill strikes parts E through H of Title I while the House amendment redesignates part E as part B to reflect striking of parts B through D and F through H earlier in the amendment, redesignates sections accordingly, and makes amendments to those sections.

HR

2. The Senate bill moves part I of Title I to Part E. The House amendment moves Part I of Title I to Part C.

HR

3. The House amendment includes different designations and repeals sections 1904 and 1905.

HR/LC

4. The Senate bill, but not the House amendment, adds “other school leaders (including charter school leaders)” and “para-professionals” to the list of individuals that must be consulted before publishing regulations.

HR

5. The House amendment, but not the Senate bill, adds “representatives and members nominated by local and national stakeholder representatives” to the list of individuals that must be consulted before publishing regulations.

HR

6. The Senate bill and the House amendment contain similar language requiring information from regional meetings and electronic exchanges to be made public to inter-

ested parties in an easily accessible manner. The House amendment also requires notice of regional meetings to be made public

SR

7. The Senate bill, but not the House amendment, specifies for what topics under Title I a negotiated rulemaking process must be established. The House amendment includes all items related to Title I.

HR with an amendment to strike “standards,” and all that follows and insert the following:

“standards, assessments under subsection (b) of section 1111, and the requirement that funds be supplemented and not supplanted under section [1120];”

8. The Senate bill, but not the House amendment, includes a provision describing that a negotiated rulemaking process is not subject to FACA and should follow the provisions of the Negotiated Rulemaking Act of 1990.

HR

9. The Senate bill, but not the House amendment, contains a separate paragraph to describe the regulations process in an emergency situation. The House amendment does include a process for emergency regulations. See note 23.

SR

10. The Senate bill and House amendment contain similar language describing how to designate emergency regulations. See note 24.

SR

11. The Senate bill and House amendment contain similar language requiring the duration of the comment and review period in an emergency situation to be public. See note 25.

SR

12. The Senate bill, but not the House amendment, includes this provision requiring regional meetings before regulation publication in an emergency situation. See note 25.

HR with an amendment to insert “immediately thereafter” before “conduct”.

13. Both the Senate bill and House amendment redesignate subsection (c) as subsection (d). Note: House language, which is identical to the Senate bill, below in note 32.

LC

14. Both the Senate bill and House amendment include similar language to provide for an alternative rulemaking process if there is failure to reach consensus, or if the Secretary determines a negotiated rulemaking process is unnecessary.

HR

15. The Senate bill and the House amendment contain similar language requiring notice of proposed rulemaking to committees of jurisdiction. The Senate bill, but not the House amendment, also requires notice of proposed rulemaking to other relevant congressional committees.

HR with an amendment to strike “30” and insert “15 business”

16. The Senate bill and House amendment are similar in requiring “a copy of the proposed regulations” (House amendment) or “regulation to be proposed (Senate bill).”

SR

17. The Senate bill and House amendment are similar in requiring a justification for regulations, but use different language.

SR

18. The Senate bill and House amendment include virtually identical provisions on anticipated burden information, except the House amendment refers to “will have” and the Senate bill refers to “will impose”.

HR

19. The Senate bill, but not the House amendment, requires information on the anticipated benefits of the regulation.

HR

20. The Senate bill, but not the House amendment, includes language allowing the relevant congressional committees an opportunity to comment on the information in this paragraph.

SR

21. The Senate bill requires a 15-day comment period for Congress, and the House amendment requires a 30-day period.

HR/SR with an amendment to read as follows:

(2) COMMENT PERIOD FOR CONGRESS.—The Secretary shall—

(A) provide Congress with a 15-business day comment period to make comments on the proposed rule; and

(B) include and seek to address all comments submitted by Congress in the public rulemaking record.

22. The House amendment, but not the Senate bill, requires the Secretary to publish how all Congressional comments have been addressed.

See note 21.

23. Both the Senate bill and House amendment require a 90-day public comment and review period, unless an emergency occurs. The Senate bill includes similar procedures for emergency regulations. See notes 9–11.

SR with an amendment to read as follows:

(3) COMMENT AND REVIEW PERIOD AND EMERGENCY SITUATIONS.—The comment and review period for any proposed regulation shall be at least 60 days unless an emergency requires a shorter period, in which case the Secretary shall—

24. The Senate bill and House amendment contain similar language describing how to designate emergency regulations. See note 10.

SR

25. The Senate bill and House amendment contain similar language requiring the duration of the comment and review period in an emergency situation to be public. See note 11.

SR

26. The Senate bill and House amendment include similar language requiring an assessment of the proposed regulation before being made final. The House amendment requires this assessment be independent.

HR/SR to strike

27. Both the Senate bill and House amendment include similar language to require the assessment include a representative sampling of LEAs impacted by the regulation.

HR/SR to strike

28. Both the Senate bill and House amendment include similar language to assess the burden of the regulations.

HR/SR to strike

29. The Senate bill, but not the House amendment, requires the assessment to address the benefits of the regulation.

HR/SR to strike.

30. The Senate bill and the House amendment require the assessment to address whether the rule is financially and operationally viable. The House amendment also requires an analysis of whether the rule is educationally viable. Note subparagraphs (B) and (C) of the House amendment were reordered to conform with the Senate bill.

HR/SR to strike

31. The Senate bill and the House amendment include similar language on an explanation, but include different references.

HR/SR to strike

32. The Senate bill and the House amendment include this language. See note 13 for

redesignation of this subsection in the Senate bill.

LC

33. The Senate bill, but not the House amendment, states that nothing in section 1501 shall affect the Administrative Procedure Act or the Congressional Review Act.

HR

34. Both the Senate bill and the House amendment change internal cross-references, although they are different to reflect different bill structures.

LC

35. The Senate bill and the House amendment make similar modifications relating to how regulations must conform to agreements from negotiated rulemaking, or to an alternative process when negotiated rulemaking is not pursued, except the bills are structured differently.

SR

36. The House amendment, but not the Senate bill, includes a provision requiring States to identify any duplicative or contrasting requirements between State and federal rules or regulations.

SR

37. The House amendment, but not the Senate bill, includes a provision relating to eliminating rules.

SR with an amendment to insert "State" after "eliminate the"

38. The House amendment, but not the Senate bill, includes a provision relating to reporting conflicting requirements.

HR

39. The Senate bill and House amendment are identical, but inconsistency in the Senate bill with how standards are referred to. The Senate bill always refers to "challenging State academic standards."

SR an amendment to insert "challenging" before "State academic standards"

40. The Senate bill deletes references to "vocational" educators" and the House amendment updates references to "career and technical" educators.

SR

41. The House amendment, but not the Senate bill, includes teachers from public charter and traditional public schools.

SR with an amendment to strike (C) and (D) and insert the following:

(C) teachers from traditional public schools, public charter schools (in a state with a charter school law), and career and technical educators;

(D) principals and other school leaders;

42. The House amendment redesignates subparagraph F as subparagraph (H).

LC

43. The Senate bill and House amendment are identical.

HR/SR with an amendment to "and paraprofessionals" after "personnel"

44. The Senate bill, but not the House amendment, references "representatives of charter schools, as appropriate."

SR

45. The House amendment, but not the Senate bill, references "representatives of public charter school authorizers."

SR with an amendment to insert ", in a State that has a charter school law" after "authorizes"

46. The Senate bill, but not the House amendment, includes paraprofessionals.

SR

47. The House amendment, but not the Senate bill, includes public charter school leaders.

SR with an amendment to insert ", in a State that has a charter school law" after "leaders"

48. The Senate bill updates the section number. The House amendment repeals this provision.

HR

49. The Senate bill and the House amendment redesignate this section, but the language in the Senate bill and House amendment are identical.

LC

50. The House amendment includes a rule of construction related to collective bargaining in Title I. The Senate bill does not contain this provision in this part of Title I.

HR

51. The Senate bill, but not the House amendment, includes a report on subgroup sample size.

HR/SR with an amendment to strike and insert the following into Miscellaneous and Other Laws after Sec. 10310 as a new section: SEC. [10XXX]. REPORT ON SUBGROUP SAMPLE SIZE.

(a) REPORT.—Not later than 90 days after the date of enactment of this Act, the Director of the Institute of Education Sciences shall publish a report on best practices for determining valid, reliable, and statistically significant minimum numbers of students for each of the subgroups of students, as defined in section 1111(c)(1) of the Elementary and Secondary Education Act of 1965 (as amended by this Act), for the purposes of inclusion as subgroups of students in an accountability system described in section 1111(b)(3) of the Elementary and Secondary Education Act of 1965 (as amended by this Act) and how such minimum number that is determined will not reveal personally identifiable information about students.

(b) PUBLIC DISSEMINATION.—The Director of the Institute of Education Sciences shall work with the Department of Education's existing technical assistance providers and dissemination networks to ensure that the report described under subsection (a) is widely disseminated—(1) to the public, State educational agencies, local educational agencies, and schools; and (2) through electronic transfer and other means, such as posting the report on the website of the Institute of Education Sciences or in another relevant place.

(c) The Director may include best practices on calculating and determining the minimum numbers of students for each of the subgroups of students, but shall not recommend any specific minimum number for such subgroups.

52. The Senate bill, but not the House amendment, includes a report on the implementation of the educational stability for foster care children provisions in Title I.

SR to strike.

53. The Senate bill, but not the House amendment, establishes a student privacy policy committee.

SR

54. The Senate bill, but not the House amendment, contains a report on student home access to digital learning resources.

HR/SR with an amendment to strike and insert the following into Miscellaneous and Other Laws after Sec. 10310 as a new section: SEC. [10XXX]. REPORT ON STUDENT HOME ACCESS TO DIGITAL LEARNING RESOURCES.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Director of the Institute of Education Sciences shall complete a study on the educational impact of access to digital learning resources outside of the classroom.—

(b) CONTENTS.—Such study shall include—

(1) an analysis of student habits related to digital learning resources outside of the

classroom, including the location and types of devices and technologies that students use for educational purposes;

(2) an identification of the barriers students face in accessing digital learning resources outside of the classroom;

(3) a description of the challenges students who lack home Internet access face, including

(A) challenges related to student participation and engagement in the classroom, and

(B) homework completion.

(4) an analysis of how the barriers and challenges such students face impacts the instructional practice of educators, and

(5) a description of the ways in which State educational agencies, local educational agencies, schools, and other entities, including through partnerships, have developed effective means to address the barriers and challenges students face in accessing digital learning resources outside of the classroom.

(b) PUBLIC DISSEMINATION.—The Director of the Institute of Education Sciences shall widely disseminate the findings of the study under this section—

(1) in a timely fashion to the public and the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate

(2) through electronic transfer and other means, such as posting, as available, to the website of the Institute of Education Sciences, or the Department of Education; and

TITLE II—TEACHERS 1.

1. The Senate bill and House amendment have different structures.

LC

2. The House amendment makes technical and conforming changes at end of Title II.

LC

3. The Senate bill, but not the House amendment, moves provisions related to teacher liability protection to Title IX.

HR

4. The Senate bill, but not the House amendment, makes technical changes to paragraph (3) within teacher liability.

HR

5. The Senate bill, but not the House amendment, moves provisions related to internet safety from Title II to Title IX.

SR with an amendment to strike "funds under this part" and insert "funds under this Act" and to move to Title IV, Part A

6. The House amendment, but not the Senate bill, repeals the Teacher Quality Partnerships program in the Higher Education Act.

HR

7. Senate bill and House amendment have different title headings for Title II.

HR

8. Senate bill and House amendment have different titles for part A.

SR

9. Senate bill and House amendment have different purpose sections and purposes.

SR with an amendment to strike paragraphs (2) through (4) and insert the following:

(2) improving the quality and effectiveness of teachers, principals, and other school leaders;

(3) increasing the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools; and

(4) providing low-income and minority students greater access to effective teachers, principals, and other school leaders.

10. The Senate bill, but not the House amendment, includes definitions for part A.

HR with an amendment to insert “, as determined by the State or local educational agency” after “effective teacher” and insert at the end the following:

(4) **TEACHER, PRINCIPAL OR OTHER SCHOOL LEADER PREPARATION ACADEMY.**—The term ‘teacher, principal, or other school leader preparation academy’ means a public or other nonprofit entity, which may be an institution of higher education or an organization affiliated with an institution of higher education, that will prepare teachers, principals, or other school leaders to serve in high-needs schools, and that—

(A) enters into an agreement with a State authorizer that specifies the goals expected of the academy, including—

(i) a requirement that prospective teachers, principals, or other school leaders who are enrolled in a teacher, principal or other school leader preparation academy receive a significant part of their training through clinical preparation that partners the prospective candidate with an effective teacher, principal, or other school leader as determined by the State, respectively, with a demonstrated record of increasing student academic achievement, including for the subgroups of students described in section 1111(c)(1), while also receiving concurrent instruction from the academy in the content area (or areas) in which the prospective teacher, principal, or other school leader will become certified or licensed that links to the clinical preparation experience;

(ii) the number of effective teachers, principals, or other school leaders, respectively, who will demonstrate success in increasing student academic achievement that the academy will prepare; and

(iii) a requirement that a teacher preparation academy will only award a certificate of completion (or degree, if the academy is, or is affiliated with an institution of higher education) after the graduate demonstrates that the graduate is an effective teacher, as determined by the State, with a demonstrated record of increasing student academic achievement either as a student teacher or teacher-of-record on an alternative certificate, license, or credential;

(iv) a requirement that a principal or other school leader preparation academy will only award a certificate of completion (or degree, if the academy is, or is affiliated with, an institution of higher education) after the graduate demonstrates a track record of success in improving student performance; and

(v) timelines for producing cohorts of graduates and conferring certificates of completion (or degrees, if the academy is, or is affiliated with, an institution of higher education) from the academy.

(B) does not have unnecessary restrictions on the methods the academy will use to train prospective teacher or school leader candidates, including—

(i) obligating (or prohibiting) the academy’s faculty to hold advanced degrees or conduct academic research;

(ii) restrictions related to the academy’s physical infrastructure;

(iii) restrictions related to the number of course credits required as part of the program of study;

(iv) restrictions related to the undergraduate coursework completed by teachers teaching or working on alternative certificates, licenses, or credentials, as long as such teachers have successfully passed all relevant State-approved content area examinations; or

(v) restrictions related to obtaining accreditation from an accrediting body for purposes of becoming an academy;

(C) limits admission to its program to prospective teacher, principal, or other school leader candidates who demonstrate strong potential to improve student academic achievement, based on a rigorous selection process that reviews a candidate’s prior academic achievement or record of professional accomplishment; and

(D) results in a certificate of completion or degree that the State may, after reviewing the academy’s results in producing effective teachers, or principals, or other school leaders respectively (as determined by the State) recognize as at least the equivalent of a master’s degree in education for the purposes of hiring, retention, compensation, and promotion in the State.

(5) **STATE AUTHORIZER.**—The term ‘State authorizer’ means an entity designated by the Governor of a State to recognize teacher or principal preparation academies within the State that—

(A) enters into an agreement with a teacher, principal, or other school leader preparation academy that specifies the goals expected of the academy, as described in (4)(A)(i);

(B) may be a nonprofit organization, State educational agency, or other public entity, or consortium of such entities (including a consortium of States); and

(C) does not reauthorize a teacher or principal preparation academy if the academy fails to produce the minimum number or percentage of effective teachers or principals, respectively (as determined by the State), identified in the academy’s authorizing agreement.

11. The Senate bill authorizes Title II at such sums through 2021 for all programs authorized. The House amendment authorizes \$2,788,356,000 for Title II (which includes Part A through D) from fiscal year 2016 through 2021 and moves this authorization line to the beginning of the whole bill.

HR/SR with amendment to read as follows:
SEC. 2003. AUTHORIZATION OF APPROPRIATIONS.

(a) **GRANTS TO STATES AND LOCAL EDUCATIONAL AGENCIES.**—For the purposes of carrying out part A, there are authorized to be appropriated \$2,295,830,000 for each of fiscal years 2017 through 2020.

(b) **NATIONAL ACTIVITIES.**—For the purposes of carrying out part B, there are authorized to be appropriated \$468,880,575 for each of fiscal years 2017 and 2018, \$469,168,000 for fiscal year 2019 and \$489,168,000 for fiscal year 2020.

12. The House amendment authorizes a 75 percent reservation for Part A of the Title II total authorized amount which equals \$2,349,830,000 for Part A each year through 2021.

HR

13. The Senate bill authorizes such sums through 2021 for national activities. The House amendment includes a one percent set aside for national activities.

HR

14. The Senate bill specifies outlying areas by name.

HR

15. The Senate bill, but not the House amendment, includes a hold harmless at 2001 level with a percentage reduction provided for in (C) over a 7-year time period. The Senate bill also includes a ratable reduction if funds are insufficient.

HR with amendment to strike “2016 through 2021” in each place it appears and insert “2017 through 2022”

16. The Senate bill and House amendment change the formula in different ways.

HR with amendment to strike paragraph (2)(i) and (2)(ii) and insert the following:

“(i) in fiscal year 2017—

(AA) an amount that bears the same relationship to 35 percent of the excess amount as the number of individuals age 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

(BB) an amount that bears the same relationship to 65 percent of the excess amount as the number of individuals age 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined.

(ii) in fiscal year 2018—

(AA) an amount that bears the same relationship to 30 percent of the excess amount as the number of individuals age 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

(BB) an amount that bears the same relationship to 70 percent of the excess amount as the number of individuals age 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined.

(iii) in fiscal year 2019—

(AA) an amount that bears the same relationship to 25 percent of the excess amount as the number of individuals age 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

(BB) an amount that bears the same relationship to 75 percent of the excess amount as the number of individuals age 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined.

(iv) in fiscal year 2020 and each subsequent fiscal year—

(AA) an amount that bears the same relationship to 20 percent of the excess amount as the number of individuals age 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

(BB) an amount that bears the same relationship to 80 percent of the excess amount as the number of individuals age 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined.

17. The House amendment includes small state minimum which is similar to the language in the Senate 2(B) exception.

LC

18. The Senate bill, not the House amendment, specifies how funds after FY 2022 are to be allotted.

HR with amendment to strike “2022” and insert “2023”

19. The House amendment, not the Senate bill, includes applicability language as it relates to subparagraph (A), which specifies the formula.

HR

20. The Senate bill and House amendment authorizes the Secretary to reallocate amounts

unawarded to states that do not apply. In addition, the House amendment, but not the Senate bill, includes reallocation language for circumstances in which only a portion of a State's award is allotted.

HR

21. The Senate bill and House amendment have different structures for title II, Part A. Senate does uses of funds first and State plan second; House does opposite.

LC

22. The Senate bill and House amendment each include 95 percent set aside for subgrants to local educational agencies and one percent for State planning and administration, although they use different language to do so.

HR

23. The Senate bill includes an optional additional three percent State reservation for State activities for principals and other school leaders.

HR with an amendment to strike “, if such reservation” through “the preceding fiscal year”

24. The House amendment includes a requirement that the SEA fulfill its responsibilities with specified funds.

HR

25. Senate bill and House amendment are similar except Senate bill allows institutions of higher education, State agencies of higher education, and for-profit and nonprofit entities to help carry out State activities.

HR

26. Senate bill and House amendment include a number of different activities that states could use the funding for. Both the Senate bill and House amendment include an allowable use for teacher and school leader evaluations.

HR/SR with an amendment to read as follows:

(B) TYPES OF STATE ACTIVITIES.—The activities described in subparagraph (A) are the following:

(i) Reforming teacher, principal, and other school leader certification, recertification, licensing, or tenure systems or preparation program standards and approval processes to ensure that—

(I) teachers have the necessary subject-matter knowledge and teaching skills, as demonstrated through measures determined by the State, which may include teacher performance assessments, in the academic subjects that the teachers teach to help students meet challenging State academic standards described in section 1111(b)(1);

(II) principals and other school leaders have the instructional leadership skills to help teachers teach and to help students meet such challenging State academic standards; and

(III) teacher certification or licensing requirements are aligned with such challenging State academic standards.

(ii) Developing, improving, or providing assistance to local educational agencies to support the design and implementation of teacher, principal, and other school leader evaluation and support systems that are based in part on evidence of student academic achievement, which may include student growth, and shall include multiple measures of educator performance and provide clear, timely, and useful feedback to teachers, principals, and other schools leaders, such as by—

(I) developing and disseminating high-quality evaluation tools, such as classroom observation rubrics, and methods, including training and auditing, for ensuring inter-rater reliability of evaluation results;

(II) developing and providing training to principals, other school leaders, coaches, mentors, and evaluators on how to accurately differentiate performance, provide useful and timely feedback, and use evaluation results to inform decisionmaking about professional development, improvement strategies, and personnel decisions; and

(III) developing a system for auditing the quality of evaluation and support systems.

‘(iii) Improving equitable access to effective teachers.

(iv) Carrying out programs that establish, expand, or improve alternative routes for State certification of teachers (especially for teachers of children with disabilities, English learners, science, technology, engineering, mathematics, or other areas where the State experiences a shortage of educators), principals, and other school leaders, for—

(I) individuals with a baccalaureate or master's degree, or other advanced degree;

(II) mid-career professionals from other occupations;

(III) paraprofessionals;

(IV) former military personnel; and

(V) recent graduates of institutions of higher education with records of academic distinction who demonstrate the potential to become effective teachers, principals, or other school leaders.

(v) Developing, improving, and implementing mechanisms to assist local educational agencies and schools in effectively recruiting and retaining teachers, principals, and other school leaders who are effective in improving student academic achievement, including effective teachers from underrepresented minority groups and teachers with disabilities, such as through—

(I) opportunities for effective teachers to lead, to the extent the state determines that such evidence is reasonably available, evidence-based professional development for their peers; and

(II) providing training and support for teacher leaders and school leaders who are recruited as part of instructional leadership teams.

(vi) Fulfilling the State educational agency's responsibilities concerning proper and efficient administration and monitoring of the programs carried out under this part, including provision of technical assistance to local educational agencies.

(vii) Developing, or assisting local educational agencies in developing—

(I) career opportunities and advancement initiatives that promote professional growth and emphasize multiple career paths, such as instructional coaching and mentoring, including hybrid roles that allow instructional coaching and mentoring while remaining in the classroom, school leadership, and involvement with school improvement and support;

(II) strategies that provide differential pay, or other incentives, to recruit and retain teachers in high-need academic subjects and teachers, principals, or other school leaders, in low-income schools and school districts, which may include performance-based pay systems; and

(III) new teacher, principal, and other school leader induction and mentoring programs that are, to the extent the state determines that such evidence is reasonably available, evidence-based and designed to—

(aa) improve classroom instruction and student learning and achievement, including through improving school leadership programs; and

(bb) increase the retention of effective teachers, principals, and other school leaders;

(viii) Providing assistance to local educational agencies for—

(I) the development and implementation of high-quality professional development programs for principals that enable the principals to be effective and prepare all students to meet the challenging State academic standards described in section 1111(b)(1); and

(ix) Supporting efforts to train teachers, principals, and other school leaders to effectively integrate technology into curricula and instruction, which may include training to assist teachers in implementing blended learning projects as defined in section 4102].

(x) Providing training, technical assistance, and capacity-building to local educational agencies that receive a subgrant under this part.

(xi) Reforming or improving teacher, principal, and other school leader preparation programs such as through establishing teacher, principal, and other school leader residency programs;

(xiii) Establishing or expanding teacher, principal, or other school leader preparation academies, with not more than 2 percent of the funds available for State activities under subparagraph (A), if

(I) allowable under State law;

(II) the State enables candidates attending a teacher, principal, or other school leader preparation academy to be eligible for State financial aid to the same extent as participants in other State-approved teacher or principal preparation programs, including alternative certification, licensure, or credential programs; and

(III) the State enables teachers, principals, or other school leaders who are teaching or working while on alternative certificates, licenses, or credentials to teach or work in the State while enrolled in a teacher, principal or other school leader preparation academy.

(xiii) Supporting the instructional services provided by effective school library programs.

(xv) Developing, or assisting local educational agencies in developing, strategies that provide teachers, principals, and other school leaders with the skills, credentials, or certifications needed to educate all students in postsecondary education coursework through early college high school or dual or concurrent enrollment courses or programs.

(xvi) Providing training for all school personnel, including teachers, principals, other school leaders, specialized instructional support personnel, and paraprofessionals, regarding how to prevent and recognize child sexual abuse.

(xvii) Supporting opportunities for principals, other school leaders, teachers, paraprofessionals, early childhood education program directors, and other early childhood education program providers to participate in joint efforts to address the transition to elementary school, including issues related to school readiness.

(xviii) Developing and providing professional development for science, technology, engineering, and mathematics subjects, including computer science.

(xix) Supporting the professional development and improving the instructional strategies of teachers, principals, and other school leaders to integrate career and technical education content into academic instructional practices, which may include training on best practices to understand State and regional workforce needs and transitions to postsecondary education and the workforce;

(xx) Supporting and developing efforts to train teachers on the appropriate use of student data to ensure individual student privacy is protected as required under section 444 of the General Education Provisions Act (commonly known as the “Family Educational Rights and Privacy Act of 1974”) (20 U.S.C. 123) and in accordance with State student privacy laws and local educational agency student privacy and technology use policies.”

(xxi) Enabling States, as a consortium, to voluntarily develop a process that allows teachers who are licensed or certified in a participating State to teach in other participating States without completing additional licensure or certification requirements, except that nothing in this clause shall be construed to allow the Secretary to exercise any direction, supervision, or control over State teacher licensing or certification requirements.

(xxii) Supporting other activities identified by the State that are, to the extent the state determines that such evidence is reasonably available, evidence-based and that meet the purpose of this title;

27. The Senate bill and House amendment have different sections and different section headers.

SR on title. LC on placement.

28. The Senate bill and House amendment have different content requirements for the State plan/application.

HR/SR with amendment to read as follows:

(d) STATE APPLICATION.—

(1) IN GENERAL.—In order to receive an allotment under this section for any fiscal year, a State shall submit an application to the Secretary, at such time, in such manner as the Secretary may reasonably require.

(2) CONTENTS.—Each application described under paragraph (1) shall include the following:

(A) A description of how the State educational agency will use funds received under this title for State-level activities described in subsection (c).

(B) A description of the State’s system of certification and licensing

(C) A description of how activities under this part are aligned with challenging State academic standards, including those standards under section 1111.

(D) A description of how the activities using funds under this part are expected to improve student achievement.

(E) If a State educational agency plans to use funds under this part to improve equitable access to effective teachers, as described in 1111(c)(1)(F), a description of how such funds will be used for such purpose.

(F) If applicable, a description of how the State educational agency will work with local educational agencies in the State to develop or implement state or local teacher or school leader evaluation systems that meet the requirements of (B)(ii).

(G) An assurance that the State educational agency will monitor the implementation of activities under this part and provide technical assistance to local educational agencies in carrying out such activities.

(H) An assurance that the State educational agency will work in consultation with the entity responsible for teacher and principal professional standards, certification, and licensing for the State, and encourage collaboration between educator preparation programs, the State, and local educational agencies to promote the readiness of new educators entering the profession.

(I) An assurance that the State educational agency will comply with section [6501] (regarding participation by private school children and teachers).

(J) A description of how the State educational agency will improve the skills of teachers, principals, and other school leaders in order to enable them to identify students with specific learning needs, particularly students with disabilities, English learners, students who are gifted and talented, and students with low literacy levels, and provide instruction based on the needs of such students.

(K) A description of how the State will use data and ongoing consultation as described in paragraph (3) to continually update and improve the activities supported under this part;

(L) A description of how the State educational agency will encourage opportunities for increased autonomy and flexibility for teachers, principals, and school leaders, such as by establishing innovation schools that have a high degree of autonomy over budget and operations, are transparent and accountable to the public, and lead to improved academic outcomes for students; and

(M) A description of actions the State may take to improve preparation programs and strengthen support for principals and other school leaders based on the needs of the State, as identified by the State educational agency.

(3) CONSULTATION.—In developing the State application under this subsection, a State shall—

(A) meaningfully consult with teachers, principals, other school leaders, paraprofessionals (including organizations representing such individuals), specialized instructional support personnel, public charter school leaders (in a state that has charter schools), parents, community partners, and other organizations or partners with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this title;

(B) seek advice from the individuals, organizations, or partners described in subparagraph (A) regarding how best to improve the State’s activities to meet the purpose of this title; and

(C) coordinate the State’s activities under this part with other related strategies, programs, and activities being conducted in the State.

(4) LIMITATION.—Consultation required under paragraph (3) shall not interfere with the timely submission of the plan required under this section.

29. The Senate bill includes consultation as part of state plan.

HR with an amendment to add “charter school leaders (in a state that has a charter school law),” after “other school leaders,” and to strike “plan” and insert “application”

30. The House amendment includes 120 day timeline for state application deemed approval. The Senate bill includes a 90 day timeline for state application approval in Title IX for Title II applications, among others.

HR

31. The House amendment includes disapproval paragraph. The Senate bill contains a disapproval paragraph in Title IX for Title II applications, among others.

HR

32. The House amendment includes notification of state educational agency. The Senate bill includes a notification process in Title IX for Title II applications, among others.

HR

33. The House amendment includes a response timeline of 45 days. The Senate bill includes a similar response timeline in Title IX for Title II applications, among others.

HR

34. The House amendment includes paragraph on failure to respond. The Senate bill includes a paragraph on failure to respond in Title IX for Title II applications, among others.

HR

35. The Senate bill includes a prohibition on Secretary.

HR

36. The Senate bill and House amendment have different section numbers.

LC

37. The Senate bill and House amendment cite different section numbers to reflect differences in respective bill structures.

LC

38. The Senate bill and House amendment change the formula in different ways.

HR

39. The Senate bill and House amendment change the formula in different ways.

HR

40. The Senate bill includes a cap on direct administrative costs of 2 percent.

SR

41. The Senate bill includes a rule of construction to allow schools with certain locale codes (rural locale codes) to combine their allocations.

HR

42. The Senate bill and House amendment have different section numbers.

LC

43. The Senate bill and House amendment have different content requirements for local applications. See also note 46.

HR/SR with amendment to read as follows:

(4) CONTENTS OF APPLICATION.—Each application submitted under paragraph (1) shall include the following:

(A) A description of the activities to be carried out by the local educational agency under this section and how these activities will be aligned with the challenging State academic standards including those described in section 1111(b)(1).

(B) A description of the local educational agency’s systems of professional growth and improvement, such as induction for teachers, principals, and other school leaders and opportunities for building the capacity of teachers and opportunities to develop meaningful teacher leadership.

(C) A description of how the local educational agency will prioritize funds to schools served by the agency that are identified under section 1111(d) and have the highest percentage of children counted under section 1124(c).

(D) A description of how the local educational agency will use data and ongoing consultation described in paragraph (3) to continually update and improve activities supported under this part.

(E) An assurance that the local educational agency will comply with section 9501 (regarding participation by private school children and teachers).

(F) An assurance that the local educational agency will coordinate professional development activities authorized under this part with professional development activities provided through other Federal, State, and local programs.

(5) CONSULTATION.—In developing the application in paragraph (4), a local educational agency shall—

(A) meaningfully consult with teachers, principals, other school leaders, paraprofessionals (including organizations representing

such individuals), specialized instructional support personnel, public charter school leaders (in a local educational agency that has charter schools), parents, community partners, and other organizations or partners with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this title;

(B) seek advice from the individuals in subparagraph (A) regarding how best to improve the local educational agency's activities to meet the purpose of this title; and

(C) coordinate the local educational agency's activities under this part with other related strategies, programs, and activities being conducted in the community.

(6) **LIMITATION.**—Consultation required under paragraph (5) shall not interfere with the timely submission of the plan required under this section.

44. The Senate bill includes a needs assessment analysis for eligibility for a subgrant.

SR

45. The Senate bill includes a consultation requirement.

SR

46. The Senate bill includes separate paragraph for contents of application. The Senate bill and House amendment have different content requirements for local applications. See note 43 above.

SR

47. The Senate bill and House amendment have different uses of funds.

HR/SR with an amendment to read as follows:

(b) **TYPES OF ACTIVITIES.**—The activities described in this subsection—

(1) shall be in accordance with the purpose of this title;

(2) shall address the learning needs of all students, including children with disabilities, English learners, and gifted and talented students; and

(3) may include, among other programs and activities—

(A) developing or improving a rigorous, transparent, and fair evaluation and support system for teachers, principals, and other school leaders that is based in part on evidence of student achievement, which may include student growth, and shall include multiple measures of educator performance and provide clear, timely, and useful feedback to teachers, principals, and other schools leaders;

(B) developing and implementing initiatives to assist in recruiting, hiring, and retaining effective teachers, principals, and other school leaders, particularly in low-income schools with high percentages of ineffective teachers and high percentages of students who do not meet the challenging State academic standards described in section 1111(b)(1), to improve within-district equity in the distribution of teachers, principals, and school leaders consistent with the requirements of section 1111(c)(1)(F), such as initiatives that provide—

(i) expert help in screening candidates and enabling early hiring;

(ii) differential and incentive pay for teachers, principals, and other school leaders in high-need academic subject areas and specialty areas, which may include performance-based pay systems;

(iii) teacher, paraprofessional, principal, and other school leader advancement and professional growth, and an emphasis on leadership opportunities, multiple career paths and pay differentiation;

(iv) new teacher, principal, and other school leader induction and mentoring programs that are designed to—

(I) improve classroom instruction and student learning and achievement;

(II) increase the retention of effective teachers, principals, and other school leaders;

(v) the development and provision of training for school leaders, coaches, mentors and evaluators on how to accurately differentiate performance, provide useful feedback, and use evaluation results to inform decisionmaking about professional development, improvement strategies, and personnel decisions; and

(vi) a system for auditing the quality of evaluation and support systems;

(C) differential and incentive pay for teachers, principals, and other school leaders in high-need academic subject areas and specialty areas, which may include performance-based pay systems;

(D) recruiting qualified individuals from other fields to become teachers, principals, or other school leaders including mid-career professionals from other occupations, former military personnel, and recent graduates of institutions of higher education with a record of academic distinction who demonstrate potential to become effective teachers, principals, or other school leaders;

(E) reducing class size to an evidence-based level, to the extent the state, in consultation with local educational agencies in the state, determines that such evidence is reasonably available, to improve student achievement through the recruiting and hiring of additional effective teachers;

(F) providing high-quality evidence-based (to the extent the state, in consultation with local educational agencies in the state, determines that such evidence is reasonably available), personalized professional development for teachers, instructional leadership teams, principals, and other school leaders, focused on improving teaching and student learning and achievement, including supporting efforts to train teachers, principals, and other school leaders to—

(i) effectively integrate technology into curricula and instruction (including education about the harms of copyright piracy);

(ii) use data to improve student achievement and understanding how to protect individual student privacy in accordance with section 444 of the General Education Provisions Act (commonly known as the "Family Educational Rights and Privacy Act of 1974") (20 U.S.C. 123) and State and local policies and laws in the use of such data;

(iii) effectively engage parents, families and community partners, and coordinate services between school and community;

(iv) help all students develop the skills essential for learning readiness, and academic success; and

(v) develop policy with school, local educational agency, community, or State leaders;

(vi) have opportunities for experiential learning through observation;

(G) developing programs and activities that increase the ability of teachers to effectively teach children with disabilities, including children with significant cognitive disabilities, which may include the use of multi-tier systems of support and positive behavioral intervention and supports, and students who are English learners, so that such children with disabilities and students who are English learners can meet the challenging State academic standards described in section 1111(b)(1);

(H) providing programs and activities to increase—

(i) the knowledge base of teachers, principals, and other school leaders on instruc-

tion in the early grades and on strategies to measure whether young children are progressing; and

(ii) the ability of principals and other school leaders to support teachers, teacher leaders, early childhood educators, and other professionals to meet the needs of students through age 8, which may include providing joint professional learning and planning activities for school staff and educators in preschool programs that address the transition to elementary school;

(I) providing training, technical assistance, and capacity-building in local educational agencies to assist teachers and school leaders with selecting and implementing formative assessments, designing classroom-based assessments, and using data from such assessments to improve instruction and student academic achievement, which may include providing additional time for teachers to review student data and respond, as appropriate;

(J) carrying out in-service training for school personnel in—

(i) the techniques and supports needed to help educators understand when and how to refer students affected by trauma, and children with, or at risk of, mental illness;

(ii) the use of referral mechanisms that effectively link such children to appropriate treatment and intervention services in the school and in the community, where appropriate; and

(iii) forming partnerships between school-based mental health programs and public or private mental health organizations;

(iv) addressing issues related to school conditions for student learning, such as safety, peer interaction, drug and alcohol abuse, and chronic absenteeism.

Report Language: The Conferees intend that references to safety and peer interaction within this title include instances of school violence, bullying, and harassment.

(L) providing training to support the identification of students who are gifted and talented, including high-ability students who have not been formally identified for gifted education services, and implementing instructional practices that support the education of such students, such as—

(i) early entrance to kindergarten;

(ii) enrichment, acceleration, and curriculum compacting activities; and

(iii) dual or concurrent enrollment in secondary school and postsecondary education;

(M) supporting the instructional services provided by effective school library programs;

(N) providing training for all school personnel, including teachers, principals, other school leaders, specialized instructional support personnel, and paraprofessionals, regarding how to prevent and recognize child sexual abuse;

(O) developing and providing professional development and instructional materials for science, technology, engineering, and mathematics subjects, including computer science.

(Q) developing feedback mechanisms to improve school working conditions, including through periodically and publicly reporting results of educator support and working conditions feedback;

Report Language: "It is the Conferees' intent that school districts' examinations of working conditions for teachers, principals, and other school leaders should include evaluations of the supports for such individuals developed in consultation with teachers, principals, other school leaders, other school personnel, parents, students, and the community. These supports may include the

availability of high-quality professional development, instructional materials, instructional leadership, opportunities for professional growth, timely availability of data on student academic achievement and growth, and a review of school safety and conditions for learning.”

(R) providing high-quality professional development for teachers, principals, and other school leaders on effective strategies to integrate rigorous academic content, career and technical education, and work-based learning, if appropriate, which may include providing common planning time, to help prepare students for postsecondary education and the workforce without the need for remediation;

(S) carrying out other evidence-based activities, to the extent the state, in consultation with local educational agencies in the state, determines that such evidence is reasonably available, identified by the local educational agency that meet the purpose of this title.

Report Language: “The Conferees intend that local educational agencies will use funds in ways that best support teachers to help improve student achievement. Local educational agencies may use funds for activities such as improving the instructional skills of athletic administrators who are also teachers and supporting teachers to increase the entrepreneurial skills of students.”

48. The Senate bill, but not the House amendment, requires funds to be used for evidence-based programs and activities, and allows activities to be carried out with a for-profit or non-profit entity, in partnership with an IHE or Indian tribe or tribal organization.

HR with an amendment to strike “evidence-based”

49. The Senate bill includes a separate subparagraph (b) for types of activities that can be funded with local funds, and includes a few required uses of funds.

SR

50. The Senate bill includes principles of effectiveness for programs and activities.

SR

51. The Senate bill includes periodic evaluations of programs and activities and a prohibition on the Secretary.

SR

52. The Senate bill and House amendment have different section numbers and different section headers.

LC

53. The Senate bill and House amendment each require annual reports of local educational agencies to State educational agencies and State educational agencies to the Secretary, but contents of report are different. The Senate bill requires reports be made public.

HR/SR with an amendment to read as follows:

(a) **STATE REPORT.**—Each State educational agency receiving funds under this part shall annually submit to the Secretary a report that provides—

(1) a description of how the State is using grant funds received under this part to meet the purposes described in section 2101, and how such chosen activities improved teacher, principal and other school leader effectiveness, as determined by the State or local educational agency;

(2) if funds are used under this part to improve equitable access to teachers, principals, and other school leaders for low-income and minority students, a description of how funds have been used to improve such access;

(3) for a State that implements a teacher, principal, and other school leader evaluation system consistent with [section 2101(c)(4)(B)(ii)] using funds under this part, the evaluation results of teachers, principals, and other school leaders, except that such information shall not provide personally identifiable information on individual teachers, principals, or other school leaders;

(4) where available, the annual retention rates of effective and ineffective teachers, principals, and other school leaders, as determined by the State, using any methods or criteria the State has or develops under section 1111(c)(2)(A), except nothing in this paragraph shall be construed to require any State educational agency or local educational agency to collect and report any data the State educational agency or local educational agency is not collecting or reporting as of the date of enactment of Every Student Succeeds Act of 2017.

(b) **LOCAL EDUCATIONAL AGENCY REPORT.**—Each local educational agency receiving funds under this part shall submit to the State educational agency such information as the State requires, which shall include the information described in subsection (a) for the local educational agency.

(c) **AVAILABILITY.**—The reports and information provided under subsections (a) and (b) shall be made readily available to the public.

(d) **LIMITATION.**—The reports and information provided under subsections (a) and (b) shall not reveal personally identifiable information about any individual.

54. The Senate bill and House amendment both provide for technical assistance and national evaluations of programs but with different requirements under those headers.

HR/SR with amendment to read as follows:
PART B—NATIONAL ACTIVITIES

SEC. 2201. RESERVATIONS.

From the amounts appropriated under section 2003(b) for a fiscal year, the Secretary shall reserve—

“(1) [] to carry out activities authorized under subpart 1;

“(2) [] to carry out activities authorized under subpart 2;

“(3) [] to carry out activities authorized under subpart 3; and

“(4) [] to carry out activities authorized under subpart 4.

SUBPART 1—TEACHER AND SCHOOL LEADER INCENTIVE PROGRAM

SEC. 2211. PURPOSES; DEFINITIONS.

(a) **PURPOSES.**—The purposes of this subpart are—

(1) to assist States, local educational agencies, and nonprofit organizations to develop, implement, improve, or expand comprehensive performance-based compensation systems or human capital management systems for teachers, principals, and other school leaders (especially for teachers, principals, and other school leaders in high-need schools) who raise student academic achievement and close the achievement gap between high- and low-performing students; and

(2) to study and review performance-based compensation systems or human capital management systems for teachers, principals, and other school leaders to evaluate the effectiveness, fairness, quality, consistency, and reliability of the systems.

(b) **DEFINITIONS.**—In this subpart:

(1) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means—

(A) a local educational agency, including a charter school that is a local educational agency, or a consortium of local educational agencies;

(B) a State educational agency or other State agency designated by the chief executive of a State to participate under this subpart;

(C) the Bureau of Indian Education; or (D) a partnership consisting of—

(i) 1 or more agencies described in subparagraph (A), (B), or (C); and

(ii) at least 1 nonprofit or for-profit entity.

(2) **HIGH-NEED SCHOOL.**—The term ‘high-need school’ means a public elementary school or secondary school that is located in an area in which the percentage of students from families with incomes below the poverty line is 30 percent or more.

(3) **HUMAN CAPITAL MANAGEMENT SYSTEM.**—The term ‘human capital management system’ means a system—

(A) by which a local educational agency makes and implements human capital decisions, such as decisions on preparation, recruitment, hiring, placement, retention, dismissal, compensation, professional development, tenure, and promotion; and

(B) that includes a performance-based compensation system.

(4) **PERFORMANCE-BASED COMPENSATION SYSTEM.**—The term ‘performance-based compensation system’ means a system of compensation for teachers, principals, and other school leaders that—

(A) differentiates levels of compensation based in part on measurable increases in student academic achievement; and

(B) may include—

(i) differentiated levels of compensation, which may include bonus pay, on the basis of the employment responsibilities and success of effective teachers, principals, and other school leaders in hard-to-staff schools or high-need subject areas; and

(ii) recognition of the skills and knowledge of teachers, principals, and other school leaders as demonstrated through—

(I) successful fulfillment of additional responsibilities or job functions, such as teacher leadership roles; and

(II) evidence of professional achievement and mastery of content knowledge and superior teaching and leadership skills.

“SEC. 2212. TEACHER AND SCHOOL LEADER INCENTIVE FUND GRANTS.

(a) **GRANTS AUTHORIZED.**—From the amounts reserved by the Secretary under section 2201(1), the Secretary shall award grants, on a competitive basis, to eligible entities to enable the eligible entities to develop, implement, improve, or expand performance-based compensation systems or human capital management systems, in schools served by the eligible entity.

(b) **DURATION OF GRANTS.**—

(1) **IN GENERAL.**—A grant awarded under this subpart shall be for a period of not more than 3 years.

(2) **RENEWAL.**—The Secretary may renew a grant awarded under this subpart for a period of up to 2 years if the grantee demonstrates to the Secretary that the grantee is effectively utilizing funds. Such renewal may include allowing the grantee to scale up or replicate the successful program.

(3) **LIMITATION.**—A local educational agency may receive (whether individually or as part of a consortium or partnership) a grant under this subpart only twice, as of the date of enactment of the Every Student Succeeds Act of 2015.

(c) **APPLICATIONS.**—An eligible entity desiring a grant under this subpart shall submit an application to the Secretary, at such time and in such manner, as the Secretary may reasonably require. The application shall include—

(1) a description of the performance-based compensation system or human capital management system that the eligible entity proposes to develop, implement, improve, or expand through the grant;

(2) a description of the most significant gaps or insufficiencies in student access to effective teachers and school leaders in high-need schools, including gaps or inequities in how effective teachers and school leaders are distributed across the local educational agency, as identified using factors such as data on school resources, staffing patterns, school environment, educator support systems, and other school-level factors;

(3) a description and evidence of the support and commitment from teachers, principals, and other school leaders, which may include charter school leaders, in the school (including organizations representing teachers, principals, and other school leaders), the community, and the local educational agency to the activities proposed under the grant;

(4) a description of how the eligible entity will develop and implement a fair, rigorous, valid, reliable, and objective process to evaluate teacher, principal, and school leader, performance under the system that is based in part on measures of student academic achievement, including the baseline performance against which evaluations of improved performance will be made;

(5) a description of the local educational agencies or schools to be served under the grant, including such student academic achievement, demographic, and socioeconomic information as the Secretary may request;

(6) a description of the effectiveness of teachers, principals, and other school leaders in the local educational agency and the schools to be served under the grant and the extent to which the system will increase the effectiveness of teachers, principals, and other school leaders in such schools;

(7) a description of how the eligible entity will use grant funds under this subpart in each year of the grant, including a timeline for implementation of such activities;

(8) a description of how the eligible entity will continue the activities assisted under the grant after the grant period ends;

(9) a description of the State, local, or other public or private funds that will be used to supplement the grant, including funds under part A, and sustain the activities assisted under the grant at the end of the grant period;

(10) a description of—

(A) the rationale for the project;

(B) how the proposed activities are evidence-based; and

(C) if applicable, the prior experience of the eligible entity in developing and implementing such activities; and

(11) a description of how activities funded under this subpart will be evaluated, monitored, and publically reported.

(d) AWARD BASIS.—

(1) PRIORITY.—In awarding a grant under this subpart, the Secretary shall give priority to an eligible entity that concentrates the activities proposed to be assisted under the grant on teachers, principals, and other school leaders serving in high-need schools.

(2) EQUITABLE DISTRIBUTION.—To the extent practicable, the Secretary shall ensure an equitable geographic distribution of grants under this subpart, including the distribution of such grants between rural and urban areas.

(e) USE OF FUNDS.—

(1) IN GENERAL.—An eligible entity that receives a grant under this subpart shall use

the grant funds to develop, implement, improve, or expand, in collaboration with teachers, principals, other school leaders, and members of the public, a performance-based compensation system or human capital management system consistent with this subpart.

(2) AUTHORIZED ACTIVITIES.—Grant funds under this subpart may be used for the following:

(A) Developing or improving an evaluation and support system, including as part of a human capital management system as applicable, that—

(i) reflects clear and fair measures of teacher, principal, and other school leader performance, based in part on demonstrated improvement in student academic achievement; and

(ii) provides teachers, principals, and other school leaders with ongoing, differentiated, targeted, and personalized support and feedback for improvement, including professional development opportunities designed to increase effectiveness.

(B) Conducting outreach within a local educational agency or a State to gain input on how to construct an evaluation system described in subparagraph (A) and to develop support for the evaluation system, including by training appropriate personnel in how to observe and evaluate teachers, principals, and other school leaders.

(C) Providing principals and other school leaders with—

(i) balanced autonomy to make budgeting, scheduling, and other school-level decisions in a manner that meets the needs of the school without compromising the intent or essential components of the policies of the local educational agency or State; and

(ii) authority to make staffing decisions that meet the needs of the school, such as building an instructional leadership team that includes teacher leaders or offering opportunities for teams or pairs of effective teachers or candidates to teach or start teaching in high-need schools together.

(D) Implementing, as part of a comprehensive performance-based compensation system, a differentiated salary structure, which may include bonuses and stipends, to—

(i) teachers who—

(I)(aa) teach in high-need schools; or

(bb) teach in high-need subjects;

(II) raise student academic achievement; or

(III) take on additional leadership responsibilities; or

(ii) principals and other school leaders who serve in high-need schools and raise student academic achievement in the schools.

(E) Improving the local educational agency's system and process for the recruitment, selection, placement, and retention of effective teachers and school leaders in high-need schools, such as by improving local educational agency policies and procedures to ensure that high-need schools are competitive and timely in—

(i) attracting, hiring, and retaining effective educators;

(ii) offering bonuses or higher salaries to effective teachers; or

(iii) establishing or strengthening residency programs.

(F) Instituting career advancement opportunities characterized by increased responsibility and pay that reward and recognize effective teachers and school leaders in high-need schools and enable them to expand their leadership and results, such as through teacher-led professional development, mentoring, coaching, hybrid roles, administrative duties, and career ladders.

(f) MATCHING REQUIREMENT.—Each eligible entity that receives a grant under this subpart shall provide, from non-Federal sources, an amount equal to 50 percent of the amount of the grant (which may be provided in cash or in-kind) to carry out the activities supported by the grant.

(g) SUPPLEMENT, NOT SUPPLANT.—Grant funds provided under this subpart shall be used to supplement, not supplant, other Federal or State funds available to carry out activities described in this subpart.

SEC. 2213. REPORTS.

(a) ACTIVITIES SUMMARY.—Each eligible entity receiving a grant under this part shall provide to the Secretary a summary of the activities assisted under the grant.

(b) Report.—The Secretary shall provide to Congress an annual report on the implementation of the program carried out under this subpart, including—

(1) information on eligible entities that received grant funds under this subpart, including—

(A) information provided by eligible entities to the Secretary in the applications submitted under section 2212(c);

(B) the summaries received under subsection (a); and

(C) grant award amounts; and (2) student academic achievement and, as applicable, growth data from the schools participating in the programs supported under the grant.

(c) EVALUATION AND TECHNICAL ASSISTANCE.—

(1) RESERVATION OF FUNDS.—Of the total amount reserved for this subpart for a fiscal year, the Secretary may reserve for such fiscal year not more than 1 percent for the cost of the evaluation under paragraph (2) and for technical assistance in carrying out this subpart.

(2) EVALUATION.—From amounts reserved under paragraph (1), the Secretary, acting through the Director of the Institute of Education Sciences, shall carry out an independent evaluation to measure the effectiveness of the program assisted under this subpart.

(3) CONTENTS.—The evaluation under paragraph (2) shall measure—

(A) the effectiveness of the program in improving student academic achievement;

(B) the satisfaction of the participating teachers, principals, and other school leaders; and

(C) the extent to which the program assisted the eligible entities in recruiting and retaining high-quality teachers, principals, and other school leaders, especially in high-need subject areas.”.

SUBPART 2—LITERACY EDUCATION FOR ALL, RESULTS FOR THE NATION

SEC. 2221. PURPOSES; DEFINITIONS.

(a) PURPOSES.—The purposes of this subpart are—

(1) to improve student academic achievement in reading and writing by providing Federal support to States to develop, revise, or update comprehensive literacy instruction plans that, when implemented, ensure high-quality instruction and effective strategies in reading and writing from early education through grade 12; and

(2) for States to provide targeted subgrants to State-designated early childhood education programs and local educational agencies and their public or private partners to implement evidenced-based programs that ensure high-quality comprehensive literacy instruction for students most in need.

(b) DEFINITIONS.—In this subpart:

(1) COMPREHENSIVE LITERACY INSTRUCTION.—The term ‘comprehensive literacy instruction’ means instruction that—

(A) includes developmentally appropriate, contextually explicit, and systematic instruction, and frequent practice, in reading and writing across content areas;

(B) includes age-appropriate, explicit, systematic, and intentional instruction in phonological awareness, phonic decoding, vocabulary, language structure, reading fluency, and reading comprehension;

(C) includes age-appropriate, explicit instruction in writing, including opportunities for children to write with clear purposes, with critical reasoning appropriate to the topic and purpose, and with specific instruction and feedback from instructional staff;

(D) makes available and uses diverse, high-quality print materials that reflect the reading and development levels, and interests, of children;

(E) uses differentiated instructional approaches, including individual and small group instruction and discussion;

(F) provides opportunities for children to use language with peers and adults in order to develop language skills, including developing vocabulary;

(G) includes frequent practice of reading and writing strategies;

(H) uses age-appropriate, valid, and reliable screening assessments, diagnostic assessments, formative assessment processes, and summative assessments to identify a child's learning needs, to inform instruction, and to monitor the child's progress and the effects of instruction;

(I) uses strategies to enhance children's motivation to read and write and children's engagement in self-directed learning;

(J) incorporates the principles of universal design for learning;

(K) depends on teachers' collaboration in planning, instruction, and assessing a child's progress and on continuous professional learning; and

(L) links literacy instruction to the challenging State academic standards under [section 1111(b)(1)], including the ability to navigate, understand, and write about, complex print and digital subject matter.

(2) **ELIGIBLE ENTITY.**—The term 'eligible entity' means an entity that serves a high percentage of high-need schools and consists of—

(A) one or more local educational agencies that—

(i) have the highest number or proportion of children who are counted under [section 1124(c)], in comparison to other local educational agencies in the State;

(ii) are among the local educational agencies in the State with the highest number or percentages of children reading or writing below grade level, based on the most currently available State academic assessment data under section 1111(b)(2); or

(iii) serve a significant number or percentage of schools that are identified for comprehensive support and improvement under subsection 1111(d);

(B) one or more State-designated early childhood education programs, which may include home-based literacy programs for preschool aged children, that have a demonstrated record of providing comprehensive literacy instruction for the age group such program proposes to serve; or

(C) a local educational agency, described in subparagraph (A), or consortium of such local educational agencies, or a State-designated early childhood education program, which may include home-based literacy programs for preschool aged children, acting in partnership with 1 or more public or private nonprofit organizations or agencies (which

may include State-designated early childhood education programs) that have a demonstrated record of effectiveness in—

(i) improving literacy achievement of children, consistent with the purposes of their participation, from birth through grade 12; and

(ii) providing professional development in comprehensive literacy instruction.

(3) **HIGH-NEED SCHOOL.**—

(A) **IN GENERAL.**—The term 'high-need school' means—

(i) an elementary school or middle school in which not less than 50 percent of the enrolled students are children from low-income families; or

(ii) a high school in which not less than 40 percent of the enrolled students are children from low-income families, which may be calculated using comparable data from the schools that feed into the high school.

(B) **LOW-INCOME FAMILY.**—For purposes of subparagraph (A), the term 'low-income family' means a family—

(i) in which the children are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

(ii) receiving assistance under the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or

(iii) in which the children are eligible to receive medical assistance under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

SEC. 2222. COMPREHENSIVE LITERACY STATE DEVELOPMENT GRANTS.

(a) **GRANTS AUTHORIZED.**—From the amounts reserved by the Secretary under section 2201(2) and not reserved under subsection (b), the Secretary shall award grants, on a competitive basis, to State educational agencies to enable the State educational agencies to—

(i) provide subgrants to eligible entities serving a diversity of geographic areas, giving priority to entities serving greater numbers or percentages of disadvantaged children; and

(2) develop or enhance comprehensive literacy instruction plans that ensure high-quality instruction and effective strategies in reading and writing for children from early childhood education through grade 12, including English learners and children with disabilities.

(b) **RESERVATION.**—From the amounts reserved to carry out this subpart for a fiscal year, the Secretary shall reserve—

(1) not more than a total of 5 percent for national activities including a national evaluation, technical assistance and training, data collection, and reporting;

(2) one-half of 1 percent for the Secretary of the Interior to carry out a program described in this subpart at schools operated or funded by the Bureau of Indian Education; and

(3) one-half of 1 percent for the outlying areas to carry out a program under this subpart.

(c) **DURATION OF GRANTS.**—A grant awarded under this subpart shall be for a period of not more than 5 years total. Such grant may be renewed for an additional 2-year period upon the termination of the initial period of the grant if the grant recipient demonstrates to the satisfaction of the Secretary that—

(1) the State has made adequate progress; and

(2) renewing the grant for an additional 2-year period is necessary to carry out the ob-

jectives of the grant described in subsection (d).

(d) **STATE APPLICATIONS.**—

(1) **IN GENERAL.**—A State educational agency desiring a grant under this subpart shall submit an application to the Secretary, at such time and in such manner as the Secretary may require. The State educational agency shall collaborate with the State agency responsible for administering early childhood education programs and the State agency responsible for administering child care programs in the State in writing and implementing the early childhood education portion of the grant application under this subsection.

(2) **CONTENTS.**—An application described in paragraph (1) shall include, at a minimum, the following:

(A) A needs assessment that analyzes literacy needs across the State and in high-need schools and local educational agencies that serve high-need schools, including identifying the most significant gaps in literacy proficiency and inequities in student access to effective teachers of literacy, considering each of the subgroups of students, as defined in [section 1111(c)(1)].

(B) A description of how the State educational agency, in collaboration with the State literacy team, if applicable, will develop a State comprehensive literacy instruction plan or will revise and update an already existing State comprehensive literacy instruction plan.

(C) An implementation plan that includes a description of how the State educational agency will carry out the State activities described in subsection (e).

(D) An assurance that the State educational agency will use implementation grant funds described in subsection (e)(1) for comprehensive literacy instruction programs as follows:

(i) Not less than 15 percent of such grant funds shall be used for State and local programs and activities pertaining to children from birth through kindergarten entry.

(ii) Not less than 40 percent of such grant funds shall be used for State and local programs and activities, allocated equitably among the grades of kindergarten through grade 5.

(iii) Not less than 40 percent of such grant funds shall be used for State and local programs and activities, allocated equitably among grades 6 through 12.

(E) An assurance that the State educational agency will give priority in awarding a subgrant under section 2223 to an eligible entity that—

(i) serves children from birth through age 5 who are from families with income levels at or below 200 percent of the Federal poverty line; or

(ii) is a local educational agency serving a high number or percentage of high-need schools.

(f) **PRIORITY.**—In awarding grants under this section, the Secretary shall give priority to State educational agencies that will use funds under subsection (f) for evidence-based activities, defined as meeting the requirements of subclauses (I), (II), or (III) of section 8101 (23)(A)(i).

(f) **STATE ACTIVITIES.**—

(1) **IN GENERAL.**—A State educational agency receiving a grant under this section shall use not less than 95 percent of such grant funds to award subgrants to eligible entities, based on their needs assessment and a competitive application process.

(2) **RESERVATION.**—A State educational agency receiving a grant under this section

may reserve not more than 5 percent for activities identified through the needs assessment and comprehensive literacy plan described in subparagraphs (A) and (B) of subsection (d)(2), including the following activities:

(A) Providing technical assistance, or engaging qualified providers to provide technical assistance, to eligible entities to enable the eligible entities to design and implement literacy programs.

(B) Coordinating with institutions of higher education in the State to provide recommendations to strengthen and enhance pre-service courses for students preparing to teach children from birth through grade 12 in explicit, systematic, and intensive instruction in evidence-based literacy methods.

(C) Reviewing and updating, in collaboration with teachers and institutions of higher education, State licensure or certification standards in the area of literacy instruction in early education through grade 12.

(D) Making publicly available, including on the State educational agency's website, information on promising instructional practices to improve child literacy achievement.

(E) Administering and monitoring the implementation of subgrants by eligible entities.

(3) **ADDITIONAL USES.**—After carrying out the activities described in paragraphs (1) and (2), a State educational agency may use any remaining amount to carry out 1 or more of the following activities:

(A) Developing literacy coach training programs and training literacy coaches.

(B) Administration and evaluation of activities carried out under this subpart.

SEC. 2223. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF BIRTH THROUGH KINDERGARTEN ENTRY LITERACY.

(a) **SUBGRANTS.**—

(1) **IN GENERAL.**—A State educational agency receiving a grant under this subpart shall, in consultation with the State agencies responsible for administering early childhood education programs and services, including the State agency responsible for administering child care programs, and, if applicable, the State Advisory Council on Early Childhood Education and Care designated or established pursuant to section 642B(b)(1)(A)(i) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)(i)), use a portion of the grant funds, in accordance with section 2402(d)(2)(D)(i), to award subgrants, on a competitive basis, to eligible entities to enable the eligible entities to support high-quality early literacy initiatives for children from birth through kindergarten entry.

(2) **DURATION.**—The term of a subgrant under this section shall be determined by the State educational agency awarding the subgrant and shall in no case exceed 5 years.

(3) **SUFFICIENT SIZE AND SCOPE.**—Each subgrant awarded under this section shall be of sufficient size and scope to allow the eligible entity to carry out high-quality early literacy initiatives for children from birth through kindergarten entry.

(b) **LOCAL APPLICATIONS.**—An eligible entity desiring to receive a subgrant under this section shall submit an application to the State educational agency, at such time, in such manner, and containing such information as the State educational agency may require. Such application shall include a description of—

(1) how the subgrant funds will be used to enhance the language and literacy development and school readiness of children, from birth through kindergarten entry, in early childhood education programs, which shall

include an analysis of data that support the proposed use of subgrant funds;

(2) how the subgrant funds will be used to prepare and provide ongoing assistance to staff in the programs, through high-quality professional development;

(3) how the activities assisted under the subgrant will be coordinated with comprehensive literacy instruction at the kindergarten through grade 12 levels;

(4) how the subgrant funds will be used to evaluate the success of the activities assisted under the subgrant in enhancing the early language and literacy development of children from birth through kindergarten entry;

(c) **PRIORITY.**—In awarding grants under this section, the State educational agency shall give priority to an eligible entity that will use funds under subsection (d) to implement evidence-based activities, defined as meeting the requirements of subclauses (I), (II), or (III) of section 8101(23)(A)(i).

(d) **LOCAL USES OF FUNDS.**—An eligible entity that receives a subgrant under this section shall use the subgrant funds, consistent with the entity's approved application under subsection (b), to—

(1) carry out high-quality professional development opportunities for early childhood educators, teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, and instructional leaders;

(2) train providers and personnel to develop and administer evidence-based early childhood education literacy initiatives; and

(3) coordinate the involvement of families, early childhood education program staff, principals, other school leaders, specialized instructional support personnel (as appropriate), and teachers in literacy development of children served under the subgrant.

SEC. 2224. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF KINDERGARTEN THROUGH GRADE 12 LITERACY.

(a) **SUBGRANTS TO ELIGIBLE ENTITIES.**—

(1) **IN GENERAL.**—A State educational agency receiving a grant under this subpart shall use a portion of the grant funds, in accordance with clauses (ii) and (iii) of section 2402(d)(2)(D), to award subgrants, on a competitive basis, to eligible entities to enable the eligible entities to carry out the authorized activities described in subsections (b) and (c).

(2) **DURATION.**—The term of a subgrant under this section shall be determined by the State educational agency awarding the subgrant and shall in no case exceed 5 years.

(3) **SUFFICIENT SIZE AND SCOPE.**—A State educational agency shall award subgrants under this section of sufficient size and scope to allow the eligible entities to carry out high-quality comprehensive literacy instruction in each grade level for which the subgrant funds are provided.

(4) **LOCAL APPLICATIONS.**—An eligible entity desiring to receive a subgrant under this section shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may require. Such application shall include, for each school that the eligible entity identifies as participating in a subgrant program under this section, the following information:

(A) A description of the eligible entity's [needs assessment] conducted to identify how subgrant funds will be used to inform and improve comprehensive literacy instruction at the school.

(B) How the school, the local educational agency, or a provider of high-quality profes-

sional development will provide ongoing high-quality professional development to all teachers, principals, other school leaders, specialized instructional support personnel (as appropriate), and other instructional leaders served by the school.

(C) How the school will identify children in need of literacy interventions or other support services.

(D) An explanation of how the school will integrate comprehensive literacy instruction into a well-rounded education.

(E) A description of how the school will coordinate comprehensive literacy instruction with early childhood education and after-school programs and activities in the area served by the local educational agency.

(b) **PRIORITY.**—In awarding grants under this section, the State educational agency shall give priority to an eligible entity that will use funds under subsection (c) or (d) to implement evidence-based activities, defined as meeting the requirements of subclauses (I), (II), or (III) of section 8101(23)(A)(i).

(c) **LOCAL USES OF FUNDS FOR KINDERGARTEN THROUGH GRADE 5.**—An eligible entity that receives a subgrant under this section shall use the subgrant funds to carry out the following activities pertaining to children in kindergarten through grade 5:

(1) Developing and implementing a comprehensive literacy instruction plan across content areas for such children that—

(A) serves the needs of all children, including children with disabilities and English learners, especially children who are reading or writing below grade level;

(B) provides intensive, supplemental, accelerated, and explicit intervention and support in reading and writing for children whose literacy skills are below grade level; and

(C) supports activities that are provided primarily during the regular school day but which may be augmented by after-school and out-of-school time instruction.

(2) Providing high-quality professional development opportunities for teachers, literacy coaches, literacy specialists, English as a second language specialists (as appropriate), principals, other school leaders, specialized instructional support personnel, school librarians, paraprofessionals, and other program staff.

(3) Training principals, specialized instructional support personnel, and other school district personnel to support, develop, administer, and evaluate high-quality kindergarten through grade 5 literacy initiatives.

(4) Coordinating the involvement of early childhood education program staff, principals, other instructional leaders, teachers, teacher literacy teams, English as a second language specialists (as appropriate), special educators, school personnel, and specialized instructional support personnel (as appropriate) in the literacy development of children served under this subsection.

(5) Engaging families and encouraging family literacy experiences and practices to support literacy development.

(d) **LOCAL USES OF FUNDS FOR GRADES 6 THROUGH 12.**—An eligible entity that receives a subgrant under this section shall use subgrant funds to carry out the following activities pertaining to children in grades 6 through 12:

(1) Developing and implementing a comprehensive literacy instruction plan described in subsection (b)(1) for children in grades 6 through 12.

(2) Training principals, specialized instructional support personnel, school librarians, and other school district personnel to support, develop, administer, and evaluate high-

quality comprehensive literacy instruction initiatives for grades 6 through 12.

(3) Assessing the quality of adolescent comprehensive literacy instruction as part of a well-rounded education.

(4) Providing time for teachers to meet to plan evidence-based adolescent comprehensive literacy instruction to be delivered as part of a well-rounded education.

(5) Coordinating the involvement of principals, other instructional leaders, teachers, teacher literacy teams, English as a second language specialists (as appropriate), paraprofessionals, special educators, specialized instructional support personnel (as appropriate), and school personnel in the literacy development of children served under this subsection.

(e) ALLOWABLE USES.—An eligible entity that receives a subgrant under this section may, in addition to carrying out the activities described in subsection (b) or (c), use subgrant funds to carry out the following activities pertaining to children in kindergarten through grade 12:

(1) Recruiting, placing, training, and compensating literacy coaches.

(2) Connecting out-of-school learning opportunities to in-school learning in order to improve the literacy achievement of the children.

(3) Training families and caregivers to support the improvement of adolescent literacy.

(4) Providing for a multitier system of support.

(5) Forming a school literacy leadership team to help implement, assess, and identify necessary changes to the literacy initiatives in 1 or more schools to ensure success.

(6) Providing time for teachers (and other literacy staff, as appropriate, such as school librarians or specialized instructional support personnel) to meet to plan comprehensive literacy instruction.

SEC. 2225. NATIONAL EVALUATION AND INFORMATION DISSEMINATION.

(a) NATIONAL EVALUATION.—From funds reserved under section 2222(b)(1), the Director of the Institute of Education Sciences shall conduct a national evaluation of the grant and subgrant programs assisted under this subpart. Such evaluation shall include evidence-based research that applies rigorous and systematic procedures to obtain valid knowledge relevant to the implementation and effect of the programs and shall directly coordinate with individual State evaluations of the programs' implementation and impact.

(b) PROGRAM IMPROVEMENT.—The Secretary shall—

(1) provide the findings of the evaluation conducted under this section to State educational agencies and subgrant recipients for use in program improvement;

(2) make such findings publicly available, including on the websites of the Department and the Institute of Education Sciences;

(3) submit such findings to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives; and (4) make publicly available, in a manner consistent with paragraph (2) best practices for implementing evidence-based activities under this subpart, including evidence-based activities that meet the requirements of subclauses (I), (II), or (III) of section 8101 (23)(A)(i).

SEC. 2226. [LITERACY PROGRAMS]

(a) IN GENERAL.—From funds made available under section 2201(2), the Secretary may award grants, contracts, or cooperative agreements, on a competitive basis, to eligi-

ble entities for the purposes of promoting literacy programs that support the development of literacy skills in low-income communities, including—

(1) developing and enhancing effective school library programs, which may include providing professional development for school librarians, books, and up-to-date materials to high-need schools;

(2) early literacy services, including pediatric literacy programs through which, during well-child visits, medical providers trained in research-based methods of early language and literacy promotion provide developmentally appropriate books and recommendations to parents to encourage them to read aloud to their children starting in infancy; and (3) programs that provide high-quality books on a regular basis to children and adolescents from low-income communities to increase reading motivation, performance, and frequency.

(b) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

(A) a local educational agency in which 20 percent or more of the students served by the local educational agency are from families with an income below the poverty line;

(B) a consortium of such local educational agencies;

(C) the Bureau of Indian Education; or (D) an eligible national nonprofit organization.

(2) ELIGIBLE NATIONAL NONPROFIT ORGANIZATION.—The term 'eligible national nonprofit organization' means an organization of national scope that—

(A) is supported by staff, which may include volunteers, or affiliates at the State and local levels; and (B) demonstrates effectiveness or high-quality plans for addressing childhood literacy activities for the population targeted by the grant.

SEC. 2227. SUPPLEMENT, NOT SUPPLANT.

Grant funds provided under this part shall be used to supplement, and not supplant, other Federal or State funds available to carry out activities described in this part.

SUBPART 3—AMERICAN HISTORY AND CIVICS EDUCATION

SEC. 2231. PROGRAM AUTHORIZED.

(a) IN GENERAL.—From the amount reserved by the Secretary under section 2201(3), the Secretary is authorized to carry out an American history and civics education program to improve—

(1) the quality of American history, civics, and government education by educating students about the history and principles of the Constitution of the United States, including the Bill of Rights; and (2) the quality of the teaching of American history, civics, and government in elementary schools and secondary schools, including the teaching of traditional American history.

(b) FUNDING ALLOTMENT.—Of the amount reserved under subsection (a) for a fiscal year, the Secretary—

(1) shall use not less than [____ percent] for activities under section 2232; and (2) may use not more than [____ percent] for activities under section 2233.

SEC. 2232. PRESIDENTIAL AND CONGRESSIONAL ACADEMIES FOR AMERICAN HISTORY AND CIVICS.

(a) IN GENERAL.—From the amounts reserved under section 2231(b)(1), the Secretary shall award not more than 12 grants, on a competitive basis, to—

(1) eligible entities to establish Presidential Academies for the Teaching of American History and Civics (in this section referred to as the 'Presidential Academies') in accordance with subsection (e); and (2) eligi-

ble entities to establish Congressional Academies for Students of American History and Civics (in this section referred to as the 'Congressional Academies') in accordance with subsection (f).

(b) APPLICATION.—An eligible entity that desires to receive a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

(c) ELIGIBLE ENTITY.—The term 'eligible entity' under this section means—

(1) an institution of higher education or nonprofit educational organization, museum, library, or research center with demonstrated expertise in historical methodology or the teaching of American history and civics; or (2) a consortium of entities described in paragraph (1).

(d) GRANT TERMS.—Grants awarded to eligible entities under subsection (a) shall be for a term of not more than 5 years.

(e) PRESIDENTIAL ACADEMIES.—

(1) USE OF FUNDS.—Each eligible entity that receives a grant under subsection (a)(1) shall use the grant funds to establish a Presidential Academy that offers a seminar or institute for teachers of American history and civics, which—

(A) provides intensive professional development opportunities for teachers of American history and civics to strengthen such teachers' knowledge of the subjects of American history and civics;

(B) is led by a team of primary scholars and core teachers who are accomplished in the field of American history and civics;

(C) is conducted during the summer or other appropriate time; and (D) is of not less than 2 weeks and not more than 6 weeks in duration.

(2) SELECTION OF TEACHERS.—Each year, each Presidential Academy shall select between 50 and 300 teachers of American history and civics from public or private elementary schools and secondary schools to attend the seminar or institute under paragraph (1).

(3) TEACHER STIPENDS.—Each teacher selected to participate in a seminar or institute under this subsection shall be awarded a fixed stipend based on the length of the seminar or institute to ensure that such teacher does not incur personal costs associated with the teacher's participation in the seminar or institute.

(4) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to eligible entities that coordinate or align their activities with the National Park Service National Centennial Parks initiative to develop innovative and comprehensive programs using the resources of the National Parks.

(f) CONGRESSIONAL ACADEMIES.—

(1) USE OF FUNDS.—Each eligible entity that receives a grant under subsection (a)(2) shall use the grant funds to establish a Congressional Academy that offers a seminar or institute for outstanding students of American history and civics, which—

(A) broadens and deepens such students' understanding of American history and civics;

(B) is led by a team of primary scholars and core teachers who are accomplished in the field of American history and civics;

(C) is conducted during the summer or other appropriate time; and (D) is of not less than 2 weeks and not more than 6 weeks in duration.

(2) SELECTION OF STUDENTS.—

(A) IN GENERAL.—Each year, each Congressional Academy shall select between 100 and

300 eligible students to attend the seminar or institute under paragraph (1).

(B) **ELIGIBLE STUDENTS.**—A student shall be eligible to attend a seminar or institute offered by a Congressional Academy under this subsection if the student—

(i) is recommended by the student's secondary school principal or other school leader to attend the seminar or institute; and

(ii) will be a junior or senior in the academic year following attendance at the seminar or institute.

(3) **STUDENT STIPENDS.**—Each student selected to participate in a seminar or institute under this subsection shall be awarded a fixed stipend based on the length of the seminar or institute to ensure that such student does not incur personal costs associated with the student's participation in the seminar or institute.

(g) **MATCHING FUNDS.**—

(1) **IN GENERAL.**—An eligible entity that receives funds under subsection (a) shall provide, toward the cost of the activities assisted under the grant, from non-Federal sources, an amount equal to 100 percent of the amount of the grant.

(2) **WAIVER.**—The Secretary may waive all or part of the matching requirement described in paragraph (1) for any fiscal year for an eligible entity if the Secretary determines that applying the matching requirement would result in serious hardship or an inability to carry out the activities described in subsection (e) or (f).

SEC. 2233. NATIONAL ACTIVITIES.

(a) **PURPOSE.**—The purpose of this section is to promote new and existing evidence-based strategies to encourage innovative American history, civics and government, and geography instruction, learning strategies, and professional development activities and programs for teachers, principals, and other school leaders, particularly such instruction, strategies, activities, and programs that benefit low-income students and underserved populations.

(b) **IN GENERAL.**—From the amounts reserved by the Secretary under section 2231(b)(2), the Secretary shall award grants, on a competitive basis, to eligible entities for the purposes of expanding, developing, implementing, evaluating, and disseminating for voluntary use, innovative, evidence-based approaches or professional development programs in American history, civics and government, and geography, which—

(1) shall—

(A) show potential to improve the quality of student achievement in, and teaching of, American history, civics and government, or geography, in elementary and secondary schools; and

(B) demonstrate innovation, scalability, accountability, and a focus on underserved populations; and

(2) may include—

(A) Hands-on civic engagement activities for teachers and students; and

(B) programs that educate students about the history and principles of the Constitution of the United States, including the Bill of Rights.

(c) **PROGRAM PERIODS AND DIVERSITY OF PROJECTS.**—

(1) **IN GENERAL.**—A grant awarded by the Secretary to an eligible entity under this section shall be for a period of not more than 3 years.

(2) **RENEWAL.**—The Secretary may renew a grant awarded under this section for 1 additional 2-year period.

(3) **DIVERSITY OF PROJECTS.**—In awarding grants under this section, the Secretary

shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.

(d) **APPLICATIONS.**—In order to receive a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

(e) **ELIGIBLE ENTITY.**—In this section, the term 'eligible entity' means an institution of higher education or other nonprofit or for-profit organization with demonstrated expertise in the development of evidence-based approaches with the potential to improve the quality of American history, civics and government, or geography learning and teaching.

SUBPART 4—PROGRAMS OF NATIONAL SIGNIFICANCE

SEC. 2241. FUNDING ALLOTMENT.

From the funds reserved under section 2201(4), the Secretary—

(1) shall use not less than [40 percent] to carry out activities under section 2242; and

(2) shall use not less than [40 percent] to carry out activities under section 2243;

(3) shall use not less than [____ percent] to carry out activities under section 2244; and

(4) may reserve up to [____ percent] of such funds to carry out activities under section 2245.

SEC. 2242. SUPPORTING EFFECTIVE EDUCATOR DEVELOPMENT.

(a) **IN GENERAL.**—From the funds reserved by the Secretary under section 2241(1), the Secretary shall award grants, on a competitive basis, to eligible entities for the purposes of—

(1) providing teachers, principals, and other school leaders from nontraditional preparation and certification routes or pathways to serve in traditionally underserved local educational agencies;

(2) providing evidence-based professional development activities that addresses literacy, numeracy, remedial, or other needs of local educational agencies and the students the agencies serve;

(3) providing teachers, principals, and other school leaders with professional development activities that enhance or enable the provision of postsecondary coursework through dual or concurrent enrollment and early college high school settings across a local educational agency.

(4) making freely available services and learning opportunities to local educational agencies, through partnerships and cooperative agreements or by making the services or opportunities publicly accessible through electronic means; or

(5) providing teachers, principals, and other school leaders with evidence-based professional enhancement activities, which may include activities that lead to an advanced credential.

(b) **PROGRAM PERIODS AND DIVERSITY OF PROJECTS.**—

(1) **IN GENERAL.**—A grant awarded by the Secretary to an eligible entity under this section shall be for a period of not more than 3 years.

(2) **RENEWAL.**—The Secretary may renew a grant awarded under this section for 1 additional 2-year period.

(3) **DIVERSITY OF PROJECTS.**—In awarding grants under this section, the Secretary shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.

(4) **LIMITATION.**—The Secretary shall not award more than 1 grant under this section to an eligible entity during a grant competition.

(c) **COST-SHARING.**—

(1) **IN GENERAL.**—An eligible entity that receives a grant under this section shall provide, from non-Federal sources, not less than 25 percent of the funds for the total cost for each year of activities carried out under this subsection.

(2) **ACCEPTABLE CONTRIBUTIONS.**—An eligible entity that receives a grant under this section may meet the requirement of paragraph (1) by providing contributions in cash or in kind, fairly evaluated, including plant, equipment, and services.

(3) **WAIVERS.**—The Secretary may waive or modify the requirement of paragraph (1) in cases of demonstrated financial hardship.

(d) **APPLICATIONS.**—In order to receive a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and as the Secretary may reasonably require. Such application shall include, at a minimum, a certification that the services provided by an eligible entity under the grant to a local educational agency or to a school served by the local educational agency will not result in direct fees for participating students or parents.

(e) **PRIORITY.**—In awarding grants under this section, the Secretary shall give priority to an eligible entity who will implement evidence-based activities, defined as meeting the requirements of subclauses (I), (II), or (III) of section 8101 (23)(A)(i).

(f) **DEFINITION OF ELIGIBLE ENTITY.**—In this section, the term 'eligible entity' means—

(1) an institution of higher education that provides course materials or resources that are evidence-based in increasing academic achievement, graduation rates, or rates of postsecondary education matriculation;

(2) a national nonprofit entity with a demonstrated record of raising student academic achievement, graduation rates, and rates of higher education attendance, matriculation, or completion, or of effectiveness in providing preparation and professional development activities and programs for teachers, principals, and other school leaders;

(3) the Bureau of Indian Education; or

(4) a partnership consisting of—

(A) 1 or more entities described in paragraph (1) or (2); and

(B) a for-profit entity.

SEC. 2243. SCHOOL LEADER RECRUITMENT AND SUPPORT.

(a) **IN GENERAL.**—From the funds reserved under section 2241(2) the Secretary shall award grants, on a competitive basis, to eligible entities to enable such entities to improve the recruitment, preparation, placement, support, and retention of effective principals and other school leaders in high-need schools, which may include—

(1) developing or implementing leadership training programs designed to prepare and support principals and other school leaders in high-need schools, including through new or alternative pathways or school leader residency programs;

(2) developing or implementing programs or activities for recruiting, selecting, and developing aspiring or current principals and other school leaders to serve in high-need schools;

(3) developing or implementing programs for recruiting, developing, and placing school leaders to improve schools identified for intervention and support under [section 1114(a)(1)(A)], including through cohort-

based activities that build effective instructional and school leadership teams and develop a school culture, design, instructional program, and professional development program focused on improving student learning;

(4) providing continuous professional development for principals and other school leaders in high-need schools;

(5) developing and disseminating information on best practices and strategies for effective school leadership in high-need schools, such as training and supporting principals to identify, develop, and maintain school leadership teams using various leadership models; and

(6) other evidence-based programs or activities described in section 2101(c)(3) or section 2103(b)(3) focused on principals and other school leaders in high-need schools.

(b) PROGRAM PERIODS AND DIVERSITY OF PROJECTS.—

(1) IN GENERAL.—A grant awarded by the Secretary to an eligible entity under this section shall be for a period of not more than 5 years.

(2) RENEWAL.—The Secretary may renew a grant awarded under this section for 1 additional 2-year period.

(3) DIVERSITY OF PROJECTS.—In awarding grants under this section, the Secretary shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.

(4) LIMITATION.—The Secretary shall not award more than 1 grant under this section to an eligible entity during a grant competition.

(c) COST-SHARING.—

(1) IN GENERAL.—An eligible entity that receives a grant under this section shall provide, from non-Federal sources, not less than 25 percent of the funds for the total cost for each year of activities carried out under this section.

(2) ACCEPTABLE CONTRIBUTIONS.—An eligible entity that receives a grant under this section may meet the requirement of paragraph (1) by providing contributions in cash or in-kind, fairly evaluated, including plant, equipment, and services.

(3) WAIVERS.—The Secretary may waive or modify the requirement of paragraph (1) in cases of demonstrated financial hardship.

(d) APPLICATIONS.—An eligible entity that desires a grant under this subsection shall submit to the Secretary an application at such time, and in such manner, as the Secretary may require.

(e) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to an eligible entity—

(1) with a record of preparing or developing principals who—

(A) have improved school-level student outcomes;

(B) have become principals in high-need schools; and

(C) remain principals in high-need schools for multiple years; and

(2) who will implement evidence-based activities, defined as meeting the requirements of subclauses (I), (II), or (III) of section 8101 (23)(A)(i).

(f) DEFINITIONS.—In this section—

(1) the term ‘eligible entity’ means—

(A) a local educational agency, including an educational service agency, that serves a high-need school or a consortium of such agencies;

(B) a State educational agency or a consortium of such agencies;

(C) a State educational agency in partnership with 1 or more local educational agencies

or educational service agencies that serve a high-need school;

(D) the Bureau of Indian Education; or

(E) an entity described in subparagraph (A), (B), (C), or (D) in partnership with 1 or more nonprofit organizations or institutions of higher education; and

(2) the term ‘high-need school’ means—

(A) an elementary school in which not less than 50 percent of the enrolled students are from families with incomes below the poverty line; or

(B) a secondary school in which not less than 40 percent of the enrolled students are from families with incomes below the poverty line.

SEC. 2244. TECHNICAL ASSISTANCE AND NATIONAL EVALUATION.

(a) IN GENERAL.—From the funds reserved under section 2241(3), the Secretary—

(1) shall establish, in a manner consistent with section 203 of the Educational Technical Assistance Act of 2002, a comprehensive center on students at risk of not attaining full literacy skills due to a disability that meets the purposes of subsection (b); and

(2) may—

(A) provide technical assistance, which may be carried out directly or through grants or contracts, to States and local educational agencies carrying out activities under this part; and

(B) carry out evaluations of activities by States and local educational agencies under this part, which shall be conducted by a third party or by the Institute of Education Sciences.

(b) PURPOSES.—The comprehensive center established by the Secretary under subsection (a)(1) shall—

(1) identify or develop free or low-cost evidence-based assessment tools for identifying students at risk of not attaining full literacy skills due to a disability, including dyslexia impacting reading and writing, or developmental delay impacting reading, writing, language processing, comprehension, or executive functioning;

(2) identify evidence-based literacy instruction, strategies, and accommodations, including assistive technology, designed to meet the specific needs of such students;

(3) provide families of such students with information to assist such students;

(4) identify or develop evidence-based professional development for teachers, paraprofessionals, principals, other school leaders, and specialized instructional support personnel to—

(A) understand early indicators of students at risk of not attaining full literacy skills due to a disability, including dyslexia impacting reading and writing, or developmental delay impacting reading, writing, language processing, comprehension, or executive functioning;

(B) use evidence-based screening assessments for early identification of such students beginning not later than kindergarten; and

(C) implement evidence-based instruction designed to meet the specific needs of such students; and

(5) disseminate the products of the comprehensive center to regionally diverse State educational agencies, local educational agencies, regional educational agencies, and schools, including, as appropriate, through partnerships with other comprehensive centers established under section 203 of the Educational Technical Assistance Act of 2002 and regional educational laboratories established under section 174 of the Education Sciences Reform Act of 2002.

SEC. 2245. STEM MASTER TEACHER CORPS.

(a) IN GENERAL.—From the funds reserved under section 2241(4) for a fiscal year, the Secretary may award grants to—

(1) State educational agencies to enable such agencies to support the development of a Statewide STEM master teacher corps; or

(2) State educational agencies or nonprofit organizations in partnership with State educational agencies to support the implementation, replication, or expansion of effective science, technology, engineering and mathematics professional development programs in schools across the state through collaboration with school administrators, principals and STEM educators.

(b) STEM MASTER TEACHER CORPS.—For the purposes of this section, the term ‘STEM master teacher corps’ means a State-led effort to elevate the status of the science, technology, engineering, and mathematics teaching profession by recognizing, rewarding, attracting, and retaining outstanding science, technology, engineering, and mathematics teachers, particularly in high-need and rural schools, by—

(1) selecting candidates to be master teachers in the corps on the basis of—

(A) content knowledge based on a screening examination; and

(B) pedagogical knowledge of and success in teaching;

(2) offering such teachers opportunities to—

(A) work with one another in scholarly communities;

(B) participate in and lead high-quality professional development; and

(3) providing such teachers with additional appropriate and substantial compensation for the work described in paragraph (2) and in the master teacher community.

55. The Senate bill authorizes 40 percent of funds for activities under (c) and 40 percent of funds for activities under (d).

SR

56. The Senate bill authorizes a comprehensive center related to students at risk of not attaining full literacy skills due to a disability as part of the technical assistance and national evaluation required set aside.

See note 54.

57. The Senate bill includes subsection (c) which provides a national competitive grant program for programs of national significance using the 40 percent of funds reserved in note 55.

See note 54.

58. The Senate bill includes (d) which is a national competitive grant program for principal and school leader recruitment and support using the 40 percent of funds reserved in note 55.

See note 54.

59. The Senate bill includes supplement not supplant provision for Part A. The House amendment includes a supplement not supplant provision for all of Title II in section 2403. 2See note 69.

SR

60. The House amendment includes section for state definition, which is included in an identical way in the Senate bill in note 10.

LC

61. The House amendment includes language to prohibit funding for local or state educational agencies who knowingly transfer employees who engaged in sexual misconduct with a student. The Senate bill includes language addressing employee transfers in Title IX.

HR

62. The Senate bill and House amendment have different Part Bs. The Senate bill includes national competitive grant program

to develop and improve performance-based compensation systems or human capital management systems. The House amendment includes a formula grant program to SEAs, which is then subgranted competitively to LEAs and other entities, regarding innovative practices for teachers and school leaders.

See note 54.

63. The House amendment, but not the Senate bill, authorizes a Teacher and School Leader Flexible Grant.

HR

64. The Senate bill and House amendment have different Part C.

See note 54.

65. The Senate bill part C includes programs for American History and Civics Education, Teaching of Traditional American History, Presidential and Congressional Academies for American History and Civics, and a national competitive grant program for innovative approaches to American History, Civics, Government and Geography instruction.

See note 54.

66. House amendment includes edits to Part C that are similar to edits provided for in section 2001 of Senate bill Title II. House amendment strikes sections 2361 and 2368. Changes “principal” to “school leader”.

HR

67. The Senate bill and House amendment have a different Part D. The Senate bill Part D authorizes a comprehensive literacy program. The House amendment Part D is general provisions for Title II. See note 69.

See note 54.

68. The Senate bill includes Part E authorizing a grant program for STEM education and a report on cybersecurity education.

SR

69. The Senate bill includes general provisions in Part F. House amendment includes general provisions in Part D. The general provisions are not the same.

LC

70. The Senate bill, but not the House amendment, includes a rule of construction.

HR

71. The House amendment, but not the Senate bill, has a provision about the inclusion of charter schools.

HR

72. The House amendment, but not the Senate bill, includes parents right to know in Title II.

HR

73. The House amendment, but not the Senate bill, includes a supplement, not supplant for the entire Title II.

SR

TITLE III—ENGLISH LEARNERS NOTES

1. Senate maintains this program in Title III and the House amendment moves the program to subpart 4 of Title I.

HR

2. Senate bill and House Amendment identical in these changes except for different locations in bill.

LC

3. The Senate bill authorizes such sums through 2021. The House amendment authorizes a 4.6 percent set-aside of the Title I authorization, which equals \$747,277,000 each year through 2019. See note 13.

HR with an amendment to strike “such sums as may be necessary for each of fiscal years 2016 through 2021” and insert “\$756,332,450 for fiscal year 2017, \$769,568,267 for fiscal year 2018, \$784,959,633 for fiscal year 2019, \$884,959,633 for fiscal year 2020”

4. Senate bill and House amendment have slightly different wording in (2).

HR

5. The Senate bill includes “challenging” before State academic standards.

HR

6. The Senate bill includes “early childhood educators, teachers, principals and other school leaders” in (3) and (4).

HR with an amendment to read as follows: “to assist teachers, including preschool teachers, principals, and other school leaders”

7. The House amendment includes “schools” in (3).

SR

8. The House amendment refers to “high-quality, flexible, evidence-based” language instruction educational programs in (3), while the Senate bill describes such programs as effective.

HR

9. The House amendment refers to “high-quality, evidence-based” instructional programs in (4), while the Senate bill describes such programs as “effective.”

HR

10. The Senate bill includes families in two places as participants in language instruction educational programs. The House amendment does not.

HR

11. Senate bill adds a purpose of the program to provide incentives to improve the instruction and achievement of English learners. The House amendment has no such provision.

SR

12. The Senate bill and House amendment have different section headers.

HR

13. The House amendment provides for a 4.6 percent reservation of Title I authorized amount to fund grants and subgrants for English language acquisition. See note 3

HR

14. The House amendment cites different sections to reflect its transfer of the program to Title I.

LC

15. House amendment strikes “one or more of” when referring to the activities for which a State may use reserved funds.

HR

16. The Senate bill allows States to use funds to implement standardized statewide entrance and exit procedures. The House contains no such provision.

HR

17. Senate bill (B) and House amendment (A) have similar intent but the wording varies slightly. The Senate bill includes teachers and principals in professional development, preparation, and other activities.

HR with amendment to strike “evidence-based” and insert “effective”

18. The Senate uses “effective” when referencing activities in clause (ii) while House uses “evidence-based”.

HR

19. Senate bill (C) and House amendment (B) are identical other than having different subparagraph assignments.

LC

20. Senate bill (D) and House amendment (C) are similar but have slight variations in wording. Senate uses “effective” where House uses “evidence-based” in clause (i).

HR

20a. The Senate bill adds that funding can be used to identify and implement programs in early childhood settings in (i).

SR

21. The Senate bill adds “in programs that serve English learners” at end of (iv).

HR

22. Senate bill (E) allows funding to be used to provide recognition to effective programs meeting annual goals for progress in English proficiency. The House amendment (D) refers to recognition for reaching full English proficiency.

SR with an amendment to read as follows:

(D) Providing recognition, which may include providing financial awards, to subgrantees that have significantly improved the achievement and progress of English learners in meeting—

(i) the State-designed long term goals, including measurements of interim progress towards meeting such goals, established under section 1111(c)(4)(A)(ii) based on the State’s English language proficiency assessment under section 1111(b)(2)(F); and

(ii) the challenging State academic standards under section 1111(b)(1).

23. Senate bill adds “direct” before administrative expenses. See note 61.

HR

24. The House amendment reduces the administrative expenses cap to 40 percent, while the Senate bill maintains current law at 60 percent.

SR with an amendment to strike “40 percent” and insert “50 percent”

25. The House amendment strikes subparagraph (A) of current law.

HR

26. The House amendment and Senate bill have different section references.

LC

27. The House amendment requires the use of American Community Survey or state data for (i) and the American Community Survey for (ii). The Senate bill refers to the data used in paragraph (3) See note 30.

LC

28. The Senate bill allows the Secretary to make a State’s allotment available on a competitive basis to specially qualified agencies within the State if such State does not submit a satisfactory plan. The House amendment reallots based on subparagraph (A).

HR

29. The Senate bill and House amendment use different structures (i) v. (A) and have different citations because of respective bill structures.

LC

30. The Senate bill includes paragraph (3)(B), which mirrors provision in House amendment (c)(2)(A)(ii) (see note 27).

LC

31. The House amendment strikes section 3112 of current law.

HR

32. The Senate bill and House amendment have different section numbers and titles to reflect different bill structures.

LC

33. House amendment strikes “specially qualified agency” See note 28.

HR

33a. The House amendment strikes and “containing such information”. The Senate bill adds “reasonably”.

SR

34. The Senate bill and House amendment have different section references.

LC

35. The Senate bill requires State agency plans to describe how the agency will establish and implement standardized, statewide entrance and exit procedures. The House amendment contains no such provision.

HR

36. The Senate bill (3)(A) is nearly identical to House amendment (2)(A) except House adds “consecutive” before years.

HR with an amendment to insert “consecutive” before “years”

37. The Senate bill and House amendment use different cross-references.

LC

38. The Senate bill and House amendment use different cross-references.

LC

39. The Senate bill (3)(D) and (E) are nearly identical to House amendment (2)(D) and (E) except the Senate bill uses “effective” where the House amendment uses “high quality, evidence-based” to refer to language instruction educational programs.

HR

40. The Senate bill adds “challenging” and a cross-reference when referring to standards.

HR

41. In (F), Senate bill refers to “each eligible” and House amendment refers to “the eligible”.

HR

42. In (G), Senate bill adds “of English learners” after parents.

HR

43. The Senate bill and House amendment are nearly identical except the Senate refers to “subpart” in (4) where House uses “chapter” in (3).

LC

44. The Senate bill includes “each” before eligible in (5) and the House amendment makes “entity” plural and includes “in the State” in (4).

HR

45. The Senate bill uses “effective” where the House amendment uses “evidence-based” to refer to language instruction curriculum.

HR

46. The Senate bill requires the agency to describe how it will assist eligible entities in meeting timelines and goals for progress and references the accountability structure in Title I for English language proficiency (which replaces the annual measurable achievement objective system in current law), as well as the challenging academic standards. The House amendment contains no such provision.

HR with an amendment to read as follows:

(6) describe how the agency will assist eligible entities in meeting—

(A) the State-designed long term goals, including measurements of interim progress towards meeting such goals, established under section 1111(c)(4)(A)(ii) based on the State’s English language proficiency assessment under section 1111(b)(2)(F); and

(B) the challenging State academic standards described in section 1111(b)(1);

47. The Senate bill requires a description of how the agency will assist eligible entities in decreasing the number of English learners who have not reached proficiency in 5 years. The House amendment refers to English language acquisition generally.

HR/SR to strike House paragraph (5) and Senate paragraph (7)

48. The Senate bill requires the agency to ensure that the needs of immigrant children and youth are being addressed. The House amendment does not include this provision.

HR with an amendment to strike “ensure that” and all that follows and insert “meet the unique needs of children and youth in the state being served through the reservation of funds under section 3114”

49. The Senate bill requires agencies to monitor and evaluate eligible entities’ progress in meeting timelines and goals for English proficiency and requires the State to describe the steps it will take to assist eligible entities if strategies are not effective.

The House amendment includes no such provision.

HR with an amendment to read as follows:

(9) describe how the agency will monitor the progress of each eligible entity receiving funds under this subpart in helping English learners achieve English proficiency and the steps the State will take to further assist eligible entities if such strategies funded under this part are not effective, such as providing technical assistance and modifying such strategies.”;

50. The House amendment strikes “specially qualified agency.”.

HR

50a. The House amendment refers to “subpart” in (1)(B), while the Senate bill refers to “part,” to reflect different bill structures.

LC

51. The Senate bill and House amendment use different cross-references.

LC

52. The House amendment adds “by the state” after requested.

SR

53. House amendment adds “in a timely manner” after allocating.

SR

53a. The Senate bill and House amendment use different cross-references.

LC

54. The Senate bill strikes “preceding the fiscal year” to refer to the percentage or number of immigrant children and youth enrolled in public and nonpublic schools.

HR

55. The Senate bill and House amendment use different cross-references and have different bill structures.

LC

56. The Senate bill and House amendment have different sections reflective of respective bill structures.

LC

57. The Senate bill includes “challenging” before State academic standards and references section 1111.

HR

58. Senate uses “effective” where the House amendment uses “evidence-based” to describe approaches and methodologies for teaching English learners.

HR

59. The Senate bill includes “programs” after early childhood education and the House amendment has “programs of” before “early childhood education.”

HR

60. House amendment includes “evidence-based” to describe activities to expand or enhance language instruction educational programs.

HR

61. The Senate bill includes “direct” to describe administrative expenses. See note 23.

HR

61a. The Senate bill and House amendment have different section references.

LC

62. The Senate bill uses “effective” and “based on high-quality research” where the House amendment uses “high-quality, evidence-based” to describe language instruction educational programs.

HR with an amendment to strike “are based on high-quality research demonstrating” and insert “demonstrate”

63. The Senate bill uses “effective” where the House amendment uses “high-quality, evidence-based” to describe professional development.

HR

63a. The Senate bill includes “principals” in such development.

HR

64. The Senate bill includes “such” before teachers and “principals” as well as “appropriate” before curricula in (B).

HR with an amendment to strike “appropriate”

65. Senate bill uses “effective” where the House amendment uses “evidence-based” in (C).

HR

66. The House amendment requires subgrantees to provide and implement other activities, including parental and community engagement, while the Senate bill only references parent, family and community engagement.

SR with amendment to strike “evidence-based activities” and all that follows, and insert “effective activities and strategies that enhance or supplement language instructional programs for English learners, which— (A) shall include parent, family, and community engagement activities; and (B) may include strategies that serve to coordinate and align related programs.”

67. The Senate bill and House amendment use different cross-references.

LC

68. The Senate bill authorizes eligible entities to provide to English learners bilingual paraprofessionals, which may include interpreters and translators. The House amendment does not include such a provision.

HR with an amendment to strike (B) and (C) and insert (B) “intensified instruction, which may include materials in a language that the student can understand, interpreters, and translators”

69. The Senate bill includes “effective preschool” in (4).

HR

70. The Senate bill includes “and family” before outreach in (6).

HR

71. The Senate bill includes “including English learners with a disability” in (7).

HR with an amendment to strike “including” and insert “which may include”

71a. The Senate bill and House amendment have different references.

HR/SR with an amendment to redesignate paragraph (8) as paragraph (9) and insert the following:

(8) Offering early college high school or dual or concurrent enrollment courses or programs designed to help English learners achieve success in postsecondary education.”

72. Senate bill includes “and family” before outreach and “and families” after parents in (A).

HR

73. Senate bill includes “recruitment of” and “early childhood educators, teachers” before paraprofessionals in (B).

HR with an amendment to strike “early childhood educators,” and insert “and” after “teachers.”

74. The House amendment includes “development” after identification and “awarded” before funds in (D).

SR

75. The Senate bill and House amendment switch the placement of “immigrant children and youth” and “in the local educational agency.”

LC

76. The Senate bill and House amendment nearly identical except for slight wording difference in (F).

HR

77. The Senate bill includes “and families” after parents in (G).

HR

78. The House amendment and Senate bill use different cross references.

LC

79. The Senate bill adds “effective” before instruction and “challenging” before State academic standards and a reference to section 1111.

HR

80. The Senate bill, but not the House amendment, requires that the selection of a method of instruction is consistent with requirements on instructional programs under sections 3124 and 3126..

HR

80a. The Senate bill and House amendment use different references

LC

81. The Senate bill and House amendment use different cross-references.

LC

82. The Senate bill includes “challenging” before State academic standards and references section 1111.

HR

83. The House amendment uses “evidence-based” where the Senate bill uses “high-quality” to describe programs and activities to be developed.

SR with an amendment to strike “evidence-based” and insert “effective” and insert “, including language instruction educational programs,” after “activities”

84. The Senate bill requires that eligible entities describe how they will ensure elementary and secondary schools assist English learners in meeting annual timelines and goals for progress and the challenging academic standards described in Title I. The House amendment requires a description of how the eligible entity will hold schools accountable for annually assessing the English proficiency of English learners.

HR with an amendment to read as follows:

(2) describe how the eligible entity will ensure that elementary schools and secondary schools receiving funds under this subpart assist English learners in—

(A) achieving English proficiency based on the State’s English language proficiency assessment under section 1111(b)(2)(G) consistent with the State’s long-term goals, as described in section 1111(c)(4)(A)(ii) and

(B) meeting the challenging State academic standards described in section 1111(b)(1);

85. The Senate bill includes “family” after parent in (3).

HR

86. The House amendment requires an assurance that the eligible entity consulted with various stakeholders in developing the plan. The Senate bill contains similar language in (5)(D) See note 92.

HR

87. The Senate bill includes “demonstrate such proficiency through academic content mastery”.

HR/SR with an amendment to strike Senate paragraph (4) and House paragraph (5)

88. The Senate bill and House amendment use different section numbers.

LC

89. The Senate bill includes “will continue to comply with such section throughout each school year for which the grant is received” in (A).

SR

90. The Senate bill requires an assurance that the eligible entity “complies with” State laws, while the House amendment requires the eligible entity “is not in violation” with any State law.

SR

90a. The Senate bill and House amendment have different structures.

LC

91. The Senate bill, but not the House amendment, requires an assurance that the eligible entity has based its plan on high-quality research.

SR

92. The Senate bill includes similar language to paragraph (4) in the House amendment. See note 86.

HR

93. The Senate bill includes an assurance that the eligible entity will, if applicable, coordinate activities and share relevant data with early childhood education providers. The House amendment contains no such provision.

HR

94. The Senate bill and House amendment use different cross-references.

LC

94a. The Senate bill and House amendment use different sections references.

LC

95. House amendment includes “including how such programs and activities supplemented programs funded primarily with State or local funds” at end of (1).

SR

96. The Senate bill includes reporting on the number and percentage of English learners who meet the annual State-determined goals for progress established under section 1111. The House amendment requires reporting on progress made in learning English and meeting state standards.

HR with an amendment to strike “meet the annual State-determined goals for progress established under section 1111(c)(4)(A)(ii)(1)(K)” and subparagraph (A) and insert “are making progress towards achieving English language proficiency as described in section 1111(c)(4)(A)(ii),” before “including disaggregated”

97. The Senate bill, but not the House amendment, requires disaggregation by long-term English learners and English learners with disability.

See note 96.

98. The Senate bill and House amendment use different cross-references.

LC

99. The Senate bill and House amendment are similar in (4). The Senate bill includes the percentage of English learners, in addition to the number.

HR

100. The House amendment includes “transitioned to classrooms not tailored for English learners”.

HR

101. The Senate bill makes includes “challenging” before State academic standards.

HR

102. The Senate requires reporting for four years after the child stops receiving services, while the House amendment requires reporting for two years.

HR

103. The Senate bill, but not the House amendment, disaggregates data by long-term English learners and English learners with a disability.

HR with an amendment to strike subparagraph (A) and insert the following:

(5) the number and percentage of English learners meeting challenging State academic standards described in section 1111(b)(1) for each of the 4 years after such children are no longer receiving services under this part, including disaggregated, at a minimum, by—
(A) English learners with a disability;

104. The House amendment includes “first enrollment in the local educational agency” in (6).

SR

105. The Senate bill and House amendment have different titles.

LC

106. The House amendment requires that the report is used to determine the effectiveness of programs in assisting English learners, and to decide how to improve programs. The Senate bill includes no such provision.

HR

107. The Senate bill includes a special rule stating that specially qualified agencies shall provide such report to the Secretary. The House amendment includes no such provision.

HR

108. The Senate bill and House amendment have different section numbers and titles.

LC

109. The House amendment makes this report annual, while the Senate bill requires the report every second year.

HR

110. The House amendment strikes “limited English proficient” and uses “English learners” at end of (b)(2).

SR

111. The Senate bill and House amendment use different cross-references.

LC

112. The Senate bill and House amendment use different cross-references.

LC

113. The House amendment strikes “limited English proficient” and uses “English learners” at end of (b)(5).

SR

114. The Senate bill requires the report to contain the findings of the evaluation related to English learners under section 9601. The House amendment includes no such provision.

HR with an amendment to insert “the most recent evaluation” before “related to English learners”

115. The Senate bill (8) strikes “classrooms where instruction is not tailored for English learners”.

HR

116. The Senate bill and House amendment have different bill structures.

LC

117. The House amendment requires the Secretary to report to Congress on parallel Federal programs. The Senate bill includes no such provision.

SR

118. The Senate bill and House amendment use different section numbers.

LC

119. The Senate bill and House amendment use different section numbers.

LC

120. The Senate bill and House amendment have different section numbers.

LC

121. The Senate bill and House amendment have different section numbers.

LC

122. The Senate bill and House amendment have different section numbers.

LC

123. The Senate bill and House amendment have different section numbers.

LC

124. The Senate bill uses “entities” where House amendment uses “organizations” after public or private.

HR

125. The Senate bill allows grants to be made for “capacity building, or evidence-based activities,” in addition to professional development.

SR

126. The Senate bill includes “inservice”.

HR

127. The Senate bill uses “effective” where the House amendment uses “evidence-based” to describe professional development programs.

HR

128. The Senate bill includes “may” before assist institutions and includes “and for other activities to increase teachers and school leader effectiveness” in (1).

SR with an amendment to strike (1) and insert: (1) “for effective preservice or inservice professional development programs that will improve the qualifications and skills of educational personnel involved in the education of students who are English learners, including personnel who are not certified or licensed and educational paraprofessionals, and for other activities to increase teacher and school leader effectiveness in meeting the needs of English learners;”

129. The Senate bill includes “family” after parent in (3).

HR

130. The Senate bill uses “effective” where House uses “evidence-based” to describe practices in the instruction of English learners.

HR

131. The Senate bill includes “develop” before share and “such as through the use of technology-based programs” at the end in (4).

HR

132. The Senate bill, but not the House amendment, allows grants to be awarded for financial assistance and costs to meet certification or licensing requirements for teachers of English learners.

HR

133. The Senate bill, but not the House amendment, allows grants to be awarded to support school readiness and transitions from early childhood education programs for English learners.

HR

134. The House amendment adds “in consortia” in the definition of eligible entity.

SR

135. The Senate bill, but not the House amendment, includes a definition for English Learner with a Disability.

HR

136. The Senate bill maintains definitions of Native American and Native American language, Native Hawaiian or Native American Pacific Islander native language educational organization, specially qualified agency, and tribally sanctioned educational authority. The House strikes such definitions.

HR

137. The Senate bill, but not the House amendment, includes definitions for Long-Term English Learner.

SR

138. The Senate bill makes a technical edit to paragraph (13) and the House amendment strikes this definition.

HR

139. The Senate bill and House amendment use different cross-references.

LC

140. The Senate bill, but not the House amendment, requires the Clearinghouse to collect and disseminate information on the education of and best practices on instructing and serving English learners with a disability.

HR

141. The House amendment, but not the Senate bill, includes rule of construction that nothing shall authorize the Secretary to hire new personnel.

SR

142. The Senate bill, but not the House amendment, authorizes a survey to be conducted by the Director of the Institute of Education Sciences and the Secretary of Education on the accuracy of the American Community Survey language items in identifying English learners.

SR**TITLE IV—SAFE AND HEALTH STUDENTS**

1. The Senate bill replaces the current law Safe and Drug-Free Schools and Communities grant program with the Safe and Healthy Students grant program. The House amendment consolidates this program into the Local Academic Flexible Grant.

HR/SR with amendment to strike and insert new Title IV language to read as follows:

TITLE IV—21ST CENTURY SCHOOLS**SEC. 4001. GENERAL PROVISIONS.**

(a) TITLE IV.—Title IV (20 U.S.C. 7101 et seq.) is amended—

(1) by redesignating subpart 3 of part A as subpart 5 of part F of title VIII, as redesignated by section 8106(1), and moving that subpart to follow subpart 4 of part F of title VIII, as redesignated by sections 2001 and 8106(1);

(2) by redesignating section 4141 as section 8561;

(3) by redesignating section 4155 as section 8537 and moving that section so as to follow section 8536;

(4) by redesignating part C as subpart 6 of part F of title VIII, as redesignated by section 8106(1), and moving that subpart to follow subpart 5 of part F of title VIII, as redesignated by section 8106(1) and paragraph (1); and

(5) by redesignating sections 4301, 4302, 4303, and 4304, as sections 8571, 8572, 8573, and 8574, respectively.

(b) TITLE V.—

(1) TRANSFER AND REDESIGNATION.—Title V (20 U.S.C. 7201 et seq.) is amended—

(A) by striking part A;

(B) by striking subparts 2 and 3 of part B;

(C) by striking part D;

(D) by transferring parts B and C to title IV, as amended by subsection (a), and inserting after part B of such title, and redesignating such sections parts C and D, respectively;

(E) in part C, as transferred by subparagraph (D), by striking “Subpart 1—Charter School Programs”;

(F) by redesignating sections 5201 through 5211 as sections 4301 through 4311, respectively;

(G) by redesignating sections 5301 through 5307 as sections 4401 through 4407, respectively;

(H) by striking sections 5308 and 5310; and

(I) by redesignating sections 5309 and 5311 as sections 4408 and 4409, respectively.

(2) REPEAL.—Title V (20 U.S.C. 7201 et seq.), as amended by paragraph (1), is repealed.

SEC. 4002. GRANTS TO STATES AND LOCAL EDUCATIONAL AGENCIES.

Part A of title IV (20 U.S.C. 7101 et seq.) is amended to read as follows:

PART A—STUDENT SUPPORT AND ACADEMIC ENRICHMENT GRANTS**SEC. 4101. PURPOSE.**

The purpose of this part is to improve students’ academic achievement by increasing the capacity of States, local educational agencies, schools, and local communities to—

(1) provide all students with access to a well-rounded education;

(2) improve school conditions for student learning; and

(3) improve the use of technology in order to improve the academic achievement, academic growth, and digital literacy of all students—

SEC. 4102. DEFINITIONS.

In this part:

(1) BLENDED LEARNING.—The term ‘blended learning’ means a formal education program that leverages both technology-based and face-to-face instructional approaches—

(A) that include an element of online or digital learning, combined with supervised learning time, and student-led learning, in which the elements are connected to provide an integrated learning experience; and

(B) where students are provided some control over time, path, or pace.

(2) CONTROLLED SUBSTANCE.—The term ‘controlled substance’ means a drug or other substance identified under Schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

(3) DIGITAL LEARNING.—The term ‘digital learning’ means any instructional practice that effectively uses technology to strengthen a student’s learning experience and encompasses a wide spectrum of tools and practices, including—

(A) interactive learning resources, digital learning content (which may include openly licensed content), software, or simulations, that engage students in academic content;

(B) access to online databases and other primary source documents;

(C) the use of data and information to personalize learning and provide targeted supplementary instruction;

(D) online and computer-based assessments;

(E) learning environments that allow for rich collaboration and communication, which may include student collaboration with content experts and peers;

(F) hybrid or blended learning, which occurs under direct instructor supervision at a school or other location away from home and, at least in part, through online delivery of instruction with some element of student control over time, place, path, or pace; and

(G) access to online course opportunities for students in rural or remote areas.

(4) DRUG.—The term ‘drug’ includes—

(A) controlled substances;

(B) the illegal use of alcohol or tobacco, including smokeless tobacco products and electronic cigarettes; and

(C) the harmful, abusive, or addictive use of substances, including inhalants and anabolic steroids.

(5) DRUG AND VIOLENCE PREVENTION.—The term ‘drug and violence prevention’ means—

(A) with respect to drugs, prevention, early intervention, rehabilitation referral, recovery support services, or education related to the illegal use of drugs, such as raising awareness about, to the extent a state, in consultation with local educational agencies in the state, determines that such evidence is reasonably available, the evidence-based consequences of drug use; and

(B) with respect to violence, the promotion of school safety, such that students and school personnel are free from violent and disruptive acts, including sexual harassment and abuse, and victimization associated with prejudice and intolerance, on school premises, going to and from school, and at school-sponsored activities, through the creation and maintenance of a school environment that is free of weapons and fosters individual responsibility and respect for the rights of others.

(7) SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDER.—The term ‘school-based mental

health services provider' includes a State-licensed or State-certified school counselor, school psychologist, school social worker, or other State licensed or certified mental health professional qualified under State law to provide mental health services to children and adolescents.

(8) **STATE.**—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(9) **STEM-FOCUSED SPECIALTY SCHOOL.**—The term 'STEM-focused specialty school' means a school, or dedicated program within a school, that engages students in rigorous, relevant, and integrated learning experiences focused on science, technology, engineering, and mathematics, including computer science, which include authentic schoolwide research.

SEC. 4103. FORMULA GRANTS TO STATES.

(a) **RESERVATIONS.**—From the total amount appropriated under section 4112 for a fiscal year, the Secretary shall reserve—

(1) one-half of 1 percent for allotments for the outlying areas to be distributed among those outlying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this part;

(2) one-half of 1 percent for the Secretary of the Interior for programs under this part in schools operated or funded by the Bureau of Indian Education; and

(3) 2 percent for technical assistance and capacity building.

(b) **STATE ALLOTMENTS.**—

(1) **ALLOTMENT.**—

(A) **IN GENERAL.**—Subject to subparagraphs (B) and (C), from the amount appropriated to carry out this part that remains after the Secretary makes the reservations under subsection (a), the Secretary shall allot to each State having a plan approved under subsection (c) an amount that bears the same relationship to the remainder as the amount the State received under subpart 2 of part A of title I for the preceding fiscal year bears to the amount all States received under that subpart for the preceding fiscal year.

(B) **SMALL STATE MINIMUM.**—No State receiving an allotment under this paragraph shall receive less than one-half of 1 percent of the total amount allotted under this paragraph.

(C) **PUERTO RICO.**—The amount allotted under this paragraph to the Commonwealth of Puerto Rico for a fiscal year may not exceed one-half of 1 percent of the total amount allotted under this paragraph.

(3) **REALLOTMENT.**—If a State does not receive an allotment under this part for a fiscal year, the Secretary shall reallocate the amount of the State's allotment to the remaining States in accordance with this subsection.

(c) **STATE PLAN.**—

(1) **IN GENERAL.**—In order to receive an allotment under this section for any fiscal year, a State shall submit a plan to the Secretary, at such time and in such manner as the Secretary may reasonably require.

(2) **CONTENTS.**—Each plan submitted by a State under this section shall include the following:

(A) A description of how the State educational agency will use funds received under this part for State-level activities.

(B) A description of how the State educational agency will ensure that awards made to local educational agencies under this part are in amounts that are consistent with [section 4105(a)(2)]—

(C) Assurances that the State educational agency will—

(i) review existing resources and programs across the State and will coordinate any new

plans and resources under this part with such existing resources and programs;

(ii) monitor the implementation of activities under this part and provide technical assistance to local educational agencies in carrying out such activities; and

(iii) provide for equitable access for all students to the activities supported under this part, including aligning those activities with the requirements of other Federal laws.

Report Language: "The Conferees intend that States will provide activities under this part in accordance with the gender equity requirements in Title IX of the Education Amendments Act of 1972."

SEC. 4104. STATE USE OF FUNDS.

(a) **IN GENERAL.**—Each State that receives an allotment under section 4103 shall—

(1) reserve not less than 95 percent of the amount allotted to such State, for each fiscal year, for allotments to local educational agencies under section 4105;

(2) reserve not more than 1 percent of the amount allotted to such State, for each fiscal year, for the administrative costs of carrying out its responsibilities under this part; and

(3) use the amount made available to the State and not reserved under paragraphs (1) and (2) for activities described in subsection (b).

(b) **STATE ACTIVITIES.**—Each State that receives an allotment under section 4103 shall use the funds available under subsection (a)(3) for activities and programs designed to meet the purposes of this part, which—

(1) shall include—

(A) providing monitoring of, and training, technical assistance, and capacity building to, local educational agencies that receive an allotment under section 4104; and

(B) public reporting on how funds made available under this part are being expended by local educational agencies, including the degree to which the local educational agencies have made progress toward meeting the objectives and outcomes described in section 4106(e)(1)(E); and

(2) may include—

(A) identifying and eliminating State barriers to the coordination and integration of programs, initiatives, and funding streams that meet the purposes of this part, so that local educational agencies can better coordinate with other agencies, schools, and community-based services and programs; or

(B) supporting local educational agencies in providing programs and activities that—

(i) offer well-rounded educational experiences to all students, as described in section 4107, including female students, minority students, English learners, children with disabilities, and low-income students who are often underrepresented in critical and enriching subjects, which may include—

(I) increasing student access to and improving student engagement and achievement in—

(aa) high-quality courses in science, technology, engineering, and mathematics, including computer science;

(bb) activities and programs in music and the arts;

(cc) foreign languages;

(dd) accelerated learning programs that provide—

(AA) postsecondary level courses accepted for credit at institutions of higher education, including dual or concurrent enrollment programs, and early college high schools; or

(BB) postsecondary level instruction and examinations that are accepted for credit at institutions of higher education, including Advanced Placement and International Baccalaureate programs;

(ee) American history, civics, economics, geography, social studies, or government education;

(ff) environmental education; or

(gg) other courses, activities, and programs or other experiences that contribute to a well-rounded education; or

(II) reimbursing low-income students to cover part or all of the costs of accelerated learning examination fees, as described in subclause (I)(dd);

(ii) foster safe, healthy, supportive, and drug-free environments that support student academic achievement, as described in section 4108, which may include—

(I) coordinating with any local educational agencies or consortia of such agencies implementing a youth PROMISE plan to reduce exclusionary discipline, as described in section 4108(5)(F);

(II) supporting local educational agencies to—

(aa) implement, to the extent the state determines that such evidence is reasonably available, evidence-based mental health awareness training programs to provide education to school personnel regarding resources available in the community for students with mental illnesses and other relevant resources relating to mental health or the safe de-escalation of crisis situations involving a student with a mental illness; or

(bb) expand access to or coordinate resources for school-based counseling and mental health programs, such as through school-based mental health services partnership programs;

(III) providing local educational agencies, to the extent the state determines that such evidence is reasonably available, with evidence-based resources addressing ways to integrate health and safety practices into school or athletic programs; and

Report Language: "The Conferees intend that references to health and safety practices for school and athletic programs may include developing plans for concussion safety and recovery practices, cardiac conditions, exposure to excessive heat and humidity, guidelines for emergency action plans for youth athletics, and developing and implementing school asthma management plans."

(IV) disseminating best practices and evaluating program outcomes relating to any local educational agency activities to promote student safety and violence prevention through effective communication as described in section 4108(5)(C)(iv); and

(iii) increase access to personalized, rigorous learning experiences supported by technology by—

(I) providing technical assistance to local educational agencies to improve the ability of local educational agencies to—

(aa) identify and address technology readiness needs, including the types of technology infrastructure and access available to the students served by the local educational agency, including computer devices, access to school libraries, Internet connectivity, operating systems, related network infrastructure, and data security;

(bb) use technology, consistent with the principles of universal design for learning, to support the learning needs of all students, including children with disabilities and English learners; and

(cc) build capacity for principals, other school leaders, and local educational agency administrators to support teachers in using data and technology to improve instruction and personalize learning;

(II) supporting schools in rural and remote areas to expand access to high-quality digital learning opportunities;

(III) developing or utilizing, to the extent the state determines that such evidence is reasonably available, evidence-based or innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the use of technology, including digital learning technologies and assistive technology, which may include increased access to online dual or concurrent enrollment opportunities, career and technical courses, and programs leading to a recognized postsecondary credential (as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102));

(IV) disseminating promising practices related to technology instruction, data security, and the acquisition and implementation of technology tools and applications, including through making such promising practices publicly available on the website of the State educational agency;

(V) providing teachers, paraprofessionals, school librarians and media personnel, specialized instructional support personnel, and administrators with the knowledge and skills to use technology effectively, including effective integration of technology, to improve instruction and student achievement, which may include coordination with teacher, principal, and other school leader preparation programs; and

(VI) making instructional content widely available through open educational resources, which may include providing tools and processes to support local educational agencies in making such resources widely available.

SEC. 4105. ALLOCATIONS TO LOCAL EDUCATIONAL AGENCIES.

(a) **ALLOCATIONS TO LOCAL EDUCATIONAL AGENCIES.**—

(1) **IN GENERAL.**—From the funds reserved by a State under section 4104(a)(1), the State shall allocate to each local educational agency that has an application approved by the State educational agency under section 4106 in the State an amount that bears the same relationship to the total amount of such reservation as the amount the local educational agency received under subpart 2 of part A of title I for the preceding fiscal year bears to the amount all local educational agencies in the State received under that subpart for the preceding fiscal year.

(2) **MINIMUM LOCAL EDUCATIONAL AGENCY ALLOCATION.**—No allocation to a local educational agency under this paragraph may be made in an amount that is less than \$10,000.

(3) **CONSORTIA.**—Local educational agencies in a State may form a consortium and combine the funds each such agency in the consortium received under this section to jointly carry out the local activities described in this part.

(b) **RATABLE REDUCTION.**—If the amount reserved by the State under section 4104(a)(1) is insufficient to make allocations to local educational agencies 'in an amount equal to the minimum allocation described in subsection (a)(2), such allocations shall be ratably reduced.

(c) **ADMINISTRATIVE COSTS.**—Of the amount received under subsection (a)(2), a local educational agency may reserve not more than 2 percent for the direct administrative costs of carrying out the local educational agency's responsibilities under this part.

SEC. 4106. LOCAL EDUCATIONAL AGENCY APPLICATIONS.

(a) **IN GENERAL.**—To be eligible to receive an allocation under section 4105(a), a local educational agency shall—

(1) submit an application, which shall contain, at a minimum, the information described in subsection (e), to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require; and

(2) complete a needs assessment in accordance with subsection (d).

(b) **CONSORTIUM.**—If a local educational agency desires to carry out the activities described in this part in consortium with one or more surrounding local educational agencies as described in section 4105(a)(2)(C), such local educational agencies shall submit a single application as required under subsection (a).

(c) **CONSULTATION.**—

(1) **IN GENERAL.**—A local educational agency, or consortium of such agencies, shall develop its application through consultation with parents, teachers, principals, other school leaders, specialized instructional support personnel, students, community-based organizations, local government representatives (which may include a local law enforcement agency, local juvenile court, local child welfare agency, or local public housing agency), Indian tribes or tribal organizations that may be located in the region served by the local educational agency (where applicable), charter school teachers, principals, and other school leaders (if such agency or consortium of such agencies supports charter schools), and others with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this part.

(2) **CONTINUED CONSULTATION.**—The local educational agency, or consortium of such agencies, shall engage in continued consultation with the entities described in paragraph (1) in order to improve the local activities in order to meet the purpose of this part and to coordinate such implementation with other related strategies, programs, and activities being conducted in the community.

(d) **NEEDS ASSESSMENT.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2) and prior to receiving an allocation under this part, a local educational agency or consortium of such agencies shall conduct a comprehensive needs assessment of the local educational agency or agencies proposed to be served under this part in order to examine needs for improvement of—

(A) access to, and opportunities for, a well-rounded education for all students;

(B) school conditions for student learning in order to create a healthy and safe school environment; and

(C) access to personalized learning experiences supported by technology and professional development for the effective use of data and technology.

(2) **EXCEPTION.**—A local educational agency receiving an allocation under section 4105(a) in an amount that is less than \$30,000 shall not be required to conduct a comprehensive needs assessment under paragraph (1).

(3) **FREQUENCY OF NEEDS ASSESSMENT.**—Each local educational agency, or consortium of local educational agencies, shall conduct the needs assessment described in paragraph (1) once every 3 years.

(e) **CONTENTS OF LOCAL APPLICATION.**—Each application submitted under this section by a local educational agency, or a consortium of such agencies, shall include the following:

(1) **DESCRIPTIONS.**—A description of the activities and programming that the local educational agency, or consortium of such agencies, will carry out under this part, including a description of—

(A) any partnership with an institution of higher education, business, nonprofit organization, community-based organization, [or other public or private entity with a demonstrated record of success in implementing activities under this part;

(B) if applicable, how funds will be used for activities related to supporting well-rounded education under section 4107;

(C) if applicable, how funds will be used for activities related to supporting safe and healthy students under section 4108;

(D) if applicable, how funds will be used for activities related to supporting the effective use of technology in schools under section 4109; and

(E) the program objectives and intended outcomes for activities under this part, and how the local educational agency, or consortium of such agencies, will periodically evaluate the effectiveness of the activities carried out under this section based on such objectives and outcomes.

(2) **ASSURANCES.**—Each application shall include assurances that the local educational agency, or consortium of such agencies, will—

(A) prioritize the distribution of funds to schools served by the local educational agency, or consortium of such agencies, that—

(i) are among the schools with the greatest needs, as determined by such local educational agency, or consortium;

(ii) have the highest percentages or numbers of children counted under [section 1124(c)];

(iii) are identified for comprehensive support and improvement under [section 1111(c)(4)(D)(i)];

(iv) are implementing targeted support and improvement plans as described in [section 1111(d)(2)]; or

(v) are identified as a persistently dangerous public elementary school or secondary school under [section 9532];

(B) comply with section [9501] (regarding equitable participation by private school children and teachers);

(C) use a portion of funds, which shall not be less than 20 percent of funds, received under this part to support at least one activity authorized under section 4107;

(D) use a portion of funds, which shall not be less than 20 percent of funds, received under this part to support at least one activity authorized under section 4108;

(E) use a portion of funds received under this part to support at least one activity authorized under section 4109(a), including an assurance that the local educational agency, or consortium of local educational agencies, will comply with the requirements of section 4109(b); and

(F) annually report to the State for inclusion in the report described in section 4104(b)(1)(B) how funds are being used under this part to meet the requirements of subparagraphs (C) through (E).

(f) **SPECIAL RULE.**—Any local educational agency receiving an allocation under section 4105(a)(1) in an amount less than \$30,000 shall be required to provide only one of the assurances described in subparagraphs (C), (D), or (E) of subsection (e)(2).

SEC. 4107. ACTIVITIES TO SUPPORT WELL-ROUNDED EDUCATIONAL OPPORTUNITIES.

Subject to section 4106(f), each local educational agency, or consortium of such agencies, that receives an allocation under section 4105(a) shall use a portion of such funds to develop and implement programs and activities that support access to a well-rounded education and that—

(1) are coordinated with other schools and community-based services and programs;

(2) may be conducted in partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities under this section; and

(3) may include programs and activities, such as—

(A) college and career guidance and counseling programs, such as—

(i) postsecondary education and career awareness and exploration activities;

(ii) training counselors to effectively utilize labor market information in assisting students with postsecondary education and career planning; and

(iii) financial literacy and Federal financial aid awareness activities;

(B) programs and activities that use music and the arts as tools to support student success through the promotion of constructive student engagement, problem solving, and conflict resolution;

(C) programming and activities to improve instruction and student engagement in science, technology, engineering and mathematics, including computer science, (referred to in this section as ‘STEM subjects’) by—

(i) increasing access for students through grade 12 who are members of groups underrepresented in such subject fields, such as female students, minority students, English learners, children with disabilities, and economically disadvantaged students, to high-quality courses;

(ii) supporting the participation of low-income students in nonprofit competitions related to STEM subjects (such as robotics, science research, invention, mathematics, computer science, and technology competitions);

(iii) providing hands-on learning and exposure to science, technology, engineering, and mathematics and supporting the use of field-based or service learning to enhance the students’ understanding of the identified subjects;

(iv) supporting the creation and enhancement of STEM-focused specialty schools; and

(v) facilitating collaboration among school, after-school program, and informal program personnel to improve the integration of programming and instruction in the identified subjects;

(vi) integrating other academic subjects, including the arts, into STEM programs to increase participation in STEM, improve attainment of STEM-related skills, and promote well-rounded education;”

(D) efforts to raise student academic achievement through accelerated learning programs described in section 4104(b)(2)(B)(i)(I)(dd), such as—

(i) reimbursing low-income students to cover part or all of the costs of accelerated learning examination fees, if the low-income students are enrolled in accelerated learning courses and plan to take accelerated learning examinations; or

(ii) increasing the availability of, and enrollment in accelerated learning courses, accelerated learning examinations, dual or concurrent enrollment programs, and early college high school courses;

(E) activities to promote the development, implementation, and strengthening of programs to teach traditional American history, civics, economics, geography, or government education;

(F) foreign language instruction;

(G) environmental education;

(H) programs and activities that promote volunteerism and community involvement; or

(I) programs and activities that support educational programs that integrate multiple disciplines, such as programs that combine arts and math; or”

(J) other activities and programs to support student access to, and success in, a variety of well-rounded education experiences.

SEC. 4108. ACTIVITIES TO SUPPORT SAFE AND HEALTHY STUDENTS.

Subject to section 4106(f), each local educational agency, or consortium of such agencies, that receives an allocation under section 4105(a) shall use a portion of such funds to develop, implement, and evaluate comprehensive programs and activities that—

(1) are coordinated with other schools and community-based services and programs;

(2) foster safe, healthy, supportive, and drug-free environments that support student academic achievement;

(3) promote the involvement of parents in the activity or program;

(4) may be conducted in partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities under this section; and

(5) may include, among other programs and activities—

(A) to the extent the state, in consultation with local educational agencies in the state, determines that such evidence is reasonably available, evidence-based drug and violence prevention activities and programs (including programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes), including professional development and training for school and specialized instructional support personnel and interested community members in prevention, education, early identification, intervention mentoring, recovery support services and, where appropriate, rehabilitation referral, as related to drug and violence prevention;

(B) in accordance with section 4111—

(i) school-based mental health services, including early identification of mental-health symptoms, drug use and violence, and appropriate referrals to direct individual or group counseling services; and

(ii) school-based mental health services partnership programs that—

(I) are conducted in partnership with a public or private mental-health entity or health care entity; and

(II) provide comprehensive school-based mental health services and supports and staff development for school and community personnel working in the school that are—

(aa) based on trauma-informed and, to the extent the state, in consultation with local educational agencies in the state, determines that such evidence is reasonably available, evidence-based practices;

(bb) coordinated (where appropriate) with early intervening services carried out under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.); and

(cc) provided by qualified mental and behavioral health professionals who are certified or licensed by the State involved and practicing within their area of expertise;

(C) programs or activities that—

(i) integrate health and safety practices into school or athletic programs;

(ii) support a healthy, active lifestyle, including nutritional education and regular, structured physical education activities and programs, and which may address chronic

disease management with instruction led by school nurses, nurse practitioners, or other appropriate specialists or professionals to help maintain the well-being of students;

(iii) help prevent bullying and harassment;

(iv) improve instructional practices for developing relationship-building skills, such as effective communication, and improve safety through the recognition and prevention of coercion, violence, or abuse, including teen and dating violence, stalking, domestic abuse, and sexual violence and harassment;

(v) provide mentoring and school counseling to all students, including children who are at risk of academic failure, dropping out of school, involvement in criminal or delinquent activities, or drug use and abuse;

(vi) establish or improve school dropout and re-entry programs; or

Report Language: “The Conferees intend that throughout this part, references to children who are at risk of academic failure or dropping out of school include expectant and parenting students who have unique educational needs. Local educational agencies should provide opportunities for the enrollment, attendance, and success of such students.”

(vii) establish learning environments and enhance students’ effective learning skills essential for school readiness and academic success, such as by providing integrated systems of student and family supports;

(D) high-quality training for school personnel, including specialized instructional support personnel, related to—

(i) suicide prevention;

(ii) effective and trauma-informed practices in classroom management;

(iii) crisis management and conflict resolution techniques;

(iv) human trafficking (defined, for purposes of this subparagraph, as an act or practice described in paragraph (9) or (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102));

(v) school-based violence prevention strategies;

(vi) drug abuse prevention, including educating children facing substance abuse at home; and

(vii) bullying and harassment prevention;

(E) in accordance with section 4111, child sexual abuse awareness and prevention programs or activities, such as programs or activities designed to provide—

(i) age-appropriate and developmentally appropriate instruction for students in child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to safely report child sexual abuse; and

(ii) information to parents and guardians of students about child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to discuss child sexual abuse with a child;

(F) designing and implementing a locally-tailored plan to reduce exclusionary discipline practices in elementary and secondary schools that—

(i) is consistent with best practices;

(ii) includes, to the extent the state, in consultation with local educational agencies in the state, determines that such evidence is reasonably available, evidence-based strategies; and

(iii) is aligned with the long-term goal of prison reduction through opportunities, mentoring, intervention, support, and other education services, referred to as a ‘youth PROMISE plan’; or

(G) implementation of schoolwide positive behavioral interventions and supports, including through coordination with similar

activities carried out under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), in order to improve academic outcomes and school conditions for student learning;

(H) designating a site resource coordinator at a school or local educational agency to provide a variety of services, such as—

(i) establishing partnerships within the community to provide resources and support for schools;

(ii) ensuring all service and community partners are aligned with the academic expectations of a community school in order to improve student success; and

(iii) strengthening relationships between schools and communities; or

(I) pay-for-success initiatives aligned with the purposes of this section.

SEC. 4109. ACTIVITIES TO SUPPORT THE EFFECTIVE USE OF TECHNOLOGY.

(a) **USES OF FUNDS.**—Subject to section 4106(f), each local educational agency, or consortium of such agencies, that receives an allocation under section 4015(a) shall use a portion of such funds to improve the use of technology to improve the academic achievement, academic growth, and digital literacy of all students, including by meeting the needs of such agency or consortium identified in the need assessment conducted under section 4106(d) (if applicable), which may include—

(1) providing educators, school leaders, and administrators with the professional learning tools, devices, content, and resources to—

(A) personalize learning to improve student academic achievement;

(B) discover, adapt, and share relevant high-quality educational resources;

(C) use technology effectively in the classroom, including by administering computer-based assessments and blended learning strategies; and

(D) implement and support school- and districtwide approaches for using technology to inform instruction, support teacher collaboration, and personalize learning;

(2) building technological capacity and infrastructure, which may include—

(A) procuring content and ensuring content quality; and

(B) purchasing devices, equipment, and software applications in order to address readiness shortfalls;

(3) developing or utilizing effective or innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the use of technology, including digital learning technologies and assistive technology;

(4) carrying out blended learning projects, which shall include—

(A) planning activities, which may include development of new instructional models (including blended learning technology software and platforms), the purchase of digital instructional resources, initial professional development activities, and one-time information technology purchases, except that such expenditures may not include expenditures related to significant construction or renovation of facilities; or

(B) ongoing professional development for teachers, principals, other school leaders, or other personnel involved in the project that is designed to support the implementation and academic success of the project;

(5) providing professional development in the use of technology (which may be provided through partnerships with outside organizations) to enable teachers and instructional leaders to increase student achieve-

ment in the areas of science, technology, engineering, and mathematics, including computer science; and

(6) providing students in rural, remote, and underserved areas with the resources to take advantage of high-quality digital learning experiences, digital resources, and access to online courses taught by effective educators.

(b) **SPECIAL RULE.**—A local educational agency, or consortium of such agencies, shall not use more than 15 percent of funds for purchasing technology infrastructure as described in subsection (a)(2)(B), which shall include technology infrastructure purchased for the activities under subsection (a)(4)(A).

SEC. 4110. SUPPLEMENT, NOT SUPPLANT.

Funds made available under this part shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this part.

SEC. 4111. PROHIBITIONS.

(a) **PARENTAL CONSENT.**—

(1) **IN GENERAL.**—

(A) **INFORMED WRITTEN CONSENT.**—Each entity receiving an allocation under this title shall obtain prior written, informed consent from the parent of each child who is under 18 years of age to participate in any mental-health assessment or service that is funded under this title and conducted in connection with an elementary school or secondary school under this part.

(B) **CONTENTS.**—Before obtaining the consent described in subparagraph (A), the entity shall provide the parent written notice describing in detail such mental health assessment or service, including the purpose for such assessment or service, the provider of such assessment or service, when such assessment or service will begin, and how long such assessment or service will last.

(C) **LIMITATION.**—The informed written consent required under this paragraph shall not be a waiver of any rights or protections under Section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

(2) **EXCEPTION.**—Notwithstanding paragraph (1)(A), the written, informed consent described in such paragraph shall not be required in—

(A) an emergency, where it is necessary to protect the immediate health and safety of the child, other children, or entity personnel; or

(B) other instances where an entity actively seeks parental consent but such consent cannot be reasonably obtained, as determined by the State or local educational agency, including in the case of a child whose parent has not responded to the notice described in paragraph (1)(B) or who has attained 14 years of age and is an unaccompanied youth, as defined in section 725 of the Federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11434a).

(b) **PROHIBITED USE OF FUNDS.**—No funds under this title may be used for medical services or drug treatment or rehabilitation, except for integrated student supports, specialized instructional support services, or referral to treatment for impacted students, which may include students who are victims of, or witnesses to, crime or who illegally use drugs.

(c) **PROHIBITION ON MANDATORY MEDICATION.**—No child shall be required to obtain a prescription for a substance covered by the Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of—

(1) receiving an evaluation or other services described under this part; or

(2) attending a school receiving assistance under this title].

(d) **RULE OF CONSTRUCTION.**—Nothing in this part may be construed to—

(1) authorize activities or programming that encourages teenage sexual activity; or

(2) prohibit effective activities or programming that meet the requirements of section [85XX]

SEC. 4112. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this part \$1,650,000,000 for fiscal year 2017 and \$1,600,000,000 for each of fiscal years 2018 through 2020.

2. The Senate bill reauthorizes and makes changes to the 21st Century Community Learning Centers grant program. The House amendment consolidates this program into the Local Academic Flexible Grant.

HR with an amendment to read as follows:

PART B—21ST CENTURY COMMUNITY LEARNING CENTERS

SEC. 4201. 21ST CENTURY COMMUNITY LEARNING CENTERS.

(a) **PROGRAM AUTHORIZED.**—Part B of title IV (20 U.S.C. 7171 et seq.) is amended to read as follows:

PART B—21ST CENTURY COMMUNITY LEARNING CENTERS

SEC. 4201. PURPOSE; DEFINITIONS.

(a) **PURPOSE.**—The purpose of this part is to provide opportunities for communities to establish or expand activities in community learning centers that—

(1) provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet challenging State academic standards under section 1111(b)(1);

(2) offer students a broad array of additional services, programs, and activities, such as youth development activities, service learning, nutrition and health education, drug and violence prevention programs, counseling programs, art, music, physical fitness and wellness programs, technology education programs, financial literacy programs, environmental literacy programs, mathematics, science, career and technical programs, internship or apprenticeship programs, and other ties to an in-demand industry sector or occupation for high school students that are designed to reinforce and complement the regular academic program of participating students; and

(3) offer families of students served by community learning centers opportunities for active and meaningful engagement in their children's education, including opportunities for literacy and related educational development.

(b) **DEFINITIONS.**—In this part:

(1) **COMMUNITY LEARNING CENTER.**—The term 'community learning center' means an entity that—

(A) assists students to meet challenging State academic standards under section 1111(b)(1) by providing the students with academic enrichment activities and a broad array of other activities (such as programs and activities described in subsection (a)(2)) during nonschool hours or periods when school is not in session (such as before and after school or during summer recess) that—

(i) reinforce and complement the regular academic programs of the schools attended by the students served; and

(ii) are targeted to the students' academic needs and aligned with the instruction students receive during the school day; and

(B) offers families of students served by such center opportunities for literacy, and related educational development and opportunities for active and meaningful engagement in their children's education.

(2) COVERED PROGRAM.—The term ‘covered program’ means a program for which—

(A) the Secretary made a grant under this part (as this part was in effect on the day before the date of enactment of the Every Student Succeeds Act); and

(B) the grant period had not ended on that date of enactment.

(3) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a local educational agency, community-based organization, Indian tribe or tribal organization (as such terms are defined in section 4 of the Indian Self-Determination and Education Act (25 U.S.C. 450b)), another public or private entity, or a consortium of 2 or more such agencies, organizations, or entities.

(4) EXTERNAL ORGANIZATION.—The term ‘external organization’ means—

(A) a nonprofit organization with a record of success in running or working with after school programs; or

(B) in the case of a community where there is no such organization, a nonprofit organization in the community that enters into a agreement or partnership with an organization described in subparagraph (A) to receive mentoring and guidance.

(5) RIGOROUS PEER-REVIEW PROCESS.—The term ‘rigorous peer-review process’ means a process by which—

(A) employees of a State educational agency who are familiar with the 21st century community learning center program under this part review all applications that the State receives for awards under this part for completeness and applicant eligibility;

(B) the State educational agency selects peer reviewers for such applications, who shall—

(i) be selected for their expertise in providing effective academic, enrichment, youth development, and related services to children; and

(ii) not include any applicant, or representative of an applicant, that has submitted an application under this part for the current application period; and

(C) the peer reviewers described in subparagraph (B) review and rate the applications to determine the extent to which the applications meet the requirements under sections 4204(b) and 4205.

(6) STATE.—The term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

SEC. 4202. ALLOTMENTS TO STATES.

(a) RESERVATION.—From the funds appropriated under section 4206 for any fiscal year, the Secretary shall reserve—

(1) such amounts as may be necessary to make continuation awards to grant recipients under covered programs (under the terms of those grants);

(2) not more than 1 percent for national activities, which the Secretary may carry out directly or through grants and contracts, such as providing technical assistance to eligible entities carrying out programs under this part or conducting a national evaluation; and

(3) not more than 1 percent for payments to the outlying areas and the Bureau of Indian Education, to be allotted in accordance with their respective needs for assistance under this part, as determined by the Secretary, to enable the outlying areas and the Bureau to carry out the purpose of this part.

(b) STATE ALLOTMENTS.—

(1) DETERMINATION.—From the funds appropriated under section 4206 for any fiscal year and remaining after the Secretary makes reservations under subsection (a), the Secretary shall allot to each State for the fiscal

year an amount that bears the same relationship to the remainder as the amount the State received under [subpart 2 of part A of title I for the preceding fiscal year] bears to the amount all States received under [that subpart] for the preceding fiscal year, except that no State shall receive less than an amount equal to one-half of 1 percent of the total amount made available to all States under this subsection.

(2) REALLOTMENT OF UNUSED FUNDS.—If a State does not receive an allotment under this part for a fiscal year, the Secretary shall reallocate the amount of the State’s allotment to the remaining States in accordance with this part.

(c) STATE USE OF FUNDS.—

(1) IN GENERAL.—Each State that receives an allotment under this part shall reserve not less than 93 percent of the amount allotted to such State under subsection (b), for each fiscal year for awards to eligible entities under section 4204.

(2) STATE ADMINISTRATION.—A State educational agency may use not more than 2 percent of the amount made available to the State under subsection (b) for—

(A) the administrative costs of carrying out its responsibilities under this part;

(B) establishing and implementing a rigorous peer-review process for subgrant applications described in section 4204(b) (including consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities); and

(C) awarding of funds to eligible entities (in consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities).

(3) STATE ACTIVITIES.—A State educational agency may use not more than 5 percent of the amount made available to the State under subsection (b) for the following activities:

(A) Monitoring and evaluation of programs and activities assisted under this part.

(B) Providing capacity building, training, and technical assistance under this part.

(C) Comprehensive evaluation (directly, or through a grant or contract) of the effectiveness of programs and activities assisted under this part.

(D) Providing training and technical assistance to eligible entities that are applicants for or recipients of awards under this part.

(E) Ensuring that any eligible entity that receives an award under this part from the State aligns the activities provided by the program with the challenging State academic standards.

(F) Ensuring that any such eligible entity identifies and partners with external organizations, if available, in the community.

(G) Working with teachers, principals, parents, the local workforce, the local community, and other stakeholders to review and improve State policies and practices to support the implementation of effective programs under this part.

(H) Coordinating funds received under this part with other Federal and State funds to implement high-quality programs.

(I) Providing a list of prescreened external organizations, as described in section 4203(a)(11).

SEC. 4203. STATE APPLICATION.

(a) IN GENERAL.—In order to receive an allotment under section 4202 for any fiscal year, a State shall submit to the Secretary, at such time as the Secretary may require, an application that—

(1) designates the State educational agency as the agency responsible for the administration and supervision of programs assisted under this part;

(2) describes how the State educational agency will use funds received under this part, including funds reserved for State-level activities;

(3) contains an assurance that the State educational agency—

(A) will make awards under this part to eligible entities that serve—

(i) students who primarily attend—

(I) schools that have been identified under [section 1111(d)]; and

(II) other schools determined by the local educational agency to be in need of intervention and support; and

(ii) the families of such students; and

(B) will further give priority to eligible entities that propose in the application to serve students described in subclauses (I) and (II) of section 4204(i)(1)(A)(i);

(4) describes the procedures and criteria the State educational agency will use for reviewing applications and awarding funds to eligible entities on a competitive basis, which shall include procedures and criteria that take into consideration the likelihood that a proposed community learning center will help participating students meet the challenging State academic standards and any local academic standards;

(5) describes how the State educational agency will ensure that awards made under this part are—

(A) of sufficient size and scope to support high-quality, effective programs that are consistent with the purpose of this part; and

(B) in amounts that are consistent with section 4204(h);

(6) describes the steps the State educational agency will take to ensure that programs implement effective strategies, including providing ongoing technical assistance and training, evaluation, dissemination of promising practices, and coordination of professional development for staff in specific content areas and youth development;

(7) describes how programs under this part will be coordinated with programs under this Act, and other programs as appropriate;

(8) contains an assurance that the State educational agency—

(A) will make awards for programs for a period of not less than 3 years and not more than 5 years; and

(B) will require each eligible entity seeking such an award to submit a plan describing how the activities to be funded through the award will continue after funding under this part ends;

(9) contains an assurance that funds appropriated to carry out this part will be used to supplement, and not supplant, other Federal, State, and local public funds expended to provide programs and activities authorized under this part and other similar programs;

(10) contains an assurance that the State educational agency will require eligible entities to describe in their applications under section 4204(b) how the transportation needs of participating students will be addressed;

(11) describes how the State will—

(A) prescreen external organizations that could provide assistance in carrying out the activities under this part; and

(B) develop and make available to eligible entities a list of external organizations that successfully completed the prescreening process;

(12) provides—

(A) an assurance that the application was developed in consultation and coordination

with appropriate State officials, including the chief State school officer, and other State agencies administering before and afterschool or summer recess programs and activities, the heads of the State health and mental health agencies or their designees, statewide after-school networks (where applicable) and representatives of teachers, local educational agencies, and community-based organizations; and

(B) a description of any other representatives of teachers, parents, students, or the business community that the State has selected to assist in the development of the application, if applicable;

(13) describes the results of the State's needs and resources assessment for before and after school or summer recess programs and activities, which shall be based on the results of on-going State evaluation activities;

(14) describes how the State educational agency will evaluate the effectiveness of programs and activities carried out under this part, which shall include, at a minimum—

(A) a description of the performance indicators and performance measures that will be used to evaluate programs and activities with emphasis on alignment with the regular academic program of the school and the academic needs of participating students, including performance indicators and measures that—

(i) are able to track student success and improvement over time;

(ii) include State assessment results and other indicators of student success and improvement, such as improved attendance during the school day, better classroom grades, regular (or consistent) program attendance, and on-time advancement to the next grade level; and

(iii) for high school students, may include indicators such as career competencies, successful completion of internships or apprenticeships, or work-based learning opportunities;

(B) a description of how data collected for the purposes of subparagraph (A) will be collected; and

(C) public dissemination of the evaluations of programs and activities carried out under this part; and

(15) provides for timely public notice of intent to file an application and an assurance that the application will be available for public review after submission.

(b) **DEEMED APPROVAL.**—An application submitted by a State educational agency pursuant to subsection (a) shall be deemed to be approved by the Secretary unless the Secretary makes a written determination, prior to the expiration of the 120-day period beginning on the date on which the Secretary received the application, that the application is not in compliance with this part.

(c) **DISAPPROVAL.**—The Secretary shall not finally disapprove the application, except after giving the State educational agency notice and an opportunity for a hearing.

(d) **NOTIFICATION.**—If the Secretary finds that the application is not in compliance, in whole or in part, with this part, the Secretary shall—

(1) give the State educational agency notice and an opportunity for a hearing; and

(2) notify the State educational agency of the finding of noncompliance and, in such notification—

(A) cite the specific provisions in the application that are not in compliance; and

(B) request additional information, only as to the noncompliant provisions, needed to make the application compliant.

(e) **RESPONSE.**—If the State educational agency responds to the Secretary's notification described in subsection (d)(2) during the 45-day period beginning on the date on which the agency received the notification, and resubmits the application with the requested information described in subsection (d)(2)(B), the Secretary shall approve or disapprove such application prior to the later of—

(1) the expiration of the 45-day period beginning on the date on which the application is resubmitted; or

(2) the expiration of the 120-day period described in subsection (b).

(f) **FAILURE TO RESPOND.**—If the State educational agency does not respond to the Secretary's notification described in subsection (d)(2) during the 45-day period beginning on the date on which the agency received the notification, such application shall be deemed to be disapproved.

(g) **LIMITATION.**—The Secretary may not impose a priority or preference for States or eligible entities that seek to use funds made available under this part to extend the regular school day.

***SEC. 4204. LOCAL COMPETITIVE SUBGRANT PROGRAM.**

(a) **IN GENERAL.**—

(1) **COMMUNITY LEARNING CENTERS.**—A State that receives funds under this part for a fiscal year shall provide the amount made available under section 4202(c)(1) to award subgrants to eligible entities for community learning centers in accordance with this part.

(2) **EXPANDED LEARNING PROGRAM ACTIVITIES.**—A State that receives funds under this part for a fiscal year may use funds under section 4202(c)(1) to support those enrichment and engaging academic activities described in section 4205(a) that—

(A) are included as part of an expanded learning program that provide students at least 300 additional program hours before, during, or after the traditional school day;

(B) supplement but do not supplant school day requirements; and

(C) are awarded to entities that meet the requirements of subsection (i).

(b) **APPLICATION.**—

(1) **IN GENERAL.**—To be eligible to receive a subgrant under this part, an eligible entity shall submit an application to the State educational agency at such time, in such manner, and including such information as the State educational agency may reasonably require.

(2) **CONTENTS.**—Each application submitted under paragraph (1) shall include—

(A) a description of the activities to be funded, including—

(i) an assurance that the program will take place in a safe and easily accessible facility;

(ii) a description of how students participating in the program carried out by the community learning center will travel safely to and from the center and home, if applicable; and

(iii) a description of how the eligible entity will disseminate information about the community learning center (including its location) to the community in a manner that is understandable and accessible;

(B) a description of how such activities are expected to improve student academic achievement as well as overall student success;

(C) a demonstration of how the proposed program will coordinate Federal, State, and local programs and make the most effective use of public resources;

(D) an assurance that the proposed program was developed and will be carried out—

(i) in active collaboration with [the schools participating students attend—NOTE: schools in which the students participating in the program attend?] (including through the sharing of relevant data among the schools), all participants in the eligible entity, and any partnership entities described in subparagraph (H), in compliance with applicable laws relating to privacy and confidentiality; and

(ii) in alignment with the challenging State academic standards and any local academic standards;

(E) a description of how the activities will meet the measures of effectiveness described in section 4205(b);

(F) an assurance that the program will target students who primarily attend schools eligible for schoolwide programs under section 1113 and the families of such students;

(G) an assurance that subgrant funds under this part will be used to increase the level of State, local, and other non-Federal funds that would, in the absence of funds under this part, be made available for programs and activities authorized under this part, and in no case supplant Federal, State, local, or non-Federal funds;

(H) a description of the partnership between a local educational agency, a community-based organization, and another public entity or private entity, if appropriate;

(I) an evaluation of the community needs and available resources for the community learning center, and a description of how the program proposed to be carried out in the center will address those needs (including the needs of working families);

(J) a demonstration that the eligible entity will use best practices, including research or evidence-based practices, to provide educational and related activities that will complement and enhance academic performance, achievement, postsecondary and workforce preparation, and positive youth development of the students;

(K) a description of a preliminary plan for how the community learning center will continue after funding under this part ends;

(L) an assurance that the community will be given notice of an intent to submit an application and that the application and any waiver request will be available for public review after submission of the application;

(M) if the eligible entity plans to use volunteers in activities carried out through the community learning center, a description of how the eligible entity will encourage and use appropriately qualified persons to serve as the volunteers; and

(N) such other information and assurances as the State educational agency may reasonably require.

(c) **APPROVAL OF CERTAIN APPLICATIONS.**—The State educational agency may approve an application under this part for a program to be located in a facility other than an elementary school or secondary school only if the program will be at least as available and accessible to the students to be served as if the program were located in an elementary school or secondary school.

(d) **PERMISSIVE LOCAL MATCH.**—

(1) **IN GENERAL.**—A State educational agency may require an eligible entity to match subgrant funds awarded under this part, except that such match may not exceed the amount of the subgrant and may not be derived from other Federal or State funds.

(2) **SLIDING SCALE.**—The amount of a match under paragraph (1) shall be established based on a sliding scale that takes into account—

(A) the relative poverty of the population to be targeted by the eligible entity; and

(B) the ability of the eligible entity to obtain such matching funds.

(3) **IN-KIND CONTRIBUTIONS.**—Each State educational agency that requires an eligible entity to match funds under this subsection shall permit the eligible entity to provide all or any portion of such match in the form of in-kind contributions.

(4) **CONSIDERATION.**—Notwithstanding this subsection, a State educational agency shall not consider an eligible entity's ability to match funds when determining which eligible entities will receive subgrants under this part.

(e) **PEER REVIEW.**—In reviewing local applications under this part, a State educational agency shall use a rigorous peer-review process or other methods of ensuring the quality of such applications.

(f) **GEOGRAPHIC DIVERSITY.**—To the extent practicable, a State educational agency shall distribute subgrant funds under this part equitably among geographic areas within the State, including urban and rural communities.

(g) **DURATION OF AWARDS.**—A subgrant awarded under this part shall be awarded for a period of not less than 3 years and not more than 5 years.

(h) **AMOUNT OF AWARDS.**—A subgrant awarded under this part may not be made in an amount that is less than \$50,000.

(i) **PRIORITY.**—

(1) **IN GENERAL.**—In awarding subgrants under this part, a State educational agency shall give priority to applications—

(A) proposing to target services to—

(i) students who primarily attend schools that—

(I) have been identified under [section 1111(d)] or other schools determined by the local educational agency to be in need of intervention and support to improve student academic achievement and other outcomes; and

(II) enroll students who may be at risk for academic failure, dropping out of school, involvement in criminal or delinquent activities, or who lack strong positive role models; and

(ii) the families of students described in clause (i);

(B) submitted jointly by eligible entities consisting of not less than 1—

(i) local educational agency receiving funds under part A of title I; and

(ii) another eligible entity; and

(C) demonstrating that the activities proposed in the application—

(i) are, as of the date of the submission of the application, not accessible to students who would be served; or

(ii) would expand accessibility to high-quality services that may be available in the community.

(2) **SPECIAL RULE.**—The State educational agency shall provide the same priority under paragraph (1) to an application submitted by a local educational agency if the local educational agency demonstrates that it is unable to partner with a community-based organization in reasonable geographic proximity and of sufficient quality to meet the requirements of this part.

(3) **LIMITATION.**—A State educational agency may not impose a priority or preference for eligible entities that seek to use funds made available under this part to extend the regular school day.

(j) **RENEWABILITY OF AWARDS.**—A State educational agency may renew a subgrant provided under this part to an eligible entity, based on the eligible entity's performance during the initial subgrant period fol-

lowing an eligible entity receiving a subgrant.

“SEC. 4205. LOCAL ACTIVITIES.

(a) **AUTHORIZED ACTIVITIES.**—Each eligible entity that receives an award under section 4204 may use the award funds to carry out a broad array of activities that advance student academic achievement and support student success, including—

(1) academic enrichment learning programs, mentoring programs, remedial education activities, and tutoring services, that are aligned with—

(A) State and local content and student academic achievement standards; and

(B) local curricula that are designed to improve student academic achievement;

(2) well-rounded education activities, including such activities that enable students to be eligible for credit recovery or attainment;

(3) literacy education programs, including financial literacy programs and environmental literacy programs;

(4) programs that support a healthy, active lifestyle, including nutritional education and regular, structured physical activity programs;

(5) services for individuals with disabilities;

(6) programs that provide after-school activities for students who are English learners that emphasize language skills and academic achievement;

(7) cultural programs;

(8) telecommunications and technology education programs;

(9) expanded library service hours;

(10) parenting skills programs that promote parental involvement and family literacy;

(11) programs that provide assistance to students who have been truant, suspended, or expelled to allow the students to improve their academic achievement;

(12) drug and violence prevention programs and counseling programs;

(13) programs that build skills in science, technology, engineering, and mathematics (referred to in this paragraph as “STEM”), including computer science, and that foster innovation in learning by supporting nontraditional STEM education teaching methods; and

(14) programs that partner with in-demand fields of the local workforce or build career competencies and career readiness and ensure that local workforce and career readiness skills are aligned with the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) and the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.).

(b) **MEASURES OF EFFECTIVENESS.**—

(1) **IN GENERAL.**—For a program or activity developed pursuant to this part to meet the measures of effectiveness, monitored by the State educational agency as described in section 4203(a)(14), such program or activity shall—

(A) be based upon an assessment of objective data regarding the need for before and after school or summer recess programs and activities in the schools and communities;

(B) be based upon an established set of performance measures aimed at ensuring the availability of high-quality academic enrichment opportunities;

(C) if appropriate, be based upon evidence-based research that the program or activity will help students meet [the challenging State academic standards and any local academic standards

(D) ensure that measures of student success align with the regular academic pro-

gram of the school and the academic needs of participating students and include performance indicators and measures described in section 4203(a)(14)(A); and (E) collect the data necessary for the measures of student success described in subparagraph (D).

(2) **PERIODIC EVALUATION.**—

(A) **IN GENERAL.**—The program or activity shall undergo a periodic evaluation in conjunction with the State educational agency's overall evaluation plan as described in section 4203(a)(14), to assess the program's progress toward achieving the goal of providing high-quality opportunities for academic enrichment and overall student success.

(B) **USE OF RESULTS.**—The results of evaluations under subparagraph (A) shall be—

(i) used to refine, improve, and strengthen the program or activity, and to refine the performance measures;

(ii) made available to the public upon request, with public notice of such availability provided; and

(iii) used by the State to determine whether a subgrant is eligible to be renewed under section 4204(j).

SEC. 4206. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part \$1,000,000,000 for fiscal year 2017, \$1,100,000,000 for each of fiscal years 2018 through 2020.”

[(b) **TRANSITION.**—The recipient of a multiyear grant award under part B of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7171 et seq.), as such Act was in effect on the day before the date of enactment of this Act, shall continue to receive funds in accordance with the terms and conditions of such award].

3. The Senate bill reauthorizes and makes minimal changes to the Elementary and Secondary School Counseling Program. The House amendment consolidates this program into the Local Academic Flexible Grant.

SR

4. The Senate bill reauthorizes and makes minimal changes to the Physical Education Program. The House amendment consolidates this program into the Local Academic Flexible Grant.

SR

5. The House amendment and the Senate bill include the Family Engagement in Education Programs in different titles.

HR/SR with an amendment to insert as “PART E”

6. The Senate bill and the House amendment have different section references, but include identical purposes for the program.

LC

7. The Senate bill and the House amendment include different section references, but identical “grants authorized” language.

LC

8. The Senate bill and the House amendment have different section numbers for the “applications” section.

LC

9. The House amendment, but not the Senate bill, includes an assurance in the application for the applicant to conduct adult literacy training in the community, including financial literacy.

SR

10. The Senate bill and the House amendment have different section references in the “use of funds” language.

LC

11. The House amendment, but not the Senate bill, includes a provision to teach parents about the harms of copyright piracy in addition to technology in the uses of funds.

HR

12. The Senate bill and House amendment have different section references in the “technical assistance” language.

LC

13. The Senate bill and House amendment have different section references in the title.

LC

13a. The Senate bill, but not the House amendment, includes Indian tribe and tribal organizations as eligible contractors.

HR

14. The Senate bill authorizes such sums for each year 2016–2021. The House amendment authorizes \$25,000,000 for each year 2016–2019.

HR with an amendment to strike “such sums as may be necessary” and insert “\$10,000,000” and strike “2016 through 2021” and insert “2017 through 2020”

TITLE V—CHARTER SCHOOLS

0. The charter school provisions use a different term for “English learners” than other provisions in the bill.

HR/SR Every reference to “Students who are English learners” should be changed to “English learners”

0a. The Senate bill and the House amendment refer to expansion and replication differently.

HR to use Senate language on “expansion and replication”

1. The House amendment moves the Charter Schools Program from Title V in current law to Title III Part A. The Senate bill maintains the program as Title V Part A.

HR/SR with an amendment to redesignate the charter school program as Part C of Title IV

2. The Senate bill strikes, redesignates, and replaces a number of sections of current law, while the House amendment strikes and replaces current law wholesale.

LC

3. The Senate bill and the House amendment have different section titles.

LC

3a. The House amendment, but not the Senate bill, contains a findings section.

HR

4. The House amendment, but not the Senate bill, includes a sense of Congress.

HR

5. The House amendment, but not the Senate bill, includes a purpose of the program to improve the United States education system and build a stronger America.

SR

6. The Senate bill uses the phrase “increase” the number of high quality charter schools, while the House amendment uses the word “expand”.

HR

7. The Senate bill and House amendment include different language regarding opportunities and referencing students.

HR

7a. The Senate bill has a reference to standards.

HR

8. The House amendment, but not the Senate bill, includes a program purpose to support quality accountability and transparency for authorizing entities.

SR with an amendment to strike “quality accountability” and insert “quality, accountability”

9. The Senate bill includes early childhood students, while the House amendment does not.

HR

10. The Senate bill and House amendment use slightly different wording in paragraph (1).

HR with an amendment to add “new” after “the startup of” and strike “the expansion of” and insert “to expand”

11. The Senate bill specifies the activities that will be carried out under (A), whereas the House amendment blankets these activities under the umbrella of “charter school development.”

HR with an amendment to add “new” after “the startup of” and strike “the expansion of” and insert “to expand”

12. The Senate bill uses slightly different wording than the House amendment, but has similar policy.

HR

13. The Senate bill and House amendment use different cross-references.

LC

14. The Senate bill and House amendment use different cross-references.

LC

15. The Senate bill reserves no less than 25 percent for a national activities competition, while the House amendment caps national activities at 10 percent.

HR with an amendment to strike “reserve not less than 25%” and insert “reserve 22.5%”

16. The Senate bill and House amendment use different cross-references.

LC

16a. The House amendment and Senate bill have different references to the reservation language.

LC

16b. The House amendment, but not the Senate bill, includes subpart 2.

HR

16c. The Senate bill and House amendment have different references to the bill name.

LC

17. The House amendment, but not the Senate bill, requires GAO to issue a report on the State use of administrative funds.

HR

18. The Senate bill and the House amendment use different section numbers.

LC

19. The House amendment moves the definition of eligible entity to Section 3103(i). The Senate bill and House amendment contain identical language.

LC

20. The Senate bill inserts the phrase “on a competitive basis”.

HR

21. The Senate bill and House amendment use different cross-references.

LC

22. The House amendment awards subgrants for “opening and preparing to operate”, charter schools, while the Senate bill uses a different structure.

SR with an amendment to strike paragraph (1) and insert: “(1) award subgrants to eligible applicants enable eligible applicants to—

(A) open and prepare for the operation of new charter schools;

(B) open and prepare for the operation of replicated high-quality charter schools; or

(C) expand high-quality charter schools; and

23. The Senate bill, but not the House amendment, lists specific activities that qualify as “improving authorizing quality”.

HR

24. The Senate bill and the House amendment use different cross-references.

LC

24a. The House amendment and the Senate bill have different titles for the subsection.

HR

25. The House amendment allows the State to set-aside funds for administrative costs, which may include technical assistance, whereas the Senate bill clarifies the same set-aside can address the administrative costs of technical assistance.

SR

26. The House amendment allows a state entity to carry out a subgrant competition and technical assistance directly through grants, contractors, or cooperative agreements, while the Senate bill only allows their use to provide technical assistance.

HR

27. The House amendment and the Senate bill use different wording in the rule of construction regarding lotteries.

SR with an amendment to strike “states” and insert “state entities, or prohibit State entities from awarding subgrants to eligible applicants”

28. The Senate bill and House amendment use different cross-references.

LC

29. The Senate bill, but not the House amendment, clarifies that the rule of construction does not prohibit schools from specializing in providing specific services for students with special needs.

HR

Report Language: “Subparagraph (B) allows a public charter school receiving funding under this section to specialize in providing specific services; however, Conferees do not intend inclusion of this language to allow for funding under this section to support the opening, replication, or expansion of public charter schools that intentionally seek to serve only children with disabilities, children with a specific disability classification, or other children with specific needs through use of exclusionary recruitment, enrollment, or retention policies or procedures. Conferees believe that charter schools specializing in specific services must adhere to all Federal and State statutory and regulatory requirements pertaining to student recruitment, enrollment, and retention.”

30. The Senate bill establishes a 3-year grant period with the possibility for a 2-year extension. The House amendment establishes a 5-year grant period.

SR

31. The Senate bill establishes a subgrant period of 3 years with the possibility of a 2-year extension, where planning time may not exceed 18 months. The House amendment caps subgrants at 5 years, but also contains an 18 month limit for planning and design.

SR

31a. The Senate bill uses “awarding subgrants”, but the House amendment uses “receiving a grant”

LC

32. The House amendment, but not the Senate bill, includes provisions outlining the number and amount of grants for the Secretary to disperse, as well as requirements for the Secretary to annually review how States are using their grant funds to assess if the Secretary should terminate or reduce the amount of grant funds.

SR with an amendment to strike paragraph (3) and insert the following:

(3) GRANT AWARDS.—

(A) IN GENERAL.—The Secretary—

(i) shall for each fiscal year for which funds are appropriated under 4311—

(I) award not less than 3 grants under this section; and

(II) fully obligate the first 2 years of funds appropriated for the purpose of awarding grants under this section in the first fiscal year for which such grants are awarded; and

(ii) prior to the start of the third year of the grant period and each succeeding year of each grant awarded under this section to a State entity—

(I) shall review—

(aa) whether the State entity is using the grant funds for the agreed upon uses of funds; and

(bb) whether the full amount of the grant will be needed for the remainder of the grant period; and

(II) may, as determined necessary based on that review, terminate or reduce the amount of the grant and reallocate the remaining grant funds to other State entities—

(aa) by using such funds to award grants under this section to other State entities; or

(bb) in a fiscal year in which the amount of such remaining funds is insufficient to award grants under item (aa), in accordance with subparagraph (B).

(B) REMAINING FUNDING.—In a fiscal year for which there are remaining grant funds under this paragraph, but the amount of such funds is insufficient to award a grant to a State entity under this section, the Secretary shall use such remaining grants funds to supplement funding for grants under section 4305(a)(2), but not to supplant—]

(i) the funds reserved under section 4305(a)(2); and]

(ii) funds otherwise reserved under section 4302(b)(2) to carry out national activities under section 4305.]

33. The Senate bill and the House amendment contain different titles, but similar wording for project diversity.

LC

33a. The Senate bill and House amendment use different words for awarding vs receiving.

LC

33b. The Senate bill and House amendment use different words for possible versus practicable and applicable.

HR

34. The Senate bill contains an additional provision that directs States to prioritize applicants that plan to serve students from low-income families.

SR

35. The Senate bill, but not the House amendment, clarifies that the waiver authority applies to charter schools supported under this part.

SR

35a. The House amendment and Senate bill have different cross-references.

LC

36. The Senate bill and House amendment contain similar grant limitations: a State cannot have more one than one grant awarded at a time.

LC

37. The Senate bill allows grantees to receive more than one subgrant during each grant period if it has “demonstrated a strong track record of positive results,” while the House amendment refers to “improved educational results.”

SR

38. The House amendment clarifies a distinct period (3 years) that is different than the total grant period (5 years) for demonstrating results, whereas the Senate bill maintains demonstration as “the course of the grant period”.

SR

39. The Senate bill and House amendment use a slightly different structure.

LC

40. The Senate bill and House amendment use different list structures.

LC

41. The House amendment, but not the Senate bill, requires an explanation of how the State will help all charter schools to meet the needs of students with disabilities and English learners. Similar requirements occur in section 5102(f)(1)(A)(x) of the Senate bill and in section 3103(e)(xi) of the House amendment.

SR

42. The House amendment, but the not Senate bill, requires an explanation of how the State will have clear plans and procedures to assist students in the case of a charter revocation or closure.

SR with an amendment to strike “have” and insert “ensure that public chartering agencies, in collaboration with surrounding local educational agencies where applicable, establish”

43. The Senate bill and House amendment use different list structures.

LC

44. The House amendment requires the entity to work with the SEA to “adequately” operate the State entity’s program “where” applicable, the Senate bill does not include “adequately” and says “if” applicable rather than “where”.

HR on “adequately.” LC on “if” vs “where”

45. The House amendment specifies the activities that an applicant will carry out under its program, while the Senate bill does not.

HR

46. The Senate bill references to opening and expanding schools and the House amendment does not.

SR with an amendment to strike subclause (I) and insert “(I) is using funds provided under this section for the activities described in subsection (b)(1);”

46a. The House amendment and the Senate bill use different cross-references.

LC

47. The House amendment, but not the Senate bill, specifies that the operation of the school will be continued in a way that is consistent with its application.

SR

48. The House amendment, but not the Senate bill, requires a description of how the entity will support school turnarounds.

HR/SR with an amendment to strike clause (vii) and insert the following:

(vii) support charter schools in local educational agencies identified by the State under section 1111(d), and the use of charter schools to improve, or in turning around, struggling schools;

49. The Senate bill and House amendment both require an explanation of retention and inclusion practices for all students. The House amendment specifically identifies foster and homeless students, and disciplinary practices.

HR/SR to strike paragraphs (viii) and (ix) and insert the following:

(viii) work with charter schools on—

(A) recruitment and enrollment practices to promote inclusion of all students, including by eliminating any barriers to enrollment for educationally disadvantaged students, (who include foster youth and unaccompanied homeless youth; and

(B) supporting all students once they are enrolled to promote retention, including by reducing the overuse of discipline practices that remove students from the classroom;

50. The Senate bill and House amendment both require an explanation of how the State will work with schools on recruitment practices. The House amendment additionally prohibits schools from having barriers (in the form of policies or procedures) for educationally disadvantaged students, and requires an explanation of how schools are in compliance with Federal and State laws on enrollment practices.

See note 49.

51. The Senate bill and House amendment both require explanations on how the state entity will share best practices. The House

amendment additionally includes enumerated course and subject materials (professional development in STEM, etc).

HR with an amendment to strike “among” and insert “between”

52. The Senate bill and House amendment use different list structures.

LC

53. The Senate bill and House amendment use different cross-references.

LC

54. The House amendment differentiates authorizing requirements for State entities that are a State educational agency, a State charter school board, or Governor of a State. [See below for Charter Support Organization (CSO) Applicants] The Senate bill requires an explanation of which actor in the state will be responsible for oversight of public chartering agencies, and includes a rule of construction regarding changing state law/practices.

SR with an amendment to add “how the State” after “(xiv)” and strike “actively”

55. House amendment differentiates authorizing requirements for State entities that are CSOs. The House amendment requires CSOs to participate State charter authorizer oversight activities. The Senate bill includes all applicants in the authorizing requirements in (B) See note 54.

SR

56. The House amendment, but not the Senate bill, requires a description of how the State entity will support the creation of secondary schools.

SR

57. The Senate bill and House amendment use different section references.

LC

58. The Senate bill and House amendment require information on how the State can carry out priorities and is working to develop a statewide system that supports charter schools, but use slightly different wording.

HR

59. The Senate bill requires a description of how the State entity will solicit input from parents and communities. The House amendment has them later in the bill. See notes 65 and 79.

SR

60. The House amendment, but note the Senate bill, requires the State to create a strategy to encourage relationships between charter schools and LEAs.

SR

61. The Senate bill and House amendment use slightly different language to describe the subgrant process.

LC

62. The Senate bill specifically refers to “charter management organizations” (CMOs), while the House amendment refers to “partner organizations.”

SR

63. The Senate bill and House amendment require descriptions of quality controls, and include contracts or performance agreements and inclusion of student achievement performance as potential examples. The Senate bill additionally includes financial audits and closure procedures as examples, while the House amendment refers to revocation and renewal procedures.

SR with an amendment strike “academic” before “accountability system” and add “and impact on student achievement (which may include student academic growth) after “system”

64. The Senate bill, but not the House amendment, requires a description of how autonomy and flexibility for charter schools

is consistent with the definition of a charter school.

HR

65. The House amendment requires subgrant applicants to solicit parental and community input. The Senate bill includes parental/community involvement language in section 5103(f)(1)(C)(iii) (see note 59). See also Selection Criteria for both Senate and House bills.

SR

66. The Senate bill and House amendment are similar, but use slightly different wording. The Senate bill refers to “fiscal sustainability” and the House amendment uses “financial sustainability”.

SR

67. The Senate bill requires applicants to describe parental engagement activities. No specific requirement exists in the House amendment.

SR with an amendment to insert the following:

(V) a description of how the eligible applicant will support the use of effective parent, family, and community engagement strategies to operate each charter school that will receive funds under the State entity’s program; and

68. The Senate bill includes “from eligible applicants” after applications.

LC

69. The House amendment refers to “State entity,” while the Senate bill uses “entity”.

SR

70. The Senate bill requires a description of how the State entity will help “address” transportation needs, while the House amendment uses “consider”.

HR/SR with an amendment to strike (F) and insert the following:

“(F) a description of how the State entity will ensure each charter school receiving funds under the State entity’s program have considered and planned for the transportation needs of the schools’ students; and”

71. The Senate bill, but not the House amendment, requires information about State open meetings and open records laws.

HR

72. The House amendment requires a description of how the State entity will support diverse charter models. The Senate bill includes no such provision.

SR

73. The House amendment requires “a description of how assurances will be met.” The Senate bill requires an assurance.

HR

74. The Senate bill, but not the House amendment, includes “autonomy in personnel decisions” under autonomy of budget and operations.

HR

75. The Senate bill and House amendment use different cross references (but both refer to identical language).

LC

76. The House amendment refers to the “State entity’s program” while the Senate bill refers to the “entity’s” program.

SR

77. The Senate bill, but not the House amendment, requires the State entity to hold authorizers accountable for ensuring that charter schools meet federal compliance requirements.

SR

78. The Senate bill and House amendment requires States to ensure authorizers will monitor recruitment and enrollment processes. The Senate bill also includes monitoring of “retaining” students and requires authorizes to provide technical assistance.

See 3103(2)(D) for similar technical assistance in the House amendment.

HR with an amendment to strike “and provides adequate technical assistance to”

79. The House amendment, but not the Senate bill, requires authorizers to have oversight of schools to ensure they solicit parent and community input.

HR

80. The House amendment, but not the Senate bill, requires that State entities provide adequate technical assistance to eligible entities to meet program objectives.

SR with an amendment to strike “and (ix)” after “(viii)” and strike paragraph (ii)

81. The House amendment requires States to provide technical assistance for recruiting, enrolling, and retaining “underserved students” at “rates similar to public schools,” while the Senate bill does not make this distinction. See sec. 5103(2)(C) for slightly similar provisions.

HR

82. The Senate bill and House amendment requires promoting quality authorizing, but the Senate bill clarifies this action to be consistent with State law.

HR

83. The House amendment requires the inclusion of measures as part of the annual assessment of performance data, as appropriate, whereas the Senate bill lists measures as examples.

SR

84. The House amendment, but not the Senate bill, requires a description of how the State entity will work to ensure that charter schools are included in decisionmaking.

SR

85. The Senate bill requires this info to be published on the school website, and must include parent contract requirements, financial obligations, and enrollment criteria.

HR with an amendment to strike “in the State” and insert “, receiving funds under the State entity’s program,”

86. The House amendment, but not the Senate bill, clarifies that annual performance data is not necessary if the results would reveal personally identifiable information and includes “any other information the State requires all public schools to be reported.”

HR with amendment to insert at the end of (E) “, except that such disaggregation shall not be required in a case in which the number of students in a group is insufficient to yield statically reliable information or the results would reveal personally identifiable information about an individual student”

87. The Senate bill and House amendment use slightly different wording.

SR

88. The House amendment refers to “the law”, while the Senate refers to “such law”.

HR

89. The Senate bill requires the Secretary to consider the actual number of schools to be opened and students served, whereas the House amendment uses the term “ambitiousness” of the State entity’s objectives for the program.

SR

90. The House amendment includes a selection criteria for quality strategies that assess achievement of program objectives.

HR

91. The Senate bill focuses on schools’ progress toward meeting the definition of a high-quality charter school, whereas the House amendment focuses on meeting applicant objectives.

SR

91a. The Senate bill and House amendment have different language on the State entity’s plan.

SR

92. Both the House amendment and the Senate bill require State entities to monitor subgrantees, but the House amendment uses the qualifier “adequate” to describe monitoring practices.

SR

93. The House amendment, but not the Senate bill, requires States to describe how they will avoid duplication of work.

SR

94. Both the House amendment and the Senate bill require States to describe plans for technical assistance, but the House amendment uses the qualifier “adequate” for technical assistance.

HR

94a. The House amendment and the Senate bill have different language in (I).

LC

95. The Senate bill and the House amendment use different list structures.

LC

95a. The Senate bill and the House amendment have different language regarding authorized public chartering agencies.

SR

95b. The Senate bill and the House amendment have different language regarding appeals.

HR

96. The House amendment, but not the Senate bill, gives priority to States without caps on charter schools.

HR

97. The Senate bill and the House amendment use slightly different wording.

SR

98. The House amendment, but not the Senate bill, requires a State entity to demonstrate that its State offers these opportunities.

HR

99. The Senate bill, but not the House amendment, lists the ability to share in bonds or mill levies.

HR

100. The House amendment, but not the Senate bill, gives priority to States that partner with organizations that have been successful in supporting statewide charter development.

HR

101. Both the House amendment and the Senate bill give priority to States that support charter schools that engage in dropout prevention activities, but the House amendment adds comprehensive career counseling practices.

SR

102. The Senate bill gives priority to States that offer charter schools a high degree of autonomy.

SR

103. The House amendment grants priority for States that authorize all charter schools to serve as school food authorities.

HR

104. The Senate bill uses “may include”, whereas the House amendment uses “such as” to describe allowable use of funds.

HR with an amendment to strike “may” and insert “shall” and to insert “one or more of the following activities—” after “include”

104a. The House amendment includes “open and prepare to operate”.

HR with an amendment to strike “carry out activities related to opening a new charter school, replicating a high-quality charter school, or expanding a high-quality charter school, which may include” and insert “support one or more of the activities described in subsection (b)(1), which shall include one or more of the following activities”

105. The Senate bill allows charter schools to use funding for “acquisition, expansion, or preparation” of a school building, while the House amendment allows funding to be used for necessary renovations and minor repairs.

HR/SR with an amendment to strike paragraphs (1) through (6) an insert the following:

(1) preparing teachers, school leaders, and specialized instructional support personnel, including through paying the costs associated with—

(A) providing professional development;

(B) hiring and compensating, during the eligible applicant’s planning period specified in the application for subgrant funds required under this section, one or more of the following—

(i) teachers,

(ii) School leaders; or

(iii) Specialized instructional support personnel;

(2) Acquiring supplies, training, equipment, including technology, and educational materials, including developing and acquiring instructional materials;

(3) Carrying out necessary renovations, including renovations to ensure that a new school building complies with applicable statutes and regulations, and minor facilities repair (excluding construction).

(4) Providing one-time, startup costs associated with providing transportation to students to and from the charter school;

(5) community engagement activities, which may include the cost of students and staff recruitment; or

(6) Providing for other appropriate, non-sustained costs related to planning, opening, and preparing to operate a new charter school, replicating a high-quality charter school, or expanding a high-quality charter school when such costs cannot be met from other sources.

106. The Senate bill allows funding to be used for hiring teachers, while the House amendment allows funding to be used for “preparing” teachers and school leaders. The Senate bill refers to professional development in (4).

See note 105.

107. The Senate bill, but not the House amendment, allows funding to be used to provide transportation.

See note 105.

108. Both the Senate bill and House amendment allow funding to be used for instructional materials and supplies. The Senate bill also allows funding to be used to hire additional nonteaching staff.

See note 105.

109. The Senate bill, but not the House amendment, includes a general use of funds allowance.

See note 105.

Report Language: “Conferees intend for subgrantees to be able to use funding to pay the costs associated with professional development, which may include training for charter school board members on how to fulfill their oversight, management, and governance responsibilities and effectively support charter schools.”

110. The Senate bill allows funding to be used for early childhood education programs, while the House amendment does not.

SR

111. While the Senate bill and House amendment have different grant period limits, reports under both bills are required at the end of the third year, and two years afterward (effectively).

SR

111a. The Senate bill and House amendment have different language in (1).

HR

112. The House amendment, but not the Senate bill, requires the State to report on how it met the State-determined objectives outlined in the State’s application.

SR

113. The Senate bill and House amendment contain similar language. The Senate bill additionally requires States to report on the amount of each subgrant awarded.

HR

114. The Senate bill and the House amendment contain similar language, although the House amendment requires States to report on their progress on all priorities, as applicable, whereas the Senate bill only requires reporting on some of those priorities.

HR/SR

114a. The Senate bill and the House amendment have different language in Senate (B) and House (5).

LC

115. The Senate bill requires reporting on subgrantee use of funds for early childhood programs, if applicable.

SR

116. The Senate bill and the House amendment have different section numbers.

LC

117. The Senate bill requires the Secretary to award not less than 3 grants. The House amendment does not contain a grant number directive, but does require the Secretary to consider the diversity of applications when awarding grants.

HR

118. The Senate bill, but not the House amendment, refers to applicant as eligible entity.

LC

119. The House amendment, but not the Senate bill, includes a reference to subsection (a).

LC

120. The Senate bill clarifies that predevelopment costs qualify as costs related to construction of new facilities.

SR

121. The Senate bill and the House amendment contain substantively identical language.

SR

122. The House amendment includes the applicable subsection [(e)].

LC

123. The House amendment clarifies the applicable section [(a)].

LC

124. The House amendment clarifies an exclusion for subsection (k).

SR

125. The Senate bill clarifies an exclusion for subsection (k), and the House amendment clarifies the applicable subsection [(a)].

SR

126. The House amendment clarifies the applicable subsection [(f)(1)].

SR

127. The House amendment, but not the Senate bill, clarifies that GEPA applies to recovery of funds.

LC

128. The House amendment, but not the Senate bill, includes a reference to U.S. Code.

LC

129. The Senate bill and House amendment are identical, but use different section references.

LC

129a. The House amendment and Senate bill have different language for supplement, not supplant language.

SR

130. The House amendment, but not the Senate bill, clarifies an exception for clause [(ii)].

HR

131. The House amendment, but not the Senate bill, contains provisions regarding States without per-pupil facilities aid programs specified in State law.

SR

132. The Senate bill directs the Secretary to reserve not less than 80 percent of funds for the CMO competition. The House amendment reserves not less than 75 percent for a grant competition to serve CMOs and applicants that did not apply/receive a grant under section 3103.

HR with an amendment to strike “less” and insert “more”

133. The Senate bill reserves the remainder of funds (essentially not more than 20%) for the remaining national activities. The House amendment directs the Secretary to reserve not more than 25% for the remaining national activities.

HR/SR with an amendment to insert the following:

(a) IN GENERAL.—From the amount reserved under section 4302(b)(2), the Secretary shall—

(1) use not more than 80 percent of such funds to award grants in accordance with subsection (b);

(2) use not more than 9 percent of such funds to award grants, on a competitive basis, to eligible applicants for the purpose of carrying out the activities described in section 4303(h) in—

(A) a State that did not apply for a grant under section 4303; or

(B) a State that did not receive a grant under section 4303; and

134. The Senate bill allows funding for national activities to be used to award grants to eligible applicants in states that did not receive a grant under section 5103. The House amendment includes this program in the CMO competition.

See note 133.

135. The Senate bill authorizes grants for CMOs and nonprofits to replicate and expand high-quality charter school models, whereas the House amendment also authorizes the grants for start-ups, and delineates allowable activities as defined under the State grant competition.

HR

136. The Senate bill and the House amendment both define eligible entities as CMOs, but the Senate bill also encompasses nonprofits overseeing CMOs, and the House amendment extends grants to eligible applicants in states that did not receive a grant, and does not extend eligibility to nonprofits.

HR with amendment to strike subparagraph (A)

137. The Senate bill outlines specific application requirements for grants available under this subsection, whereas the House amendment uses the same terms and conditions required under section 3103.

HR

138. The House amendment also reserves 75 percent of the subsection (b) grant competition for CMOs.

HR

139. The Senate bill and the House amendment selection criteria for subsection (b) grants are similar, but not identical.

HR/SR with amendment to read as follows:

(2) APPLICATION REQUIREMENTS.—An eligible entity desiring to receive a grant under this subsection shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

(A) EXISTING CHARTER SCHOOL DATA.—For each charter school currently operated or managed by the eligible entity—

(i) student assessment results for all students and for each category of students described in section 1111(b)(2)(B)(xi);

(ii) attendance and student retention rates for the most recently completed school year and, if applicable, the most recent available 4-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates (as such rates were calculated on the day before enactment of the Every Student Succeeds Act); and

(iii) information on any significant compliance and management issues encountered within the last 3 years by any school operated or managed by the eligible entity, including in the areas of student safety and finance.

(B) DESCRIPTIONS.—A description of—

(i) the eligible entity's objectives for implementing a high-quality charter school program with funding under this subsection, including a description of the proposed number of high-quality charter schools to be replicated or expanded with funding under this subsection.

(ii) the educational program that the eligible entity will implement in the charter schools that the eligible entity proposes to replicate or expand, including information on how the program will enable all students to meet the challenging State academic standards under section 1111(b)(1), the grade levels or ages of students who will be served, and the instructional practices that will be used.

(iii) how the operation of the charter schools to be replicated or expanded will be sustained after the grant under this subsection has ended, which shall include a multi-year financial and operating model for the eligible entity.

(iv) how the eligible entity will ensure schools that expand or replicate using funding provided under this section will recruit and enroll students, including children with disabilities, English learners, and other educationally disadvantaged students.

(v) any request and justification for any waivers of Federal statutory or regulatory requirements that the eligible entity believes are necessary for the successful operation of the charter schools to be replicated or expanded with funding under this subsection.

(C) ASSURANCES.—An assurance that the eligible entity has sufficient procedures in effect to ensure timely closure of low-performing or financially mismanaged charter schools and clear plans and procedures in effect for the students in such schools to attend other high-quality schools; and

(3) SELECTION CRITERIA.—The Secretary shall select eligible entities to receive grants under this subsection, on the basis of the quality of the applications submitted under paragraph (2), after taking into consideration such factors as—

(A) the degree to which the eligible entity has demonstrated success in increasing academic achievement for all students and for each of the [subgroup] of students defined in section 1111(b)(3)(A) attending the charter schools the eligible entity operates or manages;

(B) a determination that the eligible entity has not operated or managed a significant proportion of charter schools that—

(i) have been closed;

(ii) have had a school charter revoked due to problems with statutory or regulatory compliance; or

(iii) have had the school's affiliation with the eligible entity revoked or removed, including through voluntary disaffiliation; and

(C) a determination that the eligible entity has not experienced significant problems with statutory or regulatory compliance that could lead to the revocation of a school's charter; and

(4) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to eligible entities that—

(A) plan to operate or manage high-quality charter schools with racially and socioeconomically diverse student bodies;

(B) demonstrate success in working with schools identified for improvement by the State;

(C) propose to replicate high-quality charter school that are secondary schools or expand high-quality charter school models to serve secondary school students; or

(D) propose to operate or manage high-quality charter schools that focus on dropout recovery and academic reentry.

140. The Senate bill and House amendment allow grants to be made on the basis of the quality of the application submitted. The Senate bill provides more detail on the application requirements under (2). See note 137.

See note 139.

141. The Senate bill includes selection criteria for demonstrated success in student achievement for all students.

See note 139.

142. The House amendment includes selection criteria for the number of network schools that meet the definition of a high-quality charter school.

See note 139.

143. Both the Senate bill and House amendment require considering the demonstrated success in serving educationally disadvantaged students, and the Senate bill extends this provision to each of the categories of students and includes a cross-reference.

See note 139.

144. The House amendment, but not the Senate bill, requires the Secretary consider whether the applicant has school closure procedures.

See note 139.

145. The Senate bill, but not the House amendment, requires the Secretary to consider the applicant's financial and operational model.

See note 139.

146. The Senate bill and House amendment require the Secretary to take into account whether the applicant has managed unsuccessful charter schools, but use different wording to describe such charter schools.

See note 139.

147. The Senate bill, but not the House amendment, requires a determination regarding statutory or regulatory compliance.

See note 139.

148. The House amendment, but not the Senate bill, requires the Secretary to consider the applicant's demonstrated success working with schools identified for improvement.

See note 139.

149. The Senate bill, but not the House amendment, prioritizes applicants serving high numbers of disadvantaged students.

See note 139.

150. The Senate bill and House amendment use different cross-references.

LC

151. The House amendment, but not the Senate bill, includes the manner in which the Secretary may award grants.

HR

152. The Senate bill, but not the House amendment, adds new subsection (c) to ex-

plain how Title I, Part A funding should be calculated for a new or significantly expanding charter schools.

HR

153. The Senate bill amends the definition of a charter school, while the House amendment moves the definition of a charter school to Title VI.

HR

154. The Senate bill includes the term "operates or manages multiple" while the House amendment includes "manages a network of" in the definition of charter management organization.

SR with an amendment to add "operates or" after "organization that"

155. The Senate bill specifies a minimum threshold of 50 percent or adding 2 or more grades for determining whether a high-quality charter school has expanded. The House amendment uses the term "significantly" increased and specifies adding 1 or more grades.

SR

156. The House amendment does not contain the qualifier "student".

HR

157. The House amendment includes cross reference to Title I requirements.

HR

158. The Senate bill and House amendment use different cross-references.

HR with an amendment to strike "categories of students, as defined in section 1111(b)(3)(A)" and insert "subgroups of students, as defined in section 1111(c)(2)"

159. The Senate bill, but not the House amendment, includes a requirement that replicated charter schools must be operated or managed by the same nonprofit organization.

SR

160. The Senate bill authorizes "such sums" annually through 2021, while the House amendment authorizes \$300 million annually through 2019.

HR/SR with an amendment to read as follows:

SEC. 5111. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out the activities of this part, \$270,000,000 for fiscal year 2017, \$270,000,000 for fiscal year 2018, \$300,000,000 for fiscal year 2019, \$300,000,000 for fiscal year 2020.

TITLE V—MAGNETS NOTES

1. The Senate bill redesignates Part C as Part B of Title V and redesignates sections accordingly throughout, while the House amendment redesignates Part C as subpart 2 of Title III.

HR/SR with amendment to redesignate as part D of Title IV

2. The Senate bill includes the findings in current law, while the House amendment strikes such findings.

HR with amendment to strike "2,000,000" and insert "2,500,000" and strike "65" and insert "69"

3. The Senate bill, but not the House amendment, adds socioeconomic integration to this purpose in paragraph (1).

SR

4. The Senate bill, but not the House amendment, adds "expansion" in addition to development and implementation.

HR

5. The Senate bill refers to "challenging" standards, and references standards under Title I.

HR

6. The Senate bill, but not the House amendment, adds "expansion" in addition to development and design.

HR

7. The Senate uses the phrase “enter the workforce without the need for postsecondary education” while the House amendment refers to “postsecondary education or employment”.

SR

8. The Senate bill, but not the House amendment, inserts language about ethnic and socioeconomic backgrounds.

SR

9. The House amendment, but not the Senate bill, refers to authorized appropriations for the program.

HR

10. The Senate bill, but not the House amendment, adds a requirement to submit any available evidence of increasing integration.

HR with an amendment to insert “or if such evidence is not available, a rationale, based on current research, for” before “how the proposed magnet school”

11. The Senate bill, but not the House amendment, adds a requirement to submit evidence to support this description.

SR with an amendment to insert “including any evidence, or if such evidence is not available, a rationale based on current research findings, to support such description.” at the end of (B)

12. The Senate bill, but not the House amendment, adds a description of how the applicant will monitor the impact of funded activities.

HR

13. The Senate bill makes a technical edit.

LC

14. The Senate bill and House amendment make similar modifications referring to “effective” rather than “highly qualified” teachers.

LC

15. The Senate bill expands anti-discrimination requirements to cover current actions.

SR

16. The Senate bill makes a technical edit.

LC

17. The Senate bill makes a technical edit.

LC

18. The Senate bill adds evidence-based priorities for creating new, or revising, and expanding magnet school programs.

HR/SR with an amendment to insert the following:

(2) propose to—

(A) carry out a new, evidence-based magnet school program;

(B) significantly revise an existing magnet school program, using evidence-based methods and practices, as available; or

(C) expand or replicate an existing magnet school program that has a demonstrated record of success in increasing student academic achievement, and reducing isolation of minority groups

(3) propose to select students to attend magnet school programs by methods such as lottery, rather than through academic examination; and

(4) propose to increase racial integration by taking into account socioeconomic diversity in designing and implementing magnet school programs

19. The Senate bill makes a technical edit.

HR

20. The Senate bill, but not the House amendment, adds an additional use of funds to establish, expand, or strengthen inter-district magnet programs.

HR with an amendment to insert the following after paragraph (8):

(9) to provide transportation to and from the magnet school, provided that such trans-

portation is sustainable beyond the grant period.

21. The Senate bill and the House amendment contain similar language, but the House amendment lists out specific academic courses, whereas the Senate bill refers to academic, career, or technological skills and professional skills.

SR

22. The Senate bill refers to “challenging” standards, and references standards under Title I.

HR

23. The Senate bill, but not the House amendment, provides for a possible two year grant renewal.

SR with an amendment to strike “3” and insert “5” in (a) and strike (c) and insert the following:

(c) AMOUNT.—No grant awarded under this part to a local educational agency, or consortium of such agencies, shall be for more than \$15,000,000 for the grant period referred to in subsection (a)

24. The Senate bill, but not the House amendment, changes the award month to June.

HR

25. The House amendment redesignates section 5310 as section 3127, while the Senate bill strikes this evaluation in entirety.

HR

26. The Senate bill authorizes the program at such sums as may be necessary. The House amendment moves this provision to Section 3 and authorizes funding at \$91,600,000.

HR with amendment to strike “such sums as may be necessary for each of fiscal years 2016 through 2021” and insert “\$94,000,000 for fiscal year 2017, \$96,820,000 for fiscal year 2018, \$102,387,150 for fiscal year 2019, \$108,530,379 for fiscal year 2020”

27. The Senate bill, but not the House amendment, adds an allowable reservation for technical assistance.

HR with an amendment to strike “carry out dissemination projects” and insert “share best practices”

28. The House amendment and Senate bill refer to different cross references for authorized appropriations for the program.

HR

TITLE V PART C—PROGRAMS

1. The Senate bill, but not the House amendment, authorizes the Supporting High-Ability Learners and Learning program.

HR with an amendment to insert the following as a new Title IV Part [F]:

SEC. 4XXX. SUPPORTING HIGH-ABILITY LEARNERS AND LEARNING.

[a] PURPOSE.—The purpose of this section is to promote a coordinated program, to be known as the ‘Jacob K. Javits Gifted and Talented Students Education Program’, of evidence-based research, demonstration projects, innovative strategies, and similar activities designed to build and enhance the ability of elementary schools and secondary schools nationwide to identify gifted and talented students and meet their special educational needs.]

(b) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—The Secretary (after consultation with experts in the field of the education of gifted and talented students) shall make awards to, or enter into contracts with, State educational agencies, local educational agencies, the Bureau of Indian Education, institutions of higher education, other public agencies, and other private agencies and organizations to assist such agencies, institutions, or organizations, or the Bureau, in carrying out programs or

projects to fulfill the purpose described in section 4641(a)(3), including the training of personnel in the identification and education of gifted and talented students and in the use, where appropriate, of gifted and talented services, materials, and methods for all students.

(2) APPLICATION.—Each entity seeking assistance under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may reasonably require. Each application shall describe how—

(A) the proposed identification methods, as well as gifted and talented services, materials, and methods, can be adapted, if appropriate, for use by all students; and

(B) the proposed programs can be evaluated.

(c) USES OF FUNDS.—Programs and projects assisted under this section may include each of the following:

(1) Conducting evidence-based research on methods and techniques for identifying and teaching gifted and talented students and for using gifted and talented programs and methods to identify and provide the opportunity for all students to be served, particularly low-income and at-risk students.

(2) Establishing and operating programs and projects for identifying and serving gifted and talented students, including innovative methods and strategies for identifying and educating students who may not be served by traditional gifted and talented programs (such as summer programs, mentoring programs, peer tutoring programs, service learning programs, and cooperative learning programs involving business, industry, and education).

(3) Providing technical assistance and disseminating information, which may include how gifted and talented programs and methods may be adapted for use by all students, particularly low-income and at-risk students.

(d) CENTER FOR RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—The Secretary (after consultation with experts in the field of the education of gifted and talented students) may establish a National Research Center for the Education of Gifted and Talented Children and Youth through grants to, or contracts with, one or more institutions of higher education or State educational agencies, or a combination or consortium of such institutions and agencies and other public or private agencies and organizations, for the purpose of carrying out activities described in subsection (c).

(2) DIRECTOR.—The National Center shall be headed by a Director. The Secretary may authorize the Director to carry out such functions of the National Center as may be agreed upon through arrangements with institutions of higher education, State educational agencies, local educational agencies, or other public or private agencies and organizations.

(e) COORDINATION.—Evidence-based activities supported under this section—

(1) shall be carried out in consultation with the Institute of Education Sciences to ensure that such activities are coordinated with and enhance the research and development activities supported by the Institute; and

(2) may include collaborative evidence-based activities which are jointly funded and carried out with such Institute.

(f) GENERAL PRIORITY.—In carrying out this section, the Secretary shall give highest priority to programs and projects designed to—

(1) develop new information that—

(A) improves the capability of schools to plan, conduct, and improve programs to identify and serve gifted and talented students; or

(B) assists schools in the identification of, and provision of services to, gifted and talented students (including economically disadvantaged individuals, individuals who are English learners, and children with disabilities) who may not be identified and served through traditional assessment methods; or

(2) implement evidence-based activities, defined in this section as activities that meet the requirements of [section 8101(23)(A)(i).]

(g) **PARTICIPATION OF PRIVATE SCHOOL CHILDREN AND TEACHERS.**—In making grants and entering into contracts under this section, the Secretary shall ensure, where appropriate, that provision is made for the equitable participation of students and teachers in private nonprofit elementary schools and secondary schools, including the participation of teachers and other personnel in professional development programs serving such students.

(h) **REVIEW, DISSEMINATION, AND EVALUATION.**—The Secretary shall—

(1) use a peer-review process in reviewing applications under this section;

(2) ensure that information on the activities and results of programs and projects funded under this section is disseminated to appropriate State educational agencies, local educational agencies, and other appropriate organizations, including nonprofit private organizations; and

(3) evaluate the effectiveness of programs under this section in accordance with section 8601, in terms of the impact on students traditionally served in separate gifted and talented programs and on other students, and submit the results of such evaluation to Congress not later than 2 years after the date of enactment of the Every Student Succeeds Act.

(i) **PROGRAM OPERATIONS.**—The Secretary shall ensure that the programs under this section are administered within the Department by a person who has recognized professional qualifications and experience in the field of the education of gifted and talented students and who shall—

(1) administer and coordinate the programs authorized under this section;

(2) serve as a focal point of national leadership and information on the educational needs of gifted and talented students and the availability of educational services and programs designed to meet such needs;

(3) assist the Director of the Institute of Education Sciences in identifying research priorities that reflect the needs of gifted and talented students; and

(4) disseminate, and consult on, the information developed under this section with other offices within the Department.”

2. The Senate bill, but not the House amendment, authorizes the Education Innovation and Research program. See note 78.

HR with an amendment to insert the following as a new Title IV Part [F]:

SEC. 4611. GRANTS FOR EDUCATION INNOVATION AND RESEARCH.

(a) **PROGRAM AUTHORIZED.**—

(1) **IN GENERAL.**—From funds reserved under section 4601(b)(2)(A), the Secretary shall make grants to eligible entities to enable the eligible entities to—

(A) develop, implement, replicate, or scale entrepreneurial, evidence-based, field-initiated innovations to improve student achievement and attainment for high-need students; and

(B) rigorously evaluate such innovations.

(2) **DESCRIPTION OF GRANTS.**—The grants described in paragraph (1) shall include—

(A) early-phase grants to fund the development, implementation, and feasibility testing of a program, which prior research suggests has promise, for the purpose of determining whether the program can successfully improve student achievement or attainment for high-need students;

(B) mid-phase grants to fund implementation and a rigorous evaluation of a program that has been successfully implemented under an early-phase grant described in subparagraph (A) or other effort meeting similar criteria, for the purpose of measuring the program's impact and cost effectiveness, if possible using existing administrative data; and

(C) expansion grants to fund implementation and a rigorous replication evaluation of a program that has been found to produce sizable, important impacts under a mid-phase grant described in subparagraph (B) or other effort meeting similar criteria, for the purposes of—

(i) determining whether such impacts can be successfully reproduced and sustained over time; and

(ii) identifying the conditions in which the program is most effective.

(b) **ELIGIBLE ENTITY.**—In this subpart, the term ‘eligible entity’ means any of the following:

(1) A local educational agency.

(2) A State educational agency.

(3) The Bureau of Indian Education.

(4) A consortium of State educational agencies or local educational agencies.

(5) A State educational agency, a local educational agency, or the Bureau of Indian Education, in partnership with—

(A) a nonprofit organization;

(B) a business;

(C) an educational service agency; or

(D) an institution of higher education.

(c) **RURAL AREAS.**—In awarding grants under subsection (a), the Secretary shall ensure that not less than 25 percent of the funds made available for any fiscal year are awarded for programs that meet both of the following requirements:

(1) The grantee is—

(A) a local educational agency with an urban-centric district locale code of 32, 33, 41, 42, or 43, as determined by the Secretary;

(B) a consortium of such local educational agencies; or

(C) an educational service agency or a nonprofit organization in partnership with such a local educational agency.

(2) A majority of the schools to be served by the program are designated with a school locale code of 32, 33, 41, 42, or 43, or a combination of such codes, as determined by the Secretary.

(d) **MATCHING FUNDS.**—In order to receive a grant under subsection (a), an eligible entity shall demonstrate that the eligible entity will provide matching funds in an amount equal to 10 percent of the funds provided under such grant, except that the Secretary may waive the matching funds requirement, on a case-by-case basis, upon a showing of exceptional circumstances, such as—

(1) the difficulty of raising matching funds for a program to serve a rural area;

(2) the difficulty of raising matching funds in areas with a concentration of local educational agencies or schools with a high percentage of students aged 5 through 17—

(A) who are in poverty, as counted in the most recent census data approved by the Secretary;

(B) who are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

(C) whose families receive assistance under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or

(D) who are eligible to receive medical assistance under the Medicaid program; and

(3) the difficulty of raising funds in designated tribal areas.

(e) **EVALUATION.**—Each recipient of a grant under this section shall conduct an independent evaluation of the effectiveness of the program carried out with a grant under this section carried out under subsection (a)(1).

(f) **TECHNICAL ASSISTANCE.**—The Secretary may reserve not more than 5 percent of the funds appropriated under section 4601(b)(2)(A) for each fiscal year to provide technical assistance for eligibility entities, which may include pre-application workshops and web-based seminars, and to disseminate best practices.

3. The Senate bill, but not the House amendment, authorizes the Accelerated Learning program. See note 78.

SR

4. The Senate bill, but not the House amendment, authorizes the Ready-to-Learn program. See note 78.

HR with an amendment to insert the following as a new Title IV Part [F]:

SEC. 4XXX. READY TO LEARN PROGRAMMING.

(a) **AWARDS TO PROMOTE SCHOOL READINESS THROUGH READY TO LEARN PROGRAMMING.**—

(1) **IN GENERAL.**—Awards made to eligible entities described in paragraph (3) to fulfill the purpose described in section 4641(a)(2) shall—

[(A) be known as ‘Ready to Learn Programming awards’; and]

(B) be used to—

(i) develop, produce, and distribute educational and instructional video programming for preschool and elementary school children and their parents in order to facilitate student academic achievement;

(ii) facilitate the development, directly or through contracts with producers of children's and family educational television programming, of educational programming for preschool and elementary school children, and the accompanying support materials and services that promote the effective use of such programming;

(iii) facilitate the development of programming and digital content containing Ready-to-Learn-based children's programming and resources for parents and caregivers that is specially designed for nationwide distribution over public television stations' digital broadcasting channels and the Internet;

(iv) contract with entities (such as public telecommunications entities) so that programming developed under this section are disseminated and distributed to the widest possible audience appropriate to be served by the programming, and through the use of the most appropriate distribution technologies; and

(v) develop and disseminate education and training materials, including interactive programs and programs adaptable to distance learning technologies, that are designed—

(I) to promote school readiness; and

(II) to promote the effective use of materials developed under clauses (ii) and (iii) among parents, teachers, Head Start providers, providers of family literacy services,

child care providers, early childhood development personnel, elementary school teachers, public libraries, and after-school program personnel caring for preschool and elementary school children.

(2) **AVAILABILITY.**—In awarding or entering into grants, contracts, or cooperative agreements under this section, the Secretary shall ensure that eligible entities described in paragraph (3) make programming widely available, with support materials as appropriate, to young children, parents, child care workers, Head Start providers, and providers of family literacy services to increase the effective use of such programming.

(3) **ELIGIBLE ENTITIES.**—To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity shall be a public telecommunications entity that is able to demonstrate each of the following:

(A) A capacity for the development and national distribution of educational and instructional television programming of high quality that is accessible by a large majority of disadvantaged preschool and elementary school children.

(B) A capacity to contract with the producers of children's television programming for the purpose of developing educational television programming of high quality.

(C) A capacity, consistent with the entity's mission and nonprofit nature, to negotiate such contracts in a manner that returns to the entity an appropriate share of any ancillary income from sales of any program-related products.

(D) A capacity to localize programming and materials to meet specific State and local needs and to provide educational outreach at the local level.

(4) **COORDINATION OF ACTIVITIES.**—An entity receiving a grant, contract, or cooperative agreement under this section shall consult with the Secretary and the Secretary of Health and Human Services—

(A) to maximize the utilization of quality educational programming by preschool and elementary school children, and make such programming widely available to Federally funded programs serving such populations; and

(B) to coordinate activities with Federal programs that have major training components for early childhood development, including programs under the Head Start Act (42 U.S.C. 9831 et seq.) and State training activities funded under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), regarding the availability and utilization of materials developed under paragraph (1)(B)(v) to enhance parent and child care provider skills in early childhood development and education.

(b) **APPLICATIONS.**—To be eligible to receive a grant, contract, or cooperative agreement under subsection (a), an entity shall submit to the Secretary an application at such time and in such manner as the Secretary may reasonably require. The application shall include—

(1) a description of the activities to be carried out under this section;

(2) a list of the types of entities with which such entity will enter into contracts under subsection (a)(1)(B)(iv);

(3) a description of the activities the entity will undertake widely to disseminate the content developed under this section; and

(4) a description of how the entity will comply with subsection (a)(2).

(c) **REPORTS AND EVALUATIONS.**—

(1) **ANNUAL REPORT TO SECRETARY.**—An entity receiving a grant, contract, or cooperative agreement under this section shall pre-

pare and submit to the Secretary an annual report. The report shall describe the program activities undertaken with funds received under the grant, contract, or cooperative agreement, including each of the following:

(A) The programming that has been developed, directly or indirectly, by the eligible entity, and the target population of the programming.

(B) The support and training materials that have been developed to accompany the programming, and the method by which the materials are distributed to consumers and users of the programming.

(C) The means by which programming developed under this section has been distributed, including the distance learning technologies that have been utilized to make programming available, and the geographic distribution achieved through such technologies.

(D) The initiatives undertaken by the entity to develop public-private partnerships to secure non-Federal support for the development, distribution, and broadcast of educational and instructional programming.

(2) **REPORT TO CONGRESS.**—The Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a biannual report that includes the following:

(A) A summary of the activities assisted under subsection (a).

(B) A description of the education and training materials made available under subsection (a)(1)(B)(v), the manner in which outreach has been conducted to inform parents and child care providers of the availability of such materials, and the manner in which such materials have been distributed in accordance with such subsection.

(d) **ADMINISTRATIVE COSTS.**—An entity that receives a grant, contract, or cooperative agreement under this section may use up to 5 percent of the amount received under the grant, contract, or agreement for the normal and customary expenses of administering the grant, contract, or agreement.

(e) **FUNDING RULE.**—Not less than 60 percent [of the amount used by the Secretary to carry out this section] for each fiscal year shall be used to carry out activities under clauses (ii) through (iv) of subsection (a)(1)(B).

5. The Senate bill and House amendment have different names for these programs.

HR/SR with an amendment to strike.

6. The Senate bill, but not the House amendment, enumerates specific purposes for this program.

HR/SR with an amendment to strike.

7. The House amendment, but not the Senate bill, includes findings.

HR/SR with an amendment to strike.

8. The Senate bill, but not the House amendment, defines “digital learning”.

HR/SR with an amendment to strike.

9. The House amendment, but not the Senate bill, defines the term “eligible partnership”.

HR/SR with an amendment to strike.

10. The Senate bill, but not the House amendment, defines the term “eligible technology”.

HR/SR with an amendment to strike.

11. The House amendment, but not the Senate bill, defines the term “school partner”.

HR/SR with an amendment to strike.

12. The House amendment, but not the Senate bill, defines the term “digital learning partner”.

HR/SR with an amendment to strike.

13. The Senate bill, but not the House amendment, defines the term “technology readiness survey”.

HR/SR with an amendment to strike.

14. The House amendment, but not the Senate bill, defines the term “evaluation partner”.

HR/SR with an amendment to strike.

15. The House amendment, but not the Senate bill, defines the term “universal design for learning”.

HR/SR with an amendment to strike.

16. The House amendment, but not the Senate bill, defines the term “institution of higher education”.

HR/SR with an amendment to strike.

17. The House amendment, but not the Senate bill, defines the term “local educational agency”.

HR/SR with an amendment to strike.

18. The House amendment, but not the Senate bill, defines the term “Secretary”.

HR/SR with an amendment to strike.

19. The Senate bill, but not the House amendment, contains restrictions concerning the E-Rate program.

HR/SR with an amendment to strike.

20. The Senate bill authorizes grants to States for the purposes of subgranting on a competitive or formula basis depending on appropriated levels. The House amendment authorizes a competitive grant program directly to eligible partnerships.

HR/SR with an amendment to strike.

21. The Senate bill, but not the House amendment, specifies grant reservations.

HR/SR with an amendment to strike.

22. The House amendment sets grant period parameters between 3-5 years. The Senate bill is silent on grant period descriptions—both for grants and subgrants—but requires the Secretary to make grants for each fiscal year.

HR/SR with an amendment to strike.

23. The House amendment names the school as the fiscal agent. The Senate bill directs grants to State educational agencies.

HR/SR with an amendment to strike.

24. The Senate bill, but not the House amendment, defines minimum allotment requirements to States.

HR/SR with an amendment to strike.

25. The Senate bill, but not the House amendment, defines reallocation requirements.

HR/SR with an amendment to strike.

26. The Senate bill, but not the House amendment, requires a State match of funding from non-federal sources.

HR/SR with an amendment to strike.

27. The Senate bill, but not the House amendment, allows for an exception to the State match requirement.

HR/SR with an amendment to strike.

28. The Senate bill and House amendment have different lead-ins to the application contents.

HR/SR with an amendment to strike.

29. The Senate bill, but not the House amendment, requires a description on promoting college and career readiness, including with isolated populations.

SR

30. The Senate bill, but not the House amendment, requires a description on professional development on personalized learning and open educational resources.

SR

31. The Senate bill, but not the House amendment, requires a description on building infrastructure.

SR

32. The Senate bill, but not the House amendment, requires an assurance that each

local educational agency will conduct a technology readiness survey.

SR

33. The Senate bill, but not the House amendment, requires an assurance on interoperable technology systems.

SR

34. The Senate bill, but not the House amendment, requires an assurance on making content widely available.

SR

35. The Senate bill, but not the House amendment, requires a description on how the state will award subgrants.

SR

36. The Senate bill, but not the House amendment, requires a description on how the state will evaluate program impact.

SR

37. The Senate bill, but not the House amendment, requires an assurance on consultation with local educational agencies.

SR

38. The Senate bill, but not the House amendment, requires an assurance on matching funds.

SR

39. The Senate bill, but not the House amendment, requires an assurance on privacy.

SR

40. The Senate bill, but not the House amendment, requires an assurance that funding will supplement, not supplant Federal, State, or local funds.

SR

41. The House amendment, but not the Senate bill, requires a description of the eligible partnership.

SR

42. The House amendment, but not the Senate bill, requires a description on technology-based learning.

SR

43. The House amendment, but not the Senate bill, requires an assurance on relevant teacher licensure requirements.

SR

44. The House amendment, but not the Senate bill, requires an assurance on student access to equipment.

HR

45. The House amendment, but not the Senate bill, requires an assurance on parental consent.

HR

46. The House amendment, but not the Senate bill, requires a description about the need, quality, and strength of partnership experience, and quality of evaluation.

HR

47. The House amendment, but not the Senate bill, requires a description on how the evaluation complies with IES evaluation design.

HR

48. The House amendment, but not the Senate bill, requires a description on the program evaluation design that meets the parameters required under this part. See note 71.

HR

49. The House amendment, but not the Senate bill, requires a description on the number of students receiving benefits.

HR

50. The House amendment gives the Secretary discretion to add to the program application.

HR/SR with an amendment to strike.

51. The House amendment, but not the Senate bill, requires a peer review process for reviewing applications.

HR

52. The House amendment requires the Secretary to enforce grant diversity. The Senate bill contains no similar provision in requirements for subgrants.

HR

53. The House amendment, but not the Senate bill, contains Selection Criteria.

HR

54. The House amendment requires dedicated funding for rural schools. The Senate bill does not contain a rural set-aside, but does prioritize schools serving rural areas. See sec. 5706 (a)(2) on Senate priorities for subgrantees.

HR/SR with an amendment to strike.

55. The Senate bill defines specific uses of funds for States. The House amendment does not contain any similar provisions.

SR

56. The Senate bill allows State grantees to reserve 10 percent of grant funds for statewide activities. The House amendment does not contain any similar provisions.

SR

57. The Senate bill defines specific uses of funds for State grantees. The House amendment does not contain any similar provisions.

SR

58. The Senate bill, but not the House amendment, contains parameters around State purchasing consortia.

SR

59. The Senate bill, but not the House amendment, requires competitive or formula subgrants depending on appropriations.

SR

60. The Senate bill details requirements on the subgrant application. The House amendment does not contain a subgrant competition. See section 905 for information on the House amendment grant application.

HR/SR with an amendment to strike.

61. The Senate bill prescribes local uses of funds for subgrantees. The House amendment prescribes uses for funds for eligible partnerships.

HR/SR with an amendment to strike.

62. The Senate bill requires not less than 25 percent of funds to be used for technology infrastructure. The House amendment uses different wording, includes examples, and does not specify a percentage for infrastructure.

HR/SR with an amendment to strike.

63. The Senate bill, but not the House amendment, allows a State to modify the percentage of funds for technology infrastructure.

SR

64. The Senate bill, but not the House amendment, allows local educational agencies to form purchasing consortium.

SR

65. The Senate bill allows funding to be used for blended learning projects. The House amendment contains no similar provision but includes blended learning language in the Local Academic Flexible grant.

HR/SR with an amendment to strike.

66. The House amendment, but not the Senate bill, includes examples of practices and strategies to be used to inform instruction.

HR

67. The House amendment, but not the Senate bill, requires funds to be used for students with specific educational needs.

HR

68. The House amendment, but not the Senate bill, includes examples of tools, courses, and strategies to help students develop 21st Century skills.

HR

69. The House amendment, but not the Senate bill, includes examples of online courses.

HR

70. The Senate bill, but not the House amendment, requires a report submitted to the Secretary on the status of the State's plan, the type of technology acquired, and the activities funded under this section. See note 71 on the report on the evaluation.

SR

71. The House amendment requires partnerships to complete an independent evaluation of the grant activities. The Senate bill does not require such an evaluation, although the bill does require a report to the Secretary on grant activities.

HR

72. The Senate bill authorizes the program at such sums. The House amendment does not include an authorization.

HR/SR with an amendment to strike.

73. The Senate bill, but not the House amendment, authorizes the Literacy and Arts Education program. See note 78.

HR with an amendment to insert the following as a new Title IV Part (F):

“SEC. 4642. ASSISTANCE FOR ARTS EDUCATION.

(a) AWARDS TO PROVIDE ASSISTANCE FOR ARTS EDUCATION.—

(1) IN GENERAL.—Awards made to eligible entities to fulfill the purpose described in section 4641(a)(1), shall be used for a program (to be known as the ‘Assistance for Arts Education program’) to promote arts education for disadvantaged students and students who are children with disabilities, through activities such as—

(A) professional development for arts educators, teachers, and principals;

(B) development and dissemination of instructional materials and arts-based educational programming, including online resources, in multiple arts disciplines; and

(C) community and national outreach activities that strengthen and expand partnerships among schools, local educational agencies, communities, or national centers for the arts.

(b) CONDITIONS.—As conditions of receiving assistance made available under this section, the Secretary shall require each eligible entity receiving such assistance—

(1) to coordinate, to the extent practicable, each project or program carried out with such assistance with appropriate activities of public or private cultural agencies, institutions, and organizations, including museums, arts education associations, libraries, and theaters; and

(2) to use such assistance only to supplement, and not to supplant, any other assistance or funds made available from non-Federal sources for the activities assisted under this subpart.

(c) CONSULTATION.—In carrying out this section, the Secretary shall consult with Federal agencies or institutions, arts educators (including professional arts education associations), and organizations representing the arts (including State and local arts agencies involved in arts education).

(d) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

(A) a local educational agency in which 20 percent or more of the students served by the local educational agency are from families with an income below the poverty line;

(B) a consortium of such local educational agencies;

(C) the Bureau of Indian Education; or

(D) an eligible national nonprofit organization.

(2) ELIGIBLE NATIONAL NONPROFIT ORGANIZATION.—The term ‘eligible national nonprofit organization’ means an organization of national scope that—

(A) is supported by staff, which may include volunteers, or affiliates at the State and local levels; and

(B) demonstrates effectiveness or high-quality plans for addressing arts education activities for [disadvantaged students or students who are children with disabilities]

74. The Senate bill, but not the House amendment, authorizes the Early Learning Alignment and Improvement Grants program. See note 78.

HR with an amendment to strike and insert the following in Title IX as a new Part [X]:

SEC. ____ 1. PRESCHOOL DEVELOPMENT GRANTS.

Part of title IX, as added by section [____], is further amended by adding at the end the following:

“Subpart 5—Preschool Development Grants

“SEC. [9xxx]. PURPOSES; DEFINITIONS.

(a) **PURPOSES.**—The purposes of this subpart are—

(1) to assist States to develop, update, or implement a strategic plan that facilitates collaboration and coordination among existing programs of early childhood care and education in a mixed delivery system across the State designed to prepare low-income and vulnerable children to enter kindergarten; and

(2) to improve transitions from such system into the local educational agency or elementary school that enrolls such children,

(3) to accomplish the purposes described in in (1) and (2) by—

(A) more efficiently using Federal, State, local, and non-governmental resources existing when the State applies for a grant under this subpart to align and strengthen delivery of existing programs;

(B) coordinating the delivery models and funding streams existing when the State applies for a grant under this subpart in the mixed delivery system; and

(C) developing recommendations to better utilize existing resources, as of the date of receipt of a grant under this subpart in order to improve—

(i) the overall participation of children in a mixed delivery system of Federal, State, and local early childhood education programs;

(ii) program quality, while maintaining availability of services;

(iii) parental choice among existing programs; and

(iv) school readiness for children from low-income families, including during such children's transition into elementary school;

(4) to encourage partnerships among Head Start providers, State and local governments, Indian tribes and tribal organizations, and private entities (including faith- and community-based entities), and local educational agencies, to improve coordination, program quality, and delivery of services; and

(5) to maximize parental choice among a mixed delivery system of early childhood education program providers.

(b) **DEFINITIONS.**—In this subpart:

(1) **CENTER OF EXCELLENCE IN EARLY CHILDHOOD.**—The term ‘Center of Excellence in Early Childhood’ means a Center of Excellence in Early Childhood designated under section 657B(b) of the Head Start Act (42 U.S.C. 9852b(b)).

(2) **EARLY CHILDHOOD EDUCATION PROGRAM.**—The term ‘early childhood education program’ has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(3) **EXISTING PROGRAM.**—The term ‘existing program’ means a Federal, State, local, or

privately funded early childhood education program that was operating in the State at any time on or after date of enactment of the [____ Act of ____] through funds that were not provided by a grant under this section.

(4) **MIXED DELIVERY SYSTEM.**—The term ‘mixed delivery system’ means multiple types of entities that deliver early childhood education programs (including Head Start, licensed family and center-based child care programs, public schools, and community-based organizations) through both public and private funds, in a variety of programmatic and organizational structures. [Note: As written, this will require the system to have both public and private funding.]

(5) **SECRETARY.**—The term ‘Secretary’ means the Secretary of Health and Human Services

(6) **STATE ADVISORY COUNCIL.**—The term ‘State Advisory Council’ means a State Advisory Council on Early Childhood Education and Care designated or established under section 642B(b)(1)(A) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)).

“SEC. [4652]. PROGRAM AUTHORIZED.

(a) **GRANTS AUTHORIZED.**—

(1) **IN GENERAL.**—From amounts made available under section [9xxx] to the Secretary, jointly with the Secretary of Education, shall award grants, on a competitive basis, to States to enable the States to carry out the activities described in subsection (d).

(2) **DURATION OF GRANTS.**—A grant awarded under paragraph (1) shall be for a period of not more than 1 year and may be renewed by the Secretary, jointly with the Secretary of Education under subsection (e)

(3) **MATCHING REQUIREMENT.**—Each State that receives a grant under this section shall provide funds from non-Federal sources (which may be provided in cash or in kind) to carry out the activities supported by the grant, in an amount equal to not less than 30 percent of the amount of the grant.

(b) **INITIAL APPLICATION.**—A State desiring a grant under subsection (a)(1) shall submit an application at such time and in such manner as the Secretary may reasonably require. The application shall contain—

(1) an identification of the State entity that the Governor of the State has appointed to be responsible for duties under this section;

(2) a description of how such State entity proposes to accomplish the activities described in subsection (d) and meet the purposes of this subpart, including—

(A) a timeline for strategic planning activities; and

(B) a description of how activities described in subparagraph (A) and subsection (d), will increase participation of children from low-income families in high-quality early childhood education programs as a result of the grant;

(3) a description of the Federal, State, and local existing programs in the State for which such State entity proposes to facilitate collaboration and coordination activities, as required under subsection (d) including—

(A) programs carried out under the Head Start Act (42 U.S.C. 9801 et seq.), including the Early Head Start programs carried out under such Act (42 U.S.C. 9801 et seq.);

(B) child care programs carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) or section 418 of the Social Security Act (42 U.S.C. 618); and

(C) other Federal, State, local, and Indian tribe or tribal organization programs of early learning, childhood education, child

care, and development operating in the State, as of the date of the application for the grant, including programs operated by Indian tribes and tribal organizations, and private entities (including faith- and community-based entities);

(4) a description of how the State, in collaboration with Centers of Excellence in Early Childhood, if appropriate, will provide technical assistance and disseminate best practices;

(5) a description of how the State plans to sustain the activities described in subsection (d) with non-Federal sources after such funds are no longer available

(6) a description of how the State will work with the State Advisory Council and Head Start collaboration office.

(c) **SELECTION CRITERIA.**—In awarding grants under subsection (a), the Secretary shall—

(1) award grants to States that have met the application requirements under subsection (b);

(2) to the extent practicable, ensure an equitable geographic distribution of grants, including urban, suburban, and rural distribution;

(3) assure that a State has a mixed delivery system in place as of the date of the award; and

(4) give priority to—

(A) a State that has not received a preschool development grant for development or expansion under section 14006 of the America Reinvestment and Recovery Act of 2009 (20 U.S.C. 10006);

(B) a State that has not previously received a grant under this section; and

(C) a State that will use the grant funds for evidence-based activities, defined as meeting the requirements of subclauses (I), (II), or (III) of section 8101(23)(A)(i).

(d) **USE OF FUNDS.**—A State, acting through the State entity appointed under subsection (b)(1), that receives a grant under subsection (a)(1) shall use the grant funds for all of the following activities:

(1) Conducting a periodic statewide needs assessment concerning—

(A) the availability and quality of existing programs in the State, including such programs serving the most vulnerable or underserved populations and children in rural areas;

(B) to the extent practicable, the unduplicated number of children served in existing programs; and

(C) to the extent practicable, the unduplicated number of children awaiting service in such programs

(2) Developing a strategic plan that recommends collaboration, coordination, and quality improvement activities (including activities to improve the transition into elementary school) among existing programs in the State and local educational agencies. Such plan shall include information that—

(A) identifies opportunities for, and barriers to, collaboration and coordination among existing programs in the State, including among State, local, and tribal (if applicable) agencies responsible for administering such programs;

(B) recommends partnership opportunities among Head Start providers, local educational agencies, State and local governments, Indian tribes and tribal organizations, and private entities (including faith- and community-based entities) that would improve coordination, program quality, and delivery of services;

(C) builds on existing plans and goals with respect to early childhood education programs, including improving coordination and

collaboration among such programs, as of the date the grant was awarded, of the State Advisory Council while incorporating new or updated Federal, State, and local statutory requirements, including—

(i) the requirements of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.); and

(ii) when appropriate, information found in the report required under section 13 of the Child Care and Development Block Grant Act of 2014 (Public Law 113-186; 128 Stat. 2002); and

(D) describes how accomplishing the activities described in subparagraphs (A) through (C) will better serve children and families in existing programs and how such activities will increase the overall participation of children in the State.

(3) Maximizing parental choice and knowledge about the State's existing mixed delivery system of early childhood education programs and providers by—

(A) ensuring parents are provided information about the variety of early childhood education programs for children from birth to kindergarten entry in the State's mixed delivery system.

(B) promoting and increasing involvement by parents and family members, including families of disadvantaged youth, in the development of their children and the transition from an existing program into an elementary school.

(4) Sharing best practices between early childhood education program providers in the State to increase collaboration and efficiency of services, including to improve transitions from such programs to elementary school.

(5) After activities under paragraphs (1) and (2) have been completed, improving the overall quality of early childhood education programs in the State, including by developing and implementing evidence-based practices, defined as meeting the requirements of subclauses (I), (II), or (III) of section 8101 (23)(A)(i), to improve professional development for early childhood education providers and educational opportunities for children.

(e) RENEWAL GRANTS.—

(1) IN GENERAL.—The Secretary, jointly with the Secretary of Education, may use funds available under section [9xxx] to award renewal grants, to States described in paragraph (2) to enable such States to continue activities described in subsection (d) or to carry out additional activities described in paragraph (5).

(2) ELIGIBLE STATES.—A State is eligible for a grant under paragraph (1) if—

(A) the State has received a grant under subsection (a)(1) and the grant period has concluded; or

(B)(i) the State has received a preschool development grant for development or expansion under section 14006 of the America Reinvestment and Recovery Act of 2009 (20 U.S.C. 10006) and the grant period for such grant has concluded; and

(ii) the Secretary allows such State to apply directly for a renewal grant under this subsection, rather than an initial grant under subsection (a)(1) if the State submits with its application the needs analysis completed under the preschool development grant, updated, as necessary to respond to current needs, in place of the activities under subsection (d).

(3) DURATION OF GRANTS.—A grant awarded under this subsection shall be for a period of not more than 3 years and may not be renewed by the Secretary or the Secretary of Education.

(4) APPLICATION.—A State described in paragraph (2) that desires a grant under this subsection shall submit an application for renewal at such time and in such manner as the Secretary may reasonably require. The application shall contain—

(A) applicable information required in subsection (b), updated by the State as necessary determined the State;

(B) in the case of a State described in paragraph (2)(A), a description of how funds were used for the activities described in subsection (d) in the initial grant period and the extent to which such activities will continue to be supported in the renewal period;

(C) in the case of a State described in paragraph (2)(B), how a needs assessment completed prior to the date of the application, such as the needs analysis completed under the preschool development grant and updated as necessary in accordance with paragraph (2)(B)(ii), will be sufficient information to inform the use of funds under this subsection, and a copy of such needs assessment;

(D) a description of how funds will be used for the activities described in paragraph (5) during the renewal grant period, if the State proposes to use grant funds for such activities; and

(E) a description of how the State plans to sustain the activities described in subsection (d) and paragraph (5) with non-Federal sources after such funds are no longer available.

(5) ADDITIONAL ACTIVITIES.—

(A) IN GENERAL.—Each State that receives a grant under this subsection may use grant funds to award subgrants to existing programs in a mixed delivery system across the State designed to benefit low-income and vulnerable children prior to entering kindergarten, to—

(i) enable the existing programs to implement identified areas of improvement as determined by the State through use of funds under subsection (d); and

(ii) as determined through the use of funds under subsection (d), expand access to such existing programs; or

(iii) develop new programs to address the needs of children and families eligible for, but not currently served by such programs, if the State ensures—

(I) the distribution of subgrants under this paragraph supports a mixed delivery system; and

(II) funds made available under this paragraph shall be used to supplement, and not supplant, any other Federal, State, or local funds that would otherwise be available to carry out the activities assisted under this section.

(B) PRIORITY.—In awarding subgrants under this subsection, a State shall prioritize identified activities of improvement in the existing State mixed delivery system of early childhood education, as of the date of award of the subgrant, that would improve services for low-income and vulnerable children living in rural areas.

(C) SPECIAL RULE.—A State receiving a renewal grant under this subsection that elects to award subgrants under this paragraph shall not—

(i) for the first year of the renewal grant, use more than 60 percent of the grant funds available for such year to award such subgrants; and

(ii) for each of the second and third years of the renewal grant, use more than 75 percent of the grant funds available for such year to award subgrants.

(f) STATE REPORTING.—

(1) INITIAL GRANTS.—A State that receives an initial grant under subsection (a)(1) shall submit a final report to the Secretary not later than 6 months after the end of the grant period. The report shall include—

(A) a description of how, and to what extent, funds were utilized for activities described in subsection (d) and any other activities through which funds were used to meet purposes of this subpart;

(B) a description of strategies undertaken at the State level and, if applicable, local or program level, to implement recommendations in the strategic plan developed under subsection (d)(2);

(C) a description of any new partnerships among Head Start providers, State and local governments, Indian tribes and tribal organizations, and private entities (including faith- and community-based) and how these partnerships improve coordination and delivery of services;

(D) if applicable, the degree to which the State used information from the report required under section 13 of the Child Care and Development Block Grant Act of 2014 to inform activities, and how this information was useful in coordinating and collaborating among programs and funding streams;

(E) the extent to which activities funded by the initial grant led to the blending or braiding of other public and private funding;

(F) how information about existing programs for children from birth to kindergarten entry was disseminated to parents and families, and how involvement by parents and family was improved; and

(G) other State-determined and voluntarily provided information to share best practices regarding early childhood education programs, and coordination of such programs.

(2) RENEWAL GRANTS.—A State receiving a renewal grant under subsection (e) shall submit a follow-up report to the Secretary not later than 6 months after the end of the grant period that includes—

(A) the updated information described in paragraph (1); and (B) if applicable, information on how the State was better able to serve children through the distribution of funds in accordance with subsection (e)(5), through—

(i) a description of the activities conducted through the use of subgrant funds, including, where appropriate, measurable areas of program improvement and better utilization of existing resources; and

(ii) best practices from the utilization of subgrant funds, including how to better serve the most vulnerable, underserved, and rural populations.

(g) LIMITATIONS ON FEDERAL INTERFERENCE.—Nothing in this subpart shall be construed to authorize the Secretary or the Secretary of Education to establish any criterion for grants made under this section that specifies, defines, or prescribes—

(1) early learning and development guidelines, standards, or specific assessments, including the standards or measures that States use to develop, implement, or improve such guidelines, standards, or assessments;

(2) specific measures or indicators of quality early learning and care, including—

(A) the systems that States use to assess the quality of early childhood education programs and providers, school readiness, and achievement; and

(B) the term 'high-quality' as it relates to early learning, development, or care;

(3) early learning or preschool curriculum, programs of instruction, or instructional content;

(4) teacher and staff qualifications and salaries;

(5) class sizes and ratios of children to instructional staff;

(6) any criterion a program is required to meet to benefit from activities under this section;

(7) the scope of programs, including length of program day and length of program year; and

(8) any aspect or parameter of a teacher, principal, other school leader, or staff evaluation system within a State, local educational agency, or early childhood education program.

(h) **RULE OF CONSTRUCTION.**—Nothing in this subpart shall be construed to authorize the Secretary, the Secretary of Education, the State, or another governmental agency to alter requirements for existing programs for which coordination and alignment activities are recommended under this section, or to force programs to adhere to any recommendations developed through this program. The Secretary, the Secretary of Education, State, or agency may only take an action described in this subsection as otherwise authorized under Federal, State, and local laws.

(i) **RULE OF CONSTRUCTION.**—Nothing in this subpart shall be construed to authorize the Secretary of Education to have sole decision-making or regulatory authority in carrying out the activities under this subpart.

Sec. 2. REVIEW OF FEDERAL EARLY CHILDHOOD EDUCATION PROGRAMS.

(a) **IN GENERAL.**—The Secretary of Health and Human Services, in consultation with the heads of all Federal agencies that administer Federal early childhood education programs, shall conduct an interdepartmental review of all early childhood education programs for children less than 6 years of age in order to

(1) Develop a plan for the elimination of overlapping programs, as identified by the Government Accountability Office's 2012 annual report (GAO-12-342SP);

(2) Determine if the activities conducted by States using grant funds from preschool development grants under section 9207 have led to better utilization of resources; and

(3) Make recommendations to Congress for streamlining all such programs.

(b) **REPORT AND UPDATES.**—The Secretary of Health and Human Services, in consultation with the heads of all Federal agencies that administer Federal early childhood education programs, shall—

(1) Not later than 2 years after the date of enactment of this Act, prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a detailed report that—

(A) Outlines the efficiencies that can be achieved by, and specific recommendations for, eliminating overlap and fragmentation among all Federal early childhood education programs;

(B) Explains how the use by States of preschool development grant funds under section 9207 has led to the better utilization of resources; and

(C) Builds upon the review of Federal early learning and care programs required under section 13 of the Child Care and Development Block Grant Act of 2014 (Public Law 113-186; 128 Stat. 2002); and

(2) Annually prepare and submit to such Committees a detailed update of the report described in paragraph (1).

“SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to the Secretary of Health and Human Services to carry out this subpart \$250,000,000 for each of fiscal years 2017 through 2020. [Note: This authorization should be moved up into section 9xxx, with the other authorizations for this part, when incorporated into Title IX (National Activities).]”

Report Language: “The Conferees intend for Preschool Development Grants to be jointly administered by the Department of Health and Human Services and the Department of Education. Recognizing the expertise that the Department of Education has in helping States develop and expand early learning programs, the Conferees expect that the Department of Education will be an equal partner with the Department of Health and Human Services in decision making around the selection of grantees, communicating with States, and providing technical assistance to States throughout the grant process in order to increase the quality of and overall participation of children in early childhood education programs.”

75. The Senate bill, but not the House amendment, authorizes the Innovation Schools Demonstration Authority. See note 78.

SR

76. The Senate bill, but not the House amendment, authorizes the Full-Service Community Schools program. See note 78.

HR with an amendment to insert the following as a new Title IV Part [F]:

SEC. 4 XXX. FULL-SERVICE COMMUNITY SCHOOLS.

(a) **APPLICATION.**—An eligible entity that desires a grant under this subpart for activities described in this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The Secretary shall require that each such application include the following:

(1) A description of the eligible entity.

(2) A memorandum of understanding among all partner entities that will assist the eligible entity to coordinate and provide pipeline services and that describes the roles the partner entities will assume.

(3) A description of the capacity of the eligible entity to coordinate and provide pipeline services at 2 or more full-service community schools.

(4) A comprehensive plan that includes descriptions of the following:

(A) The student, family, and school community to be served, including information about demographic characteristics.

(B) A needs assessment that identifies the academic, physical, nonacademic, health, mental health, and other needs of students, families, and community residents.

(C) Annual measurable performance objectives and outcomes, including an increase in the number and percentage of families and students targeted for services each year of the program, in order to ensure that children are—

(i) prepared for kindergarten;

(ii) achieving academically; and

(iii) safe, healthy, and supported by engaged parents.

(D) Pipeline services, including existing and additional pipeline services, to be coordinated and provided by the eligible entity and its partner entities, including an explanation of—

(i) why such services have been selected;

(ii) how such services will improve student academic achievement; and

(iii) how such services will address annual measurable performance objectives and outcomes established under subparagraph (C).

(E) Plans to ensure that each full-service community school site has full-time coordination and management of pipeline services at such school, including a description of the applicable funding sources, plans for professional development for the personnel managing, coordinating, or delivering pipeline services, and plans for joint utilization and management of school facilities.

(F) Plans for periodic evaluation based upon attainment of the performance objectives and outcomes described in subparagraph (C).

(G) Plans for sustaining the programs and services described in this subsection after the grant period.

(5) An assurance that the eligible entity and its partner entities will focus services on schools eligible for a schoolwide program under section 1114(b).

(b) **PRIORITY.**—In awarding grants under this subpart for activities described in this section, the Secretary shall give priority to eligible entities that—

(1)(A) will serve a minimum of 2 or more full-service community schools eligible for a schoolwide program under section 1114(b), as part of a community- or district-wide strategy; or

(B) include a local educational agency that satisfies the requirements of—

(i) subparagraph (A), (B), or (C) of section [5311(b)(1)]; or

(ii) subparagraphs (A) and (B) of section [5321(b)(1)];

(2) will be connected to a consortium comprised of a broad representation of stakeholders or a consortium demonstrating a history of effectiveness; and

(3) will use funds for evidence-based activities described in subsection (e), defined for purposes of this paragraph as activities that meet the requirements of section [8101(23)(A)(i)].

(c) **PLANNING.**—The Secretary may authorize an eligible entity receiving a grant under this subpart for activities described in this section to use not more than 10 percent of the total amount of grant funds for planning purposes.

(d) **MINIMUM AMOUNT.**—The Secretary may not award a grant under this subpart for activities described in this section to an eligible entity in an amount that is less than \$75,000 for each year of the grant period, subject to the availability of appropriations.

(e) **USE OF FUNDS.**—Grants awarded under this subpart for activities described in this section shall be used to—

(1) coordinate not less than 3 existing pipeline services, and provide not less than 2 additional pipeline services, at 2 or more public elementary schools or secondary schools;

(2) integrate multiple services into a comprehensive, coordinated continuum to achieve the annual measurable performance objectives and outcomes under subsection (a)(4)(C) to meet the holistic needs of children; and

(3) if applicable, coordinate and integrate services provided by community-based organizations and government agencies with services provided by specialized instructional support personnel.

(f) **EVALUATIONS BY THE INSTITUTE OF EDUCATION SCIENCES.**—The Secretary, acting through the Director of the Institute of Education Sciences, shall conduct evaluations on the effectiveness of grants under this subpart for activities described in this section in achieving the purpose described in section 4621(2).

(g) **EVALUATIONS BY GRANTEES.**—The Secretary shall require each eligible entity receiving a grant under this subpart for activities described in this section—

(1) to conduct periodic evaluations of the progress achieved with the grant toward the purpose described in section 4621(2);

(2) to use such evaluations to refine and improve activities carried out through the grant and the annual measurable performance objectives and outcomes under subsection (a)(4)(C); and

(3) to make the results of such evaluations publicly available, including by providing public notice of such availability.

(h) **CONSTRUCTION CLAUSE.**—Nothing in this section shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or local educational agency employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.

(i) **SUPPLEMENT, NOT SUPPLANT.**—Funds made available to an eligible entity through a grant under this subpart for activities described in this section may be used only to supplement, and not supplant, any other Federal, State, or local funds that would otherwise be available to carry out the activities assisted under this section.

77. The Senate bill, but not the House amendment, authorizes the Promise Neighborhoods program. **See note 78.**

HR/SR with amendment to strike and insert the following as a new Title IV Part [X]: SEC. 4XXX. PROMISE NEIGHBORHOODS.

(a) **APPLICATION REQUIREMENTS.**—An eligible entity desiring a grant under this subpart for activities described in this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require, including, at a minimum, all of the following:

(1) A plan to significantly improve the academic outcomes of children living in a neighborhood that is served by the eligible entity—

(A) by providing pipeline services that address the needs of children in the neighborhood, as identified by the needs analysis described in paragraph (4); and

(B) that is supported by evidence-based practices.

(2) A description of the neighborhood that the eligible entity will serve.

(3) Measurable annual objectives and outcomes for the grant, in accordance with the metrics described in subsection (h), for each year of the grant.

(4) An analysis of the needs and assets of the neighborhood identified in paragraph (1), including—

(A) the size and scope of the population affected;

(B) a description of the process through which the needs analysis was produced, including a description of how parents, families, and community members were engaged in such analysis;

(C) an analysis of community assets and collaborative efforts (including programs already provided from Federal and non-Federal sources) within, or accessible to, the neighborhood, including, at a minimum, early learning opportunities, family and student supports, local businesses, and institutions of higher education;

(D) the steps that the eligible entity is taking, at the time of the application, to address the needs identified in the needs analysis; and

(E) any barriers the eligible entity, public agencies, and other community-based organizations have faced in meeting such needs.

(5) A description of all data that the entity used to identify the pipeline services to be provided and how the eligible entity will—

(A) collect data on children served by each pipeline service; and

(B) increase the percentage of children served over time.

(6) A description of the process used to develop the application, including the involvement of family and community members.

(7) A description of how the pipeline services will facilitate the coordination of the following activities:

(A) Providing early learning opportunities for children, including by—

(i) providing opportunities for families to acquire the skills to promote early learning and child development; and

(ii) ensuring appropriate diagnostic assessments and referrals for children with disabilities and developmental delays, consistent with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), where applicable.

(B) Supporting, enhancing, operating, or expanding rigorous and comprehensive evidence-based educational improvements, which may include high-quality academic programs, expanded learning time, and programs and activities to prepare students for postsecondary education admissions and success.

(C) Supporting partnerships between schools and other community resources with an integrated focus on academics and other social, health, and familial supports.

(D) Providing social, health, nutrition, and mental health services and supports, for children, family, and community members, which may include services provided within the school building.

(E) Supporting evidence-based programs that assist students through school transitions, which may include expanding access to postsecondary education courses and postsecondary education enrollment aid or guidance, and other supports for at-risk youth.

(8) A description of the strategies that will be used to provide pipeline services (including a description of which programs and services will be provided to children, family members, community members, and children within the neighborhood) to support the purpose described in section 4621(1).

(9) An explanation of the process the eligible entity will use to establish and maintain family and community engagement, including—

(A) involving representative participation by the members of such neighborhood in the planning and implementation of the activities of each grant awarded under this subpart for activities described in this section;

(B) the provision of strategies and practices to assist family and community members in actively supporting student achievement and child development;

(C) providing services for students, families, and communities within the school building; and

(D) collaboration with institutions of higher education, workforce development centers, and employers to align expectations and programming with postsecondary education and workforce readiness.

(10) An explanation of how the eligible entity will continuously evaluate and improve the continuum of high-quality pipeline services to provide for continuous program improvement and potential expansion.

(b) **PRIORITY.**—In awarding grants for activities described in this section, the Sec-

retary shall give priority to eligible entities that will use funds under subsection (d) for evidence-based activities, which, for purposes of this [subsection], is defined as activities meeting the requirement of [section 8101(23)(A)(i)].

(c) **MEMORANDUM OF UNDERSTANDING.**—As eligible entity shall, as part of the application described in subsection (a), submit a preliminary memorandum of understanding, signed by each partner entity or agency described in section 4622(1)(A)(3) (if applicable) and detailing each partner's financial, programmatic, and long-term commitment with respect to the strategies described in the application.

(d) **USES OF FUNDS.**—Each eligible entity that receives a grant under this subpart to carry out a program of activities described in this section shall use the grant funds to—

(1) support planning activities to develop and implement pipeline services;

(2) implement the pipeline services; and

(3) continuously evaluate the success of the program and improve the program based on data and outcomes.

(e) **SPECIAL RULES.**—

(1) **FUNDS FOR PIPELINE SERVICES.**—Each eligible entity that receives a grant under this subpart for activities described in this section shall, for the first and second year of the grant, use not less than 50 percent of the grant funds to carry out the activities described in subsection (d)(1).

(2) **OPERATIONAL FLEXIBILITY.**—Each eligible entity that operates a school in a neighborhood served by a grant program under this subpart for activities described in this section shall provide such school with the operational flexibility, including autonomy over staff, time, and budget, needed to effectively carry out the activities described in the application under subsection (a).

(3) **LIMITATION ON USE OF FUNDS FOR EARLY CHILDHOOD EDUCATION PROGRAMS.**—Funds provided under this subpart for activities described in this section that are used to improve early childhood education programs shall not be used to carry out any of the following activities:

(A) Assessments that provide rewards or sanctions for individual children or teachers.

(B) A single assessment that is used as the primary or sole method for assessing program effectiveness.

(C) Evaluating children, other than for the purposes of improving instruction, classroom environment, professional development, or parent and family engagement, or program improvement.

(f) **Report.**—Each eligible entity that receives a grant under this subpart for activities described in this section shall prepare and submit an annual report to the Secretary, which shall include—

(1) information about the number and percentage of children in the neighborhood who are served by the grant program, including a description of the number and percentage of children accessing each support or service offered as part of the pipeline services; and

(2) information relating to the performance metrics described in subsection (h).

(g) **Publicly Available Data.**—Each eligible entity that receives a grant under this subpart for activities described in this section shall make publicly available, including through electronic means, the information described in subsection (f). To the extent practicable, such information shall be provided in a form and language accessible to parents and families in the neighborhood served under the grant, and such information shall be a part of statewide longitudinal data systems.

(h) PERFORMANCE METRICS.—

(1) IN GENERAL.—Each eligible entity that receives a grant under this subpart for activities described in this section shall collect data on performance indicators of pipeline services and family and student supports and report the results to the Secretary, who shall use the results as a consideration in continuing grants after the third year of the initial grant period and in awarding grant renewals.

(2) INDICATORS.—The performance indicators shall address the entity's progress toward significantly improving the academic and developmental outcomes of children living in the most distressed communities of the United States from birth through postsecondary education and career entry, including ensuring school readiness, high school graduation, and postsecondary education and career readiness for such children, through—

(A) the use of data-driven decision making; and

(B) access to a community-based continuum of high-quality services, beginning at birth.

(i) EVALUATION.—The Secretary shall reserve not more than 5 percent of the funds made available under section 4601(b)(2)(A) to provide technical assistance and evaluate the implementation and impact of the activities funded under this section, in accordance with section 8601.

78. The House amendment, but not the Senate bill, authorizes a Local Academic Flexible Grant in Title III, Part B of the House amendment.

HR**TITLE VI—INNOVATION AND FLEXIBILITY**

1. The Senate bill, but not the House amendment, inserts purposes for Title VI.

SR

2. The House repeals Title VI.

HR

3. The Senate bill and House amendment both strike subpart 1 of Part A of Title VI.

LC

4. The Senate bill and House amendment both strike subpart 4 of Part A of Title VI.

LC

5. That Senate bill redesignates subpart 2 as subpart 1. The House amendment strikes subpart 2 of Part A of Title VI.

HR

6. The Senate bill allows SEAs and LEAs to transfer Title II Part A, Title IV Part A, and funding from the I-TECH program between program titles or into Title I. The House amendment allows funding within Title I to be transferred to other programs within Title I, but repeals section 6113. See note 5.

HR/SR with an amendment to read as follows:

(3) by amending section 5102, as redesignated by paragraph (2), to read as follows:

SEC. 5102. PURPOSE.

The purpose of this part is to allow States and local educational agencies the flexibility to target Federal funds to the programs and activities that most effectively address the unique needs of States and localities.”

(4) in section 5103, as redesignated by paragraph (2)—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A)—

(aa) by striking “subpart” and inserting “part”; and

(bb) by striking “not more than 50 percent of the nonadministrative State funds” and inserting “all, or any lesser amount, of State funds”; and

(II) by striking subparagraphs (A) through (D) and inserting the following:

(A) Part A of title II.

(B) Part A of title IV.

(C) Section 4202(c)(3).”; and

(ii) by striking paragraph (2) and inserting the following:

(2) ADDITIONAL FUNDS.—In accordance with this part, a state may transfer any funds allotted to the State under a provision listed in paragraph (1) for a fiscal year to its allotment under any other of the following provisions:

(A) Part A of title I.

(B) Part C of title I.

(C) Part D of title I.

(D) Part A of title III. and

(E) Part C of title V.”; and

(B) in subsection (b)—

(i) in paragraph (1)—

(I) in subparagraph (A)—

(aa) by striking “subpart” and inserting “part”;;

(bb) by striking “(except” and all that follows through “subparagraph (C))” and inserting “may transfer all, or any lesser amount, of the funds allocated to it”;;

(II) by—

(aa) striking subparagraph (B) and

(bb) redesignating subparagraph (C) as subparagraph (B); and;

(cc) by amending subparagraph (B), as redesignated in item (bb) to read as follows:

(B) ADDITIONAL FUNDS FOR TITLE I.—In accordance with this part, a local educational agency may transfer any funds allotted to such agency under a provision listed in paragraph (2) for a fiscal year to its allotment under any other of the following provisions:

(i) Part A of title I;

(ii) Part C of title I;

(iii) Part D of title I;

(iv) Part A of title III; and

(v) Part C of title V.” and

(ii) in paragraph (2)—

(I) by striking “subparagraph (A), (B), or (C)” and inserting “subparagraph (A) or (B)”; and

(II) by striking subparagraphs (A) through (D) and inserting the following:

(A) Part A of title II.

(B) Part A of title IV.

(C) Section 4202(c)(3).”; and

(C) by striking subsection (c) and inserting the following:

(c) NO TRANSFER OF CERTAIN FUNDING.—A State or local educational agency may not transfer under this part to any other program any funds allotted or allocated to it for the following provisions:

(1) Part A of title I.

(2) Part C of title I.

(3) Part D of title I.

(4) Part A of title III.

(5) Part B of title V.”; and

(d) MODIFICATION OF PLANS AND APPLICATIONS; NOTIFICATION.—

(1) STATE TRANSFERS.—Each State that makes a transfer of funds under this section shall—

(A) modify, to account for such transfer, each State plan, or application submitted by the State, to which such funds relate;

(B) not later than 30 days after the date of such transfer, submit a copy of such modified plan or application to the Secretary; and

(C) not later than 30 days before the effective date of such transfer, notify the Secretary of such transfer.

(2) LOCAL TRANSFERS.—Each local educational agency that makes a transfer of funds under this section shall—

(A) modify, to account for such transfer, each local plan, or application submitted by the agency, to which such funds relate;

(B) not later than 30 days after the date of such transfer, submit a copy of such modified plan or application to the State; and

(C) not later than 30 days before the effective date of such transfer, notify the State of such transfer.

(e) APPLICABLE RULES.—

(1) IN GENERAL.—Except as otherwise provided in this part, funds transferred under this section are subject to each of the rules and requirements applicable to the funds under the provision to which the transferred funds are transferred.

(2) CONSULTATION.—Each State educational agency or local educational agency that transfers funds under this section shall conduct consultations in accordance with section [9501], if such transfer transfers funds from a program that provides for the participation of students, teachers, or other educational personnel, from private schools.

7. The Senate bill, but not the House amendment, authorizes a weighted student funding flexibility pilot program for LEAs.

HR with an amendment to redesignate this program as Title I, Part E, and redesignated Part E of Title I as Part F, and amend the language of the program as follows:

PART E—FLEXIBILITY FOR EQUITABLE PER-PUPIL FUNDING**SEC. [1xxx]. FLEXIBILITY FOR EQUITABLE PER-PUPIL FUNDING**

(a) PURPOSE.—The purpose of the program under this section is to provide local educational agencies with flexibility to consolidate eligible Federal funds and State and local education funding in order to create a single school funding system based on weighted per-pupil allocations for low-income and otherwise disadvantaged students.

(b) AUTHORITY.—(1) IN GENERAL.—The Secretary is authorized to enter into local flexibility demonstration agreements—

(A) for not more than 3 years with local educational agencies that are selected under subsection (c) and submit proposed agreements that meet the requirements of subsection (d); and

(B) under which such agencies may consolidate and use funds in accordance with subsection (d) in order to develop and implement a school funding system based on weighted per-pupil allocations for low-income and otherwise disadvantaged students.

(2) FLEXIBILITY.—Except as described in subparagraph (J) of subsection (d)(1), the Secretary is authorized to waive for local educational agencies entering into agreements under this section any provision of this Act that would otherwise prevent such agency from using eligible Federal funds as part of such agreement.

(c) SELECTION OF LOCAL EDUCATIONAL AGENCIES.—

(1) IN GENERAL.—The Secretary may enter into local flexibility demonstration agreements with not more than 50 local educational agencies with an approved application under subsection (d).

(2) SELECTION.—Each local educational agency shall be selected based on such agency—

(A) submitting a proposed local flexibility demonstration agreement under subsection (d);

(B) demonstrating that the agreement meets the requirements of subsection (d); and

(C) agreeing to meet the continued demonstration requirements under subsection (e).

(3) EXPANSION.—Beginning with the 2019–2020 academic year, the Secretary may extend funding flexibility authorized under

this part to any local educational agency that submits and has approved an application under subsection (d), so long as the demonstration agreements with local educational agencies described in paragraph (1) meet the requirements of subsection (d)(2) and subsection (e)(1).

(d) REQUIRED TERMS OF LOCAL FLEXIBILITY DEMONSTRATION AGREEMENT.—

(1) **APPLICATION.**—Each local educational agency that desires to participate in the program under this section shall submit, at such time and in such form as the Secretary may prescribe, an application to enter into a local flexibility demonstration agreement with the Secretary in order to develop and implement a school funding system based on weighted per-pupil allocations that meets the requirements of this section. The application shall include—

(A) a description of the school funding system based on weighted per-pupil allocations, including the weights used to allocate funds within the system, the local educational agency's legal authority to use local and State education funds consistent with this section, how the system will meet the requirements under paragraph (2), and how the system will support the academic achievement of students, including low-income students, the lowest-achieving students, English learners, and students with disabilities;

(B) a list of funding sources, including eligible Federal funds the local educational agency will include in such system;

(C) a description of the amount and percentage of total local educational agency funding, including State, local, and eligible Federal funds, that will be allocated through such system;

(D) the per-pupil expenditures (including actual personnel expenditures, including staff salary differentials for years of employment, and actual nonpersonnel expenditures) of State and local funds for each school served by the agency for the preceding fiscal year;

(E) the per-pupil amount of eligible Federal funds each school served by the agency, disaggregated by program, received in the preceding fiscal year;

(F) a description of how the system will ensure that any eligible Federal funds allocated through the system will meet the purposes of each Federal funding stream, including serving students from low-income families, English learners, migratory children, and children who are neglected, delinquent, or at risk, as applicable;

Report Language: "It is the Conferees' intent that eligible Federal funds will be used with State and local education funds to meet the needs of students from low-income families, English learners, migratory children, and children who are neglected, delinquent, or at risk, as applicable. This should not be interpreted to require that every dollar a local educational agency receives under a Federal program be allocated to a student who otherwise would have been identified under that program, but should be interpreted to require that the weighted student funding system under this section will broadly serve the students and the purposes for which the funding is provided."

(H) an assurance that the local educational agency developed and will implement the local flexibility demonstration agreement in consultation with teachers, principals, other school leaders, including charter school leaders (in a local educational agency that has charter schools), administrators of Federal programs impacted by the agreement, parents, community leaders, and other relevant stakeholders;

(I) an assurance that the local educational agency will use fiscal control and sound accounting procedures that ensure proper disbursement of, and accounting for, eligible Federal funds consolidated and used under such system;

(J) an assurance that the local educational agency will continue to meet the fiscal provisions in section [1118] and the requirements under sections 1120 and [9501]; and

(K) an assurance that the local educational agency will meet the requirements of all applicable Federal civil rights laws in carrying out the agreement and in consolidating and using funds under the agreement."

(2) **REQUIREMENTS OF SYSTEM.**—A local educational agency's school funding system based on weighted per-pupil allocations shall meet each of the following requirements:

(A) The system shall—

(i) except as allowed under subparagraph (B), allocate a significant portion of funds, including State, local, and eligible Federal funds, to the school level based on the number of students in a school and a formula developed by the agency under this section that determines per-pupil weighted amounts; and

(ii) use weights or allocation amounts that allocate substantially more funding to English learners and students from low-income families, and students with any other characteristics chosen by the local education agency, than to other students; and

(iii) ensure that each high-poverty school received more per-pupil funding, including from Federal, State, and local sources, for low-income students and at least as much per-pupil funding, including from Federal, State, and local sources, for English learners as the school received in the year prior to carrying out the pilot program.

(B) The system shall be used to allocate to schools a significant portion, which percentage shall be agreed upon during the application process and shall include all school-level actual personnel expenditures for instructional staff and actual nonpersonnel expenditures, of all the local educational agency's local and State education funds, and eligible Federal funds; and

(C) In establishing the percentage in subparagraph (B), the district shall demonstrate that the percentage under such subparagraph is sufficient to carry out the purposes of the pilot and to meet each of the requirements of (d) and that the percentage of local and State education funds, and eligible Federal funds that are not allocated through the formula does not undermine or conflict with the requirements of the pilot including (d)(2)(C).

Report Language: "The Conferees intend that the single school funding system will be used to, from the beginning, allocate a significant portion of all the local educational agency's local and State education funds, as well as eligible Federal funds, and that this portion will continue to increase over time. Reporting on how funds not allocated through the system are being spent will continue to occur. The Conferees intend that the negotiation between the Secretary and school district to establish the initial portion will be based on best practices in the field."

(D) After allocating funds through the school funding system, the local educational agency shall charge schools for the per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures for instructional staff and actual non-personnel expenditures.

(e) **CONTINUED DEMONSTRATION.**—Each local educational agency with an approved application under subsection (d) shall annually—

(1) demonstrate to the Secretary that no high-poverty school served by the agency received less per-pupil funding, including from Federal, State, and local sources, for low-income students or less per-pupil funding, including from Federal, State, and local sources, for English learners than the school received in the previous year;

(2) make public and report to the Secretary the per-pupil expenditures (including actual personnel expenditures that include staff salary differentials for years of employment, and actual non-personnel expenditures) of State, local, and Federal funds for each school served by the agency, and disaggregated by student poverty quartile and by minority student quartile for the preceding fiscal year; and

(3) make public the total number of student enrolled in each school served by the agency and the number of students enrolled in each such school disaggregated by each of the subgroups of students, as defined in section 1111(c)(2).

(f) **ELIGIBLE FEDERAL FUNDS.**—In this section, the term 'eligible Federal funds' means funds received by a local educational agency under titles I, II, and III, Part A of IV, and Part C of Title V of this Act.

(g) **LIMITATIONS ON ADMINISTRATIVE EXPENDITURES.**—Each local educational agency that has entered into a local flexibility demonstration agreement with the Secretary under this section may use, for administrative purposes, from eligible Federal funds not more than the percentage of funds allowed for such purpose under any of titles I, II, or III, Part A of Title IV, or Part C of Title V.

(h) **PEER REVIEW.**—The Secretary may establish a peer-review process to assist in the review of a proposed local flexibility demonstration agreement.

(i) **NONCOMPLIANCE.**—The Secretary may, after providing notice and an opportunity for a hearing (including the opportunity to provide information as provided for in subsection (j)), terminate a local flexibility demonstration agreement under this section if there is evidence that the local educational agency has failed to comply with the terms of the agreement and the requirements under subsections (d) and (e).

(j) **EVIDENCE.**—If a local educational agency believes that the Secretary's determination under subsection (i) is in error for statistical or other substantive reasons, the local educational agency may provide supporting evidence to the Secretary, and the Secretary shall consider that evidence before making a final termination determination.

(k) **PROGRAM EVALUATION.**—From the amount reserved for evaluation activities in section [9601], the Secretary, acting through the Director of the Institute of Education Sciences, shall, in consultation with the relevant program office at the Department, evaluate the implementation and impact of the local flexibility demonstration agreements under this section, consistent with section [9601] and specifically on improving the equitable distribution of State and local funding and increasing student achievement.

(l) **RENEWAL OF LOCAL FLEXIBILITY DEMONSTRATION AGREEMENT.**—The Secretary may renew for additional 3-year terms a local flexibility demonstration agreement under this section if—

(1) the local educational agency has met the requirements under subsections (d)(2) and (e) and agrees to and has a high likelihood of continuing to meet such requirements; and

(2) the Secretary determines that renewing the local flexibility demonstration agreement is in the interest of students served under titles I and III, including students from low-income families, English learners, migratory children, and children who are neglected, delinquent, or at risk.

(m) **DEFINITION OF HIGH-POVERTY SCHOOL.**—In this section, the term ‘high-poverty school’ means a school that is in the highest 2 quartiles of schools served by a local educational agency, based on the percentage of enrolled students from low-income families.”.

8. The House amendment redesignates subpart 1 of part B of title VI as subpart 5 of part A of title I. Section 6202 in the Senate bill is redesignated to section 1230 in the House amendment.

HR/SR with an amendment to redesignate subpart 1 of Part B of Title VI as subpart 1 of Part C of Title V.

9. The House amendment redesignates subpart 1 of Part B of Title VI as chapter A of subpart 5 of Part A of Title I. The name of the program is the same in both the Senate bill and House amendment.

LC

10. The Senate bill, but not the House amendment, includes changes to references in section 6211 for use of funds flexibility. The House amendment repeals such section.

HR

11. The House amendment, but not the Senate bill, redesignates subsection (b) of section 6212 as subsection (d) of section 1231.

HR

Report Language: “It is the Conferees’ intent that, should the current locale codes required under this part no longer exist due to being revised as part of improvements necessary to support Institute of Education Sciences statistical programs, the Secretary of Education work with relevant agencies to examine the impact of such revisions on rural school districts for various programs across all federal laws and consult, to the extent practicable, with the Committee on Health, Education, Labor and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives to discuss the impact of the changes.”

12. The Senate bill, but not the House amendment, makes a technical edit in subparagraph (B) to account for a later change.

HR

13. The Senate bill, but not the House amendment, includes new eligibility language for educational service agencies.

HR

14. The Senate bill, but not the House amendment, includes references for applicable funding for the Small, Rural, Schools Achievement program.

HR with an amendment to strike “Part G of Title V” and insert “[subpart 3 of Part E of Title IV]”

15. The House amendment redesignates section 6212 as section 1231 of chapter A of subpart 5 of Part A of Title I.

LC

16. The House amendment specifies a 0.6 of 1 percent reservation for the Small, Rural Schools Achievement program. The Senate bill includes no such reservation, but authorizes funds to be spent equally between subparts 1 and 2 of Part B of Title VI. **See note 53.**

HR

17. The Senate bill allows funding to be spent on activities under Part A of Title II. The House amendment allows funding to be spent on activities under all of Title II.

HR

18. The Senate bill, but not the House amendment, allows funding to be spent on activities under Part A or B of Title IV.

HR with an amendment to strike “or Part B”

19. The Senate bill, but not the House amendment, allows funding to be spent on activities under Part G of Title V.

HR with an amendment to strike “Part G of Title V” and insert “[subpart 3 of Part E of Title IV]”

20. The Senate bill, but not the House amendment, adds a new paragraph (1) and heading.

HR

21. The Senate bill and House amendment make similar modifications to this provision related to the amounts local educational agencies receive, except the House amendment only subtracts the total received under subpart 2 of Part A of Title II and the Senate bill subtracts all funding for Part A of Title II, Part A of Title IV, Part G of Title V. See note 14.

LC

22. The Senate bill, but not the House amendment, provides a special determination for funding amounts for LEAs that are members of an educational service agency.

HR

23. The Senate bill is restructured to include a new subparagraph with a heading.

HR

24. The Senate bill, but not the House amendment, provides a special rule for increased initial amounts subject to appropriations.

HR with an amendment to strike “252” and insert “265”

25. Both the Senate bill and House amendment include similar hold harmless provisions, except the Senate bill includes a section reference and the House amendment includes different internal references. See note 11.

LC

26. The House amendment, but not the Senate bill, redesignates subsection (d) as subsection (e).

HR

27. The Senate bill, but not the House amendment, requires local educational agencies to administer an assessment consistent with the requirements under section 1111(b)(2) of such bill.

SR on language. LC on structure.

28. The House amendment redesignates subpart 2 of Part B of Title VI as chapter B of subpart 5 of Part A of Title I.

LC

29. The House amendment redesignates section 6221 as section 1235.

LC

30. The House amendment changes internal cross-references to account for earlier restructuring of the program.

LC

31. The House amendment specifies a 0.6 of 1 percent reservation for the Rural and Low-Income School program. The Senate bill includes no such reservation, but authorizes funds to be spent equally between subparts 1 and 2 of Part B of Title VI. See note 55.

HR

32. The House amendment changes internal cross-references to the eligibility and application section to account for earlier restructuring of the program.

LC

33. The House amendment changes internal cross-references to account for differences in bill structure.

LC

34. The House amendment redesignates section 6222 as section 1236.

LC

35. The Senate bill describes that funds “shall be used for any of the following:” The House amendment refers to “shall be used for activities authorized under any of the following” when describing how grant funds will be used.

LC

36. The Senate bill allows funding to be spent on activities under part A of Title II. The House amendment allows funding to be spent on activities under all of Title II.

HR

37. The Senate bill, but not the House amendment, allows funding to be spent on activities under Part A of Title IV.

HR

38. The Senate bill, but not the House amendment, allows funding to be spent on parental involvement activities.

HR

39. The Senate bill, but not the House amendment, allows funding to be spent on activities under Part G of Title V.

LC

40. The House amendment redesignates section 6223 as section 1237.

LC

41. The Senate bill and House contain identical language for general information, except for references to “chapter” and “subpart”.

LC

42. The Senate bill requires program objectives and outcomes for how students will meet State academic standards. The House amendment does not, but requires a description of how the SEA, specially qualified agency, or LEA will use funds to help students meet academic standards.

HR

43. The Senate bill includes the word “challenging” as it relates to State academic standards.

HR

44. The Senate bill and House amendment are identical, except for section references to account for a different structure.

LC

45. The House amendment redesignates section 6224 as section 1238.

LC

46. The Senate bill, but not the House amendment, requires that ‘if the report is submitted by the SEA, then it must describe the methods and criteria the SEA will use to award grants to LEAs. The House amendment requires the report to describe the methods and criteria the SEA or specially qualified agency will use to award grants to LEAs.

HR

47. The Senate bill, but not the House amendment, refers to “objectives and outcomes” when describing how progress has been met in meeting State standards.

HR

48. The Senate bill refers to “challenging State academic standards”. The House amendment refers to “State academic standards”.

HR

49. The Senate bill requires a summary report to be prepared by the Secretary of Education and submitted to Congress. The House amendment does not contain this provision.

SR

50. The Senate bill, but not the House amendment, updates a cross reference to section 1111.

SR on language. LC on structure.

51. Both the Senate bill and House amendment contain virtually identical provisions

related to choice of participation, except for different section references.

LC

52. The House amendment redesignates section 6231 as section 1241 and makes technical changes to update section references.

LC

53. The House amendment redesignates section 6234 as section 1242 and makes technical changes to update section references.

LC

54. The House amendment redesignates section 6234 as section 1243 and makes technical changes to update section references.

LC

55. The Senate bill authorizes “such sums” as may be necessary for reach of the fiscal years 2016 through 2021. The House amendment does not contain this provision for authorizations of appropriations.

HR with amendment to strike “such sums as may be necessary for each of the fiscal years 2016 through 2021” and insert “\$169,840,000 for each of the fiscal years 2017 through 2020”

56. The Senate bill maintains and makes a minor change to a prohibition on Federal mandates, direction or control that applies to Title VI. The House amendment does not include this provision as it applies specifically to Title VI, but includes similar provisions in the general provisions of the Act.

HR

57. The Senate bill maintains the rule of construction on equalized spending. The House amendment includes this language in the general provisions of Title I to reflect the restructuring in the House amendment.

LC

58. The Senate bill, but not the House amendment, includes a review relating to rural local educational agencies at the Department of Education.

HR to strike and replace with the following:

SEC. 6005. REVIEW RELATING TO RURAL LOCAL EDUCATIONAL AGENCIES.

(a) REVIEW AND REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary of Education shall—

(1) review the organization, structure, and process and procedures of the Department of Education for administering its programs and developing policy and regulations, in order to—

(A) assess the methods and manner through which, and the extent to which, the Department of Education takes into account, considers input from, and addresses the unique needs and characteristics of rural schools and rural local educational agencies; and

(B) determine actions that the Department of Education can take to meaningfully increase the consideration and participation of rural schools and rural local educational agencies in the development and execution of the processes, procedures, policies, and regulations of the Department of Education;

(2) make public a preliminary report containing the information described under paragraph (1) and provide Congress and the public with 60 days to comment on the proposed actions under paragraph (1)(B); and

(3) taking into account comments submitted under paragraph (2), issue a final report to the Committee on Health, Education, Labor, and Pensions of the Senate, which shall describe the final actions developed pursuant to paragraph (1)(B).

(b) IMPLEMENTATION.—Not later than 2 years after the date of enactment of this Act, the Secretary of Education shall—

(1) implement each action described in the report under subsection (a)(3); or

(2) provide a written explanation to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives of why the action was not carried out.

TITLE VII—AMERICAN INDIAN, ALASKA NATIVE, AND NATIVE HAWAIIAN EDUCATION

LC

0. remove references to Alaska Native in current law since they are included in the definition of Indian.

1. The Senate bill and House amendment have these programs in different titles. Senate is Title VII; House is Title V.

HR/SR with an amendment to redesignate Title VII as Title VI

2. The Senate bill and House amendment have different title headings.

HR

3. The Senate bill and House amendment have different section headings.

HR

4. The House amendment, but not the Senate bill, includes sentence at the end further clarifying the policy of the United States.

SR

5. The Senate bill and House amendment have different section numbers.

LC

6. The Senate bill and House amendment have similar paragraphs (1) but wording is slightly different.

SR with an amendment to strike “State student academic achievement standards” and insert “the challenging State academic standards, consistent with section 1111(b)(1)”

7. The Senate bill uses term “American Indian” in (2) and (3) where House amendment uses “Indian”.

SR

8. The Senate bill includes “principals” in (3).

SR with amendment to strike “school leaders” and insert “principals, other school leaders”

8a. The House amendment includes “culturally appropriate”.

SR

8b. The Senate bill includes “supports” in (3).

HR

9. The House amendment, but not the Senate bill, includes “Indian tribes and organizations and other entities”.

SR

10. The Senate bill and House amendment are similar except for different structures of purpose statement.

LC

11. The Senate bill says “that are designed to meet the unique . . .” and the House amendment says “by providing for their unique”

HR

12. The Senate bill includes “challenging” and section 1111 reference as it relates to standards.

HR

13. The House amendment, but not the Senate bill, includes “(3) Indian organization; and (4) Alaska Native Organizations.”

HR with amendment to insert in paragraph (2) “as provided under (c)(1)” after “Indian tribes” and to insert a new paragraph (3) “Indian organization as provided under (c)(1)”

14. The Senate bill, but not the House amendment, includes paragraph (3) regarding consortia arrangements.

HR with amendment to redesignate (3) as (4) and insert “will” before “receive the”

15. The Senate bill, but not the House amendment, adds “Subject to paragraph (2)”.

HR

16. The Senate bill, but not the House amendment, includes paragraph (2) regarding cooperative agreements.

HR

17. The Senate bill and House amendment have different titles for subsection (c).

HR

18. The House amendment, but not the Senate bill, includes Alaska Native Organizations and specifically mentions Alaska Native children.

HR

19. The Senate bill, but not the House amendment, sets representation threshold at more than one-half of eligible children and House amendment sets it at not less than one-third.

HR

20. The Senate bill, but not the House amendment, includes paragraph (2) regarding unaffiliated Indian tribes.

SR

21. The House amendment, but not the Senate bill, includes Alaska Native Organization after Indian Organization in House amendment (2)(A) and (B)

HR

22. The Senate bill refers to “such tribe, Indian organization or consortium” and the House amendment refers to “such applicant” in (A).

LC

23. The House amendment strikes section 7118(c) referenced in Senate bill (3)(B) and updates section references.

HR

24. House amendment includes paragraph (3) regarding eligibility.

HR

25. The Senate bill, but not the House amendment, includes subparagraph (4).

HR

26. The House amendment, but not the Senate bill, adds Alaska Native Organizations and Alaska Native throughout (d).

HR

27. The Senate bill and House amendment refer to different subsections in paragraph (2) based on bill structure.

LC

28. The Senate bill and House amendment have different entities listed in (A).

HR with an amendment to add “and families members” after “parents”.

29. The House amendment, but not the Senate bill, include Alaska Natives in (B) and (C).

HR

30. The House amendment, but not the Senate bill, adds “administrative” to capacity in (D).

SR

31. The Senate bill, but not the House amendment, adds a provision on consortia.

SR

32. The House amendment, but not the Senate bill, removes a reference to current law 7118(c) from the special rule.

HR

33. The Senate bill, but not the House amendment, adds language regarding Indian tribes or consortia for application purposes.

HR

34. The House amendment, but not the Senate bill, adds “Alaska Native” in subsection (b)

HR

35. The Senate bill has “supports”. The House amendment has “is consistent with”.

SR

36. The Senate bill has “program objectives and outcomes”. The House amendment has “academic content” and “student academic achievement goals” for (B).

HR

37. The Senate bill, but not the House amendment, includes “tribe or consortium” and slightly modifies last line of paragraph (3).

HR

38. The House amendment, but not the Senate bill, adds Alaska Native throughout paragraph (5).

HR

39. The House amendment, but not the Senate bill, adds subparagraph (C).

HR

40. The Senate bill and House amendment include different language for clause (iii).

HR

41. The Senate bill adds a reference to FERPA.

HR

42. The Senate bill and House amendment include different language for paragraph (7).

HR with an amendment to insert “meaningfully” before “collaborate” and insert “in a timely, active, and ongoing manner” before “in the development”.

43. The Senate bill, but not the House amendment, adds “activities consistent with those” after “services.”

SR

44. The House amendment, but not the Senate bill, adds “Alaska Native students”.

HR

45. The Senate bill, but not the House amendment, adds “meet program objectives”.

HR

46. The House amendment, but not the Senate bill, adds “Alaska Native” in subparagraph (B).

HR

47. The Senate bill, but not the House amendment, has geographic specification for consultation requirements.

HR

48. The House amendment, but not the Senate bill, adds Indian organization and Alaska Native organization and removes “if appropriate” before secondary school students.

HR with an amendment to insert “, Indian organizations,” after “in such school”

49. The Senate bill inserts “family members” after “parents” in (A)(i) and (B). The House amendment replaces “parents” with “family members” in both places.

HR

50. The Senate bill, but not the House amendment, adds Senate (ii) related to geographic representation.

HR

51. The House amendment, but not the Senate bill, removes “if appropriate” and adds “and Alaska Native” after “students” in clause (iii)

HR

52. The House amendment, but not the Senate bill, adds Alaska Native to (B).

HR

52a. The Senate bill, but not the House amendment, adds “representatives of Indian tribes”.

SR

53. The Senate bill, but not the House amendment, adds “family members” to (C).

HR with an amendment to strike “that” and insert “the local educational agency” and move amended paragraph (4)(C) to the end of subsection (c) as a new paragraph (8) and redesignate (4)(D) as the new (4)(C) and (4)(E) as the new (4)(D)

54. The Senate bill, but not the House amendment, strikes “and” in (D)(ii).

SR

55. The House amendment, but not the Senate bill, adds (D)(iii).

SR

56. The Senate bill, but not the House amendment, adds subparagraph (F) for determining the unique needs of Indian students.

SR

57. The Senate bill, but not the House amendment, requires the LEA to coordinate activities with other Federal programs.

HR

58. The House amendment and the Senate bill contain similar provisions related to outreach to family members, except the House amendment includes “adequate” and contains different cross-references.

HR

59. The Senate bill and the House amendment contain a provision related to using the funds only for activities authorized under this subpart.

LC

60. The Senate bill, but not the House amendment, includes a subsection for outreach.

SR

61. The Senate bill, but not the House amendment, includes a subsection for technical assistance.

HR with an amendment to read as follows:

(e) **TECHNICAL ASSISTANCE.**—The Secretary shall, directly or by contract, provide technical assistance to a local educational agency or Bureau of Indian Education school upon request (in addition to any technical assistance available under other provisions of this Act or available through the Institute of Education Sciences) to support the services and activities provided under this subpart, including technical assistance for—

(1) the development of applications under this subpart, including identifying eligible entities that have not applied for such grants and undertake appropriate activities to encourage such entities to apply for grants under this subpart;

(2) improvement in the quality of implementation, content, and evaluation of activities supported under this subpart; and

(3) integration of activities under this subpart with other educational activities carried out by the local educational agency.”;

62. The Senate bill, but not the House amendment, amends paragraph (2) by inserting language related to responsiveness.

SR with an amendment to strike “with special regard for” and insert “to be responsive to”

63. The House amendment, but not the Senate bill, adds “immersion” in paragraph (1).

HR

64. The Senate bill, but not the House amendment, adds “high-quality” in paragraph (3).

SR

65. In paragraph (4), the House amendment includes academic content. The Senate bill references 1111(b).

HR

66. The Senate bill and House amendment have different language with similar meaning for paragraph (5).

HR

67. The House amendment and Senate bill contain different cross-references.

LC

68. The House amendment, but not the Senate bill, inserts a new paragraph, House (10), for relevant curriculum.

HR

69. The Senate bill, but not the House amendment, includes more specific parameters for dropout prevention programs in Senate (12).

SR

70. The House amendment combines Senate (A) and (B) to House (14).

SR

71. The Senate bill and House amendment contain different cross-references.

LC

72. The Senate bill and House amendment have similar language for paragraph (3), except the House amendment includes more specific language.

SR

73. The Senate bill and the House amendment refer to different bill titles.

LC

74. The Senate bill and House amendment use different bill titles.

LC

75. The Senate bill, but not the House amendment, provides for report every five years.

SR

76. The Senate bill, but not the House amendment, specifies different report contents.

HR/SR to strike.

77. The House amendment, but not the Senate bill, includes a final report.

HR/SR to strike.

78. The House amendment, but not the Senate bill, adds paragraph (6) regarding data privacy.

SR

79. The Senate bill, but not the House amendment, includes current law subsection (d) related to Forms and Standards of Proof.

SR

80. The Senate bill and House amendment have different subsection references and titles.

SR

81. The Senate bill and House amendment have different paragraph titles and section references within.

LC

82. The Senate bill and House amendment refer to different bill titles.

LC

83. The House amendment and Senate bill have different subsection letters. See note 82.

LC

84. The Senate bill, but not the House amendment, adds a subsection for technical assistance.

SR

85. The Senate bill updates subsection (c) to reflect changes later in the bill. The House amendment strikes subsection (c).

HR

86. The House amendment and Senate bill contain different subsection letters to reflect prior House amendment changes.

LC

87. The Senate bill and House amendment have different section header titles.

HR

88. The Senate bill, but not the House amendment, rewrites language regarding Tribal Colleges and Universities.

HR

89. The House amendment, but not the Senate bill, adds Alaska Native organization.

HR

90. The House amendment, but not the Senate bill, removes “core academic” before “subjects”.

SR

91. The Senate bill, but not the House amendment, adds “youth” after “children” in paragraph (D) and (E).

HR

92. The House amendment, but not the Senate bill, includes “youth” after children. There are slight wording differences between the Senate bill and the House amendment.

SR with an amendment to strike “high quality”

93. The Senate bill, but not the House amendment, changes “tribal leaders” to “traditional leaders” and inserts “youth”

HR

94. The Senate bill’s paragraph (2) is located in the House amendment’s subparagraph (M), since the House amendment restructured the bill.

SR

95. The Senate bill includes this as paragraph (1)(M), and it is (1)(N) in the House amendment.

SR

96. The Senate bill, but not the House amendment, changes the grant award initial period to three years.

HR

97. The Senate bill, but not the House amendment, adds “family” after “parents” in clause (i).

HR

98. The Senate bill includes “evidence demonstrating that the proposed program is an evidence-based program”. The House amendment includes “information demonstrating that the proposed program is a scientifically based research program”.

HR with an amendment to strike “evidence” and inserting “information”.

99. The Senate bill, but not the House amendment, includes a new subsection regarding continuation.

HR

100. The Senate bill and House amendment have different section numbers.

LC

101. The Senate bill titles the subsection “Purpose” rather than the House amendment title of “Purposes.”

SR

102. The Senate bill makes “purposes of the section” singular rather than plural in the House amendment.

SR

103. The Senate bill has “or Alaska Native teachers” in paragraph (1). The House amendment has “and Alaska Native teachers”.

SR

104. The Senate bill has “and support” after “provide training.”

HR with an amendment to insert “pre- and in-service” before “training”

105. The House amendment has “and Alaska Native individuals” after “Indian”. The Senate bill has “or Alaska Native individuals.”

LC. See note 0.

106. The Senate bill includes “to enable such individuals to become effective teachers, principals, other school leaders, administrators, teacher aides, counselors, social workers, and specialized instructional support personnel” after “individuals”. The House amendment says “to become educators and education support service professionals” after “individuals.”

HR with an amendment to strike “teacher aides” and insert “paraprofessionals”

107. The Senate bill, but not the House amendment, adds “or Alaska Native.”

LC. See note 0.

108. The Senate bill, but not the House amendment, adds a new paragraph regarding teacher retention.

HR with an amendment to strike “the workforce without the need for postsecondary remediation” and insert “employment”

109. The Senate bill and House amendment have different types of institutions included after “institution of higher education”.

HR

110. The Senate bill, but not the House amendment, requires the Bureau schools to be in a consortium, where feasible.

HR

111. The Senate bill, but not the House amendment, adds “or Alaska Native” to paragraph (1).

LC. See note 0.

112. The Senate bill and House amendment structure authorized activities differently.

LC

113. The Senate bill adds “education” after “continuing” in (A).

HR

114. The Senate bill, but not the House amendment, includes a subparagraph on teacher mentoring.

HR with an amendment to strike “tribal elders” and insert “traditional leaders”

115. The Senate bill, but not the House amendment, includes additional subparagraphs (C) and (D).

HR with an amendment to strike “tribal elders” and insert “traditional leaders”

116. The Senate bill, but not the House amendment, includes a subparagraph regarding continuation.

HR

117. The Senate bill and House amendment have different application requirements.

HR with an amendment to strike “, in such manner, and accompanied by such information” and insert “and in such manner”

118. The Senate bill, but not the House amendment, sets minimum standards.

HR

119. The Senate bill, but not the House amendment, adds an optional priority for tribally chartered and federally chartered institutions of higher education.

HR

120. The Senate bill strikes House amendment subparagraphs (A) and (B) and inserts “basis of the length of any period for which the eligible entity has received a grant”, which is similar to House amendment subparagraph (B). The Senate bill removes references to previous grants.

HR with amendment to strike “tribally chartered and federally chartered IHEs” and insert “Tribal Colleges and Universities”

121. The Senate bill and House amendment have different grant award year structures.

HR

122. The Senate bill, but not the House amendment, specifies students in a local educational agency that serves a high proportion of Indian or Alaska Native students rather than “people” in the House amendment.

HR. See note 0.

123. The House amendment, but not the Senate bill, includes a section for tribal education agencies cooperative agreements.

HR

124. The House amendment, but not the Senate bill, removes a reference to the authorization section.

LC

125. The House amendment, but not the Senate bill, adds Alaska Native in paragraph (1) and replaces “education” with “improving academic achievement and development”.

HR

126. The House amendment, but not the Senate bill, strikes paragraph (2) and renumbers accordingly.

HR

127. The House amendment, but not the Senate bill, strikes explicit reference to IES and changes to “appropriate offices” and removes qualifying language related to the purpose of the research activities.

HR

128. The House amendment adds a reference to the he “Office of Educational Research and Improvement” and the BIE.

HR with an amendment to insert “the Bureau of Indian Education,” after “Office of Indian Education Programs,”

129. The House amendment, but not the Senate bill, strikes current law secs. 7132, 7133, 7134.

SR

130. The House amendment creates a Native language program in Section 5132 and the Senate bill creates a Native language immersion program in Part D.

HR/SR with an amendment to insert the following and move to Sec. XXX:

SEC. XXX. NATIVE AMERICAN AND ALASKA NATIVE LANGUAGE IMMERSION SCHOOLS AND PROGRAMS.

(a) PURPOSES.—The purposes of this subsection are—

(1) to establish a grant program to support schools that use Native American and Alaska Native languages as the primary language of instruction;

(2) to maintain, protect, and promote the rights and freedom of Native Americans and Alaska Natives to use, practice, maintain, and revitalize their languages, as envisioned in the Native American Languages Act (25 U.S.C. 2901 et seq.); and

(3) to support the Nation’s First Peoples’ efforts to maintain and revitalize their languages and cultures, and to improve educational opportunities and student outcomes within Native American and Alaska Native communities.

(b) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—From funds reserved under subsection XXX (National Activities for Title VI), the Secretary shall make grants to eligible entities to develop and maintain, or to improve and expand, programs that support schools, including elementary and secondary school education sites and streams, using Native American and Alaska Native languages as the primary language of instruction.

(2) ELIGIBLE ENTITIES.—In this subsection, the term “eligible entity” means any of the following entities that has a plan to develop and maintain, or to improve and expand, programs that support the entity’s use of Native American or Alaska Native languages as the primary language of instruction:

(A) An Indian tribe.

(B) A Tribal College or University (as defined in section 316 of the Higher Education Act of 1965).

(C) A tribal education agency.

(D) A local educational agency, including a public charter school that is a local educational agency under State law.

(E) A school operated by the Bureau of Indian Education.

(F) An Alaska Native Regional Corporation (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).

(G) A private, tribal, or Alaska Native nonprofit organization.

(c) APPLICATION.—

(1) IN GENERAL.—An eligible entity that desires to receive a grant under this subsection shall submit an application to the Secretary at such time and in such manner as the Secretary may require, including the following:

(A) The name of the Native American or Alaska Native language to be used for instruction at the school supported by the eligible entity.

(B) The number of students attending such school.

(C) The number of present hours of instruction in or through 1 or more Native American or Alaska Native languages being provided to targeted students at such school, if any.

(D) A description of how the applicant will—

(i) use the funds provided to meet the purposes of this part;

(ii) implement the activities described in [subsection] (e);

(iii) ensure the implementation of rigorous academic content; and

(iv) ensure that students progress towards high-level fluency goals.

(E) Information regarding the school's organizational governance or affiliations, including information about—

(i) the school governing entity (such as a local educational agency, tribal education agency or department, charter organization, private organization, or other governing entity);

(ii) the school's accreditation status;

(iii) any partnerships with institutions of higher education; and

(iv) any indigenous language schooling and research cooperatives.

(F) An assurance that—

(i) the school is engaged in meeting State or tribally designated long term goals for students, as may be required by applicable Federal, State, or tribal law;

(ii) the school provides assessments of students using the Native American or Alaska Native language of instruction, where possible;

(iii) the qualifications of all instructional and leadership personnel at such school is sufficient to deliver high-quality education through the Native American or Alaska Native language used in the school; and

(iv) the school will collect and report to the public data relative to student achievement and, if appropriate, rates of high school graduation, career readiness, and enrollment in postsecondary education or workforce development programs, of students who are enrolled in the school's programs.

(2) LIMITATION.—The Secretary shall not give a priority in awarding grants under this part based on the information described in paragraph (1)(E).

(3) SUBMISSION OF CERTIFICATION.—

(A) IN GENERAL.—An eligible entity that is a public elementary school or secondary school (including a public charter school) or a non-tribal for-profit or nonprofit organization shall submit, along with the application requirements described in paragraph (1), a certification described in subparagraph (B) indicating that the school has the capacity to provide education primarily through a Native American or Alaska Native language and that there are sufficient speakers of the target language at the school or available to be hired by the school.

(B) CERTIFICATION.—The certification described in subparagraph (A) shall be from one of the following entities, on whose land the school is located, that is an entity served by such school, or that is an entity whose members (as defined by that entity) are served by the school:

(i) A Tribal College or University (as defined in section 316 of the Higher Education Act of 1965).

(ii) A federally recognized Indian tribe or tribal organization.

(iii) An Alaska Native Regional Corporation or an Alaska Native nonprofit organization.

(iv) A Native Hawaiian organization.

(d) AWARDING OF GRANTS.—In awarding grants under this subsection, the Secretary shall—

(1) determine the amount of each grant and the duration of each grant, which shall not exceed 3 years; and

(2) ensure, to the maximum extent feasible, that diversity in languages is represented.

(e) ACTIVITIES AUTHORIZED.—

(1) REQUIRED ACTIVITIES.—An eligible entity that receives a grant under this subsection shall use such funds to carry out the following activities:

(A) Supporting Native American or Alaska Native language education and development.

(B) Providing professional development for teachers and, as appropriate, staff and administrators to strengthen the overall language and academic goals of the school that will be served by the grant program.

(2) ALLOWABLE ACTIVITIES.—An eligible entity that receives a grant under this section may use such funds to carry out the following activities:

(A) Developing or refining curriculum, including teaching materials and activities, as appropriate.

(B) Creating or refining assessments written in the Native American or Alaska Native language of instruction that measure student proficiency and that are aligned with State or tribal academic standards.

(C) Carrying out other activities that promote the maintenance and revitalization of the Native American or Alaska Native language relevant to the grant program.

(f) REPORT TO SECRETARY.—Each eligible entity that receives a grant under this part shall prepare and submit an annual report to the Secretary which shall include—

(i) The activities the entity carried out to meet the purposes of this subsection; and

(ii) The number of children served by the program and the number of instructional hours in the Native American or Alaska Native language;

(g) ADMINISTRATIVE COSTS.—Not more than 5 percent of the funds provided to a grantee under this section for any fiscal year may be used for administrative purposes.

131. The House amendment and Senate bill have different purposes.

See note 130.

132. The Senate bill includes a general purpose statement for grants awarded.

See note 130.

133. The House amendment and Senate bill have different eligible entities.

See note 130.

134. The Senate bill and House amendment authorize different activities.

See note 130.

135. The Senate bill, but not the House amendment, contains specific application requirements and limitations.

See note 130.

136. The Senate bill and the House amendment contain similar certification requirements.

See note 130.

137. The Senate bill authorizes grants for three years. The House amendment authorizes grants for five years.

See note 130.

138. The Senate bill, but not the House amendment, requires the Secretary to try to ensure diversity of languages in the grant awards.

See note 130.

139. The House amendment, but not the Senate bill, contains a definition of "average".

See note 130.

140. The House amendment, but not the Senate bill, contains a provision related to administrative costs.

See note 130.

141. The Senate bill, but not the House amendment, requires grantees to submit an annual report to the Secretary.

See note 130.

142. The Senate bill, but not the House amendment, authorizes such sums for fiscal years 2016 through 2021.

See note 130.

143. The Senate bill and House amendment have different section numbers.

LC

144. The Senate bill and House amendment have different titles.

HR

145. The Senate bill and House amendment have different purposes for the grant program.

HR

146. The Senate bill and House amendment have different structure. The Senate bill, but not the House amendment, includes definitions and makes Tribal Educational Agencies eligible.

HR

147. The Senate bill, but not the House amendment, makes a technical edit to provide for an earlier provision in the Senate bill.

HR

148. The Senate bill terminates the grant after three years. The House amendment allows for a three year renewal after the initial three year grant.

HR

149. The Senate bill, but not the House amendment, includes a number of uses of funds.

HR with an amendment to strike "subject to the approval of the Secretary." and insert "consistent with the purposes of this section." after "carry out other activities,"

150. The Senate bill and House amendment have slightly different wording in paragraph (1).

HR with an amendment to strike "in such manner, containing such information and consistent with such criteria," and insert "and in such manner"

151. The Senate bill, but not the House amendment, adds a new subparagraph for evidence of agreement or capacity.

HR

152. The Senate bill and House amendment have slightly different wording in paragraph (3).

HR with an amendment to strike "only" and "Secretary is satisfied that such"

153. The Senate bill, but not the House amendment, strikes the clause in subparagraph (C) from "except that the availability" and all that follows.

HR

154. The Senate bill and House amendment reference different sections of the Educational Amendments of 1978.

HR

155. The Senate bill, but not the House amendment, prohibits funds from being used for direct services.

HR

156. The Senate bill, but not the House amendment, includes a subsection regarding supplementing, not supplanting funds.

HR

157. The House amendment, but not the Senate bill, strikes sec. 7136 of current law.

SR

158. The Senate bill, but not the House amendment, adds the Secretary of the Interior to be advised by the council.

HR

159. The House amendment, but not the Senate bill, makes references to the definition of Alaska Native in Sec. 5206. The Senate bill states "(D) an Eskimo, Aleut, or other Alaska Native".

HR. See note 0.

160. The House amendment, but not the Senate bill, adds a definition for “Alaska Native organization”.

HR

161. The Senate bill, but not the House amendment, adds a definition of “traditional leaders”.

HR

162. The Senate bill authorizes such sums through 2021. The House amendment authorizes subpart 1 at \$105,921,000 for each year through 2019 and subparts 2 and 3 at \$24,858,000 for each year through 2019.

SR with an amendment to insert the following:

(a) in subsection (a), by striking “\$105,921,000 for each of fiscal years 2016 through 2019” and inserting “\$100,381,000 for fiscal year 2017, \$102,388,620 for fiscal year 2018, \$104,436,392 for fiscal year 2019, \$106,525,120 for fiscal year 2020”

(b) in subsection (b) by striking “\$24,858,000 for each of fiscal years 2016 through 2019” and insert “\$23,558,000 for each of fiscal years 2017 through 2020”

163. The House amendment moves the Alaska Native program to Part B. The Senate bill includes this in Part C.

HR

164. The Senate bill, but not the House amendment, references “peoples” after “Alaska Native”.

HR with an amendment to strike “peoples”

165. The Senate bill and House amendment have slight wording differences in paragraph (6).

HR/SR to strike the paragraph

166. The Senate bill, but not the House amendment, includes “peoples” after “Alaska Native.”

HR with an amendment to strike “peoples”

Report Language: “It is the Conferees’ intent that the term “Alaska Native” be inclusive of all indigenous groups within Alaska and all Alaska Native peoples.”

167. The Senate bill and House amendment have slight wording differences in paragraph (6).

HR with amendment to strike “and to ensure” through the period at the end of the sentence.

168. The Senate bill and House amendment are similar, but use different structure and different descriptions of eligible entities.

SR with an amendment to strike “Alaska Native Organizations” through paragraph (2) and insert after “with,” “any of the following to carry out the purposes of this part:

(A) Alaska Native Organizations with experience operating programs that fulfill the purposes of this part.

(B) Alaska Native Organizations without such experience that are in partnership with—

(i) a State educational agency or a local educational agency; or

(ii) Alaska Native Organizations that operate programs that fulfill the purposes of this part.

(C) An entity located in Alaska, and predominately governed by Alaska Natives, that does not meet the definition of an Alaska Native Organization, under this part, provided that the entity—

(i) has experience operating programs that fulfill the purposes of this part; and

(ii) is granted an official charter or sanction, as prescribed in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b), from at least one Alaska Native tribe or Alaska Native tribal organization to carry out programs that meet the purposes of this part.

169. The Senate bill, but not the House amendment, adds multi-year award continuations.

HR

170. The House amendment, but not the Senate bill, stipulates mandatory and permissible activities must be specifically in the elementary and secondary education context.

HR with an amendment to strike “peoples”

171. The Senate bill and House amendment are identical except Senate adds Senate clause (iv).

SR with amendment to insert “that are culturally informed and” after “materials that” and “, including curricula intended to preserve and promote Alaska Native culture” at the end of (i).

172. The Senate bill adds “and incorporate . . .” at the end of (B)(i); the House amendment add comma between “understanding of” and “Alaska Natives”

SR with an amendment to insert “and improve their teaching methods” before the period at the end of (i).

173. The Senate bill, but not the House amendment, includes a subparagraph regarding early childhood parenting education activities.

HR

174. The Senate bill and House amendment have different subparagraph letters.

LC

175. The Senate bill, but not the House amendment, includes “and adults” in Senate bill subparagraph (E).

HR

176. The Senate bill and House amendment are similar except for different references to college and career ready in the lead in.

SR with an amendment to strike “and prepare Alaska Native students to be college and career ready upon graduation from secondary school” and insert “enable Alaska Native students served under this part to meet the challenging State academic standards described in section 1111(b)(1) or” after “Activities designed to”

177. The House amendment includes commas after students and the Senate bill says “students and teachers”.

HR with an amendment to strike “peoples”

178. The Senate bill and House amendment use different sentence structure in subclause (II).

LC

179. The House amendment, but not the Senate bill, includes a subclause instruction in Alaska Native history.

HR with an amendment to insert “history,” after “arts,” in subclause (II).

180. The Senate bill, but not the House amendment, includes a hyphen in Senate subclause (III).

LC

181. The House amendment, but not the Senate bill, requires a focus on Alaska Native cultural preservation.

SR

182. The Senate bill, but not the House amendment, includes several other uses.

HR with an amendment to strike (V) and in (iii) to strike “holistic” “to enable such students to benefit from supplemental programs offered”, “, school climate, trauma, safety and nonacademic learning” and insert “comprehensive” before “school or community based” and “trauma, and improve conditions for learning at home, in the community, and at school.” at the end.

183. The Senate bill, but not the House amendment, includes a subparagraph on immersion nests.

HR with an amendment to strike (G) an insert “, including Native language immersion nests or schools” after immersion activities” in (VI).

Report Language: “The Conferees intend that funds used to support Native language immersion activities, immersion schools and immersion nests may include the establishment or operation of such activities, schools or nests. The Conferees further intend that these immersion activities, schools, or nests not be limited to high school programs but may include a student’s educational experience in elementary school or middle school.”

184. The Senate bill and House amendment have different language with similar meaning in Senate (H) and House (F’).

HR

184a. The Senate bill and House amendment have different language with similar meaning in Senate (I) and House (G).

HR

185. The Senate bill and House amendment have slightly different structure in Senate (J) and House (L).

LC

186. The Senate bill and House amendment have similar intent, but different structure in Senate (K) and House (H).

HR with an amendment to strike “provide” and all that follows and insert “increase connections between schools, families and communities, including positive youth-adult relationships, to promote the academic progress and positive development of Alaska Native children and youth and improve conditions for learning at home, in the community, and at school.”

187. The Senate bill and House amendment are similar, but have different wording in Senate (M) and House (J).

SR

Report Language: “It is the Conferees’ intent that the term regional vocational schools include boarding schools, for Alaska Native students in grades 9 through 12, or at higher levels of education, that provide vocational or career and technical education.”

188. The Senate bill, but not the House amendment, includes a subparagraph regarding other activities.

HR

189. The Senate bill, but not the House amendment, moves this to Senate Sec. 7305.

LC

190. The Senate bill, but not the House amendment, strikes this subsection.

HR

191. The Senate bill authorizes such sums through 2021. The House amendment authorizes \$33,185,000 each year through 2019.

SR with an amendment to strike “\$33,185,000 for each of fiscal years 2016 through 2019” and insert “\$31,453,000 for each of fiscal years 2017 through 2020”

192. The Senate bill and House amendment have different language related to program administration.

HR

193. The Senate bill, but not the House amendment, adds additional clarifying language to the Alaska Native definition.

LC

194. The Senate bill, but not the House amendment, adds definition of “Alaska Native tribe” and “Alaska Native Tribal Organization”.

SR

195. The House amendment includes a definition of Alaska Native organization.

HR/SR with amendment to read as follows:

(2) ALASKA NATIVE ORGANIZATION.—The term “Alaska Native Organization” means an organization that has or commits to acquire expertise in the education of Alaska Natives and is—

(A) an “Indian tribe” as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b) that is an Indian tribe located in Alaska;

(B) a “tribal organization” as defined in section 4 of the Indian self-Determination and Education Assistance Act (25 U.S.C. 450b) that is a tribal organization located in Alaska; or

(C) an organization listed in clauses (i) through (xii) of section 419(B)(B) of the Social Security Act (42 U.S.C. 619(4)(B)(i)–(xii)), or the successor of an entity so listed;

196. The Senate bill, but not the House amendment, contains a definition of Alaska Native Regional Nonprofit Corporation.

SR

197. The Senate bill, but not the House amendment, adds a section in improving collection, reporting, and analysis on Indian student data.

SR

198. The Senate bill, but not the House amendment, includes a new section require the Secretary of Education to do a study on rural education in Indian country.

SR

199. The Senate bill, but not the House amendment, adds a new section requiring a report on the response to Indian suicides.

HR

200. The Senate bill and House amendment have the Native Hawaiian program in different parts.

HR

201. The Senate bill and House amendment have different findings and are in different sections.

HR

202. The Senate bill and House amendment have the purposes in different sections.

HR

203. The House amendment, but not the Senate bill, includes new language in (1) by adding “implement, assess, and evaluate” and everything after “educational programs”

HR

204. The House amendment, but not the Senate bill, strikes “direction in (2) and adds “more effectively and efficiently” and “on the development” following. It also strikes “on Native Hawaiian education to provide periodic assessments and data collection.

HR

205. The House amendment, but not the Senate bill, strikes current law subparagraphs (3) and (4) and inserts a new (3).

HR

206. The Senate bill and House amendment have different sections and section titles.

LC. HR on title.

207. The Senate bill and House amendment are identical except the Senate uses numeral and the House amendment spells out “one” and they refer differently to islands in (L).

LC

208. The Senate bill and House amendment have slightly different language for paragraph (4).

HR

209. The Senate bill and House amendment are identical except the Senate bill adds “of” after coordination in paragraph (1).

HR

210. The Senate bill, but not the House amendment, includes reference to subsection (a) in subsection (d).

LC

211. The Senate bill and House amendment use different references for activities in paragraph (2)(B).

LC

212. The Senate bill adds reference to Sec. 1111. The House amendment adds “student after “State”.

HR

213. The Senate bill and House amendment are identical except the House amendment

spells out numbers and the Senate bill uses figures.

LC

214. The Senate bill and House amendment contain different section references.

LC

215. The House amendment, but not the Senate bill, provides for a report.

HR

216. The Senate bill and House amendment have different section numbers and different structures.

HR

217. The House amendment, but not the Senate bill, adds “in order to carry out programs . . . part” and strikes “direct” in subsection (a).

HR

218. The House amendment, but not the Senate bill, adds “education and workforce development” in paragraph (3).

HR

219. The House amendment, but not the Senate bill, changes to “priority” rather than “priorities” in subsection (b); changes “or” to “and entering into”; strikes “carry-out activities described in paragraph (3)”; and strikes “entities proposing projects that are assigned to” at the end of subsection (b).

HR

220. The Senate bill and House amendment have different priorities.

HR

221. The House amendment, but not the Senate bill, moves authorization from Sec. 7205 to Sec. 5305.

LC

222. The House amendment authorizes \$34,181,000 each year through 2019. The Senate bill authorizes such sums through 2021.

SR with amendment to read as follows:

(a) In subsection (a) to strike \$34,181,000 for each of fiscal years 2016 through 2019” and insert “\$32,397,000 for each of fiscal years 2017 through 2020”

(b) In subsection (b) to strike “fiscal year after the date of the enactment of the Student Success Act not less than \$500,000 for the grant to the Education Council under section 5303.” and insert “of fiscal years 2017 through 2020 \$500,000 to make a direct grant to the Education Council to carry out section 6204”

223. The Senate bill and House amendment have different structure.

HR

224. The House amendment, but not the Senate bill, adds “high-quality early learning” before “services” in paragraph (1); strikes “age 5” and adds “age of kindergarten entry”.

HR

225. The House amendment, but not the Senate bill, strikes clauses (i) and (ii) in current law. The House amendment, but not the Senate bill, includes early care and education programs as services that may be provided by family-based education centers.

HR

226. The House amendment, but not the Senate bill, change “third grade” to “grade 3” in paragraph (3) and changes “5th and 6th” to “Grades 5 and 6”.

LC

227. The House amendment, but not the Senate bill, adds “of such students” to end of subparagraph (B).

SR

228. The Senate bill and House amendment have slight wording differences in last clause of (7)(B), which is (G)(ii) in current law.

SR

229. The House amendment, but not the Senate bill, adds “students, parents,” before “families” in paragraph (8).

SR

230. The Senate bill and House amendment describe subparagraph (A) differently and subparagraph (C) differently.

SR

231. The House amendment, but not the Senate bill, adds “before”, “summer”, “expanded learning time”, and “weekend academies” in subparagraph (B).

SR

232. The Senate bill and House amendment different on wording in House (9) or current law (I).

HR

233. The House amendment, but not the Senate bill, strikes current law (i), (iv), and (v) in paragraph (9).

SR

234. The House amendment, but not the Senate bill, includes “guidance” in (B) and removes the reference to “receiving scholarship assistance”.

SR

235. The House amendment, but not the Senate bill, adds new paragraph (C) regarding professional development activities.

HR

236. The House amendment, but not the Senate bill, strikes current law (4) Special Rule and Conditions.

SR

237. The House amendment, but not the Senate bill, adds subsection (d) Additional Activities.

HR

238. The House amendment, but not the Senate bill, adds “exception” in references it in paragraph (1).

HR

239. The House amendment, but not the Senate bill, strikes Sec. 7206 (b) special rule; adds new (b).

HR

240. The House amendment, but not the Senate bill, adds (c) Supplement Not Supplement.

HR

241. The House amendment, but not the Senate bill, strikes sec. 7207 Definitions.

HR

242. The Senate bill, but not the House amendment, adds “community consultation” to definitions.

HR

TITLE VIII—IMPACT AID

1. The Senate bill includes amendments to the Impact Aid program in Title VIII of the bill. The House amendment includes all Impact Aid changes in Title IV.

HR/SR with an amendment to redesignate Title VIII as Title VII

2. The Senate bill and House amendment are similar, except the Senate bill includes “same challenging” in the description of State academic standards.

HR

3. The Senate bill strikes the language in the FY 2013 National Defense Authorization Act requiring the changes made to Impact Aid in the NDAA to be in place for only two years. The Senate bill makes the Impact Aid changes in NDAA permanent. The House amendment makes such change in conforming amendments. See note 100.

LC

4. The Senate bill and House amendment are identical.

LC

5. The House amendment allows local educational agencies to use facsimiles or productions of original records, or when original records have been unintentionally destroyed, other appropriate records to demonstrate that the value of the Federal property in the

local educational agency boundaries is 10 percent or more of all the property in the boundaries to determine eligibility for 8002 funds. The Senate bill includes no such language.

SR

6. The House amendment updates a section reference to reflect the changed structure of the bill. The Senate bill makes no such change.

LC

7. The Senate bill amends the Special Rule used in determining the taxable value for eligible federal property shared by two local educational agencies to allow the Secretary to calculate the value of such Federal property using a specific formula. The House amendment includes no such language.

HR

8. The Senate bill, but not the House amendment, adds new eligibility requirements for local educational agencies containing forest service land and serving certain counties chartered under state law.

HR with an amendment to strike “For each fiscal year” and all that follows through to the period.

9. The Senate bill amends the special rule to enable local educational agencies to meet the 10 percent federal property eligibility requirements for 8002 funds if such agency was eligible under the other eligibility requirements for 8002 funds on the day before enactment of the bill. The House amendment amends the special rule to enable local educational agencies to meet the 10 percent federal property eligibility requirements for 8002 funds if records to determine such eligibility were destroyed prior to 2000 and the agency received funds in the previous year.

SR with an amendment to strike FY 2014 and enter “fiscal year after the date of enactment”

10. The House amendment, but not the Senate bill, enables local educational agencies who have consolidated boundaries with 2 or more former local educational agencies after 1938 to allow the Secretary to determine 8002 eligibility based on the eligibility of two or more of the former districts.

SR

11. The House amendment, but not the Senate bill, includes language to further specify the conditions a local educational agency formed by the consolidation of 2 or more former local educational agencies has to meet in order to be eligible for 8002 funds.

SR with an amendment to strike clause i and amend clause ii to strike “for FY 2016” insert “for the fiscal year following enactment and each subsequent fiscal year.”

12. The House amendment, but not the Senate bill, includes language to specify the amount of funds a consolidated local educational agency will be eligible to receive.

SR

13. The House amendment, but not the Senate bill, updates section references to reflect the changed structure of the bill.

LC

14. The Senate bill and House amendment are similar, except the Senate bill applies the requirement to submit necessary data for payment calculation to fiscal year 2010 and any succeeding year and the House amendment applies such requirement to fiscal year 2010 through the fiscal year in which the House amendment is authorized.

HR

15. The Senate bill and House amendment repeal subsection (k) detailing special rules for local educational agencies in South Dakota and Pennsylvania.

LC

16. The House amendment repeals eligibility requirements for certain old and combined Federal property before 2000, and certain Federal property after 2000. The Senate bill maintains such requirements.

SR

17. The Senate bill redesignates subsections pursuant to previous changes, and the House amendment similarly does so. However, subsection (n) in the Senate bill is redesignated as subsection (l), and in the House amendment, it is redesignated as subsection (k)

LC

18. The House amendment, but not the Senate bill, updates a reference in redesignated subsection (j) Prior Year Data.

LC

19. The Senate bill and House amendment are virtually identical, except the Senate bill refers to the section to be amended in a different way than the House amendment.

LC

20. The House amendment, but not the Senate bill, allows local educational agencies, when calculating payments for federally connected children, to include children enrolled in the local educational agency due to open enrollment policies, but not those enrolled in distance education programs who do not live in the boundaries of the local educational agency.

HR

21. The Senate bill and House amendment language is identical, except the Senate bill is structured slightly differently.

LC

22. The House amendment, but not the Senate bill, updates section references to reflect the changed structure of the bill.

LC

23. The Senate bill and House amendment both repeal subparagraph (E).

LC

24. The Senate bill and House amendment are the same in structure with these Senate bill designations. See House amendment redesignations in note 38.

LC

25. The Senate bill and House amendment are identical.

LC

26. The Senate bill, but not the House amendment, includes an option for an LEA to be eligible under this subparagraph if such LEA was eligible to receive a payment in FY 2013 and is located in a State that by law has eliminated ad valorem tax as LEA revenue.

SR

27. The Senate bill structures this subclause differently than the House amendment. Under the Senate bill, an LEA is eligible under this subclause if it meets the requirements of items (aa) and (bb). Under item (bb), an LEA must meet the requirements of either subitem (AA) or (BB). Under the House amendment, an LEA is eligible under this subparagraph if it meets the requirements of items (aa), (bb), and (cc).

HR

28. The Senate and House amendment are identical.

LC

29. The Senate bill and House amendment are identical on tax rate. Note the reordering of this provision in the House amendment to match the Senate structure.

LC

30. The Senate bill requires that, for eligibility purposes, an LEA has at least a 30 percent enrollment of federally connected children or at least a 20 percent enrollment of federally connected children and for the previous 3 years, a 65 percent enrollment of fed-

erally connected children who are eligible for free or reduced price lunch.

HR

31. The House amendment requires that, for eligibility purposes, an LEA has at least a 20 percent enrollment of federally connected children and for the previous 3 years, a 65 percent enrollment of federally connected children who are eligible for free or reduced price lunch.

HR

32. The Senate bill requires, for eligibility purposes under this subclause, an LEA to have not less than 5,000 federally connected students who live on federal property and whose parents are either 1) employed on federal property within the LEA grounds; 2) an official of a foreign government; or 3) in active duty. The House amendment requires an LEA to have at least 5,500 of such students.

HR

33. The Senate bill, but not the House amendment, includes a subitem that requires, for eligibility purposes under this subclause, an LEA to have a per-pupil expenditure (PPE) that is less than the average PPE in the State where the LEA is located or the average PPE of all 50 states (except that an LEA with less than 350 students automatically meets this requirement), and a tax rate of not less than 95 percent of the tax rate of LEAs in the State.

HR with an amendment to strike “of” and insert “for comparable” in front of “local educational agencies in the State;” and insert “as provided for under paragraph (2)(B)(II)(bb)” after “has a per-pupil expenditure”.

34. The Senate bill and House amendment are identical in describing loss of eligibility under this subparagraph.

LC

35. The Senate bill and House amendment are identical in describing the circumstances for loss of eligibility under this subparagraph if an LEA falls below the requirement to tax at a rate of at least 95 percent of the average tax rate of comparable LEAs in the State.

LC

36. The Senate bill, but not the House amendment, includes a provision describing eligibility under this subparagraph for LEAs that have been taken over by a State board of education in the previous 2 years.

HR

37. The Senate bill and House amendment are identical in describing circumstances around resumption of eligibility. Note this language does not appear in the House amendment because it was drafted as cut-and-bite.

LC

38. The Senate bill and House amendment are the same in structure with these House amendment designations. See Senate bill redesignations in note 24.

LC

39. The Senate bill and House amendment are the same in describing the maximum amount for heavily impacted LEAs.

LC

40. The Senate bill, but not the House amendment, includes a title for the clause, subclause, and item.

LC

41. The Senate bill and House amendment include the same policy to describe the student weight of 0.55 for LEAs with certain types of federally connected children. The House amendment uses slightly different language to describe this policy.

LC

42. The Senate bill and House amendment are similar, except the Senate bill titles the

item and adds “and shall be eligible for the student weight as provided for in item (aa)” at the end of the item to describe the student weights for students in LEAs who meet the ‘exception’ circumstances where a 10 percent enrollment of certain federally connected students is not required. The House amendment does not include this language, but the policy is similar.

HR

43. The Senate bill and House amendment are virtually identical in describing student weights for LEAs with less than 100 federally connected children, except the Senate bill titles the subclause.

LC

44. The Senate bill and House amendment are virtually identical in describing student weights for LEAs with more than 100 but less than 1000 federally connected children, except the Senate bill titles the subclause.

LC

45. The Senate bill, but not the House amendment, titles the clause and subclause.

LC

46. The Senate bill, but not the House amendment, titles the clause and subclause.

LC

47. The Senate bill requires, to be considered a heavily impacted LEA for purposes of the subparagraph, an enrollment of at least 25,000, in which at least 50 percent of children are federally connected, and of that 50 percent, at least 5,000 students live on federal property and have parents who are either 1) employed on federal property within the LEA grounds; 2) an official of a foreign government; or 3) in active duty. The House amendment changes the “5,000” threshold to “5,500”.

HR

48. The Senate bill and House amendment are the same in describing the student weights for maximum amount calculations, except the Senate bill titles the clause.

LC

49. The Senate bill and House amendment are identical in describing the data the Secretary will use for providing assistance under this paragraph.

LC

50. The Senate bill and House amendment are similar in describing the determination of average tax rates for general fund purposes for LEAs, except the Senate bill moves the exception, “except as provided in clause (ii)”, to the front of the clause (i), and includes more detailed circumstances for determining exceptions in clause (ii). See note 51. The House amendment includes a specific subparagraph reference to be subject to an exception in this clause, but does not include the detailed circumstances for determining exceptions, as can be seen in note 51.

HR

51. The Senate bill, but not the House amendment, includes specific circumstances for determining average tax rates for general fund purposes for LEAs for FY 2010–2015, and subsequent to 2015. The Senate bill also allows the Secretary to reserve a specific amount of unobligated funds from 2013 and 2014 to meet the requirements of this clause.

HR

52. The Senate bill and House amendment include identical language to describe eligibility for heavily impacted LEAs affected by privatization of military housing.

LC

53. The Senate bill and House amendment include identical language to describe the amount of payment for heavily impacted LEAs affected by privatization of military housing.

LC

54. The Senate bill and House amendment are identical in defining “conversion of military housing units to private housing.” Note the language does not appear here from the House amendment because it was drafted in cut-and-bite.

LC

55. The Senate bill and House amendment are identical in describing provisions related to payments to specified military bases.

LC

56. The House amendment, but not the Senate bill, describe provisions for calculating payments for LEAs that provide distance education programs.

HR

57. The Senate bill and House amendment contain different references to describe Learning Opportunity Threshold (LOT) payments in lieu of basic support payments under paragraph (2).

SR

58. The House amendment, but not the Senate bill, strikes “as the case may be” at the end of the subparagraph.

SR

59. The Senate bill and House amendment are identical in describing ratable distribution of LOT payments.

LC

60. The Senate bill includes a limitation on the maximum LOT payment for a LEA. The House amendment includes this language below in subparagraph (F). See note 63.

LC

61. The Senate bill and House amendment include similar provisions to describe the actions to be taken when insufficient funds are available for maximum LOT, except the House amendment refers to (3)(d)(2) where funds are authorized for this program, and contains a different subparagraph reference to the LOT payment.

HR

62. The House amendment, but not the Senate bill, includes language to describe how LOT payments are made when funds are sufficient to give a payment over 100 percent LOT.

SR

63. The House amendment includes similar language to the Senate bill describe a limitation on the maximum LOT payment for a LEA. See note 60.

LC

64. The Senate bill, but not the House amendment, requires the Secretary to provide the LEAs tax rate and percentage LOT to each LEA.

HR with an amendment to insert “compared to the average tax rate for general fund purposes of local educational agencies in the State” after “and the resulting percentage”.

65. The House amendment, but not the Senate bill, makes a technical update to address earlier changes.

SR

66. The Senate bill and House amendment make identical technical updates.

LC

67. The Senate bill and House amendment include identical language to describe when data from the fiscal year for which an LEA is applying will not be used to calculate the LEAs payment.

LC

68. The Senate bill and House amendment include identical language to describe when data from the fiscal year for which an LEA is applying will not be used to calculate the LEAs payment

LC

69. The Senate bill and House amendment include identical language to describe when data from the fiscal year for which an LEA is applying will not be used to calculate the LEAs payment.

LC

70. The Senate bill changes the subsection title to “Students with Disabilities.” The House amendment entitles is “Children with Disabilities”.

SR

71. The Senate bill changes all references in the subsection to “students with disabilities.” The House amendment uses “children with disabilities”.

SR

72. The House amendment updates a cross-reference to reflect an earlier change.

LC

73. The Senate bill rewrites the Hold Harmless provisions to describe how payments will go to LEAs where funds are determined to be reduced by more than \$5 million or 20 percent from the previous fiscal year. The reduction will be ramped down from 90 percent to 85 percent to 80 percent of what the LEA received in the year prior to any reduction, unless any of those reductions would give the LEA less than they are eligible for.

HR/SR with amendment to read as follows:

(1) **IN GENERAL.**—In the case of any local educational agency eligible to receive a payment under subsection (b) whose calculated payment amount for a fiscal year is reduced by 20 percent, as compared to the amount received for the previous fiscal year, the Secretary shall pay the local educational agency, for the year of the reduction and the following 2 years, the amount determined under paragraph (2).

(2) **AMOUNT OF REDUCTION.**—Subject to paragraph (3), A local educational agency described in paragraph (1) shall receive—

(A) for the first year for which the reduced payment is determined, an amount that is not less than 90 percent of the total amount that the local educational agency received under subsection (b) for the previous fiscal year;

(B) for the second year following such reduction, an amount that is not less than 85 percent of the total amount that the local educational agency received under subparagraph (A); and

(C) for the third year following such reduction, an amount that is not less than 80 percent of the total amount that the local educational agency received under subparagraph (B).

(3) **SPECIAL RULE.**—For any fiscal year for which a local educational agency would receive a payment under subsection (b) in excess of the amount determined under paragraph (2), the payment received by the local educational agency for such fiscal year shall be calculated under paragraph (1) or (2) of subsection (b).

74. The House amendment includes hold harmless language ensuring LEAs receive no less than 90 percent of the calculated maximum amount for which the LEA is eligible in the previous fiscal year. The hold harmless is in place for 3 years.

HR

75. The Senate bill, but not the House amendment, redesignates Ratable Reduction provisions for the hold harmless language when insufficient funds are available.

HR with amendment to strike (2) and insert (4)

76. Both the Senate bill and House amendment strike Maintenance of Effort provisions.

LC

77. The Senate bill and House amendment replace Bureau of Indian Affairs with Bureau of Indian Education.

LC

78. Both the Senate bill and House amendment strike language enabling the Secretary to request of LEAs any information the Secretary may desire in the 8002 and 8003 applications.

LC

79. The Senate bill, but not the House amendment, includes language enabling the Secretary to allow LEAs to count the number of children who register for the school year to determine LEA eligibility.

SR

80. The Senate bill makes technical updates to references to reflect an earlier change.

SR

81. The Senate bill and House amendment update a section reference, although the reference is different in each bill reflecting different bill structures.

LC

82. The House amendment, but not the Senate bill, adds a new eligibility option for construction payments.

HR

83. The Senate bill, but not the House amendment, makes a technical edit to update a mistake in current law.

HR

84. The Senate bill and House amendment update section references, although the references are different in each bill reflecting different bill structures.

LC

85. The Senate bill and House amendment update a section reference, although the reference is different in each bill reflecting different bill structures.

LC

86. Both the Senate and House amendment add a new eligibility option for emergency and modernization construction payments.

LC

87. The House amendment, but not the Senate bill, limits the Secretary from limiting eligibility for LEAs that meet certain requirements, including LEAs where at least 40 percent of federally connected Indian children were enrolled in the prior year and in LEAs where more than 10 percent of the property is exempt from State and local taxation under federal law.

HR

88. The House amendment, but not the Senate bill, strikes language enabling the Secretary to request of LEAs any information the Secretary may desire in the emergency and modernization grant applications.

SR with an amendment in subparagraph (A) by adding at the end “and containing such additional information as may be necessary to meet the award criteria of this subsection as provided in any other Act.”

89. Both the Senate bill and the House amendment strike the annual report to the Secretary.

LC

90. The Senate bill and the House amendment update a section reference, although the reference is different in each bill reflecting different bill structures.

LC

91. The Senate bill and the House amendment strike language enabling the Secretary to request of States any information the Secretary may desire in the State's written notice of intention to include Impact Aid payments as State aid to an LEA for the purpose of state equalization plans.

LC

92. The House amendment, but not the Senate bill, includes a technical reference update.

LC

93. The House amendment, but not the Senate bill, strikes a reference to the Act of September 30, 1950 and accompanying related language.

SR

94. The House amendment, but not the Senate bill, adds Coast Guard to the definition of “Armed Forces”.

SR

95. The House amendment, but not the Senate bill, strikes a reference to Title VI in the definition of “Current Expenditures”.

SR

96. The Senate bill, but not the House amendment, updates the definition of “Federal Property” as it relates to land that is conveyed at any time under the Alaska Native Claims Settler Act to certain parties that meets certain tax circumstances.

HR with an amendment to insert at the end of (bb) “that has no taxing power”

97. The Senate bill and the House amendment update a U.S.C. reference to the Native American Housing Assistance and Self-Determination Act of 1996.

LC

98. The House amendment makes a technical edit, adding a comma, to the definition of “Local Contribution Percentage.”

HR

99. The Senate bill updates the five authorization levels for Impact Aid programs to be such sums for fiscal years 2016–2021. The House amendment repeals the authorization levels here, but includes them in Sec 3 of the bill.

HR with an amendment to insert the following:

(a) In paragraph (1) by striking “such sums as may be necessary for each of fiscal years 2016 through 2021” and inserting “\$66,813,000 for each of fiscal years 2017 through 2019, \$71,997,917 for fiscal year 2020”;

(b) In paragraph (2) by striking “such sums as may be necessary for each of fiscal years 2016 through 2021” and inserting “\$1,151,233,000 for each of fiscal years 2017 through 2019, \$1,240,572,618 for fiscal year 2020”;

(c) In paragraph (3) by striking “such sums as may be necessary for each of fiscal years 2016 through 2021” and inserting “\$48,316,000 for each of fiscal years 2017 through 2019, \$52,065,487 for fiscal year 2020”;

(d) In paragraph (5) by striking “such sums as may be necessary for each of fiscal years 2016 through 2021” and inserting “\$17,406,000 for each of fiscal years 2017 through 2019, \$18,756,765 for fiscal year 2020”;

(e) In paragraph (6) by striking “such sums as may be necessary for each of fiscal years 2016 through 2021” and inserting “\$4,835,000 for each of fiscal years 2017 through 2019, \$5,210,213 for fiscal year 2020”;

100. The House amendment makes changes to the FY 2013 NDAA to make the Impact Aid changes included within it permanent. The Senate bill also makes such change. See note 3.

LC

101. The House amendment, but not the Senate bill, strikes all of Title IV.

HR

102. The House amendment, but not the Senate bill, repeals Public Law 113–76; 20 U.S.C. 7702 note.

SR

103. The House amendment, but not the Senate bill, redesignates Title VIII to Title IV.

LC

104. The House amendment, but not the Senate bill, changes all references in Title VIII to appropriate Title IV reference.

LC

TITLE IX—GENERAL PROVISIONS

1. The Senate bill leaves the general provisions in Title IX. The House amendment moved the general provisions to Title VI.

HR/SR with an amendment to redesignate Title IX as Title VIII

2. The Senate bill uses the number “4” and the House amendment uses the word “four” in the title of the definition.

LC

3. The Senate bill and House amendment have different methods for defining four year adjusted cohort graduation rate. The Senate bill refers to the 2008 graduation rate calculation and the House amendment provides for a definition.

SR with an amendment to strike and replace with the following:

(22) FOUR-YEAR ADJUSTED COHORT GRADUATION RATE.—

(A) IN GENERAL.—The term ‘four-year adjusted cohort graduation rate’ means the ratio where—

(i) the denominator consists of the number of students who form the original cohort of entering first-time 9th grade students enrolled in the high school no later than the effective date for student membership data submitted annually by State educational agencies to the National Center for Education Statistics pursuant to section 153 of the Education Sciences Reform Act, adjusted by—

(I) adding the students who joined that cohort, after the time of the determination of the original cohort; and

(II) subtracting only those students who left that cohort, after the time of the determination of the original cohort, as described in subparagraph (B); and

(ii) except as provided in subclause (III), the numerator—

(I) consists of the number of students in the cohort, as adjusted under clause (i), who earned a regular high school diploma before, during, or at the conclusion of—

(aa) the fourth year of high school; or

(bb) a summer session immediately following the fourth year of high school; and

(II) consists of all students with the most significant cognitive disabilities assessed using the alternate assessment aligned to alternate academic achievement standards under section 1111(b)(2)(D) awarded a State-defined alternate diploma that is standards-based and aligned with the State requirements for the regular high school diploma, and obtained within the time period for which the State ensures the availability of a free appropriate public education under section 612(a)(1) of the Individuals with Disabilities Education Act; and

Report Language: “It is the Conferees’ intent that the State shall determine requirements for both the regular high school diploma and for the State-defined alternate diploma described in this subclause. Requirements determined by the state for the alternate diploma must be aligned to the State’s requirements for the regular high school diploma and should be reflective of the State’s requirements for a regular high school diploma with respect to satisfactory coursework completion or competency demonstrations that reflect professional judgment as to the highest possible standards achievable by such students.”

(III) shall not consist of any student awarded a GED or other recognized equivalent, certificate of completion, certificate of attendance, or similar lesser credential.

(B) **COHORT REMOVAL.**—To remove a student from a cohort, a school or local educational agency shall require documentation to confirm that the student has transferred out, emigrated to another country, transferred to a prison or juvenile facility, or is deceased.

(C) **TRANSFERRED OUT.**—

(i) **IN GENERAL.**—For purposes of this paragraph, the term ‘transferred out’ means a student who the high school or local educational agency has confirmed, according to clause (ii), has transferred—

(I) to another school from which the student is expected to receive a regular high school diploma; or

(II) to another educational program from which the student is expected to receive a regular high school diploma.

(ii) **CONFIRMATION REQUIREMENTS.**—

(I) **DOCUMENTATION REQUIRED.**—The confirmation of a student’s transfer to another school or educational program described in clause (i) requires documentation from the receiving school or program that the student enrolled in the receiving school or program.

(II) **LACK OF CONFIRMATION.**—A student who was enrolled, but for whom there is no confirmation of the student having transferred out, shall remain in the adjusted cohort.

(iii) **PROGRAMS NOT PROVIDING CREDIT.**—A student who is retained in grade or who is enrolled in a GED or other alternative educational program that does not issue or provide credit toward the issuance of a regular high school diploma shall not be considered transferred out and shall remain in the adjusted cohort.

(D) **SPECIAL RULES.**—

(i) **COHORT FORMATION.**—For those high schools that start after grade 9, the original cohort shall be calculated for the earliest high school grade students attend no later than the effective date for student membership data submitted annually by State educational agencies to the National Center for Education Statistics pursuant to section 153 of the Education Sciences Reform Act.

(ii) **VERY SMALL SCHOOLS.**—A state educational agency may calculate the 4-year adjusted cohort graduation rate described under this paragraph for a high school with an average enrollment over a 4-year period of less than 100 students for purposes of differentiation under section 1111(c)(4)(D)(i)(II) by—

(I) aggregating data included in the denominator and numerator described under clause (i) and clause (ii) of subparagraph (A), respectively, over a period of three years; or

(II) Establishing a minimum number of students that must be included in the cohort described in clause (i) of subparagraph (A) that will provide a valid graduation rate calculation as determined by the Secretary, below which the school shall be exempt from such differentiation.

4. The House amendment defines ‘charter school’ in Title VI. The Senate bill defines ‘charter school’ in Title V. The language is slightly different but substantively the same.

HR

5. The Senate bill and the House amendment contain different section references to reflect different bill structures.

LC

6. The Senate bill and House amendment contain different section references to reflect different bill structures.

LC

7. The Senate bill and House amendment contain different section references to reflect different bill structures.

LC

8. The Senate bill and House amendment contain different section references to reflect different bill structures.

LC

9. The Senate bill modifies the definition of ‘core academic subjects’ and the House amendment eliminates it.

HR/SR with an amendment to insert the following:

(11) **WELL-ROUNDED EDUCATION.**—The term ‘well-rounded education’ means courses, activities, and programming in subjects including English, reading or language arts, writing, science, technology, engineering, mathematics, foreign languages, civics and government, economics, arts, history, geography, computer science, music, career and technical education, health, and physical education, and any other subject as determined by the State or local educational agency, with the purpose of providing all students access to an enriched curriculum and educational experience.

10. The Senate bill and House amendment define ‘covered program’ in different ways, reflecting different programs in either bill.

SR with amendment to strike “(B) Title II” through the period at the end and insert “(B) part C of title I; (C) part D of title I; (D) part A of title II; (E) part A of title III; (F) part A of title IV; (G) part B of title IV; (H) subpart 2 of part C of title V”

11. The House amendment, but not the Senate bill, slightly amends this definition.

SR

12. The House amendment, but not the Senate bill, contains a definition of ‘direct student services’.

HR

13. The House amendment, but not the Senate bill, modifies the ‘distance learning’ definition and renames it ‘distance education’.

HR

14. The Senate bill, but not the House amendment, includes a definition of ‘dual or concurrent enrollment’.

HR with an amendment to strike and insert the following:

“(17) **DUAL OR CONCURRENT ENROLLMENT PROGRAM.**—The term ‘dual or concurrent enrollment program’ means a program offered by a partnership between at least one institution of higher education and at least one local educational agency through which a secondary school student who has not graduated from high school with a regular high school diploma is able to enroll in one or more postsecondary courses and earn postsecondary credit that is transferable to the institutions of higher education in the partnership and applies toward completion of a degree or recognized educational credential.

15. The Senate bill, but not the House amendment, includes a definition of ‘early childhood education program’.

HR

16. The Senate bill, but not the House amendment includes a definition of ‘early college high school’.

HR with an amendment to strike “transferable” and insert “that are transferable to the institutions of higher education in the partnership”

17. The Senate bill refers to ‘challenging’ academic standards.

HR

18. The Senate bill and House amendment use different cross-references.

HR

19. The Senate bill, but not the House amendment, has a definition for ‘evidence-based’.

HR with an amendment to insert the following:

(23) **EVIDENCE-BASED.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the term ‘evidence-based’, when used with respect to a State, local educational agency, or school activity, means an activity that—

(i) demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on—

(I) strong evidence from at least 1 well-designed and well-implemented experimental study;

(II) moderate evidence from at least 1 well-designed and well-implemented quasi-experimental study; or

(III) promising evidence from at least 1 well-designed and well-implemented correlational study with statistical controls for selection bias; or

(ii) (I) demonstrates a rationale that is based on high-quality research findings or positive evaluation that such activity is likely to improve student outcomes or other relevant outcomes; and

(II) includes ongoing efforts to examine the effects of such activity.

(B) **DEFINITION FOR SPECIFIC ACTIVITIES FUNDED UNDER THIS ACT.**—The term ‘evidence-based’, means a State, local educational agency, or school activity that meets the requirements of subclause (I), (II), or (III) of subparagraph (A)(i) when used with respect to interventions or improvement activities or strategies funded under section 1003.

(C) **TECHNICAL ASSISTANCE.**—If requested by State or local educational agencies, regional educational laboratories shall provide technical assistance to such State or local educational agency in meeting the requirements of this paragraph.

20. The Senate bill, but not the House amendment, has a definition of ‘expanded learning time’.

HR with an amendment to strike “instruction and enrichment in core academic subjects, other academic subjects, and other activities that contribute to” and insert “activities and instruction for enrichment in”

21. The Senate bill and the House amendment have different methods for defining ‘extended-year adjusted cohort graduation rate’. The Senate bill refers to the 2008 regulation and the House amendment defines ‘extended-year adjusted cohort graduation rate’.

SR with an amendment to strike and replace with the following:

(20) **EXTENDED-YEAR ADJUSTED COHORT GRADUATION RATE.**—

(A) **IN GENERAL.**—The term ‘extended-year adjusted cohort graduation rate’ means the ratio where—

(i) the denominator consists of the number of students who form the original cohort of entering first-time 9th grade students enrolled in the high school no later than the effective date for student membership data submitted annually by State educational agencies to the National Center for Education Statistics under section 153 of the Education Sciences Reform Act, adjusted by—

(I) adding the students who joined that cohort, after the time of the determination of the original cohort; and

(II) subtracting only those students who left that cohort, after the time of the determination of the original cohort, as described in subparagraph (B); and

(ii) except as provided in subclause (III), the numerator—

(I) consists of the number of students in the cohort, as adjusted under clause (i), who earned a regular high school diploma before, during, or at the conclusion of—

(aa) one or more additional years beyond the fourth year of high school; or

(bb) a summer session immediately following the additional year of high school; and

(II) consists of all students with the most significant cognitive disabilities assessed using the alternate assessment aligned to alternate academic achievement standards under section 1111(b)(2)(D) awarded a State-defined alternate diploma that is standards-based and aligned with the State requirements for the regular high school diploma, and obtained within the time period for which the State ensures the availability of a free appropriate public education under section 612(a)(1) of the Individuals with Disabilities Education Act;

Report Language: “It is the Conferees’ intent that the State shall determine requirements for both the regular high school diploma and for the State-defined alternate diploma described in this subclause. Requirements determined by the State for the alternate diploma must be aligned to the State’s requirements for the regular high school diploma and should be reflective of the State’s requirements for a regular high school diploma with respect to satisfactory coursework completion or competency demonstrations that reflect professional judgment as to the highest possible standards achievable by such students.”

(III) shall not consist of any student awarded a GED or other recognized equivalent, certificate of completion, certificate of attendance, or similar lesser credential.

(B) COHORT REMOVAL.—To remove a student from a cohort, a school or local educational agency shall require documentation to confirm that the student has transferred out, emigrated to another country, transferred to a prison or juvenile facility, or is deceased.

(C) TRANSFERRED OUT.—

(i) IN GENERAL.—For purposes of this paragraph, the term “transferred out” means a student who the high school or local educational agency has confirmed, according to clause (ii), has transferred—

(I) to another school from which the student is expected to receive a regular high school diploma; or

(II) to another educational program from which the student is expected to receive a regular high school diploma.

(ii) CONFIRMATION REQUIREMENTS.—

(I) DOCUMENTATION REQUIRED.—The confirmation of a student’s transfer to another school or educational program described in clause (i) requires documentation from the receiving school or program that the student enrolled in the receiving school or program.

(II) LACK OF CONFIRMATION.—A student who was enrolled, but for whom there is no confirmation of the student having transferred out, shall remain in the denominator of the extended-year adjusted cohort.

(iii) PROGRAMS NOT PROVIDING CREDIT.—A student who is retained in grade or who is enrolled in a GED or other alternative educational program that does not issue or provide credit toward the issuance of a regular high school diploma shall not be considered

transferred out and shall remain in the extended-year adjusted cohort.

(D) SPECIAL RULE.—For those high schools that start after grade 9, the original cohort shall be calculated for the earliest high school grade students attend no later than the effective date for student membership data submitted annually by State educational agencies to the National Center for Education Statistics pursuant to section 153 of the Education Sciences Reform Act.

22. The House amendment, but not the Senate bill, includes a definition for “high-quality academic tutoring”.

HR

23. The Senate bill, but not the House amendment, adds a definition of multi-tier system of supports.

HR with an amendment to strike (33) and insert a new (33) as follows:

“(33) MULTI-TIER SYSTEM OF SUPPORTS.—The term ‘multi-tier system of supports’ means a comprehensive continuum of evidence-based, systemic practices to support a rapid response to students’ needs, with regular observation to facilitate data-based instructional decision making.”

Report Language: “It is the intent of the Conferees that the full range of students’ needs, including academic needs and behavioral needs, be addressed through a school’s use of a multi-tier system of supports.”

24. The House amendment, but not the Senate bill, eliminates the definition of “mentoring”.

HR

25. The House amendment and the Senate bill update the definition of “outlying areas” in different ways.

SR

26. The Senate bill, but not the House amendment, includes a definition of “paraprofessional”.

HR

27. The Senate bill and House amendment contain different section references in subparagraph (D).

LC

28. The House amendment, but not the Senate bill, includes a definition for “Pay For Success Initiatives”.

SR with an amendment to strike the definition and insert the following:

PAY FOR SUCCESS INITIATIVE.—The term “pay for success initiative” means a performance-based grant, contract, or cooperative agreement awarded by a public entity in which a commitment is made to pay for improved outcomes that result in social benefit and direct cost savings or cost avoidance to the public sector. Such an initiative must include—

(1) a feasibility study on the initiative describing how the proposed intervention is based on evidence of effectiveness;

(2) a rigorous, third party evaluation that uses experimental or quasi-experimental design or other research methodologies that allow for the strongest possible causal inferences to determine whether the initiative has met its proposed outcomes;

(3) an annual, publicly available report on the progress of the initiative; and

(4) except as provided as under paragraph (2), a requirement that payments are made to the recipient of a grant contractor or cooperative agreement only when agreed upon outcomes are achieved.

29. The Senate bill and the House amendment both include a definition of “professional development” but they are different.

SR with amendment to strike “the term ‘professional development’—” and everything that follows through the “.” at the end and in-

sert after “PROFESSIONAL DEVELOPMENT—” the following:

The term “professional development” means activities that—

(A) are an integral part of school and local educational agency strategies for providing educators (including teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, and, as applicable, early childhood educators) with the knowledge and skills necessary to enable students to succeed in the [core academic subjects] and to meet challenging State academic standards; and

(B) are sustained (not stand-alone, 1-day, or short term workshops), intensive, collaborative, job-embedded, data-driven, classroom-focused, and may include activities that—

(i) improve and increase teachers’—

(I) knowledge of the academic subjects the teachers teach;

(II) understanding of how students learn; and

(III) ability to analyze student work and achievement from multiple sources, including how to adjust instructional strategies, assessments, and materials based on such analysis;

(ii) are an integral part of broad schoolwide and districtwide educational improvement plans;

(iii) allow personalized plans for each educator to address the educator’s specific needs identified in observation or other feedback;

(iv) improve classroom management skills;

(v) support the recruiting, hiring, and training of effective teachers, including teachers who became certified through State and local alternative routes to certification;

(vi) advance teacher understanding of—

(I) effective instructional strategies that are evidence-based; and

(II) strategies for improving student academic achievement or substantially increasing the knowledge and teaching skills of teachers;

(vii) are aligned with, and directly related to academic goals of the school or local educational agency;

(viii) are developed with extensive participation of teachers, principals, other school leaders, parents, representatives of Indian tribes (as applicable), and administrators of schools to be served under this Act;

(ix) are designed to give teachers of children who are English learners, and other teachers and instructional staff, the knowledge and skills to provide instruction and appropriate language and academic support services to those children, including the appropriate use of curricula and assessments;

(x) to the extent appropriate, provide training for teachers, principals, and other school leaders in the use of technology (including education about the harms of copyright piracy), so that technology and technology applications are effectively used in the classroom to improve teaching and learning in the curricula and academic subjects in which the teachers teach;

(xi) as a whole, are regularly evaluated for their impact on increased teacher effectiveness and improved student academic achievement, with the findings of the evaluations used to improve the quality of professional development;

(xii) are designed to give teachers of children with disabilities or children with developmental delays, and other teachers and instructional staff, the knowledge and skills to provide instruction and academic support services to those children, including positive behavioral interventions and supports,

multi-tiered systems of supports, and use of accommodations;

(xiii) include instruction in the use of data and assessments to inform and instruct classroom practice;

(xiv) include instruction in ways that teachers, principals, other school leaders, specialized instructional support personnel, and school administrators may work more effectively with parents and families;

(xv) involve the forming of partnerships with institutions of higher education, including, as applicable, Tribal Colleges and Universities as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c (b)), to establish school-based teacher, principal, and other school leader training programs that provide prospective teachers, novice teachers, principals, and other school leaders with an opportunity to work under the guidance of experienced teachers, principals, other school leaders, and faculty of such institutions;

(xvi) create programs to enable paraprofessionals (assisting teachers employed by a local educational agency receiving assistance under part A of title I) to obtain the education necessary for those paraprofessionals to become certified and licensed teachers;

(xvii) provide follow-up training to teachers who have participated in activities described in this paragraph that are designed to ensure that the knowledge and skills learned by the teachers are implemented in the classroom; and

(xviii) where applicable and practical, provide jointly for school staff and other early childhood education program providers, to address the transition to elementary school, including issues related to school readiness.

30. The House amendment, but not the Senate bill, includes a definition of “regular high school diploma”.

SR with an amendment to strike and replace with the following:

“(37) **REGULAR HIGH SCHOOL DIPLOMA**—The term ‘regular high school diploma’ means the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma. Such term shall not include a GED or other recognized equivalent of a diploma, a certificate of attendance, or any lesser diploma award.

31. The Senate bill definition for “school leader” is structured differently from the definition in the House amendment and contains specific references to “elementary school” and “secondary school”.

HR

32. The House amendment, but not the Senate bill, refers to optimum conditions for student learning.

HR

33. The Senate bill and House amendment have a different structure for the definition of “specialized instructional support personnel”.

LC

34. The Senate bill, but not the House amendment, includes school nurses, speech language pathologists, and school librarians in the definition for “specialized instructional support personnel”.

HR

35. The House amendment, but not the Senate bill, updates the definition for “technology”.

SR

36. The Senate bill, but not the House amendment, includes a definition for “universal design for learning”.

HR

Report Language: “It is the Conferees’ intent that the term “universal design for learning” refers to efforts that reduce barriers in instruction, that ensure appropriate accommodations and supports, and that allow all students, particularly those with disabilities and English learners, to meet high academic achievement expectations. The term refers to a scientifically valid framework for guiding educational practice that provides flexibility in the ways information is presented, in the ways students respond or demonstrate knowledge and skills, and in the ways students are engaged.”

37. The Senate bill and House amendment contain different title references.

LC

38. The House amendment, but not the Senate bill, strikes the requirement for States to demonstrate a majority of funds come from non-federal sources.

HR

39. The Senate bill, but not the House amendment, adds an additional use of funds

HR

40. The location of section 9203(b) amendments is out of order in the Senate bill.

LC

41. The Senate bill, but not the House amendment, adds an additional use of funds related to fiscal support teams.

HR

42. The House amendment, but not the Senate bill, strikes a reference to “including measurable goals and objectives”

SR with an amendment to insert “, including program objectives” after “effectiveness”

43. The House amendment, but not the Senate bill, removes “nonprofit” from “public and private agencies”.

SR

44. The House amendment, but not the Senate bill, removes requirement for the private agency to be nonprofit in 2(A) and 2(B).

SR

45. The Senate bill, but not the House amendment, adds an option for rural districts and educational service agencies to submit a consolidated plan.

HR

46. The House amendment, but not the Senate bill, removes the cross reference to State plans being submitted pursuant to current law section 9305 or separately.

SR

47. The House amendment, but not the Senate bill, removes requirement for the private agency to be nonprofit

SR

48. The Senate bill, but not the House amendment, includes a provision for the local educational agency to request a waiver through the state educational agency and for schools to request waivers through the local educational agency who then may request it through the state educational agency.

HR

49. The House amendment and the Senate bill contain different exceptions.

HR

50. The House amendment also contains limitations.

HR

51. The House amendment, but not the Senate bill, requires the Secretary to waive statutory or regulatory requirements for the state educational agencies, Indian tribes, or schools who submit a waiver pursuant to the subsection.

HR

52. The Senate bill and House amendment have different requirements for the contents of the waiver applications.

HR

53. The Senate bill, but not the House amendment, maintains the requirement that the application describe how the waiver will increase the quality of instruction for students and improve the academic achievement of students. The House amendment includes a requirement that the application reasonably demonstrate how the waiver will improve instruction and advance student academic achievement.

SR with an amendment to strike “reasonably demonstrates that the waiver will improve instruction for students and” and insert “describes how the waiving of those requirements will”

54. The Senate bill, but not the House amendment, requires the entity seeking a waiver to regularly evaluate the effectiveness of the waiver.

HR

55. The Senate bill, but not the House amendment, contains a provision that requires waiver plans to only include information directly related to the waiver request.

SR with an amendment to insert a new subparagraph (E) as follows: “(E) includes only information directly related to the waiver request; and”

and amend subparagraph (E) of current law by inserting the following:

, and, if the waiver relates to provisions of section 1111(b) or [(h)], how the State educational agency, local educational agency, or Indian tribe will maintain or improve transparency in reporting to parents and the public on student achievement and school performance, including the achievement of the subgroups of students identified in section 1111[(b)(2)(B)(xi)]” after “requested”

56. The House amendment and the Senate bill have different lead-ins before subparagraph (A).

LC

57. The Senate bill and the House amendment contain similar language.

HR

58. The Senate bill, but not the House amendment, adds a cross-reference to the language preceding clause (i) permitting the State to act on behalf of local educational agencies.

HR

59. The House amendment, but not the Senate bill, inserts “the public” and “provide input” in clause (i).

SR

60. The House amendment refers to “LEAs” while the Senate bill refers to “any interested LEAs.”

HR

61. The Senate bill, but not the House amendment, adds a requirement that the state provide this information to any LEA to the extent the waiver request impacts that LEA.

HR

62. The House amendment, but not the Senate bill, adds “input” to clause (ii).

SR

63. The House amendment, but not the Senate bill, requires the States to describe how they addressed comments when submitting the request to the Secretary.

SR

64. The House amendment, but not the Senate bill, adds opportunities for comment in a reasonable time to the public and LEAs in clause (iii).

SR

65. The Senate bill, but not the House amendment, adds a requirement for the SEA to approve any LEA waiver request in accordance with subsection (a)(2) before submission.

HR

66. The House amendment, but not the Senate bill, adds “and the public” at the end.

SR

67. The House amendment, but not the Senate bill, adds reasonable opportunities for the State and public to comment on waiver requests.

SR

68. The House amendment, but not the Senate bill, includes a peer review requirement.

HR

69. The Senate bill and House amendment have different paragraph numbers.

HR

70. The Senate bill requires the Secretary to issue a written determination regarding the approval or disapproval and the House amendment requires the Secretary to approve the waiver unless certain conditions are met.

HR with amendment to insert “initial” after “regarding the” and strike “submitted,” and all that follows and insert “submitted.” Initial disapproval of such request shall be based on the determination of the Secretary that—

71. The Senate bill includes a 90 day timeline, the House amendment includes 60 days.

HR with amendment to strike “90” and insert “120”

72. The House amendment, but not the Senate bill, includes clauses (iii) and (iv).

SR with amendment to strike “clause (iii)” insert all that follows:

“(iii) the plan that is required under paragraph (1)(C), provides insufficient information to demonstrate that the waiving of such requirements will advance student academic achievement consistent with the purposes of this Act; or

72A. The Senate bill and the House amendment have the same subparagraph (B).

HR/SR with amendment to strike “If the Secretary determines” and all that follows through “section,” and insert “Upon the initial determination of disapproval under subparagraph (A),”

73. The Senate bill, but not the House amendment adds a mention of “through the State educational agency”.

HR

74. The Senate bill requires the Secretary to provide detailed reasons for the waiver determination and permits the reasons to be posted online. The House amendment says the detailed reasons have to be provided at the request of the SEA.

HR

75. The Senate bill, but not the House amendment includes “through the SEA”.

HR

76. The Senate bill and House amendment refer to the 60 day timeline in different ways.

HR

76a. The Senate bill and House amendment have the same clause (iii).

SR with amendment to strike “public”

76b. The Senate bill and the House amendment have the same subparagraph (C).

HR/SR with amendment to insert “ultimately” after “The Secretary may”

77. The Senate bill, but not the House amendment, includes “through the SEA”.

HR

78. The House amendment contains “if requested” at the end of subclause (II).

SR

79. The Senate bill and House amendment contain different provisions on external conditions.

HR

80. The House amendment, but not the Senate bill, includes Indian tribes in paragraph (1).

SR

81. The House amendment, but not the Senate bill, removes the paragraph related to maintenance of effort.

HR

82. The House amendment, but not the Senate bill removes the paragraph related to charter schools. The Senate bill updates a cross reference in paragraph (8) of the Senate bill.

HR

83. The House amendment, but not the Senate bill, makes changes to current law paragraph (9) (paragraph (7) in the House amendment) regarding prohibitions.

HR/LC

84. The Senate bill and House amendment contain different section references.

LC

85. The Senate bill, but not the House amendment, makes updates to paragraph (10) of the Senate bill to reflect a change in bill structure.

SR

86. The House amendment, but not the Senate bill, shortens the length of possible waiver approval time from 4 years to 3 years.

HR

86a. The House amendment, but not the Senate bill, changes “Secretary determines” to “State demonstrates”.

SR

87. The Senate bill and House amendment contain different provisions related to limitations.

SR with amendment to strike “any criterion that specifies, defines, describes, or prescribes” and all that follows to “improve” and insert “any specific elements of”

88. The Senate bill and House amendment have different reporting requirements.

HR

89. The Senate bill and House amendment have different requirements for the termination of waivers.

HR

90. The Senate bill, but not the House amendment, includes a provision for the repeal of waivers.

SR

91. The Senate bill, but not the House amendment, includes a provision for a plan approval process for all State and local applications and plans in the bill, including consolidated State and local plans.

Note not needed.

92. The Senate bill redesignates current law section 4303 as section 9573, and updates references to early childhood. The House amendment repeals current law section 4303.

HR

93. The Senate bill, but not the House amendment, includes a provision for a plan approval process for all State applications and plans in the bill, including consolidated State plans. The House amendment includes similar language for Title II State applications.

HR with amendment to read as follows:

(3) by inserting after section 9401 the following:

PART E—APPROVAL AND DISAPPROVAL OF STATE PLANS AND LOCAL APPLICATIONS

SEC. 9451. APPROVAL AND DISAPPROVAL OF STATE PLANS.

(a) **APPROVAL**—A plan submitted by a State pursuant to section [2101(d), 4103(d), or 9302] shall be approved by the Secretary unless the Secretary makes a written determination (which shall include rationale supporting such determination), prior to the expiration of the 90-day period beginning on the date on which the Secretary received the

plan, that the plan is not in compliance with section [2101(d) or 4103(d) or part C], respectively; and

94. The Senate bill, but not the House amendment, includes a provision for a plan disapproval process for all State applications and plans in the bill, including consolidated State plans. The House amendment includes similar language for Title II State applications.

HR with an amendment to read as follows:

(E) conduct a hearing within 30 days of the plan's resubmission under subparagraph (C), unless a State declines the opportunity for such hearing; and

(F) request additional information, only as to the noncompliant provisions, needed to make the plan compliant.

(c) **LIMITATION**.—A plan submitted under section [section 2101(d), 4103(d), or 9302] shall not be approved or disapproved based upon the activities proposed within such plan if such proposed activities meet the applicable program requirements.”

(3) **RESPONSE**.—If the State educational agency responds to the Secretary's notification described in paragraph (2)(A) during the 45-day period beginning on the date on which the State educational agency received the notification, and resubmits the plan with the requested information described in paragraph (2)(C), the Secretary shall approve such plan unless the Secretary determines the plan does not meet the requirements of this part.

95. The Senate bill ensures consolidated State plans related to Part A are subject to Title I peer review.

HR

96. The Senate bill, but not the House amendment, includes a provision for a plan approval process for all local applications and plans in the bill, including consolidated local plans. The House amendment includes similar language for Title II local applications.

HR with amendment to read as follows:

SEC. 9452. APPROVAL AND DISAPPROVAL OF LOCAL EDUCATIONAL AGENCY APPLICATIONS.

(a) **APPROVAL**—An application submitted by a local educational agency pursuant to section [2102(b), 4104(b), or 9305], shall be approved by the State educational agency unless the State educational agency makes a written determination (which shall include the supporting information and rationale for such determination), prior to the expiration of the 90 day period beginning on the date on which the State educational agency received the application, that the application is not in compliance with section 2102(b) or 4104(b), or part C, respectively.

97. The Senate bill, but not the House amendment, includes a provision for a plan disapproval process for all local applications and plans in the bill, including consolidated local plans. The House amendment includes similar language for Title II local applications.

HR with amendment to read as follows:

(b) **DISAPPROVAL PROCESS**—

(E) conduct a hearing within 30 days of the application's resubmission under subparagraph (C), unless a local educational agency declines the opportunity for such hearing; and

(3) **RESPONSE**—If the local educational agency responds to the State educational agency's notification described in paragraph (2)(A) during the 45-day period beginning on the date on which the local educational agency received the notification, and resubmits the application with the requested information described in paragraph (2)(C), the

State educational agency shall approve such application unless the State educational agency determines the application does not meet the requirements of this part.

98. The Senate bill and House amendment make different changes to participation requirements for private school children.

STRIKE

99. The House amendment, but not the Senate bill, adds “or their representatives”.

HR

100. The House amendment, but not the Senate bill, adds an ombudsman.

SR

101. The House amendment, but not the Senate bill, makes changes to expenditures, including adding provisions for obligations of funds and notice of allocation.

HR

102. The House amendment includes a (B) for obligation of funds.

SR with amendment to strike clause (ii)

Report Language: “It is the Conferees intent to ensure that the agency shall provide services to eligible students under this provision in a timely manner to ensure such services will be provided in the year in which the funds were received by such agency. If the agency does not provide equitable services in the year in which the funds were received, such funds should not be redistributed for general use because such services were not provided.”

103. House amendment adds paragraph (C).

SR with an amendment to strike “determine” through all of clause (ii) and insert “provide notice in a timely manner to the appropriate private school officials in the State of the allocation of funds for educational services and other benefits under this subpart that the local educational agencies have determined are available for eligible private school children.”

104. The Senate bill and House amendment have equitable participation provisions apply to different programs in the Act.

SR with an amendment to strike and insert the following:

- (A) Part C of title I;
- (B) Part A of title II;
- (C) Part A of title III;
- (D) Part A of title IV; and
- (E) Part B of title IV;

105. The Senate bill and House amendment have different changes to subsection (c)(1).

SR with amendment to strike “in order to reach an agreement, with appropriate private school officials during the design and development of the programs under this Act, on issues such as” and insert “, Such agency and private school officials shall both have the goal of reaching agreement on how to provide equitable and effective programs for eligible private school children,”

106. The House and Senate make different changes to subparagraph (E).

HR

107. The House amendment adds “or representatives” to subparagraph (F).

HR

108. The Senate bill but not the House amendment includes contract before services.

SR

109. The House amendment includes a subparagraph (G).

HR

110. The Senate bill and House amendment include similar policy in subparagraph (G) of the Senate bill and subparagraph (H) of the House amendment.

HR

110a. The House amendment includes subparagraph (I).

SR

111. The House amendment includes “or representatives” in paragraph (2).

HR

112. The House amendment makes changes to paragraph (2).

HR

113. The House amendment adds paragraph (5) on documentation.

SR with an amendment to strike “or representatives” and to insert after “indicate” “that such officials’ belief” (See EP #33)

114. The House amendment adds paragraph (6) on compliance.

SR with an amendment to strike “or representatives” and insert “make a decision that treats” after “or did not”

115. The House amendment adds subparagraph (C) in paragraph (6) on state services.

SR with amendment to strike “and institutions, if —” and all that follows through the end and insert “and institutions, if the appropriate private school officials or their representatives have—

‘(I) requested that the State educational agency provide such services directly; and

‘(II) demonstrated that the local educational agency involved has not met the requirements of this section in accordance with the procedures for making such a request, as prescribed by the State educational agency;”

116. The House amendment and Senate bill reference different sections in 6502 and 6503.

LC

117. The House amendment, but not the Senate bill, adds a 45 day timeline for complaints to be resolved by the states.

SR

118. The House amendment changes the Secretary’s timeline to 90 days.

SR

119. The Senate bill, but not the House amendment, includes a provision for maintenance of effort.

HR

120. The Senate bill, but not the House amendment, includes a change to this provision for school prayer.

HR

121. The Senate bill and the House amendment both include prohibitions on Federal government and use of funds, but include different language.

SR with amendment to read as follows:
SEC. 8XXX. PROHIBITION AGAINST FEDERAL MANDATES, DIRECTION, OR CONTROL.

(a) IN GENERAL.—No officer or employee of the Federal Government shall, through grants, contracts, or other cooperative agreements, mandate, direct, or control a State, local educational agency, or school’s specific instructional content, academic standards and assessments, curricula, or program of instruction developed and implemented to meet the requirements of this Act (including any requirement, direction, or mandate to adopt the Common Core State Standards developed under the Common Core State Standards Initiative, any other academic standards common to a significant number of States, or any assessment, instructional content, or curriculum aligned to such standards), nor shall anything in this Act be construed to authorize such officer or employee to do so.

(b) FINANCIAL SUPPORT.—No officer or employee of the Federal Government shall condition or incentivize the receipt of any grant, contract, or cooperative agreement, the receipt of any priority or preference under such grant, contract, or cooperative agreement, or the receipt of a waiver under section [8401] upon a State, local educational

agency, or school’s adoption or implementation of specific instructional content, academic standards and assessments, curricula, or program of instruction developed and implemented to meet the requirements of this Act (including any condition, priority, or preference to adopt the Common Core State Standards developed under the Common Core State Standards Initiative, any other academic standards common to a significant number of States, or any assessment, instructional content, or curriculum aligned to such standards).

SEC. 8XXX. PROHIBITIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.

(a) GENERAL PROHIBITION.—Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government, including through a grant, contract, or cooperative agreement, to mandate, direct, or control a State, local educational agency, or school’s curriculum, program of instruction, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act

122. The Senate bill and the House amendment include prohibitions on the endorsement of curriculum, but include different language.

SR with amendment to strike “directly or indirectly”

123. The House amendment includes a protection for local control.

SR with an amendment to strike “directly” or indirectly”

124. The Senate bill and the House amendment include a prohibition on Federal approval of standards using different language.

SR with an amendment to strike “directly” or indirectly”

125. The Senate bill, but not the House amendment, includes a rule of construction.

HR with an amendment to strike subparagraph (A) and to strike in subparagraph (B) “Nothing in this section” and insert “Nothing in this Act”

125a. The House amendment and Senate bill have different references, but the same policy.

LC

126. The House amendment, but not the Senate bill, contains provisions on prohibited uses of funding for construction, medical services, drug treatment, and other uses.

SR

126a. The House amendment, but not the Senate bill, has a prohibition for construction in (1)

SR with an amendment to strike “title IV or otherwise authorized”

126b. The House amendment and Senate bill includes different paragraph (2)s.

HR

126c. The House amendment, but not the Senate bill, has a paragraph on transportation prohibition.

SR

126d. The House amendment, but not the Senate bill, makes changes to (4) and (5).

HR

127. The Senate bill and the House amendment include an Armed Forces Recruiter Access policy, but use different language in (a)(1).

SR

128. The House amendment, but not the Senate bill, amends the opt out process.

SR

129. The House amendment, but not the Senate bill, adds a rule of construction on opt-in processes.

SR

130. The House amendment, but not the Senate bill, adds a provision on parental consent.

SR

130a. The House amendment includes a reference to the bill title.

LC

131. The Senate bill and the House amendment include a prohibition on federally sponsored testing, but use different language.

HR

132. The Senate bill, but not the House amendment updates an ESRA reference.

HR

133. The Senate bill, but not the House amendment, also includes a rule of construction.

SR

134. The Senate bill and the House amendment include a limitation on national testing or certification for teachers, but use different language.

HR with an amendment to insert in the heading “, principals, or other school leaders” after teachers

135. The Senate bill adds “principals” after “teachers”.

HR with an amendment to read as follows:

“(1) by inserting ‘, principals, or other school leaders,’ after ‘teacher’; and” insert “, or other school leaders” before the period.

136. The Senate bill adds “or incentive regarding” after “administration of”.

HR

137. The House amendment moves the prohibition regarding state aid and changes “title viii” to “title iv” to reflect a change of structure in the House amendment, but otherwise the provisions are identical.

HR/SR with an amendment to strike “title VIII” and insert “title VII”

138. The House amendment, but not the Senate bill, includes a provision on prohibitions regarding requiring state participation.

SR

139. The Senate bill, but not the House amendment, includes a provision on consultation with Indian tribes.

HR to strike the Senate language and insert the following:

SEC. XX. CONSULTATION WITH INDIAN TRIBES AND TRIBAL ORGANIZATIONS.

(a) IN GENERAL.—To ensure timely and meaningful consultation on issues affecting American Indian and Alaska Native students, an affected local educational agency shall consult with appropriate officials from Indian tribes or tribal organizations approved by the tribes located in the area served by the local educational agency prior to the affected local educational agency’s submission of a required plan or application for a covered program under this Act or for a program under Title VII of this Act.

(b) DOCUMENTATION.—Each affected local educational agency shall maintain in the agency’s records and provide to the State educational agency a written affirmation signed by the appropriate officials of the participating tribes that the consultation required by this section has occurred. If such officials do not provide such affirmation within a reasonable period of time, the affected local educational agency shall forward documentation that such consultation has taken place to the State educational agency.

(c) AFFECTED LOCAL EDUCATIONAL AGENCY.—In this section, the term ‘affected local educational agency’ means a local educational agency—

(1) with an enrollment of American Indian or Alaska Native students that is not less than 50 percent of the total enrollment of the local educational agency; or

‘(2) that received a grant in the previous fiscal year under Title VI, Part A, Subpart 1 that exceeded \$40,000. .’

(e) APPROPRIATE OFFICIALS.—In this section, the term “appropriate officials” means tribal officials who are elected or appointed tribal leaders or officials designated in writing by an Indian tribe for this specific consultation purpose.

(f) RULE OF CONSTRUCTION. Subject to the requirement in (a), nothing in this section shall be construed to require the local educational agency to determine who are the appropriate officials nor shall the local educational agency be liable for consultation with appropriate officials that the tribe determines were not the correct individuals.

(g) LIMITATION.

(1) Consultation required under this section shall not interfere with the timely submission of the plans or applications required under this Act..

140. The Senate bill, but not the House amendment, includes a provision on competitive grants applications from BIE.

SR

141. The Senate bill, but not the House amendment, includes a provision on outreach and technical assistance for rural local educational agencies.

HR

142. The Senate bill, but not the House amendment, includes a provision on consultation with the governor.

HR

143. The Senate bill and House amendment, include provisions to protect local control, but use different language.

HR

144. The Senate bill, but not the House amendment includes a rule of construction regarding travel to and from school.

HR

145. The House amendment, but not the Senate bill, includes a provision regarding abortion and school-based health centers.

SR with an amendment to strike and insert the following:

SEC. 6532. SCHOOLCHILDREN’S PROTECTION FROM ABORTION PROVIDERS.”

and all that follows and insert the following:

SEC. XXXX. LIMITATIONS ON SCHOOL-BASED HEALTH CENTERS.

Notwithstanding section [8102], funds used for activities under this Act shall be carried out in accordance with the provision of section 399z-1(a)(3)(C) of the Public Health Service Act (42 U.S.C. 280h—5(a)(3)(C)).

146. The House amendment, but not the Senate bill, includes a provision regarding state control over standards.

SR with an amendment to strike “or any other specific standards,” and insert “or otherwise revise their standards.”

147. The Senate bill and the House amendment include similar provisions, except that the House amendment adds “as prescribed under section 1401.”.

HR

148. The House amendment, but not the Senate bill, includes a provision for peer review to relate to the whole bill.

HR

149. The House amendment, but not the Senate bill, includes a provision for parental consent.

HR

150. The House amendment, but not the Senate bill, includes a provision for reduction in federal spending.

HR

151. The House amendment, but not the Senate bill, includes findings and a sense of Congress on protecting student privacy.

SR

152. The House amendment, but not the Senate bill, includes a provision for States

retaining rights and authorities they do not expressly waive.

HR

153. The House amendment, but not the Senate bill, contains a provision on reallocation among the states.

HR/SR Strike all and replace with the following:

Sense of the Congress.—It is the Sense of Congress that State and local officials should be consulted and made aware of the requirements that accompany participation in activities authorized under this Act prior to a State or local educational agency’s request to participate in such activities.

154. The House amendment, but not the Senate bill, contains a definition for State with a biennial legislature.

HR

155. The House amendment, but not the Senate bill, contains a provision related to the intent of Congress.

HR

156. The House amendment requires the Secretary to ensure that grantees understand their responsibility to protect student privacy. The Senate bill does not include this provision in this title.

SR with an amendment to strike “ensure” and insert “require an assurance that”

157. The House amendment, but not the Senate bill, eliminates current law section 9532 regarding “Unsafe School Choice Option.”

HR

158. The Senate bill and the House amendment include a part on Evaluations, but include different provisions.

HR

159. The Senate bill requires and prioritizes evaluations, studies, and dissemination. The House amendment just allows these things.

HR

160. The Senate bill and House amendment make evaluating effects and efficiencies of programs allowable, but use different structures.

HR

161. The Senate bill and House amendment allow funds to be used to increase evaluation usefulness, but use different language.

HR

162. The Senate bill, but not the House amendment, allows funds to assist grantees in collecting and analyzing data related to evaluations.

HR

163. The Senate bill and House amendment both require an evaluation plan, but use different language around the requirements.

HR

164. The Senate bill requires the National Assessment of Title I funds to go directly to this section, and excludes other Title I funds to be reserved for evaluation. The House amendment prohibits the reservation of Title I funds.

HR

165. The Senate bill, but not the House amendment, includes this provision on consolidation.

HR

166. The Senate bill and House amendment contain similar language related to evaluation activities authorized elsewhere, but the House amendment includes “other than Title I” and refers to “or project” in two places.

HR

167. The House amendment redesignates several sections of current law in Title VI, General Provisions

LC

167a. The House amendment, but not the Senate bill, repeals Title IX.

HR

168. The Senate bill and House amendment have different section references and titles.

HR/SR with an amendment to strike Sec. 9117 and insert the following:**SEC. 9117. PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.**

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3) and 9114, and redesignated by section 9106(1), is further amended by adding at the end the following:

SEC. 9539. PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.

(a) IN GENERAL.—A State, State educational agency, or local educational agency in the case of a local educational agency designated under State law, that receives Federal funds under this Act shall have laws, regulations, or policies that prohibit any person who is a school employee, contractor, or agent, or any State educational agency or local educational agency, from assisting a school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the person or agency knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law.

‘(b) EXCEPTION.—The requirements of subsection (a) shall not apply if the information giving rise to probable cause—

(1)(A) has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct; and

(B) has been properly reported to any other authorities as required by Federal, State, or local law, including title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and the regulations implementing such title under part 106 of title 34, Code of Federal Regulations, or any succeeding regulations; and

(2)(A) the case has been officially closed or the prosecutor with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law;

(B) the school employee, contractor, or agent has been charged with, and exonerated of, the alleged misconduct; or

(C) the case remains open but there have been no charges filed against, or indictment of, the school employee, contractor, or agent within 4 years of the date on which the information was reported to a law enforcement agency.

(c) PROHIBITION.—The Secretary shall not have the authority to mandate, direct, or control the specific measures adopted by a State, State educational agency, or local educational agency under this section.

(d) CONSTRUCTION.—Nothing in this section shall be construed to prevent a State from adopting, or to override a State law, regulation, or policy that provides, greater or additional protections to prohibit any person who is a school employee, contractor, or agent, or any State educational agency or local educational agency, from assisting a school employee who engaged in sexual misconduct regarding a minor or student in violation of the law in obtaining a new job.”

169. The Senate bill, but not the House amendment, includes the State in addition to the State educational agency and local educational agency in the prohibition.

See note 168.

170. The Senate bill, but not the House amendment, requires that any State, State educational agency, or local educational agency that receives funds under this Act have laws, regulations, or policies in place to prohibit assisting in the transfer.

See note 168.

171. The House amendment, but not the Senate bill, makes a local educational agency or State educational ineligible for funds under this Act if they “knowingly facilitate” a transfer of an employee.

See note 168.

172. The Senate bill, but not the House amendment, includes contractors or agents in addition to school employees.

See note 168.

173. The Senate bill, but not the House amendment, uses the phrase “knows or recklessly disregards credible information indicating”.

See note 168.

Report Language: “As used in section 8546, Prohibition on Aiding and Abetting Sexual Abuse, the phrase “has probable cause to believe” means that the person knows facts that would lead a reasonable person to conclude that a school employee, contractor, or agent has previously engaged in, or is currently engaging in sexual misconduct.”

174. The House amendment, but not the Senate bill, uses the phrase “knowingly facilitates the transfer of”.

See note 168.

175. The Senate bill, but not the House amendment, includes exceptions for certain circumstances.

See note 168.

176. The Senate bill, but not the House amendment, includes a prohibition on secretarial authority to mandate, direct, or control specific measures adopted by a State, State educational agency, or local educational agency.

See note 168.

177. The Senate bill, not the House amendment, has a rule of construction regarding State’s rights and laws.

See note 168.

McKinney-Vento Homeless Assistance Act

1. The House amendment has a separate Title VII for “Homeless Education”. The Senate bill merges “Homeless Education” with “Other Laws” and “Miscellaneous” in Title X.

HR/SR with an amendment to place in new Title IX

2. The House amendment and Senate bill refer to the paragraph to be amended in the McKinney-Vento Homeless Assistance Act in different ways.

LC

3. The House amendment and Senate bill use different language when referring to State and local educational agencies.

SR

4. The House amendment and Senate bill make the same change in paragraph (3).

LC

5. The Senate bill includes the word “challenging” as it relates to State academic standards.

HR

6. The House amendment and Senate bill provide for different section titles.

HR

7. The House amendment and Senate bill make different references to the Act to be amended.

LC

8. The House amendment provides for a technical edit.

HR

9. The Senate bill amends subsection (b) to be named “(b) Reservations” and to include

two paragraphs—“(1) Students in Territories” and “(2) Indian Students”.

SR

10. The Senate bill authorizes a 0.1 percent reservation for certain outlying areas, which the House amendment provides for in subsection (c)(2)(A).

SR

11. The Senate bill requires the Secretary to transfer 1 percent of funds to the Department of Interior, which the House amendment provides for in subsection (c)(2)(B)(i).

SR

12. The Senate bill requires the Secretary and the Department to enter an agreement on use and distribution of the transferred funds, which the House amendment provides for in subsection (c)(2)(B)(ii).

SR

13. The House amendment strikes the requirement that the Secretary must provide to a State, at a minimum, the amount a State received in 2001 under section 722(c) of the McKinney-Vento Homeless Education Assistance Act as one option under “State Allocations.”

HR

14. The House amendment strikes paragraph (3) that excludes certain outlying areas from being considered a “State” for purposes of fund allocations.

HR

15. The Senate bill redesignates paragraph (3) as paragraph (4).

SR

16. The Senate bill renames subsection (c) to be titled “(c) Allotments”.

SR

17. The Senate bill makes technical changes to subsection (c) “Allotments”.

SR

18. The Senate bill creates a new paragraph allowing the Secretary to ratably reduce State allotments under this section if insufficient funds are available, which the House amendment provides for in subsection (c)(1)(B).

SR

19. The House amendment makes a technical change to change a reference to “Grants” to “Grant funds from a grant made to a State”.

HR

20. The Senate bill adds “and youths” as it relates to the identification of homeless children.

HR

21. The Senate bill and House amendment make similar changes to this required use of funds, but the Senate bill changes “or” to “including.”

HR

22. The Senate bill and House amendment are similar, except the Senate bill includes “for the Office” to clarify what entity the described duties in the subtitle are for.

LC

23. The House amendment expands grant activities to include professional development opportunities for the homeless liaison and other local educational agency personnel to better identify and respond to the needs of homeless children and youth.

SR

24. The House amendment removes the word “sums” and inserts “grant funds under this subsection” to describe funds made available under the subtitle. The House amendment makes a technical edit to a reference to account for a previous change.

HR on first sentence. LC on second sentence.

25. The Senate bill makes a technical edit to a reference to account for a previous change.

SR

26. The House amendment describes when a State may use funds available for State activities—after it distributes subgrants to local educational agencies.

SR

27. The House amendment, but not the Senate bill, makes a technical change to remove a reference to a section that no longer exists in the amendment.

SR

28. The Senate bill, but not the House amendment, makes a technical edit to a reference to account for a later change.

HR

29. The House amendment, but not the Senate bill, makes the report on separate schools and local educational agencies an annual report as opposed to a one-time report.

HR

30. The House amendment adds a requirement in the annual report for the Secretary to review homeless students' educational progress under the States academic standards for those students who are in separate schools.

SR

31. The Senate bill and House amendment make identical changes in clause (iii).

LC

32. The Senate bill and House amendment include different text to describe modifications to be made to subsection (f).

LC

33. The Senate bill and House amendment include identical language in paragraph (1), except a technical difference in subparagraph (A) where the Senate bill adds "which shall be" when describing how the number of homeless children will be posted.

LC

34. The House amendment and Senate bill are identical.

LC

35. The Senate bill, but not the House amendment, includes "reasonably" before "require, a report".

HR

36. The House amendment, but not the Senate bill, includes "support" before services.

HR

37. The Senate bill, but not the House amendment, requires the Coordinator for Education of Homeless Children and Youths in each State to conduct monitoring of the local educational agencies to ensure compliance with various requirements, in addition to providing them technical assistance.

HR

38. The Senate bill and House amendment refer to the local educational agency liaison by differing terms.

HR

39. The Senate bill, but not the House amendment, requires the Coordinator for Education of Homeless Children and Youths in each State to provide training for local educational agency personnel and the local educational agency liaison on the definitions of terms related to homelessness throughout the McKinney-Vento Homeless Assistance Act.

SR with an amendment to insert "and provide training on the definitions of terms related to homelessness specified in sections 103, 401, and 725 to the liaison" after youths

40. The Senate bill and House amendment are similar, except the Senate bill offers additional clarifying language on how the provision relates to unaccompanied youths.

HR

41. The Senate bill and House amendment include different text to describe modifications to be made to subsection (g).

LC

42. The House amendment adds additional qualifying language to this paragraph to describe how a State will submit a plan in order to be eligible for funds.

HR

43. The Senate bill and House amendment are similar, except the Senate bill includes "challenging" in describing State academic standards.

HR

44. The House amendment and Senate bill are identical.

LC

45. The House amendment and Senate bill are identical.

LC

46. The Senate bill includes additional school personnel who must be included in programming intended to heighten awareness of the specific needs of homeless children and youths.

HR with amendment to insert "other" before "school leaders"

46a. The Senate bill, but not the House amendment, makes reference to subparagraph (J)(ii).

LC

47. The Senate bill strikes "runaway and homeless youths" and inserts "of homeless children and youths, including such children and youths who are runaway and homeless youths;"

HR

48. The House amendment and Senate bill are identical.

LC

49. The House amendment and Senate bill are identical.

LC

50. The Senate bill includes language requiring that homeless children have access to "the same" State and local public preschool programs as other children in the State and adds qualifying language on how the same access for homeless children will be achieved. The House amendment requires homeless children have "equal" access to public preschool programs as other children.

SR with an amendment to strike "equal"

51. The Senate bill, but not the House amendment, requires that States implement policies and practices to ensure that homeless youths and youths separated from public schools receive appropriate credit for full or partial coursework satisfactorily completed while attending a prior school as an example of how homeless youths are accorded equal access to appropriate secondary education and support services.

SR with an amendment to strike "services; and" and insert the following:

services, including by identifying and removing barriers that prevent youths described in this clause from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with State, local and school policies.

52. The Senate bill, but not the House amendment, includes specific types of Federal, State, or local education programs in which the State must ensure homeless children are able to participate, if such programs are available at the State or local levels.

SR with amendment to strike clause (iv) and in clause (iii) from "are able" and all that follows and insert the following:

do not face barriers to accessing academic and extra-curricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning opportunities, and charter school programs, if such programs are available at the State and local levels

Report Language: "When considering barriers, the Conferees intend for homeless students to be afforded the same opportunities to participate in academic and extra-curricular activities as other students, but not for policies to be applied to homeless students who do not meet relevant eligibility criteria for such activities. Academic and extra-curricular activities should make every effort to offer opportunities to homeless students by revising the policies and procedures that create barriers specifically related to the students' homelessness and not to other factors that may compromise program integrity."

53. The Senate bill, but not the House amendment, requires States to describe procedures to ensure State and local policies and practices are adopted to promote homeless children and youths' academic success.

SR

54. The House amendment and Senate bill are identical.

LC

55. The House amendment and Senate bill are identical.

LC

56. The Senate bill, but not the House amendment, includes examples to specific barriers to the enrollment and retention of homeless youths.

HR with amendment to strike "State, including" and all that follows and insert the following:

"State, including barriers to enrollment and retention due to outstanding fees and fines, or absences.

57. The House amendment and Senate bill are similar.

LC

58. The House amendment and Senate bill are identical.

LC

59. In clause (ii), the Senate bill requires assurances the homeless liaison will have sufficient training and time to carry out required duties.

SR with an amendment to add "able to carry out the duties described in paragraph (6)(A)" after "person" and strike "to carry out the duties described in paragraph (6)(A) after "youths" and to add a new (iv) at the end that reads "(iv) the state and its local educational agencies will adopt policies and practices to ensure participation by liaisons described in clause (ii) in professional development and other technical assistance activities provided pursuant to paragraphs (5) and (6) of subsection (f), as determined appropriate by the Office of the Coordinator."

60. In clause (iii), the Senate bill adds clarifying language that a homeless child's school of origin may include a preschool.

SR

61. The House amendment and Senate bill are identical.

LC

62. The House amendment, but not the Senate bill, includes an additional requirement for the State to describe how homeless youths will receive assistance from counselors to improve college readiness.

SR

63. The Senate bill and House amendment are identical.

LC

64. The Senate bill and House amendment are virtually identical, except the Senate bill changes "or" to "and" between subclauses (I) and (II) within clause (i).

HR

65. The House amendment and Senate bill are identical.

LC

66. The House amendment and Senate bill are identical.

LC

67. The Senate bill adds “or (in the case of an unaccompanied youth) the youth” to clarify to whom the presumption applies when discussing the best interest of an unaccompanied youth.

HR

68. The House amendment adds the words “student-centered” when discussing the factors related to a child’s best interest. The Senate bill and House amendment contain different language with the same intention as it relates to giving priority to the request of a parent, guardian, or unaccompanied youth.

HR with an amendment to add “student-centered” before “factors related”.

69. The House amendment requires that if a local educational agency determines that it is not in the child or youth’s best interest to attend the school of origin, the local educational agency must provide a written explanation in a manner and form understandable to parents, guardians, or an unaccompanied youth and information regarding the right to appeal the decision. The Senate amendment requires such information to be provided after already sending a child or youth to the new school.

SR

70. In clause (iv), the Senate bill requires an unaccompanied youth’s views to be considered and taken into account when determining such youth’s best interest. The House amendment requires such youth’s views to be prioritized.

SR

71. The Senate bill adds “immediate” to the subparagraph title.

HR

72. The House amendment and Senate bill are identical.

LC

73. The House amendment and Senate bill are identical.

LC

74. The Senate bill refers to “health records” when describing the relevant health records needed to be obtained for an enrolling homeless child or youth and the House amendment refers to “other required health records”.

SR

75. The Senate bill contains clarifying language regarding who shall be referred to the homeless liaison in the case of unaccompanied youths.

HR

76. The Senate bill refers to “health records” in describing records in the subparagraph and the House amendment refers to “other required health records”.

SR

77. The Senate bill, but not the House amendment, expands the enrollment disputes process to apply to disputes over eligibility for enrollment.

SR with an amendment to add “eligibility,” after “over”

78. The Senate bill, but not the House amendment, includes language clarifying that enrollment in a public school includes a public preschool.

SR

79. The House amendment and Senate bill are identical.

LC

80. The Senate bill and House amendment are similar, except the Senate bill includes clarifying language around how the clause applies to unaccompanied youth and that decisions related to school selection and en-

rollment will require a written explanation be provided to parents, guardians, or an unaccompanied youth.

HR

81. The House amendment and Senate bill are similar.

SR

82. The House amendment and Senate bill are identical.

LC

83. The Senate bill includes this as a new subparagraph (G). The House amendment includes this in a new subparagraph (I). The Senate exchanges the content of subparagraphs (G) and (I).

LC

84. The Senate bill contains language clarifying language that information on a homeless student’s living situation should be treated as a student education record, and not directory information, under section 444 of the General Education Provisions Act. The House amendment includes similar language, and clarifies that information will not be released to certain individuals, per specific regulations.

HR with an amendment to strike “and not as directory information” and insert “and shall not be deemed directory information”

85. The House amendment and Senate bill are identical.

LC

86. The Senate bill and House amendment are identical, except the Senate bill includes this definition as subparagraph (I)(i) and the House amendment includes this as subparagraph (G)(i).

SR with an amendment to insert “, including a preschool” before the period at the end.

87. The Senate bill and House amendment are similar, except the Senate bill uses different language to describe how a receiving school is a school of origin and does not include “for all feeder schools” at the end of the clause.

SR

88. The House amendment, but not the Senate bill, includes an additional requirement for schools to ensure homeless children and youth are held to the same State academic standards to which other students are held.

HR

89. The Senate bill and House amendment require that homeless children and youth are provided comparable services, including transportation. The Senate bill clarifies that such transportation may include transportation to a preschool.

SR

90. The Senate bill includes access to charter and magnet school programs as examples of comparable services homeless students must receive.

SR

91. The House amendment and Senate bill are identical.

LC

92. The House amendment and Senate bill are identical.

LC

93. The House amendment and Senate bill are identical.

LC

93a. The House amendment and Senate bill are identical.

LC

94. The Senate bill and House amendment are similar, except the Senate bill includes transportation and transfer of records as examples of inter-district activities rather than as two separate categories. The Senate bill structures the clause differently than the House amendment.

SR

95. The House amendment and Senate bill are identical.

LC

96. The House amendment and Senate bill are identical.

LC

97. The House amendment and Senate bill are identical.

LC

98. The Senate bill and House amendment are virtually identical, except the House amendment includes a comma after “access to” and before “available”

SR

99. The House amendment and Senate bill are identical.

LC

100. The Senate bill and House amendment are similar, except the Senate bill does not include a reference to section 504 of the Rehabilitation Act of 1973.

SR

101. The Senate bill and House amendment are virtually identical, except the House amendment adds outreach activities in clause (i) in addition to coordination activities, which will be used by school personnel to identify homeless children.

SR

102. The House amendment and Senate bill are identical.

LC

103. The Senate bill and House amendment are virtually identical, except the Senate bill includes specific references to other laws where services for homeless youth are also provided to which such youth should have access.

HR

104. The Senate bill and House amendment are virtually identical, except the Senate bill refers to “families and homeless children and youths” and the House amendment uses “families, children, and youths”.

HR

105. The House amendment and Senate bill are identical.

LC

106. The House amendment and Senate bill are identical.

LC

107. The House amendment and Senate bill are identical.

LC

108. The House amendment and Senate bill are identical.

LC

109. The House amendment and Senate bill are identical.

LC

110. The House amendment and Senate bill are identical.

LC

111. The Senate bill and House amendment are similar, except the Senate bill adds “challenging” to the description of State academic standards. The House amendment also includes “and practices” after “policies” as it relates to required access to secondary education and support services.

HR

112. The Senate bill allows unaccompanied youths to obtain assistance to receive verification of homelessness for FAFSA eligibility. The House amendment requires that unaccompanied youths receive verification as homeless for FAFSA eligibility.

HR

113. The Senate bill and House amendment are similar, except the Senate bill adds “who are in secondary school” in describing the homeless youth who must be informed of the duties of the homeless liaison.

SR

114. The Senate bill and House amendment use virtually identical language to describe the annually required list of liaisons on the State website.

LC

115. The House amendment and Senate bill are virtually identical, except the Senate bill includes a reference to “information and data” needed to meet a requirement in another subsection. The House amendment just refers to “data”.

SR

116. The Senate bill, but not the House amendment, adds a new subparagraph requiring homeless liaisons to participate in professional development as determined appropriate by the State coordinator. The House amendment includes no such requirement.

SR

117. The Senate bill allows homeless liaisons or members of the personnel of a local educational agency who receive appropriate training to certify a child who is eligible for McKinney Vento services under this Act, or a parent or family of such a child or youth, as eligible for services under Title IV of McKinney Vento.

HR with an amendment to strike paragraph (E) and insert the following:

(E) HOMELESS STATUS.—A local educational agency liaison designated under paragraph (1)(J)(ii) who receives training described in subsection (f)(6) may affirm without further agency action by the Department of Housing and Urban Development a child or youth who is eligible for and participating in a program provided by the local educational agency, or the immediate family of such a child or youth, who meets the eligibility requirements of this Act for a program or service authorized under title IV, as eligible for such program or service.

118. The Senate bill, but not the House amendment, removes “that receives assistance under this subtitle” to require all States to review and revise policies that may act as barriers to the enrollment of homeless children and youths in schools. The Senate bill adds reviewing and revising policies related to identification of homeless children and youths.

SR with an amendment to insert “identification of homeless children and youth or” before “enrollment”

119. The House amendment and Senate bill are identical.

LC

120. The Senate bill adds language expanding requirements regarding special attention to ensure a focus on identification of homeless children and youth who are not currently attending school.

HR

121. The House amendment reauthorizes subsection (h), which provides for a special rule for emergency assistance for students made homeless due to home foreclosure, through 2019 and updates language for authorization levels to reflect this change. The Senate bill strikes subsection (h).

HR

122. The Senate bill and House amendment contain different section titles and refer to McKinney-Vento Homeless Assistance Act in different ways.

HR

123. The Senate bill and House amendment are virtually identical, except Senate bill adds “of homeless children and youth” after “identification of”.

SR

124. The House amendment strikes clause (iii), which requires McKinney-Vento funds to be used to expand or improve services as

part of a regular academic program, but not to replace such services. The Senate bill maintains such clause.

HR

125. The Senate bill includes a technical, clarifying edit, and the House amendment includes no such edit.

HR

126. The House amendment includes a paragraph limiting the duration of the subgrants that is included in the Senate bill under Section 723(c)(4).

LC

127. The Senate bill requires an assurance that subgrant applicants will spend not less than 90 percent of the local educational agency’s combined fiscal effort per student or aggregate expenditures of that agency and the State from the previous year. The House amendment eliminates such maintenance of effort provision.

HR

128. The Senate bill and House amendment include similar provisions, except the Senate bill includes a references to “information and data requested by the State Coordinator” and the House amendment only refers to “data requested by the State coordinator”.

SR

129. The Senate bill requires that subgrantees assure they will meet all local educational agency requirements. The House amendment requires that subgrantees assure they will remove barriers to local educational agency compliance with removing barriers to identifying, enrolling, and retaining homeless youth.

HR

130. The House amendment, but not the Senate bill, includes a technical edit to address a later change in removing authorization levels.

HR

131. The Senate bill, but not the House amendment, changes a reference to “preschool” to “early childhood education and other preschool programs”.

HR

132. The House amendment and Senate bill are identical.

LC

133. The House amendment and Senate bill are identical.

LC

134. The House amendment and Senate bill are identical.

LC

135. The House amendment and Senate bill are identical.

LC

136. The House amendment and Senate bill are identical.

LC

137. The Senate bill and House amendment are identical. Note clause (iii) of the House amendment amending subparagraph (G) moves to note 140.

LC

138. The House amendment, but not the Senate bill, requires that when determining the quality of an application, the State educational agency consider how local educational agencies applying for funds will leverage resources by maximizing nonsubgrant funding for the homeless liaison position and providing transportation.

SR

139. The Senate bill and House amendment are identical, except the reference to section 1113 is different.

LC

140. The Senate bill and House amendment are similar, except the House amendment strike “case management or related”.

HR

141. The Senate bill includes this description above as a new section 723(b)(7). **See note 129.**

HR

142. The Senate bill and House amendment are similar, except the Senate bill adds “challenging” to describe State academic standards.

HR

143. The House amendment and Senate bill are identical.

LC

144. The Senate bill and House amendment are virtually identical, except the Senate bill appears to have a technical drafting error.

SR

145. The House amendment and Senate bill are identical.

LC

146. The Senate bill and House amendment are similar, except the Senate bill refers to “other health records” and the House amendment refers to “other required health records” when describing required transferring records for homeless students.

SR

147. The Senate bill and House amendment are similar, except the Senate bill includes “and guardians” after “education and training to the parents” and an additional technical clarification in the latter phrase of the paragraph.

SR

147a. The Senate bill adds an additional clarification in the latter sentence of the paragraph.

HR with an amendment to strike “of the” and insert “of such” before “children”.

148. The House amendment and Senate bill are identical.

LC

149. The Senate bill and House amendment are virtually identical, except the Senate bill uses “or parental mental health” and the House amendment includes “and parental mental health”.

SR

150. The Senate bill, but not the House amendment, amends the paragraph to expand the provision of emergency assistance to ensure that homeless children are able to enroll and succeed in school beyond just attending school. The Senate bill clarifies that school includes preschool programs.

SR with an amendment to insert “and participate fully in school activities” after “school”.

150a. The Senate bill, but not the House amendment, clarifies that school includes preschool programs.

SR

151. The Senate bill and House amendment are virtually identical, except in for how they reference the McKinney-Vento Homeless Assistance Act.

LC

152. The House amendment, but not the Senate bill, includes dissemination of the required notice to program grantees.

HR

153. The Senate bill, but not the House amendment, refers to Technical Assistance in the subsection title.

HR

154. Both the Senate bill and House amendment add technical assistance to the required activities of the Secretary.

LC

155. The House amendment, but not the Senate bill, changes references to “applications for grants” to “plans for the use of grant funds”.

HR

156. The House amendment, but not the Senate bill, extends the period of application submission and grant distribution.

SR

157. The Senate bill and House amendment are similar, except the Senate refers to supporting areas where documented barriers to education persist. The House amendment does not use the term “documented.”

HR

158. The Senate bill requires the Secretary to develop, issue, and publish “guidelines”, whereas the House amendment requires the Secretary to develop, issue, and publish “strategies.”

HR

159. The Senate bill contains minor technical differences to the House amendment in paragraphs (1) and (2).

LC

160. The Senate bill requires the Secretary to collect and disseminate data on homeless students not less than every two years. The House amendment requires the Secretary to collect and disseminate data periodically, but does not specify a time period.

SR

161. The Senate bill and House amendment contain slightly different language referencing how the location of homeless children must be reported. The Senate bill only requires location reporting in cases in which the child or youth’s location can be identified.

SR with an amendment to strike “location” and insert “primary nighttime residence”

162. The Senate bill, but not the House amendment, includes a technical edit related to a later change.

SR

163. The Senate bill, but not the House amendment, includes a technical edit related to a later change.

SR

164. The Senate bill, but not the House amendment, adds a requirement for the Secretary to report on the academic progress of homeless students, including progress on academic assessments, as well as the percentage or number of homeless students participating in such assessments, not less than every 2 years.

SR

165. The Senate bill and House amendment reference their respective Act titles.

LC

166. The House amendment provides for technical reference edits not included in the Senate bill.

SR with an amendment to strike paragraph 1 and in paragraph 2, to strike “6101” and insert “8101”

167. The Senate bill strikes “awaiting foster care placement” in the definition of “homeless children and youths”.

HR

168. The Senate bill clarifies that the term “unaccompanied youth” includes a homeless child or youth.

HR

169. The Senate bill provides for an effective date of the change to the definition of “homeless children and youths”.

HR

170. The Senate bill defines “covered state” for the purposes of the date of enactment for the change to the definition of “homeless children and youths”.

HR

171. The Senate bill authorizes such sums for this Act through 2021. The House amendment authorizes \$65,042,000 for this Act each year through 2019.

SR to strike “\$65,042,000 for each of fiscal years 2016 through 2019” and insert “\$85,000,000 for each of fiscal years 2017 through 2020”

MISC. AND OTHER LAWS

1. The House amendment, but not the Senate bill, amends IDEA to repeal the definition for “highly qualified” as it applies to special education teachers.

SR with an amendment to insert the following:

(1) Further amend the Individuals with Disabilities Education Act by—

(A) striking “highly qualified teacher” each place it appears and inserting “teachers that meet qualifications as described in section 612(a)(14)(C)”;

(B) amending section 612(a)(14)—

(i) in subparagraph (C) by striking “school is highly qualified by the deadline established in section 1119(a)(2) of the Elementary and Secondary Education Act of 1965.” and inserting: school—

(i) has obtained full State certification as a special education teacher (including certification obtained through alternative routes to certification), or passed the State special education teacher licensing examination, and holds a license to teach in the State as a special education teacher, except that any teacher teaching in a public charter school such teacher meets the requirements set forth in the State’s public charter school law;

(ii) has not had special education certification or licensure requirements waived on an emergency, temporary, or provisional basis; and

(iii) holds at least a bachelor’s degree.”;

and

(ii) in subparagraph (D), by striking “highly qualified personnel” and inserting “personnel that meet the applicable requirements described in this paragraph”;

(2) by striking section 302(a) of the Individuals with Disabilities Education Improvement Act of 2004 and inserting—

(a) Parts A, B, and C, and subpart 1 of part D of the Individuals with Disabilities Education Act, as amended by title I, shall take effect on July 1, 2005.”.

Report Language: “The Conferees intend that the requirement for a special educator to hold a bachelor’s degree can be met by a teacher holding any bachelor’s degree. The Conferees do not intend for the Secretary to require special education teachers to receive a bachelor’s degree in any particular subject or field.”

2. The House amendment, but not the Senate bill, includes a Sense of Congress on transfers of teachers accused of sexual misconduct.

SR with an amendment to read as follows:

SEC. 801. FINDINGS; SENSE OF THE CONGRESS.

(a) FINDINGS.—The Congress finds as follows:

(1) There are significant anecdotal reports that some schools and local educational agencies have failed to properly report allegations of sexual misconduct by employees, contractors or agents;

(2) instead of reporting the alleged misconduct to the appropriate authorities such as the police or child welfare services, reports suggest that some schools or local educational agencies have kept the information private or entered into confidentiality agreements with the employee who agrees to leave his or her employment with the school or local educational agency; and

(3) this practice can facilitate the exposure of other students in other jurisdictions to sexual misconduct.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) confidentiality agreements between local educational agencies or schools and child predators should be prohibited;

(2) local educational agencies or schools should not facilitate the transfer of child predators; and

(3) states should require local educational agencies and schools to report any and all information regarding allegations of sexual misconduct to law enforcement and other appropriate authorities.

3. The House amendment, but not the Senate bill, requires the Department of Education OIG contact information to be prominently displayed by all grant or subgrant recipients; the notification of Department of Education employees of their responsibility to report fraud; and the notification of applicants for grants or subgrants of their obligation to be accurate and truthful when applying for grants.

SR with an amendment to strike and replace with the following:

SEC. 802. PREVENTING IMPROPER USE OF TAXPAYER FUNDS.

To address misuse of taxpayer funds, the Secretary of Education shall—

(1) require that each recipient of a grant or subgrant under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) display in a public place the Department of Education Office of Inspector General hotline contact information so any individual who observes, detects, or suspects improper use of taxpayer funds can easily report such improper use;

(2) annually notify employees of the Department of Education of their responsibility to report fraud; and

(3) require applicants—

(A) for grants under such Act—to provide an assurance to submit truthful and accurate information when applying for grants and responding to monitoring and compliance reviews;

(B) for subgrants under such Act to provide a similar assurance to grantees.

4. The House amendment, but not the Senate bill, includes requirements for monitoring and oversight.

SR with an amendment to insert the following:

SEC. 8003. Accountability to Taxpayers Through Monitoring and Oversight

To improve monitoring and oversight of taxpayer funds authorized to be appropriated under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), and to deter and prohibit waste, fraud, and abuse of such funds, the Secretary of Education— . . .

(1) shall notify each recipient of a grant under such Act (and, if applicable, require the grantee to inform each subgrantee) of its responsibility to—

(A) comply with all monitoring requirements under the applicable program or programs; and

(B) monitor properly any subgrantee under the applicable program or programs.

(2) shall review and analyze the results of monitoring and compliance reviews—

(A) to understand trends and identify common issues; and

(B) to issue guidance to help grantees address these issues before the loss or misuse of taxpayer funding occurs;

(3) shall publically report the work undertaken by the Secretary to prevent fraud, waste, and abuse; and

(4) shall work with the Office of Inspector General in the Department of Education as

needed to help ensure that employees of such department understand how to monitor grantees properly and to help grantees monitor any sub-grantees properly.

5. The House amendment, but not the Senate bill, prohibits states from requiring school districts that use ESEA funds to hire or pay the salary of teachers to use such funds to make contributions to pension systems beyond the normal cost, and defines “normal cost”.

HR

6. The House amendment, but not the Senate bill, provides a Sense of Congress on First Amendment rights on the free exercise of religion.

SR with an amendment to strike the provision and insert the following:

[SEC. 805] SENSE OF CONGRESS ON FIRST AMENDMENT RIGHTS.

It is the sense of Congress that a student, teacher, school administrator, or other school employee retains their rights under the First Amendment during the school day or while on elementary or secondary school grounds.

7. Both the Senate bill and the House amendment specify the definition of the term ‘Highly Qualified’ in other laws. The Senate bill includes the language in section 10201, while the House amendment includes the language in section 603, and they have different section headings. The languages of the provisions have only minor technical differences.

HR/SR with an amendment to strike the language in both bills and insert the following:

SEC. 9XX. USE OF TERM “HIGHLY QUALIFIED” IN OTHER LAWS. BEGINNING ON THE DATE OF THE ENACTMENT OF THIS ACT.

(a) any reference in sections 420N, 428J, 428K, and 460 of the Higher Education Act to the term “highly qualified” as defined in section 9101 of the Elementary and Secondary Education Act of 1965 shall be treated as a reference to such term under section 9101 of the Elementary and Secondary Education Act of 1965 as in effect on the day before the date of enactment of this Act; and

(b) any other reference in law to the term “highly qualified” as defined in section 9101 of the Elementary and Secondary Education Act of 1965 as such Act was in effect on the day before the date of enactment of this Act shall mean that the teacher meets applicable State certification and licensure requirements, including alternate certification requirements

8. The Senate bill and House amendment include similar language on Department of Education staff. The Senate bill includes this language as a stand-alone provision in title X of the bill. The House amendment includes the language in the general provisions of the Act.

SR with an amendment to strike and insert the following:

SEC. 6549. DEPARTMENT STAFF.

The Secretary shall—(1) not later than 60 days after the date of the enactment of the Student Success Act, identify the number of Department employees who worked on or administered each education program and project authorized under this Act, as such program or project was in effect on the day before such enactment date, and publish such information on the Department’s website; (2) not later than 60 days after such enactment date, identify the number of full-time equivalent employees who work on or administer programs or projects authorized under this Act, as in effect on the day before

such enactment date, that have been eliminated or consolidated since such date; 3) not later than 1 year after such enactment date, reduce the workforce of the Department by the number of full-time equivalent employees the Department calculated under paragraph (2); and 4) not later than 1 year after such enactment date, report to the Congress on—(A) the number of employees associated with each program or project authorized under this Act administered by the Department; (B) the number of full-time equivalent employees who were determined to be associated with eliminated or consolidated programs or projects under paragraph (2); (C) how the Secretary reduced the number of employees at the Department under paragraph (3); (D) the average salary of the employees described in subparagraph (B) whose positions were eliminated; and (E) the average salary of the full-time equivalent employees who work on or administer a program or project authorized under this Act by the Department, disaggregated by employee function with each such program or project.

9. The House amendment and Senate bill have different timelines

See note 8.

10. The House amendment and Senate bill refer to the Department, ESEA, and the bill titles differently.

See note 8.

11. The House amendment, but not the Senate bill, refers to a timeline.

See note 8.

12. The House amendment and Senate bill refer to ESEA differently.

See note 8.

13. The House amendment, but not the Senate bill, has a provision on reducing the number of Department employees.

See note 8.

14. The Senate bill and House amendment refer to ESEA differently.

See note 8.

15. The Senate bill requirement disaggregation by employee function in paragraph (2). The House amendment requires it in subparagraph (E)

See note 8.

16. The Senate bill and House amendment have different paragraph references.

See note 8.

17. The House amendment, but not the Senate bill, requires the report to describe how the Secretary reduced employees.

See note 8.

18. The House amendment, but not the Senate bill, has two provisions on average salary of eliminated employees and FTE employees working on ESEA programs.

See note 8.

19. The Senate bill, but not the House amendment, requires the report to show how the Secretary addressed report findings relating to FTE employees working on eliminated programs.

See note 8.

20. The Senate bill, but not the House amendment, requires the Secretary to prepare and submit a report updating relevant Committees on continued implementation of OIG recommendations concerning charter schools.

HR with an amendment to read as follows:
SEC. 10203. REPORT ON DEPARTMENT ACTIONS TO ADDRESS OFFICE OF THE INSPECTOR GENERAL REPORTS.

Not later than 6 months after the date of enactment of this Act, the Secretary of Education shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and the Workforce of the House of

Representatives, and to the public via the Department’s website, a report containing an update on the Department of Education’s implementation of recommendations contained in reports from the Office of Inspector General. The review shall include—

(1) a general review of the department’s work to implement or address findings contained in OIG reports to improve monitoring and oversight of federal programs, including (A) the March 9, 2010, final management information report of the Office of the Inspector General of the Department of Education, addressing oversight by local educational agencies and authorized public chartering agencies;

(B) the September 2012 report of the Office of the Inspector General of the Department of Education entitled ‘The Office of Innovation and Improvement’s Oversight and Monitoring of the Charter Schools Program’s Planning and Implementation Grants Final Audit Report’; and

(2) a description of the actions the Department of Education has taken to address the concerns described in outstanding Office of Inspector General audit reports, including the reports listed in (1).

21. The Senate bill, but not the House amendment, provides for a GAO study of the current federally funded services and programs across all agencies with the purpose of benefitting children and how to best coordinate, organize, and integrate these programs.

SR with an amendment to insert the following:

SEC. 9204. STUDY ON THE TITLE I FORMULA.

(a) FINDINGS.—Congress finds the following:

(1) Part A of Title I provides funding to local educational agencies through four separate formulas that have been added to the law over time, and which have “distinct allocation patterns, providing varying shares of allocated funds to different types of local educational agencies or States,” according to a 2015 report from the Congressional Research Service.

(2) Minimal effort has been made by the Federal government to determine if the four formulas are adequately delivering funds to local educational agencies with the highest district wide poverty averages.

(3) The formulas for distributing Targeted Grants and Education Finance Incentive grants use two weighting systems, one based on the percentage of children included in the determination of grants to local educational agencies (percentage weighting), and another based on the absolute number of such children (number weighting). Both weighting systems have five quintiles with a roughly equal number of children in each quintile. Whichever of these weighting systems results in the highest total weighted formula child count for a local educational agency is the weighting system used for that agency in the final allocation of Targeted and Education Finance Incentive Grant funds.

(4) The Congressional Research Service has also said the number weighting alternative is generally more favorable to large local educational agencies with much larger geographic boundaries and larger counts of eligible children than smaller local educational agencies with smaller counts, but potentially higher percentages, of eligible children, because large local educational agencies have many more children in the higher weighted quintiles.

(5) In local educational agencies that are classified by the National Center for Education Statistics as “Large City”, 47 percent

of all students attend schools with 75 percent or higher poverty.

(b) STUDY.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Director of the Institute of Education Sciences shall complete a study on the effectiveness of the four existing title I formulas to deliver funds to the most economically disadvantaged communities.

(2) CONTENTS.—Such study shall include—

(A) an analysis of the distribution of title I funds under the four current formulas;

(B) an analysis of how title I funds are distributed among local educational agencies in each of the 12 locale types classified by the National Center on Education Statistics.

(C) the extent to which the four formulas unduly benefit or unduly disadvantage any of the local educational agencies described in subparagraph (B);

(D) the extent to which the four formulas unduly benefit or unduly disadvantage high-poverty eligible school attendance areas in the local educational agencies described in subparagraph (B);

(E) the extent to which the four formulas unduly benefit or unduly disadvantage lower population local educational agencies with relatively high percentages of districtwide poverty;

(F) the impact of number weighting and percentage weighting in the formulas for distributing Targeted Grants and Education Finance Incentive Grants on each of the local educational agencies described in subparagraph (B);

(G) The impact of number weighting and percentage weighting on targeting Title I-A funds to eligible school attendance areas with the highest concentrations of poverty in local educational agencies described in subparagraph (B), and local educational agencies described in subparagraph (B) with higher percentages of districtwide poverty;

(H) an analysis of other studies and reports produced by public and non-public entities examining the distribution of title I funds under the four current formulas; and

(I) recommendations, as appropriate, for amending or consolidating the existing formulas to better target title I funds to the most economically disadvantaged communities and most economically disadvantaged eligible school attendance areas.

(3) PUBLIC DISSEMINATION.—The Director of the Institute of Education Sciences shall widely disseminate the findings of the study conducted under this section—

(A) in a timely fashion;

(B) to—

(i) the public; and

(ii) the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate; and

(C) through electronic transfer and other means, such as posting to the website of the Institute of Education Sciences or the Department of Education.

22. The Senate bill, but not the House amendment, provides for a Sense of Congress that it remains the sense of Congress that Jack Johnson should receive a posthumous pardon.

SR

23. The Senate bill, but not the House amendment, reauthorizes the Educational Flexibility Partnership Act of 1999.

HR with an amendment to strike “(2) Title VII of the McKinney-Vento Homeless Assistance Act. (42 U.S.C. 11301 et seq.)”

24. The Senate bill, but not the House amendment, creates the American Dream Accounts program.

SR

25. The Senate bill, but not the House amendment, contains a provision requiring IES to conduct a study on the impact of state plan requirements in Sec. 1111 on reducing the number of students who drop out.

HR

26. The Senate bill, but not the House amendment, contains a study on Native American language education.

HR with an amendment to strike and insert the following language after SEC. 6005 in the redesignated Title VI:

(a) DEFINITIONS.—In this section:

(1) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965.

(2) LOCAL EDUCATIONAL AGENCY.—The term “local educational agency” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965.

(3) NATIVE AMERICAN; NATIVE AMERICAN LANGUAGE.—The terms “Native American” and “Native American language” have the meanings given such terms in section 103 of the Native American Languages Act of 1990 (25 U.S.C. 2902).

(4) STATE EDUCATIONAL AGENCY.—The term “State educational agency” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965.

(b) STUDY.—By not later than 18 months after the date of enactment of this Act, the Secretary of Education, in collaboration with the Secretary of the Interior, shall—

(1) conduct a study to evaluate all levels of education being provided primarily through the medium of Native American languages; and

(2) report on the findings of such study.

(c) CONSULTATION.—In carrying out the study conducted under subsection (b), the Secretary shall consult with—

(1) institutions of higher education that conduct Native American language immersion programs, including teachers of such programs;

(2) State educational agencies and local educational agencies;

(3) Indian tribes and tribal organizations, as such terms are defined by section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b) that sponsor Native American language immersion schools; and

(4) experts in the fields of Native American or Alaska Native language and Native American language medium education, including scholars who are fluent in Native American languages.

(d) SCOPE OF STUDY.—The study conducted under subsection (b) shall evaluate the components, policies, and practices of successful Native American language immersion schools and programs, including—

(1) the level of expertise in educational pedagogy, Native American language fluency, and experience of the principal, teachers, paraprofessionals, and other educational staff;

(2) how such schools and programs are using Native American languages to provide instruction in reading, language arts, mathematics, science, and, as applicable, other academic subjects;

(3) how such schools and programs assess the academic proficiency of the students, including—

(A) whether the school administers assessments of language arts, mathematics,

science, and other academic subjects in the Native American language of instruction;

(B) whether the school administers assessments of language arts, mathematics, science, and other academic subjects in English; and

(C) how the standards measured by the assessments in the Native American language of instruction and in English compare; and

(4) the academic outcomes, graduation rate, and other outcomes of students who have completed the highest grade taught primarily through such schools or programs, including, when available, college attendance rates compared with demographically similar students who did not attend a school in which the language of instruction was a Native American language.

(e) RECOMMENDATIONS.—Not later than 18 months after the date of enactment of this Act, the Secretary of Education, in collaboration with the Secretary of the Interior, shall—

(1) develop a report that includes findings and conclusions regarding the study conducted under subsection (b), including recommendations for such legislative and administrative actions as the Secretary of Education considers to be appropriate;

(2) consult with the entities described in subsection (c) in reviewing such findings and conclusions; and

(3) submit the report described in paragraph (1) to each of the following:

(A) The Committee on Health, Education, Labor, and Pensions of the Senate.

(B) The Committee on Education and the Workforce of the House of Representatives.

(C) The Committee on Indian Affairs of the Senate.

(D) The Subcommittee on Indian, Insular and Alaska Native Affairs of the House of Representatives.

JOHN KLINE,
VIRGINIA FOXX,
DAVID P. ROE,
GLENN THOMPSON,
BRETT GUTHRIE,
TODD ROKITA,
LUKE MESSER,
GLENN GROTHMAN,
STEVE RUSSELL,
CARLOS CURBELO,
ROBERT C. “BOBBY” SCOTT,
SUSAN A. DAVIS,
MARCIA L. FUDGE,
JARED POLIS,
FREDERICA S. WILSON,
SUZANNE BONAMICI,
KATHERINE M. CLARK,

Managers on the Part of the House.

LAMAR ALEXANDER,
MICHAEL B. ENZI,
RICHARD BURR,
JOHNNY ISAKSON,
SUSAN M. COLLINS,
LISA MURKOWSKI,
MARK KIRK,
TIM SCOTT,
ORRIN HATCH,
PAT ROBERTS,
BILL CASSIDY,
PATTY MURRAY,
BARBARA A. MIKULSKI,
BERNARD SANDERS,
ROBERT P. CASEY, JR.,
AL FRANKEN,
MICHAEL F. BENNET,
SHELDON WHITEHOUSE,
TAMMY BALDWIN,
CHRISTOPHER MURPHY,
ELIZABETH WARREN,

Managers on the Part of the Senate.

DOMESTIC ENERGY STRATEGY

The SPEAKER pro tempore (Mr. ZELDIN). Under the Speaker's announced policy of January 6, 2015, the gentleman from Ohio (Mr. JOHNSON) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. JOHNSON of Ohio. Mr. Speaker, because of the number of Members wishing to participate this evening, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the topic of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JOHNSON of Ohio. Mr. Speaker, as the House begins to consider and debate important energy legislation this week, I want to take just a moment to reflect on the opportunities America has in energy development.

Our energy landscape has tremendously changed in recent years. Thanks to new innovative technologies, we have gone from a Nation of scarcity to one of energy abundance. Our new and existing natural resources have created jobs, lowered energy costs, and spurred new investments in manufacturing and chemical industries.

Today the United States has an opportunity to take advantage of this era of energy abundance. Congress must first ensure our laws reflect this new energy-abundant era so that we can fully harness our potential as the world's dominant energy superpower. The legislation we are considering this week will allow our country to do just that.

Unfortunately, the rules and regulations coming out of this administration conflict with this type of energy-independent and secure vision. Most concerning is the Office of Surface Mining's proposed rule to further regulate the coal mining industry, which has already lost more than 40,000 jobs since 2011. If the administration allows this rule to go into effect, an additional 40,000 to 78,000 coal mining jobs will be at risk.

Dubbed the stream protection rule, this regulation will amend or modify 475 existing rules and add new rules on top of that. Make no mistake about it. This is not an effort to protect streams. It is an effort to regulate the coal mining industry out of business. In fact, between 95 and 100 percent of coal operations occurring in the States that account for almost 75 percent of the Nation's coal production have no offsite impacts.

So what does this rule accomplish? This rule means increased energy costs for families and small businesses. At least 22 States, including mine, Ohio, rely on coal for their primary fuel source. Not surprisingly, these States'

electricity prices are well below the national average. I fear, however, that will no longer be the case if we allow this rule to go into effect.

Consequently, companies will be forced to pay more for their energy bills instead of hiring additional employees. Families will be forced to make tougher decisions as well, like paying the increasing electric bill or putting food on the table, clothes on the kids, and providing for their education.

Furthermore, U.S. household income is stagnant and the economy remains mired by sluggish economic growth. We need to be enacting policies that encourage an economic recovery, not promoting further stagnation by shutting down access to America's most abundant and lowest cost energy resource. What is worse, this is not the only regulation currently threatening our energy security, reliability, and low electricity costs.

The Environmental Protection Agency's Clean Power Plan will also change how we generate, distribute, and consume electricity by forcing States to comply with CO₂ targets through a Federal takeover of electric power generation.

It is for this reason I will be voting in favor of S.J. Res. 23 and 24 this week. These resolutions of disapproval send a clear message to the President that a majority of the Senate, the House, and America do not approve of higher electricity prices and an unreliable electric grid.

Mr. Speaker, America was built on ingenuity and resourcefulness. Unlike the stream protection rule and the Clean Power Plan, H.R. 8, the North American Energy Security and Infrastructure Act, will encourage that entrepreneurial spirit, not hinder it.

It will pave the way for a resurgence of manufacturing where new innovative products are designed and built right here in America, and it will keep America in our rightful place as a leader in the global economy.

I am proud to support this legislation, which the House will be considering this week. H.R. 8 will modernize our energy infrastructure, protect the electricity grid and the delivery system, improve energy efficiency, and strengthen our energy diplomacy.

Based on language that I have introduced and that previously passed the House with bipartisan support, this legislation includes a streamlined process for natural gas export projects currently pending before the Department of Energy.

This language will help strengthen America's standing as a world-class exporter of natural gas, create tens of thousands of new jobs, add billions to our economy, and help our allies abroad by providing a reliable source of energy.

I am honored to lead this Special Order that will highlight the House's

approach to a truly all-of-the-above domestic energy strategy, a strategy that focuses on a secure and reliable energy sector with affordable electricity rates for hardworking taxpayers as well as small businesses.

Mr. Speaker, I yield to the gentleman from the great State of Colorado (Mr. TIPTON).

Mr. TIPTON. Mr. Speaker, I thank my friend from Ohio for the opportunity to be able to provide some remarks this evening.

It is no secret that American coal production and coal-fired electric generation is experiencing regulatory and legal obstacles at every turn. In 2008, the President famously outlined an energy vision in which he stated, "So if someone wants to build a coal-fired power plant, they can. It is just that it will bankrupt them." There is no ambiguity in that statement. The administration is certainly not seeking to encourage coal production. Indeed, it is just the opposite.

The Environmental Protection Agency just finalized its so-called Clean Power Plan, a carbon emissions rule that will force States to submit complex plans to meet federally mandated emission goals. The EPA estimates the annual cost of this rule to be anywhere from \$5.5 billion to \$8.8 billion annually, but other credible estimates are much higher, ranging from \$366 billion to \$479 billion from 2017 to 2031.

Now, why is this important? Oftentimes, when we are talking about fees about taxes that are going to be applied, we assume that someone else gets to pay them. Here is the real reality: These costs are being shouldered by hardworking Americans who will see their energy bills increase.

They impact the most vulnerable people in our society, including senior citizens on fixed incomes and low-income families who will have to make tough decisions in their already tight household budgets just to be able to heat their homes.

In my own district in rural western Colorado, upwards of 500 coal mining jobs in Delta County, with wages and benefits exceeding 66 million, have already been lost and more are threatened due to antioil lawsuits. Another 220 are threatened in Moffat and Rio Blanco Counties for the same reason. There is no shortage of examples such as these in the coal-producing States.

Now, I think we need to be very clear. As Americans, people in Colorado, we want to be able to see blue skies and clear streams. Here is the opportunity for us to be able to demonstrate that we can create a win-win with the technologies in place.

If you want to be able to see blue skies and a coal-fired power plant, come with me to Moffat County, visit Craig, Colorado, to be able to see hardworking people in the coal mining industry and a coal-fired power plant

being able to do it the right way and being able to provide affordable electricity for the citizens at home.

The Department of the Interior has also laughably announced it will be reviewing whether the public is receiving a fair return on coal production when it is in the Federal Government's own policies and the actions of its lawsuit-happy allies that are actively suppressing the production of coal and its associated revenues.

□ 2045

Proposing to raise the royalty rate, which cuts into the profitability of coal production and makes it less attractive to mine, while simultaneously pushing other policies like the Clean Power Plan that make coal less attractive as a power source will mean the death of the industry.

These are the same industries that are providing tax revenues that help support our children's schools, help support the public library in rural areas like mine to be able to help provide the revenues that are needed for the volunteer fire departments to be able to provide that public assistance.

Let us not forget that those royalties are only a portion of the revenues and benefits that are generated by responsible coal mining. There are bonus payments as well, received at the time of the lease, as companies seek to outbid one another for the development rights. Again, higher demand will result in higher bonus payments. There are annual rental fees as well.

State and local governments also accrue revenues through their own assessed taxes and fees on equipment and production, and the high wages of employees are definitely a boon to local economies.

All told, coal production contributes some \$2.8 billion to Colorado's economy and provides 64 percent of its electricity. While it is true that our energy portfolio is made stronger through diversity, coal can, does, and must continue to fill a vital role in that equation.

Responsible coal production provides a reliable fuel for baseload electrical generation. Its low cost equates to savings for average Americans on their monthly energy bills, an especially critical consideration, as I mentioned, for lower income families, for seniors and others on fixed incomes, and its abundance domestically contributes toward American energy security.

It is well worth the meetings that I have had, and I know my colleague from Ohio has as well, looking into the eyes of families that rely on the coal industry to be able to provide for their families. They will do it right. They will provide low-cost energy to be able to support this country and that all-of-the-above strategy.

Over the course of the next few days, I look forward to a robust debate on

the floor this week as we continue to push for policies that will secure all of the above when it comes to establishing American energy independence.

Mr. Speaker, again, I would like to thank my colleague from Ohio for this opportunity to be able to address an important American issue: jobs and affordability.

Mr. JOHNSON of Ohio. Mr. Speaker, I am reminded that even this week our President is in Europe trying to advance his climate change agenda. I, too, was in Europe back in May, talking to some of our key friends and allies within the European Union.

Surprisingly to some, we learned that some of our friends in Europe, in those countries, are actually going back to a higher mix of coal in their overall energy profile because their ratepayers, their manufacturers, their consumers, their small businesses, their residential customers have finally reached the tipping point where they are no longer willing to pay the exorbitant high prices for alternative sources of energy.

Coal remains the most low-cost, affordable, reliable form of energy on the planet. It is essential that coal continue to be a part of our energy profile, along with oil and gas and nuclear and all of the energy capabilities that America has.

Mr. Speaker, I yield to the gentleman from the great State of Pennsylvania (Mr. KELLY), my friend and my neighbor.

Mr. KELLY of Pennsylvania. Mr. Speaker, I would like to pursue an energy agenda that maybe makes sense for America, a AAA strategy of energy, to reach self-sustainability and secure America's economic future.

While we all agree on an all-of-the-above strategy, let's not turn away from an all-below strategy that makes sense for America, is truly unique, and makes us totally energy self-sufficient—energy below that is abundant, accessible, and affordable; centuries' worth of coal, oil, and natural gas that lie just below our surface; energy that makes America the energy envy of the world.

It creates thousands of jobs, not just Republican jobs or Democrat jobs, but red, white, and blue jobs—jobs that truly make us energy self-sufficient, jobs that let us rebuild our families, our towns, our churches, our schools, and make us strong again in the world, rebuild our national security.

As we speak here tonight and as the gentleman just referenced, our President is in Paris kicking off the Paris Protocol. Again, he promises to reshape America's future through upsidedown policies, the cost of which will be beyond astronomical, according to Bill Gates.

This is another example of an out-of-control Executive who has placed his legacy above the wants and needs and

the safety and security of the American people, the people he serves. It is not the other way around. The Paris Protocol must be a treaty; it cannot be another executive agreement.

Let all those who participate in the Paris Protocol know that, without the advice and consent of America's Senate, the hardworking American taxpayers' moneys will not be squandered on an ill-fated agenda that the President lays forward.

He sets timetables and targets—targets that are in direct defiance of America's future, that are in direct defiance of America's wellbeing, that are in direct defiance of America's economic recovery.

This is another example of a President who is not only out of touch, he is out of control. He has lost his vision of what made America great and what would keep America strong as the future goes on, about American jobs and about American self-sufficiency when it comes to energy.

These are truly renewable sources of energy. What do I mean by "renewable"? They renew our economy. They renew our towns, our communities, our families, and our future. This is the renewable energy that America needs. This is the energy that America has, and this is the energy that America needs to make the most of.

That is why myself and Senator MIKE LEE have introduced a concurrent resolution, one that says no moneys that come out of the pockets of hardworking American taxpayers will be squandered on this agenda. Unless it comes with the advice and consent of the Senate, there is no agreement, there are no moneys, there is no way this President can promise other countries that these dollars will be coming.

Mr. Speaker, I thank the gentleman for holding this Special Order on a very timely issue and an issue that we must win if we are to maintain our national security.

Mr. JOHNSON of Ohio. Mr. Speaker, I thank my colleague very much for his passion on this issue. He understands it. As a current businessowner, he understands how important this is.

Mr. KELLY of Pennsylvania. Will the gentleman yield?

Mr. JOHNSON of Ohio. I yield to the gentleman from Pennsylvania.

Mr. KELLY of Pennsylvania. You and I don't just talk this; we walk it. We have actually gone into the mines with these people. You and I have seen communities that have been shut down, not just mines that have been shut down—communities that have been shut down, families that have been shattered now and scattered across the country, people that have lost jobs that were generational jobs.

This President has turned his back on coal, America's workhorse. We must reclaim it.

Mr. JOHNSON of Ohio. Absolutely. Absolutely.

You hear some of those in opposition to using fossil fuels talking about how they would allocate taxpayer funds to retrain people in those communities like coal production communities. Well, my question is, where are the jobs going to come from to retrain them into?

These are communities that have had coal miners for generations, as Representative KELLY just talked about. I thank him for his comments.

Mr. Speaker, I now yield to the gentleman from the great State of Pennsylvania (Mr. THOMPSON), another friend and neighbor.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, it is a real honor to join my good friend and colleague from Ohio here this evening. I thank him for hosting this Special Order on such an important topic: energy.

I rise this evening in strong support of jobs, consumers, and homegrown American energy.

With the construction of the world's first commercial oil well in Titusville, Pennsylvania, in 1859, energy production and natural resources have long been key pieces to our economy in the Fifth Congressional District of Pennsylvania, which I have the honor of representing.

Since Drake's well, we have been fortunate to produce oil, natural gas, coal, and various forms of renewable energy. We are also home to the world's first nondefense nuclear reactor.

In recent years, development of the Marcellus shale formation has been a game changer for Pennsylvania. The Marcellus formation contains upward of 500 trillion cubic feet of natural gas. This amount is more than enough to meet the current demand for nearly 100 years, if not longer.

It also means significant economic opportunities for the State and for local governments, as well as the creation of tens of thousands of family-sustaining jobs throughout the region. According to the Pennsylvania Department of Labor and Industry, as of the fall of 2014, roughly 250,000 Pennsylvanians were employed by Marcellus shale-related industries.

The average wage in core Marcellus industries remains constant at \$94,000 a year, which is more than \$43,000 greater than the average salary for all industries throughout the Commonwealth of Pennsylvania.

In short, developing this resource means good jobs, both direct and indirect; lower energy prices for American consumers; and increased revenue for State and local governments.

One of the greatest challenges we have right now in Pennsylvania is unnecessary processes and arduous Federal roles—regulations that are both ineffective and inefficient.

Another key challenge is moving this natural gas to market. Specifically, we

do not have the adequate infrastructure and pipelines to move this gas. A basic way we can address this challenge is by streamlining processes and reducing unnecessary red tape.

This week, the House will consider H.R. 8, the North American Energy Security and Infrastructure Act of 2015. This legislation will address these issues by accelerating the approval process for pipelines and hydropower projects.

The bill requires the administration to designate at least 10 new energy corridors in the eastern United States to help prioritize construction. The bill also requires the Energy Department to make decisions on applications that have been submitted for the export of natural gas.

In addition, we will also be voting this week on legislation disapproving the Environmental Protection Agency's regulations on both existing and new power plants.

My district has been hit hard over the past several years by regulations by the Environmental Protection Agency regarding coal power plants. I have opposed these unrealistic regulations.

When a coal power plant is forced to shut down, it has a devastating effect which extends far beyond the men and women who are left jobless, to the trucking and mining jobs that are connected to it. Many of these are family-supporting positions which communities have depended on for decades.

I wholeheartedly support these resolutions disapproving of the emissions rules on existing and new power plants. The protection of our environment is an important goal, yet these regulations are not a solution.

I thank my colleagues for being here tonight. I am certainly going to urge a "yes" vote on all three of the bills that will be before this body in the days to come.

I thank my good friend from Ohio once again for hosting this important topic this evening.

Mr. JOHNSON of Ohio. I, too, thank my colleague from Pennsylvania for those eloquent remarks on a very, very important subject. I know he has a lot of other things he could be doing tonight, but this is important to him, and I appreciate him being here to sound off.

Mr. THOMPSON of Pennsylvania. Will the gentleman yield?

Mr. JOHNSON of Ohio. I yield to the gentleman from Pennsylvania.

Mr. THOMPSON of Pennsylvania. Whether we are talking families or businesses or schools, hospitals, you know, personnel, people obviously are first, but, after that, the second most important thing that people think about is energy and energy costs and having access to affordable and reliable energy.

God has been good to the United States of America with what we have

been blessed with. We have been blessed with these energy sources, but we have also been blessed with the technology now in 2015 to be able to access those energy sources and to utilize them consistently as good stewards of this Earth and this environment.

□ 2100

Mr. JOHNSON of Ohio. You and I took a trip not too long ago from here in our Nation's Capital to a conference meeting in Pennsylvania. We stopped at a little service station, a gas station owned by a veteran out in the middle of nowhere. In rural America, those communities are powered by small businesses. Small businesses can only thrive when they have affordable electricity.

The area of the country where you and I live and much of Appalachia is a manufacturing belt, but a lot of that manufacturing has left because of the downward pressure from Washington, D.C., in regulations of all shapes and sizes, and now with a threat to shut down the very source of energy.

I know I have had manufacturers that have come to me saying they have been approached by utility companies saying: Can you idle your plant for a day because we don't have enough energy on the grid to be able to meet the peak demand in the dead of winter, in another polar vortex, or in the stifling heat of summer, when seniors and the elderly and the homebound are sitting in their homes either freezing or burning up because they can't get their HVAC systems to work because of the utility prices or the energy on the grid.

It is appalling that it has come to this in America. Our allies get it in Europe. China is not necessarily an ally, but it is building a new coal-fired power plant every 9 days. Germany is building coal-fired power plants. Belgium is returning to a higher mix of coal in their energy profile. We are going to be going over there again very soon to talk to more of our friends and allies across Europe about this very, very same subject.

So, again, I appreciate your passion on this issue as well.

Mr. THOMPSON of Pennsylvania. I thank the gentleman.

Mr. JOHNSON of Ohio. I now yield to the gentleman from West Virginia (Mr. JENKINS), my friend and colleague, who is another neighbor from across the river.

Mr. JENKINS of West Virginia. I thank the gentleman from Ohio.

Our natural resources power this Nation and our economy. We have abundant, affordable resources that provide low-cost energy and give thousands of people good-paying jobs.

In my district of southern West Virginia, coal is struggling because of this administration's antioil regulations. The people who mine coal and the families who depend on coal's paychecks are suffering.

We are at a critical point in the war on coal. I know times are tough. I see it every time I talk to a coal miner or their family.

Our Nation is at a turning point. We will fight for coal each and every day. But the question is: Will we support jobs in domestic energy, or will we favor an environmental agenda at the expense of our economy and our communities?

Coal must play a critical role in an all-of-the-above domestic energy strategy. We can use our resources to create jobs here at home, provide safe and affordable energy for businesses and families alike, and reduce our dependence on energy from unfriendly nations.

Unfortunately, it appears that the EPA and the Office of Surface Mining are dead set on bankrupting coal. They have issued rule after rule that will decimate our industry—and the livelihoods of our coal miners.

The proposed stream buffer zone rule will lead to the loss of tens of thousands of direct mining jobs and hundreds of thousands of jobs linked to mining. Likewise, the EPA's finalized regulations on coal-fired power plants will hurt our economy and drive up electricity rates for our families, seniors, and small businesses. It sets unachievable emissions limits for our coal-fired power plants and forces States to adopt different energy policies or else become subject to additional Federal regulations and a cap-and-trade program.

Not only will the EPA's plan destroy jobs, but it will increase utility costs for consumers and lead to higher household electricity bills for all American families. Our seniors, the middle class, and Americans on fixed incomes should not have to bear the burden of increased costs. Our economy is still struggling to recover. People are struggling to survive.

Each of us here tonight has led the fight against the EPA's overregulation and overreach. On the House Appropriations Committee, I helped to secure a provision in the Interior-EPA funding bill that would prohibit funding for the rulemaking on power plants to proceed. I was an early cosponsor of Chairman WHITFIELD's resolutions to block implementation of the EPA's coal-fired power plant rule.

This week, we will join together with the House to send President Obama and the EPA a strong message: No more attacks on coal. No more attacks on domestic energy. No more attacks on the people who produce energy.

We will take up resolutions to disapprove of the EPA's new regulations on new and existing coal-fired power plants. We will also vote on a broad energy bill that will update our policies to allow America to take advantage of all of our domestic energy while strengthening our energy security and independence.

Congress is standing up to this administration's regulatory overreach. We must send a message to President Obama and his runaway EPA and end the war on coal.

Again, I thank the gentleman from Ohio for his leadership.

Mr. JOHNSON of Ohio. I thank the gentleman for his passion—as others have shared—on this very, very important issue.

You and I live in a region of the country where we have to look into the eyes of those coal miners every single day. Oftentimes, the media talks about the coal industry as this abstract industry, that it doesn't really have an identity. But it does. It is the heartbeat of our country.

Look at where we were even 10 years ago, with the majority of the energy across America provided by the coal industry. In Ohio, at that time, in excess of 70 percent of our energy came from coal. Coal has provided the innovative engine for America's prosperity for generations—and for us to turn our backs on it.

One of the things that is so shocking that I think the American people would like to know more about right now, today, almost \$2 trillion—\$1.8 trillion, to be exact—comes out of our economy every year in the form of government regulations. I heard a report not too long ago that new Federal regulations are coming out on the average of about 10 per day. It is a cancer that is growing, and the EPA is one of the worst, with no rhyme, no reason, little consideration, and total disregard for the lives that their rulemaking impacts.

Mr. JENKINS of West Virginia. Will the gentleman yield?

Mr. JOHNSON of Ohio. Absolutely.

Mr. JENKINS of West Virginia. You and I share the Ohio River. We both have actually been in the districts together. We both have seen on the faces of the people that we have the honor of representing the real impacts of this war on coal.

I know each of us can come with a multitude of stories, but your remarks reminded me of attending one of these wonderful county fairs last summer. It was a year ago this summer, in Nicholas County, in my district. A middle school teacher came up to me and kind of put a face, again, on the war on coal, and said: "I remember earlier this year in our public school in Nicholas County when the principal came on to the intercom and said, 'If there are any kids whose parent lost their job this morning in the announced coal layoffs, come on down to the office and sign up for the free lunch program.'"

What a stunning indictment of Obama's war on coal, to think that we have principals in our public school systems come and ask kids to come down because those rules and regulations just put them into the free lunch

program. It is a stunningly tragic example of the impacts of this war on coal.

Again, thank you for your leadership and your fight on this.

Mr. JOHNSON of Ohio. I thank the gentleman.

I now yield to another colleague and neighbor from the great State of West Virginia, Representative ALEX MOONEY.

Mr. MOONEY of West Virginia. I thank Congressman BILL JOHNSON for inviting me to speak this evening.

Ladies and gentlemen, this is it. This is one of the last chances to save the coal industry in my State of West Virginia. There is no time to hesitate. We have to act now. That is why I am proud to have introduced my bill, H.R. 1644, the STREAM Act.

In the 8 years since President Obama took office, our unemployment rate in West Virginia went from the fifth lowest to the highest unemployment rate in the country. This is a direct result of the Obama administration's continued war on coal, which is a war on West Virginia's economy.

Three months ago, the Office of Surface Mining, under the Department of the Interior, released its latest set of regulations that will cripple the coal industry not only across the country, but especially in West Virginia.

Understand that the EPA, or the Environmental Protection Agency, already overregulates the coal industry. And now the Department of Interior, under this President, is doubling down and doubly overregulating the coal industry.

Even more ridiculous is the heart of this rulemaking, which is to fundamentally change the definition of a stream to include temporary puddles of water. Temporary "streams" are essentially ditches that fill with water after it rains.

A recent study from the National Mining Association estimates that these new proposed rules will kill as many as 77,000 coal jobs across the country.

I have a chart here showing where many of these jobs are going to come from. Between 5,000 and over 10,000 jobs in Western mining States will be lost here in this pink region. In the interior of America, the interior States, between 5,000 and 14,000 jobs will be lost.

My colleague from West Virginia was just mentioning how that affects families and how you have to make announcements at schools to come and support the children because of these totally unnecessary losses of jobs through these regulations.

And certainly last but not least, in the area that I represent, West Virginia and the Appalachian region, we have between 30,000 and a little over 50,000 coal mining jobs that will be lost due to this new stream protection rule that the President is trying to impose.

These new regulations would be catastrophic to the coal industry and all of the hardworking American families that depend on coal to keep their energy costs low. In my State, 90 percent of the power is generated by coal-fired plants. If these rules come into effect, it will make it even more expensive just to keep the lights on.

According to a recent study, if the Obama administration successfully implements its radical environmental policies, the average American family will experience an increase in their home energy costs per year of \$1,707 by the year 2025.

So, if you are listening to this: \$1,707. This affects you and your home energy cost. Not only does it kill jobs in the coal industry, it will affect your home energy costs to the tune of \$1,707 a year.

□ 2115

This is what we are trying to fight here.

The average American family earned \$53,657 last year. The average family in West Virginia earned \$41,059 last year, which is \$12,598 under the national average. So this home energy cost increase will be detrimental for all Americans, but especially for West Virginians.

Going into these long winter months, increased energy costs will be devastating to those on fixed incomes, like the elderly and the impoverished.

According to the Applied Public Policy Research Institute for Study and Evaluation, energy costs are adversely impacting lower income seniors afflicted by health conditions. This leads them to forgo food for a day, leads them to reduce medical or dental care, fail to pay utility bills or become ill because their home was too cold.

This does not have to be the case. If we utilized the energy that our country is so blessed with, people would not have to make these tough choices. Instead, we see these hard choices become commonplace under the over-regulation of this administration.

When I traveled the State of West Virginia asking to represent the people of the Second Congressional District in Congress, I promised that I would defend the coal industry. West Virginia and our country needs the STREAM Act to pass the House and Senate and be signed into law.

Mr. JOHNSON of Ohio. I thank the gentleman for his comments and for his passion.

We have been fighting this Office of Surface Mining and Reclamation Stream Protection Rule for almost 5 years now—actually, longer than that—because we know what happened when the Obama administration came in.

That was one of the first things that they set their targets on and, through a series of exposing their flaws and in-

consistencies in their rulemaking, we were able to stop it. But they have been persistent.

Now we need the American people to sound off, and we need the American people to understand how this is going to affect them.

I thank the gentleman for his comments.

One thing, Mr. Speaker, I want to make sure we assert is, you know, we have heard a lot of passionate talk about the coal industry, and you may hear even more before this Special Order is over this evening.

But I want to make sure we understand we are talking about modernizing America's energy infrastructure. H.R. 8 is called the Architecture of Abundance. Yes, it is about coal, but it is about much more than just coal. It is about modernizing our energy infrastructure, protecting the electricity system, strengthening energy security and diplomacy across the globe, and improving energy efficiency and, importantly, holding the Federal Government accountable for a real all-of-the-above energy policy that guarantees America's energy, security, and independence.

Mr. Speaker, I yield to the gentleman from the great State of Louisiana (Mr. SCALISE), our majority whip, my Boudin-loving colleague.

Mr. SCALISE. Mr. Speaker, I want to thank my friend from Ohio, who also loves Boudin, for yielding and for bringing up this important issue of energy.

Mr. Speaker, American energy means jobs. When we come here on this House floor and talk about ways to get our economy moving again, ways to help Americans who want to get back to work, there is a very clear-cut, commonsense answer to get our economy moving again, and that is just to open up more of the resources of this great Nation.

Just on the placard right there above us, Mr. Speaker, inscribed on the walls of this House Chamber is a plaque that starts off, that says, "Let us develop the resources of our land." It is on the House Chamber.

And, yet, President Obama, through his policies, through his radical regulations—every single day his unelected bureaucrats wake up figuring out more ways to close off those resources, to kill those American jobs.

When my colleagues come here on the House floor and tell story after story about things like the war on coal, these are real wars that this Obama administration is waging upon American workers.

The war on coal is real. I have seen it in the eyes of coal workers when I went to my colleague's district in Ohio. We sat out before a whole room full of coal workers, many of them multi-generational. These aren't people who have their first job in the industry. For

many of them, their father, their grandfather, worked in the coal industry.

When you look out at coal workers today, as I saw in Eastern Ohio, you see the look of fear, not because they face global competition. They can beat global competition. What they can't beat right now is the barrage of radical regulations coming from the Obama administration killing American jobs.

It has got a real direct impact on workers across this country, people who are part of the middle class today that the President loves talking about. Yet, that middle class dream is under attack by these policies.

They have real impacts, Mr. Speaker. In fact, one of the other things I went out and saw when I was out in Eastern Ohio, was the Utica shale play, another example of great American ingenuity.

These aren't just American jobs. This is American ingenuity that is figuring out how to explore new areas of energy, to allow us not only to create good jobs in America, but to be completely energy independent, to export our energy to other countries, including some of our friends in the world, our allies around the world right now that have to get energy from countries like Russia, who use energy as a weapon against those very countries who would love to get energy from America.

What is the President's answer to them? The President's answer is to make it more difficult to create that energy here through rules, through regulations.

What are some real examples? Just this week, Mr. Speaker, the President is in Paris not to talk about ways to combat ISIS and the global threat of terrorism.

The President is over in Paris talking about global warming. As people are walking around this town in parkas right now because it is so cold, the President is trying to focus on ways to make our economy in America less competitive globally.

So this week we are bringing up more legislation to push back on those kind of regulations. One example is later this week, under the Congressional Review Act, we are going to be bringing up legislation to reverse President Obama's new source performance standard.

This was one of the many radical rules coming out of the EPA. One of the biggest threats to jobs in America is the unelected bureaucrats over the EPA who have another brilliant idea, again, dreamed up by people that are unelected, that now have a plan to actually make it more difficult to create electricity in America, not only more difficult, Mr. Speaker, but dramatically more expensive for hardworking taxpayers in this country to buy electricity. So we are going to bring up a bill on the House floor this week to reverse that radical regulation.

As we bring that up, we are going to have this debate about something very specific in terms of a policy brought up by the President that is going to make it much harder for our country to be competitive, much harder for middle class families to achieve that American Dream, because it is going to make things more expensive for them, things that they buy, not just their electricity, but it cascades into all the other things that people buy when they go to grocery stores, when they go do their Christmas shopping. These are having real impacts on real people.

Something else we are going to be taking on is the Department of the Interior right now, one of the other agencies of President Obama, coming out with a well control rule that is going to make it very difficult to drill for oil in the Gulf of Mexico, a place where we, through American ingenuity, have figured out ways to generate more energy in America that we can use not only to help our economy, but to help our friends all around the world.

So what is the President's answer? Using unelected bureaucrats, once again, to propose a rule that is going to make it more difficult to create those American jobs.

Then, of course, as my colleague from Ohio was talking about, this week we are also going to bring up a bill called the Architecture of Abundance, a bill to create more American jobs, to create real American energy security, again, to open up those natural resources that are being shut down by this President.

So when you talk about getting the economy back on track, you don't need a team of economists to come in and figure out some new way to invent the wheel.

Mr. Speaker, the answer is sitting right underneath our feet. In many cases, it is the energy that is trapped, not trapped by the lack of ingenuity, because Americans, more than anybody in the world, have figured out great ways to go and use technology, to go and get those resources, attract those resources, explore and then produce those resources.

But, unfortunately, their biggest challenge every day is not the competition from other States, not the competition from other companies. It is the challenge of the threatening regulations from this Obama administration that are trying to shut those opportunities down. It has real impacts on real people, the coal industry, the oil industry, the natural gas industry, all across the board.

When our allies around the world are looking to us and saying, "We want to trade with the United States," we want to be able to buy the oil that America is generating, that we have now a surplus of and, yet, the President wants to issue a veto threat when we say let's allow for exporting of oil, for goodness sake.

We have an abundance of it. People are getting laid off in the United States, those middle class workers that the President loves talking about at photo-ops, who are being laid off because of his policies.

We have got the technology. We have got the expertise. We are the world leader, Mr. Speaker. All we need is for the right policies to unleash that potential, to unleash that opportunity, to create those American jobs.

So as we have been talking about tonight, the House will actually be taking action—not sitting on the sidelines, not just criticizing, but taking action—bringing bills on the House floor this week to open up those opportunities for hardworking taxpayers, to create more middle class opportunities for people who want to be a part of this industry, but also to lower costs for these middle class families who are struggling under these tough economic times to be able to have more opportunities for themselves and their families.

Hopefully, we will continue this debate throughout this week and throughout the rest of this Congress as we bring these good pieces of legislation to open up those resources again, as the placard says at the top of the House Chamber here, to develop the resources of this land so that America can be the world leader in energy.

So we don't have to get our energy from countries who don't like us, but we can actually export and create more job opportunities and help our allies around the world by undermining countries like Iran and Russia and others who want to do them harm.

I look forward to continuing this debate. I am so proud to be a part of this effort in the House to create more energy opportunities in America.

I thank my colleague from Ohio for leading in this effort.

Mr. JOHNSON of Ohio. I thank the gentleman.

Our whip comes from a State that has a very rich heritage, a rich legacy of energy production, both onshore and offshore. And so you have lived it. The people that you represent live it every day. I thank you for your passion on this issue as well.

Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman has 9 minutes remaining.

Mr. JOHNSON of Ohio. Mr. Speaker, seeing as there are no further Members to speak this evening, I will summarize.

I mentioned earlier that coal-fired power had provided the energy for America's innovative engine for generations. We have now got new energy resources that have become available to us.

I can remember—and I am sure many Members can—where they were the day that Neil Armstrong stepped foot out

on the Moon. I am reminded of the excitement and the energy that we felt, the enthusiasm, the pride that we felt, when President John F. Kennedy announced that we were going to put a man on the Moon within the next decade.

□ 2130

That was in 1960, I believe, when he made that statement. It didn't take us until the end of the decade. We did it in 1969.

Mr. Speaker, look what happened as a result of that. Every institution in America—academia, the medical industry, and the scientific community—everyone got behind the Moon race.

We have got a stagnant economy struggling to get its feet underneath us in light of the staggering pressure from Federal regulations from the likes of the EPA, the Office of Surface Mining Reclamation and Enforcement, the Interior, and so forth. Imagine what would happen if we had an all-of-the-above energy policy that sounded something like this: starting today, we are going to set a goal to become energy independent and secure by the year 2020. That is only 5 short years from now.

But we have made tremendous progress. We are going to continue to use the vast coal resources that we have at our disposal. We are going to harvest and use the natural gas and oil resources that we possess. We are going to expand on our nuclear energy capability. And, yes, we are going to let a private sector free market pursue alternative forms of energy—not at taxpayer expense, but at entrepreneur expense where brilliant minds will try and break the code of being able to store up and harness, for future use, energy from the wind and the Sun. They can't meet our heavy-lifting energy needs today, but who knows what great discoveries that we will find in the future?

I believe if we had an energy vision, a true, all-of-the-above energy vision that sounded like that, you would, once again, see our young people lining up to get into institutions to prepare themselves for careers in energy production, storage, distribution, and usage. You would find companies with the certainty to be able to grow and expand. You would see a resurgence of manufacturing as America, once again, began to innovate and put its research and development ingenuity to work to find new products and new discoveries.

The Pope stood right here on this House floor just a few short weeks ago. He said: Why do so many people around the world want to come to America? I am paraphrasing, but he said that they want to come here because America is the land of dreamers.

We are the problem solvers. From the discovery of electricity, the invention of the light bulb, the invention of the

combustion engine, mass production of automobiles, flight, space travel, computing and telecommunications innovation, and medical marvels beyond belief, so much of what the world enjoys today came from the ingenuity and the innovation of the American Dream—a dream powered by the coal industry, a dream powered now by a combination of oil, gas, coal, and nuclear energy.

Mr. Speaker, we now know that our policies in the energy sector have been based on fears of scarcity, but we no longer have to yield to those fears. We have the resources, the know-how, and the wherewithal to be energy independent and secure. With H.R. 8, the Architecture of Abundance, we are going to be giving the Senate and the President an opportunity to launch America into this next great vision of energy independence and security by the end of the decade. I hope they will take that opportunity seriously.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RUPPERSBERGER (at the request of Ms. PELOSI) for today through December 3 on account of medical issues.

Mr. FARR (at the request of Ms. PELOSI) for today on account of illness.

Mr. DEFAZIO (at the request of Ms. PELOSI) for today on account of medical leave.

PUBLICATION OF COMMITTEE RULES

AMENDMENT TO THE RULES OF THE COMMITTEE ON WAYS AND MEANS FOR THE 114TH CONGRESS

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, November 30, 2015.

Hon. PAUL D. RYAN,
Speaker, The Capitol,
Washington, DC.

DEAR MR. SPEAKER: I am pleased to submit for printing in the Congressional Record, pursuant to Rule XI, clause 2(a) of the Rules of the House, a copy of the Rules of the Committee on Ways and Means, which were adopted at the organizational meeting of the Committee on January 21, 2015, and were revised at the business meeting of the Committee on November 18, 2015.

Sincerely,

KEVIN BRADY,
Chairman.

(As Adopted by the Committee on
November 18, 2015)

A. GENERAL

RULE 1. APPLICATION OF HOUSE RULES

The rules of the House are the rules of the Committee on Ways and Means and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, is a non-debatable motion of high privilege in the Committee.

Each subcommittee of the Committee is part of the Committee and is subject to the

authority and direction of the Committee and to its rules so far as applicable. Written rules adopted by the Committee, not inconsistent with the Rules of the House, shall be binding on each subcommittee of the Committee.

The provisions of rule XI of the Rules of the House are incorporated by reference as the rules of the Committee to the extent applicable.

RULE 2. MEETING DATE AND QUORUMS

The regular meeting day of the Committee on Ways and Means shall be on the second Wednesday of each month while the House is in session. However, the Committee shall not meet on the regularly scheduled meeting day if there is no business to be considered.

A majority of the Committee constitutes a quorum for business; provided however, that two Members shall constitute a quorum at any regularly scheduled hearing called for the purpose of taking testimony and receiving evidence. In establishing a quorum for purposes of a public hearing, every effort shall be made to secure the presence of at least one Member each from the majority and the minority.

The Chairman of the Committee may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet pursuant to the call of the Chair.

RULE 3. COMMITTEE BUDGET

For each Congress, the Chairman, in consultation with the Majority Members of the Committee, shall prepare a preliminary budget. Such budget shall include necessary amounts for staff personnel, travel, investigation, and other expenses of the Committee. After consultation with the Minority Members, the Chairman shall include an amount budgeted by Minority Members for staff under their direction and supervision.

RULE 4. PUBLICATION OF COMMITTEE DOCUMENTS

Any Committee or Subcommittee print, document, or similar material prepared for public distribution shall either be approved by the Committee or Subcommittee prior to distribution and opportunity afforded for the inclusion of supplemental, minority or additional views, or such document shall prominently display near the top of its cover the following: "Majority [or Minority] Staff Report," as appropriate.

The requirements of this rule shall apply only to the publication of policy-oriented, analytical documents, and not to the publication of public hearings, legislative documents, documents which are administrative in nature or reports which are required to be submitted to the Committee under public law. The appropriate characterization of a document subject to this rule shall be determined after consultation with the Minority.

RULE 5. OFFICIAL TRAVEL

Consistent with the primary expense resolution and such additional expense resolution as may have been approved, the provisions of this rule shall govern official travel of Committee Members and Committee staff. Official travel to be reimbursed from funds set aside for the full Committee for any Member or any Committee staff member shall be paid only upon the prior authorization of the Chairman. Official travel may be authorized by the Chairman for any Member and any Committee staff member in connection with the attendance of hearings con-

ducted by the Committee, its Subcommittees, or any other Committee or Subcommittee of the Congress on matters relevant to the general jurisdiction of the Committee, and meetings, conferences, facility inspections, and investigations which involve activities or subject matter relevant to the general jurisdiction of the Committee. Before such authorization is given, there shall be submitted to the Chairman in writing the following:

(1) The purpose of the official travel;

(2) The dates during which the official travel is to be made and the date or dates of the event for which the official travel is being made;

(3) The location of the event for which the official travel is to be made; and

(4) The names of the Members and Committee staff seeking authorization.

In the case of official travel of Members and staff of a Subcommittee to hearings, meetings, conferences, facility inspections and investigations involving activities or subject matter under the jurisdiction of such Subcommittee, prior authorization must be obtained from the Subcommittee Chairman and the full Committee Chairman. Such prior authorization shall be given by the full Committee Chairman only upon the representation by the applicable Subcommittee Chairman in writing setting forth those items enumerated above.

Within 60 days of the conclusion of any official travel authorized under this rule, there shall be submitted to the full Committee Chairman a written report covering the information gained as a result of the hearing, meeting, conference, facility inspection or investigation attended pursuant to such official travel.

RULE 6. AVAILABILITY OF COMMITTEE RECORDS AND PUBLICATIONS

The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the Rules of the House of Representatives. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of Rule VII, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any Member of the Committee. The Committee shall, to the maximum extent feasible, make its publications available in electronic form.

RULE 7. COMMITTEE WEBSITE

The Chairman shall maintain an official Committee website for the purpose of furthering the Committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to Committee members and other members of the House. The ranking minority member may maintain a similar website for the same purpose, including communicating information about the activities of the minority to Committee members and other members of the House.

B. SUBCOMMITTEES

RULE 8. SUBCOMMITTEE RATIOS AND JURISDICTION

All matters referred to the Committee on Ways and Means involving revenue measures, except those revenue measures referred to Subcommittees under paragraphs 1, 2, 3, 4, 5 or 6 shall be considered by the full Committee and not in Subcommittee. There shall be six standing Subcommittees as follows: a Subcommittee on Trade; a Subcommittee on

Oversight; a Subcommittee on Health; a Subcommittee on Social Security; a Subcommittee on Human Resources; and a Subcommittee on Tax Policy. The ratio of Republicans to Democrats on any Subcommittee of the Committee shall be consistent with the ratio of Republicans to Democrats on the full Committee.

1. The Subcommittee on Trade shall consist of 16 Members, 10 of whom shall be Republicans and 6 of whom shall be Democrats.

The jurisdiction of the Subcommittee on Trade shall include bills and matters referred to the Committee on Ways and Means that relate to customs and customs administration including tariff and import fee structure, classification, valuation of and special rules applying to imports, and special tariff provisions and procedures which relate to customs operation affecting exports and imports; import trade matters, including import impact, industry relief from injurious imports, adjustment assistance and programs to encourage competitive responses to imports, unfair import practices including antidumping and countervailing duty provisions, and import policy which relates to dependence on foreign sources of supply; commodity agreements and reciprocal trade agreements involving multilateral and bilateral trade negotiations and implementation of agreements involving tariff and non-tariff trade barriers to and distortions of international trade; international rules, organizations and institutional aspects of international trade agreements; budget authorizations for the customs revenue functions of the Department of Homeland Security, the U.S. International Trade Commission, and the U.S. Trade Representative; and special trade-related problems involving market access, competitive conditions of specific industries, export policy and promotion, access to materials in short supply, bilateral trade relations including trade with developing countries, operations of multinational corporations, and trade with non-market economies.

2. The Subcommittee on Oversight shall consist of 11 Members, 7 of whom shall be Republicans and 4 of whom shall be Democrats.

The jurisdiction of the Subcommittee on Oversight shall include all matters within the scope of the full Committee's jurisdiction but shall be limited to existing law. Said oversight jurisdiction shall not be exclusive but shall be concurrent with that of the other Subcommittees. With respect to matters involving the Internal Revenue Code and other revenue issues, said concurrent jurisdiction shall be shared with the full Committee. Before undertaking any investigation or hearing, the Chairman of the Subcommittee on Oversight shall confer with the Chairman of the full Committee and the Chairman of any other Subcommittee having jurisdiction.

3. The Subcommittee on Health shall consist of 18 Members, 11 of whom shall be Republicans and 7 of whom shall be Democrats.

The jurisdiction of the Subcommittee on Health shall include bills and matters referred to the Committee on Ways and Means that relate to programs providing payments (from any source) for health care, health delivery systems, or health research. More specifically, the jurisdiction of the Subcommittee on Health shall include bills and matters that relate to the health care programs of the Social Security Act (including titles V, XI (Part B), XVIII, and XIX thereof) and, concurrent with the full Committee, tax credit and deduction provisions of the Internal Revenue Code dealing with health insurance premiums and health care costs.

4. The Subcommittee on Social Security shall consist of 11 Members, 7 of whom shall be Republicans and 4 of whom shall be Democrats.

The jurisdiction of the Subcommittee on Social Security shall include bills and matters referred to the Committee on Ways and Means that relate to the Federal Old Age, Survivors' and Disability Insurance System, the Railroad Retirement System, and employment taxes and trust fund operations relating to those systems. More specifically, the jurisdiction of the Subcommittee on Social Security shall include bills and matters involving title II of the Social Security Act and Chapter 22 of the Internal Revenue Code (the Railroad Retirement Tax Act), as well as provisions in title VII and title XI of the Act relating to procedure and administration involving the Old Age, Survivors' and Disability Insurance System.

5. The Subcommittee on Human Resources shall consist of 11 Members, 7 of whom shall be Republicans and 4 of whom shall be Democrats.

The jurisdiction of the Subcommittee on Human Resources shall include bills and matters referred to the Committee on Ways and Means that relate to the public assistance provisions of the Social Security Act, including temporary assistance for needy families, child care, child and family services, child support, foster care, adoption, supplemental security income, social services, eligibility of welfare recipients for food stamps, and low-income energy assistance. More specifically, the jurisdiction of the Subcommittee on Human Resources shall include bills and matters relating to titles I, IV, VI, X, XIV, XVI, XVII, XX and related provisions of titles VII and XI of the Social Security Act.

The jurisdiction of the Subcommittee on Human Resources shall also include bills and matters referred to the Committee on Ways and Means that relate to the Federal-State system of unemployment compensation, and the financing thereof, including the programs for extended and emergency benefits. More specifically, the jurisdiction of the Subcommittee on Human Resources shall also include all bills and matters pertaining to the programs of unemployment compensation under titles III, IX and XII of the Social Security Act, Chapters 23 and 23A of the Internal Revenue Code, and the Federal-State Extended Unemployment Compensation Act of 1970, and provisions relating thereto.

6. The Subcommittee on Tax Policy shall consist of 14 Members, 9 of whom shall be Republicans and 5 of whom shall be Democrats.

The jurisdiction of the Subcommittee on Tax Policy shall consist of those revenue measures that, from time to time, shall be referred to it specifically by the Chairman of the full Committee.

RULE 9. EX-OFFICIO MEMBERS OF SUBCOMMITTEES

The Chairman of the full Committee and the Ranking Minority Member may sit as ex-officio Members of all Subcommittees. They may be counted for purposes of assisting in the establishment of a quorum for a Subcommittee. However, their absence shall not count against the establishment of a quorum by the regular Members of the Subcommittee. Ex-officio Members shall neither vote in the Subcommittee nor be taken into consideration for the purposes of determining the ratio of the Subcommittee.

RULE 10. SUBCOMMITTEE MEETINGS

Insofar as practicable, meetings of the full Committee and its Subcommittees shall not

conflict. Subcommittee Chairmen shall set meeting dates after consultation with the Chairman of the full Committee and other Subcommittee Chairmen with a view towards avoiding, wherever possible, simultaneous scheduling of full Committee and Subcommittee meetings or hearings.

RULE 11. REFERENCE OF LEGISLATION AND SUBCOMMITTEE REPORTS

Except for bills or measures retained by the Chairman of the full Committee for full Committee consideration, every bill or other measure referred to the Committee shall be referred by the Chairman of the full Committee to the appropriate Subcommittee in a timely manner. A Subcommittee shall, within three legislative days of the referral, acknowledge same to the full Committee.

After a measure has been pending in a Subcommittee for a reasonable period of time, the Chairman of the full Committee may make a request in writing to the Subcommittee that the Subcommittee forthwith report the measure to the full Committee with its recommendations. If within seven legislative days after the Chairman's written request, the Subcommittee has not so reported the measure, then there shall be in order in the full Committee a motion to discharge the Subcommittee from further consideration of the measure. If such motion is approved by a majority vote of the full Committee, the measure may thereafter be considered only by the full Committee.

No measure reported by a Subcommittee shall be considered by the full Committee unless it has been presented to all Members of the full Committee at least two legislative days prior to the full Committee's meeting, together with a comparison with present law, a section-by-section analysis of the proposed change, a section-by-section justification, and a draft statement of the budget effects of the measure that is consistent with the requirements for reported measures under clause 3(d)(1) of Rule XIII of the Rules of the House of Representatives.

RULE 12. RECOMMENDATION FOR APPOINTMENT OF CONFEREES

Whenever in the legislative process it becomes necessary to appoint conferees, the Chairman of the full Committee shall recommend to the Speaker as conferees the names of those Committee Members as the Chairman may designate. In making recommendations of Minority Members as conferees, the Chairman shall consult with the Ranking Minority Member of the Committee.

C. HEARINGS

RULE 13. WITNESSES

In order to assure the most productive use of the limited time available to question hearing witnesses, a witness who is scheduled to appear before the full Committee or a Subcommittee shall file with the Clerk of the Committee at least 48 hours in advance of his or her appearance a written statement of their proposed testimony. In addition, all witnesses shall comply with formatting requirements as specified by the Committee and the Rules of the House. Failure to comply with the 48-hour rule may result in a witness being denied the opportunity to testify in person. Failure to comply with the formatting requirements may result in a witness' statement being rejected for inclusion in the published hearing record. In addition to the requirements of clause 2(g)(5) of Rule XI of the Rules of the House regarding information required of public witnesses, a witness shall limit his or her oral presentation

to a summary of their position and shall provide sufficient copies of their written statement to the Clerk for distribution to Members, staff and news media.

A witness appearing at a public hearing, or submitting a statement for the record of a public hearing, or submitting written comments in response to a published request for comments by the Committee must include in their statement or submission, a list of all clients, persons or organizations on whose behalf the witness appears. Oral testimony and statements for the record, or written comments in response to a request for comments by the Committee, will be accepted only from citizens of the United States or corporations or associations organized under the laws of one of the 50 States of the United States or the District of Columbia, unless otherwise directed by the Chairman of the full Committee or Subcommittee involved. Written statements from non-citizens may be considered for acceptance in the record if transmitted to the Committee in writing by Members of Congress.

RULE 14. QUESTIONING OF WITNESSES

Committee Members may question witnesses only when recognized by the Chairman for that purpose. All Members shall be limited to five minutes on the initial round of questioning. In questioning witnesses under the five minute rule, the Chairman and the Ranking Minority Member shall be recognized first, after which Members who are in attendance at the beginning of a hearing will be recognized in the order of their seniority on the Committee. Other Members shall be recognized in the order of their appearance at the hearing. In recognizing Members to question witnesses, the Chairman may take into consideration the ratio of Majority Members to Minority Members and the number of Majority and Minority Members present and shall apportion the recognition for questioning in such a manner as not to disadvantage Members of the majority.

RULE 15. SUBPOENA POWER

The power to authorize and issue subpoenas is delegated to the Chairman of the full Committee, as provided for under clause 2(m)(3)(A)(i) of Rule XI of the Rules of the House of Representatives.

RULE 16. RECORDS OF HEARINGS

An accurate stenographic record shall be kept of all testimony taken at a public hearing. The staff shall transmit to a witness the transcript of his or her testimony for correction and immediate return to the Committee offices. Only changes in the interest of clarity, accuracy and corrections in transcribing errors will be permitted. Changes that substantially alter the actual testimony will not be permitted. Members shall have the opportunity to correct their own remarks before publication. The Chairman of the full Committee may order the printing of a hearing without the corrections of a witness or Member if he determines that a reasonable time has been afforded to make corrections and that further delay would impede the consideration of the legislation or other measure that is the subject of the hearing.

RULE 17. BROADCASTING OF HEARINGS

The provisions of clause 4(f) of Rule XI of the Rules of the House of Representatives are specifically made a part of these rules by reference. In addition, the following policy shall apply to media coverage of any meeting of the full Committee or a Subcommittee:

(1) An appropriate area of the Committee's hearing room will be designated for members of the media and their equipment.

(2) No interviews will be allowed in the Committee room while the Committee is in session. Individual interviews must take place before the gavel falls for the convening of a meeting or after the gavel falls for adjournment.

(3) Day-to-day notification of the next day's electronic coverage shall be provided by the media to the Chairman of the full Committee through an appropriate designee.

(4) Still photography during a Committee meeting will not be permitted to disrupt the proceedings or block the vision of Committee Members or witnesses.

(5) Further conditions may be specified by the Chairman.

D. MARKUPS

RULE 18. PREVIOUS QUESTION

The Chairman shall not recognize a Member for the purpose of moving the previous question unless the Member has first advised the Chair and the Committee that this is the purpose for which recognition is being sought.

RULE 19. POSTPONEMENT OF PROCEEDINGS

The Chairman may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter or adopting an amendment.

The Chairman may resume proceedings on a postponed request at any time. In exercising postponement authority the Chairman shall take reasonable steps to notify Members on the resumption of proceedings on any postponed record vote.

When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

RULE 20. MOTION TO GO TO CONFERENCE

The Chairman is authorized to offer a motion under clause 1 of rule XXII of the Rules of the House of Representatives whenever the Chairman considers it appropriate.

RULE 21. OFFICIAL TRANSCRIPTS OF MARKUPS AND OTHER COMMITTEE MEETINGS

An official stenographic transcript shall be kept accurately reflecting all markups and other official meetings of the full Committee and the Subcommittees, whether they be open or closed to the public. This official transcript, marked as "uncorrected," shall be available for inspection by the public (except for meetings closed pursuant to clause 2(g)(1) of Rule XI of the Rules of the House), by Members of the House, or by Members of the Committee together with their staffs, during normal business hours in the full Committee or Subcommittee office under such controls as the Chairman of the full Committee deems necessary. Official transcripts shall not be removed from the Committee or Subcommittee office.

If, however, (1) in the drafting of a Committee or Subcommittee decision, the Office of the House Legislative Counsel or (2) in the preparation of a Committee report, the Chief of Staff of the Joint Committee on Taxation determines (in consultation with appropriate majority and minority committee staff) that it is necessary to review the official transcript of a markup, such transcript may be released upon the signature and to the custody of an appropriate committee staff person. Such transcript shall be returned immediately after its review in the drafting session.

The official transcript of a markup or Committee meeting other than a public hearing shall not be published or distributed

to the public in any way except by a majority vote of the Committee. Before any public release of the uncorrected transcript, Members must be given a reasonable opportunity to correct their remarks. In instances in which a stenographic transcript is kept of a conference committee proceeding, all of the requirements of this rule shall likewise be observed.

RULE 22. PUBLICATION OF DECISIONS AND LEGISLATIVE LANGUAGE

A press release describing any tentative or final decision made by the full Committee or a Subcommittee on legislation under consideration shall be made available to each Member of the Committee as soon as possible, but no later than the next day. However, the legislative draft of any tentative or final decision of the full Committee or a Subcommittee shall not be publicly released until such draft is made available to each Member of the Committee.

E. STAFF

RULE 23. SUPERVISION OF COMMITTEE STAFF

The staff of the Committee shall be under the general supervision and direction of the Chairman of the full Committee except as provided in clause 9 of Rule X of the Rules of the House of Representatives concerning Committee expenses and staff.

Pursuant to clause 6(d) of Rule X of the Rules of the House of Representatives, the Chairman of the full Committee, from the funds made available for the appointment of Committee staff pursuant to primary and additional expense resolutions, shall ensure that each Subcommittee receives sufficient staff to carry out its responsibilities under the rules of the Committee, and that the minority party is fairly treated in the appointment of such staff.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1550. An act to amend title 31, United States Code, to establish entities tasked with improving program and project management in certain Federal agencies, and for other purposes; to the Committee on Oversight and Government Reform.

S. 1698. An act to exclude payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits; to the Committee on Oversight and Government Reform.

S. 2328. An act to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; to the Committee on Natural Resources.

SENATE ENROLLED BILL SIGNED

The Speaker pro tempore, Mr. MESSER, on Monday, November 23, 2015, announced his signature to an enrolled bill of the Senate of the following title:

S. 599. An act to extend and expand the Medicaid emergency psychiatric demonstration project.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on November 19, 2015, she

presented to the President of the United States, for his approval, the following bills:

H.R. 3996. To provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

H.R. 2262. To facilitate a pro-growth environment for the developing commercial space industry by encouraging private sector investment and creating more stable and predictable regulatory conditions, and for other purposes.

H.R. 208. To improve the disaster assistance programs of the Small Business Administration.

H.R. 639. To amend the Controlled Substances Act with respect to drug scheduling recommendations by the Secretary of Health and Human Services, and with respect to registration of manufacturers and distributors seeking to conduct clinical testing.

ADJOURNMENT

Mr. JOHNSON of Ohio. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 35 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, December 1, 2015, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3531. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting the Department's report on "Protection of Military Installations" as required by the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for FY 2015, pursuant to Public Law 113-291, Sec. 1056; (128 Stat. 3499); to the Committee on Armed Services.

3532. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's 2014 Merger Decisions Report, pursuant to 12 U.S.C. 1828(c)(9); Sept. 21, 1950, ch. 967, Sec. 2(18) (as added by Public Law 89-356, Sec. 1); (80 Stat. 9); to the Committee on Financial Services.

3533. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Stress Testing of Regulated Entities (RIN: 2590-AA74) received November 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3534. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's interim final rule — Margin and Capital Requirements for Covered Swap Entities (RIN: 2590-AA45) received November 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3535. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Margin and Capital Requirements for Covered Swap Entities (RIN: 2590-AA45) received November 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat.

868); to the Committee on Financial Services.

3536. A letter from the Acting Deputy Assistant General Counsel, Division of Regulatory Services, Office of the General Counsel, Office of Postsecondary Education, Department of Education, transmitting the Department's final regulations — Program Integrity and Improvement [Docket ID: ED-2015-OPE-0020] (RIN: 1840-AD14) received November 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

3537. A letter from the Acting Deputy Assistant General Counsel, Division of Regulatory Services, Office of the General Counsel, Office of Postsecondary Education, Department of Education, transmitting the Department's Major final regulations — Student Assistance General Provisions, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program [Docket ID: ED-2014-OPE-0161] (RIN: 1840-AD18) received November 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

3538. A letter from the Acting Commissioner, FDA, Department of Health and Human Services, transmitting the Administration's Environmental Assessment report on the risks associated with genetically engineered seafood products, pursuant to 21 U.S.C. 2106; Public Law 110-85, Sec. 1007; to the Committee on Energy and Commerce.

3539. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's final rule — Occupational Safety and Health Research and Related Activities: Removal of Regulations Regarding Administrative Functions, Practices, and Procedures [Docket No.: CDC-2015-0062; NIOSH-286] (RIN: 0920-AA55) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3540. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Saflufenacil; Pesticide Tolerances [EPA-HQ-OPP-2014-0640; FRL-9936-71] received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3541. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — PM10 Plans and Redesignation Request; Truckee Meadows, Nevada; Deletion of TSP Area Designation [EPA-R09-OAR-2015-0633; FRL-9939-48-Region 9] received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3542. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — NESHP for Brick and Structural Clay Products Manufacturing; and NESHP for Clay Ceramics Manufacturing: Correction [EPA-HQ-OAR-2013-0290 and EPA-HQ-OAR-2013-0291; FRL-9939-35-OAR] (RIN: 2060-AP69) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3543. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agen-

cy's final rule — National Emission Standards for Aerospace Manufacturing and Rework Facilities Risk and Technology Review [EPA-HQ-OAR-2014-0830; FRL-9936-64-OAR] (RIN: 2060-AQ99) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3544. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Aureobasidium pullulans strains DSM 14940 and DSM 14941; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0099; FRL-9936-50] received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3545. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revision to the Definition of Volatile Organic Compound [EPA-R03-OAR-2015-0686; FRL-9939-38-Region 3] received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3546. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; ME; Repeal of the Maine's General Conformity Provision [EPA-R01-OAR-2015-0593; A-1-FRL-9939-24-Region 1] received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3547. A letter from the Program Analyst, Financial Operations, Office of Managing Director, Federal Communications Commission, transmitting the Commission's final rule — Assessment and Collection of Regulatory Fees for Fiscal Year 2014 [MD Docket No.: 14-92]; Assessment and Collection of Regulatory Fees for Fiscal Year 2013 [MD Docket No.: 13-140]; Procedures for Assessment and Collection of Regulatory Fees [MD Docket No.: 12-201] received November 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3548. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's Agency Financial Report for FY 2015, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Energy and Commerce.

3549. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report entitled "Report Pursuant to the Emergency Wartime Supplemental Appropriations Act, 2003 on Loan Guarantees to Israel", pursuant to Public Law 108-11, Title I Chapter 5; (117 Stat. 576); to the Committee on Foreign Affairs.

3550. A communication from the President of the United States, transmitting a declaration of a national emergency with respect to the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the situation in Burundi, pursuant to 50 U.S.C. 1703(b); Public Law 95-223 Sec. 204(b); (91 Stat. 1627) (H. Doc. No. 114-80); to the Committee on Foreign Affairs and ordered to be printed.

3551. A letter from the Assistant Secretary, Legislative Affairs, Department of State,

transmitting the 2015 Annual Report on the Benjamin A. Gilman International Scholarship Program, pursuant to 22 U.S.C. 2462 note; Public Law 106-309, Sec. 304; (114 Stat. 1095); to the Committee on Foreign Affairs.

3552. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting agreements prepared by the Department of State concerning international agreements other than treaties entered into by the United States, to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(d) Public Law 92-403, Sec. 1; (86 Stat. 619); to the Committee on Foreign Affairs.

3553. A letter from the Acting Legislative Director, Natural Resources Conservation Service, Department of Agriculture, transmitting the Department's final rule — NRCS Procedures for Granting Equitable Relief (RIN: 0578-AA57) received November 19, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

3554. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Addition of Certain Persons and Modification of Certain Entries to the Entity List; and Removal of Certain Persons from the Entity List [Docket No.: 150911846-5846-01] (RIN: 0694-AG74) received November 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

3555. A letter from the Deputy Under Secretary for Management and Chief Financial Officer, Department of Homeland Security, transmitting the Department's Agency Financial Report for FY 2015, pursuant to 31 U.S.C. 3516 note; Public Law 112-217, Sec. 2(c); (126 Stat. 1591) and 31 U.S.C. 3115(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); and Public Law 108-330; to the Committee on Oversight and Government Reform.

3556. A letter from the Secretary, Department of Veterans Affairs, transmitting the Department's Semiannual Report for the period April 1, 2015 through September 30, 2015, pursuant to 5 U.S.C. app. 5(a); to the Committee on Oversight and Government Reform.

3557. A letter from the Secretary, Department of the Treasury, transmitting the Department's Agency Financial Report for FY 2015, pursuant to 31 U.S.C. 3115(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3558. A letter from the Chairman of the Board and Chairman, Audit Committee, Farm Credit System Insurance Corporation, transmitting the Corporation's consolidated report to the President addressing the requirements of the Federal Managers' Financial Integrity Act and the Inspector General Act of 1978, pursuant to 5 U.S.C. app. Sec. 8G(h)(2); Public Law 95-452, Sec. 8G(h)(2) (as added by Public Law 100-504, Sec. 104(a)); (102 Stat. 2525); to the Committee on Oversight and Government Reform.

3559. A letter from the Chairman, Farm Credit System Insurance Corporation, transmitting the Corporation's draft Strategic Plan for Fiscal Years 2016 through 2021, pursuant to 5 U.S.C. 306(d); to the Committee on Oversight and Government Reform.

3560. A letter from the Treasurer, National Gallery of Art, transmitting the Gallery's Performance and Accountability Report for FY 2015, including the consolidated financial statements, federal financial statements (as

supplementary schedules) and auditor's report, complying voluntarily with the spirit of the Accountability of Tax Dollars Act of 2002, Public Law 107-289; to the Committee on Oversight and Government Reform.

3561. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's Performance and Accountability Report for FY 2015, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3562. A letter from the Director, Office of Government Ethics, transmitting the Annual Financial Report for the U.S. Office of Government Ethics for FY 2015, as submitted to the Office of Management and Budget, pursuant to 31 U.S.C. 3115(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3563. A letter from the Chair, Securities and Exchange Commission, transmitting the Commission's FY 2015 Agency Financial Report, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 8G(h)(2); Public Law 100-504, Sec. 104(a); (102 Stat. 2525); to the Committee on Oversight and Government Reform.

3564. A letter from the Chair, Securities and Exchange Commission, transmitting the Commission's Semiannual report for the period April 1, 2015 through September 30, 2015, pursuant to 5 U.S.C. app. 5(b); Public Law 95-452, Sec. 5(b); to the Committee on Oversight and Government Reform.

3565. A letter from the Director, U.S. Trade and Development Agency, transmitting the Agency's Performance and Accountability Reports including audited financial statements for FY 2015, pursuant to 31 U.S.C. 3115(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3566. A letter from the Staff Director, United States Commission on Civil Rights, transmitting the Commission's Performance and Accountability Report for FY 2015, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

3567. A letter from the Executive Director, World War One Centennial Commission, transmitting the Commission's periodic report for the period ended September 30, 2015, pursuant to Public Law 112-272, Sec. 5(b)(1); (126 Stat. 2450); to the Committee on Oversight and Government Reform.

3568. A letter from the Director, Congressional Affairs, Federal Election Commission, transmitting the Federal Election Commission Fiscal Year 2015 Agency Financial Report, pursuant to 5 U.S.C. app. Sec. 8G(h)(2); Public Law 95-452, Sec. 8G(h)(2) (as added by Public Law 100-504, Sec. 104(a)); (102 Stat. 2525); to the Committee on House Administration.

3569. A letter from the Acting Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Special Regulations, Areas of the National Park System, Lake Chelan National Recreation Area, Solid Waste Disposal [NPS-LACH-19666; PPPWNOCAM3 PPMOMFOIZ.F00000] (RIN: 1024-AE09) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3570. A letter from the Administrator, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting the Corporation's annual financial audit and management report for the fis-

cal year ending September 30, 2015, pursuant to 31 U.S.C. 9105; to the Committee on Transportation and Infrastructure.

3571. A letter from the Chief Impact Analyst, Office of Regulation Policy, Office of the General Counsel (O2REG), Department of Veterans Affairs, transmitting the Department's direct final rule — Exempting Mental Health Peer Support Services from Copayments (RIN: 2900-AP11) received November 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

3572. A letter from the United States Trade Representative, Executive Office of the President, transmitting notification to Congress under Sec. 103(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 of the President's intent to agree under that section at the 2015 APEC Leaders' meeting to reduce tariffs on the 54 environmental products, included in Annex C to the 2012 APEC Leaders' Declaration, to five percent or less by the end of 2015, under the authority delegated by Executive Order 13701 of July 17, 2015; to the Committee on Ways and Means.

3573. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Contract Year 2016 Policy and Technical Changes to the Medicare Advantage and the Medicare Prescription Drug Benefit Programs [CMS-4159-F2] (RIN: 0938-AS20) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

3574. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program: Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs; Short Inpatient Hospital Stays; Transition for Certain Medicare-Dependent, Small Rural Hospitals under the Hospital Inpatient Prospective Payment System; Provider Administrative Appeals and Judicial Review [CMS-1633-FC; CMS-1607-F2] (RIN: 0938-AS42; RIN: 0938-AS11) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

3575. A letter from the Deputy Director, ODRM, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; Revisions to Payment Policies under the Physician Fee Schedule and Other Revisions to Part B for CY 2016 [CMS-1631-FC] (RIN: 0938-AS40) received November 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McCAUL: Committee on Homeland Security. H.R. 3490. A bill to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes; with an amendment

(Rept. 114-345, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 1755. A bill to amend title 36, United States Code, to make certain improvements in the congressional charter of the Disabled American Veterans (Rept. 114-350). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 3279. A bill to amend titles 5 and 28, United States Code, to require annual reports to Congress on, and the maintenance of databases on, awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes (Rept. 114-351). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 526. A bill to amend title 11 of the United States Code to require the public disclosure by trusts established under section 524(g) of such title, of quarterly reports that contain detailed information regarding the receipt and disposition of claims for injuries based on exposure to asbestos; and for other purposes (Rept. 114-352). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURGESS: Committee on Rules. House Resolution 539. Resolution providing for consideration of the bill (H.R. 8) to modernize energy infrastructure, build a 21st century energy and manufacturing workforce, bolster America's energy security and diplomacy, and promote energy efficiency and government accountability, and for other purposes; providing for consideration of the joint resolution (S.J. Res. 23) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units"; and providing for consideration of the joint resolution (S.J. Res. 24) providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Environmental Protection Agency relating to "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units". (Rept. 114-353). Referred to the House Calendar.

Mr. KLINE: Committee of Conference. Conference report on S. 1177. An act to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves (Rept. 114-354). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. NUNES (for himself and Mr. SCHIFF):

H.R. 4127. A bill to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on the Budget, for a period to be subsequently de-

termined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BECERRA:

H.R. 4128. A bill to amend the Internal Revenue Code of 1986 to provide taxpayer protection and assistance, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCNERNEY:

H.R. 4129. A bill to direct the Secretary of Veterans Affairs to carry out a program under which the Secretary enters into partnership agreements with non-Federal entities for the construction of major construction projects authorized by law, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. NOLAN:

H.R. 4130. A bill to temporarily prohibit the importation of certain iron and steel articles; to the Committee on Ways and Means.

By Mr. HECK of Washington (for himself, Ms. DELBENE, Mr. NEWHOUSE, Mr. KILMER, Mr. McDERMOTT, Mr. COLE, and Mr. KILDEE):

H.R. 4131. A bill to direct the Chief of Engineers to transfer an archaeological collection, commonly referred to as the Kennewick Man or the Ancient One, to the Washington State Department of Archeology and Historic Preservation; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIQUIN:

H.R. 4132. A bill to amend section 320301 of title 54, United States Code, to require approval of affected States before national monuments may be designated under that section, and for other purposes; to the Committee on Natural Resources.

By Mr. BYRNE:

H.R. 4133. A bill to amend the United States Housing Act of 1937 to ensure accountability in the provision of public housing, and for other purposes; to the Committee on Financial Services.

By Mr. DEFazio (for himself and Ms. KUSTER):

H.R. 4134. A bill to require the Secretary of Veterans Affairs to carry out a program to increase efficiency in the recruitment and hiring by the Department of Veterans Affairs of health care workers that are undergoing separation from the Armed Forces, to create uniform credentialing standards for certain health care professionals of the Department, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DUCKWORTH (for herself, Ms. SPEIER, Mr. SCHIFF, Mr. COHEN, Mr. WIGLEY, Mr. JOHNSON of Georgia, Mr. VAN HOLLEN, Mr. ENGEL, Mr. GRAYSON, Ms. ESTY, Mr. LOWENTHAL, Mr. DAVID SCOTT of Georgia, and Ms. LOFGREN):

H.R. 4135. A bill to clarify the definition of nonimmigrant for purposes of chapter 44 of

title 18, United States Code; to the Committee on the Judiciary.

By Mr. PALLONE (for himself and Mrs. CAPPS):

H.R. 4136. A bill to amend the Federal Water Pollution Control Act relating to beach monitoring, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RYAN of Ohio:

H.R. 4137. A bill to award a Congressional Gold Medal to Simeon Booker in recognition of his achievements in the field of journalism, including reporting during the Civil Rights movement, as well as social and political commentary; to the Committee on Financial Services.

By Mr. GRIJALVA (for himself, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CONYERS, Mr. DEUTCH, Mr. ELLISON, Mr. HONDA, Mr. JOHNSON of Georgia, Ms. LEE, Mr. LEWIS, Mr. TED LIEU of California, Ms. NORTON, Mr. RANGEL, Ms. SCHAKOWSKY, Mr. TAKANO, Mr. VAN HOLLEN, Mrs. LAWRENCE, Mrs. NAPOLITANO, Mr. FARR, Ms. SLAUGHTER, Ms. GABBARD, Mr. HUFFMAN, and Mr. COHEN):

H. Res. 540. A resolution expressing the sense of the House of Representatives that the policies of the United States should support a transition to near zero greenhouse gas emissions, 100 percent clean renewable energy, infrastructure modernization, green jobs, full employment, a sustainable economy, fair wages, affordable energy, expanding the middle class, and ending poverty to promote national economic competitiveness and national security and for the purpose of avoiding adverse impacts of a changing climate; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL (for himself and Mr. JEFFRIES):

H. Res. 541. A resolution expressing support for designation of June 2016 as "National Gun Violence Awareness Month"; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XII,

156. The SPEAKER presented a memorial of the House of Representatives of the State of Ohio, relative to House Resolution No.: 107, requesting Congress to renew funding for Save the Dream Ohio through the United States Department of the Treasury's Hardest Hit Fund, to continue to provide assistance to homeowners in the state of Ohio at risk of foreclosure; which was referred to the Committee on Financial Services.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. NUNES:

H.R. 4127.

Congress has the power to enact this legislation pursuant to the following:

The intelligence and intelligence-related activities of the United States government, including those under Title 50 of the United States Code, are carried out to support the national security interests of the United States, to support and assist the armed forces of the United States, and to support the President in the execution of the foreign policy of the United States.

Article I, section 8 of the Constitution of the United States provides, in pertinent part, that "Congress shall have power . . . to pay the debts and provide for the common defense and general welfare of the United States"; ". . . to raise and support armies. . ."; and "To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. BECERRA:

H.R. 4128.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. MCNERNEY:

H.R. 4129.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. NOLAN:

H.R. 4130.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. HECK of Washington:

H.R. 4131.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. POLIQUIN:

H.R. 4132.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 states "Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States."

By Mr. BYRNE:

H.R. 4133.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

By Mr. DEFazio:

H.R. 4134.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Ms. DUCKWORTH:

H.R. 4135.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8, Clause 18 of the United States Constitution which gives Congress the authority to "make all Laws which shall

be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Office thereof."

By Mr. PALLONE:

H.R. 4136.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RYAN of Ohio:

H.R. 4137.

Congress has the power to enact this legislation pursuant to the following:

"The Congress enacts this bill pursuant to Clause 18 of Section 8 of Article I of the United States Constitution."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 20: Ms. LINDA T. SÁNCHEZ of California.

H.R. 25: Mr. HARDY.

H.R. 109: Mr. FLEMING.

H.R. 158: Mr. CRAMER and Ms. KAPTUR.

H.R. 267: Mr. KILMER.

H.R. 465: Mr. ZELDIN and Mr. DUNCAN of South Carolina.

H.R. 524: Mr. ROSS.

H.R. 551: Mr. AGUILAR, Mr. KEATING, and Mr. KILMER.

H.R. 565: Mr. CONNOLLY.

H.R. 592: Mr. EMMER of Minnesota, Mr. BISHOP of Georgia, Ms. NORTON, and Mr. VELA.

H.R. 624: Mr. MOONEY of West Virginia.

H.R. 699: Mr. TROTT.

H.R. 706: Mr. GRAYSON.

H.R. 816: Mr. ROSS.

H.R. 829: Mr. AGUILAR.

H.R. 842: Mr. JEFFRIES.

H.R. 887: Mr. KELLY of Mississippi.

H.R. 911: Ms. KAPTUR.

H.R. 921: Mr. MEEHAN.

H.R. 940: Mr. BENISHEK and Mr. JODY B. HICE of Georgia.

H.R. 953: Mr. HIMES.

H.R. 973: Mr. SHIMKUS and Mr. DAVID SCOTT of Georgia.

H.R. 1220: Ms. ESHOO.

H.R. 1221: Ms. FRANKEL of Florida and Mr. FLEISCHMANN.

H.R. 1247: Mrs. HARTZLER.

H.R. 1301: Ms. MOORE, Mr. WALDEN, and Mr. VELA.

H.R. 1303: Mr. GRAYSON.

H.R. 1343: Mr. MACARTHUR, Mr. ASHFORD, and Mr. HINOJOSA.

H.R. 1399: Mr. HANNA.

H.R. 1401: Mr. MICA.

H.R. 1457: Mr. SMITH of Texas and Ms. ESHOO.

H.R. 1459: Mr. YARMUTH.

H.R. 1567: Mr. ROSS.

H.R. 1588: Mr. DUNCAN of Tennessee.

H.R. 1635: Mr. LEWIS.

H.R. 1655: Ms. EDWARDS.

H.R. 1670: Ms. KUSTER and Mrs. WALORSKI.

H.R. 1706: Mr. NORCROSS.

H.R. 1714: Mr. KILMER.

H.R. 1728: Mr. LOEBSACK, Mr. AGUILAR, and Mrs. TORRES.

H.R. 1733: Mrs. CAROLYN B. MALONEY of New York.

H.R. 1751: Mr. LOEBSACK.

H.R. 1752: Mr. DENT.

H.R. 1761: Mr. FITZPATRICK.

H.R. 1779: Mr. JEFFRIES.

H.R. 1786: Mrs. ELLMERS of North Carolina.

H.R. 1818: Mr. KILMER, Mr. COLE, and Mrs.

COMSTOCK.

H.R. 1838: Mr. COOK.

H.R. 1849: Mr. LOEBSACK.

H.R. 1902: Ms. MENG.

H.R. 1933: Ms. DUCKWORTH.

H.R. 1945: Mr. COURTNEY and Mr. TED LIEU of California.

H.R. 2148: Mr. WESTMORELAND.

H.R. 2191: Mr. MACARTHUR and Mrs. DAVIS of California.

H.R. 2209: Ms. KELLY of Illinois and Mr. HUDSON.

H.R. 2215: Mrs. LOVE.

H.R. 2218: Ms. JENKINS of Kansas and Mr. TAKANO.

H.R. 2224: Ms. KAPTUR, Mr. WELCH, Mr. GARAMENDI, and Ms. BROWN of Florida.

H.R. 2255: Mr. MASSIE.

H.R. 2290: Mr. MCKINLEY.

H.R. 2311: Mr. YOUNG of Iowa.

H.R. 2434: Mr. KILMER.

H.R. 2450: Mr. NORCROSS and Mr. LEVIN.

H.R. 2519: Mr. GROTHMAN.

H.R. 2622: Ms. JENKINS of Kansas.

H.R. 2646: Mr. PALAZZO and Mr. HURT of Virginia.

H.R. 2660: Mr. ENGEL and Mr. SEAN PATRICK MALONEY of New York.

H.R. 2680: Mr. HINOJOSA and Mr. LANGEVIN.

H.R. 2710: Mr. KLINE.

H.R. 2713: Mr. ASHFORD.

H.R. 2715: Ms. ROYBAL-ALLARD and Mr. LARSEN of Washington.

H.R. 2716: Mr. BRIDENSTINE.

H.R. 2737: Mr. SIMPSON, Ms. MCCOLLUM, Mr. LEVIN, and Ms. LEE.

H.R. 2748: Mr. HONDA.

H.R. 2775: Mr. SCOTT of Virginia.

H.R. 2808: Mr. GRAYSON.

H.R. 2836: Ms. BONAMICI.

H.R. 2858: Mr. COURTNEY.

H.R. 2867: Mr. Cárdenas, Ms. PINGREE, Ms. BROWNLEY of California, Ms. DUCKWORTH, and Ms. VELÁZQUEZ.

H.R. 2880: Ms. VELÁZQUEZ.

H.R. 2894: Ms. BORDALLO and Mr. KILMER.

H.R. 2903: Ms. KUSTER and Mr. RICE of South Carolina.

H.R. 2938: Mr. LOWENTHAL.

H.R. 2972: Mr. JEFFRIES.

H.R. 3119: Mr. WALZ, Mr. COOK, Mr. MACARTHUR, Mr. TAKANO, Ms. FRANKEL of Florida, and Mr. WITTMAN.

H.R. 3160: Mr. LEVIN.

H.R. 3164: Mr. GRAYSON.

H.R. 3180: Mr. BARLETTA.

H.R. 3183: Mr. CURBELO of Florida.

H.R. 3222: Mr. BUCK, Ms. JENKINS of Kansas, Mrs. WALORSKI, and Mrs. COMSTOCK.

H.R. 3225: Mr. HINOJOSA.

H.R. 3237: Mr. PAYNE.

H.R. 3250: Ms. BROWNLEY of California.

H.R. 3268: Mr. RUSH.

H.R. 3304: Ms. SLAUGHTER.

H.R. 3314: Mr. STUTZMAN.

H.R. 3326: Mr. MARCHANT, Mr. MOULTON, Mrs. NAPOLITANO, Mr. SALMON, Mr. LAHOOD, Mr. THOMPSON of Pennsylvania, Mr. ASHFORD, and Mr. BYRNE.

H.R. 3338: Mr. SENSENBRENNER.

H.R. 3339: Ms. ROYBAL-ALLARD, Mr. GUINTA, Mr. MEEHAN, and Mr. KILMER.

H.R. 3381: Ms. ESTY.

H.R. 3406: Mr. HINOJOSA and Mr. DAVID SCOTT of Georgia.

H.R. 3441: Mrs. MILLER of Michigan and Mrs. McMORRIS RODGERS.

H.R. 3459: Mr. HUDSON and Mr. COLE.

H.R. 3466: Mr. FOSTER.
 H.R. 3516: Mr. YODER, Mr. NEUGEBAUER, Mr. RATCLIFFE, Mrs. NOEM, and Ms. GRANGER.
 H.R. 3517: Ms. CLARKE of New York.
 H.R. 3541: Ms. CLARKE of New York, Ms. NORTON, and Mr. SHERMAN.
 H.R. 3556: Mr. PAYNE.
 H.R. 3558: Mr. FRELINGHUYSEN.
 H.R. 3590: Mr. HUDSON.
 H.R. 3632: Mr. McDERMOTT and Mr. SCHIFF.
 H.R. 3646: Mr. AUSTIN SCOTT of Georgia.
 H.R. 3662: Mr. ABRAHAM, Mr. WILSON of South Carolina, and Mr. CURBELO of Florida.
 H.R. 3668: Mr. FARR.
 H.R. 3694: Mr. WEBER of Texas and Mr. CÁRDENAS.
 H.R. 3698: Mr. HONDA.
 H.R. 3706: Ms. JENKINS of Kansas, Mr. HECK of Washington, Mr. MCHENRY, and Mr. SWALWELL of California.
 H.R. 3711: Mrs. NAPOLITANO and Mr. BEN RAY LUJÁN of New Mexico.
 H.R. 3760: Mr. HONDA.
 H.R. 3765: Ms. ROS-LEHTINEN.
 H.R. 3802: Mr. RATCLIFFE and Mr. OLSON.
 H.R. 3804: Mr. ROKITA.
 H.R. 3829: Mr. CLAWSON of Florida.
 H.R. 3830: Mrs. LOWEY.
 H.R. 3833: Mr. AL GREEN of Texas, Mr. CARSON of Indiana, Mr. RUSH, Mr. SCOTT of Virginia, Mrs. WATSON COLEMAN, Mrs. LAWRENCE, Mr. FATTAH, Mr. DANNY K. DAVIS of Illinois, Mr. DAVID SCOTT of Georgia, Mr. PAYNE, Ms. EDWARDS, Mr. CUMMINGS, Mr. CLEAVER, Mr. CLYBURN, Mr. CONYERS, Mrs. BEATTY, Ms. BASS, Mr. ELLISON, Mr. CLAY, Ms. FUDGE, Ms. KELLY of Illinois, and Ms. PLASKETT.
 H.R. 3845: Mr. ROSS, Mr. FARENTHOLD, Mr. GIBBS, Mr. HUELSKAMP, Mr. HULTGREN, Mr. CRAMER, Mr. DESJARLAIS, Mr. YOHIO, Mr. GRAVES of Missouri, Mr. THORNBERRY, Mrs. BROOKS of Indiana, and Mr. ZINKE.
 H.R. 3850: Mr. HONDA.
 H.R. 3852: Mr. PAYNE.

H.R. 3858: Mr. BARR.
 H.R. 3861: Mr. MACARTHUR.
 H.R. 3869: Mr. SESSIONS.
 H.R. 3870: Mr. MCGOVERN, Mr. HONDA, and Mr. HASTINGS.
 H.R. 3880: Mr. DESANTIS.
 H.R. 3940: Mr. JODY B. HICE of Georgia, Mr. GOSAR, Mr. ROYCE, Mr. BENISHEK, Mr. WILSON of South Carolina, and Mr. BARLETTA.
 H.R. 3984: Mr. PERRY.
 H.R. 3986: Ms. DELBENE.
 H.R. 3988: Ms. BROWNLEY of California.
 H.R. 3991: Mr. BLUMENAUER.
 H.R. 4006: Mr. AMASH.
 H.R. 4008: Ms. LEE.
 H.R. 4009: Mr. MCGOVERN.
 H.R. 4013: Mr. SABLAN.
 H.R. 4029: Mr. DAVID SCOTT of Georgia.
 H.R. 4032: Mr. RATCLIFFE, Mr. CRAMER, Mr. FLORES, Mr. BROOKS of Alabama, and Mr. KING of Iowa.
 H.R. 4078: Mr. WILSON of South Carolina, Mr. HARDY, Mr. MOOLENAAR, Mr. HUELSKAMP, Mr. BABIN, Ms. ROS-LEHTINEN, Mr. ZINKE, and Mr. GOSAR.
 H.R. 4079: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. ESHOO, Ms. LORETTA SANCHEZ of California, Mr. PAYNE, Mr. VELA, Ms. ESTY, Mrs. TORRES, Mr. WELCH, Mr. GENE GREEN of Texas, Mr. RICHMOND, Ms. KELLY of Illinois, Ms. MCCOLLUM, Mrs. CAPPS, Mrs. LAWRENCE, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. EDWARDS, Ms. DELBENE, Mrs. BEATTY, Mr. COHEN, Mr. CARTWRIGHT, Mr. MCGOVERN, Mr. COURTNEY, Ms. PINGREE, and Mr. KILMER.
 H.R. 4108: Mr. MASSIE.
 H.R. 4113: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LOWENTHAL, Mrs. CAPPS, and Mr. RANGEL.
 H.R. 4126: Mr. FARENTHOLD, Mr. GOSAR, and Mr. BUCK.
 H. Con. Res. 94: Mr. DESJARLAIS, Mr. SMITH of Texas, Mr. DUNCAN of Tennessee, Mr. BABIN, Mr. CLAWSON of Florida, and Mr. BURGESS.

H. Con. Res. 97: Mr. BURGESS and Mr. ROKITA.
 H. Res. 112: Mr. MEEHAN.
 H. Res. 220: Mr. ROSKAM.
 H. Res. 374: Mr. CASTRO of Texas, Mr. SMITH of Washington, and Mr. HASTINGS.
 H. Res. 432: Ms. FRANKEL of Florida and Mr. ASHFORD.
 H. Res. 469: Mrs. LOVE and Mr. DAVID SCOTT of Georgia.
 H. Res. 505: Ms. LOFGREN, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. AGUILAR.
 H. Res. 506: Mr. LOWENTHAL.
 H. Res. 514: Mrs. HARTZLER and Mr. ROTHFUS.
 H. Res. 527: Mr. MACARTHUR.
 H. Res. 530: Mr. CARSON of Indiana and Mr. CONYERS.
 H. Res. 536: Mr. CICILLINE and Mr. DIAZ-BALART.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 2646: Mr. YODER.

PETITIONS, ETC.

Under clause 3 of rule XII,

37. The SPEAKER presented a petition of the Board of Chosen Freeholders, Cumberland County, New Jersey, relative to Resolution No.: 2015-446, supporting Senate Bill No. 1647 (DRIVE), developing a reliable and innovative vision for the economy; which was referred to the Committee on Transportation and Infrastructure.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. WESTMORELAND. Mr. Speaker, on November 19, 2015, the House of Representatives considered H.R. 4038, the American Security Against Foreign Enemies (SAFE) Act. Regrettably, I was unable to be present for the vote. However, had I been present, I would have supported the final passage of H.R. 4038.

HONORING THE LIFE AND LEGACY OF NEW ORLEANS MUSICAL LEG- END ALLEN TOUSSAINT

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. RICHMOND. Mr. Speaker, I rise today to honor the life of Mr. Allen Toussaint, accomplished American producer, musician, songwriter and one of the most talented and prolific New Orleans musicians of my lifetime. Mr. Toussaint passed away on November 10, 2015, at the age of 77.

Mr. Toussaint was born in 1938 and grew up in the Gert Town neighborhood of New Orleans, Louisiana. As a child, he learned to play the piano through informal lessons from an elderly neighbor and picked up melodies from the radio. During his teen years in the 1950s, Mr. Toussaint performed with Earl King's band standing in for Huey "Piano" Smith. The experience launched his music career when he caught the attention of Fats Domino producer Dave Bartholomew. Mr. Toussaint first recorded in 1957 as a stand-in pianist for Fats Domino on the record, "I Want You to Know."

Throughout the 1960s and 1970s, Mr. Toussaint was a remarkably influential songwriter and producer. He played piano and wrote, arranged and produced a series of hits including records like Lee Dorsey's "Working in the Coal Mine," and Jessie Hill's "Ooh Poo Pah Doo." As his sound got funkier into the 70s, he wrote songs such as "Southern Nights," and produced Labelle's, "Lady Marmalade."

Mr. Toussaint's creativity was inspired by the city of New Orleans, but his impact spread beyond the Big Easy and the R&B genre. World famous rock bands, including the Rolling Stones, the Who and the Hollies, covered his song "Fortune Teller." Mr. Toussaint also collaborated with numerous renowned musicians, including Elvis Costello and Paul McCartney.

In 1998, Mr. Toussaint was inducted into the Rock and Roll Hall of Fame. Following the de-

struction caused by Hurricane Katrina, he wrote "The River in Reverse," which was nominated for a Grammy. In 2009 Mr. Toussaint received a Trustees Award Grammy, and he was awarded the National Medal of Arts in 2013.

Mr. Toussaint is described as a soft-spoken embodiment of New Orleans music's rich history. Tributes have flowed in from around the world since the death of the R&B legend, evoking words of condolences for his family and praise for his work from artists as diverse as Jimmy Buffett, the Soul Rebels, Paul McCartney, Lenny Kravitz, and the Rolling Stones.

Mr. Speaker, I celebrate the life and legacy of Mr. Toussaint, master craftsman of 20th-century American culture. His music will forever be ingrained in the culture and soul of New Orleans and this country.

IN SUPPORT OF H.R. 3608

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. TIBERI. Mr. Speaker, I rise to advocate for a bill I introduced, H.R. 3608, which would right a wrong that has impacted over 750 businesses in the United States, including in my home state of Ohio, for more than three years. My bill simply clarifies that the tax on commercial air transportation, also called the "ticket tax," doesn't apply to aircraft management services (AMS) for general aviation flights that don't use tickets.

Aviation has been a source of pride and jobs for Ohio ever since the Wright Brothers invented and built their aircraft in the state. Ohioans build aircraft engines, supply aluminum for aircraft frames, design and manufacture sophisticated avionics, and maintain and fly the planes in the largest business aircraft fleets in the country. All across America, thousands of companies use general aviation and aircraft management services to help ensure the safe and efficient operation of their aircraft.

In March 2012, the Internal Revenue Service's chief counsel released a memorandum stating that services provided in support of aviation are taxable as if the services are transportation itself. The IRS said that the ticket tax applies to AMS businesses that supply pilots, mechanics, maintenance, scheduling and navigation, and the other services provided to general aviation flights, and that is contradictory to Congressional intent.

For decades it has been clear that commercial aviation is required to pay the ticket tax, while general aviation pays the fuel tax. Congress noted this in the Airports and Airways Revenue Act of 1970, when it stated that "the fuel tax on general aviation is a measure of its

use of the airway system, since general aviation . . . will not be subject to the passenger and cargo taxes." However, the chief counsel of the IRS ignored this simple statement and seeks to impose a tax where Congress expressly chose not to apply one. Additionally, general aviation already pays taxes through the excise tax on fuel. The fuel tax is paid into the Airports and Airways Trust Fund to pay for runway maintenance and improvement and air traffic control.

The IRS can implement the tax laws, but it can't create a new tax. The IRS cannot mandate that general aviation pay the ticket tax after Congress expressly chose not to apply the tax to general aviation or AMS that help people fly their own airplane. AMS are not transportation, but rather services in support of transportation, and thus should not be taxed as transportation. For more than three years, AMS companies have tried to explain that to the IRS, but the IRS has refused to acknowledge their mistake and withdraw their opinion.

Meanwhile, businesses have been audited by the IRS and told they owe taxes based on the IRS memorandum. Many AMS companies are small businesses who cannot afford to wage multi-year arguments with the IRS. Recently the U.S. District Court in Columbus, Ohio, decided a case to prevent the IRS from collecting this tax. The court's decision states that the IRS did not provide "precise and not speculative notice" of an AMS company's potential obligation to collect the ticket tax from its customers. I'm pleased the court got it right, but if the IRS won't correct its mistake, it's time for Congress to do it for them, and in a way that will last. That's why my bill provides clarity that payments for AMS are exempt from the ticket tax. I hope my colleagues will join me in support of the bill to ensure its prompt enactment.

TRIBUTE IN HONOR OF REVEREND MICHAEL C. MCCARTHY, S.J.

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Ms. ESHOO. Mr. Speaker, I rise today to honor the work of Father Michael C. McCarthy, S.J. and wish him every blessing as he begins a new and challenging chapter in his life.

Father McCarthy, known affectionately to all as "Father Mick" has served with great distinction as Edmund Campion University Professor at Santa Clara University and Executive Director of the University's Ignatian Center for Jesuit Education for five years. In January, 2016, Father McCarthy will begin a new career at Fordham University as Vice President for Mission Integration and Planning and as Presidential Assistant for Planning.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Father McCarthy was born on July 20, 1964 in San Francisco, was raised in the City of St. Francis, and is the youngest of six children. He is a graduate of St. Ignatius College Prep in San Francisco where he received the Ignatian Award. He began his college career at Stanford University, but after entering the Jesuit Novitiate a year later he continued his education at Santa Clara University. He earned his Master of Divinity at the Jesuit School of Theology in Berkeley, his BA/MA in Philosophy and Classical Literature at Oxford University, and his Ph.D. at the University of Notre Dame. He took his First Vows in August, 1985, was ordained Deacon in March 1996, Presbyterian in June 1996, and served as House Consultor of the Jesuit Community from 2007 to 2010.

During Father McCarthy's stellar years at Santa Clara he founded the "Thriving Neighbors Initiative", a community based program that serves low income minorities by providing university students to mentor and tutor elementary school children and their parents. He was also Director of the Catholic Studies Program and Associate Professor with a joint appointment in the Religious Studies and Classics Departments. He has published countless articles and book chapters and has made numerous presentations, most of them in his chosen research areas of early Christianity, early Biblical exegesis, St. Augustine, and early asceticism and spirituality.

Mr. Speaker, I ask the entire House of Representatives to join me in honoring Father Michael McCarthy for his extraordinary leadership at Santa Clara University and wishing him well in his new position at Fordham University where he will undoubtedly have an exceedingly bright future. Santa Clara's great loss is Fordham's enormous gain. California, and especially Father McCarthy's 95-year-old mother, will miss him greatly, but his star is bright enough to shine on all of us from wherever he is.

IN RECOGNITION OF SUE CURRIN

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor Sue Currin for her 34 years of exemplary service at San Francisco General Hospital and Trauma Center, the last six years as Chief Executive Officer. Ms. Currin has dedicated her life and career to providing every member of our community with quality health care.

Thanks to Ms. Currin's innovative and steadfast leadership, San Francisco General Hospital and Trauma Center today is the sole provider of trauma and emergency psychiatric care for the City and County of San Francisco serving a diverse patient population and offering a wide spectrum of inpatient and outpatient services. The medical center serves about 100,000 patients a year and provides 20 percent of the city's inpatient care.

Ms. Currin secured \$6 million in grant funding for a nursing internship program, a medication error reduction project, patient safety initiatives, and a transportation from hospital to

home program. She was also essential in developing the Acute Care for the Elderly unit. That unit improves patient outcomes and satisfaction while shortening hospital stays and reducing nursing home admissions. Additional major achievements were the development of the first Palliative Care Program for San Francisco's underserved and the Lean Management System at the hospital. And most recently, Ms. Currin succeeded in starting construction of an acute care building that is expected to open in the spring of 2016. This new facility will be equipped with the most advanced technology that will give every San Franciscan access to the best available healthcare. It will truly be an example of a state-of-the-art 21st century hospital and an enduring reminder of all the amazing work she has done.

I deeply admire Sue Currin's perseverance, vision and dedication to others. She started at General Hospital as a student nurse in 1975 and rose through the ranks of staff nurse, nurse educator, Director of Staff Development and Quality Management, Chief Nursing Officer/Chief Operating Officer and finally CEO. She also worked at Kaiser Permanente for three years where she was responsible for quality management, medical staff services, infection control, medical record, member services and risk management over four medical centers. Quality control is part of Ms. Currin's DNA and inactivity alien to her character.

While Ms. Currin held one of the most demanding jobs in the health care profession, she made time to serve on several boards and committees, including the Hospital Councils of San Francisco and Northern and Central California, the American Hospital Association, the California Association of Public Hospitals, America's Essential Hospitals Education Committee and CareForce. As you can see from this list, Ms. Currin invented multitasking.

As the daughter of a military family Sue Currin grew up traveling the world. After her older brother was born in Japan, her parents were transferred to Hamilton Air Force Base in California where she was born. The family then moved to France where her sister was born. From there it was back to the U.S., Illinois and again California. She attended American River Community College, Tacoma Community College in Washington, graduated with a BA in Science in Nursing from San Francisco State University and then with a Master's of Science in Nursing from the University of California, San Francisco.

She and her husband of 34 years, Manny Ungson, have two successful and wonderful sons, Justin and Adam Currin Ungson. In her well-deserved retirement, Ms. Currin will finally have more time to quilt and to cook with her family, her favorite pastimes.

Mr. Speaker, I ask the House of Representatives to rise with me to honor Sue Currin, an outstanding hospital leader who has shaped the health care landscape of San Francisco and the Bay Area. Her tireless efforts to improve the lives of others and her contributions to the city will be felt for decades to come.

HONORING ARTSWESTCHESTER 50TH ANNIVERSARY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. ENGEL. Mr. Speaker, organizations that celebrate and promote the arts are an invaluable part of any great community. For 50 years, ArtsWestchester has connected the entire Westchester community with the arts through incredible exhibitions, programming, events, and initiatives for people of all ages. Their value to our local communities and neighborhoods cannot be understated.

Founded in 1965, ArtsWestchester is the largest private, not-for-profit arts council in New York State, and a recognized leader among arts councils nationwide. The ArtsWestchester mission is to provide leadership, vision, and support to the local arts scene, while ensuring the availability, accessibility, and diversity of the arts in Westchester. Every year, ArtsWestchester distributes over \$1 million in grants to artists and arts organizations, and markets the arts for over 150 cultural organizations and 1,000 artists on their website, as well as in their monthly publication, ArtsNews.

ArtsWestchester also owns and operates the Arts Exchange, a historic landmark building on Mamaroneck Avenue in White Plains, which serves as a haven for local artists to create, perform, rehearse, and showcase their work. The building is constantly humming with activity; and epitomizes exactly what ArtsWestchester is all about.

In addition to the cultural impact, ArtsWestchester has also had a profound economic impact on the area. In 2010 alone, the arts in Westchester accounted for over \$156.44 million in economic activity, due in no small part to the work of ArtsWestchester. The combination of economic growth and cultural artistry is a powerful one, and its positive affect on the entire region has been felt as a result.

On November 20, 2015 ArtsWestchester is celebrating its 50th Anniversary Gala. I want to congratulate the entire organization on the occasion, and thank them for all of their great contributions to Westchester.

HONORING DOUG GLAESER

HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mrs. NAPOLITANO. Mr. Speaker, I rise to honor the long career of public service provided by an outstanding constituent from my district, Doug Glaeser, who has served the San Gabriel Valley and the students, professors, and staff of Cal Poly Pomona University with distinction as the Director of Government affairs and a Political Science Professor for the past 30 years.

Doug has been an invaluable resource to me and my staff, and will be truly missed. He has assisted my office in connecting professors and students with government officials to

research and find solutions for challenges facing our state and nation.

Doug has organized multiple water conferences that I have held at Cal Poly which have led to University researchers working with water agencies and policy makers to improve water conservation for residents, businesses, and agriculture. He also facilitated workforce development programs to improve the current and next generation of our water workforce.

Doug has also established partnerships between Cal Poly and the Air Force that have created applied educational experiences for students to prepare them for careers in the public and private aerospace industry. He was successful in working with our office to garner \$5 million in federal funding to improve the Engineering Department's Aerospace Laboratories. These laboratories have led to expanded educational opportunities for students, improved research capabilities for professors, and modeling and simulation assistance for the Air Force.

Doug's work has not been limited to the betterment of Cal Poly alone; he has been a strong advocate for the California State University system as well as all higher educational institutions in California. He has been a leader in opening up opportunities for Latino students and Hispanic-Serving Institutions by advocating for legislation that seeks to improve federal programs which target educational opportunities for Hispanic students in the Agricultural, Natural Resources, and Military sectors.

Mr. Speaker, I would also note that outside of his job at Cal Poly, Doug volunteers much of his time to organizing, managing, and officiating swimming and water polo competitions throughout the state of California. His commitment to improving both the academic and athletic pursuits of our students is exemplary.

Doug's accomplishments for our community are a product of the kindness, knowledge, humor and enthusiasm that he exudes every day. We will miss Doug's visits to my office and his bright smile, his warm greeting to everyone in the office, and the delicious avocados he brings from the Cal Poly Farm Store.

Doug's proudest achievement is the success of his children Kimberley, Kevin and Daniel, and his grandson Alex. I have been particularly fortunate to get to know Kimberley, as she was an intern in my office and has gone on to serve our country as a Naval Aviator. I was honored to join Doug and his family at Kimberley's winging ceremony early this year in Pensacola, FL.

Mr. Speaker, on behalf of the people of the San Gabriel Valley, and the Cal Poly Pomona community, I ask my colleagues to join me in congratulating Doug Glaeser on his retirement, and thanking him for his long career of public service to Cal Poly Pomona, the State of California and our nation.

PERSONAL EXPLANATION

HON. ROGER WILLIAMS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. WILLIAMS. Mr. Speaker, on Roll Call 641 on final passage of H.R. 3189, the Fed-

eration Reform and Modernization Act of 2015, I would have voted aye, which is consistent with my position on this legislation.

HONORING MR. JOE DORSEY

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Ms. LEE. Mr. Speaker, I rise today to honor Mr. Joe Dorsey on the occasion of his 80th birthday. Mr. Dorsey has had an incredible career in sports and serving his community.

Joe was born in 1935, in Waco, Texas, to Charlie and Aldora Dorsey. He had five sisters: Ollie, Charlie, Alta, Evelyn, and Loretta. In 1945, his family moved to California and settled in Albany. His father later opened and operated Dorsey's Locker, a popular neighborhood restaurant and bar in Oakland. It was more than a social hotspot but a haven that provided jobs for members of the community for nearly 60 years.

From 1948 to 1954, Joe attended Albany High School where he was a three-sport letterman. He led Albany High to four basketball and three baseball championships. During his senior year, he served as captain of both teams and was selected to the all-league teams to play both sports.

Joe graduated from Albany High School in 1954 and enrolled in Contra Costa Junior College, where he continued to play basketball and baseball. During his freshman year, the baseball team won the Junior College State Championship and the basketball team won the conference championship. His leadership and talent on the field led to his signing with the Cincinnati Reds in 1957, but a shoulder injury ended his career after playing with the team for only two years. Albany High School and Contra Costa Junior College later inducted Joe into the Hall of Fame. Albany High School also honored him as their "Athlete of the Century".

Joe married his high school sweetheart Bettye Willis in 1957 but they divorced in 1979. He later met Corrine Tucker and married her in 1984. From his unions, seven children were born: Adrianna, Doreen, Richard, Mitchell, Bruce, Tashia, and Jamareia.

Committed to the continued success of the family business, Joe became a partner in 1996, working tirelessly to ensure its success. For more than forty years, Dorsey's Locker continued to grow and thrive in the Oakland community, even providing jobs to community members in need. It was extremely popular for its live music performances and open mic nights until its doors closed in 2015. It was a vital community institution where lively discussion and important events took place.

On a personal note, I have known Joe for many years. He and Dorsey's Locker have been a part of my public and private life, supporting all of my efforts in extraordinary ways. Joe has been a true friend to me, my sisters Mildred and Beverly, and my late beloved mother, Mildred Massey. For this, we are deeply grateful.

Today, California's 13th Congressional District celebrates the extraordinary life and serv-

ice of Mr. Joe Dorsey. I wish him continued success, happiness, and well-being for many years to come.

IN CELEBRATION OF LOTTIE ALBERT'S 100TH BIRTHDAY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. HASTINGS. Mr. Speaker, I rise today to wish my very dear friend Lottie Albert a happy 100th birthday. Lottie was born on December 25, 1915 to Eva and Louis Wernick in New York City. Twenty-one years later, Lottie married Sol Albert and the two enjoyed 55 years of marriage, and have two lovely daughters, Harriet and Doreen. Lottie is the grandmother to Eric, Glenn, and Lowell, as well as a great-grandmother to Kyle, Samantha, Heather, and Seth.

Lottie has been a resident and community leader of Broward County for over 40 years. I am truly grateful for her selflessness and tireless service.

In 1988, she was inducted into the Area Agency on Aging's Dr. Nan S. Hutchinson Broward Senior Hall of Fame. Additionally, Broward County honored Lottie in 2005 by declaring November 12th as "Lottie Albert Appreciation Day." In 2012, Lottie was inducted into the Broward County Women's Hall of Fame for her work with the Ann Storck Children's Center, the Elderly Interest Fund's MEDIVAN Program, and the Alzheimer's Family Center.

It has been my honor to witness Lottie's commitment and passion for serving her community. Her civic engagement is an example to us all. I have enjoyed a personal friendship with Lottie over many years, and look forward to celebrating her birthday with her on December 5th in Sunrise, Florida.

Mr. Speaker, on the momentous occasion, please join me in wishing Lottie Albert a happy and wonderful 100th birthday.

RECOGNIZING ABBIE LOU HAMPTON MARTIN

HON. MIKE BOST

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. BOST. Mr. Speaker, I rise today to recognize Abbie Lou Hampton Martin for her exemplary service to the East St. Louis, Illinois community.

Mrs. Martin served on the St. Clair County Mental Health Board for over 20 years. She was the chairman and leading fundraiser of the Mental Health Fundraiser Initiative. Additionally, she was the first African American woman to serve as the Physical Education Supervisor for the East St. Louis School District Number 189.

Mrs. Martin is also the only surviving charter member of the East St. Louis Chapter of the Delta Sigma Theta Sorority. She was initiated into the Alpha Nu Chapter in 1937 at the University of Illinois Urbana and served as its president from 1946 to 1947.

She has always been active with the sorority since its founding 79 years ago. She has served on numerous committees throughout her long and service-filled career as a member of the Delta Sigma Theta Sorority.

In 2011, Mrs. Martin was honored for her service with the Wise Owl Award, an award given to those who have displayed outstanding service and commitment to their community.

On February 12, 2016, Abbie Lou Hampton Martin will celebrate her 100th birthday. I ask you to join me in both wishing her a happy birthday and thanking her for her many decades of dedicated service to the East St. Louis community.

HONORING ERIC POLLARD

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. ENGEL. Mr. Speaker, I rise today to honor Eric Pollard, a true public servant whose leadership, loyalty, and dedication to his work has left an indelible mark on the Yonkers Public School System.

Teachers, administrators coworkers and parents all have wonderful things to say about Eric and the job he has done as Head Custodian of the School 16 Annex, located at 759 North Broadway in Yonkers. His reputation precedes him, due to his work ethic and dedication to the school. Principal Cynthia Eisner has lauded Eric, saying, "he makes sure that everything is not only in working order, but it is in tip top shape." In addition to his custodial duties, Eric helps with arrivals and dismissals, serving as a de facto traffic officer, clearing the bus lanes of cars to ensure a smooth dismissal every day. The school's Assistant Principal, JoAnn DiMaria, has also praised Eric for his "leadership, loyalty, and dedication of the highest caliber in association with his responsibilities as Head Custodian. He supports and collaborates with custodial staff in the Main Building while consistently maintaining an immaculate environment where our children can learn."

A Yonkers resident himself, Eric resides with his wife, Lisa, and daughters Kamesha and Aaliyah in the district. He is one of six children born to Mildred and Claude Lee Sr. and has been a resident of Yonkers since 1967. He attended PS 8, graduated from Roosevelt High School, and has been employed by the Board of Education as a custodian since 1992. Eric is Yonkers through and through, and he epitomizes the hard work and dedication the community is known for.

On November 17th Eric is being honored with the 2015 Civil Service Employee of the Year Award, hosted by the Exchange Club of Yonkers and the Yonkers Public School system. It is my pleasure to congratulate Eric on this wonderful honor, and thank him for his years of service to the community.

PERSONAL EXPLANATION

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. ELLISON. Mr. Speaker, due to pressing matters of public safety in my district, I missed the following roll call votes:

Roll call No. 638. I would have voted no. Roll call No. 639. I would have voted no. Roll call No. 640. I would have voted yes. Roll call No. 641. I would have voted no. Roll call No. 642. I would have voted yes. Roll call No. 643. I would have voted no.

HONORING BOY SCOUT TROOP 29 100-YEAR ANNIVERSARY

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. ZELDIN. Mr. Speaker, I rise today to honor Boy Scouts of America Troop 29, which is located in East Moriches, New York.

Troop 29 was founded in 1915 and is celebrating its 100-year anniversary this year. Since its inception, over 1,000 young men have been involved in Troop 29, many of whom have reached great success later in life. Impressively, in Troop 29, 61 young men have achieved the prestigious rank of Eagle Scout.

Today, I would like to congratulate Troop 29 on its 100-year anniversary and thank the Troop's members for their dedicated service to our community.

IN RECOGNITION OF TERRY NAGEL

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor Terry Nagel, the retiring Mayor and member of the Burlingame City Council. The word "inde-fatigable" comes to mind when reciting Terry Nagel's public service.

Mayor Nagel joined the Burlingame City Council in 2003 after receiving the highest number of votes in any council race. She has served three terms as Mayor.

When she launched her council career, she had to do so in periodic darkness because the local power company frequently failed to supply Burlingame with electricity, largely owing to antiquated infrastructure that left the city prone to blackouts during storms. It should be noted that although the power company sometimes failed to provide electricity because of this old equipment, it found a way to buy modem equipment so that Burlingame customers could receive monthly bills for the erratic electrical service. Over several years, Terry Nagel pressured the power company to change its priorities and to spend millions of dollars to make sure the system is reliable, both for Burlingame and surrounding communities. She

still receives phone calls during storms from residents who thank her for keeping the lights on.

While every council member shares in the success of a community, Terry Nagel initiated many of the most notable successes, including a recent rebirth of Burlingame Avenue that has given the town a beacon for families, newcomers and visitors. The project took many years to undertake and then to complete, but the results are indisputable. Burlingame's main street is attractive and distinctive, with up-graded businesses to match the beautiful public infrastructure. Terry Nagel can rightfully claim that she helped to create a welcoming and charming cityscape that will be enjoyed by multiple generations.

Mayor Nagel has promoted open government, fiscal responsibility and championed emergency preparedness. She is a member of the Board of Directors of the San Mateo County Transportation Authority. She started the Burlingame Pet Parade, a fun-filled family event in Burlingame's community calendar. In conjunction with her public service, she created the Community Wish List that connects donors with over 80 community nonprofits.

She has extensive professional experience managing nonprofits and promoting such venerable institutions as the Stanford Law School. She is a former reporter for our local newspaper, and she is a graduate of the University of Washington, cum laude, where she received a Bachelor of Arts degree in English.

Mayor Nagel and her husband Jim Nagel have lived in Burlingame for 32 years. If you do the math, you'll realize that her family, including sons Matt and Greg and daughter Katie, have seen Mayor Nagel walk out the door in service to the public for nearly 40% of the time that she has lived in town. This represents thousands of hours outside the home, in dedication to her neighbors and generations yet to come. That's thousands of hours away from her family, yet her family has been rock solid in its support of her vision.

We rise today to honor a great leader of the City of Burlingame and my friend and colleague Terry Nagel. She says that her focus is on communication and building consensus. In fact, it is all of those things and more. She is the penultimate community steward, and although we wish her well in her next adventures, we can also truly say that she will be missed in the years ahead.

HONORING MARY V. KING

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Ms. LEE. Mr. Speaker, I rise today with my colleagues, Congressman MIKE HONDA and Congressman ERIC SWALWELL, to honor the inspiring life of an exemplary member of the East Bay community, Mary V. King. With her passing on November 15th, 2015, we honor her career of extraordinary service to the East Bay community and her lasting legacy.

As a young mother on public assistance, Mary was drawn into politics to improve the economic conditions of lower income residents. She successfully led a county tax initiative campaign that created new sources of

funding for public transit and other transportation projects. In 1988, she became the first African-American woman elected to the Alameda County Board of Supervisors and was reelected twice. During her tenure, she authored several monumental policies, including the King Plan, a major land-use amendment to protect open space while maintaining sustainable development in unincorporated areas.

Mary also dedicated much of her time to improving the social services provided to lower income residents. Because of her advocacy, the Mary V. King Health Education Center, located at the Eastmont Wellness Center in Oakland, was named in her honor.

After leaving office in 2001, Mary worked as a private consultant specializing in government affairs, regional housing, and transportation issues. In 2009, she was appointed the General Manager of AC Transit, where she served faithfully until her retirement in 2012.

Mary also served on numerous local and regional committees, including the Bay Conservation and Development Commission (BCDC), the Association of Bay Area Governments (ABAG), California Department of Corrections, and the Alameda County Central Committee. She also served as a Chief of Staff to Oakland Mayor Lionel J. Wilson and California State Legislator Bill Lockyer.

Throughout her career, she received numerous awards including the "Lifetime Achievement Award" from the Conference of Minority Transportation Officials; the "Allen E. Broussard Memorial Award for Outstanding Humanitarianism" from the Alameda County Bar Association; and the "George Moscone Memorial Award" from the American Society of Public Administration. In 2014, she was awarded the Metropolitan Transportation Grant award for her leadership as Chair of the Bay Bridge Design Task Force during the construction of the Eastern Span of the San Francisco-Oakland Bay Bridge.

On a personal note, I will always remember Mary for her many contributions as a public servant, but more importantly, as a loving mother, grandmother, daughter, and friend. Mary always put her family first. She loved and cared for her beautiful mother, children, and grandchildren in ways that I witnessed and admired. I was inspired by how she balanced her work and her personal life, always rising to the occasion in both. Mary's humanity was never destroyed by politics and power. She was authentic in all of her relationships, and she will be deeply missed.

Today, California's 13th Congressional District salutes the life of a remarkable individual and devoted public servant, Mary V. King. Her service has helped countless residents of the East Bay community and her contributions are innumerable. I join all of Ms. King's loved ones in celebrating her incredible accomplishments and offer my sincerest condolences.

INTRODUCTION OF THE TAXPAYER RIGHTS ACT OF 2015

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. BECERRA. Mr. Speaker, I have been introducing taxpayer rights legislation since

2004, and today I am proud to introduce the Taxpayer Rights Act of 2015, a bill that contains important provisions to improve services for and protect the rights of American taxpayers, particularly those with modest incomes. Senator CARDIN, who previously helped lead efforts in the House to pass the original Taxpayer Bill of Rights, is introducing companion legislation in the Senate. Many of these provisions are based on recommendations from the National Taxpayer Advocate, Nina Olson, who has long been a champion of improving taxpayer services and tax administration at the Internal Revenue Service (IRS).

As former Nixon Treasury Secretary William Simon said, "The nation should have a tax system that looks like someone designed it on purpose." As we look for ways to improve the tax code to make it fairer and more transparent for all taxpayers, it is critical that ideas to help improve IRS service and accessibility are included in this conversation. Every year, millions of taxpayers file their returns with the IRS and inevitably issues of tax administration come to the forefront. These issues range from taxpayers not knowing their legal rights when interacting with the IRS, to taxpayers enlisting unscrupulous or poorly-trained preparers to help them complete one of their most important financial transactions of the year. This legislation aims to help prevent taxpayers from finding themselves in these avoidable situations, and to build on and improve taxpayer services provided through the IRS.

The centerpiece of this Act is the requirement that Treasury publish a Taxpayer Bill of Rights. The Taxpayer Bill of Rights is a simple and straightforward statement that enumerates all taxpayers' rights and obligations. As the National Taxpayer Advocate explained in her 2011 Report to Congress: "In a time when the IRS will feel pressure to bring in additional tax revenue, it is crucial to provide taxpayers with strong protection for their rights." Currently, these rights and obligations are scattered throughout the tax code and Internal Revenue Manual, making them neither accessible nor written in plain language that most taxpayers can understand.

This Act also helps improve the quality and accessibility of tax preparation services and advice available to taxpayers in several different ways. First, it clarifies that the IRS has the authority to regulate tax return preparers. Ensuring tax preparers are trained, competent, and current on tax law developments will go a long way towards helping taxpayers during one of their most important financial transactions of the year. The Act also helps ensure moderate income taxpayers access qualified tax assistance by supporting a grant program for free income tax assistance services, like those offered by the Koreatown Youth and Community Center in my district in Los Angeles. It also allows IRS referrals to Low Income Taxpayer Clinics, which provide representation to modest income taxpayers in their disputes with the IRS. In addition, the Act puts new protections in place to ensure taxpayer information remains confidential, and increases penalties on preparers of fraudulent tax returns.

Finally, this bill includes several provisions that would improve IRS taxpayer services. One important provision provides greater pro-

tections for taxpayers when they are faced with a Notice of a Federal Tax Lien filing (NFTL). Filing of an NFTL can result in significant, longterm hardship to a taxpayer, and may adversely affect the taxpayer's credit, thus impairing his or her ability to conduct financial transactions or secure employment. The Taxpayer Bill of Rights Act requires the IRS to make individualized determinations before the filing of an NFTL, and also requires consideration of hardship factors and a taxpayer's history of compliance before these determinations are made.

Many of the issues identified in this bill have caused confusion and undue hardship for taxpayers across the country. I encourage all of my colleagues to support these common sense provisions to promote taxpayer rights and services for all Americans.

HONORING PETER DIPAOLO

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. ENGEL. Mr. Speaker, I rise today to honor a dear friend and a true community leader, Pelham Town Supervisor Peter DiPaola, who has served his community in elected office with distinction for close to 25 years.

A resident of Pelham Manor since 1952, Peter has always had a love affair with Pelham Manor and its residents. He attended Siwanoy Elementary School while his future wife attended Prospect Hill, beginning a family legacy in the Pelham Elementary School system that has lasted three generations.

In 1991, Peter began his life of public service as a member of the Pelham Manor Planning Board, and never looked back. To call Peter's career in elected office diverse or extensive would be an understatement. He served as Pelham Manor Trustee, with oversight for administration, planning, and finance; Fire Commissioner; Police Commissioner; Commissioner of Public Works; was elected Mayor of the Village of Pelham Manor in 2001; Town Councilman in 2004; and finally Pelham Town Supervisor in 2012, the role in which he currently still serves.

As Town Supervisor, Peter has worked diligently to maintain the beauty and charm that has defined Pelham for decades. In spite of state mandated tax caps, he has overseen a redesign and improvement of the Town Court, a renovation of Gazebo Park, an expansion of the offerings by the Pelham Recreation Department, as well as an improvement of town services and programs, all while staying under the 2 percent tax cap. He has also worked hard to obtain vital funding through local, state, and federal grants, some of which my office has helped procure, for initiatives ranging from Superstorm Sandy repairs to improvements to Trotta Park. Peter's ability to deliver the services Pelham's residents have come to expect from their local government, while exhibiting strict fiscal responsibility, has been masterful, and as Pelham's Congressman I have always counted myself fortunate to have such a wonderful partner in government.

Peter and I may not come from the same side of the aisle, but we have always had a great relationship, built on a foundation of mutual respect, while working together in the spirit of bipartisanship. As the American Legion Pelham Post 50 honors Peter at their annual Veterans Week Dinner Dance, I want to take a moment to honor him as well, and thank his wife, children, and grandchildren for sharing him with the entire community. There is no more fitting honoree than Peter, and he is most deserving of this recognition.

UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$ 18,719,613,274,893.51. We've added \$8,092,736,225,980.43 to our debt in 6 years. This is over \$8 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING SHAWN FRIEDKIN

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to congratulate Shawn Friedkin for receiving the Arnold H. Snider Visionary Leadership Award from the Reeve Foundation, recognizing his many years of tireless work on behalf of disabled people.

Twenty years ago, Shawn was a newly married man with a young daughter when his life was forever changed. After a terrible car accident, Shawn experienced unrepairable damage to his spinal cord and would never walk again.

On November 19, the Reeve Foundation held its 25th Annual "A Magical Evening" fundraiser in New York, where Mr. Friedkin's hard work was recognized. In 1997 Shawn founded Stand Among Friends, an organization to help people with disabilities live life to their full potential. Since then he has been involved in raising funds for neurological research and creating programs to support people with disabilities in our community. As President of this organization, Mr. Friedkin opened a disability center on Florida Atlantic University's campus in 2006, which has helped place over 800 people in jobs.

Shawn is an inspiration, and I am pleased to recognize him today and wish him the best in his future endeavors.

PERSONAL EXPLANATION

HON. ROGER WILLIAMS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. WILLIAMS. Mr. Speaker, on Roll Call 643 on final passage of H.R. 4038, the American SAFE Act of 2015, I would have voted aye, which is consistent with my position on this legislation.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. COHEN. Mr. Speaker, due to a flight delay on March 23, 2015, I was unable to attend House Roll Call Vote numbers 130 and 131. If present, I would have voted yes on H.R. 360 and H. Res. 162.

HONORING MASTER SERGEANT
FRANK NORWOOD**HON. CHELLIE PINGREE**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Ms. PINGREE. Mr. Speaker, I would like to recognize Master Sergeant Frank Norwood, an outstanding Maine veteran and patriot who has distinguished himself with his outstanding service to our country, state, and veterans.

Master Sergeant Norwood is well known in my state for his role as the Maine Military Funeral Honors Coordinator, a post in which he has earned statewide respect from military, government, and civilian communities. Since 2005, his team has performed 12,000 military funerals and, over the last five years, has been at every single Maine veteran's funeral. This incredible feat—unmatched by any other state—is a true show of respect to the veterans who have defended our country.

In addition, Master Sergeant Norwood has led the Maine State Select Honor Guard to become the pride of the Maine Army National Guard. During his tenure there, he has coordinated over 700 events and personally participated in over 500 of them, ranging from gubernatorial inaugurations, posting colors at major sporting events, and performing military funerals for our fallen heroes. Additionally, he has instructed numerous veterans' organizations and community groups on ceremonial and flag etiquette, often volunteering his personal time.

I would also like to recognize Master Sergeant Norwood's many years of distinguished service in the Army and the Maine Army National Guard. He served in Grenada, helped ready Maine's Guard members for an overseas deployment in the War on Terror, and earned numerous military honors and awards.

Frank Norwood is a great leader and patriot. The people of Maine are honored by his dedication, and I thank him wholeheartedly for his service to our veterans and our nation.

TEACHING HISTORY AND SERVING
TEXAS**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Terri Wenzel from Pearland, Texas for being named President of the Texas Council for the Social Studies (TCSS).

Ms. Wenzel is a fourth grade teacher at Pearland's Challenger Elementary. For almost 15 years, she has been involved with TCSS in order to promote Texas social studies around our great state. From encouraging development for her fellow teachers, to bringing history to life in her classroom, Ms. Wenzel has truly shown her commitment to Texas. She begins serving on the TCSS Executive Council in January 2016 and will begin her term as president in 2017. Ms. Wenzel is making Pearland and Challenger Elementary proud. TCSS made a great decision by selecting her.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Terri. Thank you for teaching young Texans about our great state.

HONORING ANGELO MARTINELLI

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. ENGEL. Mr. Speaker, I rise today to recognize a leader in the Yonkers community, Angelo R. Martinelli, who for 20 years has led the Yonkers Chamber of Commerce as Chairman with great distinction and integrity.

Originally born in the Bronx in 1927, Angelo grew up in Mount Vernon, attending A.B. Davis High School. Following his graduating in 1945, he enlisted in the United States Army where he served until 1946 as a Sergeant.

After leaving the Army, Angelo returned home to work in his family's business, The Yonkers Daily Times, while swiftly moving to buy the Gazette Press in 1948. This shift, as well as meeting the love of his life, Carol Madatto, led to the purchase of their first home in Yonkers in 1960, where Angelo still currently lives.

In 1974, Angelo ran and was elected Mayor of the City of Yonkers, serving from 1974–1979 and again from 1982–1987. He has earned a reputation as an effective and forceful advocate of municipal government interests, like seniors, anti-crime programs, and the reactivation of the Yonkers Police Athletic League. In 1983, with the closing of the PAL seeming imminent, Mayor Martinelli helped form a new Board of Directors, and today the PAL is a vibrant organization, with Angelo continuing to serve as its President since 1991. Angelo was the owner and Chairman of the Board of Gazette Press, Inc., and is currently Chairman of the Board for Today Media, Inc. From 1990 until May, 2012 he served as a director of Hudson Valley Bank.

In January 1984, Mercy College conferred upon him an Honorary Doctorate of Humane

Letters. In January 1995 he became Chairman of the Yonkers Chamber of Commerce, a position he still holds. In August 2015, HBO aired the miniseries, "Show Me a Hero," with Angelo, who was delighted to be portrayed by actor Jim Belushi.

But Angelo's passion was always his family. He and Carol, to whom he was married to and loved for 65 years, have six sons, Michael, Paul, Robert, Richard, Thomas and Ralph, and five daughters-in-law, 12 grandchildren, and five great grandchildren. Angelo is an active parishioner of St. Eugene's Church, Yonkers.

This year, the Yonkers Chamber of Commerce is honoring Angelo at the 122nd Annual Business Hall of Fame Dinner, commemorating his 20 years of service as Chairman of the Board. I want to thank him for his incredible leadership and for helping to make Yonkers the great city it is today.

A TRIBUTE TO KRISTIN JOHNK

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Kristin Johnk of Atlantic, Iowa, for receiving the American Future Farmers of America Degree Award. The American Future Farmers of America Degree is the highest honor a FFA member can achieve.

From October 28th through October 31st the FFA held their annual National Convention in Louisville, Kentucky. It was then that Kristin was awarded the American FFA Degree for her abilities and outstanding achievements in agriculture business, production, processing and service programs. Kristin has a wide range of experience in agriculture related jobs. She has worked in floriculture, turf and landscaping management, as well as vegetable production. Her experience in these jobs have opened her eyes to future career opportunities and allowed her to develop some of the skills she will need to succeed in them.

Eligibility requirements for this prestigious FFA award include: earning at least \$10,000 and productively investing \$7,500 through a supervised agriculture experience program or working in an existing agriculturally-focused position, completing 50 hours of community service, as well as demonstrating outstanding leadership abilities. Kristin met and exceeded each of these requirements through her dedication to the organization and the agriculture community.

Mr. Speaker, I applaud and congratulate Kristin for earning this award. She is a shining example of how hard work, determination, and dedication can help you achieve your goals. I am honored to recognize her today. I ask that my colleagues in the United States House of Representatives join me in congratulating Kristin for her accomplishments and in wishing her nothing but continued success.

A TRIBUTE TO WYATT SAEUGLING

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Wyatt Saeugling of Atlantic, Iowa, for receiving the American Future Farmers of America Degree Award. The American Future Farmers of America Degree is the highest honor a FFA member can achieve.

From October 28th through October 31st the FFA held their annual National Convention in Louisville, Kentucky. It was there that Wyatt was awarded the American FFA Degree for his abilities and outstanding achievements in agriculture business, production, processing and service programs. He has always been involved in agriculture, from helping his grandpa on their dairy farm to starting his own cow herd.

Eligibility requirements for this prestigious FFA award include: earning at least \$10,000 and productively investing \$7,500 through a supervised agriculture experience program or working in an existing agriculturally-focused position, completing 50 hours of community service, as well as demonstrating outstanding leadership abilities. Wyatt met and exceeded each of these requirements through his dedication to the organization and the agriculture community.

Mr. Speaker, it is an honor to represent young leaders like Wyatt in the United States House of Representatives. He is a shining example of how hard work, determination, and dedication can help you achieve your goals. I know that my colleagues in the United States House of Representatives will join me in congratulating him for his accomplishments and wishing him nothing but continued success.

A TRIBUTE TO TUCKER SAGER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Tucker Sager of Atlantic, Iowa, for receiving the American Future Farmers of America Degree Award. The American Future Farmers of America Degree is the highest honor a FFA member can achieve.

From October 28th through October 31st the FFA held their annual National Convention in Louisville, Kentucky. It was then that Tucker was awarded the American FFA Degree for his abilities and outstanding achievements in agriculture business, production, processing and service programs. Tucker has always had an interest in agriculture, and his passion has only been reinforced through his work as a farm hand.

Eligibility requirements for this prestigious FFA award include: earning at least \$10,000 and productively investing \$7,500 through a supervised agriculture experience program or working in an existing agriculturally-focused

position, completing 50 hours of community service, as well as demonstrating outstanding leadership abilities. Tucker met and exceeded each of these requirements through his dedication to the organization and the agriculture community.

Mr. Speaker, I applaud and congratulate Tucker for earning this award. He is a shining example of how hard work, determination, and dedication can help you achieve your goals. I am honored to recognize him today. I ask that my colleagues in the United States House of Representatives join me in congratulating Tucker for his accomplishments and in wishing him nothing but continued success.

A TRIBUTE TO CHANCEY RICHARDS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Chancey Richards of Atlantic, Iowa, for receiving the American Future Farmers of America Degree Award. The American Future Farmers of America Degree is the highest honor an FFA member can achieve.

From October 28th through October 31st the FFA held their annual National Convention in Louisville, Kentucky. It was then that Chancey was awarded the American FFA Degree for his abilities and outstanding achievements in agriculture business, production, processing and service programs. After starting his sophomore year of high school Chancey learned of his love for the agriculture industry. He began helping out at a local cattle operation by doing odd jobs around the farm along with raising his own horse, Chicago. This experience taught him about the responsibilities that come with operating your own cattle farm and how to be successful.

Eligibility requirements for this prestigious FFA award include: earning at least \$10,000 and productively investing \$7,500 through a supervised agriculture experience program or working in an existing agriculturally-focused position, completing 50 hours of community service, as well as demonstrating outstanding leadership abilities. Chancey met and exceeded each of these requirements through his dedication to the organization and the agriculture community.

Mr. Speaker, I applaud and congratulate Chancey for earning this award. He is a shining example of how hard work, determination, and dedication can help you achieve your goals. I am honored to recognize him today. I ask that my colleagues in the United States House of Representatives join me in congratulating him for his accomplishments and wishing him nothing but continued success.

A TRIBUTE TO TODD ASHBY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to congratulate Todd Ashby, Executive Director of the Des Moines Area Metropolitan Planning Organization, for being recognized by the Association of Metropolitan Planning Organizations (AMPO) as this year's recipient of the Ronald F. Kirby Memorial National Award for Outstanding Individual Leadership.

To earn this prestigious national award the recipient must display outstanding efforts in metropolitan transportation planning and planning leadership. They must also display and exemplify at least two of the following criteria: innovation, impact of profession, implementation, and coordination. Todd has embodied each of the four criteria and has worked tirelessly to promote his profession and the city of Des Moines.

Todd has worked behind-the-scenes on his most recent project to establish the Des Moines Transload Facility. It will serve as a hub for surrounding area businesses by connecting the trucking network to the rail network. Based on recent findings, it will be a significant improvement over what is available today in central Iowa. It will allow businesses to reach areas of the state, and country that were unreachable before the facility. It is estimated that the Transload Facility will be completed by 2016.

Mr. Speaker, Todd has displayed a work ethic and dedication to success that is matched by few. I am honored to represent him and Iowans like him, in the United States Congress. I ask that all of my colleagues in the United States House of Representatives join me in congratulating Todd for receiving this outstanding award and in wishing him nothing but continued success.

A TRIBUTE TO LAVERNE AND PEGGY GOSS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate LaVerne and Peggy Goss of Council Bluffs, Iowa, on the very special occasion of their 60th wedding anniversary. They were married in 1955.

LaVerne and Peggy's lifelong commitment to each other, their children, their grandchildren, and their great-grandchildren, truly embodies our Iowa values. It is families like the Gosses that make me proud to call myself an Iowan and represent the people of our great state.

Mr. Speaker, I commend this special couple on their 60th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

A TRIBUTE TO DUANE AND SHARON STEFFENS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Duane and Sharon Steffens of Atlantic, Iowa, on the very special occasion of their 50th wedding anniversary. They were married on September 19, 1965, at the Methodist Church in Cumberland, Iowa.

Duane and Sharon's lifelong commitment to each other and their children, Todd, Stacy, Denny, and Tracy, along with their grandchildren, truly embodies our Iowa values. It is families like the Steffens's that make me proud to call myself an Iowan and represent the people of our great state.

Mr. Speaker, I commend this special couple on their 50th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

A TRIBUTE TO JOE AND MARY NELSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Joe and Mary Nelson of Anita, Iowa, on the very special occasion of their 50th wedding anniversary. They were married on September 18, 1965, at Zion Lutheran Church in Atlantic, Iowa.

Joe and Mary's lifelong commitment to each other, their children Jeff and Kim, and their grandchildren, truly embodies our Iowa values. It is families like the Nelsons that make me proud to call myself an Iowan and represent the people of our great state.

Mr. Speaker, I commend this special couple on their 50th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

A TRIBUTE TO SANDY SCHUBERT

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Sandy Schubert for the grand opening of her new business, Hedgie's Books, Toys & More, in Bedford, Iowa.

Sandy opened her new business on September 29th, 2015. She and her husband Kevin want to give back to their community and are striving to provide needed products in

this small rural town that would otherwise not be available. They sell a wide range of items from books and toys for all ages, to local Iowa wines. Small businesses, like Hedgie's Books, Toys & More, are the backbone of small rural economies.

Mr. Speaker, I commend Sandy and her family for their commitment to their community. It is an honor to represent hardworking Iowans like the Schuberts in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating them on their new business venture and in wishing them nothing but continued success.

A TRIBUTE TO MARK MCNEES

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 30, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mark McNees, as he was named President of the Iowa Firefighters Association at the Association's 137th annual meeting. Mark also serves as the Fire Chief for the City of Atlantic, Iowa, where he has served as a firefighter for 25 years.

The mission of the Iowa Firefighters Association revolves around improving Iowa's fire services and protecting the public. They work to uphold these goals through the enactment of legislation, improving training practices, fire prevention, and increasing access to public safety information. Mark has displayed a commitment to the core principals of the Iowa Firefighters Association and is truly deserving of this important role within the Association.

Mr. Speaker, Mark has dedicated himself to serving and protecting his community. It is with great honor that I recognize him today. I ask that my colleagues in the United States House of Representatives join me in congratulating him and wishing him and the Iowa Firefighters Association nothing but continued success as he settles into his new role.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, December 01, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 2

9:30 a.m.

Committee on Armed Services

To hold hearings to examine Department of Defense personnel reform and strengthening the all-volunteer force.

SD-G50

10 a.m.

Committee on Agriculture, Nutrition, and Forestry

To hold hearings to examine agriculture's role in combating global hunger.

SR-328A

Committee on the Judiciary

To hold hearings to examine protecting trade secrets, focusing on the impact of trade secret theft on American competitiveness and potential solutions to remedy this harm.

SD-226

10:30 a.m.

Committee on the Budget

To hold hearings to examine reforming the federal budget process, focusing on modernizing budget concepts to improve accuracy and transparency.

SD-608

2:15 p.m.

Committee on Foreign Relations

To hold hearings to examine the nominations of G. Kathleen Hill, of Colorado, to be Ambassador to the Republic of Malta, Eric Seth Rubin, of New York, to be Ambassador to the Republic of Bulgaria, Kyle R. Scott, of Arizona, to be Ambassador to the Republic of Serbia, and David McKean, of Massachusetts, to be Ambassador to Luxembourg, all of the Department of State, and Carlos J. Torres, of Virginia, to be Deputy Director of the Peace Corps.

SD-419

Committee on Indian Affairs

Business meeting to consider S. 1125, to authorize and implement the water rights compact among the Blackfeet Tribe of the Blackfeet Indian Reservation, the State of Montana, and the United States, and S. 1879, to improve

processes in the Department of the Interior; to be immediately followed by an oversight hearing to examine the Tribal Law and Order Act (TLOA), focusing on whether the justice systems in Indian country have improved.

SD-628

2:30 p.m.

Committee on the Judiciary

To hold an oversight hearing to examine the Administration's alien removal policies.

SD-226

Committee on Veterans' Affairs

To hold hearings to examine consolidating non-Department of Veterans Affairs care programs.

SR-418

4 p.m.

Committee on Foreign Relations

To receive a closed briefing on Joint Comprehensive Plan of Action oversight, focusing on the International Atomic Energy Agency's report on the possible military dimensions of the Iranian nuclear program.

SH-219

DECEMBER 3

9 a.m.

Committee on Foreign Relations

To receive a closed briefing on the United States role in the Middle East.

S-116

9:30 a.m.

Committee on Armed Services

To hold hearings to examine supporting the warfighter of today and tomorrow.

SD-106

10 a.m.

Committee on Energy and Natural Resources

To hold an oversight hearing to examine implementation of the Alaska National Interest Lands Conservation Act of 1980, including perspectives on the Act's impacts in Alaska and suggestions for improvements to the Act.

SD-366

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the nominations of Robert A. Salerno, and Darlene Michele Soltys, both to be an Associate Judge of the Superior Court of the District of Columbia for the term of fif-

teen years, and Carol Waller Pope, of the District of Columbia, to be a Member of the Federal Labor Relations Authority for a term of five years expiring July 1, 2019 (Reappointment).

SD-342

Committee on the Judiciary

Business meeting to consider S. 247, to amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality, S. 1318, to amend title 18, United States Code, to provide for protection of maritime navigation and prevention of nuclear terrorism, and the nominations of Dana J. Boente, to be United States Attorney for the Eastern District of Virginia for the term of four years, and John P. Fishwick, Jr., to be United States Attorney for the Western District of Virginia for the term of four years.

SD-226

Joint Economic Committee

To hold hearings to examine the economic outlook.

SH-216

2:30 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

DECEMBER 8

10 a.m.

Committee on the Judiciary

Subcommittee on Antitrust, Competition Policy and Consumer Rights

To hold hearings to examine the AB InBev/SABMiller merger and the state of competition in the beer industry.

SD-226

DECEMBER 15

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine S. 2257, to prepare the National Park Service for its Centennial in 2016 and for a second century of protecting our national parks' natural, historic, and cultural resources for present and future generations.

SD-366